

**CITY COUNCIL AGENDA**

**Brainerd, Minnesota**

**April 17, 2017**

**7:30 P.M.**

**Brainerd City Hall**

**Council Chambers**

\_\_\_\_\_ D. Badeaux  
\_\_\_\_\_ G. Johnson  
\_\_\_\_\_ S. Hilgart  
\_\_\_\_\_ J. Lambert  
\_\_\_\_\_ K. Stunek  
\_\_\_\_\_ K. Bevans  
\_\_\_\_\_ 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 (Roll Call)**
  - A. Approval of the Minutes of the Regular Meeting held on April 3, 2017 (See Attachment)**
  - B. Approval of Licenses**
    1. Contractor's Licenses - 2 – New and 2 – Renewals (See Attachment)
    2. Tobacco License – John Dundas dba Vapor North, 316 Washington Street  
*Contingent upon Fire Chief Approval*
  - C. Department Activity Reports – (See Attachments)**
    1. Police Chief
    2. Finance Director

- D.     Adopt Resolution Accepting Donations & Contributions for 1<sup>st</sup> Quarter 2017 – (See Attachment)
- E.     Minnesota Lawful Gambling Premises Permit Application – Adopt Resolution to Allow Lawful Gambling by Confidence Learning Center at 612 Station, 612 Front Street, Brainerd – Approval of
- F.     Minnesota Lawful Gambling – Adopt a Resolution Authorizing the Brainerd Elks Lodge #615 to Conduct Off-Site Gambling on May 3, 2017 at the Brainerd National Guard Amory, 1115 Wright Street, Brainerd, MN - Approval of

6.     Presentations

- A.     History Week Presentation – Ms. Mary Koep

7.     Council Committee Reports

A.     Safety and Public Works Committee Report

- 1.     Event/Street Closure Application – Fire Convention Parade
- 2.     Improvement 17-03 – 2017 Crack Sealing Quotes
- 3.     Event/Street Closure Application – Garfield Walk-a-Thon
- 4.     Northern Pacific Center SAC/WAC Fees
- 5.     Notice of Posting and Public Hearing for ADA (Americans with Disabilities Act) Transition Plan
- 6.     Improvement 14-15 – Airport Utility Extension SEH Fee Amendment
- 7.     WBCC NMTP Presentation – Tier 1 Priorities
- 8.     Downtown Special Services District Maintenance Quote Approval

B.     Personnel and Finance Committee Report

- 1.     Approval of Bills
- 2.     Community Action Donation Request for 4<sup>th</sup> of July
- 3.     Electronic Council Packet
- 4.     Council Chambers Audio System Improvements

- 5. Administrative Specialist Position – Approve Hiring**
- 6. Assistant City Engineer Hiring Process Update**
- 7. Authorization to Hire Community Service Officers**
- 8. Review/Discuss Status of Facilities Study**
- 9. Budget Process Discussion**

**8. Unfinished Business**

**A. Public Hearing – Final Reading of Proposed of Proposed Ordinance No. 1464 – An Ordinance Amending:**

- 1. Section 900 of the Brainerd City Code – Animals to Permit Bee Keeping**
- 2. Section 1010 of the Brainerd City Code – Licensing Fees to Add Licensing Fee**
  - a. Hold Public Hearing
  - b. Consider Testimony and Alternatives
  - c. Hold Final Reading of Ordinance (Voice Vote)
  - d. Adopt Ordinance (Roll Call)

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

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

Cable TV Advisory Committee – 1 term (Expire 2019)

Charter Commission – 1 term (Expire 2020)

Transportation Advisory Committee – 1 terms (Expire 2018)

**9. New Business**

**A. Declaration of Hazardous Building**

**B. Set Work Session: How to Meet the “Retirement Crisis”**

**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** (Verbal: Any Updates since Packet)
- 12. Council Member Reports**
- 13. Adjourn – To Riverfront Workshop Monday, April 24, 2017 at 5:30 P.M. in the City Hall Council Chambers**

NOTE: Safety and Public Works Committee will meet at 6:00 P.M.  
Personnel and Finance Committee will meet at 6:30 P.M.

**ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS,  
PLEASE CALL 828-2307.  
Visit the City's website at [www.ci.brainerd.mn.us](http://www.ci.brainerd.mn.us)**

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



Brainerd, MN  
April 3, 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: Badeaux, Johnson, Hilgart, Lambert, Stunek, Bevans and Pritschet. Mayor Menk was also noted as present.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ADD AN OFF-SALE LIQUOR AND TOBACCO LICENSE TRANSFER FROM PAUL E. KOERING, BAXTER LIQUOR MART TO RYAN BARRETT, BARRETT'S NE LIQUOR, INC, DBA NE LIQUOR TO THE CONSENT CALENDAR.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT THE CONSENT CALENDAR AS AMENDED.

- A. Approval of the Minutes of the Regular Meeting held on March 20, 2017 – Approved**
- B. Approval of Licenses – Approved**
  - 1. Contractor's Licenses – 1 – New and 1- Renewal
- C. Department Activity Reports – Approved**
  - 1. Fire Chief
  - 2. Park Director
- D. Minnesota Lawful Gambling –Resolution No. 20:17 - Authorizing the Brainerd Aeries Eagles #287 to Conduct Off-Site Gambling on April 22- April 23, 2017 at Memorial Park, 1700 Mill Avenue, Brainerd, MN – Approved**
- E. Temporary On-Sale Liquor License Application – Submitted by the Elks Governing Body for an Event to be Held on May 3, 2017 at the Brainerd National Guard Armory, 1115 Wright Street, Brainerd, MN – Approved**
- F. Resolution 21:17 - Concluding Solar Energy Application – Approved**
- G. (Added Item) Off Sale Liquor License Transfer – Paul E. Koering, Baxter Liquor Mart to Ryan Barrett; Barrett's NE Liquors, Inc. dba NE Liquor - Approved**
- H. (Added Item) Tobacco License Transfer – Paul E. Koering, Baxter Liquor Mart to Ryan Barrett; Barrett's NE Liquors, Inc. dba NE Liquor - Approved**

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

### **Council Committee Reports**

#### **Safety and Public Works Committee Report**

##### **Resolution Accepting Bids for Improvements 14-01, 14-03 & 16-13 – Adopted by Resolution No. 22:17:**

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, TO ADOPT THE RESOLUTION ACCEPTING THE LOW BID BY TRI-CITY PAVING INCORPORATED IN THE TOTAL AMOUNT OF \$1,039,128.90: \$495,571.42 FOR IMPROVEMENT 14-01 OAK STREET MILL AND OVERLAY, \$270,736.73 FOR IMPROVEMENT 14-03 JACKSON STREET RESURFACING, AND \$272,820.75 FOR IMPROVEMENT 16-13 BUFFALO HILLS LANE RESURFACING AS PER SECTION 429 OF MINNESOTA STATUTE FOR ASSESSMENT PURPOSES.

##### **RESOLUTION NO 22:17**

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

##### **Improvements 14-01, 14-03 & 16-13 – Accept proposals from Braun Intertec for Material Sampling and Testing – Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT THE QUOTES FOR MATERIAL SAMPLING AND TESTING AS PROPOSED BY BRAUN INTERTEC AT AN ESTIMATED AMOUNT OF \$50,490 FOR IMPROVEMENT PROJECTS 14-01, 14-03 AND 16-13.

##### **Request from Northern Pacific Center - Discussion**

Committee Chair Bevans summarized the situation. The Northern Pacific Center has several abandoned plumbing fixtures that are not distributed among the NP Center buildings as needed to redevelop the property efficiently. At the time the council adopted ordinances establishing the SAC and WAC fees, Subd. 4 provided for the transfer of an ERC (Equivalent Residential Connections) from a structure being removed to a structure being constructed. The council also adopted five special conditions for the transfer of an ERC credit. The NP Center is requesting credits for plumbing fixtures that are not being directly impacted by a remodel project, and were abandoned some 50 years or more ago and have not been a customer or financial supporter of utility infrastructure for that period. Credits have been granted to the NP Center for plumbing fixtures that were generally active and were being removed or abandoned in the area of, and in conjunction with, a remodel project. The Committee would like to assist in some way but recognizes that there is a lot of old property in the City with abandoned plumbing fixtures, and we would be putting an additional load on the system without getting any financial assistance if credits are to be given.

Council discussion was held regarding options and opinions. Staff will follow up with additional information.

#### **Improvement 14-08 – Authorize Final Payment - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE FINAL PAYMENT FOR IMPROVEMENT 14-08 TO CROW WING COUNTY IN THE AMOUNT OF \$621,619.96, WHICH EXCEEDS THE ESTIMATED AMOUNT PREVIOUSLY APPROVED BY \$18,688.09.

Committee Chair Bevans stated the majority of the overrun is due from the overrun of curb and gutter removal and replacement which is a 50/50 cost split with the County pursuant to their cost participation policy.

#### **Walkable Bikeable City Committee (WBCC) - Non-Motorized Transportation Plan (NMTP) Tier I Priorities – Discussion**

Committee Chair Bevans stated that the Walkable Bikeable City Committee (WBCC) met to review Tier I of the Non-Motorized Transportation Plan (NMTP) and established priorities to be considered for the 2018 budget process, and considered items that may added to the 2017 construction projects which were not budgeted. The information from the WBCC was provided in the packet. There is no recommendation from the Safety and Public Works Committee, and the recommendations from the WBCC will be revisited in the future. Alderman Bevans stated that we do not want to put the plan on the shelf and not do anything before the Tier I timeframe passes.

#### **(Added item) Airport Utility Extension Project - Informational**

Committee Chair Bevans asked City Engineer Hulsether to address some of the issues regarding the project in light of the Brainerd Dispatch article on March 29, 2017 wherein the Brainerd Public Utilities commented on the state of the project. Specifically, Alderman Bevans asked: Do we need to be conducted an independent test of the installed system? What are the opinions of the consulting or city engineers as to next steps? Are there projections of costs to be incurred to undertake next steps? What costs will the City incur? And, what is our current retainage position with the contractor?

City Engineer Hulsether reported that he had met with BPU officials and the consulting engineers this afternoon. He added that his office and BPU officials became aware of leaks in the water line and that they have been working to resolve the issues. At a meeting about 2 weeks ago, the contractor agreed to retest the entire system. As the result of today's meeting a letter is being drafted and will be sent to the contractor asking for a date of when the issues of leaking lines will be fixed and when all parties agree that the project is complete and accepted. BPU's testing of the system has discovered that parts of the system are not holding pressure. BPU cannot identify why it is not holding pressure, since the system tested well last fall. The contractor is being placed on notice that even though the system apparently passed the pressure tests last fall, due to current failed pressure tests and leaks, we do not consider the project to be substantially complete. Also, notice is being given to the contractor that, due to failure to meet the substantial completion dates as revised, the City will initiate the process to compute liquidated damages. We are holding approximately \$240,000 in retainage which is about 3% of the work completed to date.

## **Personnel and Finance Committee Report**

### **Approval of Bills & Payments to Contractors - Approved**

| Contractor       | IMP # | Project                           | Amount    | Total Retained |
|------------------|-------|-----------------------------------|-----------|----------------|
| CWC Highway Dept | 14:08 | CSAH 45 (13 <sup>th</sup> Street) | \$621,620 | \$0            |

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

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

### **Police Officer & CSO Request to Hire - Approved**

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE MAKING A CONDITIONAL JOB OFFER TO MR. TRAVIS GLEASON, CONTINGENT ON SUCCESSFUL COMPLETION OF THE PRE-EMPLOYMENT SCREENING PROCESS, WITH A STARTING DATE OF APRIL 17, 2017 OR SHORTLY THEREAFTER.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE HIRING OF MS. ELIZABETH ANDERSON AS A CSO WITH A START DATE OF APRIL 4, 2017 AT THE CURRENT CSO STARTING WAGE.

### **City Engineer Hiring - Approved**

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPOINT MR. PAUL SANDY, P.E. AS THE BRAINERD CITY ENGINEER TO AN INDEFINITE TERM SUBJECT TO THE TERMS OF THE CITY PROBATIONARY POLICY (SEC. 7, SUBD. 1) WHICH REQUIRES A 6 MONTH PROBATION STARTING FROM THE DATE OF PROMOTION WHICH IS PLANNED TO BE JUNE 10, 2017. TERMS AND CONDITIONS OF EMPLOYMENT ARE SET FORTH IN THE CITY POLICY AS APPLICABLE TO DEPARTMENT HEADS. THE ANNUAL SALARY FOR MR. SANDY IS ESTABLISHED AT \$84,920 EFFECTIVE UPON DATE OF APPOINTMENT WHICH IS STEP A OF THE CITY SALARY ADMINISTRATION PLAN OR 85% OF THE TOP PAY GRADE.

### **Administrative Specialist - Administration Department – Approved**

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE A CONDITIONAL JOB OFFER TO MS. AUDREY WEBB FOR THE ADMINISTRATIVE SPECIALIST – ADMINISTRATION DEPARTMENT, CONTINGENT ON SUCCESSFUL COMPLETION OF THE PRE-EMPLOYMENT SCREENING PROCESS, WITH A STARTING DATE OF MAY 1, 2017 AND AT STEP A OR 85% OF THE BASE WAGE

### **Upgrade to Council Chambers Audio System - Informational**

Committee Chair Johnson stated we are going to get quotes from two different companies to update the audio system in the Chambers with an estimated amount of less than \$7,000.

### **Paxmar Development Update - Informational**

Committee Chair Johnson stated the CWC HRA sold 12 lots to Paxmar Brainerd, LLC. The City received a net check of \$63,356. We made whole the Park Dedication fees and allocated a portion of the proceeds to the prepayment of the SAC and WAC fees, with the remaining amount going to the outstanding debt service funds.

### **Status of Actions on Downtown Properties**

Committee Chair Johnson requested the City Administrator give an update on the downtown properties. City Administrator Thoreen stated that the owner of the apartments at 217 South 7<sup>th</sup> Street has filed an appeal to be heard by the Rental Housing Appeals Board which will likely occur by the end of April. A recommendation from the Rental Housing Appeals Board will then be presented to the Council for consideration at the May 1, 2017 council meeting. The motel at 506 South 6<sup>th</sup> Street will be on the April 17, 2017 council agenda for a directive to proceed with demolition of the building.

### **(Added Item) – Resignation of Mr. Tim Holtz - Approved**

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT THE RESIGNATION WITH REGRET OF MR. TIM HOLTZ, STREET DEPARTMENT MAINTENANCE I EFFECTIVE APRIL 14, 2017; AND TO AUTHORIZE STAFF TO BEGIN THE HIRING PROCESS TO REPLACE MR. HOLTZ.

### **Unfinished Business**

#### **Public Hearing – Final Reading of Proposed Ordinance No. 1463 – Zoning Ordinance Text Amendment – Amending Section 2: Definitions – Add “boarding school” Definition; and to Amend Section 63-6: B-4 (General Commercial) District – Add Boarding Schools as a Conditional Use - Approved**

City Planner Ostgarden distributed an updated draft of the proposed ordinance text amendment that includes a boarding school definition and language that would permit a boarding school as a conditional use in B-4 Districts. Mr. Ostgarden explained the history of the ordinance change, adding that the decision regarding the Ordinance should not be based solely on a particular location, but rather the decision should be made as if this use would be appropriate anywhere in the City's B-4 Districts. Mr. Ostgarden also mentioned to the Council that the municipality can make a motion for a 60-day to extension to gather more information on the petition.

Council discussion was held regarding typical zoning of schools, nursing home, group homes, and residential facilities.

City Planner Ostgarden explained the purpose of a B-4 District is for commercial uses that need high volume levels of traffic to operate. However, there are many allowed uses in the B-4 District that do not meet that purpose today. Mr. Ostgarden also shared some of the reasons to allow such a use in a B-4 District.

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK, TO REQUEST A 60 DAY EXTENSION TO FURTHER REVIEW THE ORDINANCE.

City Attorney Langel shared that if you allow Boarding Schools as a conditional use, if an applicant meets the conditions in the ordinance, you have to allow the permit. The proposed ordinance doesn't currently list conditions. City Planner Ostgarden shared that the Planning Commission did consider listing minimum conditions. The Planning Commission felt that through the conditional use permit process we could add additional requirements (screening, etc.). Attorney Langel stated it depended on how our other ordinances are written but to add random conditions would not be permissible.

There was no further discussion. Upon voice vote the Council President could not clearly rule. He called for a roll call vote.

Upon roll call, members Badeaux, Stunek, and Pritschet voted "aye." Members Johnson, Hilgart, Lambert, and Bevans voted "nay." The Chair declared the motion failed.

The Chair opened the public hearing at 8:33 P.M.

The Chair recognized Mr. Headley Williamson, 4630 Summit Pass, Eagan who generated the request for the ordinance change. Mr. Williamson shared his opinion that there is not a lot of risk at this time. Mr. Williamson also shared that he feels if the school it is not wanted in the community, it is not going to occur in the City and that there are many things that need to occur before the school can open.

The Chair recognized Mr. John Gunstad from BLAEDC. Mr. Gunstad shared that BLAEDC has worked with many potential buyers of the hotel since it has closed and very few have followed through as Mr. Williamson has and that BLAEDC supports the project.

The Chair closed the public hearing at 8:42 P.M.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND LAMBERT, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1463 – ZONING TEXT AMENDMENT – AMENDING SECTION 2: DEFINITIONS – ADD "BOARDING SCHOOL" DEFINITION; AND TO AMEND SECTION 63-6: B-4 (GENERAL COMMERCIAL) DISTRICT – ADD BOARDING SCHOOLS AS A CONDITIONAL USE.

Members Badeaux, Johnson, Hilgart, Lambert, and Bevans voted "aye." Members Stunek and Pritschet voted "nay." The Chair declared the motion carried.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO ADOPT ORDINANCE NO. 1463 – ZONING TEXT AMENDMENT – AMENDING SECTION 2: DEFINITIONS – ADD "BOARDING SCHOOL" DEFINITION; AND TO AMEND SECTION 63-6: B-4 (GENERAL COMMERCIAL) DISTRICT – ADD BOARDING SCHOOLS AS A CONDITIONAL USE.

#### **ORDINANCE NO. 1463**

Upon roll call, members Badeaux, Johnson, Hilgart, Lambert, and Bevans voted "aye." Members Stunek and Pritschet voted "nay." The Chair declared the motion carried.

### **Council Review/Discussion of Retreat**

City Administrator Thoreen stated that we held a council/management retreat on February 11, 2017. One of the items we discussed was following up on the retreat outcomes, and what we have accomplished since the retreat.

Discussion was held by the Council regarding housing stock; "city branding"; and the water tower improvements.

### **Call for Applicants – Informational:**

**(Application Information at [www.ci.brainerd.mn.us/boards/](http://www.ci.brainerd.mn.us/boards/))**

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

Cable TV Advisory Committee – 1 term (Expire 2019)

Charter Commission – 1 term (Expire 2020)

Transportation Advisory Committee – 1 terms (Expire 2018)

### **New Business**

#### **City Administrator Report**

#### **Registration for June League of Minnesota Cities Conference**

City Administrator Thoreen reminded the council of the LMC Conference to be held in Rochester June 14-16, 2017. Council Members are to contact the City Administrator if able to attend.

City Administrator Thoreen also gave a brief updated on the proposed PTO policy and the classification study projects. We are also receiving quotes for new chairs in the council chambers.

#### **Hold First Reading of Proposed Ordinance No. 1464 – An Ordinance Amending Section 900 of the Brainerd City Code – Animals and Section 1010 of the Brainerd City Code – Licensing - Approved**

City Planner Ostgarden explained the proposed ordinance. Bee colonies will be allowed to be kept in 5 residential zoning districts and he explained the requirements of the hives and colony density. The council needs to decide if they want the fee to be an annual fee or a one-time fee, and the notification requirement.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, THAT THE REQUIRED NOTIFICATION BE 150 FEET OF THE APPLICANT'S PROPERTY LINES AND THAT THE FEE WOULD BE AN ANNUAL FEE.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1464 – AN ORDINANCE AMENDING SECTION 900 OF THE BRAINERD CITY CODE – ANIMALS AND SECTION 1010 OF THE BRAINERD CITY CODE - LICENSING.

## **Community Survey Presentation**

City Planner Ostgarden presented the Citizen Survey #2 to the Council. Questions included places the respondents would be proud to show nonresidents, goals for the next several years, lot size, density, amenities such as trails and sidewalks, and the importance of investment and redevelopment of downtown. Follow up questions from the first survey were asked such as how to improve the image of the City, how to improve the quality of life in the neighborhoods, and the quality and design of new commercial development.

## **Planning Commission**

**Hold First Reading of Proposed Ordinance No. 1465 – Zoning Ordinance Text Amendment Amending Section 2: Definitions – Add “Dwelling, Short Term Rental Unit” Definition; and Amend Section 54-4 – R-1 (Single Family Residential) District, Section 55-5 – R-1A (Single Family Residential) District; Section 56-4 – R-2 (Medium Density Residential) District – Adding Short Term Rentals as an Interim Use**

Council Member Johnson stated he would abstain from voting and discussion on this issue.

City Planner Ostgarden reviewed the proposed ordinance with the council and the criteria for a short-term rental.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1465 – A ZONING ORDINANCE TEXT AMENDING SECTION 2: DEFINITION – ADD “DWELLING, SHORT TERM RENTAL UNIT” DEFINITION; AND TO AMEND SECTION 54-4 – R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT; SECTION 55-5 – R-1A (SINGLE FAMILY RESIDENTIAL) DISTRICT, AND SECTION 56-4 – R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT BY ADDING SHORT TERM RENTALS AN AS INTERIM USE.

Council Member Bevans posed the question as to what the fee might be. City Planner Ostgarden stated the fee will be the same as for a traditional rental property license and will be included in the next reading of the ordinance. The property will also need to be inspected by the Building Department as is with a traditional rental property.

Council Member Hilgart asked the question about when a resident would have to apply for a vacation rental license. Renewal on an annual basis like the traditional rental properties might not work because you might not rent your property as a vacation rental every year. City Planner Ostgarden stated that staff would discuss.

Members Badeaux, Hilgart, Lambert, Stunek, Bevans, and Pritschet voted “aye”. Member Johnson abstained. Chair declared the motion carried.

## **Public Forum**

The Chair Opened the public forum at 9:28 P.M.

The Chair recognized Ms. Amiee Jobe, 1323 Oak Street, Brainerd. Ms. Jobe noted that she was part of the City Planner’s focus group and the community wants all this stuff as indicated in the survey responses and focus group discussions, but no one wants to pay for it.



The help from the City might not be direct, but through a reduction or loss of revenue to the City one time. Revenue will come back into the community.

The Chair Closed the public forum at 9:32 P.M.

### **Staff Reports**

City Administrator Thoreen shared information regarding legislative action. The telecommunication bill that the City opposes in its current form is not going anywhere this session. There is a proposed bill on the senate side to increase the LGA appropriation by \$12 million, and a workforce housing bill that is going through the legislative process.

### **Council Member Reports**

Council Member Johnson thanked the fire department for their good response to a car accident. Mr. Johnson shared the progress at Brainerd Oaks and Serene Pines and expressed his disappointment with no action on the NP Center's request tonight.

Council Member Badeaux noted that he has been asked by residents if it is worth being on the council and he is proud to state that yes, it is worth it.

### **Adjourn**

The Chair adjourned the meeting at 9:38 P.M.

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James M. Thoreen  
City Administrator

CITY OF BRAINERD  
LICENSED CONTRACTORS  
CITY COUNCIL MEETING  
April 17, 2017

581

(2 New, 2 Renewals)

| CONTRACTOR                                                                                   | TELEPHONE      | TYPE | INSURANCE | BOND       | STATE NO. |
|----------------------------------------------------------------------------------------------|----------------|------|-----------|------------|-----------|
| GARY FRUTH CONSTRUCTION<br>2995 210TH STREET<br>ST. AUGUSTA, MN 56320<br>17-0138<br>(new)    | (320) 252-2074 | GENL | 12/2/2017 | 12/31/2017 | BC001414  |
| MCKAY'S CONCRETE & MASONRY, INC.<br>11198 BRAYTON ROAD<br>BRAINERD, MN 56401<br>17-0139      | (218) 851-0353 | MASO | 3/1/2018  | 12/31/2017 |           |
| GPS RESTORATION SOLUTIONS LLC<br>7757 COLLEGE RD<br>SUITE 105<br>BAXTER, MN 56425<br>17-0140 | (218) 454-0805 | GENL | 1/27/2018 | 12/31/2017 | BC678734  |
| ADVANCED ROOFING SOLUTIONS LLC<br>14910 WOODRUFF RD<br>WAYZATA, MN 55391<br>17-0141<br>(new) | (612) 221-1872 | ROOF | 10/7/2017 | 12/31/2017 |           |

**BRainerd POLICE DEPARTMENT  
MEMORANDUM**

TO: Brainerd City Council

FROM: Police Chief Corky McQuiston *CM*

DATE: 04-12-17

RE: Monthly Report



[www.ci.brainerd.mn.us](http://www.ci.brainerd.mn.us)

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**Problem Solving Courts**

Most of you are probably already aware of this, but we bring this up again because we are expanding our involvement in Problem Solving Courts. For over 10 years, we have staffed and had active roles in the local **Drug** and **DWI Courts**. Our involvements in these multi-disciplinary teams are probably two of the more important Community Policing roles we have.

The process has been started to add to the current Problem Solving Courts by initiating a Domestic Violence Court. Deputy Chief Mike Bestul is our current point of contact for involvement as the process is underway. This is a collaboration of attorneys, court staff, probation, social services, domestic violence advocates and law enforcement. Our records and the demographics for our community support the need for this type of court. A Domestic Violence Court will promote:

- An Engaged Judiciary
- Coordination between Stakeholders
- Improved Victim Safety for Petitioners and Children
- Identifying Offender Risk
- Improved Information Sharing between entities
- More Intensive Supervision/Treatment for Offenders

Current team members have visited the Domestic Violence Court in Beltrami County (Bemidji), have plans to visit the court in Stearns County, and have participated in on-line trainings related to this venture. We will keep you updated on the process and pass on more information as this evolves. Legal Aid Service of NE Minnesota has taken the lead role in the process.

## Training Activity

Monthly in-service training for all licensed staff consisted of mandated Use of Force Training and Handcuffing. This included classroom lectures and information on this from our staff that are trained instructors along with hands on practical drills to meet our POST mandates for this area.



PATROL is the Peace Officer Accredited Training OnLine developed by the League of MN Cities (LMC), the Minnesota Counties Intergovernmental Trust (MCIT), the Minnesota Chiefs of Police Association and the Minnesota Sheriff's Association. The cost of PATROL is covered for our agency by NJPA. Officers receive POST accredited hours of training many covering mandated training topics.

In conjunction with that March Training also included mandated on-line courses from PATROL. The three courses required for March of all officers were **Use of Deadly Force**, **Readiness Aspects Use of Force**, and **Warrantless Search of Vehicles**:

The **Use of Deadly Force** course covers the Legal Definition of Force, Proper Occasions for Force, the court cases governing Use of Force and related issues and concepts related to giving persons the Opportunity to Comply, Establishing Reasonableness.

The **Readiness Aspects Use of Force** course is designed to help officers prepare themselves to achieve optimal performance under high stress circumstances and to recognize and appropriately deal with critical incident trauma. In this course officers learn the affects stressful situations have on physical and mental functioning and what the symptoms are of critical incident trauma.

The **Warrantless Search of Vehicles** course covered the five primary exceptions to the warrant requirement that apply to searches of Motor Vehicles:

1. The Motor Vehicle Exception
2. The Search-Incident-to-Arrest Exception
3. The "Protective Sweep" Exception
4. The Inventory Exception
5. The Consent Exception



## **Staffing**

On March 21<sup>st</sup>, Miranda Lambert, a Community Service Officer, began in the new position of Records Management Technician. Miranda has been a great CSO for us and we are excited for her to accept this new job and look forward to her continuing to work with us in this new assignment.

As reported at an earlier council meeting we are continuing in with the hiring process of two new officers to fill our two vacant Patrol Officer Positions.

The number one candidate was unable to successfully complete the pre-employment screening process and conditional job offers were in the process for candidates two and three on our current eligibility list. We are optimistic that both of these candidates will be successful in the pre-employment screening process and be able to start working by the end of April.

## **Police Activity**

On March 25<sup>th</sup>, at about 4 pm a report was received by the Crow Wing County Sheriff's Department that human remains were found off of the Town Hall Road in Crow Wing Township. Further investigation revealed that the remains were actually located on property within the city limits. The remains were located an area of undeveloped private property in the SW corner of the city and were subsequently identified as those of missing Brainerd Man Marc Welzant. Welzant was reported missing in October of 2014, and was last believed to be in the area of Kiwanis Park. The remains were located about 2 miles southwest from there.

We have received preliminary information from the Ramsey County Medical Examiner's Office that the Manner & Cause of Death at this time are both ruled as "Undetermined." While we don't anticipate the a change in the "Undetermined" classification, it will most likely result in the case staying in an open--under investigation status, pending new information. While we feel grateful that Marc was located and have some closure for the family and us, we may never get complete answers to the circumstances involved.

## **Gun Permits**

We are responsible for issuing Permits to **Purchase** hand guns and assault style rifles to persons who reside in the City Limits. The Crow Wing County Sheriff's Department is responsible for issuing Permits to **Carry** to persons who reside in Crow Wing County. We are again seeing an increase in the number of permit applications that we process. Below is a table showing the history of the past five years for gun permit applications that we have processed. The first quarter of 2017 showed we are at a pace to be a very high year; we are already at 52 with half of those permits processed (26) in the month of March:

| Category    | Year | Results |
|-------------|------|---------|
| Gun Permits | 2016 | 152     |
| Gun Permits | 2015 | 143     |
| Gun Permits | 2014 | 122     |
| Gun Permits | 2013 | 193     |
| Gun Permits | 2012 | 133     |

### **Conduct on Premises Activity Report for March**

| ICR      | Date Reported | Title               | Address                          | Summary                                                |
|----------|---------------|---------------------|----------------------------------|--------------------------------------------------------|
| 17003273 | 03/08/17      | Conduct on Premises | 516 W College Drive              | Conduct on Premises Notice                             |
| 17003445 | 03/12/17      | Conduct on Premises | 709 South 8 <sup>th</sup> Street | COP 2nd violation. Request for Written Management Plan |
| 17004298 | 03/28/17      | Conduct on Premises | 217 South 7 <sup>th</sup> Street | Conduct on Premises Notice                             |
| 17004425 | 03/31/17      | Conduct on Premises | 1102 15 <sup>th</sup> Avenue NE  | Conduct on Premises Notice                             |

### **Monthly Police Activity**

| March                              | 2017   | 2016 |
|------------------------------------|--------|------|
| Calls                              | 1612   | 1540 |
| Citations (Inc. Parking)           | 290    | 234  |
| Part I and Part II Crimes Reported | 234 ** | 287  |

**\*\* Note:** This does not include files that have not yet been coded.

99 parking tickets were issued in the month of March with the following dispositions:

|    |                           |
|----|---------------------------|
| 5  | Dismissed                 |
| 3  | Business Validations      |
| 49 | Paid in Full              |
| 2  | Partial Payments Received |
| 40 | No Payment Received       |

#### **Revenue Recapture Receipts:**

To Date: \$ 30,475.06

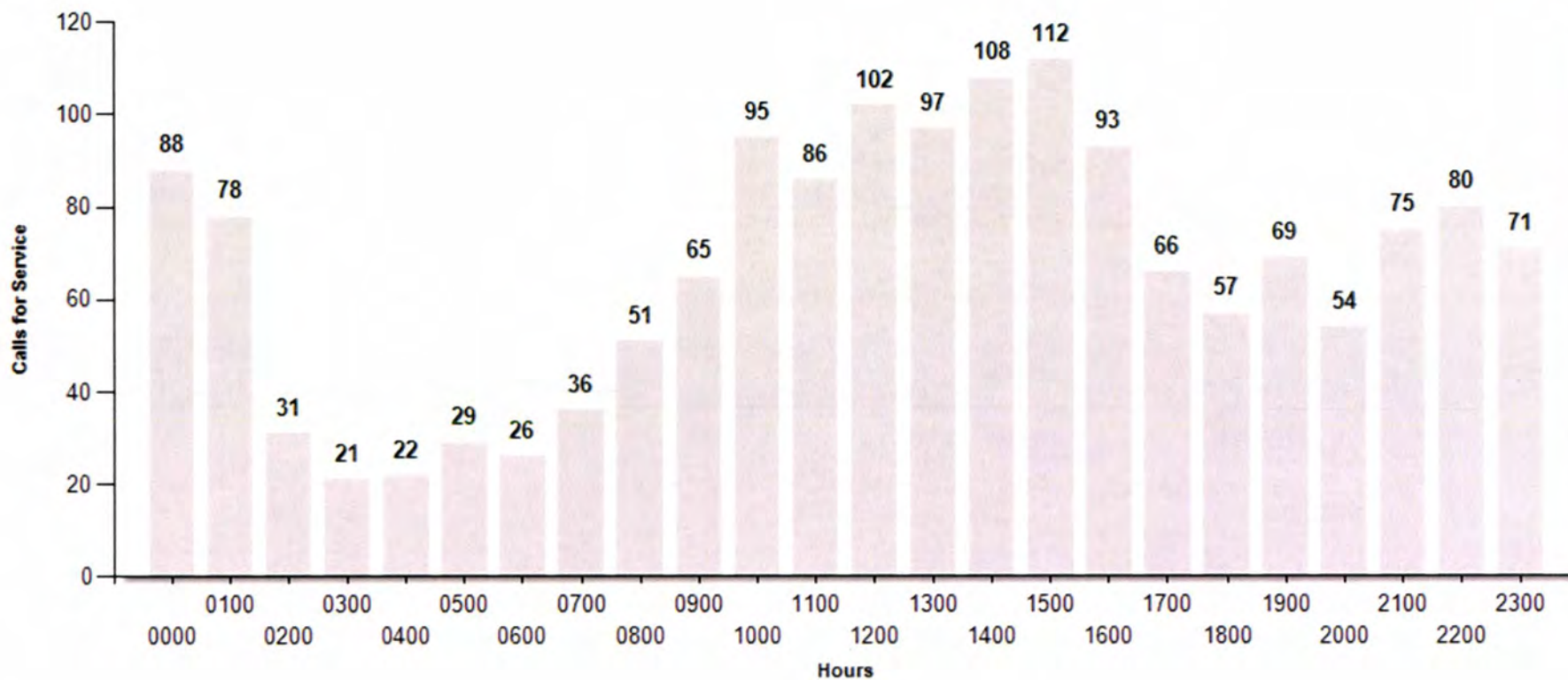
In 2017: \$ 2,465.60



# Calls for Service Hourly

3/1/2017 to 3/31/2017

Total Calls: 1665





# MEMO

**TO: Mayor and Council**

**FROM: City Administrator James Thoreen**

**DATE: April 4, 2017**

**RE: Resolution Accepting Donations & Contributions for 1<sup>ST</sup> Quarter 2017**

Attached is a resolution accepting donations and contributions that have been made to the City of Brainerd for the period of January 1, 2017 through March 31, 2017. 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 April 17, 2017 agenda.

