CITY COUNCIL AGENDA

Brainerd, Minnesota
September 17, 2018
7:30 P.M.
Brainerd City Hall
Council Chambers

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

2. **Roll Call**
   ___ J. Lambert ___ K. Stunek ___ K. Bevans ___ D. Badeaux

   ___ G. Johnson ___ S. Hilgart ___ 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. Budget Workshop Held on August 27, 2018
      2. Regular Meeting Held on September 4, 2018
      3. Budget Workshop Held on September 10, 2018

Documents:

20180827_CC -Budget Workshop.pdf
20180904_CC draft.pdf
20180910_CC -Budget Workshop.pdf

   B. **Approval Of Licenses**
      1. Contractor Licenses - 2 - New; 3 - Renewals

Documents:

2018-09-17 License RPT.pdf

C. **Department Activity Reports**

1. Police Chief
2. Finance Director

Documents:

Police Dept Report.pdf

D. **Minnesota Lawful Gambling Application For Exempt Permit - Submitted By Brainerd Amateur Hockey For An Event To Be Held On February 23, 2019 At Roundhouse Brewery, 1551 Northern Pacific Rd., Brainerd**

E. **Tobacco License Application - Submitted By Lakes Vape & Rec Supply LLC, 718 Laurel Street, Brainerd - Contingent Upon Background Check, Fire Inspection And Property Lease Agreement**

6. **Community Spotlight**

- Brainerd Industrial Center (BIC)

7. **Presentations**

A. **Miss Brainerd 2018 - Ms. Serena Schreifels**

Documents:

Miss Brainerd.pdf

B. **School District Blueprint 181 Presentation**

Documents:

Blueprint 181 Presentation.pdf

8. **Council Committee Reports**

A. **Personnel And Finance Committee**

Documents:

20180917_PF.pdf

1. Approval Of Bills & Payments To Contractors

IMP#	PROJECT	Contract Amt	Amount Paid	Amount Retained
17-13	Brook St. & S. 10th St. Resurfacing	$641,669	$631,902 = Difference of $9,767	$0

18-01	Street Dept Salt/Sand Storage Shed	$240,000	$244,345 = Difference of $4,345	$0

2. League Of MN Cities Insurance Trust (LMCIT) Premium Renewal '18-'19

   Documents:

   Insurance Renewal.pdf

3. 2019 Health Insurance Renewal Rates

   Documents:

   2019 Health Ins Renewal Rates.pdf

4. 2018-2019 Wellness Program - Request Wellness Grant Funding From Sourcewell

   Documents:

   2018-2019 Wellness Program Update.pdf

5. Informational - Department Of Building Safety Delegation Agreement And New Position Discussion

   Documents:

   Informational - Department of Building Safety Delegation Agreement and New Position Discussion.pdf

6. Transit Out Of State Travel Request

   Documents:

   Out of State Travel Request.pdf

7. Discussion Of Audit Services For 2018

   Documents:

   Audit Services for 2018.pdf

B. **Safety And Public Works Committee**

Documents:

20180917_SPW.pdf

1. Event/Street Closure Application - Brainerd Fire Department Open

House

Documents:

Event and Street Closure Application - Fire Department Open House.pdf

2. Event/Street Closure Application - Homeless Heroes 5k

Documents:

Event and Street Closure Application - Homeless Heroes 5k.pdf

3. Improvement 17-13 - Brook Street And SE 10th Street Resurfacing And Storm Sewer Rehabilitation Project Pay Estimate #3 - Final

Documents:

Improvement 17-13 - SE 10th Street and Brook Street - Pay Estimate 3 Final.pdf

4. Improvement 18-01 - Street Department Salt/Sand Storage Facility - Pay Estimate #3 - Final

Documents:

Improvement 18-01 - Salt and Sand Storage Facility Final Payment.pdf

5. Improvement 18-11 - SE 10th Street Storm Manhole Rehabilitation Joint Project With Crow Wing County - Approve Bid

Documents:

Improvement 18-11 - Storm Manhole Rehabilitation Project Approve Bid.pdf

6. Discussion On 812 Juniper Street Concerns

Documents:

812 Juniper Street Conduct On Premises.pdf

9. **Unfinished Business**

A. **Committee Recommendations - Recommended By Mayor Menk**

- Mr. Michael Lowe, Citizen's Water Tower Committee

Documents:

Michael Lowe.pdf

B. **Call For Applicants - Informational**
(Application Information at the City's Website (*http://www.ci.brainerd.mn.us/*)

Mayor Recommended: (all terms expire on 12/31 of said year)
Charter Commission - 1 term (Expire 2021)
Library Board - 1 term (Expire 2021)

C. **City Code Section 1200 - Liquor Ordinance Discussion**

Documents:

Liquor Ordinance - 1200.pdf

10. **New Business**

A. **Res - Declaring The Costs To Be Assessed, Ordering Preparation Of Proposed Assessment, And Ordering A Public Hearing On Proposed Assessment - Downtown Snow Removal, Downtown Special Services District, And Nuisance Abatement**

Documents:

Res - Declare Assessments, Prepare Roll, and Set PH.pdf

B. **Res - Declaring The Costs To Be Assessed, Ordering Preparation Of Proposed Assessment, And Ordering A Public Hearing On Proposed Assessment - Improvement 17-13**

Documents:

Res - Declare Assessments, Order Assessment Roll, and Set Public Hearing - Improvement 17-13.pdf

C. **2019 Preliminary Levy**
1. Adopt Resolution Setting Preliminary Levy for the City and HRA
2. Set Date and Time for Budget Public Hearing

Documents:

Res 2019 Preliminary Levy.pdf

11. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the attention of the Council - Time limits may be imposed

12. **Staff Reports**

(Verbal: Any Updates since Packet)

13. **Council Member Reports**

14. **Adjourn**

A. **Closed Session Pursuant To MN Statutes, 13D.05, Subd. 3(D) For Security At City Hall And Emergency Response Procedures**

Note: Safety and Public Works Committee will meet at 6:45 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 (ci.brainerd.mn.us)

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

Brainerd, MN
August 27, 2018

Pursuant to due call and notice thereof, the Budget Workshop of the Brainerd City Council was called to order at 6:00 P.M. by Vice-President Hilgart.

Upon roll call, the following members were noted present: Stunek, Bevans, Badeaux, Johnson, Hilgart, and Mayor Menk. Members Lambert and Pritschet were absent. Also present were City Administrator Cassandra Torstenson, Finance Director Connie Hillman, City Engineer Paul Sandy, Police Chief Corky McQuiston, Fire Chief Tim Holmes, and Park Director Tony Sailer.

2019 Budget and Levy Discussion

Finance Director Hillman stated the discussion of the workshop focuses on the Working Funds (General, Public Safety, Parks, & Streets), the funds the City needs to levy for operations. Changes between the current 2019 and 2018 adopted budgets were highlighted for revenue and expenditures. Proposed changes to temporary and full-time employees were also discussed.

Finance Director Hillman stated that the 2018 levy for capital was $847,134. Of this amount, the City planned to save $350,000 in the capital fund to pay for facility projects that would result from the facility study. Hillman also stated the City levied $1,600,866 for debt in 2018, and it is estimated that the 2019 debt levy may be able to be lowered by $389,000 since a debt issue was paid off in 2018.

Staff presented the 30-year equipment plans for the workings funds. The results of the facility study that were presented by the consultant at the June 18, 2018 council meeting, and the alternatives that were presented at the August 6, 2018 council meeting were also shared. Staff requested direction from Council on how they would like to proceed with addressing the facility needs of the City.

Council discussion was held. Council directed staff to prepare information on what the alternative plans for City Hall would cost and the impact to the levy, and to meet again with the Council President and Personnel and Finance Chair as required by Charter.

A Budget workshop was set for September 10, 2018 at 6:00 P.M.

Adjourn

The Chair adjourned the meeting at 7:31 P.M.

_____
Cassandra Torstenson
City Administrator

Brainerd, MN
September 4, 2018

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

Upon roll call, the following members were noted as present: Stunek, Bevans, Badeaux, Johnson, Hilgart and Pritschet. Member Lambert was noted as absent. 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 HILGART, DULY CARRIED, TO APPROVE THE AGENDA.

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK TO ADOPT THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on August 20, 2018 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 1 – New; 1 – Renewals

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director

D. Temporary On-Sale Liquor License Application – Submitted by The Crossing Arts Alliance, 711 Laurel Street, Brainerd for an Event to be Held October 4, 2018 - Approved

E. Extension of Premises – Submitted by Roundhouse Brewery, 1551 Northern Pacific Rd., Brainerd for an Event to be Held on September 20-22, 2018 in the NP Center Parking Lot - Approved

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

Presentations

Riverfront Update Presentation – Ashley Kaisershot

Due to unforeseen circumstances, Ms. Kaisershot was unable to attend this evening. An informational memo has been provided and will serve as an update on the Brainerd Riverfront Committee activities and work plan.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

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

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

Police Request to Use Drug Forfeiture Funds - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE THE POLICE DEPARTMENT TO UTILIZE APPROXIMATELY $4,330 OF DRUG FORFEITURE FUNDS FOR THE PURCHASE OF FOUR TACTICAL RADIO HEADSETS.

Rotary Park Land Donation - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT THE PORTION OF LAND DONATED BY PATRICIA AND HARVEY JOHNSTON.

2019 Budget – Informational

Committee Chair Johnson stated the Brainerd Public Utilities Commission agreed to increase the financial contribution rate to the City of Brainerd from $.0040 per kWh to $.0045, which is estimated to be an additional $50,000-$80,000 of revenue to the City. The Council thanks the BPU Commission for the increase in contribution. He also announced the health insurance rates for 2019 increased by 8.69%, which is lower than expected.

Safety and Public Works Committee Report

Resolution Declaring the Sufficiency of Petition and Setting a Public Hearing to Consider Vacation of a Portion of Williams Street and NW 3rd Street in West Brainerd Requested By Independent School District #181 – Adopted by Resolution No. 45:18

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO ADOPT THE RESOLUTION DECLARING THE SUFFICIENCY OF THE PETITION AND SETTING THE PUBLIC HEARING FOR OCTOBER 1, 2018 AT 7:30 PM TO HEAR TESTIMONY FOR OR AGAINST THE PROPOSED VACATION.

RESOLUTION NO. 45:18

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

Improvement 16-09 Buffalo Hills Lane Assessment Methodology - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO DECLARE THE COUNCIL'S INTENT TO ASSESS 100% OF BUFFALO HILLS LANE RECONSTRUCTION ON THE PREMISE OF ASSESSING EACH LOT AS ORIGINALLY PLATTED. THE SUM IS EQUIVALENT TO THE TOTAL ASSESSABLE COST MINUS THE COST ATTRIBUTABLE TO THE UN-PLATTED PARCEL ADJACENT TO CRESCENT HILLS ESTATES (BASED UPON FRONT FOOT ADJACENT TO BUFFALO HILLS LANE) DIVIDED BY THE NUMBER OF LOTS OF RECORD AS EXISTS AT THE TIME OF THE ORIGINAL PLAT. THE PARCEL THAT EXISTS SOUTH OF CRESCENT HILLS WILL BE ASSESSED AT A PROPORTIONAL PER AREA RATE OF THE UN-PLATTED PARCEL ADJACENT TO BUFFALO HILLS.

City Engineer Sandy reviewed the alternatives.

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

Tax Forfeit Non-Conservation Parcels -Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO ACCEPT THE NON-CONSERVATION STATUS OF THE PARCELS AND AUTHORIZE CROW WING COUNTY TO SELL THESE PARCELS ONCE THE SAID TRACTS ARE LISTED AS "NON-CONSERVATION".

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 2021)
Library Board – 1 term (Expire 2021)

Appointment of Historical Water Tower Citizen's Committee - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO APPOINT MS. ANN FISHER, MS. MARY KOEP AND MS. ASHLEY STORM TO THE HISTORICAL WATER TOWER CITIZEN'S COMMITTEE AND COUNCIL MEMBER BADEAUX AS THE COUNCIL REPRESENTATIVE.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPOINT MS. CARISSA MEYER CONTINGENT UPON THE RECEIPT OF THE APPLICATION.

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO APPOINT MS. JOELLA CONVERSE TO THE HISTORICAL WATER TOWER CITIZEN'S COMMITTEE.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO HOLD THE POSITION FOR MS. CARISSA MEYER FOR TWO WEEKS TO SUBMIT HER APPLICATION.

New Business

None

Planning Commission

Final Reading of Proposed Ordinance No. 1489 – An Ordinance to Rezone Property at 15770 Dellwood Drive from a B-1 (Residential Office) District to an I-1 (Light Industrial) District – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1489 TO REZONE 15770 DELLWOOD DRIVE FROM A B-1 (RESIDENTIAL OFFICE) DISTRICT TO AN I-1 (LIGHT INDUSTRIAL) DISTRICT.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO ADOPT ORDINANCE NO. 1489 TO REZONE 15770 DELLWOOD DRIVE FROM A B-1 (RESIDENTIAL OFFICE) DISTRICT TO AN I-1 (LIGHT INDUSTRIAL) DISTRICT.

ORDINANCE NO. 1489

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

Public Forum

The Chair opened the Public Forum at 8:09 p.m.

No one came forward.

The Chair closed the Public Forum at 8:09 p.m.

Staff Reports

Council Member Reports

Mayor Menk announced road construction is progressing through 6th Street and Laurel Street. The pressure tests have been completed and the water has been reconnected.

Mayor Menk stated the Council sends their condolences to President Pritschet for the loss of his mother.

Council Member Hilgart attended the recent Northland Arboretum board meeting. The Sour Grapes Trail Run will unfortunately end after the 2019 event due to competition of other marathon events that take place in the community. She encouraged everyone to participate in the final event.

Council Member Stunek invited everyone to attend the groundbreaking ceremony for the expansion of the new terminal at the Brainerd Airport this Thursday, September 6 at 11:00 a.m.

Council Member Pritschet thanked everyone for the outpouring of support he received with the recent passing of his mother and he is proud to be a part of this community.

Adjourn To Closed Session Pursuant to M.S. 13D.03 to Discuss Labor Negotiation Strategy – 8:13 p.m.

The Chair reconvened into open session at 8:47 p.m.

Adjourn to City Council Budget Workshop September 10, 2018 at 6:00 p.m.

The Chair adjourned the meeting at 8:47 p.m.

Cassandra Torstenson
City Administrator

Brainerd, MN
September 10, 2018

Pursuant to due call and notice thereof, the Budget Workshop of the Brainerd City Council was called to order at 6:00 P.M. by Council President Pritschet.

Upon roll call, the following members were noted present: Lambert, Stunek, Bevans, Badeaux, Johnson, Hilgart, Pritschet, and Mayor Menk. Also present were City Administrator Cassandra Torstenson, Finance Director Connie Hillman, City Engineer Paul Sandy, Fire Chief Tim Holmes, and Park Director Tony Sailer.

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

2019 Budget and Levy Discussion

Finance Director Hillman stated again that the discussion of the workshop focuses on the Working Funds (General, Public Safety, Parks, & Streets), the funds the City needs to levy for operations. The preliminary levy needs to be certified to the County by September 28, 2018, the final levy that needs to be certified by the end of the year, can be lower, but not higher that the preliminary levy.

Finance Director Hillman shared the changes in revenues from the current 2019 budget to the 2018 adopted budget and the changes to expenditures, highlighting the proposed changes to staffing based on direction from Council President Pritschet and Personnel and Finance Chair Johnson, and information that was received since the last workshop, such as the health insurance renewal rates.

Staff shared that with the net changes in non-tax operating revenues, operating expenditures, and transfers, the City would need to increase revenues and/or cut expenditures by $327,505. This is before considering debt and capital needs of the City.

Finance Director Hillman presented the impact of the other levies and requests by other entities, resulting in the City needing $27,270 of additional revenue and/or cut in expenditures over the 2018 budget, again before considering debt and capital needs of the City.

The Council discussed the $73,333 request from the Riverfront Committee, $40,000 to support the trail feasibility study and $33,333 to hire a part-time (or consultant) Riverfront Coordinator. Alderman Johnson suggested that the $40,000 could come from the MIF funds. These funds were generated by taking advantage of the state's one-time exception use of MIF dollars for non-economic development purposes. Alderman Hilgart suggested looking at the position after the Community Developer Director was on board. Additional Council discussion was held, and the issue will be brought up at a later date.

The calculation of the proposed 2019 debt levy was shared with council, including a possible new debt issue for a ladder truck for the fire department. Finance Director Hillman shared that the 2019 debt levy can be reduced from the 2018 levy by $336,036.

Staff then discussed the capital needs of the City by breaking it down between equipment and facilities. Finance Director Hillman shared that with an estimated balance of $1.6 million at December 31, 2018, and a $500,000 annual levy, the City should be able to fund the equipment

needs of the City in today's dollars for the next ten years. The fire equipment plan was also shown that with an $800,000 debt issue for the ladder truck, the fire equipment plan should also be funded over the next ten years.

Finance Director Hillman stated that with the net change in operating, the other levies, the reduction to the debt and capital equipment levy, that the City has $328,395 to spend on facilities without an increase in the levy. Hillman shared that with a 2% increase in the levy this amount would be $439,632.

City Engineer Sandy presented data put together by staff showing the savings, and additional cost doing an addition to City Hall to the east or remodeling City Hall and the annex infilling the space between the two buildings. Sandy also presented a plan to fix the deficiencies of all of the facilities over the next 15 years. Finance Director Hillman explained the types of debt that could be issued for the facility needs; the potential impact to the levy if alternative revenue sources could not be generated; and a plan for funding the current deficiencies over the next 5 years with a 2% increase to the levy.

Council discussion was held throughout the presentation. Several options were discussed on how to address the deficiencies, and improve efficiencies, of the City's facilities and operations. The discussion included maintaining current footprint, doing an addition, a whole new City Hall and the opportunities of how rentable space could be utilized to help pay for an addition, as well as having a developer build the building and then the City leasing space back.

Fire Chief Holmes shared the deficiencies of the main fire station with how the size of equipment has increased over the years. Holmes expressed the concern about the City's capacity and/or desire to build a new fire station in the future, if the fire station is not part of the plan while addressing City Hall.

Finance Director Hillman presented information on the estimated change to the City's estimated market value for pay year 2019, the estimated tax rate for the City based on different levies, and the estimated impact the various changes to the levy may have on a residential homestead and commercial property.

Staff stated the preliminary levy would need to be adopted at the September 17, 2018 council meeting or a special meeting would need to be called. Council held discussion on what each would support for a preliminary levy. Percentages that were discussed were 2.8, 3, 3.5, and 6%.

Adjourn

The Chair adjourned the meeting at 8:20 P.M.

_____

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS

CITY COUNCIL MEETING
September 17, 2018

(2 New, 3 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
ZENERGY LLC 308 FRONTAGE ROAD SEBEKA, MN 56477 18-0213 (new)	(218) 837-5155	EXCA	7/1/2019	12/31/2018	
ROSE CITY SIGN COMPANY, INC. 31208 COUNTY ROAD 71 EAGLE BEND, MN 56446 18-0214	(218) 738-3188	SIGN	11/19/2018	11/9/2018	SB687648
G&S EXCAVATING, LLC 4334 ROY LAKE DRIVE NISSWA, MN 56468 18-0215	(218) 820-3927	EXCA	4/1/2019	12/31/2018	L2450
ICON IDENTITY SOLUTIONS INC. 1701 GOLF ROAD, I-900 ROLLING MEADOWS, IL 60008 18-0216 (new)	(847) 364-2250	SIGN	9/28/2019	12/31/2018	
HORIZON ROOFING INC. 2010 COUNTY ROAD 137 WAITE PARK, MN 56387 18-0217	(320) 252-1608	ROOF	6/13/2019	12/31/2018	

BRAINERD POLICE DEPARTMENT
MEMORANDUM

TO: Brainerd City Council

FROM: Police Chief Corky McQuiston

DATE: 09-12-18

RE: Monthly Report

National Night Out

Investigator Kleffman is pictured here with our pal McGruff at the Brainerd North Side National Night Out Event. There was a great turn out for the event and as always, the residents there treat the officers to some excellent food. Our police patch tattoos are always popular with the kids and the officers really enjoy the opportunity to have this positive interaction with the people in our community.

August Police Activity

At about 9:15 pm on Saturday, August 4th, Brainerd Police were dispatched to respond to the area of the Washington Street Bridge over the Mississippi River to investigate a report that a person had just went over the bridge railing and jumped from the bridge.

Arriving officers learned from witnesses that a despondent female had went onto the bridge, crossed over the railing and jumped from the bridge into the river below.

Officers descended the river bank and could hear a female in the river calling for help. Paramedics from North Ambulance and Brainerd Officers located the female downstream near the Laurel Street Bridge. She was assisted to shore there. Because of injuries she suffered and the nature of the river bank at that location, the Brainerd Fire Department utilized their inflatable boat to transport her to the Kiwanis Park area to transfer her to an ambulance.

The person was identified as a 19-year-old female from the Pequot Lakes area. She was transported to an area hospital with serious, but non-life-threatening injuries. Police do not have information on her current condition. Personnel from North Ambulance, the Brainerd Fire Department, and the Crow Wing County Sheriff's Department were involved in this incident.

On August 27th, shortly before 6 am, Brainerd Police officers were dispatched to the area of 900 block of Quince Street for a report from a 33-year-old Brainerd woman that she was just awoken to an intruder in her home that had attempted sexual contact with her. The suspect was unknown to her, however police had received another report at about 4:30 am of a similar incident in the 1500 block of Laurel Street where an intruder matching the description had also entered a residence, had touched an adult female there also asleep. The suspect had fled both residences and officers learned that items had also been stolen from the homes.

The description of the unknown black male was that he was wearing a football jersey. Officer Pallansch, searching the area observed a male in the area of the bike trail at Quince Street. As Pallansch got closer, he observed the suspect wearing a football jersey as described by the victims. Pallansch took the male into custody without incident. Pallansch and Officer Boggs located stolen items from the residences on the male and in the proximity of where he was located, which included a stolen cell phone from one of the victims that officers called confirming it belonged to one of the victims when it rang.

Arrested and charged with several counts of 1st Degree Burglary and Criminal Sexual Conduct was 25-year-old Phillip Brent Carter Jr. The Brainerd Dispatch reported Carter as being a Brainerd man, however our information is that he has no permanent address, is from the St. Paul area, and we had no prior contacts with him. He remains in custody at the Crow Wing County Jail, awaiting future court appearances.

Level 3 Predatory Offender

8/10/2018

Brainerd Police Department

Fact Sheet

NOTIFICATION OF RELEASE IN MINNESOTA

RISK LEVEL THREE In addition to level two notification (schools and daycares as well as establishments and organizations that primarily serve individuals likely to be victimized by the offender), law enforcement may notify other members of the community whom the offender is likely to encounter.

