

CITY COUNCIL AGENDA

Brainerd, Minnesota

June 17, 2019

7:30 P.M.

Brainerd City Hall

Council Chambers

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

2. **Roll Call**

___ D. Badeaux ___ S. Hilgart ___ J. Lambert ___ K. Stunek

___ D. Pritschet ___ K. Bevans ___ G. Johnson ___ Mayor Menk

3. **Pledge Of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval Of Minutes**

1. Regular Meeting Held on June 3, 2019
2. Workshop Held on June 10, 2019

Documents:

20190603_CC draft.pdf

20190610 - Council Workshop.pdf

B. **Approval Of Licenses**

Contractor Licenses -1 New; 5 - Renewals

Documents:

CONTRACTOR LICENSE REPORT - 2019-06-17.pdf

C. **Department Activity Reports**

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

Documents:

City Administrator Report.pdf

Police Chief Report.pdf

- D. Hire Crystal Gauthier As Transit Operations Specialist Effective July 8, 2019 - Placed On Step 2 Of The Transit Operations Specialist Wage Grid (\$23.04 Per Hour) - Approval Of

Documents:

Hire Crystal Gauthier as Transit Operations Specialist.pdf

- E. Minnesota Lawful Gambling Application For Exempt Permit - Submitted By The Brainerd Jaycees, PO Box 384, Brainerd For An Event To Be Held On July 27, 2019 At East River Road, 410 E River Rd., Brainerd - Approval Of
- F. Promotion Of Shawn Middagh As Street & Sewer Foreman Effective June 17, 2019 - Placed On Step 4 Of Street & Sewer Foreman Wage Grid (\$31.23 Per Hour) - Approval Of.

Documents:

Promotion of Shawn Middagh as Street and Sewer Foreman.pdf

- G. Second Hand Goods Dealer License Application -Submitted By Stafford Simmons Kaplan Dba JAK Antiques & Collectibles To Conduct Business At The Eagles Club 287, 124 Front St, Brainerd - Contingent Upon And Subject To Police And Fire Chief's Approval - Approval Of
- H. Temporary On-Sale Liquor License Application - Submitted By The Brainerd Jaycees For An Event To Be Held On July 13 And 14, 2019 At Memorial Park, Brainerd - Approval Of
- I. Temporary On-Sale Liquor License Application - Submitted By The Brainerd Jaycees For An Event To Be Held On July 26 And 27, 2019 In Downtown Brainerd On Front Street - Approval Of

6. **Presentations**

- A. 2018 Audit Presentation

Documents:

2018 Audit Presentation.pdf

1. 2018 Audit Powerpoint

Documents:

2018 Audit Results.pdf

- B. Brainerd Lakes Area Economic Development Corporation (BLAEDC) Presentation - Tyler Glynn

7. **Council Committee Reports**

A. Personnel And Finance Committee - 7:15 P.M.

Documents:

20190617_PF.pdf

1. Approval Of Bills And Transfers Of Funds

- From Fund 225 Public Safety to Fund 404 Fire Capital
\$52,600
2018 Excess Budget per FAB Contract

2. IUOE Local No. 49 (Street Dept) Union - Memorandum Of Agreement For Health Care Savings Plan Contribution For 2019-2020 Contract - Approval Of.

Documents:

IUOE Street Memorandum of Agreement regarding Health Care Savings Plan Contribution.pdf

3. Street & Sewer Maintenance I Position - Request Authorization To Fill Vacancy

Documents:

Street and Sewer Maintenance I Position - Request to Fill Vacancy.pdf

4. Southeast Brainerd Grant Subordination Request

Documents:

SE Subordination Request.pdf

5. Discussion Of Contract For Animal Control Services

Documents:

Discussion of Contract for Animal Control Service.pdf

B. Safety And Public Works Committee - 6:45 PM

Documents:

20190617_SPW.pdf

1. Improvement 19-06 - 2019 Street Patching - Quote Consideration And Award Recommendation

Documents:

Improvement 19-06 - 2019 Street Patching.pdf

2. Resolution - 2019 Capital Transit Bus Purchase

Documents:

Res - 2019 Capital Transit Bus Purchase.pdf

3. Resolution - 2020-2021 State Of Minnesota Transit Grant Resolution

Documents:

Res - 2020-2021 State of Minnesota Transit Grant Resolution.pdf

4. Resolution - Advancing Municipal State Aid Funds FY 2019

Documents:

Res - Advancing Additional Municipal State Aid Street Funds.pdf

5. Resolution - Improvements 16-09 (SAP 108-136-004) And 19-07 - Buffalo Hills Lane And Mississippi Drive Reconstruction - Approving Bids And Authorizing Contract Signatures

Documents:

Res - Approving Bid - Improvement 16-09 and Improvement 19-07.pdf

6. Event/Street Closure Application - Lil' Rubber Duckie Race

Documents:

Event Street Closure Application - Lil Rubber Duckie Race.pdf

7. Improvements 17-06 (SAP 108-119-006), 17-07, And 18-05 - H Street And 10th Avenue NE Reconstruction Project - Request For Testing Services Proposal

Documents:

Improvement 17-06, 17-07, and 18-05 Testing Services.pdf

8. Street Light Request - 1103 8th Avenue NE

Documents:

Street Light Request - 1103 8th Avenue NE.pdf

9. (Added Item) Improvement 17-08 Safe Routes To School (SRTS) Reconsideration Of Concrete Bid

Documents:

Concrete Bid SRTS.pdf

8. **Unfinished Business**

- A. **Final Reading - Proposed Ordinance No. 1496 - An Ordinance Replacing Section 400 Of Chapter IV Of The City Code - City Administrator Torstenson Recommends To Dispense With The Actual Reading**

Documents:

Final Reading - Ordinance 1496.pdf

- B. **Committee Resignations - Accept With Regret**

- Dale Parks, EDA Commission

- C. **Call For Applicants - Informational**

(Applications Available in Council Chambers, at City Hall or at the City's Website)(<http://www.ci.brainerd.mn.us/>)

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

Cable TV Advisory Committee - 2 terms (Expire 2021)

Charter Commission - 1 term (Expire 2021) - 1 term (Expire 2022)

Transportation Advisory Committee - 1 term (Expire 2020)

9. **New Business**

- A. **Facilities Discussion**

Documents:

Facilities Discussion.pdf

10. **Planning Commission**

- A. **Reconsideration Of 50 Jenny St. Rezoning**

Documents:

Water Treatment Plant Rezoning Reconsideration.pdf

1. Water Treatment Plant Rezoning Reconsideration

Documents:

BPU.pdf

11. **Community Member Of The Month**

12. **Public Forum**

Time allocated for citizens to bring matters not on the agenda to the attention of the Council - Time limits may be imposed

13. **Staff Reports**

(Verbal: Any Updates since Packet)

14. **Council Member Reports**

15. **Adjourn – Motion Closing Meeting**

Pursuant to the attorney-client privilege and Minnesota Statutes, section 13D.05, subdivision 3(b), I hereby move to close the meeting for the purpose of receiving confidential legal advice from the City Attorney regarding the pending grievance with the IUOE. It would be detrimental to the interests of the City for the City to hold a public discussion with its attorney where an opposing party or an opposing attorney could listen to or be made aware of the City's position and strategy. Therefore, it is in the City's best interest to obtain legal advice in a confidential setting to maintain the attorney-client privilege.

(Make Motion) After the motion passes, the Council President to read:

The Council will now enter into closed session pursuant to the attorney-client privilege under M.S. 13D.05, subd. 3(b), to discuss the pending grievance with the IUOE.

Note: Safety and Public Works Committee will meet at 6:45 p.m.
Personnel and Finance Committee will meet at 7:15 p.m.

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

MISSION

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

Brainerd, MN
June 3, 2019

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 Johnson.

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

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

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO AMEND THE AGENDA BY REMOVING ITEM 8B. REQUEST FOR HEARING – POTENTIALLY DANGEROUS DOG.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO ADOPT THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on May 20, 2019 - Approved

B. Approval of Licenses – Approved

Contractor Licenses – 3 – New; 4 – Renewals
Bulk Plant License – 1 Renewal
Growler License – 1 Renewal
Filling Station License – 8 Renewals
Off-Sale Beer Licenses – 5 Renewals
Taproom License – 1 Renewal
On-Sale Wine/Beer License – 1 Renewal
On-Sale Liquor Licenses – 11 Renewals
Club On-Sale Licenses – 4 Renewals
Off-Sale Liquor Licenses – 6 Renewals
On-Sale Liquor Licenses – 3 Renewals

C. Department Activity Reports - Approved

1. Fire Chief
2. Park Director

D. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by WeARE – Advocates for Reproductive Education, 424 James St., Brainerd for an Event to be Held on June 26, 2019 at The Luminary Fern, 210 Blacksmith Cir., Brainerd - Approved

E. Resolution Modifying the 2019-2021 Deputy Police Wage Grid – Adopted by Resolution No. 38:19

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

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

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

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

Recommendations for Paid On-Call Hiring - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO APPROVE A CONDITIONAL JOB OFFER TO CLINTON HEADLEY, MATTHEW INGMAN, ERIK HIDALGO AND ROBERT KRAMER FOR THE POSITION OF PAID ON-CALL FIREFIGHTER. OFFER IS SUBJECT TO SUCCESSFUL COMPLETION OF PRE-EMPLOYMENT; PHYSICAL, DRUG, PSYCHOLOGICAL AND BACKGROUND CHECKS.

Sale of 1983 E-One Aerial Apparatus - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO AUTHORIZE CHIEF HOLMES TO PROCEED WITH THE PROCESS OF SELLING THE 1983 E-ONE AERIAL APPARATUS.

Mattson Loan Subordination - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO APPROVE THE SUBORDINATION REQUEST FOR MR. MATTSON AT THE PROPERTIES OF 214 AND 216 8TH STREET SOUTH, BRAINERD.

(Added Item) City Administrator Torstenson Performance Review Process - Informational

Committee Chair Hilgart stated the review paperwork was sent to the Council Members and she explained the timeline and process for the review.

Safety and Public Works Committee Report

Event/Street Closure Application – Kickoff to Summer - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE KICKOFF TO SUMMER EVENT FROM JUNE 7 TO JUNE 9TH, 2019 UNDER THE CONDITIONS THE APPLICANT RECEIVE PROPER FIRE DEPARTMENT INSPECTIONS PRIOR TO THE EVENT, NOTIFY RESIDENTIAL PROPERTIES WITHIN ONE BLOCK AND ALL SIGNS AND BANNERS ARE REMOVED IMMEDIATELY AFTER THE EVENT.

Improvement 14-05 Stonebridge Final Lift Discussion - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO PROCEED WITH THE FINAL LIFT PROJECT AT THE SOONEST AVAILABLE TIMEFRAME AND ASSESS THE PROJECT AT 100% TO THE PROPERTY OWNERS.

Improvement 18-08 (SAP 108-126-014) and (SAP 108-124-008) – College Drive and South 4th Street Mill and Overlay Project – Consideration of Bids and Award Recommendation - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE BID FROM ANDERSON BROTHERS AT A TOTAL CONTRACT COST OF \$625,193 AND AUTHORIZING EXECUTION OF THE CONTRACT DOCUMENTS. FURTHER, TO DIRECT STAFF TO WORK WITH ANDERSON BROTHERS TO REDUCE THE COSTS ON THE PROJECT THROUGH ALLOWING DAYTIME WORK.

Improvement 19-03 – 2019 Seal Coat Project – Consideration of Bids and Award Recommendation - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE BID FROM ASPHALT SURFACE TECHNOLOGIES CORPORATION AT A CONTRACT CONSTRUCTION COST OF \$168,017.

Improvement 19-04 – 2019 Crack Sealing Project – Quotes and Award Recommendation- Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE QUOTE FROM LOT PROS LLC AT A TOTAL CONTRACT COST OF \$12,302 AND A TOTAL PROJECT COST OF \$17,927.

Resolution Designating the East River Road Parking Lot for Student Parking for the 2019-2021 School Year - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT A RESOLUTION TO DESIGNATE THE EAST RIVER ROAD PARKING LOT FOR STUDENT PARKING FOR THE DURATION OF THE 2019-2021 SCHOOL YEARS.

RESOLUTION NO. 39:19

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

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)

Cable TV Advisory Committee – 2 terms (Expire 2021)
Charter Commission – 1 term (Expire 2021) – 1 term (Expire 2022)
Transportation Advisory Committee – 1 term (Expire 2020)

Council President Recommended: (all terms expire 12/31 of said year)
Planning Commission – 1 term (Expire 2021) (*pending appointment*)

(Added Item) Committee Recommendations – Recommended by Council President

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPOINT MS. THERESA WOODWARD TO THE PLANNING COMMISSION FOR A TERM TO EXPIRE 12/31/21.

New Business

Presentation of Bronze Award for Bikeable Community

Community Development Director Chanski explained in 2016, the City received an honorable mention as a Bicycle Friendly Community from the League of American Bicyclists. He stated this year the City received the bronze designation which is a great accomplishment for the City and reviewed the criteria for the designation.

Set Council Workshop – General Work Session

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK, DULY CARRIED, TO SET THE WORKSHOP FOR MONDAY, JULY 22, 2019 AT 5:30 P.M.

Planning Commission

Variance Request – 702 S. 5th St. Brainerd High School – Setback Requirement from 25' to 15' - Approved

Community Development Director Chanski explained the request is to allow a 15-foot front yard setback for the construction of the performing arts center. He stated the Planning Commission held the public hearing to consider the request and voted unanimously to recommend approval based on staff findings.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND HILGART, DULY CARRIED, TO APPROVE THE VARIANCE REQUEST FOR A 15-FOOT FRONT YARD SETBACK FOR THE CONSTRUCTION OF A PERFORMING ARTS CENTER AT 702 S 5TH STREET BASED ON THE FINDINGS OF FACT, OMITTING 1BI AND III.

Conditional Use Permit Request – Brainerd High School, 702 S. 5th St. - Construction of Additions at the High School - Approved

Community Development Director Chanski explained the request is for the entire Brainerd High School property in order to remodel and construct additions with the exclusion of south campus. He said the Planning Commission voted to recommend approval with the following conditions: 1) Light poles to not exceed 13 feet but may be compromised if an acceptable height is brought forward 2) Require a 50% illumination reduction between 11 pm

and dawn 3) Landscape plan must be approved by the Planning Commission for the east parking lot 4) Applicant to reconcile the islands to have both trees and lights.

The Chair recognized Mr. Tim Ramerth, project manager from Widseth Smith Nolting (WSN) and Ms. Laine Larson, superintendent of ISD#181 who presented information and a request for Council to reconsider the conditions placed on the Conditional Use Permit by the Planning Commission.

Council questions and discussion took place and questions were answered.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT WITH THE FOLLOWING CONDITIONS: 1) LIGHT POLES WILL NOT EXCEED 23 FEET AND WILL INCLUDE EXTERNAL GLARE SHIELDS 2) PARKING LOT LIGHTS SHALL BE REDUCED BY 50% FROM 11 PM TO DAWN, EXCEPT FOR SPECIAL EVENTS OR STUDENT ACTIVITIES THAT FINISH LATER 3) SCHOOL DISTRICT OFFICIALS WILL WORK WITH CITY STAFF ON A LANDSCAPING PLAN BUT DO NOT NEED APPROVAL FROM THE PLANNING COMMISSION.

Council Member Badeaux requested the Planning Commission and staff review the current lighting ordinance for possible modifications to the requirements.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS FOR AN UNDERSTANDING BETWEEN ISD#181 AND THE CITY THE LIGHTS FOR THE SOUTH AND LOWER PARKING LOTS FOR THE HIGH SCHOOL ARE APPROVED AT 23-FEET GOING FORWARD.

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

First Reading – Proposed Ordinance No. 1495 – An Ordinance to Rezone Property at 50 Jenny Street from an R-1A to and I-1 – City Administrator Torstenson Recommends to Dispense with the Actual Reading - Denied

Community Development Director Chanski explained Brainerd Public Utilities is requesting to rezone the property at 50 Jenny Street from an R-1A (Single Family Residential) District to an I-1 (Light Industrial) District for the purpose of possible future expansion of buildings. He said the R-1A zoning designation limits many of the building standards and that the I-1 designation would better suit the treatment plant.

Council Member Johnson stated the rezoning should not be done without a plan of what Brainerd Public Utilities is proposing.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND PRITSCHET, DULY CARRIED, TO DENY THE FIRST READING OF PROPOSED ORDINANCE NO. 1495 TO REZONE PROPERTY AT 50 JENNY STREET FROM AN R-1A TO AN I-1.

First Reading – Proposed Ordinance No. 1496 – An Ordinance Replacing Section 400 of Chapter IV of the City Code – City Administrator Torstenson Recommends to Dispense with the Actual Reading – Approved

Community Development Director Chanski explained the City now has a master plumber on staff which means the City may work towards an agreement with the State to conduct all commercial plumbing plan reviews in house. He stated the State would regain the duties if future staff changes take place, as the City does not require a master plumber on staff.

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO DISPENSE WITH THE ACTUAL READING OF PROPOSED ORDINANCE NO. 1496 - AN ORDINANCE TO REPLACE SECTION 400 OF CHAPTER IV OF THE CITY CODE.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1496 – AN ORDINANCE TO REPLACE SECTION 400 OF CHAPTER IV OF THE CITY CODE.

Public Forum

The Chair opened the Public Forum at 8:47 p.m.

No one came forward.

The Chair closed the Public Forum at 8:47 p.m.

Staff Reports

City Engineer Sandy stated he addressed the Mississippi Headwaters Board in Walker, MN and secured \$20,000 of funding towards the Stormwater Retrofit Study. He said he has also requested funding from the Crow Wing County Soil and Water Conservation District Technical Service Area 8 (TSA 8) for another \$10,000 to assist in the study.

Community Development Director Chanski announced the Community Member of the Month nominations are open on the City website or available at City Hall. He added that he and City Administrator Torstenson had the opportunity to present in St. Paul last week to the MN Mississippi Parkways Commission regarding the efforts to build a trail and facility on the Mississippi River.

Fire Chief Holmes made an update regarding a possible deployment for him to travel to Kansas to assist in the flooding and tornado relief efforts. He stated a different agency fulfilled the request, however there is concern about the process if future requests are made in a short period of time when Council approval is not a timely solution. It was determined the Council President, Safety & Public Works Committee Chair and the Personnel & Finance Chair will be notified for approval.

Finance Director Hillman stated the Governor signed a bill that increased the amount of the Local Government Association (LGA) funding back to the 2002 level. She indicated the City was scheduled to receive an additional \$15,000 in 2020 over 2019, but the new legislation will allow \$235,215 more funding to be received by the City.

City Administrator Torstenson stated she completed and emailed her performance review to the Council. She said the prosecution agreement for Severson Porter has been signed and is in effect today, June 3, 2019. She announced there will be an EDA meeting on Thursday, June 6, 2019 at 7:30 a.m. She stated the Cable TV Advisory Commission met on May 21, 2019 with the next meeting scheduled for June 18th at 3:00 p.m. and explained the cable franchise agreement expires in 2020 and will need to be updated. She indicated the presentation in St. Paul was positively acknowledged and she has since received two emails in reference to the visit.

Council Member Reports

Council Member Pritschet stated he will be absent from the council meeting on June 17th due to being out of state with debate students at nationals.

Council Member Lambert thanked everyone that attended the Memorial Day Service.

Mayor Menk announced there will be a monument dedication taking place on Sunday, June 9th at Memorial Park at 1:00 p.m. and invited everyone to attend.

Council Member Johnson stated he will be attending a Brainerd Unified Fund (BUF) meeting on Tuesday, June 4th. He said the Crow Wing County Housing & Redevelopment Authority (HRA) has contracted with a firm to complete a housing study in the county and will report back on the results.

Council Member Hilgart said Saturday, June 8th will be the last Sour Grapes trail run at the Northland Arboretum and encouraged everyone to sign up.

Adjourn to the Monument Dedication at Memorial Park on June 9th at 1:00 p.m. and the Council Workshop June 10, 2019 at 5:30 p.m.

The Chair adjourned the meeting at 8:58 p.m.

Cassandra Torstenson
City Administrator

Pursuant to due call and notice thereof, the Workshop of the Brainerd City Council was called to order at 5:30 p.m. by Council President Johnson.

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

Upon roll call, the following members were noted present: Badeaux, Hilgart, Lambert, Stunek, Pritschet, Bevans, Johnson and Mayor Menk. Also present were City Administrator Torstenson, Finance Director Hillman, Community Development Director Chanski, City Engineer Sandy, Fire Chief Holmes, Jennifer Bergman, Brainerd HRA, Tyler Glynn, BLAEDC, Paul Steinman, Baker Tilly and Bruce Buxton.

Parking

City Engineer Sandy indicated Council direction is sought as to how to address parking congestion and to meet a shortfall in parking lease revenue without affecting local businesses downtown.

Council discussion took place regarding possibly adding parking meters. Councilman Badeaux and Councilman Hilgart both talked about their experiences with parking meters in other cities and suggested staff review these options.

City Engineer Sandy stated the City of Brainerd has a gap of approximately \$11,000 before the budget breaks even in terms of revenue and upkeep costs for the parking areas downtown.

City Administrator Torstenson summarized the Council discussion which suggested a system designed to meet revenue needs by the city and facilitate a positive experience for customers as follows:

- Designate some lots to be leased for tenants to use on a constant basis, to address housing and workforce needs.
- Consider installing parking meters in one of the free lots, to allow for those that would like to shop or stay all day to have an option without concern. This could help to increase revenue.
- Keep on-street parking and one city lot as free or tax-funded parking spots.
- Consider reducing the on-street parking to 90-minute parking

Council Member Johnson directed staff to research potential parking meters and costs to install them and to determine an upkeep and revenue balance for lease rates to address the \$11,000 shortfall.

River-To-Rail Economic Incentives Discussion

City Administrator Torstenson reintroduced the River-To-Rail Economic Incentives topic.

Mr. Bruce Buxton and Council discussed potential economic incentives and how they could help to encourage development. A variety of incentives were discussed ranging from permit fees to SAC/WAC to TIF/Tax Abatement. Council discussed that they would be open to incentives on a case by case basis and based on demonstrated financial need.

Adjourn

The Chair adjourned the meeting at 7:34 p.m.

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
June 17, 2019
(1 New - 5 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
CRONIN CONSTRUCTION LLP 2434 COUNTY ROAD 113 BRAINERD, MN 56401 19-0193	(218) 839-5161	GENC	4/18/2020	12/31/2019	BC266689
G&L EXCAVATING 12236 COUNTY ROAD 23 BRAINERD, MN 56401 19-0194	(218) 839-0194	EXCA SSTS	10/7/2019	12/31/2019	L1059
RARDIN EXCAVATING, INC. 10980 COUNTY 77 SW NISSWA, MN 56468 19-0195	(218) 828-0653	EXCA SSTS	7/1/2019	12/31/2019	L364N
IDEAL CONCRETE CONSTRUCTION INC 7757 WISE RD BRAINERD, MN 56401 19-0196	(614) 578-1600	MASO	6/26/2020	12/31/2019	
LAKESIDE FIREPLACE & STOVE LLC 6482 STATE 371 NW WALKER, MN 56484 19-0197 (new)	(218) 547-4328	MASO	9/18/2019	12/31/2019	
CLUEVER CONSTRUCTION, INC. 12674 KNOLLWOOD DRIVE S BAXTER, MN 56425 19-0198	(218) 829-2550	GENC	5/26/2020	12/31/2019	BC002557

To: Brainerd City Council

From: Cassandra Torstenson, City Administrator

Date: June 13, 2019

Re: City Administrator Report

Downtown Brainerd Coalition

Several business owners in downtown Brainerd have met to create a Downtown Brainerd Coalition. Our summer Marketing Intern and I have met with them a few times to learn about their vision for the Downtown and their efforts to organize. To date, they have created a mission and vision statement and would like to form a 501(c) (3). They have met with Brainerd Restoration to see if there were opportunities to join forces; however, it was decided that at this time they would continue to communicate but that the business owners would like to move their organization forward. The downtown business owners will be forming subcommittees such as organization and marketing/ events. They have asked if I would participate in both committees as they relate to City ordinances and design standards, downtown events and signage.

Workforce Housing Study

The Crow Wing County HRA has hired Redevelopment Resources to conduct the workforce housing and needs analysis. The study will evaluate all of the 18 incorporated cities in Crow Wing County, including the City of Brainerd. I attended the first meeting on June 13th and will be participating in the process.

Economic Development Authority

The EDA met on June 6th and discussed: Industrial Lots, Financial Advisors, Strategic Planning and Fund Allocation. We also elected a Treasurer, Assistant Treasurer & Secretary and adopted the City Seal as the EDA seal. Our next meeting will be in July and will begin budget and fund allocation discussions. In August, we will cover: Future Development Opportunities, Accept Final Audit Statement, Budget Discussion and the Annual Report to Council (due by September 18).

Cable Advisory Commission

The Cable Advisory Committee met on May 21st and held elections for President and Vice President. They also identified that our current Franchise Agreement expires in March 2020 and is 15 years old. Our next meeting is on June 18th at 3:00 pm and we will begin reviewing the franchise agreement and identifying needed updates to it.

Marketing

Our summer marketing intern – Renee - has been doing a great job! This years farmers market will have 11-14 vendors, whereas last years only had 5-7 on an average week. The market began on June 11th and will be every Tuesday from 3-6 pm in the Laurel Street Lot. Renee has also been working on an annual social media calendar for all city departments and the City Newsletter.

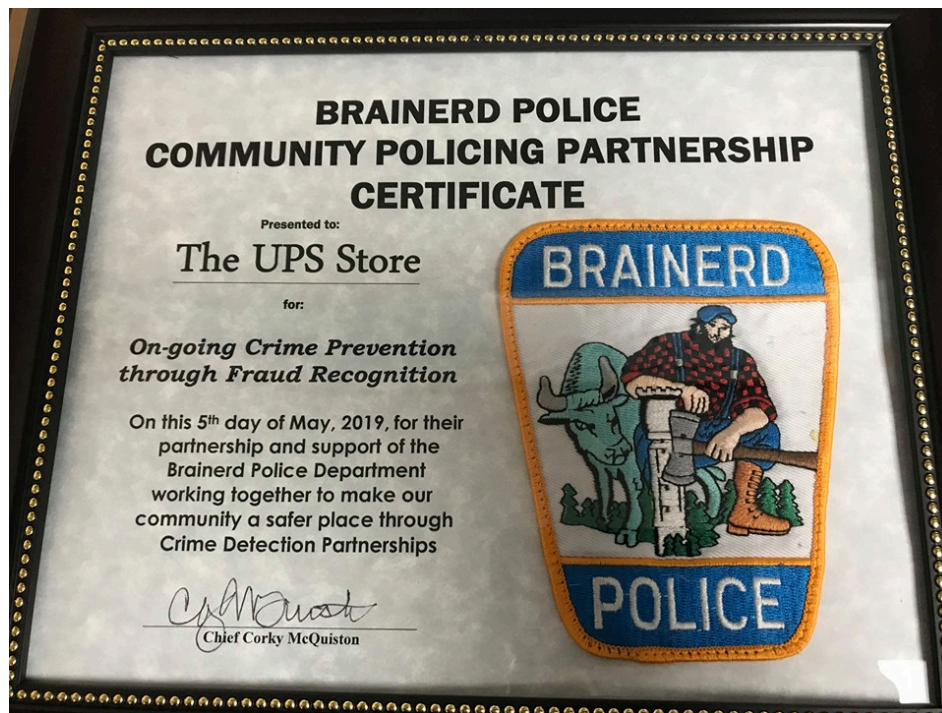
**BRAINERD POLICE DEPARTMENT
MEMORANDUM**

TO: Brainerd City Council
FROM: Police Chief Corky McQuiston
DATE: 06-07-19
RE: Monthly Report



Crime Prevention

Every so often when an opportunity comes up, we like to present a community partner, person, business, or organization with our **Community Policing Partnership Certificate**. Past recipients have included the retiring director of the Mid-Minnesota Women's Center, Iron Hills Gun & Pawn, and Mickey's. This is to recognize them for their involvement in our community on crime prevention, essential services, or public relation partnerships.



In May, we recognized The UPS Store at 406 West Washington Street. Since the beginning of 2019, the staff there has helped to prevent **over \$83,000** of fraudulent activity. Multiple incidents have occurred with people that have been tricked by email, other mail or telephone scams to ship **large amounts of cash via UPS**. The pro-active observant staff at the UPS store alerts the police department when they suspect this

fraudulent activity is occurring. With their help, victimization of numerous people has been avoided which is the primary purpose of Crime Prevention. Police Lieutenant Chad Kleffman continues work with the store and promote awareness on our Facebook.

Community Policing

May was a very active month for the police department and community policing functions. The police department is a favorite end of the school year tour for several area elementary schools and we hosted multiple tours with about 265 kids plus teachers and chaperones.



On May 16th, we partnered with the Fire Department and brought McGruff to Tri-County Community Action Head-Start at 2410 Oak Street

Annual Bike Safety Clinic



This year's annual bike rodeo was held on May 4th at a new location. Historically this was at the lower lot of the Brainerd High School, but because of event conflicts it was moved to Forestview Middle School in Baxter this year.

This long-standing event is hosted by Essentia Health, and partners with Brainerd Parks & Rec, Brainerd and Baxter Police, the Lakes Area Law Enforcement Association and other community biking support

groups. Youth that attend the clinic can have their bicycle checked over by a technician, receive instructions on bike safety, biking laws and rules, ride on a mock course and receive a free Bike Helmet. Pictured with local youth are Community Service Officers Lucas Caturia and Zach Gowens.

Jr Police



Our Jr. Police Team visited 3rd Graders at Harrison School on May 16th. The team consisted of Sergeant Paul Dooley, and Officers John Palcher, Rachel Boggs and Joel Reed.

The officers break into 4-stations covering:

- Police Officer Equipment
- Squad Cars
- Radar/LIDAR Hands-on Demonstration

and a **K9**
Demonstration



New Officers

New Officers Brady Houle and Michael Lyscio started training at the end of May. Both are graduates of Brainerd High School and the Law Enforcement Program at Central Lakes College.

Brady has some prior police experience with the Cuyuna and Deerwood Police Departments.

Michael has familiarity with the department as a former CSO.



May Training

On May 22nd, Sergeant Mike Kulzer attended a one-day Less Lethal Impact Munitions Instructor training in Crookston. This course gives Mike the necessary instructor certification he needs to train our staff annually on use of the two 40mm less lethal launchers that we ordered last fall.



The course was conducted by The Safariland Group and goes over the wide variety of impact munitions and capabilities. It also covers the psychological and physical effects of impact munitions and showed specific examples of how impact weapons have resolved situations where deadly force was the only other option.

On May 23rd, Police Administrative Supervisor Julie McCullough completed the Xcelerate Region 5 Leadership Team Academy program provided by Sourcewell at no cost. This is a 13-month program consisting of one day every month scheduled from 9 am to noon.



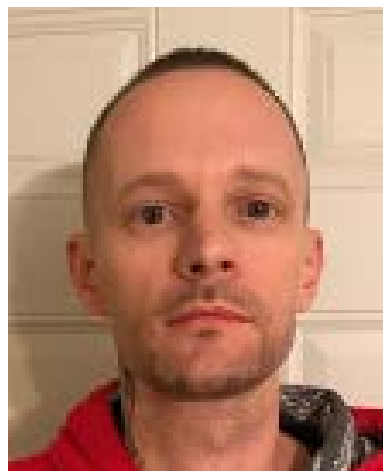
This Sourcewell partnership with GIANT Worldwide brings leadership training designed to help build better leaders, increase team performance, and create thriving organizations where everyone can bring their best. Sourcewell and GIANT have developed Leadership Solutions that recognize the time pressures and demands of city and county leadership to deliver significant content, methodology, tools and language to transform individuals, teams and systems toward optimum growth and development.

Level 3 Predatory Offender

On May 21st, the Minnesota Department of Corrections notified the Police Department that Level 3 Predatory Offender Terry Lee Bryant would be relocating on May 22nd from the area of Gillis Avenue NE, to the 11000 block of Andrew Street.

Bryant has a history of engaging in sexual contact with known adolescent female and male victims. Contact included penetration. Bryant gained access to at least one victim by meeting them online and arranging to meet in person.

Since Bryant 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.



Body Worn Camera Data Report



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
April	1594	284 Hours	549 GB	345 MB	11.01 Minutes	53
May	1629	307 Hours	591 GB	363 MB	11.32 Minues	53

Conduct on Premises Activity Report for May

ICR	Date Reported	Title	Address	Summary
19005621	05/05/19	Conduct on Premises	816 ½ South 6 th Street	Request for Written Management Plan
19006159	05/16/19	Conduct on Premises	211 South 7 th Street	Conduct on Premises
19006518	05/23/19	Conduct on Premises	612 Norwood Street	Conduct on Premises
19006519	05/23/19	Conduct on Premises	716 Laurel Street	Request for Written Management Plan

Monthly Police Activity

May	2019	2018
Calls	1584	1619
Citations (Inc. Parking)	238	290
Part I and Part II Crimes Reported	231 **	236

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

73 parking tickets were issued in the month of May with the following dispositions:

Revenue Recapture Receipts:

To Date: \$ 46,660.52

In 2019: \$ 6,014.39

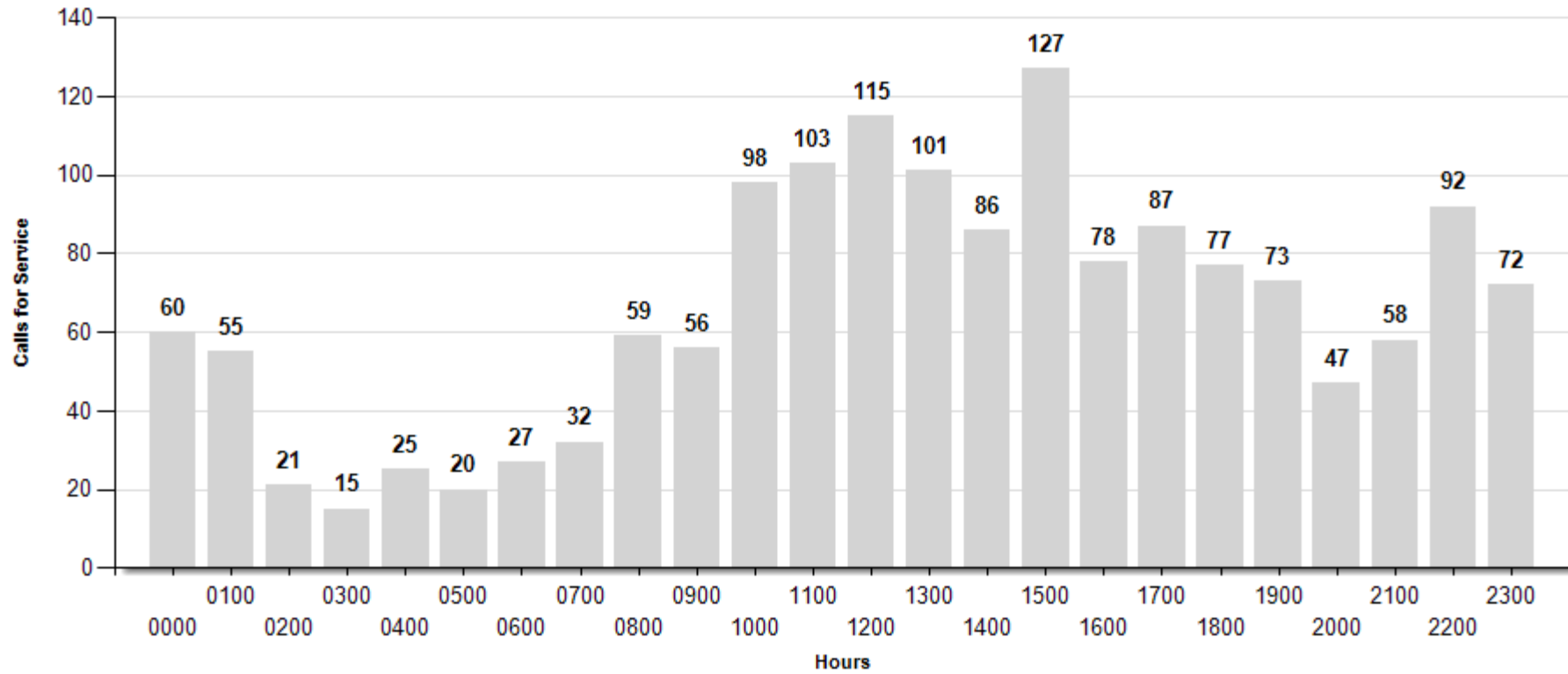
1	Dismissed
0	Business Validations
38	Paid in Full
1	Partial Payments Received
33	No Payment Received



Calls for Service Hourly

5/1/2019 to 5/31/2019

Total Calls: 1626





Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Hire Crystal Gauthier as Transit Operations Specialist

☐ INFORMATION ONLY ☒ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy & Kris Schubert	Department: Engineering/HR
Presenter (Name & Title): n/a	Estimated Time Needed: n/a
Summary of Issue: On April 15, 2019, the City Council authorized creating and posting our new Transit Operations Specialist position. We had 30 applicants for the position and we interviewed 8 individuals. The interview panel consisted of City Engineer Sandy, Transit Coordinator Stone, HR Intern Bengtson, and HR Coordinator Schubert. Our recommendation is to hire Crystal Gauthier for the position starting at Step 2 of the Transit Operations Specialist Wage Grid effective July 8, 2019.	
Alternatives, Options, Effects on Others/Comments: Please note that Ms. Gauthier has already successfully completed her pre-employment drug, physical, credit and background checks.	
Recommended Action/Motion: Included on the consent calendar is a motion to hire Crystal Gauthier as the Transit Operations Specialist effective July 8, 2019; further, that Ms. Gauthier be placed on Step 2 of the Transit Operations Specialist wage grid (\$23.04 per hour).	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u> The Council approved creating this new position earlier this year.	