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

\dj



**RESOLUTION NO.**

**RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS  
FROM JANUARY 1, 2017 THROUGH MARCH 31, 2017**

**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

\_\_\_\_\_  
DAVID J. PRITSCHET  
President of the Council

Approved this \_\_\_\_ day of \_\_\_\_\_, 2017

\_\_\_\_\_  
EDWIN L. MENK  
Mayor

ATTEST: \_\_\_\_\_  
JAMES M. THOREEN  
City Administrator

| Organization Name                | 2017             |
|----------------------------------|------------------|
| American Legion Auxillary        | 300.00           |
| American Legion Post #255        | 825.00           |
| Animal Care Center               | 50.00            |
| B. Johnson & Assoc Ltd           | 550.00           |
| Baxter Lions Club                | 275.00           |
| Blackridge Bank                  | 50.00            |
| Brainerd Animal Hospital         | 200.00           |
| Brainerd Area Sertoma Club       | 150.00           |
| Brainerd Credit Union            | 50.00            |
| Brainerd Fire Relief Association | 550.00           |
| Brainerd Hardwoods Inc           | 275.00           |
| Brainerd Lions Club              | 550.00           |
| Bremer Bank                      | 275.00           |
| E.L. Menk Jewelers               | 275.00           |
| Eagles Club                      | 275.00           |
| Guests Incorporated              | 275.00           |
| Harrison Teacher's Association   | 1,000.00         |
| Holden Electric                  | 75.00            |
| Hy-Tec Construction              | 275.00           |
| Lexington Manufacturing          | 275.00           |
| Lindner Media Productions Inc    | 100.00           |
| Lowell PTA                       | 550.00           |
| Merrifield Marathons Inc         | 300.00           |
| Mid-MN Federal Credit Union      | 275.00           |
| Moose Lodge #1060                | 275.00           |
| NAPA Auto Parts - Baxter         | 50.00            |
| North Long Lake Association      | 600.00           |
| Northern Orthopedics Ltd         | 275.00           |
| Northland Cabin Care             | 100.00           |
| Northland Fire Protection        | 100.00           |
| Reichert Enterprises Inc         | 275.00           |
| Schroeders TV & Apliance         | 50.00            |
| Shipman Auto Parts               | 275.00           |
| The Fine Line Salon              | 25.00            |
| The Office Shop                  | 50.00            |
| Thelen Heating & Roofing         | 275.00           |
| Triangle Oil Company             | 275.00           |
| Widseth Smith & Nolting          | 275.00           |
| <b>Total</b>                     | <b>\$ 10,675</b> |

# Brainerd Parks and Recreation

## Contributions and Donations January-March 2017

| Received From                               | Receipt Date | Type of Donation                                               | Amount Received    |
|---------------------------------------------|--------------|----------------------------------------------------------------|--------------------|
| Christine Sames                             | 01/03/17     | Designated for the all-inclusive playground at Bane Park       | 200.00             |
| Brainerd Lakes Area Women of Today          | 01/11/17     | Petite Youth Softball team sponsor                             | 175.00             |
| WW Thompson Concrete Products               | 01/11/17     | Bronco Baseball team sponsor                                   | 200.00             |
| Winners Trophy & Engraving                  | 01/13/17     | Special Events sponsor                                         | 250.00             |
| E L Menk Jewelers                           | 01/13/17     | Petite Youth Softball team sponsor                             | 175.00             |
| Laurie Hall State Farm Insurance            | 01/13/17     | Junior Youth Softball team sponsor                             | 175.00             |
| MidMinnesota Federal Credit Union           | 01/17/17     | Bronco Baseball team sponsor                                   | 200.00             |
| Clow Stamping Company                       | 01/17/17     | Junior Youth Softball team sponsor                             | 175.00             |
| Dondelinger Chevrolet                       | 01/17/17     | Pinto Baseball team sponsor                                    | 150.00             |
| Dondelinger Chevrolet                       | 01/17/17     | Kickball team sponsor                                          | 150.00             |
| Eagles Club                                 | 01/19/17     | Designated for Memorial Park field improvements                | 150.00             |
| The Center Morning Club                     | 01/19/17     | Little Kicks Soccer sponsor                                    | 150.00             |
| Picture Day Pro                             | 01/19/17     | Little Kicks Soccer sponsor                                    | 150.00             |
| Waste Partners Inc                          | 01/19/17     | Shetland T-Ball team sponsor                                   | 150.00             |
| Baxter Bass Snatchers                       | 01/23/17     | Special Events sponsor-designated for the Kids' Fishing Clinic | 100.00             |
| VFW Auxiliary #1647                         | 01/23/17     | Bronco Baseball team sponsor                                   | 200.00             |
| Sibbert Drywall LLC                         | 01/23/17     | Designated for Memorial Park field improvements                | 150.00             |
| VFW Auxiliary #1647                         | 01/23/17     | Special Events sponsor                                         | 150.00             |
| Bremer Bank                                 | 01/23/17     | Special Events sponsor                                         | 100.00             |
| Bremer Bank                                 | 01/26/17     | Bronco Baseball team sponsor                                   | 200.00             |
| Viking Coca-Cola Bottling Co                | 01/27/17     | Beverages for Gregory Park Skating Party                       | in-kind            |
| Essentia Health                             | 01/30/17     | Designated for Memorial Park field improvements                | 1,050.00           |
| Neighborhood National Bank                  | 01/30/17     | Shetland T-Ball team sponsor                                   | 150.00             |
| American National Bank                      | 01/30/17     | Shetland T-Ball team sponsor                                   | 150.00             |
| Mills Automotive Group                      | 01/30/17     | Pony Baseball team sponsor                                     | 250.00             |
| Hassies Eatery & Saloon                     | 01/30/17     | Designated for Memorial Park field improvements                | 150.00             |
| Brainerd BN Credit Union                    | 01/30/17     | Special Events sponsor                                         | 50.00              |
| The Local 218                               | 02/03/17     | Designated for Memorial Park field improvements                | 325.00             |
| Anderson Brothers Construction LLC          | 02/03/17     | Designated for Memorial Park field improvements                | 400.00             |
| Anderson Brothers Construction LLC          | 02/03/17     | Special Events sponsor                                         | 100.00             |
| Tanner Nissan                               | 02/06/17     | Designated for Memorial Park field improvements                | 150.00             |
| Anytime Fitness Crosslake                   | 02/06/17     | Designated for Memorial Park field improvements                | 250.00             |
| Gull Lake Glass                             | 02/06/17     | Youth Soccer and Pony Baseball team sponsor                    | 400.00             |
| Kiwanis of Brainerd                         | 02/06/17     | Youth Kickball and Mustang Baseball team sponsor               | 350.00             |
| Anonymous                                   | 02/07/17     | GGP Skating Party                                              | 40.00              |
| Wendy's                                     | 02/11/17     | Chili for Gregory Park Skating Party                           | in-kind            |
| Hy-Tec Construction                         | 02/13/17     | Designated for Memorial Park field improvements                | 150.00             |
| Hy-Tec Construction                         | 02/13/17     | Pinto Baseball team sponsor                                    | 150.00             |
| Annie's Childcare & Learning Center         | 02/21/17     | Designated for Memorial Park field improvements                | 150.00             |
| American Legion Post 255                    | 02/27/17     | Special Events sponsor                                         | 250.00             |
| Alexander Electric                          | 02/27/17     | Lil' Buckaroos/Bronco Baseball/Senior Youth Softball sponsor   | 625.00             |
| Baxter Lions Club                           | 02/27/17     | Special Events sponsor                                         | 100.00             |
| Roundhouse Brewery                          | 02/28/17     | Designated for Memorial Park field improvements                | 325.00             |
| Elks Lodge #615                             | 03/01/17     | Senior Youth Softball team sponsor                             | 175.00             |
| Taco John's                                 | 03/09/17     | Shetland T-Ball team sponsor                                   | 150.00             |
| Paul Bunyan Land                            | 03/09/17     | Pinto Baseball team sponsor                                    | 150.00             |
| Associates in Eyecare                       | 03/10/17     | Pinto Baseball team sponsor                                    | 150.00             |
| Viking Coca-Cola Bottling Co                | 03/13/17     | Lil' Buckaroos sponsor                                         | 250.00             |
| Mattson Lumber Co                           | 03/13/17     | Shetland T-Ball team sponsor                                   | 150.00             |
| Northern Orthopedics                        | 03/13/17     | Shetland T-Ball team sponsor                                   | 150.00             |
| CTC                                         | 03/13/17     | Shetland T-Ball team sponsor                                   | 150.00             |
| McDermott Orthodontics                      | 03/13/17     | Petite Youth Softball team sponsor                             | 175.00             |
| C & L Distributing                          | 03/13/17     | Designated for Memorial Park field improvements                | 150.00             |
| Brainerd Rotary Foundation                  | 03/13/17     | Special Events sponsor                                         | 500.00             |
| Nystrom & Associates LTD                    | 03/17/17     | Senior Youth Softball team sponsor                             | 175.00             |
| Minnesota T's                               | 03/17/17     | Junior Youth Softball team sponsor                             | 175.00             |
| McDonald's Restaurant                       | 03/17/17     | Pony Baseball team sponsor                                     | 250.00             |
| Country Inn & Suites                        | 03/20/17     | Pinto Baseball team sponsor                                    | 150.00             |
| Janet Guin                                  | 03/20/17     | Designated for Pony League Baseball-in memory of Jim Guin      | 250.00             |
| Arrowwood Lodge Brainerd                    | 03/23/17     | Senior Youth Softball team sponsor                             | 175.00             |
| This One's For Hop Inc                      | 03/27/17     | Designated for Memorial Park field improvements                | 150.00             |
| Vigilant Guardians Veterans Motorcycle Club | 03/27/17     | Junior Youth Softball team sponsor                             | 175.00             |
| Ernie's on Gull Lake                        | 03/27/17     | Pony Baseball team sponsor                                     | 250.00             |
| Riddle's Jewelry                            | 03/27/17     | Mustang Baseball team sponsor                                  | 200.00             |
| Northland Construction                      | 03/27/17     | Petite Youth Softball team sponsor                             | 175.00             |
| Diane Resch                                 | 03/27/17     | Memorial bench at Gregory Park                                 | 704.00             |
| <b>TOTAL</b>                                |              |                                                                | <b>\$13,894.00</b> |

# MEMO

TO: Finance Director Connie Hillman  
FROM: Fire Chief Tim Holmes  
DATE: April 4, 2017  
SUBJECT: 2017 – 1st Quarter Donations



[www.ci.brainerd.mn.us](http://www.ci.brainerd.mn.us)

1st Quarter donations for the Brainerd Fire Department are as follows:

- |                                |       |                |
|--------------------------------|-------|----------------|
| • Firefighters Charitable Fund | \$300 | Donation       |
| • Northland Fire Protection    | \$ 75 | Donation       |
| • Shannon's Auto Body          | \$150 | Donation       |
| • Shipman Auto Parts           | \$250 | Donation       |
| • Schmidt, Daniel              | \$ 25 | Birthday Party |

Feel free to contact me with any questions.



# Brainerd City Council Agenda Request

6A  
Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: History Week Presentation

|                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                           |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input checked="" type="checkbox"/> MAIN AGENDA                                                                          | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft) *provide copy of published hearing notice<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading |
| Submitted by:<br><b>Jim Thoreen</b>                                                                                                                                                                                                                                                                             | Department:<br><b>Administration</b>                                                                                                                                                                                                                                                                                                                                                      |
| Presenter (Name & Title):<br><b>Former council member Mary Koep</b>                                                                                                                                                                                                                                             | Estimated Time Needed:<br><b>10 minutes</b>                                                                                                                                                                                                                                                                                                                                               |
| <b>Summary of Issue:</b><br>Mrs. Koep is once again well-involved in the production of Brainerd History Week. She will present the details and theme of this year's event which begins on June 12th.                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Alternatives, Options, Effects on Others/Comments:</b>                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Recommended Action/Motion:</b>                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u> |                                                                                                                                                                                                                                                                                                                                                                                           |

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

April 17, 2017  
6:00 P.M.  
City Council Chambers

1. Event/Street Closure Application – Fire Convention Parade
2. Improvement 17-03 – 2017 Crack Sealing Quotes
3. Event/Street Closure Application – Garfield Walk-a-Thon
4. Northern Pacific Center SAC/WAC Fees
5. Notice of Posting and Public Hearing for ADA (Americans with Disabilities Act) Transition Plan
6. Improvement 14-15 – Airport Utility Extension SEH Fee Amendment
7. WBCC NMTP Presentation – Tier 1 Priorities
8. Downtown Special Services District Maintenance Quote Approval



# Brainerd City Council Agenda Request

SPW  
#1

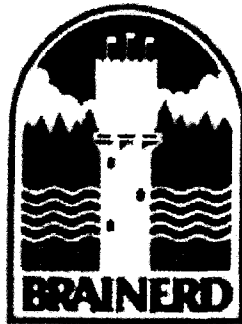
Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Event/Street Closure Application - Fire Convention Parade

|                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                     | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| Submitted by: <b>Jeff Hulsether</b>                                                                                                                                                                                                                                                                             | Department: <b>Engineering</b>                                                                                                                                                                                                                                                                                                                                                                                                    |
| Presenter (Name & Title): <b>Jeff Hulsether</b>                                                                                                                                                                                                                                                                 | Estimated Time Needed: <b>5 minutes</b>                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Summary of Issue:</b><br>Attached is an Event/Street closure application for the State fire Convention Parade which is scheduled for Saturday, June 10th. The application has been distributed to all city departments for comments and recommended conditions of approval                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>All departments have responded with no comments or recommendation on this request.                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Recommended Action/Motion:</b><br>Staff is recommending approval of the application.                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u> |                                                                                                                                                                                                                                                                                                                                                                                                                                   |





## **Street Closure, Special Event And Festival Application**

### **Brainerd, Minnesota**

Thank you for your interest in organizing a special event in Brainerd. The City is home to numerous cultural, community, and recreational events. These events are integral to our sense of community, and they play an important economic role by increasing tourism, generating downtown foot traffic, and fostering a festive atmosphere within the City. We look forward to working with you to help make your event a success.

**All special events and festivals that require significant logistics planning between City departments or are requesting a street closure must submit this application to the City Administrator's Office at least thirty (30) days prior to the event.** Event planners are encouraged to submit their applications as early as possible. City Council must approve all street closure requests, and additional licenses and permits may also be required, as outlined in part III of this application.

For questions, please contact the City of Brainerd Engineering Office at:

501 Laurel Street  
Brainerd, MN 56401  
Phone: (219) 828-2309  
Email: [engineering@ci.brainerd.mn.us](mailto:engineering@ci.brainerd.mn.us)

# Application for a Street Closure, Special Event and Festival Permit

## PART I: GENERAL INFORMATION

Name of the event: State Fire Convension  
Date(s) of the event: June 10th, 2017  
Time of event (setup to breakdown): 1200 - 1600  
Location: High School top lot to bottom lot  
Estimated number of attendees: 2000

### Organizer Information

Organizer's name (Please print): Barry Sell  
Organizer's address: 23 Laurel Street  
Event contact person: Barry Sell  
Event contact daytime phone number: (h) 218 (w) 838 (c) 9717  
Event contact persons e-mail address: barry.sell@charter.net  
Contact name and phone number to be used on the day of the event:  
(h) same (w) \_\_\_\_\_ (c) \_\_\_\_\_  
For Profit/Nonprofit status (type): Nonprofit

### Applicant Information, if different from the event organizer:

Applicant name (Please print): \_\_\_\_\_  
Applicant address: \_\_\_\_\_  
Applicant's telephone number (h) \_\_\_\_\_ (w) \_\_\_\_\_ (c) \_\_\_\_\_  
Event contact e-mail address: \_\_\_\_\_

### **Description of Activities**

Brief description of the activities planned during the event: Antique fire truck and car parade

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If a parade, please describe the proposed route with the assembly and dispersal locations and attach a map: High School top parking lot proceeding on S 5th Street North to Laurel Street West to East River Road South to lower parking lot of High School.

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### **Site Information**

*Electrical usage?*

Yes ☐ No ☒

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

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*Amplified sound?*

Yes ☐ No ☒

Description of any recording and sound amplification equipment to be used in your event and the times:

---

---

*Restrooms provided?*

Yes ☐ No ☒ How many? \_\_\_\_\_

A ratio of 1 restroom for every 100-150 people is recommended.

Company contracted for restrooms: \_\_\_\_\_

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

*Sign, banners, and posters/flyers?*

Yes ☐ No ☒

Locations and descriptions: \_\_\_\_\_

---

*Trash Disposal?*

Yes ☐ No ☒

Company contracted for trash disposal: \_\_\_\_\_

*Event Layout and Street Site Map*

Yes ☐ No ☒

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

### **Area Notification**

Please describe your plans to notify property owners, tenants, and/or businesses within 300 feet of the event or festival site prior to City Council meeting.

contact owners in person or sending letters or posting event at high rise.

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## **PART II: STREET CLOSURE REQUEST**

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

Throughout all events, businesses should be reasonably accessible to the general public. If a business's entrance is blocked by the event layout, then accommodations such as signage, handbills, or similar methods should be made available to mitigate the impact on customer access. If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the road of the proposed closure. All street closures must be approved by City Council.

Please describe the name and sections of the streets for which you are requesting temporary closure (e.g. "South 7<sup>th</sup> Street between Maple Street and Front Street").

S 5th street from High School top parking lot, Laurel from S 5th to East River Road, and East River Road to High School lower lot

---

Time and date for beginning of street closures: 1330

Time and date for reopening of streets: 1430 or after parade is complete.

Please describe your plans to notify property owners, tenants, and/or businesses along the affected route of the proposed street closure within 300 feet prior to City Council meeting. The City will supply you with a Notice of Hearing flyer to use in notification that lists the necessary information.

contact owners in person or sending letters or posting event at high rise.

---

Failure to notify property owners and tenants in street closure areas will result in revocation of street closure permit.

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

There are alternate routes to most businesses and residential housing. The only problem would be getting to Library, LEC, some businesses on the south side of Laurel, and the High Rise building. But this will be on a Saturday so affected businesses will be minimized. It's basically the same route as the 4th of July Parade.

---

### PART III: CONTACTS, PERMITS, AND FEES CHECKLIST

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

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

#### Contact Information:

|                            |                                                                                                  |
|----------------------------|--------------------------------------------------------------------------------------------------|
| Administrator's Office:    | (218) 828-2307 E-MAIL <a href="mailto:admin@ci.brainerd.mn.us">admin@ci.brainerd.mn.us</a>       |
| Engineering Department:    | (218) 828-2309 E-MAIL <a href="mailto:engineer@ci.brainerd.mn.us">engineer@ci.brainerd.mn.us</a> |
| Commissioner of Revenue:   | (651) 282-5225 E-MAIL <a href="http://www.taxes.state.mn.us">www.taxes.state.mn.us</a>           |
| Parks and Rec. Department: | (218) 828-2320 E-MAIL <a href="mailto:parks@ci.brainerd.mn.us">parks@ci.brainerd.mn.us</a>       |
| Planning Department:       | (218) 828-2309 E-MAIL <a href="mailto:planning@ci.brainerd.mn.us">planning@ci.brainerd.mn.us</a> |
| Police Department:         | (218) 829-2805 E-MAIL <a href="mailto:police@ci.brainerd.mn.us">police@ci.brainerd.mn.us</a>     |
| MN Department of Health    | (320) 223-7300 E-Mail <a href="http://www.health.state.mn.us">www.health.state.mn.us</a>         |
| MNDOT – Baxter Office      | (218) 828-5700 E-Mail <a href="http://www.dot.state.mn.us">www.dot.state.mn.us</a>               |

#### **PART IV: HOLD HARMLESS AGREEMENT AND INSURANCE INFORMATION**

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

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

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

#### **PART V: SIGNATURE OF EVENT APPLICANT**

I attest that the above information is true and accurate and I have signed this application on behalf of the Applicant. I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.



Signature of the Event Applicant

**Barry Sell**

PRINT NAME

**Firefighter**

Event Applicant Title

**3/28/2017**

Date submitted to the City

**PART VI: FOR OFFICIAL USE ONLY**

**Departmental Sign-Offs    Required**

|                           | Approval Date/Initials | Comments |
|---------------------------|------------------------|----------|
| Brainerd Public Utilities | _____                  | _____    |
| City Administration       | _____                  | _____    |
| Engineering Depart.       | _____                  | _____    |
| Fire Department           | _____                  | _____    |
| Fire Support/EMS          | _____                  | _____    |
| Parks and Recreation      | _____                  | _____    |
| Planning Department       | _____                  | _____    |
| Police Department         | _____                  | _____    |

**Certification of Street Closure Approval**

The street closure request as described herein was approved by City Council at their \_\_\_\_\_, 20\_\_\_\_ meeting. Approval is subject to the following condition:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

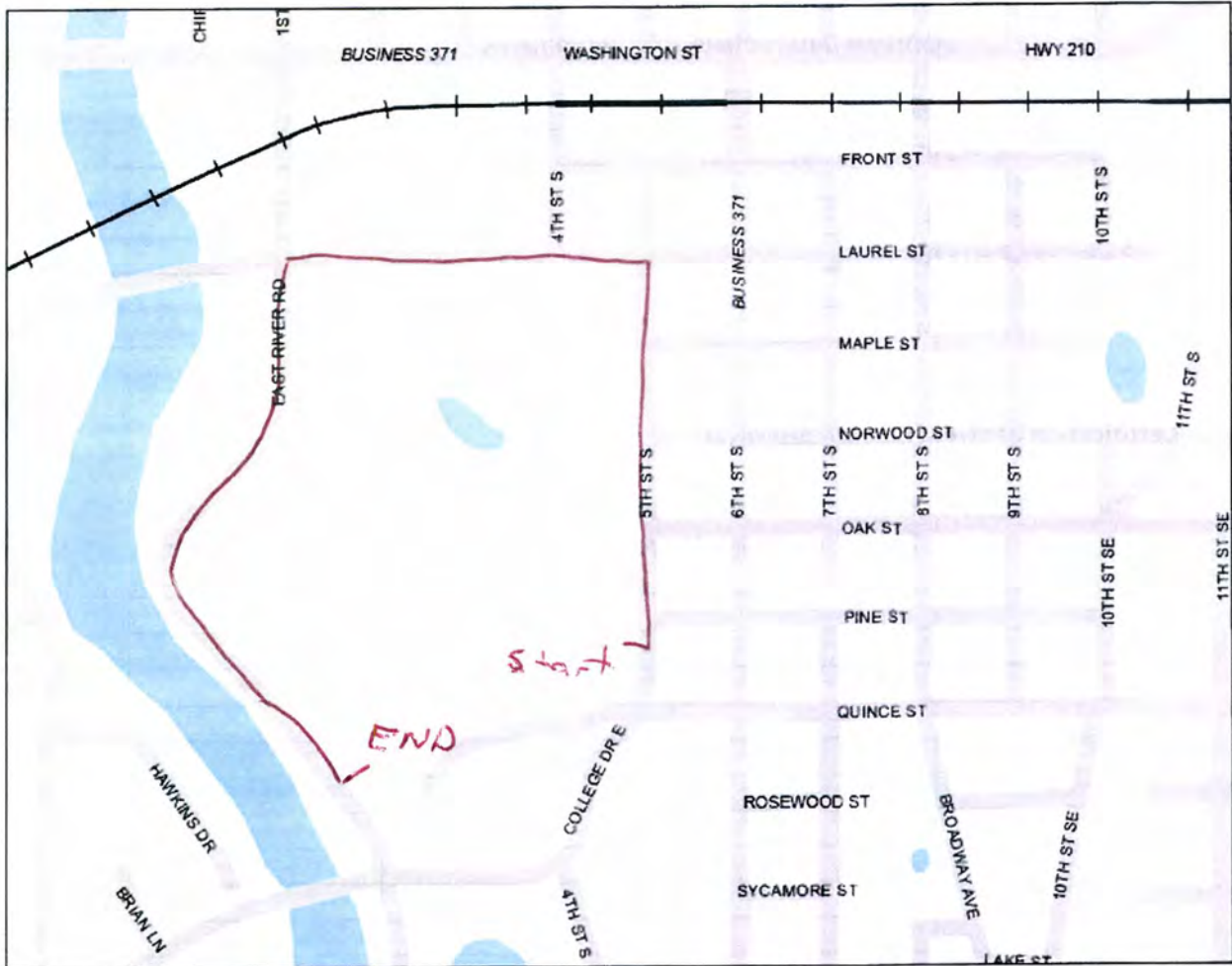
**Special Event/Festival Application and Permit Approval**

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

\_\_\_\_\_  
City Administrator

\_\_\_\_\_  
Date

## Commonly Used Maps







## Brainerd City Council Agenda Request

SPW  
#2

Agenda Item #

Requested Meeting Date: 04-17-2017

Title of Item: Improvement 17-03 - 2017 Crack Sealing Project

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| <b>Submitted by:</b><br>Paul Sandy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Department:</b><br>Engineering                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Presenter (Name &amp; Title):</b><br>Jeff Hulsether                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Estimated Time Needed:</b><br>5 Minutes                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Summary of Issue:</b><br>Staff has prepared plans and specifications for Improvement 17-03: 2017 Crack Sealing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>We typically purchase our own crack sealing material from the State contract. In doing so, we are assured we are getting the best value in the material costs. We then solicit quotes for the work which includes a mobilization, traffic control, and crack sealing. We typically budget for \$25,000 in crack sealing a year. Crack sealing effectively seals cracks in the pavement and reduces infiltration of water through the pavement section. It is a very common pavement preservation procedure. The State Contract price for crack sealant is \$0.446/pound. A cost estimate is included attached to this request. However, the costs for crack sealing tend to vary depending on the length, depth, and numbers of cracks. Staff uses previous history on projects to calculate an average amount of sealant per foot of crack. |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Recommended Action/Motion:</b><br>Staff recommends directing staff to solicit quotes and authorize staff to purchase 12,000 lbs of crack filling material. The total estimated cost of the work is \$16,000 and the material for the sealing will be \$5,352 for an estimated project cost of \$21,352.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ Approx. \$21,352<br>Is this budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No We typically budget for \$25,000 in a crack sealing project per year.<br><u>Please Explain:</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                        |

**City of Brainerd  
Engineer's Estimate**

| <b>Project Number: 17-03</b>                            |                 |       |                      |           |            |                    |
|---------------------------------------------------------|-----------------|-------|----------------------|-----------|------------|--------------------|
| <b>Project Title or Road Number: 2017 CRACK SEALING</b> |                 |       |                      |           |            |                    |
| <b>Work Type: Crack Sealing</b>                         |                 |       |                      |           |            |                    |
| Item No.                                                | Description     | Units | Base Bid / Alternate | Quantity  | Unit Price | Total Price        |
| <b>2017 CRACK SEALING</b>                               |                 |       |                      |           |            |                    |
| 2021.501                                                | MOBILIZATION    | LS    | Base Bid             | 1.00      | \$1,000.00 | \$1,000.00         |
| 2331.603                                                | CRACK SEALING   | L F   | Base Bid             | 50,000.00 | \$0.28     | \$14,000.00        |
| 2563.601                                                | TRAFFIC CONTROL | LS    | Base Bid             | 1.00      | \$1,000.00 | \$1,000.00         |
| <b>Total 2017 CRACK SEALING</b>                         |                 |       |                      |           |            | <b>\$16,000.00</b> |
| <b>Total</b>                                            |                 |       |                      |           |            | <b>\$16,000.00</b> |

Certified By: Paul Smiley License No. 53635  
Date: 04/12/2017



## Brainerd City Council Agenda Request

SPW  
#3

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Event/Street Closure Application - Garfield Walk-A-Thon

|                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                       | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| Submitted by: <b>Jeff Hulsether</b>                                                                                                                                                                                                                                                                                                                                               | Department: <b>Engineering</b>                                                                                                                                                                                                                                                                                                                                                                                                    |
| Presenter (Name & Title): <b>Jeff Hulsether</b>                                                                                                                                                                                                                                                                                                                                   | Estimated Time Needed: <b>5 minutes</b>                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Summary of Issue:</b><br>Attached is an Event/Street closure application for the Garfield Walk-A-Thon scheduled for either May 12th or a make up day of May 16th. The application has been distributed to all city departments for comments and recommended conditions of approval.                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>The only conditions of approval recommended are that 1) the applicant coordinate with the Street Department for traffic control for the Street closure and 2) the applicant notify all residences that are affected by the temporary street closure.                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Recommended Action/Motion:</b><br>Staff is recommending approval of the application subject to the 2 conditions mentioned above.                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u><br>Labor cost only for setting up and taking down traffic control |                                                                                                                                                                                                                                                                                                                                                                                                                                   |



## **Street Closure, Special Event And Festival Application**

### **Brainerd, Minnesota**

Thank you for your interest in organizing a special event in Brainerd. The City is home to numerous cultural, community, and recreational events. These events are integral to our sense of community, and they play an important economic role by increasing tourism, generating downtown foot traffic, and fostering a festive atmosphere within the City. We look forward to working with you to help make your event a success.

**All special events and festivals that require significant logistics planning between City departments or are requesting a street closure must submit this application to the City Administrator's Office at least thirty (30) days prior to the event.** Event planners are encouraged to submit their applications as early as possible. City Council must approve all street closure requests, and additional licenses and permits may also be required, as outlined in part III of this application.

For questions, please contact the City of Brainerd Engineering Office at:

501 Laurel Street  
Brainerd, MN 56401  
Phone: (219) 828-2309  
Email: [engineering@ci.brainerd.mn.us](mailto:engineering@ci.brainerd.mn.us)

# Application for a Street Closure, Special Event and Festival Permit

## PART I: GENERAL INFORMATION

Name of the event: Garfield Walk-A-Thon  
Date(s) of the event: May 12 or May 16 (makeup if raining)  
Time of event (setup to breakdown): 10:15<sup>am</sup> - 2:00<sup>pm</sup>  
Location: Garfield Elementary School  
Estimated number of attendees: 500 - 700

### Organizer Information

Organizer's name (Please print): Jodi Kennedy / Garfield Sch  
Organizer's address: 1120 10th Ave NE  
Event contact person: Jodi Kennedy  
Event contact daytime phone number: (h) \_\_\_\_\_ (w) 454-6452 (c) \_\_\_\_\_  
Event contact persons e-mail address: jodi.kennedy@isd181.org  
Contact name and phone number to be used on the day of the event:  
(h) \_\_\_\_\_ (w) 454-6452 <sup>(701)</sup> 361-0591  
For Profit/Nonprofit status (type): non-profit

### Applicant Information, if different from the event organizer:

Applicant name (Please print): \_\_\_\_\_  
Applicant address: \_\_\_\_\_  
Applicant's telephone number (h) \_\_\_\_\_ (w) \_\_\_\_\_ (c) \_\_\_\_\_  
Event contact e-mail address: \_\_\_\_\_

### Description of Activities

Brief description of the activities planned during the event: Students and families will be walking around Garfield school during various shifts

If a parade, please describe the proposed route with the assembly and dispersal locations and attach a map: \_\_\_\_\_

### Site Information

Electrical usage?

Yes ☒ No ☐

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

extension cord or generator (if needed)

Amplified sound?

Yes ☒ No ☐

Description of any recording and sound amplification equipment to be used in your event and the times:

extension cord

Restrooms provided?

Yes ☒ No ☐ How many? indoors

A ratio of 1 restroom for every 100-150 people is recommended.

Company contracted for restrooms: Garfield School

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

Sign, banners, and posters/flyers?

Yes ☐ No ☐

Locations and descriptions: \_\_\_\_\_

Trash Disposal?