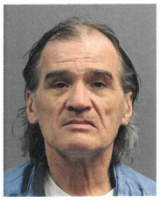
The ***Brainerd Police Department*** is available to provide you with useful information on personal safety. The ***Brainerd Police Department*** may be reached at 218-829-2805. To report criminal activity by this offender or any other individual, please call 911.

TERRANCE LEE LINDMARK

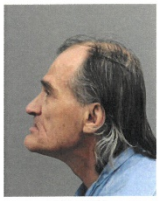
DOB: 03/20/1961

OID: 112604

Race: White
Ethnicity: None Listed
Height: 5' 8"
Eyes: Brown
Weight: 165 lbs.
Hair: Brown
Complexion: Medium
Build: Small



05/15/2018



05/15/2018

Registration Statute(s): 609.343

Investigating Agency: Little Falls Police Department

Release Date: 05/29/2018

Supervision Agent: Aric Welle 320-223-7967

Offense: Offender has a history of sexual contact with minor male and female victims (ages 4 to 10). Contact included penetration. Force was used to gain compliance. Offender was known to victims.

Address: Vicinity of 4th Avenue Northeast and C Street Northeast, Brainerd, MN 56401

Date of Address Change: 08/11/2018

The ***Brainerd Police Department*** is releasing this information pursuant to Minnesota Statutes 244.052. This statute authorizes law enforcement agencies to inform the public of a sexual or predatory offender's release from prison or a secure treatment facility when the ***Brainerd Police Department*** believes that the release of information will enhance public safety and protection.

The individual who appears on this notification has been convicted of Criminal Sexual Conduct or another offense that requires registration with law enforcement pursuant to Minnesota Statues 243.166 or 243.167.

This offender is ***not wanted by the police*** at this time and ***has served the sentence*** imposed on him/her by the court. This notification is not intended to increase fear in the community. Law enforcement believes that an informed public is a safer public.

The ***Brainerd Police Department*** may not direct where the offender does or does not reside, nor can this agency direct where he/she works or goes to school. The risk level of this offender has been determined largely on his/her potential to re-offend based on his/her previous behavior.

Convicted sexual and predatory offenders have always been released to live in our communities. It was not until the passage of the Registration Act that law enforcement had an ability to track movement of these offenders after their initial release. With the passage of the Community Notification Act law enforcement may now share information about many of these offenders with the public. Abuse of this information to threaten, harass or intimidate a registered offender is unacceptable and such acts could be charged as a crime. Such abuses could potentially end the ability of law enforcement to provide these notifications. If community notification ends the only person who wins is the offender. Many of these offenders derive their power from the opportunity that secrecy provides.

On August 10th, we were notified that a Level 3 Predatory Offender had relocated to another area in the Brainerd City Limits.

57-year-old Terrance Lee Lindmark moved to the area of the 200 block of 4th Avenue NE, in Brainerd effective August 11th. Lindmark had been residing in Brainerd near Gillis Avenue prior to this.

Lindmark has a history of sexual contact with male and female victims between the ages of four and ten. Contact included penetration. Force was used to gain compliance and Lindmark was known to the victims.

Since Lindmark was not new to the community and has resided in Brainerd in the past, no community notification meeting was held. Public Fact Notification Sheets were available at the Brainerd Police Department and that same information was posted on the Brainerd Police Department Facebook Page.

As always, we like to remind people that Lindmark is not wanted by police at this time. These notifications are not intended to increase fear in the community, but to keep the public informed. We also always ask that the public report criminal activity by this offender or any other individual by calling 911.

Body Worn Camera Data Report

AXON Evidence.com

Month	Number of Videos	Hours of Videos	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
July	1695	334 Hours	647 GB	381 MB	11.83 Minutes	54
August	1649	335 Hours	653 GB	396 MB	12.33 Minutes	53

Conduct on Premises Activity Report for July

ICR	Date Reported	Title	House #	Summary Contains
18011042	08/08/18	Conduct on Premises	324 North 8th Street	Conduct on Premises
18011159	08/10/18	Conduct on Premises	702 South 9th Street	Conduct on Premises
18011607	08/19/18	Conduct on Premises	223 Gillis Avenue	Conduct on Premises
18011618	08/19/18	Conduct on Premises	420 D Street NE	Conduct on Premises
18012176	08/31/18	Conduct on Premises	2307 Hillcrest Drive	Conduct on Premises

Monthly Police Activity

August	2018	2017
Calls	1562	1562
Citations (Inc. Parking)	175	191
Part I and Part II Crimes Reported	222 **	269

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

71 parking tickets were issued in the month of August with the following dispositions:

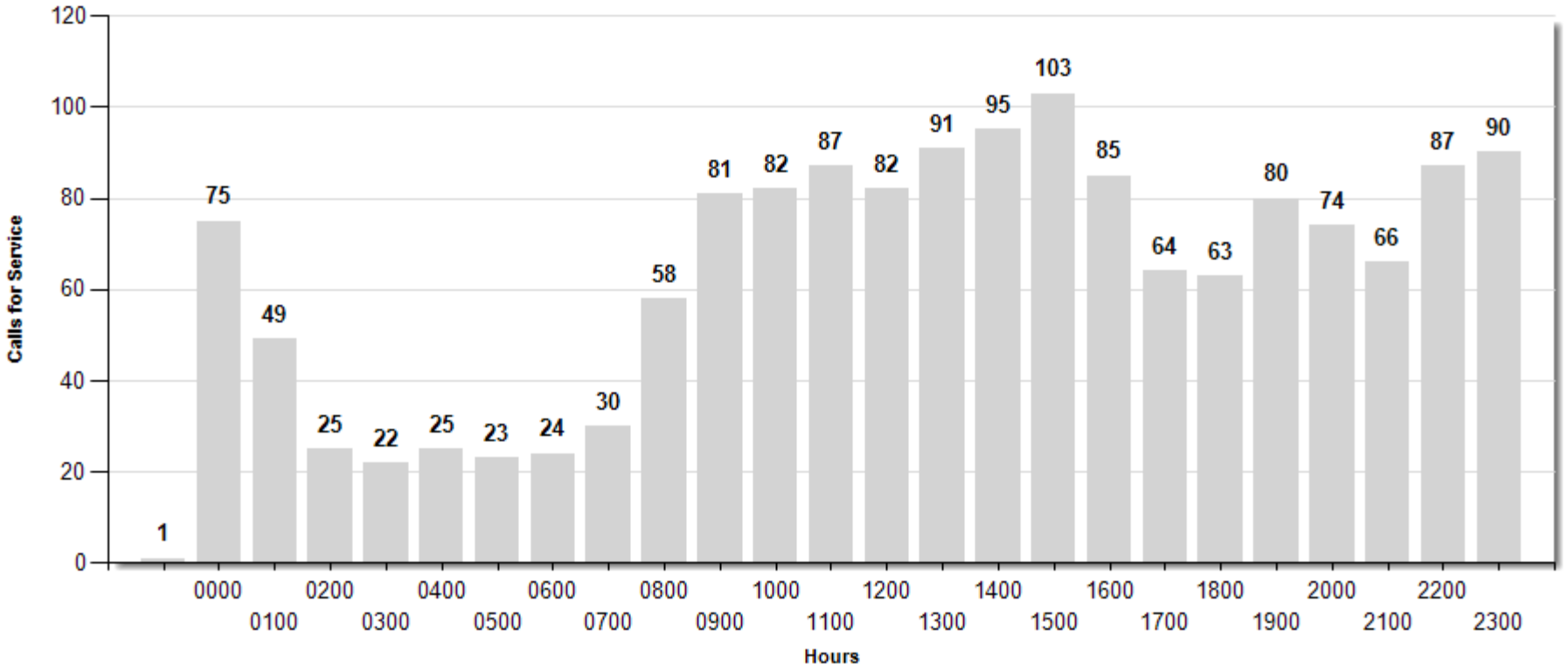
2	Dismissed
3	Business Validations
37	Paid in Full
1	Partial Payments Received
28	No Payment Received

Revenue Recapture Receipts:
To Date: $ 39,925.69
In 2018: $ 6,137.00

Calls for Service Hourly

8/1/2018 to 8/31/2018

Total Calls: **1621**



Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Presentation from Miss Brainerd - Ms. Serena Schreifels

☑ 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 1st Reading **provide copy of published hearing notice*
Submitted by: Cassandra Torstenson	**Department:** Administration
Presenter (Name & Title): Same	**Estimated Time Needed:** 10 minutes

Summary of Issue:

Ms. Serena Schreifels is the reigning Miss Brainerd for 2018. She will present a summary to Council about her duties and goals as Miss Brainerd.

Alternatives, Options, Effects on Others/Comments:

Informational

Recommended Action/Motion:

None

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:

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17,2018

Title of Item: School District Blueprint 181 Presentation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☑ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering/Planning
Presenter (Name & Title): ISD 181 Representatives	**Estimated Time Needed:** 30 Minutes

Summary of Issue:

Representatives from the School District and their engineering/architecture consulting teams will be at the meeting to update the council on the recent referendum and project developement.

Alternatives, Options, Effects on Others/Comments:

The representatives will be available for questions during the presentation.

Recommended Action/Motion:

Informational.

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:

CITY OF BRAINERD
PERSONNEL AND FINANCE COMMITTEE
AGENDA

September 17, 2018
City Hall Conference Room
7:00 PM

1. Approval of Bills & Payments to Contractors

IMP#	Project	Contract Amt	Amount Paid	Amount Retained
17-13	Brook St. & S. 10th St Resurfacing	$641,669	$631,902 = Difference $9,767	$0

IMP#	Project	Project Cost	Amount Paid	Amount Retained
18-01	Street Dept Salt/Sand Storage	$240,000	$244,345 = Difference $4,345	$0

2. League of MN Cities Insurance Trust (LMCIT) Premium Renewal ’18-‘19

3. 2019 Health Insurance Renewal Rates

4. 2018-2019 Wellness Program – Request Wellness Grant Funding from Sourcewell

5. Informational – Department of Building Safety Delegation Agreement and New Position Discussion

6. Transit Out of State Travel Request

7. Discussion of Audit Services for 2018

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: League of MN Cities Insurance Trust (LMCIT) Premium Renewal '18-'19

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: Connie Hillman	**Department:** Finance
Presenter (Name & Title): Craig Miller, WE Ins.	**Estimated Time Needed:** 15 Minutes

Summary of Issue:

Mr. Craig Miller from Weizeneggar-Engel Insurance will be at the meeting to present the 2018-2019 general liability and auto insurance renewal information. Information is attached for your review.

The renewal is for the period of June 1, 2018 to February 28, 2019. Staff requested to have the renewal date changed from June 1st to March 1st as the June 1st renewal date was difficult with other deadlines that are at that time - start of summer projects, audit field work, etc.

Alternatives, Options, Effects on Others/Comments:

For the June 1, 2018 to February 28, 2019 time period, the City had budgeted $146,239, whereas the actual cost is $139,765, a difference of $6,474. The budget for 2019 will be reviewed for the actual 2 month renewal and then estimated for another 10 months.

Recommended Action/Motion:

Approve the insurance renewal from the LMCIT for June 1, 2018 - February 28, 2019.

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:

Weizenegger Engel Insurance

August 27, 2018

Brainerd City Council
City of Brainerd
501 Laurel Street
Brainerd MN 56401

RE: LMCIT Insurance Renewal

Dear Council Members,

Enclosed is the City of Brainerd's renewal premium summary, along with a comparative premium breakdown for the: City, Brainerd Public Utilities and the Transit Department.

The policy was issued short term from 6-1-18 to 3-1-19. The liability experience mod is 1.104 which compares with 1.167 expiring, roughly a 5% improvement. The Municipal Liability premium has decreased. The Automobile Physical Damage premium has increased, this is mostly due to the rate increases and new vehicles added to the renewal application. Overall, the annual premium is up 1 % from expiring on an annualized basis.

Coverage changes include automatic inflationary increases to the property limits. Also, there were changes to the mobile equipment and automobile that were done at the time the application was submitted.

We have received a proposal from LMCIT for excess liability coverage with a limit of $1,000,000 for an annual premium of $28,717. Under your current municipal policy coverage would exclude downstream liability with the hydro-dam exposure. In addition, statutory tort limits to not apply to claims under Federal civil rights laws (employment practices, discrimination, etc.), liability assumed by contractor or the "taking" of property; which makes this a coverage to consider.

Please let me know if you have any questions or concerns.

Regards,

Craig Miller

CC: Todd Wicklund, BPU

Weizenegger
Engel
Insurance

COMMERCIAL INSURANCE PACKAGE
PREPARED FOR:

City of Brainerd
Brainerd Public Utilities
Brainerd-Crow Wing County Transit

Prepared by: ***Craig Miller***

WEIZENEGGER ENGEL INSURANCE

301 NW 6th Street, Brainerd, MN 56401 888-829-4721

PREMIUM SUMMARY

CITY OF BRAINERD, BRAINERD PUBLIC UTILITIES &
BRAINERD & CROW WING PUBLIC TRANSIT
- All Departments Combined -
League of Minnesota Cities Insurance Trust
June 1, 2018 to March 1, 2019

COVERAGE	Full Term EXPIRING PREMIUM 2017/2018	Short Term RENEWAL PREMIUM 2018/2019	Full Term RENEWAL PREMIUM 2018/2019
Building & Contents	$100,021	$78,851	$105,135
Equipment	$6,198	$5,002	$6,669
Municipal Liability	$142,147	$101,280	$135,040
Public Officials E&O	Included	Included	Included
Automobile	$59,653	$48,879	$65,172
Blanket Employee Bond	$2,594	$1,844	$2,459
Equipment Breakdown	$12,974	$9,970	$13,293
Open Meeting Law	Included	Included	Included
TOTAL ANNUAL PREMIUMS	**$323,587**	**$245,826**	**$327,768**

rev 08/2018

PREMIUM SUMMARY - City

- CITY OF BRAINERD -

League of Minnesota Cities Insurance Trust
June 1, 2018 to March 1, 2019

COVERAGE	Full Term EXPIRING PREMIUM 2017/2018	Short Term RENEWAL PREMIUM 2018/2019	Full Term RENEWAL PREMIUM 2018/2019
Building & Contents	$17,169	$14,045	$18,727
Equipment	$3,688	$2,925	$3,900
Municipal Liability	$111,035	$75,901	$101,201
Public Officials E&O	Included	Included	Included
Automobile	$22,550	$23,467	$31,289
Blanket Employee Bond	$1,297	$1,844	$2,459
Equipment Breakdown	$3,212	$2,463	$3,284
Open Meeting Law	Included	Included	Included
ANNUAL PREMIUM	**$158,951**	**$120,645**	**$160,860**

rev 08/2018

PREMIUM SUMMARY - BPU

- BRAINERD PUBLIC UTILITIES -

League of Minnesota Cities Insurance Trust
June 1, 2018 to March 1, 2019

COVERAGE	Full Term EXPIRING PREMIUM 2017/2018	Short Term RENEWAL PREMIUM 2018/2019	Full Term RENEWAL PREMIUM 2018/2019
Building & Contents	$82,563	$64,807	$86,409
Equipment	$2,799	$2,077	$2,769
Municipal Liability	$29,864	$24,568	$32,757
Public Officials E&O	Included	Included	Included
Automobile	$12,451	$7,102	$9,469
Blanket Employee Bond	$1,297	$0	$0
Equipment Breakdown (excl. Hydro)	$9,762	$7,507	$10,009
Open Meeting Law	Included	Included	Included
ANNUAL PREMIUM	**$138,736**	**$106,061**	**$141,415**
Stand-Alone Coverage (non-LMCIT)			
Hydro - Equipment Breakdown *(Factory Mutual Insurance)*	$20,061	$21,545	$21,545

rev 08/2018

PREMIUM SUMMARY - Transit

- BRAINERD & CROW WING PUBLIC TRANSIT -

League of Minnesota Cities Insurance Trust
June 1, 2018 to March 1, 2019

COVERAGE	Full Term EXPIRING PREMIUM 2017/2018	Short Term RENEWAL PREMIUM 2018/2019	Full Term RENEWAL PREMIUM 2018/2019
Building & Contents	$0	$0	$0
Equipment	$0	$0	$0
Municipal Liability	$1,167	$811	$1,081.33
Public Officials E&O	Included	Included	Included
Automobile	$22,871	$18,310	$24,413.33
Blanket Employee Bond	$0	$0	$0
Equipment Breakdown	$0	$0	$0
Open Meeting Law	Included	Included	Included
ANNUAL PREMIUM	**$24,038**	**$19,121**	**$25,495**

rev 08/2018

MUNICIPAL PROPERTY

PROPERTY:	**2017**	**2018**
- Building & Contents Blanket Limit	**$127,644,505**	**$131,226,805**
- Mobile Equipment - Scheduled	**$606,853**	**$972,991**
- Mobile Equipment < $100,000	**$1,709,166**	**$1,743,349**
- Business Income / Hydro	**$1,000,000**	**$1,000,000**

**See Attached Property Schedule*

Special Causes of Loss Form

Replacement Cost Coverage
- City Hall & Historic Water Tower insured at Reproduction Cost
Agreed Amount

Municipal Property Deductible: **$5,000**

		Deductible
CRIME: Limit per Occurrence	$250,000	$5,000 per occurrence
BOND: Limit per Occurrence	$1,000,000	$1,000 per occurrence
PETROFUND: Aggregate	$250,000	N/A
EQUIPMENT BREAKDOWN:		$1,000 per accident

ADDITIONAL PROPERTY COVERAGES

1.	Loss of Revenue, Extra Expense and Expediting Expense	$5,000,000 Per Occurrence
2.	Demolition & Debris Removal (Direct Damage to Property)	25% of the Estimated Replacement Cost of the Covered Property
	(No Direct Damage to Property)	$50,000 Per Occurrence
3.	Leasehold Interest	$500,000 Per Location
4.	Accounts Receivable	$500,000 Per Location
5.	Valuable Papers and Records	$500,000 Per Location
6.	Utility Services	$100,000 Per Occurrence
7.	Green Building Expenses	1% of Contract Cost, but not to exceed $100,000 Per Location
8.	Asbestos Cleanup and Removal	$250,000 Per Location
9.	Pollutant Cleanup and Removal	$250,000 Per Location
10.	Errors	$500,000 Per Occurrence
11.	Rental Reimbursement	$250,000 Annual Aggregate
12.	Arson Reward	$5,000 Per Fire Loss
13.	Extraordinary Expense	$250,000 Annual Aggregate
14.	Data Security Breach Expenses	$250,000 Annual Aggregate
15.	Organic Pathogen Cleanup	$250,000 Annual Aggregate
Water & Supplemental Flood Coverage		$500,000 Per Occurrence $500,000 Annual Aggregate

MOBILE PROPERTY

SCHEDULED ITEMS > $100,000	LIMIT	DEPARTMENT
2014 Pelican Sweeper	$163,200	Street
2018 Snogo Blower	$159,000	Street
2018 Caterpillar 938 M Loader	$195,000	Street
2005 Ditchwitch Trencher	$105,611	BPU-E
Caterpillar Backhoe/Loader	$113,611	BPU-WW
Caterpillar Challenger MT 645D	$236,569	BPU-WW
Total	**$972,991**	

UNSCHEDULED ITEMS < $100,000	**$1,743,349**
Mobile Property Deductible:	**$5,000**

**Note: Mobile property with replacement cost greater than $100,000 needs to be scheduled. Therefore, if you have an older piece of equipment which would cost in excess of $100,000 to replace, the equipment should be scheduled to avoid a potential problem in the event of a claim.*

MUNICIPAL LIABILITY

COVERAGE WRITTEN ON: Claims Made Form

LIMITS OF LIABILITY:

Per Occurrence Limit	$2,000,000	
Products Limit	$3,000,000	Annual Aggregate
Failure to Supply Claim Limit	$3,000,000	Annual Aggregate
EMF Claim Limit	$3,000,000	Annual Aggregate
Limited Contamination Liability	$2,000,000	Per Sudden Occ.
Outside Organization Claim Limit	$100,000	Annual Aggregate
Data Security Breach Claim Limit	$3,000,000	Annual Aggregate
Land Use & Special Risk Litigation	$1,000,000	Annual Aggregate
Medical & Related Expense Limit	Not Covered	

Municipal Liability Deductible: **$1,000**

MISC. COVERAGE:

Errors & Omissions (incl. Airport)

Defense Cost Reimbursement Expense	$50,000	Annual Aggregate
		Per City Official
	$250,000	Annual Aggregate

MUNICIPAL AUTOMOBILE

Automobile Liability	$2,000,000	Per Occurrence
Basic Economic Loss Benfits	MN Statutory	PIP
Uninsured & Underinsured Motorist	$200,000	Per Occurrence
Automobile Physical Damage	Actual Cash Value (unless endorsed)	
Hired & Non-Owned Automobile	$2,000,000	

Automobile Deductible: **$1,000**

ADDITIONAL CONSIDERATIONS

	Annual Premium
Excess Liability Quote:	$28,717
- Coverage Limit @ $1,000,000	
45% City / 45% BPU / 10% Transit	

Data Breach option:

- Data Breach limit can be increased

PREMIUM SUMMARY

CITY OF BRAINERD, BRAINERD PUBLIC UTILITIES &
BRAINERD & CROW WING PUBLIC TRANSIT

League of Minnesota Cities Insurance Trust
June 1, 2018 to March 1, 2019

Dept.	Property	Equipment	Liability	Auto	Bond	Equipment Breakdown	Open Meeting Law	TOTAL
City	$5,060.00	$26.56	$18,146.00	$1,788.00	$1,844.00	$888.48	$0.00	$27,753.04
Str/Swr	$1,326.00	$1,729.62	$12,159.00	$2,597.00	$0.00	$232.88	$0.00	$18,044.50
Police	$1,410.00	$478.02	$42,219.00	$14,537.00	$0.00	$247.48	$0.00	$58,891.50
Park	$2,163.00	$159.34	$2,099.00	$1,523.00	$0.00	$379.76	$0.00	$6,324.10
Fire	$1,451.00	$531.14	$1,117.00	$3,022.00	$0.00	$254.00	$0.00	$6,375.14
Library	$2,635.00	$0.00	$89.00	$0.00	$0.00	$460.00	$0.00	$3,184.00
EDA	$0.00	$0.00	$72.00	$0.00	$0.00	$0.00	$0.00	$72.00
Airport	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00	$0.00
SUBT	**$14,045.00**	**$2,924.68**	**$75,901.00**	**$23,467.00**	**$1,844.00**	**$2,462.61**	**$0.00**	**$120,644.29**
Transit	$0.00	$0.00	$811.00	$18,310.00	$0.00	$0.00	$0.00	$19,121.00
SUBT	**$0.00**	**$0.00**	**$811.00**	**$18,310.00**	**$0.00**	**$0.00**	**$0.00**	**$19,121.00**
BPU	$64,806.00	$2,077.32	$24,568.00	$7,102.00	$0.00	$7,507.19	$0.00	$106,060.51
SUBT	**$64,806.00**	**$2,077.32**	**$24,568.00**	**$7,102.00**	**$0.00**	**$7,507.19**	**$0.00**	**$106,060.51**
TOTAL	**$78,851.00**	**$5,002.00**	**$101,280.00**	**$48,879.00**	**$1,844.00**	**$9,969.80**	**$0.00**	**$245,825.80**

