

CITY COUNCIL AGENDA

Brainerd, Minnesota

August 5, 2019

7:30 P.M.

Brainerd City Hall

Council Chambers

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

2. **Roll Call**

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

___ K. Bevans ___ D. Badeaux ___ 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 July 15, 2019
2. Workshop Minutes Held on July 22, 2019

Documents:

20190715_CC draft.pdf

20190722_CC draft Workshop.pdf

B. **Approval Of Licenses**

Contractor Licenses - 1 New; 4 - Renewals

Documents:

CONTRACTOR LICENSE REPORT - 2019-08-05.pdf

C. **Department Activity Reports**

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf

Park Director Report.pdf

- D. **Accept Retirement Of Laurie Johnson (Administrative Specialist 2 - Community Development Department) - Effective August 31, 2019.**

Documents:

Accept Retirement of Laurie Johnson.pdf

- E. **Request To Hire Daniel Diethert As Street Maintenance I Effective August 6, 2019**

Documents:

Request to Hire Daniel Diethert to Street and Sewer Maintenance I.pdf

6. **Community Member Of The Month**

7. **Presentations**

- A. **Riverfront Committee Presentation**

Documents:

Riverfront Committee Update.pdf

8. **Council Committee Reports**

- A. **Safety And Public Works Committee - 7:15 P.M.**

Documents:

20190805_SPW.pdf

1. **Emergency Storm Sewer Repair - Informational**

Documents:

Emergency Storm Sewer Repairs - Informational.pdf

2. **Improvement 16-09 (SAP 108-136-004) And 19-07 - Buffalo Hills Lane And Mississippi Drive Reconstruction Project - Testing Services**

Documents:

Imp. 16-09 and 19-07 - Buff. Hills Lane and Miss. Dr. - Testing Services.pdf

3. **Event Application - Farmer's Market On Laurel**

Documents:

Event Application - Farmers Market on Laurel.pdf

4. Event Application - Project Rainbow Block Party

Documents:

Event Application - Project Rainbow Block Party.pdf

5. Event And Alley Closure Application - Opening Art Reception With Music

Documents:

Event and Alley Closure - Opening Art Reception with Music.pdf

B. Personnel And Finance Committee - 6:45 P.M.

Documents:

2019-08-05_PF.pdf

1. Approval Of Bills

2. Fire Department Relief Association - Annual Report

Documents:

Fire Department Relief Association - Annual Report.pdf

3. Resignation Of Firefighter Teckemeyer

Documents:

Resignation of Firefighter Teckemeyer.pdf

4. Police Staff Out Of State Travel And Training

Documents:

Staff Out of State Travel and Training.pdf

5. Community Development Director Chanski - Completion Of Probationary Period

Documents:

Community Development Director Complete Probationary Period.pdf

6. Zoning Specialist/Permit Technician Position

Documents:

Zoning Specialist Permit Technician Position.pdf

7. Performance Review Process/Training - Needs Discussion

Documents:

Performance Review Process_Training Needs Discussion.pdf

a. Revised Statement Of Work - Sicora Consulting

Documents:

Revised .pdf

8. Request For Proposals (RFP) For Memorial Park Redesign

Documents:

RFP Memorial Park Design.pdf

9. Minnesota State Investment Fund - One-Time Exception

Documents:

MIF - One-Time Exception.pdf

10. 2018 Tax Increment Financing (TIF) Report Summary - Informational

Documents:

Annual TIF Report.pdf

9. **Unfinished Business**

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

Yvette Campbell - Economic Development Authority (EDA)

1. Yvette Campbell

Documents:

Campbell.pdf

B. **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: (terms to 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)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) - 1 term (Expire 2020)
pending - 1 term (Expire 2021)

10. New Business

A. First Reading - Proposed Ordinance No. 1499 - An Ordinance Enacting Local Sales And Use Tax

- a. City Administrator Torstenson Recommends Dispensing with the Actual Reading (Unanimous Voice Vote)
- b. Hold the First Reading of Proposed Ordinance (Voice Vote)

Documents:

First Reading - Proposed Ordinance 1499.pdf

B. Resignation Of Council Member Hilgart

Documents:

Resignation of Council Member Hilgart.pdf

C. Clarification On River-To-Rail Economic Incentives

Documents:

Clarification of River-To-Rail Economic Incentives.pdf

D. Welcoming Communities

Documents:

Welcoming Communities.pdf

11. Planning Commission

A. First Reading - Proposed Ordinance No. 1498 - An Ordinance To Rezone Property At 701 7th St., NW From A B-4 To An R-1

- a. City Administrator Torstenson Recommends Dispensing with the Actual Reading (Unanimous Voice Vote)
- b. Hold the First Reading of Proposed Ordinance (Voice Vote)

Documents:

First Reading Ord. 1498 - Rezoning - 701 7th St NW.pdf

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)

A. (Added Item) Washington Street Survey

Documents:

Washington St.pdf

14. Council Member Reports

15. Adjourn Into Closed Session Pursuant To MN Statutes 13D.05, Subd. 3(A), To Conduct The City Administrator Performance Review

Note: Safety and Public Works Committee will meet at 7:15 p.m.
Personnel and Finance Committee will meet at 7:00 p.m.

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

MISSION

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

Brainerd, MN
July 15, 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: Hilgart, Lambert, Stunek, Pritschet, Bevans, Badeaux 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 BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on July 1, 2019 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 4 – New; 3 – Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Adopt Resolution Accepting Donations & Contributions for the 2nd Quarter 2019 – Adopted by Resolution No. 46:19

E. Minnesota Lawful Gambling Application to Conduct Excluded Bingo – Submitted by Lower South Long Lake Improvement Association, PO Box 902, Brainerd. Bingo Events to be Held at Jack's House, 300 Highway 25 S., Brainerd on September 1, 2019 - Approved

F. Relay of Voices – The Great River Run - Informational

G. Second Hand Auto License – Submitted by 210 Auto Sales LLC, 301 Washington Street, Brainerd – Contingent Upon Police and Fire Department Approval - Approved

H. Temporary On-Sale Liquor License Application – Submitted by The Crossing Arts Alliance for an Event to be Held on August 9, 2019 at 711 Laurel Street, Brainerd - Approved

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

Community Member of the Month

Mayor Menk stated the Community Member of the Month will be addressed at the Council Workshop taking place on July 22, 2019 at 5:30 p.m.

Council Committee Reports

Safety and Public Works Committee Report

Downtown Events / Parking Concerns - Approved

Committee Chair Bevans explained in the past the City Council has given direction to staff to approve time sensitive event applications that are submitted between council meetings. He stated this concerns law enforcement regarding parking and the ability to enforce the towing of vehicles that are parked illegally.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO REQUIRE THAT ALL EVENT/STREET CLOSURE APPLICANTS MUST COMPLETE AN APPLICATION FOR CITY COUNCIL APPROVAL; STAFF WILL ADD A LINE TO THE APPLICATION FOR REPETITIVE EVENTS.

Event/Street Closure Application – Community Engagement Pop-Up Campfires - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT/STREET CLOSURE APPLICATION FROM BRIDGES OF HOPE FOR POP-UP CAMPFIRE ON AUGUST 19, 21 AND 22, 2019 UNDER THE CONDITIONS THAT REQUESTS FOR TRAFFIC CONTROL BE MADE ONE WEEK PRIOR TO THE EVENT, LAWN SIGNS ARE REMOVED IMMEDIATELY AFTER EVENT COMPLETION, AND A MEMBER FROM THE FIRE DEPARTMENT INSPECTS EACH SITE AFTER EACH EVENT.

Event/Street Closure Application – Mississippi River Canoe Days - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR THE MISSISSIPPI RIVER CANOE DAYS ON AUGUST 3, 2019 AT KIWANIS PARK.

Event/Street Closure Application – Lakes Area Music Festival - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FROM LAKES AREA MUSIC FESTIVAL FOR AUGUST 8, 2019 FROM 5:00 – 8:00 PM UNDER THE CONDITIONS THAT THE APPLICANT REMOVES ALL TRASH, SIGNS, BANNERS AND BATHROOM FACILITIES AT THE CONCLUSION OF THE EVENT.

Committee Chair Bevans indicated this event involves closing the Laurel Street public parking lot and does not include the leased parking lot.

Improvement 18-08 and 18-09 – College Drive and S 4th Street/Willow Street Mill and Overlay – Testing Services – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE TESTING SERVICES PROPOSAL FROM BRAUN INTERTEC IN THE TOTAL AMOUNT OF \$16,696.00 FOR THE MILL AND OVERLAY FOR COLLEGE DRIVE AND SOUTH 4TH STREET.

Committee Chair Bevans stated this cost will be paid out of the Construction Fund and is eligible for reimbursement with state aid funds.

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

2019 Budget – Wage Settlement Discussion - Informational

Committee Chair Hilgart indicated discussion took place at committee level and it was determined to take no action. She explained the budget will be amended due to the wage settlements and the amended 2019 budget will now show revenues exceeding expenditures by roughly \$1,000 for the working funds versus \$15,000.

Audit Services for 2019 – Request for Quote - Approved

Committee Chair Hilgart explained Finance Director Hillman did a Listserv regarding performing a Request for Quotes (RFQ) for 2019 audit services. She stated it was discovered that is not commonly done and a Request for Proposals (RFP) would need to be initiated in order to receive costs.

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO NEGOTIATE WITH CLIFTONLARSONALLEN (CLA) FOR THE 2019 AUDIT SERVICES AT THE COST OF \$46,020; FURTHER TO INITIATE A REQUEST FOR PROPOSALS (RFP) FOR THE 2020 AUDIT SERVICES.

Drivers License Testing Office Lease Discussion - Informational

Committee Chair Hilgart stated the Drivers License Testing Office lease agreement expires in October 2019 and the Department of Public Safety (DPS) is interested in renewing for a 3-year term at the same rate per square foot. She explained the Minnesota Pollution Control Agency (MPCA) is also implementing a new Green Lease program and the DPS is asking which of these options can be added into the agreement.

City Administrator Torstenson will offer a 3-year lease renewal at \$14.96 per square foot to the DPS for the Drivers License Testing Office. She will also give direction to the DPS that

quotes may be obtained for the desired updates shown in the Green Lease program, but the expenditures will be at the lease holder's expense and not the City.

Council Meeting Broadcasting/Streaming Update - Informational

Committee Chair Hilgart explained the installation has been delayed due to backordered equipment and extenuating circumstances. She stated Lakes Area Media Collaborative hopes to have the installation complete the beginning of August. It was also discussed a backup camera is available if a council meeting is held and the update is not completed.

Shared Facility Maintenance Services Agreement Update – Informational

Committee Chair Hilgart stated a report from Crow Wing County was received showing the hours of service to the City of Brainerd this year as part of the shared services agreement. She indicated the hours of service are much lower than expected for the first 6 months of the year, and staff has been directed to discuss a possible rate reduction for the second half of 2019 at the second quarter meeting with Crow Wing County.

Police Request to Hire Police Officers - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO AUTHORIZE THE POLICE & FIRE CIVIL SERVICE COMMISSION TO CERTIFY THE NEXT THREE CANDIDATES ON THE CURRENT POLICE OFFICER ELIGIBILITY LIST AND AUTHORIZE MAKING CONDITIONAL JOB OFFERS TO TWO OF THE CANDIDATES WITH A TENTATIVE START DATE OF ON OR ABOUT SEPTEMBER 19TH PENDING SUCCESSFUL COMPLETION OF THE PRE-EMPLOYMENT SCREENING PROCESS.

Unfinished Business

Committee Recommendations – Recommended by Mayor Menk

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO APPOINT MR. DOUG STENBERG TO THE TRANSPORTATION ADVISORY COMMITTEE FOR A TERM TO EXPIRE 12/31/2020.

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

Mayor Recommended: (terms to 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)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term pending (Expire 2020) – 1 term (Expire 2021)

Facilities Discussion – Phasing, Cash Flow of Plan - Approved

Finance Director Hillman explained there are some remaining facility items scheduled to be completed in 5-15 years for City Hall that may be more cost effective to include them in the current scope of work. She stated these would be interior finishes; carpeting, painting, upgrade

wiring to cat 6 and expansion of the employee breakroom. She said these finishes could be done later but it would save money to complete them during the initial phase. She did stress the cash flow statement provided does not include the projects for Memorial Park.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO FINALIZE THE SCOPE OF PROJECTS AND AUTHORIZE PROCEEDING WITH DESIGN FOR THE CITY HALL PROJECT INCLUDING THE INTERIOR FINISHES AS PRESENTED.

Council discussion took place.

City Engineer Sandy clarified the design for the police department, fire department and street garage will be completed at the same time.

The Chair recognized Mike Angland, architect with WSN and Kevin Currie, Contegrity Group who said taking care of the priorities in 2019-2020 would be a financial benefit to the City, as costs will only increase as time goes on.

City Administrator Torstenson stated this could speed up the process for the parks department staff to relocate to City Hall. She said the engineering breakroom is being removed and the space will be the office for the parks' director, and since all the furniture is removed it would be an ideal time to install the new flooring. She also stated once the ceilings are removed to install the new HVAC equipment, this would be the time to take out the wall to expand the first-floor breakroom.

New Business

Historic Water Tower Proclamation

Mayor Menk read a proclamation for the 100th Anniversary of the start of construction to the Historic Water Tower, which was Friday, July 12, 2019.

Planning Commission

Final Reading – Proposed Ordinance No. 1497 – An Ordinance to Rezone Property at 215 N 3rd St. Brainerd from a B-1 (Residential Office) to an R-2 (Medium Density Residential) District - Approved

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO DISPENSE WITH THE ACTUAL READING OF ORDINANCE NO. 1497 – AN ORDINANCE TO REZONE PROPERTY AT 215 N 3RD ST., BRAINERD FROM A B-1 (RESIDENTIAL OFFICE) TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET TO ADOPT ORDINANCE NO. 1497– AN ORDINANCE TO REZONE PROPERTY AT 215 N 3RD ST., BRAINERD FROM A B-1 (RESIDENTIAL OFFICE) TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT.

ORDINANCE NO. 1497

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

July 15, 2019 - **DRAFT**

Public Forum

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

No one came forward.

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

Staff Reports

City Engineer Sandy gave an update of the detour due to the sinkhole that occurred at the edge of the bridge on Highway 210. He stated MnDOT shut down the westbound lanes and one eastbound lane, which should be resolved in approximately three days. He indicated one lane in each direction has been reopened temporarily on College Drive. He stated the City of Baxter also opened College Drive at Cypress Drive to help alleviate some of the traffic. He advised residents to utilize Mill Avenue to Wise Road and the 371 bypass as alternate routes. He thanked the surrounding entities for the prompt response and assistance.

City Attorney Langel indicated the City of Brainerd prevailed in the Court of Appeals regarding the case with the City of Baxter regarding franchise fees for Brainerd Public Utilities. He stated the City of Brainerd provided power to Baxter prior to their existence thus predating the statute.

City Administrative Torstenson announced the Farmers Market takes place again Tuesday, July 16th from 3:00 – 6:00 pm. She thanked Mayor Menk for allowing the market to take place indoors at his building last week due to the forecasted rain and any additional Tuesday's that have inclement weather.

Council Member Reports

Council Member Bevans thanked City Engineer Sandy for his involvement being at the bridge last night and all the staff in law enforcement that took prompt action.

Mayor Menk stated there was a great response during the time of need in taking care of the issues at the bridge from city staff and all public servants in the area and he thanked them all.

Council Member Johnson agreed and also thanked the Sheriff's Office, State Patrol and the Baxter Police Department.

Council Member Hilgart stated the police department did a great job in directing traffic to avoid congestion.

Council Member Stunek thanked everyone involved for all the hard work.

Mayor Menk thanked the volunteers and staff for the 4th of July Celebration.

Council Member Badeaux thanked City Attorney Langel for the update on the franchise fee legal proceedings.

Council Member Johnson invited everyone to the annual Brainerd Jaycees Streetfest which takes place on July 26th and 27th on Front Street.

Adjourn to Closed Session Under the Attorney-Client Privilege Pursuant to MN Statutes 13D.05, Subd. (B) Concerning Potential Litigation Under the False Claims Act – 8:19 p.m.

Adjourn to Council Workshop July 22, 2019 at 5:30 p.m.

The Chair adjourned the meeting at 8:24 p.m.

Cassandra Torstenson
City Administrator

**Brainerd, MN
July 22, 2019**

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.

Upon roll call, the following members were noted present: Hilgart, Lambert, Stunek, Pritschet, Bevans, Badeaux, Johnson and Mayor Menk. Also present were City Administrator Torstenson, Finance Director Hillman, Community Development Director Chanski, City Engineer Sandy, Police Chief McQuiston, Fire Chief Holmes, Parks Director Sailer, HR Coordinator Schubert, Todd Wicklund, BPU Finance Director, Crow Wing County Administrator Tim Houle, Crow Wing County HR Director Meliène Fontaine-Laska and Dr. Robert Sicora from Sicora Consulting.

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

Community Member of the Month

Mayor Menk nominated and presented Mr. & Mrs. Bruce Buxton with the Community Members of the Month award for the month of August. Mayor Menk stated the Buxton's participate in annual cancer walks as well as Bruce initiating the River to Rail projects.

Welcoming Communities

City Administrator Torstenson indicated the Individual Intercultural Development Inventory (IDI) Assessments were completed by the Council to be a part of the welcoming community's effort as an economic development and workforce attraction strategy. She stated there are five other entities in the area that are interested in proceeding to the next step of the program.

Community Development Director Chanski stated the following entities are interested in forming a welcoming communities advocacy committee: Central Lakes College (CLC), Brainerd Restoration, Brainerd Lakes Area Community Foundation, City of Brainerd and Rural Minnesota Concentrated Employment Program (CEP). He said the advocacy committee will choose a select population that are underrepresented in the City and will work to promote inclusion of this chosen group. He explained the timeframe and details of the committee's purpose.

City Administrator Torstenson would like to gauge the interest from the Council to participate. It was explained that no City dollars will be needed to participate in the program. She stated the item will be on a future Council agenda for formal approval, but the consensus showed Council interest.

Performance Overview

City Administrator Torstenson gave a brief overview of the performance review process and the direction the Council would like to proceed with. She indicated the City went with the step system performance review program and it was described there would need to be additional performance review training for staff and department heads. She stated the documents were provided in the packet for review and discussion.

Council discussion took place.

City Administrator Torstenson stated as a whole, the department heads are not yet ready to use the new form for the 2019 performance reviews without more support. She said to make sure the 2019 performance reviews are completed in October using the current form, and we will work towards alignment with the entire organization for the new format.

2020 Budget and Levy Discussion

Council Member Lambert indicated she would like to initiate a retreat for the beginning of 2020 to discuss staffing levels and projects the City could work on.

Council Member Johnson said he feels investing in our neighborhoods with neighborhood groups is one of the priorities the Council should address.

Council discussion took place regarding other potential topics for the retreat.

Finance Director Hillman explained the proposed timeline that was provided to Council and details of the known items for the 2020 budget.

Council Member Hilgart announced she accepted a position out of state and will be leaving the Council in September.

Adjourn

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

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
August 5, 2019
(1 New - 4 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
RICK DEWOLF 18016 HARTLEY LAKE ROAD BRAINERD, MN 56401 19-0210 (new)	(218) 851-8382	MASO	5/1/2020	12/31/2019	
GREAT RIVER EXCAVATING, LLC 10728 BLUE JAY TRAIL BRAINERD, MN 56401 19-0211	(218) 828-4764	EXCA SSTS	7/29/2020	12/31/2019	L2819
MATICH MASONRY LLC 11490 SLEEPY HOLLOW ROAD BRAINERD, MN 56401 19-0212	(406) 696-1310	MASO	9/22/2019	12/31/2019	
KASSULKER CONCRETE LLC 16200 MILES CIRCLE BRAINERD, MN 56401 19-0213	(218) 851-5679	MASO	8/12/2020	12/31/2019	
MASONRY BY HINES, LLC 19151 LOVE LAKE ROAD BRAINERD, MN 56401 19-0214	(218) 821-2626	MASO	10/25/2019	12/31/2019	

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: August 1, 2019
Re: July 2019 Activity Report



Sadly, we started the month with a Critical Incident Debriefing for a helicopter crash at the airport. Debriefing is critical for the coping and healing of all public safety partners.

Four newly hired Paid on-Call Firefighters were added in July. We are excited to have these four individuals join our department.

We provided a station tour to children from Fun 'n Friends, and participated in family events at First Baptist Church, Journey North and the Brainerd Jaycees Duck Race. We participated in the Brainerd and Nisswa 4th of July parades and sold our famous department brats at the Brainerd 4th of July celebration. Fire extinguisher training was provided for employees of Brighter Horizons and Lakewood Evangelical Free Church.

In July, we conducted firefighter Technical Rescue training, and seven firefighters began Fire Apparatus Operator training. Chief Holmes attended an HSEM Leadership and Influence training at Camp Ripley.

Aerial ladder testing was completed on Ladder 2 and the apparatus passed all required testing.

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

Structure Fire	4
Vehicle/Camper Fire	2
Outside Rubbish Fire	2
Vehicle Crash	2
Gas Leak	1
Carbon Monoxide Incident	3
Power Line Down	1
Assist Other Governmental Agency	4
Unauthorized Burning	3
Good Intent Call	4
Canceled Enroute	5
Alarm Activation	15
Carbon Monoxide Alarm	1
Total	47

City of Brainerd Incident Report

Structure Fire	1
Vehicle/Camper Fire	1
Outside Rubbish Fire	2
Vehicle Crash	1
Carbon Monoxide Incident	2
Assist Other Governmental Agency	3
Unauthorized Burning	2
Good Intent Call	2
Canceled Enroute	1
Alarm Activation	4
Carbon Monoxide Alarm	1
Total	20

Parks and Recreation Report

August 2019



- The cost for the Gregory Park warming house/pavilion has been revised upward to include several items.

After the construction plans were reviewed by the City Building Inspector and the state, it was required that footings were needed under the pavilion. The engineering fees were \$4,500. The Park Board had earlier approved a modification to the women's restroom by adding a third toilet. Also, staff had overlooked the need for a 1 ¼" stub and vacuum needed to flood the skating rink.

The revised cost is \$222,683.15. The previous quote was \$214,265.55. The City Council had approved \$220,000 in capital improvement funds for the project.

The warming house was razed July 8. Construction was scheduled to begin July 29. The fountain has been shut down since water had to be shut off once the building was razed and until construction concludes. The tennis court lights remain functional, but all other electric service has been shut off.

- In February, the Park Board tabled a request to install lights at Buster Park to see if the Park Dedication balance improved. At the time there was \$12,084 available in the Park Dedication fund. Through June there is \$15,380 available for new projects.

The quote from Brainerd Public Utilities was \$6,941.66 for installation of three light poles and wiring, and the quote from Illumient for solar lights was \$4,032.90 per light structure. Staff believes three light poles would be adequate for the dog park – one at the gate/parking lot, one along the west fence and another on the northeast side.

The Park Board approved using \$7,000 in Park Dedication funds for the project with BPU being awarded the project. A survey last year indicated many Buster Park users would like lighting at the facility. There aren't any street lights in the vicinity and during the winter months it is dark by 5 p.m. and many people bring their dogs to Buster Park in the evening.

- Staff has discussed trail signage on the Buffalo Hills Trail from the Laurel Street bridge to Buffalo Hills-Lions Park with Riverfront coordinator Ashley Kaisershot. Ms. Kaisershot provided a selection of trail marker designs and a map of sign locations designating mileage points.

A Healthy Communities grant will be submitted to Crow Wing Energize to fund the markers.

- A \$1,700 donation was received from Minnesota Charitable Gambling, which operates pull tabs at Jack's House. Funds from the pull tabs are designated for youth activities. The funds were used for a free night of bowling, pizza and pop at Jack's House on July 25 for youths in the softball, baseball and Miracle League programs.
- Twenty-three teams competed in the 15 & Under baseball Gopher State Tournament of Champions July 20-21 at Mills, Don Adamson, CLC and Forestview fields. The Parks and Recreation Department receives a \$150 gate fee from each team. Minnesota Youth Athletic Services pays for umpires and trophies, and provides baseballs.
- The VFW state baseball tournament will take place Aug. 8-11 at Mills and Don Adamson fields. Twelve teams will compete for the state VFW baseball title. The Parks and Recreation Department receives a \$50 per game fee to provide field maintenance at Mills Field. The VFW covers all other expenses and operates its own concession stand.
- The Co-Rec adult softball state tournament will be Aug. 24 and the Masters state tournament will be Aug. 25. Both tournaments will be played at Memorial Park.



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Accept Retirement of Laurie Johnson

☐ 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: 0 minutes
Summary of Issue: Laurie Johnson is officially retiring from the City of Brainerd. Her retirement will be effective September 1st. Laurie has been an integral part of the City of Brainerd for some 31 years. Laurie spent 11 years in the Parks Department before spending the last 20 years in the Building Department. She will be greatly missed.	
Alternatives, Options, Effects on Others/Comments: Laurie has constantly pursued perfection in all that she does, and through her own professional pursuit, became and still is the only ICC Certified Permit Technician in Crow Wing County. She continually sought out efficiencies within the Building Department and is truly the backbone of the Department. She has built valuable relationships with contractors, landlords, and developers throughout Brainerd. Without her, my transition into the Community Development Director position would have been much less smooth. Laurie is an irreplaceable member of our team, but we celebrate with her as she starts this next chapter.	
Recommended Action/Motion: Accept the retirement of Administrative Specialist 2 Laurie Johnson, effective September 1, 2019.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u>	

July 22, 2019

Mr. David Chanski,
Director of Community Development
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

RE: Letter of Resignation – Retirement

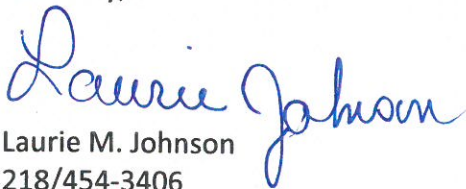
Dear David, Chuck and All Concerned:

Please accept this as formal notice of my retirement from the position of Permit Technician/Admin Sp. with the City of Brainerd Building Department, effective September 1, 2019; six weeks from today, making my last day of employment August 31, 2019.

After careful consideration, I have made the decision to retire in order to spend more quality time with family and friends and enjoy a change of pace. Working for the City of Brainerd has been a wonderful experience that has afforded me many valuable opportunities to learn and grow, and I am very grateful to have been part of this organization.

I wish you and the City of Brainerd continued growth and success in the future.

Sincerely,



Laurie M. Johnson
218/454-3406



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Request to Hire Daniel Diethert to Street and Sewer Maintenance I

☐ 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): n/a	Estimated Time Needed: n/a
Summary of Issue: On June 17, 2019, the City Council authorized staff to begin the hiring process for the vacant Street and Sewer Maintenance I position. We had 24 applicants for the position and we interviewed 8 individuals. The interview panel consisted of City Engineer Sandy, HR Intern Bengtson, and Street and Sewer Foreman Middagh. Our recommendation is to hire Daniel Diethert for the position. Upon his request to be placed higher than a step 1 on the wage grid, the committee felt that the combination of Mr. Diethert's past experiences as street lead for another community and internships for the past two years for the street department qualify him for the wage grid step 2.	
Alternatives, Options, Effects on Others/Comments: Please note that Mr. Diethert has already successfully completed his pre-employment drug, physical, credit and background checks.	
Recommended Action/Motion: Included on the consent calendar is a motion to hire Daniel Diethert as Street and Sewer Maintenance I, effective August 6, 2019; further, that Mr. Diethert be placed on Step 2 of the Street and Sewer Maintenance I wage grid (\$21.31 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> This is the backfilling of an already authorized position made vacant by Mr. Middagh's promotion.	



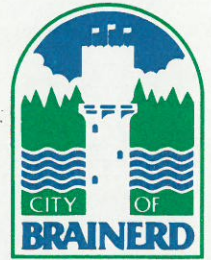
Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Riverfront Committee Update

☒ 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: A. Kaisershot, Riverfront Coordinator	Department: Community Development
Presenter (Name & Title): Representatives from the Brainerd Riverfront Committee	Estimated Time Needed: 10 minutes
Summary of Issue: The City of Brainerd has been working with the National Park Service since January of 2019 to advance planning and design work at the Mississippi Landing Trailhead site (vacant parking lot by the river). As a part of the design work, an action plan has been developed and the community engagement portion of the design phase will begin soon. The purpose of this presentation is to inform Council on the progress that has been made to date, discuss the leading design elements of the trailhead, and advise Council members on the next steps.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: N/A	
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>N/A at this time</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> At this time there is no cost associated with an informational update, yet as a public park, resources will need to be sought and allocated for future construction.	

July 31, 2019



www.ci.brainerd.mn.us

Dear Mayor Menk and Brainerd City Council members,

Jim Roelofs from the Mississippi Riverfront Committee shared an informative presentation on the Mississippi Landing Trailhead project with the Brainerd Walkable Bikeable City Committee (WBCC), at our meeting on Wednesday July 24th. Jim shared the concept plan and next steps.

Please consider the following points:

- This project ties in with WBCC goals of making destinations for walkers and cyclists.
- It enhances our already in place city trail system.
- It will bring a greater sense of community to Brainerd by having a gathering place for live music, storytelling, picnics and more.
- It will provide steps to the river for observation and access for canoeists and kayakers.
- This project will showcase and provide education about the Mississippi River.
- It will mitigate stormwater runoff entering the river from city streets, parking lots and the highschool campus.

There is momentum in making our city, especially downtown, more attractive to visitors and Brainerd citizens. This project will build on the good work that is already being done and compliment Brainerd's other attractions.

The WBCC recommends the City Council make the trailhead project a high priority by dedicating staff time and funding supporting this project. This will show support of our community and help leverage funding when the Riverfront committee seeks other funding.