Yes ☒ No ☐

Company contracted for trash disposal: Garfield school

Event Layout and Street Site Map

Yes ☒ No ☐

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

### Area Notification

Please describe your plans to notify property owners, tenants, and/or businesses within 300 feet of the event or festival site prior to City Council meeting.

we will be sending letters to property owners in the vicinity so they are aware of our event

### PART II: STREET CLOSURE REQUEST

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

Throughout all events, businesses should be reasonably accessible to the general public. If a business's entrance is blocked by the event layout, then accommodations such as signage, handbills, or similar methods should be made available to mitigate the impact on customer access. If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the road of the proposed closure. All street closures must be approved by City Council.

Please describe the name and sections of the streets for which you are requesting temporary closure (e.g. "South 7<sup>th</sup> Street between Maple Street and Front Street").

10<sup>th</sup> Ave NE between J street and L street  
11<sup>th</sup> Ave NE between J street and L street  
J street & L street between 10<sup>th</sup> & 11<sup>th</sup> Ave NE

Time and date for beginning of street closures: May 12 10:15 am

Time and date for reopening of streets: May 12 2:00 pm

Please describe your plans to notify property owners, tenants, and/or businesses along the affected route of the proposed street closure within 300 feet prior to City Council meeting. The City will supply you with a Notice of Hearing flyer to use in notification that lists the necessary information.

we will be sending a letter to area residents prior to the event.

Failure to notify property owners and tenants in street closure areas will result in revocation of street closure permit.

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

residents would be able to park at the end of the block and walk to their home

### PART III: CONTACTS, PERMITS, AND FEES CHECKLIST

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

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

#### Contact Information:

|                            |                                                                                                  |
|----------------------------|--------------------------------------------------------------------------------------------------|
| Administrator's Office:    | (218) 828-2307 E-MAIL <a href="mailto:admin@ci.brainerd.mn.us">admin@ci.brainerd.mn.us</a>       |
| Engineering Department:    | (218) 828-2309 E-MAIL <a href="mailto:engineer@ci.brainerd.mn.us">engineer@ci.brainerd.mn.us</a> |
| Commissioner of Revenue:   | (651) 282-5225 E-MAIL <a href="http://www.taxes.state.mn.us">www.taxes.state.mn.us</a>           |
| Parks and Rec. Department: | (218) 828-2320 E-MAIL <a href="mailto:parks@ci.brainerd.mn.us">parks@ci.brainerd.mn.us</a>       |
| Planning Department:       | (218) 828-2309 E-MAIL <a href="mailto:planning@ci.brainerd.mn.us">planning@ci.brainerd.mn.us</a> |
| Police Department:         | (218) 829-2805 E-MAIL <a href="mailto:police@ci.brainerd.mn.us">police@ci.brainerd.mn.us</a>     |
| MN Department of Health    | (320) 223-7300 E-Mail <a href="http://www.health.state.mn.us">www.health.state.mn.us</a>         |
| MNDOT – Baxter Office      | (218) 828-5700 E-Mail <a href="http://www.dot.state.mn.us">www.dot.state.mn.us</a>               |



#### PART IV: HOLD HARMLESS AGREEMENT AND INSURANCE INFORMATION

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

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

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

#### PART V: SIGNATURE OF EVENT APPLICANT

I attest that the above information is true and accurate and I have signed this application on behalf of the Applicant. I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.

  
Signature of the Event Applicant

4-3-17  
Date submitted to the City

Jodi Kennedy  
PRINT NAME

Garfield Walk-A-Thon  
Event Applicant Title

**Departmental Sign-Offs Required**

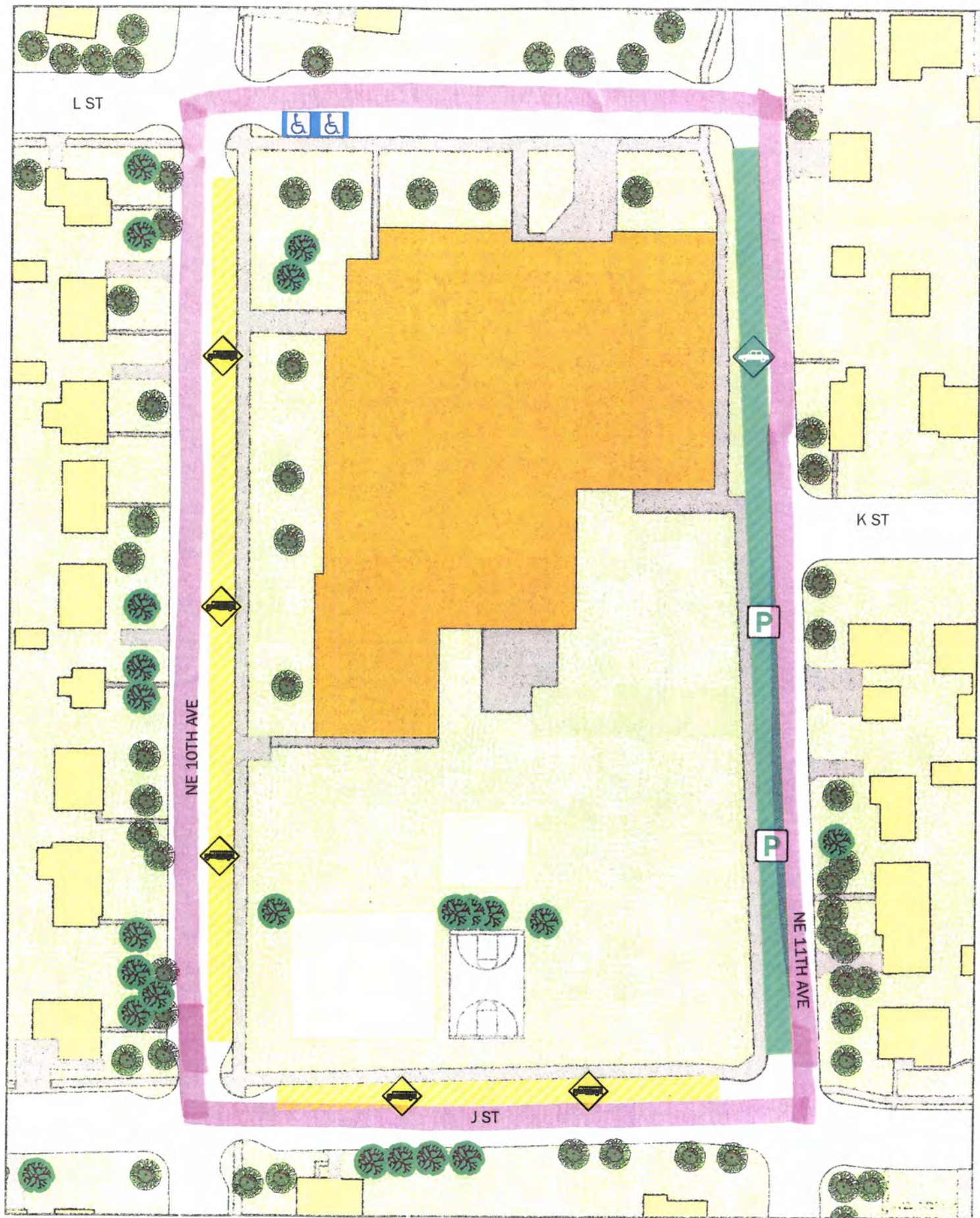
**Departmental Sign-Offs** Required

## Certification of Street Closure Approval

[illegible]

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

Date \_\_\_\_\_





## Brainerd City Council Agenda Request

SPW  
#4

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Request for Northern Pacific Center

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                            | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution<br>(attach draft) <i>*provide copy of published hearing notice</i><br><input type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading |
| Submitted by: <b>Jeff Hulsether</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Department: <b>Engineering</b>                                                                                                                                                                                                                                                                                                                                                                                 |
| Presenter (Name & Title): <b>Jeff Hulsether</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Estimated Time Needed: <b>15 minutes</b>                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Summary of Issue:</b><br>Attached is a memo related to the NP Center request for a special consideration of SAC and WAC fees as discussed in some detail at the last Council meeting.                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>Please see memo                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommended Action/Motion:</b><br>Staff is recommending that instead of trying to establish a credit value for the permanent abandonment of plumbing fixture connections that are not impacted by a remodelling project and which could set unintended precedents, the Council take a more direct approach to providing SAC and WAC fee relief by establishing a special consideration for the repurposing of vacant spaces in industrial complexes based on terms to be determined by the Council. |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u>                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                |



# MEMO

TO: Safety and Public Works Committee

FROM: Jeff Hulsether

DATE: April 6, 2017

RE: SAC and WAC fees at the NP Center

At the Committee and Council meeting on the 3rd, there was considerable discussion related to the request from the NP Center to grant SAC and WAC credits for the permanent abandonment of plumbing fixture connections which have not been active since well before the adoption of the Ordinance that created the charges. Many members of the Council expressed an interest in adopting some sort of special consideration to grant a credit but at the same time, staff heard the following concerns:

- Given that the facilities to be abandoned have not been actively used for an extended period of time, a 1 to 1 credit for fixtures is not appropriate,
- If granted without time restrictions, the credits at the NP Center could result in the property potentially never contributing to SAC and WAC again.
- Concerns were expressed about how our treatment of the abandonment of the unused plumbing connections might set unintended precedents for other properties in terms of the value of credits and the term over which the credits might be usable.

Staff met to discuss how we could rationalize and quantify the value of credits for the abandonment of plumbing connections that have not had fixtures attached to them for over 50 years. After reviewing the current Ordinance and special consideration guidance from the Council, staff is still of the opinion that the original intent would not provide for a credit to permanently abandon the plumbing connections and that establishing a value could have unintended consequences on various properties, therefore, staff is suggesting that the Council consider taking a different approach to providing SAC and WAC relief if desired.

In the past, the Council has granted special consideration for Habitat for Humanity in the form of extending the life of demolition credits and in a few cases, waiving the fees.

Staff believes that if the objective is to provide some relief for SAC and WAC fees without potential unintended consequences, it would be a much more direct approach for the Council to find that there is a public benefit in having vacant spaces in large industrial complexes repurposed into alternative uses and that there is an unusual hardship associated with plumbing fixtures not being uniformly distributed throughout these complexes but rather they tend to be concentrated in locations that are

sometimes remote and which then require service extensions to be made to make the utilities available to repurposed areas.

Procedurally, with a special consideration for these types of properties, the existing guidance would still allow for the 1 to 1 exchange of credits for existing facilities removed in conjunction with the repurposing project and would then apply whatever special consideration the Council determines to be appropriate. The options for a special consideration could be 1) a credit of up to a fixed dollar amount per permit; 2) a percentage of the fee after credits, such as 50%; or 3) simply waive the fee in its entirety. Staff would recommend that any consideration be for a limited period of time with a specific end date sometime in the next 2 or 3 years. At the conclusion of the allocated time, the special consideration can be extended if requested and found to be appropriate. Also, Staff would recommend that the special consideration be limited to those industrial complexes that have in excess of 100,000 square feet of space in need of repurposing, and that are on parcels of property larger than 20 acres in size. This effectively limits the special consideration to the NP Center and BIC.

To estimate the potential loss of SAC and WAC revenue we have to rely on the last few years of building permit data at the NP Center. Since 2014, there have been 5 projects on the NP Center site that have totaled \$17,179.42 in SAC and WAC revenues which averages about \$3,435 per permit or just slightly over the \$3,300 collected on a single family home. We are not talking about very much money compared to the value of having these spaces repurposed.

This item is on the agenda for discussion and staff will be requesting a motion to give staff direction on the terms of any special consideration.



## Brainerd City Council Agenda Request

SPW  
#5

Agenda Item #

**Requested Meeting Date:** 04-17-2017

**Title of Item:** Notice of Public Hearing - ADA Transition Plan

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>Paul Sandy                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | <b>Department:</b><br>Engineering                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Presenter (Name &amp; Title):</b><br>Jeff Hulsether                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Estimated Time Needed:</b><br>5 Minutes                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Summary of Issue:</b><br>Staff has been working on completion of a draft of the City's ADA Transition Plan. As part of the plan, a public input process is required to receive feedback from the public on ADA related issues within the City.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>An ADA Transition Plan is required to be adopted by all public agencies with greater than or equal to 50 employees and is a requirement to be in compliance with Title II of the Americans with Disabilities Act. The plan is also required to be adopted to be able to receive State Aid and Federal funds in the future. ADA is a civil rights law prohibiting the discrimination against individuals on the basis of a disability. Staff has collected information and data along with performing self evaluations on all facilities within the public rights-of-way along with evaluations of policies, practices, and programs. The evaluations are included in the report appendices. |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommended Action/Motion:</b><br>As part of the public input process, a notice of public hearing to be held on June 5th, 2017 at 7:30 PM will be published in the Brainerd Dispatch. The draft of the plan will be posted on the City website for review. A notice of the draft plan is also included in the City newsletter. After the public hearing, staff will compile comments from the hearing and present the plan for adoption at the June 19th Council Meeting. This is informational only.                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial Impact:</b><br><i>Is there a cost associated with this request:</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><i>What is the total cost, with tax and shipping</i> \$ _____<br><i>Is this budgeted?</i> <input type="checkbox"/> Yes <input type="checkbox"/> No Informational Only<br><i>Please Explain:</i>                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                |



# Brainerd City Council Agenda Request

SPW  
#6

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: SEH Fee Amendment Proposal

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                    | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>Paul Sandy, Assistant City Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Department:</b><br>Engineering                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Presenter (Name &amp; Title):</b><br>Jeff Hulsether - City Engineer                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Estimated Time Needed:</b><br>10 Minutes                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Summary of Issue:</b><br>Attached is a fee amendment proposal from SEH for the Airport Utility Extension project.                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>As stated in Mr. Hedlunds cover letter and justification, much of the time spent over the past few months has been for correcting defective work performed by the Contractor. The additional time and resources spent have not lead to any significant progress by the Contractor. The corrective work will continue to happen throughout the spring until the project has reached substantial and final completion and all punch list items have been completed. |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommended Action/Motion:</b><br>Staff would recommend accepting the fee ammendment as proposed by SEH in the amount of \$61,165.                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ 61,165<br>Is this budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><u>Please Explain:</u> This fee is over the amount originally estimated by SEH for construction services on this project.                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                |





Building a Better World  
for All of Us®

April 12, 2017

RE: *Professional Services Contract Amendment*  
City of Brainerd, Minnesota  
2016 Brainerd Airport Utility Extension  
City No. 14-15  
SEH No. BRDMN 131759  
WSN No. 0101B0042.002

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

Dear Mr. Hulsether:

The SEH WSN Team is seeking approval of a fee amendment to the Construction Phase Professional Services contract for support and coordination of the Contractor correcting defective work. This amendment is needed now as our scope and fees are anticipated to be exceeded prior to construction completion.

Through April 8, 2017, the SEH WSN Team has spent \$683,382 of the approved \$692,732 Construction Services fee to date. Assuming the Contractor will finish his work by the amended Contract Final Completion Date of June 2, 2017 cited in Change Order No. 6, resulting in seven weeks of construction remaining, the remaining \$9,350 in fee is insufficient to cover the estimated amount of engineering construction administration and observation time necessary. We believe the current approved fee would have been sufficient had the project been completed without the significant amount of ongoing corrective work.

The following summarizes factors justifying the engineering amendment - both retrospective and prospective - as also discussed at the 4/3/17 staff meeting and the update given at the City Council meeting that night:

- Most of the time spent this winter and spring has been for correcting defective work. Much of this additional work effort has been expended without significant effect on overall progress toward resolution of the issues. The Contractor has advised that corrective work is planned to continue through the spring. Examples of corrective work starting last fall through this winter that are still pending include:
  - The segment of gravity sanitary sewer under Lum Park Road that was originally installed by Horizontal Directional Drilling (HDD) had vertical grades falling outside of specified tolerances. The pipe segment was then open cut corrected last fall multiple times and is still out of tolerance. The Contractor plans to attempt another correction this spring with includes street reconstruction and local detour for accessing Lum Park.
  - There have been multiple water main leaks starting in early January 2017, which the contractor has been working to resolve. These issues have not been resolved and are not expected to until spring. Additional testing is necessary as a part of this corrective work.
  - In late March 2017 the MPCA received a complaint regarding claimed impacts to wetlands resulting from the water main corrective work. Ever since, SEH has been coordinating with the agencies and contractor to respond to agency requests for information, meetings, and corrective action.
  - There has been ongoing efforts to correct groundwater inflow into the gravity sanitary sewer system that are still not fully resolved.

Engineers | Architects | Planners | Scientists

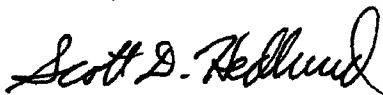
**Short Elliott Hendrickson Inc.**, 416 South 6th Street, Suite 200, Brainerd, MN 56401-3540  
SEH is 100% employee-owned | [sehinc.com](http://sehinc.com) | 218.855.1700 | 866.852.8880 | 888.908.8166 fax

- Gravity sewer corrective work on E Street east of 8<sup>th</sup> Ave completed last fall that the Contractor estimated would take one week took three weeks to complete.
- In summary, some defective work has been corrected and some is still pending. While some corrective work is a normal part of construction and needs to be observed, the extent of corrections needed on this project could not be predicted, and more engineering time has been and will be spent responding to these needs.
- Change Order No. 6 was issued to the Contractor on April 4, 2017. The change order adjusts the Contract Completion Dates such that Substantial Completion liquidated damages start accruing on April 8, 2017 in the amount of \$1,800 per day and Final Completion liquidated damages start accruing on June 3, 2017 in the amount of \$900 per day. Multiple letter exchanges with the Contractor have followed since this change order was issued.
  - Background: SEH responded with a request for additional information to a Contract Time Extension request submitted by the Contractor on August 29, 2016 that requested a total of 46 additional days citing unusually high rainfall this summer among other things. Another request, revising from 46 to 57 days was submitted on October 21, 2016 citing further weather delays and retrospective time spend on Change Order Nos. 1 – 5. SEH reviewed the claim and concurred some level of justifiable extension of Contract Time was appropriate. Substantial Completion (which is defined as a fully tested and operational water and sewer system ready for airport connection) was extended to April 7, 2017. Final Completion (which is completion and acceptance of restoration and punch list items and project closeout) was extended to June 2, 2017.
  - SEH contract hours need to be increased.
- The SEH contract assumes construction services only within the contract dates.
  - The current fee amendment request assumes the Contractor will complete the project by the Contract Final Completion Date of June 2, 2017.
- SEH's scope excludes support, management and defending the Owner's pursuit of liquidated damages and excludes legal/litigation support, rather these are additional services beyond the current fee amendment request and in place contracts.

Engineering construction phase services are highly dependent on factors beyond the engineer's control such as the contractor's management of schedule, progress, intensity and quality of work; his response to corrective work directives; the weather; and site conditions, that can all result in more time needed to administer and observe construction. Attached is a SEH Agreement for Professional Services for the requested fee amendment.

Thank you for your consideration. If you have any questions, please feel free to call.

Sincerely,



Scott Hedlund, PE  
Sr. Project Manager

sh/mrb

Enclosure

c: Jim Thoreen, City of Brainerd

Dave Reese, WSN

p:\aeb\brdmn\131759\1-gen\10-setup-cont\03-proposal\construction phase\april 2017 ca fee amend\l city seh wsn construction services contract fee amendment - 041217.docx

## Agreement for Professional Services

This Agreement is effective as of April 1, 2017, between City of Brainerd, Minnesota (Client) and Short Elliott Hendrickson Inc. (Consultant).

This Agreement authorizes and describes the scope, schedule, and payment conditions for Consultant's work on the Project described as: Brainerd Airport Utility Extension – Construction Services: Defective Work Support and Coordination.

**Client's Authorized Representative:** Jeff Hulsether, PE  
**Address:** 501 Laurel Street  
Brainerd, MN 56401  
**Telephone:** 218.828.2309 **email:** jhulsether@ci.brainerd.mn.us

**Project Manager:** Scott D. Hedlund, PE  
**Address:** 416 South 6th Street, Suite 200  
Brainerd, MN 56401  
**Telephone:** 218.855.1705 **email:** shedlund@sehinc.com

**Scope:** The Basic Services to be provided by Consultant as set forth herein is provided subject to the attached General Conditions of the Agreement for Professional Services (General Conditions Rev. 12.07.15) which is incorporated by reference herein and subject to Exhibits attached to this Agreement, and the scope of services outlined in attached **Exhibit A** Work Plan Summary and Fee Estimate, and SEH letter dated 04/12/17.

### Construction Phase Services

During the construction phase, SEH professionals shall:

1. Make visits to the site at intervals appropriate to the various stages of construction to observe as an experienced and qualified design professional the progress and quality of the executed work of the Contractor(s), and to determine in general, if such work is proceeding in accordance with the Contract Documents. The Owner has not retained SEH to make exhaustive or continuous on-site inspections to check the quality or quantity of such work.

SEH shall not be responsible for the means, methods, techniques, sequences, or procedures of construction selected by the Contractor(s), or the safety precautions and programs incidental to the work of the Contractor(s). SEH efforts will be directed toward providing a greater degree of confidence for the Owner that the completed work of the Contractor will conform to the Contract Documents, but SEH shall not be responsible for the Contractor's failure to perform the construction work in accordance with the Contract Documents.

During such visits and on the basis of on-site observations, SEH will keep the Owner informed of the progress of the work and will endeavor to guard the Owner against defects and deficiencies in the work of the Contractors. This obligation does not include anything related to safety. It is agreed that safety matters are Contractor's responsibility.

2. Review samples, schedules, shop drawings, the results of tests and inspections and other data which the Contractor is required to submit, but only for conformance with the design concept of the project and compliance with the information given in the Contract Documents. Such review shall not extend to means, methods, sequences, techniques or procedures of construction or to safety precautions and programs incidental thereto. SEH shall receive and review (for general content as required by the specification), maintenance and operating instructions, schedules, guarantees, bonds and certificates of inspection which are to be assembled by the Contractor in accordance with the Contract Documents.

3. Consult with and advise the Owner, act as the Owner's representative at the Project site, issue all instructions of the Owner to the Contractor, and prepare routine change orders as required.
4. Review the Contractor's Application for Payment, determine the amount owing the Contractor, and make recommendations to the Owner regarding the payment thereof.

SEH's recommendations constitute a representation to the Owner that, to the best of SEH's knowledge, information, and belief, the work has progressed to the point indicated on said application, and the quality of work is in accordance with the Contract Documents, subject to the results of any subsequent test called for by the Contract Documents, and any qualifications stated in their recommendations.

SEH's responsibilities under this paragraph are subject to the limitations set out in paragraph 1.

5. Conduct a site visit to determine if the project is substantially complete. Such site visits may include representatives from the Owner. If the Contractor has fulfilled all of his obligations, SEH may give written notice to the Owner that the work is acceptable for final payment.
6. Provide construction surveys and staking to enable the Contractor to perform its work.
7. Providing assistance in the start-up, testing, adjusting and balancing during operation of pumping equipment or systems, and reviewing Contractor-prepared operating and maintenance manuals.
8. Provide Resident Project Representation (RPR) services as described in Exhibit B.
9. Furnish the Owner a set of reproducible record prints of drawings and addendum drawings showing those changes made during the construction process, based on the marked up prints, drawings, and other data furnished by the Contractor to SEH.

#### **Additional Services**

1. If authorized by the Owner, SEH shall furnish additional services:
  - (a) Preparation of applications and supporting documents for government grants, loans, or advances.
  - (b) Preparation or review of environmental assessment worksheets and environmental assessment impact statements.
  - (c) Review and evaluation of any statements or documents prepared by others and their effect on the requirements of the project.
  - (d) Additional services due to significant changes in the general scope of the Project or its design including but not limited to, changes in size, complexity of character or type of construction.
  - (e) Preparing Change Orders or other services and supporting data or providing other services in connection with changed project conditions which are inconsistent with the original design intent including, but not limited to, changes in project size, complexity, Owner's schedule, character of construction or method of financing.
  - (f) Providing professional services made necessary by the default of the Contractor or by major defects in the Work of the Contractor in the performance of the Construction Contract.
  - (g) Providing any type of property surveys or related engineering services needed for the transfer of interests in real property and providing other special field surveys.
  - (h) Providing services in support of Owner's pursuit, collection, and or defense of liquidated damages.
  - (i) Providing services after issuance to the Owner of the final Certificate for Payment.
  - (j) Providing services of professional consultants for other than the normal services stated in the Agreement.
  - (k) Preparation of descriptions for permanent and/or temporary easements.
  - (l) Serving as an expert witness for the Owner in any litigation or other proceedings.
  - (m) Assistance in connection with Bid protests, rebidding or renegotiating contracts for construction, materials, equipment, or services, except when such assistance is required by the Agreement.
  - (n) Additional services not otherwise provided for in this Agreement.

2. Required Additional Services: SEH shall perform or furnish (without requesting or receiving specific advance authorization from Owner) the types listed below. SEH shall advise Owner in writing promptly after starting any such Additional Services.
- (a) Services in connection with Work Change Directives and Change Orders to reflect changes requested by Owner, so as to make the compensation commensurate with the extent of the Additional Services rendered.
  - (b) Services in making revisions to Drawings and Specifications required by reviewing authorities or occasioned by the acceptance of substitute materials or equipment other than "or-equal" items; and services after the award of the Construction Agreement in evaluating and determining the acceptability of a substitution which is found to be inappropriate for the Project or an excessive number of substitutions.
  - (c) Services resulting from significant delays, changes, or price increases occurring as a direct or indirect result of materials, equipment, or energy shortages.
  - (d) Additional or extended services during construction made necessary by (1) emergencies or acts of God endangering the Work, (2) an occurrence of a Hazardous Environmental Condition, (3) Work damaged by fire or other cause during construction, (4) defective, neglected, or delayed work by Contractor, (5) acceleration of the progress schedule involving services beyond normal working hours, or (6) default by Contractor.
  - (e) Services in connection with any partial utilization of any part of the Work by Owner prior to Substantial Completion.
  - (f) Evaluating an unreasonable claim or an excessive number of claims submitted by Contractor or others in connection with the Work.

RPR services will be provided in accordance with attached **Exhibit B**.

**Schedule:** We will start our services promptly after receipt of authorization. We estimate our services based on the construction project contract final completion date of June 2, 2017. If there are delays in the Project beyond our control, you agree to grant additional time to complete the services.

**Payment:** The fee is hourly estimated to be \$61,165.00 including expenses and equipment.

The payment method, basis, frequency and other special conditions are set forth in attached **Exhibit A-1**.

This Agreement for Professional Services, attached General Conditions, Exhibits and any Attachments (collectively referred to as the "Agreement") supersedes all prior contemporaneous oral or written agreements and represents the entire understanding between Client and Consultant with respect to the services to be provided by Consultant hereunder. In the event of a conflict between the documents, this document and the attached General Conditions shall take precedence over all other Exhibits unless noted below under "Other Terms and Conditions". The Agreement for Professional Services and the General Conditions (including scope, schedule, fee and signatures) shall take precedence over attached Exhibits. This Agreement may not be amended except by written agreement signed by the authorized representatives of each party.

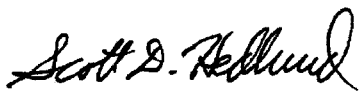
**Other Terms and Conditions:** Other or additional terms contrary to the General Conditions that apply solely to this project as specifically agreed to by signature of the Parties and set forth herein: None.

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**Short Elliott Hendrickson Inc.**

**City of Brainerd, Minnesota**

By:



By:

Scott D. Hedlund, PE  
Title: Senior Project Manager

Title:

# **Brainerd Lakes Regional Airport Utilities Extension Project**

**Construction Engineering Services**  
**Work Plan Summary and Fee Estimate**  
**City of Brainerd**  
**January 1, 2017**



| WORK TASKS                                         | SEH SENIOR<br>PROJ MGR | SEH SENIOR<br>PROFESSIONAL<br>ENGINEER | SEH SENIOR<br>ELECTRICAL<br>ENGINEER | SEH PROF<br>ENGINEER/ RLS/<br>NAT RES SCI | SEH LEAD/<br>SENIOR<br>TECHNICIAN | SEH STAFF<br>ENGINEER | SEH TECHNICIAN | SEH ADMIN | WSN SENIOR<br>PROFESSIONAL<br>ENGINEER | WSN REG LAND<br>SURVEYOR | WSN CIVIL<br>ENGINEER | WSN SENIOR<br>TECHNICIAN | WSN TECHNICIAN | WSN ADMIN | SEH TOTAL<br>HOURS | WSN TOTAL<br>HOURS | TOTAL HOURS |
|----------------------------------------------------|------------------------|----------------------------------------|--------------------------------------|-------------------------------------------|-----------------------------------|-----------------------|----------------|-----------|----------------------------------------|--------------------------|-----------------------|--------------------------|----------------|-----------|--------------------|--------------------|-------------|
| 7.0 Engineering Contingency For<br>Corrective Work | 60                     | 20                                     | 0                                    | 30                                        | 70                                | 0                     | 0              | 10        | 70                                     | 0                        | 0                     | 210                      | 0              | 0         | 190                | 280                | 470         |
| <b>Total Project Hours</b>                         | <b>60</b>              | <b>20</b>                              | <b>0</b>                             | <b>30</b>                                 | <b>70</b>                         | <b>0</b>              | <b>0</b>       | <b>10</b> | <b>70</b>                              | <b>0</b>                 | <b>0</b>              | <b>210</b>               | <b>0</b>       | <b>0</b>  | <b>190</b>         | <b>280</b>         | <b>470</b>  |

|                       |                    |
|-----------------------|--------------------|
| Total Labor Cost      | \$25,080.00        |
| Reimbursable Expenses | \$525.00           |
| <b>Total SEH Fee</b>  | <b>\$25,605.00</b> |

|                                |                    |
|--------------------------------|--------------------|
| <b>Subconsultants</b>          |                    |
| Wideth Smith Nolting (WSN)     | \$35,560.00        |
| Construction Materials Testing | \$0.00             |
| <b>Subconsultant Subtotal</b>  | <b>\$35,560.00</b> |

|                   |                    |
|-------------------|--------------------|
| <b>Total Cost</b> | <b>\$61,165.00</b> |
|-------------------|--------------------|

**Brainerd Lakes Regional Airport Utility Extension Project  
Construction Engineering Services  
Work Plan**

Client: City of Brainerd

January 1, 2017

| Work Tasks | Work Task Descriptions                             | SEH SENIOR PROJECT MGR | SEH SENIOR PROF ENG/ ARCHITECT | SEH SENIOR ELECTRICAL/ MECH ENG | SEH PROFESS ENG/ RLS/ NAT RES SCIENTIST | SEH LEAD/ SENIOR TECH | SEH STAFF ENGINEER | SEH TECH | SEH ADMIN | WSN SENIOR PROFESSIONAL ENGINEER | WSN REG LAND SURVEYOR | WSN CIVIL ENGINEER | WSN SENIOR TECH | WSN TECH | WSN ADMIN | SEH TOTAL  | WSN TOTAL  |
|------------|----------------------------------------------------|------------------------|--------------------------------|---------------------------------|-----------------------------------------|-----------------------|--------------------|----------|-----------|----------------------------------|-----------------------|--------------------|-----------------|----------|-----------|------------|------------|
| <b>7.0</b> | <b>Engineering Contingency For Corrective Work</b> |                        |                                |                                 |                                         | 70                    |                    |          |           |                                  |                       |                    | 210             |          |           | 70         | 210        |
| 7.1        | Construction Observation                           |                        |                                |                                 |                                         |                       |                    |          |           |                                  |                       |                    |                 |          |           |            |            |
| 7.2        | Construction Administration                        | 60                     | 20                             |                                 | 30                                      |                       |                    |          | 10        | 70                               |                       |                    |                 |          |           | 120        | 70         |
|            | <b>Task 7.0 Subtotal Hours:</b>                    | <b>60</b>              | <b>20</b>                      | <b>0</b>                        | <b>30</b>                               | <b>70</b>             | <b>0</b>           | <b>0</b> | <b>10</b> | <b>70</b>                        | <b>0</b>              | <b>0</b>           | <b>210</b>      | <b>0</b> | <b>0</b>  | <b>190</b> | <b>280</b> |
|            | <b>TOTAL PROJECT HOURS</b>                         | <b>60</b>              | <b>20</b>                      | <b>0</b>                        | <b>30</b>                               | <b>70</b>             | <b>0</b>           | <b>0</b> | <b>10</b> | <b>70</b>                        | <b>0</b>              | <b>0</b>           | <b>210</b>      | <b>0</b> | <b>0</b>  | <b>190</b> | <b>280</b> |

## Exhibit A

**Brainerd Lakes Regional Airport Utility Extension Project**  
**CONSTRUCTION ENGINEERING SERVICES**  
**ESTIMATED REIMBURSABLE DIRECT COSTS**  
**City of Brainerd, Minnesota**

**SEH, INC.**

| TRAVEL EXPENSES                                           | NUMBER<br>OF TRIPS           | MILES/<br>TRIP | TOTAL<br>MILES |       |
|-----------------------------------------------------------|------------------------------|----------------|----------------|-------|
| Local Trips                                               |                              |                |                |       |
| SEH Twin Cities Based Staff                               |                              | 250            | 0              |       |
| SEH St Cloud Based Staff                                  |                              | 130            | 0              |       |
| Project Site Visits/Field Trips                           | 10                           | 25             | 250            |       |
| Subtotals:                                                |                              |                | 250            |       |
|                                                           |                              |                |                |       |
| ESTIMATED MILEAGE COSTS:                                  | \$0.540 per mile             |                |                | \$135 |
|                                                           |                              |                |                |       |
| EXHIBITS:                                                 |                              |                |                | \$0   |
|                                                           |                              |                |                |       |
| Miscellaneous Printing:                                   |                              |                |                |       |
| Mailing/Postage Costs                                     |                              |                |                |       |
|                                                           |                              |                |                |       |
| EQUIPMENT EXPENSES                                        | Number of<br>Hours (or Days) | Cost/Hr        | Total Cost     |       |
| Survey Equipment                                          |                              | \$25           | \$0            | \$0   |
| Survey Truck                                              |                              | \$4.5          | \$0            | \$0   |
| Construction Observer Daily Vehicle Allowance (Days)      | 30                           | \$13           | \$390          | \$390 |
|                                                           |                              |                |                |       |
| TOTAL ESTIMATED PRELIMINARY DESIGN REIMBURSABLE EXPENSES: |                              |                |                | \$525 |



**Exhibit A-1**  
**to Agreement for Professional Services**  
**Between City of Brainerd, Minnesota (Client)**  
**and**  
**Short Elliott Hendrickson Inc. (Consultant)**  
**Dated April 1, 2017**

**Payments to Consultant for Services and Expenses**  
**Using the Hourly Basis Option**

The Agreement for Professional Services is amended and supplemented to include the following agreement of the parties:

**A. Hourly Basis Option**

The Client and Consultant select the hourly basis for payment for services provided by Consultant. Consultant shall be compensated monthly. Monthly charges for services shall be based on Consultant's current billing rates for applicable employees plus charges for expenses and equipment.