City

LMC#	PROPERTY	CODE	2018 LIMIT	2017 Limits	% Difference
1	City Hall - Reproduction cost	Building	$5,109,948	$4,951,500	3%
	501 Laurel Street	Contents	$456,570	$445,000	3%
2	City Hall Annex	Building	$673,447	$652,565	3%
	213 South 5th Street	Contents	$57,823	$56,358	3%
3	Property in Open	PIO	$32,878	$31,920	3%
	Lights (Laurel & Civic), welcome signs				
4	Historic Water Tower	Building	$1,965,617	$1,904,668	3%
	124 N 6th Street				
84	Civil Defense Sirens	PIO	$125,454	$121,800	3%
	CITY TOTAL		**$8,421,737**	**$8,163,811**	**3%**

Street

LMC#	PROPERTY	CODE	2018 LIMIT	2017 Limits	% Difference
5	Garage	Building	$2,069,214	$2,005,052	3%
	724 Thiesse Drive	Contents	$138,209	$134,707	3%
	STREET TOTAL		**$2,207,423**	**$2,139,759**	**3%**

Police

LMC#	PROPERTY	CODE	2018 LIMIT	2017 Limits	% Difference
6	Police Department	Building	$2,074,941	$2,010,602	3%
	225 East River Road	Contents	$270,892	$264,027	3%
	POLICE TOTAL		**$2,345,833**	**$2,274,629**	**3%**

Fire

LMC#	PROPERTY	CODE	2018 LIMIT	2017 Limits	% Difference
49	Fire Station	Building	$1,396,843	$1,353,530	3%
	23 Laurel Street	Contents	$202,652	$197,517	3%
50	Metal Storage Bldg/ FD	Building	$103,342	$100,138	3%
	23 Laurel Street	Contents	$19,714	$19,214	3%
51	NE Fire Station	Building	$665,266	$644,638	3%
	1301 Mill Avenue	Contents	$26,558	$25,885	3%
	FIRE TOTAL		**$2,414,375**	**$2,340,922**	**3%**

Library

LMC#	PROPERTY	CODE	2018 LIMIT	2017 Limits	% Difference
52	Public Library	Building	$2,691,205	$2,607,757	3%
	416 South 5th Street	Contents	$1,693,784	$1,650,862	3%
	LIBRARY TOTAL		**$4,384,989**	**$4,258,619**	**3%**

Park

LMC#	PROPERTY	CODE	2018 LIMIT	2017 Limits	% Difference
	Bane Park				
7	Announcer Stand	Building	$23,360	$116,000	-80%
		Contents	$1,047	$1,020	3%
8	Warming house/Restroom/Concession	Building	$123,600	$93,879	32%
		Contents	$3,795	$3,699	3%
9	Storage Garage	Building	$12,740	$12,345	3%
		Contents	$13,606	$13,261	3%
10	Property in the Open	PIO	$81,464	$79,091	3%
	(park, batting cages, bleachers, dugouts)				
11	Miracle League Field	PIO	$201,986	$196,103	3%
12	Sponsorship Arch	PIO	$12,893	$12,517	3%
		Total	**$474,491**	**$527,915**	-10%

	Buffalo Hills - Lions				
13	Shelter/Concession	Building	$95,560	$92,597	3%
		Contents	$5,058	$4,930	3%
14	Storage Shed	Building	$17,116	$16,585	3%
		Contents	$2,093	$2,040	3%
15	Property in the Open	PIO	$44,556	$43,258	3%
	(park + bleachers)	**Total**	**$164,383**	**$159,410**	3%
	Gregory Park				
16	Bandstand	Building	$38,222	$37,037	3%
		Contents	$2,656	$2,589	3%
17	Warming House/ Restroom	Building	$76,447	$74,077	3%
		Contents	$3,795	$3,699	3%
18	Gazebo	Building	$5,383	$5,216	3%
19	Property in the Open	PIO	$381,912	$370,788	3%
	(park, fountain, tennis ct surfaces)	**Total**	**$508,415**	**$493,406**	3%
	Jaycees Park				
20	Storage Building	Building	$21,661	$20,989	3%
		Contents	$2,656	$2,589	3%
21	Concess/Warming/Restroom	Building	$153,507	$148,747	3%
		Contents	$8,853	$8,629	3%
22	Small Shelter	Building	$14,209	$13,768	3%
23	Property in the Open	PIO	$105,638	$102,561	3%
	(park, batting cages, skate park structure, dugouts)	**Total**	**$306,524**	**$297,283**	3%
	Kiwanis Park				
24	Gazebo	Building	$5,383	$5,216	3%
25	Restrooms/ Picnic Shelter	Building	$91,736	$88,891	3%
		Contents	$1,274	$1,242	3%
26	Picnic Shelter	Building	$6,372	$6,174	3%
27	Property in the Open	PIO	$81,464	$79,091	3%
	(park + docks)				
28	Dog Park	PIO	$16,116	$15,647	3%
		Total	**$202,345**	**$196,261**	3%
	Lum Park				
29	Warehouse/ Office	Building	$216,599	$209,883	3%
		Contents	$55,655	$54,245	3%
30	Restrooms/Showers	Building	$129,179	$125,173	3%
31	Pavilion 1	Building	$64,589	$62,586	3%
32	Pavilion 2	Building	$60,499	$58,623	3%
33	Beach House/Storage	Building	$32,294	$31,293	3%
		Contents	$5,058	$4,930	3%
34	Picnic Shelter	Building	$9,150	$8,866	3%
35	Picnic Shelter	Building	$9,150	$8,866	3%
36	Cold Storage	Building	$91,736	$88,891	3%
		Contents	$104,662	$102,010	3%
37	Property in the Open	PIO	$50,922	$49,439	3%
	(park + docks)	**Total**	**$829,493**	**$804,805**	3%
	Memorial Park				
38	Concession/Lockers/Restroom	Building	$139,942	$135,603	3%
		Contents	$12,748	$12,425	3%
39	Softball Concession	Building	$21,099	$20,445	3%
		Contents	$6,375	$6,213	3%
40	Restrooms	Building	$125,698	$121,800	3%
41	Grandstand/ Pressbox	Building	$269,121	$260,776	3%
		Contents	$3,795	$3,699	3%
42	Storage Garage	Building	$17,838	$17,285	3%
		Contents	$20,932	$20,402	3%
43	Storage Building 1	Building	$3,876	$3,756	3%
		Contents	$1,274	$1,242	3%
89	Storage Building 2	Building	$3,876	$3,756	3%
		Contents	$1,274	$1,242	3%
44	Bronco Field/Announcer Bldg	Building	$3,823	$3,704	3%
45	Shelter	Building	$7,645	$7,408	3%
46	Property in the Open	PIO	$327,170	$317,641	3%
	(SB field dugouts, batting cages, scoreboards, bleachers, park)	**Total**	**$966,486**	**$937,397**	3%
	Mill Avenue				
47	Warming House	Building	$82,674	$80,110	3%
		Contents	$5,312	$5,177	3%
48	Property in the Open	PIO	$59,562	$57,827	3%
	(bleachers, hockey rinks, lights)	**Total**	**$147,548**	**$143,114**	3%
		PARKS TOTAL	**$3,599,685**	**$3,559,591**	

BPU					
LMC#	**PROPERTY**	**CODE**	**2018 LIMIT**	**2017 Limits**	**% Difference**
		General Dept			
56	BPU Service Center	Building	$6,211,517	$6,018,912	3%
	8027 Highland Scenic Rd	Contents	$486,680	$474,347	3%
58	Cold Storage - Inventory	Building	$209,496	$203,000	3%
	8027 Highland Scenic Rd				
59	Cold Storage	Building	$1,361,724	$1,319,500	3%
	13021 Eagle Drive	Contents	$5,181	$5,050	3%
		GENERAL TOTAL	**$8,274,598**	**$8,020,809**	3%
		Waste Dept			
65	Wastewater Treatment Plant	Building	$32,198,226	$31,199,831	3%
	Main Plant - 7933 Highland Scenic Rd	Contents	$3,186,966	$3,106,205	3%
66	Main Wastewater Pumping Station	Building	$2,735,772	$2,650,942	3%
	East River Road	Contents	$889,774	$867,226	3%
67	Evergreen Lift Station	Building	$1,076,482	$1,043,103	3%
	Evergreen Park	Contents	$238,600	$232,554	3%
68	BRHSC Lift Station	Building	$753,538	$730,172	3%
	Hwy. 18 & 25	Contents	$298,513	$290,948	3%
69	Norgaard Lift	Building	$48,442	$46,940	3%
	Hwy. 371 S	Contents	$37,181	$36,239	3%
70	Tyrol Lift	Building	$37,678	$36,510	3%
	Tyrol Hills	Contents	$37,181	$36,239	3%
71	Wet Lift Station	Building	$37,678	$36,510	3%
	Buffalo Hills	Contents	$37,181	$36,239	3%
72	Pine & Walnut Lift Station	Building	$48,442	$46,940	3%
	Pine & Walnut	Contents	$26,558	$25,885	3%
73	Brian Lane Lift	Building	$48,442	$46,940	3%
	College Drive	Contents	$15,935	$15,531	3%
74	SW 6th Lift	Building	$48,442	$46,940	3%
	College Drive & SW 6th	Contents	$37,181	$36,239	3%
75	Lift Station	Building	$48,442	$46,940	3%
	10th & O Streets	Contents	$26,558	$25,885	3%
76	Lift Station	Building	$48,442	$46,940	3%
	Ellingson	Contents	$26,558	$25,885	3%
77	Lift Station	Building	$59,207	$57,371	3%
	Dumbeck	Contents	$26,558	$25,885	3%
78	Lift Station	Building	$48,442	$46,940	3%
	Meadowview	Contents	$21,246	$20,708	3%
79	Lift Station	Building	$48,442	$46,940	3%
	Stone Bridge	Contents	$26,558	$25,885	3%
80	Lift Station	Building	$48,442	$46,940	3%
	Industrial Park	Contents	$26,558	$25,885	3%
87	Lift Station	Building	$250,776	$243,000	3%
	Lum Park	Contents	$200,070	$195,000	3%
85	Lift Station	Building	$221,880	$215,000	3%
	Jordan Road	Contents	$200,070	$195,000	3%
		WASTE TOTAL	**$43,166,461**	**$41,858,337**	3%
		Water Dept			
53	Central Station - Service Pumps	Building	$439,125	$439,125	0%
	50 Jenny Street				
60	Water Tower	Building	$2,152,965	$2,086,206	3%
	Downtown Brainerd				
61	Main Water Treatment/ 5 Wells	Building	$8,844,377	$8,570,133	3%
	1520 Emma Street	Contents	$2,523,014	$2,459,078	3%
62	Water Pumping Booster Station	Building	$86,118	$83,448	3%
	State Hospital	Contents	$110,993	$108,180	3%
63	Water Tower	Building	$1,291,778	$1,251,723	3%
	BRHSC - State Hospital				
64	Booster Station	Building	$156,090	$151,250	3%
	Riverside Drive	Contents	$143,945	$140,297	3%
86	Booster Station	Building	$482,976	$468,000	3%
	Lum Park	Contents	$392,958	$383,000	3%
88	Well #8	Building	$50,000	$50,000	0%
	312 Hattie Street	Contents	$500,000	$500,000	0%
		WATER TOTAL	**$17,174,339**	**$16,690,440**	3%

		Electric Dept			
54	Substation Downtown Brainerd	Building	$645,890	$625,862	3%
55	Substation Regulator St. Joseph's Med. Ctr.	Building	$495,181	$479,827	3%
57	Water & Light Yard (transformers, conductor, over/underground line material) Various	PIO	$1,402,360	$1,361,515	3%
		Electric Total	**$2,543,431**	**$2,467,204**	3%
			$71,158,829		
		Hydro Plant			
81	PWR PLT/Dam	Building	$23,921,825	$23,180,063	3%
	including Turbines	Contents	$12,559,471	$12,241,200	3%
82	Transformer	Building	$212,638	$206,045	3%
86	Extra Expense		$1,010,000	$1,010,000	0%
	1801 Mill Ave	**HYDRO TOTAL**	**$37,703,934**	**$36,637,308**	3%

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: 2019 Health Insurance Renewal Rates and Plan Options

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: HR Coordinator Kris Schubert	**Department:** Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	**Estimated Time Needed:** 2 minutes

Summary of Issue:

On 8/29/18, City and BPU representatives attended the Sourcewell (formerly NJPA) annual meeting where we received our 2019 health insurance renewal rates with an average 8.69% increase. Sourcewell representatives attended our 9/11/18 Employee Insurance Committee meeting where they presented our renewal information as well as discussed trends and utilization which is used to calculate the renewal. Attached are the Sourcewell rate sheet detailing the 2019 monthly cost for our current insurance plans; a comparison of the 2018 vs. 2019 rates that includes the 2018 employee and employer contribution amounts based on our current union contracts (we are just starting 2019 negotiations); and a copy of the 9/11/18 Employee Insurance Committee meeting minutes.

Alternatives, Options, Effects on Others/Comments:

Sourcewell conducted a survey earlier this year for members of its health insurance pool. It was not surprising that our pool members identified affordability and rate stability as high priority items; therefore, Sourcewell will be reviewing plan options including possible network and deductible changes for 2020 as possible cost saving measures.

We currently offer two health plans with HealthPartners as part of the Sourcewell Pool. Our current plan options are a $2,700 single/$5,400 family High Deductible Health Plan as well as a $1,000 Deductible Plan. Health plan changes would need to be negotiated with our unions.

Recommended Action/Motion:

Requested action at this time is approval of the 2019 health insurance rate renewal as submitted by Sourcewell; further, to approve our current HealthPartners health plan options for 2019 as presented.

Financial Impact:

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

What is the total cost, with tax and shipping $ unknown

Is this budgeted? ☑ Yes ☐ No

Please Explain: The insurance renewal rates/increase has already been incorporated into the 2019 proposed budget. The actual cost cannot be determined until after our 2019 union negotiations are finalized and when the 2019 open enrollment process is completed (when employees elect their insurance plan options for 2019).

Sourcewell
Formerly NJPA

sourcewell-mn.gov

Company Name:	**City of Brainerd**	**Rate change effective 1/1/19: 8.69%**
Renewal Effective Date:	**1/1/2019**	
Contract Basis:	**12/15 (claims incurred 1/1/19 through 12/31/19 and paid through 3/31/20)**	
	$212,000 Specific Deductible per Member, Unlimited Lifetime Maximum	
	Aggregate Attachment Point 110% of Expected Claims	

	Contracts	Fixed Rates	Monthly Projected Cost*
Specific Stop-Loss			
Employee	51	**49.35**	$2,516.85
Family	62	**129.74**	$8,043.88
Total	113		$10,560.73
Aggregate Stop-Loss			
Employee	51	**1.74**	$88.74
Family	62	**4.67**	$289.54
Total	113		$378.28
Administrative Fee			
Employee	51	**16.67**	$850.17
Family	62	**44.50**	$2,759.00
Total	113		$3,609.17
Broker Services Fee			
Employee	51	**5.00**	$255.00
Family	62	**5.00**	$310.00
Total	113		$565.00
Non-Conforming Plan Design Charge			
Employee	51	**0.00**	$0.00
Family	62	**0.00**	$0.00
Total	113		$0.00
Total Fixed Rates			
Employee	51	**72.76**	$3,710.76
Family	62	**183.91**	$11,402.42
Total	113		$15,113.18

*Fixed Rates will be billed monthly based on actual enrollment.

Claim Cost:

Plan 1: $2700 Deductible

	Contracts	Fixed Rates	Expected Claims Rates	Total Rate	Monthly Projected Cost
Employee	45	$72.76	$1,044.11	**$1,116.87**	$50,259.11
Family	62	$183.91	$1,631.72	**$1,815.63**	$112,568.94
Monthly Total					$162,828.04

Plan 2: $1000 Deductible

	Contracts	Fixed Rates	Expected Claims Rates	Total Rate	Monthly Projected Cost
Employee	6	$72.76	$1,169.22	**$1,241.98**	$7,451.90
Family	0	$183.91	$1,827.95	**$2,011.86**	$0.00
Monthly Total					$7,451.90

Total Annual Expected Costs Plan 1	$1,953,936.49
Total Annual Expected Costs Plan 2	$89,422.78

Excess Risk Insurance Coverage is provided by HealthPartners Insurance Company.
Third Party Administrative Services provided by HealthPartners Administrators, Inc.
Quote will expire on: 1/1/2019
Quote is contingent upon review and approval of the Employer Questionnaire, Underwriting Requirements and Provisions and *Sourcewell Board Approval*.

2019 NJPA Health Insurance Plan Renewal Information
Plans as of September 1, 2018

CURRENT 2018 PREMIUM

	$2,700/$5,400 HDHP		$1000 Deductible		Other		
	Single	**Family**	**Single**	**Family**	**Opt Out****	**IUOE**	**Teamsters**
Total Mthly Prem	**1,024.41**	**1,673.84**	**1,138.15**	**1,852.23**	315.00	**1,240.00**	1,390.65
'ER Share	973.19	1,339.07	1,081.24	1,481.78	315.00	1,240.00	1,390.65
'EE Share	51.22	334.77	56.91	370.45	-	-	-

2019 PROPOSAL (Employee/Employer share based on negotiated split per 2018 union contracts)

	$2,700/$5,400 HDHP		$1000 Deductible			Other - 2019 Rates Unknown	
	Single	**Family**	**Single**	**Family**	**Opt Out****	**IUOE**	**Teamsters**
Total Mthly Prem	**1,116.87**	**1,815.63**	**1,241.98**	**2,011.86**	**315.00**	**1,240.00**	**1,390.65**
2019 Mo. Incr	92.46	141.79	103.83	159.63			
2019 Annual Incr	1,109.52	1,701.48	1,245.96	1,915.56			
% Increase	9.03%	8.47%	9.12%	8.62%			
'ER Share	1,061.03	1,452.50	1,179.88	1,609.49		1,240.00	1,390.65
Add'l HSA Contr.	142.50	178.13	-	-			
Total ER Share	**1,203.53**	**1,630.63**	**1,179.88**	**1,609.49**	**315.00**	**1,240.00**	**1,390.65**
2019 Mo. Incr	87.84	113.43	98.64	127.71		-	-
2019 Annual Incr	1,054.09	1,361.16	1,183.68	1,532.52		-	-
'EE Share	**55.84**	**363.13**	**62.10**	**402.37**	-	-	-
2019 Mo. Incr	4.62	28.36	5.19	31.92			
2019 Annual Incr	55.48	340.30	62.28	383.04			

Note: 2019 HealthPartners Average Increase: 8.69%

2018 Employee Election Statistics:

	$2,700/$5,400 HDHP		$1000 Deductible				
	Single	**Family**	**Single**	**Family**	**Opt Out**	**Other**	**TOTAL**
City w/Airport EE's	18.00	22.00	-	-	10.00	21.00	71.00
BPU	15.00	24.00	4.00	-	5.00	-	48.00
HRA	5.00	10.00	-	-	1.00	-	16.00
COBRA, M&C, BPU Com	2.00	6.00	2.00	-	8.00	-	18.00
TOTALS	**40.00**	**62.00**	**6.00**	**-**	**24.00**	**21.00**	**153.00**
TOTAL %	**67%**		**4%**		**16%**	**14%**	

	HDHP	**$1000 Ded**	**Opt Out**	**Other**
City	56.3%	0.0%	14.1%	29.6%
BPU	81.3%	8.3%	10.4%	0.0%
HRA	93.8%	0.0%	6.3%	0.0%

Note: Deductible for HDHP must increase to $2,700 effective 1/1/18 per IRS

Employee Insurance Committee Meeting Notes
September 11, 2018

The September 11, 2018, Employee Insurance Committee meeting was called to order at 9:33 a.m. by HR Coordinator Kris Schubert in the Police Department Training Room.

The following representatives were noted present: Elaine Kraemer (FD/IBEW Administrative Support); Jana Pernula and Brent Yaunick (BPU – IBEW Union); Mark Levig (BPU – USW Union); John Palcher (Police Officer/LELS Union); Mike Bestul (PD/Supervisor); Karen Young (HRA Finance Director); Todd Wicklund (BPU Finance Director); Sharon Jensen (BPU Payroll/Payables Specialist) and HR Coordinator Kris Schubert.

Presenters/guests for the meeting were Laura Dwyer (Sourcewell – formerly NJPA) and Nancy Peterson (Strong Insurance Inc).

Trends and Utilization: Laura Dwyer with Sourcewell explained rate information and highlighted changes from last year to this year. Laura explained the utilization information noting the current nation-wide trend for medical inflation is 6% and that our Brainerd group had a 30% increase in utilization compared to the previous year.

2019 Health Insurance Premium Renewal rates: Laura explained the process of how rates are determined. HealthPartners uses the utilization information to project expected claims costs for the upcoming year. This information is then presented to Sourcewell and our rate is then figured out as part of a pool of 28 other entities that includes cities, counties and school districts. There will be a 8.69% increase in our rates, which is calculated per the Expected Claims Rates for City of Brainerd. It should be noted that the 2019 Sourcewell pool average health insurance premium increase was 9.2% based on overall increased utilization for the entire pool being higher than anticipated. Actual increases for the entities ranged from 6.1 to 15.7%.

Health Care Reform Update: Laura noted there is nothing to report at this time.

Sourcewell Programs:

Flu Shot Clinic – There will be Flu Shot Clinics held on October 3rd at Baxter City Hall from 3 – 4:30 pm and October 4th at Brainerd City Hall from 8 – 9:30 am. Sourcewell will pay for any employee whether they have our insurance or not, as well as cover the cost for any family member that is also covered with its health insurance.

Employee Assistance Program (EAP) – It was noted that the EAP is a program that is underutilized. Laura gave examples of services within the EAP such as: Financial Counseling (budgeting, restructuring of debt, tax prep help); Legal Services (half-hour consultation); and Work/Life Balance services (help in finding proper daycare, petsitting options, assistance with aging parents). Laura called the EAP a “complete stress reduction program.”

Benovate – July 1st was the start of the new program year. The City is continuing to utilize Benovate as our online Wellness Program Platform. Of the $375 total possible incentive earnings per employee, NJPA funds $250 per year per employee on our HealthPartners insurance for Benovate participation. Brainerd also receives an additional $6,000 grant per year from NJPA for Wellness activities. Our Wellness Committee decided to utilize a portion of the grant funding to pay the remaining $125 per employee incentive balance. Employees not covered by our HealthPartners plan can still participate on the Benovate platform. Non-covered employees are not eligible for monetary incentives; however, they are eligible for the free vacation day drawing awarded annually. Employees must complete a Benovate Health Risk Assessment every year in order to receive the incentives in their HSA accounts.