Respectfully,

A handwritten signature in cursive script that reads "Eleanor Burkett".

Eleanor (Ellie) Burkett
WBCC chair

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

August 5, 2019
City Council Chambers
7:15 PM

1. Emergency Storm Sewer Repairs - Informational
2. Improvement 16-09 (SAP 108-136-004) and 19-07 – Buffalo Hills Lane and Mississippi Drive Reconstruction Project – Testing Services
3. Event Application – Farmer’s Market on Laurel
4. Event Application – Project Rainbow Block Party
5. Event and Alley Closure Application – Opening Art Reception with Music



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Emergency Storm Sewer Repairs - Informational

☐ 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): Assistant City Engineer Fladung	Estimated Time Needed: 5 Minutes
Summary of Issue: With the recent heavy rains, there have been a few sink holes that have formed over our storm sewer system that staff felt the Council should be made aware of as you may have been seeing some construction work in a few odd places around town recently.	
Alternatives, Options, Effects on Others/Comments: In total, there were three areas in which sink holes were located and repaired. The first one was in Northtown near Northtown Street and Clearview Lane. Street staff were able to dig this one up and repair it themselves. Besides some time spent on the repair, the patch from Anderson Brothers cost \$1,200. The second one was at the intersection of S 7th Street and Pine Street. Street staff was once again able to repair this one on their own, with Anderson Brothers patching the area for \$1,200. The third one was located on S 4th Street near the intersection of Laurel Street. The pipe in this area sank and created a sinkhole near the sidewalk on S 4th Street. There was about 30-feet of pipe that needed to be replaced, and was out of the scope of what our street staff could handle in that situation. Tom's Backhoe service was called to dig out the area and repair the pipe. The total of Tom's Backhoe invoice was \$6,170 for the removals, digging, repair, and materials and the Anderson Brothers patch totaled \$2,688. In total, the invoiced amount for these three repairs was \$11,258. All of the areas have been patched and returned to service.	
Recommended Action/Motion: Informational.	
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> \$ 11,258 <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> These were all repair work that needed to be completed promptly. All payments to come out of storm sewer fund 238.	



Tom's Backhoe Service, Inc.

323 Woodland Hills Ln
Brainerd, MN 56401

Invoice

Date	Invoice #
7/29/2019	17075

Bill To
City of Brainerd 501 Laurel St. Brainerd, MN 56401

Terms	Due Date	Project	Other
Net 30	8/28/2019	Sewerline Laur...	

Date	Description	Amount
7/22/2019	Dig up and repair sewerline at Laurel & 4th City of Brainerd, Labor & Materials	6,170.00

1.5% Interest Charge after 30 days	Subtotal	\$6,170.00
	Total	\$6,170.00
	Payments/Credits	\$0.00
	Balance Due	\$6,170.00

Phone #	Fax #
2188284232	218-829-3746

323 Woodland Hills Lane
Brainerd, MN 56401
218-828-4232



5103

Please turn in Tickets daily to:
Tom's Backhoe Service, Inc.

DATE 7-22-19	TRUCK # 11	TRAILER #	JOB # BRND Repair
☐ BELLYDUMP	☐ SIDEDUMP	☒ SUPER 18	☐ QUINT
		☐ TRIAXLE	☐ QUAD

CUSTOMER BRND Repair Lawrence 24th

TYPE OF MATERIAL Tar Waste BACKHAUL MATERIAL _____

FROM: BRND FROM: _____

TO: Tom p.t TO: _____

LOAD TIME	TICKET NO.	NET TONS	LOAD TIME	TICKET NO.	NET TONS
1 9:30	1	15	11		
2 10:30	1	15	12		
3 12:30	1	10	13		
4			14		
5			15		
6			16		
7			17		
8			18		
9			19		
10			20		

<u>Bob Keck</u>	TOTAL LOADS	TIME	TOTAL HOURS
DRIVER SIGNATURE		START	
		STOP	
TRUCKING CO. NAME		START	
CONTRACTORS AUTHORIZED SIGNATURE		STOP	

WHITE - OFFICE CANARY - CUSTOMER

Tom's Backhoe Service, Inc.

323 Woodland Hills Lane

Brainerd, MN 56401

218-828-4232



5100

Please turn in Tickets daily to:
Tom's Backhoe Service, Inc.

DATE 7-22-19	TRUCK # 16	TRAILER #	JOB # Lance BKND Rep 4		
☐ BELLYDUMP	☐ SIDEDUMP	☐ SUPER 18	☐ QUINT	☐ TRIAXLE	☐ QUAD

CUSTOMER BKND Lance & 4 Rep 4TYPE OF MATERIAL C5 BACKHAUL MATERIAL _____FROM: Rosco p.t FROM: BKND Lance & 4TO: _____ TO: Rep 4
Storm

LOAD TIME	TICKET NO.	NET TONS	LOAD TIME	TICKET NO.	NET TONS
1 2:30	1	15	11		
2	1	15	12		
3 5:30			13		
4			14		
5			15		
6			16		
7			17		
8			18		
9			19		
10			20		

<u>Bab Keah</u> DRIVER SIGNATURE	<table><tr><th>TOTAL LOADS</th><th>TIME</th><th>TOTAL HOURS</th></tr><tr><td></td><td>START</td><td rowspan="4"></td></tr><tr><td></td><td>STOP</td></tr><tr><td></td><td>START</td></tr><tr><td></td><td>STOP</td></tr></table>	TOTAL LOADS	TIME	TOTAL HOURS		START			STOP		START		STOP
TOTAL LOADS		TIME	TOTAL HOURS										
		START											
		STOP											
	START												
	STOP												
<u>Tom Backe</u> TRUCKING CO. NAME													
CONTRACTORS AUTHORIZED SIGNATURE													

WHITE - OFFICE

CANARY - CUSTOMER

DELUXE FOR BUSINESS 1-800-888-6327

Ref. No: G 717700357

Tom's Backhoe Service, Inc.

323 Woodland Hills Lane
Brainerd, MN 56401
218-828-4232



5150

Please turn in Tickets daily to:
Tom's Backhoe Service, Inc.

DATE <u>1-22-19</u>	TRUCK # <u>16</u>	TRAILER #	JOB # <u>BRND Laure + 4th</u>
☐ BELLYDUMP	☐ SIDEDUMP	☒ SUPER 18	☐ QUINT
		☐ TRIAXLE	☐ QUAD

CUSTOMER BRND street Repair

TYPE OF MATERIAL Swan Rock BACKHAUL MATERIAL

FROM: Toms FROM:

TO: BRND TO:

LOAD TIME	TICKET NO.	NET TONS	LOAD TIME	TICKET NO.	NET TONS
1 <u>2:30</u>	<u>1</u>	<u>5 Yds</u>	11		
2			12		
3			13		
4			14		
5			15		
6			16		
7			17		
8			18		
9			19		
10			20		

<u>Bob Koch</u>	TOTAL LOADS	TIME	TOTAL HOURS
DRIVER SIGNATURE		START	
		STOP	
TRUCKING CO. NAME		START	
CONTRACTORS AUTHORIZED SIGNATURE		STOP	

WHITE - OFFICE CANARY - CUSTOMER

DELUXE FOR BUSINESS 1-800-888-6327

Ref. No. G 717700357



CERTIFICATE OF COMPLIANCE

Baxter Plant - RM059

Ticket#:	3451292	Load Size:	2.00 CYDS
Date / Time:	7/22/19 16:14	Cumulative QTY:	2.00 CYDS
Truck #:	321053	Loads Del:	1
Driver:	NICK DOUCETTE	Customer:	TOM'S BACKHOE SERVICE
Mix ID:	3293GS0004	S.P.# or Bridge#:	
Mix Desc:	6 BAG GROUT		

MATERIAL DETAILS

SAND : ASTM C33	CEMENT : ASTM C150	REDUCER 3 : AGRTPX90
SAND2 : ASTM C33	CEMENT2 : ASTM C150	PC-REDUCER : FGRTDYNX
3/4 ROCK : ASTM C33	FLYASH2 : ASTM C618	LOWRANGE : AGRT400NC
1-1/2 ROCK : ASTM C33	FLYASH : ASTM C618	AIR ENT : GRTPOSA50
GRANITE : ASTM C33	CTS-K : KOMPONENT	VMA : SGRTPLVMA
WATER : Well	REDUCER : AGRTK1200	NCA : GRT POLYSSP
	REDUCER 2 : FGRT3000	STABILIZER : BGRTPLREN

FIELD TEST & COMMENTS

Air Content _____ Slump _____ Concrete Temp _____

Location _____ Cylinder# _____ Time Discharged _____ Air Temp _____

PLANT TEST & COMMENTS

Air Content _____ Slump _____ Concrete Temp _____

Water Added @ Plant _____ gl Water Added @ Jobsite _____ gl Total Actual Water _____ gl

Producers Signature Josh Smith Knife River NCR

Inspectors Signature _____

Load Total:	7510 lb	Num Batches:	1	Actual
Slump:	4.00 in	Design W/C:	0.576	
Water in Truck:	0.0 gl	Adjust Water:	0.0 gl / Load	Trim Water: -99.0 gl / CYDS
Design Water:	649.8 lb	Total Water:	243.8 lb	To Add: 49 gl

Ingredient	Source	MCFac	AbsFac	OD	ABS	SSD	Free Mst	CYDS TARG	Target	Actual	Actual Water
SAND	11001 ROBERTS	0.045	M	0.005	3067 lb	3067	122.68	3190	6379 lb	6340	244 lb
WATER	CITY				324.9 lb	324.9			.0 lb	.0	
CEMENT	DACRCSO GCC Dakota				564 lb	564		564	1128 lb	1170	>



KNIFE RIVER
AN MDU RESOURCES COMPANY

Form #81 (Rev. 4/19)

Knife River Corporation—North Central
Knife River Materials
4787 Shadowwood Drive NE
Sauk Rapids, MN 56379

DELIVERY TICKET

Date: **07/22/2019** Terms:

Ticket #: **3451292**

Central Region

888-640-1600
320-252-4322
320-251-5004
320-762-2457

East Region

888-610-4483
651-674-4483

North Region

800-450-4726
218-829-4726

South Region

888-235-4343
320-587-4343

LEAVE PLANT

ARRIVE PLANT

Bill to: 342695

TOM'S BACKHOE SERVICE

323 WOODLAND HILLS LN.

Ship To:

LAUREL AND 4TH ST

IN FRONT OF COURTHOUSE

Plant #	Order #	Quote #	P.O. #	Truck #	Driver #	Use	Order Qty	Delv'd Qty	Spacing
030	3203023			321053	NICK DOUCETTE		2.00	2.00	

Time Due	Arrive Job	Fin Pour	Slump	Temp	Loads To Job	SP & Bridge#
16:30			4		1	

Qty	U/M	Product #	Product Description	Unit Price	Net Amount
2.00	yd	3293GS0004	6 BAG GROUT		
1.00	EA	3255011	Minimum Load (1 - 2.9 Yds)		
1.00	EA	3255080	ENVIRONMENTAL CLEANUP		

*4m +
1 round*

Water Added at Customer's Request: _____ Gallons Full Load _____ 3/4 Load _____ 1/2 Load _____ 1/4 Load

PRODUCT WARNING: Concrete mixes are designed for specific slump ranges; adding additional water voids strength guarantee.

CAUTION: CONCRETE BURNS! • CONTAINS PORTLAND CEMENT • READ THIS WARNING BEFORE USING

CONTACT WITH WET (UNHARDENED) CONCRETE, MORTAR, CEMENT, OR CEMENT MIXTURES CAN CAUSE SKIN IRRITATION, SEVERE CHEMICAL BURNS, OR SERIOUS EYE DAMAGE. Avoid contact with eyes and skin. Wear waterproof gloves, a long-sleeved shirt, full length trousers, and proper eye protection when working with these materials. If you have to stand in wet concrete, use tight waterproof boots that are high enough to keep concrete from flowing into them. Wash wet concrete, mortar, cement, or cement mixtures from your skin immediately after contact. Indirect contact through clothing can be as serious as direct contact, so promptly rinse out wet concrete, mortar, cement, or cement mixtures from clothing. Seek immediate medical attention if you have persistent or severe discomfort. In case of eye contact, flush with plenty of water for at least 15 minutes. Consult a physician immediately. KEEP OUT OF THE REACH OF CHILDREN. USER AGREES TO CONVEY THIS WARNING TO ALL PERSONS WHO MAY PURCHASE, USE OR COME IN CONTACT WITH WET (UNHARDENED) CONCRETE, MORTAR, CEMENT, OR CEMENT MIXTURES.

The undersigned acknowledges receipt of the materials in good condition and authorizes water to be added to the load at jobsite as indicated, which may void warranty. (See warning for adding water at jobsite.) Where applicable, undersigned authorizes Knife River equipment to drive on said property and assumes full responsibility and agrees to indemnify and save harmless Knife River from claims, damages or injuries therefrom. A Finance Charge of 1.5% per month, which is an annual percentage rate of 18% will be assessed monthly on all past due balances and a \$30 charge for all returned checks. Purchaser agrees to pay all collection costs, including reasonable attorney fees incurred in the collection of any unpaid amount(s). Purchaser further agrees that any litigation related to amounts due may be venue in the county of Benton, State of Minnesota.

By **X** _____

JOB DELAYS: Purchaser is allowed 7 minutes per yard free unloading time after arrival of truck at jobsite. Demurrage at \$100.00 per hour paid by purchaser thereafter.

Subtotal:

Sales Tax:

**Balance Due
This Ticket:**

**Balance Due
This Order:**

**Amount
Received:**

Form of Payment:

Driver Comments and Initials:

Thank you for your business!



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 July 23, 2019
Street		Job Name	
City, State and Zip Brainerd Mn.		Job Location	
Attn:	Job Phone	Mail To	

We hereby submit specifications and estimates for:

Note. Northtown St. and Clearview Ln. \$1,200

South 7th and Pine St. \$1,200

South 4th and Laurel St. \$2,668

Total \$5,068

Note: ½ the total quote is due prior to construction.

**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:

Five Thousand Sixty Eight Dollars

_____ dollars (\$ 5,068)

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 Tulenchik, 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.

Signature

7/24/19

Date of Acceptance:

Signature

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



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Imp. 16-09 and 19-07 - Buffalo Hills Lane and Mississippi Dr. - Testing Services

☐ 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): Assistant City Engineer Fladung	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a proposal for testing services from Braun Intertec as it relates to Improvement 16-09 and 19-07 which consists of the Buffalo Hills Lane and Mississippi Drive Reconstruction Project.	
Alternatives, Options, Effects on Others/Comments: The testing services consist of soils testing including compaction, gravel sieve analysis and compaction, concrete field testing and asphalt laboratory and field testing along with plant certification. These are standard tests that must be performed to expend State Aid funds. All testing services are reimbursable engineering expenses from the City's State Aid account.	
Recommended Action/Motion: Staff recommends approval of the testing services proposal from Braun Intertec in the total amount of \$23,483.00.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>\$23,483.00</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> Costs to be cash flowed through construction fund 401 and reimbursed through the City's State Aid account.	

July 10, 2019

Proposal QTB103518

Mr. James Fladung
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Re: Proposal for Construction Materials Testing Services
Buffalo Hills Lane Reconstruction
SAP 108-136-004
Brainerd, Minnesota

Dear Mr. Fladung:

Braun Intertec Corporation is pleased to submit this proposal to provide construction materials testing services for the Buffalo Hills Lane Reconstruction project in Brainerd, Minnesota.

Our Understanding of Project

We understand this project will consist of pavement subgrade preparation, aggregate base placement, new concrete curb and gutter, sidewalk, and driveways along with a new warm-mix asphalt pavement on Buffalo Hills Lane, from Mississippi Drive to South Greenwood Street. Improvements to the storm sewer, sanitary and watermain are also a part of this project.

This project is a City of Brainerd project with state-aid funding. Projects that are constructed with state-aid funding are required to perform Quality Control and Quality Assurance (QC/QA) testing in accordance with the Minnesota Department of Transportation's (MnDOT's) 2018 Standard Specifications for Construction along with MnDOT's Schedule of Materials Control. This project is using MnDOT's 2018 State Aid for Local Transportation (SALT) Schedule of Materials Control. Personnel with MnDOT certifications must complete the monitoring and testing. Braun Intertec will perform the QA field testing and plant monitoring on the project as listed in our scope of services and as shown on our attached cost estimate table. The contractor will be responsible for performing all of the required QC testing and submitting all the documentation upon completion of the project. An audit of the project could be conducted upon completion. The audit may include reviewing tests and paperwork provided by your QC/QA representative.

Available Project Information

This proposal was prepared using the following documents and information.

- Project plans and specifications prepared by the City of Brainerd Engineering Department, dated March 20, 2019 and May 16, 2019 respectively.

- Email correspondence with you, Mr. James Fladung with the City of Brainerd, dated July 2, 2019.

Braun Intertec Project Personnel

For this project, we will provide technicians that are MnDOT certified in each specialized field. We have many MnDOT certified employees. For the proposed scope of services, our staff will have the following certifications:

- Aggregate Production
- Grading & Base I
- Concrete Field I
- Concrete Plant I
- Bituminous Street
- Bituminous Plant I
- MnDOT or ACI Strength Testing

Accredited Laboratory

In the 2018 SALT Schedule of Material Control, which is part of this project's testing requirements, MnDOT requires laboratories performing acceptance tests for payment to be accredited by the AASHTO Resource (formerly AASHTO Materials Reference Laboratory [AMRL]) for all test procedures performed.

Braun Intertec is one of the few independent testing companies that is accredited in the state. With Braun Intertec's Metro Material Laboratory typically operating 24 hours a day, laboratory test results are delivered in a timely manner.

Scope of Services

Testing services will be performed on an on-call, as-needed basis as requested and scheduled by you or your on-site project personnel. Based on our understanding of the project, we propose the following services.

Soil Related Services

- Perform nuclear gauge density tests on sub-grade and utility backfill materials.
- Perform gradation tests on aggregate base and stabilizing aggregate materials.
- Perform laboratory standard Proctor tests on backfill and fill materials.
- Prepare the preliminary and final grading and base report along with assembling the random sampling locations report for the aggregate according to MnDOT Specifications.

Concrete Field Testing Related Services

- Sample and test the plastic concrete for slump, air content, temperature prior to placement.
- Prepare 4-inch by 8-inch cylinders for compressive strength testing.
- Laboratory compressive strength testing of cylinders.
- Perform concrete ready-mix batch plant inspections, which includes periodic observations of plant operations, collecting and submitting aggregate samples, cement samples and admixture samples for testing. Observe and review contractor quality control Excel workbooks, control charts and sample log books. Perform concrete ready mix plant monitoring per MnDOT 2461 specification.
- Perform coarse and fine aggregate gradation tests.
- Develop the Weekly Concrete Reports for the Project Engineer's review and their submittal to MnDOT's Concrete Office.

Bituminous Related Services

- Perform bituminous plant inspections, which includes periodically observing the contractor's quality control testing, observing one set of contractor tests per day and collecting companion samples for quality assurance tests.
- Collect one verification sample per mix per day of production. Perform quality assurance tests on these samples which include Rice specific gravity, asphalt content, extracted aggregate gradation, gyratory density, coarse aggregate angularity, and fine aggregate angularity.
- Randomly determine and mark pavement core locations.
- Observe the contractor coring and core testing in accordance with MnDOT's specifications, which include watching quality control personnel weigh the cores at their laboratory.
- Collect companion cores and test for thickness and density of pavement cores.

Reporting and Project Management

Test results will be issued weekly for the project as the various tasks are performed. If, at any time, there are failing tests which do not appear to be in accordance with the plans and specifications or MnDOT's Schedule of Materials Control, we will notify the engineer's representative and any others that we are directed to notify.

Before the final project closeout, we will issue a final report. The report will include the following:

- Braun Intertec technician roster for technicians that conducted testing on the project.
- Completed MnDOT Materials Certification Exceptions Summary for items tested by Braun Intertec.
- Completed Preliminary and Final Grading and Base Report.
- Moisture, Density, Proctor and Gradation tests.
- Concrete mix designs.
- Weekly concrete reports.
- Concrete compressive strength results.
- Concrete batch plant inspection field forms.
- Completed test reports for samples sent to the MnDOT Materials Lab.
- Bituminous mix designs.
- Bituminous verification test results.
- Bituminous contractor's summary sheets.
- Random core log location worksheets.
- Completed density incentive/disincentive worksheets.
- Copies of concrete and bituminous plant certifications.

Basis of Scope of Work

The costs associated with the proposed scope of services were estimated using the following assumptions. If the construction schedule is modified or the contractor completes the various phases of the project at different frequencies or durations than shown in this proposal, we may need to adjust the overall cost accordingly. The scope of work and number of trips required to perform these services are as shown in the attached table. Notable assumptions in developing our estimate include:

- Compaction testing will be performed using the nuclear density method on subgrade preparation material; a minimum of two tests will be conducted each trip with one trip assumed.

- Compaction testing will be performed using the nuclear density method on utility backfill and fill material; a minimum of 1-2 tests will be conducted each trip with three trips assumed.
- We assume 12 sets of concrete tests will be required to complete the project.
- We assume one coarse aggregate and one fine aggregate in the ready mix concrete.
- Bituminous paving will be completed in two days for this project assuming the contractor paves 1200 tons a day.
- We assume MnDOT will certify the concrete and bituminous plants for this project.
- We assume the project engineer of record will review and approve the contractor's quality control submittals and test results.
- You, or others you may designate, will provide us with current and approved plans and specifications for the project. Modification to these plans must also be sent to us so we can review their incorporation into the work.
- We will require a minimum of 24 hours' notice for scheduling inspections for a specific time. Shorter than 24 hours' notice may impact our ability to perform the requested services, and the associated impacts will be the responsibility of others.

If the work is completed at different rates than described above, this proposal should be revised.

Cost and Invoicing

We will furnish the services described herein for an estimated fee of **\$23,483**. **Our estimated costs are based on industry averages for construction production. Depending on the contractor's performance, our costs may be significantly reduced or slightly higher than estimated.** A tabulation showing our estimated hourly and/or unit rates associated with our proposed scope of services is also attached.

Additional Services and Overtime

It is difficult to estimate all of the services, and the quantity of each service, that will be required for any project. Our services are also directly controlled by the schedule and performance of others. For these reasons, our actual hourly or unit quantities and associated fees may vary from those reported herein.

If the number of hours or units ultimately required exceed those assumed for purposes of this proposal, they will be invoiced at the hourly or unit rates shown in the attached tabulation. If services are ultimately required that have not been identified or described herein, they will be invoiced in accordance with our current Schedule of Charges. Prior to exceeding our estimated fees, we will update you regarding the progress of our work.

This cost estimate was developed with the understanding that the scope of services defined herein will be required and requested during our normal work hours of 7:00 a.m. to 4:00 p.m., Monday through Friday. Services that we are asked to provide to meet the project requirements or the contractor's construction schedule **outside** our normal work hours will be invoiced using an overtime rate factor. The factor for services provided outside our normal work hours or on Saturday will be 1.25 times the normal hourly rate for the service provided. The factor for services provided on Sunday or legal holidays will be 1.5 times the normal hourly rate for the service provided. We have not included premiums for overtime; however, we recommend that allowances and contingencies be made for overtime charges. You will be billed only for services provided on a time and material basis.

General Remarks

We will be happy to meet with you to discuss our proposed scope of services further and clarify the various scope components.

We appreciate the opportunity to present this proposal to you. After reviewing this proposal, **please sign and return one copy to our office as notification of acceptance and authorization to proceed.** If anything in this proposal is not consistent with your requirements, please let us know immediately. Braun Intertec will not release any written reports until we have received a signed agreement. Also, ordering services from Braun Intertec constitutes acceptance of the terms of this proposal including the attached General Conditions.

The proposed fee is based on the scope of services described and the assumption that our services will be authorized within 30 days and that others will not delay us beyond our proposed schedule.

We include the Braun Intertec General Conditions, which provide additional terms and are a part of our agreement.

To have questions answered or schedule a time to meet and discuss our approach to this project further, please contact Terra Olson at 612.360.9393 (teolson@braunintertec.com).

Sincerely,

BRAUN INTERTEC CORPORATION



Terra L. Olson
Project Manager



Thomas L. Henkemeyer
Associate Principal/Senior Project Manager



Shaun W. Sevigny, PE
Principal/Director

Attachments:
Cost Estimate Table
General Conditions – CMT (1/1/18)

The proposal is accepted. We will reimburse you in accordance with this agreement, and you are authorized to proceed:

Authorizer's Firm

Authorizer's Signature

Authorizer's Name (please print or type)

Authorizer's Title

Date

Project Proposal

QTB103518

City of Brainerd Buffalo Hills Ln. Recon. SAP 108-136-004

Client:

City of Brainerd
James Fladung
501 Laurel St
Brainerd, MN 56401
(218) 828-2309

Work Site Address:

Buffalo Hills Lane from Mississippi Drive to S.
Greenwood Street
Brainerd, MN

Service Description:

Construction Materials Testing

	Description	Quantity	Units	Unit Price	Extension
Phase 1	MnDOT Testing				
Activity 1.1	Soil Testing				\$3,873.00
207	Compaction Testing - Nuclear	16.00	Hour	81.00	\$1,296.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Utilities, Storm, Sanitary, Water Main	3.00	Trips	4.00	12.00
	Subgrade Preparation	1.00	Trips	4.00	4.00
1530	Asphalt Content (ASTM D 2172/6307), per sample	1.00	Each	159.00	\$159.00
209	Sample pick-up	6.00	Hour	81.00	\$486.00
1318	Standard Proctor Test(ASTM D 698)	3.00	Each	191.00	\$573.00
1162	Sieve analysis & 200 wash (ASTM C 136 & C 117) per sample	5.00	Each	136.00	\$680.00
1688	Percent crushed (ASTM D5821), per sample	1.00	Each	85.00	\$85.00
1861	CMT Trip Charge	6.00	Each	99.00	\$594.00
Activity 1.2	Concrete Testing				\$10,917.00
261	Concrete Testing	48.00	Hour	81.00	\$3,888.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Sidewalks	1.00	Trips	4.00	4.00
	Curb & Gutter	9.00	Trips	4.00	36.00
	Exterior Concrete & Driveway Aprons	2.00	Trips	4.00	8.00
278	Concrete Cylinder Pick up	18.00	Hour	81.00	\$1,458.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Cylinder Pickup	6.00	Trips	3.00	18.00
1364	Compressive strength of concrete cylinders (ASTM C 39), per specimen	36.00	Each	31.00	\$1,116.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Sidewalks	1.00	Set	3.00	3.00
	Curb & Gutter	9.00	Set	3.00	27.00
	Exterior Concrete & Driveway Aprons	2.00	Set	3.00	6.00
215	Concrete Ready Mix Plant Monitoring	15.00	Hour	104.00	\$1,560.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Curb & Gutter	2.00	Trips	5.00	10.00
	Driveways	1.00	Trips	5.00	5.00
1162	Sieve analysis & 200 wash (ASTM C 136 & C 117) per sample	6.00	Each	136.00	\$816.00
1861	CMT Trip Charge	21.00	Each	99.00	\$2,079.00
Activity 1.3	Pavement Testing				\$5,538.00
222	Bituminous Verification Testing	32.00	Hour	106.00	\$3,392.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Bituminous Plant Monitoring	2.00	Trips	10.00	20.00
	Mark Cores & Observe Contractor	2.00	Trips	6.00	12.00
1542	Thickness and density of pavement core (ASTM D 2726)	6.00	Each	55.00	\$330.00
1530	Asphalt Content (ASTM D 2172/6307), per sample	2.00	Each	159.00	\$318.00
1532	Extracted aggregate gradation (ASTM D 5444), per sample	2.00	Each	109.00	\$218.00

Project Proposal

QTB103518

City of Brainerd Buffalo Hills Ln. Recon. SAP 108-136-004

1528	Rice specific gravity (ASTM D 2041), per sample	2.00	Each	85.00	\$170.00
1705	Fine Aggregate Angularity (ASTM C1252), per sample	2.00	Each	81.00	\$162.00
1568	Gyratory gravity (AASHTO T312), per sample	2.00	Each	191.00	\$382.00
1688	Percent crushed (ASTM D5821), per sample	2.00	Each	85.00	\$170.00
1861	CMT Trip Charge	4.00	Each	99.00	\$396.00
Activity 1.4	Project Management				\$3,155.00
226	Project Manager	10.00	Hour	165.00	\$1,650.00
1230	MnDOT Final Report	1.00	Each	800.00	\$800.00
228	Senior Project Manager	1.00	Hour	180.00	\$180.00
238	Project Assistant	7.00	Hour	75.00	\$525.00
Phase 1 Total:					\$23,483.00

Proposal Total:	\$23,483.00
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Section 1: Agreement

1.1 Our agreement with you consists of these General Conditions and the accompanying written proposal or authorization ("Agreement"). This Agreement is the entire agreement between you and us. It supersedes prior agreements. It may be modified only in a writing signed by us, making specific reference to the provision modified.

1.2 The words "you," "we," "us," and "our" include officers, employees, and subcontractors.

1.3 In the event you use a purchase order or other documentation to authorize our scope of work ("Services"), any conflicting or additional terms are not part of this Agreement. Directing us to start work prior to execution of this Agreement constitutes your acceptance. If, however, mutually acceptable terms cannot be established, we have the right to terminate this Agreement without liability to you or others, and you will compensate us for fees earned and expenses incurred up to the time of termination.

Section 2: Our Responsibilities

2.1 We will provide Services specifically described in this Agreement. You agree that we are not responsible for services that are not expressly included in this Agreement. Unless otherwise agreed in writing, our findings, opinions, and recommendations will be provided to you in writing. You agree not to rely on oral findings, opinions, or recommendations without our written approval.

