

CITY COUNCIL AGENDA

Brainerd, Minnesota

August 19, 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 August 5, 2019

Documents:

20190805_CC draft.pdf

B. **Approval Of Licenses**

Contractor Licenses - 1 - Renewal

Documents:

Contractor Licenses.pdf

C. **Department Activity Reports**

1. Police Chief
2. Finance Director

Documents:

Police Chief Report.pdf

D. **Approval Of An Memorandum Of Agreement Setting The 2019-2020**

Wage Grid For The Zoning Specialist/Permit Technician Position

Documents:

Memorandum of Agreement setting 2019-2020 wages for Zoning Specialist Permit Technician Position.pdf

- E. **Continue The City Administrator Performance Review To The September 3, 2019 Meeting**

Documents:

Continue City Administrator Performance Review to September 3, 2019.pdf

6. **Community Member Of The Month**

7. **Presentations**

A. **Coalition Of Greater Minnesota Cities Presentation**

1. CGMC - Handout From The Council Meeting

Documents:

CGMC.pdf

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

C. **5-Year Brainerd And Crow Wing County Public Transit Plan Presentation**

Documents:

5-Year Transit Plan Presentation.pdf

D. **5-Year Street And Sewer Capital Plan Presentation**

Documents:

5-Year CIP Presentation.pdf

8. **Council Committee Reports**

A. **Safety And Public Works Committee - 7:00 P.M.**

Documents:

20190819_SPW.pdf

1. Event Application - Brainerd Homecoming Run 2019

Documents:

Event Application - Brainerd Homecoming Run 2019.pdf

2. Event Application - DANGIE 5K - War Against Cancer One Step At A Time

Documents:

Event Application - DANGIE 5K.pdf

3. Improvement 17-08 - SP 108-591-005 - Garfield Safe Routes To School - Testing Services

Documents:

Improvement 17-08 - Garfield Safe Routes to School - Testing Services.pdf

4. Improvement 19-04 - 2019 Crack Sealing - Pay Estimate No. 1 Final

Documents:

Improvement 19-04 Final Pay Application.pdf

5. Improvement 19-06 - 2019 Street Patching - Pay Estimate No. 1 Final

Documents:

Improvement 19-06 Final Pay Application.pdf

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

Documents:

2019-08-19_PF.pdf

1. Approval Of Bills & Payments To Contractors

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Authorized</u>
Lot Pros LLC	19-04	2019 Crack Sealing	\$16,031	\$17,000
Anderson Brothers	19-06	2019 Street Patching	\$ 9,993	\$ 9,993

2. Police Officer Resignation - Request To Hire

Documents:

Police Officer Resignation-Request to Hire.pdf

3. Reorganization Of Management Team

Documents:

HR IT Agenda Request.pdf

9. **Unfinished Business**

A. **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)

10. **New Business**

A. **Charter Commission Request - Authorize City Attorney To Review Charter**

Documents:

Charter Commission Request - Authorize City Attorney to Review Charter.pdf

11. **Planning Commission**

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

a. Hold Final Reading of Ordinance (Voice Vote) - City Administrator Torstenson Recommends to Dispense with the Actual Reading

b. Adopt Ordinance (Roll Call)

Documents:

Final 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)

14. **Council Member Reports**

15. **Public Notices**

16. **Adjourn To Budget Workshop On August 26th At 5:30 Pm**

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

ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS,
PLEASE CALL 828-2307

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

MISSION

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

**Brainerd, MN
August 5, 2019**

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:33 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 PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on July 15, 2019 and the Workshop Held on July 22, 2019 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 1 – New; 4 – Renewals

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director

D. Accept Retirement of Laurie Johnson (Administrative Specialist 2 – Community Development Department) – Effective August 31, 2019 – Approved

E. Request to Hire Daniel Diethert as Street Maintenance I Effective August 6, 2019 - 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 presented Bruce and Kathy Buxton with the Community Member of the Month award for the month of August. Mayor Menk stated Bruce and Kathy are active in the community with cancer patients, survivors and promoting cancer fundraising walks. Bruce started the River to Rail projects that are now becoming reality. Mayor Menk thanked the Buxton’s for their hard work and dedication to the community.

Presentations

The Chair recognized Mr. Don Gorham, co-chairman for the Mississippi Riverfront Committee who gave a presentation about the history and overview of the Mississippi Landing

August 5, 2019 - **DRAFT**

Trailhead project concept plan, next steps and the goals going forward. He stated the committee is looking to increase community engagement by talking to people at different public events. He stated the next step will be to obtain more input on the project and look into funding options. Mr. Gorham answered questions from the Council and thanked the Council for the opportunity to present.

City Administrator Torstenson stated the concept was presented to the Senate Capital Investment Committee in 2018. She said the City will be presenting the project to the House of Representatives on September 6, 2019.

Council Committee Reports

Safety and Public Works Committee Report

Emergency Storm Sewer Repair – Informational

Committee Chair Bevans explained the heavy rainfall recently caused some unexpected damage in the storm sewer system that needed emergency attention and repairs. He reviewed the locations and the total cost of these repairs.

