

CITY COUNCIL AGENDA

Brainerd, Minnesota
TUESDAY January 2, 2018
7:30 P.M.
Brainerd City Hall
Council Chambers



Presentation: 7:15 P.M.
Tim Holmes, Fire Chief
Hurricane Deployment Presentation

1. **Call To Order - 7:30 PM**

2. **Roll Call**

___ K. Bevans ___ D. Badeaux ___ G. Johnson ___ S. Hilgart

___ J. Lambert ___ K. Stunek ___ D. Pritschet ___ Mayor Menk

3. **Pledge Of Allegiance**

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

5. **Consent Calendar**

NOTICE TO PUBLIC - all matters listed are considered routine by the Council and will all be enacted by one (1) motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to be ADOPTED BY ROLL CALL

A. **Approval Of Minutes**

1. Regular Meeting Held on December 18, 2017

Documents:

[*20171218_CCdraft.pdf*](#)

B. **Approval Of Licenses**

1. Contractor Licenses - 3 - New, 32 - Renewals

Documents:

[*2018-01-02 License RPT.pdf*](#)

C. **Department Activity Reports**

1. Fire Chief
2. Parks Director

Documents:

Fire Dept Report.pdf
Park Directors Report.pdf

- D. On-Sale / Sunday Liquor License - Submitted By Thomas L. Murray, Owner Of The Parlor, 714 Laurel And Portion Of 718 Laurel Street, Brainerd - Contingent Upon City Code And Licensing Requirements
- E. Adoption Of A Resolution Approving Signature Authorization For 2018 Capital Projects For The Brainerd Lakes Regional Airport - (See Attachment)

Documents:

RES XX_18 - Airport Signatures.pdf

- F. Designation Of Brainerd Dispatch As Official Newspaper For Calendar Year 2018 Pursuant To City Charter; And Authorize Signature On Contract With Dispatch

Documents:

Dispatch.pdf

- G. Designation Of Financial Institutions As Depositories For 2018 Pursuant To City Charter

Documents:

Designation of Financial Institutions.pdf

6. Council Committee Reports

A. **Personnel And Finance Committee**

Documents:

20180102_PF.pdf

1. Approval Of Bills, Transfer Of Funds & Payments To Contractors

General Fund to Airport Fund per Budget	\$155,500
General Fund to Mayor Contingency Fund per Budget	\$2,500
General Fund to IT Capital Fund per Budget	\$20,000
Public Safety Fund to Fire Capital Fund per Budget	\$57,000
Public Safety Fund to Debt Service Fund per Budget	\$51,946

<u>Contractor</u>	<u>Imp #</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
S.E.H.	14-15	Airport Util Ext thru 11/30	\$4,906	\$0
S.E.H.	17-08	2019 SRTS Sidewalks thru 11/30	\$9,886	\$0

2. Fire Department Grant Applications

Documents:

[Fire Dept Grant Applications.pdf](#)

3. Parks And Recreation - 2018 Seasonal Employee Pay Rates

Documents:

[2018 Seasonal Pay Rates.pdf](#)

4. Resolution & Joint Powers Agreement (JPA) With BCA For National Incident-Based Reporting System (NIBRS) Project

Documents:

[RES - Police Dept JPA - NIBRS Project.pdf](#)

B. Safety And Public Works Committee

Documents:

[20180102_SPW.pdf](#)

1. Tax Forfeit Non-Conservation Parcel - 601 S 10th Street

Documents:

[Tax Forfeit Non-Conservation Parcel.pdf](#)

2. Multi-Use Trail Snow Removal

Documents:

[Multi-Use Trail Snow Removal.pdf](#)

7. Unfinished Business

A. Call For Applicants - Informational

(Application Information at the City's Website

<http://www.ci.brainerd.mn.us>)

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

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

Cable TV Advisory Committee - 1 term (Expire 2020)
Charter Commission - 1 term (Expire 2020) - 1 term (Expire 2021)
Housing & Redevelopment Authority - 1 term (Expire 2022)
Library Board Representative - 1 term (Expire 2023)
Library Board - 2 terms (Expire 2023)
Parks and Recreation - 1 term (Expire 2022)
Public Utility Commission - 1 term (Expire 2022)
Transportation Advisory Committee - 2 terms (Expire 2018) - 3 terms (Expire 2019)

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

Police & Fire Civil Service Commission - 1 term (Expire 2020)

8. **New Business**

A. **City Hall Annex Remodel**

Documents:

City Hall Annex Remodel.pdf

B. **Transportation Alternative Project Funding Resolutions**

Documents:

TAP Funding.pdf

9. **Planning Commission**

A. **First Ordinance Reading - Zoning Ordinance Text Amendment - Remove School Off Street Parking Requirements**

Documents:

First Ordinance Reading-Off Street School Parking.pdf

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**

NOTE: Safety and Public Works Committee will meet at 7:00 P.M.
Personnel and Finance Committee will meet at 7:00 P.M.

ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS,
PLEASE CALL 828-2307

Visit the [City's Website](http://ci.brainerd.mn.us) (ci.brainerd.mn.us)

MISSION

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

7:15 P.M. – Presentation: Facility Study Update from Widseth Smith Nolting (WSN) and the Contegrity Group

The Chair welcomed Mr. Mike Angland, Ms. Darcy French, Architects with WSN and Mr. Justin Thorn, from the Contegrity Group. Mr. Angland explained they are the team that will be working on the Facility Study for the City of Brainerd and thanked the Council for the opportunity to handle the project. The most important aspect of the project is how the team will communicate the findings and what steps will be taken in this process. Mr. Angland indicated they have visited the buildings in the City which include City Hall, Fire Department, Police Department, Parks and Street and Sewer. The exteriors of the facilities have been inspected by WSN and Contegrity Group, including architects, mechanical engineers, electrical, structural and civil data collected and photos taken. Mr. Angland explained the process of the study and answered questions from the Council. The Council thanked them for the presentation.

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:34 P.M. by Council President Pritschet.

Upon roll call, the following members were noted as present: Stunek, Bevans, Badeaux, Johnson, Hilgart, Lambert 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 APPROVE THE AGENDA.

Council Member Johnson requested item #D “Approval of Agreement for Professional Services between the City of Brainerd and Brainerd Lakes Area Economic Development Corporation (BLAEDC) for 2018” be moved from the Consent Calendar to directly following the Consent Calendar.

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

A. Approval of the Minutes of the Regular Meeting held on December 4, 2017 and the 2018 Budget Public Hearing held December 11, 2017 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 62 – 4 – New, 58 – Renewals
Garbage Licenses – 3 – Renewals
Tobacco Licenses – 22 – Renewals
Taxi Cab Licenses – 2 – Renewals
Second Hand Auto Licenses – 8 – Renewals
Pawnbrokers Licenses – 2 – Renewals
Second Hand Goods Licenses – 2 – Renewals
Tobacco Licenses – 1 – Renewal (Contingent Upon Fire Dept Inspection)

C. Department Activity Reports - Approved

1. City Administrator
2. Police Chief
3. Finance Director

D. Approval of Shared Services Agreement – National Joint Powers Alliance (NJPA) - Approved

E. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by Brainerd Lakes Chapter Muskies Inc., 9143 Lone Pine Rd., Brainerd for an Event to be Held February 17, 2018 at the Brainerd Armory, 1115 Wright St., Brainerd - Approved

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

Approval of Agreement for Professional Services Between the City of Brainerd and Brainerd Lakes Area Economic Development Corporation (BLAEDC) for 2018 – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE 2018 AGREEMENTS FOR PROFESSIONAL SERVICES BETWEEN THE CITY OF BRAINERD AND BRAINERD LAKES AREA ECONOMIC DEVELOPMENT CORPORATION (BLAEDC) INCLUDING THE ADDENDUM AS DISTRIBUTED.

Council Committee Reports

Safety and Public Works Committee Report

Presentation – Tim Houle (Widseth Smith Nolting) – Brainerd High School Area Traffic Study Update – Informational

Committee Chair Bevans explained Mr. Tim Houle from Widseth Smith Nolting spoke at the Safety and Public Works Committee meeting regarding the Brainerd High School area traffic study. Mr. Houle updated staff on the process being taken and what the school district is interested in regarding the traffic study. Data has been collected for the study and City Engineer Sandy and City Planner Ostgarden will be following the progress.

Council President Pritschet questioned if this is dependent on the school referendum passing. City Engineer Sandy and City Planner Ostgarden will contact the school district and follow up.

Improvement 14-15 Airport Utility Extension Change Order 8 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE CHANGE ORDER #8 WITH THE PAY ESTIMATE FOR THE PROJECT INCLUDING SEEDING/EROSION CONTROL ITEMS AND MISCELLANEOUS

PAVING AT THE JORDAN ROAD LIFT STATION AND IN FRONT OF THE BOOSTER STATION.

Agency Agreement for Federal Participation in Construction – Adopted by Resolution No. 73:17

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 73:17 TO ALLOW THE COMMISSIONER OF TRANSPORTATION TO RECEIVE FEDERAL FUNDS ON BEHALF OF THE CITY OF BRAINERD AND AUTHORIZES THE MAYOR AND CITY ADMINISTRATOR TO EXECUTE AND ENTER INTO THE AGREEMENT PROVIDED WITH MNDOT PRESCRIBING THE TERMS AND CONDITIONS FOR FEDERAL AID PARTICIPATION CONTAINED IN MINNESOTA DEPARTMENT OF TRANSPORTATION AGENCY AGREEMENT NO. 1029923.

RESOLUTION NO. 73:17

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

Improvement 17-05 Brainerd Foundry Limited Site Investigation Contract Extensions - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE TWO CONTRACT EXTENSIONS AS PROVIDED FOR THE ADDITIONAL WORK PERFORMED AND TO BE PERFORMED BY MILLSOP AND ASSOCIATES TO BE REIMBURSED BY THE MINNESOTA POLLUTION CONTROL AGENCY (MPCA) PETRO-FUND ONCE FINAL REPORTING IS COMPLETED AND APPROVED AT THE COST OF \$10,530.

Transit Operations and Transit Advisory Committee Membership - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO CONCUR WITH THE TRANSIT ADVISORY COMMITTEES’ RECOMMENDATION DIRECTING STAFF TO DEVELOP A PLAN FOR PROVIDING COUNTY SERVICE AT NO FINANCIAL IMPACT TO THE CITY AND THE SAME VICE VERSA PERTAINING TO THE COST IMPACTS TO CROW WING COUNTY.

Members Stunek, Bevans, Badeaux, Johnson, Hilgart, Lambert and Pritschet voted “aye.” No member voted “nay.” The Chair declared the motion carried.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO DIRECT STAFF TO WORK WITH THE CITY ATTORNEY AND CROW WING COUNTY ATTORNEY TO DRAFT A DELEGATION AGREEMENT DELEGATING THE AUTHORITY TO PROVIDE TRANSIT IN CROW WING COUNTY TO THE CITY OF BRAINERD.

Members Stunek, Bevans, Badeaux, Johnson, Hilgart, Lambert and Pritschet voted “aye.” No member voted “nay.” The Chair declared the motion carried.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT THE CHANGE TO THE TRANSIT ADVISORY COMMITTEE MEMBERSHIP AS PROVIDED IN THE REVISED COMMITTEE MEMBERSHIP QUALIFICATIONS WITH THE ADDITION OF THE

REQUIREMENT THAT THE CHAIR AND THE VICE-CHAIR OF THE COMMITTEE ARE RESIDENTS OF THE CITY OF BRAINERD.

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

Walkable Bikeable City Committee (WBCC) Tier 1 Recommendations FY 2018 – 2020 - Informational

Committee Chair Bevans explained staff has reviewed the Tier 1 and 1B recommendations by the WBCC from the Non-Motorized Transportation plan. They have reviewed alignment to street projects and other funding opportunities available. Council discussion took place and it was requested of City Engineer Sandy to provide a comparison between activated and non-activated flashers in price and in advocacy.

Personnel and Finance Committee Report

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

Fire to Fire Capital Fund per FAB Agreement \$89,793

<u>Contractor</u>	<u>Imp. #</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
Bolten & Menk	16-14	Traffic Study – FINAL	\$9,311	\$0
Tom's Backhoe	14-15	Airport Util Ext thru 12/12	\$71,761	\$2,219

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO APPROVE THE PAYMENT OF BILLS, TRANSFER OF FUNDS AND PAYMENTS TO CONTRACTORS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE CONTINGENT UPON SAFETY AND PUBLIC WORKS APPROVING CHANGE ORDER #8.

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

Memorial Park Field 3 Lighting - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT THE QUOTE FROM MUSCO LIGHTING IN THE AMOUNT OF \$126,467 AND USE THE SALE OF BONDS AND ADVERTISING BANNER SALES TO FUND THE PROJECT.

Committee Member Hilgart clarified the repair of the lights will be funded through the banner sales and the bonding will be used for the new lighting.