2.2 In performing our professional services, we will use that degree of care and skill ordinarily exercised under similar circumstances by reputable members of our profession practicing in the same locality. If you direct us to deviate from our recommended procedures, you agree to hold us harmless from claims, damages, and expenses arising out of your direction. If during the one year period following completion of Services it is determined that the above standards have not been met and you have promptly notified us in writing of such failure, we will perform, at our cost, such corrective services as may be necessary, within the original scope in this Agreement, to remedy such deficiency. Remedies set forth in this section constitute your sole and exclusive recourse with respect to the performance or quality of Services.

2.3 We will reference our field observations and sampling to available reference points, but we will not survey, set, or check the accuracy of those points unless we accept that duty in writing. Locations of field observations or sampling described in our report or shown on our sketches are based on information provided by others or estimates made by our personnel. You agree that such dimensions, depths, or elevations are approximations unless specifically stated otherwise in the report. You accept the inherent risk that samples or observations may not be representative of things not sampled or seen and

further that site conditions may vary over distance or change over time.

2.4 Our duties do not include supervising or directing your representatives or contractors or commenting on, overseeing, or providing the means and methods of their services unless expressly set forth in this Agreement. We will not be responsible for the failure of your contractors, and the providing of Services will not relieve others of their responsibilities to you or to others.

2.5 We will provide a health and safety program for our employees, but we will not be responsible for contractor, owner, project, or site health or safety.

2.6 You will provide, at no cost to us, appropriate site safety measures as to work areas to be observed or inspected by us. Our employees are authorized by you to refuse to work under conditions that may be unsafe.

2.7 Unless a fixed fee is indicated, our price is an estimate of our project costs and expenses based on information available to us and our experience and knowledge. Such estimates are an exercise of our professional judgment and are not guaranteed or warranted. Actual costs may vary. You should allow a contingency in addition to estimated costs.

Section 3: Your Responsibilities

3.1 You will provide us with prior environmental, geotechnical and other reports, specifications, plans, and information to which you have access about the site. You agree to provide us with all plans, changes in plans, and new information as to site conditions until we have completed Services.

3.2 You will provide access to the site. In the performance of Services some site damage is normal even when due care is exercised. We will use reasonable care to minimize damage to the site. We have not included the cost of restoration of damage in the estimated charges.

3.3 If we notify you that radiographic or gamma ray equipment or other nuclear testing or measuring device will be used, you will be responsible for the cooperation of your employees and your contractors in observing all radiation safety standards.

3.4 You will notify us of any knowledge or suspicion of the presence of hazardous or dangerous materials present on any work site. If we observe or suspect the presence of contaminants not anticipated in this Agreement, we may terminate Services without liability to you or to others, and you will compensate us for fees earned and expenses incurred up to the time of termination.

3.5 The time our field personnel spend on the job site depends upon the scheduling of the work we are observing or testing. You agree that any changes in scheduling may result in additional

costs and agree to pay for those services at the rates listed in our cost estimate.

3.6 You agree to include us as an indemnified party in your contracts, if any, for work by others on the project, protecting us to the same degree as you are protected. You agree to list us as an Additional Insured under your liability insurance policies and to require subrogation be waived against us and that we will be added as an Additional Insured on all policies of insurance, including any policies required of your contractors or subcontractors, covering any construction or development activities to be performed on the project site.

Section 4: Reports and Records

4.1 Unless you request otherwise, we will provide our report(s) in an electronic format.

4.2 Our reports, notes, calculations, and other documents and our computer software and data are instruments of our service to you, and they remain our property. We hereby grant you a license to use the reports and related information we provide only for the related project and for the purposes disclosed to us. You may not transfer our reports to others or use them for a purpose for which they were not prepared without our written approval. *You agree to indemnify, defend, and hold us harmless from claims, damages, losses, and expenses, including attorney fees, arising out of such a transfer or use.*

4.3 If you do not pay for Services in full as agreed, we may retain work not yet delivered to you and you agree to return to us all of our work that is in your possession or under your control.

4.4 Electronic data, reports, photographs, samples, and other materials provided by you or others may be discarded or returned to you, at our discretion, unless within 15 days of the report date you give us written direction to store or transfer the materials at your expense.

Section 5: Compensation

5.1 You will pay for Services as stated in this Agreement. If such payment references our Schedule of Charges, the invoicing will be based upon the most current schedule. An estimated amount is not a firm figure. You agree to pay all sales taxes and other taxes based on your payment of our compensation. Our performance is subject to credit approval and payment of any specified retainer.

5.2 You will notify us of billing disputes within 15 days. You will pay undisputed portions of invoices upon receipt. You agree to pay interest on unpaid balances beginning 30 days after invoice dates at the rate of 1.5% per month, or at the maximum rate allowed by law.

5.3 If you direct us to invoice a third party, we may do so, but you agree to be responsible for our compensation unless the third party is

creditworthy (in our sole opinion) and provides written acceptance of all terms of this Agreement.

5.4 Your obligation to pay for Services under this Agreement is not contingent on your ability to obtain financing, governmental or regulatory agency approval, permits, final adjudication of any lawsuit, your successful completion of any project, receipt of payment from a third party, or any other event. No retainage will be withheld.

5.5 If you do not pay us in accordance with this Agreement, you agree to reimburse all costs and expenses for collection of the moneys invoiced, including but not limited to attorney fees and staff time.

5.6 You agree to compensate us in accordance with our Schedule of Charges if we are asked or required to respond to legal process arising out of a proceeding related to the project and as to which we are not a party.

5.7 If we are delayed by factors beyond our control, or if project conditions or the scope or amount of work changes, or if changed labor conditions result in increased costs, decreased efficiency, or delays, or if the standards or methods change, we will give you timely notice, the schedule will be extended for each day of delay, and we will be compensated for costs and expenses incurred in accordance with our Schedule of Charges.

5.8 If you fail to pay us in accordance with this Agreement, we may consider the default a total breach of this Agreement and, at our option, terminate our duties without liability to you or to others, and you will compensate us for fees earned and expenses incurred up to the time of termination.

5.9 In consideration of our providing insurance to cover claims made by you, you hereby waive any right to offset fees otherwise due us.

Section 6: Disputes, Damage, and Risk Allocation

6.1 Each of us will exercise good faith efforts to resolve disputes without litigation. Such efforts will include, but not be limited to, a meeting(s) attended by each party's representative(s) empowered to resolve the dispute. Before either of us commences an action against the other, disputes (except collections) will be submitted to mediation.

6.2 *Notwithstanding anything to the contrary in this Agreement, neither party hereto shall be responsible or held liable to the other for punitive, indirect, incidental, or consequential damages, or liability for loss of use, loss of*

business opportunity, loss of profit or revenue, loss of product or output, or business interruption.

6.3 You and we agree that any action in relation to an alleged breach of our standard of care or this Agreement shall be commenced within one year of the date of the breach or of the date of substantial completion of Services, whichever is earlier, without regard to the date the breach is discovered. Any action not brought within that one year time period shall be barred, without regard to any other limitations period set forth by law or statute. We will not be liable unless you have notified us within 30 days of the date of such breach and unless you have given us an opportunity to investigate and to recommend ways of mitigating damages. You agree not to make a claim against us unless you have provided us at least 30 days prior to the institution of any legal proceeding against us with a written certificate executed by an appropriately licensed professional specifying and certifying each and every act or omission that you contend constitutes a violation of the standard of care governing our professional services. Should you fail to meet the conditions above, you agree to fully release us from any liability for such allegation.

6.4 *For you to obtain the benefit of a fee which includes a reasonable allowance for risks, you agree that our aggregate liability for all claims will not exceed the fee paid for Services or \$50,000, whichever is greater. If you are unwilling to accept this allocation of risk, we will increase our aggregate liability to \$100,000 provided that, within 10 days of the date of this Agreement, you provide payment in an amount that will increase our fees by 10%, but not less than \$500, to compensate us for the greater risk undertaken.* This increased fee is not the purchase of insurance.

6.5 *You agree to indemnify us from all liability to others in excess of the risk allocation stated herein and to insure this obligation. In addition, all indemnities and limitations of liability set forth in this Agreement apply however the same may arise, whether in contract, tort, statute, equity or other theory of law, including, but not limited to, the breach of any legal duty or the fault, negligence, or strict liability of either party.*

6.6 This Agreement shall be governed, construed, and enforced in accordance with the laws of the state in which our servicing office is located, without regard to its conflict of laws rules. The laws of the state of our servicing office will govern all disputes, and all claims shall be heard in the state or federal courts for that state. Each of us waives trial by jury.

6.7 No officer or employee acting within the scope of employment shall have individual liability for his or her acts or omissions, and you agree not to make a claim against individual officers or employees.

Section 7: General Indemnification

7.1 *We will indemnify and hold you harmless from and against demands, damages, and expenses of others to the comparative extent they are caused by our negligent acts or omissions or those negligent acts or omissions of persons for whom we are legally responsible. You will indemnify and hold us harmless from and against demands, damages, and expenses of others to the comparative extent they are caused by your negligent acts or omissions or those negligent acts or omissions of persons for whom you are legally responsible.*

7.2 To the extent it may be necessary to indemnify either of us under Section 7.1, you and we expressly waive, in favor of the other only, any immunity or exemption from liability that exists under any worker compensation law.

Section 8: Miscellaneous Provisions

8.1 We will provide a certificate of insurance to you upon request. Any claim as an Additional Insured shall be limited to losses caused by our negligence.

8.2 You and we, for ourselves and our insurers, waive all claims and rights of subrogation for losses arising out of causes of loss covered by our respective insurance policies.

8.3 Neither of us will assign or transfer any interest, any claim, any cause of action, or any right against the other. Neither of us will assign or otherwise transfer or encumber any proceeds or expected proceeds or compensation from the project or project claims to any third person, whether directly or as collateral or otherwise.

8.4 This Agreement may be terminated early only in writing. You will compensate us for fees earned for performance completed and expenses incurred up to the time of termination.

8.5 If any provision of this Agreement is held invalid or unenforceable, then such provision will be modified to reflect the parties' intention. All remaining provisions of this Agreement shall remain in full force and effect.

8.6 No waiver of any right or privilege of either party will occur upon such party's failure to insist on performance of any term, condition, or instruction, or failure to exercise any right or privilege or its waiver of any breach.



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Event Application - Farmer's Market on Laurel

☐ 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): Assistant City Engineer Fladung	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is for the recurring event called the Farmer's Market on Laurel to take place every Tuesday from 3:00 PM to 6:00 PM in the Laurel Street Parking Lot.	
Alternatives, Options, Effects on Others/Comments: Various vendors sell produce, baked goods, crafts, and more in the parking lot. There is typically a local live musician each week and a community booth. Only half of the parking lot nearest Laurel Street is closed for the event. Fliers for the event are posted in local businesses as well as online and on social media. Ten yard signs are placed on Laurel Street, Washington Street, and Oak Street and are removed after the event each week. No street closures are requested for this event.	
Recommended Action/Motion: Staff recommends approval of the attached application. The Marketing intern has been sending the Police Department reminders about the event, and the traffic control for the parking lot closure is stored at City Hall for easy access.	
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: 7-22-2019

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's Farmers Market on Laurel

Organizer Information

Organizer's Name: City of Brainerd/City Administrator
Organizer's Address: 501 Laurel Street, Brainerd
Event Contact Person: Cassandra Torstenson
Event Contact Daytime Phone: (218) 828 - 2307
Event Contact E-mail Address: brainerdsmarket@gmail.com
Contact Name/Number Day of Event: (218) 828 - 2307
For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name: _____
Applicant Address: _____
Applicant Phone: _____
Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
Tuesdays	3:00pm	6:00pm	Laurel Street Parking Lot

☒ Recurring event (requires only one application submittal per year)

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:

Various vendors will sell produce, baked goods, crafts, and more in the parking lot.

There will be a local live musician each week as well, and a community booth.

Only half of the parking lot will be closed for this event each week.

Site Information

Electrical usage

☒

Yes

☐

No

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

An extension cord will be plugged in to the light post on Laurel, next to Sage.

This is for the musician to in plug their sound system.

Amplified Sound

☐

Yes

☐

No

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

Each musician brings a small sound system to play music from 3:00-6:00pm.

We regulate how loud the sound will be.

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:

Flyers are posted in local businesses, as well as online/social media.

Ten yard signs are posted on Laurel Street, Washington Street, and Oak Street.

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):

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

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

Cassandra Torstenson

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>Power usage organized through BPU.</u>
City Administration	<u>OK</u>	<u>None</u>
Engineering Department	<u>OK</u>	<u>Traffic Control for event is stored @ City Hall.</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>Marketing intern sends weekly reminders and lot is posted well in advance.</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):



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Event Application - Project Rainbow Block Party

☐ 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): Assistant City Engineer Fladung	Estimated Time Needed:
Summary of Issue: Attached to this request is an event application for the Project Rainbow Block Party to be held on August 24, 2019 in the Laurel Street parking lot from 11:00 AM - 3:00 PM.	
Alternatives, Options, Effects on Others/Comments: The applicant is requesting the closure of the Laurel Street lot for this event that will consist of an all age block party with face painting, kids games, silent auctions, vendors. Pit Happens may be supplying food as a food vendor, but the applicant has that identified as tentative at this time. They will be hanging banners in local businesses that will allow it and will have a banner hanging from tables at the events. The applicant is not anticipating any amplified sound or electrical usage for the event.	
Recommended Action/Motion: Staff recommends approval of the attached application under the conditions that any request for traffic control to close off the lot be made a week in advance to the event.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



SPECIAL EVENT APPLICATION

Date of Application: 7-18-19

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

Type of event: ☒ Event – City Parking Lot
☐ Event with Street Closure

☐ Event – City Park
☐ Other _____

Name of event: Block Party

Organizer Information

Organizer's Name: Shane Holmin & Project Rainbow

Organizer's Address: 401 North 8th Street Brainerd, MN 56401

Event Contact Person: Shane Holmin

Event Contact Daytime Phone: Shane Holmin 218-838-6240

Event Contact E-mail Address: smholmin0322@yahoo.com or projectrainbow2@hotmail.com

Contact Name/Number Day of Event: Shane Holmin 218-838-6240

For Profit/Nonprofit Status (type): Nonprofit

Applicant information (if different from the event organizer):

Applicant Name: _____

Applicant Address: _____

Applicant Phone: _____

Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
8-24-19	11:00 AM	3:00 pm	Laurel Street Parking lot

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:

All age Block party - face painting, kid games, silent auctions,
Vendors, ~~and local performers~~ "musicians, ~~documentary~~"²⁾
we did ask Pit Happens to be a food vendor but they
are waiting to here if we got a space.

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:

We have a small banner about 6 ft x 3 ft that we drape on our
table at events. We will hang Flyers 8 inch x 10 inch in local business that allow it.

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):

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

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

Shane Holmin

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	OK	None
City Administration	OK	None
Engineering Department	OK	Request for traffic control to close lot can be made through city hall.
Fire Department	OK	None
Fire Support/EMS	OK	None
Parks Department	OK	None
Planning Department	OK	None
Police Department	OK	PD staff will be made aware of event.

Event Application Approval

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

City Administrator or Parks & Recreation Director

Date

Approval Conditions

Certification of Street Closure Approval

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

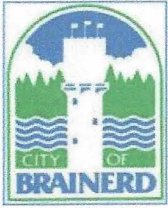


Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Event and Alley Closure - Opening Art Reception with Music

☐ 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): Assistant City Engineer Fladung	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is an event and alley closure application from the Crossing Arts Alliance for an event to be held in the Crossing Arts Alliance building and the alley between Rumbly Hall and the Crossing Arts Alliance on August 9, 2019 from 5:00 PM to 7:00 PM.	
Alternatives, Options, Effects on Others/Comments: There will be two acoustic musicians at the event and a dancer who will be performing in the alley in front of the mural. They expect 50-60 people attending the event with most activities taking place in the Crossing Arts Alliance building. Restrooms are provided in the building. The applicant is requesting the closure of the alley between Rumbly Hall and the Crossing Arts Alliance building, which is the N-S alley between S 7th and S 8th Street. Sidewalk and parking access will not be impacted.	
Recommended Action/Motion: Staff recommends approval of the attached application under the condition that the applicant request any traffic control needs one week prior to the event.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



SPECIAL EVENT APPLICATION

Date of Application: 7-23-19

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 EVENT - ALLEY CLOSURE

Name of event: OPENING ART RECEPTION w/ MUSIC

Organizer Information

Organizer's name (Please print): THE CROSSING ARTS ALLIANCE

Organizer's address: 711 LAUREL ST, BRAINERD

Event contact person: LISA JORDAN

Event contact daytime phone number: (h) _____ (w) _____ (c) 218-330-3954

Event contact persons e-mail address: lisa@crossingarts.org

Contact name and phone number to be used on the day of the event:

(h) _____ (w) 218-833-0414 (c) 218-330-3954 LISA JORDAN

For Profit/Nonprofit status (type): NONPROFIT 501c3

Applicant Information, if different from the event organizer:

Applicant name (Please print): _____

Applicant address: _____

Applicant's telephone number (h) _____ (w) _____ (c) _____

Event contact e-mail address: _____

Event Information

Event Details (list each date separately)

EVENT DATES	START TIME	END TIME	EVENT LOCATION(S) – SEE BELOW
AUG 9 2019	5pm	7pm	ALLEY BETWEEN CROSSING ARTS AND RUMBLY HALL

Event Location(s)

- CITY HALL PARKING LOT (130' X 146')
- LAUREL STREET PARKING LOT (92' X 120')
- FRONT STREET PARKING LOT (66' X 125')
- CITY STREET(S) (REQUEST INFORMATION ON PAGE 4 MUST BE FILLED OUT)
- CITY PARK – CONTACT THE PARKS AND RECREATION DEPARTMENT FOR INFORMATION.
- OTHER (SPECIFY LOCATION)

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: _____

WE HAVE TWO ACOUSTIC MUSICIANS AND A DANCER
WHO WOULD LIKE TO PERFORM IN THE ALLEY IN FRONT
OF THE MURAL. WE ARE REQUESTING TO CLOSE
THE ALLEY FOR THE EVENT - 5p TO 7p

WE EXPECT 50-60 PEOPLE AT THE EVENT —
NOT EVERYONE WILL BE IN THE ALLEY. MOST ACTIVITIES
TAKE PLACE INSIDE CROSSING ARTS.

Site Information

Electrical usage?

Yes ☐

No ☒

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

Amplified sound?

Yes ☐

No ☒

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

Restrooms provided?

Yes ☒

No ☐

If yes, how many? 3 (A ratio of 1 restroom for every 100-150 people is recommended)

Company contracted for restrooms: INSIDE CROSSING ARTS

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

Sign, banners, and posters/flyers?

Yes ☐

No ☒

Locations and descriptions:

Trash Receptacle Disposal? Yes ☐ No ☐

Company contracted for trash receptacle disposal: CROSSING ARTS DUMPSTER

Additional Event Information

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

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

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

Street Closure Request Information

Please 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"):

CLOSE ALLEY ENTRANCES BETWEEN CROSSING ARTS
AND RUMBLY HALL

Date and time for beginning of street closures: ~~ALLEY~~ 5p

Time and date for reopening of streets: ~~ALLEY~~ 7p

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

SIDEWALK AND PARKING WILL NOT BE IMPACTED

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 of Brainerd Engineering Office at 218-828-2307 or engineer@ci.brainerd.mn.us

Hold Harmless Agreement and Insurance Information

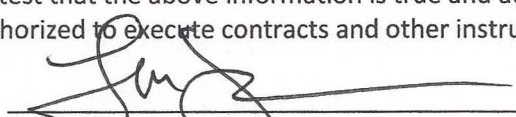
The applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and 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, in its discretion, may require the Applicant to obtain liability insurance for any special 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 give 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 the Event Applicant

LISA M JORDAN

PRINT NAME

Contacts, Permits and Fees Checklist

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

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

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

Contact Information

Administration Department:	(218) 828-2307 admin@ci.brainerd.mn.us
Parks and Rec. Department:	(218) 828-2320 parks@ci.brainerd.mn.us
Planning Department:	(218) 828-2309 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

Departmental Sign-Offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	OK	None
City Administration	OK	None
Engineering Depart.	OK	Please make request for traffic control 1-week
Fire Department	OK	prior to event @ 218-454-3410
Fire Support/EMS	OK	None
Parks and Recreation	OK	None
Planning Department	OK	None
Police Department	OK	None

Event Permit 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 City Council at their _____, 20____ meeting. Approval is subject to the following condition:

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

August 5, 2019
City Hall Conference Room
6:45 PM

1. Approval of Bills
2. Fire Department Relief Association – Annual Report
3. Resignation of Firefighter Teckemeyer
4. Police Staff Out of State Travel and Training
5. Community Development Director Chanski – Completion of Probationary Period
6. Zoning Specialist/Permit Technician Position
7. Performance Review Process/Training - Needs Discussion
8. Request for Proposals (RFP) for Memorial Park Redesign
9. Minnesota State Investment Fund – One Time Exception
10. 2018 Tax Increment Financing (TIF) Report Summary - Informational



Brainerd City Council Agenda Request

Requested Meeting Date: August 5th, 2019

Title of Item: Fire Department Relief Association - Annual Report

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Fire Chief Holmes	Department: Fire
Presenter (Name & Title): POC Representatives	Estimated Time Needed: 10 minutes
Summary of Issue: See attached memo and reports from the Brainerd Fire Department Relief Association.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Authorize staff to sign the annual reports.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Brainerd Fire Department
Relief Association
23 Laurel St
Brainerd MN 56401
(218) 828-2312

July 30, 2019

TO: City Council City of Brainerd

FR: Brainerd Fire Department Relief Association

Pursuant to Minnesota State Statute 424A.093, subdivision 5(c), the Brainerd Fire Department Relief Association must certify to the municipality the annual financial requirements for the association by August 1, 2019. The financial requirements for the association are calculated on the Form SC-19, which is provided to the relief association by the Office of the State Auditor. This form is used to determine the projected current year end plan liabilities, any projected surplus or deficit, and the future year (2020) required municipal contribution.

Based upon the financial projections on the Form SC-19, the Brainerd Fire Department Relief Association is requesting an increase to our benefit level. We are currently at \$10,000 per year of service and are requesting an increase to \$10,750 per year of service. Based on the performance of our fund in the past year and several other variables we feel that an increase would be acceptable and in the funds best interest. As a result of this decision we will be leaving our plan funded to 105%. Thank you for your consideration of this matter.

The form SC-19 is attached for your review and certification.

Sincerely,

A handwritten signature in black ink, appearing to read "Matt Holmstrom", written over a horizontal line.

Matt Holmstrom
Secretary

OFFICE OF THE STATE AUDITOR**Financial Projections**

	2019	2020	
Total Active Member Liabilities	2,739,315	3,086,540	
Total Deferred Member Liabilities	735,876	772,670	
Total Unpaid Installments	0	0	
Grand Total Special Fund Liability	A. 3,475,191	B. 3,859,210	
Normal Cost (Cell B minus Cell A)			C. 384,019

Projection of Net Assets for Year Ending December 31, 2019

Special Fund Assets at December 31, 2018 (FIRE-18 Form ending assets) 1 3,432,580

Projected Income for 2019

Fire State Aid (2018 fire state aid of \$156,488 may be increased by up to 3.5%)	D.	159,227	
Supplemental State Aid (actual 2018 supplemental state aid)	E.	37,235	
Municipal / Independent Fire Dept. Contributions	F.		
Interest / Dividends	G.	124,000	
Appreciation / (Depreciation)	H.	190,000	
Member Dues	I.	0	
Other Revenues	J.	1,000	
Total Projected Income for 2019 (Add Lines D through J)	2	511,462	

Projected Expenses for 2019

Service Pensions (fill in individual pension amounts below)

K. 222,620

Names:

Randy C Martin

\$ Amounts:

222,620

Other Benefits

L.

Administrative Expenses

M. 21,000

Total Projected Expenses for 2019 (Add Lines K through M) 3 243,620

Projected Net Assets at December 31, 2019 (Add Lines 1 and 2, subtract Line 3) 4 3,700,422

Projection of Surplus or (Deficit) as of December 31, 2019

Projected Assets (Line 4)	5	3,700,422
2019 Accrued Liability (Page 4, cell A)	6	3,475,191
Surplus or (Deficit) (Line 5 minus Line 6)	7	225,231

Form SC-19

Brainerd Fire Relief Association

OFFICE OF THE STATE AUDITOR
2019 Schedule Form for Lump-Sum Pension Plans (SC-19)

The 2019 Schedule Form (SC-19) must be completed and certified to the affiliated municipality or independent nonprofit firefighting corporation by August 1, 2019. The SC-19 is due to the Office of the State Auditor on March 31, 2020 for plans with assets less than \$500,000 and liabilities less than \$500,000. The SC-19 is due on June 30, 2020 for plans with assets or liabilities of at least \$500,000.

Please become familiar with the form and review each line for accuracy.

Version

2019A

What do the red messages in the form indicate?

The red messages in the right margin indicate that data must be entered or corrected before the reporting form can be submitted. Once the data has been entered or corrected, the red message will no longer be displayed.

Tab Name	Red Messages Remaining
Active	39
Deferred	0
Installments	0
Financial Projections	0
Required Contribution	0
MBW	0
TOTAL COUNT	39

When this SC form is complete and ready to submit, please log into SAFES and choose the "Submit Forms/Documents" tab. Follow the onscreen directions to upload the form. You will receive a confirmation number when the form is successfully uploaded. After the SC form is submitted, a PDF version of the submitted form will be generated and posted in SAFES. The PDF version of the form contains the form's signature pages. The SC form submission is not complete until it has been fully signed. The form can be signed electronically in SAFES, or on paper using the PDF signature pages.

Have you read the instructions?

Detailed instructions on how to complete the form are available by clicking the link below. If you have any problems or questions after reviewing these materials, you may email pension@osa.state.mn.us or call (651) 282-6110.

[CLICK HERE for detailed reporting instructions](#)

Have you saved your files?

Use the SAVE AS command and choose the location to save your files on your computer. Otherwise, they will be saved to a temporary location, making them difficult to locate when you are ready to upload.

OFFICE OF THE STATE AUDITOR

Active Member Information

Enter Annual Benefit Level in effect for 2019: \$10,750

(If you change your benefit level before 12/31/2019, the SC must be recalculated and recertified at the new level.)

								2019	2020	
Total Active Member Liabilities								2,739,315		3,086,540
	Name	Status	Date of Birth	Fire Department Entry Date	Leaves of Absence and Breaks in Service (months)	Return to Service Member ?	To end of 2019		To end of 2020	
							Years of Service	Accrued Liability	Years of Service	Accrued Liability
1	Rubbelke, Daryl A	Active		7/21/1992	6		27	290,250	28	301,000
2	Rubado, Joseph J	Active		11/1/1996	14		22	236,500	23	247,250
3	Schellin, Jeffrey J	Active		10/1/2001	0		18	182,535	19	198,230
4	Sell, Barry L	Active		10/1/2002	6		17	167,700	18	182,535
5	Smith, Joshua R	Active		10/1/2002	3		17	167,700	18	182,535
6	Johnson, Todd M	Active		11/1/2003	0		16	153,510	17	167,700
7	Mann, Lawayne R	Active		3/8/2005	3		15	140,180	16	153,510
8	Howard, Dennis J	Active		6/7/2005	37		11	92,235	12	103,415
9	Zeien, Cory J	Active		6/7/2005	13		13	115,025	14	127,280
10	Holmstrom, Matthew D	Active		8/7/2006	16		12	103,415	13	115,025
11	Bautch, James P	Active		10/3/2006	3		13	115,025	14	127,280
12	Enge, Joseph	Active		10/20/2008	0		11	92,235	12	103,415
13	Jacobson, Joel L	Active		10/20/2008	15		10	81,700	11	92,235
14	Read, David T	Active		10/20/2008	0		11	92,235	12	103,415
15	Marohn, Samuel	Active		12/9/2009	0		10	81,700	11	92,235
16	Powell, Jeremy	Active		12/9/2009	6		10	81,700	11	92,235
17	Amundson, Greg	Active		2/4/2011	3		9	71,595	10	81,700
18	Groenwold, Christopher	Active		2/4/2011	0		9	71,595	10	81,700
19	Lemieur, Jonathan	Active		2/4/2011	0		9	71,595	10	81,700
20	Findlay, Rahn D	Active		8/1/2013	0		6	44,075	7	52,890
21	Kargel, Brian T	Active		8/1/2013	0		6	44,075	7	52,890
22	Mailhot, Joshua	Separated/Not Vested		8/1/2013	0		6	0	7	0
23	Norwood, James	Active		8/1/2013	0		6	44,075	7	52,890
24	Teckemeyer, Mark	Separated/Not Vested		8/1/2013	0		6	0	7	0
25	White, Darin A	Separated/Not Vested		8/1/2013	20		5	0	6	0
26	Bickel, Andrew J	Active		10/21/2013	15		5	35,905	6	44,075
27	Stangel, Josh	Active		10/1/2015	3		4	27,950	5	35,905
28	Flowers, Eric	Active		7/1/2016	0		4	27,950	5	35,905
29	Haglin, Nicholas	Active		7/1/2016	0		4	27,950	5	35,905
30	Isle, Steven	Active		7/1/2016	3		3	20,425	4	27,950
31	Rosier, Paul	Active		4/1/2018	0		2	13,330	3	20,425
32	Gawboy, Robert D	Active		8/1/2018	0		1	6,450	2	13,330
33	Grimsby, Kathleen M	Active		8/1/2018	2		1	6,450	2	13,330
34	Vork, Tyler J	Separated/Not Vested		8/1/2018	0		1	0	2	0
35	Wallace, Christopher A	Active		8/1/2018	2		1	6,450	2	13,330
36	Headlev, Clint	Active		7/1/2019	0		1	6,450	2	13,330

OFFICE OF THE STATE AUDITOR**Unpaid Installment Information**

Enter here the name of each member who has been paid portions of a pension benefit and who still has outstanding liabilities.