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Promotion of Shawn Middagh as Street & Sewer Foreman

☐ INFORMATION ONLY ☒ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy & Kris Schubert	Department: Engineering/HR
Presenter (Name & Title): n/a	Estimated Time Needed: n/a
Summary of Issue: On May 20, 2019, City Engineer Sandy informed the Council that Street & Sewer Foreman Dale Rademacher was retiring effective July 5, 2019. The Council accepted Mr. Rademacher's retirement and also authorized Staff to fill the vacant position two weeks prior to the retirement for training. Staff posted the position and two applications were received. We conducted interviews and also conducted a peer evaluation to assist with the promotion decision.	
Alternatives, Options, Effects on Others/Comments: Staff recommends to promote Shawn Middagh to the Street & Sewer Foreman position. Since Mr. Rademacher plans to utilize vacation the last week of his employment, Staff recommends that Mr. Middagh's promotion be effective June 17, 2019, to allow Mr. Middagh an opportunity to work closely with Mr. Rademacher for a full two weeks before the retirement. During our recent negotiations with the IUOE Local No. 49 Street Department Union, we agreed that any individual that is promoted will be placed on the wage grid. We also agreed that if any current employee is promoted to the Street and Sewer Foreman position on or before December 31, 2020, the promoted employee will be placed on Step 4 of the Street and Sewer Foreman wage grid (\$31.23 per hour). Please note that Mr. Rademacher's current wage with longevity is \$36.38 per hour; further, that City Administrator Torstenson directed that after Mr. Rademacher's retirement, the Street & Sewer Foreman position will no longer utilize a city vehicle for commuting to and from home.	
Recommended Action/Motion: Included on the consent calendar is authorization to promote Shawn Middagh to the Street and Sewer Foreman position effective June 17, 2019; further, that he shall be placed on Step 4 of the Street and Sewer Foreman wage grid (\$31.23 per hour).	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i> Council previously approved filling the position.	



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: 2018 Audit Presentation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Principal Mary Reedy & Finance Director Hillman	Estimated Time Needed: 20 Minutes
Summary of Issue: Ms. Mary Reedy from CliftonLarsonAllen and Finance Director Hillman will summarize the results of the 2018 audit.	
Alternatives, Options, Effects on Others/Comments: An electronic copy of the audit was provided. If you would like a hard copy of the audit, please let Connie know.	
Recommended Action/Motion:	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

City of Brainerd

2018 Audit Results

Brainerd City Council

June 17, 2019

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Auditor Discussion Agenda Items

- Brainerd Public Utilities Audit Results
- Brainerd Public Utilities Financial Results
- City's Required Communication to Governance
- City's Audit Results
- City's Financial Results
- Other Discussions, Insights, Observations

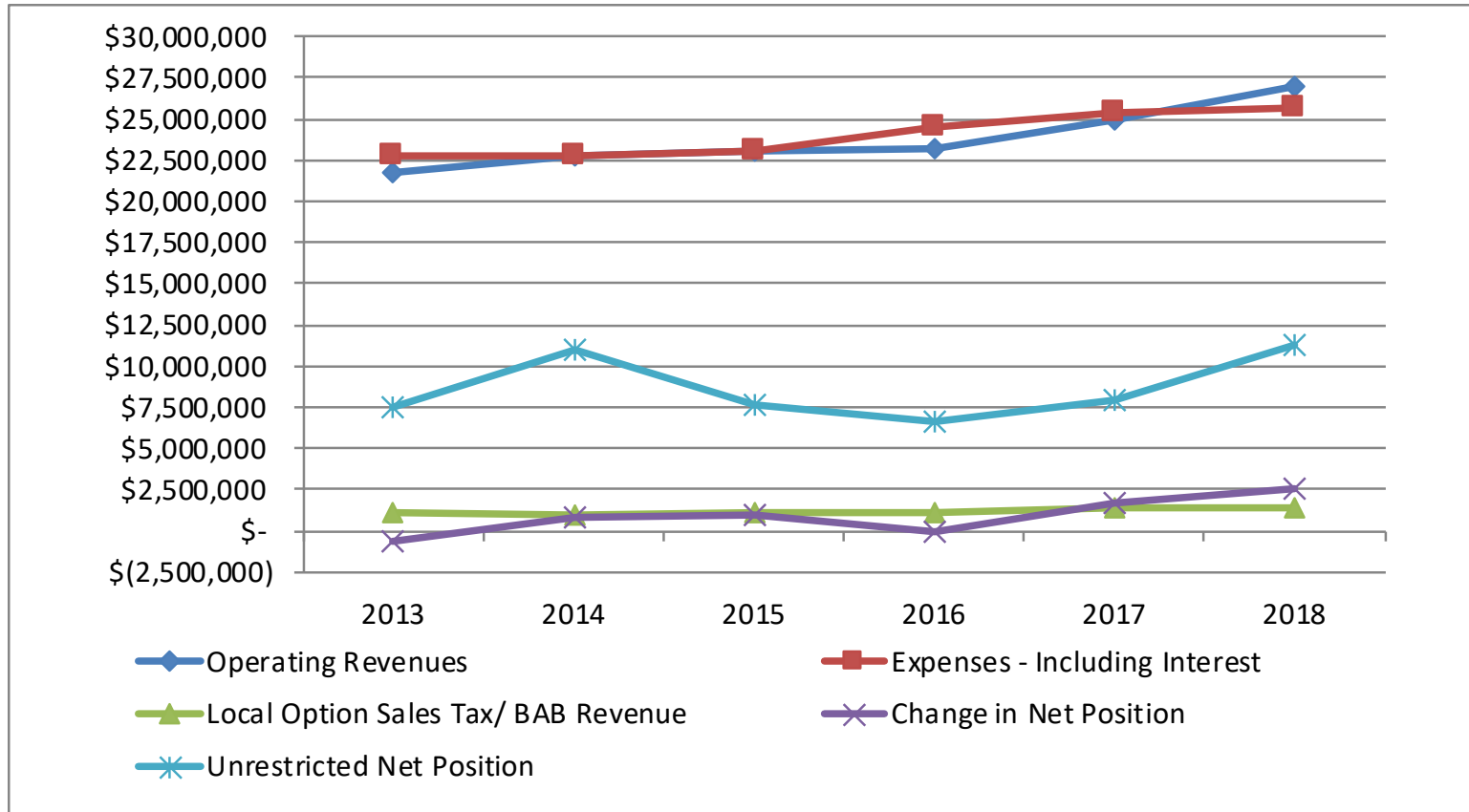


Brainerd Public Utilities Audit Results

- Clean Opinion on Financial Statements
- Internal Control – No findings noted
- Minnesota Legal Compliance – No findings noted



Brainerd Public Utilities Financial Results



	2013	2014	2015	2016	2017	2018
Operating Revenues	\$ 21,742,486	\$ 22,715,495	\$ 23,043,883	\$ 23,236,692	\$ 24,897,715	\$ 26,952,226
Expenses - Including Interest	22,815,923	22,793,311	23,031,221	24,445,308	25,364,003	25,609,849
Local Option Sales Tax/ BAB Revenue	1,038,070	1,022,472	1,048,340	1,116,339	1,438,017	1,452,725
Change in Net Position	(583,051)	765,276	921,947	(119,548)	1,730,702	2,541,368
Unrestricted Net Position	7,445,084	10,989,631	7,668,149	6,612,392	7,913,981	11,293,424



Brainerd Public Utilities Audit Results

- Cash increased due to an increase in net position
- Revenues increased due to rate changes
- BPU had a positive cash flow from operations

		2018	2017
ASSETS			
UTILITY PLANT			
In Service		\$ 108,063,842	\$ 105,193,134
Construction in Progress		666,591	93,886
Total Investment in Utility Plant		108,730,433	105,287,020
Less: Accumulated Depreciation		(44,787,356)	(40,832,596)
Net Utility Plant		63,943,077	64,454,424
RESTRICTED ASSETS			
Cash and Investments		5,338,512	4,614,503
Bonds and Notes Receivable		5,222,667	5,659,334
Notes Receivable - Interest		66,600	66,700
Total Restricted Assets		10,627,779	10,340,537
CURRENT ASSETS			
Cash and Investments		11,206,415	6,992,343
Accounts Receivable		3,383,214	4,062,438
Interest Receivable		48,089	23,605
Due from the City of Brainerd		995,640	1,001,887
Inventory		937,711	1,149,430
Prepaid Expenses		133,559	160,387
Total Current Assets		16,704,628	13,390,090
OTHER ASSETS			
Service Territory Acquisitions, Net of Accumulated Amortization		229,638	241,621
Total Assets		91,505,122	88,426,672
DEFERRED OUTFLOWS OF RESOURCES			
Pension Related		560,117	968,684
OPEB Related		31,901	-
Total Deferred Outflows of Resources		592,018	968,684
Total Assets and Deferred Outflow of Resources		\$ 92,097,140	\$ 89,395,356



Brainerd Public Utilities Audit Results

- Overall debt increased primarily due to new issuances
- One of the three departments reported positive change in net position

	2018	2017
LIABILITIES AND NET POSITION		
NET POSITION		
Net Investment in Capital Assets	\$ 28,104,575	\$ 29,174,203
Restricted	8,033,299	8,112,081
Unrestricted	11,293,424	7,913,981
Total Net Position	47,431,298	45,200,265
LONG-TERM LIABILITIES		
Electric Utility Revenue Bonds Payable	19,019,629	17,743,035
General Obligation Sewer Revenue Notes Payable	412,603	242,970
General Obligation Build America Bonds Payable	14,316,000	15,668,000
Capital Lease Payable	28,983	52,003
Compensated Absences	777,125	713,739
Net Pension Liability	2,956,866	3,460,092
Other Postemployment Benefit Obligation	346,040	-
Total Long-Term Liabilities	37,857,246	37,879,839
CURRENT LIABILITIES		
Accounts Payable	1,417,329	1,699,258
Electric Utility Revenue Bonds Payable	1,577,400	1,263,800
General Obligation Equipment Certificates of Indebtedness	135,367	78,498
General Obligation Sewer Revenue Notes Payable	-	-
General Obligation Build America Bonds Payable	1,352,000	1,310,000
Capital Lease Payable	23,020	27,915
Payable to City of Brainerd	376,077	251,217
Accrued Expenses		
Salaries and Withholding Taxes	152,873	135,056
Sales Taxes	87,685	81,803
Current Liabilities Payable from Restricted Assets:		
Bond Interest	348,900	311,200
Conservation Incentive Program Payable	221,484	217,168
Customer Deposits	326,030	312,904
Total Current Liabilities	6,018,165	5,688,819
Total Liabilities	43,875,411	43,568,658
DEFERRED INFLOWS OF RESOURCES		
Pension Related	790,431	626,433
Total Net Position, Liabilities, and Deferred Inflows of Resources	\$ 92,097,140	\$ 89,395,356



Required Communication to City Council

- **Our Responsibility Under Generally Accepted Auditing Standards, *Government Auditing Standards*, and Uniform Grant Guidance**
 - Primary responsibility is to provide our opinion on the fairness of presentation of the financial statements
 - Reviewed internal accounting controls
 - Risk based audit approach
 - Based on internal controls, determined scopes and tests of transactions
 - Expressed opinion based on tests
 - Report internal controls and compliance – federal awards
- **Planned Scope and Timing of the Audit**
 - Communicated during the audit preliminary work and field work
- **Significant Accounting Policies**
 - Outlined in Note 1 to the financial statements
 - Unusual transactions – none noted
 - New Standards – GASB 75 and GASB 89



Required Communication to City Council

- **Management Judgments and Accounting Estimates – Reasonable/Supported**
 - Useful lives of capital assets
 - Other postemployment benefits payable
 - Net pension liability and related deferred inflows/outflows of resources
- **Corrected and Uncorrected Adjustments**
 - None noted
- **Disclosures are Adequate, Clear and Complete**
- **Other Information in Documents Containing Audited Financial Statements**
 - Supplementary information – made inquiries and evaluated the content – opinion – management is responsible for this information and need to include our report if issued separately
 - Other information – reviewed for any errors – no opinion
- **Disagreements with Management**
 - There have been no disagreements with management about matters that could be significant to the financial statements
- **Management Representations**
 - We have requested certain representations from management included in the management representation letter



Required Communication to City Council

- **Consultations with Other Accountants**
 - There were no consultations with other independent accountants
- **Major Issues Discussed With Management Prior to Retention**
 - No issues, other than normal planning issues, were discussed prior to our retention as auditors
- **Difficulties Encountered in Performing the Audit**
 - Management was most cooperative and helpful
 - Personnel and records were available
- **Audits of Group Financial Statements**
 - No matters related to the group audit that we consider to be significant to the responsibilities of those charged with governance of the group
- **Limitations on the Group Audit**
 - There were no restrictions on our access to information of components or other limitations to the group audit



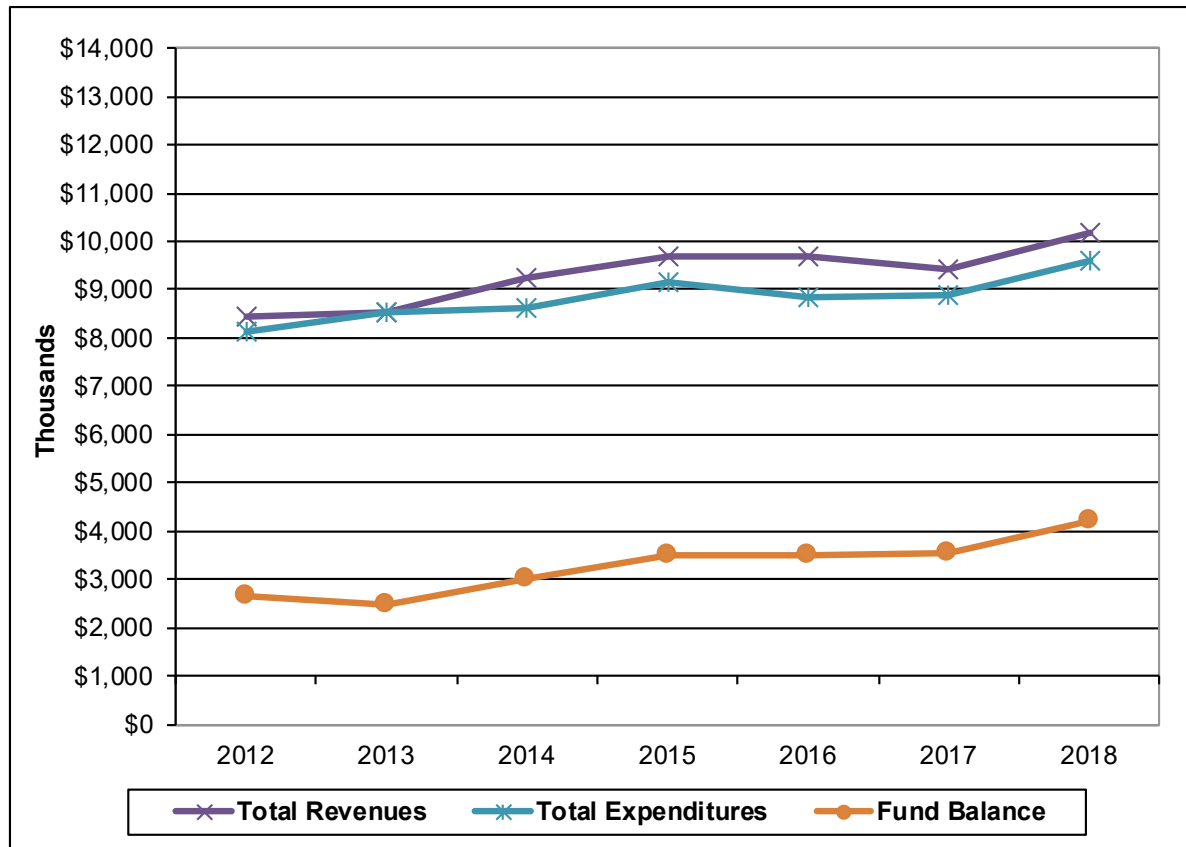
City's Audit Results

- **Unmodified Opinion (Clean)**
 - On the basic financial statement – concluded financial statements are fairly stated
- **Compliance and Internal Control Over Financial Reporting**
 - Tests did not disclose any instances of non-compliance that are required to be reported under *Government Auditing Standards*
 - One Significant Deficiency – Petty Cash Funds
- **Compliance with Requirements Applicable to Each Major Program and Internal Control Over Compliance Required by the Uniform Guidance**
 - The City complied in all material respects with the federal compliance requirements that are applicable to its major federal program
 - ◇ Airport Improvement Projects
- **Minnesota Legal Compliance**
 - Seven areas – No Findings



City's Financial Results

General, Public Safety, Street, and Park & Rec Fund Balances

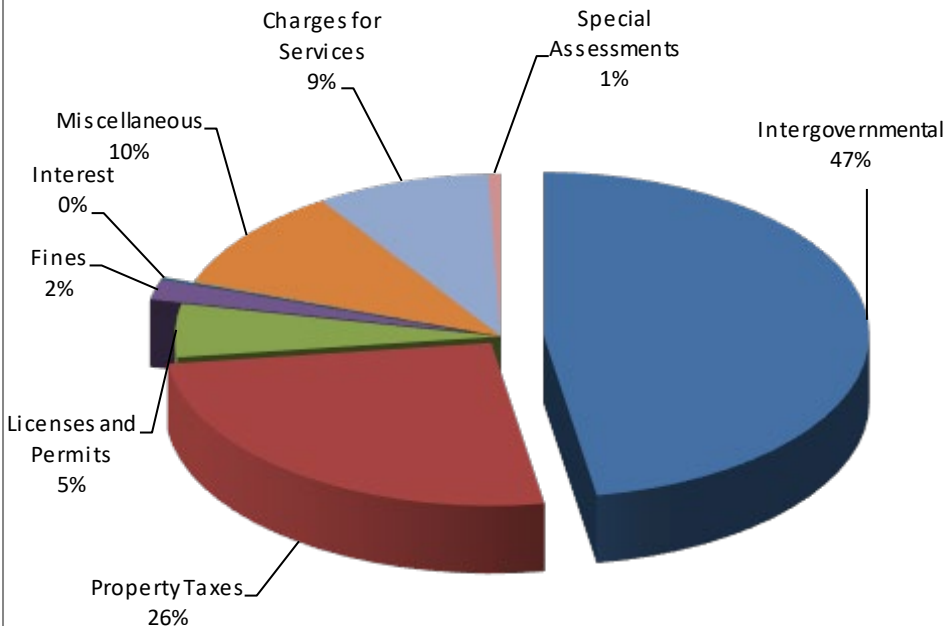


- Revenues higher than expenditures in the current year
- Fund Balance is approximately \$4,194,000, of which approximately \$3,862,000 is unassigned and can be used for operations
- Operating expenditures are approximately \$9,621,000
- Approximately 40% of the 2018 expenditures in Unassigned Fund Balance – meets goal/policy

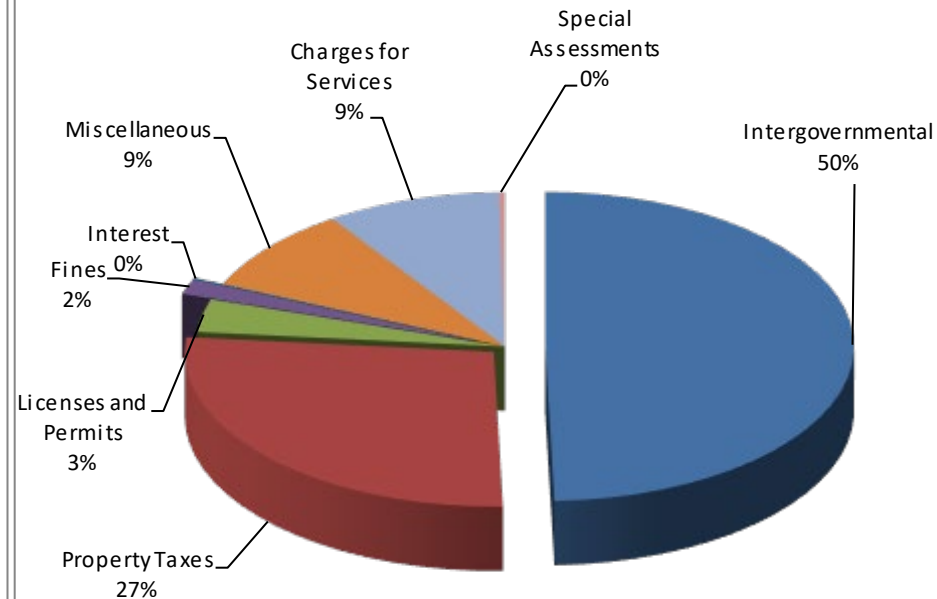
City's Financial Results

General, Public Safety, Street, and Park & Rec Funds
Revenues

Actual



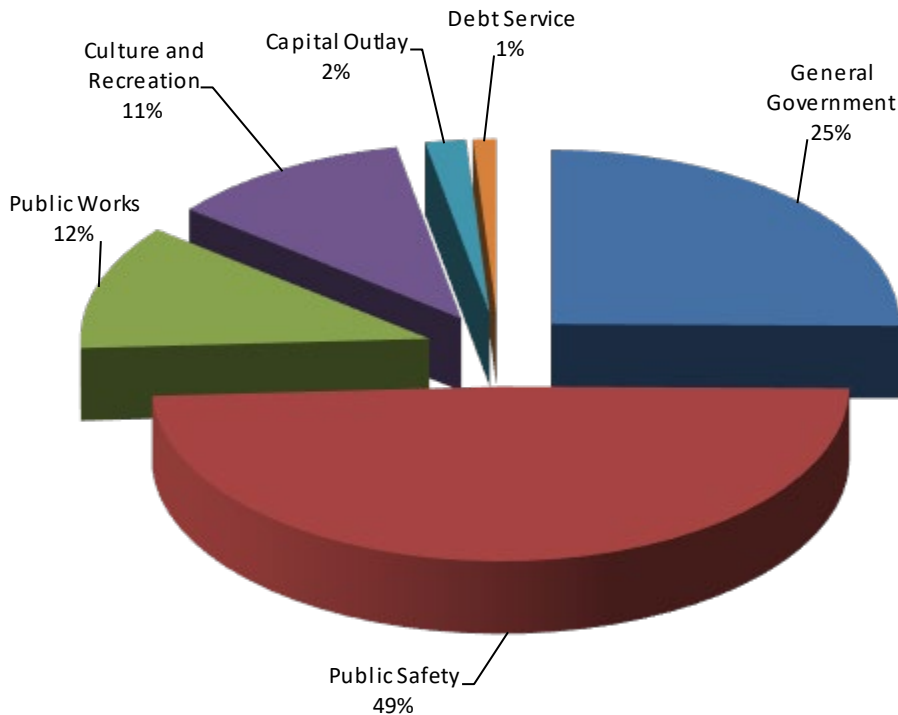
Budget



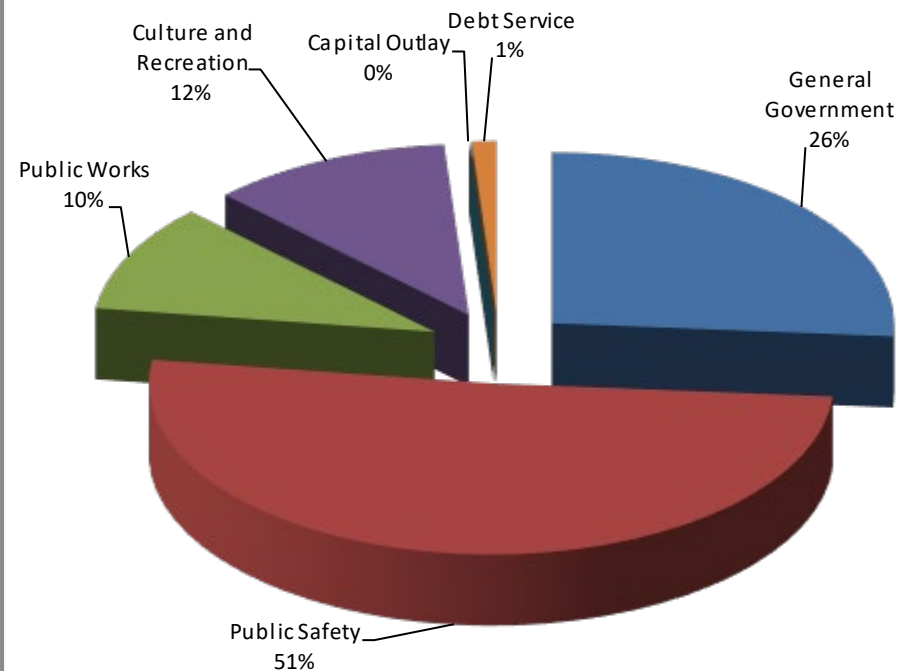
City's Financial Results

General, Public Safety, Street, and Park & Rec Funds
Expenditures

Actual



Budget



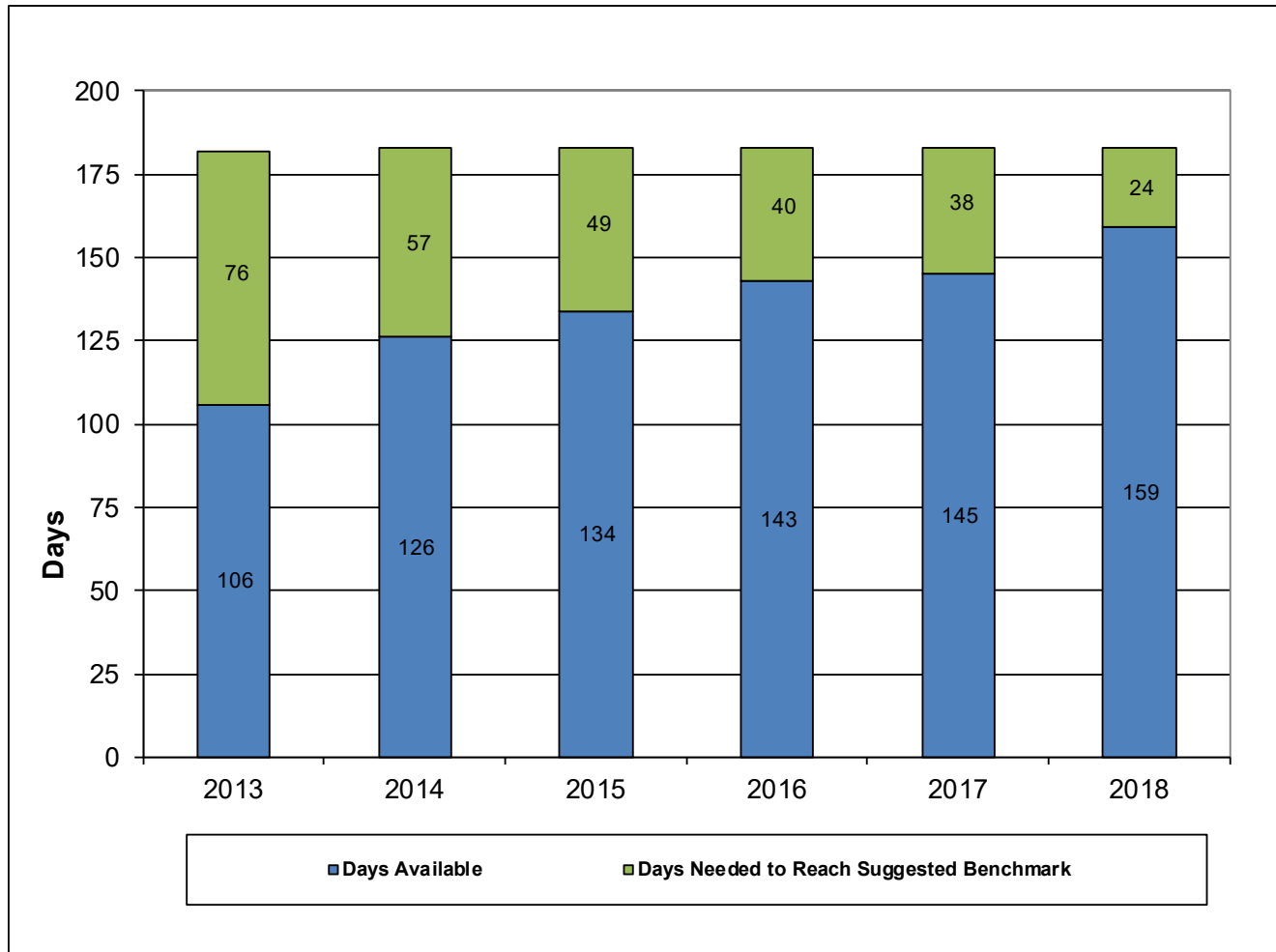
City's Financial Results

	Budget	Actual	Over (Under) Budget		Budget	Actual	Over (Under) Budget
General Fund				Street and Sewer Fund			
Revenue	\$ 2,502,156	\$ 3,007,772	\$ 505,616	Revenue	\$ 956,266	\$ 996,194	\$ 39,928
Expenditures	2,497,156	2,509,006	11,850	Expenditures	966,266	1,126,602	160,336
Transfers In	-	173,572	173,572	Transfers In	10,000	130,292	120,292
Transfers Out	(20,000)	(163,691)	143,691	Transfers Out	-	-	-
Other Financing Sources/(Uses)	-	57,869	(57,869)	Other Financing Sources/(Uses)	-	-	-
Change in Fund Balance	(15,000)	566,516	581,516	Change in Fund Balance	-	(116)	(116)
Public Safety Fund				Total Working Funds			
Revenue	5,045,475	5,071,254	25,779	Revenue	9,599,671	10,185,822	586,151
Expenditures	4,842,246	4,871,270	29,024	Expenditures	9,401,442	9,620,564	219,122
Transfers In	-	36,128	36,128	Transfers In	10,000	340,192	330,192
Transfers Out	(203,229)	(255,829)	52,600	Transfers Out	(223,229)	(423,866)	200,637
Other Financing Sources/(Uses)	-	116,129	(116,129)	Other Financing Sources/(Uses)	-	182,186	(182,186)
Change in Fund Balance	-	96,412	96,412	Change in Fund Balance	(15,000)	663,770	678,770
Park and Recreation Fund							
Revenue	1,095,774	1,110,602	14,828				
Expenditures	1,095,774	1,113,686	17,912				
Transfers In	-	200	200				
Transfers Out	-	(4,346)	(4,346)				
Other Financing Sources/(Uses)	-	8,188	8,188				
Change in Fund Balance	-	958	958				



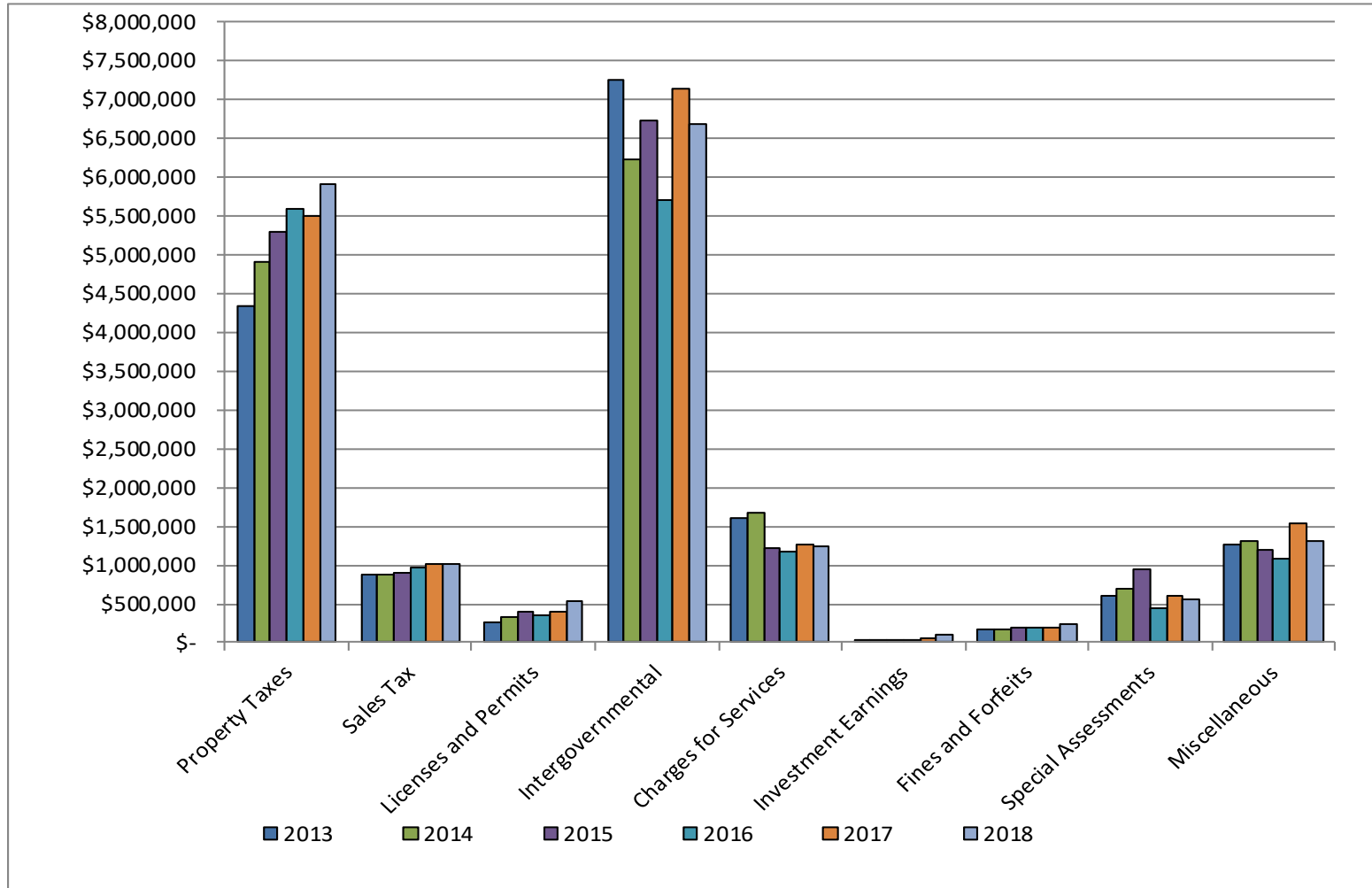
City's Financial Results

General, Public Safety, Street, and Park & Rec Funds
Days Expenditures in Unassigned Fund Balance