Police Department Community Service Officer Resignation - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF COMMUNITY SERVICE OFFICER DEVAN LIEBEG EFFECTIVE DECEMBER 22, 2017 AND TO APPROVE HIRING TWO COMMUNITY SERVICE OFFICERS EFFECTIVE DECEMBER 19, 2017 OR AS SOON AS POSSIBLE.

Committee Chair Johnson stated the two new Community Service Officer position offers will go to Mr. Tyler Lenz and Mr. Zach Gowens.

2018 Brainerd Area Taxi License Renewal - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE 2018 TAXICAB LICENSE FOR BRAINERD AREA TAXI CONTINGENT UPON SUCCESSFUL COMPLETION OF ALL REQUIREMENTS.

Resignation of Paid On Call Firefighter Anderson - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF BOB ANDERSON FROM THE BRAINERD FIRE DEPARTMENT EFFECTIVE DECEMBER 19, 2017.

Full-time Employees Hired as Paid On-Call Firefighters - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE A CONDITIONAL JOB OFFER TO BRAINERD POLICE OFFICER PAUL ROSIER, SUBJECT TO APPROVAL OF A PROPOSED POLICY BY THE CITY COUNCIL IN A MEMORANDUM OF AGREEMENT (MOA) WITH THE EMPLOYEE AND THEIR UNION.

Compensation Study Update - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE UTILIZING DAVID DOWNS ASSOCIATES (DDA) TO UPDATE JOB DESCRIPTIONS AS NEEDED UP TO \$7,500.

Unfinished Business

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

Mayor Recommended: (all terms expire on 12/31 of said year)
Charter Commission – 1 term (Expire 2022)
Transportation Advisory Committee – 2 term (Expire 2019)

New Business

Willow Street Signal Warrant Analysis Discussion – Direction Given

City Engineer Sandy explained it was requested of him to provide more information regarding the process that MnDOT follows to come to a conclusion for installing a signal light at an intersection on a trunk highway. The City Council adopted a resolution requesting the installation of a signal light system at the intersection of Business 371 and Willow Street when the original warrant analysis took place in April 2015. MnDOT strictly follows the Federal guidelines of eight Warrants (requirements) in order to install a signal light system. Warrant number 8, Roadway Network, remains unsatisfied as the peak hour volume of 1,000 vehicles per hour was not met. This fell short due to 92% of the vehicles traveling eastbound off of

Willow Street turn right. This is referred to as a free right movement and is eliminated from all analysis due to the non-conflicting nature of the movements.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED, TO DIRECT STAFF TO DRAFT A PROPOSAL TO MNDOT TO RECONSIDER THE SIGNAL LIGHT SYSTEM INSTALLATION AT THE INTERSECTION OF WILLOW STREET AND SOUTH 6TH STREET AND TO USE LIGHTS TAKEN OUT OF OTHER AREAS TO AVOID PURCHASING BRAND NEW.

2018 Budget and Levy – Adopted by Resolution No. 74:17

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS TO ADOPT RESOLUTION NO. 74:17 TO SET THE CITY AND HRA LEVIES FOR 2018 WITH A 3.5% INCREASE FOR THE CITY.

RESOLUTION NO. 74:17

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

MOVED AND SECONDED BY ALDERMEN LAMBERT AND JOHNSON TO ADOPT THE 2018 BUDGET AS PRESENTED.

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

Public Forum

The Chair opened the Public Forum at 8:04 p.m.

No one came forward.

The Chair closed the Public Forum at 8:04 p.m.

Staff Reports

City Engineer Sandy explained discussions were held with MnDOT regarding the development of a process to sign up for updates to the South 6th Street project as it progresses. Downtown businesses and the public are urged to go to the website and sign up for these updates. They can locate the link on the City website or go to www.dot.state.mn.us/d3/brd/.

City Planner Ostgarden added to City Engineer Sandy's comments regarding the project updates. We want to try to do the best job that we can to obtain involvement by the business and property owners in our downtown area regarding other aspects of the project; for example grant funding for public artwork. Mr. Ostgarden wishes everyone a Merry Christmas and Happy New Year.

Council Member Reports

Council Member Hilgart stated there is celebrity gift wrapping taking place at the Westgate Mall through December 23, 2017. This is a fundraiser that benefits the 4th of July fireworks display through Brainerd Community Action.

City Administrator Thoreen announced he has appreciated serving the City of Brainerd as Administrator and thanked everyone for the opportunity to do so as this is his last meeting with the City Council. Mr. Thoreen stated he has great confidence in his successor, Ms. Cassandra Torstenson.

Mayor Menk introduced Ms. Torstenson as she is in the audience for tonight's meeting and welcomed her to our community. Mr. Menk asks the Council and staff to assist her in whatever way possible as we move forward as well as helping our current administrator move on. There will be a small gathering to celebrate City Administrator Thoreen on Wednesday afternoon at City Hall.

Mayor Menk announced we received a notice from the Coalition of Greater Minnesota Cities (CGMC) that MnDOT is considering diverting funds from greater Minnesota highways to the metro area under a program named Corridors of Commerce. A letter will be sent on behalf of Mayor Menk and City Administrator Thoreen protesting the possibility of this occurring as this would make it difficult to locate funding for our roadways.

Mayor Menk announced the Small Business Revolution, which is a program by Deluxe Corporation, has selected the City of Brainerd as one of ten finalists throughout the United States to receive a \$500,000 prize to use to enhance the main center (business district) of the city. They will be in Brainerd on January 10th and 11th, 2018 to interview several businesses along with taping some video.

Adjourn

The Chair adjourned the meeting at 8:15 p.m.

James M. Thoreen
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 2, 2018
(3 New, 32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
MCDOWALL COMPANY 1431 PROSPER DRIVE WAITE PARK, MN 56387 18-0063	(320) 251-8640	MECH	4/1/2018	8/26/2018	MB003342
NAC MECHANICAL AND ELECTRICAL SERV. 1001 LABORE INDUSTRIAL CT SUITE B VADNAIS HEIGHTS, MN 55110 18-0064 (new)	(651) 490-9868	MECH	8/28/2018	7/1/2018	MB003184 PC642594
BEDFORD STREET BUILDERS 173 BEDFORD STREET MINNEAPOLIS, MN 55414 18-0065 (new)	(612) 232-5823	GENL	3/1/2018	12/31/2018	BC631246
MAJKA CONSTRUCTION, INC. 6367 LENDEE DRIVE NISSWA, MN 56468 18-0066	(218) 963-1367	GENL	1/1/2019	12/31/2018	BC003300
DEAN'S TANK, INC. PO BOX 22515 ROBBINSDALE, MN 55422 18-0067 (new)	(763) 535-0194	EXCA	5/21/2018	12/31/2018	
RASINSKI EXCAVATING, INC. 10775 PINWOOD DRIVE SW NISSWA, MN 56468 18-0068	(218) 825-8609	EXCA	5/1/2018	12/31/2018	L133
MASTER TRADE SERVICES, INC. 1200 5TH STREET SOUTH SAUK RAPIDS, MN 56379 18-0069	(320) 240-0025	GENL	9/1/2018	12/31/2018	BC443594
IRONFIRE, INC. 5353 LEGEND LANE BRAINERD, MN 56401 18-0070	(218) 829-4983	STEL	9/23/2018	12/31/2018	
DINGMAN BROTHERS EXCAVATING 8747 SOUTHVIEW DRIVE BREEZY POINT, MN 56472 18-0071	(218) 820-0181	EXCA	2/1/2018	12/31/2018	L2923
DOOR DOCTOR, THE 801 FRONT STREET BRAINERD, MN 56401 18-0072	(218) 828-4562	OVRD	6/12/2018	12/31/2018	
JACOBSON EXCAVATING & LANDSCAPING 13252 STATE HWY 18 BRAINERD, MN 56401 18-0073	(218) 851-1818	EXCA	3/23/2018	12/31/2018	L3324

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 2, 2018
(3 New, 32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
GARTH TRETTER TRUCKING 15461 IRONWOOD LANE BRAINERD, MN 56401 18-0074	(218) 829-7645	EXCA	3/1/2018	12/31/2018	L1843
THELEN HEATING & ROOFING, INC. 1717 13TH STREET SE BRAINERD, MN 56401 18-0075	(218) 829-1491	MECH	4/1/2018	9/24/2018	MB003283 BC638379
T-RAY CONSTRUCTION COMPANY INC. 8651 NAPLES STREET NE SUITE 100 BLAINE, MN 55449 18-0076	(763) 757-6859	UNGD	4/1/2018	12/31/2018	
HVAC TECH HEATING & AIR 13213 COUNTY ROAD 8 BRAINERD, MN 56401 18-0077	(218) 838-4708	MECH	8/15/2018	8/25/2018	MB664932
PHIL'S HEATING & AIR CONDITIONING 11157 COUNTY ROAD 144 PO BOX 1027 BRAINERD, MN 56401 18-0078	(218) 828-8127	MECH	6/5/2018	10/31/2018	MB003934
KRAEMER REFRIGERATION LLC PO BOX 359 COLD SPRING, MN 56320 18-0079	(320) 597-7272	MECH	9/1/2018	9/30/2018	MB693614
GULL LAKE HEATING & A/C LLC 11320 GULL RIVER ROAD EAST GULL LAKE, MN 56401 18-0080	(218) 820-2000	MECH	11/1/2018	11/1/2018	MB588103
SIGN SPOT, THE 5186 SUSANVILLE DRIVE NW BRAINERD, MN 56401 18-0081	(218) 829-0950	SIGN	2/9/2018	12/31/2018	
FRANZEN BROS. PLASTERING LLC 10872 COUNTY ROAD 8 BRAINERD, MN 56401 18-0082	(218) 764-2474	DRYW	8/1/2018	12/31/2018	
SUPERIOR COMPANIES OF MINNESOTA 1244 60TH AVENUE NW ROCHESTER, MN 55901 18-0083	(507) 289-0229	MECH	5/1/2018	12/10/2018	MB004661 PC642520
B-DIRT LLC 4706 WILDERNESS CT SUITE 103 BRAINERD, MN 56401 18-0084	(218) 232-1360	GENL	1/1/2018	12/31/2018	BC328737

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 2, 2018
(3 New, 32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
RYAN COMPANIES US, INC. 533 THIRD STREET SUITE #100 MINNEAPOLIS, MN 55415 18-0085	(612) 492-4000	GENL	3/31/2018	12/31/2018	
SCENIC SIGN CORPORATION 828 SOUTH 5TH STREET PO BOX 881 SAUK RAPIDS, MN 56379 18-0086	(320) 252-9400	SIGN	11/1/2018	6/19/2019	SB693852
A-1 ENTERPRISES, DBA: A-1 ROOFNG 43716 CONIFER STREET AITKIN, MN 56431 18-0087	(218) 678-2493	GENL	10/20/2018	12/31/2018	BC636806
VINCO, INC. 18995 FOREST BLVD N. FOREST LAKE, MN 55025 18-0088	(651) 982-4642	TELE	5/1/2018	12/31/2018	
TELCOM CONSTRUCTION, INC. 2218 200TH STREET E PO BOX 189 CLEARWATER, MN 55320 18-0089	(320) 547-1099	UTIL	7/31/2018	12/31/2018	
KRAUS-ANDERSON CONSTRUCTION CO. 501 SOUTH 8TH STREET MINNEAPOLIS, MN 55404 18-0090	(612) 332-7281	GENL	12/31/2018	12/31/2018	BC008368
KMI MECHANICAL, INC. 17089 COMMERCIAL PARK ROAD BRAINERD, MN 56401 18-0091	(218) 454-0828	MECH	2/1/2018	3/11/2018	MB004834 PC645047
JAMAR COMPANY, THE 4701 MIKE COLALILLO DRIVE DULUTH, MN 55807 18-0092	(218) 628-1027	MECH	12/31/2018	9/8/2018	MB003320 PC644545 HC000126
HEARTLAND GLASS COMPANY, INC. 401 SUNDIAL DRIVE WAITE PARK, MN 56387 18-0093	(320) 259-1679	GLAS	8/1/2018	12/31/2018	
CARL E. JOHNSON PLUMBING & HEATING 12898 160TH STREET PO BOX 26 MILACA, MN 56353 18-0094	(320) 983-2171	MECH	9/25/2018	11/17/2018	MB003624 PC003624

CITY OF BRAINERD
 LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 2, 2018
 (3 New, 32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
NORTHERN LAKES PLUMBING LLC 6108 25TH AVENUE SW PO BOX 681 PEQUOT LAKES, MN 56472 18-0095	(218) 251-4647	PLUM	6/12/2018	12/31/2018	PC671456
ALL SEASON HEATING & AC OF BRD, INC 11502 THIESSE ROAD BRAINERD, MN 56401 18-0096	(218) 825-0513	MECH	12/1/2018	10/8/2018	MB004765
BOLDT COMPANY, THE 2525 NORTH ROEMER ROAD APPLETON, WI 54911 18-0097	(920) 739-6321	GENL	1/1/2019	12/31/2018	

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: December 28, 2017
Re: December 2017 Fire Department Monthly Report, To Date

December will end another great year at the fire department. We have been able to do a lot of great things this last year and December was another busy month. We participated in several activities to focus on the communities we serve. We rang bells for the Salvation Army and participated in the Day of Caring. We gave Santa a ride to the downtown Gnome for the Holiday event, even Santa needs a ride sometimes. We also made sure our fire families were a priority this holiday season and had a gingerbread house making family fun night for all our kids.