Biometric Screening – The City will be offering Biometric Screenings for employees on the HealthPartners insurance plan. This screening is paid for by NJPA and employees will also receive a $75 incentive on the Benovate platform for participating in this screening and receive an additional $25 for completing the Biometric review with the Nurse Practitioner. This $100 is part of the $375 total possible earnings. The screening will cover more tests than an annual physical and is quite comprehensive. There will be more information to come regarding date, time and location.

Sourcewell Reviewing Wellness Program Options – It was noted that Sourcewell is currently reviewing all of its Wellness Program Options; however, will honor current commitments until our Wellness Plan year renews on July 1, 2019.

Ancillary Benefits:

Only our Dental and Vision ancillary premiums will increase in 2019. A comparison between Avesis and EyeMed was distributed noting that Avesis was cheaper for 2019. It was noted that some employees have voiced disappointment with the lack of Avesis Vision providers in our area. Our vision provider can be discussed again next year if a change should be made.

2019 Open Enrollment Meetings:

Kris Schubert mentioned that we have tentatively scheduled our 2019 Open Enrollment meetings for October 22nd.

Respectfully submitted,

Kris Schubert
HR Coordinator

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: 2018-2019 Wellness Program & Sourcewell Funding Request

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: HR Coordinator Kris Schubert	**Department:** Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	**Estimated Time Needed:** 2 minutes

Summary of Issue:

Our Wellness Committee consists of City, BPU and HRA employees. This Committee helps prepare our annual Wellness Program and organizes the Program's activities/events. Attached is the Committee's recommendation for our 2018-2019 Wellness Program. I'm happy to report that we met the work comp and sick leave goals identified for our 2017-2018 Program; however, we only achieved 50% versus our 60% goal for employee online platform participation. The Committee increased the maximum per employee incentive for 2018-2019 by $50 hoping to increase participation.

Our Wellness Program is funded entirely by Sourcewell (formerly NJPA) and our Wellness Fund currently has a balance of over $10,000. Also, during the Committee meeting, I will announce our 2017-2018 Wellness Champion and the winner of our Free Vacation Day drawing.

Alternatives, Options, Effects on Others/Comments:

For many years Sourcewell has annually provided Brainerd with $6,000 in funding for our Wellness Program. This year the Wellness Fund also paid for catering our Employee Picnic and our new Employee Recognition Awards. In addition to the grant, Sourcewell reimburses the City up to $250 in incentives for each employee covered under the Sourcewell/HealthPartners Insurance Pool for participating in the Benovate online wellness program platform. The total incentive difference of $125 (maximum incentives provided for the 2018-2019 Wellness Program is $375 less the Sourcewell reimbursement of $250 = $125) is also covered by our Wellness Grant/Fund.

Benovate's contract with Sourcewell expires December 1, 2018. At the August 29, 2018 Sourcewell Health Insurance Pool annual meeting, Sourcewell confirmed that it will continue to pay Benovate's administrative costs and reimburse the employee incentive payments for the online program through the end of our 2018-2019 program year. Please note that Sourcewell is currently reviewing all of their Wellness Program options with changes to be implemented for our 2019-2020 Program.

Recommended Action/Motion:

Staff recommends:
1. Approval of the 2018-2019 Wellness Program as presented and recommended by the Wellness Committee; and
2. Authorize Staff to submit a $6,000 Wellness Program Funds Grant application to Sourcewell for our 2018-2019 Wellness Program as required by the Council Notification of Intent to Submit Grant Application Policy.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain: The Sourcewell Wellness Grant funding covers our Wellness Program expenses.

CITY OF BRAINERD / BPU / HRA

2018-2019 WELLNESS PROGRAM

All City of Brainerd / BPU / HRA employees are encouraged to participate in this wellness program. Participants are encouraged to find wellness-related events and activities that fit their personal lifestyle and schedules.

Mission

The mission of the Brainerd Wellness Program is to create, promote, develop, maintain, and motivate healthy lifestyles that will encourage healthy habits that can be incorporated.

Goals

1. Reduce work comp claims/costs by 30% by 2020 (based on 2015 data of 40 work comp claims).

2. Reduce the number of hours of sick leave used by 5% in 2018 and 10% in 2019 (based on 3,549.75 sick leave hours used in 2015).

3. Increase participation in wellness activities.

4. Achieve a 60% participation rate in 2018-2019 on the Benovate platform for employees that participate in the City's HealthPartners/Sourcewell (NJPA) health insurance plan.

benovate

Program Description

Eligibility

All regular full-time employees are eligible to participate in the Benovate Wellness Program. Only employees that are covered under the HealthPartners/Sourcewell health insurance plan are eligible for incentive payments. Employees covered by other insurance plans may participate in remaining areas of this program depending on availability.

Earning Points

1. Points are earned by participating in outlined activities on the Benovate platform. Each activity will be awarded points.

2. Benovate will inform the City quarterly of participants, their financial incentive payment and points awarded.

    a. Employees participating in the HealthPartners/Sourcewell Health Plan can earn financial incentives for participating in the Benovate platform. The incentives will be funded by Sourcewell (formerly NJPA).

    b. All employees can participate in the Benovate platform to complete point worthy activities. For every 100 points earned, employees receive a ticket in a drawing for a vacation day.

Incentive Awards/Payments

Incentive payments only apply to employees covered by HealthPartners/Sourcewell insurance. $375 is available this year as monetary incentives for Benovate Platform participation. Employees must complete the Benovate platform initial walkthrough and the Benovate Health Risk Assessment (HRA) questions to qualify for any incentive payments. Below is an annual incentive payment example for a new employee:

$30.00	Initial Walkthrough
$20.00	Completion of Benovate HRA
$75.00	Participate in Biometric Screening
$25.00	Complete Biometric review
$225.00	Daily Activities (may differ depending on EE activities)
Total: $375.00	

Core Participation for Incentive Award:

1. On-line Health Risk Assessment from Benovate.

    a. Each participant in the wellness program is required to complete the on-line health assessment questions through Benovate.
    b. The information is confidential and individual data will NOT be reported to the City/BPU/HRA.
    c. The health assessment can help discover personal health potential and how to improve the employee's health today and in the future.
    d. All employees have to do is answer a series of questions about their health, lifestyle and health history. The on-line program evaluates their current health status and helps determine risks for serious health conditions like diabetes and heart disease.
    e. Points and financial reward will be given to employees that participate.

2. Annual Exams and Screenings for Preventive Health:

    a. HealthPartners covers annual routine physical and appropriate wellness screenings at NO cost unless a diagnosis is given. If diagnosis, then charges may apply just for consulting/treatment of the condition.
    b. Physical/screening MUST have occurred between 7/1/18 – 6/30/19.
    c. Points and financial reward will be given to employees that participate.

Optional Participation:

1. Lunch & Learns – Offer Lunch & Learns sessions for employees on Health & Wellness Topics.

2. Wellness program to host:

    a. Employee Cook-off Events.
    b. Employee Picnic on Aug 8, 2018. In hopes to improve participation this year, the event will be catered and we will conduct an employee recognition ceremony. Both items will be paid by the Wellness Program.

3. Participation in the Benovate platform. For every 100 points employees receive they will receive a ticket towards the grand prize of a free vacation day.

4. Employee with most accumulated points will be named Wellness Champion and receive a traveling trophy and recognition.

5. Utilize Wellness Program funding for employee recreational events.

www.njpacoop.org

National Joint Powers Alliance®

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

National Joint Powers Alliance®
Risk Management Pool

Request for Wellness Program Funds

Group Name: City of Brainerd

Person Requesting Funds: Cassandra Torstenson

Wellness Program Attached: Yes ✓ No _____

Estimated Cost of the Wellness Program: $ 10,000

NJPA Maximum Funds Available: $6,000

Amount Requested: $ 6,000

Signature: _____ Date _____

Title: City Administrator

NJPA Approval: _____ Date _____
Executive Director

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Informational - Department of Building Safety Delegation Agreement

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Building/Engineering
Presenter (Name & Title): Building Official Caughey	**Estimated Time Needed:** 5-10 Minutes

Summary of Issue:

Attached are a couple of memos with requested information from the August 27, 2018 budget workshop outlining the Department of Building Safety's request for a new building inspector position and the current delegation agreement with the State of Minnesota.

Alternatives, Options, Effects on Others/Comments:

Building Official Caughey will be present to answer questions from the Committee.

Recommended Action/Motion:

Informational.

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:

M E M O

TO: Personnel and Finance Committee

FROM: City Engineer Sandy

DATE: September 11, 2018

SUBJECT: Department of Building Safety Information Regarding Current and Future Status of the Delegation Agreement with the State of Minnesota

At previous budget workshops, staff have proposed adding another position to the Department of Building Safety because of increased workload due to potential economic development opportunities in the City along with the approved school district referendum with construction beginning on 2019. There were questions raised by the council in regard to what a delegation agreement with the State of Minnesota entails and what holding this delegation agreement means to the City of Brainerd. In this memo, staff would like to outline the process that takes place when the City receives a plan for a state licensed facility (i.e. schools, hospitals, nursing homes), the different types of delegation agreements, and the supporting information on why staff feels an extra staff member, as proposed in the 2019 budget, would be in the best interest of the City for the future because of potential retirements and to help the State of Minnesota feel comfortable maintaining our delegation agreement on future state projects. I have also attached a memo from Building Official Caughey with previous revenues collected because of the City's delegation agreement with the State of Minnesota in 2016, 2017, and 2018 along with the potential revenues to be collected due to the school district referendum and proposed projects.

Overview

A municipal delegation agreement is a written agreement to transfer responsibility between the Department of Labor and Industry and the City. It identifies who is authorized to administer all or portions of the Minnesota State Building Code (MSBC) on state building projects. It is important to note that the City has elected to enforce the MSCB through Section 400 of the City Code, and thus would be responsible to enforce the code for all other non-state licensed projects in the City. The MSBC is the minimum construction standard throughout the whole state of Minnesota. Although it is not enforceable by municipalities unless it is adopted by local ordinance (in which case, the City has chosen to enforce it), it creates a level playing field for the construction industry by establishing a standard for construction of all buildings in the state. By choosing to enforce the code, the City has employed staff members to oversee permits, inspections, and issuance of certificate of occupancy to ensure that life, health, and safety of the public has been taken into consideration during construction of all building projects.

Municipal Delegation Agreement
As stated above, a delegation agreement is an agreement between the State and the City to transfer some or all the responsibility to enforce the MSBC on state licensed facility. In previous years, the City has held the delegation agreement in which the state performs plan review of state licensed facilities and collects 75% of the City's plan review fees to perform the state plan review. The City, in its current delegation agreement, has collected 25% of the plan review fees for state licensed facility projects to perform a cursory review of the facility to familiarize the inspector with the project, has collected 100% of the permit fees to perform all inspections and necessary documentation in accordance with the MSBC and state approved plans, and issues the certificate of occupancy. Other delegation agreements issued by the State of Minnesota include both plan review and inspection agreements, in which the municipality would collect all permit fees and plan review fees for the state licensed project and be responsible for all plan review and inspections. In these special circumstances, the municipality issued this type of agreement typically has a full technical staff available include master plumbers, HVAC technicians, and master electricians to cover the full plan review and inspections through the entire process. These delegation agreements are rare and are only authorized to municipalities that have the staffing and technical capacity to perform all these functions. The last option for a municipality is not to have an authorized delegation agreement for state licensed facilities, in which the state would perform all aspects of the building code and collect all permit and plan review fees for these state-licensed facilities. It is important to note that the City would still be responsible to perform all MSBC permits, plan review and inspections for non-state licensed facilities in the City and would likely still need full staffing as it currently has.

Qualifications and Experience Required to be Considered for a Delegation Agreement
According to the Department of Labor and Industry, a city must show it has certain technical capabilities on its staff to be considered for a delegation agreement. They include:

A. Minimum five years of experience in performing inspections or plan review and inspections to assure compliance with the Minnesota State Building Code on schools, hospitals, nursing homes, colleges, dormitories, correctional facilities **or** other buildings having elements in the following component categories, for example:

- **Structural**: cast-in-place reinforced concrete [composite] floors, walls and structural members, structural masonry, structural steel and connections, precast concrete, pilings (**all** with evidence of completed Special Inspection)
- **Fire-resistance**: walls, floors, structural members, penetrations, spray-applied fire-proofing, shafts, smoke barriers, smoke compartments, smoke and fire dampers
- **Egress**: exit enclosures, horizontal exits, elevator lobbies, exit passageways, areas of refuge, alternate locking devices
- **Mechanica**l: type 1 hoods, hazardous-exhaust systems, process piping, ventilation systems with make-up-air
- **Fire protection**: alarm systems, alternate fire-protection-system designs, smoke control systems
- **Miscellaneous**: hazardous materials storage or control rooms, atriums, auditoriums, stages, grandstand-type bleacher seating structures, pedestrian walkways, emergency power systems

Relevant certifications or training courses could equate to one year of experience. Relevant certifications or training courses ideally should have been completed within the past five years.

B. Performed inspection or plan review and inspection of at least five buildings in the past five years that meet the criteria in "A."

C. Minimum five years of experience in performing inspections or plan review and inspections of fire protection system installations to determine compliance with the Minnesota State Building Code, Minnesota State Fire Code, and National Fire Protection Association (NFPA) standards.

New Building Inspector Position
In order for the City to put itself in the best position to maintain it's current delegation agreement with the State of Minnesota, planning for potential retirements in the next 1-5 years, and handle the increased work load from housing starts, potential new economic development opportunities, and the school district referendum construction projects, City staff has proposed to add a new building inspector to the 2019 budget. Staff proposes to reduce back to current staffing levels through attrition in the department, and hopefully after a flurry of activity that is expected in the next 1-4 years. The new position would be trained under the current Building Official so that it gives the City the potential to maintain its delegation authority with the state and have someone in the wings of the current Building Official to potentially fill that void upon retirements. Staff feels it is in the best interest of the City to try and maintain its current delegation authority with the State of Minnesota and training a new building inspector under the current Building Official puts the City in the best opportunity to do so.

Other Opportunities for Funding through Department of Labor and Industry
Staff is currently researching a potential program offered through the Department of Labor and Industry to provide for an apprenticeship program in which would help to train future Building Officials and pay a portion of the costs to do so. While the program is in its infancy, the Building Official has ensured that he will keep checking in with the State, as they have indicated that the City would be an ideal candidate for the program.

Conclusion
While I will be attending the Safety and Public Works Committee meeting at this time, I have asked the Building Official to attend this meeting to answer any questions that the committee may have with the information that myself and the Building Official have provided in our respective memos.

If the committee would like other information on delegation agreements or the MSBC in general, the website is below:

https://www.dli.mn.gov/workers/building-officials/municipal-delegation-agreements

Memo

To: City Administrator Cassandra Torstenson and City Engineer Paul Sandy

From: Tim Caughey, Building Official T.C.

Date: September 10, 2018

Re: Projected Revenue for Permit Services

www.ci.brainerd.mn.us

After several discussions with school district architects, the following reflects the condensed numbers of projected revenues for these projects (school district only). We have included the past three years for comparison:

Past – All State Licensed Facilities

	2016	**Valuation**	**Revenue**
	Two Projects	$972,513	$9,087
	2017		
	Five Projects	$409,096	$6,847
	2018		
	Five Projects	$2,126,000	$29,518

Proposed – School District Facilities Only

PHASE I:	**2019**		
	BHS North Campus	$66,000,000	$310,000
	Harrison School	$14,250,000	$67,000
PHASE II:	**2020**		
	Lowell School	$10,000,000	$49,000
	Riverside School	$10,000,000	$49,000
	Garfield School	$8,500,000	$42,000
PHASE III	**2021**		
	Brainerd Learning Center	TBD	
	Washington Admin Offices	TBD	
	South Campus	TBD	

I will be available at both September 17 meetings, Personnel & Finance and City Council, to address questions or concerns the mayor and council members may have regarding staff levels to maintain our delegation agreement with the Department of Labor & Industry.

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Out-of-State Travel Request - MPTA Conference - Transit Director Stone

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering/Transit
Presenter (Name & Title): Finance Director Hillman	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

The Minnesota and Wisconsin Public Transit Association annual conference is in LaCrosse Wisconsin this year.

Alternatives, Options, Effects on Others/Comments:

Transit Director Stone has requested out-of-state travel to attend the conference. Total estimated cost to attend the conference is: $250 conference fee; $495 hotel fee; $100 meals; plus fuel to travel to and from LaCrosse in a City car. Total Estimated cost = $1,000. Mr. Stone budgets for approximately $5,000 in professional development each year as he usually travels to Atlanta for the annual RouteMatch Conference, in which he has elected not to attend this year because of time constraints in the department. 85% of the costs for this travel are reimbursed by the State of Minnesota. Remaining balance will be funded through transit fund 230. Mr. Stone plans on leaving on Sunday the 14th of October and returning on Thursday the 18th.

Recommended Action/Motion:

Staff recommends approving the out-of-state travel request for Transit Director Stone.

Financial Impact:

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

What is the total cost, with tax and shipping $ $1,000 estimated

Is this budgeted? ☑ Yes ☐ No

Please Explain: Transit budgets for $5,000 annually for conferences and professional development.

MINNESOTA AND WISCONSIN
PUBLIC TRANSPORTATION CONFERENCE

Monday, October 15

8:00 AM – Registration opens at the La Crosse Center registration area

10:00 AM – Training Session I - Safety & Security in Transit with TSA: Best Practices, Rules & Regulations (includes lunch)

1:00 PM – Training Session II - Transit Technology: Apps, Social Media & New Tech Developments
Brendan Conway, Chief Marketing and Communications Officer, Milwaukee Co Transit
Denise Wandke, Director of Transportation, Milwaukee Co Transit
Dan Basile, Chief Operations Officer, Milwaukee Co Transit
Adam Mehl, Metropolitan Council

1:30 PM to 3:30 PM – Association Membership Meetings
WATO
WAMM
WCTC
All Aboard Wisconsin

2:30 PM – CEO Summit

4:00 PM – MPTA Membership Meeting

4:00 PM – WIPTA Membership Meeting

6:00 PM – Welcome Reception (includes food)

Tuesday, October 16

7:30 AM – Registration opens (includes breakfast)

8:30 AM – Noon – Maintenance Committee

8:30 AM – Welcome – Tim Kabat, La Crosse Mayor; Craig Rempp, MPTA President; Lynn Giles, WIPTA President

9:00 to 10:00 AM – Keynote Speaker Tim Clue: Tim engages and interacts with his audience in a way that is both humorous and inspiring. This motivational speaker gets people out of their seats and into the presentation, connecting them in entertaining yet thoughtful conversations.

10:00 AM to Noon – Operations/Paratransit Committee

10:00 to 11:00 AM – Break in Expo area

11:00 to Noon – Concurrent Sessions (5)

- Autonomous Buses/Alternative Fuels – Paul Buharin, First Transit; Michael Kronzer, MnDOT; City of Rochester Transit
- Five-Year Transit System Plans in Greater Minnesota – SRF; Jill Cahoon and Gavin Pointexter, AECOM; LSC; Tom Cruikshank, WSB & Associates
- Federal Transit Funding Update – Kelley Brookins, FTA Region V
- Ideas Café – Driver Issues
- Integrating Your Program with Local Planning – Jackie Eastwood, Transportation Planner, La Crosse Area Planning Committee

Noon to 3:00 PM – Lunch and Vendor Expo

3:30 to 5:30 PM – La Crosse Queen Tour

6:30 PM – Reception (includes food)

Wednesday, October 17

7:30 AM – Registration opens (includes breakfast)

8:00 to 9:15 AM – General Session: FAST Act Reauthorization Coming Soon: 2020
Alexandra King, CTAA
Art Guzzetti, APTA

9:30 to 10:30 AM – Concurrent Sessions (5)

- Transportation Services Networks (i.e. Uber, Lyft) – SouthWest Transit; Christine Kuennen, Metro Council Metro Mobility
- Idea Café - Engaging local officials
- Transit Advocacy – Alexandra King, CTAA; Margaret Donahoe, MPTA; Crystal Martin, Metro Transit in Madison, WI
- Family Care/ Medicaid – Charlene Norberg, ADRC/Aging Unit Director, ADRC of Eagle County
- Customer Driven Service Part I – John Hill, Noel Training and Consulting

10:30 to 11:00 AM – Break

11:00 to Noon – Concurrent Sessions (5)

- Travel Training/Trip Planning/ Bus Buddy Programs – Holly Keenan, Mobility Manager, Lutheran Social Services, Vice-President WAMM (mediator); Derek Muench, Director of Transit and Parking, City of Sheboygan; Jo-Ellen Douville, Travel Trainer, Milwaukee County Transit System
- Procurement Policies – Jean Meyer, MnDOT; Danette Tessmann, WisDOT Transit Procurement & Contract Administration Manager
- Customer Driven Service Part II – John Hill, Noel Training and Consulting
- Attracting Riders – Art Guzzetti, APTA
- Funding for Transit – Zachary Elgart, Texas A&M, CTAA

Noon to 1:30 PM – Lunch and Keynote Speaker Paul Lewis: Paul is the Vice President of Policy and Finance for the Eno Center for Transportation. His presentation topic will be The Impact of Technology on the Future of Transit. Paul has led policy projects related to federal policy, transportation planning, and transportation governance. Paul has also led research on emerging mobility and automated vehicles.

Register for the MN / WI Public Transportation Conference and Expo online!: www.mpta-transit.org.

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Discussion of Audit Services for 2018

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: Connie Hillman	**Department:** Finance
Presenter (Name & Title): Finance Director Hillman	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

In October 2015, the City went our for RFP's for audit services for 2015, 2016, and 2017. Eight proposals were received (summary is attached) and interviews of CliftonLarsonAllen (CLA), BerganKDV, and Eide Bailey were held. Staff's recommendation was to stay with CLA for various reasons, great service in the past, they audit BPU and the HRA, they are a local firm, provide training for all staff, not just the finance director in all of their locations, and even though they were not the cheapest, any savings would be used up by additional staff time needed to prepare for new auditors. Council's decision was to retain CLA.

Alternatives, Options, Effects on Others/Comments:

The City paid $45,570 for 2017 audit services of which the airport paid $2,000 of the cost. Staff contacted CLA and asked for an estimated cost for 2018 audit services $46,500 or about a 2% increase, but the price was negotiable.

Staff feels that we have received excellent services from CLA in the past and is very responsive to the City. CLA also came to Brainerd and did training on Cyber Security for all staff.

Recommended Action/Motion:

Staff recommends retaining CLA for 2018 audit services.

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: The estimated cost is included in the 2019 budget.