Name	Status	Birth Date	Entry Date	Separation Date	Amount Previously Paid	2019 Estimated Liability	2020 Estimated Liability
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						

Totals

0	0
---	---

OFFICE OF THE STATE AUDITOR**Calculation of Required Contribution**

Deficit Information - Original			Deficit Information - Adjusted		
Year Incurred	Original Amount	Amount Retired as of 12/31/2018	Original Amount	Amount Retired as of 12/31/2019	Amount Left to Retire 1/1/2020
2010	0	0			
2011	0	0			
2012	0	0			
2013	0	0			
2014	0	0			
2015	0	0			
2016	0	0			
2017	0	0			
2018	0	0			
2019					
Totals			0		0

Normal Cost	8	384,019
Projected Administrative Expense	9	19,037
Amortization of Deficit (Total of Original Amount column x 0.10)	10	0
10% of Surplus	11	22,523
Fire and Supplemental State Aid	12	196,462
Member Dues	13	0
5% of Projected Assets at December 31, 2019	14	185,021
Required Contribution (Add Lines 8, 9 and 10, subtract Lines 11, 12, 13 and 14. If negative, zero is displayed.)	15	0
No required contribution due in 2020.		

OFFICE OF THE STATE AUDITOR

Deferred Member Information
(fully or partially vested)

Total Deferred Member Liabilities 2019 735,876
Total Deferred Member Liabilities 2020 772,670

1	Enter all information as it pertains to this member.					
Member Name:	Forbord, Ramona R		Benefit Level at Separation:	6,825	Months of Service Are Paid	Yes
Minimum Years Required to Vest:	10	DOB:				
Service Dates:	Entry: 8/1/1991	Separation:	4/1/2012	Deferred Interest Paid (Select "Yes" if offered.) Yes		
LOAs and BIS (in months):	46	Vesting %:	84	If Interest is Paid, Choose Type: Straight 5%		
Return to Service Member ?	(Select "Yes" if applicable.)					
Total Service:	Years: 16	Months (if paid):	10	Period Interest is Paid: Full Period		
2019 Estimated Liability:	140,896	Status: Deferred				
2020 Estimated Liability:	147,941					
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.						
1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %	
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %	
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %	
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %	
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ %	+

2	Enter all information as it pertains to this member.					
Member Name:	Martin, Randy C		Benefit Level at Separation:	9,500	Months of Service Are Paid	Yes
Minimum Years Required to Vest:	10	DOB:				
Service Dates:	Entry: 8/3/1995	Separation:	5/1/2018	Deferred Interest Paid (Select "Yes" if offered.) Yes		
LOAs and BIS (in months):	3	Vesting %:	100	If Interest is Paid, Choose Type: Straight 5%		
Return to Service Member ?	(Select "Yes" if applicable.)					
Total Service:	Years: 22	Months (if paid):	5	Period Interest is Paid: Full Period		
2019 Estimated Liability:	0	Status: Paid				
2020 Estimated Liability:	0					
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.						
1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %	
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %	
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %	
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %	
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ %	+

3

Enter all information as it pertains to this member.

Member Name:	<u>Turner, Mark</u>	Benefit Level at Separation:	<u>7,400</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>11/1/1996</u>	Separation:	<u>7/31/2009</u>	Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months):	<u>23</u>	Vesting %:	<u>60</u>	If Interest is Paid, Choose Type: Straight 5%	
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service: Years:	<u>10</u>	Months (if paid):	<u>10</u>	Period Interest is Paid: Full Period	
2019 Estimated Liability:	<u>80,002</u>				
2020 Estimated Liability:	<u>84,002</u>	Status:	Deferred		

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ % +

4

Enter all information as it pertains to this member.

Member Name:	<u>Cox, David J</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>1/1/1998</u>	Separation:	<u>2/1/2017</u>	Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months):	<u>12</u>	Vesting %:	<u>92</u>	If Interest is Paid, Choose Type: Straight 5%	
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service: Years:	<u>18</u>	Months (if paid):	<u>1</u>	Period Interest is Paid: Full Period	
2019 Estimated Liability:	<u>167,815</u>				
2020 Estimated Liability:	<u>176,206</u>	Status:	Deferred		

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ % +

5

Enter all information as it pertains to this member.

Member Name:	<u>Johnson, Richard C</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>1/26/1998</u>	Separation:	<u>11/3/2016</u>		
LOAs and BIS (in months):	<u>61</u>	Vesting %:	<u>72</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>13</u>	Months (if paid):	<u>8</u>		
2019 Estimated Liability:	<u>100,476</u>				
2020 Estimated Liability:	<u>105,500</u>	Status:	<u>Deferred</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ % +

6

Enter all information as it pertains to this member.

Member Name:	<u>Logelin, Dennis J</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>7/1/2001</u>	Separation:	<u>7/26/2016</u>		
LOAs and BIS (in months):	<u>36</u>	Vesting %:	<u>68</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>12</u>	Months (if paid):	<u>0</u>		
2019 Estimated Liability:	<u>84,449</u>				
2020 Estimated Liability:	<u>88,671</u>	Status:	<u>Deferred</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ % +

7

Enter all information as it pertains to this member.

Member Name:	<u>Davis, Lance M</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>11/1/2003</u>	Separation:	<u>11/9/2015</u>	Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months):	<u>0</u>	Vesting %:	<u>68</u>	If Interest is Paid, Choose Type: Straight 5%	
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service: Years:	<u>12</u>	Months (if paid):	<u>0</u>	Period Interest is Paid: Full Period	
2019 Estimated Liability:	<u>87,416</u>				
2020 Estimated Liability:	<u>91,787</u>	Status:	Deferred		

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ % +

8

Enter all information as it pertains to this member.

Member Name:	<u>Doree, Kurt A</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>10/1/2004</u>	Separation:	<u>4/30/2016</u>	Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months):	<u>5</u>	Vesting %:	<u>64</u>	If Interest is Paid, Choose Type: Straight 5%	
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service: Years:	<u>11</u>	Months (if paid):	<u>2</u>	Period Interest is Paid: Full Period	
2019 Estimated Liability:	<u>74,822</u>				
2020 Estimated Liability:	<u>78,563</u>	Status:	Deferred		

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1988: _____ %	1993: _____ %	1998: _____ %	2003: _____ %	2008: _____ %	2014: _____ %
1989: _____ %	1994: _____ %	1999: _____ %	2004: _____ %	2009: _____ %	2015: _____ %
1990: _____ %	1995: _____ %	2000: _____ %	2005: _____ %	2010: _____ %	2016: _____ %
1991: _____ %	1996: _____ %	2001: _____ %	2006: _____ %	2011: _____ %	2017: _____ %
1992: _____ %	1997: _____ %	2002: _____ %	2007: _____ %	2012: _____ %	2018: _____ %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2013: _____ %	2019: _____ % +

Form SC-19				Brainerd Fire Relief Association						
37	Hidalgo, Erik	Active		7/1/2019	0		1	6,450	2	13,330
38	Ingman, Matt	Active		7/1/2019	0		1	6,450	2	13,330
39	Kramer, Bobby	Active		7/1/2019	0		1	6,450	2	13,330
40		Choose Status						0		0
41		Choose Status						0		0
42		Choose Status						0		0
43		Choose Status						0		0
44		Choose Status						0		0
45		Choose Status						0		0
46		Choose Status						0		0
47		Choose Status						0		0
48		Choose Status						0		0
49		Choose Status						0		0
50		Choose Status						0		0
51		Choose Status						0		0
52		Choose Status						0		0
53		Choose Status						0		0
54		Choose Status						0		0
55		Choose Status						0		0
56		Choose Status						0		0
57		Choose Status						0		0
58		Choose Status						0		0
59		Choose Status						0		0
60		Choose Status						0		0
61		Choose Status						0		0
62		Choose Status						0		0
63		Choose Status						0		0
64		Choose Status						0		0
65		Choose Status						0		0
66		Choose Status						0		0
67		Choose Status						0		0
68		Choose Status						0		0
69		Choose Status						0		0
70		Choose Status						0		0
71		Choose Status						0		0
72		Choose Status						0		0
73		Choose Status						0		0
74		Choose Status						0		0
75		Choose Status						0		0
76		Choose Status						0		0
77		Choose Status						0		0
78		Choose Status						0		0
79		Choose Status						0		0
80		Choose Status						0		0
81		Choose Status						0		0
82		Choose Status						0		0
83		Choose Status						0		0
84		Choose Status						0		0

OFFICE OF THE STATE AUDITOR**2019 Maximum Benefit Worksheet**

	A	B	C	D	E
	Fire State Aid and Supplemental State Aid	Municipal Contribution	10% of Surplus *	Active Members in Relief Association	Per Year Average [(A + B + C) / D]
	(From FIRE-18)	(From FIRE-18)	(From SC-18)	(From FIRE-18)	
2018	193,723	52,369	53,093	32	9,350
	(From FIRE-17)	(From FIRE-17)	(From SC-17)	(From FIRE-17)	
2017	196,198	58,095	29,014	31	9,139
	(From FIRE-16)	(From FIRE-16)	(From SC-16)	(From FIRE-16)	
2016	194,645	60,768	22,958	34	8,187

* If deficit for the year, leave blank.

Average available financing per active member for the most recent 3-year period:
(sum of column E divided by 3)

8,892

Maximum Lump Sum Benefit Level under Minn. Stat. § 424A.02, subd. 3

12,500



Brainerd City Council Agenda Request

Requested Meeting Date: August 5th, 2019

Title of Item: Resignation of Firefighter Teckemeyer

☐ 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: Fire Chief Holmes	Department: Fire
Presenter (Name & Title): Fire Chief Holmes	Estimated Time Needed: 5 minutes
Summary of Issue: Paid on Call Firefighter Teckemeyer has submitted a letter of resignation. Teckemeyer has been on a one year LOA, but unfortunately will not be returning to the fire department. Teckemeyer will be greatly missed and we wish him the best.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Accept, with regret, the resignation of Mark Teckemeyer from the Brainerd Fire Department effective July 10th, 2019.	
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>	

Mark Teckemeyer
9671 Leisure Lane,
Brainerd, MN 56401
218-252-1026
teckemeyer@hotmail.com

07-10-2019

Dear Chief Tim Holmes, Members of Brainerd Fire Department, and Brainerd City Council:

I write to you requesting my resignation from the Brainerd Fire Department.

With the new location of our home, I am unfortunately outside the required 10 minute response time. Our new residence has a 15 minute response time.

I cannot express enough gratitude for the privilege I have had to be a member of Brainerd Fire Department. In my nineteen years in the fire service, five of them being with Brainerd Fire Department, I was part of an unmatched brotherhood with the best Chiefs a person could ask for. Thank you Brothers!! Keep doing the great work you all do.

Sincerely,



Mark Teckemeyer

Brainerd FD #1099



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Staff Out of State Travel and Training

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 5 MINUTES
Summary of Issue: We are requesting authorization for out of state travel for Police Administrative Supervisor, Julie McCullough to attend the annual Z1 User Conference in Sioux Falls, South Dakota, from September 9th to September 11th, 2019, related to our Records Management System. This is the annual user conference put on by the parent company of our Records Management System Software LETG, which has been bought out yet again and is now owned by Central Square. Our agency is allowed two free registrations(\$250); consequently our cost would be, travel, lodging, and meals outside of what the conference provides.	
Alternatives, Options, Effects on Others/Comments: It is essential for at least one person from our agency to attend this conference to keep up to date with changes, enhancements, and support processes for the system. This vendor covers both our Records Management System and the Squad Car Mobile program as they are integrated. This also helps us understand what the potential end of life expectancy is for what we have now and keep us informed on what our options are in the future. This is a shared system hosted by the Crow Wing County Sheriff's Department and utilized by all 10 police departments in the county.	
Recommended Action/Motion: Authorize out-of-state travel for Police Administrative Supervisor Julie McCullough to attend the Z1 Conference in Sioux Falls, South Dakota from September 9th to September 11th. The costs of travel, lodging, and some meals associated with the conference will be covered under the police department's professional development funds.	
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>lodging, travel, meals</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> Police Department Professional Development Funds.	



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Community Development Director Chanski-Complete Probationary Period

☐ 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: Cassandra Torstenson & Kris Schubert	Department: Administration
Presenter (Name & Title): Cassandra Torstenson & Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: Community Development Director David Chanski completed his six-month probationary period on June 30, 2019. City Administrator Torstenson completed his performance review in July and has recommended to change his employment status from probationary to regular. Staff is seeking clarification if Mr. Chanski should proceed a half step (i.e. Step 2.5 of the Community Development Director Wage Grid) effective July 1, 2019 as discussed during his hiring process. If approved, Mr. Chanski's new rate would be \$38.96 per hour. Subject to continued good performance, he would be eligible to proceed to Step 3 on 1/1/20.	
Alternatives, Options, Effects on Others/Comments: Council member Sue Hilgart, City Administrator Torstenson and HR Coordinator Kris Schubert were selected by Council as the Interview Panel for the 2018 Community Development Director position. When discussing Mr. Chanski's starting wage with the Consultant, the Panel recommended to utilize Step 2 of the Community Development Director's Wage Grid with an opportunity for Mr. Chanski to proceed a 1/2 step based on his six-month performance review. Please note that this recommendation was assuming the City's new wage grid philosophy would be approved in the near future. Realizing that the City was actually in between our pay systems (trying to negotiate the wage grid, but still under the City's Salary Administration Plan), the Council set a flat rate for Mr. Chanski's starting wage that reflected Step 2 of the wage grid; however, did not address the 1/2 step advancement. The agenda request recommending Mr. Chanski's hiring from November 5, 2018 is attached for reference.	
Recommended Action/Motion: Options: 1. Motion to approve a 1/2 step advancement for Community Development Director David Chanski to \$38.96 per hour retroactive to July 1, 2019. 2. No action.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>see below</u> <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i> The 1/2 step adjustment would be an additional \$.91 per hour for the timeframe of July 1 - December 31, 2019 or approximately \$1,100.	



Brainerd City Council Agenda Request

Requested Meeting Date: November 5, 2018

Title of Item: Authorize Hiring David Chanski as Community Development Director

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) <i>*provide copy of published hearing notice</i> ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading
Submitted by: Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 2 minutes
Summary of Issue: City Council member Sue Hilgart, City Administrator Cassandra Torstenson and myself conducted Community Development Director interviews on October 24th. We invited three individuals to be interviewed and one person withdrew prior to the interview. Per Council action on August 6, 2018, the Interview Panel made a conditional job offer for our Community Development Director position to David Chanski at Step 2 of our new pay grid or \$6,529.50 per month. His date of hire will be December 31, 2018. This date allows Mr. Chanski to be eligible for health insurance coverage effective 1/1/19.	
Alternatives, Options, Effects on Others/Comments: The panel felt that offering a starting wage at Step 2 with up to \$2,000 in moving expenses was acceptable. The panel also recommends that after six months of employment, Mr. Chanski receive a performance review and based on his performance, could be eligible to receive an increase of ½ of a step in salary. At one year of employment, he would be eligible to move to the next full step subject to meeting performance expectations. To illustrate: He would start at Step 2; at six months he could move to Step 2½; and after 12 months he could move to Step 3. This process follows our new pay philosophy and gives credit for completing the initial learning curve.	
Recommended Action/Motion: Motion to authorize the hiring of David Chanski as our Community Development Director starting at Step 2 of the Wage Grid or \$6,529.50 per month effective December 31, 2018; further, to authorize up to \$2,000 in moving expenses.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> This position is currently included in the 2019 budget. Mr. Chanski's starting 2018 wage is \$1.39 per hour less than our current City Planner's wage.	



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Zoning Specialist/Permit Technician Position

☐ 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 and Kris	Estimated Time Needed: 5 minutes
Summary of Issue: With the retirement of Laurie Johnson as the Administrative Specialist 2 within the Community Development Department as well as the upcoming conversion to the BS&A software package, I would like to take the opportunity to revise this position from a primarily permit technician position to a Zoning Specialist/Permit Technician position. The purpose of this position would be to continue with permit technician duties (which will decrease with the online permitting capabilities within the new software) as well as assist me with planning & zoning related duties, which is an area I currently do not have technical assistance with. In reviewing this proposed position with our consultants from DDA Human Resources, the proposed wage is comparable with the Engineering Tech position. This wage will need to be negotiated with the IBEW Administrative Support Union.	
Alternatives, Options, Effects on Others/Comments: The major differences between the current Admin 2 position and the proposed Zoning Specialist/Permit Tech position are the addition of planning & zoning duties such as but not limited to the collection and initial review of planning & zoning applications; preparing documents for Planning Commission and City Council; assisting with shoreland management and floodplain management duties; and drafting, issuing, and tracking zoning ordinance violations (separate from Code Compliance). The ability to take on these duties would allow me to spend more time in other areas such as Economic Development, ordinance revision, and Comprehensive Plan integration and management. Additionally, to attract a candidate with the credentials to serve in this position, I am asking for a Bachelor's degree in Urban Design and Planning (or related field) but am not requiring prior experience.	
Recommended Action/Motion: Approve the creation of the Zoning Specialist/Permit Technician position, authorize staff to negotiate the wage with the IBEW Administrative Support Union, and authorize staff to commence with the hiring process.	
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 current Admin 2 is at Step 5 of Grade 8, which is \$26.34/hr. The proposed hiring range for the Zoning Specialist/Permit Tech would be Steps 1-4 (\$23.27 - \$26.76 per hour). The City's policy is to hire at the lowest step possible.	



Zoning Specialist/Permit Technician

Department: Community Development

FLSA Status: Non-Exempt

General Definition of Work

Performs a variety of technically specialized administrative planning & zoning and permitting work while supporting the general operations of the Community Development Department. Work is performed under the supervision of the Community Development Director.

Qualification Requirements

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

Essential Functions

- Drafts and assembles Building and Planning & Zoning related reports.
- Maintains written departmental procedures, policies, and reference information.
- Attends City Council and Planning Commission meetings as needed and directed by the Community Development Director.
- Department's initial point of contact for public during regular business hours; provides general information and direction; handles inquiries and complaints from the public; directs public to the appropriate personnel when needed; processes incoming calls, email, and mail.
- Performs various other tasks and duties as assigned.

Planning & Zoning

- Maintains a working understanding of the City's Comprehensive Plan, Zoning and Subdivision ordinances and other City codes and assists the Community Development Department in the implementation and enforcement thereof as required by the Community Development Director.
- Assists the Community Development Department in collecting and reviewing applications for Rezoning, Conditional Use Permits, Variances, Preliminary Plat and Final Plat, and Fence Permits, and prepares Staff Reports for review by Community Development Director. Reviews such applications for building elements that may require further review by the Building Official or other Department staff.
- Takes inquiries and responds to questions regarding Planning & Zoning matters as directed by the Community Development Director or designee.
- As directed by the Community Development Director or designee drafts, issues, and tracks notices of zoning ordinance violations.
- Drafts and assembles supporting documents for Planning Commission and City Council.
- Assists the Community Development Director in shoreland management and floodplain management related duties.

Permitting

- Issues permits which require inter-departmental review or services of Building Inspectors or the Community Development Director upon completion of permitting process and in accordance with Department procedures; processes and issues building, plumbing, mechanical, demolition and other related permits in accordance with Department procedures. Calculates fees based on established fee schedule and monitors approval of plans by other regulatory agencies. Reviews permits for planning & zoning elements that may require further review by the Community Development Director or other Department staff.

Zoning Specialist/Permit Technician

Page 2

- Assists with contractor licensing services including adherence to City Code and insurance and bonding requirements. Reviews state license compliance of building contractors, remodelers, roofers and all special skill contractors as required by the MN Department of Labor & Industry and as required by the Community Development Director or designee. Prepares and processes contractor licenses.
- Assists in the implementation of the City's rental housing program including but not limited to the review of license applications for zoning and code compliance, processing rental housing licenses, prepares mailings and maintains records related to rental housing licenses.
- Assists public in completing applications and other forms; reviews applications for completeness; accepts construction plans and plan documents for permit processing.

Knowledge, Skills and Abilities

- General knowledge with the ability to interpret and apply department-specialized programs, policies, procedures, statutes, regulations, and records relating to the office. Accepts responsibility, takes initiative, and works independently or as part of a team to accomplish tasks, often under strict time constraints.
- Ability to read maps, blueprints, building plans, and to interpret utility location drawings and legal descriptions of real estate.
- Logical thinker with ability to solve practical and complex problems, applying common sense, industry best practices, and organizational policies to interpret and independently carry out tasks with varying levels of direction.
- Demonstrates strong organizational and time management skills with attention to detail. Must be able to handle multiple interruptions and adjustment of priorities throughout the day without compromising accuracy or efficiency.
- Ability to communicate courteously and tactfully, both orally and in writing, by representing the City in a positive and professional manner at all times with an internal/external customer-driven attitude; Provides friendly, courteous responses to coworkers, the public external agencies, associates, and vendors. Remains calm and professional under difficult, sensitive, stressful/hostile situations; or when dealing with diverse individuals.
- Ability to maintain a high level of confidentiality regarding sensitive information and compliance with data practice laws.
- Ability to operate standard office equipment including, but not limited to, computer and department required software, multi-line telephone system, and scanner/copy machine.
- Ability to create spreadsheets, compose correspondence, reports, and documents by typing and entering data accurately and at a reasonable rate of speed; accurately manages department files and records.
- Considerable knowledge of English vocabulary, spelling, grammar, sentence structure, punctuation and arithmetic.

Education, Experience and Special Requirements

- Bachelor's degree with coursework in urban design and planning. Other degrees and coursework in building inspection, construction management, GIS, or a related field will be considered. Experience performing planning & zoning administration, permit reviews, and/or inspections is desirable.
- A combination of education and at least 2 years of experience in the above areas or a closely related field may be considered as a substitute for the bachelor's degree requirement.
- Experience using geographical information systems (GIS).

Physical Requirements

This work requires the occasional exertion of up to 25 pounds of force; work regularly requires reaching with hands and arms, frequently requires sitting, speaking or hearing and repetitive motions and occasionally requires standing, walking, using hands to finger, handle or feel and lifting; work requires close vision, distance vision, ability to adjust focus and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, operating machines and observing general surroundings and activities; work has no exposure to environmental conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

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

Last Revised: August 1, 2019



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Performance Review Process/Training - Needs 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: Cassandra Torstenson & Kris Schubert	Department: Administration
Presenter (Name & Title): Cassandra Torstenson & Kris Schubert	Estimated Time Needed: 10 minutes
Summary of Issue: A City Council work session was held on July 22, 2019. During the work session, the Council discussed the performance process, performance evaluation forms, recommended new forms, training needs, and creating alignment of what a performance culture looks like. Attached is an updated Statement of Work (SOW) for 2019 and 2020 from Dr. Robert Sicora.	
Alternatives, Options, Effects on Others/Comments: Also attached is current Police Department Performance Review Form and Review Criteria that was not included with the 7/22/19 agenda packet. Please note this form was utilized earlier this year to evaluate 2018 performance for our Police Department's sworn staff.	
Recommended Action/Motion: Options: 1. Approve the base proposal as submitted by Dr. Sicora. 2. Approve a modified proposal from Dr. Sicora -- list what is actually approved.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>see below</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> See attached SOW -- The total cost depends on the proposal options that Council selects.	

Statement of Work – City of Brainerd

Program: Performance Based Culture – phase II

Dates: September 2019 – April 2020

Deliverables/Cost:

Activity	Duration/Item	Date(s)	Cost
Pre Performance Calibration (old form) expectation review for SLT - Webinar	(2) 90 Minute Webinars (attend one)	September 2019	\$1,500 Each
Performance Calibration (old form) with SLT	3 hour session	Oct 2, 2019	\$2,500
New Performance Framework – Refresh for All Employees	3 hour session	October 2019	\$2,500
	or 90 min webinar		\$1,500
Senior Management Key Process Review: Identify key skills and performance metrics	6 hour session	TBD before Feb 2020	\$4,000
Supervisor Checklist Review Training	(2) 90 Minute Webinars (attend one)	February 2020	\$1,500 Each
April Talent Management Calibration	1.5 Day Session	April 8/9 2020	\$6,000
Subtotal			\$22,500
All but the Senior Management Key Process Review (additional \$2,500)			\$4,000

Printed Name

Title

Signature

Date



Brainerd Police Department Performance Review



Employee: _____ Position Title: _____

Length of Time in Position: _____ Evaluation Period From: _____ To: _____

Administered By: _____ Date: _____

OUR MISSION: The Brainerd Police Department exists to protect and serve the public through diligent law enforcement, compassionate service, and a team approach to problem solving.

OUR CORE VALUES:

- **INTEGRITY:** Personal and organizational integrity are the foundations of our department and profession.
- **PEOPLE:** We recognize the inherent dignity of each citizen and employee and treat them accordingly.
- **CREATIVITY:** We value ingenuity and creative thought in solving problems and addressing community concerns.

PERFORMANCE LEVEL DEFINITIONS:

DI: Development/Improvement Needed = **0**
S: Satisfactory = **5**
EX: Exceeds Requirements = **9**

PROFESSIONALISM	Employee			Supervisor		
	DI	S	EX	DI	S	EX
APPEARANCE/PERSONAL HYGIENE: <i>Maintains appropriate appearance and personal hygiene.</i>						
ATTENTION TO DUTY: <i>Is available for duty on a timely basis and pays attention to completing tasks in accordance with department expectations.</i>						
CAREER DEVELOPMENT: <i>Participates in ongoing training and education to improve the effectiveness and efficiency of work performance.</i>						
CONDUCT AND BEHAVIOR: <i>Exhibits appropriate conduct and behavior when interacting with citizens and colleagues.</i>						
TOTALS:						
EMPLOYEE COMMENTS:						
SUPERVISOR COMMENTS:						

PROBLEM SOLVING	Employee			Supervisor		
	DI	S	EX	DI	S	EX
PROBLEM IDENTIFICATION: <i>Demonstrates the ability to identify crime and disorder problems that affect the quality of neighborhood life within the community.</i>						
INFORMATION GATHERING/ANALYSIS: <i>Collects, compiles and analyzes information regarding identified problem(s).</i>						
RESPONSE STRATEGIES/TACTICS: <i>Displays the ability to develop and implement effective strategies or tactics designed to address identified problem(s).</i>						
EVALUATION RESULTS: <i>Is able to assess the effectiveness and efficiency of response strategies.</i>						
TOTALS:						
EMPLOYEE COMMENTS:						
SUPERVISOR COMMENTS:						

OPERATIONAL SKILLS	Employee			Supervisor		
	DI	S	EX	DI	S	EX
FIELD PERFORMANCE SKILLS: <i>Demonstrates the ability to apply a wide array of fundamental skills used in the performance of duties.</i>						
INCIDENT MANAGEMENT SKILLS: <i>Demonstrates the ability to apply management skills to a variety of different situations during the performance of their duties.</i>						
INVESTIGATIVE SKILLS: <i>Demonstrates the ability to conduct fundamental investigative skills during the performance of duties.</i>						
SAFETY SKILLS: <i>Demonstrates the ability to protect and/or prevent self/others from unnecessary jeopardy, harm, or injury.</i>						
FACILITY & EQUIPMENT MAINTENANCE: <i>Maintains police department, vehicles, and issued personal equipment.</i>						
TOTALS:						
EMPLOYEE COMMENTS:						
SUPERVISOR COMMENTS:						

RELATIONSHIPS	Employee			Supervisor		
	DI	S	EX	DI	S	EX
DEPARTMENT PERSONNEL: <i>Develops and builds working relationships with department colleagues that improve and enhance the work environment and working relationships.</i>						
EXTERNAL AGENCY PERSONNEL: <i>Develops and builds positive working relationships with personnel from other agencies in order to acquire/share resources to facilitate completion of work.</i>						
NEIGHBORHOOD RESIDENTS/BUSINESS PERSONNEL: <i>Develops and builds positive, cooperative relationships with community members to improve quality of life.</i>						
TEAMWORK: <i>Demonstrates the ability to work cooperatively with other personnel in a group setting to effectively accomplish work assignments.</i>						
TOTALS:						
EMPLOYEE COMMENTS:						
SUPERVISOR COMMENTS:						

EVALUATION SUMMARY

EMPLOYEE OVERALL COMMENTS:

SUPERVISOR OVERALL COMMENTS:

Overall Point Totals	DI	S	EX
Professionalism			
Knowledge of Work			
Effort & Initiative			
Communication			
Problem Solving			
Operation Skills			
Relationships			
TOTALS			

DI -- Development/Improvement Needed 0 - 124

S -- Satisfactory 125 - 207

EX -- Exceeds Requirements 208 - 252

To Achieve Steps 7 or 8, must have the following:

- May not have any Development/Improvement Needed
- Have at least 17 Exceeds Requirements
- At least 3 consecutive annual performance evaluations with 2 Satisfactory and 1 Exceeds Requirements

GRAND TOTAL: _____

Supervisor's Signature: _____

Date: _____

Deputy Chief's Signature: _____

Date: _____

Police Chief's Signature: _____

Date: _____

Employee's Signature: _____

Date: _____

TRAINING / DEVELOPMENT / GOALS

1. Do you have any health or safety concerns with equipment, the facility, or current procedures as it relates to your job at the police department?
2. Are you aware of any harassment, be it sexual, inappropriate or of another nature that is occurring in the work environment?
3. Are you aware of any policy violations of the Police Department Policy Manual or City Employee Policy Manual?

Supervisor's Signature: _____

Date: _____

Deputy Chief's Signature: _____

Date: _____

Police Chief's Signature: _____

Date: _____

Employee's Signature: _____

Date: _____

Brainerd Police Department

Performance Review Criteria – Patrol Officer

Professionalism

“We believe that employees are the department’s greatest resource and we promote ongoing training and professional development for all employees.”