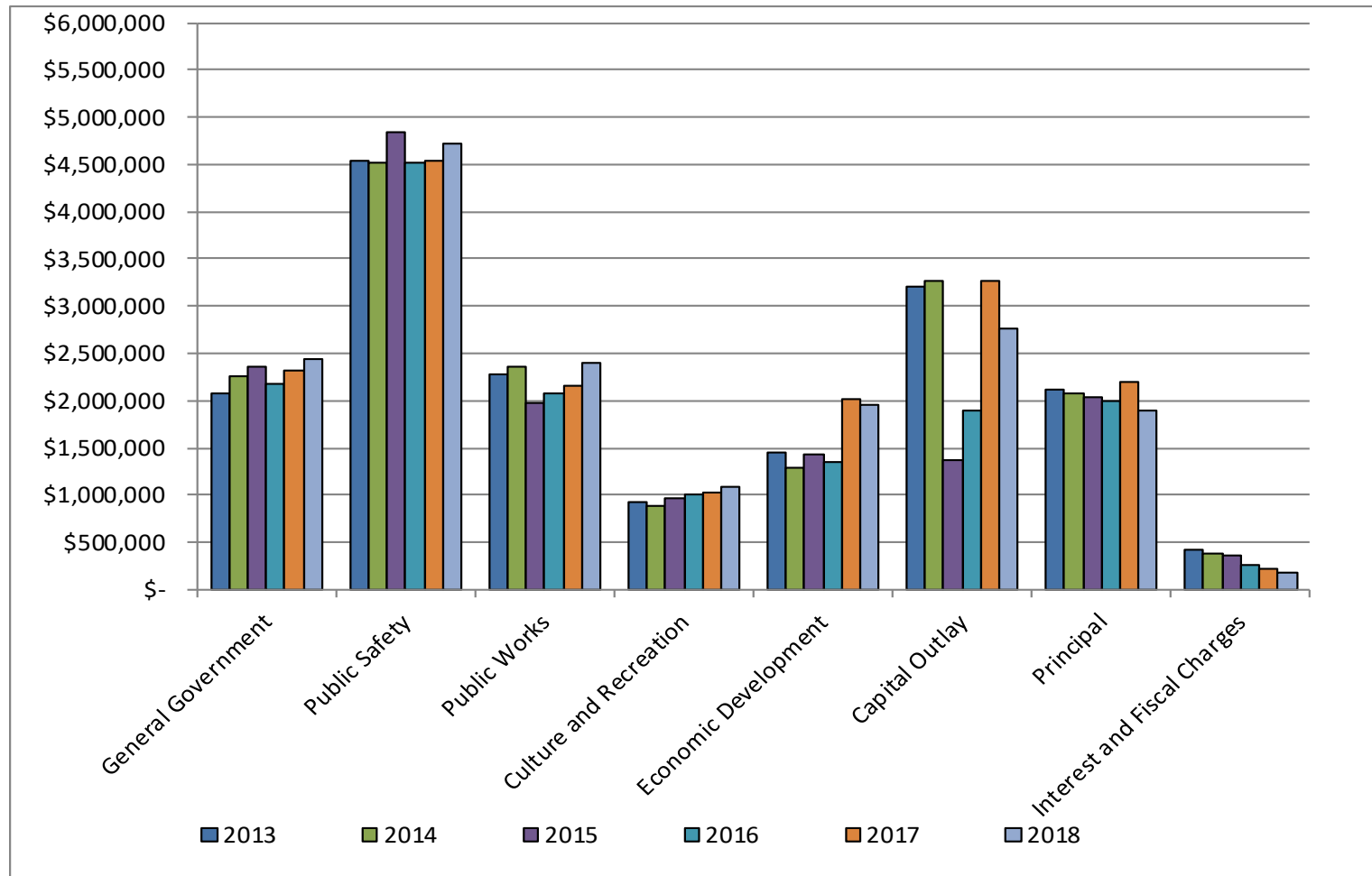
City's Financial Results

All Funds Total Revenues



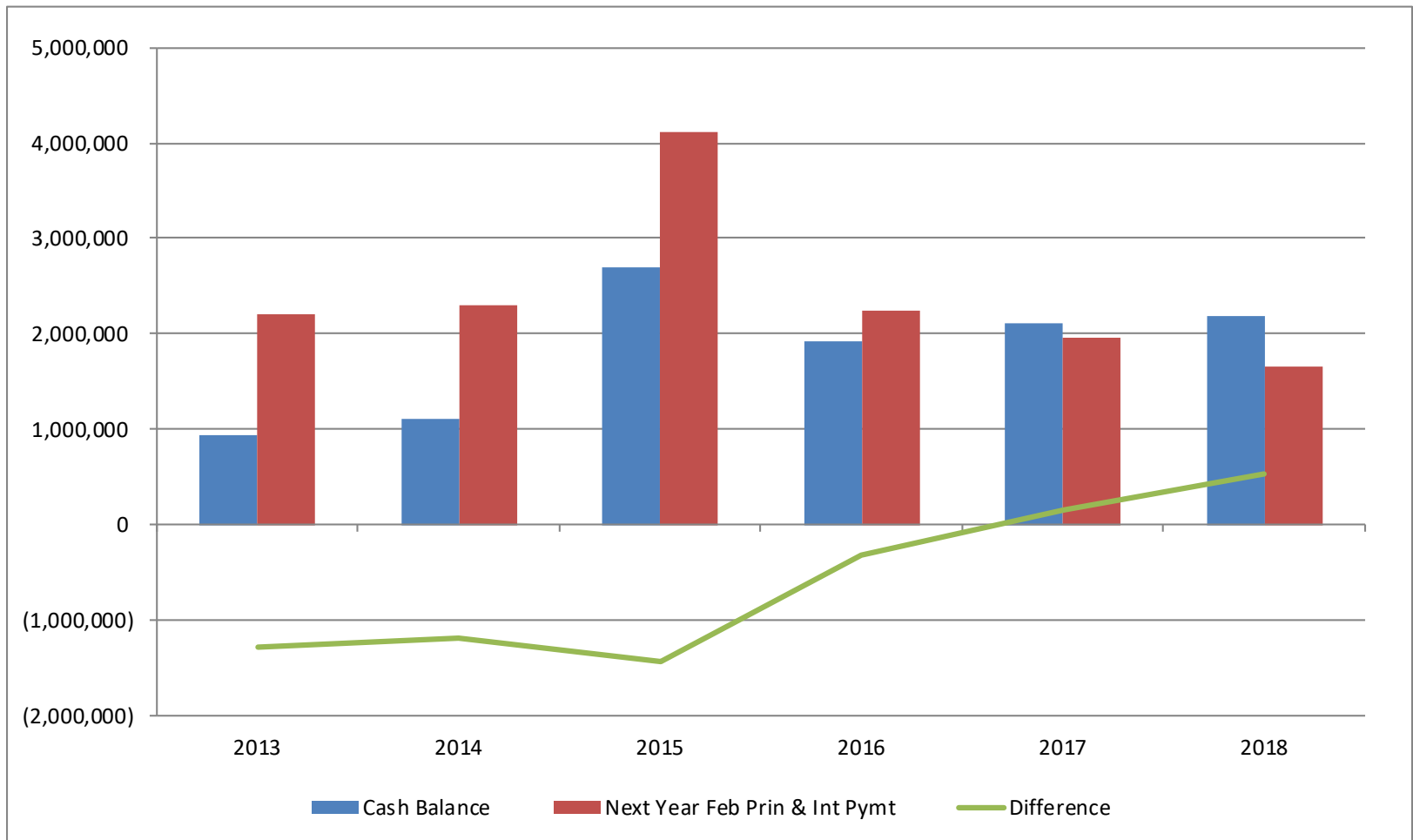
City's Financial Results

All Funds Total Expenditures



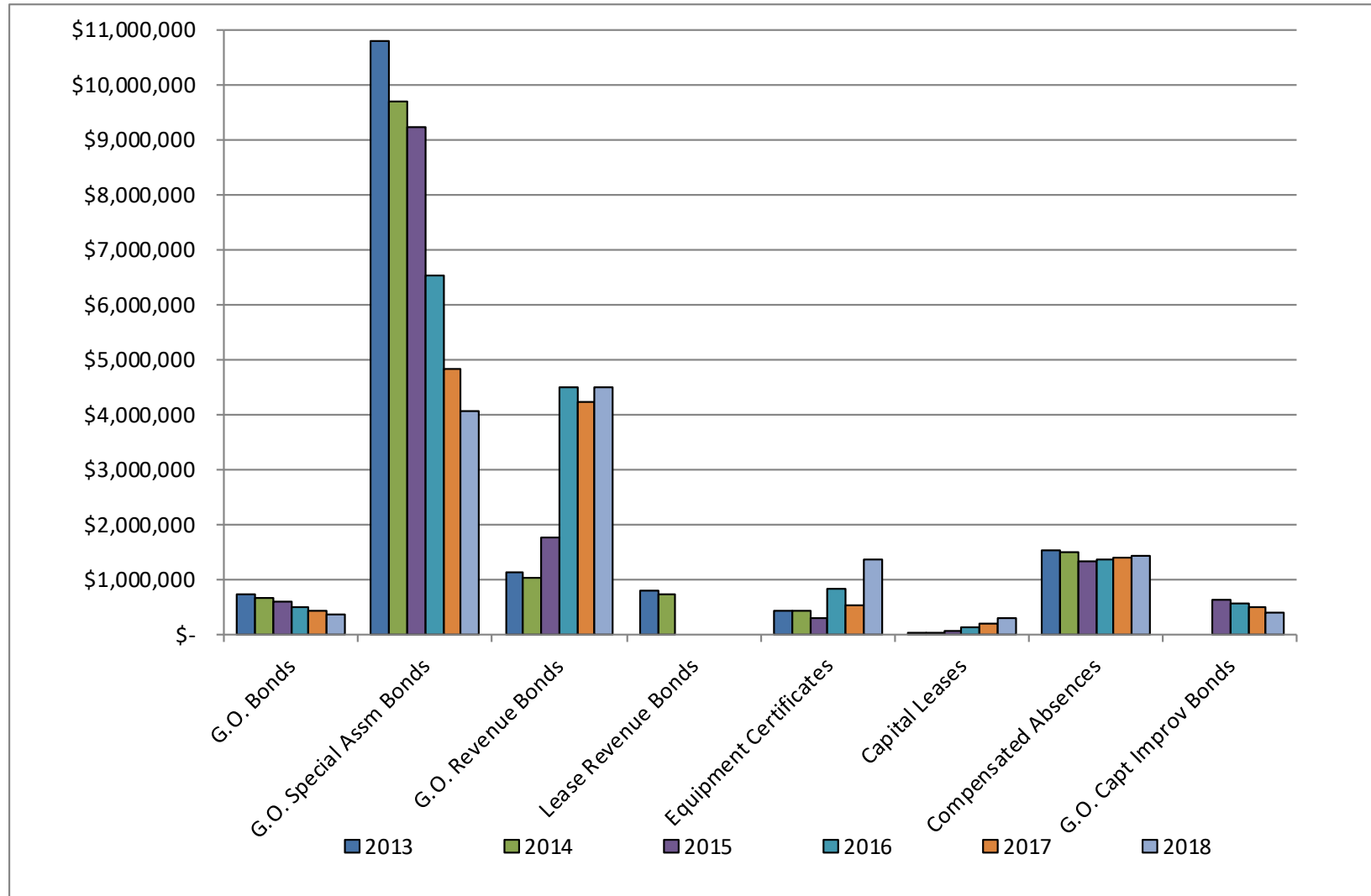
City's Financial Results

Debt Service Funds
Total Cash Available



City's Financial Results

Total City Debt



Enterprise Funds

	SANITARY SEWER COLLECTION SYSTEM	STORM SEWER FUND	TOTALS
OPERATING REVENUES			
Charges for Services	\$ 655,505	\$ 377,067	\$ 1,032,572
OPERATING EXPENSES			
Salaries and Benefits	100,606	28,809	129,415
Professional Services	24,109	1,498	25,607
Repairs and Maintenance	-	71	71
Insurance	4,223	2,112	6,335
Depreciation	401,248	249,013	650,261
Materials and Supplies	45,876	20,669	66,545
Miscellaneous	1,608	1,831	3,439
Total Operating Expenses	577,670	304,003	881,673
OPERATING INCOME (LOSS)	77,835	73,064	150,899
NONOPERATING REVENUES (EXPENSES)			
Intergovernmental	198,338	-	198,338
Sale of Capital Assets	50,800	-	50,800
Interest Income	-	601	601
Contribution to Component Unit	(36,888)	-	(36,888)
Interest Expense and Fiscal Charges	(121,900)	(7,584)	(129,484)
Total Nonoperating Revenues (Expenses)	90,350	(6,983)	83,367
CHANGE IN NET POSITION BEFORE TRANSFERS	168,185	66,081	234,266
Transfers In	50,471	-	50,471
CHANGE IN NET POSITION	218,656	66,081	284,737
Net Position - Beginning of Year	7,265,874	5,764,410	13,030,284
Change in Accounting Principle	(13,989)	(4,414)	(18,403)
Net Position - Beginning of Year, as Restated	7,251,885	5,759,996	13,011,881
NET POSITION - END OF YEAR	<u>\$ 7,470,541</u>	<u>\$ 5,826,077</u>	<u>\$ 13,296,618</u>



Insights/ Observations

- Overall Audit Results are Positive
 - No findings on single audit
 - Staff conscientious and responsible
 - Staff very responsive to audit inquiries/requests
 - State Reporting Form and GFOA Certificate will be submitted timely
- Fund Balance Reserves – Operating Funds
 - Must analyze General, Public Safety, Park & Rec, and Street Funds collectively
 - Fund Balance = 40% of 2018 Annual Expenditures
 - Policy is to have 35 – 50% of Operating Expenditures
 - Policy allows Fund Balance to grow 1% per year
 - ◇ 39% last year
 - ◇ 40% this year



Insights/ Observations

- Revolving Loan Fund had negative change in fund balance
 - One time allowable transfer out to General Fund of \$173,572
 - One time payment out to close out state restricted monies
- Debt Service Fund has a restricted Fund Balance of approximately \$2,234,000 with expenditures of \$2,504,452
 - Fund Balance increased due to collections being more than current year payments
 - Revenue for 2018 has supported the principal and interest payments required
- Capital Projects Fund has an assigned Fund Balance of approximately \$3,755,000 with expenditures of \$2,504,000
 - Approximately \$1,410,000 of transfers in/taxes levied to help pay for projects



Questions and Comments



Thank You for the Opportunity to Serve the City!

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City of Brainerd
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**CITY OF BRAINERD
PERSONNEL AND FINANCE COMMITTEE
AGENDA**

June 17, 2019
City Hall Conference Room
7:15 PM

1. Approval of Bills
2. IUOC Local No. 49 (Street Dept) Union – Memorandum of Agreement for Health Care Savings Plan Contribution for 2019-2020 Contract
3. Street & Sewer Maintenance I Position – Request Authorization to Fill Vacancy
4. Southeast Brainerd Grant Subordination Request
5. Approve Animal Control Contract



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: IUOE Street Memorandum of Agreement for Health Care Savings Plan

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: HR Coordinator Kris Schubert	Department: HR
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: With Dale Rademacher's retirement, the IUOE Local No. 49 Street Department Union requested a Memorandum of Agreement (MOA) to clarify the portion of severance payment that may be contributed to the MN State Retirement System's Health Care Saving Plan (HCSP). The Union has requested that 100% of severance pay attributable to unused sick leave at the time of separation be contributed to the employee's HCSP; further, the MOA clarifies that when severance is attributable to unused vacation time and/or compensation time, that portion of the severance shall be received as taxable income on the employee's final paycheck.	
Alternatives, Options, Effects on Others/Comments: City employees have participated in the HCSP for many years. The HCSP is a pre-taxed benefit/account that employees can utilize to help pay for medical premiums and/or expenses after their employment with the City. A funding arrangement must be approved by each union, incorporated into the union contract or MOA, and be in effect for two years to meet IRS requirements. Employees cannot choose to participate and the election must be the same for every employee in the bargaining group. Additional information regarding the HCSP is attached. The last employee to retire from this group was in 2011. At that time, the Union wanted all severance pay (both sick and vacation) to be contributed to the HCSP. With this MOA, the City will be responsible for the employer's payroll tax (7.65%) for the employee's unused vacation and comp time. This employer payroll tax responsibility/additional cost will also be applicable for any employee that may retire from this group for at least the next two years.	
Recommended Action/Motion: Motion to approve the MOA between the City of Brainerd and the International Union of Operating Engineers, Local 49 (Street Department) clarifying that only the sick leave portion of an employee's severance payment will be contributed to the HCSP; further, to authorize signatures of city officials on the MOA.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i> The City will not pay the employer's payroll tax (7.65%) for the sick leave portion of severance pay, but will need to pay the payroll tax for the vacation/comp time portion of the employee's severance pay.	

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") is entered into by and between the City of Brainerd ("City") and the International Union of Operating Engineers, Local 49 (Street Department) ("IUOE"). The City and IUOE are collectively referred to herein as the "parties," and individually as a "party."

WHEREAS, IUOE is the Exclusive Representative for the following City employees: "All employees of the Street Department of the City of Brainerd who are employed for more than 14 hours per week or 35% of the normal work week and more than 100 working days per year, excluding supervisory and confidential employees."

WHEREAS, the parties are subject to Collective Bargaining Agreement ("CBA") governing the terms and conditions of employment for the City employees identified above.

WHEREAS, the CBA is in effect from January 1, 2019, through December 31, 2020.

WHEREAS, the third paragraph of Article VII of the CBA provides that:

All employees eligible for the severance payment will contribute 100% of their severance into the MN State Retirement Health Care Savings Plan (HCSP). In addition, any eligible employee that participates in the City of Brainerd's Early Retirement Incentive Program will contribute 100% of the City's ERIP payment into the HCSP.

WHEREAS, the parties have reached the following agreement regarding the third paragraph of Article VII of the CBA.

NOW THEREFORE, it is mutually agreed and understood as follows:

1. Payment of Severance Pay. Effective immediately, severance payments made pursuant to Article VII of the CBA shall be made as follows:
 - A. All employees eligible for the severance payment will contribute 100% of any severance payment attributable to unused sick leave at the time of separation to the MN State Retirement Health Care Savings Plan.
 - B. All employees eligible for the severance payment will receive 100% of any severance payment attributable to unused vacation time and/or compensation time as a payment on the employee's final payment from the City of Brainerd.

Severance shall be paid in this fashion for all IUOE members seeking severance benefits pursuant to Article VII of the CBA.

2. Remainder of CBA Unaffected. Except with regard to the method of paying severance described in Paragraph 1, nothing in this MOA alters the CBA. The parties specifically

agree that nothing in this MOA alters any provision of the CBA regarding employees' eligibility for severance pay, the amount of severance pay, or the source of any severance pay.

3. Duration. This MOA will be in effect for the duration of the CBA (January 1, 2019, through December 31, 2020). The parties agree that, during the term of this MOA, this MOA is irrevocable.
4. No Past Practice. This MOA shall not constitute the establishment of a past practice, nor shall it be considered a precedent. This MOA shall not be used by either party as evidence in any grievance arbitration and shall not be introduced or accepted into evidence by any arbitrator.
5. Voluntary Agreement. The parties have read the foregoing Agreement and acknowledge that it is the complete Agreement and by signing below agree to be bound by its terms and conditions. They further agree that they have had the opportunity to seek representation regarding this matter.

CITY OF BRAINERD

Date: _____

Date: _____

INTERNATIONAL UNION OF OPERATING
ENGINEERS, LOCAL 49

Date: 6-10-19

Date: 6/11/19

[Expand All](#) | [Collapse All](#)[About HCSP](#)

- [HCSP Brochure](#)
- [Eligibility to Participate](#)
- [Waiver of Participation](#)
- [Contributions](#)
- [Beneficiary & Survivors](#)
- [Fees & Expenses](#)
- [FAQs](#)
- [Plan Document](#)
- [Investing](#)
- [Reimbursements](#)
- [Life Events](#)
- [Forms & Documents](#)

About the Health Care Savings Plan

Welcome to the Health Care Savings Plan (HCSP) administered by Minnesota State Retirement System (MSRS). The HCSP is an employer-sponsored program authorized by Minnesota State Statute, [352.98](#). Employees invest in a **tax-free medical savings account** while employed by a Minnesota public employer (including city, state, county, school districts, and governmental subdivisions).

After you leave public employment you can access the money in your HCSP account, *regardless of your age*, to reimburse eligible medical expenses incurred by you, your spouse, legal tax dependents and adult children up to age 26. (An expense is incurred the date service is provided, not the date the bill is paid.)

The HCSP is a reimbursement account. You are responsible for paying your provider and then with proper documentation of the expense, can request reimbursement from the account. Reimbursements are always paid to you, not to your provider.

How you benefit from having an HCSP account

Paying for health care may be one of your household's largest expenses. According to Fidelity's Retiree Health Care Cost Estimate, a 65-year old couple retiring in 2018 will need an estimated **\$280,000*** to cover health care costs in retirement. You can use the tax-free dollars accumulated in your HCSP account to reimburse out-of-pocket health care costs -- not just in retirement, but anytime after you leave Minnesota public employment.

To learn more about the plan, see:

[HCSP At-a-Glance](#)

[HCSP Plan Document](#)

** Estimate is based on a hypothetical 65-year-old couple retiring in 2018 with average life expectancies of 85 for a male and 87 for a female. Estimates are calculated for "average" retirees, but may be more or less depending on actual health status, area of residence, and longevity. Estimate is net of taxes. It assumes individuals do not have employer-provided retiree health care coverage, but do qualify for Medicare (Original).*

[Expand All](#) | [Collapse All](#)[About HCSP](#)[HCSP Brochure](#)[Eligibility to Participate](#)[Waiver of Participation](#)[Contributions](#)[Beneficiary & Survivors](#)[Fees & Expenses](#)[FAQs](#)[Plan Document](#)[Investing](#)[Reimbursements](#)[Life Events](#)[Forms & Documents](#)

Eligibility to Participate

Participation in the HCSP is negotiated and agreed upon by a bargaining unit and/or employer.

- Once the employer and/or bargaining unit has adopted the HCSP, **employee participation is mandatory**.
- Only negotiated and agreed-upon contributions are allowed. Employees cannot choose to contribute more or less than what is negotiated by the employer and/or bargaining unit.
- Employees may opt out of the HCSP if they meet certain criteria and are pre-approved by MSRS to **waive participation**.

Employee eligibility requirements and contributions

- **Union Employees.** Amounts deposited into the HCSP and employee eligibility requirements must be negotiated or agreed to by both the bargaining unit and the employer and written into a collective bargaining agreement or Memorandum of Understanding (MOU). Once contributions are approved and established in the agreement, employees who meet the eligibility requirements must participate as set out in the agreement.
- **Non-Union Employees.** Amounts deposited into the HCSP and employee eligibility requirements must be agreed to by the employer and included in a written personnel policy. Once contributions are approved and established in the personnel policy, employees who meet the eligibility requirements must participate as set out in the policy.

Employer eligibility requirements

Any employer that makes retirement contributions and takes retirement deductions on behalf of public employees and retirees and forwards those funds to a Minnesota public pension plan listed below can participate in the HCSP:

- Minnesota State Retirement System (MSRS)
- Public Employees Retirement Association (PERA)
- Teachers Retirement Association (TRA)
- Individual Retirement Account Plan (IRAP)
- Minnesota State (formerly MNSCU)
- University of Minnesota Faculty Retirement Plan
- Police or Firefighters Relief Association
- St Paul Teachers' Retirement Fund (SPTRFA)
- Volunteer Firefighters Relief Association
- Retirement Plans for the Arts Board and Humanities Commission

Employers who do not participate in one of the pension funds listed above but are political subdivisions (transit authorities, port authorities, public housing authorities, etc.) can participate in the HCSP.



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Street & Sewer Maintenance I Position - Request to Fill Vacancy

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy & Kris Schubert	Department: Engineering/HR
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 2 minutes
Summary of Issue: We currently have a vacancy in the Street & Sewer Maintenance I position due to the retirement of Street & Sewer Foreman Rademacher and the promotion of Shawn Middagh to fill the Foreman position. Staff requests authorization to begin the hiring process to fill said vacancy.	
Alternatives, Options, Effects on Others/Comments: Staff would appreciate guidance from the Council if we can automatically start advertising for a vacant budgeted position immediately when a resignation and/or retirement notice is received. If approved, this would reduce the hiring process timeframe. Please note that Staff has and will continue to review organizational needs before this process would commence.	
Recommended Action/Motion: 1. Authorize Staff to begin the hiring process for the vacant Street & Sewer Maintenance I position. 2. If Council is agreeable, a 2nd motion could be: Authorize Staff to utilize discretion to begin the hiring process immediately when a resignation and/or retirement notice is received for budgeted positions.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> The Street & Sewer Maintenance I position is included in the 2019 budget.	



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Southeast Brainerd Grant Subordination 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 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: Mr. Chris Schei, owner of 1411 Oak Street, has a grant with the City of Brainerd from the SCDP grant that was done in Southeast Brainerd. The original grant was for \$20,000, is forgivable at 10% each year, and due upon transfer of ownership. The current balance of the grant is \$10,000 through October of 2019. Mr. Schei is looking at getting an additional loan. The estimated the total debt to appraised value is approximately 47%. The City would be subordinating to 3rd position. The owner is current on mortgages, but the 1st half taxes for 2019 have not been paid but will be paid with the new loan if not already done so.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve or deny the SCDP grant subordination request for the owner of 1411 Oak Street.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Discussion of Contract for Animal Control Services

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Cassandra Torstenson/Corky McQuiston	Department: Administration
Presenter (Name & Title): Same	Estimated Time Needed: 5 minutes
Summary of Issue: The City has been without animal control service since July 2018 and seeks services of a qualified animal control officer to meet the statutory and/or ordinance imposed obligations for control of animals within the City.	
Alternatives, Options, Effects on Others/Comments: The City requests to hire the services of Michael O'Brien with Lakes Area Wildlife Control (LAWC) as the animal control officer for the City of Brainerd. The contract is attached for review.	
Recommended Action/Motion: Approve the Animal Control Contract with Michael O'Brien of Lakes Area Wildlife Control, effective June 18, 2019.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>1,360.60 mth</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> Contract fee is based on \$1.20 per resident x 13,606 (US Census) which is within the amount budgeted for 2019	

Animal Control Enforcement Proposal for the City of Brainerd, MN

This is a contract, made and entered into by Lakes Area Wildlife Control (LAWC) and the City of Brainerd (CITY). LAWC and the City are hereinafter referred to collectively as the "parties," and individually as a "party."

WHEREAS, the City seeks services of a qualified animal control officer to meet the statutory and/or ordinance imposed obligations for control of animals within the City; and

WHEREAS, LAWC employs one or more qualified animal control officers.

NOW, THEREFORE, consideration of the promises and mutual agreements, covenants, and provisions contained herein, including the relinquishment of certain legal rights, the payment of monetary sums, and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, parties hereby agree as follows:

1. **Duration.** Unless terminated earlier pursuant to its terms, this contract shall be effective from the time both parties sign below until midnight on December 31 2019.
2. **Early Termination.** Either party may terminate this contract, with or without cause, upon 90 days' written notice to the other party.
3. **Effect of Expiration or Termination.** Except as expressly provided in this contract, all obligations, rights, duties, and entitlements created by this contract terminate and are extinguished, without need of any further action by either party, upon the effective date of termination or expiration of this contract.
4. **Scope of Services.** LAWC will assign one or more qualified individuals to perform the following animal control services (Services) for the City:
 - A. **Animals running at large-** LAWC will pick up or attempt to pick up animals said to be running at large inside the City limits in violation of the City ordinance. If located and captured LAWC will deliver to the owner (if can be determined) or the designated impound facility. *The City will be responsible for any fees associated with the impoundment outside of pickup and delivery.*
 - B. **Citations-** LAWC will issue citations or warnings for violations of the city animal ordinances and or MN state statutes. When citations are issued notification will also be made to the police department, so an incident report can be generated.
 - C. **Investigation of animal bites-** LAWC will investigate domestic animal bites and produce the necessary reports (including pictures) if any, to be delivered to the City police department. If required animal will also be delivered to impound facility for quarantine. If quarantined at owner's residence periodic checks as required will be done. Notification will be made to the police department, so an incident report can be generated.

- D. **Barking dog complaints-** LAWC will investigate complaints and produce a report covering the investigation. The report will be provided to the City's police department within 24 hours of the investigation into the barking dog complaint.
- E. **Cruelty/neglect complaints-** LAWC will investigate and produce reports as necessary for cruelty and or animal neglect complaints. Notification will be made to the police department, so an incident report can be generated.
- F. **Court appearances/city council meetings-** If required LAWC will attend any court appearances and or city council meetings.
- G. **Wild animals-** LAWC will make residents aware that these types of calls are not covered by the City animal ordinance and they would be responsible for any fees associated. LAWC handles all wild animal/pest calls and anyone hiring LAWC for these services would be made aware that it would be a contract with the home owner and LAWC, and would have nothing to do with the City. The City is not responsible for, and does not control or endorse any service LAWC provides to any resident or any other individual.
- H. **Availability-** LAWC will respond to all calls as soon as possible after received. This response will occur all day, every day of the year. It is agreed that there is no requirement for "active patrol" duties. While LAWC can't respond to every call immediately due to working a large area, LAWC will make every attempt to respond in a timely fashion.
- I. **Transportation Vehicle.** At its own expense, LAWC will provide a vehicle that is satisfactory to the City to transport any and all animals. At its own expense, LAWC will maintain collision and comprehensive insurance on any vehicle used to provide services and/or transport animals pursuant to this contract throughout the term of this contract in an amount satisfactory to the City. Within ten (10) business days after executing this contract, LAWC shall provide the City with proof of such insurance.
- J. **Monthly reports-**LAWC will generate a report covering the calls received each month, to be turned in to the City Council or designee by the 10th day of the month for each preceding month. These reports will document the time/date of call, response generated, nature of the call and outcome. In the event that this contract expires or is terminated, LAWC will provide the report regarding the final month (or portion thereof) in which services were provided to the City Council or designee by the 10th day of the month following the expiration or termination of the contract.

5. **Consideration.** In consideration for the services described in Paragraph 4 of this contract, the City shall pay LAWC a fee of \$1,360.60 per month. Except in the event of a good faith dispute, the City shall pay the monthly fee by the 15th day of each month, for service provided during the preceding month. In the event this contract is terminated pursuant to Paragraph 2, the City shall pay LAWC a pro rata amount for any partial month that the contract is in effect. The pro rata amount will be based on the number of days LAWC provides services.
6. **Warranty.** By signing this contract, LAWC warrants and agrees that it has the ability to perform the services described in this contract and that it understands what is required of it with respect to the performance of those duties.
7. **Liability Insurance.** At its own expense, LAWC will maintain general liability insurance for its operations throughout the term of this contract. Such insurance shall be in amounts not less than the limits set forth in Minnesota Statutes, section 466.04 (as amended). The City shall be named as an additional insured on LAWC's policy of liability insurance. Within ten (10) business days after executing this contract, LAWC shall provide the City with proof of such insurance.
8. **Indemnification.** To the fullest extent permitted by law, LAWC agrees to defend, indemnify and hold harmless the City, and its current and former employees, officials, Council members, insurers, attorneys, representatives, and agents from and against all claims, actions, damages, losses and expenses, including reasonable attorney fees, arising out of LAWC's negligence and/or LAWC's performance or failure to perform its obligations under this Agreement. This indemnification obligation shall apply to LAWC's subcontractor(s), and/or anyone directly or indirectly employed or hired by LAWC, and/or anyone for whose acts LAWC may be liable. LAWC agrees this indemnity obligation shall survive the completion or termination of this contract.
9. **Relationship of the Parties.**
 - A. **Independent Contractor Status.** It is expressly understood that LAWC is an "independent contractor" and not an employee of the City. The City assumes no liability for any actions or omissions of LAWC, its employees, agents, or representatives.
 - a. LAWC shall have control over the manner in which the Services are performed under this contract. LAWC shall, at all times, be free to exercise initiative, judgment, and discretion as to how best perform or provide the Services, subject to professional standards and the City's policies and ordinances, and applicable law.
 - b. LAWC shall supply, at its own expense, all materials, supplies, equipment, and tools required to accomplish the Services contemplated by this contract.
 - c. No employee, officer, agent, or contractor of LAWC shall be entitled to any benefits from the City, including, without limitation, insurance benefits, sick and

vacation leave, workers' compensation benefits, unemployment compensation, disability, severance pay, or retirement benefits.

- d. No withholding or deduction for State or federal income taxes, FICA, FUTA, or other State or federal employment taxes, will be made by the City from the payments due LAWC. It is LAWC's sole obligation to comply with all federal and State tax laws.

- B. **No Joint Relationship.** Nothing contained in this contract is intended to create, or should be construed as creating, the relationship of co-partners or joint ventures between LAWC and the City. No employee, owner, or agent of LAWC shall be considered an officer, employee, or agent of the City by virtue of this contract.

- C. The provisions of this Section 8 survive the expiration or termination of the contract.

10. Miscellaneous.

- A. **Equal Opportunity.** LAWC agrees to provide equal opportunity to all employees and applicants for employment in accordance with applicable EEO/AA laws, directives and regulations of Federal, State and local governing bodies or agencies thereof, specifically Minnesota Statutes Chapter 363A.

No persons shall, on the grounds of race, color, religion, age, sex, disability, marital status, sexual preference, HIV status, public assistance status, creed or national origin be excluded from full employment rights in, participation in, be denied the benefits of, or be otherwise subjected to discrimination under any program, service, or activity under the provisions of any or all applicable Federal and State laws, including the Civil Rights Act of 1964.

- B. **Data Privacy.** LAWC recognizes that during the course of performance of its duties under this contract, it may receive, acquire, have access to, or be exposed to "Government Data" as that term is used in the Minnesota Government Data Practices Act, Minnesota Statutes Chapter 13 ("MGDPA"). LAWC hereby agrees that it must meet the requirements of the MGDPA as a contracting party under Minn. Stat. § 13.05, subdivision 6. LAWC agrees that it will collect, distribute, publish, maintain and store any Government Data only in accordance with the provisions of the MGDPA. LAWC's obligation under this paragraph survives the termination of this contract.

- C. **State Auditing.** To the extent required by Minnesota Statutes, section 16C.05, subdivision 5 (as amended), the books, records, documents, and accounting procedures and practices of LAWC and LAWC's employees, agents, or representatives relevant to this contract shall be made available and subject to examination by the City, and the State of Minnesota for a minimum of six (6) years from the end of this contract.

- D. **Choice of Law and Venue.** This contract shall be governed by the laws of the State of Minnesota. The parties agree that all actions or proceedings arising in connection with this contract shall be tried and litigated exclusively in the State and Federal courts located in the County of Crow Wing, State of Minnesota.
- E. **Equal Drafting and Severability.** This contract must be construed as having been equally drafted by the parties. If any portion of this contract is found to be unenforceable, unconscionable, invalid or illegal, or is in any other way vacated, all other portions of this contract shall remain in full force and effect.
- F. **Successors in Interest.** This contract shall bind all successors in interest to LAWC.
- G. **Complete Agreement.** This contract constitutes the entire agreement between the parties relating to the matters addressed in this document. This contract supersedes any and all prior agreements and contracts between the parties. No party has relied upon any statements, promises or representations other than those contained in this contract. No changes to this contract shall be considered valid unless they are in writing and signed by both parties.

By signing below, each party specifically acknowledges that it has read this contract, that it has had an opportunity to review this contract with legal counsel, that it understands this contract, and that it agrees to be legally bound by all terms of this Agreement.

Lakes Area Wildlife Control
Michael O'Brien (owner)
9183 1st Ave
Breezy Point, MN 56472

City of Brainerd
City Administrator
501 Laurel Street
Brainerd, MN 56401

Michael O'Brien Date

Mayor Date

City Administrator Date

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

June 17, 2019
City Council Chambers
6:45 PM

1. Improvement 19-06 – 2019 Street Patching – Quote Consideration and Award Recommendation
2. Resolution – 2019 Capital Transit Bus Purchase
3. Resolution – 2020-2021 State of Minnesota Transit Grant Resolution
4. Resolution – Advancing Additional Municipal State Aid Funds FY 2019
5. Resolution – Improvements 16-09 (SAP 108-136-004) and 19-07 – Buffalo Hills Lane and Mississippi Drive Reconstruction Project – Approving Bids and Authorizing Contract Signatures
6. Event/Street Closure Application – Lil’ Rubber Duckie Race
7. Improvements 17-06 (SAP 108-119-006), 17-07, and 18-05 – H Street and 10th Avenue NE Reconstruction Project – Request for Testing Services Proposal
8. Street Light Request – 1103 8th Avenue NE



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Improvement 19-06 - 2019 Street Patching - Quote Consideration and Award Recommendation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Quotes were solicited for Improvement 19-06 - 2019 Street Patching Project. This project consists of large patches that are outside the scope of our normal pothole patching project on streets that are not programmed in our 5-year capital improvement plan, yet have localized areas of potholing, severe cracking, or other distresses that require more attention than standard maintenance practices.	
Alternatives, Options, Effects on Others/Comments: Two quotes were received from Knife River Corporation and Anderson Brothers Construction at a total quote amount of \$16,235.00 and \$9,993.00 respectively. The project consists of three larger patches on Thiesse Drive, the intersection of 6th Avenue NE and K Street, and the intersection of 7th Avenue NE and F Street.	
Recommended Action/Motion: Staff recommends approval of the quote from Anderson Brothers Construction of Brainerd, LLC in the total quote amount of \$9,993.00 for Improvement 19-06 - 2019 Street Patching Project.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 9,993 Is this budgeted? ☒ Yes ☐ No Please Explain: We budget \$10,000 for large patches every year in the 5-year Capital Improvement Plan.	