AUDITING SERVICES FOR PERIOD ENDING 12/31/2015

	Abdo, Eick & Meyers Edina	BerganKDV, LTD St. Cloud	CliftonLarsonAllen Brainerd	EideBailly Fargo, ND	McGladrey LLO Minneapolis	Redpath and Co. White Bear Lake	Schlenner Wenner & Co. St. Cloud	Wipfli LLP Minneapolis
Breakdown of All Inclusive Fee:								
Primary Government Audit	$30,350	$27,000	$33,375	$21,800	$27,000	$29,000	$21,150	$31,500
Component Units Audit	$3,200	$6,300	$4,000	$3,000	$5,000	$4,000	$10,750	$4,000
A-133 Audit	$3,800	$2,300	$2,500	$4,500	$5,000	$5,000	$4,800	$3,000
Passenger Facility Charges Audit	$2,000	$2,500	$2,500	$1,900	$1,500	$3,000	$2,200	$1,500
Preparation of OSA Form	$675	$700	$500	$400	$1,000	$500	$500	$500
Drafting Financial Statements	$5,000	$3,000	$1,000	$3,000	$5,000	$4,500	$900	$4,500
Out-of-Pocket Charges	$0	$0	$125	$6,300	$6,000	$0	$200	Included
ALL INCLUSIVE FEE	**$45,025**	**$41,800**	**$44,000**	**$40,900**	**$50,500**	**$46,000**	**$40,500**	**$45,000**
Other Comments:			* Quoted 2% increase for 2016 & 2017	* A-133 Audit assumes 3 programs, if more/less, increase/decrease by $1500 * Out-of-Pocket is estimate, only actually will be charged	* A-133 Audit assumes 1 major program, if more, increase by $5000 each addt'l * Out-of-Pocket includes transportation, lodging, and meals			* Out-of-Pocket includes transportation, lodging, and meals
Client References: (partial lists)	*City of Elk River* *City of Alberta Lea* *City of Granite Falls* *City of Faribault*	*City of Park Rapids* *City of Fergus Falls* *City of St. Cloud* *City of Richfield*	*City of Redwood Falls* *City of Minnetonka* *City of St. Cloud* *City of Baxter*	*City of Moorhead* *City of Wadena* *City of Morris* *City of Dilworth*	*Hennepin County* *MN Public Fac Authority* *City of Peoria* *City of Davenport*	*City of Andover* *City of Blaine* *City of Bloomington* *City of Cambridge*	*City of Little Falls* *City of Maple Lake* *City of International Falls* *City of Bayport*	*City of Anoka* *City of Wrenshall* *City of Scanlon* *City of Cloquet*
Estimated # of Hours involved in the Audit	295	375	440	375	500	390	470	400
Passenger Facility Charges Audit Experience	Yes	Yes	Yes	Yes	Yes	Yes	Yes	Yes
Experience with GFOA Cert of Achievement	Yes	Yes	Yes	Yes	Yes	Yes	No	Yes
Rate/hour (total fees divided by est hrs)	**$152.63**	**$111.47**	**$100.00**	**$109.07**	**$101.00**	**$117.95**	**$86.17**	**$112.50**

NOTE: This speadsheet is ONLY a review of fees, client references and hours for informationals purposes. The RFP states on page 5 that "Cost will not be the primary factor in the selection of an audit firm. The City reserves the right to further negotiate on price if the firm desired for selection is higher than other proposing firms."

CITY OF BRAINERD
SAFETY AND PUBLIC WORKS COMMITTEE
AGENDA

September 17, 2018
City Council Chambers
6:45 P.M.

1. Event/Street Closure Application – Brainerd Fire Department Open House

2. Event/Street Closure Application – Homeless Heroes 5k

3. Improvement 17-13 – Brook Street and SE 10th Street Resurfacing and Storm Sewer Rehabilitation Project Pay Estimate #3 – Final

4. Improvement 18-01 – Street Department Salt/Sand Storage Facility Pay Estimate #3 – Final

5. Improvement 18-11 – SE 10th Street Storm Manhole Rehabilitation Joint Project with Crow Wing County – Approve Bid

6. Discussion on 812 Juniper Street Concerns

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Event/Street Closure Application - Fire Department Open House

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

Attached is an event/street closure application for the annual Fire Department Open House.

Alternatives, Options, Effects on Others/Comments:

The event will be held on Thursday, October 4, 2018 at the fire department from 5:00 PM to 7:00 PM. The Fire Chief has asked to close East River Road adjacent to the fire hall for the event. The event will have fire prevention, fire apparatus, and emergency provider displays.

Recommended Action/Motion:

Staff recommends approval of the attached event application under the condition that the applicant organize the need for traffic control with the street department.

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:

SPECIAL EVENT APPLICATION

Date of Application: August 21, 2018

Event applications that do not include a street closure must be submitted to the Parks & Recreation Department at 1619 Washington Street NE, Brainerd, MN 56401 or parks@ci.brainerd.mn.us at least 14 calendar days prior to the event. Applications that include a street closure must be submitted to the Engineering Department at 501 Laurel Street, Brainerd, MN 56401 or engineer@ci.brainerd.mn.us at least 30 calendar days prior to the event and will require City Council approval.

Type of event:
- ☐ Event – City Parking Lot
- ☑ Event with Street Closure
- ☐ Event – City Park
- ☐ Other _____

Name of event: Brainerd Fire Department Open House

Organizer Information

Organizer's Name: Fire Chief Tim Holmes

Organizer's Address: 23 Laurel Street

Event Contact Person: Fire Chief Tim Holmes

Event Contact Daytime Phone: 218-828-2312

Event Contact E-mail Address: tholmes@ci.brainerd.mn.us

Contact Name/Number Day of Event: same

For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name: _____

Applicant Address: _____

Applicant Phone: _____

Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
October 4, 2018	5 pm	7 pm	23 Laurel Street

Event locations *(all dimensions are parking lot usable space estimates)*:

- City Hall Parking Lot (130' x 146')
- Laurel Street Parking Lot (92' x 120')
- Front Street Parking Lot (66' x 125')
- City Street(s) (street closure request information on page 4 MUST be filled out)
- City Park (must contact the Parks & Recreation Department for information)
- Other (specify location above)

Description of Activities

Brief description of the activities planned during the event. If a parade/run/walk event, please describe the proposed route with the assembly and dispersal locations and attach a route map:

Fire prevention, fire apparatus and emergency provider displays

Site Information

Electrical usage ☑ Yes ☐ No

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

On scene

Amplified Sound ☐ Yes ☑ No

Describe any recording and sound amplification equipment to be used in your event along with the times:

Restrooms provided ☑ Yes ☐ No

If yes, how many On scene (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms:

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

Signs, banners, and/or posters/flyers ☑ Yes ☐ No

Describe the signs, banners, posters, flyers and the locations:

On scene

Trash Receptacle Disposal ☑ Yes ☐ No

Company contracted for trash receptacle disposal: Waste Partners

Additional Event Information

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

Throughout all events, businesses should be reasonably accessible to the public. If a business's entrance is blocked by an event layout, then accommodations such as signage, handbills, or similar methods should be made available to mitigate the impact on customer access.

A $100/day security deposit is required (payable by check only). The security deposit will be refunded should the event site be left clean and void of trash and all event items are removed on the last day of the event. An event that does not occur will not have its security deposit refunded except for hazardous weather conditions, as determined by the City of Brainerd.

Street Closure Request Information

Describe the name and sections of the streets for which you are requesting temporary closure (e.g. South 7th Street between Maple Street and Front Street):

East River Road between Front and Laurel Streets

Date and time for beginning of street closures: October 4 at 4 pm

Date and time for reopening of streets: October 4 at 8 pm

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

No residential or businesses located in the closed street area

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

If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the street of the proposed closure. All street closures shall be approved by the City Council. Failure to notify property owners and tenants in street closure areas will result in revocation of this permit.

For information regarding a street closure, please contact the City Engineering office at 218-828-2307 or engineer@ci.brainerd.mn.us.

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

I attest that the above information is true and accurate, and I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.

Chief Tim Holmes Digitally signed by Chief Tim Holmes Date: 2018.08.30 07:53:08 -05'00'

Signature of Applicant

Tim Holmes

Print Name

Contacts, Permits, and Fees Checklist

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

The Event Planner is responsible for providing the following (as needed) information:

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

Contact Information

Administration Department:	(218) 828-2307 | admin@ci.brainerd.mn.us
Parks and Recreation Department:	(218) 828-2320 | parks@ci.brainerd.mn.us
Engineering Department:	(218) 828-2307 | engineer@ci.brainerd.mn.us
Planning Department:	(218) 828-2307 | planning@ci.brainerd.mn.us
Police Department:	(218) 829-2805 | police@ci.brainerd.mn.us
Fire Department:	(218) 828-2312 | fire@ci.brainerd.mn.us
MN Commissioner of Revenue:	(651) 282-5225 | www.revenue.state.mn.us
MN Department of Health	(320) 223-7300 | www.health.state.mn.us
MNDOT Baxter Office	(218) 828-5700 | www.dot.state.mn.us

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	OK	NONE
City Administration	OK	NONE
Engineering Department	OK	ORGANIZE NEED FOR TRAFFIC CONTROL W/ STREET DEPARTMENT
Fire Department	OK	NONE
Fire Support/EMS	OK	NONE
Parks Department	OK	NONE
Planning Department	OK	NONE
Police Department	OK	NONE

Event Application Approval

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

_____ _____

City Administrator or Parks & Recreation Director — Date

Approval Conditions

_____

_____

_____

_____

Certification of Street Closure Approval

The street closure request as described herein was approved by the City Council at their _____, 20__ meeting. Approval is subject to the following condition(s):

_____

_____

_____

_____

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Event/Street Closure Application - Homeless Heroes 5K

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

Attached is an event/street closure application for the Homeless Heroes 5K.

Alternatives, Options, Effects on Others/Comments:

The event is planned to be held on 12/8/2018 from 8:30 AM - 11:30 AM between CLC and Boom Lake. The applicant has identified the trails around Boom Lake, on College Drive, and the sidewalk on Mississippi Parkway as the routes they will use for the event. No streets are requested to be closed. They will have volunteers in vests to assist the runners at road crossings. The last page of the application has a map identifying the route. Because of the late time of year for this event, the City cannot guarantee the conditions of the trails on the route due to the potential for snow cover at this time.

Recommended Action/Motion:

Staff recommends approval of the event application with the conditions that the applicant organize any need for traffic control with the engineering department, the need for police presence at busy road crossings with the police staff, and approval from the Parks Department to use the Kiwanis Park for the event.

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:

SPECIAL EVENT APPLICATION

Date of Application: 9/11/2018

Event applications that do not include a street closure must be submitted to the Parks & Recreation Department at 1619 Washington Street NE, Brainerd, MN 56401 or parks@ci.brainerd.mn.us at least 14 calendar days prior to the event. Applications that include a street closure must be submitted to the Engineering Department at 501 Laurel Street, Brainerd, MN 56401 or engineer@ci.brainerd.mn.us at least 30 calendar days prior to the event and will require City Council approval.

Type of event:
- ☐ Event – City Parking Lot
- ☐ Event with Street Closure
- ☐ Event – City Park
- ☑ Other Run with road crossing

Name of event: Homeless Heroes 5k

Organizer Information

Organizer's Name: Brainerd

Organizer's Address: PO Box 384 Brainerd, MN 56401

Event Contact Person: Jerad Schroeder

Event Contact Daytime Phone: 507-312-9449

Event Contact E-mail Address: jerad.schroeder@ascensus.com

Contact Name/Number Day of Event: 508-312-9449

For Profit/Nonprofit Status (type): Nonprofit

Applicant information (if different from the event organizer):

Applicant Name: _____

Applicant Address: _____

Applicant Phone: _____

Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
12/08/2018	8:30am	11:30 am	Between CLC and Boom Lake

Event locations *(all dimensions are parking lot usable space estimates)*:

- City Hall Parking Lot (130' x 146')
- Laurel Street Parking Lot (92' x 120')
- Front Street Parking Lot (66' x 125')
- City Street(s) (street closure request information on page 4 MUST be filled out)
- City Park (must contact the Parks & Recreation Department for information)
- Other (specify location above)

Description of Activities

Brief description of the activities planned during the event. If a parade/run/walk event, please describe the proposed route with the assembly and dispersal locations and attach a route map:

The run will loop around CLC, loop around Boom lake, then come back to CLC.

Site Information

Electrical usage ☐ Yes ☑ No

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

Amplified Sound ☑ Yes ☐ No

Describe any recording and sound amplification equipment to be used in your event along with the times:

It is minimally invasive. Last year, I could not hear the speakers at CLC from College Drive.

Restrooms provided ☑ Yes ☐ No

If yes, how many _____ (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: CLC is providing

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

Signs, banners, and/or posters/flyers ☑ Yes ☐ No

Describe the signs, banners, posters, flyers and the locations:

There are none but there is a finish line (only visable from CLC's lot)

Trash Receptacle Disposal ☐ Yes ☑ No

Company contracted for trash receptacle disposal: The volunteers will clean up afterwards

Additional Event Information

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

Throughout all events, businesses should be reasonably accessible to the public. If a business's entrance is blocked by an event layout, then accommodations such as signage, handbills, or similar methods should be made available to mitigate the impact on customer access.

A $100/day security deposit is required (payable by check only). The security deposit will be refunded should the event site be left clean and void of trash and all event items are removed on the last day of the event. An event that does not occur will not have its security deposit refunded except for hazardous weather conditions, as determined by the City of Brainerd.

Street Closure Request Information

Describe the name and sections of the streets for which you are requesting temporary closure (e.g. South 7th Street between Maple Street and Front Street):

There will be no closure but at crossings, there will be volunteers w/ vests to help provide addtional safety for runnings crossing the road.

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

No roads are closed but sidewalks will be used. With only 50 runners, it would be unexpected for someone walking to be significantly impeded.

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

If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the street of the proposed closure. All street closures shall be approved by the City Council. Failure to notify property owners and tenants in street closure areas will result in revocation of this permit.

For information regarding a street closure, please contact the City Engineering office at 218-828-2307 or engineer@ci.brainerd.mn.us.

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

I attest that the above information is true and accurate, and I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.

Signature of Applicant

Jerad Schroeder

Print Name

Contacts, Permits, and Fees Checklist

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

The Event Planner is responsible for providing the following (as needed) information:

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

Contact Information

Administration Department:	(218) 828-2307 | admin@ci.brainerd.mn.us
Parks and Recreation Department:	(218) 828-2320 | parks@ci.brainerd.mn.us
Engineering Department:	(218) 828-2307 | engineer@ci.brainerd.mn.us
Planning Department:	(218) 828-2307 | planning@ci.brainerd.mn.us
Police Department:	(218) 829-2805 | police@ci.brainerd.mn.us
Fire Department:	(218) 828-2312 | fire@ci.brainerd.mn.us
MN Commissioner of Revenue:	(651) 282-5225 | www.revenue.state.mn.us
MN Department of Health	(320) 223-7300 | www.health.state.mn.us
MNDOT Baxter Office	(218) 828-5700 | www.dot.state.mn.us

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	OK	NONE
City Administration	OK	NONE
Engineering Department	OK	ANY TRAFFIC CONTROL REQUESTS, CALL 218-828-2307.
Fire Department	OK	NONE
Fire Support/EMS	OK	NONE
Parks Department	OK	NONE
Planning Department	OK	NONE
Police Department	OK	ANY REQUEST FOR ASSISTANCE IN CROSSING, CALL POLICE

Event Application Approval

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

_____ _____

City Administrator or Parks & Recreation Director Date

Approval Conditions

_____

_____

_____

_____

Certification of Street Closure Approval

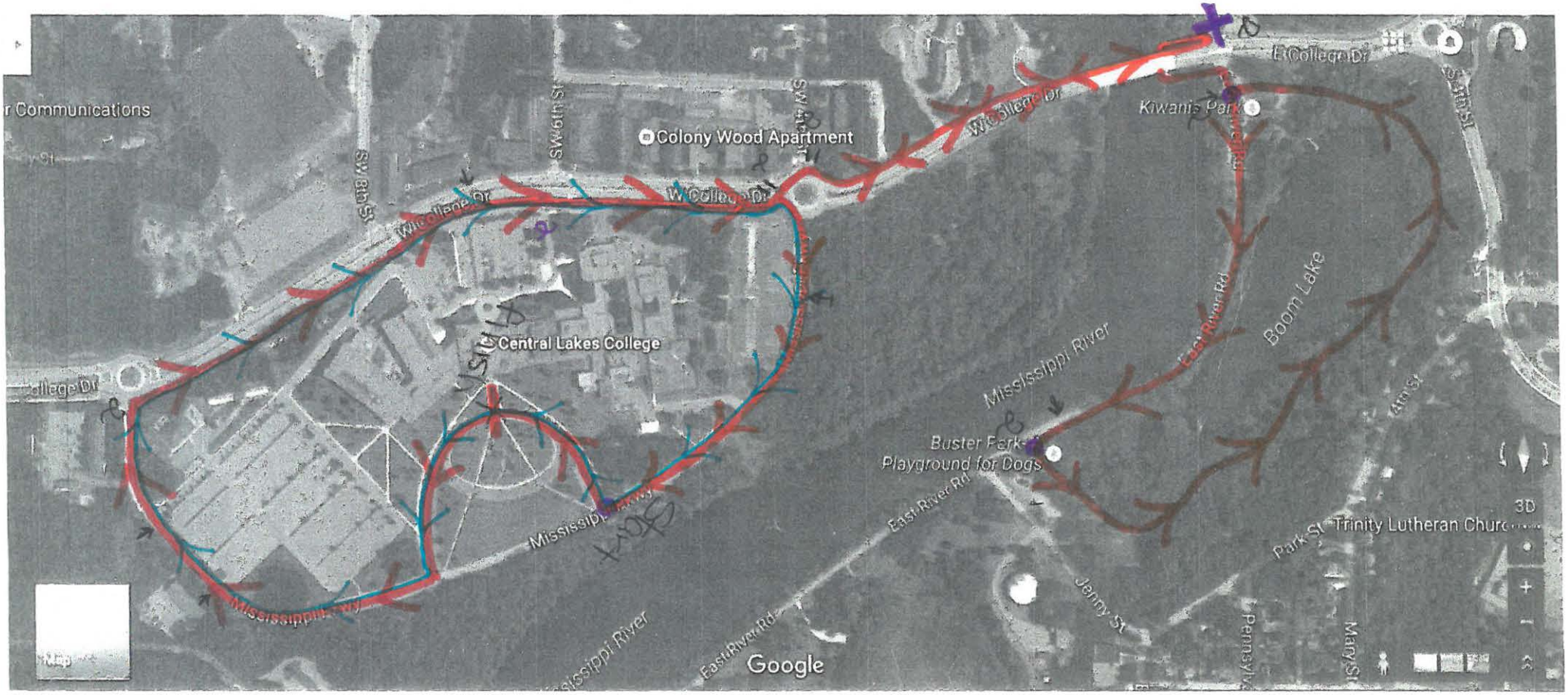
The street closure request as described herein was approved by the City Council at their _____, 20__ meeting. Approval is subject to the following condition(s):

_____

_____

_____

_____


Colony Wood Apartment
Central Lakes College
W College Dr
E College Dr
SW 8th St
SW 6th St
SW 4th St
Kiwanis Park
Boom Lake
East River Rd
Mississippi River
Buster Park
Playground for Dogs
Park St
Trinity Lutheran Church
Jenny St
Google

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Improvement 17-13 - Brook Street and SE 10th Street Final Pay Estimate

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

Attached to this request is the final pay estimate for Improvement 17-13 - Brook Street and SE 10th Street Resurfacing and Storm Sewer Rehabilitation Project

Alternatives, Options, Effects on Others/Comments:

Total contract cost as approved by the Council was $639,561.35. Change Order 1 in the amount of $2,108.00 was also authorized. This payment has been issued by TDS Metrocom, and staff is waiting for the check to come in the mail. Revised contract amount with Change Order 1 is $641,669.35. Final contract cost after construction is $631,902.11. This represents a total underrun from the contract cost of $9,767.24, or about 1.52% under the original contract amount. Total Engineering (design, construction, materials testing) was $53,003.71, or approximately 8.39% of the final contract amount.

Recommended Action/Motion:

Staff recommends approval of the final pay estimate for Improvement 17-13 in the total contract amount of $631,902.11.

Financial Impact:

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

What is the total cost, with tax and shipping $ $631,901.11

Is this budgeted? ☑ Yes ☐ No

Please Explain:

Total cost splits equate to with engineering included: Storm Sewer Fund 238: $326,357.97, Sanitary Sewer Fund 237: $14,319.59, Construction Fund 401: $200,392.04, Assessments: $141,728.22: Reimbursement by TDS Metrocom: $2,108.

CITY OF BRAINERD ENGINEERING

501 Laurel Street
Brainerd, MN 56401
Project 17-13 - BROOK STREET & S 10TH STREET RESURFACING
Final Pay Request No. 3

Contractor: Anderson Brothers Construction
11325 State Hwy 210
Brainerd, MN 56401

Contract No. 2018-4
Vendor No. N/A
For Period: 8/16/2018 - 9/11/2018
Warrant # _____ Date _____

Contract Amounts

Original Contract	$639,561.35
Contract Changes	$2,108.00
Revised Contract	$641,669.35

Work Certified To Date

Base Bid Items	$629,794.11
Backsheet	$0.00
Change Order	$2,108.00
Supplemental Agreement	$0.00
Work Order	$0.00
Material On Hand	$0.00
Total	$631,902.11

Funds Encumbered

Original	$639,561.35
Additional	N/A
Total	$639,561.35

	Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
17-13	**$2,704.00**	**$631,902.11**	**$0.00**	**$597,738.20**	**$34,163.91**	**$631,902.11**
			Percent Retained: 0.0000%			
				Amount Paid This Final Pay Request	**$34,163.91**	

I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with, and pursuant to, the terms of the Contract is as shown in this Final Voucher.