1. Appearance/Personal Hygiene

Maintains appropriate appearance and personal hygiene.

Factors: compliance with department dress code policy; hair and facial hair standards; dress standards; and appropriate personal hygiene habits; etc.

2. Attention to Duty

Is available for duty on a timely basis and pays attention to completing tasks in accordance with department expectations.

Factors: tardiness; absenteeism; willingness to respond to calls; available for work assignments; receptive to assignments; adheres to work standards; etc.

3. Career Development

Participates in ongoing training and education to improve the effectiveness and efficiency of work performance.

Factors: regularly attends in-service training; actively participates in educational endeavors to improve abilities at work; takes an active role in obtaining professional development training; etc.

4. Conduct and Behavior

Exhibits appropriate conduct and behavior when interacting with citizens and colleagues.

Factors: courteous; respectful; truthful; ethical; helpful; accessible; cooperative; pleasant attitude and/or demeanor; works well with people (irrespective of stress level); accepts work assignments without overt displays of dissatisfaction; willingness to learn; receptive to feedback; supportive of department mission/values; etc.

Brainerd Police Department

Performance Review Criteria Definitions – Patrol Officer

Professionalism

Development/Improvement Needed:

Fails to conduct his/her job responsibilities in a professional manner; is frequently disrespectful and/or discourteous to people in general; communicates/behaves in a manner that offends other people; appearance is rarely in compliance with department standards; is constantly being told or reminded by supervisor to perform job responsibilities satisfactorily; looks for ways to avoid work assignments; work product does not meet acceptable standards in all category criteria; demonstrates an apathetic attitude toward bettering self through training and education; does not care how he/she is perceived as a representative of the department.

Satisfactory:

Conducts his/her job responsibilities in a professional manner; does not act disrespectful or discourteously to other people; is pleasant and friendly to people with an open and positive attitude; understands the importance of being a positive role model; appearance is in compliance with department standards; supervisor recognizes work product is acceptable and thereby seldom requires intervention for correction; is available and attentive to work assignments/duties; will comply with training and education standards without hesitation; projects the image of a dependable and reliable member of the department; continually looks for ways to improve abilities.

Exceeds Requirements:

Routinely conducts his/her job responsibilities beyond supervisory/department expectations; received recognition for the dignified and respectful manner in which he/she treats people; not only understands the importance of projecting oneself as a positive role model, but does so on a regular basis; always meets department uniform standards; projects a very positive image; work product is very good, rarely requiring corrective supervision; is always present for work assignments/duties and volunteers for them when available; is admired by colleagues because of dedication and commitment to the job; displays willingness and desire to attend courses that improve abilities to perform job responsibilities.

Brainerd Police Department

Performance Review Criteria – Patrol Officer

Knowledge of Work

“We expect employees to understand and apply information required to successfully perform job functions consistent with the mission and goals of the city and the police department.”

1. Community Demographics

Demonstrates appropriate knowledge and application of community demographics and geography.

Factors: accessibility via roadways; neighborhood diversity; hot spots; community leaders and resources; types of groups within neighborhoods; public housing units; public facilities; etc.

2. Policies and Procedures

Demonstrates appropriate knowledge and application of state, city and/or department policies and procedures.

Factors: understands and complies with policies, standard operating procedures, processes, rules and regulations; etc.

3. Routine Forms/Automated Report Writing

Demonstrates appropriate knowledge and application of routine forms and report writing computer software.

Factors: school-reporting forms; court forms; report forms; citations; various juvenile forms; jail forms; etc.

4. Statutes and Ordinances:

Demonstrates appropriate knowledge and application of laws.

Factors: federal, state, county, and local ordinances; family, civil, narcotics, traffic and juvenile laws; ability to apply proper offenses to criminal acts; etc.

5. Work Procedures

Demonstrates appropriate knowledge and application of work procedures associated with assignment.

Factors: prepares correspondence and reports; adheres to general work guidelines; completes assignments in a timely manner; exercises proper care and judgment in handling assignments; etc.

Brainerd Police Department

Performance Review Criteria Definitions – Patrol Officer

Knowledge of Work

Development/Improvement Needed:

Performs work below minimally acceptable standards; does not possess sufficient knowledge to perform responsibilities; is unable, or refuses to effectively apply knowledge to situations within the work environment; is constantly dependent on acquiring information from others regarding work decisions; is unable to exercise sound judgment due to a lack of understanding or knowing how to apply work related information; is not capable of anticipating and coping with work related problems effectively; requires repeated instructions with extensive directions to perform basic job responsibilities associated with the duties of his/her position.

Satisfactory:

Work performance is acceptable; possesses adequate knowledge to perform majority of work responsibilities; is able and willing to apply knowledge to situations within the work environment on a regular basis; will occasionally solicit information from others regarding work decisions; consistently exercises sound judgment in most areas of job assignment; regularly anticipates work related problems and is able to address many of them without difficulty or assistance; will periodically ask for instructions to help perform basic job responsibilities associated with duties of his/her position.

Exceeds Requirements:

Work performance is above average and exceeds basic requirements; is regularly consulted by others about work knowledge and the application thereof; possesses an advanced ability and willingness to apply knowledge to situations in the work environment on a regular basis; others seek out advice from him/her because of their knowledge and ability to apply it appropriately and effectively; consistently identifies and effectively addresses work related problems; sound judgment is always used; when seeking advice, will always provide options to guide discussions about decisions affecting ability to perform basic job responsibilities associated with duties of his/her position.

Brainerd Police Department

Performance Review Criteria – Patrol Officer

Effort and Initiative

“We believe in excellence and quality of the work product. We empower employees to create, plan and take action.”

1. Leadership

Demonstrates a willingness and ability to assume a leadership role when appropriate and/or necessary.

Factors: attending neighborhood meetings; assuming responsibility for collateral duties (Tactical Team, FTO, K-9, Bomb Squad); etc.

2. Managing Uncommitted Time

Consistently demonstrates an ability to manage uncommitted time in an effective manner.

Factors: directed patrol tactics; enforcement activities; structured/visibility patrols; bike/foot patrol; traffic enforcement; purposeful neighborhood contacts; thorough follow-up to calls for service; etc.

3. Productivity

Consistently meets productivity standards (if applicable) and/or performance expectations set by the department management and/or citizens.

Factors: citations; arrests; self-initiated activity; community involvement; school visits; reports taken/written; work methods are efficient; outcomes of work are effective and responsive to the needs or demands of customers; results attained are consistent with or exceed original expectations; completes work in a timely manner; etc.

Brainerd Police Department

Performance Review Criteria Definitions – Patrol Officer

Effort and Initiative

Development/Improvement Needed:

Lacks desire to self-initiate in the performance of work responsibilities; is unwilling to learn new skills; refuses to take a lead role in the performance of group/team projects; is not a good leader; is unwilling to volunteer for collateral work assignments; does not use work time wisely or judiciously; wastes department resources; does not inspire others to work with him/her on job assignments; work productivity is inferior to colleagues; supervisor is always trying to get him/her to carry their fair share of the work load.

Satisfactory:

Will often self-initiate in the performance of work responsibilities without prompting from supervisors or colleagues; will voluntarily learn new tasks or perform new job responsibilities; will take on a lead role but mostly in circumstances when the outcome is already known or his/her colleagues are in support of what needs to be done; demonstrates ability to become an effective leader; volunteers for collateral assignments; can effectively manage time with minimum assistance; uses department resources appropriately but sparingly; inspires most colleagues to work with him/her; work product is average among his/her colleagues; carries his/her fair share of the work load with only occasional encouragement from supervisor.

Exceeds Requirements:

Frequently self-initiates in the performance of work responsibilities without prompting from anyone; actively seeks opportunities to learn new tasks or perform new job responsibilities; will assume a leadership role in most instances; is recognized as an effective leader by colleagues; asks supervisor about opportunities to work collateral assignments; can manage time without any assistance; uses department resources efficiently; inspires colleagues to action by serving as an effective role model; work product is above average among his/her work colleagues; carries more than fair share of the work load.

Brainerd Police Department

Performance Review Criteria – Patrol Officer

Communication

“We believe that effective communication fosters good working relationships.”

1. Non-Verbal Communication

Demonstrates an ability to effectively communicate in situations where verbal communication is not possible or proper.

Factors: during conversations with colleagues, supervisors, and citizens; while listening to conversations between people; while in the public eye during duty hours; while communicating with hearing/speech impaired; etc.

2. Verbal Communication

Demonstrates an ability to effectively communicate with people.

Factors: during conversations/presentations with colleagues, supervisors, and citizens; while listening to conversations between people; while in the public eye during duty hours; etc.

3. Written Communication

Prepares written correspondence in an effective manner

Factors: writes legibly; information is accurate, timely, thorough, grammatically correct and understandable in accordance with completing forms, preparing letters, typing correspondence, etc.

Brainerd Police Department

Performance Review Criteria Definitions – Patrol Officer

Communication

Development/Improvement Needed:

Does not establish eye contact with person to whom he/she is conversing with; uses body language improperly to intimidate or belittle people; makes improper remarks and/or facial gestures toward people; is unable to communicate in a clear and concise manner; is unable to use grammar or syntax properly; tone of voice is typically loud and offensive; is unable to make an effective presentation; not afraid to embarrass people; writing is barely legible; documentation is unclear, unreliable, and delinquent.

Satisfactory:

Is not afraid to establish eye contact with person to whom he/she is conversing with; uses body language to the best of his/her ability to help convey message; is able to control remarks and gestures in most instances; communicates clearly and concisely; grammar and syntax are acceptable and generally without mistakes; tone of voice is acceptable but mostly monotone regardless of the situation; seldom embarrasses people and makes no effort to do so when presented with an opportunity; can make a reasonably effective presentation to any audience; writing is legible with few errors; documentation is clear, reliable, and timely.

Exceeds Requirements:

Always establishes eye contact with person to whom he/she is conversing with; uses body language to effectively convey message; seldom has trouble controlling remarks and gestures; communicates very clearly and concisely so that the person seldom asks for clarification; tone of voice is expressive and consistent with nature of the situation; hardly ever embarrasses anyone and doesn't take offense when targeted to be embarrassed; is able to make very effective presentations; is considered to be a very good writer with hardly any errors; documentation is very clear, always reliable, and turned in before it is needed.

Brainerd Police Department

Performance Review Criteria – Patrol Officer

Problem Solving

“We believe that the prevention of crime and disorder through problem-solving is the most effective way to provide police services.”

1. Problem Identification

Demonstrates the ability to identify crime and disorder problems that affect the quality of neighborhood life within the community.

Factors: measured by referrals or nuisance complaints; while on patrol; during special assignments; during self-initiated activities; during directed patrol tactics; can differentiate between incidents and problems; able to address simple, moderate, and complex problems; etc.

2. Information Gathering/Analysis

Collects, compiles, and analyzes information regarding identified problem(s).

Factors: uses crime analysis information within the department from discussions with other officers, supervisors, and/or citizens; other service agencies; other law enforcement agencies; compiles data; conducts surveys; uses statistics; verifies/validates information; etc.

3. Response Strategies/Tactics

Displays the ability to develop and implement effective strategies or tactics designed to address identified problem(s).

Factors: implements strategies/tactics individually, with colleagues, as a team member, working with other agency personnel, working with school officials, uses resources, plans, makes referrals, uses creative solutions appropriately, etc.

4. Evaluation of Results

Is able to assess the effectiveness and efficiency of response strategies.

Factors: assessment of tactics, process and/or impact/results evaluation; assesses from an individual or team perspective; customer feedback, distinguishes between reduction, displacement and elimination, etc.

Brainerd Police Department

Performance Review Criteria Definitions – Patrol Officer

Problem Solving

Development/Improvement Needed:

Experiences tremendous difficulty to distinguish between an incident and a problem; struggles to recognize differences between simple, moderate, and complex problems; doesn't know where to gather information for analysis; doesn't really know how to analyze information; is unable to understand that different responses are needed for different types of situations; is generally incapable of developing an adequate response to a given problem; gauges success by the presence of arrests and failure by the absence of arrests; is not considered to be a problem solver.

Satisfactory:

Can distinguish between an incident and a problem; knows the difference between simple, moderate and complex problems; knows where to find information about problems, can collate and organize the information, and link it to causative factors; can differentiate between responses and is able to develop alternative responses to most problem scenarios; can identify resources, organize them, and implement simple plans or action; knows the difference between process and impact evaluations but struggles to conduct either type; is considered to be an average problem solver.

Exceeds Requirements:

Recognizes differences between simple, moderate, and complex problems and knows how to address each type; is considered to be a very good analyzer of information; can collate and organize information effectively; recognizes if problem has been misidentified based on analysis of the information; can develop and implement response tactics/strategies effectively and efficiently; understands the importance of evaluating efforts; is able to conduct a process evaluation but needs assistance with an impact evaluation; is considered to be a very good problem solver.

Brainerd Police Department

Performance Review Criteria – Patrol Officer

Operational Skills

“We expect employees to be accountable for their work and continuously strive to improve the quality of their skills.”

1. Field Performance Skills

Demonstrates an ability to apply a wide array of fundamental skills used in the performance of patrol duties.

Factors: responding to and handling calls and traffic situations; driving habits; on-view situations; self-initiated projects; use of radio, computer, and other equipment; etc.

2. Incident Management Skills

Demonstrates an ability to apply management skills to a variety of different situations during the performance of patrol duties.

Factors: crisis management of disputes; handling multiple or collateral assignments; control of crime scenes; managing complex investigations; managing multiple problem solving scenarios; etc.

3. Investigative Skills

Demonstrates an ability to conduct fundamental investigative skills during the performance of their duties.

Factors: formal statements, evidence handling, property inventory, interview/interrogation, proactive investigations, case development, report writing, reviewing files, crime analysis, etc.

4. Safety Skills

Demonstrates an ability to protect and/or prevent citizens/colleagues/self from unnecessary jeopardy, harm, or injury.

Factors: affecting searches and arrests; handling prisoners; appropriate use of restraint techniques; use of safety techniques; diffusing volatile situations; HAZMAT situations; firearms qualifications; etc.

5. Facility & Equipment Maintenance

Maintains police department, vehicles, and issued personal equipment.

Factors: cleans assigned areas, as well as areas used (such as workstation, break area, garage, meeting rooms, etc.); maintains interior/exterior of department vehicles and recognizes mechanical issues; keeps issued equipment presentable and in working order, etc.

Brainerd Police Department

Performance Review Criteria Definitions – Patrol Officer

Operational Skills

Development/Improvement Needed:

Lacks desire, willingness, and ability to perform fundamental responsibilities in an acceptable manner expected of an officer in their present assignment; makes excessive errors in judgment; is incapable of consistently and safely managing situations involving conflict; is unable to establish or maintain firm control of a crime scene; struggles to operate equipment correctly; is incapable of conducting any facet of an investigation without significant assistance from a colleague or supervisor; conducts self in a manner that jeopardizes safety of self and others.

Satisfactory:

Demonstrates desire, willingness, and ability to perform fundamental responsibilities in an acceptable manner expected of an officer in their present assignment; seldom makes errors in judgment and seeks clarification when necessary; manages all situations involving conflict with competency; effectively controls crime scenes; is considered by colleagues and supervisors to be an effective investigator; demonstrates safe practices on a regular basis irrespective of type of situation.

Exceeds Requirements:

Not only performs fundamental responsibilities in an acceptable manner, but is a quick learner and is capable of doing more than the average officer; makes very good decisions, which increases colleagues' respect in his/her decision making ability; manages situations in conflict very effectively and is able to bring about a successful resolution quickly; not only controls crime scenes efficiently, but takes the lead in managing scene activities when necessary; demonstrates very effective investigative skills; is an extremely safe officer and works with others who make ignorant mistakes resulting in jeopardizing others' safety.

Brainerd Police Department

Performance Review Criteria – Patrol Officer

Relationships

“We recognize our interdependence with each other and the community we serve. We strive to build positive, cooperative working relationships with others.”

1. Department Personnel

Develops and builds positive working relationships with department colleagues that improve and enhance the work environment and working relationships.

Factors: with colleagues, displays morale building behavior, volunteers to work with others, displays morale-building behavior; continual communication with co-workers; etc.

2. External Agency Personnel

Develops and builds positive working relationships with personnel from other criminal justice/public sector service agencies in order to acquire/share resources to facilitate completion of work.

Factors: city/county attorneys; crime lab personnel; social service agencies; other criminal justice personnel (e.g., other city/county agencies, neighboring jurisdictions, probation/parole, judiciary, etc.); fire, medical, and mutual aid personnel; media; government officials; other city/county/state personnel; etc.

3. Neighborhood Residents/Business Personnel

Develops and builds positive working relationships with community members to improve quality of life.

Factors: residents; property owners; business proprietors; other customers requesting service; etc.

4. Teamwork

Demonstrates the ability to work cooperatively with other personnel in a group setting to effectively accomplish work assignments.

Factors: supports team members; performs appropriate role as a team member; works to accomplish team objectives, group projects; ability to lead team/group activities; etc.

Brainerd Police Department

Performance Review Criteria Definitions – Patrol Officer

Relationships

Development/Improvement Needed:

Is perceived as a loner by colleagues; does not possess the ability to interact with people to form effective relationships, has very weak rapport skills; avoids opportunities to communicate with others thereby making it difficult to work with a group; sees little value in working with other agencies; will not work with other agency personnel unless ordered to do so by supervisor; is non-responsive to the needs of a team or group; is apathetic toward citizen concerns.

Satisfactory:

Works effectively with all colleagues; interacts with people to form effective relationships, seeks to improve these skills; rapport skills meet department expectations; communicates effectively with others and enjoys working with a team/group; understands how the agencies can help him/her address various problems/situations; will volunteer to work/assist other agency personnel; is an effective team member and works efficiently in such an environment; understands citizen concerns and works hard to address them.

Exceeds Requirements:

Is able to work effectively with any group of individuals; interaction skills are very good; enjoys the challenge of establishing effective rapport with diverse groups/individuals and is very good in doing so; communicates with others very well and thrives in a group/team environment; solicits involvement from other agencies to address problems/situations; seeks out opportunities to volunteer with other agency personnel; consistently looks for chances to address problems through the use of teamwork; tries to understand citizen concerns to he/she can work to prevent them from reoccurring.

Revised

Statement of Work – City of Brainerd

Program: Performance Based Culture – phase II

Dates: September 2019 – April 2020

Deliverables/Cost:

Activity	Duration/Item	Date(s)	Cost
Pre-Performance Calibration (old form) expectation review for Department Heads	(2) 90 Minute Webinars (attend one)	September 2019	\$1,500 Each
Performance Calibration (old form) with Department Heads	3 hour session	Oct 2, 2019	\$2,500
New Performance Framework – Refresh for All Employees	3 hour session or	October 2019	\$2,500
	90 min webinar		\$1,500
Supervisor Checklist Review Training	(2) 90 Minute Webinars (attend one)	February 2020	\$1,500 Each
April Talent Management Calibration	1.5 Day Session	April 8/9 2020	\$6,000
Subtotal			\$18,500
City of Brainerd City Discount			<\$14,500>
Total			\$4,000
Option: October 2020 Performance Calibration	1.5 Day Session	October 2020	\$6,000

Printed Name

Title

Signature

Date



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Request For Proposals (RFP) for Memorial Park Redesign

☐ 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: Tony Sailer	Department: Parks and Recreation
Presenter (Name & Title): Tony Sailer, Parks and Recreation Director	Estimated Time Needed: 10 minutes
Summary of Issue: The city signed a two-year lease with BIC for Mill Avenue Park and the parking lot in Memorial Park. The lease runs through March 31, 2020. This means the Parks Department will lose the use of one adult and one youth softball field, two hockey rinks and a warming house. Plans are to redesign Memorial Park to add one adult softball field, two hockey rinks, a pleasure rink and a warming house. This would be a three-phase project over a three-year period. RFPs for the redesign of Memorial Park have been received and reviewed by the Park Board. See attached memo for more details.	
Alternatives, Options, Effects on Others/Comments: - Accept the low bid from WSN and budget for the three-phase redesign which would be installed over a three-year period. - Look at other options to accommodate an additional adult softball field, two hockey rinks, a pleasure rink, and a warming house at Memorial Park. - Adult summer softball leagues play five nights per week, with games starting in April and May and running through August. Fall leagues play three nights per week starting in September and running through October. Tournaments include the Early Bird, This One's For Hop, and state Co-Rec and state Masters. Adult kickball leagues also play on the fields in the fall leagues. Nearly 1,500 adults played in the softball and kickball leagues in 2018. - There are usually two Penguins teams and three Polar Bear teams in the Pond Hockey league. The Mill Avenue Park rinks are the most used with many Northeast neighborhood youths walking to the rinks.	
Recommended Action/Motion: - At its July 23rd meeting, the Park Board recommended the bid from WSN be considered by the City Council.	
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>2,500,000</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i>	



www.ci.brainerd.mn.us/parks

To: City Council
Mayor Ed Menk
City Administrator Cassandra Torstenson
From: Tony Sailer, Parks and Recreation Director *TS*
Date: June 25, 2019

Request for Proposals for the redesign of Memorial Park were received from WSN, SEH and WSB.

The RFPs were for a three-phase redevelopment of Memorial Park over a three-year span. This includes adding a fourth softball field, construction of a concession stand and restroom in the center of the quad complex, new lights on three of the fields and moving the recently installed lights, moving the three new scoreboards and adding another, new fencing and dugouts, new irrigation and electrical wiring, turf, two hockey rinks and lights, and a new warming house.

Preliminary cost estimates include:

WSN

Total cost: \$2,500,000

SEH

Total cost: \$3,564,885

WSB

Total cost: \$4,425,499

At its July 23 meeting, the Park Board recommended the bid from WSN be considered by the City Council.

The plan is to redevelop the park in three phases:

Phase I includes adding a softball field and moving another, installing lights and irrigation, installing fencing, adding a scoreboard and moving one of the recently installed scoreboards, and sodding or seeding the outfields. Two fields would still be available for adult softball leagues during this phase which would begin in the fall of 2020.

Phase II includes moving the other two fields to form a quad complex, installing lights and irrigation, installing fencing, sodding or seeding the outfields, construction of a concession stand and restroom in the center of the four-field complex, moving two of the recently installed scoreboards, and adding a parking lot. The two Phase I fields would be available for adult softball leagues during this phase which would begin in the fall of 2021.

Phase III includes constructing a warming house next to the current restrooms, and installing hockey rinks, and lights. The phase would begin in the fall of 2022.



Proposal for Professional Services Memorial Park Renovation Brainerd, MN

July 12, 2019



**WIDETH
SMITH
NOLTING**

Joe Dubel, PE

Project Manager | Civil Engineer

Joe.Dubel@wsn.us.com

218.316.3663

Dave Reese, PE, VP

Principal in Charge | Civil Engineer

Dave.Reese@wsn.us.com

218.316.3629

July 12, 2019

Mr. Tony Sailer
Parks Director
1619 NE Washington Street
Brainerd, MN 56401



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

218.829.5117 
218.829.2517 
Brainerd@wsn.us.com 

WidethSmithNolting.com

Re: Memorial Park Renovations

Dear Mr. Sailer,

What an exciting opportunity to further improve one of Brainerd's premier parks! We have assembled a team with the ball field and ice rink experience that will help the City make this vision for Memorial Park a reality.

Many of our employees and their families have used Memorial Park for t-ball, minor league baseball, Bronco league, various softball leagues, and events such as the "This One's For Hop" benefit softball tournament. Families bring their kids to the park to simply enjoy the playground. What a great amenity for our friends and neighbors.

WSN employs over 50 local professionals—individuals and families who have chosen Brainerd as their home base. Our local surveyors handle various layout and construction staking items within the city of Brainerd and throughout the region, while our civil engineers carry out grading, storm drainage, and parking lot projects. Our architects have extensive experience working on Brainerd projects including the Miracle League Field. Our local mechanical and electrical engineers work with building systems, lighting, and a variety of projects throughout the city and surrounding area, as well.

By choosing WSN, the City can be assured that its investment will stay local, more so than with any other firm. And not only do we live, work, play, and shop here—we offer significant experience helping other communities improve their parks, athletic fields, and supporting facilities.

The following pages describe our team as well as our similar project experiences – with the caveat that each project is unique and requires a personal touch.

We look forward to the opportunity to work with you, your staff, and the City on this exciting project. Let's play ball!

Sincerely,

WIDETH SMITH NOLTING & ASSOCIATES, INC.

A handwritten signature in black ink that reads "Joe Dubel". The signature is fluid and cursive, with the first name "Joe" and last name "Dubel" clearly legible.

Joe Dubel, PE
Project Manager | Civil Engineer
Joe.Dubel@wsn.us.com
218.316.3663

A handwritten signature in black ink that reads "Dave Reese". The signature is fluid and cursive, with the first name "Dave" and last name "Reese" clearly legible.

Dave Reese, PE, VP
Principal in Charge | Civil Engineer
Dave.Reese@wsn.us.com
218.316.3629

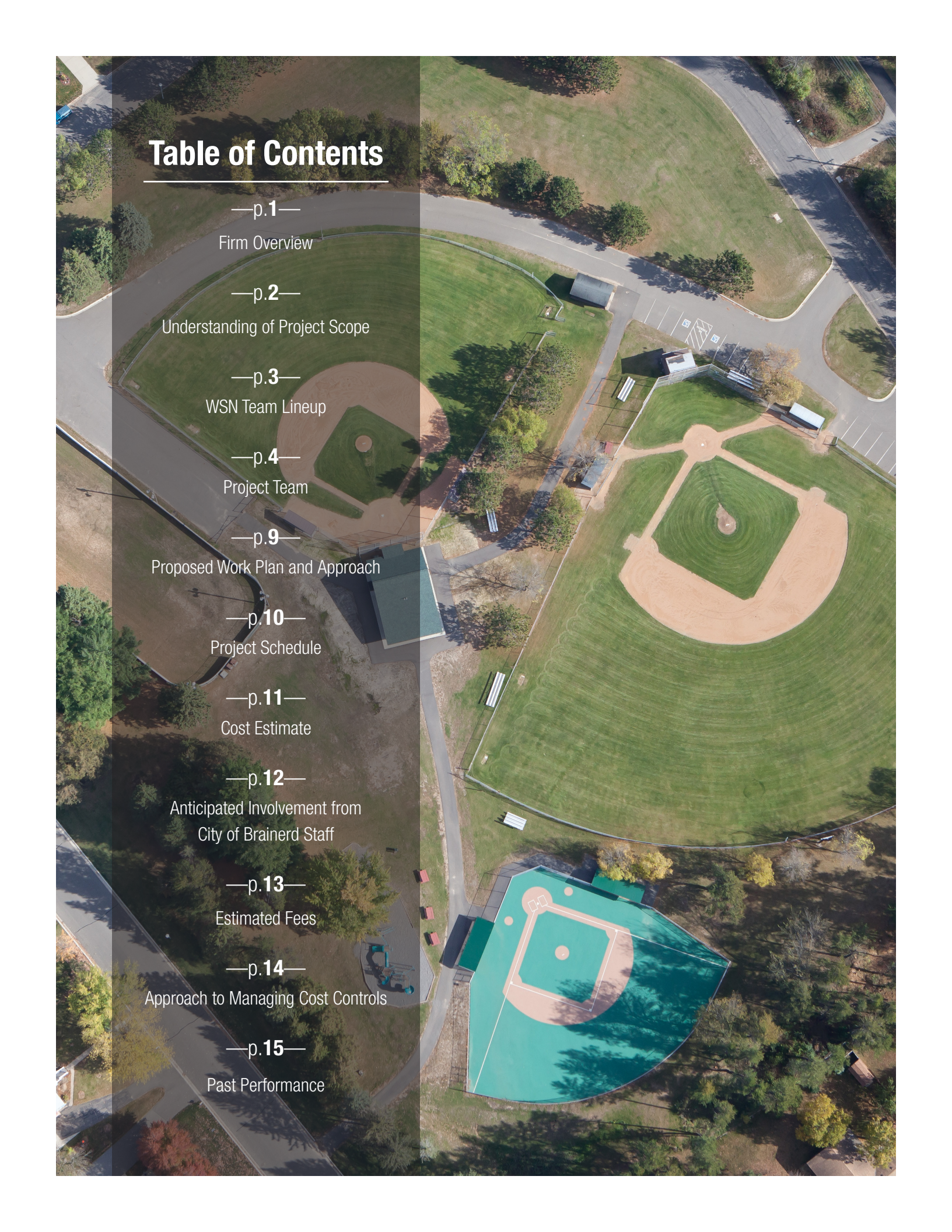
An aerial photograph of a baseball field, split vertically. The left half shows a standard green grass field with a brown dirt infield. The right half shows a similar field but with a large, bright green rectangular area covering the outfield and part of the infield. The table of contents is overlaid on the left half.

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Past Performance



Tink Larson Field—Waseca, MN

Firm Overview

Vibrant Design. Integrated Systems. On Budget. On Time.

WSN designs the structures and systems that keep life humming along smoothly. Since 1975, we have developed experience and expertise to tackle all manner of challenges, from straightforward to complex. We are an integrated, multi-disciplined firm that brings together all the services you need under one umbrella. For you, that means better communication, greater efficiency, and a more satisfying experience as your project plays out.

WSN was founded in 1975 and maintains a strategic focus on serving the communities of Greater Minnesota and North Dakota. Sustainability through managed growth has always been a goal of the WSN ownership team—the firm has taken advantage of many growth opportunities since its inception and now boasts eight office locations and more than 200 employees.