In December, we continued with our focus on training and had several great training sessions. We held training in EMS, Forcible Entry/RIT, Officer Development and a Confined Space refresher. The confined space refresher was at the Brainerd Industrial Center which is a great training area and we must thank Mike Higgins and his crew every time we can train there. The BIC offers a very unique opportunity and area for us to use. The training was a full-scale exercise and it went very well. FM/DC Cox also continued his MBFTE Leadership Academy courses with another class at Camp Ripley.



December ended with several structure fires over the cold holiday week. Luckily, no one was injured and the crews were able to safely extinguish the fires.

We want to continue to remind everyone that smoke alarms save lives and play a vital role in reducing fire deaths and injuries. A closed door may slow the spread of smoke, heat and fire. Install smoke alarms in every sleeping room and outside each separate sleeping area. Install alarms on every level of the home.



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

Structure Fire	5
Chimney Fire	1
Grass Fire	2
Motor Vehicle Crash with Injuries	1
Ice Rescue	1
Smoke Removal	1
Good Intent Call	3
Public Service, Assist other Agency	2
Canceled Enroute	8
Alarm System Activation	3
Carbon Monoxide Detector Activation	3
Mutual Aid Request	1
Total	31

City of Brainerd Incident Report

Structure Fire	1
Grass Fire	1
Motor Vehicle Crash with Injuries	1
Smoke Removal	1
Good Intent Call	2
Canceled Enroute	5
Alarm System Activation	2
Carbon Monoxide Activation	2
Total	15

Parks and Recreation Report

January 2018

Submitted by Tony Sailer, Director

- Musco Lighting plans to begin installing the Memorial Park Field 3 lights and light poles in February. Electrical work is expected to begin once the ground thaws.
- The warming houses opened for the season on Dec. 17. There were extended hours during the Christmas break.
- The Pond Hockey season begins Jan. 2 with games starting Jan. 13.
- MLK Winter Fun Day will take place from noon to 4 p.m. on Jan. 15 at Mill Avenue Park. Activities will include hockey and broomball. Participants will be asked to donate a non-perishable item for the Food Shelf or a coat to be donated to Kinship. The event is being co-sponsored with Brainerd Community Education.

2017 Park Improvements

- A new announcer's booth at the Bane Park Pony League field was constructed, replacing the 2-story former concession stand/announcer's booth. Park Dedication funds were used.
- New fenced dugouts at the Bane Park Pony League field replaced the brick dugouts. Park Dedication funds were used.
- The Gregory Park center court area was landscaped with new vegetation and wood chips and 10 Sienna Glen maple trees were planted along the boulevards using a grant from Essentia Health.
- Supports were added to the new sunscreen (erected the previous fall) at Memorial Park.
- After two years of sitting idle, the Gregory Park fountain is functional again. Donations and Capital Improvement funds were used. Sponsor bricks were installed.
- The gravel bed at Central Lakes College was used for the first time to grow 150 Japanese lilac and willow whips which were planted later in the summer at Lum Park. A University of Minnesota grant was used to purchase the whips.
- The Boom Lake fishing pier walkway was completed with assistance from the Brainerd Kiwanis Club.
- A new scoreboard was installed at the Buffalo Hills-Lions Park Field 1. Funds were provided through the Viking Coca-Cola beverage contract.
- A new, sturdier designed hockey rink was constructed at Bane Park using Capital Improvement funds.
- New wall sections were installed at Mill Field. The outfield wall was painted.
- Staff and volunteers planted 1,500 red maples, nanny berry and pin cherry saplings at Buffalo Hills-Lions Park through a donation from the Minnesota DNR.
- Painted the maintenance buildings at Jaycees, Bane and Buffalo Hills-Lions parks.

2017 Special Events

• Valentine's Day Skating Party	250 participants
• Bicycle Clinic	75 participants
• Easter Egg Hunt	485 participants
• Fishing Clinic	75 participants
• Minnesota Twins Clinic	36 participants
• Great Pumpkin Festival	300 participants
Total	1,221 participants

- Parks staff also hosted Arbor Day at Garfield Elementary School.
- Staff assisted with the Wounded Warriors event at Mills Field which drew 2,000 spectators.

2017 Tournaments

The Parks and Recreation Department hosted one adult softball and five youth baseball tournaments in 2017.

- The 10, 11, 12 and 13 & Under state baseball qualifiers drew 48 teams.
- The 15 & Under state baseball tournament drew 24 teams.
- The Early Bird softball tournament drew 18 teams.

In addition to the tournaments listed above, the Parks and Recreation Department will also host a 14 & Under state baseball qualifier in 2018 and are in discussions with ASA/USA Softball to possibly host an adult softball state tournament.

RESOLUTION
NO. __:18

SIGNATURE AUTHORIZATION FOR 2018 CAPITAL PROJECTS FOR THE
BRAINERD LAKES REGIONAL AIRPORT

BE IT RESOLVED that the Chairman and/or Vice Chairman of the Brainerd Lakes Regional Airport Commission is hereby authorized and directed to act as the authorized representative of the City of Brainerd for all 2018 capital projects for airport operations, and the same is hereby authorized and directed to execute and affix his signature to any and all required documents pertinent thereto, and all amendments thereof.

Adopted this ____ day of January, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of January, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



BRAINERD DISPATCH

SERVING THE BRAINERD LAKES AREA AND CENTRAL MINNESOTA SINCE 1881

December 26, 2017

City of Brainerd

You signed a **\$5,000** contract with us this year. The City fulfilled that contract by purchasing **\$5663.14** worth of advertising with us so far this year.

It is now time to decide if you would like to sign a contract with us again for 2018.

My recommendation, based on your history with us, would be for you to sign a **\$5,000 contract** for the 2018 year. That would entitle your office to a rate of **\$12.70** per column inch. Any dollars spent with Brainerd Dispatch/Echo Publishing for advertising products or services will contribute toward contract fulfillment. Contract level discounts are applicable for advertising products and services excluding: Discover Racks, Event Wraps, Early Bird, Employment, Magazine, Job Printing (flyers, magazines, postcards, etc.), Digital products, and any Classified categorized advertising (Real Estate, Automotive, Service Directory, etc).

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

Sincerely,



Ann Windorski
Legal Advertising Coordinator

Enclosures



ANNUAL CONTRACT

BUSINESS PARTNERSHIPS
WITH REAL SOLUTIONS

Advertiser: City of Brainerd

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

The Advertiser agrees to purchase \$ 5,000 or a frequency of _____ of advertising services from us during the next twelve months.

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

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

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

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

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

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

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

Accepted for Dispatch/Echo:

Ann Windorski

Signed:

Ann Windorski

Advertiser:

City of Brainerd

Signed:

Date:

12/8/17

(Owner or Authorized Representative)

Comments:



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

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

January 2, 2017
City Hall Conference Room
7:00 PM

1. Approval of Bills, Transfer of Funds & Payments to Contractors

General Fund to Airport Fund per Budget	\$155,500
General Fund to Mayor Contingency Fund per Budget	\$2,500
General Fund to IT Capital Fund per Budget	\$20,000
Public Safety Fund to Fire Capital Fund per Budget	\$57,000
Public Safety Fund to Debt Service Fund per Budget	\$51,946

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
S.E.H.	14-15	Airport Util Ext thru 11/30	\$4,906	\$0
S.E.H.	17-08	2019 SRTS Sidewalks thru 11/30	\$9,886	\$0

2. Fire Department Grant Applications

3. Parks and Recreation – 2018 Seasonal Employee Pay Rates

4. Resolution & Joint Powers Agreement (JPA) with BCA for National Incident-Based Reporting System (NIBRS) Project



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

BRAINERD PARKS AND RECREATION

2018 Pay Rates for Temporary Seasonal Positions

Effective January 2018

Adult Softball Umpire	\$24.00/game
American Sign Language Interpreter	Market rate
Baseball League Umpire	\$23.00/game – Mustang/Bronco \$28.00/game - Pony
Baseball Tournament Umpire	\$30.00/game – 10U/11U \$35.00/game – 12U/13U \$45.00/game - State
Pond Hockey Referee	\$20.00/game
Temporary Seasonal Hourly Workers: Clerical, maintenance, and recreation aides	\$11.00/hour
Temporary Seasonal Hourly Workers: Concession workers and warming house attendants	\$10.00-\$11.00/hour
Tournament Scorekeeper/Announcer	\$15.00/game
Weekend Maintenance Worker	\$13.00/hour
Youth Softball Umpire	\$20.00/game

Effective January 1, 2018, the Minnesota state minimum wage is \$9.65 per hour for large employers.



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date:

Title of Item:

- ☐ INFORMATION ONLY
☐ CONSENT AGENDA
☐ P&F COMMITTEE
☐ SPW COMMITTEE
☐ MAIN AGENDA

Action Requested:

- ☐ Approve/Deny Motion
☐ Adopt Resolution (attach draft) **provide copy of published hearing notice*
- ☐ Direction Requested
☐ Discussion Item
☐ Hold Public Hearing*
☐ Ordinance 1st Reading

Submitted by:

Department:

Presenter (Name & Title):

Estimated Time Needed:

Summary of Issue:

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☐ No

What is the total cost, with tax and shipping \$ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

RESOLUTION NO. _____

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENT (JPA)
ON BEHALF OF MINNESOTA BUREAU OF CRIMINAL APPREHENSION (BCA)
WITH THE CITY OF BRAINERD ON BEHALF OF ITS POLICE DEPARTMENT
FOR PARTICIPATION IN NIBRS SYSTEM DEVELOPMENT, IMPLEMENTATION, AND
ELIGIBLE PROJECT GRANT FUNDING**

WHEREAS, the City of Brainerd on behalf of its Police Department desires to enter into a Joint Powers Agreement with the State of Minnesota on behalf of the BCA for the Brainerd Police Department to receive funding to use to implement an adapter to make its Joint Records Management system hosted by Crow Wing County, compatible with Minnesota National Incident-Based Reporting System requirements for which the Brainerd Police Department is eligible.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brainerd, Minnesota as follows:

1. That the State of Minnesota Joint Powers Agreement by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Brainerd on behalf of its Police Department, is hereby approved. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.
2. That the Police Chief Corky McQuiston and his successor(s), is designated the Authorized Representative for the Brainerd Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the participation in the project.

To assist the Authorized Representative with the administration of the agreement, Police Administrative Supervisor Julie McCullough is appointed the Authorized Representative's designee.

3. That Corky McQuiston, Chief of Police for the City of Brainerd, is authorized to sign the State of Minnesota Joint Powers Agreement for this project.

Adopted this ____ day of _____, 2017

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of _____, 2017

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



STATE OF MINNESOTA JOINT POWERS AGREEMENT

This agreement is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension [BCA] ("State") and the City of Brainerd on behalf of its Police Department ("Governmental Unit").

Recitals

Under Minnesota Statutes § 471.59, subdivision 10, the State is empowered to engage such assistance as deemed necessary. The State is the agency that collects incident data and through which Minnesota crime statistics are reported to the Federal Bureau of Investigation (FBI). The FBI has established January 1, 2021, as the deadline by which all states must submit crime statistics in the National Incident-Based Reporting System (NIBRS) format. The State is in need of assistance from the Governmental Unit to develop, implement and certify the integration of incident reporting and the submission of crime statistics in the NIBRS format as well as crime statistics unique to Minnesota (MN-NIBRS).

Agreement

1 Term of Agreement

- 1.1 Effective Date.** This Agreement is effective **on** the date the State obtains all required signatures under Minnesota Statutes § 16C.05, subdivision 2, whichever is later.
- 1.2 Expiration Date.** October 31, 2019, or when all obligations have been satisfactorily fulfilled, whichever occurs first.

2 Agreement between the Parties

Law enforcement agencies in the State of Minnesota are required to report crime statistics to the State. In turn, the State reports those statistics to the FBI. See Minnesota Statutes § 299C.05. Current crime statistics reporting has less detail than is required to be MN-NIBRS compliant. The State has funding available to assist the Governmental Unit to develop, implement and certify crime statistics reporting to meet MN-NIBRS requirements as well as submit incident data for use during investigations. See Minnesota Statutes § 299C.40.