Quote for City of Brainerd Patches

06/03/2019 12:59PM Page 1

KNIFE RIVER CORPORATION - NC

4787 Shadow Wood Drive NE

Sauk Rapids, MN 56379

Phone: 3202519472

Fax: 3202582940

Bond: Included

Sales Tax: Included

Bid Date:

Quote To: James Fladung
City of Brainerd
501 Laurel Street
Brainerd MN 56401

Phone: 218-828-2307

Fax:

Email: jfladung@ci.brainerd.mn.us

Quote is valid for 15 days.

Item	Description	Quantity	Unit	Unit Price	Extension
10	Bituminous Removals	302.000	SY	10.000	3,020.00
20	Class 5	32.000	TN	90.000	2,880.00
30	SPWEB240BR	53.000	TN	195.000	10,335.00
Total Quote: \$					16,235.00

Inclusions/Exclusions:

NOTES:

1. All items tied, unless approved by Estimator.
2. Bond, if included, may be prorated to a maximum of 0.4%. We will provide our own bond for rates above this.
3. Quote is valid for 15 days.

PAYMENT TERMS:

1. To accept this proposal, sign and return a copy to Knife River Corp.
2. A valid credit account with Knife River Corp. is required before work will be scheduled.
3. No retainage is provided for in this quotation or per owner as required in plans and spec's. Any deducts due to material deficiencies must be in writing and Knife River Corp. notified prior to the invoice being due.
4. All work becomes due and payable within 30 days of the invoice. Balances beyond 30 days are subject to finance charges in accordance with the credit agreement.

ACCEPTANCE:

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices.

Your signature indicates you agree to the prices, specifications and conditions as stated. It gives us authorization to do the work specified and payment will be made as outlined above.

Signature: _____

Signature: Adam J. Salma

Printed Name: _____

Printed Name: Adam J. Salma

Title: _____

Title: Estimator/Project Manager

Firm: _____

Firm: Knife River Corporation - North Central

Date: _____

Date: 6/3/19



Proposal

Anderson Brothers Construction Company
11325 Hwy 210 E.
Brainerd, Minnesota 56401
(218) 829-1768 / (218) 829-7607 Fax

Proposal Submitted To City Of Brainerd		Phone 218-454-3410	Date June 6, 2019
Street		Job Name Brainerd Patching	
City, State and Zip Brainerd Mn.		Job Location	
Attn:	Job Phone	Mail To	

We hereby submit specifications and estimates for:

Notes. Thiesse Dr 2 inches base and 3.5 inches Bit \$6,709

K St & 6th Ave NE intersection, 2 inches base and Bit \$ 1,057

F St & 7th Ave NE intersection, 2 inches base and Bit \$2,227

Total. \$ 9,993

**All materials and workmanship shall conform to the Department of Transportation Specifications for Highway Construction.*

**A land use or alteration permit may be required through your local County or Municipal Planning and Zoning office. All required permits and associated fee's are the sole responsibility of the private property owner.*

(a) ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THE IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTION. (b) UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIALS FOR THE IMPROVEMENT WHO GAVE YOU TIMELY NOTICE.

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Nine Thousand Nine Hundred ninety Three Dollars

dollars (\$ **9,993**).

Payment due upon completion. Subject to credit approval.

Past due accounts are subject to a service charge of 1-1/2% per month (18% per annum.)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Doug Tulenich
Doug Tulenich, Project Manager

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Date of Acceptance: *X*

Signature

Note: This proposal may be withdrawn by us if not accepted within 30 days



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Res - 2019 Transit Capital Bus Purchase

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Transit
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: The transit department budgeted through the grant for a replacement bus purchase in 2019.	
Alternatives, Options, Effects on Others/Comments: The vehicle cost is included in the 2019 grant award and is allocated 20% local share and 80% State/Federal Share of the contract amount. The transit department typically budgets for one new bus a year, with the 20% local share split between all of the agencies involved in the Brainerd and Crow Wing County Public Transit System. Brainerd's portion is covered through collected fares within the Brainerd system.	
Recommended Action/Motion: Staff recommends adopting the attached resolution authorizing the purchase of the 2019 budgeted bus from North Central Bus Sales of St. Cloud at a total cost of \$84,632.00.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$84,632.00</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> We budget for one new bus a year, with the 20% local share being covered by transit fund 203 and split proportionately to the different agreements within the transit system.	

PUBLIC TRANSIT (5311, ETC.)

FY 2019 VEHICLE ORDER FORM
MnDOT COOPERATIVE PROCUREMENT FOR SMALL, MID-SIZED & MEDIUM DUTY ACCESSIBLE BUSES

(This form to be used ONLY for vehicles funded through MnDOT's Office of Transit)

MnDOT Recipient Contract Number: 1033657 Quantity: 1
Contract Maximum Amount: \$ \$85,000.00 (For identical vehicle orders only)
SUN Number: _____ (Office Use) UPIN Number: _____ (Office Use)

Legal Name: City of Brainerd Phone Number: 218-454-3413
Address: 501 Laurel Street Fax Number: 218-828-6172
City, State, Zip: Brainerd, MN 56401 Email Address: astone@ci.brainerd.mn.us
Contact Name: Andy Stone

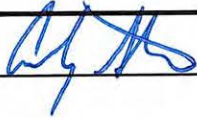
Vendor Name: North Central Bus & Equipment Bus GVRW: 14,500
Vendor Contact: Bryan Techel 952-270-9328 Chassis Manufacturer: Ford
Bus Manufacturer: Elkhart Coach Chassis Wheelbase: 190"
Model & Gas/Diesel: EC II Gas Vehicle Length: 313"

Final Build: 20 Passengers + 2 W/C's
Vehicle Spec. # 10. 9 16 # of Passenger Seats 2 # of WC Positions
Lift Manufacturer & Model: Braun Century 1000 # Front x Rear _____
Wheelchair Securements Manufacturer & Model: Q' Straint QRT Deluxe Slide N Clicks
Floor Plan Attached (required): Yes x No _____
Inspection Site/Location: NCBS - St. Cloud Recipient's Ford/GM Fleet #: _____

BASE PRICE (includes freight - manufacturer to vendor & all rebates)	\$ <u>61575.00</u>
TOTAL OPTIONS (from page 2)	\$ <u>10211.00</u>
TOTAL OPTIONS (from page 3)	\$ <u>12561.00</u>
DELIVERY CHARGE (vendor to recipient)	\$ <u>160.00</u>
LICENSE & TRANSFER FEES (estimated)	\$ <u>125.00</u>
EXTENDED WARRANTIES	\$ _____
EXCISE TAX (if applicable)	\$ _____
QUANTITY DISCOUNT (if applicable)	\$ _____
VEHICLE TOTAL	\$ <u>84,632.00</u>

Completed by Office of Transit

Vehicle Total or Contract Amount \$ _____	MnDOT Share \$ _____
(whichever is less)	Recipient Share \$ _____

Recipient Signature: 

Date: 6-10-19

Vendor Signature: _____
(Not required)

Date: 5/10/2019

MnDOT APPROVAL

Procurement Coordinator Signature: _____

Date: _____

PUBLIC TRANSIT (5311, ETC.) Options

(Attach to Vehicle Order Form)

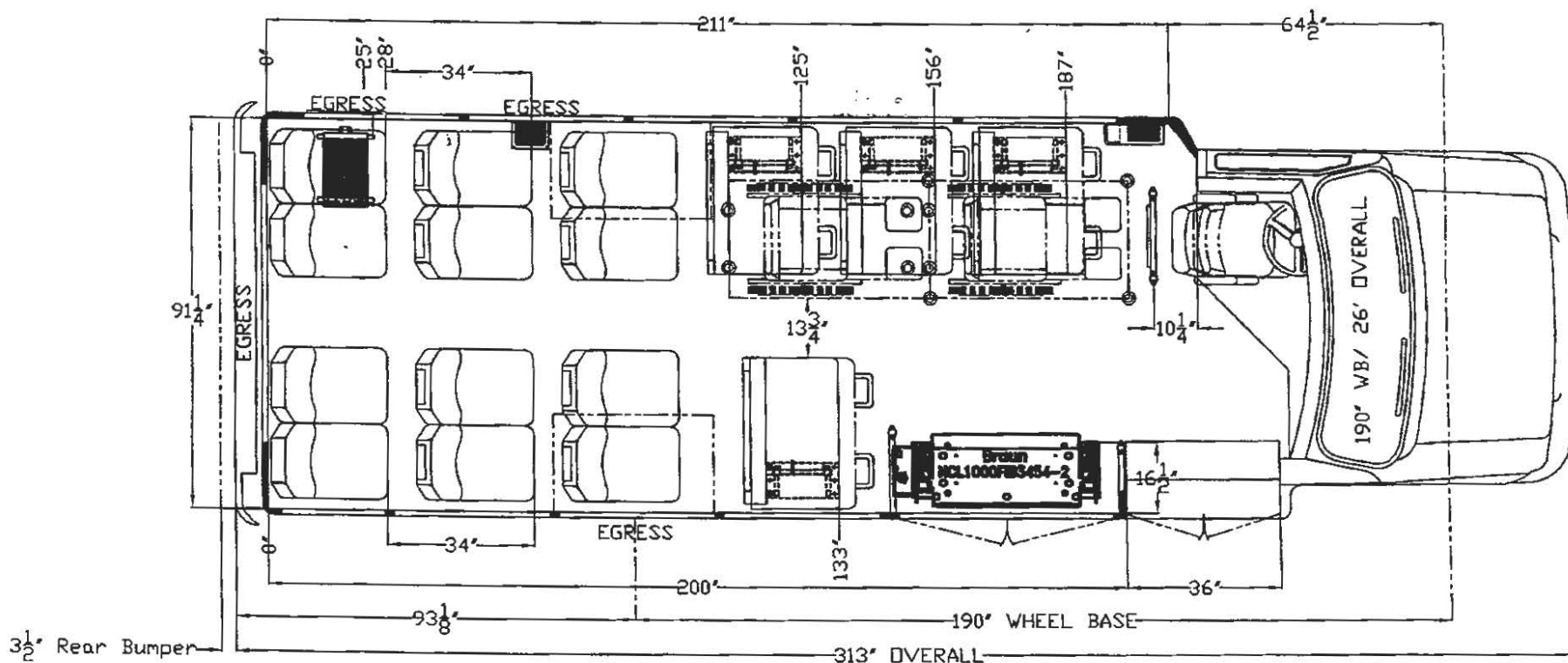
OPTIONS: Select from vehicle specifications optional equipment list.

<u>Option #</u>	<u>Description</u>	
6	Fuel Tank Access Plate	\$ STD
7	Extend Wheelbase to Accommodate Floorplan	\$ 1,621.00
11B	Extended Valve Stems on Dual Rear Wheels	\$ 50.00
21C	Reflectorize Rear Perimeter of Bus	\$ 150.00
22A	Single Color Double Stripe Graphics Package - TO BE DONE LOCALLY	\$ 1,175.00
26C	Upgrade to Altro Flooring - Capri	\$ 845.00
26E	Aluminum Underbelly	\$ 275.00
26G	Coved Altro Flooring up to Wall Seat Track	\$ 200.00
29Ab	Rear Romeo Rim Help Bumper	\$ 675.00
30	Antenna Ground Plane 18"	\$ 53.00
32B	Easy Access Panel Above Entrance Door	\$ 50.00
32C	Exterior Key Entry	\$ 75.00
36D	Ford OEM Drivers Seat with Manual Adjustment Ford OEM Pedestal	\$ 470.00
38Ba	Add Double Notchback Style Foldaway Seats (Qty4 @ \$740 each)	\$ 2,960.00
39B	Delete Double Standard Passenger Seats(Qty 2 @ \$361 each)	\$ -722.00
40B	Vertical Sticking on all Passenger Seats (Qty 20 @ \$21 each)	\$ 420.00
40C	Upgrade to Level 4 Seat Material(Qty 20 @ \$46 each) Wave Blue 6113004	\$ 920.00
44A	Braun Century 1000# lift ILO of STD 800#	\$ 25.00
47	Q' Straint QRT Deluxe ILO of STD QRT 360's (Qty 2 @ \$200 each)	\$ -400.00
47B	Horizontal L Track @ W/C Positions (Qty 24 @ \$3 per inch)	\$ 72.00
47E	TDSS Storage Systeem for Slide N Clicks (Qty 2 @ \$95 each)	\$ 190.00
47H	Additional Floor Anchor Point (QTY 2 @ \$132 each)	\$ 264.00
49B	Upper Plexiglass Panel on Drivers Partition	\$ 100.00
50C	Powder Coated Yellow Entrance Grab Rails	\$ 112.00
50C	Powder Coated Yellow Ceiling Grab Rails	\$ 165.00
50G	Additional Grab Handles on Wall Side Seats(Qty 8 @ \$22 each)	\$ 176.00
50G	Upgrade to Yellow Grab Handrails on Seat Backs (Qty 16 @ \$10 each)	\$ 160.00
51A	Stanchion, Crossrail, and Modesty Panel Behind Lift Before First Seats	\$ 130.00
TOTAL (Place total amount in space on vehicle order form)		\$ 10,211.00

(Attach to Vehicle Order Form)

<u>Option #</u>	<u>Description</u>	
52B	Rooftop Mounted A/C System I/O of Skirt Mounted	\$ 850.00
54A	Add 35,000 BTU Rear Heater(one 65K is Std)	\$ 315.00
51F	Metal cage around front 35K Heater	\$ 367.00
57	Additional 4" Amber LED Lights(Qty 2 Pairs @ \$55 each)	\$ 110.00
57	Additional 4" Red LED Lights	\$ 55.00
61	Dual Overhead Storage Compartment	\$ 165.00
76D	Individual Customized Wiring Diagrams for Body for Bus	\$ 330.00
78C	Combined Heated and Remote Control Exterior Mirrors	\$ 475.00
79B	Solid Pane Windows I/O of STD T-Sliders	\$ 0.00
82	Backup Camera Displayed in Rearview Mirror(STD Forest River item in 2019)	\$ 0.00
83B	Electric Stepwell Heater	\$ 74.00
87C	Carpet Covering Entire Ceiling in Passenger Cabin Area	\$ 300.00
92	Angel Trax 2 Head Camera System	\$ 2,100.00
92A	Add Additional Interior Camera Heads (Qty 2 @ \$465 each)	\$ 930.00
92A	Add Extra 500GB Solid State Harddrive	\$ 500.00
99	Two Way Radio Install - TO BE DONE LOCALLY	\$ 1,500.00
101H	Diamond XV Farebox with 1 Vault and Pole	\$ 1,532.00
101I	Additional Vault for Farebox	\$ 597.00
104	Bike Rack Stainless Steel	\$ 2,361.00
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
		\$
TOTAL	(Place total amount in space on vehicle order form)	\$ 12,561.00

REV	DATE	BY	DESCRIPTION	REV	DATE	BY	DESCRIPTION	REV	DATE	BY	DESCRIPTION
B	4-13-17	NM	Dealer Changes	-	-	-	-	-	-	-	-



Preliminary

Weight analysis has not been performed.

DEALER SIGNATURE: _____

DO NOT SCALE SIZE A	PROJECTION 	DESCRIPTION Floor plan ECCW 190-313 Front Lift (Braun919) Standard Floor 20P/2WC/Slide Click				2901 County Road 7 N ELKHART, IN 46514 (574) 264-5179 A DIVISION OF FOREST RIVER	
	W.I. NUMBER	DATE: 3-31-17	SCALE: N.T.S.	REFERENCE: NUMBER	SHEET 1 OF 2		
	TOLERANCES UNLESS OTHERWISE SPECIFIED ARE: FLOORPLANS ±1/2" ALL STRUCTURAL ±1/8" ANGLE ±1°				DRAWN BY: NPM	PART NUMBER 900-27-0253	REV B
					CHECKED BY:	elkhart Coach	

STEP 4

PRICE ANALYSIS

Grantee/Sub-Grantee local
P.O. #:

Project Name and Description: 2019 Grant Funded Capital (Vehicle) Purchase

Grantee/Sub-Grantee Name: City of Brainerd
Grantee/Sub-Grantee Address: 501 Laurel St., Brainerd, MN 56401
Grantee/Sub-Grantee Project Contact Name: Andy Stone
Title: Transit Coordinator
Phone: 218-454-3413 eMail: astone@ci.brainerd.mn.us

Analysis by (Name) Andy Stone Date: 6-10-2019
Analysis Reviewer Signature: [Signature]

The pricing quoted on the attached sheet(s) is deemed to be fair and reasonable based on the following type of analysis:

- ☐ Comparison with market prices or catalog pricing for the same item. (Complete summary matrix below and attach supporting quotes or catalog pages)
- ☐ Comparison of proposed pricing with an in-house estimate for the same item. (Attach signed in-house estimate and explain factors influencing any difference found. Complete summary matrix)
- ☒ Comparison with a competing supplier's prices and a comparison with the I.C.E. (complete Vehicle Procurement Summary Matrix)
- ☐ Comparison of proposed pricing with historical pricing from previous purchases of the same or similar item, coupled with market data such as Producer Price Index or Inflation Rate over the corresponding time period. (Attach data and historical price record)
- ☐ Analysis of price components against current published standards, such as labor rates, dollars per pound, etc. to justify the price reasonableness of the whole. (Attach analysis to support conclusions drawn)

SUMMARY MATRIX for Products and Services

☐ Adequate Price Competition

Quote Source - use one or more of these columns (complete competitor name in each column; A,B,C, etc)

Procurement Item (list in each line, each item and/or service)	Independent Cost Estimate Amount	Proposed Pricing (complete if second box is checked)	Average Market Price (complete if first box is checked)	Competitor A— <u>NCB Stations</u>	Competitor B— <u>Hoglund Global</u>	Competitor C— <u>Telin Eldorado</u>
<u>North Central Bus Class 800</u>	<u>\$85,000</u>			<u>\$87,381</u>	<u>\$81,604</u>	<u>\$82,746</u>

Comments: Fleet Consistency, Prior Service, Relationship

Attachments (identify and attach):

STEP 4

- ☒ North Central Bus - Startrans
- ☒ Hoglund Bus - Glaval
- ☒ Telin Transportation - Eldorado

SUMMARY MATRIX for Vehicle Procurements only* (this section can be deleted if not purchasing a vehicle)

Current Purchase					
Bus Manufacturer: [insert name of bus manufacturer] <i>Elkhart EC II gas</i>					
Model	Vehicle Length	Chassis Manufacturer	Chassis Model	Seating Configuration	Fuel Type
<i>EC II</i>	<i>313"</i>	<i>Ford</i>	<i>E450</i>	<i>16 + 2 w/c 20 + 0 w/c</i>	<i>gas</i>
Total Price (including options): <i>\$84,632</i>					

Comparison Pricing						
A. Bus Manufacturer: [insert name of bus manufacturer] <i>Startrans</i>						
B. Bus Manufacturer: [insert name of bus manufacturer] <i>Glaval</i>						
C. Bus Manufacturer: [insert name of bus manufacturer] <i>Eldorado</i>						
	Model	Vehicle Length	Chassis Manufacturer	Chassis Model	Seating Configuration	Fuel Type
A	<i>Startrans Senator II gas</i>	<i>26'</i>	<i>Ford</i>	<i>E450</i>	<i>16 + 2 w/c</i>	<i>gas</i>
B	<i>Glaval Universal</i>	<i>26'</i>	<i>Ford</i>	<i>E450</i>	<i>14 + 2 w/c 20 + 0 w/c</i>	<i>gas</i>
C	<i>Eldorado Aerotech</i>	<i>25'</i>	<i>Ford</i>	<i>E450</i>	<i>16 + 2 w/c</i>	<i>gas</i>
A	Total Price (including options): <i>\$87,381</i>					
B	Total Price (including options): <i>\$81,604</i>					
C	Total Price (including options): <i>\$82,746</i>					

*based on current year or past year Minnesota Vehicle Procurement pricing

Vehicle Test Results Have Been Reviewed www.altoonabustest.com	YES ☒	NO ☐
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PUBLIC TRANSIT (5311, ETC.)

FY 2019 VEHICLE ORDER FORM

MnDOT COOPERATIVE PROCUREMENT FOR SMALL, MID-SIZED & MEDIUM DUTY ACCESSIBLE BUSES

(This form to be used ONLY for vehicles funded through MnDOT's Office of Transit)

MnDOT Recipient Contract Number: 1033657
Contract Maximum Amount: \$ \$85,000.00
SUN Number: _____ (Office Use)

Quantity: 1
(For identical vehicle orders only)
UPIN Number: _____ (Office Use)

Legal Name: City of Brainerd
Address: 501 Laurel Street
City, State, Zip: Brainerd, MN 56401
Contact Name: Andy Stone

Phone Number: 218-454-3413
Fax Number: 218-828-6172
Email Address: astone@ci.brainerd.mn.us

Vendor Name: North Central Bus & Equipment
Vendor Contact: Bryan Techel 952-270-9328
Bus Manufacturer: Startrans
Model & Gas/Diesel: Senator II Gas

Bus GVRW: 14,500
Chassis Manufacturer: Ford
Chassis Wheelbase: 190"
Vehicle Length: 26'

Vehicle Spec. # 10. 9 16 # of Passenger Seats 2 # of WC Positions

Lift Manufacturer & Model: Braun Century 1000 # Front x Rear _____

Wheelchair Securements Manufacturer & Model: Q' Straint QRT Deluxe Slide N Clicks

Floor Plan Attached (required): Yes x No _____

Inspection Site/Location: NCBS - St. Cloud Recipient's Ford/GM Fleet #: _____

BASE PRICE (includes freight - manufacturer to vendor & all rebates)	\$ <u>62870.00</u>
TOTAL OPTIONS (from page 2)	\$ <u>11105.00</u>
TOTAL OPTIONS (from page 3)	\$ <u>13121.00</u>
DELIVERY CHARGE (vendor to recipient)	\$ <u>160.00</u>
LICENSE & TRANSFER FEES (estimated)	\$ <u>125.00</u>
EXTENDED WARRANTIES	\$ _____
EXCISE TAX (if applicable)	\$ _____
QUANTITY DISCOUNT (if applicable)	\$ _____
VEHICLE TOTAL	\$ <u>87,381.00</u>

Completed by Office of Transit

Vehicle Total or Contract Amount \$ _____	MnDOT Share \$ _____
(whichever is less)	Recipient Share \$ _____

Recipient Signature: _____

Date: _____

Vendor Signature: _____
(Not required)

Date: 5/14/2019

MnDOT APPROVAL

Procurement Coordinator Signature: _____

Date: _____

PUBLIC TRANSIT (5311, ETC.) Options

(Attach to Vehicle Order Form)

OPTIONS: Select from vehicle specifications optional equipment list.

<u>Option #</u>	<u>Description</u>	
6	Fuel Tank Access Plate	\$ STD
7	Extend Wheelbase to Accommodate Floorplan	\$ 1,420.00
11B	Extended Valve Stems on Dual Rear Wheels	\$ 73.00
21C	Reflectorize Rear Perimeter of Bus	\$ 150.00
22A	Single Color Double Stripe Graphics Package - TO BE DONE LOCALLY	\$ 1,175.00
26C	Upgrade to Altro Flooring - Capri	\$ 0.00
26E	Glavainzed Steel Underbelly	\$ 193.00
26G	Coved Altro Flooring up to Wall Seat Track	\$ 333.00
29Ab	Rear Romeo Rim Help Bumper	\$ 739.00
30	Antenna Ground Plane 18"	\$ 84.00
32B	Easy Access Panel Above Entrance Door	\$ 79.00
32C	Exterior Key Entry	\$ 79.00
36D	Ford OEM Drivers Seat with Manual Adjustment Ford OEM Pedestal	\$ 470.00
38Ba	Add Double Notchback Style Foldaway Seats (Qty4 @ \$1056 each)	\$ 4,224.00
39B	Delete Double Standard Passenger Seats(Qty 2 @ \$474 each)	\$ -948.00
40B	Vertical Sticking on all Passenger Seats (Qty 20 @ \$21 each)	\$ 420.00
40C	Upgrade to Level 4 Seat Material(Qty 20 @ \$63 each) Wave Blue 6113004	\$ 1,260.00
44A	Braun Century 1000# lift ILO of STD 800#	\$ 276.00
47	Q' Straint QRT Deluxe ILO of STD QRT 360's (Qty 2 @ \$158 each)	\$ -316.00
47B	Horizontal L Track @ W/C Positions (Qty 24 @ \$3 per inch)	\$ 72.00
47E	TDSS Storage Systeem for Slide N Clicks (Qty 2 @ \$99 each)	\$ 198.00
47H	Additional Floor Anchor Point (QTY 2 @ \$145 each)	\$ 290.00
49B	Upper Plexiglass Panel on Drivers Partition	\$ 99.00
50C	Powder Coated Yellow Entrance Grab Rails	\$ 68.00
50C	Powder Coated Yellow Ceiling Grab Rails	\$ 99.00
50G	Additional Grab Handles on Wall Side Seats(Qty 8 @ \$42 each)	\$ 336.00
50G	Upgrade to Yellow Grab Handrails on Seat Backs (Qty 16 @ \$6 each)	\$ 96.00
51A	Stanchion, Crossrail, and Modesty Panel Behind Lift Before First Seats	\$ 136.00
TOTAL (Place total amount in space on vehicle order form)		\$ 11,105.00

PUBLIC TRANSIT (5311, ETC.)

FY 2019 VEHICLE ORDER FORM

MnDOT COOPERATIVE PROCUREMENT FOR SMALL, MID-SIZED & MEDIUM DUTY ACCESSIBLE BUSES

(This form to be used ONLY for vehicles funded through MnDOT's Office of Transit)

MnDOT Recipient Contract Number: 1033657

Quantity: 1

Contract Maximum Amount: \$85,000.00 each

(For identical vehicle orders only)

SUN Number: (Office Use)

UPIN Number: (Office Use)

Legal Name: City of Brainerd
Address: 501 Laurel Street
City, State, Zip: Brainerd, MN 56401
Contact Name: Andy Stone

Phone Number: 218.454.3413
Fax Number:
Email Address: astone@ci.brainerd.mn.us

Vendor Name: Hoglund Bus Company
Vendor Contact: Brian Suttief
Bus Manufacturer: Glaval
Model & Gas/Diesel: Universal, gas

Bus GVRW: 14,500
Chassis Manufacturer: Ford
Chassis Wheelbase: 190"
Vehicle Length: 26'

Vehicle Spec. # 10. 9 14 (20) # of Passenger Seats 2 (0) # of WC Positions

Lift Manufacturer & Model: Braun Century Front x Rear

Wheelchair Securements Manufacturer & Model: Q'Straint QRT Deluxe Slide N Click

Floor Plan Attached (required): Yes No

Inspection Site/Location: Monticello Recipient's Ford/GM Fleet #:

BASE PRICE (includes freight - manufacturer to vendor & all rebates)	\$ 63076.00
TOTAL OPTIONS (from page 2)	\$ 18348.00
TOTAL OPTIONS (from page 3)	\$ 0.00
DELIVERY CHARGE (vendor to recipient)	\$
LICENSE & TRANSFER FEES (estimated)	\$ 180.00
EXTENDED WARRANTIES	\$
EXCISE TAX (if applicable)	\$
QUANTITY DISCOUNT (if applicable)	\$
VEHICLE TOTAL	\$ 81,604.00

Completed by Office of Transit

Vehicle Total or Contract Amount \$	MnDOT Share \$
(whichever is less)	Recipient Share \$

Recipient Signature:

Date:

Vendor Signature: Brian Suttief

Date:

(Not required)

MnDOT APPROVAL

Procurement Coordinator Signature:

Date:

PUBLIC TRANSIT (5311, ETC.) Options

(Attach to Vehicle Order Form)

OPTIONS: Select from vehicle specifications optional equipment list.

OPTION	QTY			TOTAL
6A	1	Fuel Tank Access Plate		Standard
7	1	Extend wheelbase to accommodate floor plan -	510.00	510.00
11B	1	Extended valve stems on rear wheels	52.00	52.00
21C	1	Conspicuity markings with reflective tape 2" wide - location determined by transit system: Rear Perimeter	150.00	150.00
26C	1	Alternative floor covering that meets FMVSS 302 and ADA - Altro	510.00	510.00
26E	1	Galvanized steel underbelly	290.00	290.00
26G	1	Coved Flooring	Standard	
27	1	Fiberglass Reinforced Panel Exterior	500.00	500.00
29Ab	1	Romeo Rim Bumper - Rear	805.00	805.00
30	1	Antenna ground plane - 18"	110.00	110.00
32B	1	Easy Access Panel above entrance door.	105.00	105.00
32C	1	Exterior Key Entry	Standard	
	.	OEM Ford Manual Driver Seat		Standard
38Ba	4	Double Foldaway Seat w/ Notchback (split back)	710.00	2,840.00
39B	-2	Double Passenger Seat - Freedman	395.00	-790.00
40B	20	Vertical Stitch - Vinyl or Cloth, per seat	17.00	340.00
40C	20	Level 4 Seat Fabric - Passenger	49.00	980.00
	.	Wave Blue #004		
44A	1	Braun Century 34" x 54" 1,000lb	260.00	260.00
47	2	Slide N Click Wheelchair Securements, per location	77.00	154.00
47	2	QRT Deluxe Wheelchair Securement, per location	-90.00	-180.00
44B	2	Horizontal L-Track on Wall for Adjustment, per foot	32.00	64.00
47D	2	TDSS (Tie Down Storage System)	135.00	270.00
47H	2	Additional Floor Anchor	52.00	104.00
49B	1	Plexiglass on upper section of driver stanchion - Smoked	188.00	188.00
50C	4	Other than standard entrance and ceiling grab rails, per rail -	130.00	520.00
50G	8	Grab Handles on wall seats (per each)	24.00	192.00
51A	1	Vertical stanchion and cross rail, with modesty panel, between lift door and front row of seats, 'when vehicle has a front lift'.	135.00	135.00
52B	1	Roof mounted condenser in lieu of skirt mounted	935.00	935.00
54A	1	Additional Rear Heater 35k BTU	340.00	340.00
57	2	Additional LED Rear Exterior Lights, per pair - Amber	80.00	160.00
57	1	Additional LED Rear Exterior Lights, per pair - Red	80.00	80.00
78C	1	Combined heated and remote controlled mirrors	520.00	520.00
83B	1	Heavy-duty step-well heater - Electric	260.00	260.00
87B	1	Interior carpet/cloth from floor to ceiling	Standard	
87C	1	Interior carpet/cloth entire ceiling	Standard	
92	1	AngelTrax 4 Camera System	3,400.00	3,400.00
92A	1	Backup Camera	Standard	
101H	1	Diamond XV fare box & 1 vault w/pole	1,487.00	1,487.00
101I	1	Additional vaults for Diamond XV	598.00	598.00
104	1	Bike Rack - Sportworks Stainless Steel	2,459.00	2,459.00
	.	Total		18,348.00

PUBLIC TRANSIT (5311, ETC.)

FY 2019 VEHICLE ORDER FORM

MnDOT COOPERATIVE PROCUREMENT FOR SMALL, MID-SIZED & MEDIUM DUTY ACCESSIBLE BUSES

(This form to be used ONLY for vehicles funded through MnDOT's Office of Transit)

MnDOT Recipient Contract Number: 1033657
Contract Maximum Amount: \$ \$85,000.00
SUN Number: _____

Quantity: 1
(For identical vehicle orders only)

(Office Use) UPIN Number: _____
(Office Use)

Legal Name: City of Brainerd
Address: 501 Laurel St
City, State, Zip: Brainerd, MN 56401
Contact Name: Andy Stone

Phone Number: 218-454-3413
Fax Number: _____
Email Address: astone@ci.brainerd.mn.us

Vendor Name: Telin Transportation Group
Vendor Contact: Mike Bracker
Bus Manufacturer: Eldorado
Model & Gas/Diesel: Aerotech Gas

Bus GVRW: 14,500
Chassis Manufacturer: Ford
Chassis Wheelbase: 186"
Vehicle Length: 25'

Vehicle Spec. # 10 9 16 # of Passenger Seats 2 # of WC Positions

Lift Manufacturer & Model: Braun Century 1000lbs Front X Rear _____

Wheelchair Securements Manufacturer & Model: Q'Straint 8100-A1-SC

Floor Plan Attached (required): Yes X No _____

Inspection Site/Location: Lakeville, MN Recipient's Ford/GM Fleet #: _____

BASE PRICE (includes freight - manufacturer to vendor & all rebates) \$ 60849.00

TOTAL OPTIONS (from page 2) \$ 21767.00

TOTAL OPTIONS (from page 3) \$ 0.00

DELIVERY CHARGE (vendor to recipient) \$ _____

LICENSE & TRANSFER FEES (estimated) \$ 130.00

EXTENDED WARRANTIES \$ _____

EXCISE TAX (if applicable) \$ _____

QUANTITY DISCOUNT (if applicable) \$ _____

VEHICLE TOTAL \$ 82,746.00

Completed by Office of Transit

Vehicle Total or Contract Amount \$ _____ (whichever is less)	MnDOT Share \$ _____
	Recipient Share \$ _____

Recipient Signature: _____

Date: _____

Vendor Signature: _____

Date: _____

(Not required)

MnDOT APPROVAL

Procurement Coordinator Signature: _____

Date: _____

QTY	MNDOT OPTION	DESCRIPTION	UNIT PRICE	EXTENDED
1	7	Extend wheelbase to accommodate floor plan - 176" - 186"	\$595.00	595.00
1	11B	Extended valve stems on rear wheels	\$90.00	90.00
1	15G	Battery mounted behind stepwell with access through step	\$400.00	400.00
1	21C	Rear perimeter (dealer installed option)	\$175.00	175.00
1	26C	Altro Chroma	\$500.00	500.00
1	26E	Aluminum Underbelly	\$400.00	400.00
1	26G	Coved Flooring (extends up wall to bottom of seat track) - not with NatCoat	\$300.00	300.00
1	28	Extend body length to accommodate floor plan - 25'	\$1,400.00	1,400.00
1	29Ab	Romeo Rim HELP Bumper - Rear	\$650.00	650.00
1	30	Antenna ground plane, minimum 18" square or 18" diameter for UHF, X 1/16th inch thick steel plate, attached to roof of body. Customer will supply antenna.	\$165.00	165.00
1	32B	Easy access door above passenger door for maintenance of powered door	STD	
1	32C	Exterior key entry	\$110.00	110.00
1	32F	Yellow Step Edging	\$65.00	65.00
1	33	Passenger door w/ clear opening other than standard - 36" - 40"	\$150.00	150.00
1	36D	Other - OEM Ford w/Factory Cover	\$200.00	200.00
4	38Ba	Notchback (split back) style	\$670.00	2,680.00
-2	39B	Double passenger seat - ADD OR DEDUCT; Freedman	\$355.00	(710.00)
20	40B	Vertical stitch - vinyl or cloth PER SEAT	\$30.00	600.00
20	40C	Level 4 passenger	\$60.00	1,200.00
8	42B	Retracting - Freedman USR	\$80.00	640.00
1	44A	Manufacturer/Model/Platform Size - Braun Century 1000 lb. 34X54	\$640.00	640.00
2	47	Qstraint 8100-A1-SC	(\$200.00)	(400.00)
2	47E	TDSS	\$95.00	190.00
2	47H	Additional S/C Pucks	\$60.00	120.00
1	49B	Driver's partitions - upper plexiglass panel behind driver - .25 smoked/clear	\$120.00	120.00
1	50C	Other than standard entrance and ceiling grab rails - SPECIFY Yellow grab rails, stanchions, overhead, RH/LH Assists	\$590.00	590.00
8	50G	Grab handles on wall seats - per each	\$34.00	272.00
1	51A	Vertical stanchion and cross rail, w/modesty panel, between lift door and front row of seats, 'when vehicle has a front lift'	\$150.00	150.00
1	52B	Roof mounted condenser in lieu of skirt mounted per 5.12 - Carrier or ACT	\$950.00	950.00
1	54B	Additional heater(s) - 45K	\$375.00	375.00
1	57	Additional LED Rear Exterior Lights Brake, Turn or Taillight	\$200.00	200.00
1	78C	Combined heated and remote controlled mirrors - Rosco	\$510.00	510.00
1	82	Rear Collision Avoidance System - Rear Camera in Mirror	\$470.00	470.00
1	83B	Electric (per step)	\$300.00	300.00
1	87C	Entire Ceiling	STD	
1	92	Angeltrax HDX/4 Camera	\$4,000.00	4,000.00
1	101H	Diamond XV and 1 vault w/pole	\$920.00	920.00
1	101I	Additional vaults for Diamond XV	\$550.00	550.00
1	104	Sport Works stainless steel - 2 bike	\$2,200.00	2,200.00
Total Cost of Manufacturer's Published Options				21,767.00

QTY	MNDOT OPTION	DESCRIPTION	UNIT PRICE	EXTENDED
-		Ford GPC of \$6,350 is included in the price of the vehicle		
-		Ford Mobility of \$1,000 is included in the price of the vehicle		
QTY	MNDOT OPTION	DESCRIPTION	UNIT PRICE	EXTENDED

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

TRANSIT BUS PURCHASE

WHEREAS, the City of Brainerd operates a transit system; and,

WHEREAS, the City of Brainerd desires to purchase, through the State of Minnesota Cooperative Procurement Process, a replacement vehicle to be used in the transit system; and

WHEREAS, the vehicle cost is allocated 20% local share and 80% State/Federal share of the "contract amount"; and

WHEREAS, the City of Brainerd staff has reviewed the vehicle options offered by approved multiple contracting vendors; and

WHEREAS, staff recommends purchasing a vehicle from North Central Bus for the reasons of cost, fleet consistency and service availability;

NOW, THEREFORE, BE IT RESOLVED, that the Brainerd City Council hereby authorizes the purchase of a new transit bus from North Central Bus Sales of St. Cloud in the approximate contract amount of \$84,632.00.