Our professional services and staff by disciplines includes:

- Architecture | 33
- Landscape Architecture | 1
- Civil Engineering | 72
- Structural Engineering | 4
- Water Resources | 10
- Environmental Services | 8
- Mechanical Engineering | 6
- Electrical Engineering | 4
- Electrical Distribution | 6
- Land Surveying | 39
- Geographic Information Systems | 3
- Aerial Mapping | 6
- Funds Development | 1
- Communications | 6
- Planning | 1
- Administrative | 28

Sports Experience

WSN has worked on an array of sports fields, complexes, and stadiums, including Brainerd High School’s Don Adamson Field. We have done everything from large scale master plans that include many fields and structures to modest designs for bleachers and field improvements. Our clients have ranged from universities to small cities. We are very familiar with the City of Brainerd, the City’s staff, and its Parks & Rec facilities. The following pages highlight the qualifications and experience of our project team.

Firm Information

Brainerd/Baxter Office

7804 Industrial Park Road
PO Box 2720
Baxter, MN 56425
t | 218.829.5117
f | 218.829.2517

Joe Dubel, PE

Project Manager | Civil Engineer
Joe.Dubel@wsn.us.com
t | 218.316.3663

Dave Reese, PE, VP

Principal in Charge | Civil Engineer
Dave.Reese@wsn.us.com
t | 218.316.3629

WSN Locations

- Alexandria
- Baxter
- Bemidji
- Crookston
- East Grand Forks
- Forest Lake
- Grand Forks
- Rochester

WidsethSmithNolting.com



Understanding of Project Scope

How does that saying go? A bad day at the ballpark is still better than a good day at work. Well, we’re planning on having good days at both, working with you on the Memorial Park Renovation.

Many of our employees and their families have used Memorial Park and its amenities, and they continue to make memories there.

Our project team has the expertise and experience to convert this city asset into a community gem—a place the community can continue to enjoy for years to come.

The Mills Field Stadium, its adjacent parking lot, the Little League ball field, and the playground, although relocated, will remain. The existing parking lot next to Mill Avenue will not be used. We have, however, worked with the land owner, and we will plan to assist in communications with him.

We appreciate the legwork you have done in getting estimated lighting and fencing costs.

Our local surveyors and environmental professionals will address immediate questions or concerns.

Our civil engineers will get to work immediately laying out grades, designing stormwater management devices, and providing for a new parking lot—all in conjunction with the lighting, buildings, and other project components.

Our architects and landscape designer have designed and constructed ball fields, parks, and their corresponding buildings. They will work with the civil engineers in developing amenities and supporting facilities.

Our electrical engineers will address field lighting as well as building electrical systems, while our mechanical engineers will detail the plumbing and building mechanical systems. The preference is to place the new warming house close to the recently constructed restrooms, with the ice adjacent in the northern part of the new parking lot.

All of our professionals have been through the necessary state permitting processes, as well as the City’s various review and permitting processes, and having worked with the City on bidding projects, we are familiar with the City’s procedures and expectations.

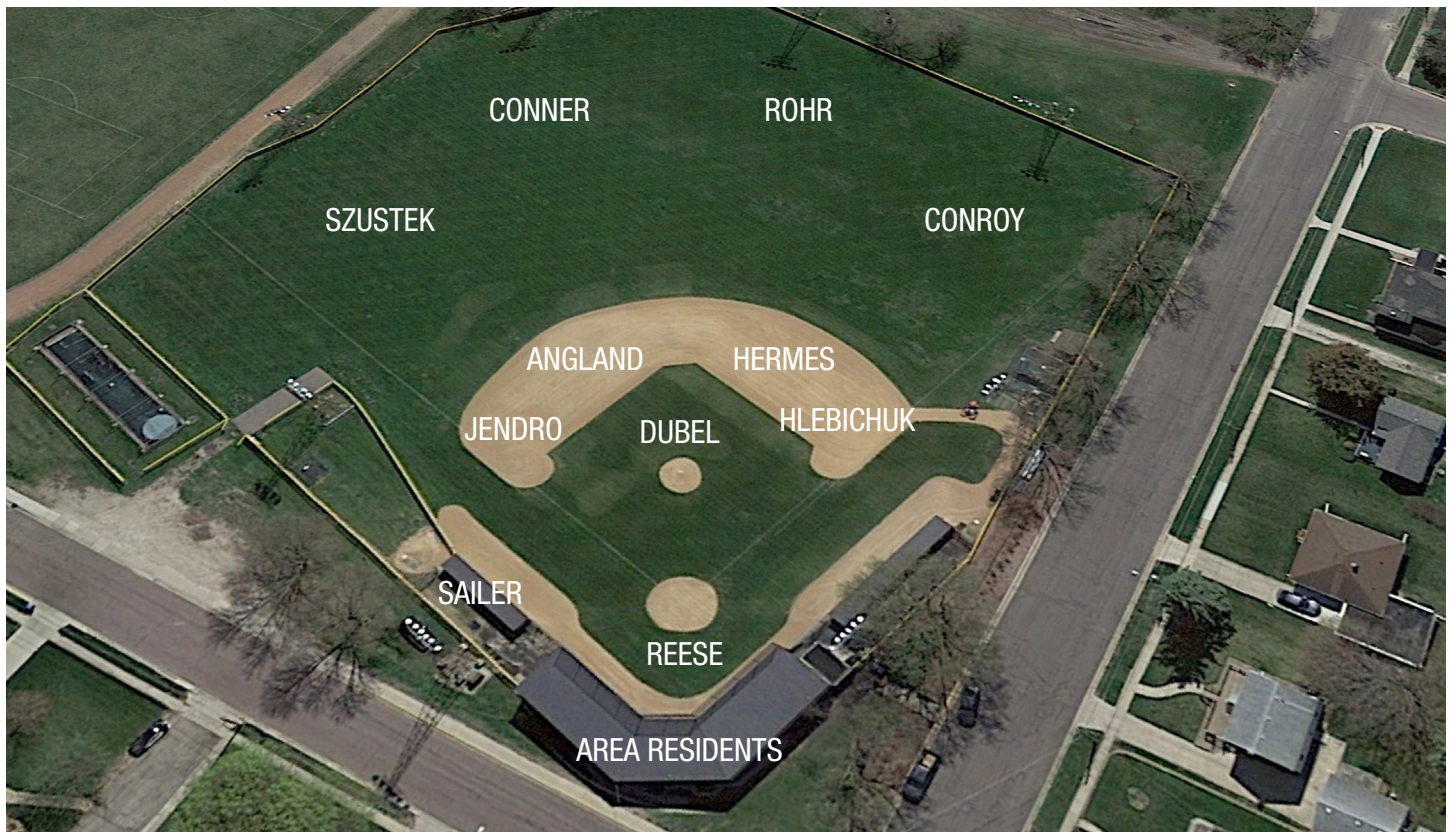
We have local staff that can take care of construction staking, construction observation, and construction administration, having worked with the City on such services in the past. Our local presence will be a benefit as the schedule dictates a phased project. Our need for few, if any, consultants to come in from out of town will mean we can be responsive to the City’s needs, at the times we are needed.

With the significant changes contemplated, for this important community park, we will dedicate time to working with City staff on public outreach. This can be done through informational meetings, 3-D or animated computer renderings, sharing information online, or info booths at games and tournaments.

We live here, we work here, we pay taxes here, we play here, we use this park, we understand the scope of your project, and we are “on deck” ready to be a part your team.

WSN Team Lineup

ORDER	PLAYER	POS.	PROJECT ROLE	AVG.
1	Joe Dubel, PE	1	Project Manager Civil Engineer	.315
2	Dave Reese, PE	2	Principal in Charge Civil Engineer	.327
3	Mike Angland, AIA, LEED AP	6	Architect	.362
4	Dana Hlebichuk, AIA	3	Architect	.283
5	Chad Conner, LS, CFedS	8	Professional Land Surveyor	.270
6	Jim Szustek, PE	7	Electrical Engineer	.294
7	Eric Jendro, PE, LEED AP	5	Mechanical Engineer	.252
8	Kent Rohr, PE	9	Structural Engineer	.268
9	Ryan Hermes, Assoc. ASLA	4	Landscape Designer	.246
10	Pat Conroy	10	Senior Funding Specialist	.296
Tony Sailer		Coach	Manager Parks Director	



Project Team



Joe Dubel, PE

Project Manager | Civil Engineer

Joe joined WSN in 2019 with more than 22 years of experience in civil engineering, planning, development, design, project management, and financing. He has served as a City Engineer for several communities across Minnesota and North Dakota. In his position at WSN, Joe is responsible for design, preparation of plans and specifications, and construction administration. He also develops project budgets and schedules, prepares engineering studies and reports, develops project design criteria, administers construction contracts during bidding and construction, and ensures that the client's needs are kept at the forefront.

License/Certifications

Professional Engineer: MN (45500),
ND (PE-9260)

Education

Bachelor of Science, Civil Engineering |
University of Minnesota, Minneapolis, 1996

Related Experience

- Design and Project Financing-Safe Routes to School—Sartell, MN*
- Design and Reconstruction-Sanitary Sewer and Water Improvements—New Town, ND*
- Design and Reconstruction-City Street, Utilities, and Storm Sewer Project—Foley, MN*
- Five-Year Utility Sanitary Sewer and Watermain Infrastructure Expansion Plans—Stanley and New Town, ND*

**Completed prior to joining WSN*



Dave Reese, PE, VP

Principal in Charge | Civil Engineer

Dave has primarily served as the City Engineer for several cities in the Brainerd area over the past 23 years, including the City Engineer for the cities of Crosslake, Lake Shore, Garrison, Jenkins, and Randall. He also serves several area Townships and Counties with engineering support when needed and provides project management, project engineering, and engineering guidance on public and private projects throughout the State. In addition to leading local governing units (LGU) with advancing rural infrastructure improvements, he has managed several County and State projects through initial study, environmental review, public planning process, design, and contract administration. Dave has completed several environmental, roadway, trail, water and wastewater treatment, and utility improvement projects ranging from privately funded developments to State-Aid and Federally funded enhancement projects.

License/Certifications

Professional Engineer: MN (23432),
ND (PE-8704), WI (40374-6)

Registered SSTS Advanced Designer:
MN (C3145)

Erosion / Stormwater Management: Design
Construction SWPPP

Education

Bachelor of Science, Civil Engineering |
North Dakota State University, 1990

Related Experience

- Morrison County/Randall CSAH 1/14 Road and Utility Reconstruction (SAP 49-601-19 & 49-614-12)—Randall, MN
- Todd County/Staples Old Highway 10 Turnback Road and Utility (SAP 77-654-01 & 77-643-03)—Staples, MN
- Wastewater Treatment System Improvements—Nisswa, MN
- Brainerd International Raceway Wastewater Treatment System Improvements—Brainerd, MN
- Crosslake Sanitary Sewer Connection and Treatment Facility Improvements—Crosslake, MN



Mike Angland, AIA, LEED AP, VP

Architect

Mike joined WSN in 2012 with more than 12 years of experience in the fields of architecture and construction. He is responsible for project management and design; preparing architectural plans, construction documents, and as-builts; interpreting design criteria; and developing site plan/design. He is also responsible for code research and review, cost estimating, preliminary field measurements, and construction observation. He is involved in programming and preliminary design, including creation of models and conceptual renderings, and he handles day-to-day communication with contractors.

License/Certifications

Registered Architect: MN (45375),
IA (07028), WI (11896-5)

LEED® Accredited Professional

Education

Bachelor of Architecture | Iowa State
University, 2001

Related Experience

- Pine Grove Field Improvements—
Staples, MN
- Central Lakes College Press Box—
Brainerd, MN
- Central Lakes College Baseball
Backstop—Brainerd, MN
- KEBA Field Improvements—
Kimball, MN
- Brainerd High School Lower Site—
football field, track, and tennis courts
rebuild—Brainerd, MN
- Track Rebuild—Crosby-Ironton, MN



Dana Hlebichuk, AIA, NCARB, VP

Architect

Dana Hlebichuk offers diverse experience in the fields of architecture and construction, with more than 26 years in the architecture industry. He has worked on a range of project types including education, residential, commercial, healthcare, hospitality housing, and an emphasis on youth sports facilities. In his position as a project architect, Dana is responsible for project management, architectural design, specifications, cost estimates, client and business development, and contributions to further develop the firm's architectural practice.

License/Certifications

Registered Architect: MN (44719)

Education

Bachelor of Science - Environmental Design
| North Dakota State University, 1996

Bachelor of Architecture | North Dakota
State University, 1996

Related Experience

- Tink Larson Community Field—
Waseca, MN
- Rochester Youth Fastpitch Softball
Sport Complex—Rochester, MN
- Rochester Youth Baseball
Association Baseball Complex—
Rochester, MN
- Rochester Youth Fastpitch Softball
Masterplan and Facility Upgrades—
Rochester, MN
- Minnesota State University Mankato
Baseball Stadium Upgrades—
Mankato, MN
- Rochester Regional Stadium Pre-
Design—Rochester, MN*

**Completed prior to joining WSN*



Chad Conner, LS, CFedS, VP

Land Surveyor

Chad joined WSN in 1996 and is currently the Director of Survey Operations in the Brainerd/Baxter office. Chad coordinates work assignments with the schedule of the client to ensure timely completion of projects. Chad has worked on many municipal improvement projects involving street and utility construction, right-of-way, acquisition, construction, staking, and record drawing. His training as a Certified Federal Surveyor has given him the expertise to properly evaluate evidence and provide important solutions for projects in many of WSN's offices. His responsibilities include land survey project development and management, scheduling, and coordination.

License/Certifications

Professional Land Surveyor:

MN (41643), IL (3887)

Certified Federal Surveyor (CFedS) (1292)

Education

Bachelor of Science, Land Surveying and Mapping | St. Cloud State University, 2000

Diploma, Civil Engineering Technology | St. Cloud Technical College, 1994

Related Experience

- Brainerd High School Athletic Complex Improvements—Brainerd, MN
- Crosby-Ironton High School Track and Field Reconstruction—Crosby, MN
- CLC Brainerd Sports Fields, Baseball and Softball—Brainerd, MN
- Brainerd Miracle League Field—Brainerd, MN
- Whipple Beach – Restroom and Concession Stand—Baxter, MN
- Oscar Kristofferson Park Picnic Pavilion—Baxter, MN
- Crosby-Ironton Practice Field Drainage Improvements—Crosby, MN



Jim Szustek, PE

Electrical Engineer

Jim joined WSN in 2016 with more than 35 years of electrical engineering experience. His considerable experience includes lighting design, power distribution, motor control centers (MCC), generators, equipment sizing, and programmable logic controllers (PLC) and distributed control systems (DCS) for industrial, educational, and commercial building types. As the Director of Electrical Engineering at WSN, Jim is responsible for overseeing the work of WSN's team of electrical engineers, designers, and engineering technicians. He works with the project team to incorporate safe and economical building electrical systems.

License/Certifications

Professional Engineer: MN (25395), ND (PE-8343), WI (42755-6), IA (14265)

Education

Bachelor of Science in Electrical Engineering | University of Minnesota, 1979

Related Experience

- Tink Larson Community Field Renovation—Waseca, MN
- Crosby-Ironton School District - Concession Building—Crosby, MN
- Warroad Park Development Phase 2, Pavilion/Amphitheater—Warroad, MN
- Minnesota State University Mankato Baseball Dugouts—Mankato, MN
- Graham's Island State Park Visitor Center—Devils Lake, ND
- CLC Athletic Field Press Box—Brainerd, MN
- Gunn Park Pavilion Renovation—Grand Rapids, MN
- Veterans Memorial Park Pavilion—Alexandria, MN



Eric Jendro, PE, LEED AP, VP

Mechanical Engineer

As director of mechanical engineering, Eric is responsible for HVAC and plumbing systems design, energy and load analyses, reviewing shop drawings and prior approval requests, field observations, and coordinating with other disciplines to ensure quality control. He is also responsible for client relations, budgets, and schedules. Eric is a LEED® Accredited Professional, demonstrating his keen understanding of sustainable design, green building practices and principles, and LEED® requirements, resources, and processes.

License/Certifications

Professional Engineer: MN (45426),
ND (PE-8437)

LEED® Accredited Professional

NCEES Record Holder

Education

Bachelor of Science, Mechanical
Engineering | Minnesota State University–
Mankato, 2002

Related Experience

- Tink Larson Community Field—
Waseca, MN
- Brainerd Area Civic Center
Improvements—Brainerd, MN
- Sanford Center—Bemidji, MN
- Oscar Kristofferson Park Picnic
Pavilion—Baxter, MN
- Whipple Beach Picnic Shelter—
Baxter, MN
- Nisswa Public Restrooms/Chamber
of Commerce Welcome Center—
Nisswa, MN
- RV Park-Arch – Club House
Design—Pequot Lakes, MN
- Trailside Park Seasonal Restroom
Facility—Pequot Lakes, MN
- Warroad Park Development—
Warroad, MN



Kent Rohr, PE, VP

Structural Engineer

As the director of WSN's structural engineering department, Kent's responsibilities include working with the project architect and engineers to incorporate a safe and economical building structural system into the architect's vision of the overall project. He has worked with a variety of systems including timber, masonry, steel, precast and reinforced concrete with building sizes ranging from \$100,000 to over \$40 million in construction cost. Kent's work also includes building structural evaluations, remodels, and rehabilitation of existing structures.

License/Certifications

Professional Engineer [Structural]:
MN (21179), ND (PE-6661), SD (6166),
WI (E-45447)

Education

Bachelor of Science, Civil Engineering
(Structural) | University of Minnesota, 1986

Related Experience

- Crookston Sports Center—
Crookston, MN
- Northstar Christian Academy Ice
Arena—Alexandria, MN
- Purpur Arena Renovation—
Grand Forks, ND
- Cass Lake–Bena High School Sports
Field Concession Building—
Cass Lake, MN
- Essentia Sports Center
Improvements—Brainerd, MN
- Minnewaska Area Schools Baseball
Field—Glenwood, MN
- University of Minnesota–Crookston
Team Room, Press Box—
Crookston, MN
- Bemidji State University John
Glas Fieldhouse Remodeling—
Bemidji, MN
- Minnesota State University–Mankato
Baseball Dugouts—Mankato, MN
- Northland Community & Technical
College Baseball Field—
Thief River Falls, MN
- Rochester Youth Fastpitch Softball
Sport Complex—Rochester, MN



Ryan Hermes, Assoc. ASLA

Landscape Designer

Ryan joined WSN in 2015. As a landscape designer, Ryan's designs focus on making the pedestrian experience unique and memorable while combining the built and natural environments to be one cohesive design. His responsibilities at WSN include preparing, supervising, and assisting in the preparation of drawings and tracings for a variety of landscape architectural projects, including conceptual plan studies, presentation graphics, freehand sketches, base map preparation, construction details, and construction documents.

Education

Bachelor of Landscape Architecture |
North Dakota State University, 2015

Bachelor of Science, Environmental Design
| North Dakota State University, 2015

Related Experience

- Montgomery Parks Masterplanning —
Montgomery, MN
- City of Karlstad Park — Karlstad, MN
- Tink Larson Field — Waseca, MN
- Lafave Waterfront Park — Lafave Park
- Harwick Upper Courtyard —
Rochester, MN
- Old Dumpsite Park Conversion —
East Grand Forks, ND



Pat Conroy

Senior Funding Specialist

Pat joined WSN in 2009 after working with the firm and its clients on numerous successful funding packages under the auspices of his practice, C&C Consultants LLC. He offers more than 36 years' experience as a grant writer and applications specialist. As a funds development specialist, he has experience with all sources of water and wastewater project financing, city buildings and structures, transportation projects, and public amenities such as parks and trails. Pat has formed strong working relationships with personnel at state and federal funding agencies and can assist with positioning projects for favorable consideration by decision makers.

Education

Bachelor of Science | St. John's
University, 1972

Continuing education courses in computer programming, leadership, team building, listening skills, and strategic planning | Northwest Technical College, Fergus Falls Community College, North Dakota State University Continuing Education Program, and St. Thomas University Management Center

Related Experience

- Pomme de Terre Park — Morris, MN
- Rochester Youth Fast Pitch Association Softball Complex —
Rochester, MN
- Assistance to Firefighters Grants (AFG), FEMA — throughout Minnesota and North Dakota
- Roadway Improvements —
Chokio, MN
- Wastewater Improvements —
Starbuck, MN
- Elevated Storage Tank and Water Distribution — Barrett, MN
- Water Lines, Sewer Collection, and Elevated Storage Tank —
Battle Lake, MN
- Wastewater Treatment System —
Urbank, MN



Minnewaska Area Schools Baseball Field—Glenwood, MN

Proposed Work Plan and Approach

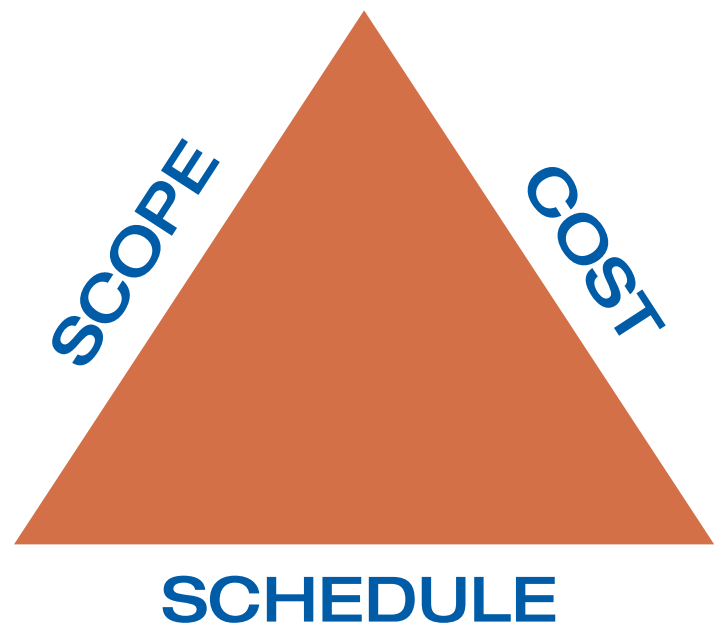
This is a straightforward project.

Your scope of work was well laid out in your Request for Proposal (RFP), and the schedule you provided is clear and reasonable. Based on our team member's extensive experience with ball fields, hockey and leisure ice rinks, athletic facilities, and the associated support buildings and amenities that accompany them, we know we can make the scope of work a reality within your time frame. We also offer the unique benefit of having a landscape designer and a funding specialist on staff, ready to jump into the project should the need arise. Please refer to the schedule on page 10 for details regarding each stage of the project and its timing.

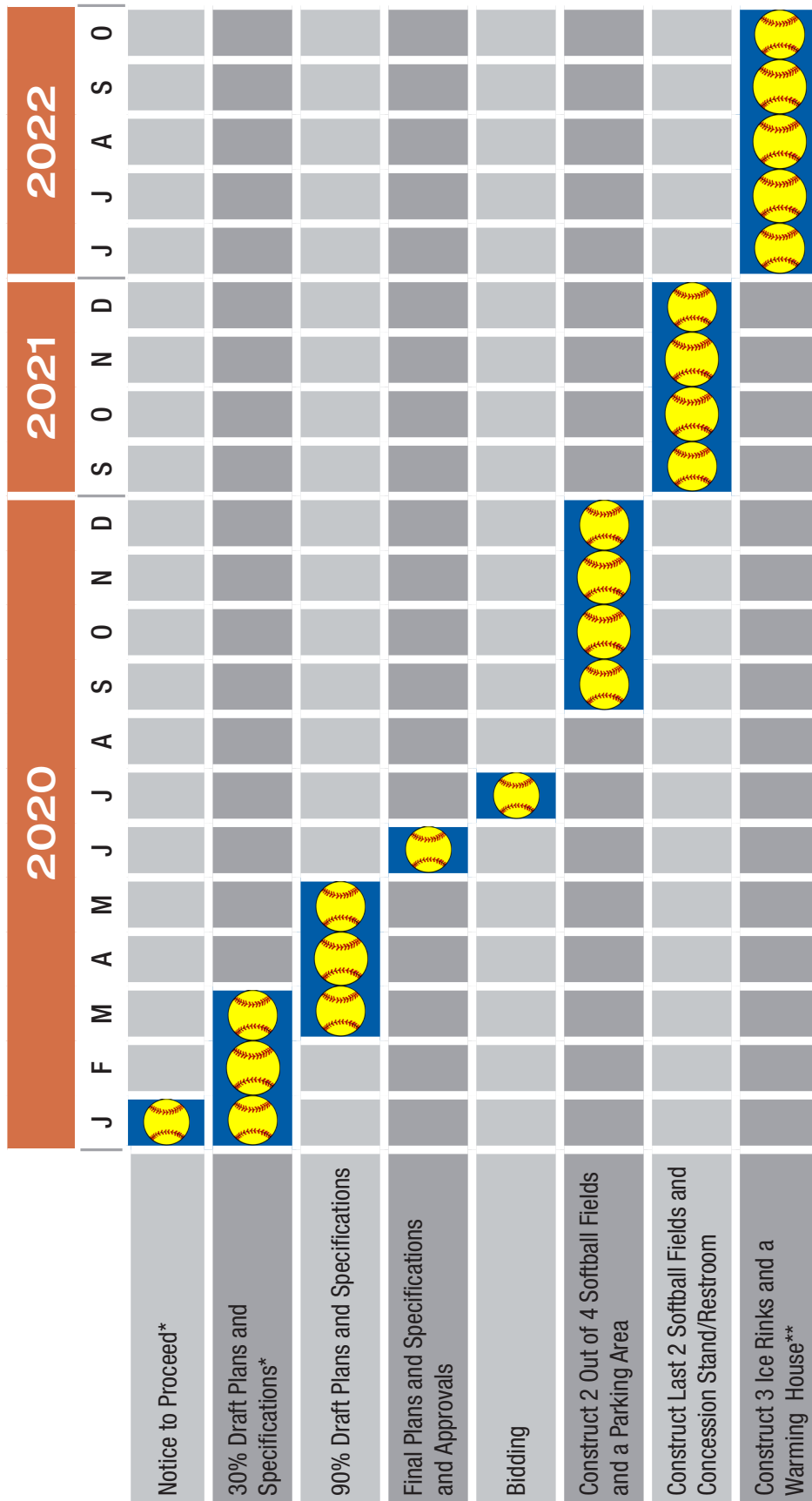
Our approach is flexible and keeps three basic principles at its foundation: scope, schedule, and cost. Like a triangle, if you adjust one side, the other two will sift, throwing the triangle out of balance unless you adjust to keep the triangle, or the project, balanced and intact. And the keys to maintaining the foundation—to ensuring the project remains on track throughout the process—are listening and communicating.

There you have it. We just told you our “secret” project management technique to deliver a high quality project.

Our project management team will work with you to keep the project's technical details moving forward while being flexible to the inevitable “Can we do this?”, or “Can we adjust here?” questions that come up on a project—all while checking in periodically on the scope-schedule-cost foundation.



Project Schedule



* Anticipate beginning in 2019

** 3 ice rinks may be temporary winter only

Note: Various methods of public outreach to occur throughout this schedule.



Cost Estimate

As requested in the RFP, we have looked at your proposed improvements and compared them to other similar projects we have worked on. Providing a cost estimate is challenging prior to the design phase where the team can determine some level of detail to estimate construction and project costs.

We greatly appreciate the information you have gathered on field lighting and fencing cost estimates. We know behind these estimates, decisions have been made on various details so an estimate could be provided.

Without the benefit of detail yet, we can come up with some ballpark (pun intended) project costs.

They are as follows:

Four fields (the “level” of bleachers, backstops, etc. can make this variable)	\$1,250,000
Concessions/restrooms building (square footage, maintenance space, scorers box, or upper level can make this variable)	\$400,000
Parking lot and stormwater basin grading	\$250,000
Warming House (square footage and “trimout” can make this variable)	\$100,000
Construction Sub-Total	\$2,000,000
Contingencies	\$200,000
Engineering and Architecture fees	\$220,000
City sub-consultants (e.g. geotechnical); permits; fees; admin.	\$80,000
Estimated Project Total	\$2,500,000



Brainerd Miracle League Field—Brainerd, MN

Anticipated Involvement from City of Brainerd Staff

Every city has different expectations and participation levels on a project. Some, while they want to hire a design professional, really only want someone to draft up their ideas. Others expect the design professional to take care of everything, even those tasks that truly are internal city responsibilities. We would prefer to be an extension of your staff.

Large design and construction projects like this don't come up on a regular basis. There is no need for you to have design professionals on staff. However, if you did have design professionals on staff, what would you expect them to do and what would you want the responsibilities of the city to be? This might be the best way to answer the question of anticipated involvement from the City of Brainerd Staff.

First, we would ask for one main point of contact. That is not to say we cannot interact with members of our various teams. Someone like Tony Sailer, could be the contact we would communicate with during the design, bidding, and construction phases.

A kickoff meeting to receive the City's existing information and hear the City's needs and expectations for the project would be a solid start to the project.

We would request any maintenance staff, or others on your staff, to provide input to WSN and the City during various milestones (e.g. kick-off, 30% design, 90% design, and various points during construction). Having input from maintenance people will result in a better overall project.

We will welcome the feedback from the City Engineering Department and other departments as necessary.

While we can attend City Committee and City Council meetings as necessary, we would anticipate you would take the lead at such meetings.

The bottom line is that we know we need to stay flexible and tailor our services to match the involvement you believe is most appropriate at the various stages during this project's process.



Estimated Fees

Our fees on such projects are based on the scope of work and the schedule requested to complete the project. If either of these are adjusted, the costs will adjust as well.

Some variables that can affect our costs and fees include the amount of interaction with the City (staff, committees, boards, and the city council) as well as public involvement and outreach efforts. We are capable and willing to handle such tasks. The more of this that the City themselves can address, the less our time and fees will be.

Other variables occur during construction. The performance of the construction contractor is difficult to translate into our level of effort. Some construction contractors are well organized and look ahead, generally requiring less coordination with (i.e. less time and lower fees from) us. However, other construction contractors, while they end up building a good project, require a lot more time with us.

Finally, there are uncontrollable factors that may arise during the project, such as weather. When weather interrupts part of a day, productivity and efficiency drop, and fees will slightly rise.