The Governmental Unit will:

1. Continue to submit its crime statistics as it does on the effective date of this agreement until its submissions have been certified by State as MN-NIBRS compliant.
2. Coordinate and communicate with any other government agencies using Governmental Unit's records management system (RMS) to do crime reporting to ensure that all understand the benefits of transitioning to NIBRS.
3. Draft an agreement with its RMS vendor to develop and implement an electronic submission format that will report its incident data in a way that meets BCA requirements and crime statistics in a way that meets MN-NIBRS requirements. The agreement must provide that the vendor: (a) make the work done for the Governmental Unit compliant with State's requirements as listed below in Items 9 and 10; (b) be informed of changes to the requirements in Items 9 and 10; (c) make the work done for the Governmental Unit part of its product that is available to Minnesota agencies for no additional development or license fee; (d) allow the vendor to charge other Minnesota agencies a reasonable fee for installing, testing and configuring the MN-NIBRS compliant product; (e) provide vendor with documentation of the programming done to implement the Crime Reporting System (CRS) requirements; (f) require the vendor to assist in the resolution of any errors during the testing period; and (g) require that the vendor will provide the Governmental Unit with any documentation necessary for the successful operation of the submissions.
4. Submit the draft agreement with its RMS vendor to State for approval prior to execution.
5. Create a project plan with its vendor that shows how the vendor will ensure that all the work required for the Governmental Unit to submit incident data and MN-NIBRS complaint crime statistics are within the term of this Agreement.

6. Submit the project plan with its RMS vendor to State for approval.
7. The Governmental Unit cannot authorize work on the development and implementation of the MN-NIBRS compliant submissions until the State has approved the draft agreement, it has been completely executed and the project plan has been approved by State.
8. Require its own staff and that of the RMS vendor to attend the periodic status meetings and demonstrations organized by the State.
9. With help from its vendor, map the data elements in its RMS to the data elements as established by State. These requirements are found in the "CRS Vendor Adapter Specifications" posted on the BCA website at <https://app.dps.mn.gov/cjdn/> and updated from time to time. This document and any revisions posted to the website are incorporated by reference. The Governmental Unit is responsible for checking the website periodically for updates and providing them to the vendor.
10. Ensure that the development and implementation meet the requirements of the Minnesota Department of Public Safety's Security Architecture, State of Minnesota Non-Visual Access Standards, CRS Vendor Adapter Specifications, and CRS Data Mapping Requirements, all of which are posted on the BCA website at <https://app.dps.mn.gov/cjdn/> and updated from time to time. These documents and any revisions posted to the website are incorporated by reference. The Governmental Unit is responsible for checking the website periodically for updates to these documents and providing any changes to its vendor.
11. Test its electronic submissions in the State's test environment according to the "CRS Agency Deployment NIBRS Test Plan" posted on the BCA website at <https://app.dps.mn.gov/cjdn/> and updated from time to time. This document and any revisions posted to the website are incorporated by reference. The Governmental Unit is responsible for checking the website periodically for updates.
12. Achieve certification for its electronic submissions by sending three (3) consecutive months of MN-NIBRS compliant statistics with an error rate below 4% each month. This requirement applies to all government agencies doing crime reporting via the RMS.
13. Change to reporting crime statistics in coordination with the State at a date and time specified by the state.

The State will:

- A. Accept Governmental Unit's crime statistics in the format in use on the effective date of this Agreement.
- B. Provide the documents listed in Items 9 and 10 above and keep them current including any changes made by the State or FBI.
- C. Review Governmental Unit's agreement with its RMS vendor for the required content and either approve or reject the agreement. State will notify Governmental Unit what has to be changed to receive approval. State will act within 10 business days of receiving the draft agreement.
- D. Review Governmental Unit's project plan within 10 business days of submission. State will either approve or reject the project plan. State will notify Governmental Unit what has to be changed, if anything, to receive approval.
- E. Schedule periodic status meetings and demonstrations as needed to ensure the project is completed.
- F. Provide electronic schema and sample submission files that Governmental Unit can share with its vendor.
- G. Provide access to its test environment so that Governmental Unit can test its submissions.
- H. Verify and validate Governmental Unit's submissions during the test period.
- I. Provide training to Governmental Unit on the submission requirements and best practices for MN-NIBRS compliance.
- J. Verify and validate Governmental Unit's submissions during the certification period including those made by government agencies using the RMS.
- K. Issue written certification of MN-NIBRS compliance to Governmental Unit and any other government agencies submitting using the RMS when the standards for submission have been met.
- L. Provide access to its production environment and authorize Governmental Unit to switch to MN-NIBRS reporting following the written certification.

3 Payment

The State will make payments to the Governmental Unit in accordance with the following deliverables list.

Deliverable	Payment
Receipt of an executed, approved Agreement between Governmental Unit and RMS vendor	\$6,875
Approval of project plan	\$6,875
Mapping document of RMS data elements to CRS data elements	\$6,875
First Successful Test Submission	\$6,875

Completion of Training Provided by Vendor	\$6,875
RMS Documentation to support successful operation (training and/or administrative documentation)	\$6,875
Ready to submit to production CRS as evidenced by successful completion of the CRS Agency Vendor NIBRS Test Plan by Governmental Unit staff	\$6,875
Certification of submissions of all appropriate investigative and crime data by the Governmental Unit	\$6,875

The total obligation of the State under this agreement will not exceed \$55,000 (Fifty-five Thousand Dollars).

4 Authorized Representatives

The State's Authorized Representative is the person below or her successor:

Name: Dana Gotz, Deputy Superintendent
Address: Department of Public Safety; Bureau of Criminal Apprehension
1430 Maryland Street East
Saint Paul, MN 55106
Telephone: 651.793.1007
Email Address: dana.gotz@state.mn.us

The Governmental Unit's Authorized Representative is the person below or his/her successor:

Name: Corky McQuiston, Chief
Address: 225 East River Road
Brainerd, MN 56401
Telephone: 218-829-2805
Email Address: corky.mcquiston@ci.brainerd.mn.us

5 Assignment, Amendments, Waiver, and Agreement Complete

- 5.1 Assignment.** The Governmental Unit may neither assign nor transfer any rights or obligations under this agreement without the prior consent of the State and a fully executed Assignment Agreement, executed and approved by the same parties who executed and approved this agreement, or their successors in office.
- 5.2 Amendments.** Any amendment to this agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
- 5.3 Waiver.** If the State fails to enforce any provision of this agreement, that failure does not waive the provision or its right to enforce it.
- 5.4 Agreement Complete.** This agreement contains all negotiations and agreements between the State and the Governmental Unit. No other understanding regarding this agreement, whether written or oral, may be used to bind either party.

6 Liability

The State and Governmental Unit agree each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The State's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. The Governmental Unit's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes §§ 466.01-466.15, and other applicable law.

7 State Audits

Under Minnesota Statutes § 16C.05, subdivision 5, the Governmental Unit's books, records, documents, and accounting procedures and practices relevant to this agreement are subject to examination by the State and/or the State Auditor or Legislative Auditor, as appropriate, for a minimum of six years from the end of this agreement.

8 Government Data Practices

The Governmental Unit and State must comply with the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13, as it applies to all data provided by the State under this agreement, and as it applies to all data created, collected, received, stored, used, maintained, or disseminated by the Governmental Unit under this agreement. The civil remedies of Minnesota Statutes § 13.08 apply to the release of the data referred to in this clause by either the Governmental Unit or the State.

If the Governmental Unit receives a request to release the data referred to in this Clause, the Governmental Unit must immediately notify the State. The State will give the Governmental Unit instructions concerning the release of the data to the requesting party before the data is released.

9 Venue

Venue for all legal proceedings out of this agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

10 Termination

10.1 Termination. The State or the Governmental Unit may terminate this agreement at any time, with or without cause, upon 30 days' written notice to the other party.

10.2 Termination for Insufficient Funding. The State may immediately terminate this agreement if it does not obtain funding from the Minnesota Legislature, or other funding source; or if funding cannot be continued at a level sufficient to allow for the payment of the services covered here. Termination must be by written or fax notice to the Governmental Unit. The State is not obligated to pay for any services that are provided after notice and effective date of termination. However, the Governmental Unit will be entitled to payment, determined on a pro rata basis, for services satisfactorily performed to the extent that funds are available. The State will not be assessed any penalty if the agreement is terminated because of the decision of the Minnesota Legislature, or other funding source, not to appropriate funds. The State must provide the Governmental Unit notice of the lack of funding within a reasonable time of the State's receiving that notice.

11 E-Verify Certification (In accordance with Minnesota Statutes § 16C.075)

For services valued in excess of \$50,000, Governmental Unit certifies that as of the date of services performed on behalf of the State, Governmental Unit and all its subcontractors will have implemented or be in the process of implementing the federal E-Verify program for all newly hired employees in the United States who will perform work on behalf of the State. Governmental Unit is responsible for collecting all subcontractor certifications and may do so utilizing the E-Verify Subcontractor Certification Form available at <http://www.mmd.admin.state.mn.us/doc/VerifySubCertForm.doc>. All subcontractor certifications must be kept on file with Governmental Unit and made available to the State upon request.

12 Continuing Obligations

The following clauses survive the expiration or cancellation of this Agreement: 6, Liability; 7, Audits; 8, Government Data Practices; and 9, Venue.

1. STATE ENCUMBRANCE VERIFICATION

Individual certifies that funds have been encumbered as required by Minnesota Statutes §§ 16A.15 and 16C.05.

Signed: _____

Date: _____

SWIFT PO Number: 3-49651

2. GOVERNMENTAL UNIT

By: _____

Title: _____

Date: _____

By: _____

Title: _____

Date: _____

3. DEPT. OF PUBLIC SAFETY; BCA

By: _____
(with delegated authority)

Title: _____

Date: _____

4. COMMISSIONER OF ADMINISTRATION

As delegated to Office of State Procurement

By: _____

Date: _____

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

January 2, 2018
City Council Chambers
7:00 PM

1. Tax Forfeit Non-Conservation Parcel – 601 S 10th Street
2. Multi-Use Trail Snow Removal



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



December 14, 2017

City of Brainerd
Jim Thoreen, City Clerk
501 Laurel Street
Brainerd, MN 56401

RECEIVED

DEC 18 2017

CITY OF BRAINERD
ADMINISTRATION

Re: Classification to "Non-Conservation" and Future Direct Sale of a Non-Conforming Tax Forfeited Tract

Dear Mr. Thoreen:

In the near future, the Crow Wing County Board of Commissioners will classify the tax forfeited tract(s), below, as "Non-Conservation" which is required prior to sale pursuant to MS 282.01.

Lot 21, Block 9, Chippawa Addition to the City of Brainerd

RE Code: 091170090210009

Before, however, Crow Wing County can proceed with its plans to offer this tract for sale, the city or township wherein these tracts lie, ***"must first approve the classification and intended sale"*** by the County Board. The city or township ***"is considered to have approved the classification and sale if the county board is not notified of the disapproval.....within 60 days of the date"*** of this letter.

If you respond within 60 days and do not support the County Board's action, ***"the County Board must follow the procedures in paragraphs (c) and (d), with regard to the parcel, and must additionally cause to be published in a newspaper a notice of the date, time, location, and purpose of the required meeting."***

Gary Griffin, Director
Land Services Department
322 Laurel Street, Suite 15
Brainerd, MN 56401

Our Vision: Being Minnesota's favorite place.
Our Mission: Serve well. Deliver value. Drive results.
Our Values: Be responsible. Treat people right. Build a better future.

Office: (218) 824-1010
Fax: (218) 824-1126
www.crowwing.us



According to MS 282.01, Subdivision 1, If the town or city ***"fails to submit an application and a resolution of the board or governing body to acquire the property within the six month withholding period, the county may offer the property for sale upon expiration of the withholding period."***

Whenever tax forfeited land is proposed to be sold, a generic form letter containing the language above is mailed to the township or city wherein the tax forfeited land lies. The language, above, stipulates the Statutes which apply and does reference a PUBLIC SALE which is the typical sale method. **IN THIS CASE, HOWEVER, CROW WING COUNTY PLANS TO PURSUE A POSSIBLE ALTERNATE SALE PROCEDURE PURSUANT TO MS 282.01, SUBD 7A, WHICH ALLOWS THE COUNTY BOARD TO SELL THIS BLIGHTED PROPERTY TO THE BRAINERD HRA.**

The tax forfeited tract.....

- Is 0.08 acre in size.
- Forfeited 9-19-2017
- The Brainerd HRA would like to purchase to help eliminate blight.

Please review the tax forfeited tract, attached, and inform this Department of your approval or disapproval of the County Board's future action to classify said tract to a "non-conservation" status with intentions to sell to the Brainerd HRA.

If you have further questions, please give me a call.