Consultant will provide an estimate of the costs for services in this Agreement. It is agreed that after 90% of the estimated compensation has been earned and if it appears that completion of the services cannot be accomplished within the remaining 10% of the estimated compensation, Consultant will notify the Client and confer with representatives of the Client to determine the basis for completing the work.

Compensation to Consultant based on the rates is conditioned on completion of the work within the effective period of the rates. Should the time required to complete the work be extended beyond this period, the rates shall be appropriately adjusted.

**B. Expenses**

The following items involve expenditures made by Consultant employees or professional consultants on behalf of the Client. Their costs are not included in the hourly charges made for services and shall be paid for as described in this Agreement but instead are reimbursable expenses required in addition to hourly charges for services:

1. Transportation and travel expenses.
2. Long distance services, dedicated data and communication services, teleconferences, Project Web sites, and extranets.
3. Lodging and meal expense connected with the Project.
4. Fees paid, in the name of the Client, for securing approval of authorities having jurisdiction over the Project.
5. Plots, Reports, plan and specification reproduction expenses.
6. Postage, handling and delivery.
7. Expense of overtime work requiring higher than regular rates, if authorized in advance by the Client.
8. Renderings, models, mock-ups, professional photography, and presentation materials requested by the Client.
9. All taxes levied on professional services and on reimbursable expenses.
10. Other special expenses required in connection with the Project.
11. The cost of special consultants or technical services as required. The cost of subconsultant services shall include actual expenditure plus 10% markup for the cost of administration and insurance.

The Client shall pay Consultant monthly for expenses.

### **C. Equipment Utilization**

The utilization of specialized equipment, including automation equipment, is recognized as benefiting the Client. The Client, therefore, agrees to pay the cost for the use of such specialized equipment on the project. Consultant invoices to the Client will contain detailed information regarding the use of specialized equipment on the project and charges will be based on the standard rates for the equipment published by Consultant.

The Client shall pay Consultant monthly for equipment utilization.

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**Exhibit B**  
**to Agreement for Professional Services**  
**Between City of Brainerd, Minnesota (Client)**  
**and**  
**Short Elliott Hendrickson Inc. (Consultant)**  
**Dated April 1, 2017**

**A Listing of the Duties, Responsibilities and**  
**Limitations of Authority of the Resident Project Representative**

Through more extensive on site observations of the construction work in progress and field checks of materials and equipment by the Resident Project Representative (RPR), Consultant shall endeavor to provide further protection for Client against defects and deficiencies in the work of Contractor (Work); but, the furnishing of such services will not make Consultant responsible for or give Consultant control over construction means, methods, techniques, sequences or procedures or for safety precautions or programs, or responsibility for Contractor's failure to perform the Work in accordance with the Contract Documents. Contract Documents are the documents that govern or are pertinent to Contractor's Work including but not limited to the agreement between Client and Contractor, the Contractor's bid, the bonds, specs, Drawings\*, Field Orders\*, Addenda\*, clarifications, interpretations, approved Shop Drawings\* and reports collectively called the Contract Documents. The duties and responsibilities of the RPR are further defined as follows:

**A. General**

RPR is an agent of Consultant at the site, will act as directed by and under the supervision of Consultant, and will confer with Consultant regarding RPR's actions. RPR's dealings in matters pertaining to the on site work shall in general be with Consultant and Contractor keeping the Client advised as necessary. RPR's dealings with subcontractors shall only be through or with the full knowledge and approval of Contractor. RPR shall generally communicate with Client with the knowledge of and under the direction of Consultant.

**B. Duties and Responsibilities of RPR**

1. Schedules: Review the progress schedule, schedule of Shop Drawing submittals and schedule of values prepared by Contractor and consult with Consultant concerning acceptability.
2. Conferences and Meetings: Attend meetings with Contractor, such as preconstruction conferences, progress meetings, job conferences and other project-related meetings, and prepare and circulate copies of minutes thereof.
3. Liaison:
  - (a) Serve as Consultant's liaison with Contractor, working principally through Contractor's superintendent and assist in understanding the intent of the Contract Documents; and assist Consultant in serving as Client's liaison with Contractor when Contractor's operations affect Client's on-site operations.
  - (b) Assist in obtaining from Client additional information, when required for proper execution of the Work.
4. Shop Drawings and Samples\*:
  - (a) Record date of receipt of Shop Drawings and Samples.
  - (b) Receive Samples furnished at the site by Contractor, and notify Consultant of availability of Samples.
  - (c) Advise Consultant and Contractor of the commencement of any Work requiring a Shop Drawing or sample if the submittal has not been approved by Consultant.
5. Review of Work, Observations and Tests:
  - (a) Conduct on-site observations of the Work in progress to assist Consultant in determining if the Work is in general proceeding in accordance with the Contract Documents.
  - (b) Report to Consultant whenever RPR believes that any Work is unsatisfactory, faulty or defective or does not conform to the Contract Documents, or has been damaged, or does not meet the requirements of any inspection, test or approval required to be made; and advise Consultant of

- Work that RPR believes should be corrected or rejected or should be uncovered for observation, or requires special testing, inspection or approval.
- (c) Determine if tests, equipment and systems start-ups and operating and maintenance training are conducted in the presence of appropriate personnel, and that Contractor maintains adequate records thereof; and observe, record and report to Consultant appropriate details relative to the test procedures and start-ups.
  - (d) Accompany visiting inspectors representing public or other agencies having jurisdiction over the Project, record the results of these inspections and report to Consultant.
- 6. Interpretation of Contract Documents: Report to Consultant when clarification and interpretations of the Contract Documents are requested by Contractor and transmit to Contractor clarifications and interpretations as issued by Consultant.
  - 7. Modifications: Consider and evaluate Contractor's suggestions for modifications in Drawings or Specifications\* and report with RPR's recommendations to Consultant. Transmit to Contractor decisions as issued by Consultant.
  - 8. Records:
    - (a) Maintain at the job site orderly files for correspondence, reports of job conferences, shop drawings and samples, reproductions of original Contract Documents including all Work Change Directive\*, Addenda, Change Orders\*, Field Orders, additional Drawings\* issued subsequent to the execution of the Contract, Consultant's clarifications and interpretations of the Contract Documents, progress reports, and other related documents.
    - (b) Keep a diary or log book, recording Contractor hours on the job site, weather conditions, data relative to questions of Work Change Directive Change Orders or changed conditions, list of job site visitors, daily activities, decisions, observations in general, and specific observations in more detail as in the case of observing test procedures; and send copies to Consultant.
    - (c) Record names, addresses and telephone numbers of all Contractors, subcontractors and major suppliers of materials and equipment.
  - 9. Reports:
    - (a) Furnish Consultant periodic reports as required of progress of the Work and of Contractor's compliance with the progress schedule and schedule of Shop Drawing and sample submittals.
    - (b) Consult with Consultant in advance of scheduled major tests, inspections or start of important phases of the Work.
    - (c) Draft proposed Change Orders and Work Change Directive, obtaining backup material from Contractor and recommend to Consultant Change Orders, Work Change Directive, and Field Orders.
    - (d) Report immediately to Consultant and Client upon the occurrence of any accident.
  - 10. Payment Requests: Review applications for payment with Contractor for compliance with the established procedure for their submission and forward with recommendations to Consultant, noting particularly the relationship of the payment requested to the schedule of values, Work completed and materials and equipment delivered at the site but not incorporated in the Work.
  - 11. Certificates, Maintenance and Operation Manuals: During the course of the Work, verify that certificates, maintenance and operation manuals and other data required to be assembled and furnished by Contractor are applicable to the items actually installed and in accordance with the Contract Documents, and have this material delivered to Consultant for review and forwarding to Client prior to final payment for the Work.
  - 12. Completion:
    - (a) Before Consultant issues a Certificate of Substantial Completion, submit to Contractor a list of observed items requiring completion or correction.
    - (b) Conduct final inspection in the company of Consultant, Client, and Contractor and prepare a final list of items to be completed or corrected.
    - (c) Observe that all items on final list have been completed or corrected and make recommendations to Consultant concerning acceptance.

### **C. Limitations of Authority**

#### **Resident Project Representative:**

1. Shall not authorize any deviation from the Contract Documents or substitution of materials or equipment, unless authorized by Client.
2. Shall not exceed limitations of Consultant's authority as set forth in the Agreement for Professional Services.
3. Shall not undertake any of the responsibilities of Contractor, subcontractors or Contractor's superintendent.
4. Shall not advise on, issue directions regarding or assume control over safety precautions and programs in connection with the Work.
5. Shall not accept Shop Drawing or sample submittals from anyone other than Contractor.
6. Shall not authorize Client to occupy the Project in whole or in part.
7. Shall not participate in specialized field or laboratory tests or inspections conducted by others except as specifically authorized by Consultant.

\*All instances in this Exhibit of this capitalized term are as defined in the EJCDC form C-700, copyrighted in 2013.

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# General Conditions of the Agreement for Professional Services

## SECTION I – SERVICES OF CONSULTANT

### A. General

1. Consultant agrees to perform professional services as set forth in the Agreement for Professional Services or Supplemental Letter Agreement ("Basic Services"). Nothing contained in this Agreement shall create a contractual relationship with or a cause of action in favor of a third party against either the Client or the Consultant. The Consultant's services under this Agreement are being performed solely for the Client's benefit, and no other party or entity shall have any claim against the Consultant because of this Agreement or the performance or nonperformance of services hereunder.

### B. Schedule

1. Unless specific periods of time or dates for providing services are specified, Consultant's obligation to render services hereunder will be for a period which may reasonably be required for the completion of said services.
2. If Client has requested changes in the scope, extent, or character of the Project or the services to be provided by Consultant, the time of performance and compensation for Consultant's services shall be adjusted equitably. The Client agrees that Consultant is not responsible for damages arising directly or indirectly from delays beyond Consultant's control. If the delays resulting from such causes increase the cost or the time required by Consultant to perform its services in accordance with professional skill and care, then Consultant shall be entitled to a equitable adjustment in schedule and compensation.

### C. Additional Services

1. If Consultant determines that any services it has been directed or requested to perform are beyond the scope as set forth in the Agreement or that, due to changed conditions or changes in the method or manner of administration of the Project, Consultant's effort required to perform its services under this Agreement exceeds the stated fee for Basic Services, then Consultant shall promptly notify the Client regarding the need for additional services. Upon notification and in the absence of a written objection, Consultant shall be entitled to additional compensation for the additional services, and to an extension of time for completion of additional services absent written objection by Client.
2. Additional services shall be billed in accord with agreed upon rates, or if not addressed, then at Consultant's standard rates.

### D. Suspension and Termination

1. If Consultant's services are delayed or suspended in whole or in part by Client, or if Consultant's services are delayed by actions or inactions of others for more than 60 days through no fault of Consultant, then Consultant shall be entitled to either terminate its agreement upon 7 days written notice or, at its option, accept an equitable adjustment of rates and amounts of compensation provided for elsewhere in this Agreement to reflect reasonable costs incurred by Consultant.
2. This Agreement may be terminated by either party upon seven days written notice should the other party fail substantially to perform in accordance with its terms through no fault of the party initiating the termination.
3. This Agreement may be terminated by either party upon thirty days' written notice without cause. All provisions of this Agreement allocating responsibility or liability between the Client and Consultant shall survive the completion of the services hereunder and/or the termination of this Agreement.
4. In the event of termination, Consultant shall be compensated for services performed prior to termination date, including charges for expenses and equipment costs then due and all termination expenses.

## SECTION II – CLIENT RESPONSIBILITIES

### A. General

1. The Client shall, in proper time and sequence and where appropriate to the Project, at no expense to Consultant, provide full information as to Client's requirements for the services provided by Consultant and access to all public and private lands required for Consultant to perform its services.
2. The Consultant is not a municipal advisor and therefore Client shall provide its own legal, accounting, financial and insurance counseling and other special services as may be required for the Project. Client shall provide to Consultant all data (and professional interpretations thereof) prepared by or services performed by others pertinent to Consultant's services, including but not limited to, previous reports; sub-surface explorations; laboratory tests and inspection of samples; environmental assessment and impact statements, surveys, property descriptions; zoning, deed and other land use restrictions; as-built drawings, electronic data base and maps. The costs associated with correcting, creating or recreating any data that is provided by the Client that contains inaccurate or unusable information shall be the responsibility of the Client.
3. Client shall provide prompt written notice to Consultant whenever the Client observes or otherwise becomes aware of any changes in the Project or any defect in Consultant's services. Client shall promptly examine all studies, reports, sketches, opinions of construction costs, specifications, drawings, proposals, change orders, supplemental agreements and other documents presented by Consultant and render the necessary decisions and instructions so that Consultant may provide services in a timely manner.
4. Client shall require all utilities with facilities within the Client's Project site to locate and mark said utilities upon request, relocate and/or protect said utilities as determined necessary to accommodate work of the Project, submit a schedule of the necessary relocation/protection activities to the Client for review and comply with agreed upon schedule. Consultant shall not be liable for damages which arise out of Consultant's reasonable reliance on the information or services furnished by utilities to Client or others hired by Client.
5. Consultant shall be entitled to rely on the accuracy and completeness of information or services furnished by the Client or others employed by the Client and shall not be liable for damages arising from reasonable reliance on such materials. Consultant shall promptly notify the Client if Consultant discovers that any information or services furnished by the Client is in error or is inadequate for its purpose.

## SECTION III – PAYMENTS

### A. Invoices

1. Undisputed portions of invoices are due and payable within 30 days. Client must notify Consultant in writing of any disputed items within 15 days from receipt of invoice. Amounts due Consultant will be increased at the rate of 1.0% per month (or the maximum rate of interest permitted by law, if less) for invoices 30 days past due. Consultant reserves the right to retain Instruments of Service until all invoices are paid in full. Consultant will not be liable for any claims of loss, delay, or damage by Client for reason of withholding services or Instruments of Service until all invoices are paid in full. Consultant shall be entitled to recover all reasonable costs and disbursements, including reasonable attorney's fees, incurred in connection with collecting amounts owed by Client.
2. Should taxes, fees or costs be imposed, they shall be in addition to Consultant's agreed upon compensation.
3. Notwithstanding anything to the contrary herein, Consultant may pursue collection of past due invoices without the necessity of any mediation proceedings.

## SECTION IV – GENERAL CONSIDERATIONS

### A. Standards of Performance

1. The standard of care for all professional engineering and related services performed or furnished by Consultant under this Agreement will be the care and skill ordinarily exercised by members of Consultant's profession practicing under similar circumstances at the same time and in the same locality. Consultant makes no warranties, express or implied, under this Agreement or otherwise, in connection with its services.
2. Consultant neither guarantees the performance of any Contractor nor assumes responsibility for any Contractor's failure to furnish and perform the work in accordance with its construction contract or the construction documents prepared by Consultant. Client acknowledges Consultant will not direct, supervise or control the work of construction contractors or their subcontractors at the site or otherwise. Consultant shall have no authority over or responsibility for the contractor's acts or omissions, nor for its means, methods or procedures of construction. Consultant's services do not include review or evaluation of the Client's, contractor's or subcontractor's safety measures, or job site safety or furnishing or performing any of the Contractor's work.
3. If requested in the scope of a Supplemental Letter Agreement, then Consultant may provide an Opinion of Probable Construction Cost. Consultant's Opinions of Probable Construction Cost provided for herein are to be made on the basis of Consultant's experience and qualifications and represent Consultant's best judgment as a professional generally familiar with the industry. However, since Consultant has no control over the cost of labor, materials, equipment or service furnished by others, or over the Contractor's methods of determining prices, or over competitive bidding or market conditions, Consultant cannot and does not guarantee that proposals, bids or actual construction cost will not vary from Opinions of Construction Cost prepared by Consultant. If Client wishes greater assurance as to probable Construction Cost, Client shall employ an independent cost estimator or negotiate additional services and fees with Consultant.

### B. Indemnity for Environmental Issues

1. Consultant is not a user, generator, handler, operator, arranger, storer, transporter or disposer of hazardous or toxic substances, therefore the Client agrees to hold harmless, indemnify and defend Consultant and Consultant's officers, directors, subcontractant(s), employees and agents 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 hazardous or toxic substances, pollutants or contaminants of any kind at the site.

### C. Limitations on Consultant's Liability

1. The Client hereby agrees that to the fullest extent permitted by law, Consultant's total liability to the Client for any and all injuries, claims, losses, expenses, or damages whatsoever arising out of or in any way related to the Project or this Agreement from any cause or causes including, but not limited to, Consultant's negligence, errors, omissions, strict liability, breach of contract or breach of warranty shall not exceed one million dollars (\$1,000,000). In the event Client desires limits of liability in excess of those provided in this paragraph, Client shall advise Consultant in writing and agree that Consultant's fee shall increase by 1% for each additional million dollars of liability limits, up to a maximum limit of liability of five million dollars (\$5,000,000).
2. Neither Party shall be liable to the other for consequential damages, including, without limitation, lost rentals, increased rental expenses, loss of use, loss of income, lost profit, financing, business and reputation and for loss of management or employee productivity, incurred by one another or their subsidiaries or successors, regardless of whether such damages are foreseeable and are caused by breach of contract, willful misconduct, negligent act or omission, or other wrongful act of either of them.
3. It is intended by the parties to this Agreement that Consultant's services shall not subject Consultant's employees, officers or directors to any personal legal exposure for the risks associated with this Agreement. The Client agrees that as the Client's sole

and exclusive remedy, any claim, demand or suit shall be directed and/or asserted only against Consultant, and not against any of Consultant's individual employees, officers or directors, and Client knowingly waives all such claims against Consultant individual employees, officers or directors.

### D. Assignment

1. Neither party to this Agreement shall transfer, sublet or assign any rights under, or interests in, this Agreement or claims based on this Agreement without the prior written consent of the other party. Any assignment in violation of this subsection shall be null and void.

## SECTION V – DISPUTE RESOLUTION

### A. Mediation

1. Any dispute between Client and Consultant arising out of or relating to this Agreement or services provided under this Agreement, (except for unpaid invoices which are governed by Section III), shall be submitted to nonbinding mediation as a precondition to litigation unless the parties mutually agree otherwise. Mediation shall occur within 60 days of a written demand for mediation unless Consultant and Client mutually agree otherwise.

### B. Litigation – Choice of Venue and Jurisdiction

1. Any dispute not settled through mediation shall be settled through litigation in the state where the Project at issue is located.

## SECTION VI – INTELLECTUAL PROPERTY

### A. Proprietary Information

1. All documents, including reports, drawings, calculations, specifications, CADD materials, computers software or hardware or other work product prepared by Consultant pursuant to this Agreement are Consultant's Instruments of Service ("Instruments of Service") and Consultant retains all ownership interests in Instruments of Service, including all available copyrights.
2. Consultant shall retain all of its rights in its proprietary information including, without limitation, its methodologies and methods of analysis, ideas, concepts, expressions, inventions, know how, methods, techniques, skills, knowledge and experience possessed by Consultant prior to, or acquired by Consultant during, the performance of this Agreement and the same shall not be deemed to be Work Product or Work for Hire and Consultant shall not be restricted in any way with respect thereto.

### B. Client Use of Instruments of Service

1. Provided that Consultant has been paid in full for its services, Client shall have the right in the form of a license to use Instruments of Service resulting from Consultant's efforts on the Project. Consultant shall retain full rights to electronic data and the drawings, specifications, including those in electronic form, prepared by Consultant and its subcontractants and the right to reuse component information contained in them in the normal course of Consultant's professional activities. Consultant shall be deemed to be the author of such Instruments of Service, electronic data or documents, and shall be given appropriate credit in any public display of such Instruments of Service.
2. Records requests or requests for additional copies of Instruments of Services outside of the scope of services are available to Client subject to Consultant's current rate schedule.

### C. Reuse of Documents

1. All Instruments of Service prepared by Consultant pursuant to this Agreement are not intended or represented to be suitable for reuse by the Client or others on extensions of the Project or on any other Project. Any reuse of the Instruments of Service without written consent or adaptation by Consultant for the specific purpose intended will be at the Client's sole risk and without liability or legal exposure to Consultant; and the Client shall release Consultant from all claims arising from such use. Client shall also defend, indemnify and hold harmless Consultant from all claims, damages, losses and expenses including attorneys' fees arising out of or resulting from reuse of Consultant documents without written consent.



# Brainerd City Council Agenda Request

SPW  
# 7

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Walkable Bikeable City Committee - Non-Motorized Transportation Plan (NMTP) Tier 1 Priorities

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input checked="" type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>Paul Sandy/Mark Ostgarden                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Department:</b><br>Engineering/Planning                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Presenter (Name &amp; Title):</b><br>Same                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Estimated Time Needed:</b><br>30 Minutes                                                                                                                                                                                                                                                                                                                                                                               |
| <b>Summary of Issue:</b><br>At its March 27 meeting, the WBCC reviewed the Tier 1 NMTP priorities and has recommended several projects for 2018-2020. Paul Sandy attended the meeting and reviewed whether any projects are part of the 5 year Capital Improvement Plan. Following that discussion the Committee reached a consensus on 5 top Tier 1 priorities and 2 Tier 1B priorities. Attached is a breakdown of the estimated project costs that includes Safe Routes To School sidewalk and TAP sidewalk costs and a map identifying project locations. The recommendations include the Safe Routes and TAP sidewalk locations. |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>SPW Chair Kelly Bevans requested that in addition to the WBCC, that the Committee members should identify individual Tier 1 priorities. Prior to a decision on the WBCC recommendations the Committee has the option of reviewing its priorities with those of the WBCC.<br><br>Should the SPW think that the project list is too aggressive, it can either create a final priorities list or return it to the WBCC to revise its recommendations. Should it do so it is suggested it be done with a not to exceed budget amount.                                        |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Recommended Action/Motion:</b><br>The WBCC recommendations are attached.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ <u>See attached</u><br>Is this budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><u>Please Explain:</u>                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                           |



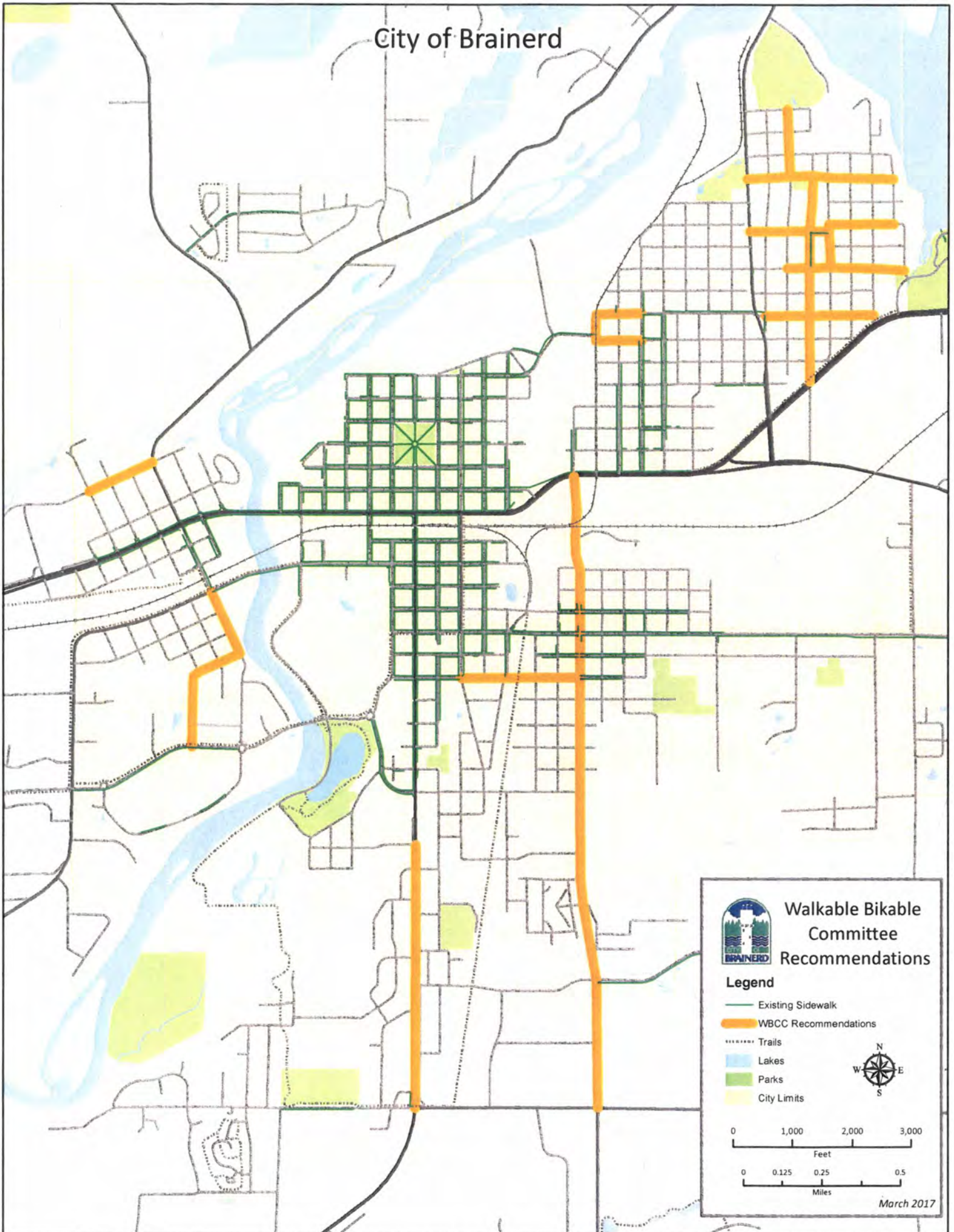
## Walkable Bikeable City Committee Non-Motorized Transportation Plan Tier 1 2018-2020 Recommendations

| CROSS WALKS – PRIORITY 1 WBCC RECOMMENDATIONS                                                           |               |                         |
|---------------------------------------------------------------------------------------------------------|---------------|-------------------------|
| Locations:                                                                                              | Square feet   | Cost                    |
| Mill Ave and H St NE w/activator flasher                                                                |               | \$25,000                |
| SW 4th St and Laurel St w/activator flasher                                                             |               | \$25,000                |
| <b>TOTAL</b>                                                                                            |               | <b>\$50,000</b>         |
| SIDEWALK – PRIORITY 1 WBCC RECOMMENDATIONS                                                              |               |                         |
| Locations:                                                                                              | Square feet   | Cost                    |
| 1st Ave NE from G St to H St                                                                            | 2,000         | \$48,000                |
| H St from 1st Ave NE to 3rd Ave NE                                                                      | 3,400         | \$82,000                |
| Quince St from S 8th St to 13th St SE                                                                   | 8,850         | \$213,000               |
| <b>SUBTOTAL</b>                                                                                         |               | <b>\$343,000</b>        |
| SIDEWALK – SAFE ROUTES TO SCHOOL                                                                        |               |                         |
| Locations:                                                                                              | Square feet   | Cost                    |
| <u>G St between 1st Ave NE and 3rd Ave NE</u>                                                           | <u>3,600</u>  | <u>\$90,000</u>         |
| <u>H St from 8th Ave NE to 13th Ave NE</u>                                                              | <u>8,200</u>  | <u>\$169,000</u>        |
| <u>N St from 14th Ave NE to Mill Ave</u>                                                                | <u>12,175</u> | <u>\$243,000</u>        |
| <u>10<sup>TH</sup> Ave NE from Washington St to I St</u>                                                | <u>6,400</u>  | <u>\$168,000</u>        |
| <u>9<sup>TH</sup> Ave NE from N Street to Q Street</u>                                                  | <u>5,000</u>  | <u>\$122,000</u>        |
| <u>1<sup>ST</sup> Ave NE from Evergreen Ave to G St</u>                                                 | <u>450</u>    | <u>\$14,000</u>         |
| <u>L St from Mill Ave to 9<sup>th</sup> Ave NE and 12<sup>th</sup> Ave NE to 14<sup>th</sup> Ave NE</u> | <u>6,425</u>  | <u>\$136,000</u>        |
| <u>J St from 12<sup>th</sup> Ave NE to 13<sup>th</sup> Ave NE</u>                                       | <u>1,675</u>  | <u>40,000</u>           |
| <b>SUBTOTAL</b>                                                                                         |               | <b><u>\$982,000</u></b> |

| SIDEWALK - TAP                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |               |                    |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------|--------------------|
| Locations:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Square feet   | Cost               |
| <u>S. 6<sup>th</sup> Street from Joseph Street to CR 117</u>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <u>24,000</u> | <u>\$547,000</u>   |
| SUBTOTAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |               | <u>\$547,000</u>   |
| TOTAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | <u>\$2,225,000</u> |
| <p><b>Note: Underlined projects are federally funded TAP and Safe Routes to School projects that the City of Brainerd has been awarded and currently programmed for the 2019 construction season. All totals above include construction and engineering estimates. Grant money awarded from the federal government includes a 20% cost share of construction costs by the local agency and an 80% share being paid by the federal grant. Engineering costs are not eligible for federal fund reimbursement. City of Brainerd costs are anticipated to be \$442,000 of the underlined total above of \$1,529,000</b></p> |               |                    |
| BIKE LANES – PRIORITY 1 WBCC RECOMMENDATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |               |                    |
| Locations:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Square Feet   | Cost               |
| Willow St (5th St) from S 6th St to College Dr                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | N/A           | \$5,000            |
| MULTI USE TRAIL – PRIORITY 1B WBCC RECOMMENDATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |               |                    |
| Locations:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Square feet   | Cost               |
| 13 <sup>TH</sup> St SE from Hwy 210 to College Drive                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | 105,510       | \$1,020,000        |
| TOTAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | \$1,020,000        |
| SIDEWALK – PRIORITY 1B WBCC RECOMMENDATIONS                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |               |                    |
| Locations:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Square Feet   | Cost               |
| SW 4th St to May Street to SW 6th to College Dr                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | 14,710        | \$353,000          |
| TOTAL                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |               | \$353,000          |



# City of Brainerd





# Brainerd City Council Agenda Request

SPW  
#8

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Downtown Landscaping and Maintenance Quote Approval

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input checked="" type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft) *provide copy of published hearing notice<br><input type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading |
| <b>Submitted by:</b><br>Mark Ostgarden                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               | <b>Department:</b><br>Planning                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Presenter (Name &amp; Title):</b><br>Same                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Estimated Time Needed:</b><br>10 minutes                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Summary of Issue:</b><br>Attached are Downtown landscaping and maintenance quotes from Northwoods Landscaping and Landsburg Nursery.<br><br>Request for quotes were not mailed to area contractors as historically only Northwoods Landscaping has been the only contractor that has submitted a quote following a mailing. Because there has been some disappointment in the quality and quantity of the landscaping and maintenance, the City Administrator, City Engineer, Assistant City Engineer and City Planner met with John Landsburg to inquire whether he would be interested in submitting a quote and we discussed how he might be competitive in doing so. Landsburg Nursery has not submitted a quote since the initial year of seeking quotes, because it like other nurseries/contractors could not quote a price close to the Northwards quote. |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>Approve a quote.<br>Reject the quotes and direct staff to inquire of other contractors about a quote.<br>Reject the quotes and not hire a contractor which will place the landscaping and maintenance on Downtown property owners and tenants.<br><br>The cost is assessed to the Downtown property owners.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Recommended Action/Motion:</b><br>Should there have been less difference in the quotes, a recommendation to consider the Landsburg Nursery quote could be justified. However the \$7,350 difference is too significant.<br><br>The Northwoods quote is a \$300 increase from 2016.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Final Impact:</b><br><i>Is there a cost associated with this request:</i> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><i>What is the total cost, with tax and shipping</i> \$ _____<br><i>Is this budgeted?</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><br><i>Please Explain:</i>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                 |

# Northwoods Landscaping

Keystone  
Paving Stone  
Bobcat Work  
Planting & Design  
Sod

Al Praska  
13348 3 Mile Rd.  
Brainerd, MN. 56401  
218-829-6551

Date: 4/3/17

To: Brainerd Planning Department  
Att.: Mark Ostgarden  
501 Laurel Street  
Brainerd MN. 56401

We are pleased to submit the following Bid: Construction of Brainerd Street Scape

Description Landscape Maintenance of Brainerd Downtown Area

- 1 Street Scape
- 2 Landscape Urns
- 3 Weeding
- 4 Irrigation System
- 5 Pruning and Trimming
- 6 Paver Surfaces
- 7 Weed Control
- 8 Replacement Planting
- 9 Spring Cleanup
- 10 Spring Fall Inspection

Total: 12,175.00

We propose to hereby furnish material and labor, complete in accordance with the above specifications for the sum of: Twelve Thousand One Hundred Seventy Five Dollars

Payment to be made as follows:

Monthly Payment. 10% Interest after 15 days.