We do our best to keep all parties informed of where we are with the budget and our fees.

In looking at the scope and schedule of this project, our fees would be billed hourly at our standard fee schedule (we have already estimated yearly increases) for a not to exceed amount of \$220,000 from design through construction.

As previously states, we believe it would be best for both of us to sit down and layout a more detailed scope of work for this cost.



Approach to Managing Cost Controls

It's human nature to want to know at the beginning of the process what the final cost of an improvement will be at the end. Human nature also tends not to like changes or surprises, especially when it comes to dollars and budgets. Appropriate cost estimates and good methods to manage costs are important to all of us.

Inevitably, however, things will change during the course of large project such as this, but there are ways to mitigate the impact on the project's cost. There are two main ways to manage costs when elements of the project changes.

The first is to have a good set of bidding documents. The second is communication.

There was a construction contractor that stood up at a City Council meeting we were at – unfortunately, this City did not tape its meetings – and said that they had worked with many design firms, and WSN's plans were always the best compared to other consultants' plans. He added the City might pay a little more for our services, but bidders were able to put together better, more accurate and economical bids, and there were fewer changes during construction.

When there are changes in the design, construction, or project costs, WSN believes it is best to notify the City or the construction contractors. The sooner the information is shared, the better we all can make decisions to adjust budget, scope, or schedule.

When it comes to the final cost, WSN has a history of preparing accurate estimated project costs at various steps

during a project's process. What does it take to do this besides communication?

First, knowing the scope of the project. Then, applying recent historical bidding costs. Finally, checking on the market conditions, material prices, and busyness of construction contractors.

Think of the project process as a funnel. We start out with a big wide opening with lots of options, variables, and ideas, but not a lot of specifics yet. A cost estimate at this point is pretty challenging to put together. While we do them often, there needs to be an acknowledgment that the scope of the project is still not well defined.

As we go down the funnel, or eliminate options, we minimize variables and start to get into some specifics and can prepare another cost estimate. This estimate will be better because the inputs are better. However, there are still variable market factors out there.

Finally, we are near the bottom and the funnel narrows; we come up with a final set of clear plans and specifications for the improvements. We can then apply the recent historical bidding costs and take market factors into account.

Throughout the above steps, we recommend carrying some kind of contingency factor – maybe 15% at the top of the funnel, beginning and 5% going into construction, or near the bottom of the funnel.

Again, communication of changes to cost are key.



Minnewaska Area Schools Baseball Field — Glenwood, MN

Past Performance

On these subsequent pages are project examples. No, we do not have project team members that only work on parks and ballfields. No, we do not have a singular specialty project team that goes around the state—or the country—working only on such park complexes like Memorial Park. What we have done dovetailed specific experience working with communities on their park and stadium facilities with a local team who has a vested interest in bringing out the best in their own communities.

We have project examples that include each component included in the Memorial Park project: surveying, grading, storm drainage, landscaping, parking lots, lighting, buildings, electrical, plumbing, heating and ventilation, and air conditioning—and parks and recreational facilities.

This blending of past project examples and experiences combined with our multi-discipline, local team will provide you with the building blocks of producing a successful project.



Brainerd Miracle League Field Brainerd, MN

The Brainerd Miracle League Field is a dream come true for athletes with disabilities within the community. After years of watching and only imagining what it would be like to hit a home run, steal a base, or turn a double play, the time has come for these athletes to get in on the action. The field is composed of tiny rubber pellets that are bound together to create a stunning surface that accommodates all users, including those in wheelchairs. The Miracle League Field sits in the southwest corner of Bane Park, adjacent to two other baseball fields. Locating the field here will make all athletes feel welcome and part of the baseball community in Brainerd.

WSN provided architectural, civil engineering, and land surveying services on the project. One of WSN's architectural staff even volunteered his time to lay the brick for the archway leading to the new field.

Client Reference

Tony Sailer – Parks Director
Brainerd Parks and Recreation
t | 218.828.2320
e | tsailer@ci.brainerd.mn.us



Rochester Youth Fastpitch Softball Association Complex Rochester, MN

WSN finished construction documents for a championship softball field and concession building with a locker room and restrooms in 2016 and construction is scheduled for completion in 2017. The field is designed to meet all NJCAA and MnSCU requirements and includes masonry dugouts.

Site master planning was required during the ball park development process and much of the existing park infrastructure is to be left in place and additional amenities will fill in as necessary.

This project is typical of inter-agency collaboration between the Rochester Amateur Sports Commission, City of Rochester, and Rochester Community and Technical College.

Client Reference

Matt Davidson – Parks and Recreation

City of Rochester

t | 507.328.6001

e | MDavidson@rochestermn.gov





Brainerd High School Artificial Turf Brainerd, Minnesota

Adjacent to the Mississippi River, Brainerd’s high school athletic complex sits significantly lower than the surrounding topography, accumulating stormwater and taking a beating from student and community use. Upgrades to the football field, tennis courts, track, and a portion of the bleachers have increased student athlete safety, improved accessibility, and created a durable multi-sport surface. The enlarged and enhanced wetland has significantly improved stormwater management. The athletic complex is a cornerstone of student and community pride. WSN collaborated with Anderson-Johnson Associates.

Project Highlights

- Improved areas for football, tennis, track
- Multi-sport surface
- Improved safety at bleachers
- Enlarged wetland to assist drainage





Crosby-Ironton High School Track and Field Crosby, Minnesota

No more dodging or running through puddles for the Crosby-Ironton track team since its new track and field events facility debuted. Labeled “the pride of the district” by Superintendent Jamie Skjeveland, the project has increased student involvement by four times, and boosted hosted-event attendance into the thousands. Creating an efficient traffic flow for competing athletes from one event to the next was paramount, in addition to reconfiguring the facility entrance to provide a safe off-street gathering area for fans and spectators.





Tink Larson Field Reconstruction Waseca, Minnesota

Constructed in 1938, the original Tink Larson Field was a historic landmark for the City of Waseca, Minnesota; however, that history was almost lost in the spring of 2016 when the grandstand went up in flames.

The new grandstand, slated for a 2017 completion, was designed by Widseth Smith Nolting's team, led by Dana Hlebichuk. As part of the process, WSN facilitated a number of community meetings to gain input and buy-in for the reconstruction of the 200-seat grandstand.

With assistance from organizations like the Minnesota Twins in donating 100 seats from Target Field, the community-driven project is on task to not only pay homage to the past, but push forward into the future.

Client Reference

Tink Larson

City of Waseca

t | 507.835.9700

e | tlaron@hickorytech.net



Minnewaska Area Schools Baseball Field Glenwood, MN

The project involves the reconfiguration of the existing high school baseball field. The school wants to rotate the field 180 degrees, which will put the sun at the fielders' backs. They also want to create a "stadium" feeling for fans and players as they approach the field. This will hopefully draw more fans, promote community pride, and create a more enjoyable experience for all users. WSN provided design services for field grading, field layout, the grandstand, dugouts, fencing, and plaza area. WSN worked closely with the Minnewaska Baseball Association to bring their ideas to reality. Construction is slated to begin this summer.

Client Reference

Gregory Schmidt

Minnewaska School

t | 320.239.4820

e | answers@minnewaska.k12.mn.us



Rochester Miracle League Field Rochester, MN

As you've probably gathered from Dana's resume and sports stadium experience, he is a very active community member surrounding youth sports. Dana also had a hand in the fund raising and development of Rochester's Miracle League Field. Dana has held many positions on the Miracle League Board, including board member, original team member, treasurer, vice chair, and chair. He played an integral part in raising \$140,000 to build the Miracle League Field in Rochester, MN.

Client Reference

Karen Meyer – Adaptive Recreation Coordinator

Rochester Parks and Recreation

t | 507.328.2539

e | kmeyer@rochestermn.gov



Rochester Amateur Sports Complex Study Rochester, MN

Dana Hlebichuk prepared a master plan concept for the Rochester Amateur Sports Commission, Events Planning Committee that included the following:

- 4 Baseball Fields
- 1 Baseball Stadium
- 4 Softball Fields
- 11 Soccer Fields
- 3 Hockey Rinks
- 8 Tennis Courts
- Concessions Building
- Playground
- Water Park

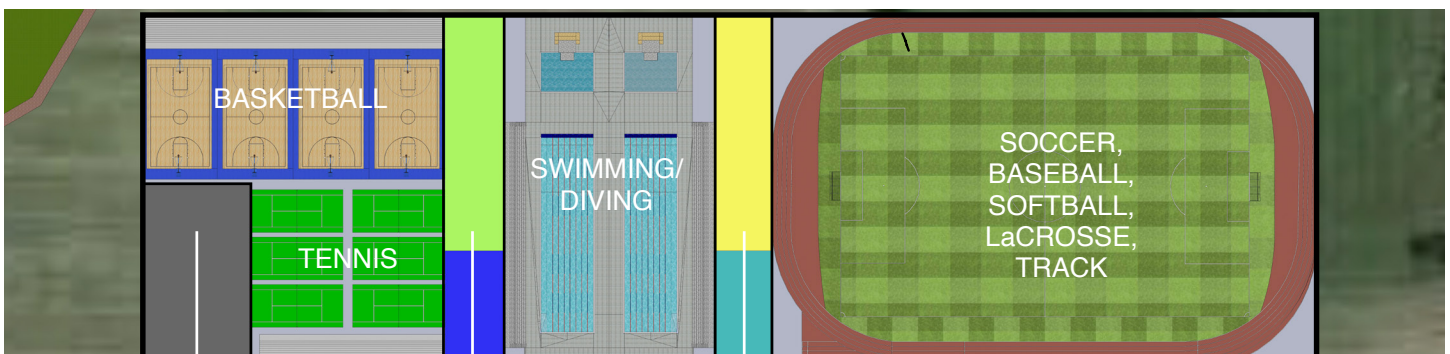
Client Reference

Ed Hruska – City Council

City of Rochester

t | 507.328.2652

e | ehruska@rochestermn.gov





**WIDSETH
SMITH
NOLTING**

Joe Dubel, PE

Project Manager | Civil Engineer

Joe.Dubel@wsn.us.com

218.316.3663

Dave Reese, PE, VP

Principal in Charge | Civil Engineer

Dave.Reese@wsn.us.com

218.316.3629



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Minnesota State Investment Funds - One-Time Exception

☐ 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: In 2018, the Council utilized the One-Time Exception of the state MIF dollars, retaining 80% (\$173,572.46) to be used for local economic development initiatives in the City and returned 20% (\$43,393.11) to the state. In 2019, the Legislature renewed the opportunity for local units of government to utilize the One-Time Exception to put the MIF funded balances to work in their communities. The City has until June 1, 2020 to make a decision.	
Alternatives, Options, Effects on Others/Comments: Per the frequently asked questions (FAQ) that are attached after the letter from DEED, and highlighted section discusses eligibility for governments that took advantage of the 2017 One-Time Exception. The City has received an additional \$6,539.91 in interest and loan repayments. The 80/20 split would be \$5,231.93 and \$1,307.98. The only loan outstanding in the State MIF fund is the loan used by the City to purchase the industrial lots.	
Recommended Action/Motion: Discussion of the One-Time Exception renewed by the Legislature in 2019. Provide direction to Staff if Council would like to proceed or brought back to them and/or the EDA in the spring of 2020.	
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>	

June 27, 2019

RECEIVED

JUL 05 2019

CITY OF BRAINERD
ADMINISTRATION

Dear Minnesota Investment Fund Grant Recipient:

The Minnesota Investment Fund (MIF) has been a phenomenal success in fueling business investment and job creation throughout the state since 1985. This success is due in part to local governments working with the Minnesota Department of Employment and Economic Development (DEED) to jointly administer the loan program.

As you may know, one of the benefits of the state-funded MIF program (which is different from the federally-funded MIF program) is that a portion of repayments may be kept by the local government partner in a separate revolving loan fund (RLF). These RLFs extend the impacts of the state MIF program even further by using these repaid funds to provide additional loans to businesses. Although these RLF loans must follow the framework of the MIF statutes (Minn. Stat. 116J.8731), in 2017, Minnesota Legislature passed a Onetime Exception to allow more flexibility in the use of state-funded MIF-seeded RLF funds. In 2019, the Legislature renewed the opportunity for local units of government to utilize the One-Time Exception to put their MIF funded RLF balances to work in their communities.

The 2019 omnibus jobs bill passed by the Legislature includes the following authorizing language:

Laws of MN 2019, 1st Special Session, Chapter 7, Article 2, Section 7: Notwithstanding Minnesota Statutes, section 116J.8731, a home rule charter or statutory city, county, or town that has uncommitted money received from repayment of funds awarded under Minnesota Statutes, section 116J.8731, may choose to transfer 20 percent of the balance of that money to the state general fund before June 30, 2020. Any local entity that does so may then use the remaining 80 percent of the uncommitted money as a general purpose aid for any lawful expenditure.

For a local government to qualify for this provision, the enclosed RLF Request for Onetime Exception Form must be submitted to DEED by June 1, 2020. Once DEED reviews and approves the information on the submitted form, the local government will be informed and 20 percent of the existing cash balance as of request date can be submitted to the department. The remaining 80 percent may be considered general purpose aid for any lawful expenditure. Because the legislation uses the term "uncommitted money," only the cash balance should be considered and any outstanding loans should be excluded.

Once the funds have been transferred out of the RLF account, the local government must submit to the Legislature an accounting and explanation of the use and distribution of the funds. More information about this report will be provided when the RLF Transfer Form is approved.

Thank you for your commitment to economic development and the MIF program. If you have any questions about this provision, or would like to access the electronic version of the request form, please visit <https://mn.gov/deed/business/financing-business/deed-programs/mif/onetime.jsp> or contact Lisa Dargis, a DEED senior loan officer, at Lisa.Dargis@state.mn.us or 651-259-7446.

Sincerely,



Bob Isaacson

Executive Director, Office of Business Finance

MINNESOTA INVESTMENT FUND STATE FUNDED RLF REQUEST FOR ONETIME EXCEPTION

The 2019 Legislature passed legislation that allows cities, counties and townships that have revolving loan funds (RLFs) seeded by state-funded Minnesota Investment Fund loan repayments may use 80 percent of the uncommitted balance for any lawful purpose if 20 percent of the balance is returned to the State of Minnesota. To utilize this one-time exception, this form must be completed and submitted to DEED by June 1, 2020; once DEED approves the form, the 80 percent should be moved from the RLF account and the 20 percent should be transferred to DEED.

Please complete this form including the requested documentation. All forms must be signed by an authorized local official.

Request Date		Uncommitted State Funded MIF RLF Cash Balance as of Request Date	
Local Government (City, county or town)		20% to be returned to the State General Fund	
Address		80% to be utilized as general purpose aid.	
Contact Phone & Email		Will there be a residual RLF balance (from outstanding loans) for future reporting?	

* Request must be received by June 1st, 2020 to allow for processing and payment submittal.

Required Documentation

A copy of the account statement verifying the account balance as of the request date must be submitted with this form. Please note: page two of this application must be signed. A DEED Loan Officer may contact you to verify balance information for your account and review MIF award history.

Submittal Instructions

This form and the required bank account verification document(s) must be emailed to DEED.Loan@state.mn.us with "Revolving Loan Fund" on the subject line. If you have questions while completing the form please contact Lisa Dargis, DEED Loan Officer, Office of Business Finance at 651-259-7446 or lisa.dargis@state.mn.us or visit the Frequently Asked Questions tab located at <https://mn.gov/deed/business/financing-business/deed-programs/mif/mif-exception/>.

Certification

I hereby certify that the balance information included here is from state funded Minnesota Investment Fund grant repayments only. I certify that I have not included any funds from other sources. I certify that I have complied with all local requirements for submittal of this request and will utilize the approved funds as a general purpose aid for lawful expenditures, adhering to any and all local, state or federal requirements as applicable.

I have read the above statements and I agree to supply the information requested to the MN Department of Employment and Economic Development, Office of Business Finance with full knowledge of the information provided herein. I certify that all information is true and correct to the best of my knowledge.

Certified by:

Local Government Authorized Official Printed Name & Title

Local Government Authorized Official Signature

Date

Exception Criteria – Laws of MN 2019, 1st Special Session, Chapter 7, Article 2, Section 7 Sec. 7. ONETIME EXCEPTION TO RESTRICTIONS ON USE OF MINNESOTA INVESTMENT FUND LOCAL GOVERNMENT LOAN REPAYMENT FUNDS.

(a) Notwithstanding Minnesota Statutes, section 116J.8731, a home rule charter or statutory city, county, or town that has uncommitted money received from repayment of funds awarded under Minnesota Statutes, section 116J.8731, may choose to transfer 20 percent of the balance of that money to the state general fund before June 30, 2020. Any local entity that does so may then use the remaining 80 percent of the uncommitted money as a general purpose aid for any lawful expenditure.

(b) By February 15, 2021, a home rule charter or statutory city, county, or town that exercises the option under paragraph (a) shall submit to the chairs and ranking minority members of the legislative committees with jurisdiction over economic development policy and finance an accounting and explanation of the use and distribution of the funds.



Revolving Loan Fund Onetime Exception

Onetime Exception to Restrictions on Use of State Funded Minnesota Investment Fund Local Government Loan Repayment Funds

The Minnesota Legislature has authorized a onetime exception to how revolving loan fund (RLF) dollars seeded from State funded Minnesota Investment Fund (MIF) projects are used. These dollars have been retained by local units of government from repayments of their MIF grants. The funds are generally required to be re-used for economic development projects in their jurisdiction.

The onetime exception would allow a home rule charter or statutory city, county, or town that has uncommitted money in their RLF fund to use 80% of the balance as a general purpose aid for any lawful expenditure. In order to be eligible for the exception, the city, county or town would need to return 20% of the uncommitted balance to the State's general fund prior to June 30, 2020.

By February 15, 2021, any home rule charter or statutory city, county, or town that exercises the option to utilize 80% of their balance as general purpose aid must submit to the chairs of the legislative committees with jurisdiction over economic development policy and finance, an accounting and explanation of the use and distribution of the funds.

In order to take advantage of the onetime exception, the local unit of government must submit the MIF RLF Request for Exception Form below prior to June 1, 2020. Once the Request for Exception has been approved by the DEED Loan Officer, you will receive authorization and instructions on how to remit the required 20% of the RLF balance to the State general fund.

[MIF RLF Request for Exception Form \(/deed/assets/revolving-loan-fund-exception_tcm1045-389795.docx\)](#)

A list of commonly asked questions can be found under the FAQ tab. For additional questions regarding the onetime exception or state funded RLF balances, please contact Lisa Dargis at 651-259-7446.

Frequently Asked Questions

1. Are funds held by my EDA or HRA eligible for the onetime exception?
 - No, only funds held in an account belonging to a home rule charter or statutory city, county, or town are eligible.
2. If I utilized the Onetime Exception passed in 2017, am I able to use the 2019 Onetime Exception for my current MIF RLF balance?
 - Yes, if you have accrued additional repayments in your RLF account since your previous Onetime Exception participation, you can submit a request for exception for your current balance under the new provisions.
3. Can I include repayments to be received for outstanding loans in my account balance?
 - No, only funds in the account on the date of request are eligible.
4. Can I use the onetime exception for my federally funded RLF balance?
 - No, only state funded RLF dollars are eligible for the onetime exception. All funds must be in a separate account and not co-mingled with funds from any other sources.
5. Can I return the funds by electronic transfer or will I need to send a check?
 - The state will accept funds by either electronic transfer or check. Instructions will be provided once the request has been approved.
6. Once I have used my funds, how do I submit my report?
 - The report should be submitted directly to the contacts under the reporting tab above.
7. When is the report due?
 - The report must be submitted by February 15, 2021.
8. If I use the exception, does that mean I don't have to report on my RLF balance any longer?
 - If the return of 20% and the use of the remaining 80% completely deplete the RLF balance and there were no outstanding loans for which you will receive repayments (resulting in a permanent fund balance of zero), then there will no longer be reporting required.
 - However, if there were loans outstanding for which you will receive repayment, or your account balance was not depleted, you will need to continue to report on the remaining balance and any repayments that accrue.
9. Do I have to hold a public hearing to request the exception?
 - You must follow all local regulatory requirements for use or transfer of RLF dollars. DEED cannot advise you on the specific requirements for your unit of government.



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: 2018 Tax Increment Financing (TIF) Report Summary - Informational

☒ 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: 2 Minutes
Summary of Issue: Annually before August 1st, the City needs to file annual TIF reports. The reports were filed before the deadline and attached is the 2018 required TIF disclosure that was published in the Dispatch on August 2, 2019.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Informational, no action required.	
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, Minnesota

Annual Disclosure of Tax Increment Districts for the Year Ended December 31, 2018

TIF District Name:	TIF 4-3 ASI Apartments	TIF 4-11 East Brainerd Mall	TIF 4-13 Timberland Townhomes	TIF 4-15 Artspace	TIF 4-16 Taco John's	TIF 4-17 Jimmy John's	TIF 4-18 Royal Tire
Current net tax capacity	\$6,721	\$251,250	\$14,347	\$30,056	\$10,848	\$5,656	\$9,670
Original net tax capacity	\$418	\$50,184	\$258	\$22,158	\$7,346	\$2,848	\$6,578
Captured net tax capacity	\$6,303	\$201,066	\$14,089	\$7,898	\$3,502	\$2,808	\$3,092
Principal and interest payments due in 2019	\$0	\$187,885	\$11,098	\$6,898	\$2,909	\$2,286	\$3,721
Tax increment received in 2018	\$5,735	\$191,722	\$11,759	\$11,888	\$3,295	\$2,594	\$4,150
Tax increment expended in 2018	\$5,735	\$187,985	\$11,192	\$9,907	\$3,152	\$2,447	\$4,282
Month and year of first tax increment receipt	7 / 1994	7 / 2004	7 / 2003	7 / 2009	7 / 2009	7 / 2010	7 / 2017
Date of required decertification	12/31/2019	12/31/2029	12/31/2028	12/31/2034	12/31/2034	12/31/2035	12/31/2042

Additional information regarding each district may be obtained from-

Connie Hillman, Finance Director
 City of Brainerd
 501 Laurel Street
 Brainerd, MN 56401
 (218) 828-2307



City of Brainerd
Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

RECEIVED

AUG -1 2019

Commission/Committee/Board Applying for EAA Date: 8-1-19

CITY OF BRAINERD
ADMINISTRATION

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

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

*Name: Last Campbell First Yvette M.I. M

PLEASE NOTE: Please see the individual committee requirements to serve on a City Committee or Board.

Why do you want to be on the Commission/Committee/Board you are applying for?

To try to contribute to the continued growth and appeal of our city.

What skills, strengths, or abilities do you believe you will add to the organization?

Knowledge around business & finance, and having been a Brainerd resident for 30 yrs.

* Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule? yes

* After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed: none

Please list any additional comments:

Yvette Campbell 8-1-19
(Signature) (Date)

***Required Information**

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us

fax: 218-828-2316

Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: First Reading - Proposed Ordinance 1499 - Enacting Local Sales and Use Tax

☐ 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: The City received an e-mail from the LMC passing along a message from the Department of Revenue (DOR) because the City has a Local Option Sales Tax (LOST). The e-mail is attached and stated that the City should pass an ordinance as some ordinances have been challenged. Attached is the draft ordinance provided by the LMC modified according to the City's LOST.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: 1) Motion to dispense with the actual reading of proposed Ordinance No. 1499 - An ordinance enacting Chapter 259 of MN Laws, Local Sales and Use Tax 2) Motion to hold the first reading of proposed Ordinance No. 1499	
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>Unknown</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> Publication of notices and hearing	

Connie Hillman

Subject: FW: {external} Local Sales and Use Tax Ordinance

From:

Sent: Thursday, July 11, 2019 8:53 AM

Subject: {external} Local Sales and Use Tax Ordinance

Greetings from the League!

You are receiving this email because our records indicate that your city has a sales and use tax. The Department of Revenue (DOR) has asked that we share the attached model ordinance for your immediate consideration.

As part of implementing a sales and use tax for your city, you are required to pass an ordinance. Some existing ordinances have been challenged because of the way many retailers operate now with only an online presence in our state. The DOR has drafted the attached ordinance they believe will satisfy any loopholes that exist now so they are better able to collect the taxes on your behalf.

To aid new cities in this process and for those cities that update their ordinances to reflect DOR's suggestions, there is also an attached checklist created by the DOR to help you navigate this process.

The DOR looks forward to working with cities on this matter as they collect the tax on your behalf. If you have questions about their suggested ordinance or would like to have them review your ordinance prior to adoption, you can email them to localgovernmentservices.mdor@state.mn.us or call them at 651-556-6117.

And always, if you have questions we can help with, please feel to reach out.

Kind regards,
Gary & Amber

Gary Carlson gcarlson@lmc.org 651-281-1255
Amber Eisenschenk aeisenschenk@lmc.org 651-281-1227

League of Minnesota Cities
145 University Ave. West | St. Paul, MN 55103;

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This response is intended to convey general information and should not be taken as legal advice or as a substitute for competent legal guidance. Consult your city attorney for advice regarding specific situations.

ORDINANCE

NO. 1499

AN ORDINANCE OF THE CITY OF BRAINERD, MINNESOTA ENACTING CHAPTER 259 OF MN LAWS; LOCAL SALES AND USE TAX

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES HEREBY ORDAIN:

Section 1. AUTHORITY. Pursuant to Minnesota Laws 2006, Chapter 259, Article 3, Section 11, the Minnesota Legislature authorized the City of Brainerd to impose a local sales and use tax to provide revenues to pay the costs of collecting and administering the tax to the commissioner of revenue of the state of Minnesota and to finance the capital and administrative costs related to the funding of designated projects as defined in Minnesota Statutes, section 297A.99 and approved by the voters at the November 7, 2006 referendum, and extended by the November 4, 2014 referendum.

Section 2. DEFINITIONS. For purposes of this chapter, the following words, terms, and phrases have the meanings given them in this section unless the language or context clearly indicates a different meaning is intended.

Subd. 1: City. "City" means the City of Brainerd, Minnesota.

Subd. 2: Commissioner. "Commissioner" means the commissioner of revenue of the state of Minnesota or a person to whom the commissioner has delegated functions.

Subd. 3: Designated projects. "Designated projects" means assist in funding the construction costs of upgraded water and wastewater treatment facilities to service the cities of Brainerd and Baxter; City water infrastructure improvements; and trail development as authorized by the Minnesota Legislature in section 297A.99 and approved by the voters at the November 4, 2014 referendum.

Subd. 4: State sales and use tax laws and rules. "State sales and use tax laws and rules" means those provisions of the state revenue laws applicable to state sales and use tax imposition, administration, collection, and enforcement, including Minnesota Statutes, chapters 270C, 289A, 297A, and Minnesota Rules, chapter 8130, as amended from time to time.

Section 3. LOCAL SALES AND USE TAX IMPOSED; amount of tax; coordination with state sales and use tax laws and rules. A local sales tax is imposed in the amount of one-half of one percent on the gross receipts from sales at retail sourced within city limits which are taxable under the state sales and use tax laws and rules. A local use tax is imposed in the amount of one-half of one percent on the storage, use, distribution or consumption of goods or services sourced within city limits which are taxable under the state sales and use tax laws and rules. All of the provisions of the state sales and use tax laws and rules apply to the local sales and use tax imposed by this chapter. The local sales and use tax imposed by this chapter shall be collected and remitted to the commissioner on any sale or purchase when the state sales tax must be collected and remitted to the commissioner under the state sales and use tax laws and rules and is in addition to the state sales and use tax.

Section 4. EFFECTIVE DATE OF TAX; TRANSITIONAL SALES. Except as otherwise provided herein, the local sales and use tax imposed by this chapter shall apply to sales and purchases made on or after October 1, 2019. The local sales and use tax imposed by this chapter shall not apply to:

Subd. 1: The gross receipts from retail sales or leases of tangible personal property made pursuant to a bona fide written contract, which unconditionally vests the rights and

obligations of the parties thereto, provided that such contract was enforceable prior to October 1, 2019, and that delivery of the tangible personal property subject thereto is made on or before October 1, 2019.

Subd. 2: The gross receipts from retail sales made pursuant to a bona fide lump sum or fixed price construction contract, which unconditionally vests the rights and obligations of the parties thereto and which does not make provision or allocation of future taxes, provided that such contract was enforceable prior to October 1, 2019, and that delivery of the tangible personal property used in performing such construction contract is made before April 1, 2020.

Subd. 3: The purchase of taxable services, including utility services, if the billing period includes charges for services furnished before and after October 1, 2019, but the local sales and use tax imposed by this chapter shall apply on the first billing period not including charges for services furnished before October 1, 2019.

Subd. 4: Lease payments for tangible personal property and motor vehicles that includes a period before and after October 1, 2019, but the local sales and use tax imposed by this chapter shall apply on a prorated basis to lease payment amounts attributable to that portion of the lease payment period on or after October 1, 2019, and on the entire lease payment for all lease payment periods thereafter.

Section 5. TAX CLEARANCE; ISSUANCE OF LICENSES.

Subd. 1: The city may not issue or renew a license for the conduct of a trade or business within the city if the commissioner notified the licensing division of the city that the applicant owes delinquent city taxes as provided in this chapter, or penalties or interest due on such taxes.

(a) City taxes include sales and use taxes provided in this article. Penalties and interest are penalties and interest due on taxes included in this definition.

Subd. 2: Delinquent taxes does not include a tax liability if: (i) an administrative or court action which contests the amount or validity of the liability has been filed or served, (ii) the appeal period to contest the tax liability has not expired, or (iii) the applicant has entered into a payment agreement and is current with the payments.

Subd. 3: Applicant means an individual if the license is issued to or in the name of an individual or the corporation or partnership if the license is issued to or in the name of a corporation or partnership.