Approved By Sandy, Paul G
765897c3d3e5e61bdd78cdf288de6e42
2a14e36f603a0b286e43f7527f42ec59
County/City/Project Engineer
09/11/2018

Approved By
Bertram, Maria
def39a6b783dc9f88657ca478bbd2775
a7bc705d3501651845d535b607112ed8
Contractor

CITY OF BRAINERD ENGINEERING

501 Laurel Street
Brainerd, MN 56401
Project 17-13 - BROOK STREET & S 10TH STREET RESURFACING
Final Pay Request No. 3

Contractor:	Anderson Brothers Construction 11325 State Hwy 210 Brainerd, MN 56401

Contract No.	2018-4
Vendor No.	N/A
For Period:	8/16/2018 - 9/11/2018
Warrant # _____ Date _____	

Date

09/12/2018
Date

CITY OF BRAINERD ENGINEERING
501 Laurel Street
Brainerd, MN 56401
Project No. 17-13
Final Pay Request No. 3

17-13 Payment Summary

No.	From Date	To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	06/21/2018	07/28/2018	$515,605.96	$25,780.30	$489,825.66
2	07/29/2018	08/15/2018	$113,592.15	$5,679.61	$107,912.54
3	08/16/2018	09/11/2018	$2,704.00	($31,459.91)	$34,163.91
		Totals:	**$631,902.11**	**$0.00**	**$631,902.11**

17-13 Funding Category Report

Funding Category No.	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
000	631,902.11	0.00	597,738.20	34,163.91	631,902.11
Totals:	**$631,902.11**	**$0.00**	**$597,738.20**	**$34,163.91**	**$631,902.11**

17-13 Funding Source Report

Accounting No.	Funding Source	Amount Paid This Request	Revised Contract Amount	Funds Encumbered To Date	Paid To Contractor To Date
401-41713-5530	Local-City of Brainerd	34,163.91	641,669.35	639,561.35	631,902.11
	Totals:	**$34,163.91**	**$641,669.35**	**$639,561.35**	**$631,902.11**

CITY OF BRAINERD ENGINEERING
501 Laurel Street
Brainerd, MN 56401
Project No. 17-13
Final Pay Request No. 3

17-13 Project Item Status

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
BROOK ST AND S 10TH ST RESURFACING									
1	2021.501	MOBILIZATION	LS	$12,300.00	1	0	$0.00	1	$12,300.00
2	2104.501	REMOVE CURB & GUTTER	L F	$3.00	3270	0	$0.00	3324	$9,972.00
3	2104.503	REMOVE CONCRETE SIDEWALK	S F	$4.00	27	0	$0.00	33	$132.00
4	2104.505	REMOVE CONCRETE DRIVEWAY PAVEMENT	S Y	$5.00	183	0	$0.00	173	$865.00
5	2104.505	REMOVE BITUMINOUS PAVEMENT	S Y	$1.70	408	0	$0.00	489	$831.30
6	2104.509	REMOVE CASTING	EACH	$53.00	40	0	$0.00	40	$2,120.00
7	2104.513	SAWING BIT PAVEMENT (FULL DEPTH)	L F	$2.00	460	0	$0.00	472	$944.00
8	2105.501	COMMON EXCAVATION (P)	C Y	$6.45	2012	0	$0.00	2012	$12,977.40
9	2105.507	SUBGRADE EXCAVATION	C Y	$8.80	1297	0	$0.00	1297	$11,413.60
10	2105.522	SELECT GRANULAR BORROW (CV)	C Y	$13.95	1297	0	$0.00	1361	$18,985.95
11	2105.541	STABILIZING AGGREGATE	C Y	$4.30	100	0	$0.00	100	$430.00
12	2105.604	GEOTEXTILE FABRIC TYPE V	S Y	$0.75	1945	0	$0.00	1945	$1,458.75
13	2105.607	HAUL & STOCKPILE EXCESS MATERIAL (LV)	C Y	$12.35	742	0	$0.00	742	$9,163.70
14	2130.501	WATER	MGAL	$40.00	50	0	$0.00	50	$2,000.00
15	2211.501	AGGREGATE BASE CLASS 5	TON	$15.80	120	0	$0.00	45	$711.00
16	2215.501	FULL DEPTH RECLAMATION (5.5")	S Y	$1.05	9181	0	$0.00	9147	$9,604.35
17	2215.501	FULL DEPTH RECLAMATION (8.0")	S Y	$1.10	6296	0	$0.00	6309	$6,939.90
18	2360.501	TYPE SP 9.5 WEARING COURSE MIX (2;C)	TON	$56.90	2000	0	$0.00	1975.03	$112,379.21
19	2503.603	LINING SEWER PIPE 30"	L F	$133.30	1160	0	$0.00	1169	$155,827.70
20	2503.603	LINING SEWER PIPE 33"	L F	$170.00	717	0	$0.00	719	$122,230.00

CITY OF BRAINERD ENGINEERING
501 Laurel Street
Brainerd, MN 56401
Project No. 17-13
Final Pay Request No. 3

17-13 Project Item Status

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
21	2504.602	ADJUST VALVE BOX-WATER	EACH	$253.00	6	0	$0.00	4	$1,012.00
22	2504.602	ADJUST CURB BOX	EACH	$140.00	13	1	$140.00	1	$140.00
23	2506.516	CASTING ASSEMBLY	EACH	$760.00	40	0	$0.00	40	$30,400.00
24	2506.602	CASTING SEAL	EACH	$203.00	18	0	$0.00	17	$3,451.00
25	2521.501	4" CONCRETE WALK	S F	$11.90	27	0	$0.00	33	$392.70
26	2521.501	6" CONCRETE WALK	S F	$8.55	466	0	$0.00	495	$4,232.25
27	2531.501	CONCRETE CURB & GUTTER DESIGN B618	L F	$17.10	2491	0	$0.00	2610	$44,631.00
28	2531.501	CONCRETE CURB & GUTTER DESIGN B624	L F	$24.50	833	0	$0.00	791	$19,379.50
29	2531.507	7" CONCRETE DRIVEWAY PAVEMENT	S Y	$65.00	239	0	$0.00	193	$12,545.00
30	2531.604	8" CONCRETE VALLEY GUTTER	S Y	$84.00	30	0	$0.00	30	$2,520.00
31	2531.618	TRUNCATED DOMES	S F	$49.25	48	0	$0.00	48	$2,364.00
32	2540.602	SALVAGE AND REINSTALL MAILBOX	EACH	$61.50	32	0	$0.00	22	$1,353.00
33	2540.602	TEMPORARY MAILBOX SUPPORT	EACH	$30.75	54	0	$0.00	54	$1,660.50
34	2563.601	TRAFFIC CONTROL	LS	$1,950.00	1	0	$0.00	1	$1,950.00
35	2573.530	STORM DRAIN INLET PROTECTION	EACH	$76.90	32	0	$0.00	27	$2,076.30
36	2573.535	STABILIZED CONSTRUCTION EXIT	LS	$1,688.00	1	0	$0.00	1	$1,688.00
37	2573.550	EROSION CONTROL SUPERVISOR	LS	$560.00	1	0	$0.00	1	$560.00
38	2574.525	COMMON TOPSOIL BORROW (LV)	C Y	$17.25	520	0	$0.00	324	$5,589.00
39	2575.555	TURF ESTABLISHMENT	LS	$2,564.00	1	1	$2,564.00	1	$2,564.00
40	2575.571	RAPID STABILIZATION METHOD 3	MGAL	$359.00	4	0	$0.00	0	$0.00
Totals For Section BROOK ST AND S 10TH ST RESURFACING:							**$2,704.00**		**$629,794.11**
Change Order 1									
42	2105.507	SUBGRADE EXCAVATION	LS	$1,008.00	1	0	$0.00	1	$1,008.00

CITY OF BRAINERD ENGINEERING
501 Laurel Street
Brainerd, MN 56401
Project No. 17-13
Final Pay Request No. 3

17-13 Project Item Status

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
41	2503.603	CLEAN PIPE SEWER	LS	$1,100.00	1	0	$0.00	1	$1,100.00
					Totals For Change Order 1:		**$0.00**		**$2,108.00**
					Project Totals:		**$2,704.00**		**$631,902.11**

17-13 Contract Changes

No.	Type	Date	Explanation	Estimated Amount	Amount Paid To Date
CO1	Change Order	7/27/2018	Extra work completed for re-cleaning the storm sewer line and doing a subcut/soil correction above the area excavated while TDS/Telcom removed a fiber line from the storm sewer pipe that was to be lined.	$2,108.00	$2,108.00
			Contract Change Totals:	**$2,108.00**	**$2,108.00**

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Improvement 18-01 - Street Department Salt/Sand Facility Final Payment

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

Attached is the final pay estimate for both Greystone Construction and the final invoice for Anderson Brothers Construction to construct and pave the salt/sand facility at the street department.

Alternatives, Options, Effects on Others/Comments:

The total cost of the building with change order 1 (reducing building cost by $3,900) is $216,696, which was the quoted cost for the building. The total cost of paving at the facility by Anderson Brothers was $23,232.12, with the original quoted amount of $18,598.12. Total engineering and incidental costs at the building site total $4,417.16. Total project cost with engineering and construction is $244,345.72. This represents an increase over the budgeted amount of 1.78%. This cost is attributable to an overrun in bituminous paving at the site of approximately 70 tons. There was an extra small rectangular area that was paved to the north of the building to assist with drainage along with a drainage hump at the entrance of the building to prevent water from entering the building during large rain events. This was additional to the contract and performed at contract quoted prices by Anderson Brothers.

Recommended Action/Motion:

Staff recommends authorizing final payment for salt/sand building to both Greystone Construction and Anderson Brothers at a Greystone Construction final cost of $216,696.00 and Anderson brothers cost of $23,232.12.

Financial Impact:

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

What is the total cost, with tax and shipping $ $244,345.72

Is this budgeted? ☑ Yes ☐ No

Please Explain: We budgeted $240,000 for the construction of the salt/sand storage facility.

CITY OF BRAINERD ENGINEERING

501 Laurel Street
Brainerd, MN 56401
Project 18-01 - Street Department Salt/Sand Shed
Final Pay Request No. 3

Contractor: Greystone Construction
500 S. Marschall Road
Shakopee, MN 55379

Contract No. 2018-5
Vendor No. N/A
For Period: 8/15/2018 - 9/10/2018
Warrant # _____ Date _____

Contract Amounts

Original Contract	$220,596.00
Contract Changes	($3,900.00)
Revised Contract	$216,696.00

Work Certified To Date

Base Bid Items	$220,596.00
Backsheet	$0.00
Change Order	($3,900.00)
Supplemental Agreement	$0.00
Work Order	$0.00
Material On Hand	$0.00
Total	$216,696.00

Funds Encumbered

Original	$220,596.00
Additional	N/A
Total	$220,596.00

	Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
18-01	**$0.00**	**$216,696.00**	**$0.00**	**$205,861.20**	**$10,834.80**	**$216,696.00**
			Percent Retained: 0.0000%			
				Amount Paid This Final Pay Request	**$10,834.80**	

I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with, and pursuant to, the terms of the Contract is as shown in this Final Voucher.

Approved By Sandy, Paul G
6535cfe95feefaa52425a51310b872b7
6a0542962085aabcda6f2502f24a3599
County/City/Project Engineer
09/10/2018

Approved By
Baumann, Karen
5893393c6896049352b50f402830344b
e4deb3fc8d8c88358eaf3d0ea315b400
Contractor

CITY OF BRAINERD ENGINEERING

501 Laurel Street
Brainerd, MN 56401
Project 18-01 - Street Department Salt/Sand Shed
Final Pay Request No. 3

Contractor:	Greystone Construction 500 S. Marschall Road Shakopee, MN 55379

Contract No.	2018-5
Vendor No.	N/A
For Period:	8/15/2018 - 9/10/2018
Warrant # _____ Date _____	

Date

09/10/2018
Date

CITY OF BRAINERD ENGINEERING
501 Laurel Street
Brainerd, MN 56401
Project No. 18-01
Final Pay Request No. 3

18-01 Payment Summary

No.	From Date	To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	07/09/2018	07/27/2018	$107,590.00	$5,379.50	$102,210.50
2	07/28/2018	08/14/2018	$109,106.00	$5,455.30	$103,650.70
3	08/15/2018	09/10/2018	$0.00	($10,834.80)	$10,834.80
		Totals:	**$216,696.00**	**$0.00**	**$216,696.00**

18-01 Funding Category Report

Funding Category No.	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
000	216,696.00	0.00	205,861.20	10,834.80	216,696.00
Totals:	**$216,696.00**	**$0.00**	**$205,861.20**	**$10,834.80**	**$216,696.00**

18-01 Funding Source Report

Accounting No.	Funding Source	Amount Paid This Request	Revised Contract Amount	Funds Encumbered To Date	Paid To Contractor To Date
401-41801-5530	Local-City of Brainerd	10,834.80	216,696.00	220,596.00	216,696.00
	Totals:	**$10,834.80**	**$216,696.00**	**$220,596.00**	**$216,696.00**

CITY OF BRAINERD ENGINEERING
501 Laurel Street
Brainerd, MN 56401
Project No. 18-01
Final Pay Request No. 3

18-01 Project Item Status

Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
18-01 Street Department Salt/Sand Shed									
1		FURNISH AND INSTALL FABRIC MEMBRANE STRUCTURE	LS	$220,596.00	1	0	$0.00	1	$220,596.00
Totals For Section 18-01 Street Department Salt/Sand Shed:							**$0.00**		**$220,596.00**
Change Order 1									
2		FURNISH AND INSTALL FABRIC MEMBRANE STRUCTURE	LS	($3,900.00)	1	0	$0.00	1	($3,900.00)
Totals For Change Order 1:							**$0.00**		**($3,900.00)**
Project Totals:							**$0.00**		**$216,696.00**

18-01 Contract Changes

No.	Type	Date	Explanation	Estimated Amount	Amount Paid To Date
CO1	Change Order	5/24/2018	Non-FR Fabric Deduct	($3,900.00)	($3,900.00)
Contract Change Totals:				**($3,900.00)**	**($3,900.00)**

Anderson Brothers Construction Company of Brainerd
11325 State Highway 210
Brainerd, MN 56401
(218) 829-1768

Invoice # 5789

Bill to: 07335	Job: 28393
CITY OF BRAINERD 501 LAUREL ST BRAINERD, MN 56401 Improvement 18-01 Paul Sandy	CITY OF BRAINERD/28393 SALT SHED PAVING

Invoice #: 5789 Date: 08/30/18	Customer P.O. #:
Payment Terms: Due in 10 Days	Salesperson:
Customer Code: 07335	

Remarks: Salt Shed Paving

Quantity	Description	U/M	Unit Price	Extension
3.000	Mobilization	LS	375.02	1,125.06
297.000	5" Bituminous Paving	TON	72.33	21,482.01
5.000	3" Bituminous Paving-Hand Work	TON	125.01	625.05
		Subtotal:		**23,232.12**
		Total:		**23,232.12** PS

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SEP 04 2018
CITY OF BRAINERD
ADMINISTRATION

Past Due Accounts are subject to a service charge of 1.5% per month (18% per annum)

Print Date: 08/30/18

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Improvement 18-11 - Storm Manhole Rehabilitation Project Approve Bid

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

Attached are the bid results for Improvement 18-11 - SE 10th Street Storm Manhole Rehabilitation Joint Project with Crow Wing County.

Alternatives, Options, Effects on Others/Comments:

In total, 3 bids were received from Visu-Sewer, Key Contracting, and Innovative Foundation Supportworks. The bids were $23,325.80, $24,872.90, and $39,472.00 respectively. Engineer's estimate for the project was $51,000. Prices came in substantially lower than anticipated. Preliminary costs show that the City cost would be estimated at $13,311.58 and the County cost would be $10,014.22. The project was issued an addendum to extend out the completion date to June of 2019 due to the short period to complete the work in 2018 and the work not being able to be performed at below 40 degrees. Staff is very comfortable with the quality of product provided by Visu-Sewer on previous projects such as the Pine and Walnut sanitary sewer lining performed this summer.

Recommended Action/Motion:

Staff recommends approval of the quote from Visu-Sewer at a total contract cost of $23,325.80 with an estimated City cost of $13,311.58 and an estimated County cost of $10,014.22 and upon concurrence of approval from the County.

Financial Impact:

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

What is the total cost, with tax and shipping $ $13,311.58

Is this budgeted? ☑ Yes ☐ No

Please Explain:

Costs for this work were originally included in Improvement 17-13, but were removed from the project due to interest from the county in performing a joint project. Funds are anticipated to come from the Storm Sewer Fund 238.

City of Brainerd
Project Bid Abstract

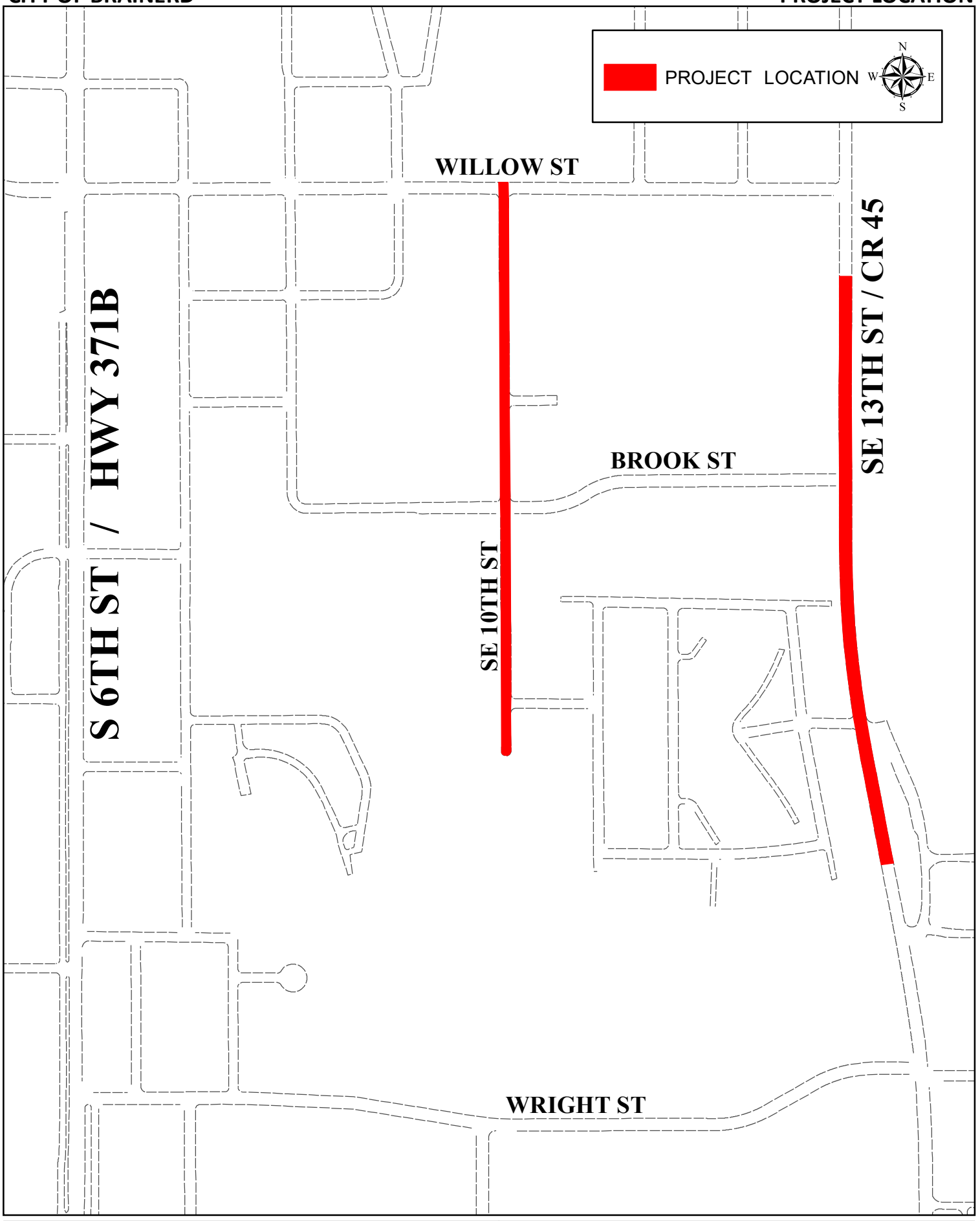
Project Name: Storm Manhole Rehabilitation **Contract No.:** 2018-6
Client: City Of Brainerd Engineering **Project No.:** 18-11
Bid Opening: 09/11/2018 2:00 PM **Owner:** City of Brainerd

	Project: 18-11 - Storm Manhole Rehabilitation				Visu Sewer		Key Contracting, Inc.		Innovative Foundation Supportworks	
Line No.	Item		Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	2021.501	MOBILIZATION	LS	1	$3,000.00	$3,000.00	$1,500.00	$1,500.00	$800.00	$800.00
2	2506.603	REPAIR MANHOLE OR CATCH BASIN DES SPEC	L F	65.4	$173.00	$11,314.20	$186.50	$12,197.10	$320.00	$20,928.00
3	2506.603	REPAIR MANHOLE OR CATCH BASIN DES SPEC	L F	49.2	$173.00	$8,511.60	$186.50	$9,175.80	$320.00	$15,744.00
4	2563.601	TRAFFIC CONTROL	LS	1	$500.00	$500.00	$2,000.00	$2,000.00	$2,000.00	$2,000.00
	Totals for Project 18-11					$23,325.80		$24,872.90		$39,472.00

I hereby certify that this is an exact reproduction of bids received.

Certified By: Paul Sandy **License No.** 53635
Date: 09/13/2018

CITY OF BRAINERD **PROJECT LOCATION**



I HEREBY CERTIFY THAT THIS PLAN SHEET WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

Paul Sadey License No. 53635

STORM MANHOLE REHABILITATION WITH CROW WING COUNTY

IMP 18-11 SHEET 1 of 4 SHEETS

	STRUCTURE ID	REPAIR DEPTH (FT)
City of Brainerd	MH 1	9.9
	MH 2	8.2
	MH 3	11.3
	MH 4	17.1
	MH 5	18.9
	TOTAL	**65.4**

	STRUCTURE ID	REPAIR DEPTH (FT)
Crow Wing County	ST 56	7.5
	ST 59	8.3
	ST 62	6.4
	ST 65	7.2
	ST 72	10.0
	ST 73	9.8
	TOTAL	**49.2**

STATEMENT OF ESTIMATED QUANTITIES			
SPEC NO.	**ITEM**	**UNIT**	**ESTIMATED QUANTITY**
2021.501	MOBILIZATION	LS	1
2506.603	REPAIR MANHOLE OR CATCH BASIN DESIGN SPECIAL (CITY)	LF	65.4
2506.603	REPAIR MANHOLE OR CATCH BASIN DESIGN SPECIAL (COUNTY)	LF	49.2
2563.601	TRAFFIC CONTROL	LS	1

CITY OF BRAINERD **CITY STORM MANHOLES**

I HEREBY CERTIFY THAT THIS PLAN SHEET WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

Paul Sandy License No. 53635

STORM MANHOLE REHABILITATION WITH CROW WING COUNTY

IMP 18-11 SHEET 3 of 4 SHEETS

CITY OF BRAINERD **COUNTY STORM MANHOLES**

I HEREBY CERTIFY THAT THIS PLAN SHEET WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

Paul Sadey License No. 53635

STORM MANHOLE REHABILITATION WITH CROW WING COUNTY

IMP 18-11 SHEET 4 of 4 SHEETS

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: 812 Juniper Street Conduct On Premises

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: CHIEF MCQUISTON	**Department:** POLICE
Presenter (Name & Title): CHIEF MCQUISTON	**Estimated Time Needed:** 10 MINUTES

Summary of Issue:

The rental property located at 812 Juniper Street has had two instances of disorderly use of the licensed rental property within a 12-month period. The owners were sent notification of this on 09-06-18, in accordance with Brainerd City Code 425.2020, and requested to submit a Written Management Plan within 10 days. Attached is a copy of police calls related to the property within the past 36 months which shows the incidents involved triggering the requirement of a Written Management Plan. The Police Department has a meeting scheduled with the property owner on 09-14-18, regarding this.