Sincerely,

Heather Becker

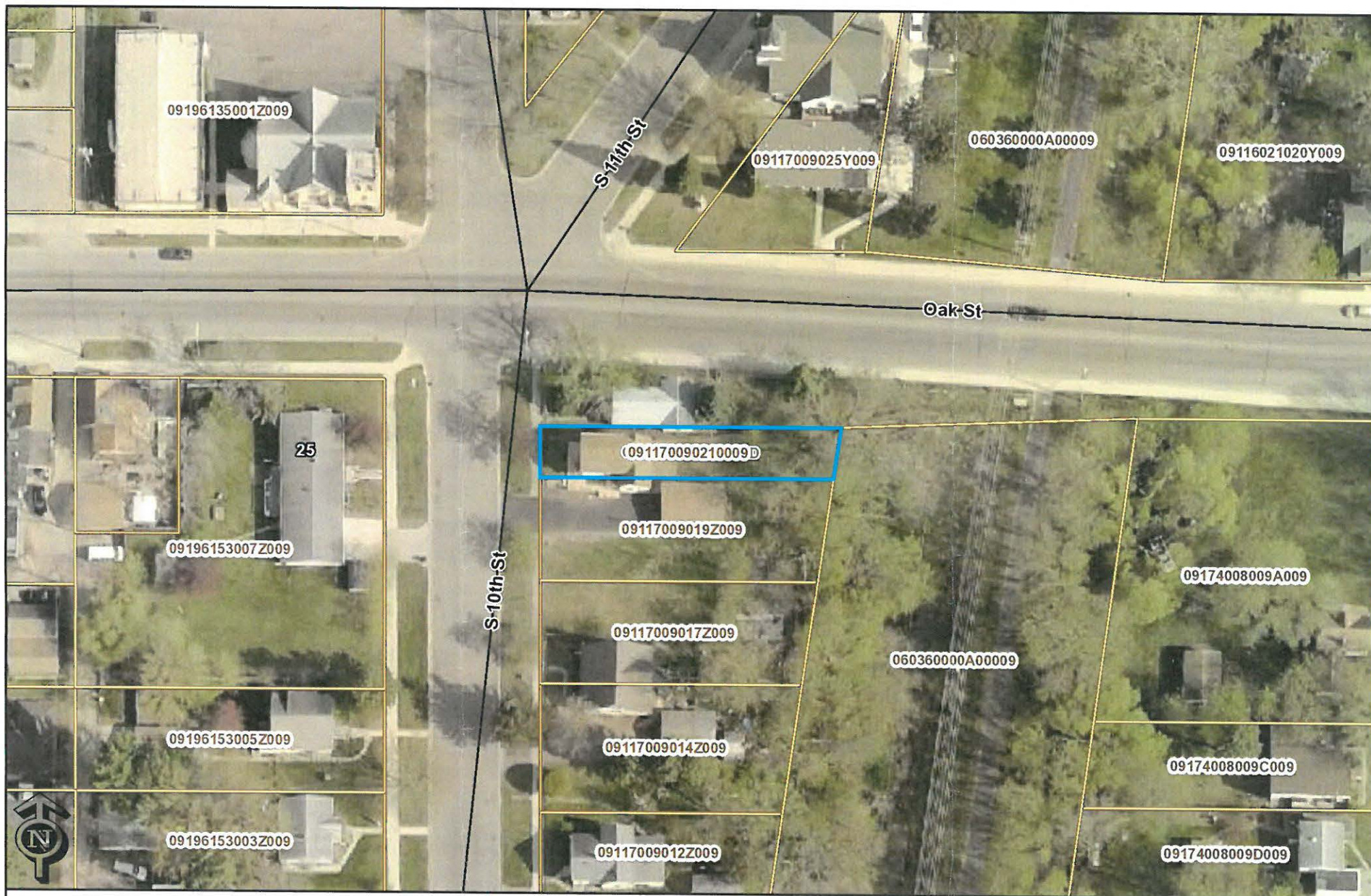
Assessment Specialist

Encl: map

Our Vision: Being Minnesota's favorite place.

Our Mission: Serve well. Deliver value. Drive results.

Our Values: Be responsible. Treat people right. Build a better future.



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.

091170090210009

Date: 12/14/2017 Time: 10:38:54 AM





324 East River Road
Brainerd, MN 56401

Phone: 218/828-3705
Fax: 218/828-8817

To: Personnel and Finance Committee Members

From: Jennifer Bergman, Executive Director

A handwritten signature in blue ink, appearing to be "JB", is written over the name "Jennifer Bergman".

Date: September 14, 2017

Re: Consider Waiving Special Assessment on 601 10th Street S

The property at 601 10th Street South in Brainerd is going into tax forfeiture on September 19th, 2017. This has been a problem property for the City and we have been asked by Building Official Tim Caughey to assist in the acquisition and demolition of the house through our Scattered Site Replacement Program.

By Ordinance and State Statute, the County is required to sell the property for the estimated market value plus any outstanding assessments. However, if the property meets the blight criteria, the County is able to convey the property to the Brainerd HRA for less.

Currently there is a total of \$4,470.98 in special assessments from 2011-2016 plus an additional \$1,129.00 that will be assessed for pay year 2018. The delinquent taxes will be forgiven by the County but we would still be responsible for the balance of the delinquent assessments that have been accumulated by the City of Brainerd in the amount of \$5,599.88 excluding interest for 2017 assessments.

The Brainerd HRA is asking the City Council to consider the resolution that the City agrees upon conveyance of the tax forfeit parcel by the County to the Brainerd HRA, that it will waive in perpetuity its statutory right to recertify the assessments to 601 10th Street South.



Subd. 7a. **City sales; alternate procedures.** Land located in a home rule charter or statutory city, or in a town which cannot be improved because of noncompliance with local ordinances regarding minimum area, shape, frontage or access may be sold by the county auditor pursuant to this subdivision if the auditor determines that a nonpublic sale will encourage the approval of sale of the land by the city or town and promote its return to the tax rolls. If the physical characteristics of the land indicate that its highest and best use will be achieved by combining it with an adjoining parcel and the city or town has not adopted a local ordinance governing minimum area, shape, frontage, or access, the land may also be sold pursuant to this subdivision. If the property consists of an undivided interest in land or land and improvements, the property may also be sold to the other owners under this subdivision. The sale of land pursuant to this subdivision shall be subject to any conditions imposed by the county board pursuant to section _____



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Section 825 - Sidewalks

825.01 Rescinded. Amending Ord. 840, Sec. 1 – 1986

825.03 Removal of Obstructions and Hazards. Subdivision 1. General Rule. The owner and the occupant of any property adjacent to a public sidewalk and multi-use trail constructed within a street Right-of-Way to function as a sidewalk shall use diligence to keep such sidewalk and trail safe for pedestrians in accordance with this Section.

Subd. 2. Nuisance on a Public Sidewalk. An accumulation of dirt, debris, rubbish, or snow and ice on a public sidewalk more than 48 hours after its deposit thereon shall constitute a public nuisance. The owner of any property abutting a public sidewalk or any responsible person designated by the owner shall clean or cause to be cleaned such sidewalk so that it will be free of dirt, debris, rubbish or snow and ice. Sand and/or a chemical de-icer shall be applied on said sidewalk when ice or snow cannot be readily removed, so that such walkway can be made reasonably safe for use.

Subd. 3. Nuisance on a Public Trail. The owner of property or any responsible person designated by the owner abutting a public multi-use trail where constructed within a street Right-of-Way to function as a sidewalk shall clean or cause to be cleaned such trail so that it will be free of dirt, debris, rubbish or snow and ice within the time frame as outlined in subdivision 2 of this Section. Snow and ice shall be cleared from the edge of the grass adjacent to the trail toward the street to a width of at least six (6) feet. Sand and/or a chemical de-icer shall be applied on said trail when ice or snow cannot be readily removed, so that such walkway can be made reasonably safe for use.

Subd. 4. Notice and Assessment. If such owner or owner's designee fails to comply with the requirement to clean dirt, debris, rubbish or snow and ice within 48 hours of the date of the notice after such notice is provided by personal delivery or First Class mail, the City shall issue an Administrative Citation which carries a fine and shall cause such sidewalk and/or multi-use trail to be cleaned and the expense thereof shall be billed to the property owner and shall constitute a lien upon such property. For snow and ice removal, the first such notice shall serve as the only notice to the property owner for the winter season. Repeat offenses caused by the failure to abate the nuisance will automatically be abated without further notice to the property owner and subject to subsequent Administrative Citation issuance, with said abatement charges billed to the property owner.

Subd. 5. Collection of Charges. On or before September 1 of each year, the City Administrator or designee shall list the total unpaid charges for services performed against each separate lot or parcel to which they are attributable under this Section. The Council may then spread the charges against property benefited as a special assessment pursuant to the provisions under Minnesota Statutes, Section 429.101 and other pertinent statutes for certification to the County Auditor and collection along with current property taxes the following year.

(Amended Ord. 958 – 1994, Ord. 1390 - 2011)



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

CITY OF BRAINERD

LICENSE CENTER/ANNEX REMODEL PROJECT

December, 2017

QUOTATION FORM

Quote

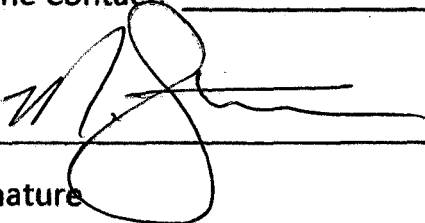
A. Painting of walls	\$ <u>4813.00</u>
B. Carpet/Vinyl	\$ <u>12,996.00</u>
C. Installation of Insulation	\$ <u>1,715.00</u>
D. Replace Drop-In Ceiling Tiles	\$ <u>3,523.00</u>
E. Re-Lamp all Light Fixtures	\$ <u>1,574.00</u>
(a.) Replace () Fixtures	\$ <u>2,407.00</u>
F. Add Outlets	\$ <u>2,311.00</u>
TOTAL	\$ <u>29,339.00</u>

Submitted this 20 day of Dec., 2017

Contractor: Nor-Son, Inc. General (x) yes () no

Address: 7900 Hastings Road, Baxter, MN 56425

Phone Contact: 218-828-1722



Signature

12/20/17

Date

Jmt09/17

CITY OF BRAINERD

LICENSE CENTER/ANNEX REMODEL PROJECT

December, 2017

QUOTATION FORM

Quote

A. Painting of walls	\$ <u>3774.00</u>
B. Carpet/Vinyl	\$ <u>7,032.00</u>
C. Installation of Insulation	\$ <u>2,744.00</u>
D. Replace Drop-In Ceiling Tiles	\$ <u>4,834.00</u>
E. Re-Lamp all Light Fixtures	\$ <u>3,489.00</u>
(a.) Replace () Fixtures	\$ _____
F. Add Outlets	\$ <u>1,391.00</u>
TOTAL	\$ <u>23,264.00</u>

Add \$1,078.00 for
Carpet East side Hallway F
and Vinyl Flooring west
of entrance to Deniers
License Exam Room

Add \$5,112.00 to Remove
and Replace all Overhead
Light fixtures in office
Rooms A, D, E, Hallway
F and Waiting Room A

Submitted this 20th day of Dec, 2017

Contractor: H-Tec Construction General (x) yes () no

Address: 11360 Business 371 - Brainerd, MN 56401

Phone Contact: 218.829.8529

De Zagon

Signature

December 20, 2017

Date

Jmt09/17

CITY OF BRAINERD

LICENSE CENTER/ANNEX REMODEL PROJECT

December, 2017

QUOTATION FORM

Quote

A. Painting of walls \$ 2,600

B. Carpet/Vinyl \$ 5,350

C. Installation of Insulation \$ 900

D. Replace Drop-In Ceiling Tiles \$ 3,680

E. Re-Lamp all Light Fixtures \$ 850

(a.) Replace () Fixtures \$ 2,150

F. Add Outlets \$ 250/each

G. ~~General Construction~~ \$ 5,750

*cheaper options available
based on flooring configurations*

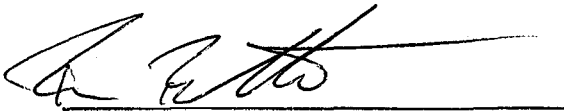
TOTAL: 21,280.⁰⁰

Submitted this 20th day of December, 2017

Contractor: Barrett Brothers Construction Inc. General (X) yes () no

Address: 13872 Shafter Rd Crosslake MN 56401

Phone Contact: 218-692-1070



Signature

12-20-17

Date

Jmt09/17



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

RESOLUTION

NO. ____:18

SPONSORING AGENCY

BE IT RESOLVED, that the City of Brainerd agrees to act as sponsoring agency for a transportation alternatives project identified as Mississippi River Three Bridges Trail and has reviewed and approved the project as proposed. Sponsorship includes a willingness to secure and guarantee the local share of costs associated with this project and responsibility for seeing this project through to its completion, with compliance of all applicable laws, rules and regulations.

BE IT FURTHER RESOLVED THAT the City of Brainerd City Administrator is hereby authorized to act as agent on behalf of this sponsoring agency.