Acceptance of Proposal: The above price, specifications and conditions are accepted. You are authorizing us to do the work specified. Payment will be made as conditioned above.

Date of acceptance \_\_\_\_\_

Signature \_\_\_\_\_

Al Praska D.B.A.: Northwoods Landscaping



# Proposal



TO: Brainerd Planning Department  
Attn. Mark Ostgarden  
501 Laurel Street, Brainerd, MN 56401  
218-828-2309

FROM: Terry Wanderi, Landsburg Landscape Nursery

DATE: 3/28/17

SUBJECT: Maintenance Proposal

Landsburg Landscape Nursery Propose the Following Landscape Construction:

**1. Downtown Brainerd Maintenance:**

Maintenance to include: —

- **Trees** - pruning/ shaping and fertilizing (once per year) —
  - **Shrubs** - pruning/ shaping and fertilizing (once per year) —
  - **Perennials/ Parking lot** - fertilizing (once per year), deadheading/ weeding of beds (1x May, 2x June – August, 1x September & October) —
  - **Planting beds** - granular weed preventive application (3x per year), herbicide spraying as needed per visit (parking lot edge), litter removal per normal site visits
  - **\*\*Cigarette butt removal by city/ business owners**
  - **\*\*Vomit removal by city/ Business owners**
- Labor, equipment and tax included. \$16,959.00

**2. Annuals:**

Planting/ maintenance of Coco Moon planter and 16 urns with colorful annuals, slow release fertilizer, annual soil, and weed preventive granules.  
Urn to be placed before planting.  
Labor, equipment and tax included. \$2,566.00

**3. Irrigation:**

- Billed as time and materials first season.  
\*\*\***Minnesota State Law requires contractors who perform service/ installation on sprinkler systems to carry the following licenses:**  
**Landsburg's #'s are Power Limited Technician-#PL04495 and Technology Systems Contractor-#TS00358.**

**4. Additional perennials:**

Site to be assessed in spring and separate bid given.

# Proposal



We propose hereby to furnish material and labor-complete in accordance with the above specifications for the sum of: **\$19,525.00**

**25% down payment** with balance due upon completion.

## Terms and Conditions

All material is guaranteed to be as specified. All work to be completed in a professional manner according to standard practices. Any alterations or deviation from above specifications involving extra costs will be excluded only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado, and other necessary insurance. Our workers are fully covered by Workers Compensation Insurance. Payment by cash or check (credit card payments not accepted on landscape projects).

Authorized Signature \_\_\_\_\_ *Terry Wanderi* \_\_\_\_\_ Date 3/28/17

## Acceptance of Proposal

The above prices, specifications and conditions on pages 1 and 2 of this proposal are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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

April 17, 2017  
6:30 P.M.  
City Hall Conference Room

1. Approval of Bills
2. Community Action Donation Request for 4<sup>th</sup> of July
3. Electronic Council Packet
4. Council Chambers Audio System Improvements
5. Administrative Specialist Position – Approve Hiring
6. Assistant City Engineer Hiring Process Update
7. Authorization to Hire Community Service Officers
8. Review/Discuss Status of Facilities Study
9. Budget Process Discussion



PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

| VENDOR  | NAME                    | ITEM #            | G/L ACCOUNT NAME | DESCRIPTION                                  | CHECK# | AMOUNT   |
|---------|-------------------------|-------------------|------------------|----------------------------------------------|--------|----------|
| 01-0071 | FORUM COMMUNICATIONS CO |                   |                  |                                              |        |          |
|         |                         | I-1839504         | 101-49200-3350   | LEGAL PUBLICA NOH - BOARDING SCHOOLS         | 075496 | 55.98    |
| 01-0203 | HOLDEN ELECTRIC         |                   |                  |                                              |        |          |
|         |                         | I-46367           | 101-41940-2220   | REPAIR & MAIN REPLACE EMER LIGHT IN GARAGE   | 075503 | 123.41   |
| 01-0204 | HOLLCO INC              |                   |                  |                                              |        |          |
|         |                         | I-12320061/MAR 17 | 101-42400-2212   | MOTOR FUELS MARCH MOTOR FUELS                | 075505 | 160.97   |
| 01-0215 | JANITORIAL SERVICES OF  |                   |                  |                                              |        |          |
|         |                         | I-414364          | 101-41940-3300   | PROFESSIONAL MARCH CLEANING SERVICES         | 075508 | 589.70   |
| 01-0243 | MARCO FINANCING         |                   |                  |                                              |        |          |
|         |                         | I-328203153       | 101-41800-3331   | LEASE PAYMENT APRIL COPIER LEASE             | 075515 | 848.16   |
| 01-0247 | MED COMPASS INC         |                   |                  |                                              |        |          |
|         |                         | I-30935           | 101-49200-3430   | MISCELLANEOUS MAILING & PROCESSING FEE       | 075517 | 20.00    |
| 01-0270 | MN DEPT LABOR & INDUSTR |                   |                  |                                              |        |          |
|         |                         | I-1ST QTR 2017    | 101-21800        | SURCHARGE PAY BLDG PERMIT SURCHARGES 1ST QTR | 075522 | 1,192.95 |
| 01-0284 | OFFICE SHOP             |                   |                  |                                              |        |          |
|         |                         | I-1023165-0       | 101-41940-2200   | OFFICE SUPPLI STAPLES                        | 075532 | 1.30     |
|         |                         | I-1023573-0       | 101-41940-2210   | OPERATING SUP TOILET TISSUE                  | 075532 | 77.88    |
|         |                         | I-1023573-1       | 101-41940-2210   | OPERATING SUP PAPER TOWELS                   | 075532 | 39.98    |
| 01-0296 | BRAINERD PUBLIC UTILITI |                   |                  |                                              |        |          |
|         |                         | I-MARCH 2017      | 101-41940-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES    | 075480 | 2,015.69 |
|         |                         | I-MARCH 2017      | 101-49200-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES    | 075480 | 267.07   |
| 01-0344 | WASTE PARTNERS INC      |                   |                  |                                              |        |          |
|         |                         | I-73X02059        | 101-41940-3380   | UTILITIES MARCH GARBAGE SERVICE              | 075545 | 70.24    |
| 01-0521 | PITNEY BOWES INC        |                   |                  |                                              |        |          |
|         |                         | I-3101151243      | 101-41940-3331   | LEASE PAYMENT POSTAGE LEASE 1/30-4/29        | 075535 | 651.24   |
| 01-1    | MISCELLANEOUS VENDOR    |                   |                  |                                              |        |          |
|         | VICKY HOLMES            | I-2000440         | 101-20801        | SALES TAX PAY REFUND ADULT SOFTBALL DEPOSIT  | 075542 | 15.69    |
| 01-1095 | VIKING ELECTRIC SUPPLY  |                   |                  |                                              |        |          |
|         |                         | I-S000262223.001  | 101-41940-2220   | REPAIR & MAIN 1 MOGUL 250W ET, 1 HPS MED 50W | 075543 | 19.91    |
| 01-1217 | CWC AUDITOR-TREASURER   |                   |                  |                                              |        |          |
|         |                         | I-2017 PRPTY TAX  | 101-41940-3430   | MISCELLANEOUS CITY HALL 09196045019Z009      | 075486 | 15.00    |
| 01-1432 | INTEGRA TELECOM         |                   |                  |                                              |        |          |
|         |                         | I-14547457        | 101-41940-3321   | TELEPHONE ELEV PHONE LINE 3/23-4/22          | 075507 | 47.39    |
| 01-2924 | VERIZON WIRELESS        |                   |                  |                                              |        |          |

FUND : 101 GENERAL FUND

| VENDOR  | NAME                    | ITEM #       | G/L ACCOUNT NAME | DESCRIPTION                             | CHECK# | AMOUNT   |
|---------|-------------------------|--------------|------------------|-----------------------------------------|--------|----------|
| 01-2924 | VERIZON WIRELESS        | continued    |                  |                                         |        |          |
|         |                         | I-9782671246 | 101-42400-3321   | TELEPHONE DATA PLAN 3/24-4/23           | 075541 | 70.02    |
| 01-3199 | FLEET ONE LLC           |              |                  |                                         |        |          |
|         |                         | I-MAR 17 ADM | 101-41940-2212   | MOTOR FUELS DISPUTED MOTOR FUEL RECEIPT | 075495 | 24.18    |
| 01-3421 | JOBSHQ                  |              |                  |                                         |        |          |
|         |                         | I-1834077    | 101-41700-3350   | PRINTING/LEGA 2017 SEASONAL EMP ADS     | 075509 | 113.92   |
|         |                         | I-1834077    | 101-42400-3350   | PRINTING/LEGA 2017 SEASONAL EMP ADS     | 075509 | 113.92   |
|         |                         | I-1834077    | 101-41910-3350   | PRINTING/LEGA 2017 SEASONAL EMP ADS     | 075509 | 113.92   |
|         |                         | I-1834077    | 101-41800-3350   | PRINTING/LEGA 2017 SEASONAL EMP ADS     | 075509 | 113.92   |
| 01-3481 | ADAMS PEST CONTROL-NISS |              |                  |                                         |        |          |
|         |                         | I-2504200    | 101-42400-3405   | NUISANCES 601 10TH ST S                 | 075471 | 399.00   |
| 01-3502 | DAKOTA MAILING          |              |                  |                                         |        |          |
|         |                         | I-AR12331-A  | 101-49200-2210   | OPERATING SUP FREIGHT FOR INK CARTRIDGE | 075489 | 6.77     |
|         |                         |              |                  | FUND 101 GENERAL FUND                   | TOTAL: | 7,168.21 |

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 203 TRANSIT FUND

| VENDOR  | NAME                    | ITEM #         | G/L ACCOUNT NAME | DESCRIPTION                                  | CHECK# | AMOUNT    |
|---------|-------------------------|----------------|------------------|----------------------------------------------|--------|-----------|
| =====   |                         |                |                  |                                              |        |           |
| 01-0069 | BRAINERD BUS LINES INC  |                |                  |                                              |        |           |
|         |                         | I-11703        | 203-49000-2212   | MOTOR FUELS MARCH 17 SERVICE                 | 075477 | 7,823.26  |
|         |                         | I-11703        | 203-49000-3401   | VEHICLE REPAI MARCH 17 SERVICE               | 075477 | 4,145.90  |
|         |                         | I-11703        | 203-49000-3440   | TRANSIT SERVI MARCH 17 SERVICE               | 075477 | 60,137.45 |
| 01-0071 | FORUM COMMUNICATIONS CO |                |                  |                                              |        |           |
|         |                         | I-1839504      | 203-49000-3350   | PRINTING/LEGA NOTICE -JOINT TAC MEETING 3/16 | 075496 | 21.77     |
| 01-2527 | DIGITAL INK DESIGN & GR |                |                  |                                              |        |           |
|         |                         | I-25236        | 203-49000-3401   | VEHICLE REPAI DECAL BUS #142                 | 075490 | 180.00    |
| 01-2800 | R&J BROADCASTING        |                |                  |                                              |        |           |
|         |                         | I-096917033958 | 203-49000-3340   | ADVERTISING/M WWI-FM, KFGI, KLKS, WWI-FM A   | 075536 | 270.00    |
|         |                         |                |                  | FUND 203 TRANSIT FUND                        | TOTAL: | 72,578.38 |

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 211 LIBRARY FUND

| VENDOR  | NAME                    | ITEM #           | G/L ACCOUNT NAME | DESCRIPTION                                | CHECK# | AMOUNT   |
|---------|-------------------------|------------------|------------------|--------------------------------------------|--------|----------|
| 01-0296 | BRAINERD PUBLIC UTILITI |                  |                  |                                            |        |          |
|         |                         | I-MARCH 2017     | 211-45500-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES  | 075480 | 1,397.93 |
| 01-1217 | CWC AUDITOR-TREASURER   |                  |                  |                                            |        |          |
|         |                         | I-2017 PRPTY TAX | 211-45500-3430   | MISCELLANEOUS LIBRARY 09196103001Y009      | 075486 | 15.00    |
| 01-2796 | GREGERSON, ROSOW, JOHNS |                  |                  |                                            |        |          |
|         |                         | I-31922          | 211-45500-3430   | MISCELLANEOUS ADDITION OF CROSBY INTO KRLS | 075499 | 935.00   |
|         |                         |                  | FUND             | 211 LIBRARY FUND                           | TOTAL: | 2,347.93 |

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 215 SE SCDP GRANT

| VENDOR  | NAME                   | ITEM #      | G/L ACCOUNT NAME | DESCRIPTION                 | CHECK# | AMOUNT   |
|---------|------------------------|-------------|------------------|-----------------------------|--------|----------|
| =====   |                        |             |                  |                             |        |          |
| 01-3484 | FAIRFIELD CONSTRUCTION |             |                  |                             |        |          |
|         |                        | I-4/13/2017 | 215-46323-5510   | CAPITAL - RES SCDP HOME #34 | 075492 | 7,385.00 |
|         |                        |             |                  |                             |        |          |
|         |                        |             | FUND             | 215 SE SCDP GRANT           | TOTAL: | 7,385.00 |

FUND : 223 DRUG FORFEITURE

| VENDOR  | NAME               | ITEM #          | G/L ACCOUNT | NAME          | DESCRIPTION         | CHECK# | AMOUNT |
|---------|--------------------|-----------------|-------------|---------------|---------------------|--------|--------|
| 01-0086 | CITY OF BRAINERD   |                 |             |               |                     |        |        |
|         |                    | I-ICR: 16011995 | 223-22800   | OTHER LIABILI | ICR: 16011995       | 075483 | 247.30 |
|         |                    | I-ICR: 16015115 | 223-22800   | OTHER LIABILI | ICR: 16015115       | 075483 | 85.40  |
| 01-0136 | CWC ATTORNEY       |                 |             |               |                     |        |        |
|         |                    | I-ICR: 16011995 | 223-22800   | OTHER LIABILI | ICR: 16011995       | 075485 | 57.80  |
|         |                    | I-ICR: 16015115 | 223-22800   | OTHER LIABILI | ICR: 16015115       | 075485 | 24.40  |
| 01-0266 | MN STATE TREASURER |                 |             |               |                     |        |        |
|         |                    | I-ICR: 16011995 | 223-22800   | OTHER LIABILI | ICR: 16011995       | 075524 | 28.90  |
|         |                    | I-ICR: 16015115 | 223-22800   | OTHER LIABILI | ICR: 16015115       | 075524 | 12.20  |
|         |                    |                 |             | FUND          | 223 DRUG FORFEITURE | TOTAL: | 456.00 |

PAGE: 7

FUND : 224 DUI FORFEITURE

| VENDOR  | NAME                    | ITEM #          | G/L ACCOUNT NAME | DESCRIPTION                     | CHECK# | AMOUNT   |
|---------|-------------------------|-----------------|------------------|---------------------------------|--------|----------|
| 01-0888 | WEST BRAINERD AUTO SERV | I-28519         | 224-42150-2210   | OPERATING EXP TOW ICR: 17004305 | 075548 | 45.00    |
| 01-2097 | WATCHGUARD VIDEO        | I-4REINV0005676 | 224-42150-5530   | CAPITAL OUTLA SQUAD CAMERA      | 075547 | 5,270.00 |
|         |                         |                 |                  | FUND 224 DUI FORFEITURE         | TOTAL: | 5,315.00 |

PACKET: 03945 04/17/17 COUNCIL  
 VENDOR SET: 01  
 FUND : 225 PUBLIC SAFETY FUND

| VENDOR  | NAME                    | ITEM #            | G/L ACCOUNT NAME | DESCRIPTION                                 | CHECK# | AMOUNT   |
|---------|-------------------------|-------------------|------------------|---------------------------------------------|--------|----------|
| 01-0145 | TREAS, FIRE RELIEF ASSO | I-04/2017         | 225-20800        | DUE TO OTHER REMIT SAFETY & DNR REIM        | 075539 | 1,050.00 |
| 01-0177 | FIRST IMPRESSION PRINTI | I-67375           | 225-42120-2200   | OFFICE SUPPLI 717 BUSINESS CARDS            | 075494 | 25.00    |
| 01-0199 | HANNAHS, DONALD C. JR.  | I-APRIL 2017      | 225-42700-3300   | PROFESSIONAL APRIL 2017 ANIMAL CONTROL      | 075500 | 1,360.60 |
| 01-0200 | HEARTLAND ANIMAL RESCUE | I-MARCH 2017      | 225-42700-3300   | PROFESSIONAL MARCH 2017 MONTHLY FEE         | 075501 | 1,698.75 |
|         |                         | I-MARCH 2017      | 225-42700-3430   | MISCELLANEOUS MARCH 2017 BOARDING           | 075501 | 447.00   |
| 01-0204 | HOLLCO INC              | I-12320052/MAR 17 | 225-42220-2212   | MOTOR FUELS MARCH MOTOR FUELS               | 075505 | 247.13   |
| 01-0247 | MED COMPASS INC         | I-30935           | 225-42220-3300   | PROFESSIONAL OSHA HEARING, SCBA MED, & FIT  | 075517 | 3,344.00 |
|         |                         | I-30935           | 225-42120-3330   | PROFESSIONAL 4 OSHA HEARING TESTS           | 075517 | 64.00    |
| 01-0260 | MN BUREAU OF CRIM APPRE | I-00000358822     | 225-42120-3321   | TELEPHONE CJDN CONNECT - 1ST QTR 2017       | 075520 | 390.00   |
| 01-0264 | MN DEPT LABOR & INDUSTR | I-ABR0161291I     | 225-42120-2209   | SAFETY EQUIPM PRESSURE VESSEL REGISTRATION  | 075521 | 10.00    |
| 01-0273 | NAPA AUTO PARTS         | I-041246          | 225-42220-2210   | OPERATING SUP ADAPTOR, GAUGE                | 075528 | 51.08    |
|         |                         | I-042077          | 225-42220-2210   | OPERATING SUP DIESEL OIL                    | 075528 | 16.14    |
| 01-0284 | OFFICE SHOP             | I-1023559-0       | 225-42120-2200   | OFFICE SUPPLI TASK CHAIRS (KM & ML)         | 075532 | 978.00   |
|         |                         | I-291430-0        | 225-42220-3331   | LEASE PAYMENT 1ST QTR COPIER CHARGES        | 075532 | 107.57   |
| 01-0291 | PIKE PLUMBING AND HEATI | I-65909           | 225-42220-2220   | REPAIR & MAIN COPPER LINE LEAK REPAIR       | 075534 | 140.71   |
| 01-0296 | BRAINERD PUBLIC UTILITI | I-MARCH 2017      | 225-42120-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES   | 075480 | 2,871.62 |
|         |                         | I-MARCH 2017      | 225-42220-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES   | 075480 | 4,113.61 |
| 01-0322 | STREICHERS PROF EQUIP   | I-I1255158        | 225-42120-1113   | UNIFORM ALLOW HOLSTER & WEAPON LIGHTS       | 075538 | 486.96   |
|         |                         | I-I1256712        | 225-42120-1113   | UNIFORM ALLOW 771EA - UNIFORM BOOTS & PANTS | 075538 | 234.97   |
|         |                         | I-I1256728        | 225-42120-1113   | UNIFORM ALLOW 771EA - UNIFORM NAMEPLATE     | 075538 | 7.99     |
| 01-0337 | UNIFORMS UNLIMITED      | I-63179-1         | 225-42120-1113   | UNIFORM ALLOW 723 - UNIFORM PANTS & SHIRT   | 075540 | 105.93   |



PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 225 PUBLIC SAFETY FUND

| VENDOR  | NAME                    | ITEM #           | G/L ACCOUNT NAME | DESCRIPTION                                 | CHECK# | AMOUNT   |
|---------|-------------------------|------------------|------------------|---------------------------------------------|--------|----------|
| 01-0344 | WASTE PARTNERS INC      |                  |                  |                                             |        |          |
|         |                         | I-73X02058       | 225-42220-3380   | UTILITIES MARCH GARBAGE REMOVAL             | 075545 | 84.24    |
|         |                         | I-73X02061       | 225-42120-3380   | UTILITIES MARCH GARBAGE SERVICE             | 075545 | 92.40    |
| 01-0445 | MN FIRE SERVICE CERTIFI |                  |                  |                                             |        |          |
|         |                         | I-4716           | 225-42220-3330   | PROFESSIONAL INSTRUCTOR I CERT EXAMS        | 075523 | 230.00   |
| 01-0745 | BATTERIES PLUS          |                  |                  |                                             |        |          |
|         |                         | I-035-327135     | 225-42120-2220   | REPAIR & MAIN LIGHT BULBS                   | 075474 | 38.43    |
|         |                         | I-035-327243     | 225-42120-3430   | MISCELLANEOUS FLUORESCENT BULB RECYCLING    | 075474 | 7.12     |
|         |                         | I-035-327302     | 225-42120-2220   | REPAIR & MAIN LIGHT BULBS                   | 075474 | 5.49     |
|         |                         | I-035-327698     | 225-42120-2210   | OPERATING SUP BATTERIES                     | 075474 | 35.50    |
| 01-0900 | CUB FOODS - BRAINERD    |                  |                  |                                             |        |          |
|         |                         | I-APRIL 17 FD    | 225-42220-2210   | OPERATING SUP TRX 374 - GARBAGE BAGS, PAPER | 075484 | 20.99    |
|         |                         | I-APRIL 17 FD    | 225-42220-2210   | OPERATING SUP TRX 459 - FOAM CUPS           | 075484 | 5.56     |
| 01-1217 | CWC AUDITOR-TREASURER   |                  |                  |                                             |        |          |
|         |                         | I-2017 PRPTY TAX | 225-42220-3430   | MISCELLANEOUS NE FD STATION 050192101B00009 | 075486 | 15.00    |
|         |                         | I-2017 PRPTY TAX | 225-42120-3430   | MISCELLANEOUS PD GARAGE 09196053013Z009     | 075486 | 15.00    |
|         |                         | I-2017 PRPTY TAX | 225-42220-3430   | MISCELLANEOUS FIRE HALL 092190010010009     | 075486 | 15.00    |
| 01-1343 | CHARTER COMMUNICATIONS  |                  |                  |                                             |        |          |
|         |                         | I-04/01/17       | 225-42120-3380   | UTILITIES BUSINESS TV - PD                  | 075482 | 28.52    |
|         |                         | I-APRIL-MAY 2017 | 225-42220-3380   | UTILITIES APRIL-MAY MAIN STATION            | 075482 | 7.40     |
| 01-1384 | MARTIN-MCALLISTER       |                  |                  |                                             |        |          |
|         |                         | I-10938          | 225-42120-3300   | PROFESSIONAL POLICE ASSESS/POTENTIAL HIRE   | 075516 | 500.00   |
| 01-1735 | MUNICIPAL EMERGENCY SER |                  |                  |                                             |        |          |
|         |                         | I-IN1116904      | 225-42220-2210   | OPERATING SUP AIR FILTERS, PRE WRAPS        | 075527 | 60.10    |
| 01-1753 | MARCO                   |                  |                  |                                             |        |          |
|         |                         | I-INV4181728     | 225-42120-3309   | COMPUTER TECH PRINTER MAINT CONTRACT        | 075514 | 43.72    |
| 01-1815 | F.I.R.E. CROSSLAKE      |                  |                  |                                             |        |          |
|         |                         | I-2391           | 225-42220-3330   | PROFESSIONAL RURAL FIRE OPS                 | 075491 | 450.00   |
| 01-2062 | NARDINI FIRE EQUIPMENT  |                  |                  |                                             |        |          |
|         |                         | I-IN00040288     | 225-42220-3300   | PROFESSIONAL 2017 FIRE ALARM INSPECTION     | 075529 | 220.00   |
| 01-2177 | HOLIDAY CREDIT OFFICE   |                  |                  |                                             |        |          |
|         |                         | C-MARCH 2017     | 225-42120-2212   | MOTOR FUELS CREDITS/REBATES MARCH 2017      | 075504 | 271.56-  |
|         |                         | C-MARCH 2017     | 225-42220-2212   | MOTOR FUELS CREDITS/REBATES MARCH 2017      | 075504 | 28.24-   |
|         |                         | I-MAR 17 FD      | 225-42220-2212   | MOTOR FUELS MARCH MOTOR FUELS               | 075504 | 292.62   |
|         |                         | I-MAR 17 PD      | 225-42120-2212   | MOTOR FUELS MARCH MOTOR FUELS               | 075504 | 2,942.63 |
| 01-2620 | PERSONNEL EVALUATION IN |                  |                  |                                             |        |          |
|         |                         | I-22804          | 225-42120-3300   | PROFESSIONAL PROFILE - POTENTIAL NEW HIRES  | 075533 | 40.00    |

PAGE: 10

PACKET: 03945 04/17/17 COUNCIL  
VENDOR SET: 01  
FUND : 225 PUBLIC SAFETY FUND

| VENDOR  | NAME                    | ITEM #      | G/L ACCOUNT NAME | DESCRIPTION                              | CHECK# | AMOUNT    |
|---------|-------------------------|-------------|------------------|------------------------------------------|--------|-----------|
| 01-3168 | MOTORS-N-MORE           |             |                  |                                          |        |           |
|         |                         | I-24999     | 225-42120-2221   | SQUAD CAR REP SQD 418 - OIL CHANGE       | 075525 | 23.00     |
| 01-3199 | FLEET ONE LLC           |             |                  |                                          |        |           |
|         |                         | I-MAR 17 FD | 225-42220-2212   | MOTOR FUELS MARCH MOTOR FUELS            | 075495 | 355.25    |
|         |                         | I-MAR 17 PD | 225-42120-2212   | MOTOR FUELS MARCH MOTOR FUELS            | 075495 | 739.72    |
| 01-3202 | INNOVATIVE OFFICE SOLUT |             |                  |                                          |        |           |
|         |                         | I-IN1557734 | 225-42120-2200   | OFFICE SUPPLI TONER, PENS, & PEN REFILLS | 075506 | 59.60     |
| 01-3394 | MIDWEST MACHINERY CO    |             |                  |                                          |        |           |
|         |                         | I-IN1430010 | 225-42220-2210   | OPERATING SUP AIR FILTER                 | 075519 | 26.72     |
| 01-3421 | JOBSEQ                  |             |                  |                                          |        |           |
|         |                         | I-1834077   | 225-42120-3350   | PRINTING/LEGA 2017 SEASONAL EMP ADS      | 075509 | 113.92    |
|         |                         |             |                  | FUND 225 PUBLIC SAFETY FUND              | TOTAL: | 23,919.19 |

PAGE: 11

FUND : 226 SCHOOL PATROL FUND

|      |     |                    |        |           |
|------|-----|--------------------|--------|-----------|
| FUND | 226 | SCHOOL PATROL FUND | TOTAL: | 11,275.00 |
|------|-----|--------------------|--------|-----------|

PAGE: 12

FUND : 227 RECYCLING FUND

| VENDOR  | NAME               | ITEM #         | G/L ACCOUNT NAME | DESCRIPTION                                 | CHECK# | AMOUNT    |
|---------|--------------------|----------------|------------------|---------------------------------------------|--------|-----------|
| 01-0278 | NISSWA SANITATION  |                |                  |                                             |        |           |
|         |                    | I-JAN-APR 2017 | 227-43230-3300   | PROFESSIONAL JANUARY - APRIL 2017 RECYCLING | 075530 | 6,219.12  |
| 01-0343 | WASTE MANAGEMENT   |                |                  |                                             |        |           |
|         |                    | I-JAN-APR 2017 | 227-43230-3300   | PROFESSIONAL JANUARY - APRIL 2017 RECYCLING | 075544 | 8,041.76  |
| 01-0344 | WASTE PARTNERS INC |                |                  |                                             |        |           |
|         |                    | I-73X02063     | 227-43230-3430   | MISCELLANEOUS MARCH WASTE OIL REMOVAL       | 075545 | 57.33     |
|         |                    | I-JAN-APR 2017 | 227-43230-3300   | PROFESSIONAL JANUARY - APRIL 2017 RECYCLING | 075545 | 6,272.48  |
|         |                    |                |                  | FUND 227 RECYCLING FUND                     | TOTAL: | 20,590.69 |

PAGE: 13

PACKET: 03945 04/17/17 COUNCIL  
VENDOR SET: 01  
FUND : 230 PARK & RECREATION FUND

| VENDOR  | NAME                    | ITEM #           | G/L ACCOUNT NAME | DESCRIPTION                                 | CHECK# | AMOUNT   |
|---------|-------------------------|------------------|------------------|---------------------------------------------|--------|----------|
| 01-0027 | WEX BANK                |                  |                  |                                             |        |          |
|         |                         | I-49222965       | 230-45200-2212   | MOTOR FUELS MARCH MOTOR FUEL                | 000137 | 78.34    |
| 01-0170 | FASTENAL COMPANY        |                  |                  |                                             |        |          |
|         |                         | I-MNBAX204598    | 230-45215-2220   | REPAIR & MAIN CABLE TIES - MMP FENCE CAP    | 075493 | 35.63    |
|         |                         | I-MNBAX204702    | 230-45200-2220   | REPAIR & MAIN FASTENERS - SHOP              | 075493 | 6.10     |
| 01-0247 | MED COMPASS INC         |                  |                  |                                             |        |          |
|         |                         | I-30935          | 230-45200-3330   | PROFESSIONAL 1 OSHA HEARING TEST            | 075517 | 16.00    |
| 01-0272 | MTI DISTRIBUTING CO     |                  |                  |                                             |        |          |
|         |                         | I-1106386-00     | 230-45200-2220   | REPAIR & MAIN MOWER PARTS                   | 075526 | 743.03   |
| 01-0296 | BRAINERD PUBLIC UTILITI |                  |                  |                                             |        |          |
|         |                         | I-MARCH 2017     | 230-45200-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES   | 075480 | 2,495.67 |
| 01-1    | MISCELLANEOUS VENDOR    |                  |                  |                                             |        |          |
|         | VICKY HOLMES            | I-2000440        | 230-34715        | ADULT SOFTBAL REFUND ADULT SOFTBALL DEPOSIT | 075542 | 284.31   |
| 01-1217 | CWC AUDITOR-TREASURER   |                  |                  |                                             |        |          |
|         |                         | I-2017 PRPTY TAX | 230-45200-3430   | MISCELLANEOUS MEMORIAL PK 050184103X00009   | 075486 | 15.00    |
|         |                         | I-2017 PRPTY TAX | 230-45200-3430   | MISCELLANEOUS KIWANIS PK 09104000014Z0009   | 075486 | 15.00    |
|         |                         | I-2017 PRPTY TAX | 230-45200-3430   | MISCELLANEOUS BANE PK 09108002000Z009       | 075486 | 15.00    |
|         |                         | I-2017 PRPTY TAX | 230-45200-3430   | MISCELLANEOUS GREGORY PK 091961040000009    | 075486 | 15.00    |
|         |                         | I-2017 PRPTY TAX | 230-45200-3430   | MISCELLANEOUS LUM PK 09207000002Z009        | 075486 | 15.00    |
|         |                         | I-2017 PRPTY TAX | 230-45200-3430   | MISCELLANEOUS TRAILSIDE PK 080321100000009  | 075486 | 15.00    |
| 01-2137 | O'REILLY AUTOMOTIVE STO |                  |                  |                                             |        |          |
|         |                         | I-1647-191954    | 230-45200-2220   | REPAIR & MAIN GREASE, TESTER                | 075531 | 48.89    |
|         |                         | I-1647-193458    | 230-45200-2220   | REPAIR & MAIN MOTOR OIL, TIRE GAUGE         | 075531 | 65.94    |
| 01-2177 | HOLIDAY CREDIT OFFICE   |                  |                  |                                             |        |          |
|         |                         | C-MARCH 2017     | 230-45200-2212   | MOTOR FUELS CREDITS/REBATES MARCH 2017      | 075504 | 35.60-   |
|         |                         | I-MAR 17 PK      | 230-45200-2212   | MOTOR FUELS MARCH MOTOR FUELS               | 075504 | 378.35   |
| 01-3394 | MIDWEST MACHINERY CO    |                  |                  |                                             |        |          |
|         |                         | I-1423756        | 230-45200-2220   | REPAIR & MAIN MOWER PARTS                   | 075519 | 1,301.27 |
|         |                         | I-1426861        | 230-45200-2220   | REPAIR & MAIN SWITCH                        | 075519 | 30.23    |
| 01-3421 | JOBSHQ                  |                  |                  |                                             |        |          |
|         |                         | I-1834077        | 230-45200-3350   | PRINTING/LEGA 2017 SEASONAL EMP ADS         | 075509 | 683.48   |
|         |                         |                  |                  | FUND 230 PARK & RECREATION FUND             | TOTAL: | 6,221.64 |