Adopted this _____ day of _____, 2019

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Res - 2020-2021 State of Minnesota Transit Grant Resolution

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached is the resolution that allows the City Administrator and Mayor the ability to enter into an agreement with the State of Minnesota to provide public transportation services in Crow Wing County and selected areas of Cass County.	
Alternatives, Options, Effects on Others/Comments: This resolution is the exact same as the resolution that was passed for prior grant cycles with the State of Minnesota. The agreement has not changed, and provides for a local share of 15% of total operating costs and 20% of total capital costs, with the State of Minnesota's share being 85% and 80% respectively.	
Recommended Action/Motion: Staff would recommend adopting the attached resolution as proposed to allow proper signatures on the grant agreement with the State of Minnesota.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

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

**A RESOLUTION AUTHORIZING AN AGREEMENT WITH THE STATE OF MINNESOTA TO PROVIDE
PUBLIC TRANSPORTATION SERVICES IN THE YEARS 2020-2021**

BE IT RESOLVED, that the City of Brainerd enters into an Agreement with the State of Minnesota to provide public transportation services in Crow Wing County and selected areas of Cass County in 2020 and 2021; and

BE IT RESOLVED, that the City of Brainerd agrees to provide a local share of up to 15 percent of the total operating cost and up to 20 percent of the total capital costs; and

BE IT RESOLVED, that the City of Brainerd agrees to provide 100 percent of the local share necessary for expenses that exceed funds available from the State; and

BE IT FURTHER RESOLVED, that the City of Brainerd authorizes the Mayor and the City Administrator to execute the aforementioned Agreement and any amendments thereto.

Adopted this _____ day of _____, 2019

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Res - Advancing Additional Municipal State Aid Street Funds

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached is a resolution in which advances additional Municipal State Aid Street funds. The Council recently adopted a similar Resolution No. 53:18 in which advanced \$2,100,000 from its Municipal State Aid Street fund for the 2019 construction projects on H Street, Buffalo Hills Lane, College Drive, S 4th Street, and the State Aid portion of the federally funded safe routes to school project on H Street and N Street.	
Alternatives, Options, Effects on Others/Comments: With the higher bid results coming in this season, staff recommends advancing additional Municipal State Aid funds for the construction projects so the cash will be available during the construction projects for payments to contractors. We can advance additional State Aid money at any point, but this allows staff to request 95% of the advanced funds up front for the construction on the streets. An additional \$850,000 is estimated to be needed to cover all additional State Aid costs. As most of the streets we are constructing this year are State Aid, this \$850,000 is approximately the entire cost overruns on the projects in which have been bid.	
Recommended Action/Motion: Staff recommends adopting the attached resolution in which advances Municipal State Aid Street funds.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

RESOLUTION
NO _____

RESOLUTION FOR THE ADVANCEMENT OF STATE AID STREET FUNDS

WHEREAS, the Municipality of Brainerd is planning to implement Municipal State Aid Street Project(s) in 2018 which will require State Aid funds in excess of those available in its State Aid Construction Account, and

WHEREAS, said municipality is prepared to proceed with the construction of said project(s) through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date March 1, 2018	\$ (1,987,000)
Less estimated disbursements:	
Project # SAP 108-136-004	\$635,000
Project # SAP 108-119-006	\$32,000
Project # SAP 108-126-014	\$183,000
Total Estimated Disbursements	\$850,000
Advance Amount (amount in excess of acct balance)	\$2,837,000

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b, and

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Project(s) of the Municipality of Brainerd in an amount up to \$2,837,000. I hereby authorize repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

Adopted this _____ day of _____, 2019

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Res - Approving Bid - Improvement 16-09 and Improvement 19-07

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request are the bid results for Improvement 16-09 and 19-07 - Buffalo Hills Lane and Mississippi Drive Reconstruction Project. These improvements were let as one contract and consist of the reconstruction of Buffalo Hills Lane from Greenwood Street to the dead end and Mississippi Drive from Buffalo Hills Lane to the dead end.	
Alternatives, Options, Effects on Others/Comments: In total, two bids were received from Kraemer Trucking and Excavating, Inc. and J.R. Ferche, Inc. in the total contract amounts of \$1,563,604.50 and \$2,106,076.60 which represent a 17.60% and 57.59% over Engineer's Estimate. This overage is consistent with all of the other projects that have been let in 2019, and can be attributed to oil and gas prices, a very busy construction year across the state, and just generally higher material costs. Staff feels this is the cost to do the work this year and is still recommending approval of the project. Of the total project amount, \$98,857.75 is considered to be local funding and \$1,464,746.75 is considered to be State Aid funding. There is a resolution on this council agenda in which advances additional state aid funds to cover costs on all State Aid Improvements in 2019.	
Recommended Action/Motion: Staff recommends adopting the attached resolution in which accepts the bids as presented and authorizes the Mayor and City Administrator to enter into contract Kraemer Trucking and Excavating, Inc. in the total contract amount of \$1,563,604.50.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$1,563,604.50</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> Portions of the project, as stated above are funded through State Aid with 92% of the storm sewer cost being funded through State Aid. All other project costs to come from Construction Fund 401 or other utility funds for Sanitary Sewer, Storm Sewer, and Watermain.	

**City of Brainerd
Contract Bid Abstract**

**Contract No.: 2019-04
Project No.: 19-07, SAP 108-136-004
Bid Opening: 06/07/2019 10:00 AM**

Project: 19-07 - Mississippi Drive Reconstruction				Engineers Estimate		Kraemer Trucking & Excavating Inc.		J.R. Ferche, Inc.	
Line No.	Item	Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	2021.501 MOBILIZATION	LS	0.06	\$50,000.00	\$3,000.00	\$81,520.00	\$4,891.20	\$46,000.00	\$2,760.00
2	2101.505 CLEARING	ACRE	0.02	\$2,500.00	\$50.00	\$10,000.00	\$200.00	\$10,000.00	\$200.00
3	2101.505 GRUBBING	ACRE	0.02	\$2,500.00	\$50.00	\$10,000.00	\$200.00	\$10,000.00	\$200.00
4	2104.502 REMOVE CASTING	EACH	3	\$100.00	\$300.00	\$105.00	\$315.00	\$300.00	\$900.00
5	2104.503 SAWING BIT PAVEMENT (FULL DEPTH)	L F	31	\$3.00	\$93.00	\$4.20	\$130.20	\$3.00	\$93.00
6	2104.503 SALVAGE WOOD RAIL FENCE	L F	50	\$100.00	\$5,000.00	\$5.25	\$262.50	\$7.00	\$350.00
7	2104.504 REMOVE BITUMINOUS DRIVEWAY PAVEMENT	S Y	96	\$5.00	\$480.00	\$10.50	\$1,008.00	\$10.00	\$960.00
8	2104.504 REMOVE BITUMINOUS PAVEMENT	S Y	1704	\$3.00	\$5,112.00	\$3.50	\$5,964.00	\$5.00	\$8,520.00
9	2105.507 COMMON EXCAVATION (P)	C Y	880	\$10.00	\$8,800.00	\$8.82	\$7,761.60	\$24.00	\$21,120.00
10	2105.507 STABILIZING AGGREGATE	C Y	50	\$35.00	\$1,750.00	\$31.50	\$1,575.00	\$35.00	\$1,750.00
11	2130.523 WATER	MGAL	25	\$40.00	\$1,000.00	\$42.00	\$1,050.00	\$55.00	\$1,375.00
12	2211.509 AGGREGATE BASE CLASS 5	TON	504	\$20.00	\$10,080.00	\$18.90	\$9,525.60	\$23.00	\$11,592.00
13	2360.509 TYPE SP 9.5 WEARING COURSE MIX (2,B) SPECIAL	TON	239	\$60.00	\$14,340.00	\$68.25	\$16,311.75	\$74.00	\$17,686.00
14	2504.602 ADJUST VALVE BOX-WATER	EACH	1	\$500.00	\$500.00	\$157.50	\$157.50	\$300.00	\$300.00
15	2504.602 ADJUST CURB BOX	EACH	7	\$500.00	\$3,500.00	\$131.25	\$918.75	\$300.00	\$2,100.00
16	2506.502 CASTING ASSEMBLY	EACH	3	\$250.00	\$750.00	\$840.00	\$2,520.00	\$900.00	\$2,700.00
17	2506.602 SEAL DRAINAGE STRUCTURE	EACH	3	\$500.00	\$1,500.00	\$525.00	\$1,575.00	\$350.00	\$1,050.00
18	2531.503 CONCRETE CURB & GUTTER DESIGN B624	L F	1010	\$20.00	\$20,200.00	\$18.90	\$19,089.00	\$20.30	\$20,503.00
19	2531.604 8" CONCRETE VALLEY GUTTER	S Y	17	\$100.00	\$1,700.00	\$97.65	\$1,660.05	\$103.00	\$1,751.00
20	2540.602 SALVAGE AND REINSTALL MAILBOX	EACH	2	\$200.00	\$400.00	\$84.00	\$168.00	\$100.00	\$200.00
21	2540.602 TEMPORARY MAILBOX SUPPORT	EACH	2	\$200.00	\$400.00	\$26.25	\$52.50	\$40.00	\$80.00
22	2563.601 TRAFFIC CONTROL	LS	0.06	\$5,000.00	\$300.00	\$8,400.00	\$504.00	\$10,000.00	\$600.00
23	2571.524 DECIDUOUS TREE 2" CAL B&B	TREE	5	\$600.00	\$3,000.00	\$714.00	\$3,570.00	\$1,400.00	\$7,000.00
24	2573.501 STABILIZED CONSTRUCTION EXIT	LS	0.06	\$2,000.00	\$120.00	\$2,100.00	\$126.00	\$5,000.00	\$300.00
25	2573.501 EROSION CONTROL SUPERVISOR	LS	0.06	\$5,000.00	\$300.00	\$2,100.00	\$126.00	\$5,000.00	\$300.00
26	2573.503 SILT FENCE, TYPE HI	L F	354	\$2.50	\$885.00	\$3.15	\$1,115.10	\$3.00	\$1,062.00
27	2574.507 COMMON TOPSOIL BORROW (LV)	C Y	322	\$20.00	\$6,440.00	\$36.75	\$11,833.50	\$45.00	\$14,490.00
28	2575.501 TURF ESTABLISHMENT	LS	0.06	\$10,000.00	\$600.00	\$96,250.00	\$5,775.00	\$50,000.00	\$3,000.00
29	2575.523 RAPID STABILIZATION METHOD 3	MGAL	3	\$100.00	\$300.00	\$157.50	\$472.50	\$300.00	\$900.00
Totals for Project 19-07					\$90,950.00		\$98,857.75		\$123,842.00
% of Estimate for Project 19-07							8.69%		36.16%
Project: SAP 108-136-004 - Buffalo Hills Lane Reconstruction				Engineers Estimate		Kraemer Trucking & Excavating Inc.		J.R. Ferche, Inc.	
Line No.	Item	Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	2021.501 MOBILIZATION	LS	0.94	\$50,000.00	\$47,000.00	\$81,520.00	\$76,628.80	\$46,000.00	\$43,240.00
2	2101.505 CLEARING	ACRE	1.89	\$2,500.00	\$4,725.00	\$2,100.00	\$3,969.00	\$10,000.00	\$18,900.00
3	2101.505 GRUBBING	ACRE	1.89	\$2,500.00	\$4,725.00	\$2,100.00	\$3,969.00	\$10,000.00	\$18,900.00
4	2101.524 CLEARING	TREE	37	\$200.00	\$7,400.00	\$262.50	\$9,712.50	\$250.00	\$9,250.00
5	2101.524 GRUBBING	TREE	37	\$200.00	\$7,400.00	\$262.50	\$9,712.50	\$200.00	\$7,400.00
6	2104.502 REMOVE SHRUB	EACH	9	\$100.00	\$900.00	\$105.00	\$945.00	\$20.00	\$180.00
7	2104.502 REMOVE CONCRETE APRON	EACH	2	\$250.00	\$500.00	\$157.50	\$315.00	\$750.00	\$1,500.00
8	2104.502 REMOVE MANHOLE OR CATCH BASIN	EACH	7	\$300.00	\$2,100.00	\$420.00	\$2,940.00	\$650.00	\$4,550.00
9	2104.502 REMOVE CASTING	EACH	15	\$100.00	\$1,500.00	\$105.00	\$1,575.00	\$250.00	\$3,750.00
10	2104.502 SALVAGE GATE VALVE	EACH	1	\$1,000.00	\$1,000.00	\$315.00	\$315.00	\$500.00	\$500.00
11	2104.502 SALVAGE HYDRANT	EACH	1	\$1,500.00	\$1,500.00	\$315.00	\$315.00	\$750.00	\$750.00
12	2104.503 SAWING CONCRETE PAVEMENT (FULL DEPTH)	L F	135	\$5.00	\$675.00	\$4.20	\$567.00	\$6.00	\$810.00
13	2104.503 SAWING BIT PAVEMENT (FULL DEPTH)	L F	620	\$3.00	\$1,860.00	\$4.20	\$2,604.00	\$2.50	\$1,550.00
14	2104.503 REMOVE WATER MAIN	L F	20	\$10.00	\$200.00	\$21.00	\$420.00	\$25.00	\$500.00
15	2104.503 REMOVE SEWER PIPE (STORM)	L F	395	\$5.00	\$1,975.00	\$10.50	\$4,147.50	\$20.00	\$7,900.00
16	2104.503 REMOVE SEWER PIPE (SANITARY)	L F	13	\$10.00	\$130.00	\$10.50	\$136.50	\$40.00	\$520.00
17	2104.503 REMOVE CURB & GUTTER	L F	519	\$5.00	\$2,595.00	\$10.50	\$5,449.50	\$6.00	\$3,114.00
18	2104.503 SALVAGE CHAIN LINK FENCE	L F	24	\$100.00	\$2,400.00	\$15.75	\$378.00	\$17.00	\$408.00
19	2104.503 SALVAGE RETAINING WALL	L F	100	\$150.00	\$15,000.00	\$52.50	\$5,250.00	\$40.00	\$4,000.00
20	2104.504 REMOVE CONCRETE DRIVEWAY PAVEMENT	S Y	247	\$6.00	\$1,482.00	\$10.50	\$2,593.50	\$15.00	\$3,705.00

21	2104.504	REMOVE BITUMINOUS DRIVEWAY PAVEMENT	S Y	480	\$5.00	\$2,400.00	\$9.80	\$4,704.00	\$12.00	\$5,760.00
22	2104.504	REMOVE BITUMINOUS PAVEMENT	S Y	8503	\$3.00	\$25,509.00	\$3.50	\$29,760.50	\$4.50	\$38,263.50
25	2104.518	REMOVE LANDSCAPE ROCK	S F	523	\$5.00	\$2,615.00	\$1.05	\$549.15	\$3.20	\$1,673.60
23	2105.507	COMMON EXCAVATION (P)	C Y	19590	\$10.00	\$195,900.00	\$8.82	\$172,783.80	\$24.00	\$470,160.00
24	2105.507	STABILIZING AGGREGATE	C Y	150	\$35.00	\$5,250.00	\$31.50	\$4,725.00	\$35.00	\$5,250.00
26	2130.523	WATER	MGAL	75	\$40.00	\$3,000.00	\$42.00	\$3,150.00	\$55.00	\$4,125.00
27	2211.509	AGGREGATE BASE CLASS 5	TON	3713	\$20.00	\$74,260.00	\$18.90	\$70,175.70	\$23.00	\$85,399.00
28	2360.509	TYPE SP 9.5 WEARING COURSE MIX (2.B) SPECIAL	TON	2376	\$60.00	\$142,560.00	\$68.25	\$162,162.00	\$72.00	\$171,072.00
29	2501.602	SKIMMER	EACH	1	\$5,000.00	\$5,000.00	\$8,190.00	\$8,190.00	\$5,200.00	\$5,200.00
30	2501.602	PRECAST HEADWALLS	EACH	1	\$500.00	\$500.00	\$2,625.00	\$2,625.00	\$2,100.00	\$2,100.00
31	2501.602	18" PIPE APRON	EACH	1	\$350.00	\$350.00	\$1,155.00	\$1,155.00	\$950.00	\$950.00
32	2501.602	TRASH GUARD FOR 18" PIPE APRON	EACH	1	\$250.00	\$250.00	\$577.50	\$577.50	\$750.00	\$750.00
33	2503.503	12" RC PIPE SEWER CLASS III	L F	2235	\$40.00	\$89,400.00	\$58.80	\$131,418.00	\$72.00	\$160,920.00
34	2503.503	15" RC PIPE SEWER CLASS III	L F	120	\$45.00	\$5,400.00	\$64.05	\$7,686.00	\$76.00	\$9,120.00
35	2503.503	18" RC PIPE SEWER CLASS III	L F	369	\$50.00	\$18,450.00	\$69.30	\$25,571.70	\$81.00	\$29,889.00
36	2503.602	SANITARY SEWER SERVICE	EACH	4	\$1,500.00	\$6,000.00	\$945.50	\$3,782.00	\$6,200.00	\$24,800.00
37	2503.602	CONNECT TO EXISTING MANHOLES (SAN)	EACH	1	\$2,500.00	\$2,500.00	\$1,575.00	\$1,575.00	\$2,500.00	\$2,500.00
38	2503.602	12" PIPE PLUG	EACH	1	\$250.00	\$250.00	\$157.50	\$157.50	\$150.00	\$150.00
39	2503.603	6" PVC PIPE SEWER	L F	147	\$40.00	\$5,880.00	\$42.00	\$6,174.00	\$85.00	\$12,495.00
40	2503.603	12" PVC PIPE SEWER	L F	91	\$55.00	\$5,005.00	\$84.00	\$7,644.00	\$125.00	\$11,375.00
41	2504.602	WATER SERVICE TAP & HOOKUP	EACH	3	\$3,000.00	\$9,000.00	\$315.00	\$945.00	\$2,000.00	\$6,000.00
42	2504.602	CONNECT TO EXISTING WATER MAIN	EACH	4	\$2,500.00	\$10,000.00	\$315.00	\$1,260.00	\$1,500.00	\$6,000.00
43	2504.602	HYDRANT	EACH	3	\$3,500.00	\$10,500.00	\$4,515.00	\$13,545.00	\$4,850.00	\$14,550.00
44	2504.602	ADJUST VALVE BOX-WATER	EACH	14	\$500.00	\$7,000.00	\$131.25	\$1,837.50	\$350.00	\$4,900.00
45	2504.602	1" CORPORATION STOP	EACH	3	\$400.00	\$1,200.00	\$157.50	\$472.50	\$425.00	\$1,275.00
46	2504.602	6" GATE VALVE & BOX	EACH	3	\$1,200.00	\$3,600.00	\$1,470.00	\$4,410.00	\$2,200.00	\$6,600.00
47	2504.602	10" GATE VALVE & BOX	EACH	1	\$2,500.00	\$2,500.00	\$2,940.00	\$2,940.00	\$3,500.00	\$3,500.00
48	2504.602	ADJUST CURB BOX	EACH	8	\$500.00	\$4,000.00	\$131.25	\$1,050.00	\$350.00	\$2,800.00
49	2504.602	1" CURB STOP & BOX	EACH	3	\$500.00	\$1,500.00	\$367.50	\$1,102.50	\$385.00	\$1,155.00
50	2504.603	1" TYPE K COPPER PIPE	L F	171	\$50.00	\$8,550.00	\$31.50	\$5,386.50	\$40.00	\$6,840.00
51	2504.603	6" WATERMAIN DUCTILE IRON CL 52	L F	69	\$50.00	\$3,450.00	\$52.50	\$3,622.50	\$65.00	\$4,485.00
52	2504.603	10" WATERMAIN DUCTILE IRON CL 52	L F	108	\$75.00	\$8,100.00	\$89.25	\$9,639.00	\$72.00	\$7,776.00
53	2504.604	4" INSULATION	S Y	32	\$10.00	\$320.00	\$21.00	\$672.00	\$40.00	\$1,280.00
54	2504.608	DUCTILE IRON FITTINGS	LB	778	\$10.00	\$7,780.00	\$5.25	\$4,084.50	\$12.00	\$9,336.00
61	2506.502	CONST DRAINAGE STRUCTURE DESIGN G OR H	EACH	11	\$2,000.00	\$22,000.00	\$1,575.00	\$17,325.00	\$2,750.00	\$30,250.00
62	2506.502	CONST DRAINAGE STRUCTURE DES 48-4020	EACH	17	\$2,000.00	\$34,000.00	\$2,730.00	\$46,410.00	\$3,450.00	\$58,650.00
63	2506.502	CONST DRAINAGE STRUCTURE DES 60-4020	EACH	1	\$2,500.00	\$2,500.00	\$6,720.00	\$6,720.00	\$3,900.00	\$3,900.00
64	2506.502	CONST DRAINAGE STRUCTURE DES 72-4020	EACH	1	\$4,500.00	\$4,500.00	\$9,030.00	\$9,030.00	\$5,800.00	\$5,800.00
55	2506.502	CASTING ASSEMBLY	EACH	15	\$250.00	\$3,750.00	\$892.50	\$13,387.50	\$900.00	\$13,500.00
56	2506.602	RECONSTRUCT DRAINAGE STRUCTURE	EACH	4	\$2,000.00	\$8,000.00	\$1,890.00	\$7,560.00	\$1,650.00	\$6,600.00
57	2506.602	PLUG DRAINAGE STRUCTURE	EACH	3	\$2,000.00	\$6,000.00	\$630.00	\$1,890.00	\$1,200.00	\$3,600.00
58	2506.602	CONNECT INTO EXISTING DRAINAGE STRUCTURE	EACH	4	\$2,000.00	\$8,000.00	\$525.00	\$2,100.00	\$2,500.00	\$10,000.00
59	2506.602	CONNECT INTO EXISTING STORM SEWER	EACH	1	\$1,500.00	\$1,500.00	\$525.00	\$525.00	\$1,200.00	\$1,200.00
60	2506.602	SEAL DRAINAGE STRUCTURE	EACH	17	\$500.00	\$8,500.00	\$525.00	\$8,925.00	\$350.00	\$5,950.00
65	2511.504	GEOTEXTILE FILTER TYPE 7	S Y	220	\$5.00	\$1,100.00	\$4.20	\$924.00	\$5.00	\$1,100.00
66	2511.507	RANDOM RIPRAP CLASS III	C Y	109	\$10.00	\$1,090.00	\$126.00	\$13,734.00	\$225.00	\$24,525.00
67	2521.518	6" CONCRETE WALK	S F	928	\$7.00	\$6,496.00	\$10.50	\$9,744.00	\$11.00	\$10,208.00
68	2531.503	CONCRETE CURB & GUTTER DESIGN B618	L F	260	\$20.00	\$5,200.00	\$37.80	\$9,828.00	\$40.00	\$10,400.00
69	2531.503	CONCRETE CURB & GUTTER DESIGN B624	L F	6380	\$20.00	\$127,600.00	\$18.90	\$120,582.00	\$20.00	\$127,600.00
70	2531.504	7" CONCRETE DRIVEWAY PAVEMENT	S Y	376	\$70.00	\$26,320.00	\$67.20	\$25,267.20	\$70.00	\$26,320.00
71	2531.604	8" CONCRETE VALLEY GUTTER	S Y	61	\$100.00	\$6,100.00	\$99.75	\$6,084.75	\$103.00	\$6,283.00
72	2531.618	TRUNCATED DOMES	S F	176	\$50.00	\$8,800.00	\$52.50	\$9,240.00	\$52.00	\$9,152.00
73	2540.602	SALVAGE AND REINSTALL MAILBOX	EACH	17	\$200.00	\$3,400.00	\$84.00	\$1,428.00	\$100.00	\$1,700.00
74	2540.602	TEMPORARY MAILBOX SUPPORT	EACH	17	\$200.00	\$3,400.00	\$26.25	\$446.25	\$40.00	\$680.00
75	2540.603	LANDSCAPE EDGER	L F	20	\$5.00	\$100.00	\$21.00	\$420.00	\$12.00	\$240.00
76	2540.618	INSTALL STONE RETAINING WALL	S F	200	\$50.00	\$10,000.00	\$84.00	\$16,800.00	\$40.00	\$8,000.00
77	2557.503	WIRE FENCE DESIGN 72V-9322	L F	785	\$25.00	\$19,625.00	\$39.38	\$30,913.30	\$43.00	\$33,755.00
78	2557.603	INSTALL CHAIN LINK FENCE	L F	16	\$25.00	\$400.00	\$42.00	\$672.00	\$50.00	\$800.00
79	2557.603	INSTALL WOOD RAIL FENCE	L F	50	\$25.00	\$1,250.00	\$63.00	\$3,150.00	\$64.00	\$3,200.00
80	2563.601	TRAFFIC CONTROL	LS	0.94	\$5,000.00	\$4,700.00	\$8,400.00	\$7,896.00	\$10,000.00	\$9,400.00
81	2563.602	RAISED PAVEMENT MARKER TEMPORARY	EACH	104	\$2.50	\$260.00	\$3.15	\$327.60	\$5.00	\$520.00
83	2571.524	CONIFEROUS TREE 8' HT B&B	TREE	35	\$650.00	\$22,750.00	\$808.50	\$28,297.50	\$1,100.00	\$38,500.00
82	2571.524	DECIDUOUS TREE 2" CAL B&B	TREE	46	\$600.00	\$27,600.00	\$703.50	\$32,361.00	\$1,400.00	\$64,400.00
84	2571.524	TRANSPLANT TREE (SPADE SIZE 42")	TREE	1	\$400.00	\$400.00	\$420.00	\$420.00	\$1,400.00	\$1,400.00
85	2571.525	CONIFEROUS SHRUB 18" HT CONT	SHRB	9	\$150.00	\$1,350.00	\$210.00	\$1,890.00	\$125.00	\$1,125.00
86	2573.501	STABILIZED CONSTRUCTION EXIT	LS	0.94	\$2,000.00	\$1,880.00	\$2,400.00	\$2,256.00	\$5,000.00	\$4,700.00

87	2573.501	EROSION CONTROL SUPERVISOR	LS	0.94	\$5,000.00	\$4,700.00	\$2,400.00	\$2,256.00	\$5,000.00	\$4,700.00
88	2573.502	STORM DRAIN INLET PROTECTION	EACH	39	\$200.00	\$7,800.00	\$262.50	\$10,237.50	\$200.00	\$7,800.00
89	2573.503	SILT FENCE, TYPE HI	L F	2085	\$2.50	\$5,212.50	\$3.15	\$6,567.75	\$2.30	\$4,795.50
90	2573.503	FLOTATION SILT CURTAIN TYPE MOVING WATER	L F	90	\$20.00	\$1,800.00	\$15.75	\$1,417.50	\$20.00	\$1,800.00
91	2573.503	SEDIMENT CONTROL LOG TYPE WOOD CHIP	L F	90	\$10.00	\$900.00	\$5.25	\$472.50	\$7.00	\$630.00
92	2574.507	COMMON TOPSOIL BORROW (LV)	C Y	2925	\$20.00	\$58,500.00	\$36.75	\$107,493.75	\$45.00	\$131,625.00
93	2575.501	TURF ESTABLISHMENT	LS	0.94	\$10,000.00	\$9,400.00	\$69,300.00	\$65,142.00	\$50,000.00	\$47,000.00
94	2575.523	RAPID STABILIZATION METHOD 3	MGAL	28	\$100.00	\$2,800.00	\$168.00	\$4,704.00	\$230.00	\$6,440.00
95	2575.604	MULCH MATERIAL TYPE SPECIAL	S Y	15	\$100.00	\$1,500.00	\$31.50	\$472.50	\$110.00	\$1,650.00
96	2575.607	LANDSCAPE ROCK	C Y	6	\$150.00	\$900.00	\$68.25	\$409.50	\$110.00	\$660.00
97	2582.503	4" BROKEN LINE MULTI COMP	L F	800	\$0.40	\$320.00	\$1.93	\$1,544.00	\$2.25	\$1,800.00
Totals for Project SAP 108-136-004						\$1,245,449.50		\$1,464,746.75		\$1,982,234.60
% of Estimate for Project SAP 108-136-004								17.61%		59.16%
Totals for Contract 2019-04						\$1,336,399.50		\$1,563,604.50		\$2,106,076.60
% of Estimate for Contract 2019-04								17.00%		57.59%

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

Certified By: Paul Sandoz License No. 53635
Date: 6/10/19

RESOLUTION
NO _____

RESOLUTION ACCEPTING BID

WHEREAS, pursuant to an advertisement for bids for the improvements of the following described improvements:

IMPROVEMENT 16-09

Street Reconstruction

Buffalo Hills Lane from Greenwood Street to the dead end

IMPROVEMENT 19-07

Street Reconstruction

Mississippi Drive from Buffalo Hills Lane to the dead end

Bids were received, opened and tabulated according to law and the following bids were received complying with the advertisement:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
Kraemer Trucking and Excavating Incorporated	\$1,563,604.50
J.R. Ferche Incorporated	\$2,106,076.60

AND WHEREAS, Anderson Brothers Construction of Brainerd, Minnesota, LLC is the lowest responsible bidder; and

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

1. The Mayor and the City Administrator are hereby authorized and directed to enter into a contract with Kraemer Trucking and Excavating Incorporated for the amount of its said bid in the name of the City of Brainerd for the improvements above described according to the plans and specifications therefore approved by the City Council and of record in the office of the City Administrator.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted this _____ day of _____, 2019

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

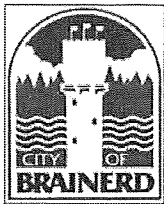


Brainerd City Council Agenda Request

Requested Meeting Date: June 17th, 2019

Title of Item: Event/Street Closure Application - Lil Rubber Duckie Race

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer 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 Lil Rubber Duckie Race to take place on July 27th, 2019 from 8:00 am - 3:00 pm on East River Road.	
Alternatives, Options, Effects on Others/Comments: East River Road will be closed for this event from south of the high rise to north of the high school parking lot between 8AM and 3PM. The only condition for approval by staff was to coordinate the traffic control for the closure one week prior to the event. This is typical of the event that has been held in the past.	
Recommended Action/Motion: Staff would recommend approving the street closure application for the Lil Rubber Duckie Race to take place on July 27th under the conditions that the applicant coordinate need for traffic control one week prior to the event.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



SPECIAL EVENT APPLICATION

Date of Application: 06/11/2019

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 – City Park
☒ Event with Street Closure ☐ Other _____

Name of event: Brainerd Jaycees Lil' Rubber Duckie

Organizer Information

Organizer's Name: Angie Nelson - Brainerd Jaycees
Organizer's Address: PO Box 384 - Brainerd - MN - 56401
Event Contact Person: Angie Nelson
Event Contact Daytime Phone: 218-829-3501
Event Contact E-mail Address: angie@brainerdcpa.com
Contact Name/Number Day of Event: Angie Nelson - 218-330-6692
For Profit/Nonprofit Status (type): 501(c)4

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
07/27/2019	8:00 am	3:00 pm	E River Road

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:

Race 5,000 rubber duckies down a giant slip and slide.

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:

Restrooms provided

☐

Yes

☒

No

If yes, how many _____ (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:

Trash Receptacle Disposal

☐

Yes

☒

No

Company contracted for trash receptacle disposal: _____

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 for publicly owned spaces ONLY 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):

E River Rd south of High Rise to North of High School parking lot.

Date and time for beginning of street closures: 07/27/2019 - 8:00 am

Date and time for reopening of streets: 07/27/2019 - 3:00 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.

We block no parking. Only through traffic is affected.

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

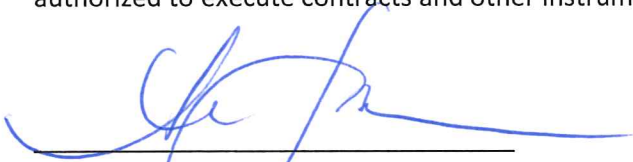
The Applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and 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



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	<u>OK</u>	<u>None</u>
City Administration	<u>OK</u>	<u>None</u>
Engineering Department	<u>OK</u>	<u>None Request for traffic control should be made 1 week prior to event.</u>
Fire Department	<u>OK</u>	<u>None</u>
Fire Support/EMS	<u>OK</u>	<u>None</u>
Parks Department	<u>OK</u>	<u>None</u>
Planning Department	<u>OK</u>	<u>None</u>
Police Department	<u>OK</u>	<u>None</u>

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

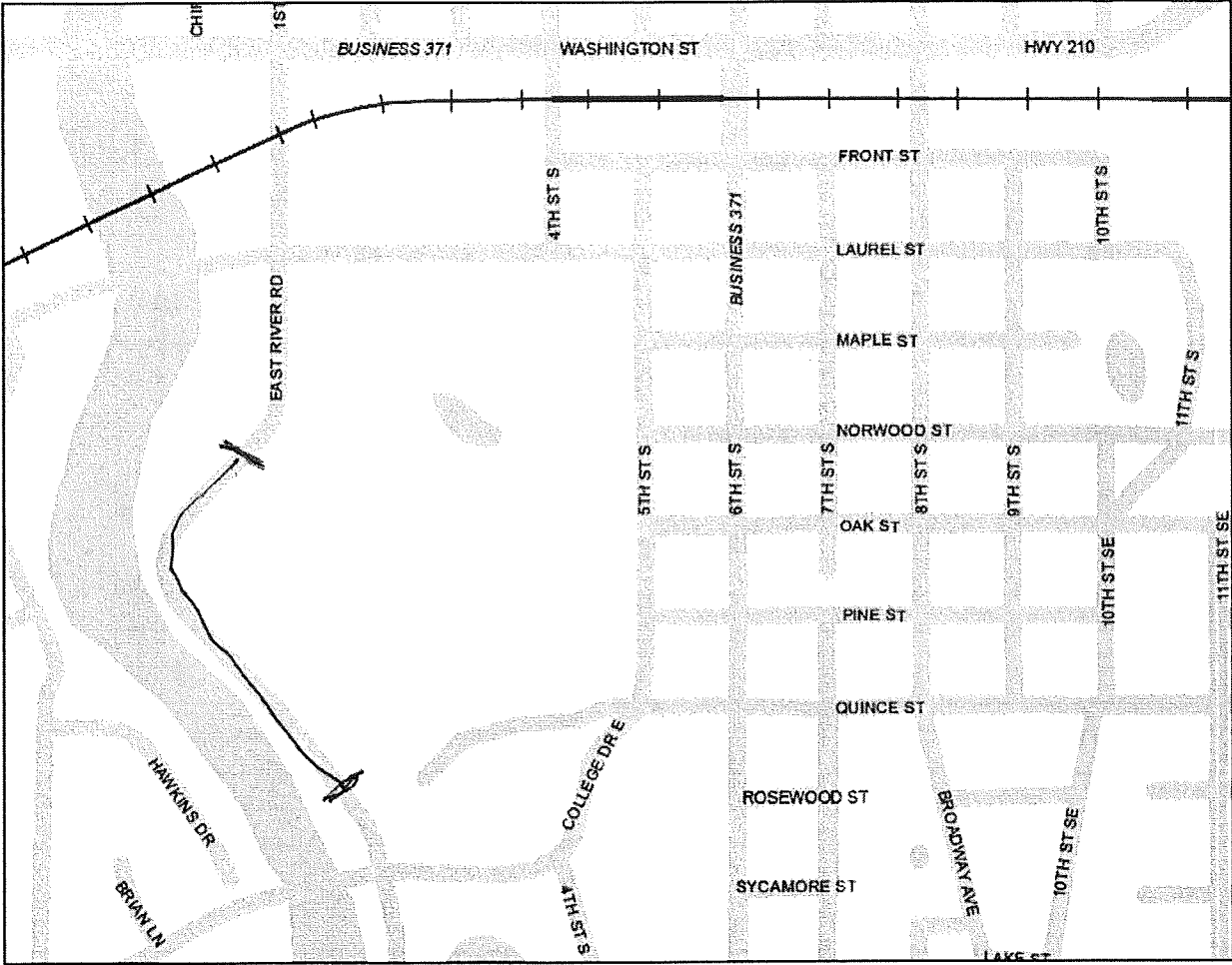
Date

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):

Commonly Used Maps





Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Testing Services - Improvement 17-06, 17-07, and 18-05

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Braun Intertec will be submitting a proposal for testing services on Improvements 17-06, 17-07, and 18-05 which consist of the reconstruction of H Street and 10th Avenue NE and the addition of a sidewalk on H Street from 1st Avenue NE to 3rd Avenue NE and 1st Avenue NE from H Street to Evergreen Avenue.	
Alternatives, Options, Effects on Others/Comments: The proposal was not available at the time of this request, but staff will have the proposal and associated costs for the committee and council review at the meeting.	
Recommended Action/Motion: Staff recommends approval of the Braun Intertec proposal for the cost that will be presented at the meeting.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>unknown</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> Costs will come out of respective State Aid and local funds, depending on test location.	