Adopted this ____ day of ____, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of ____, 2018

EDWIN L. MENK
Mayor

ATTEST:_____
CASSANDRA TORSTENSON
City Administrator

RESOLUTION

NO. ____:18

AGREEING TO MAINTAIN THE FACILITY

WHEREAS, The Federal Highway Administration (FHWA) requires that states agree to operate and maintain facilities constructed with federal transportation funds for the useful life of the improvement and not change the use of right of way or property ownership acquired without prior approval from the FHWA; and

WHEREAS, Transportation Alternatives projects receive federal funding; and

WHEREAS, the Minnesota Department of Transportation (MnDOT) has determined that for projects implemented with alternative funds. This requirement should be applied to the project proposer; and

WHEREAS, the City of Brainerd is the sponsoring agency for the transportation alternatives project identified as Mississippi River Three Bridges Trail.

THEREFORE BE IT RESOLVED THAT the sponsoring agency hereby agrees to assume full responsibility for the operation and maintenance of property and facilities related to the aforementioned transportation alternatives project.

Adopted this ____ day of ____, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of ____, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1476**

**AN ORDINANCE AMENDING BRAINERD ZONING ORDINANCE
SECTIONS 515-22-8 REGARDING OFF-STREET PARKING REQUIREMENTS FOR SCHOOLS**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Section 515-22-8 Number of Spaces Required shall be amended by removing the following:

515-22-8: Number of Spaces Required.

~~DD. — Schools, Elementary and Junior High. One (1) space for each classroom plus one (1) additional space for each three hundred (300) students, plus one (1) space for each employee, plus one (1) space for each four (4) seats in auditorium.~~

EE. School, ~~High Schools~~, Colleges and Universities. At least one (1) parking space for each two (2) students based on the design capacity plus one (1) space for each classroom. Auditorium or event space shall be subject to separate, additional calculations.

SECTION TWO: All other provisions of Section 515-22 shall remain in full force and effect.

SECTION THREE: This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this ____ day of ____, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of ____, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, ____, 2018

Mark Ostgarden

From: Ed Shaw <lawyer@edshawlaw.com>
Sent: Wednesday, December 20, 2017 5:55 PM
To: Mark Ostgarden; Charles Marohn
Subject: School parking

My wife and I support ending the required parking for schools. I am on the board of discovery woods school. Ending the requirements would be good for the school and the whole city.

Thank you

Ed

Sent from my iPhone

MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner

DATE: December 15, 2017

RE: Zoning Text Amendment – Remove Off Street Parking Spaces for Schools

Currently, should the school district desire to make improvements to any of its schools, the Zoning Ordinance includes the following formulas to calculate how many more off street parking spaces would be needed for the improvements.

Zoning Ordinance Section 515-22-8: Off Street Parking - Number of Spaces Required:

DD. Schools, Elementary and Junior High. One (1) space for each classroom plus one (1) additional space for each three hundred (300) students, plus one (1) space for each employee, plus one (1) space for each four (4) seats in auditorium.

EE. School, High Schools, Colleges and Universities. At least one (1) parking space for each two (2) students based on the design capacity plus one (1) space for each classroom. Auditorium or event space shall be subject to separate, additional calculations.

Should this amendment be approved, the formulas will be removed and the decision whether or not if additional off-street parking spaces should be provided and the number of spaces will be a school district decision.

Although the change would remove the off-street parking requirements, there still is a mechanism to ensure adequate off-street parking for schools. New schools and school changes are one of many uses that require a Conditional Use Permit. There are 6 zoning districts within that schools are a conditional use:

515-52 - RR, 53-RE, 54-R-1, 55-R-1A, 56-R-2, 57-R-3: Conditional Uses.

Public and private schools provided that:

1. The site accesses a major collector.
2. The site is landscaped in accordance with Section 20 of this Ordinance.
3. Off-street parking is provided in accordance with Section 22 of this Ordinance.
REQUIREMENT REMOVED JANUARY __, 2018.
4. Off-street loading and service entrances are provided as regulated by Section 23 of this Ordinance.
5. Emergency vehicle access is provided to and within the site.

During the Conditional Use Permit process, the city can inquire about how parking totals are determined and if there is concern about the number provided, more can be required as a condition of approval.

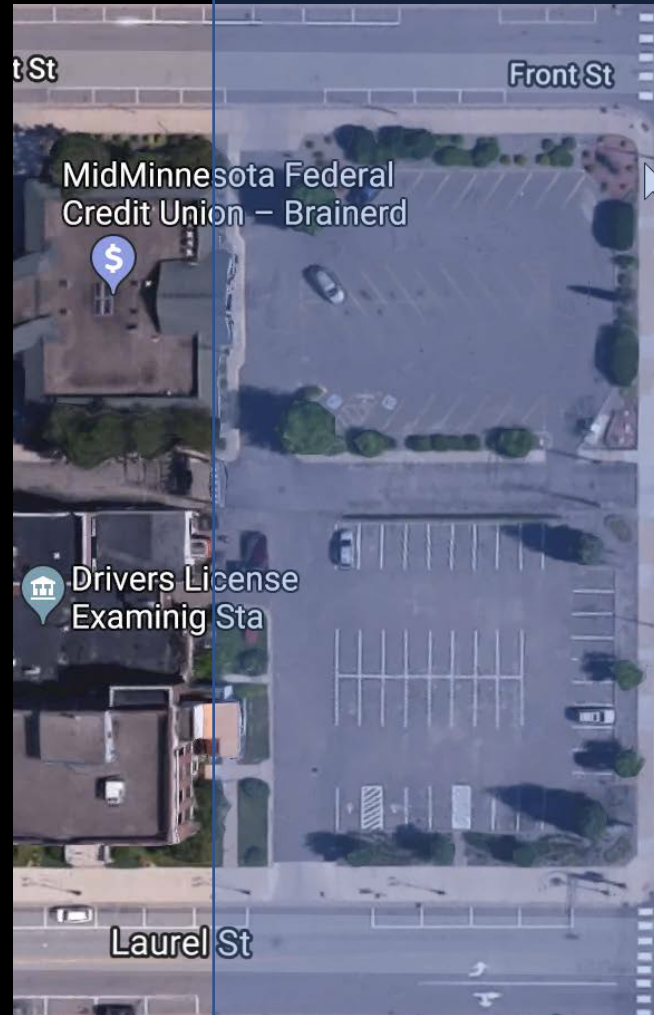
Several years ago, the formula for calculating minimum off street parking requirements for many of our commercial districts was removed. A new business, an existing business that is expanding or if a property's use changes, the determination of how many off street parking spaces should be provided is up to the property and/or business owner.

Central Lakes College and its property are not affected by these changes. If it is approved and CLC desires to have off street parking minimums removed for colleges and universities, it can apply to do so. Or, the Planning Commission could initiate the amendment if the school amendment is approved.

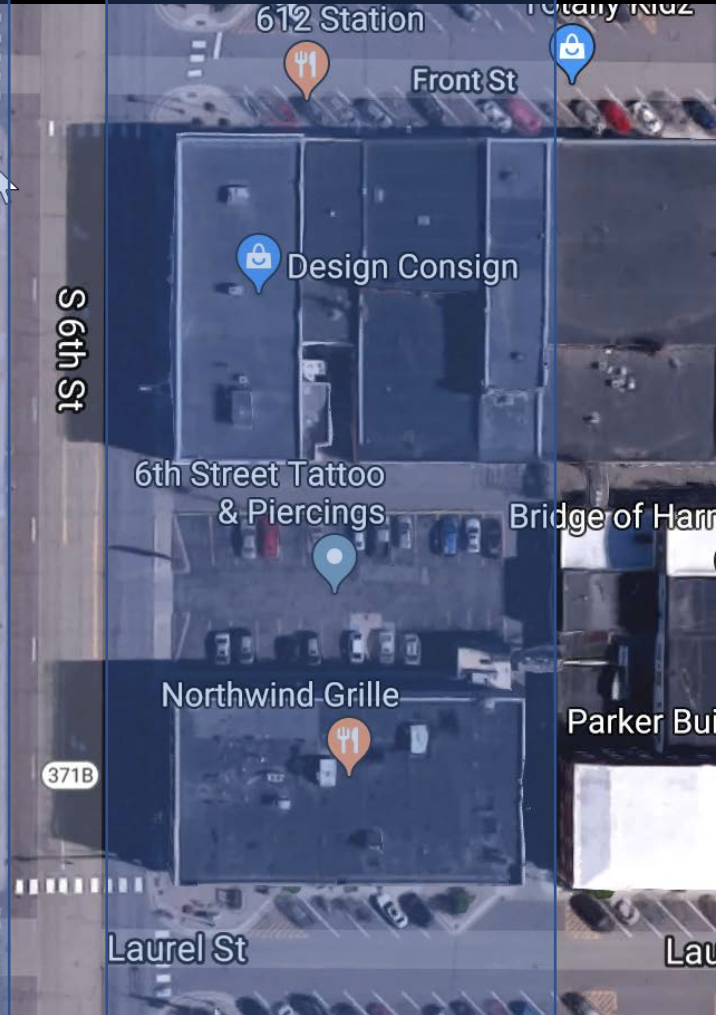
Zoning Ordinance text amendment changes only require a legal notice in the newspaper. Because this may be confusing or a concern to residents, all property owners within 350' of a school were notified. A copy of the mailing lists is included in the packet. Typically, these types of changes occur without the public realizing its happening.

Parking hurts our revenue.