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 235 STREET &amp; SEWER FUND

| VENDOR  | NAME                    | ITEM #            | G/L ACCOUNT NAME | DESCRIPTION                                  | CHECK# | AMOUNT    |
|---------|-------------------------|-------------------|------------------|----------------------------------------------|--------|-----------|
| 01-0011 | ACE HARDWARE            |                   |                  |                                              |        |           |
|         |                         | C-248910          | 235-43100-2220   | REPAIR & MAIN HOSE FLEXOGEN, CONNECTOR RETUR | 075469 | 24.28-    |
|         |                         | I-248897          | 235-43100-2220   | REPAIR & MAIN HOSE FLEXOGEN, CONNECTOR       | 075469 | 24.28     |
|         |                         | I-248919          | 235-43100-2220   | REPAIR & MAIN HOT WATER HOSE                 | 075469 | 26.99     |
|         |                         | I-249117          | 235-43100-2220   | REPAIR & MAIN CLEANING PRODUCTS              | 075469 | 12.92     |
| 01-0039 | AMERIPRIDE LINEN SERVIC |                   |                  |                                              |        |           |
|         |                         | I-2200899570      | 235-43100-3430   | MISCELLANEOUS COVERALL & MAT LAUNDRY SERV    | 075473 | 78.25     |
|         |                         | I-2200902118      | 235-43100-3430   | MISCELLANEOUS COVERALL & MAT LAUNDRY SERV    | 075473 | 103.40    |
| 01-0064 | BOYER TRUCKS            |                   |                  |                                              |        |           |
|         |                         | I-1138089         | 235-43100-2220   | REPAIR & MAIN BRACKET MOUNT #108             | 075476 | 73.16     |
|         |                         | I-179780R         | 235-43100-2220   | REPAIR & MAIN SWITCH-TUR                     | 075476 | 294.36    |
| 01-0077 | BRAINERD HYDRAULICS/AIR |                   |                  |                                              |        |           |
|         |                         | I-APR 2017        | 235-43125-2220   | REPAIR & MAIN SPINNER MOTOR, S40-4-1/2 QUICK | 075479 | 303.00    |
| 01-0170 | FASTENAL COMPANY        |                   |                  |                                              |        |           |
|         |                         | I-MNBAX204469     | 235-43100-2220   | REPAIR & MAIN 12 LEATHER CHAIRS (OSHA)       | 075493 | 1,031.40  |
| 01-0201 | HEARTLAND TIRE SERVICE  |                   |                  |                                              |        |           |
|         |                         | I-0000049698      | 235-43100-2220   | REPAIR & MAIN INSTALL TIRE & VALVE STEM #114 | 075502 | 147.58    |
| 01-0204 | HOLLCO INC              |                   |                  |                                              |        |           |
|         |                         | I-12320008/MAR 17 | 235-43100-2212   | MOTOR FUELS MARCH MOTOR FUELS                | 075505 | 470.43    |
| 01-0237 | LOCATORS - SUPPLIES INC |                   |                  |                                              |        |           |
|         |                         | I-0253795-IN      | 235-43100-2220   | REPAIR & MAIN 5 RAIN JACKETS, 5 RAIN PANTS   | 075512 | 272.31    |
|         |                         | I-0253813-IN      | 235-43100-2220   | REPAIR & MAIN 2 RAIN JACKETS, 2 RAIN PANTS   | 075512 | 136.65    |
| 01-0296 | BRAINERD PUBLIC UTILITI |                   |                  |                                              |        |           |
|         |                         | I-201703143351    | 235-43100-3381   | BPU UTILITIES SEMI-FOUR LIGHT REPAIR         | 075480 | 1,536.14  |
|         |                         | I-MARCH 2017      | 235-43100-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES    | 075480 | 21,596.72 |
| 01-0344 | WASTE PARTNERS INC      |                   |                  |                                              |        |           |
|         |                         | I-73X02057        | 235-43100-3380   | UTILITIES MARCH GARBAGE SERVICE              | 075545 | 84.24     |
| 01-0354 | ZIEGLER, INC            |                   |                  |                                              |        |           |
|         |                         | I-SW190019893     | 235-43100-2220   | REPAIR & MAIN REPAIR ELGIN SWEEPER #111      | 075549 | 235.41    |
| 01-1217 | CWC AUDITOR-TREASURER   |                   |                  |                                              |        |           |
|         |                         | I-2017 PRPTY TAX  | 235-43100-3430   | MISCELLANEOUS STREET GARAGE 092440070020009  | 075486 | 15.00     |
|         |                         | I-2017 PRPTY TAX  | 235-43100-3430   | MISCELLANEOUS STREET GARAGE 09244007002A009  | 075486 | 15.00     |
| 01-1449 | M-R SIGN CO., INC.      |                   |                  |                                              |        |           |
|         |                         | I-194655          | 235-43170-2210   | OPERATING SUP BAND-IT STRAPPING              | 075513 | 162.92    |
| 01-2328 | GREENHECK AUTO GLASS LL |                   |                  |                                              |        |           |
|         |                         | I-19824           | 235-43100-2220   | REPAIR & MAIN WINDSHEILD REPAIR - '09 CHEV S | 075498 | 252.26    |

PAGE: 15

FUND : 235 STREET & SEWER FUND

| VENDOR  | NAME                | ITEM #          | G/L ACCOUNT NAME | DESCRIPTION                                  | CHECK# | AMOUNT    |
|---------|---------------------|-----------------|------------------|----------------------------------------------|--------|-----------|
| 01-2392 | MENARDS             |                 |                  |                                              |        |           |
|         |                     | I-49780         | 235-43100-2220   | REPAIR & MAIN CONNECTION SET, GARDEN HOSE SE | 075518 | 9.48      |
| 01-2902 | ADVANCE AUTO PARTS  |                 |                  |                                              |        |           |
|         |                     | I-6574708678819 | 235-43100-2220   | REPAIR & MAIN LUBE                           | 075472 | 18.06     |
| 01-3199 | FLEET ONE LLC       |                 |                  |                                              |        |           |
|         |                     | I-MAR 17 S&S    | 235-43125-2212   | MOTOR FUELS MARCH MOTOR FUELS                | 075495 | 789.51    |
| 01-3421 | JOBESHQ             |                 |                  |                                              |        |           |
|         |                     | I-1834077       | 235-43100-3350   | PRINTING/LEGA 2017 SEASONAL EMP ADS          | 075509 | 113.92    |
| 01-3438 | D - D BEVERAGE, LLC |                 |                  |                                              |        |           |
|         |                     | I-145039        | 235-43100-2220   | REPAIR & MAIN BRITE BEAUTY, DC 99, MOPHEAD   | 075488 | 79.09     |
|         |                     | I-145052        | 235-43100-2220   | REPAIR & MAIN BRITE BEAUTY, POLISHING PADS   | 075488 | 29.50     |
|         |                     |                 |                  | FUND 235 STREET & SEWER FUND                 | TOTAL: | 27,887.70 |

4/13/2017 12:38 PM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 16

PACKET: 03945 04/17/17 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-MARCH 2017 | 236-43180-3381   | BPU UTILITIES 2/23/17 - 3/22/17 UTILITIES | 075480 | 36.00  |
|         |                         |              |                  |                                           |        |        |
|         |                         |              |                  | FUND 236 PARKING LOT FUND                 | TOTAL: | 36.00  |



PAGE: 17

FUND : 237 SANITARY SEWER FUND

| VENDOR  | NAME                   | ITEM #            | G/L ACCOUNT NAME | DESCRIPTION                                | CHECK# | AMOUNT |
|---------|------------------------|-------------------|------------------|--------------------------------------------|--------|--------|
| 01-0201 | HEARTLAND TIRE SERVICE | I-0000049514      | 237-43190-2220   | REPAIR & MAIN TIRE REPLACE GMC SIERRA 3500 | 075502 | 365.40 |
| 01-0204 | HOLLCO INC             | I-12320008/MAR 17 | 237-43190-2212   | MOTOR FUELS MARCH MOTOR FUELS              | 075505 | 71.61  |
| 01-3199 | FLEET ONE LLC          | I-MAR 17 S&S      | 237-43190-2212   | MOTOR FUELS MARCH MOTOR FUELS              | 075495 | 432.52 |
|         |                        |                   |                  | FUND 237 SANITARY SEWER FUND               | TOTAL: | 869.53 |

PAGE: 18

FUND : 250 HYDRANT RENT & EL CURRENT

| VENDOR  | NAME             | ITEM #          | G/L ACCOUNT NAME | DESCRIPTION                         | CHECK# | AMOUNT    |
|---------|------------------|-----------------|------------------|-------------------------------------|--------|-----------|
| 01-0086 | CITY OF BRAINERD |                 |                  |                                     |        |           |
|         |                  | I-MAR ELEC 2017 | 250-49042-3466   | BPU COSTS DIS MARCH 2017 ELEC SALES | 075483 | 50,973.39 |
|         |                  |                 |                  | FUND 250 HYDRANT RENT & EL CURRENT  | TOTAL: | 50,973.39 |

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 251 LOCAL OPTION SALES TAX

| VENDOR  | NAME                    | ITEM #         | G/L ACCOUNT NAME | DESCRIPTION                            | CHECK# | AMOUNT    |
|---------|-------------------------|----------------|------------------|----------------------------------------|--------|-----------|
| =====   |                         |                |                  |                                        |        |           |
| 01-0296 | BRAINERD PUBLIC UTILITI |                |                  |                                        |        |           |
|         |                         | I-TAX APR 2017 | 251-49360-3467   | REMIT LOCAL S LOCAL USE TAX REMITTANCE | 075480 | 70,584.20 |
|         |                         |                |                  |                                        |        |           |
|         |                         |                |                  | FUND 251 LOCAL OPTION SALES TAX TOTAL: |        | 70,584.20 |

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 280 PACKAGE INSURANCE FUND

| VENDOR  | NAME                    | ITEM # | G/L ACCOUNT NAME | DESCRIPTION                 | CHECK#                     | AMOUNT          |
|---------|-------------------------|--------|------------------|-----------------------------|----------------------------|-----------------|
| =====   |                         |        |                  |                             |                            |                 |
| 01-0232 | LEAGUE MN CITIES INS TR |        |                  |                             |                            |                 |
|         |                         | I-2189 | 280-49700-3470   | UNINSURED LOS C0026840 - PD | 075511                     | 1,000.00        |
|         |                         | I-2215 | 280-49700-3470   | UNINSURED LOS C0029079 - PD | 075511                     | 1,000.00        |
|         |                         | I-2225 | 280-49700-3470   | UNINSURED LOS C0028766 - PD | 075511                     | 1,000.00        |
|         |                         |        |                  | FUND                        | 280 PACKAGE INSURANCE FUND | TOTAL: 3,000.00 |

PAGE: 21

FUND : 298 SCDG-DOWNTOWN FUND

1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28 29 30 31 32 33 34 35 36 37 38 39 40 41 42 43 44 45 46 47 48 49 50 51 52 53 54 55 56 57 58 59 60 61 62 63 64 65 66 67 68 69 70 71 72 73 74 75 76 77 78 79 80 81 82 83 84 85 86 87 88 89 90 91 92 93 94 95 96 97 98 99 100 101 102 103 104 105 106 107 108 109 110 111 112 113 114 115 116 117 118 119 120 121 122 123 124 125 126 127 128 129 130 131 132 133 134 135 136 137 138 139 140 141 142 143 144 145 146 147 148 149 150 151 152 153 154 155 156 157 158 159 160 161 162 163 164 165 166 167 168 169 170 171 172 173 174 175 176 177 178 179 180 181 182 183 184 185 186 187 188 189 190 191 192 193 194 195 196 197 198 199 200 201 202 203 204 205 206 207 208 209 210 211 212 213 214 215 216 217 218 219 220 221 222 223 224 225 226 227 228 229 230 231 232 233 234 235 236 237 238 239 240 241 242 243 244 245 246 247 248 249 250 251 252 253 254 255 256 257 258 259 260 261 262 263 264 265 266 267 268 269 270 271 272 273 274 275 276 277 278 279 280 281 282 283 284 285 286 287 288 289 290 291 292 293 294 295 296 297 298 299 300 301 302 303 304 305 306 307 308 309 310 311 312 313 314 315 316 317 318 319 320 321 322 323 324 325 326 327 328 329 330 331 332 333 334 335 336 337 338 339 340 341 342 343 344 345 346 347 348 349 350 351 352 353 354 355 356 357 358 359 360 361 362 363 364 365 366 367 368 369 370 371 372 373 374 375 376 377 378 379 380 381 382 383 384 385 386 387 388 389 390 391 392 393 394 395 396 397 398 399 400 401 402 403 404 405 406 407 408 409 410 411 412 413 414 415 416 417 418 419 420 421 422 423 424 425 426 427 428 429 430 431 432 433 434 435 436 437 438 439 440 441 442 443 444 445 446 447 448 449 450 451 452 453 454 455 456 457 458 459 460 461 462 463 464 465 466 467 468 469 470 471 472 473 474 475 476 477 478 479 480 481 482 483 484 485 486 487 488 489 490 491 492 493 494 495 496 497 498 499 500 501 502 503 504 505 506 507 508 509 510 511 512 513 514 515 516 517 518 519 520 521 522 523 524 525 526 527 528 529 530 531 532 533 534 535 536 537 538 539 540 541 542 543 544 545 546 547 548 549 550 551 552 553 554 555 556 557 558 559 560 561 562 563 564 565 566 567 568 569 570 571 572 573 574 575 576 577 578 579 580 581 582 583 584 585 586 587 588 589 590 591 592 593 594 595 596 597 598 599 600 601 602 603 604 605 606 607 608 609 610 611 612 613 614 615 616 617 618 619 620 621 622 623 624 625 626 627 628 629 630 631 632 633 634 635 636 637 638 639 640 641 642 643 644 645 646 647 648 649 650 651 652 653 654 655 656 657 658 659 660 661 662 663 664 665 666 667 668 669 670 671 672 673 674 675 676 677 678 679 680 681 682 683 684 685 686 687 688 689 690 691 692 693 694 695 696 697 698 699 700 701 702 703 704 705 706 707 708 709 710 711 712 713 714 715 716 717 718 719 720 721 722 723 724 725 726 727 728 729 730 731 732 733 734 735 736 737 738 739 740 741 742 743 744 745 746 747 748 749 750 751 752 753 754 755 756 757 758 759 760 761 762 763 764 765 766 767 768 769 770 771 772 773 774 775 776 777 778 779 780 781 782 783 784 785 786 787 788 789 790 791 792 793 794 795 796 797 798 799 800 801 802 803 804 805 806 807 808 809 810 811 812 813 814 815 816 817 818 819 820 821 822 823 824 825 826 827 828 829 830 831 832 833 834 835 836 837 838 839 840 841 842 843 844 845 846 847 848 849 850 851 852 853 854 855 856 857 858 859 860 861 862 863 864 865 866 867 868 869 870 871 872 873 874 875 876 877 878 879 880 881 882 883 884 885 886 887 888 889 890 891 892 893 894 895 896 897 898 899 900 901 902 903 904 905 906 907 908 909 910 911 912 913 914 915 916 917 918 919 920 921 922 923 924 925 926 927 928 929 930 931 932 933 934 935 936 937 938 939 940 941 942 943 944 945 946 947 948 949 950 951 952 953 954 955 956 957 958 959 960 961 962 963 964 965 966 967 968 969 970 971 972 973 974 975 976 977 978 979 980 981 982 983 984 985 986 987 988 989 990 991 992 993 994 995 996 997 998 999 1000 1001 1002 1003 1004 1005 1006 1007 1008 1009 1010 1011 1012 1013 1014 1015 1016 1017 1018 1019 1020 1021 1022 1023 1024 1025 1026 1027 1028 1029 1030 1031 1032 1033 1034 1035 1036 1037 1038 1039 104

|      |     |                    |        |          |
|------|-----|--------------------|--------|----------|
| FUND | 298 | SCDG-DOWNTOWN FUND | TOTAL: | 9,143.87 |
|------|-----|--------------------|--------|----------|

4/13/2017 12:38 PM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 22

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 313 SINKING 2011A GO

| VENDOR  | NAME           | ITEM #      | G/L ACCOUNT NAME | DESCRIPTION                             | CHECK# | AMOUNT   |
|---------|----------------|-------------|------------------|-----------------------------------------|--------|----------|
| =====   |                |             |                  |                                         |        |          |
| 01-0319 | SPRINGSTED INC |             |                  |                                         |        |          |
|         |                | I-194.999-6 | 313-47920-6620   | PAYING AGENT BOND 2011A ARB 12/11-12/16 | 075537 | 3,100.00 |
|         |                |             |                  |                                         |        |          |
|         |                |             | FUND             | 313 SINKING 2011A GO                    | TOTAL: | 3,100.00 |

4/13/2017 12:38 PM

REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 23

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 314 SINKING 2011B REFUNDING

| VENDOR  | NAME           | ITEM #      | G/L ACCOUNT NAME | DESCRIPTION                             | CHECK# | AMOUNT   |
|---------|----------------|-------------|------------------|-----------------------------------------|--------|----------|
| 01-0319 | SPRINGSTED INC |             |                  |                                         |        |          |
|         |                | I-194.999-7 | 314-47930-6620   | PAYING AGENT BOND 2011B ARE 12/11-12/16 | 075537 | 3,100.00 |
|         |                |             | FUND             | 314 SINKING 2011B REFUNDING TOTAL:      |        | 3,100.00 |

PAGE: 24

FUND : 400 CAPITAL PROJECTS FUND

| VENDOR  | NAME                | ITEM #            | G/L ACCOUNT NAME | DESCRIPTION                                  | CHECK# | AMOUNT    |
|---------|---------------------|-------------------|------------------|----------------------------------------------|--------|-----------|
| 01-0013 | ACTION GRAPHICS     |                   |                  |                                              |        |           |
|         |                     | I-1012638         | 400-49050-5530   | CAPITAL - OTH SQD 425 - NEW SQUAD BUILD      | 075470 | 774.00    |
| 01-0272 | MTI DISTRIBUTING CO |                   |                  |                                              |        |           |
|         |                     | I-1106450-00      | 400-49050-5530   | CAPITAL - OTH TORO WORKMAN MDX FIELD GROOMER | 075526 | 12,793.66 |
|         |                     | I-1106450-00      | 400-39101        | SALE OF ASSET 2002 TORO WORKMAN TRADEIN      | 075526 | 500.00-   |
| 01-0319 | SPRINGSTED INC      |                   |                  |                                              |        |           |
|         |                     | I-194.999-5       | 400-49050-3300   | PROFESSIONAL BOND 2006A ARB 12/28/11-2/1/17  | 075537 | 850.00    |
| 01-2097 | WATCHGUARD VIDEO    |                   |                  |                                              |        |           |
|         |                     | I-4REINV0005676   | 400-49050-5530   | CAPITAL - OTH SQD 402 & 425 NEW SQD BUILD UP | 075547 | 10,540.00 |
| 01-3201 | BAYCOM INC          |                   |                  |                                              |        |           |
|         |                     | I-EQUIPINV_006962 | 400-49050-5530   | CAPITAL - OTH SQD 402 - NEW SQUAD BUILD      | 075475 | 4,269.00  |
|         |                     |                   |                  | FUND 400 CAPITAL PROJECTS FUND               | TOTAL: | 28,726.66 |



4/13/2017 12:38 PM

## REGULAR DEPARTMENT PAYMENT REGISTER

PAGE: 25

PACKET: 03945 04/17/17 COUNCIL

VENDOR SET: 01

FUND : 401 CONSTRUCTION FUND

| VENDOR  | NAME                    | ITEM #       | G/L ACCOUNT NAME | DESCRIPTION                                 | CHECK# | AMOUNT     |
|---------|-------------------------|--------------|------------------|---------------------------------------------|--------|------------|
| =====   |                         |              |                  |                                             |        |            |
| 01-0071 | FORUM COMMUNICATIONS CO |              |                  |                                             |        |            |
|         |                         | I-1839504    | 401-41702-3350   | LEGAL PUBLICA NOB - IMP 17-02               | 075496 | 251.93     |
|         |                         | I-1839504    | 401-41702-3350   | LEGAL PUBLICA NOB - IMP 17-02               | 075496 | 251.93     |
| 01-0344 | WASTE PARTNERS INC      |              |                  |                                             |        |            |
|         |                         | I-73X02060   | 401-41003-3300   | PROFESSIONAL MARCH GARBAGE SERVICE          | 075545 | 142.16     |
| 01-1967 | FRONTIER PRECISION INC  |              |                  |                                             |        |            |
|         |                         | I-159117     | 401-49030-3330   | PROFESSIONAL SURVEY TRAINING ON 4/6 - LARSO | 075497 | 129.00     |
| 01-2924 | VERIZON WIRELESS        |              |                  |                                             |        |            |
|         |                         | I-9782671246 | 401-49030-3321   | TELEPHONE DATA PLAN 3/24-4/23               | 075541 | 70.02      |
|         |                         |              | FUND 401         | CONSTRUCTION FUND                           | TOTAL: | 845.04     |
|         |                         |              |                  | REPORT GRAND TOTAL:                         |        | 355,523.43 |

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  
#2

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Community Action Donation Request for 4th of July

|                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input checked="" type="checkbox"/> MAIN AGENDA                                                                                                  | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>Jim Thoreen                                                                                                                                                                                                                                                                                                     | <b>Department:</b><br>Administration                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Presenter (Name &amp; Title):</b><br>Holly Holm, C.A.P. Director                                                                                                                                                                                                                                                                     | <b>Estimated Time Needed:</b><br>5 minutes                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Summary of Issue:</b><br>The Community Action Program has received funding for the July 4th Fireworks Show for many years. This year Holly will discuss the plan for the event and their financial need. CAP requests \$10,000.                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>We have budgeted \$8,000 for this year's event, the same amount granted in 2016.<br>Previous years' donations:<br>2015 - \$7,500      2012 - \$5,000<br>2014 - \$8,500      2011 - \$5,000<br>2013 - \$8,500      2010 - \$0-                                              |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommended Action/Motion:</b><br>On motion of ____, seconded by ____ and carried the Council authorized the expenditure of \$ ____ as the City's donation to the Community Action Program Annual July 4th Fireworks Show.                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ TBD<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No \$8,000 has been budgeted<br><u>Please Explain:</u> |                                                                                                                                                                                                                                                                                                                                                                                                                |

# Brainerd Community Action

Holly Holm  
Executive Director

City Council Members and Finance Committee  
501 Laurel Street  
Brainerd, MN 56425

213 S. 5th Street, Brainerd MN 56401  
218-829-5278  
holly@brainerdcommunityaction.org

4/5/17

Dear City Council Members and Finance Committee,

I am writing to ask you to support the 4th of July celebration that we host within the city of Brainerd, MN.

As I mentioned to you when I spoke to you in the later part of February, Brainerd Community Action is a corporation that has taken on the planning and coordination of the multiple 4th of July events that have become amazingly popular. The funding for this celebration comes from all types of area donors ranging from large corporations and small businesses, to individuals and service organizations.

It has been especially challenging to collect funds for such a large event, and because of those challenges, Brainerd Community Action has had to make up the deficits through our cash flow, making it difficult to do the work that is the most important – supporting area non-profits.

We are requesting a donation of \$10,000. Your donation will be put towards the cost of the many necessities that are needed to host a successful event: the fireworks, advertising, some parade units, entertainment and necessities like temporary power and trash removal. We expect to welcome and entertain over 100,000 people in our community during the 4th of July holiday and it is our goal that this day be for family and friends to celebrate and create memories. We hope that you'll be a part of its success!

Thank you so much for your help.

Sincerely,



Holly Holm, Executive Director





## Brainerd City Council Agenda Request

P&F  
#3

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Electronic Council Packet

|                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                             | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input checked="" type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| <b>Submitted by:</b><br>Jim Thoreen                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Department:</b><br>Administration                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Presenter (Name &amp; Title):</b><br>Jim and Shawn Strong                                                                                                                                                                                                                                                                                                                                                                                            | <b>Estimated Time Needed:</b><br>10 minutes                                                                                                                                                                                                                                                                                                                                                                                       |
| <b>Summary of Issue:</b><br>In part due to some excellent discussion at the Retreat in February, I ask the Committee to discuss the potential expansion of electronic communications to the Council Agenda packets. We currently spend extraordinary time to compile on paper many topics and supporting documents, print them, and distribute on a timely basis all those materials we believe will support your appropriate discussion and/or action. |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>Shawn will outline for us the steps we need to take in order to "go paperless" for the Council and a time line which we could reasonably project if the Council wishes to move forward. I have asked Connie to offer optional funding sources within the '17 budget.                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Recommended Action/Motion:</b><br>As determined by the P & F Committee                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ TBD<br>Is this budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><u>Please Explain:</u>                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                                   |



## Brainerd City Council Agenda Request

P&F  
#4  
Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Council Chambers audio system improvements

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                            | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| <b>Submitted by:</b><br>Jim Thoreen                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | <b>Department:</b><br>Administration                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Presenter (Name &amp; Title):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Estimated Time Needed:</b><br>5 minutes                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Summary of Issue:</b><br>Update: IT Director Shawn Strong is meeting with 3 local vendors to review the desired improvements to the sound system and a new means of recording events in the room. He will met last week with one vendor and this week with the other 2, outlining for each the general needs for improvements; their visits to the room combined with Shawn's explanations ought to yield apples-to-apples comparison of quotes.                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>Compatibility of the audio system with the video system will be assured in this step to improve communications. In the future we need to coordinate with our TV provider any technical updates to that system, which is "showing its age". Another future topic unrelated to the technical aspect of audio/video is that of when, how and why we provide cable TV coverage of meetings for citizens' viewing. Is "live" coverage the optimal and most critical aspect of communicating through television? More discussion in the future. |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Recommended Action/Motion:</b><br>None tonight. We will bring to the Committee/Council recommendations on May 1st.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ TBD<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br>Please Explain:                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                        |



## Brainerd City Council Agenda Request

P+F  
#5  
Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Administrative Specialist Position - Approve Hiring of Stephanie Bestul

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                                                                            | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| <b>Submitted by:</b><br>Kris Schubert & Connie Hillman                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Department:</b><br>Administration/Finance                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Presenter (Name &amp; Title):</b><br>Finance Director Connie Hillman                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>Estimated Time Needed:</b><br>3 minutes                                                                                                                                                                                                                                                                                                                                                                             |
| <b>Summary of Issue:</b><br>At the April 3, 2017 Council meeting, the Council approved a conditional job offer for an Administrative Specialist in our Administration Department. This week the applicant submitted a letter withdrawing from consideration for the position due to unforeseen circumstances. The Interview panel recommends to authorize the hiring of Ms. Stephanie Bestul for the Administrative Specialist - Administration Department position with an anticipated date of hire of May 8, 2017. Ms. Bestul will start at Step A of the Salary Administration Plan or 85% of the top wage for the position; therefore, her starting wage will be \$20.21 per hour. |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>The hiring is subject to successful completion of pre-employment testing.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Recommended Action/Motion:</b><br>Motion to approve a conditional job offer for Stephanie Bestul for the Administrative Specialist - Administration Department position effective May 8, 2017 subject to successful completion of required pre-employment exams; further, Ms. Bestul's starting pay will be \$20.21 per hour which is Step A (85% of base wage) of the City's Salary Administration Plan.                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ \$20.21 per hour<br>Is this budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u> Position was included in the 2017 budget. The listed hourly wage represents Step A of our Salary Administration Plan or 85% of the base wage for the position.                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                        |



## Brainerd City Council Agenda Request

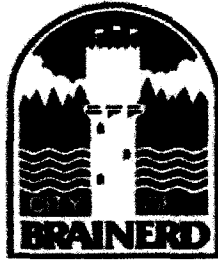
P&F  
#6

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Assistant City Engineer Hiring Process Update

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>HR Coordinator Kris Schubert                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Department:</b><br>Administration/HR                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Presenter (Name &amp; Title):</b><br>HR Coordinator Kris Schubert                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Estimated Time Needed:</b><br>5 minutes                                                                                                                                                                                                                                                                                                                                                                     |
| <b>Summary of Issue:</b><br>Recently the City Council accepted City Engineer Jeff Hulsether's retirement. The Council also authorized the promotion of current Assistant City Engineer Paul Sandy to fill our City Engineer position starting in June. This past week City Engineer Hulsether, City Administrator Thoreen, Assistant City Engineer Sandy and myself met to discuss possible reorganizational opportunities and staffing challenges in the City Engineering Department. It is our recommendation that the Council authorize the hiring process to backfill our Assistant City Engineer position at this time. An updated job description is attached. It was revised to include previous AutoCad experience as a desirable qualification. |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>There will be a separate agenda request item asking that the Council hold a work session to allow staff an opportunity to discuss some of the staffing challenges we are anticipating throughout all of our departments in the next few years.                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommended Action/Motion:</b><br>Motion to authorize the Assistant City Engineer hiring process to backfill Mr. Sandy's position.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ unknown<br>Is this budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u> The Assistant City Engineer position was included in the 2017 budget. We are able to reduce our typical hiring process costs by utilizing a shared advertisement with the Maintenance I Street and Sewer Department position.                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                |



## Assistant City Engineer

Department: Engineering

FLSA Status: Exempt

### General Definition of Work

Performs difficult advanced technical and intermediate administrative work planning, coordinating, supervising and participating in the design, construction management and inspection of public works and public utilities projects, overseeing and supervising the preparation and maintenance of engineering records and related work as required. Work is performed under the limited supervision of the City Engineer. Department supervision is exercised over Engineering Technicians, Building Safety/Inspection Staff, and Public Works maintenance personnel.

### Qualification Requirements

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

### Essential Functions

- Assists the City Engineer in developing and implementing policies, procedures, and goals for the department.
- Assists in evaluating and formulating short and long-range plans to meet infrastructure needs.
- Develops, coordinates, and approves engineering plans and specifications.
- Reviews public and private project development and infrastructure plans; ensures compliance with codes, regulations, and standards.
- Oversees infrastructure construction projects; reviews contractor compliance with specifications, time, and budget parameters.
- Evaluates issues and options regarding municipal infrastructure and provides recommendations.
- Develops and maintains a pavement management system.
- Serves as MS4 Permit Administrator; develops and oversees public educational materials and data management systems for minimum control measure compliance reporting.
- Assists in evaluating transportation and traffic impacts due to development proposals, permits, rezones, and plats; prepares traffic, utility, and other studies and reports.
- Assists in developing an annual budget for engineering and public works operations; monitors adopted budget.
- Responsibilities include training, inspecting, and assigning work, developing staff schedules, coaching and counseling, conducting performance evaluations, disciplining, and recommending hiring and terminating personnel.
- Confers with consultants, engineers, private utilities, contractors, vendors, and federal and state agencies.
- Prepares requests for proposals for consulting services; assists with the evaluation of proposals and consultant qualifications; oversees consultant work to assure conformance with city standards.
- Assists with customer complaints and/or problems.
- Attendance at continuing education events applicable to the position is strongly encouraged; attends meetings, workshops and training seminars to keep abreast of industry changes.
- Prioritize both capital and maintenance work in order to meet system needs and maintenance goals.
- Participate at a management level in organizational discussions/decisions on strategic planning, organizational benchmarks, core values/behaviors, process improvements, and other organization initiatives.
- Researches industry information sources; develops revised design and construction standards for public works and utility construction and maintenance.



- Investigates field problems affecting property owners, contractors and maintenance operations; orders survey, mapping and data collection; prepares estimates and feasibility reports for new or modified services and structures.
- Coordinates the maintenance of sanitary sewer, water, storm sewer, and street system maps, data bases, and comprehensive plans.
- Performs other duties as assigned.

### **Knowledge, Skills and Abilities**

- Thorough knowledge of the principles and practices of civil engineering as related to the development and construction of public works and utilities projects;
- Some knowledge of geographic information systems;
- Skill in the use of civil engineering instruments and equipment;
- Ability to plan, lay out and direct the work of subordinates;
- Ability to plan projects and prepare related designs, estimates and specifications;
- Ability to perform difficult engineering computations and to make comprehensive recommendations on engineering problems and planning;
- Considerable ability to effectively communicate complex technical information both orally and in writing;
- Ability to calculate complex cost reports;
- Ability to establish and maintain effective working relationships with City officials, employees, contractors, other agencies, and the general public;
- Considerable knowledge of applicable City, State and Federal policies, laws, and regulations affecting Department activities;
- Considerable ability to prepare, organize and maintain CAD drawing files and related office data, reports, and systems;
- Ability to follow oral and written instructions.

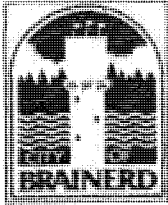
### **Education/Experience/Special Requirements:**

- Bachelor's degree in civil engineering or related field with EIT Certificate; two years' experience in civil engineering work, preferably with a municipal government and with supervisory and technical engineering responsibilities, or equivalent combination of education and experience as determined by the City Engineer.
- Possess a valid Driver's license with the ability to obtain a MN driver's license within six months of hire.
- Professional Engineering license is desirable.
- Two years' experience with AutoCAD design and familiarity with ESRI Arc GIS are desirable.