Alternatives, Options, Effects on Others/Comments:

Staff will also provide more information at this time regarding the rental inspections performed at this property and answer any other questions that the committee or council may have in this regard.

Recommended Action/Motion:

Informational.

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:

AGN	ICR	Title	Address	Reported Date
BPD	15013964	Warrant CWC	812 Juniper Street	2015-10-07
BPD	16002732	Welfare Check	812 Juniper Street	2016-03-03
BPD	17000749	Property Damage Acc	812 Juniper Street	2017-01-18
BPD	17005599	Harass Comm	812 Juniper Street	2017-04-22
BPD	17009592	Theft	812 Juniper Street	2017-07-08
BPD	17010369	Ems	812 Juniper Street	2017-07-23
BPD	17017114	Fight	812 Juniper Street	2017-12-08
BPD	**17017116**	**Conduct on Premises**	812 Juniper Street	**2017-12-08**
BPD	17017910	Missing Persons	812 Juniper Street	2017-12-22
BPD	18003697	Information	812 Juniper Street	2018-03-19
BPD	18008767	Animal Complaint	812 Juniper Street	2018-06-26
BPD	18011877	Welfare Check	812 Juniper Street	2018-08-24
BPD	18012439	Disturbance	812 Juniper Street	2018-09-05
BPD	**18012444**	**Conduct on Premises**	812 Juniper Street	**2018-09-05**
BPD	18012530	Danco Violation	812 Juniper Street	2018-09-07

City of Brainerd
Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

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SEP 10 2018
CITY OF BRAINERD ADMINISTRATION

Commission/Committee/Board Applying for water tower committee Date: 9/10/18

This application is public data pursuant to M.S. 13.43

PLEASE NOTE: **Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.**

***Name: Last** Lowe **First** Michael **M.I.** J

PLEASE NOTE: **To serve on a City Committee or Board, you must either live in or own property within the City Limits of Brainerd.**

Why do you want to be on the Commission/Committee/Board you are applying for?
I was born and raised in Brainerd. My parents also lived here before me and my dad worked for the railroad. My total interest is into history + Brainerd.

What skills, strengths, or abilities do you believe you will add to the organization?
I have been a mental health counselor most of my life (manage. also) and a veteran who handled a 3 billion dollar budget. I now substitute part time teaching.

***Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule?** PM's work best due to teaching jobs for staples/village/pine river + Pequot lakes

***After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed:**

None

Please list any additional comments:
I do some web site - online - call + development. I have also done a lot of technology work and photography. I did not like it when the train depot was demolished and want the tower to remain with us.

[signature] 9-10-18
(Signature) (Date)

***Required Information**

Submit completed application forms via one of the following options:

email: chillman@ci.brainerd.mn.us **fax**: 218-828-2316
Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: City Code Section 1200 - Liquor Ordinance Discussion

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Administrator	**Department:** Administration
Presenter (Name & Title): City Administrator Torstenson	**Estimated Time Needed:** 15 Minutes

Summary of Issue:

Attached is a proposed revision of the City Code Section 1200 that addresses intoxicating liquor. Several changes were made such as:

* Eliminating all liquor zones in the City
* Establishing three divisions for the different types of on-sale licenses
* Revised definition of a restaurant

These items were passed at the June 11, 2018 special council meeting.

Alternatives, Options, Effects on Others/Comments:

Additional discussion needed by Council:

a. The maximum amount of "Division 1 licenses" the City is allowed to issue per state statute is currently 12. The City can be more restrictive if it would like. Discussion is needed to complete Subd 2(c).

b. The grandfather clause was been eliminated. The current draft states that an establishment which obtains a Category 3 food license, will be classified as a Division 2 license for the City. Division 2 licenses do not count towards the statutory state limit. Subd 2(a) was drafted this way to encourage and foster future economic development.

Recommended Action/Motion:

Discussion of the current draft City Code Section 1200.

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:

CHAPTER XII

SALE, CONSUMPTION, AND DISPLAY OF LIQUOR, BEER, AND WINE

Section 1200 – Intoxicating Liquor

1200.01 Provision of State Law Adopted. The provisions of Minnesota Statutes, Chapter 340A, relating to the definition of terms, licensing, consumption, sales, conditions of bonds of licensees, hours of sale with the exception that no on-sale sales of intoxicating liquor or 3.2 percent malt liquor shall be made after 1:00 a.m., and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor are adopted and made a part of this Section as if set out herein in full.

(Amended Ord. 1199 – 2003)

1200.03 License Required. Subdivision 1. General Requirements. No person, except a wholesaler or manufacturer to the extent authorized under State license, shall directly or indirectly deal in, sell, or keep for sale in the City any intoxicating liquor without a license to do so as provided in the Section. Liquor licenses shall be of ten kinds: on-sale, on-sale wine, off-sale, special club licenses, temporary on-sale, Sunday on-sale, on-sale brewer taproom, off-sale growler, microdistillery/cocktail room, and off-sale distilled spirits.

(Amended Ord 1403 – 2013, Amended Ord 1480 - 2018)

Subd. 2. On-Sale Licenses. On-sale licenses shall be issued only to hotels, clubs, bowling centers, restaurants, and exclusive liquor stores and permit on-sale of liquor only.

a) In order to hold an on-sale license, a restaurant must meet the requirements of Minnesota Statutes section 340A.101, subdivision 25, have facilities for serving not less than 30 guests at one time, and maintain a Category 3 food establishment license as defined in Minnesota Statutes section 157.16, subdivision 3. Any on-sale license issued to said restaurant shall be designated a Division 2 license, as defined below.

b) Recipients of on-sale licenses are divided into three divisions:
   i. Division 1: bars, pubs and taverns.
   ii. Division 2: restaurants.
   iii. Division 3: other (e.g., clubs, bowling centers, and hotels).

c) The number of Division 1 on-sale licenses (for bars, pubs and taverns) that may be issued by the City cannot exceed _____.

~~a)~~d) All applicants for an on-sale license shall submit plans and specifications of their proposed building for Council approval.

Subd. 3. On-Sale Wine Licenses. On sale wine licenses shall be issued only to restaurants meeting the qualification of Minnesota Statutes, Section 340A, 404, Subdivision 5, ~~and permit only the sale of wine not exceeding 14% alcohol by volume, for consumption on the licensed premises only, in conjunction with the sale of food~~.

(Amended Ord. 1199 – 2003)

Subd. 4. Off-Sale Licenses. Off-sale licenses shall be issued only to drug stores and exclusive liquor stores and permit off-sales of liquor only.

Subd. 5. Special Club Licenses. Special club licenses shall be issued only to incorporated clubs which have been in existence for 15 years or more or to congressionally chartered veterans' organizations which have been in existence for ten years.

Subd. 6. Temporary Licenses. A temporary on-sale intoxicating liquor license may be issued to any club, charitable, religious, or other non-profit organization which has its principal location within the City of Brainerd and which has been in existence for a period of not less than three (3) years at the time of making an application for this license. This temporary on-sale intoxicating liquor license shall only be issued for a social event occurring within the City limits of Brainerd and which is being sponsored by the licensee. The license may authorize on-sales on the premises other than the premises the licensee owns or permanently occupies. The license may provide that the licensee may contract for intoxicating liquor catering services with the holder of a full year on-sale intoxicating liquor license issued by the City of Brainerd. The fee for such license shall be $135.00 per day and shall be issued for not more than three (3) consecutive days. No organization shall be granted more than six (6) such licenses per calendar year. This license shall not be effective unless approved by the Commissioner of Public Safety for the State of Minnesota.

(Amended Ord. 883 – 1989, Ord. 964 – 1994, Ord. 965 – 1994, Ord 1397 – 2012)

Subd. 7 (a). Sunday On-Sale License. Special on sale licenses for the sale of intoxicating liquor on Sunday shall be issued only to ~~bowing~~ bowling centers and to hotels, restaurants, and clubs as defined in Minnesota Statutes 340A.101. All sales at such establishments shall be in accordance with Minnesota Statutes 340A.504, Subd. 3.

(Added Ord. 1058 – 1998)

Subd. 7(b). Sunday Hours. The sale of on sale intoxicating liquor on Sundays is allowed between the hours of 8:00 a.m. on Sunday and 1:00 a.m. on Monday. Establishments serving liquor on Sundays must obtain a special license under subdivision 7(a) above.

(Added Ord. 1058 – 1998, Amended Ord. 1070 – 1999, Amended Ord. 1473 - 2017)

Subd. 8. On-Sale Brewer Taproom Licenses. An on-sale brewer taproom license authorizes on-sale of malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer, subject to the restrictions of this chapter and Minnesota Statutes, Section 340A.301, Subdivision 6b, as it may be amended from time to time.

(Added Ord. 1403 – 2013)

Subd. 9. Off-sale Growler Licenses. An off-sale growler license authorizes off-sale of malt liquor produced by a brewer and packaged in sixty four (64) ounce or seven hundred fifty milliliter (750 ml) containers that are designed, sealed and labeled pursuant to Minnesota Statutes, Section 340A.301, as it may be amended from time to time. Only brewers licensed under Minnesota Statutes Section 340A.301, Subdivision 6(d), (i) or (j) are eligible for an off-sale growler license, subject to the limitations set forth in Section 340A.301, as it may be amended from time to time. The off-sale of growlers may be conducted on Sundays between the hours of 10:00 a.m. and 10:00 p.m.

(Added Ord. 1403 – 2013, Amended Ord. 1451 – 2016)

Subd. 10. Microdistilleries. (a) An on-sale microdistillery license authorizes samples on its premises of distilled spirits manufactured on its premises, in an amount not to exceed 15 milliliters per variety per person. No more than 45 milliliters may be sampled under this paragraph by any person on any day (b) A microdistillery can sell cocktails to the public, pursuant to subdivision 2 of State Statute 340A.22 (c) A microdistillery may not operate a cocktail room under subdivision 2 of State Statute 34A.22 or conduct sales at off-sale under subdivision 4 of State Statutes 340A.22 unless at least 50 percent of the annual production of the license if processed and distilled on premises. (d) Distilled spirits produced or in production prior to July 1, 2017 are not counted as part of the calculations under paragraph (c).

(Added Ord 1480 – 2018)

Subd. 11. Cocktail Rooms. A microdistillery cocktail room license authorizes on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller, subject to the restrictions in this chapter and Minnesota Statutes, Section 340A.22, Subdivision 2, as it may be amended from time to time. Notwithstanding section 340A.504, subdivision 3, a cocktail room may be open and may conduct on-sale business on Sundays if authorized by the municipality.

(Added Ord 1480 – 2018)

Subd. 12. Off-Sale Distilled Spirits Licenses. A off-sale distilled spirits license authorizes off-sale of distilled spirits of one 375 milliliter bottle per customer per day of product manufactured on site, subject to the following requirements: (2) off-sale hours of sale must conform to hours of sale for retail off-sale licensees in the licensing municipality; and (2) no brand may be sold at the microdistillery unless it is also available for distribution by wholesalers.

(Added Ord 1480 – 2018)

1200.05 Application for License. Subdivision 1. Form. An application for a license to sell liquor shall state the name of the applicant, his age, representations as to his character, with such references as the Council may require, his citizenship, the type of license applied for, the business in connection with which the proposed license will operate and its location, whether the applicant is owner and operator of the business, how long he has been in that business at that place, and such other information as the Council may require from time to time. In addition to containing such information, the application shall be in the form prescribed by the commission of public safety and shall be verified and filed with the Clerk-Treasurer. No person shall make a false statement in an application.

Subd. 2. Deleted Ord. 888 – 1990

Subd. 3. Financial Responsibility. Prior to the issuance of a liquor license, the applicant shall demonstrate proof of financial responsibility as defined in Minnesota Statutes, Section 340.11, Subdivision 11, with reference to liability under the Statutes, Section 340.95. Such proof shall be filed with the commissioner of public safety. Any liability insurance policy filed as proof of financial responsibility under this Subdivision shall conform to Minnesota Statutes, Section 340.12.

Subd. 2. Deleted Ord. 888 – 1990

Subd. 3. Financial Responsibility. Prior to the issuance of a liquor license, the applicant shall demonstrate proof of financial responsibility as defined in Minnesota Statutes, Section 340.11, Subdivision 11, with reference to liability under the Statutes, Section 340.95. Such proof shall be filed with the commissioner of public safety. Any liability insurance policy filed as proof of financial responsibility under this Subdivision shall conform to Minnesota Statutes, Section 340.12.

Subd. 4. Approval of Security. The security offered under Subdivision 2 shall be approved by the Council and in the case of applicants for on sale wine licenses and off sale licenses, by the commissioner of public safety. Liability insurance policies required by this Section but not by state law and surety bonds required under Subdivision 2 shall be approved as to form by the City Attorney. Operation of a licensed business without having on file with the City at all times effective security as required in Subdivisions 2 and 3 is a cause for revocation of the license.

1200.07 License Fees. Subdivision 1. Fees: Amounts. The annual fees for licenses under this Section are set by Chapter X.

Subd. 2. Payment. Each application for a license shall be accompanied by a receipt from the Clerk-Treasurer for payment in full of the license fee and the fixed investigation fee required by this Section, if any. All fees shall be paid into the general fund. If an application for a license is rejected, the Clerk-Treasurer shall, refund the amount paid as the license fee.

Subd. 3. Term: Pro Rata Fee. Each license shall be issued for a period of one year except that if the application is made during the license year, a license may be issued for the remainder of the year for a pro rata fee, with any unexpired fraction of a month being counted as one month. Every license shall expire on the last day of June.

Subd. 4. Refunds. No refund of any fee shall be made except as authorized by Statute.

1200.09 Granting of Licenses. Subdivision 1. Preliminary Investigation. On an initial application for an on-sale license and on application for transfer of an existing on-sale license, the applicant shall pay with the application an investigation fee of $100 and the City shall conduct a preliminary background and financial investigation of the applicant pursuant to Chapter 15 of the Brainerd City Code. The application in such case shall be made on a form prescribed by the Minnesota Bureau of Criminal Apprehension (BCA) and with such additional information as the Council may require. If the Council deems it in the public interest to have an investigation made on a particular application for renewal of an on-sale license, it shall so determine. In any case, if the Council determines that a comprehensive background and financial investigation of the applicant is necessary, it may conduct the investigation pursuant to Chapter 15 of the Brainerd City Code. No license shall be issued, transferred or renewed if the results show to the satisfaction of the Council that issuance would not be in the public interest. If an investigation outside the State is required, the applicant shall be charged the cost not to exceed $10,000 which shall be paid by the applicant after deducting any initial investigation fee already paid. The fee shall be payable by the applicant whether or not the license is granted. The Council shall estimate the cost of the out State investigation and said sum shall be payable by the applicant prior to the out State investigation.

(Amended Ord. 1353 – 2010)

Subd. 2. Hearing and Issuance. The Council shall investigate all facts set out in the application and not investigated in the preliminary background and financial investigation conducted pursuant to Subdivision 1. Opportunity shall be given to any person to be heard for or against the granting of the license. After the investigation and hearing, the Council shall, in its discretion, grant or refuse the application. No on-sale wine license or off sale license shall become effective until it, together with the security furnished by the applicant, has been approved by the commission of public safety.

Subd. 3. Person and Premises Licenses: Transfer. Each license shall be issued only to the applicant and for the premises described in the application. No license may be transferred to another person or place without Council approval. Any transfer of stock of a corporate licensee is deemed a transfer of the license and a transfer of stock without prior Council approval is grounds for revocation of the license.

1200.11 Person Ineligible for License. No license shall be granted to any person made ineligible for such license by State law. No more than one on-sale and one off-sale intoxicating liquor license shall be directly or indirectly issued within the City to any one person.

(Amended Ord. 1017 – 1996)

1200.13 Places Ineligible for License. Subdivision 1. General Prohibition. No license shall be issued for any place or business ineligible for such a license under State law.

Subd. 2. Delinquent Taxes and Charges. No license shall be granted for operation on any premises on which taxes, assessments, or other financial claims of the City or the State of Minnesota are delinquent and unpaid.

(Amended Ord. 1373 – 2010)

1200.15 Condition of a License. Subdivision 1. In General. Every license is subject to the conditions in the following subdivision and all other provision of this Section and of any other applicable provisions of State law or regulation and this Code.

Subd. 2. Insurance. Compliance with financial responsibility requirements of State law and of this Section is a continuing condition of any license.

Subd. 3. Licensee's Responsibility. Every licensee is responsible of the conduct of his place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises authorized to sell intoxicating liquor there is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this Ordinance and the law equally with the employee.

Subd. 4. Inspections. Every licensee shall allow any peace officer, health officer, or a properly designated officer or employee of the City to enter, inspect, and search the premises of the licensee during business hours without a warrant.

Subd. 5. Display During Prohibited Hours and Days. The hours and days of sale of licenses issued pursuant to the terms of this Chapter shall be the same as those set forth in Chapter 340A of the Intoxicating Liquor Act of the State of Minnesota adopted by reference as part of this Chapter

(Amended Ord. 1138 – 2002)

Subd. 6. Restrictive Hours for Patrons, Employees, and Consumption. No patrons of on-sale license holders shall remain on the licensed premises after one-thirty (1:30) A.M., and in any event no persons except bona fide employees of the license holder or a janitorial service shall remain on the licensed premises after one thirty (1:30) A.M., unless they are actively engaged in a clean-up operation for the premises. No person, including employees of the licensed premises or of the cleaning service shall consume any intoxicating liquor or nonintoxicating malt liquor on the licensed premises after one twenty (1:20) A.M., until the licensed premises can next properly be opened for business. Any unconsumed intoxicating liquor or non-intoxicating malt liquor remaining on the premises, other than that necessary for inventory purposes, shall be disposed of at one twenty (1:20) A.M. No unconsumed intoxicating liquor or non-intoxicating malt liquor shall be removed from the premises for consumption at a different place by any employee or patron.

(Amended Ord. 1138 – 2002)

Subd. 7. Possession, Sale, or Distribution of Controlled Substances or Marijuana Prohibited. No licensee or employee or agent of an on-sale licensee shall possess, sell, or distribute controlled substances or marijuana as defined by MN Statute 152.01 while on the licenses premises.

(Amended Ord. 1138 – 2002)

Subd. 8. Federal Stamps. No licensee shall possess a Federal wholesale liquor dealer's special tax stamp or a Federal gambling stamp.

(Amended Ord. 1138 – 2002)

1200.17 Restrictions on Purchase and Consumption. Subdivision 1. Liquor in Unlicensed Places. No person shall mix or prepare liquor for consumption in any public place or place of business unless it has a license to sell liquor on-sale or a permit from the Commission of Public Safety under Minnesota Statutes, Section 340.119 and no person shall consume liquor in any such place.

Subd. 2. Consumption in Public Places. No person shall consume liquor on a public highway, public park except in compliance with Section 1205.03, Subd. 5, or other public places.

(Amended Ord. 1012 – 1996)

1200.19 Suspension and Revocation. Subdivision 1. Violation of Statute, Regulations, or City Code Relating to Intoxicating Liquor. The City Council may suspend for a period not to exceed 60 days or revoke any liquor license after finding that the licensee has failed to comply with any applicable statute, regulation, or provision of this Code relating to intoxicating liquor. Except in cases of failure of financial responsibility, or where a conviction by a court of competent jurisdiction for such violation has occurred, no sanction under this Ordinance shall be imposed until the licensee has been afforded an opportunity for a full hearing before the City Council or its designee.

Subd. 2. Conviction of Sale to a Minor or Discovery of Non-Compliance During Liquor Compliance Investigation. Upon either the conviction of a licensee or the licensee's employee or agent of sale of alcohol to a minor, or discovery of non compliance during a liquor compliance investigation, the sanctions set out below shall apply.

Subd. 3. First Occurrence. Upon either the first conviction of sale of alcohol to a minor by a licensee or the licensee's employee or agent, or upon the first failure of a liquor compliance check within any three year period, the licensee shall pay a civil penalty to the City of $500.00 and participate in training concerning liquor and beer sales regulations and restrictions.

Subd. 4. Subsequent Occurrences. In the event of a second conviction of sale of alcohol to a minor by a licensee or the licensees employee or agent, or a second failure of the liquor compliance check within three (3) years of any such prior conviction or failure, shall pay a civil penalty to the City of $1,000.00 and participate in training concerning liquor and beer sales regulations and restrictions.

Subd. 5. Additional Penalties for Frequent Violations of this Section. If the licensee or an employee or agent of the licensee is either convicted of sale of alcohol to a minor or fails a liquor compliance check for a third time within any three (3) year period the liquor license shall be suspended for such five (5) day period as shall be determined by the Chief of Police. In addition, the licensee shall pay a civil penalty to the City in the sum of $2,000.00.

Subd. 6. Extended License Suspension. If the licensee or an employee or agent of the licensee is either convicted of sale of alcohol to a minor or fails a liquor compliance check a fourth time within any three (3) year period, the liquor license shall be revoked.

(Amended Ord. 1097 – 2000)

~~1200.21 On-Sale Liquor Zones and License Limitations. On sale intoxicating liquor licenses may be issued in the following areas and under the following limitations:~~

~~Subd. 1. This Subdivision shall only apply to that portion of the City of Brainerd bounded on the west by the west line of Fourth Street South; on the north by the centerline of the Burlington Northern Santa Fe Railway Company right of way; on the east by the east line of Ninth Street South; on the south by the south line of Maple Street; and, Lots 16 thru 24 inclusive Block 37 excepting that part of Lots 19 and 20 desc as follows; beg at the NW corner of said Lot 19, then N 89 deg 57 min 40 sec E, assumed bearing, along N line of said Lot 19, 79.79 ft, then S 00 deg 07 min 58 sec E 45.14 FT, then S 89 deg 52 min 02 sec W 79.88 ft to the W line of said Block 37, then N 00 deg 01 min 06 sec W along said W line of Block 37, 45.27 ft to the point of beg subject to easements of record. Not more than six (6) on sale liquor licenses that do not comply with subdivision 4 of this Section shall be issued in this zone. Subject to all other provisions of this Ordinance, all existing on sale liquor licenses within this zone on January 1, 2001, shall continue to be allowed unless current liquor licensing for such business fails to be maintained. If current licensing for such a business shall lapse or expire without a timely renewal, any future license applications for that business within this zone will be subject to the limitations of this Subdivision. Nothing in this Subdivision shall prevent existing licenses issued prior to January 1, 2001, from being transferred to new owners at the same site. Further, the City Council shall be allowed to grant requests for existing licenses to be moved from one location in the area of the City covered by this subdivision to another location within the area covered by this subdivision without meeting the requirements of Subdivision 4 of this Section. Upon the grant of said license at a new location, the licensee shall return to the City their license granted for the former location at which time the license shall be cancelled at that location. However, the City Council may take action to grant approval of a new license at the former location. These~~

restrictions shall not apply to clubs, and shall only apply when six (6) or more on sale licenses are issued within this zone.