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Street Light Request - 1103 8th Avenue NE

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: A resident has submitted for a street light to get turned back on mid-block on 8th Avenue NE between J Street and L Street. This is not a standard block length, and therefore, when the street lights were getting installed, some were included mid-block at this location and were turned off back when street lights were being shut off and cut-back for cost saving purposes.	
Alternatives, Options, Effects on Others/Comments: The applicant states the reason they would like the street light turned back on is due to the presence of children in the area. The core purposes of street lights are for intersection and traffic safety, including that of pedestrians and cyclists. The presence of street lights at intersections help illuminate intersections so that drivers or pedestrians may see cars or other obstacles that may be entering the intersection simultaneously. There is no reason to believe there are specific safety issues with pedestrians in this area, especially at mid-block where there aren't conflicting traffic movements. In staff's professional opinion, the presence of children in a neighborhood is not an overbearing reason to turn a street light back on. There are many illumination options that can be installed on private dwellings or within the yard that would arguably serve the same purpose and to help with the feeling of safety within a neighborhood. However, if the committee and council decide to make a decision to honor this request, we may want to re-visit the reasons why we had the cut-back years ago and the criteria on when we will and will not turn street lights back on. This may open the proverbial can of worms that, if we turn on one due to the presence of children, how many more requests are going to come through with similar requests?	
Recommended Action/Motion: Discussion and direction requested.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i> The cost of powering the additional street light. This is approximately \$10-15/mo.	

Brainerd Public Utilities

Request for Street Lighting Form

Date requested: 5-30-2019

Requested By: Kevin E. Bandoe

Address: 1103 8th Ave. NE
Brainerd, Mn. 56401

Location of street lights: off street my property - Between
2 houses with young children 5 or up
Attached street light plan or sketch ages.

In Front of Home.

City of Brainerd
Approved /Date: _____

City Engineer

Brainerd Public Utilities
Approved /Date: _____

Superintendent

June 14, 2019

Sarah Young
Young Excavating, Inc.
PO Box 400
Hackensack MN 56452
info@youngexcavating.com

RE: **Failure to meet Disadvantaged Business Enterprise (DBE) Program requirements**
SP 108-591-005, Minn Proj No TA 1819 (214)

Dear Ms. Young,

Young Excavating (Young) is the apparent low bidder for State Project No. 108-591-005, Garfield Safe Routes to School, located in Brainerd. The project was let on April 26, 2019. DBE program rules require bidders on federal-aid projects to demonstrate adequate good faith efforts to meet the project's DBE goal, as stated in Code of Federal Regulations Title 49 part 26 Appendix A and explained in the DBE Program Special Provisions.

MnDOT's Office of Civil Rights (OCR) assigned a 5.5% DBE participation goal to this project. According to the regulations, "It is important for MnDOT to consider the quality, quantity and intensity of the efforts the bidder has made" (Code of Federal Regulations Title 49 part 26 Appendix A). OCR reviewed the information submitted by Young and determined that Young did not demonstrate adequate good faith efforts to seek DBE participation. The determination is based on the following:

I. Solicitation

Young did not conduct sufficient targeted solicitations to DBE firms.

- a) Method and manner of DBE solicitation: Young solicited 61 firms it identified through the MnUCP DBE directory via email and phone. OCR determined that Young solicited 10 firms that provide services not relevant to this project. In addition, Young solicited 4 DBE firms that have been removed and were not in the Minnesota Unified Certification Program DBE directory at the time of the initial solicitation effort nor at the time follow-up occurred. Young's' solicitations efforts yielded 4 DBE quotes and 1 request for information. A bidder seeking DBE participation must solicit in a manner likely to increase DBE participation. Young did not demonstrate its solicitation efforts met this standard.
- b) Timeliness of solicitations: Young submitted a list of firms it solicited to submit quotes. Young sent emails on April 22, 2019; it followed up with emails on April 23, 2019 and placed phone calls on April 24, 2019. Initial solicitations occurred 4 days prior to the letting date of April 26, 2019; an unreasonable amount of time for DBE firms to respond. A bidder seeking DBE participation would allow more time for DBE firms to put together quotes and increase the likelihood for sufficient response.

II. Missed opportunities to meet the 5.5% DBE participation goal

The program rules require that the prime contractor select portions of work to be performed by DBEs to increase the likelihood that DBE goals will be achieved. This typically starts with a plan which includes, where appropriate, breaking out work items into economically feasible units (for example, smaller tasks or quantities) to facilitate DBE participation, even when the prime contractor would prefer to perform these work items on its own.

- a) Use of non-DBE subcontractors: Young intends to subcontract 59% of the work to non-DBE firms in the following scopes: aggregate, bituminous patching, trucking, milling, concrete, truncated domes, sign salvage and installation, landscaping, erosion control and retaining wall. There are numerous DBEs that provide services or supply materials in these scopes of work whereas sufficient solicitation efforts would have likely yielded DBE quotes.
- b) DBE firms available for solicitation: The project location in Central Minnesota, makes it attractive for DBE firms to supply materials and or provide services. Young selected specific scopes it would solicit DBE firms to perform, including: saw cutting, concrete walk, concrete pavement, landscaping and erosion control installation. Careful review of the directory indicates that Young failed to solicit numerous DBE firms that can provide this type of work. Additionally, it failed to solicit in a variety of scopes subcontracted to non-DBE firms.
- c) Self-performing: Young plans to self-perform 39% of the work, including: grubbing, sawing, removals, excavation, sewer and water main. Young's submission does not show it made efforts to break out these work types or identify work types that DBEs could perform. When initial solicitations were unsuccessful, Young did not strategically solicit and negotiate with DBEs.
- d) Rejection of DBE quotes: Young received a quote for concrete from a DBE firm providing erosion control services; its quote was rejected due to "lack of response," in returning a phone call one day prior to the let date.

Young also received a quote for concrete from a DBE firm it located in the MnUCP Directory. Young explains in rejecting the quote, "Per attached statement of capabilities, Minnesota is not included in the list of states in which Perkins is a certified DBE." Although Minnesota is not specifically listed in the attachment, Perkins did implicitly state on its quote "we are a DBE contractor." Young as the bidder, had opportunities to subcontract with DBE firms; its basis for rejecting DBE quotes is not in alignment with the intent of the program.

In summary, OCR has determined that Young did not demonstrate it took reasonable steps to achieve the DBE goal which, by their scope, intensity, and appropriateness to the objective, could reasonably be expected to obtain DBE participation, even when not fully successful. Based on the information provided, **MnDOT OCR has determined Young has not met the good faith effort for this project.**

Administrative Reconsideration

You will be afforded the opportunity, if desired, to meet in person with a reconsideration official to determine whether you submitted Good Faith Efforts documentation for the above mentioned project. If you desire administrative reconsideration of this decision, you must request it in writing within five (5) business days of the date of this letter to Susan Mulvihill, Deputy Commissioner at MnDOT, 395 John Ireland Blvd., MS 120, St. Paul, MN 55155 with a copy sent to D. Kim Collins, Director, Office of Civil Rights, 395 John Ireland Blvd., St. Paul, MN 55155. You may submit your request via FAX to (651) 296-6953. If you have any further questions or comments regarding this decision, please contact me at (651) 366-3170.

Sincerely,

**Ashanti
Payne**

Digitally signed by
Ashanti Payne
Date: 2019.06.14
15:16:13 -05'00'

Ashanti Payne

Program Operations Manager - Office of Civil Rights

Cc: Sue Mulvihill, Deputy Commissioner
Kim Collins, Director Office of Civil Rights
Mary Walker, FHWA
Kelvin Howieson, District 3 State Aid Engineer
Merry Daher, MnDOT SALT
Scott Hedlund, Short Elliott Hendrickson, Inc.



2658 State 371 NW – PO Box 400 - Hackensack, MN 56452

Phone 218-675-6909 Fax 218-675-5297

info@youngexcavating.com

June 17, 2019

City of Brainerd
Paul Sandy, City Engineer
501 Laurel Street
Brainerd, MN 56401

Re: SP 108-591-005 MN Project No. TA 1819 (214)
Garfield Safe Routes To School

Mr. Sandy:

Regarding the Garfield Safe Routes To School project, the Minnesota Department of Transportation Office of Civil Rights has issued a determination that Young Excavating has not met the good faith effort for this project. While we disagree with the OCR's findings, in the spirit of cooperation regarding the City's need to proceed with the award process, we have notified the OCR that we are waiving our right to an Administrative Reconsideration hearing.

Sincerely,

Jerry Young

Vice President, Young Excavating, Inc.



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Final Reading - Proposed Ordinance No. 1496

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: The plan review for all commercial plumbing permits issued within the City of Brainerd is currently conducted by the State of Minnesota. With the addition of Darrin Deseth, the City now has a licensed master plumber on staff, which means the City may work towards an agreement with the State to conduct all commercial plumbing plan reviews in house. By doing so, we will be able to offer faster turnaround to our customers (the State is usually 4-6 weeks) along with additional revenue to offset operational costs. The First Reading of this proposed ordinance was held at the regular Council Meeting on June 3rd.	
Alternatives, Options, Effects on Others/Comments: The City has already adopted the State Building Code with the exception of plumbing as we have not historically had a licensed master plumber on staff. One of the first steps in the process to bring commercial plumbing plan review in house is to revise Section 400 of Chapter IV of the City Code to include plumbing. This code revision first repeals Section 400 as it is currently written and then replaces it with a much simpler version, including the required plumbing section of the State Building Code.	
Recommended Action/Motion: 1) Hold Public Hearing. 2) Motion to suspense with actual reading of the ordinance. 3) Motion to adopt Ordinance No. 1496, an ordinance adopting the Minnesota State Building Code.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1496**

AN ORDINANCE ADOPTING THE MINNESOTA STATE BUILDING CODE. THIS ORDINANCE: PROVIDES FOR THE APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF THE MINNESOTA STATE BUILDING CODE BY REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THIS MUNICIPALITY; PROVIDES FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDES PENALTIES FOR VIOLATION THEREOF; REPEALS ALL ORDINANCES AND PARTS OF ORDINANCES THAT CONFLICT THEREWITH. THIS ORDINANCE SHALL PERPETUALLY INCLUDE THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE WITH THE EXCEPTION OF THE OPTIONAL APPENDIX CHAPTERS. OPTIONAL APPENDIX CHAPTERS SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE; Section 400 of Chapter IV of the City Code is hereby repealed in its entirety and replaced with the following:

400.01 State Building Code

Subd. 1. Codes adopted by reference. The Minnesota State Building Code, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes chapter 326B, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Labor and Industry, through the Building Codes and Standards Unit, is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein.

Subd. 2. Application, Administration and Enforcement. The application, administration, and enforcement of the code shall be in accordance with Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 326B.121, Subd. 2(d), when so established by this ordinance. The code enforcement agency of this municipality is called the Department of Building Safety. This code shall be enforced by the Minnesota Certified Building Official designated by this Municipality to administer the code in accordance with Minnesota Statutes 326B.133, Subdivision 1, including plumbing plan review and inspections.

Subd. 3. Permits and Fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Rules Chapter 1300. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the municipality in City Code #1015.11. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statutes 326B.148.

Subd. 4. Violations and Penalties. A violation of the code is a misdemeanor (Minnesota Statutes 326B.082, Subd. 16).

400.03 - Plumbing.

Subd. 1 Plans and specifications.

Prior to the installation of a system of plumbing other than for a single-family dwelling, complete plans and specifications, together with any additional information that the Building Official may require, shall be submitted in duplicate and approved by the Building Official. No construction shall proceed except in accordance with approved plans and specifications. Any material alteration or extension of the existing system shall be subject to these same requirements.

Subd. 2 Exceptions.

Plumbing plans and specifications for the following projects shall be submitted to the Minnesota Department of Labor and Industry for a full plan review:

- 1- State-licensed facilities as defined in Minnesota Statutes 326B.103, subdivision 13;
- 2- Public buildings as defined in Minnesota Statutes 326B.103, subdivision 11; and
- 3- Projects of a special nature for which department review is requested by either the municipality or the state.

Subd. 3 Inspections.

New plumbing systems or parts of existing plumbing systems that have been altered, extended or repaired shall be inspected, tested and approved by the Building Official in accordance with Minnesota Rules, Chapter 1300.0215.

SECTION TWO: Effective Date of Ordinance. The effective date of this Ordinance is one week from and after its publication.

Adopted this _____ day of _____, 2019

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time on _____, 2019



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Facilities 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 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Department Heads	Department: All
Presenter (Name & Title): Department Heads	Estimated Time Needed: 20 - 30 Minutes
Summary of Issue: Attached is a memo in which outlines alternatives per council direction, capital planning budgets, and a brief presentation about each specific option for the councils consideration.	
Alternatives, Options, Effects on Others/Comments: Discussion of alternatives and direction is requested from staff so that facilities information can be programmed into the 2020 budget.	
Recommended Action/Motion: Discussion and direction requested.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



MEMO

TO: Mayor and City Council

FROM: Department Heads

DATE: June 11, 2019

SUBJECT: Outline of Options Related to Facilities Discussion

Through many conversations at the council level, the City Council directed staff to research numerous options for City Hall, Fire Department, Police Department, Parks Department, and Street and Sewer Department and come up with costs and budgetary impacts of the options as they are considered. It is staffs desire that this memo provide the City Council clarity in its decision making and to help make the best and most financially responsible decision for the longevity of City facilities. This memo will outline 5 different options for the City Council to consider and give staff feedback on which option to pursue for design.

Option 1 – Replace Existing City Hall HVAC with New Equipment, Police Department Interior Remodel, City Hall Front Steps, Fire Hall HVAC Control Update and Location Study

Option 1 consists of replacing all the existing City Hall HVAC equipment with new equipment including the replacement of the existing heat pumps with new heat pumps, replacement of the cooling tower with a new chiller, and upgrade to the existing boiler. It is important to note that this is the least invasive project from the City Hall standpoint, and staff would be able to remain in City Hall while this work is done. Staff would have to move floors while the work on that floor is being completed, but the moves would be short term as the units in the ceilings get replaced. Staff has also included an ala-carte option with this proposal, which includes improvements to interior finishes, lighting, exterior roof and tuck point repairs, or other smaller upgrades to improve the aesthetics within City Hall if the Council deems fit. Staff feels that the lights should be replaced as part of Option 1 but has left it as an ala-carte option for these purposes. This Improvement also includes the fixing of the City Hall front steps. The Police Department renovation including the moving of the server room and realignment of offices is also included in this total cost and can be seen in the attached diagrams for Council consideration. Per the Fire Chiefs recommendation, a fire hall location study has been included in the cost of Option 1. This study would define the best and most suitable location for a new fire hall in the future. Cost outline of proposed Option 1 can be seen below:

OPTION #1				
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #1.		\$272,500.00
	2	Upgrade City Hall HVAC controls.		\$26,000.00
	3	Repair City Hall exterior south stairs.		\$25,500.00
	4	Police Department interior remodel.		\$192,000.00
	5	Police Department HVAC controls upgrade.		\$15,000.00
	6	Fire Department needs study.		\$25,000.00
	7	Fire Department HVAC controls upgrade.		\$15,000.00
			SUB-TOTAL	\$571,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$844,234.92

Ala-Carte Options for Interior/Exterior Finishes/Repairs

RECOMMENDATIONS				
	1	Replace City Hall existing ballasted roof, parapet walls and roof drains.		\$85,130.00
	2	Tuckpoint City Hall brick, stone and mortar.		\$95,000.00
	3	Install new guardrail and interior finishes for City Hall stair enclosure.		\$28,000.00
	4	Upgrade City Hall security system.		\$45,000.00
	8	Replace City Hall windows.		\$78,000.00
			SUB-TOTAL	\$331,130.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$529,278.19

Option 2 – Replace Existing City Hall HVAC with Improved Variable Refrigerant Flow System, Police Department Interior Remodel, City Hall Front Steps, Fire Hall HVAC Control Update and Location Study

Option 2 consists of replacing all the existing City Hall HVAC equipment with an improved variable refrigerant flow HVAC system. It is estimated that a new system would improve the efficiency over the existing system by about 30%. It is important to note that this improvement would be more invasive than option 1 and would include getting into all the ceilings and removing the old loop and heat pump units and replacing it with the new VRF system. Staff would have to move floors while the work on that floor is being completed, but the moves would be short term as the HVAC system gets replaced on each floor. This option does include the upgraded lighting option that is considered ala-carte in option 1, as all the ceilings would be taken down as part of Option 2, and it makes the most sense long term to replace the lights as part of option 2. Staff has also included an ala-carte option with this proposal, which includes improvements to interior finishes, exterior roof repairs and tuck pointing, or other smaller upgrades to improve the aesthetics within City Hall. This Improvement also includes the fixing of the City Hall front steps. The Police Department renovation including the moving of the server room and realignment of offices is also included in this total cost and can be seen in the attached diagrams for Council consideration. Per the Fire Chiefs recommendation, a fire hall location study has been included in the cost of Option 2. This study would define the best and most suitable location for a new fire hall in the future. Drawings of all proposed improvements in Option 2 can be seen attached. Cost outline of proposed Option 2 can be seen below:

OPTION #2				
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.		\$415,000.00
	2	Upgrade City Hall HVAC controls.		\$26,000.00
	3	Repair City Hall exterior south stairs.		\$25,500.00
	3	Replace City Hall fluorescent light fixtures with LED light fixtures.		\$120,000.00
	4	Police Department interior remodel.		\$192,000.00
	5	Police Department HVAC controls upgrade.		\$15,000.00
	6	Fire Department needs study.		\$25,000.00
	7	Fire Department HVAC controls upgrade.		\$15,000.00
			SUB-TOTAL	\$833,500.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$1,232,346.42

Ala-Carte Options for Interior/Exterior Finishes/Repairs

RECOMMENDATIONS				
	1	Replace City Hall existing ballasted roof, parapet walls and roof drains.		\$85,130.00
	2	Tuckpoint City Hall brick, stone and mortar.		\$95,000.00
	3	Install new guardrail and interior finishes for City Hall stair enclosure.		\$28,000.00
	4	Upgrade City Hall security system.		\$45,000.00
	8	Replace City Hall windows.		\$78,000.00
			SUB-TOTAL	\$331,130.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$529,278.19

Option 3 – Replace Existing City Hall HVAC with Improved Variable Refrigerant Flow System, Police Department Interior Remodel, City Hall Front Steps, Fire Hall HVAC Control Update and Location Study, Relocation of Parks and Recreation Administrative Staff to City Hall, and Street Department Improvements to House Parks and Recreation Maintenance Staff

Option 3 consists of replacing all the existing City Hall HVAC equipment with an improved variable refrigerant flow HVAC system. It is estimated that a new system would improve the efficiency over the existing system by about 30%. It is important to note that this improvement would be more invasive than option 1 and would

include getting into all the ceilings and removing the old loop and heat pump units and replacing it with the new VRF system. Staff would have to move floors while the work on that floor is being completed, but the moves would be short term as the HVAC system gets replaced on each floor. This option does include the upgraded lighting option that is considered ala-carte in option 1, as all the ceilings would be taken down as part of Option 3, and it makes the most sense long term to replace the lights as part of option 3. Staff has also included an ala-carte option with this proposal, which includes improvements to interior finishes, exterior roof repairs and tuck pointing, or other smaller upgrades to improve the aesthetics within City Hall. This Improvement also includes the fixing of the City Hall front steps. The Police Department renovation including the moving of the server room and realignment of offices is also included in this total cost and can be seen in the attached diagrams for Council consideration. Per the Fire Chiefs recommendation, a fire hall location study has been included in the cost of Option 3. This study would define the best and most suitable location for a new fire hall in the future. Option 3 also includes upgrades and addition to the City Street and Sewer Facility to be able to house Parks and Recreation maintenance staff and provide adequate space and storage for their additional equipment at that location. Drawings of all the proposed improvements in Option 3 can be seen attached. Cost outline of proposed Option 3 can be seen below:

OPTION #3				
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.		\$660,000.00
	2	Upgrade City Hall HVAC controls.		\$26,000.00
	3	Repair City Hall exterior south stairs.		\$25,500.00
	4	Replace City Hall fluorescent light fixtures with LED light fixtures.		\$120,000.00
	5	Police Department interior remodel.		\$192,000.00
	6	Police Department HVAC controls upgrade.		\$15,000.00
	7	Fire Department needs study.		\$25,000.00
	8	Fire Department HVAC controls upgrade.		\$15,000.00
	9	Street & Sewer interior remodel and exterior addition.		\$234,500.00
			SUB-TOTAL	\$1,313,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$1,941,296.76

Ala-Carte Options for Interior/Exterior Finishes/Repairs

RECOMMENDATIONS				
	1	Replace City Hall existing ballasted roof, parapet walls and roof drains.		\$85,130.00
	2	Tuckpoint City Hall brick, stone and mortar.		\$95,000.00
	3	Install new guardrail and interior finishes for City Hall stair enclosure.		\$28,000.00
	4	Upgrade City Hall security system.		\$45,000.00
	8	Replace City Hall windows.		\$78,000.00
			SUB-TOTAL	\$331,130.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$529,278.19

Option 4 – Replace Existing City Hall HVAC with Improved Variable Refrigerant Flow System and Remodel all City Hall to include Efficiency Upgrades, Police Department Interior Remodel, City Hall Front Steps, Fire Hall HVAC Control Update and Location Study, Relocation of Parks and Recreation Administrative Staff to City Hall, and Street Department Improvements and Addition to House Parks and Recreation Maintenance Staff

Option 4 consists of replacing all the existing City Hall HVAC equipment with an improved variable refrigerant flow HVAC system. It is estimated that a new system would improve the efficiency over the existing system by about 30%. Staff would have to vacate the premises during the City Hall remodel and relocate temporarily until it is completed as this option includes complete remodel and movement of interior walls. This Improvement also includes the fixing of the City Hall front steps and exterior roof repairs and tuck pointing. The Police Department renovation including the moving of the server room and realignment of offices is also included in this total cost and can be seen in the attached diagrams for Council consideration. Per the Fire Chiefs recommendation, a fire hall location study has been included in the cost of Option 4. This study would define the best and most suitable location for a new fire hall in the future. Option 4 also includes upgrades and addition to the City Street and Sewer Facility to be able to house Parks and Recreation maintenance staff and provide adequate space and storage for their additional equipment at that location. Cost outline of proposed Option 4 can be seen below:

OPTION #4				
	1	Interior remodel of entire City Hall building.		\$2,700,000.00
	2	Repair City Hall exterior south stairs.		\$25,500.00
	3	Police Department interior remodel.		\$192,000.00
	4	Police Department HVAC controls upgrade.		\$15,000.00
	5	Fire Department needs study.		\$25,000.00
	6	Fire Department HVAC controls upgrade.		\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.		\$234,500.00
			SUB-TOTAL	\$3,207,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$4,741,613.64

Option 5 – Replace Existing City Hall HVAC with Improved Variable Refrigerant Flow System and Remodel all City Hall to include Efficiency Upgrades, Police Department Interior Remodel, City Hall Front Steps, Fire Hall HVAC Control Update and Location Study, Relocation of Parks and Recreation Administrative Staff to City Hall, Street Department Improvements and Addition to House Parks and Recreation Maintenance Staff, and Full Remodel of City Hall Annex and Additional Breezeway Connection from City Hall

Option 4 consists of replacing all the existing City Hall HVAC equipment with an improved variable refrigerant flow HVAC system. It is estimated that a new system would improve the efficiency over the existing system by about 30%. Staff would have to vacate the premises during the City Hall remodel and relocate temporarily until it is completed as this option includes complete remodel and movement of interior walls. This Improvement also includes the fixing of the City Hall front steps and exterior roof repairs and tuck pointing. The Police Department renovation including the moving of the server room and realignment of offices is also included in this total cost and can be seen in the attached diagrams for Council consideration. Per the Fire Chiefs recommendation, a fire hall location study has been included in the cost of Option 5. This study would define the best and most suitable location for a new fire hall in the future. Option 4 also includes upgrades and addition to the City Street and Sewer Facility to be able to house Parks and Recreation maintenance staff and provide adequate space and storage for their additional equipment at that location. This option is the same as Option 4 but consists of the additional remodel of the City Hall Annex building and the incorporation of a connection breeze-way between the two buildings. Cost outline of proposed Option 5 can be seen below:

OPTION #5				
	1	Interior remodel of entire City Hall building.		\$2,700,000.00
	2	Repair City Hall exterior south stairs.		\$25,500.00
	3	Police Department interior remodel.		\$192,000.00
	4	Police Department HVAC controls upgrade.		\$15,000.00
	5	Fire Department needs study.		\$25,000.00
	6	Fire Department HVAC controls upgrade.		\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.		\$234,500.00
	8	Interior remodel of entire Annex building.		\$987,000.00
			SUB-TOTAL	\$4,194,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE				\$6,200,912.88

Conclusion

This memo is meant to be information that staff put together for the City Council's decision about the future of City owned facilities. This is not meant to be an exhaustive list, and has been constructed in such a way that we can easily pick and choose the improvements the Council deems necessary for the future of City owned buildings and we can easily show the Council budgetary impacts if other options are formulated as part of the discussion. Budget information over 10 years has been prepared for Option 1 (least budget impact) and Option 5 (largest budget impact) with Options 2-4 falling somewhere in-between. These options select Option 1 and Option 5 in year 1 (2020) and spread the rest of the deficiencies per the facilities report over the next 10 years (does not include year's 11-15 from the report (low priority). There are also numerous photos and drawings attached to this memo to help give a visual depiction of what each option is talking about. The 5 options here are provided to the Council as templates that the Council can add or subtract as they deem fit.

Staff will be able to answer any questions that the Council may have during this discussion.

City of Brainerd

Capital Equipment Plan: **Summary - Working Funds Only - Excludes Fire Equipment**

2020-2029

	2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028	2029
Tax Levy: Current	\$ 833,723	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927
Tax Levy: Add/Sub - IT	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Bonds	690,028	-	-	-	-	-	-	-	-	-	-	-
Other/Grants	80,908	15,000	-	-	-	-	-	-	-	-	-	-
Under budget	-	-	-	-	-	-	-	-	-	-	-	-
Sale of Assets	87,448	31,600	55,900	36,100	46,350	32,100	22,350	18,100	49,600	50,100	37,100	32,100
Interest Earnings	15,367	-	-	-	-	-	-	-	-	-	-	-
Misc.	936	-	-	-	-	-	-	-	-	-	-	-
Special Assessments	26,491	-	-	-	-	-	-	-	-	-	-	-
Revenues	\$ 1,754,902	\$ 1,222,527	\$ 1,231,827	\$ 1,212,027	\$ 1,222,277	\$ 1,208,027	\$ 1,198,277	\$ 1,194,027	\$ 1,225,527	\$ 1,226,027	\$ 1,213,027	\$ 1,208,027
Vehicles	\$ 277,807	\$ 63,000	\$ 81,000	\$ 88,500	\$ 77,500	\$ 87,500	\$ 91,000	\$ 79,500	\$ 86,000	\$ 93,500	\$ 85,500	\$ 88,000
Equipment	450,267	599,200	298,000	292,400	511,000	331,500	159,000	311,400	366,500	389,000	374,000	262,900
Furniture & Fixtures	41,634	5,500	25,000	5,000	5,000	15,000	5,000	5,000	5,000	5,000	5,000	5,000
Buildings	397,542	320,000	100,000	10,000	190,000	-	-	-	-	-	-	-
Improvements	162,935	50,000	65,000	315,000	-	-	25,000	-	-	-	-	205,000
Facilities	-	-	844,235	503,549	503,549	503,549	503,549	503,549	503,549	503,549	503,549	503,549
Misc. (Bond Costs)	9,396	-	-	-	-	-	-	-	-	-	-	-
Expenditures	\$ 1,339,581	\$ 1,037,700	\$ 1,413,235	\$ 1,214,449	\$ 1,287,049	\$ 937,549	\$ 783,549	\$ 899,449	\$ 961,049	\$ 991,049	\$ 968,049	\$ 1,064,449
Beginning Cash Balance	\$ 1,320,997	\$ 1,736,318	\$ 1,921,145	\$ 1,739,738	\$ 1,737,315	\$ 1,672,543	\$ 1,943,021	\$ 2,357,749	\$ 2,652,327	\$ 2,916,805	\$ 3,151,782	\$ 3,396,760
Annual Surplus (deficit)	415,321	184,827	(181,408)	(2,422)	(64,772)	270,478	414,728	294,578	264,478	234,978	244,978	143,578
Cash Balance	\$ 1,736,318	\$ 1,921,145	\$ 1,739,738	\$ 1,737,315	\$ 1,672,543	\$ 1,943,021	\$ 2,357,749	\$ 2,652,327	\$ 2,916,805	\$ 3,151,782	\$ 3,396,760	\$ 3,540,338

Cash Balance (Year-End)	\$ 991,997	12/31/2017	Fund 400 and 403
Transfer per FB Policy	<u>329,000</u>	2017	
Cash Balance (Beg. Year)	\$ 1,320,997	2018	

Capital Equipment Plan: **Summary - Working Funds Only - Excludes Fire Equipment**
2020-2029

Cash Balance (Year-End)	\$ 991,997	12/31/2017	Fund 400 and 403
Transfer per FB Policy	<u>329,000</u>	2017	
Cash Balance (Beg. Year)	\$ 1,320,997	2018	

Capital Equipment Plan: **Summary - Working Funds Only - Excludes Fire Equipment**
2020-2029

Cash Balance (Year-End)	\$ 991,997	12/31/2017	Fund 400 and 403
Transfer per FB Policy	<u>329,000</u>	2017	
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Capital Equipment Plan: **Summary - Working Funds Only - Excludes Fire Equipment**
2020-2029

Cash Balance (Year-End)	\$ 991,997	12/31/2017	Fund 400 and 403
Transfer per FB Policy	<u>329,000</u>	2017	
Cash Balance (Beg. Year)	\$ 1,320,997	2018	

City of Brainerd
Capital Equipment Plan: **Summary - Working Funds Only - Excludes Fire Equipment**
2020-2029

	<u>2018</u>	<u>2019</u>	<u>2020</u>	<u>2021</u>	<u>2022</u>	<u>2023</u>	<u>2024</u>	<u>2025</u>	<u>2026</u>	<u>2027</u>	<u>2028</u>	<u>2029</u>
Tax Levy: Current	\$ 833,723	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927	\$ 1,155,927
Tax Levy: Add/Sub - IT	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000	20,000
Bonds	690,028	-	4,500,000	-	-	-	-	-	-	-	-	-
Other/Grants	80,908	15,000	-	-	-	-	-	-	-	-	-	-
Under budget	-	-	-	-	-	-	-	-	-	-	-	-
Sale of Assets	87,448	31,600	55,900	36,100	46,350	32,100	22,350	18,100	49,600	50,100	37,100	32,100
Interest Earnings	15,367	-	-	-	-	-	-	-	-	-	-	-
Misc.	936	-	-	-	-	-	-	-	-	-	-	-
Special Assessments	26,491	-	-	-	-	-	-	-	-	-	-	-
Revenues	\$ 1,754,902	\$ 1,222,527	\$ 5,731,827	\$ 1,212,027	\$ 1,222,277	\$ 1,208,027	\$ 1,198,277	\$ 1,194,027	\$ 1,225,527	\$ 1,226,027	\$ 1,213,027	\$ 1,208,027
Vehicles	\$ 277,807	\$ 63,000	\$ 81,000	\$ 88,500	\$ 77,500	\$ 87,500	\$ 91,000	\$ 79,500	\$ 86,000	\$ 93,500	\$ 85,500	\$ 88,000
Equipment	450,267	599,200	298,000	292,400	511,000	331,500	159,000	311,400	366,500	389,000	374,000	262,900
Furniture & Fixtures	41,634	5,500	25,000	5,000	5,000	15,000	5,000	5,000	5,000	5,000	5,000	5,000
Buildings	397,542	320,000	100,000	10,000	190,000	-	-	-	-	-	-	-
Improvements	162,935	50,000	65,000	315,000	-	-	25,000	-	-	-	-	205,000
Facilities	-	-	6,200,913	338,194	338,194	338,194	338,194	338,194	338,194	338,194	338,194	338,194
Misc. (Bond Costs)	9,396	-	45,000	-	-	-	-	-	-	-	-	-
Bond Payments *	-	-	-	348,750	348,750	348,750	348,750	348,750	348,750	348,750	348,750	348,750
Expenditures	\$ 1,339,581	\$ 1,037,700	\$ 6,814,913	\$ 1,397,844	\$ 1,470,444	\$ 1,120,944	\$ 966,944	\$ 1,082,844	\$ 1,144,444	\$ 1,174,444	\$ 1,151,444	\$ 1,247,844
Beginning Cash Balance	\$ 1,320,997	\$ 1,736,318	\$ 1,921,145	\$ 838,059	\$ 652,242	\$ 404,075	\$ 491,158	\$ 722,490	\$ 833,673	\$ 914,756	\$ 966,339	\$ 1,027,921
Annual Surplus (deficit)	415,321	184,827	(1,083,086)	(185,817)	(248,167)	87,083	231,333	111,183	81,083	51,583	61,583	(39,817)
Cash Balance	\$ 1,736,318	\$ 1,921,145	\$ 838,059	\$ 652,242	\$ 404,075	\$ 491,158	\$ 722,490	\$ 833,673	\$ 914,756	\$ 966,339	\$ 1,027,921	\$ 988,104

* Estimated P & I on Bonds - Assumed 20 Year Issue and 2.75% Interest Rate

Cash Balance (Year-End)	\$ 991,997	12/31/2017	Fund 400 and 403
Transfer per FB Policy	329,000	2017	
Cash Balance (Beg. Year)	\$ 1,320,997	2018	



BRAINERD
MINNESOTA

GOALS & EXPECTATIONS

PRESERVE AND ENHANCE EXISTING ASSETS

CREATE DEPARTMENT EFFICIENCIES

CREATE OPERATIONAL EFFICIENCIES

ADDRESS LONG TERM MAINTENANCE ITEMS

PROMOTE AND PLAN FOR GROWTH

PROVIDE SAFE AND SECURE WORK ENVIRONMENTS

PROVIDE SPACE THAT WILL ALLOW THE CITY OF BRAINERD TO BETTER SERVE CLIENTS

UNIVERSAL DESIGN FOR ALL EMPLOYEES AND CUSTOMERS

INTRODUCTION



OPTION #1

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

OPTION #2

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPLACE INTERIOR LIGHT FIXTURES WITH LED LIGHT FIXTURES.
- REPAIR EXTERIOR SOUTH STEPS.

OPTION #3

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPLACE INTERIOR LIGHT FIXTURES WITH LED LIGHT FIXTURES.
- REPAIR EXTERIOR SOUTH STEPS.
- INCORPORATE PARKS & REC WITHIN CITY HALL.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

OPTION #4

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- INTERIOR REMODEL.
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

OPTION #5

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- INTERIOR REMODEL.
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

ANNEX
- INTERIOR REMODEL & CONNECTION WITH CITY HALL

FACILITY RECOMMENDATIONS

CITY HALL
- REPLACE BALLASTED ROOF.
- REPLACE GALVANIZED SHEETING WITH EPDM WEATHER BARRIER ON PARAPET WALLS.
- TUCKPOINT EXTERIOR BRICK AND MORTAR.
- REPLACE EXISTING WINDOWS.
- UPGRADE SECURITY SYSTEM.