(a) A copy of the notice of delinquent taxes given to the licensing division of the city shall also be sent to the applicant taxpayer. In the case of renewal of a license, if the applicant requests in writing, within 30 days of receipt of the notice of hearing, then, a contested hearing shall be held under the same procedures as provided in Minn. Stat. 270A for the state sales and use tax imposed under Minn. Stat. 297A; provided further that if a hearing must be held on the state sales and use tax, hearings must be combined.

Section 6. DEPOSIT OF REVENUES; COSTS OF ADMINISTRATION; TERMINATION OF TAX.

Subd. 1: All of the revenues, interest, and penalties derived from the local sales and use tax imposed by this chapter collected by the commissioner and remitted to the city shall be deposited by the city finance director in the city treasury and shall be credited to the fund established to pay the costs of collecting the local sales and use tax imposed by this chapter

and to finance the capital and administrative costs directly related to completing the designated projects.

Subd. 2: The local sales and use tax imposed by this chapter shall terminate at the earlier of: (1) 12 years after the imposition of the tax; or (2) when the City Council determines that \$22,030,000, plus an amount sufficient to pay the costs related to issuing bonds and interest on the bonds has been received from the local sales and use tax imposed by this chapter to pay for all the capital and administrative costs directly related to completing the designated projects. Any funds remaining after payment of all such costs and retirement or redemption of the bonds shall be placed in the general fund of the city. The local sales and use tax imposed by this chapter may terminate at an earlier time if the City Council so determines by ordinance.

Section 7. AGREEMENT WITH THE COMMISSIONER. The city may enter into an agreement with the commissioner regarding each party's respective roles and responsibilities related to the imposition, administration, collection, enforcement, and termination of the local sales and use tax imposed by this chapter. Any such agreement shall not abrogate, alter, or otherwise conflict with the state sales and use tax laws and rules, this ordinance, or Minnesota Statutes, section 297A.99.

Section 8. SUMMARY PUBLICATION. The following summary is approved by the City Council and shall be published in lieu of publishing the entire ordinance pursuant to Minnesota Statutes section 412.191:

Pursuant to a voter-approved referendum, the city is authorized to and will impose a local sales and use tax of one-half of one percent on retail sales made after October 1, 2019 to be used to fund certain designated projects related to funding the construction costs of upgraded water and wastewater treatment facilities to service the cities of Brainerd and Baxter; City water infrastructure improvements; and trail development.

Section 9. This Ordinance shall be in full force and effect one week from and after its passage and publication.

Adopted this ____ day of August, 2019

GABE JOHNSON
President of the Council

Approved this ____ day of August, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, ____, 2019



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Resignation of Council Member Hilgart

☐ 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: Cassandra Torstenson	Department: Administration
Presenter (Name & Title): City Administrator Torstenson	Estimated Time Needed: 10 Minutes
Summary of Issue: Council Member Hilgart announced her resignation at the July 22, 2019 workshop. Attached is Council Member Hilgart's official letter of resignation. At the August 5th meeting, the council will need to officially adopt Council Member Hilgart's resignation and determine a process for her appointment. The appointment will be from the date of appointment until the November 2020 election. The City will then have a special election on the November 2020 ballot for the remaining two years of the term. Per our City Attorney, the process to fill a Council vacancy is not set forth in state law.	
Alternatives, Options, Effects on Others/Comments: City Attorney Langel has seen cities do the following - each having advantages and disadvantages: a) Publish the vacancy and establish a procedure/schedule for people to submit their names for consideration. Councils may conduct interviews in an open meeting or just discuss the candidates, then make a decision. This was the process the Council used when the Council filled the vacancy left by Council Member Cumberland. Applicants completed a committee application, included a short bio about themselves, and described why they thought they should be appointed to the Council. The Council then held a special meeting to discuss and appoint an individual. b) Council members themselves come up with names. c) Cities use the list of people who ran for Council at the last election.	
Recommended Action/Motion: Accept Council Member Hilgart's resignation, declare a vacancy and determine a process for the appointment.	
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>	

SUE HILGART
2536 GREENWOOD STREET SOUTHWEST
BRAINERD, MINNESOTA 56401
218:828-6345 HOME -- 218:831-2451 CELL
EMAIL: HILGARTSUE@GMAIL.COM

July 30, 2019

Gabe Johnson
Council President
Edwin Menk
Mayor
City of Brainerd

Dear Council President Johnson and Mayor Menk:

Please accept this as formal written notice of my intent to resign my position of Alderman-at-Large, City of Brainerd, effective at the close of the September 3, 2019 council meeting.

I am so thankful for the honor and trust placed in me by the citizens of Brainerd and will always look back on these past years with great appreciation.

Each one of the council members I have served with has a heart for the city and its' residents and I leave confident in the future of Brainerd.

Best Regards,


Sue Hilgart



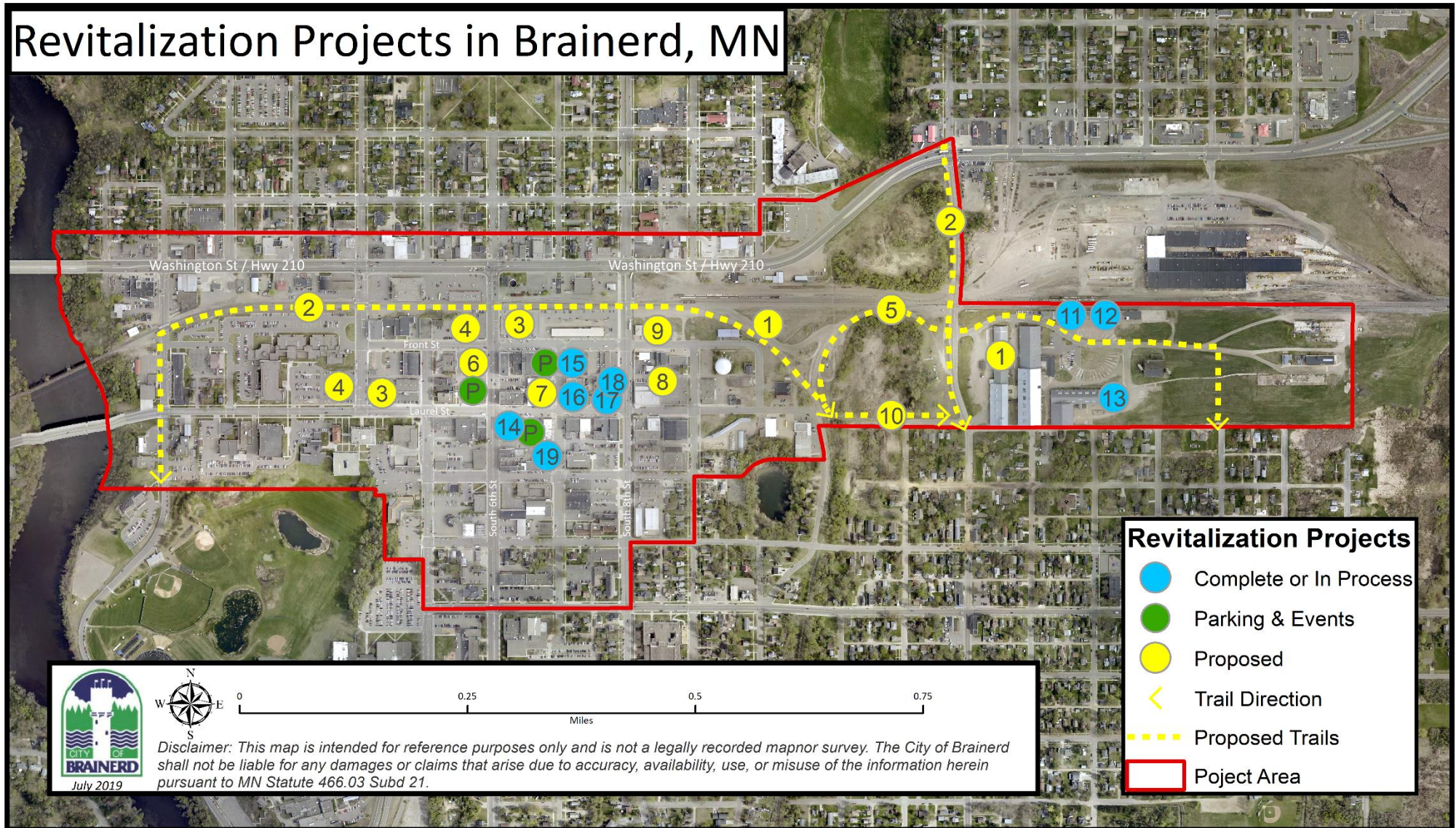
Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Clarification of River-To-Rail Economic Incentives

☐ 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: 5 minutes
Summary of Issue: The Community Development Department is requesting some clarification regarding the implementation of the River-To-Rail economic incentives adopted by Council. Below are the questions which we are requesting clarification.	
Alternatives, Options, Effects on Others/Comments: 1) What are the exact boundaries of the River-To-Rail zone? (See attached proposed River-To-Rail map) 2) How do you want the NP Center handled for the \$150,000 fee waiver incentive? As a total property? By project? By unit? 3) How do you want the Department to handle the "investigation" fee for those who do not pull permits? Currently, the fee is equal to the cost of the permit, effectively charging double when permits are pulled after the work being completed. However, if the fee is zero, we don't have a fee to double.	
Recommended Action/Motion: Seeking direction for the above questions.	
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>	

Revitalization Projects in Brainerd, MN



- | | | |
|---|-------------------------------|---|
| 1. Children's Museum (2 Locations) | 8. Apartment Block | 15. Pueringer Investments |
| 2. Pedestrian Trail | 9. Round House Brewery | 16. Rumbly Hall and Apartments |
| 3. Office Building (2 Locations) | 10. Pedestrian Bridge | 17. Crossing Arts Alliance, Lakes Area
Music Festival, Purple Fern |
| 4. Parking Ramp (2 Locations) | 11. Roundhouse Brewery | 18. Last Turn Saloon Event Space and Brewery |
| 5. New Roads Connecting NP to Downtown and SE | 12. Luminary Fern Event Space | 19. Señor Patron's Restaurant |
| 6. Hotel | 13. NP Event Space | P. Parking |
| 7. El Menk Upper Floors | 14. Sage Restaurant | |



Brainerd City Council Agenda Request

Requested Meeting Date: August 5, 2019

Title of Item: Welcoming Communities

☐ 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: Following the IDI Assessment that was completed by the City Council and certain department heads, Council asked what would follow the IDI Assessment. There was no formal next step at that time. Since that time, however, Region 5 has acquired grant funding to develop a Welcoming Community Advocacy Group within Brainerd. The purpose of this group will be to use the grant funds (approximately \$10,000) to execute a project that will serve an under represented population within the Brainerd community.	
Alternatives, Options, Effects on Others/Comments: At the July 22th City Council Work Session, the Council indicated that they are in favor of the City participating in Brainerd's Welcoming Community Advocacy Group. However, as it was a work session, no formal action was made.	
Recommended Action/Motion: Motion to join the Brainerd Welcoming Community Advocacy Group.	
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: August 5, 2019

Title of Item: First Reading - Proposed Ordinance No. 1498 - Rezone 701 7th St. NW

☐ 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 Planning Commission moved to pursue a Commission initiated rezoning of 701 7th St. N.W. from a B-4 (General Commercial) District to an R-1 (Single Family Residential) District during their regular meeting on June 19th. On July 17th, the Planning Commission held a public hearing and unanimously voted to approve said rezoning.	
Alternatives, Options, Effects on Others/Comments: Property tenant Mitch Toumi previously applied for a variance, on behalf of property owner David Muhonen, from Section 515-15-2.d of the Code of Ordinances to construct a 16' x 40' addition which would include a garage, bedroom and bathroom. The variance request was denied, as the residential use of the property was not in harmony with the intent and purpose of the B-4 (General Commercial) District.	
Recommended Action/Motion: 1) Motion to dispense with the actual reading of proposed Ordinance No. 1498. 2) Motion to hold the first reading of proposed Ordinance No. 1498.	
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. 1498**

**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 property below from a B-4 (General Commercial) District to an R-1 (Single Family Residential) District for the following:

PIN 41040753

LOT 1 BLOCK U WEST BRAINERD
SECTION 4 TOWNSHIP 133 RANGE 28

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

Adopted this ____ day of August, 2019

GABE JOHNSON
President of the Council

Approved this ____ day of August, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, ____, 2019

City of Brainerd Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: July 12, 2019

RE: 701 7th St. N.W. Rezoning

The Planning Commission moved to pursue a Commission initiated rezoning of 701 7th St. N.W. from a B-4 (General Commercial) District to an R-1 (Single Family Residential) District during their regular meeting on June 19.

Property tenant Mitch Toumi previously applied for a variance, on behalf of property owner David Muhonen, from Section 515-15-2.d of the Code of Ordinances to construct a 16' x 40' addition which would include a garage, bedroom and bathroom. The variance request was denied as the residential use of the property was not in harmony with the intent and purpose of the B-4 (General Commercial) District.

Mr. Toumi and Mr. Muhonen were notified of this pursuit of rezoning and appreciate the Commission's pursuit of rezoning the property to better suit its residential use. Notices of Public Hearing were duly published in the Brainerd Dispatch and mailed to all property owners within 350 feet of the property.

The Planning Commission shall conduct a public hearing regarding this potential rezoning and then move whether to recommend the rezoning to the City Council. If a rezoning is recommended, the City Council shall consider the recommendation during their regular meeting on Monday, August 5.

Findings of Fact

1. 701 7th St. N.W. was rezoned from an R-3 High Density Residential District to a B-4 General Commercial District in June 1978.
2. The property has continued as a legal nonconforming residential use since the time the property was rezoned.
3. 701 7th St. N.W. is in close proximity to other residential structures with the 28-unit Circle Pines Apartments, which are zoned an R-3 (High Density Residential) District, one block to the north on 7th St. N.W., and the Westwood trailer park, a similar legal nonconforming residential use, located across the street.
4. If the property were to be rezoned as an R-1 (Single Family Residential) District, the property and primary structure would meet the land use requirements as set forth in [Section 515-54](#) of the Code of Ordinances.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

The City of Brainerd Planning Commission will be conducting a public hearing to rezone the property at 701 7th St. N.W. from a B-4 (General Commercial) District to an R-1 (Single Family Residential) District.

The legal description of the property is as follows:

Lot 1 Block U WEST BRAINERD

P.I.N. 41040753

Section 4, Township 133, Range 28

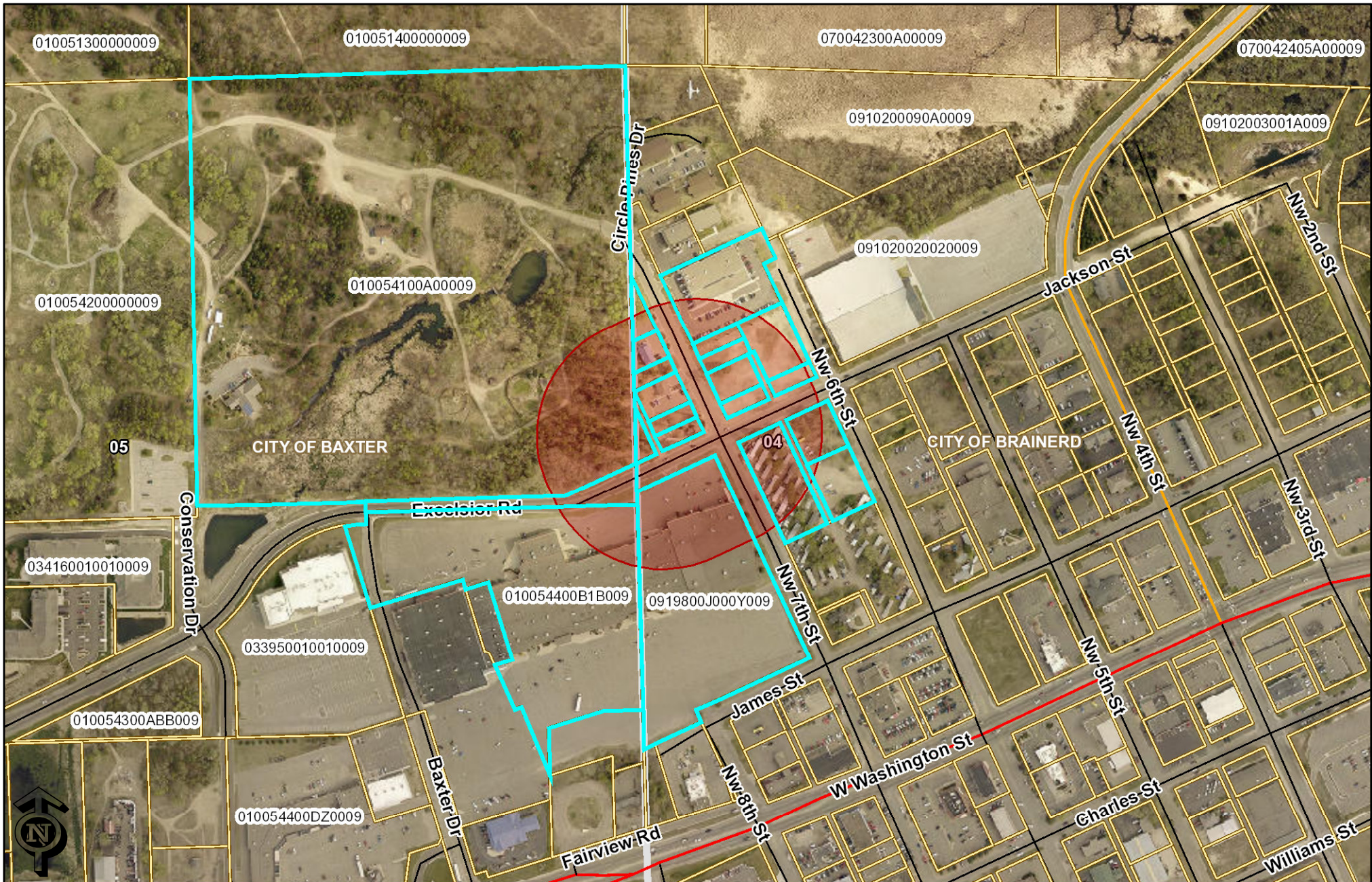
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 17, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

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

Dated this 5th day of June 2019.



David C. Chanski, MPA
Community Development Director



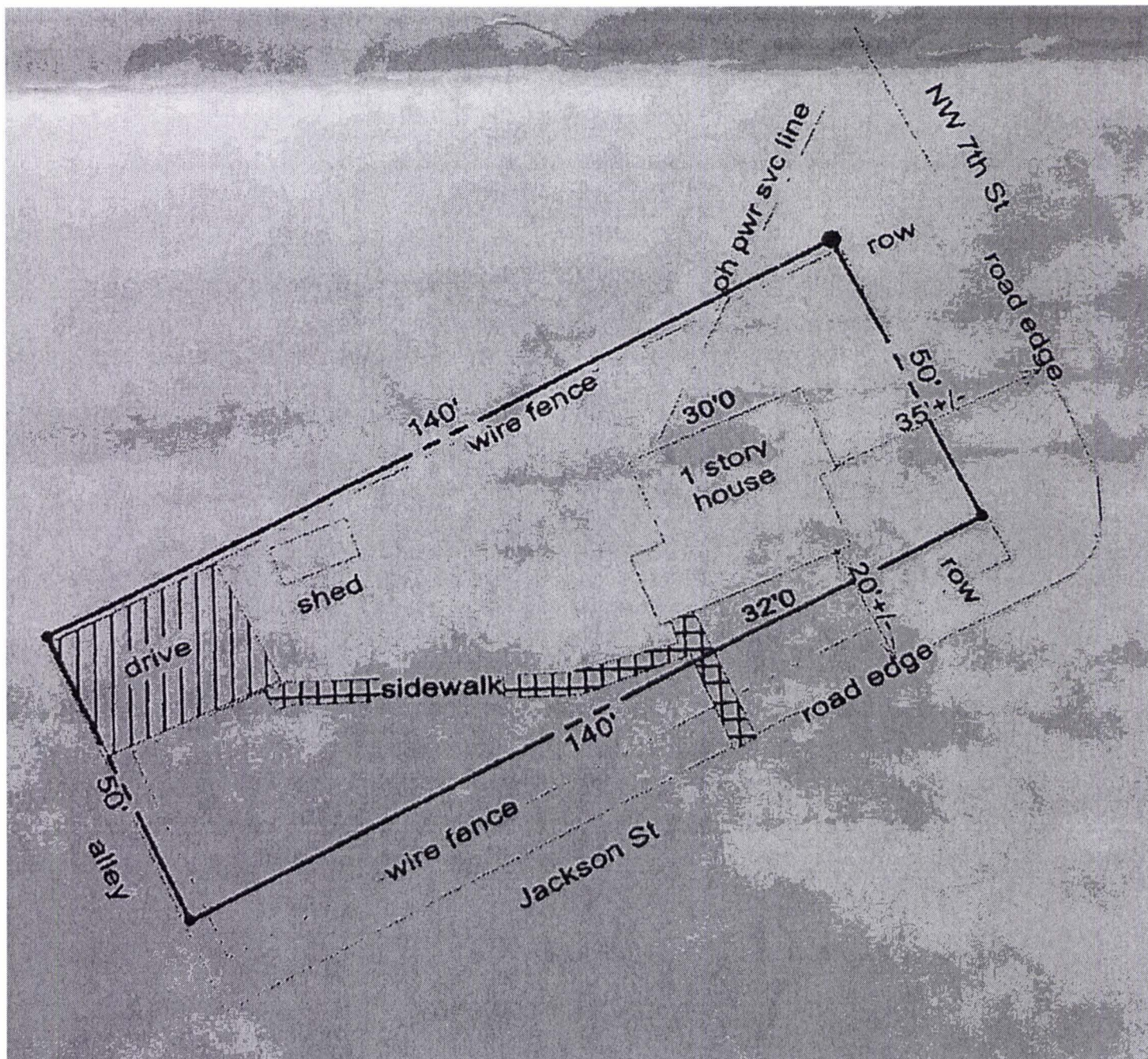
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

701 7th St NW

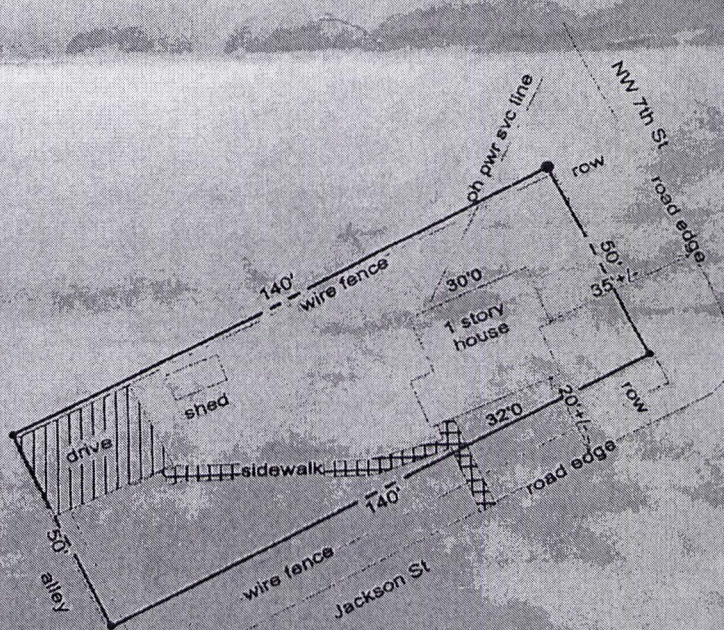
Date: 4/4/2019 Time: 4:07:23 PM



Parcel Number	Legacy Parcel Number	Municipality	Owner ID	Owner Name	Owner Address	Owner Address 2	Owner Address 3	Owner Address	Physical Address	Physical City	Physical Zip
41040751	0919800U003Z009	CITY OF BRAINER	98101	A & E PROPERTIES OF BRAINERD	16348 AHRENS HILL RE	BRAINERD MN 56401			709 7TH ST NW	BRAINERD	56401
41040750	0919800U005Y009	CITY OF BRAINER	133301	DELESANTE, FRANK W	PO BOX 1031	BRAINERD, MN 56401				O BRAINERD	56401
41040760	0919800T0010009	CITY OF BRAINER	41759	HAGLIN, TIMOTHY M & LADONNA A	13754 TWO MILE RD	BRAINERD MN 56401				O BRAINERD	56401
41040753	0919800U0010009	CITY OF BRAINER	160428	MUHONEN, DAVID W	1023 LINDEN PL	COSTA MESA CA 92627			701 7TH ST NW	BRAINERD	56401
41040748	0919800U007Z009	CITY OF BRAINER	41094	PAUL BUNYAN, ARBORETUM INC	P O BOX 375	BRAINERD MN 56401				O BRAINERD	56401
41040763	0919800Q001Z009	CITY OF BRAINER	138783	ROCK, RODNEY L & SUSAN	8800 HAZELWOOD RD	BEMIDJI MN 56601					
40050637	010054100A00009	CITY OF BAXTER		1 TAX FORFEITED	CROW WING COUNTY	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590		14250 CONSERVATION DR	BAXTER	56425
40050625	010054400B1B009	CITY OF BAXTER	137597	WESTGATE MALL REALTY GROUP LLC	ATTN: LEXINGTON RE/	911 E COUNTY LINE RD	LAKEWOOD, NJ 08701		14136 BAXTER DR	BAXTER	56425



File: 4927-18
Address: 701 NW 7th St, Brainerd, MN 56401
Legal: Lot 1, Block U, West Brainerd



40.00 feet
1:480



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.

David Muhonen

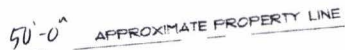
Date: 3/7/2019 Time: 8:53:45 AM







1/23/2019



EDGE OF ROAD

EXISTING HOME

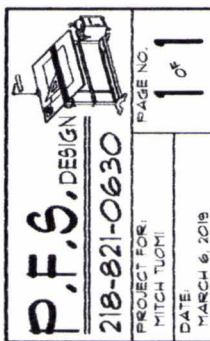
EDGE OF ROAD

NEW MAIN LEVEL FLOOR PLAN

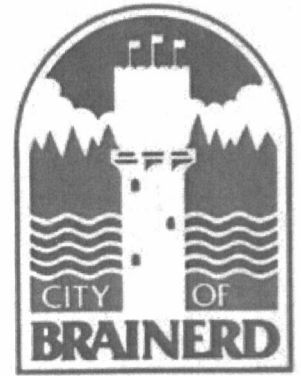
SCALE: 1/4" = 1'-0"

NOTE:
FIELD VERIFY ALL DIMENSIONS, HEIGHTS
AND SIZES OF STRUCTURAL MATERIALS.
ALL DIMENSIONS ARE NOTED ON FACE OF STUD
AND ALL DIMENSIONS ARE NOTED ON FACE OF STUD
1. 2" X 10" HEADERS OVER ALL EXTERIOR
OPENINGS. UNLESS OTHERWISE NOTED.
DOUBLE RIMMERS ON OPENINGS WIDER
THAN 30 FEET.
EXTERIOR DOORS BY PERMANENTLY
MARKED ALL SIDES AND ROUGH OPENINGS
VERIFY ALL SIDES AND ROUGH OPENINGS
WITH OWNER AND MANUFACTURER. ANY
DIMENSIONS OUTSIDE OF THE FLOOR 6 TO BE
NOTED IN FIELD. VERIFY ALL ROUGH HEIGHT
DIMENSIONS WITH OWNER AND MANUFACTURER.
VERIFY ALL TRUSSES, BEAMS AND
MEMBERS WITH TRUSSES AND MANUFACTURER.

ADDITIONAL INFORMATION TO BE CONTAINED IN THE CONTRACT DOCUMENTS SHALL BE OBTAINED FROM THE CONTRACT DOCUMENTS. THE CONTRACT DOCUMENTS SHALL BE OBTAINED FROM THE CONTRACT DOCUMENTS. THE CONTRACT DOCUMENTS SHALL BE OBTAINED FROM THE CONTRACT DOCUMENTS.



Washington Street Survey Results



I. Obstacles

Parking

- Most businesses mentioned a lack of safe or easy parking, including some parking lots that people just drive across

Traffic

- Cars drive by too fast to stop and look around
- Need to increase foot traffic

Communication

- An increase in communication with the City would be beneficial, specifically for downtown events and opportunities to participate

II. Marketing

Word-of-mouth

- This was the main form of successful marketing for businesses, pointing towards the importance of connecting the community

Social media

- Social media was also very useful. This would be another opportunity for collaboration.

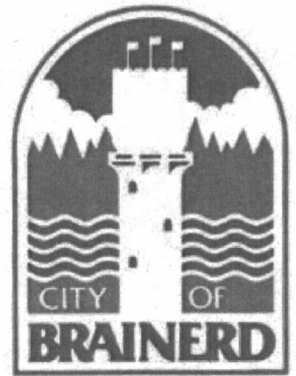
III. Time of Year

Summer/Spring

- Utilize these seasons and the increased traffic to market Washington Street

Survey Results

WASHINGTON STREET



Fall

- Fall and winter are less popular seasons for some businesses, but would be a good focus to increase traffic and business within the local area, versus focuses on tourists

IV. Promotions & Activities

Collaborative Promotions

- Many supported the idea of an indoor "sidewalk sale" or general advertisement of promotions all along Washington Street for a specific date, etc.
- Something similar to the Downtown "Shop Hop" was mentioned as well

371 Signage

- Increasing signage on 371 North for Washington Street and Downtown was emphasized

Downtown Kiosks

- Utilizing the downtown kiosks and other opportunities to advertise businesses (both downtown and Washington) would be a great way to connect the two areas

Events/Activities

- There was an emphasis on having some activities, such as a barbecue or corn-feed in the parking lots, to increase foot traffic on Washington.

V. Other Initiatives

Downtown

River to Rail

Riverfront