(Amended Ord. 1371 – 2010, Ord. 1374 – 2010, Ord. 1377 - 2011)

Subd. 2. The Commercially Zoned property located 200 feet north and south of Washington Street from the west edge of the Mississippi River Bridge to the west City Limits and the Commercially Zoned property located 150 feet north and south of Washington Street from the east City Limits to the east edge of the Mississippi River Bridge.

Subd. 3. The following described realty: That part of the SE 1/4 SW 1/4 of Sec. 19, Twp. 45 North, Rge, 30 West, described as follows: Commencing at the Northeast corner of Block 13, "East Side Addition To The City Of Brainerd"; thence West, assumed bearing, along the North line of said Block 13 and said North line extended, 560.15 feet; thence South 267.25 feet to the place of beginning; thence South 55 feet; thence East 34 feet; thence North 55 feet; thence West 34 feet to the place of beginning.

a) Lot 1, Block 1, Rademacher's Commercial Addition

b) Lots 1 and 2, Block 1, Haines Addition to the Town of East Brainerd and that part of adjacent vacated Ash Street

c) Lots 4, 5, 6, 7, 8 & 9, Block 2, Millers Addition to East Brainerd, along with the vacated north/south alley in Block 2, Millers Addition to East Brainerd

(Amended Ord. 1190 – 2003, Ord. 1343 – 2009, Ord. 1350 - 2010)

Subd. 4. One half (1/2 or more of all on sale liquor licenses shall be issued to bona fide restaurants, eating establishments, or other eligible facilities (such as hotels, motels, convention centers, bowling alleys, etc) where the serving and sale of liquor is only incidental to the principal business use. In furtherance of this objective:

a) A restaurant or eating establishment must provide a seating capacity in the dining area for at least 75 persons.

b) The bar area for a restaurant, eating or other eligible establishment shall be not more than 49% of the size of the dining area or principle use of the establishment.

(Amended Ord. 1347 – 2009)

c) Said establishments shall further provide off street parking to accommodate motor vehicles of its patrons. Off street parking spaces shall be provided at the ratio of one parking stall for every three units of seating capacity in the dining area of restaurant or eating establishments. Other establishments shall comply with the parking regulations contained in the Zoning Code. Said motor vehicle parking area shall be located adjacent or contiguous to the facility or, if this is not feasible, in a nearby area, which shall be subject to Council approval.

Subd. 5. All applicants for an on sale liquor license shall submit plans and specifications of their proposed building including the proposed off street parking area for Council approval.

(Added Ord. 862 - 1987)

Subd. 6. The following described realty: All that part of the Southwest Quarter of the Southeast Quarter (SW1/4SE1/4) and of the Southeast Quarter of the Southwest Quarter (SE1/4SW1/4) of Section 19, Township 45 North, Range 30 West, and Lots 1, 2, and 3, Block 13, East Side Addition to the City of Brainerd; and Lots 1, 2 and 3, Block 16, Lots, 1, 2, 3, 4, 5, and 6, Block 15, and Lots, 1, 2, and 3, Block 14, Haines Addition to the Town of East Brainerd; Fractional Block 3, and Lots 1, 2 and 3, Block 2, Millers Addition to East Brainerd; Lots 10, 11 an 12, Block 2, Millers First Addition to the City of Brainerd and the vacated streets and alleys included within the following described tract; Beginning at the Northeast corner of Lot 3, Block 13, said East Side Addition to the City of Brainerd; thence West 885 feet along the South line of E Street to the Northwest corner of said Lot 3, Block 14, Haines Addition to the Town of East Brainerd; thence South 150 feet along the West line of said Lot 3 to the North line of the alley South of said Block 14; thence East 72.2 feet along the North line of said alley; thence South 20 feet across said alley; thence West 50 feet along the South line of said alley to the Northwest corner of Fractional Block 3, Millers Addition to East Brainerd; thence South 142 feet along the West line of said Fractional Block 3 to the North line of D Street; thence East 50 feet along the North line of said D Street; thence South 66 feet to the South line of D Street; thence West 190 feet along the South line of said D Street to the Northwest corner of said Lot 3, Block 2, Millers Addition to East Brainerd; thence South 300 feet to the Southwest corner of Lot 10, Block 2, Millers First Addition to the City of Brainerd on the North line of C Street; thence East 40 feet along the North line of said C Street; thence South 66 feet to the South line of said C Street, thence West 100 feet to the Northwest corner of Lot 4, Block 3, Millers First Addition to the City of Brainerd; thence South 140 feet to the Southwest corner of said Lot 4; thence East 150 feet to the Southeast corner of Lot 2, Block 3, Millers First Addition to the City of Brainerd; thence South 160 feet to the Southwest corner of Lot 12, Block 3, Millers First Addition to the City of Brainerd on the North line of B Street; thence East 50 feet along the North line of B Street to the Southeast corner of said Lot 12, thence South 66 feet to the right of way line for Highway No. 210, thence East 215.66 feet along said right of way line; thence North 48 degrees 08 minutes East 506.12 feet continuing along said right of way line; thence North 1 degree 17 minutes West 429.74 feet; thence North 89 degrees 54 minutes East 301.19 feet to the Westerly right of way

line for Trunk Highway No. 25; thence North 3 degrees 56 minutes West 192.55 feet along said right of way line; thence West 8.3 feet to the Southeast corner of Lot 1, Block 13, East Side Addition to the City of Brainerd; thence North 150 feet along the East line of said Block 13 to the place of beginning. Except the following described property: Lots 1, 2 and 3, Block 3, Millers First Addition to the City of Brainerd, except any portion of the vacated part of C Street which lies adjacent to and Northerly of said Lots 1 and 2, and that portion of the vacated 20 foot alley in said Block 3 which lies between said Lots 1, 2 and 3 and Lots 10, 11 and 12, Block 3, Millers First Addition to the City of Brainerd.

Lots 1, 2 and 3, Block 2, Millers Addition to East Brainerd;

Lots 10, 11 and 12, Block 2, Millers First Addition to the City of Brainerd;

Lot 12, Block 3, Millers First Addition to the City of Brainerd;

Lot 4, Block 3, Millers First Addition to the City of Brainerd.

(Added Ord. 1139 – 2002)

(Amended Ord. 1110 – 2000)

Subd. 7. Lot 1 Block 1, Northern Pacific Center

(Added Ord. 1440, 2015)

1200.23 Off-Sale Liquor Zones and License Limitations. Intoxicating off-sale liquor licenses may be issued in the following areas and underare subject to the following limitations:

Subd. 1. All on-sale liquor zones as described in Section 1200.21.

Subd. 2. Lots 1 and 2, Block 8, Willis Addition to the City of Brainerd

(Added Ord. 897 - 1991)

Subd. 3. Lots 7 through 9, Block 3, Miller's First Addition to the City of Brainerd

(Added Ord. 980 – 1995)

Subd. 4. Lot 1, Block 1, Jake's Warehouse Foods.

(Added Ord. 1061 – 1999)

~~Subd. 5. That part of the Southeast quarter of the Northwest quarter (SE¼NW¼) of Section Twenty-nine (29), Township Forty-Five (45) North, Range Thirty (30) West described as follows: Commencing at a point on the South line of said SE¼NW¼ which is 1760.40 feet East of the West quarter corner of said section 29; thence North 50 feet to the Northerly right-of-way (ROW) line of Oak Street; thence East along said Northerly ROW line 225.00 feet to the Point of Beginning (POB); thence North 33 degrees 21 minutes 06 seconds East 566.65 feet to the Westerly ROW line of State Highway 25; thence South 34 degrees 44 minutes 21 seconds East along said Westerly ROW line 276.00 feet; thence South 27 degrees 37 minutes 43 seconds West 278.26 feet to the Northerly ROW of Oak Street; thence West along said Northerly ROW line 339.76 feet to the POB. Subject to easements, reservations, or restrictions of record. Parcel address: 3325 Oak Street, Brainerd.~~

~~(Added Ord. 1237 – 2004)~~

~~Subd. 6. Off-sale liquor licenses may be issued subject to the following conditions:~~

Subd. 1. Every off-sale license holder shall have a place of business with solid walls, floor to ceiling, with no interior openings and with a separate exterior entrance.

Subd. 2. Off-street parking shall be provided to accommodate not less than five motor vehicles contiguous to said place of business or, if this is not feasible, in a nearby area, which shall be subject to Council approval.

Subd. ~~7~~3. All applicants for an off-sale liquor license shall submit plans and specifications of their proposed building including the proposed off-street parking area for council approval.

(Amended Ord. 1110 – 2000)

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Res - Declare Assessments, Prepare Roll, and Set PH - DTSS and Nuisance

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

In order to conduct a Public Hearing to consider the proposed assessments for the downtown special services district, downtown snow removal, and 2018 nuisance abatement, the Council will need to continue the 429 process which includes setting a public hearing, and declare the assessments along with preparation of the assessment role.

Alternatives, Options, Effects on Others/Comments:

Attached to this request is the proposed resolution that sets the public hearing, declares the assessment amount for the two Improvements listed, and orders preparation of the assessment role. Also attached is the proposed notice of hearing on the assessments.

Recommended Action/Motion:

Staff would recommend adopting the attached resolution in which declares costs to be assessed, orders preparation of the proposed assessment, and orders a public hearing to be held on October 15, 2018 at 7:30 P.M. to consider testimony for or against the proposed assessments.

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:

R E S O L U T I O N
NO _____

RESOLUTION DECLARING COSTS TO BE ASSESSED
ORDERING PREPARATION OF PROPOSED ASSESSMENT,
AND ORDERING A PUBLIC HEARING ON PROPOSED ASSESSMENT

WHEREAS, the costs have been determined for Downtown Special Services District and Nuisance Abatement involving the following described areas in the City of Brainerd:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations
Misc properties around the City

WHEREAS, the estimated total costs for said improvements are Downtown Special Services District - $81,771.77 and Nuisance Abatement - $45,120.00 respectively, and

WHEREAS, the City Council has ordered preparation of the proposed assessment, and

WHEREAS, the City Council hereby sets the Public Hearing for Monday, October 15 2018 at 7:30 p.m.,

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be Downtown Special Services District $42,424.20 and Nuisance Abatement - $0.00 respectively, and the portion of the cost to be assessed against benefited property owners is declared to be Downtown Special Services District $39,347.57 and Nuisance Abatement - $45,120.00 respectively.

2. Assessments shall be payable in annual installments extending over a period of one year, to be paid on or before the first Monday in January 2018, and shall bear interest at the rate of three point three (3.3%) percent per annum from the date of the adoption of the assessment resolution.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of payment to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment.

The owner of any property so assessed may at any time thereafter pay to the Crow Wing County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made.

4. Pursuant to Ordinance No. 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988 and any amendments thereto, the City Council may defer a special assessment for needy persons.

5. Pursuant to proper notice duly given as required by law, the hearing will be held on the 15th day of October, 2018, in the City Hall building at Brainerd, Minnesota, at 7:30 p.m. concerning such proposed assessments and at such time and place all persons owning property affected by such improvements were given an opportunity to be heard with reference to such assessments.

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

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 15, 2017, to pass upon the proposed assessment for the following improvements:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Miscellaneous properties around the City

The areas proposed to be assessed for these improvements are the properties abutting and/or benefitting from the above described projects.

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost of Downtown Special Services District is $81,771.77 of which $39,347.57 is proposed to be assessed.

The total cost of Nuisance Abatement is $45,120.00 of which $45,120.00 is proposed to be assessed.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply three-point three (3.3%) percent per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of one (1) year.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.

2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.

3. The objector may be represented by counsel.

4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.

5. The entire hearing will be tape-recorded.

6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.

7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this ___ day of _____ 2018

Cassandra Torstenson
City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 28, 2018

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: Res - Declare Assessments, Prepare Roll, and Set PH - Imp 17-13

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☐ Approve/Deny Motion ☑ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

In order to conduct a Public Hearing to consider the proposed assessments for Improvement 17-13 - Brook Street and SE 10th Street Resurfacing Project for the proposed assessments on these Improvements, the Council will need to continue the 429 process which includes setting a public hearing, and declare the assessments along with preparation of the assessment role.

Alternatives, Options, Effects on Others/Comments:

Attached to this request is the proposed resolution that sets the public hearing, declares the assessment amount for the two Improvements listed, and orders preparation of the assessment role. Also attached is the proposed notice of hearing on the assessments.

Recommended Action/Motion:

Staff would recommend adopting the attached resolution in which declares costs to be assessed, orders preparation of the proposed assessment, and orders a public hearing to be held on October 15, 2018 at 7:30 P.M. to consider testimony for or against the proposed assessments.

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:

R E S O L U T I O N
NO. _____

RESOLUTION DECLARING COSTS TO BE ASSESSED,
ORDERING PREPARATION OF PROPOSED ASSESSMENT,
AND ORDERING A PUBLIC HEARING ON PROPOSED ASSESSMENT

WHEREAS, the costs have been determined for Improvement 17-13 involving improvement of the following described street in the City of Brainerd:

IMPROVEMENT 17-13

Street Resurfacing
South 10th Street from Willow Street to the Dead End
Brook Street from South 8th Street to Southeast 13th Street

WHEREAS, the estimated total construction costs for said improvements are Improvement 17-13 is $682,797.82.

WHEREAS, the City Council has ordered preparation of the proposed assessment, and

WHEREAS, the City Council hereby sets the Public Hearing for Monday, October 15, 2018 at 7:30 p.m.,

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

1. The portion of the cost of such improvement to be paid by the City is hereby declared to be $541,069.60 and the portion of the cost to be assessed against benefited property owners is declared to be $141,728.22.

2. Assessments shall be payable in annual installments extending over a period of ten years, the first of the installments to be paid on or before the first Monday in January 2018, and shall bear interest at the rate of three point three (3.3%) percent per annum from the date of the adoption of the assessment resolution.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of payment to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The owner of any property so assessed may at any time thereafter pay to the Crow Wing County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made.

4. Pursuant to Ordinance No. 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988 and any amendments thereto, the City Council may defer a special assessment for needy persons.

5. Pursuant to proper notice duly given as required by law, the hearing will be held on the 15th day of October, 2018, in the City Hall building at Brainerd, Minnesota, at 7:30 p.m. concerning such proposed assessments and at such time and place all persons owning property affected by such improvements were given an opportunity to be heard with reference to such assessments.

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

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 15, 2018, to pass upon the proposed assessment for the following improvements:

IMPROVEMENT 17-13

Street Resurfacing – Aggregate Base, Bituminous, Concrete Curb and Gutter

South 10th Street from Willow Street to the Dead End
Brook Street from South 8th Street to Southeast 13th Street

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost for Improvement 17-13 is estimated $682,657.82 of which $141,663.41 is proposed to be assessed.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply is three-point three (3.3%) percent per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of ten (10) years.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.

2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.

3. The objector may be represented by counsel.

4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.

5. The entire hearing will be tape-recorded.

6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.

7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this __ day of _____, 2018

Cassandra Torstenson
City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 28, 2018

Brainerd City Council
Agenda Request

Requested Meeting Date: September 17, 2018

Title of Item: 2019 Preliminary Levy

☐ 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 1st Reading **provide copy of published hearing notice*
Submitted by: Connie Hillman	**Department:** Finance
Presenter (Name & Title): City Administrator/Finance Director	**Estimated Time Needed:** 10 Minutes

Summary of Issue:

The 2019 preliminary levy for the City and the HRA needs to be set by September 28, 2018. The final levy adopted in December can be lower than, but not higher than the preliminary levy. The preliminary levy is used for all of the Truth in Taxations notices sent out in November. The date and time for the public meeting, in which the budget and levy are discussed and the public is allowed to speak also needs to be set by September 28, 2018. The date of the public meeting needs to be held between November 25 and December 30, 2018 after 6:00 p.m. and it can be done during a regular council meeting. Historically the City has held a special meeting on the 2nd Monday in December at 6:00 p.m. which this year that would be December 10, 2018.

Alternatives, Options, Effects on Others/Comments:

Please see the attached memo and draft resolution.

Recommended Action/Motion:

1. Adopt a resolution setting the preliminary levy for the City and HRA.
2. A motion to set the date and time for the budget public hearing.

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:

M E M O

TO: Mayor and Council

FROM: Finance Director Connie Hillman

DATE: September 12, 2018

RE: 2019 Levy

The current status of the 2019 budget is as follows:

Net Surplus/(Deficit) Operating	**$ (327,505)**
Net Other Levies	**(27,270)**
Change in Debt Levy	**336,036**
Net Effect of "Other"	**-**
Total Preliminary Levy Dollars Surplus/(Needed) Before Capital Needs	**$ (18,739)**

This means that the City needs $18,739 of additional revenues, through taxes or other revenue sources and/or cut expenditures, ***before*** discussion of the City's capital needs.

Staff broke down the capital discussion between equipment and facilities. Staff presented council with a 30-year equipment replacement plan for the Working Funds, excluding Fire equipment needs. Based on an estimated cash balance of $1.6 million at December 31, 2018, and a $500,000 annual levy, the City would be able to fund the equipment needs of the City, based on current year costs estimates, for the next 10 years.

The City levied $847,134 for capital in 2018, knowing that this was about $348,000 more than needed for capital purchases that year, but to save for the future as the Council had undertaken the facility study.

Therefore, the current status of the 2019 budget ***before facility*** needs is:

Net Surplus/(Deficit) Operating	**$ (327,505)**
Net Other Levies	**(27,270)**
Change in Debt Levy	**336,036**
Change is Capital Equipment Levy	**347,134**
Net Effect of "Other"	**-**
Total Preliminary Levy Dollars Surplus/(Needed) Before Facility Needs	**$ 328,395**

This means, with the same levy as 2018, the City has a balanced budget and has $328,395 to spend on facilities. **Any increase to the levy, *at this time in the budget process*, would increase the amount the City can save or spend on facilities.**

Several options have been discussed at the workshops on how to address the deficiencies, and improve efficiencies, of the City's facilities and operations. Staff has spoken with the engineer from WSN, the firm that did the City's facility study, and it is estimated the planning timeline for a remodel and/or addition would be at least 8 months. The estimated cost for any planning and design is unknown at this time and is dependent on Council's decision on what to do with the facilities. Bonding for any facility improvements is probably out at least 8 months as well, and the structuring of any debt can be done depending on the final levy.

One of the questions for Council to consider before setting the preliminary levy, is what will be needed in 2019, as well as future years for facilities, so a more significant increase in the levy won't need to occur in the future.

It is currently estimated, that the estimated market value for the City has increased about 2.9% for pay year 2019. Staff estimated that if the tax capacity increased by the same percentage, the Council could increase the levy by 3% and the City's tax rate would be about the same as it was in 2018.

At the September workshop, it was asked if assuming the same increase in the tax capacity as the increase in estimated market value was valid. Below are a few years of history:

	% Change in EMV	% Change in Tax Capacity	Difference in Change
Pay Year 2018	1.7%	.5%	1.2%
Pay Year 2017	2.7%	2.7%	0.0%
Pay Year 2016	3.8%	2.3%	1.5%
Pay Year 2015	.3%	-.3%	.6%

The change in tax capacity, not only depends on the change in estimated market, but the change in property classifications as well as many other factors. The state's property tax system is fairly complex.

Staff tries very hard to provide council with the best information for them to make their decisions. Therefore, below is updated information that was presented to council at the September 10th workshop, assuming an estimated increase to the tax capacity of only **2.0%** **versus 2.9%** since the average change to the tax capacity over the last 3 years has not been the same increase as the increase in EMV, but rather about .9% less.

2018 City Tax Rate	**77.420%**
(City Levy / Total Tax Capacity of City)	
Calculated/Estimated Tax Rate	
No increase in Levy	75.938%
1% Increase in Levy	76.699%
2% Increase in Levy	77.460%
2.8% Increase in Levy	78.068%
3% Increase in Levy	78.221%
3.5% Increase in Levy	78.601%
6% Increase in Levy	80.503%
7% Increase in Levy	81.264%

Updated estimated impact to residential homestead and commercial properties are below as well:

Residential Homestead					
	Estimated Market Value	**Tax Capacity**	Calculated Tax Rate	**Annual City Tax Liability**	**Annual Change**
2018	$ 120,000	936	77.420%	724.65	-
No Change in Levy	120,000	936	75.938%	710.47	(14.18)
1% Increase in Levy	120,000	936	76.699%	717.59	(7.06)
2% Increase in Levy	120,000	936	77.460%	724.71	0.06
2.8% Increase in Levy	120,000	936	78.068%	730.41	5.76
3% Increase in Levy	120,000	936	78.221%	731.83	7.18
3.5% Increase in Levy	120,000	936	78.601%	735.39	10.74
6% Increase in Levy	120,000	936	80.503%	753.19	28.54
7% Increase in Levy	120,000	936	81.264%	760.31	35.66
15% Increase in Levy	120,000	936	87.352%	817.26	92.61

Commercial					
	Estimated Market Value	**Tax Capacity**	Calculated Tax Rate	**Annual City Tax Liability**	**Annual Change**
2018	$ 363,500	6,520	77.420%	5,047.78	-
No Change in Levy	363,500	6,520	75.938%	4,951.14	(96.64)
1% Increase in Levy	363,500	6,520	76.699%	5,000.76	(47.03)
2% Increase in Levy	363,500	6,520	77.460%	5,050.37	2.59
2.8% Increase in Levy	363,500	6,520	78.068%	5,090.06	42.28
3% Increase in Levy	363,500	6,520	78.221%	5,099.98	52.20
3.5% Increase in Levy	363,500	6,520	78.601%	5,124.79	77.01
6% Increase in Levy	363,500	6,520	80.503%	5,248.82	201.04
7% Increase in Levy	363,500	6,520	81.264%	5,298.44	250.65
15% Increase in Levy	363,500	6,520	87.352%	5,695.34	647.56

Finally, the last chart, is provided to help you set the final preliminary levy:

	New Dollars	
2018 Levy		**5,561,860**
1% Increase	55,619	5,617,479
2%	111,237	5,673,097
2.8%	155,732	5,717,592
3%	166,856	5,728,716
3.5%	194,665	5,756,525
4%	222,474	5,784,334
5%	278,093	5,839,953
6%	333,712	5,895,572
7%	389,330	5,951,190
10%	556,186	6,118,046
15%	834,279	6,396,139

R E S O L U T I O N
NO. _____

WHEREAS, the Brainerd City Council is required to set a Preliminary Levy by September 30, 2018; and

WHEREAS, the Brainerd City Council held a Budget Workshop on August 27, 2018 and September 10, 2018; and

WHEREAS, the Brainerd City Council, during the Special Meeting, discussed the overall budget process, the overall expenditures and the debt service of the City;

NOW, THEREFORE BE IT RESOLVED by the City of Brainerd, County of Crow Wing, State of Minnesota that the following sums are the preliminary levy for the taxes payable in the year 2019:

$_____ plus $126,888 for the HRA.

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