### **Physical Requirements and Working Conditions**

This work requires the regular exertion of up to 10 pounds and force and the occasional exertion of up to 25 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires sitting and occasionally requires standing, walking, climbing or balancing, reaching with hands and arms, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, operating office equipment, operating motor vehicles or engineering equipment and observing general surroundings and activities; work occasionally requires working near moving mechanical parts, exposure to fumes or airborne particles, outdoor weather conditions, and vibration; work is generally in a moderately noisy location (e.g. business office, light traffic).

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



# Brainerd City Council Agenda Request

P+F  
#7

Agenda Item #

Requested Meeting Date: April 17th , 2017

Title of Item: Request to Hire Community Service Officers

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                        |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                             | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| Submitted by: <b>CHIEF MCQUISTON</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    | Department: <b>POLICE</b>                                                                                                                                                                                                                                                                                                                                                                                              |
| Presenter (Name & Title): <b>CHIEF MCQUISTON</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Estimated Time Needed: <b>3 MINUTES</b>                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Summary of Issue:</b><br>Current Community Service Officer Travis Gleason has successfully completed the preemployment screening process for one of the Police Officer vacancies and will be transitioning to that position over the next few weeks. Two of the other CSOs will begin Law Enforcement Skills training in May and will not be available to work for several weeks, consequently we are requesting authorization to hire two CSOs to cover the shifts and duties. We have had five CSOs in the past due to their limited availability to cover the department's needs. |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Alternatives, Options, Effects on Others/Comments:</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Recommended Action/Motion:</b><br>Authorize hiring Michael Lyscio and Devan Libeg as Community Service Officers effective April 18th, at the current CSO starting wages.                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u> CSO positions are part-time and the budgeting is based on hours, not positions which is covered in the department's current budget.                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                        |



# Brainerd City Council Agenda Request

P&F  
#8

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Review/Discuss Status of Facilities Study

|                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                                                                                                         | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input checked="" type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><small>*provide copy of published hearing notice</small> |
| <b>Submitted by:</b><br>Jim Thoreen                                                                                                                                                                                                                                                                                                                                                                 | <b>Department:</b><br>Administration                                                                                                                                                                                                                                                                                                                                                                                              |
| <b>Presenter (Name &amp; Title):</b>                                                                                                                                                                                                                                                                                                                                                                | <b>Estimated Time Needed:</b><br>5 minutes                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Summary of Issue:</b><br>The Council has received background information regarding the 2016 Council-appointed Facilities Study committee as well as the Administrator's suggestions to pursue examination of the city's needs.                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Alternatives, Options, Effects on Others/Comments:</b>                                                                                                                                                                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Recommended Action/Motion:</b><br>A complete appraisal of our facilities' many needs for repairs, improvements or perhaps replacement will serve as a guide for future investments into physical plant for our various departments. A properly prepared document will provide perspectives which, combined with staff information as to financing, can delineate a road map which is affordable. |                                                                                                                                                                                                                                                                                                                                                                                                                                   |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ TBD<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u>                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                   |



# Brainerd City Council Agenda Request

P & F  
#9

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Budget Process Discussion

|                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input checked="" type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input type="checkbox"/> MAIN AGENDA                                                                                     | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input checked="" type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>Connie Hillman                                                                                                                                                                                                                                                                          | <b>Department:</b><br>Finance                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Presenter (Name &amp; Title):</b><br>Finance Director Hillman                                                                                                                                                                                                                                                | <b>Estimated Time Needed:</b><br>10 minutes                                                                                                                                                                                                                                                                                                                                                                    |
| <b>Summary of Issue:</b><br>Staff would like direction on what information council would like as we go through the 2018 budget process. In particular, what is the council's vision for a capital plan? How would council like the preliminary budget presented?                                                |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives, Options, Effects on Others/Comments:</b>                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommended Action/Motion:</b><br>Provide direction to staff.                                                                                                                                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u> |                                                                                                                                                                                                                                                                                                                                                                                                                |



# Brainerd City Council Agenda Request

8A

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Public hearing and 2nd Ord. Reading to Amend C.C. Sec. 900 "Animals" to Permit Bee Keeping and Sec.1010 "Licensing Fees" to Add Licensing Fee

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
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| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input checked="" type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      | <b>Action Requested:</b><br><input checked="" type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input checked="" type="checkbox"/> Hold Public Hearing*<br><input checked="" type="checkbox"/> Ordinance <sup>2<sup>nd</sup></sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>Mark Ostgarden                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | <b>Department:</b><br>Planning                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Presenter (Name &amp; Title):</b><br>Same                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | <b>Estimated Time Needed:</b><br>5-10 minutes                                                                                                                                                                                                                                                                                                                                                                                                  |
| <b>Summary of Issue:</b><br>The City Council received a request to consider allowing bee keeping in the community. It asked the Planning Commission to review the request and provide a recommendation on whether it should be permitted. At its March 20th meeting, the City Council reviewed recommended language and requested staff to prepare a draft ordinance based on that language. Attached is an ordinance that amends City Code Section 900 "Animals," to permit bee keeping in several residential districts. The Ordinance also includes an annual \$40 bee keeping fee and places that fee along with the Chicken keeping fee currently listed in Section 900 into Section 1010 "Licensing Fees." |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>Option 1. Have the ordinance reading as drafted.<br>Option 2. Amend the ordinance as deemed needed by the City Council and have the ordinance reading.<br>Option 3. Deny the ordinance 1st reading.<br><br>The 150' from property line mailing notice requirement has been added.                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Recommended Action/Motion:</b><br>The Planning Commission has unanimously recommended that City Code Section 900 be amended to permit bee keeping and it unanimously recommended the language in the draft Ordinance.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u>                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                                                                                                                                                                                                                                |

**ORDINANCE**  
**NO. \_\_\_\_**

**AN ORDINANCE AMENDING SECTION 900 OF THE BRAINERD CITY CODE RELATED TO CHICKENS AND BEE KEEPING AND SECTION 1010 OF THE BRAINERD CITY CODE RELATED TO FEES FOR CHICKEN LICENSES AND BEES**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

**SECTION ONE:** That Section 900.08 be amended by deleting the last sentence of Subd 3 in its entirety as follows:

**900.08 Chickens**

Subd. 3. Permit. No chicken coop and/or chicken run shall be maintained unless granted a permit by the City. The permit shall be subject to all terms and conditions of this Section and any additional conditions deemed necessary by the City to protect the public health, safety and welfare. The necessary permit may be obtained from the City Administrator's office. Included with the information required prior to issuance of the permit must be a scaled diagram that indicates the location of any chicken coop and run, and the approximate size and distance from adjoining structures and property lines. The owner must also obtain written approval of the keeping of chickens from all abutting property owners. Written approval is not required if there is no abutting property. A permit for the keeping of chickens may be revoked or suspended by the Council for any violation of this Section following written notice and a public hearing. ~~An annual fee of \$30 will be charged for each permit which shall expire on December 31 of each year.~~

**SECTION TWO:** That Section 900 be amended by adding Section 900.09 as follows:

**900.09 Bees.** Subdivision 1. Definitions. The following words and terms shall have the meanings ascribed in this section unless the context of their usage indicates another usage:

1. "Apiary" means the assembly of 1 or more colonies of bees at any 1 location.
2. "Beekeeper" means a person who owns or has charge of one or more colonies of bees.
3. "Beekeeping equipment" means anything used in the operation of an apiary, such as hive bodies, supers, frames, top and bottom boards and extractors.
4. "Colony" means an aggregate of bees consisting principally of workers, but having, when perfect, one queen and at times drones, brood, combs, and honey.
5. "Hive" means the receptacle inhabited by a colony that is manufactured for that purpose.
6. "Honey bee" means all life stages of the common domestic honey bee, *apis melifera* (African subspecies and Africanized hybrids are not allowed).
7. "Lot" means a contiguous parcel of land under common ownership.

Subd. 2. Purpose. The purpose of this section is to establish certain requirements for beekeeping within the city.

Subd. 3. Standards of Practice.

1. Honey bee colonies shall be kept in hives with removable frames, which must be kept in sound and usable conditions.
2. Beekeepers
  - a. Must ensure that a convenient source of water is available within 10' of each colony at all times that the colonies remain active outside the hive.

- b. Must ensure that no wax comb or other material that might encourage robbing by other bees are left upon the grounds of the apiary lot. Such materials once removed from the site shall be handled and stored in sealed containers, or placed within a building or other vermin-proof container.
  - c. Shall maintain beekeeping equipment in good condition, including keeping the hives painted if they have been painted but are peeling or flaking and securing unused equipment from weather, potential theft, vandalism and occupancy by swarms.
3. Bee colonies may be kept the following residential zoning districts:
  - a. R-R (Rural Residential) District
  - b. R-E (Single Family Estate) Residential District
  - c. R-1A (Single Family) Residential
  - d. R-1 (Single Family) Residential
  - e. R-2 (Medium Density) Residential

Honeybee colonies may be kept on a 2-family property if it is zoned R-2 and a resident owner of the property is the beekeeper.

Subd. 4. Hives.

1. Are not permitted in a front yard or in a street side yard.
2. Shall be located at least 10' from all interior property lines and 10' from an alley right of way.
3. Shall be at least 25' from a principal building on an abutting lot.
4. In each instance where a colony is kept less than 25' from a property line of the lot upon which the apiary is located, the beekeeper shall establish and maintain a flyway barrier 6' in height as follows:
  - a. The flyway barrier must extend 10' in either direction from the hive along the property line.
  - b. Barriers may be made of a wall, fence, or dense vegetation. A combination of these things is permissible.
5. A fence permit is required. Information on fencing permits can be obtained through the Planning Department at 218-828-2309.
6. Sale of honey and hive products from the beekeeper's residence is permitted in accord with Zoning Ordinance Section 26 Home Businesses and the following:
  - a. The beekeeper must live on the apiary lot.
  - b. The honey and hive products are from hives owned by the property owner.
  - c. In any instance in which a colony exhibits unusually aggressive behavior, it shall be the duty of the permit holder to promptly take appropriate action to address the behavior.

Subd. 5 Colony Density. The following numbers of colonies are permitted:

1. Lots less than 21,780 sq. ft. (½ acre): 2 colonies
2. Larger than ½ acre: 4 colonies

Subd. 6. Beekeeper Training. Prior to obtaining an initial permit a beekeeper must provide:

1. A beekeeping course completion certificate or letter from an educational institution that offers a beekeeping course.
2. Verification of equivalent experience for the honeybee keeping course.

Subd. 7. Permit Required. Beekeeping may occur on any property in the city upon issuance of an annual permit to the beekeeper on that specific property which shall expire on December 31 of each year.

1. A beekeeping permit will be issued if:
  - a. The requirements of this section have been met.
  - b. Notices have been mailed to all property owners within 150 feet of the applicant's property lines.
  - c. If there are objections received within 10 days of mailing the notices, the application shall be considered by the City Council.
2. If there are no objections received within 10 days of mailing the notices, then the permit application will be processed by city staff. It will not be referred to the city council for consideration.
3. Permits are non-transferable and do not run with the land.
4. By signing the permit, the beekeeper acknowledges that he or she shall defend and indemnify the city against any and all claims arising out of keeping the bees on the premises.
5. The permit fee shall be as established by the City Council. For each subsequent permit, there shall be no fee for the permit, unless there are substantial changes to the apiary or there is a new beekeeper.
6. If the standards of practice are not maintained subsequent to issuance of a beekeeping permit, the permit may be revoked by the city.
7. Sales of honey or hive products from the home must be stated on the permit.

Subd. 8. Penalty for Violation of Section. Any person who shall violate the provisions of this section shall be guilty of a misdemeanor.

**SECTION THREE:** That Section 1010.01 Subd 7 be amended by adding the following:

Subd. 7. Miscellaneous.

|          |     |          |
|----------|-----|----------|
| Chickens | 900 | \$ 40.00 |
| Bees     | 900 | \$ 40.00 |

**SECTION FOUR:** All other provisions of Section 900 and Section 1010 shall remain in full force and effect.

**SECTION FIVE:** This Ordinance shall take effect and be in force one week from and after its publication.

Adopted this \_\_\_\_ day of \_\_\_\_, 2017

\_\_\_\_\_  
DAVE PRITSCHET  
President of the Council

Approved this \_\_\_\_ day of \_\_\_\_, 2017

\_\_\_\_\_  
EDWIN L. MENK  
Mayor

ATTEST: \_\_\_\_\_  
JIM THOREEN  
City Administrator

Published: One time, \_\_\_\_, 2017





# Brainerd City Council Agenda Request

9A

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Declaration of Hazardous Building; Order Removal

|                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                      |
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| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input checked="" type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                           | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input checked="" type="checkbox"/> Adopt Resolution (attach draft) *provide copy of published hearing notice<br><input type="checkbox"/> Direction Requested<br><input type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading |
| <b>Submitted by:</b><br>Jim Thoreen                                                                                                                                                                                                                                                                                                                                                                                                                   | <b>Department:</b><br>Administration                                                                                                                                                                                                                                                                                                                                                                 |
| <b>Presenter (Name &amp; Title):</b><br>Administrator & Staff                                                                                                                                                                                                                                                                                                                                                                                         | <b>Estimated Time Needed:</b><br>20 minutes                                                                                                                                                                                                                                                                                                                                                          |
| <b>Summary of Issue:</b><br>The City Building Inspection staff, the Fire Marshal, and Police Chief McQuiston have compiled documentation which, in consultation with the City Attorney, provides sufficient information to compel the demolition of the motel property at 507 South Sixth Street due to its advanced stage of deterioration.                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>Given the condition of the property and no reasonably foreseeable means to restore the buildings to the intended use there are no alternatives.                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Recommended Action/Motion:</b><br>See attached resolution                                                                                                                                                                                                                                                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ TBD<br>Is this budgeted? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br><u>Please Explain:</u> If the owner fails to follow the Council's order, the City will act to remove the hazard and assign the cost to the property |                                                                                                                                                                                                                                                                                                                                                                                                      |

## **CITY OF BRAINERD**

### **RESOLUTION No. \_\_\_\_\_**

#### **DECLARING BUILDING TO BE HAZARDOUS AND ORDERING REMOVAL**

**Whereas**, DBM Two Partnership L.L.C. is the owner of the property located at 507 6<sup>th</sup> Street South, legally described as Lot 16, Block 129, except the west 25 feet thereof, and all of Lots 17 and 18, Block 129, Town of Brainerd and First Addition to Brainerd, Crow Wing County, Minnesota ("the Property"), PIN 09196129016Z889; and

**Whereas**, the Property contains a 13-unit motel structure and a separate office structure, both in such an advanced state of dilapidation neither is habitable nor safe for use; and

**Whereas**, the condition of the office and motel structures include one or more broken windows/doors, deteriorated roof, collapsing eaves, unsupported foundation, and non-code compliant alterations to plumbing and wiring; and

**Whereas**, the buildings were declared unsafe and the owner has been notified of the need to repair the buildings; and

**Whereas**, the buildings' conditions have not been remedied.

**Now, therefore**, based on the record before the City Council, the Council makes the following:

#### **FINDINGS OF FACT**

1. On February 22, 2017, City Building Official Tim Caughey conducted an inspection of the motel structure. *See, generally, Exhibit 1.* During that inspection, he took photographs of the building's interior and exterior. *Exhibit 2.* Mr. Caughey stated in his inspection report that the motel building exhibited overall foundation failure, structural and roof failure, and non-permitted, non-code compliant plumbing and mechanical alterations. *Exhibit 3.* Specifically, improper drainage has washed away the earth that supports the foundation causing possibility of collapse. Lack of roof maintenance has caused the front wall to pull away from the roof, resulting in a gap between the ceiling and supporting exterior wall that reduces structural integrity. Heavy snowfall may result in roof collapse. Because the office structure receives water through pipes from the motel structure that is not connected to utilities, an electric heat lamp was placed in the motel to keep the pipes from freezing. The electricity source to power this heat lamp was

an extension cord that ran from the office, through the parking lot, to the motel. Only about half of the exterior doors to the building are operable and many of the windows are shattered or boarded up. Debris and refuse, including bottles of propane gas, is spread throughout the structure, indicating vagrancy and possible manufacture and use of illegal drugs.

2. On February 27, 2017, Mr. Caughey conducted an inspection of the office structure. *See, generally, Exhibit 1.* During that inspection, he took photographs of the building's interior and exterior. *Exhibit 4.* Mr. Caughey stated in his inspection report that the office building exhibited structural and roof failure throughout the structure and non-permitted, non-code compliant plumbing and mechanical alterations. *Exhibit 3.* Specifically, lack of roof maintenance has caused significant water damage and dry rot to the structure, resulting in water leakage to abutting property and reduction in structural integrity. Plumbing, gas, and electrical lines have been altered so as to be situated so closely together to create an electrical fire hazard and electrocution hazard.
3. The City has responded to numerous complaints regarding the buildings. *See, e.g., Exhibit 5.*
4. The buildings are structurally unsafe pursuant to Minnesota Rule 1300.0180.
5. The building constitutes a "hazardous building" under Minnesota Statutes section 463.15, subdivision 3, because of inadequate maintenance, dilapidation, physical damage and abandonment.

Based on these Findings of Fact and the record evidence, the Council hereby makes the following:

### ORDER

1. The Property owner is hereby ordered to demolish and remove the motel and office buildings within 30 days of service of this Order.
2. In the event corrective action is not taken as described in the aforementioned paragraph, or unless an answer is filed within 20 days of service of this Order, a motion for summary enforcement of this Order will be made to Crow Wing County District Court, as provided in Minnesota Statutes, chapter 463.

Adopted by the Council of the City of Brainerd this 17th day of April, 2017.

The motion for the adoption of the foregoing Resolution was introduced by Council Member \_\_\_\_\_ and was duly seconded by Council Member \_\_\_\_\_ and upon vote being taken thereon, the following voted in favor thereof:

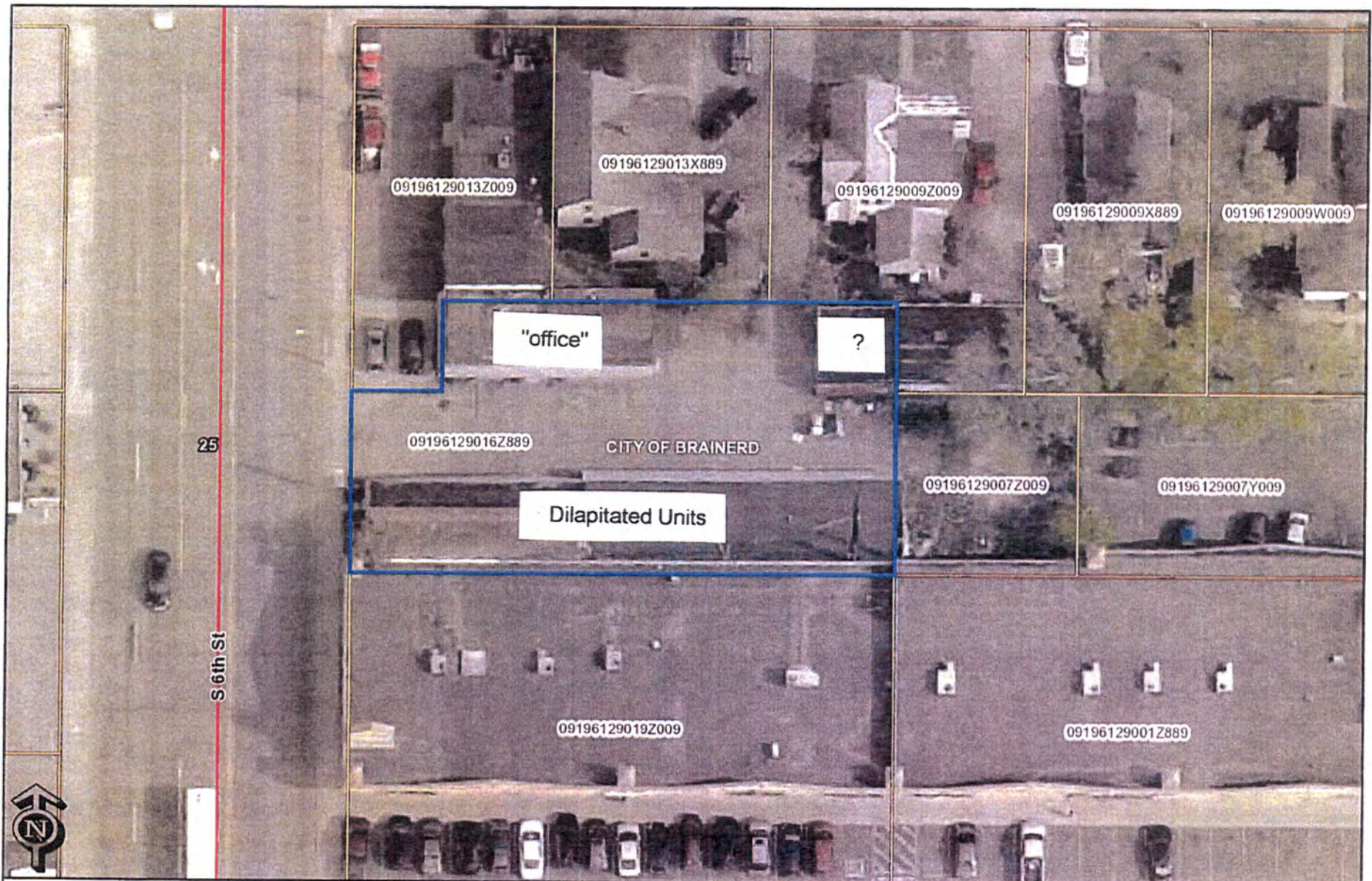
The following voted against same:

ATTEST:

\_\_\_\_\_  
Edwin Menk, Mayor

\_\_\_\_\_  
Jim Thoreen, City Administrator





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

EXHIBIT

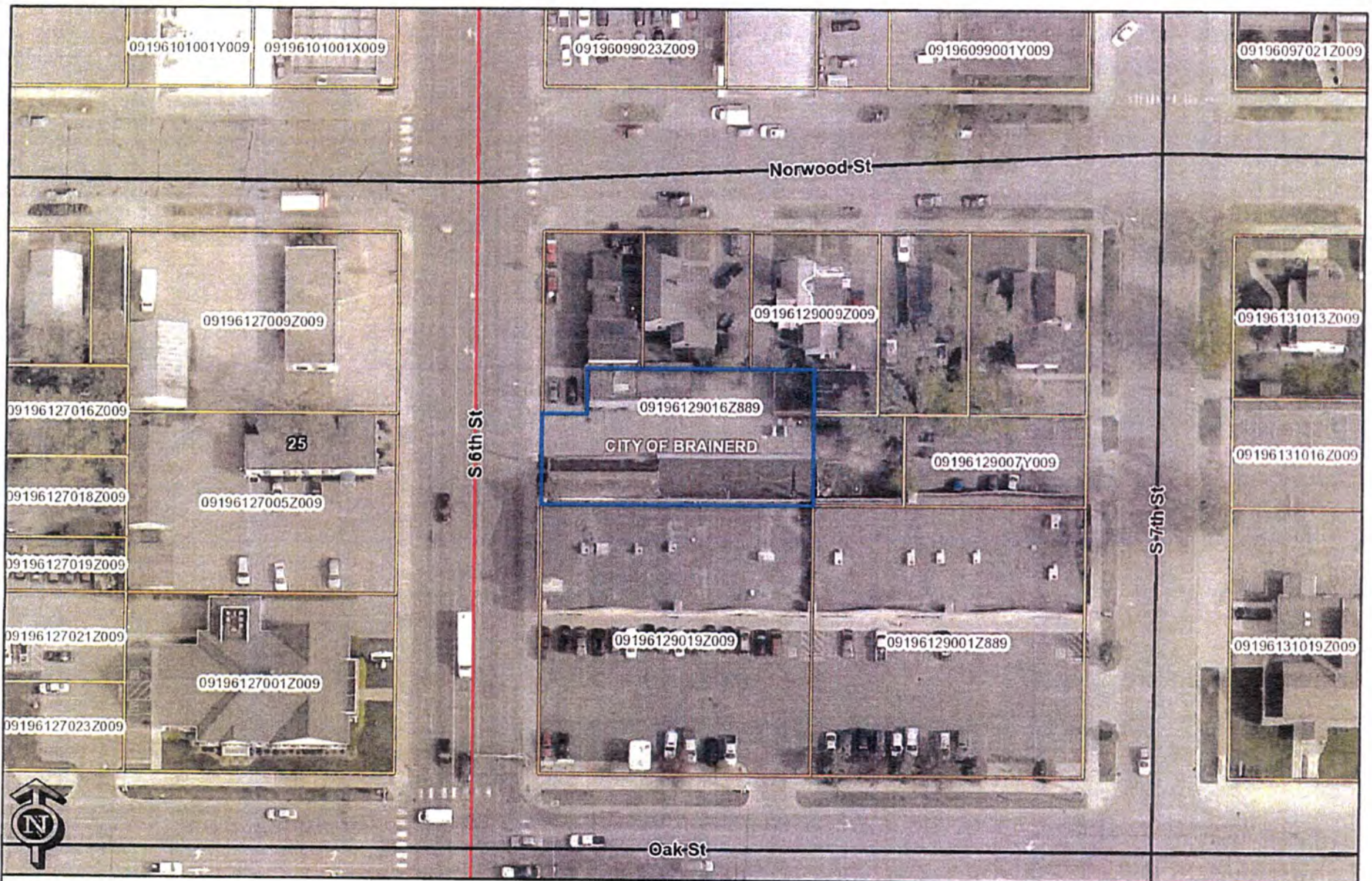
tabbles

6th Street Motel

Date: 2/22/2017 Time: 9:52:07 AM







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

Downtown Motel

Date: 2/22/2017 Time: 9:49:37 AM







1.A







EXHIBIT

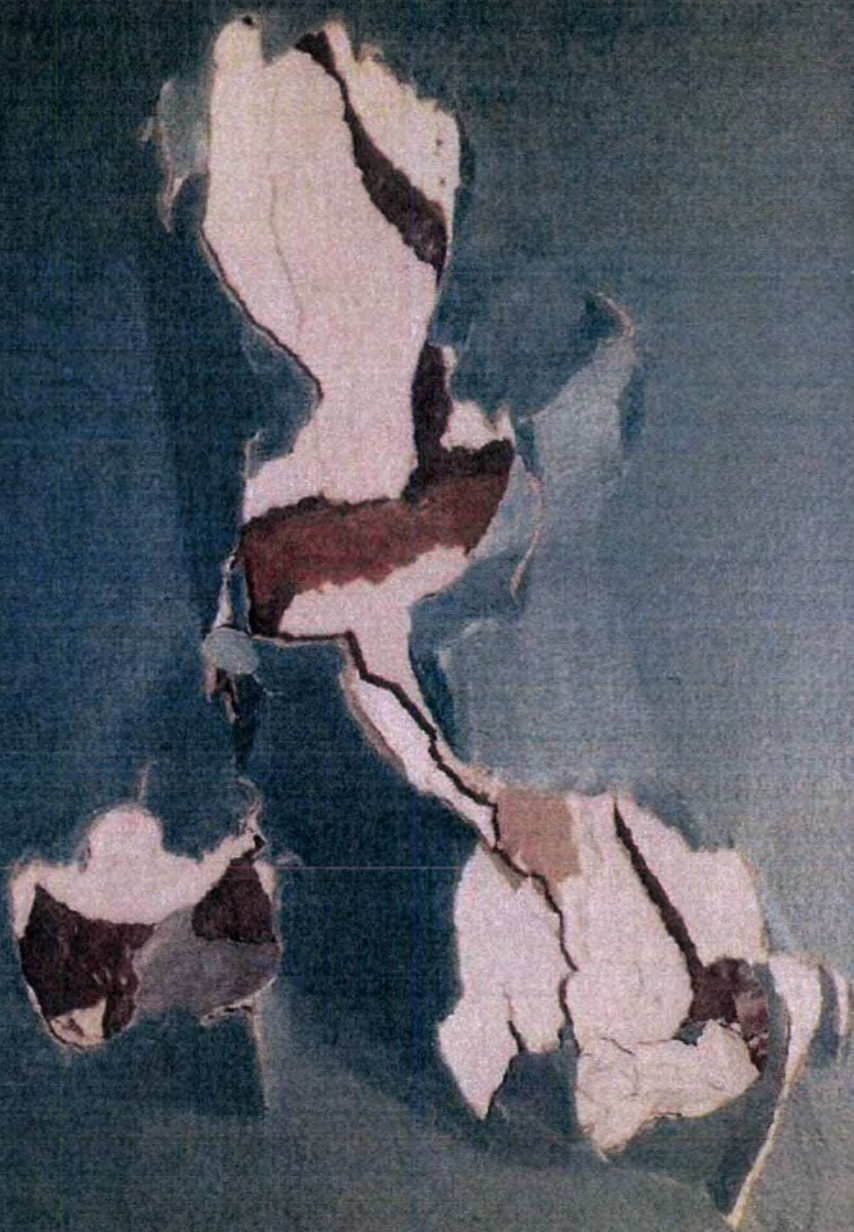
2

02.22.2017 10:35





02.22.2017 10:38







2.A





2.B

02 27 2017 11 19











March 8, 2017

Mr. Julian Jayasuriya  
DBM Two Partnership LLC  
8845 Medley Lane  
Golden Valley, MN 55427-3223

Dear Mr. Jayasuriya,

**RE: 507 6th Street South, Brainerd – Structural Issues**

Legal Description: LOT 16 BLK 129 EX W 25FT THEREOF & ALL OF LOTS 17 & 18 BLK 129  
TOWN OF BRAINERD & 1ST ADDN TO BRAINERD  
Parcel ID: 09196129016Z889

The City of Brainerd has responded to multiple complaints related to the two structures located at 507 6<sup>th</sup> Street S. After inspection of the 13-unit motel and the office structure located on the north side of the property, the City, under MN State Statute 463.151, has deemed the structures hazardous and need to be removed.

**Motel Building:**

- Overall foundation failure
- Structural and roof failure throughout structure
- Plumbing and mechanical alterations without permits and non-code compliant.

**Office Building:**

- Structural and roof failure throughout structure
- Plumbing alterations without permits and non-code compliant.

The lack of maintenance and failure to address the roof repairs over a long period of time have caused both structures to fall in to a state of dilapidation.