FACILITY DISCUSSION PARTICIPANTS:

CITY ADMINISTRATION

- CASSANDRA TORSTENSON
- CONNIE HILLMAN
- PAUL SANDY
- DAVID CHANSKI
- SHAWN STRONG

POLICE DEPARTMENT

- CHIEF MCQUISTON

FIRE DEPARTMENT

- CHIEF HOLMES

PARKS & REC

- TONY SAILER

CONTEGRIGY GROUP

- KEVIN CURRIE
- PETE FILIPIPI

CROW WING COUNTY

- REID THIESSE

WSN

- MIKE ANGLAND
- ERIC JENDRO



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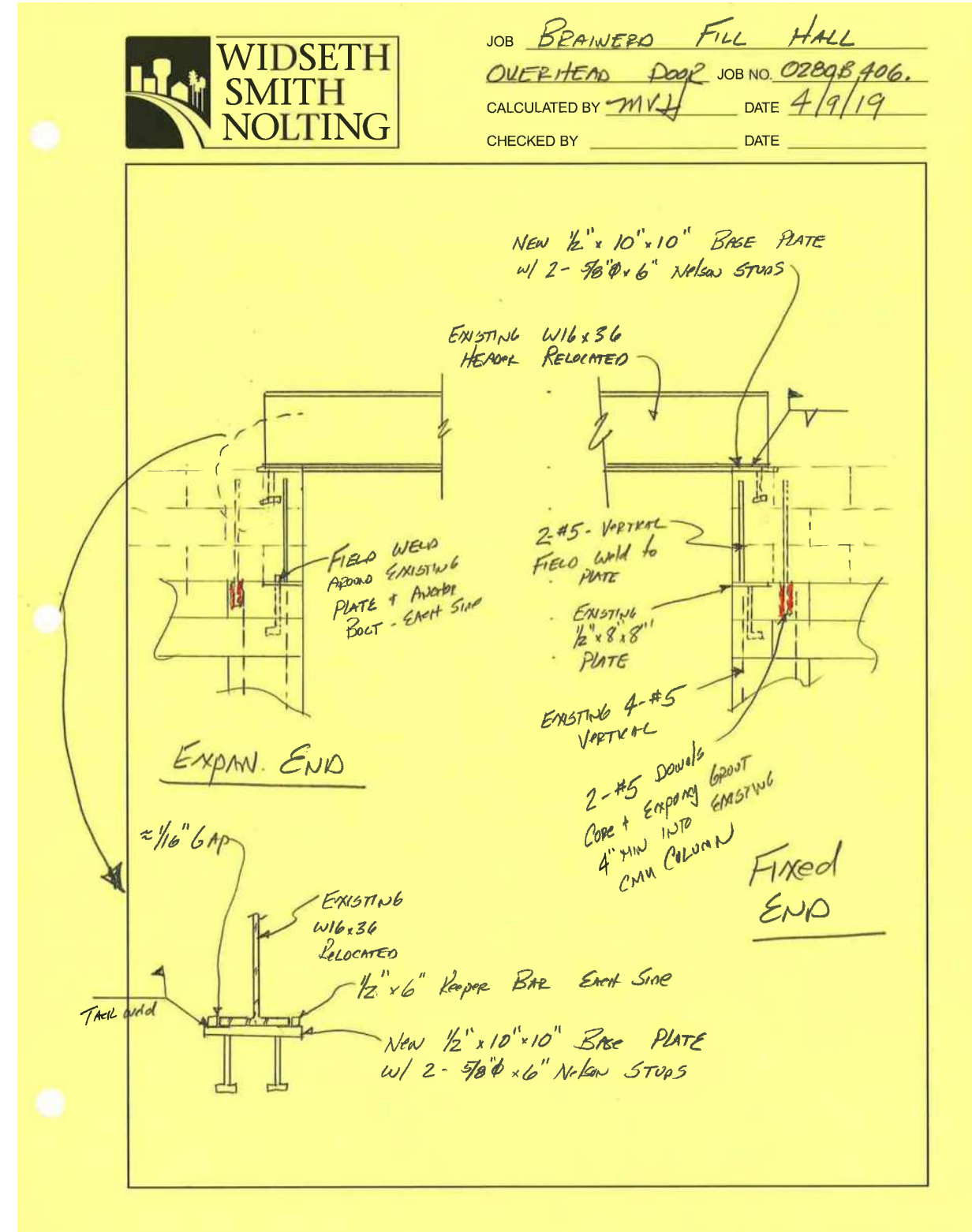
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POLICE - FIRE



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SCOPE:

- UPGRADE HVAC CONTROLS
- INCREASING THE HEIGHT OF EXISTING O.H. DOORS FOR FIRE TRUCK ACCESS WAS EXPLORED
- PROPOSED FIRE DEPARTMENT NEEDS STUDY

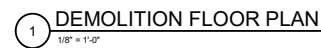
PROS:

- IMPROVE HVAC PERFORMANCE
- PROVIDE CITY OF BRAINERD WITH LONG TERM SOLUTION FOR FIRE DEPARTMENT NEEDS

CONS:

- BLUFF SETBACK ELIMINATES OPPORTUNITY FOR AN ADDITION
- DOES NOT ADDRESS NUMEROUS OTHER ISSUES WITH APPERATUS FLOOR, DECON, ETC.

OPTIONS #1-5 - FIRE DEPARTMENT



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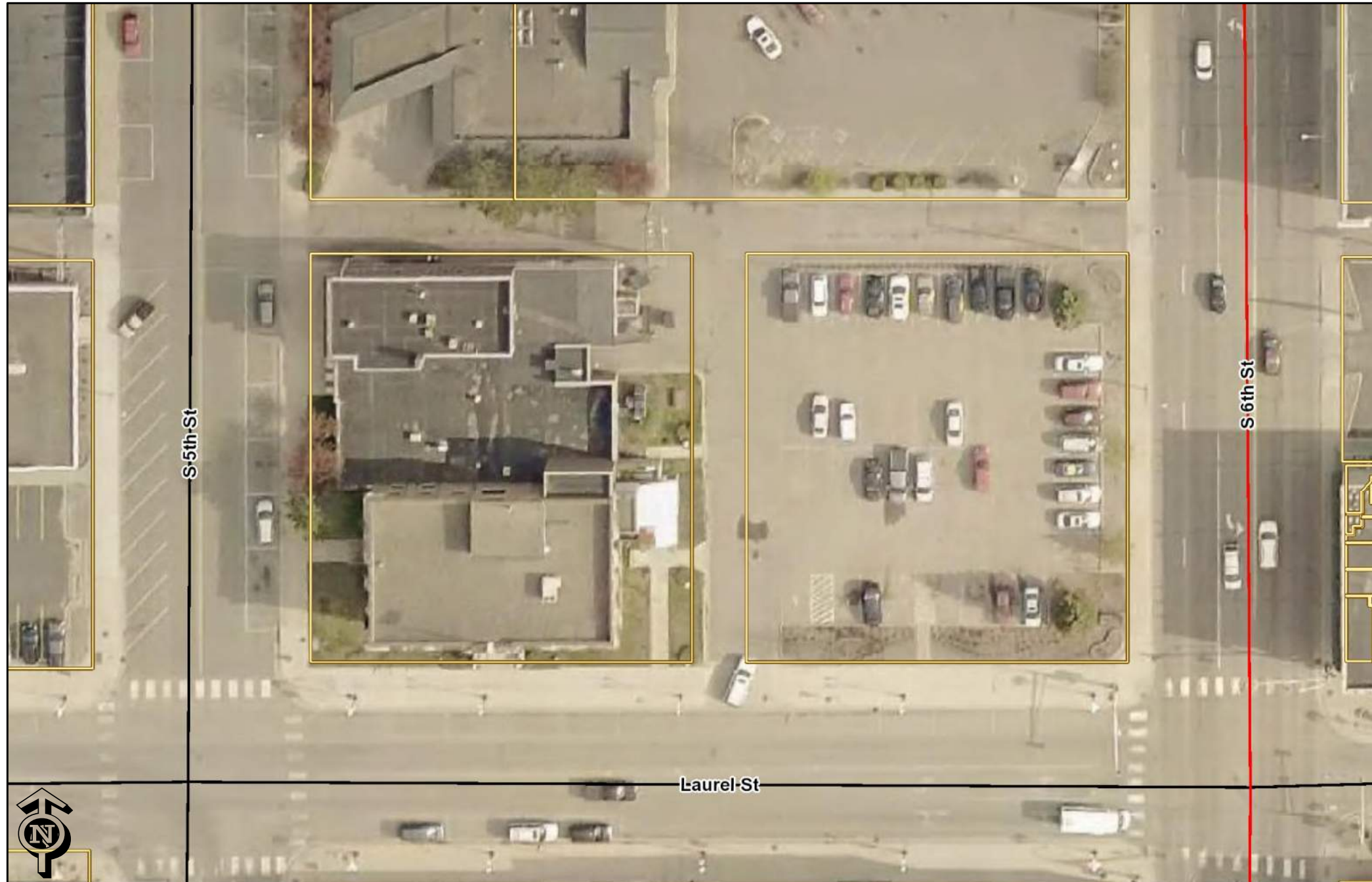
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CONS:

OPTIONS #1-5 - POLICE DEPARTMENT



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CITY HALL OPTIONS #1-5



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SCOPE:

- REPLACE EXISTING COOLING TOWER
- REPLACE EXISTING HEAT PUMPS
- UPGRADE HVAC CONTROLS

PROS:

- STAFF CAN REMAIN IN EXISTING WORK SPACE, WITH MINIMAL INTERFERENCE
- REQUIRES MINIMAL INTERIOR REMODELING TO REPLACE EXISTING HEAT PUMPS
- ADDITIONAL HEAT PUMPS MAY BE ADDED TO PROVIDE ADDITIONAL ZONES
- 10% IMPROVEMENT IN OPERATIONAL EFFICIENCY
- REPLACEMENT PARTS ARE AVAILABLE

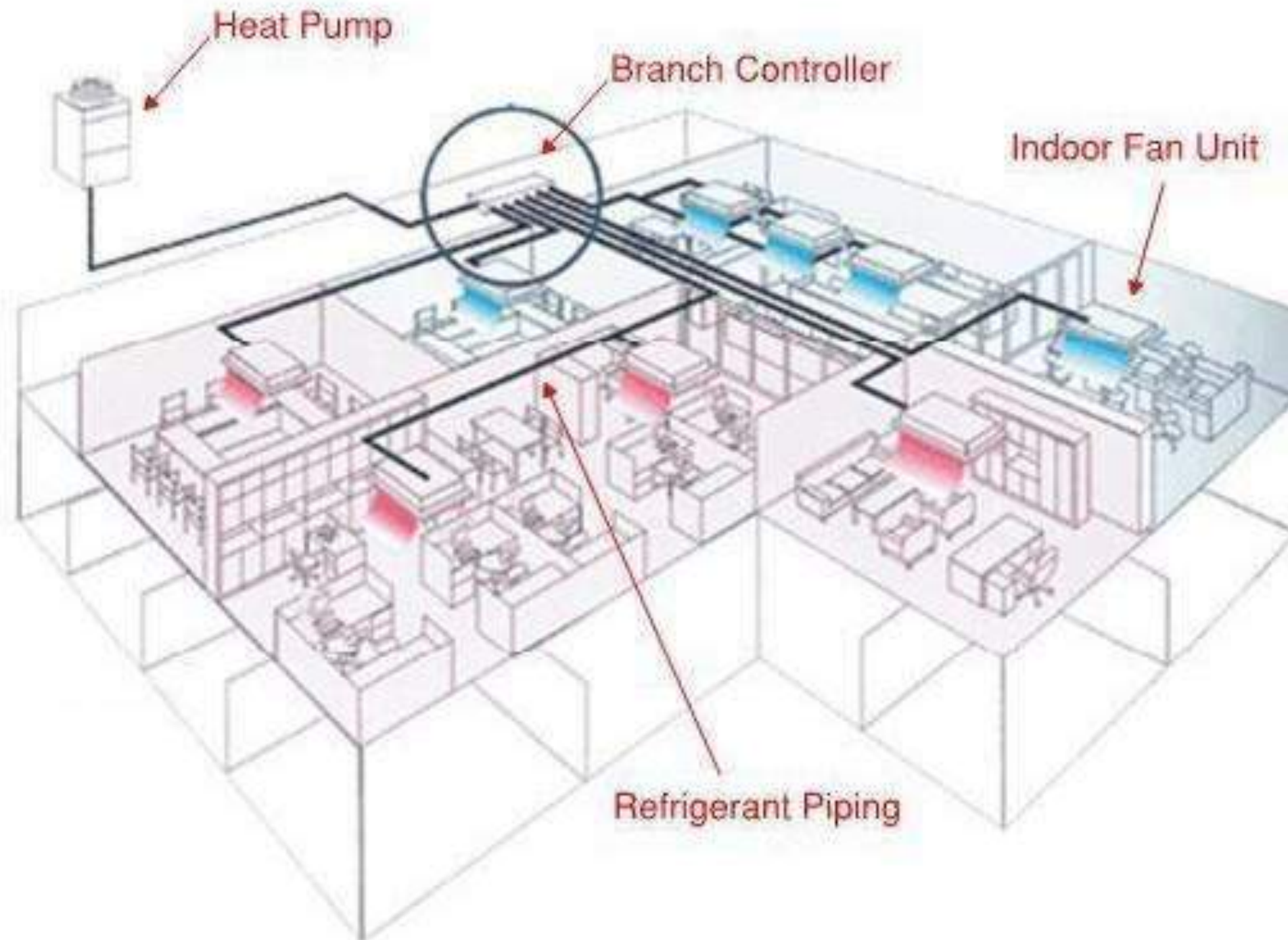
CONS:

- UNDERGROUND STORAGE SPACES WILL REMAIN UNCONDITIONED

OPTION #1 - CITY HALL HVAC REPLACEMENT



BRAINERD MINNESOTA



VRF Schematic

SCOPE:

- REMOVE EXISTING CHILLER AND HEAT PUMPS
- INSTALL NEW VRF SYSTEM
- UPGRADE CONTROLS
- INTERIOR DEMOLITION AND REMODELING OF CEILINGS WILL OCCUR IN ORDER TO PROVIDE ACCESS

PROS:

- STAFF CAN REMAIN IN CITY HALL, HOWEVER WORK SPACES WILL NEED TO BE TEMPORARILY RELOCATED
- ADDITIONAL ZONING OPPORTUNITIES FOR THERMAL COMFORT
- 25% IMPROVEMENT IN OPERATIONAL EFFICIENCY
- UNDERGROUND STORAGE SPACES WILL NOW BE CONDITIONED

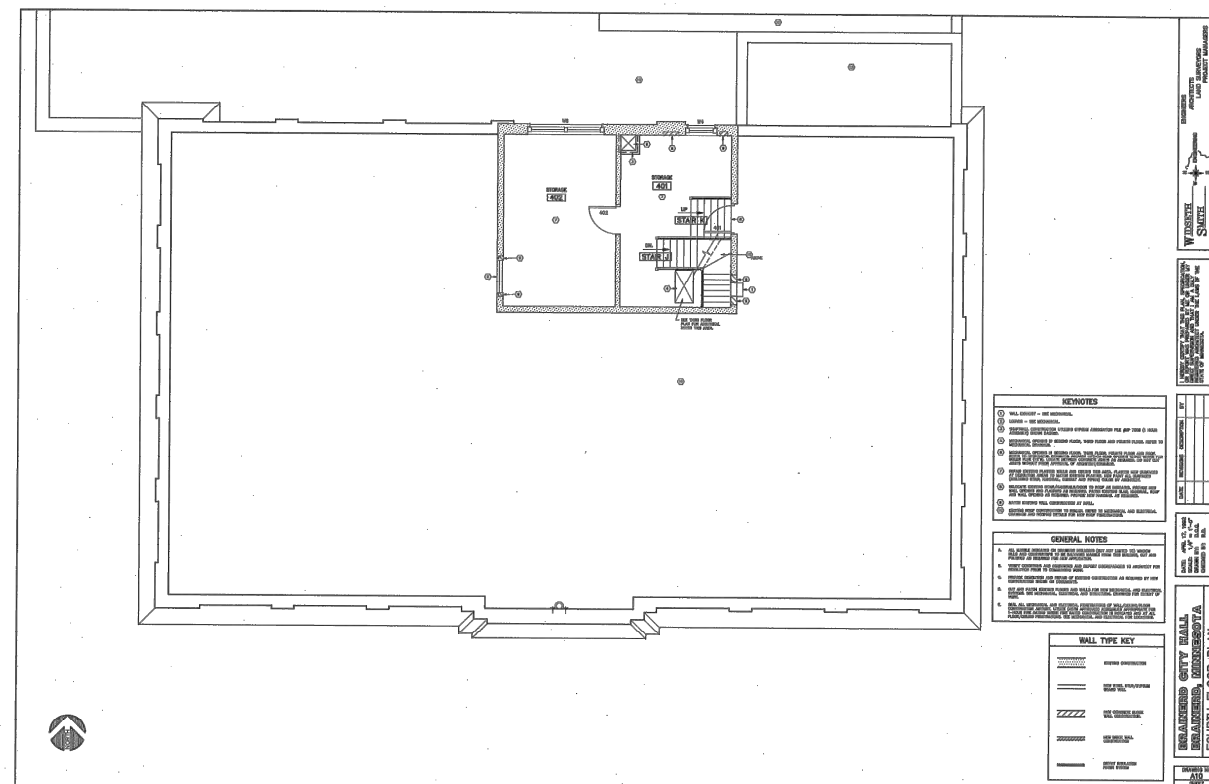
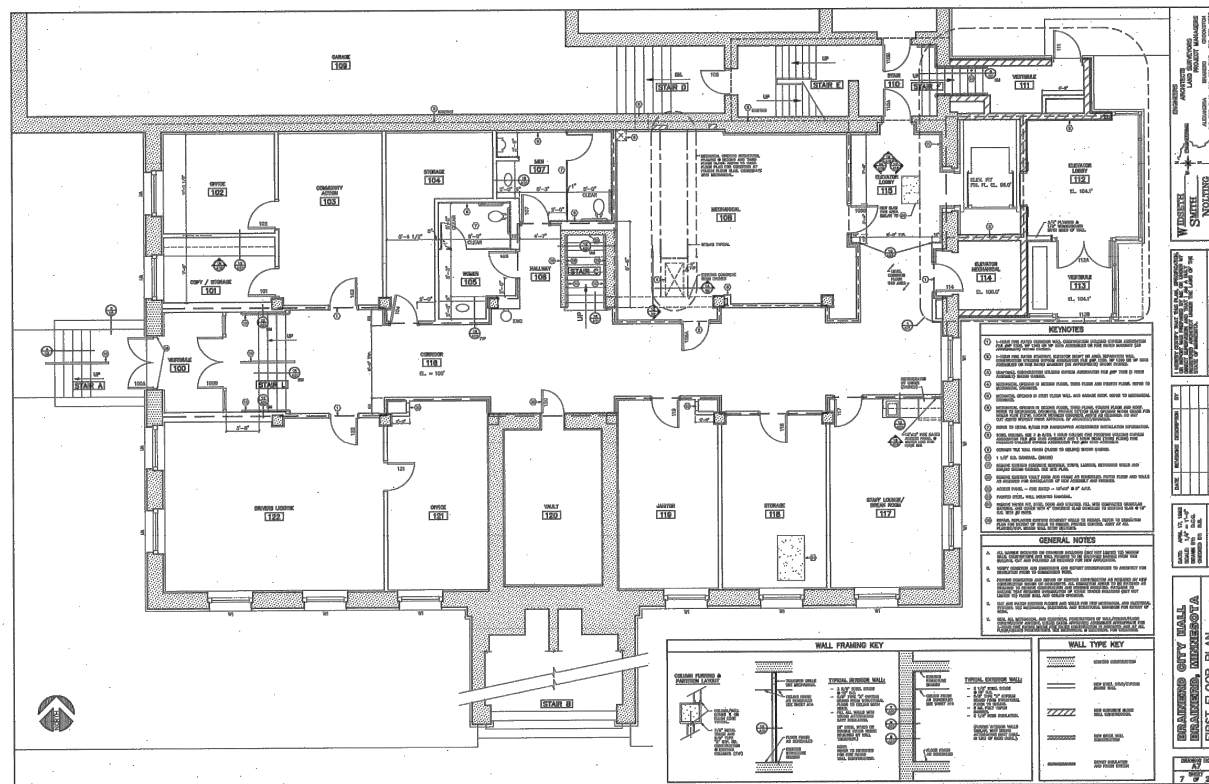
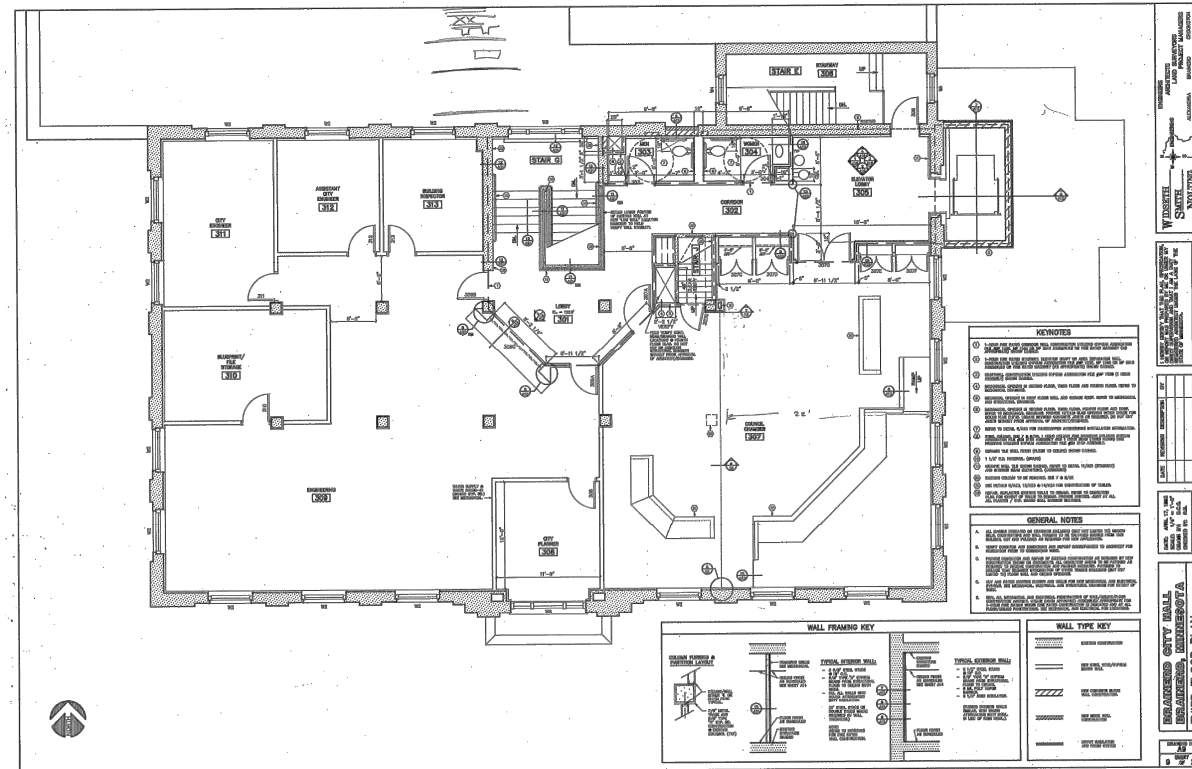
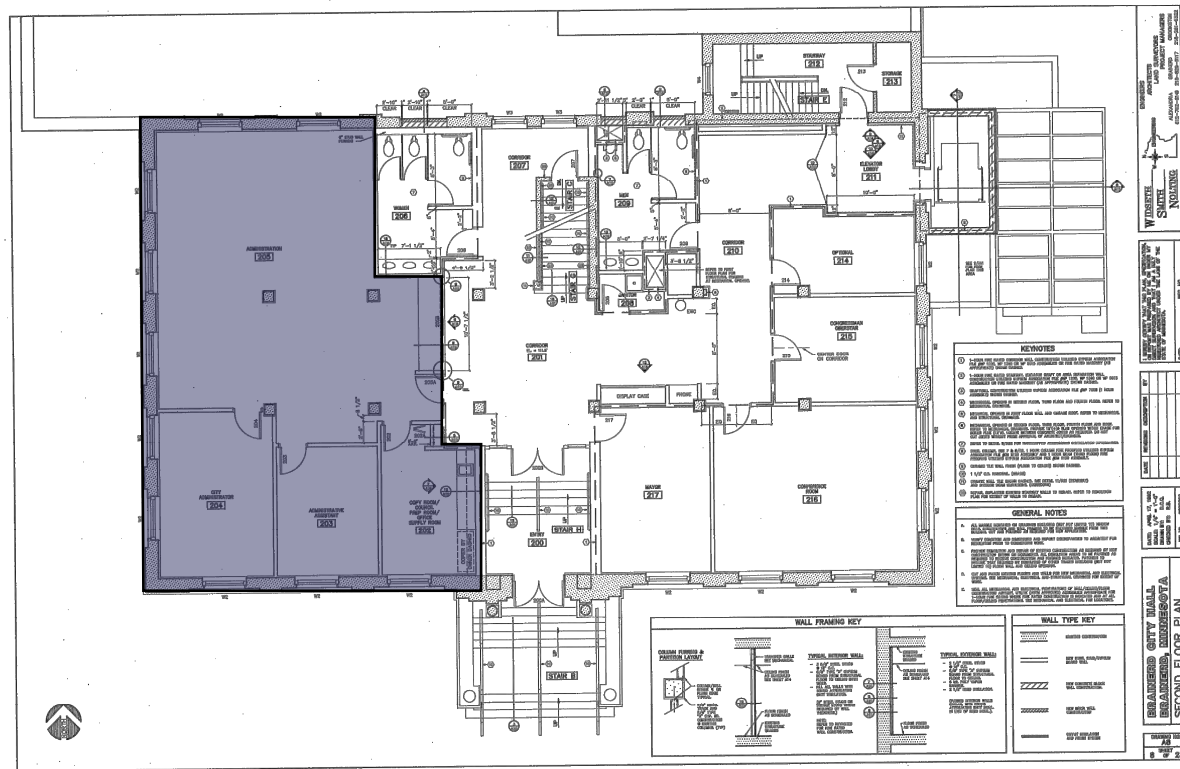
CONS:

- INTERIOR REMODELING WILL NEED TO OCCUR IN ORDER TO INSTALL THIS SYSTEM

OPTION #2 - CITY HALL HVAC REPLACEMENT



BRAINERD MINNESOTA



PROGRAM:

- RESTRUCTURE
EXISTING
ENGINEERING
DEPARTMENT TO
INCORPORATE PARKS
& REC STAFF ON MAIN
LEVEL

- PARKS & REC
STORAGE WILL BE
LOCATED WITHIN THE
EXISTING
UNDERGROUND
PARKING STORAGE
AREA

OPTION #3 - STREET & SEWER/PARKS & REC



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OPTIONS #3-5 - STREET & SEWER/PARKS & REC



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PROGRAM:

- ADDITIONAL OFFICE FOR
PARKS & REC MAINTENANCE
FOREMAN

- MAINTENANCE SHOP
ADDITION FOR PARKS & REC

OPTIONS #3-5 - STREET & SEWER/PARKS & REC

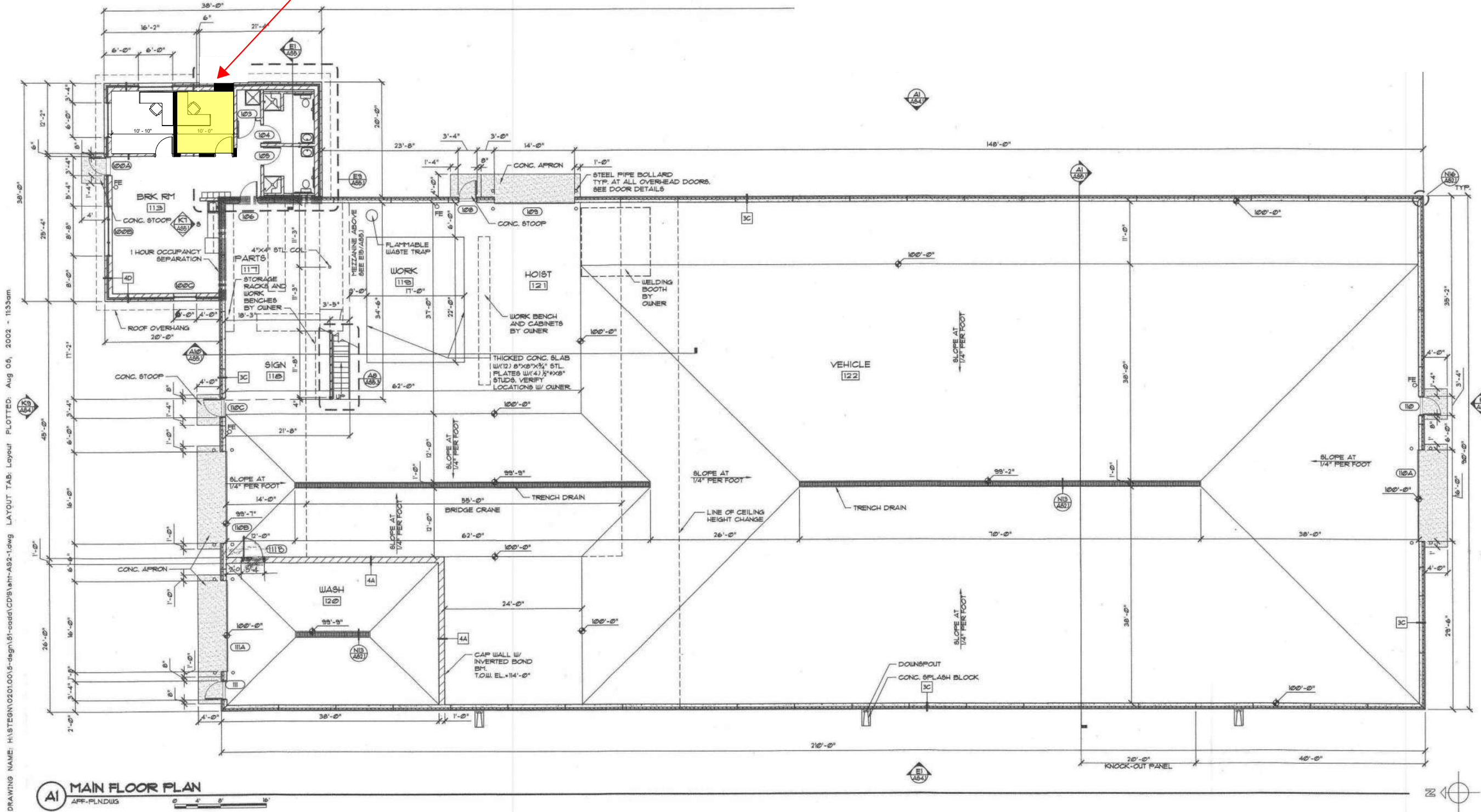


BRAINERD MINNESOTA

POTENTIAL PROJECT LEGEND

 - NEW OFFICE FOR PARKS & REC

REMOVE EXISTING DEMISING
WALLS, EXTERIOR DOOR AND
RELOCAT LOCKERS FOR NEW
OFFICE



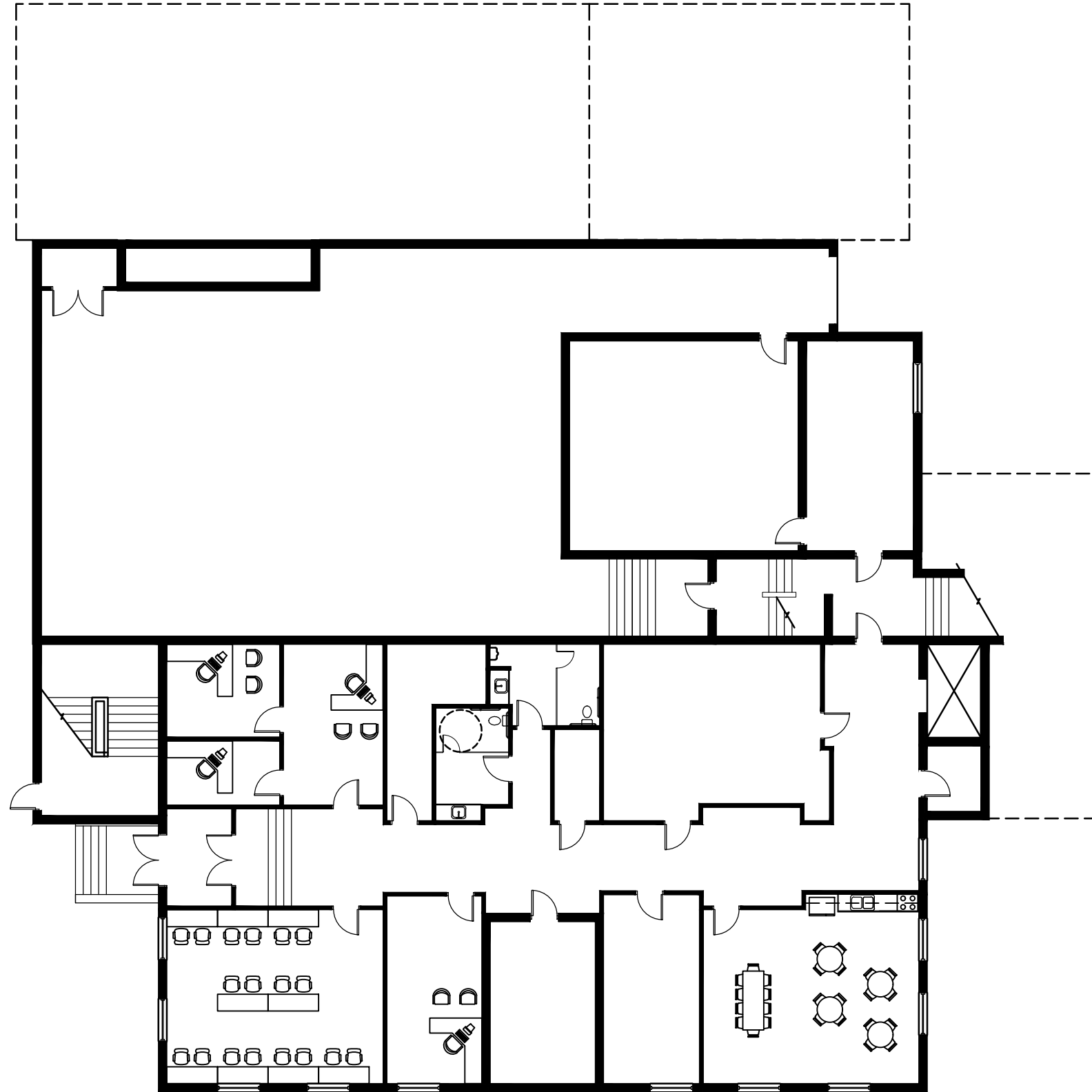
PROGRAM:

- ADDITIONAL OFFICE FOR PARKS & REC MAINTENANCE FOREMAN
- MAINTENANCE SHOP ADDITION FOR PARKS & REC

OPTIONS #3-5 - STREET & SEWER/PARKS & REC



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PROGRAM:

- COVERED PARKING
- PARKS & REC STORAGE

PROGRAM:

- EMPLOYEE BREAKROOM
- PLAN ROOM
- MN REP'S OFFICE
- TRANSIT

OPTION #4 - CITY HALL REMODEL - LOWER LEVEL



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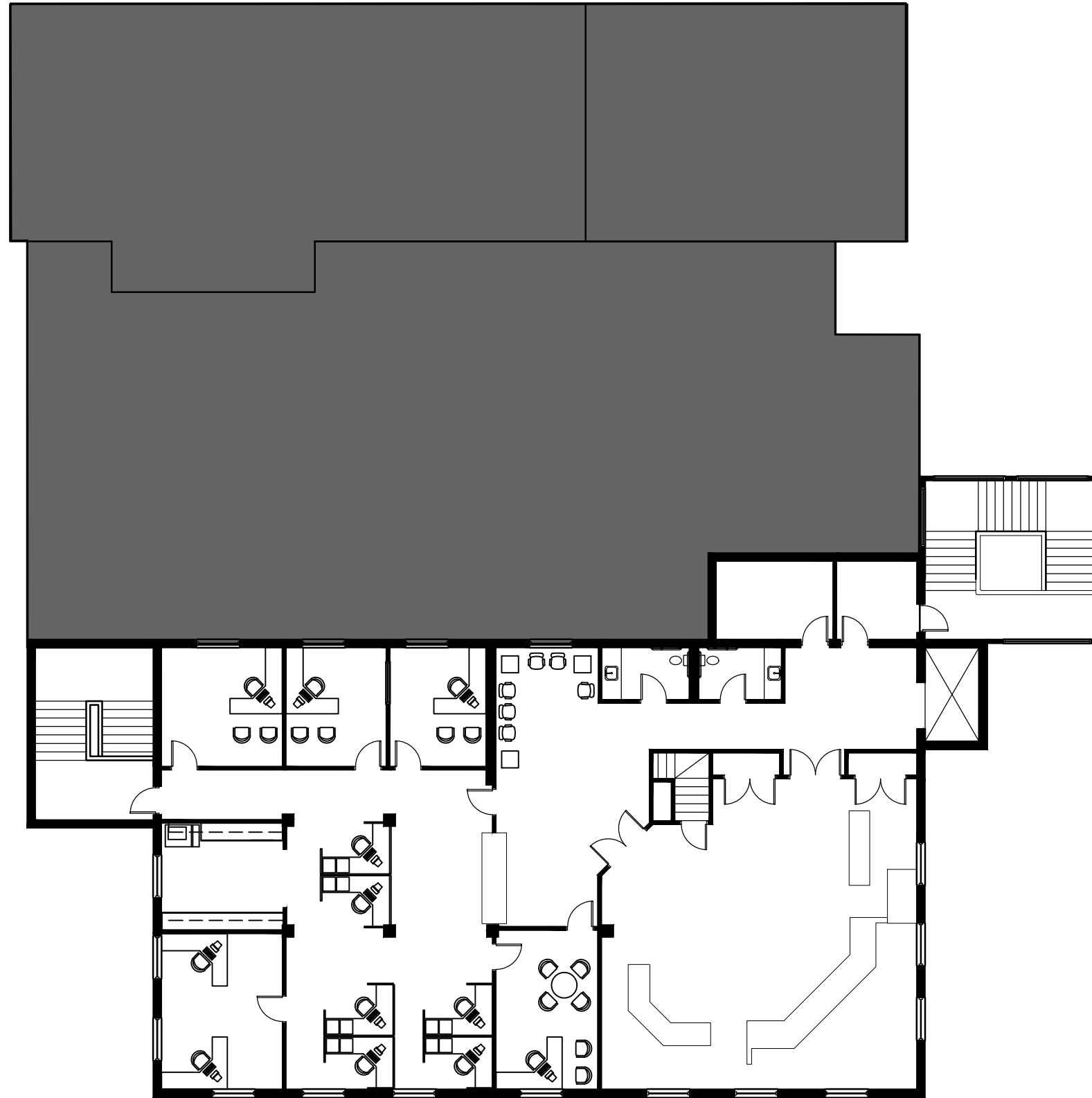
PROGRAM:

- CONFERENCE ROOM
- CUSTOMER SERVICE DESK
- ENGINEERING
- COMMUNITY DEVELOPMENT
- PARKS & REC

OPTION #4 - CITY HALL REMODEL - MAIN LEVEL



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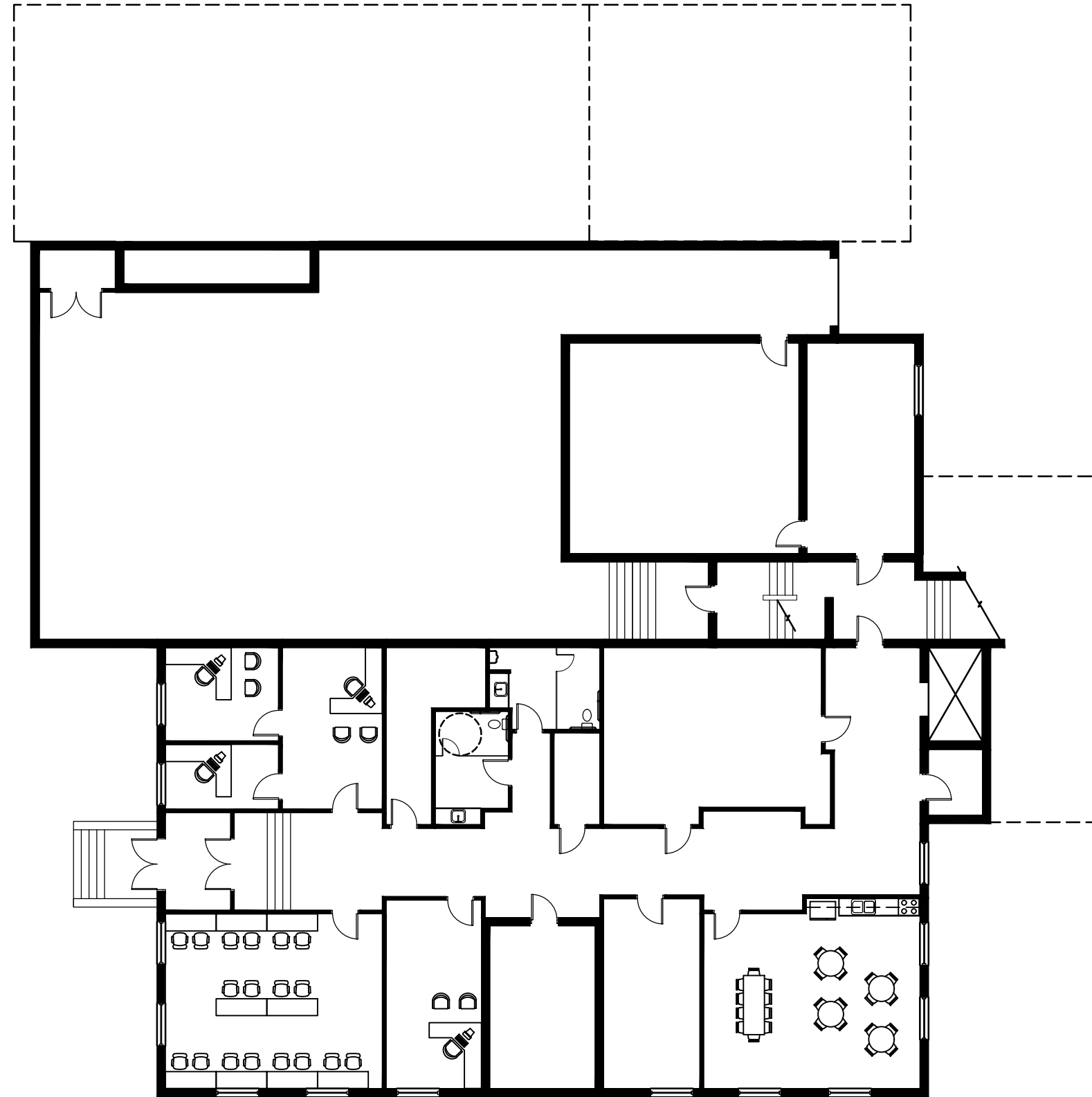
PROGRAM:

- CONFERENCE ROOM
- COUNCIL CHAMBERS
- ADMINISTRATION
- HUMAN RESOURCES
- FINANCE
- I.T.

OPTION #4 - CITY HALL REMODEL - UPPER LEVEL



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MINNESOTA



PROGRAM:

- COVERED PARKING
- PARKS & REC STORAGE

PROGRAM:

- EMPLOYEE BREAKROOM
- PLAN ROOM
- MN REP'S OFFICE
- TRANSIT

OPTION #5 - CITY HALL & ANNEX REMODEL - LOWER LEVEL



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PROGRAM:

- POTENTIAL TENANT

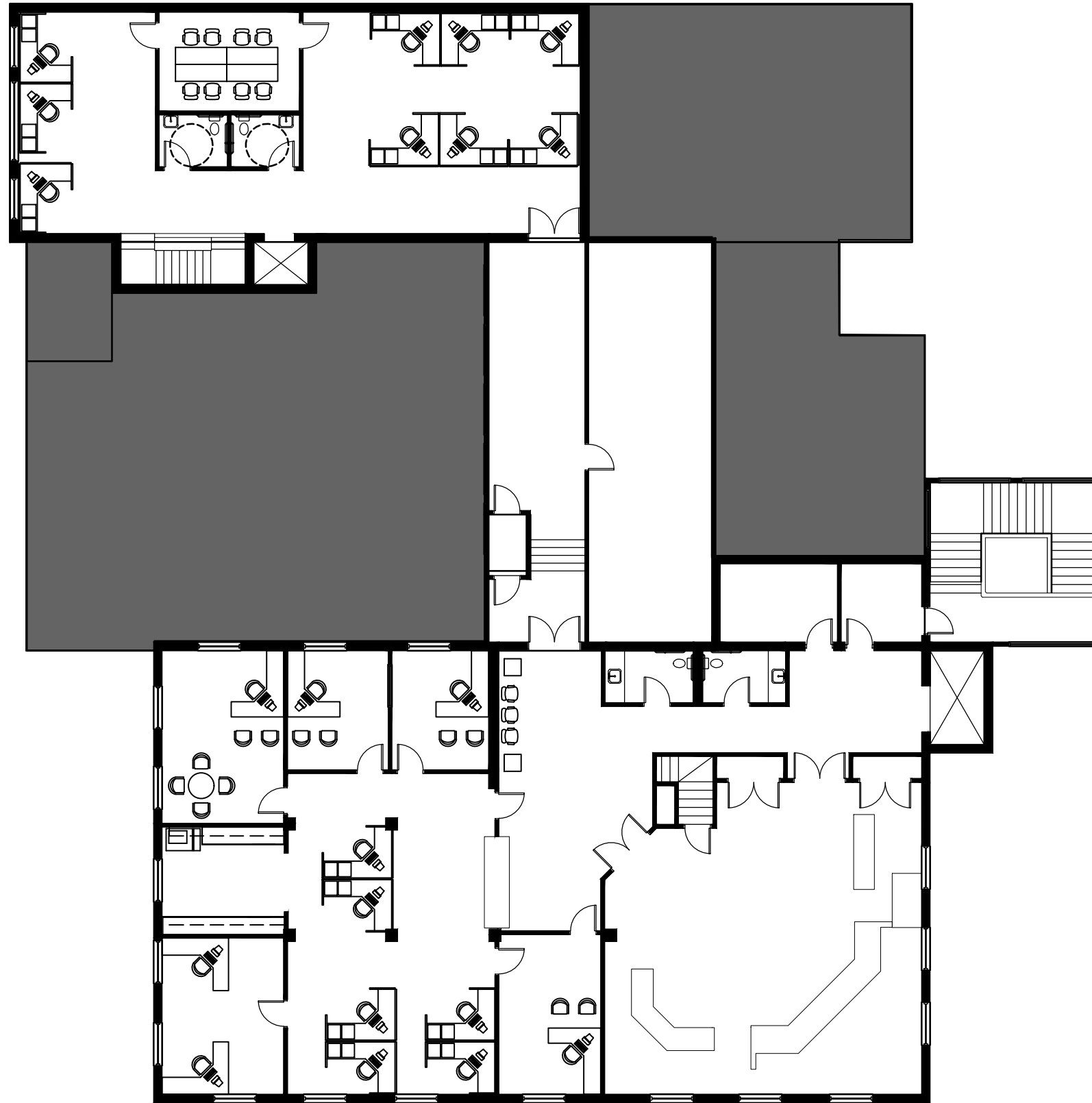
PROGRAM:

- CONFERENCE ROOM
- CUSTOMER SERVICE DESK
- ENGINEERING
- COMMUNITY DEVELOPMENT
- PARKS & REC

OPTION #5 - CITY HALL & ANNEX REMODEL - MAIN LEVEL



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PROGRAM:

- FLEXIBLE OFFICE SPACE

PROGRAM:

- LINK
- MECHANICAL ROOM

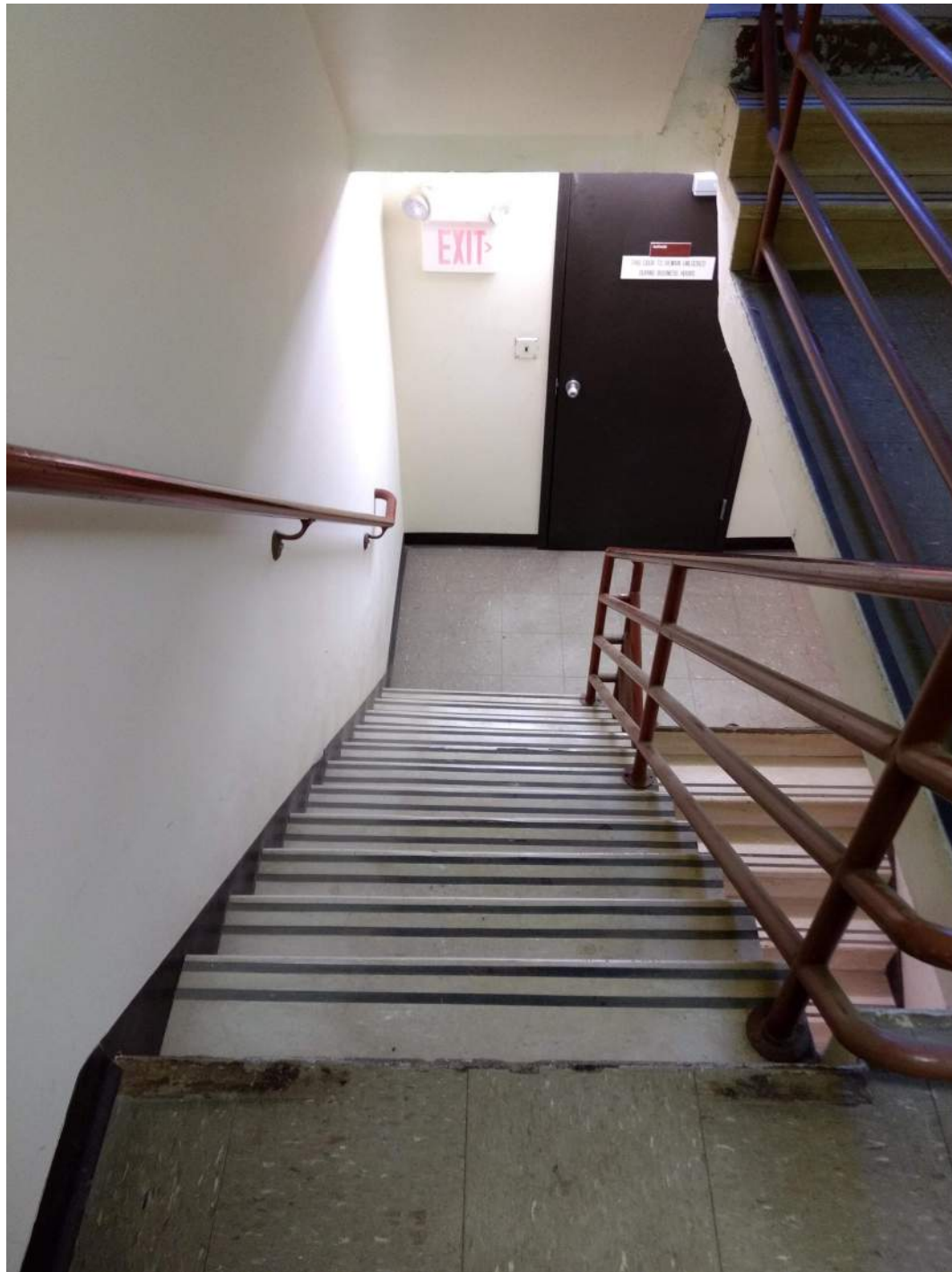
PROGRAM:

- CONFERENCE ROOM
- COUNCIL CHAMBERS
- ADMINISTRATION
- HUMAN RESOURCES
- FINANCE
- I.T.

OPTION #5 - CITY HALL & ANNEX REMODEL - UPPER LEVEL



BRAINERD MINNESOTA



SCOPE:

- REPLACE EXISTING BALLASTED ROOF
- REPLACE EXISTING ROOF AND PARAPET WALLS
- TUCKPOINT BRICK, STONE & MORTAR
- NEW LED LIGHT FIXTURES WITH HVAC OPTION
- INSTALL NEW GUARD RAIL AND RAILINGS IN STAIR ENCLOSURE
- UPGRADE SECURITY SYSTEM

PROS:

- IMPROVE THE PERFORMANCE OF THE BUILDING ENVELOPE
- ECONOMIC EFFICIENCIES WITH COMBINING THESE ITEMS WITH HVAC PROJECT
- LIMIT DISTURBANCE TO CITY HALL STAFF AND GENERAL PUBLIC USE TO ONE PROJECT

CONS:

- OVERALL PROJECT COST IMPACT

CITY HALL - ADDITIONAL RECOMMENDATIONS



FACILITIES ASSESSMENT FOR THE CITY OF BRAINERD
Estimated Budgetary Cost Summary
6/17/2019



BRAINERD
MINNESOTA



OPTION	ITEM	DESCRIPTION	ESTIMATED BUDGETARY COST
OPTION #1			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #1.	\$272,500.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	4	Police Department interior remodel.	\$192,000.00
	5	Police Department HVAC controls upgrade.	\$15,000.00
	6	Fire Department needs study.	\$25,000.00
	7	Fire Department HVAC controls upgrade.	\$15,000.00
SUB-TOTAL			\$571,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$844,234.92
OPTION #2			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.	\$415,000.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	3	Replace City Hall flourescent light fixtures with LED light fixtures.	\$120,000.00
	4	Police Department interior remodel.	\$192,000.00
	5	Police Department HVAC controls upgrade.	\$15,000.00
	6	Fire Department needs study.	\$25,000.00
	7	Fire Department HVAC controls upgrade.	\$15,000.00
SUB-TOTAL			\$833,500.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$1,232,346.42
OPTION #3			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.	\$660,000.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	4	Replace City Hall flourescent light fixtures with LED light fixtures.	\$120,000.00
	5	Police Department interior remodel.	\$192,000.00
	6	Police Department HVAC controls upgrade.	\$15,000.00
	7	Fire Department needs study.	\$25,000.00
	8	Fire Department HVAC controls upgrade.	\$15,000.00
	9	Street & Sewer interior remodel and exterior addition.	\$234,500.00
SUB-TOTAL			\$1,313,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$1,941,296.76
OPTION #4			
	1	Interior remodel of entire City Hall building.	\$2,700,000.00
	2	Repair City Hall exterior south stairs.	\$25,500.00
	3	Police Department interior remodel.	\$192,000.00
	4	Police Department HVAC controls upgrade.	\$15,000.00
	5	Fire Department needs study.	\$25,000.00
	6	Fire Department HVAC controls upgrade.	\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.	\$234,500.00
SUB-TOTAL			\$3,207,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$4,741,613.64
OPTION #5			
	1	Interior remodel of entire City Hall building.	\$2,700,000.00
	2	Repair City Hall exterior south stairs.	\$25,500.00
	3	Police Department interior remodel.	\$192,000.00
	4	Police Department HVAC controls upgrade.	\$15,000.00
	5	Fire Department needs study.	\$25,000.00
	6	Fire Department HVAC controls upgrade.	\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.	\$234,500.00
	8	Interior remodel of entire Annex building.	\$987,000.00
SUB-TOTAL			\$4,194,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$6,200,912.88
RECOMMENDATIONS			
	1	Replace City Hall existing ballasted roof, parapet walls and roof drains.	\$85,130.00
	2	Tuckpoint City Hall brick, stone and mortar.	\$95,000.00
	3	Install new guardrail and interior finishes for City Hall stair enclosure.	\$28,000.00
	4	Upgrade City Hall security system.	\$45,000.00
	5	Replace City Hall windows.	\$78,000.00
SUB-TOTAL			\$331,130.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$529,278.19

POTENTIAL COSTS



Brainerd City Council Agenda Request

Requested Meeting Date: June 17, 2019

Title of Item: Reconsideration of 50 Jenny St. Rezoning

☐ 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 <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): Scott Magnuson, BPU Superintendent	Estimated Time Needed: 5 minutes
Summary of Issue: At the regular City Council meeting on June 3rd, the City Council denied the request to rezone the property at 50 Jenny St. from R-1A Single Family Residential District to I-1 Light Industrial District. The purpose of the rezoning request was to better serve the operation of the Brainerd Water Treatment Plant. The Planning Commission unanimously voted to recommend the approval of this request at their regular meeting on Wednesday, May 15. Scott Magnuson is requesting to address that City Council on behalf of BPU to request reconsideration of this rezoning request.	
Alternatives, Options, Effects on Others/Comments: If the City Council chooses to uphold its previous ruling, no action is required. If the City Council chooses to grant BPU's request to rezone the property, proposed Ordinance No. 1495 is attached so that the first reading of the ordinance may be held.	
Recommended Action/Motion: If the City Council chooses to rezone the property.... 1) Motion to dispense with the actual reading of proposed Ordinance No. 1495. 2) Motion to approve the first reading of proposed Ordinance No. 1495 - an ordinance amending ordinance No. 812 pertaining to the zoning in the City of Brainerd.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☒ No <u>Please Explain:</u>	

**ORDINANCE
NO. 1495**

**AN ORDINANCE AMENDING ORDINANCE NO. 812
PERTAINING TO THE ZONING IN THE CITY OF BRAINERD**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-1A (Single-Family Residential) District to an I-1 (Light Industrial) District for the following:

PIN 41360560
All of Block 10 thru 16 of the Woodland Park Addition to the City of Brainerd
Township 45 Range 31 Section 16

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

Adopted this ____ day of June, 2019

GABE JOHNSON
President of the Council

Approved this ____ day of June, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2019

City of Brainerd

Community Development Department

TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: May 29, 2019

RE: 50 Jenny St. Rezoning

Scott Magnuson, Brainerd Public Utilities Superintendent, 8027 Highland Scenic Road, Baxter, MN 56425, has submitted a request on behalf of Brainerd Public Utilities to rezone the property at 50 Jenny St. from an R-1A Single Family Residential District to an I-1 Light Industrial District.

The purpose of the rezoning request is to better serve the operation of the Brainerd Water Treatment Plant. The property is owned by the City of Brainerd, and the application has been signed by the City Administrator.

The Planning Commission held a public hearing and considered this request during their regular meeting on Wednesday, May 15.

Findings of Fact

1. Per Section 515-55-1 of the Code of Ordinances, the purpose and intent of an R-1A District is to “allow areas of low density, single family detached dwellings and to preserve the quiet single-family neighborhoods free from other uses except those which are both compatible with residents of such districts.”
 - a. While public buildings on public land is a conditional use in an R-1A District per Section 515-55-5.F, such zoning is not ideal for a water treatment plant as it must conform to the residential standards set forth in ordinance, and a water treatment plant does not meet the spirit or purpose of such zoning as stated above.
2. Per Section 515-70-1 of the Code of Ordinances, the purpose and intent of an I-1 district is to “provide for the establishment of warehousing and light industrial development, particularly in the form of industrial parks. The overall character of the I-1 District is intended to have low impact character.”
 - a. Public utility buildings are a permitted use in an I-1 District, and the commercial zoning standards integrated within such a district much better serve the operations of a water treatment plant, including lot area and setback requirements, building regulations, and allowable uses.

One member of the community came forward to question what kind of impact this rezoning request may have on the neighboring properties.

Staff Opinion

As the Brainerd Water Treatment Plant better fits the purpose and intent of an I-1 Light Industrial District than an R-1A Single Family Residential District, and as the standards set forth in I-1 Light

Industrial Districts better serve the current and long-term operations of the Brainerd Water Treatment Plant, staff recommends approval of this rezoning request.

Planning Commission Recommendation

In a motion by Commissioner Lambert and seconded by Commissioner Burslie, the Planning Commission unanimously voted to recommend approval of the rezoning of property at 50 Jenny Street from an R-1A (Single Family Residential) District to an I-1 (Light Industrial) District based on the findings of fact provided.



City Planning Department

City Hall – 501 Laurel Street
Brainerd, MN 56401
218-828-2309/Fax 218-828-2316
www.ci.brainerd.mn.us

Receipt # _____
Check # _____
Date Paid: _____

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☐ (\$500.00)
VARIANCE	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 50 Jenny Street

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy) ATTACHED

Property Owner Name: City of Brainerd

Street Address: 501 Laurel St City: Brainerd State: MN Zip Code: 56401

Phone Number: 828-2307 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) Scott Magnuson BPU

Street Address: 8027 Highland Scenic Rd City: Baxter State: MN Zip Code: 56425

Phone Number: 218-825-3213 Fax: _____ E-mail: smagnuson@bpu.org

Description of Request: request zoning change from R-1 to I-1 for water treatment plant and related facilities

Cassandra Torstenson
Property Owner Signature

4-17-19
Date

Cassandra Torstenson
(Please print name)

X M
Applicant Signature

4-15-2019
Date

SCOTT MAGNUSON
(Please print name)

(OVER)



General Information

Parcel Number: 09202010000Z009

General Information

Township/City: CITY OF BRAINERD
Taxpayer: CITY OF BRAINERD
CITY ADMINISTRATOR-CITY HALL
501 LAUREL ST
BRAINERD, MN 56401

Property Address:

Township: 45
Range: 31
Section: 36
Plat: WOODLAND PARK ADDITION TO BRAINERD

Lake Number: 0

Lake Name:

Acres: 0.00

School District: 181

Legal Description:

ALL OF BLOCK 10 THRU 16 INCLUSIVE

2018 Assessment for 2019 Tax Payable

Class Code 1:	Water/Wastewater Treatment Facilities
Class Code 2:	N/A
Class Code 3:	N/A
Homestead:	Non Homestead

Estimated Land Value:	\$108,800.00
Estimated Building Value:	\$1,385,700.00
Estimated Total Value:	\$1,494,500.00

2018 Tax Payable

Net Tax (Specials Not Included):	\$0.00
Total Special Assessments:	\$15.00
Current Year Balance Due:	\$0.00
Delinquent:	NO



General Information

Parcel Number: 060362300E00009

General Information

Township/City: CITY OF BRAINERD
Taxpayer: CITY OF BRAINERD
CITY ADMINISTRATOR-CITY HALL
501 LAUREL ST
BRAINERD, MN 56401

Property Address:

Township: 45
Range: 31
Section: 36
Plat:

Lake Number: 0
Lake Name:

Acres: 0.86

School District: 181

Legal Description:

N. 300 FT OF W. 125 FT OF SW1/4 OF NW1/4

2018 Assessment for 2019 Tax Payable

Class Code 1:	Municipal - All Other
Class Code 2:	N/A
Class Code 3:	N/A
Homestead:	Non Homestead

Estimated Land Value:	\$23,900.00
Estimated Building Value:	\$0.00
Estimated Total Value:	\$23,900.00

2018 Tax Payable

Net Tax (Specials Not Included):	\$0.00
Total Special Assessments:	\$0.00
Current Year Balance Due:	\$0.00
Delinquent:	NO



General Information

Parcel Number: 060351101000009

General Information

Township/City: CITY OF BRAINERD
Taxpayer: CITY OF BRAINERD
CITY ADMINISTRATOR-CITY HALL
501 LAUREL ST
BRAINERD, MN 56401

Property Address:

Township: 45
Range: 31
Section: 35
Plat:
Lake Number: 0
Lake Name:
Acres: 64.94
School District: 181

Legal Description:

GL 1 & THAT PT OF GL 2 LYING N OF THE E & W C /L OF SD SEC 35 & THE N 1/2 OF SENE SEC 35

2018 Assessment for 2019 Tax Payable

Class Code 1:	Water/Wastewater Treatment Facilities
Class Code 2:	N/A
Class Code 3:	N/A
Homestead:	Non Homestead

Estimated Land Value:	\$126,900.00
Estimated Building Value:	\$131,400.00
Estimated Total Value:	\$258,300.00

2018 Tax Payable

Net Tax (Specials Not Included):	\$0.00
Total Special Assessments:	\$15.00
Current Year Balance Due:	\$0.00
Delinquent:	NO

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Scott Magnuson, superintendent Brainerd Public Utilities, 8027 Highland Scenic Road, Baxter, MN 56425, has submitted a request on behalf of Brainerd Public Utilities for the property at 50 Jenny Street to rezone said property from an R-1A (Single Family Residential) District to an I-1 (Light Industrial) District. The purpose of this rezoning is to better serve the operation of the Brainerd Wastewater Treatment Plant.

The legal description of the property is as follows:

All of Block 10 Thru 16 Of The Woodland Park Addition To The City of Brainerd

P.I.N. 41360560

Township 45, Range 31, Section 16

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, May 15, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

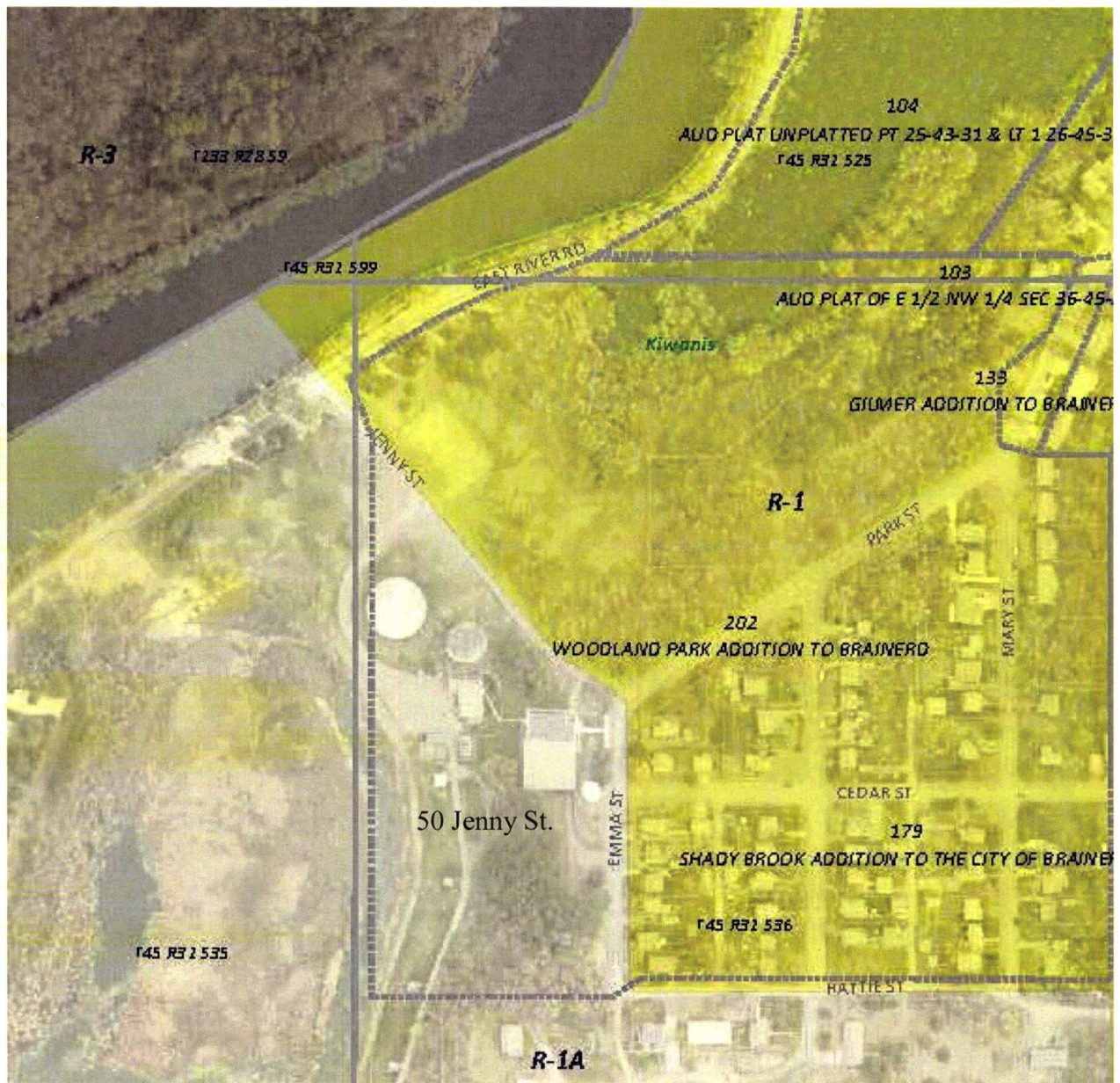
Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

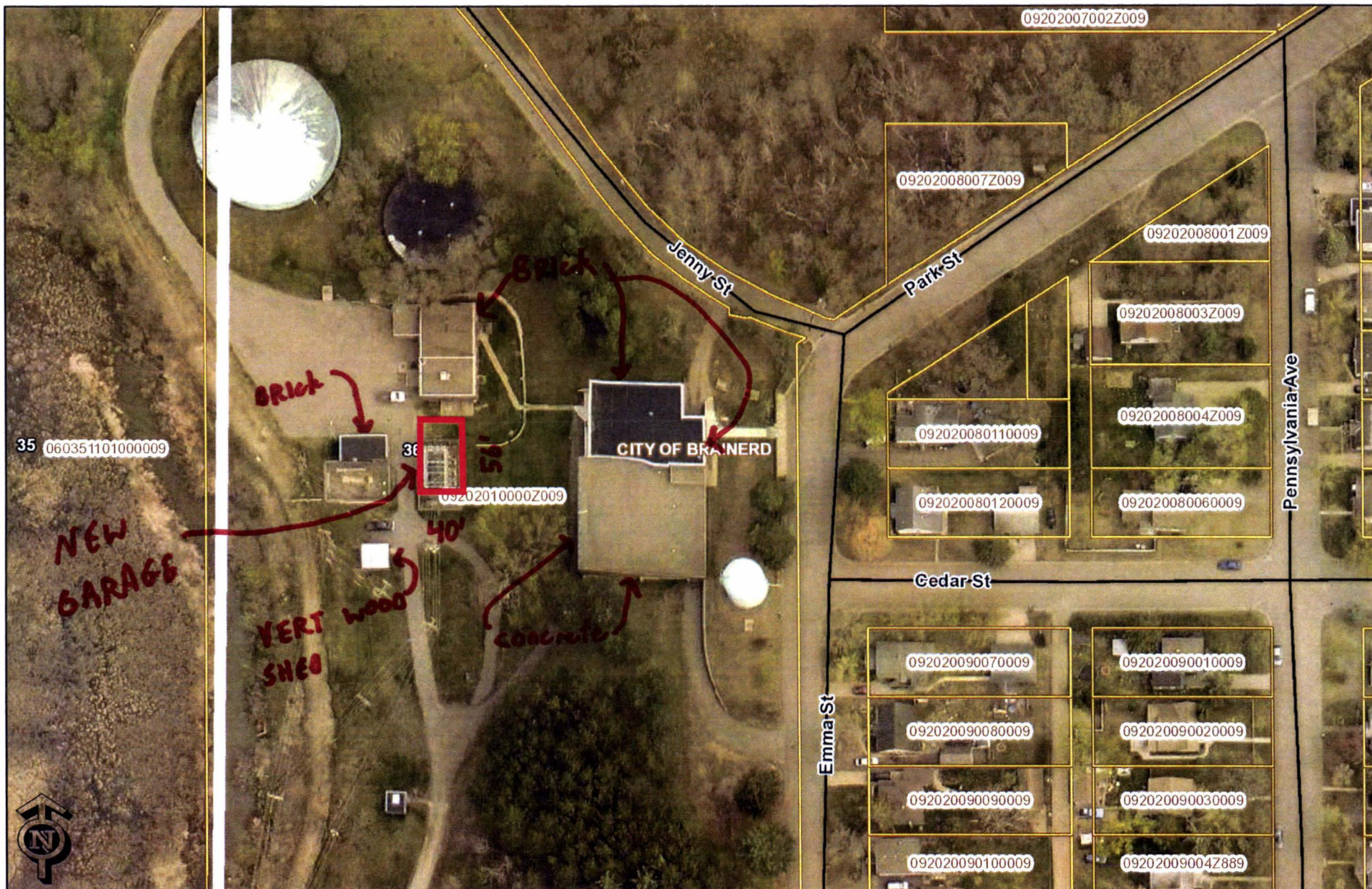
Dated this 3rd day of May 2019.



David C. Chanski, MPA
Community Development Director

See reverse side for map.





35 060351101000009

36

092020100002009

CITY OF BRAINERD

09202007002Z009

09202008007Z009

09202008001Z009

09202008003Z009

09202008004Z009

092020080110009

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092020080060009

Cedar St

092020090070009

092020090010009

092020090080009

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092020090090009

092020090030009

092020090100009

09202009004Z889



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

Date: 8/9/2018 Time: 10:46:55 AM