\$162,400



\$844,000

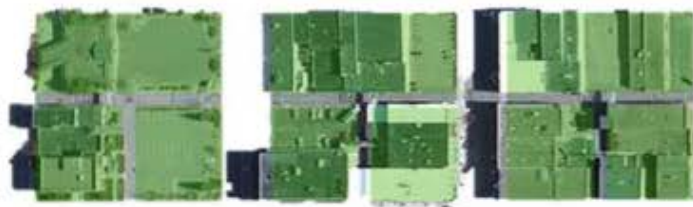




\$1,104,500

\$618,500





Nine Downtown Blocks

Taxable Acres: 16

Total Tax Value: \$20,775,340

Total Tax Production: \$344,363



Net Value per Acre: **\$1,310,830**

Net Taxes per Acre: \$21,728



Westgate Mall

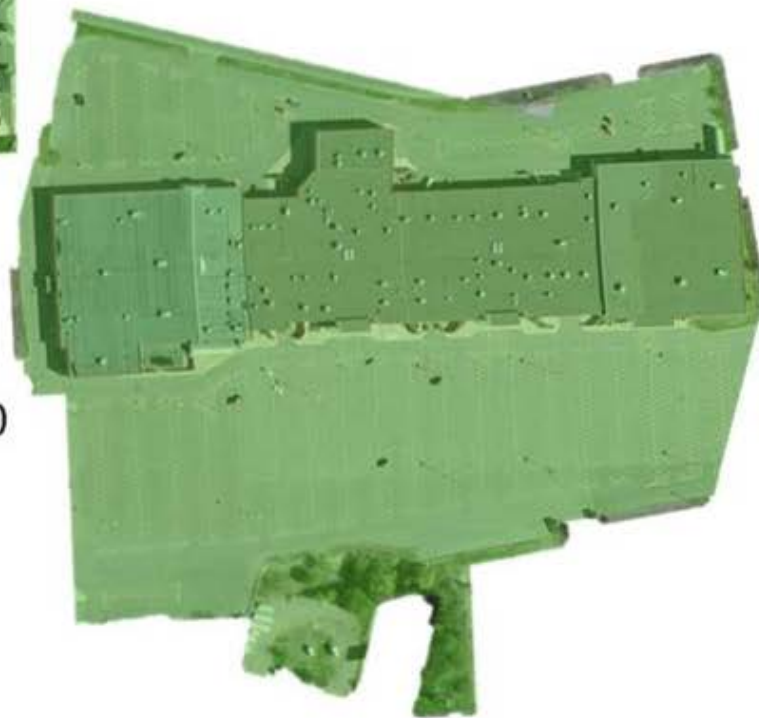
Taxable Acres: 23

Total Tax Value: \$6,503,335

Total Tax Production: \$120,190

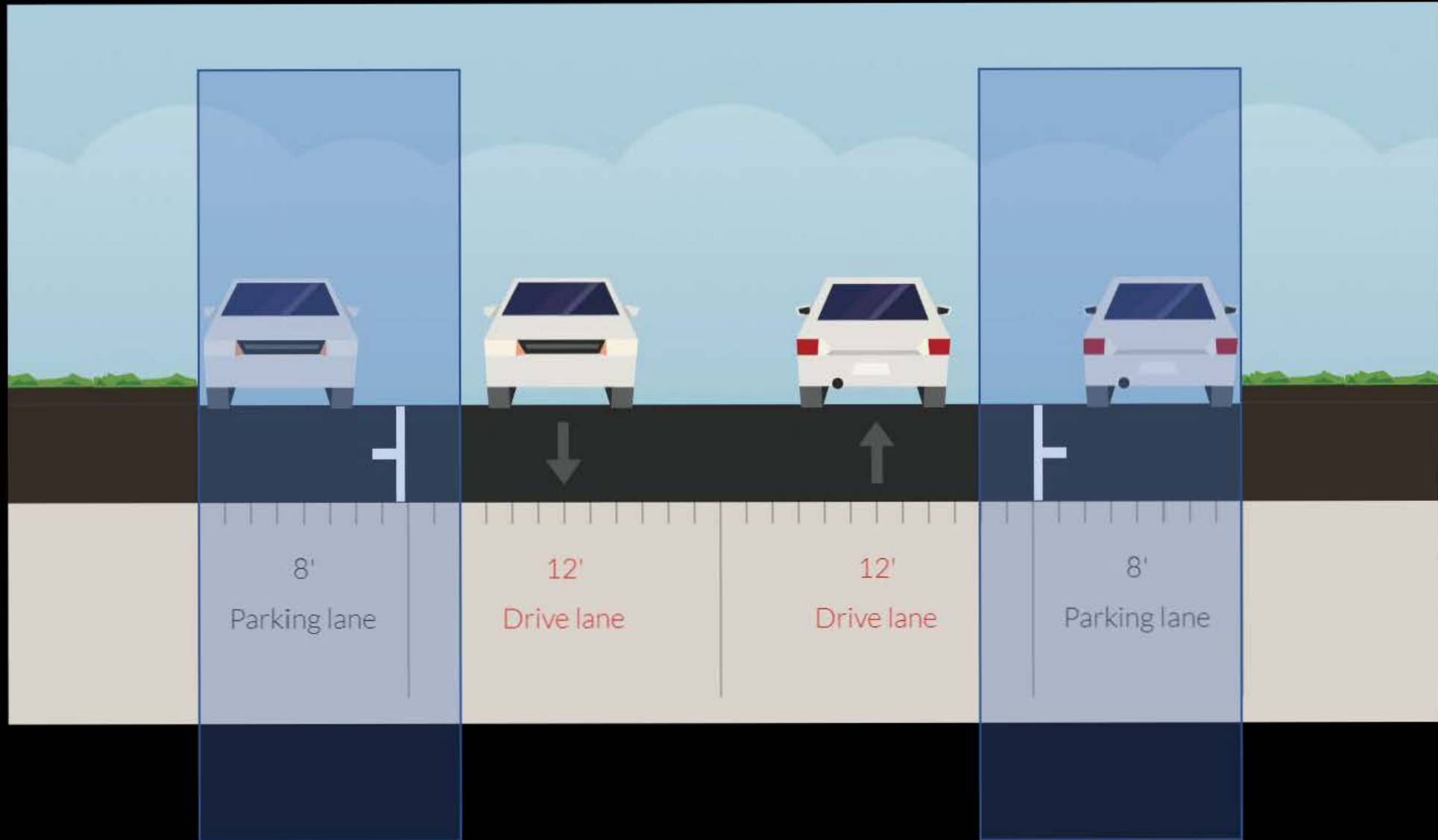
Net Value per Acre: **\$281,128**

Net Taxes per Acre: \$5,196



Parking is expensive.

30%-50%







**Reduced Revenue
+ Increased Expenses
= Financial Problems**

Brainerd City Council: Council aims at levy increase target

Brainerd City Council: Steps taken to balance budget

By [Spenser Bickett](#) on Nov 18, 2015 at 10:08 p.m.



A Brainerd City Council budget workshop Tuesday resulted in a few decisions to balance the proposed 2016 budget.

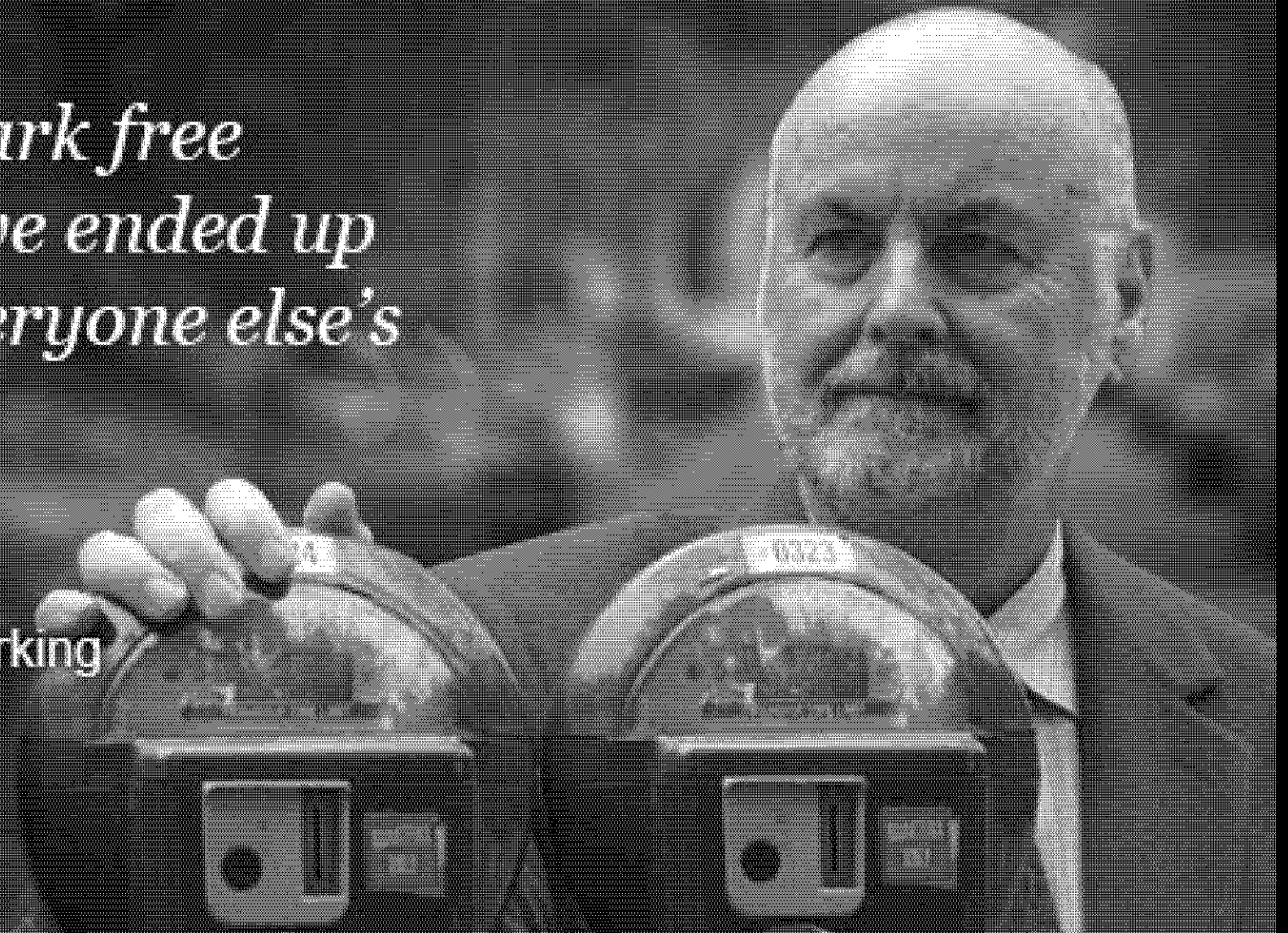
In September, the council approved a 25 percent 2016 preliminary levy increase. The preliminary tax levy is \$6.1 million, which is \$1.6 million more than the 2015 tax levy. The final levy adopted in December can be lower than the preliminary levy, but it cannot be higher.

Brainerd City Council: Levy and budget set for 2017

By [Spenser Bickett](#) on Dec 19, 2016 at 11:47 p.m.

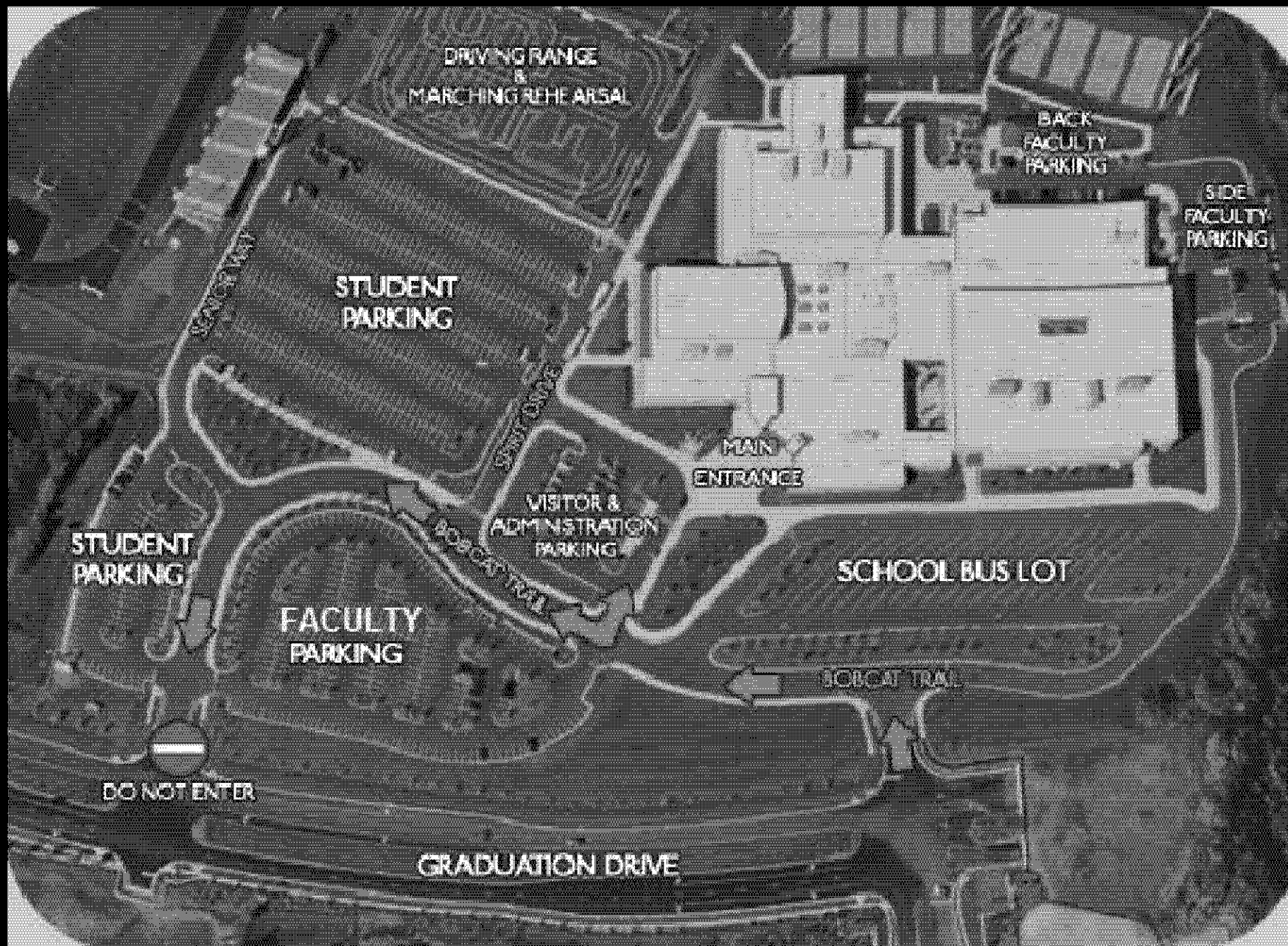
*In trying to park free
ourselves, we've ended up
paying for everyone else's
parking*

Donald Shoup
on the cost of free parking



**Minimum parking requirements
are bad science.**





**This ordinance change is
limited.**

**This ordinance change will
have no negative impact on the
city's neighborhoods.**





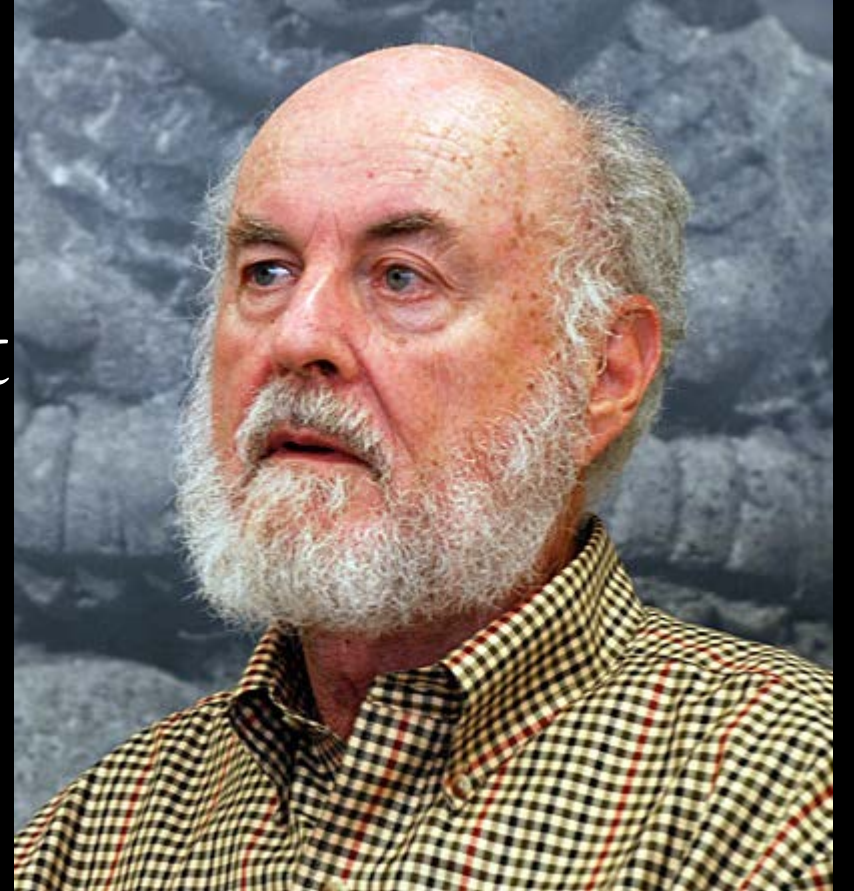




**This ordinance change does
not limit the amount of parking
the school can build.**

“Staunch conservatives often become ardent communists when it comes to parking, and rational people quickly turn emotional.”