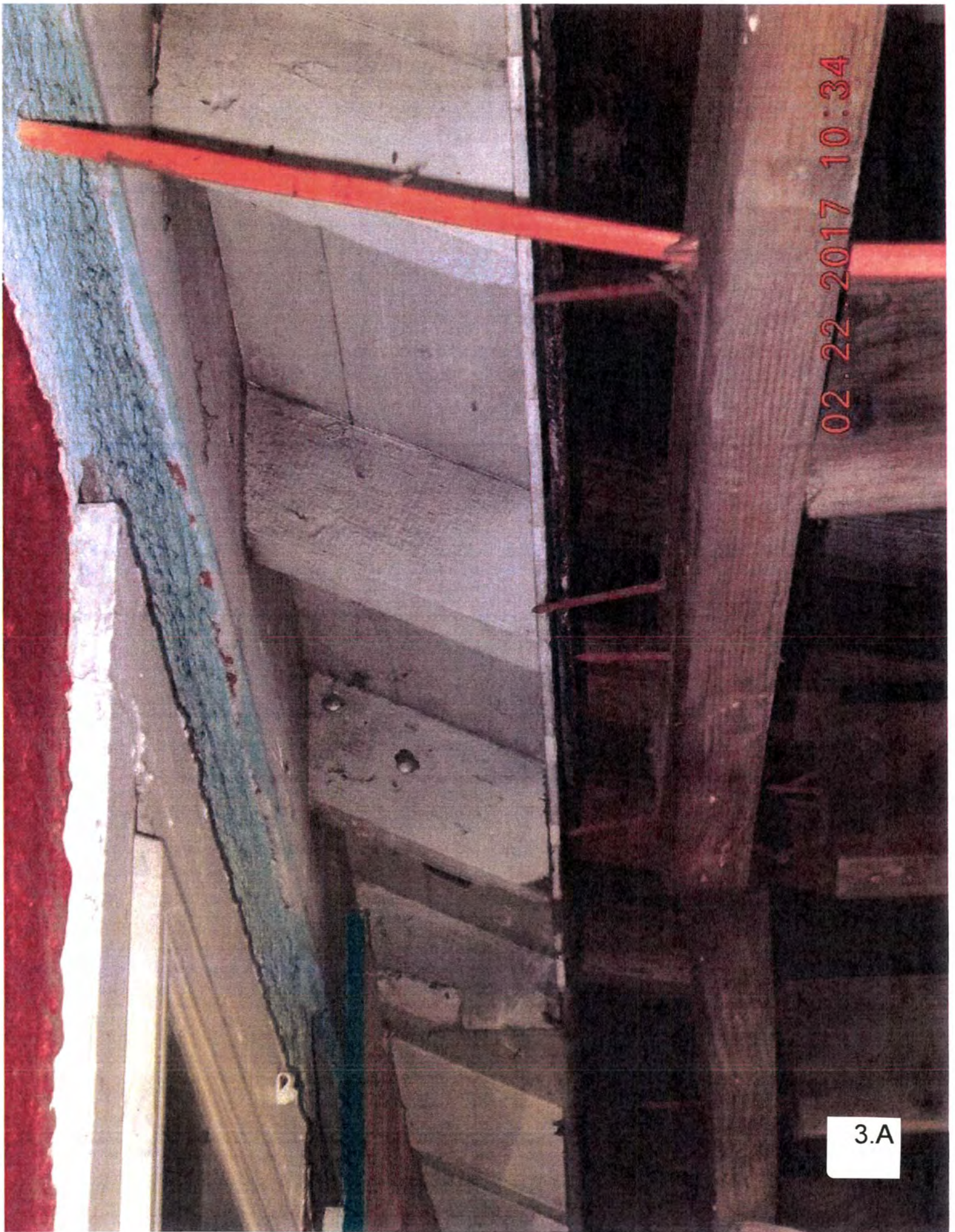
Respectfully,

CITY OF BRAINERD

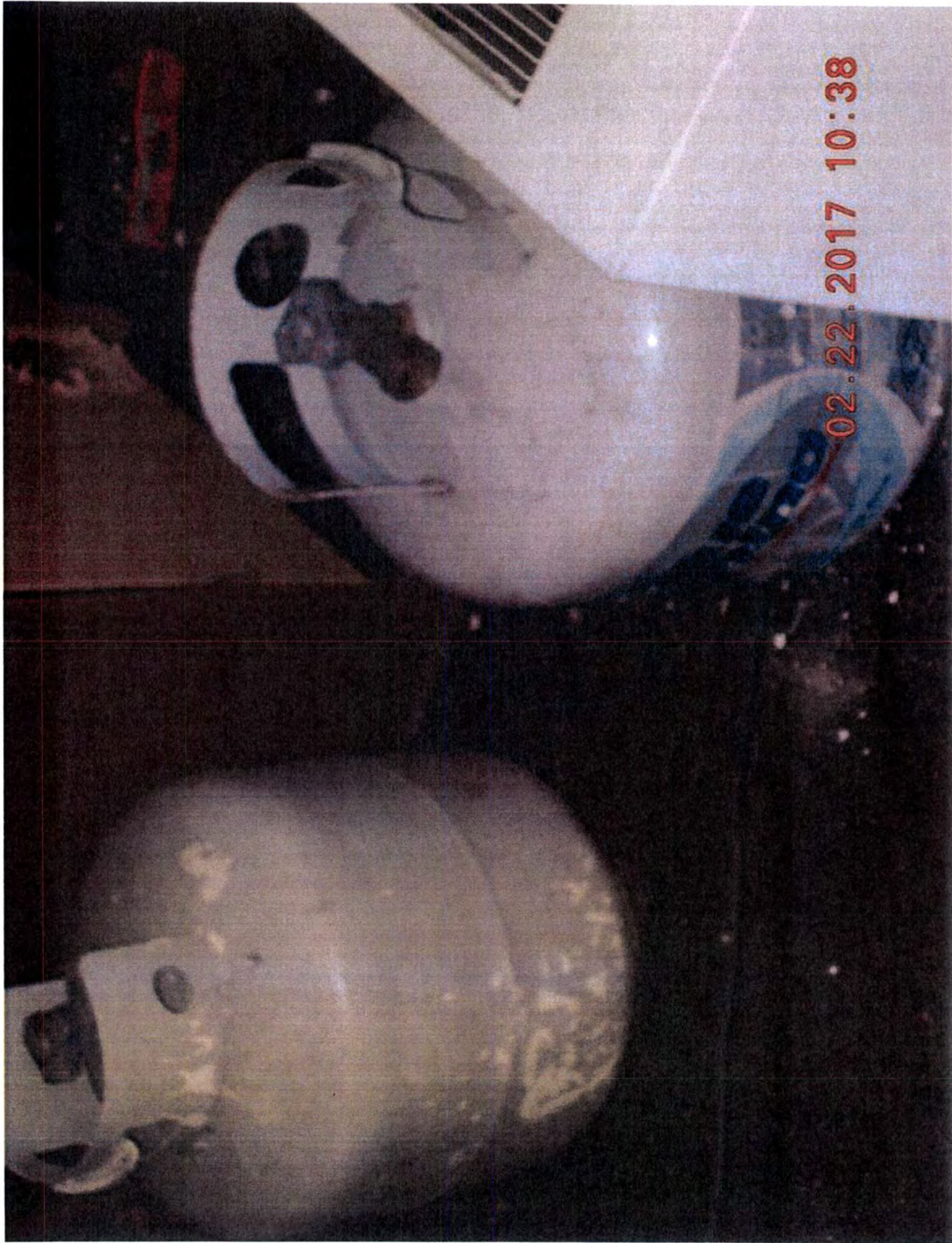
Tim Caughey,  
City Building Official

Attachment









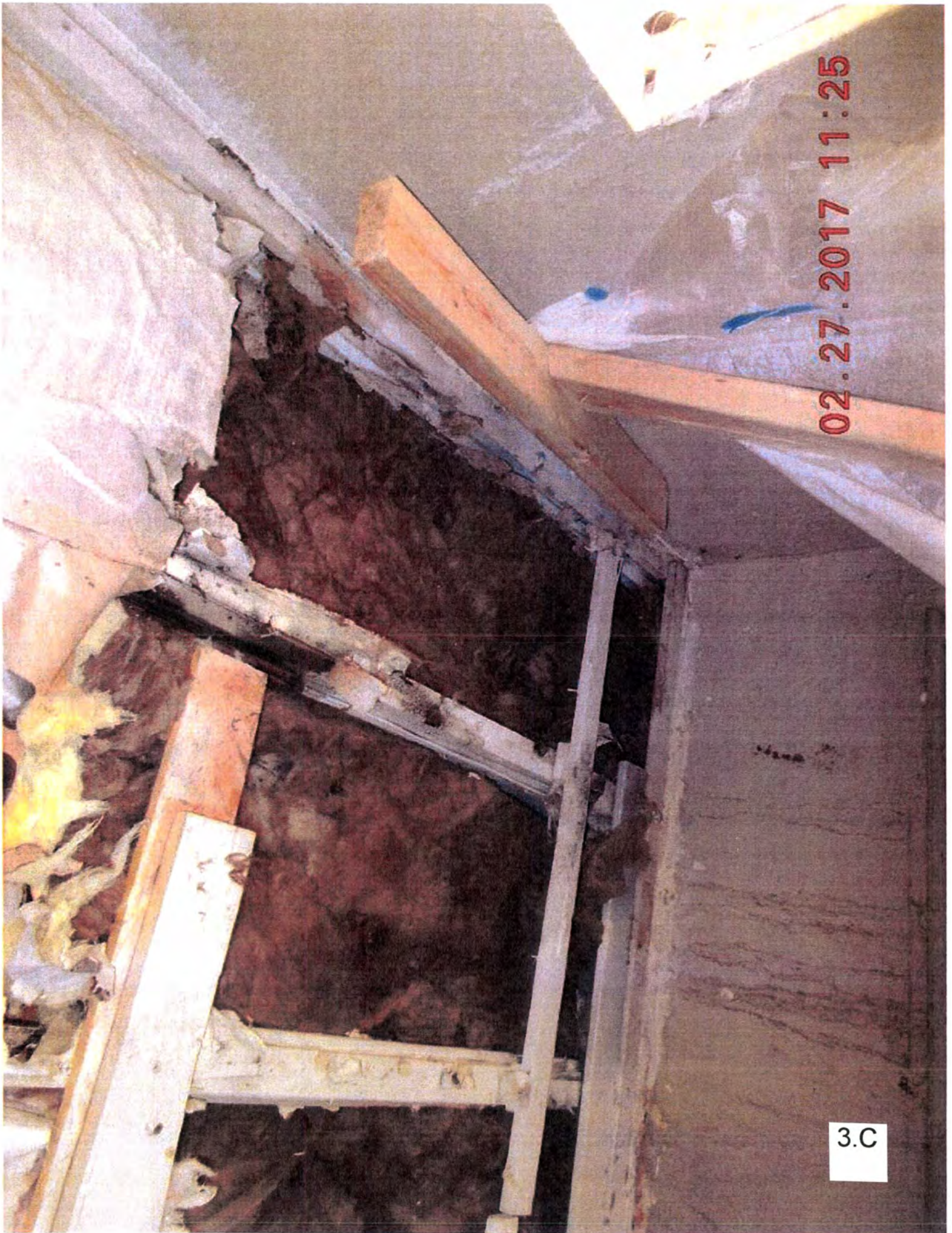


02.22.2017 10:36

3.B











02.27.2017 11:09

3.D





02.22.2017 10:37

3.E.





3.F



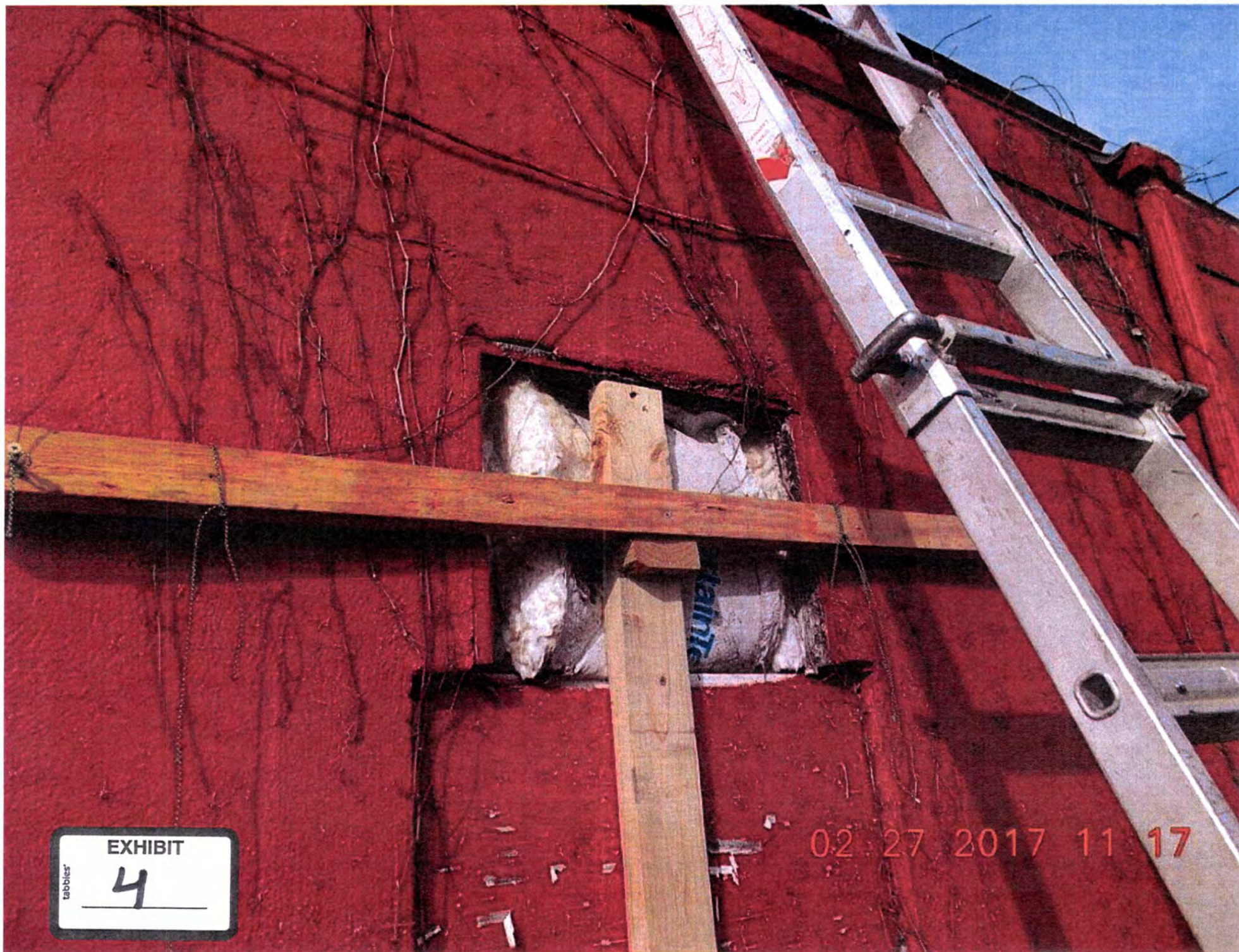


3.G







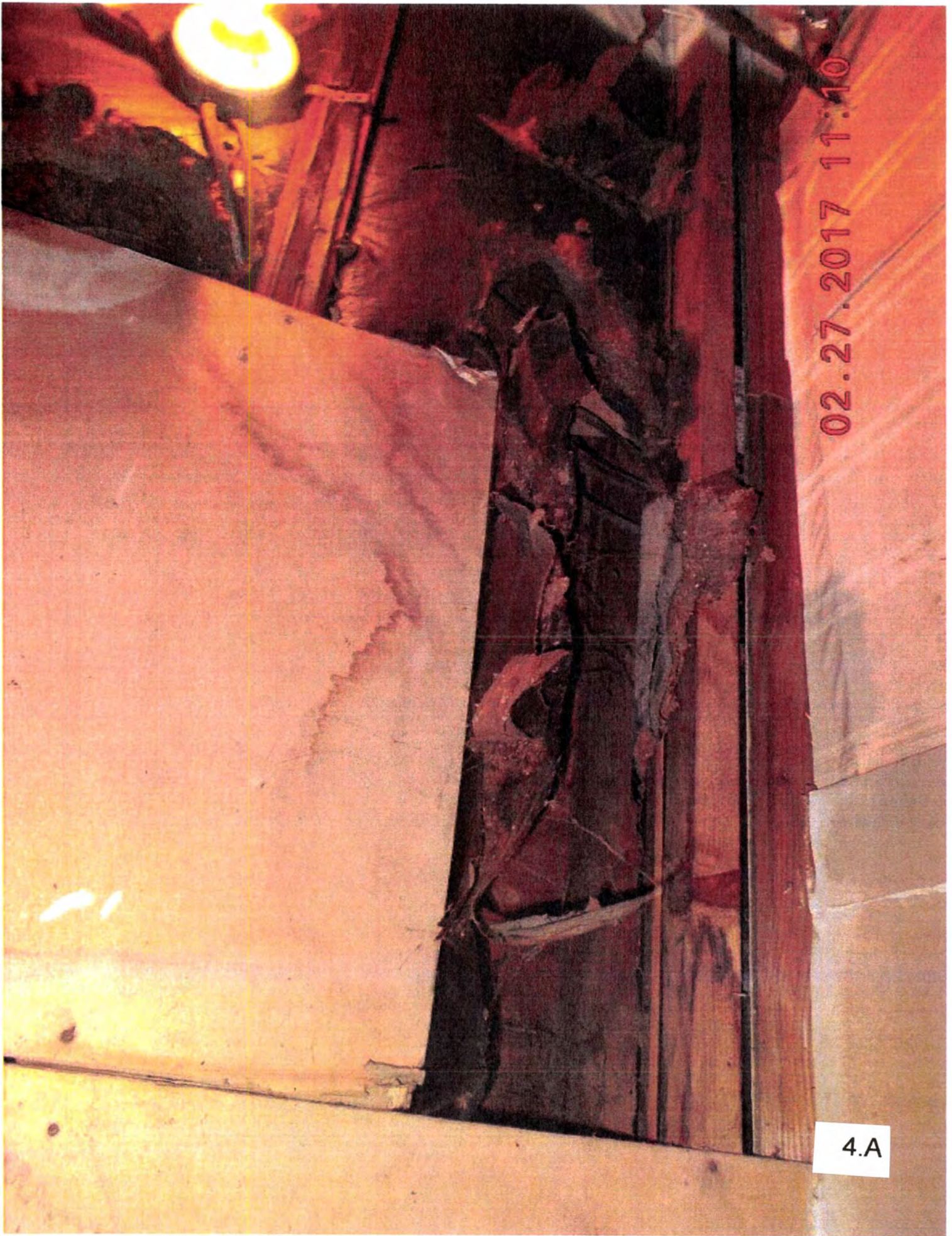


EXHIBIT

4

02 27 2017 11 17

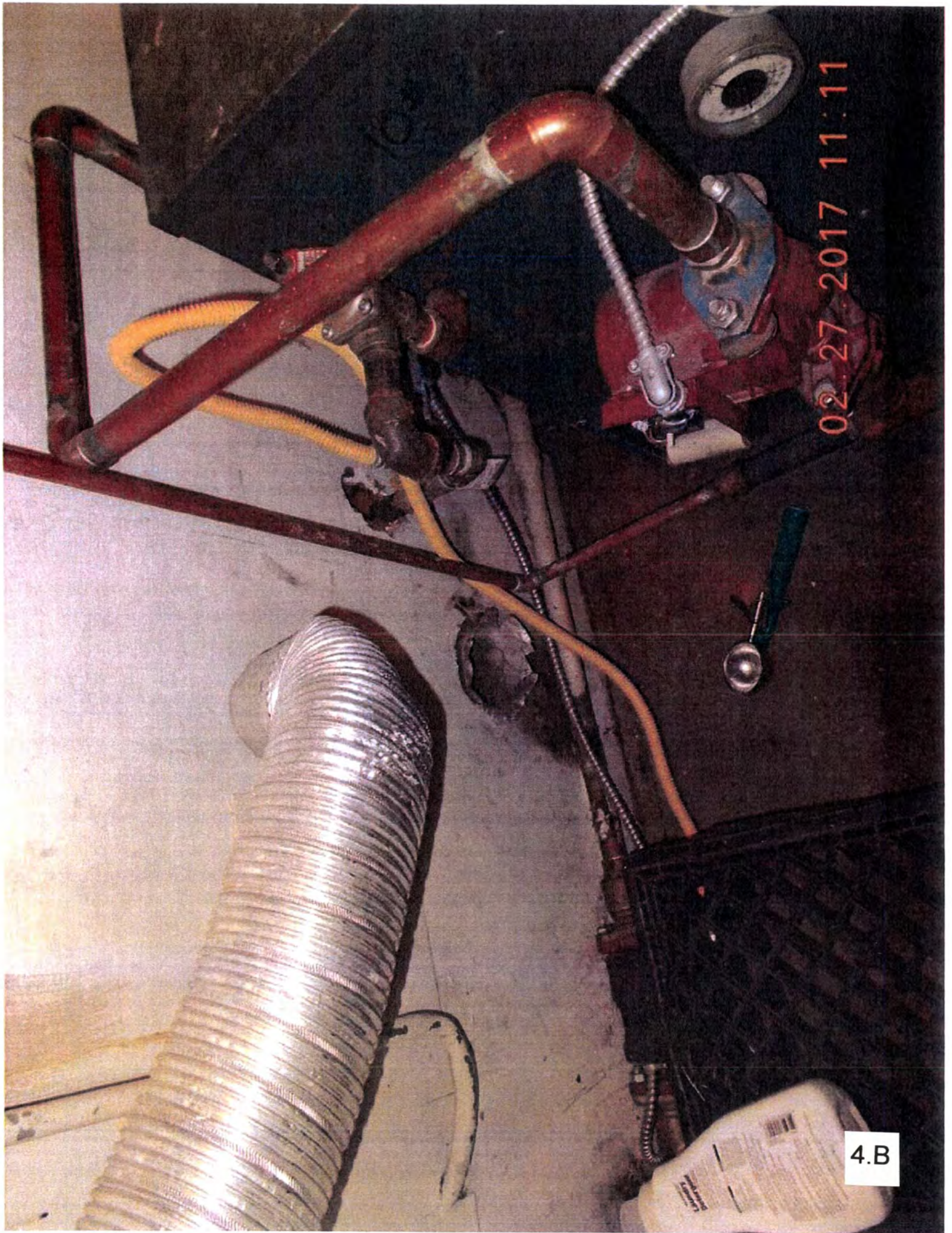




02.27.2017 11:10

4.A



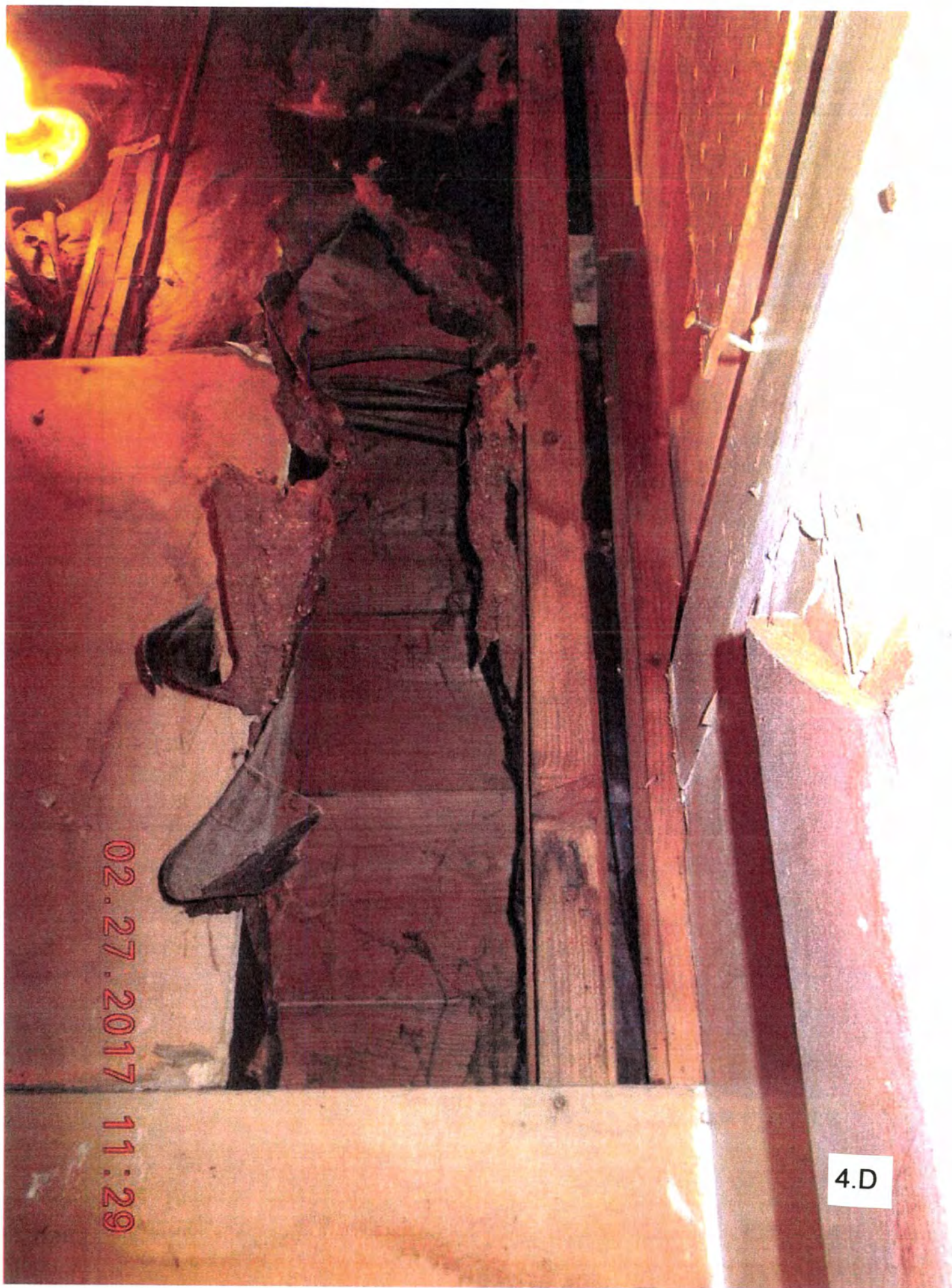






4.C





02.27.2017 11:29

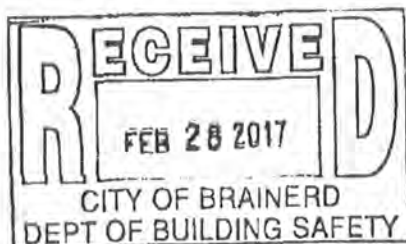
4.D





# **BRAINERD POLICE DEPARTMENT** **INCIDENT REPORT**

|               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |           |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|
| ICR# 17002781 | AGENCY ORI# MN0180100                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | JUVENILE: |
| INCIDENT      | Reported: 02-28-2017 0403 First Assigned:0403 First Arrived:0403 Last Cleared:0415                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |           |
|               | Committed Start: Committed End:                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |           |
|               | Title: Suspicious Activity How Received: Phone                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |           |
|               | <p>Short Description:</p> <p>During security check, officer located extension cord running from next door condemned residence into motel through unsecured window. Extension cord appeared to be connected to heater inside room. Officers found multiple open and unlocked doors and windows, cleared building without incident.</p> <p>Summary:</p> <p>Officer located extension cord running from condemned building to location through window during security check. Officers did not locate anyone inside building.</p> <p>Location(s)</p> <p>Downtown Motel Address: 507 S 6th St City: Brainerd State: MN Zip: 56401 Country:</p> |           |
| OFFICERS      | Officer Assigned: Boggs, Rachel Badge No: 710 Primary: Yes                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |           |
|               | Officer Assigned: Reed, Joel Badge No: 726 Primary: No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |           |







# **BRAINERD POLICE DEPARTMENT** **INCIDENT REPORT**

|               |                                                                                                                                                                                                                                                                                                                                           |           |                                          |
|---------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|------------------------------------------|
| ICR# 17003820 | AGENCY ORI# MN0180100                                                                                                                                                                                                                                                                                                                     | JUVENILE: |                                          |
| INCIDENT      | <b>Reported:</b> 03-19-2017 0602 <b>First Assigned:</b> 0603 <b>First Arrived:</b> 0603 <b>Last Cleared:</b> 0611                                                                                                                                                                                                                         |           |                                          |
|               | <b>Committed Start:</b> <b>Committed End:</b>                                                                                                                                                                                                                                                                                             |           |                                          |
|               | <b>Title:</b> Trespass Private <b>How Received:</b> Phone                                                                                                                                                                                                                                                                                 |           |                                          |
|               | <b>Short Description:</b><br>Reports out at location.<br><br><b>Summary:</b><br>Officers located an open window at location. Subject was located inside sleeping and provided with a trespass warning.<br><br><b>Location(s)</b><br><b>Address:</b> 507 S 6th St <b>City:</b> Brainerd <b>State:</b> MN <b>Zip:</b> 56401 <b>Country:</b> |           |                                          |
| OFFICERS      | <b>Officer Assigned:</b> Rosier, Paul                                                                                                                                                                                                                                                                                                     |           | <b>Badge No:</b> 724 <b>Primary:</b> Yes |
|               | <b>Officer Assigned:</b> Pallansch, Derek                                                                                                                                                                                                                                                                                                 |           | <b>Badge No:</b> 716 <b>Primary:</b> No  |
| NAMES         | <b>Involvement:</b> Mentioned <b>Name:</b> Smith, Terry Robert                                                                                                                                                                                                                                                                            |           |                                          |
|               | <b>Age:</b> 16 <b>Sex:</b> <b>Race:</b> <b>Height:</b> 5'10" <b>Weight:</b> 200                                                                                                                                                                                                                                                           |           |                                          |
|               | <b>Address:</b> (Residence) 301 N 7th St <b>City:</b> Brainerd <b>State:</b> MN <b>Zip:</b> 56401 <b>Country:</b>                                                                                                                                                                                                                         |           |                                          |
|               | <b>Phone:</b> (Home) (401)227-5881                                                                                                                                                                                                                                                                                                        |           |                                          |

## April 2015 to April 2017 Police Calls for 507 South 6<sup>th</sup> Street

37 Results

| ICR      | Title               | House # | St Name    | Apt #  | Reported Date |
|----------|---------------------|---------|------------|--------|---------------|
| 15011265 | Trespass            | 507     | 6th St     |        | 2015-08-16    |
| 15013468 | Suspicious Activity | 507     | 6th St     |        | 2015-09-28    |
| 16005133 | Damage To Property  | 507     | 6th St     |        | 2016-04-19    |
| 16005173 | Disturbance         | 507     | 6th St     |        | 2016-04-20    |
| 16005922 | Disturbance         | 507     | 6th St     |        | 2016-05-05    |
| 16005927 | Disturbance         | 507     | 6th St     |        | 2016-05-05    |
| 16006558 | Trespass            | 507     | 6th St     |        | 2016-05-17    |
| 16006581 | Open Door           | 507     | 6th St     |        | 2016-05-18    |
| 16007248 | Disturbance         | 507     | 6th St     | office | 2016-05-31    |
| 16007250 | Trespass            | 507     | 6th St     |        | 2016-05-31    |
| 16007599 | Civil Problem       | 507     | 6th Street |        | 2016-06-07    |
| 16007623 | Domestic            | 507     | 6th St     |        | 2016-06-07    |
| 16008046 | Warrant CWC         | 507     | 6th St     | Office | 2016-06-16    |
| 16009547 | Disturbance         | 507     | 6th St     |        | 2016-07-14    |
| 16010241 | Agency Assist       | 507     | 6th St     |        | 2016-07-28    |
| 16012234 | Burning Complaint   | 507     | 6th St     |        | 2016-09-06    |
| 16012239 | Open Door           | 507     | 6th St     |        | 2016-09-06    |
| 16013377 | Dangerous Dog       | 507     | 6th Street |        | 2016-09-30    |
| 16013479 | Suspicious Activity | 507     | 6th St     |        | 2016-10-02    |
| 16013999 | Disturbance         | 507     | 6th St     |        | 2016-10-12    |
| 16014030 | Welfare Check       | 507     | 6th St     |        | 2016-10-13    |
| 16014245 | Child Maltreatment  | 507     | 6th St     |        | 2016-10-17    |
| 16014892 | Disturbance         | 507     | 6th St     |        | 2016-10-28    |
| 16015301 | Disturbance         | 507     | 6th St     |        | 2016-11-05    |
| 16015303 | Welfare Check       | 507     | 6th St     |        | 2016-11-05    |
| 16015309 | Disturbance         | 507     | 6th St     |        | 2016-11-06    |
| 16015330 | Disturbance         | 507     | 6th St     |        | 2016-11-06    |
| 16017710 | Suspicious Vehicle  | 507     | 6th St     |        | 2016-12-27    |

## **April 2015 to April 2017 Police Calls for 507 South 6<sup>th</sup> Street**

|          |                     |     |            |  |            |
|----------|---------------------|-----|------------|--|------------|
| 17001788 | Animal Complaint    | 507 | 6th St     |  | 2017-02-08 |
| 17001909 | Animal Complaint    | 507 | 6th Street |  | 2017-02-10 |
| 17002781 | Suspicious Activity | 507 | 6th St     |  | 2017-02-28 |
| 17003133 | Burglary            | 507 | 6th St     |  | 2017-03-06 |
| 17003450 | Open Door           | 507 | 6th St     |  | 2017-03-13 |
| 17003820 | Trespass            | 507 | 6th St     |  | 2017-03-19 |
| 17003853 | Damage To Property  | 507 | 6th St     |  | 2017-03-20 |
| 17003888 | Open Door           | 507 | 6th St     |  | 2017-03-20 |
| 17004614 | Information         | 507 | 6th St     |  | 2017-04-04 |



## Brainerd City Council Agenda Request

9B

Agenda Item #

Requested Meeting Date: April 17, 2017

Title of Item: Work Session: How to Meet the "Retirement Crisis"

|                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                           |
|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> INFORMATION ONLY<br><input type="checkbox"/> CONSENT AGENDA<br><input type="checkbox"/> P&F COMMITTEE<br><input type="checkbox"/> SPW COMMITTEE<br><input checked="" type="checkbox"/> MAIN AGENDA                                                                                                                                                                                                                                                                                                                                                                                                                                                                 | <b>Action Requested:</b><br><input type="checkbox"/> Approve/Deny Motion<br><input type="checkbox"/> Adopt Resolution (attach draft)<br><input checked="" type="checkbox"/> Direction Requested<br><input checked="" type="checkbox"/> Discussion Item<br><input type="checkbox"/> Hold Public Hearing*<br><input type="checkbox"/> Ordinance 1 <sup>st</sup> Reading<br><i>*provide copy of published hearing notice</i> |
| <b>Submitted by:</b><br>Jim Thoreen                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | <b>Department:</b><br>Administration                                                                                                                                                                                                                                                                                                                                                                                      |
| <b>Presenter (Name &amp; Title):</b>                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | <b>Estimated Time Needed:</b><br>5 minutes                                                                                                                                                                                                                                                                                                                                                                                |
| <b>Summary of Issue:</b><br>Within the next 2-5 years HR Coordinator Kris Schubert and I project that we will need to replace numerous personnel who will likely retire or at least be in a position to retire. While these foreseeable departures offer opportunities to re-invent, take advantage of Continuous Improvement, cooperate with other agencies, or implement technology most of them are positions which will require replacement. Rather than waiting to react to these challenges we believe that planning for them best serves the City.                                                                                                                                   |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Alternatives, Options, Effects on Others/Comments:</b><br>These issues require Council attention in a setting separate from the standard Committee/Council process we experience twice a month. Thus, we request a Council Work Session to present the details of where and when we believe loss of long-time employees will impact our service to citizens. Elements of this session will include: 1.) Presentation of the time lines in the affected departments; how many in which department; 2.) Potential options for Council consideration to meet the challenges; 3.) Most importantly, Council discussion regarding the solutions and direction to focus on reasonable options. |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Recommended Action/Motion:</b><br>If the Council is comfortable, choose a meeting date: suggest May 8 or June 12 at perhaps 5:30 with a light supper to be part of the session.<br><br>The Work Session will be informal with no action requested during that Session, but remains an open meeting.                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                           |
| <b>Financial Impact:</b><br>Is there a cost associated with this request: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No<br>What is the total cost, with tax and shipping \$ _____<br>Is this budgeted? <input type="checkbox"/> Yes <input type="checkbox"/> No<br><u>Please Explain:</u>                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                           |