-Donald Shoup



PLANNING COMMISSION
Wednesday, December 20, 2017

#1 Call to Order

Planning Commission Chair Headley called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Antolak, Burslie, Gorham, Headley, Marohn, Wussow; and Council Liaison Lambert. Also present was City Planner Ostgarden and Administrative Specialist Bestul and 2 others.

#2 Approval of Agenda

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURSLIE, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes of the Regular Meeting held on November 15, 2017

MOTION AND SECONDED BY COMMISSIONERS WUSSOW AND LAMBERT, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON NOVEMBER 15, 2017.

#4 New Business

A. Zoning Ordinance Text Amendment – Public Hearing to Consider Removing Off Street Parking Requirements for Schools

City Planner Ostgarden indicated all the details are included in the packet. He clarified the proposed ordinance will not apply to universities or colleges. If the formulas shown below are removed from the Zoning Ordinance, the school district and all public and private schools would be able to determine the amount of off street parking a school site should need if improvements are planned.

Zoning Ordinance Section 515-22-8: Off Street Parking - Number of Spaces Required:

DD. ~~Schools, Elementary and Junior High. One (1) space for each classroom plus one (1) additional space for each three hundred (300) students, plus one (1) space for each employee, plus one (1) space for each four (4) seats in auditorium.~~

EE. ~~School, High Schools, Colleges and Universities.~~ At least one (1) parking space for each two (2) students based on the design capacity plus one (1) space for each classroom. Auditorium or event space shall be subject to separate, additional calculations.

City Planner Ostgarden explained that if the off-street parking requirements are removed, a Conditional Use Permit for schools would still be required in the following districts.

515-52 - RR, 53-RE, 54-R-1, 55-R-1A, 56-R-2, 57-R-3: Conditional Uses.

The Conditional Use Permit process would still be an opportunity for the Planning Commission and City Council to discuss off street parking requirements and to determine what would be appropriate for each individual site. Amending the Zoning Ordinance does not completely remove the discussion; it only removes the minimum requirements.

If the change does occur, a notation would be made in the Conditional Use sections as shown below in red for reference purposes.

515-52 - RR, 53-RE, 54-R-1, 55-R-1A, 56-R-2, 57-R-3: Conditional Uses.

Public and private schools provided that:

1. The site accesses a major collector.
2. The site is landscaped in accordance with Section 20 of this Ordinance.
3. Off-street parking is provided in accordance with Section 22 of this Ordinance. **REQUIREMENT REMOVED JANUARY__, 2018.**
4. Off-street loading and service entrances are provided as regulated by Section 23 of this Ordinance.
5. Emergency vehicle access is provided to and within the site.

City Planner Ostgarden stated that typically a notice to property owners is not sent for a zoning text amendment, however the Planning Commission thought for this situation it would be important to do so. A legal notice was printed in the newspaper and letters were mailed to property owners within 350' of the schools.

Commissioner Burslie questioned if single family dwellings are required to have off street parking spaces. City Planner Ostgarden stated that they do.

Commissioner Burslie asked if City Planner Ostgarden has a recommendation on the issue. City Planner Ostgarden stated that it is the Planning Department's perspective the school will provide off street parking for its facilities that will be sufficient for its needs. Here is an opportunity for the City to eliminate the requirement and for the City and school district to work together to solve the parking issue rather than basing it solely on a formula.

Commissioner Marohn took the opportunity to present a PowerPoint regarding parking and why the commission should forward the request to the Council to approve. Mr. Marohn compiled seven (7) top arguments as follows:

- 1) Parking hurts our revenue
- 2) Parking is expensive
- 3) Reduced Revenue + Increased Expenses = Financial Problems
- 4) Minimum parking requirements are bad science
- 5) This ordinance change is limited (affects only schools)
- 6) This ordinance change will have no negative impact on the city's neighborhoods
- 7) This ordinance change does not limit the amount of parking the school can build

The Chair opened the public hearing at 6:24 p.m.

No one came forward.

The Chair closed the public hearing at 6:25 p.m.

Commissioner Marohn indicated he received an email tonight from Mr. Ed Shaw in favor of ending the off-street parking requirement for schools. Mr. Shaw is on the board for Discovery Woods school and he thinks ending the requirements would be good for the school and the entire City.

MOVED AND SECONDED BY COMMISSIONERS MAROHN AND LAMBERT TO RECOMMEND THE ORDINANCE TEXT AMENDMENT TO THE CITY COUNCIL.

Members Antolak, Burslie, Gorham, Headley and Marohn voted “aye”. Member Wussow voted “nay”. The Chair declared the motion carried.

B. Request by City Engineering to Consider Zoning Text Amendment Related to Exterior Building Material Requirements I-1 (Light Industry) District

City Engineer Sandy is requesting an amendment to the Zoning Ordinances related to the I-1 (Light Industry) District. For many years, the Street, Sewer and Engineering staff has been working towards a facility to store the salt and sand mixture that is applied to the streets in the winter. With the last budget cycle that was approved on December 18, 2017, the City Council approved a capital item related to a salt & sand building. After many years of research, many options have been considered, including a standard building to store the salt & sand mixture. One of the most cost-effective solutions is a large scale engineered “hoop house” style that can be seen at various MnDOT facilities. The problem that arose when reviewing the Zoning Ordinance is the I-1 District language; it states a prefabricated engineered fabric building is not allowed as it would not “*match the appearance of the primary structure (street garage).*”

City Engineer Sandy provided photos of the existing salt & sand pile, which is exposed to the elements and a map of the site. All setback requirements that pertain to that district and the building size requirement will be met. If a Zoning Ordinance amendment is approved, there will still be the need for a Conditional Use Permit because of the I-1 District language specifies that a building over the 30' in height will require a Conditional Use Permit and the storage building will be more than 30' tall.

Commissioner Burslie questioned if salt & sand mixtures will even be used in 5+ years, as it appears that a liquid substance may be used in the near future. City Engineer Sandy replied that a lot of larger entities such as MnDOT and some counties have gone to a brine substance. However, the City of Brainerd does not have the equipment to spread this type of mixture. Unless there is a big change in the type of equipment the City has, the City will not be able to proceed with that change.

Commissioner Wussow stated that with heavy rains that have occurred, the salt is basically being washed away. The City operates a separate municipal storm sewer system that has a permit through the Minnesota Pollution Control Agency (MPCA) for the salt runoff. There are protections to the wetland in place, but the salt seeps out. The City uses a mixture containing 13% salt to the sand. The building will be a huge benefit to helping solve this issue.

City Planner Ostgarden explained that in 2009 when the Zoning Ordinance was developed, there was a lot of discussion about community aesthetics. The Planning Commission and City Council at that time thought that the fabric style buildings were not the look the community wanted. The primary discussion was regarding these style structures in the residential districts. The suggested verbiage for the amendment to the Zoning Ordinance could be as shown below:

DRAFT Zoning Ordinance Amendment to I-1 (Light Industrial) District Section 17-8 C. Accessory Buildings, Uses and Equipment.

Commercial, Industrial or Public/Semi-Public Accessory Buildings.

1. Commercial or industrial **ACCESSORY** buildings shall not exceed thirty (30) percent of the gross floor space of the principal building.
2. Accessory buildings shall meet all the required setbacks of the principal building.

3. Accessory buildings shall ~~and comply with the building material requirements within this Section of Ordinance.~~ CAN be constructed of building materials to match the principal structure. OR WITH ANY OF THE FOLLOWING FABRIC MATERIAL:
- TEFLON COATED FIBERGLASS (PTFE)
 - SILICONE-COATED FIBERGLASS (SIPE)
 - WOVEN PTFE (EPTFE)
 - ETHYLENE TETRAFLUOROETHYLENE (ETFE)
 - VINYL COATED POLYESTER (PVC)
 - HIGH-DENSITY POLYETHYLENE (HDPE)

Commission discussion took place and it determined to proceed with a public hearing to consider the amendment.

#5 Public Forum

The Chair opened the public forum at 6:45 p.m.

No one came forward.

The Chair closed the public forum at 6:45 p.m.

#6 Old Business

A. Report on First Steering Committee Meeting

City Planner Ostgarden reported that the PowerPoint in the Planning Commission packet was presented to the Steering Committee. All of the members had the opportunity to meet each other and discuss the upcoming process. Ashley Kaisershot from NJPA and Tad Erickson from Region V did an excellent job presenting the information to the Committee on what to expect in this process. The Plan Topics provided in the PowerPoint are areas that will be discussed for the Comprehensive Plan. There are two areas that were not a part of the 2004 Comprehensive Plan that will be part of the update process. The Plan is not only intended as a Land Use document and a policy document, but also a document that can provide guidance in fiscal planning and the impact of growth and its financial costs on the city. Also, a better implementation strategy for the Plan will be part of the update. The goals and policies included in the 2004 Plan were not well written or specific enough. Hopefully, these will be more specific in how we will implement the Plan. The next meeting will be sometime in February 2018.

Commissioner Gorham commented that he was surprised that sustainability was not included in the plan topics. There was no mention that the environment is changing; rains are larger than they have been, along with the severity of storms increasing. It was indicated in the news recently many areas have seen temperature rises of 6 degrees in the last 47 years. It would appear if we are looking at our future, maybe there should be a consideration for “*sustainability*” and to have a more resilient community.

City Planner Ostgarden indicated that topic was discussed, and it was an oversight to not have it included. He explained that it will be a topic in the Plan update.

Commissioner Marohn questioned the schedule for the upcoming meetings as far as what days of the week are good for all members. The calendar should have the full options of dates, and not based on one individuals availability.

City Planner Ostgarden explained the Committee will be divided into three groups for a one-on-one session with Ms. Kaisershot, Mr. Erickson or Mr. Ostgarden. This will give them the opportunity to meet on an individual basis and ask questions of each member. City Council, Planning Commission and Steering Committee members will be contacted to arrange the individual meetings; ideally before the second Steering Committee meeting.

B. City Council Direction – Special Meetings/Fees and Fees for Services

City Planner Ostgarden explained the topics were presented to the Council at the last meeting and the response is included in the packet.

Commissioner Marohn stated he was concerned that the original request was not directed to the Council correctly, as he did not indicate attending a special meeting was inconvenient for him. Mr. Marohn does not agree with that being the issue at hand, rather it is costing the City money and who pays for that. The complaint was never because of time taken to attend a special meeting.

Commissioner Burslie agreed with Mr. Marohn's comments.

City Planner Ostgarden stated this is the Council's perception of what the concern was. Mr. Ostgarden indicated it was made perfectly clear to him that the Council feels the cost is part of the general fund from property taxes. It has not been an issue or concern for the past decade and has not cost the City any significant amount of money. If the Commission Chair approves a special meeting request, it takes place as requested. Until it gets out of hand or demands more time of the Planning Commission or other staff, this is the final decision.

Commissioner Burslie read the comments from the Council stating "residents already feel that the Planning and Zoning process is a bit intimidating." Mr. Burslie asked how it is intimidating currently. City Planner Ostgarden stated that anyone who must stand at the microphone to talk to the City Council, and the Planning Commission, regarding a process they don't fully understand on live television is an intimidating experience.

City Planner Ostgarden stated anyone is welcome to contact the City Council themselves or attend a City Council meeting and voice their concerns. Mr. Ostgarden is confident he expressed the commission's concerns as requested to the best of his ability. The decision has been made and no further discussion will take place.

#7 Commissioners' Questions/Comments

None

#8 City Planner's Report

City Planner Ostgarden wished everyone a Merry Christmas and a Happy New Year.

#9 Adjourned at 7:00 P.M.

Respectfully submitted,

City Planner Mark Ostgarden AICP