Improvement 16-09 (SAP 108-136-004) and 19-07 – Buffalo Hills Lane and Mississippi Drive Reconstruction Project – Testing Services - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE TESTING SERVICES PROPOSAL FROM BRAUN INTERTEC IN THE TOTAL AMOUNT OF \$23,483.

Committee Chair Bevans stated the cost will be paid from the construction fund and will be reimbursed through state aid.

Event/Street Closure Application – Farmer's Market on Laurel – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE FARMER'S MARKET TO BE HELD ON EACH TUESDAY FROM 3:00 TO 6:00 PM IN THE LAUREL STREET PARKING LOT THROUGH SEPTEMBER 24TH, 2019.

Event/Street Closure Application – Project Rainbow Block Party - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE PROJECT RAINBOW BLOCK PARTY AUGUST 24TH UNDER THE CONDITION THAT ANY REQUEST FOR TRAFFIC CONTROL TO CLOSE OFF THE LOT BE MADE ONE WEEK IN ADVANCE.

Event/Street Closure Application – Opening Art Reception with Music - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE CROSSING ARTS ALLIANCE OPENING ART RECEPTION WITH MUSIC ON AUGUST

9TH UNDER THE CONDITION THAT THE APPLICANT REQUEST ANY TRAFFIC CONTROL NEEDS ONE WEEK PRIOR TO THE EVENT.

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.

Fire Department Relief Association – Annual Report - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO AUTHORIZE STAFF TO SIGN THE ANNUAL REPORTS AND APPROVE THE INCREASE OF THE ANNUAL CONTRIBUTION TO \$10,750 PER YEAR OF SERVICE LEAVING THE PLAN FUNDED TO 105%.

Resignation of Firefighter Teckemeyer - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF FIREFIGHTER MARK TECKEMEYER, EFFECTIVE JULY 10, 2019.

Police Staff Out of State Travel and Training - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO AUTHORIZE OUT OF STATE TRAVEL AND TRAINING FOR POLICE ADMINISTRATIVE SUPERVISOR JULIE MCCULLOUGH TO ATTEND THE Z1 CONFERENCE IN SIOUX FALLS, SD SEPTEMBER 9-11TH, 2019.

Community Development Director Chanski – Completion of Probationary Period - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO APPROVE A HALF STEP ADVANCEMENT FOR COMMUNITY DEVELOPMENT DIRECTOR CHANSKI TO \$38.96 PER HOUR RETROACTIVE TO JULY 1, 2019.

Committee Chair Hilgart explained the process of implementing the new compensation system had started when the position was offered to Mr. Chanski. She said it was negotiated to start at Step 2, with the potential of advancing to Step 2 ½ or the equivalent, upon satisfactory completion of his 6-month probation period. She stated the probationary period will be 12-months going forward so a probation period would not fall in the middle of the year.

Zoning Specialist/Permit Technician Position - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX TO 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 CONTINGENT UPON APPROVAL OF THE UNION.

Council Member Johnson stated he will be voting against this motion. He indicated last year when the City Planner retired, he did not agree with the creation of a Community Development Director position to replace a city planner position. He felt this would eventually turn into a need for a city planner, as most of the duties in community development would not allow the time needed for planning.

Council discussion took place.

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

Performance Review Process/Training Needs Discussion - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO APPROVE THE BASE PROPOSAL AS SUBMITTED BY DR. SICORA IN THE AMOUNT OF \$4,000.

Committee Chair Hilgart stated the Statement of Work provided in the packet was an incorrect estimate. She indicated a new statement was distributed to the Council. She explained the training will conclude in April of 2020 and the City will not proceed with the October 2020 option that is shown on the proposal.

Council discussion took place.

Committee Chair Hilgart indicated the sample performance review forms developed by the police department were provided in the packet.

Police Chief McQuiston stated the review form was developed and utilized during union negotiations. He explained the performance levels were derived from the original form the City was going to use prior to the training from Dr. Sicora. He stated the performance levels definition ratings of 0, 5 and 9 directly corresponds to the scoring system used by the City.

Request for Proposals (RFP) for Memorial Park Redesign - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO PROCEED WITH THE PROJECT SCOPE PORTION OF THE PROPOSAL FROM WIDSETH SMITH NOLTIN (WSN) AND OBTAIN CITIZEN INPUT; NOT TO EXCEED \$20,000 FUNDED FROM THE CAPITAL FUND.

Committee Chair Hilgart stated the citizen input would be the Park Board and indicated the Park Director recommended a person with softball experience be a part of the review board. She explained this does not stop the process; it is an opportunity to receive more information.

Council Member Johnson asked if proceeding with the project scope initially going to affect the pond hockey for 2021, since the lease for the Mill Avenue hockey rinks expires.

Committee Chair Hilgart stated the project scope of work should not delay the process.

The Chair recognized Mr. Tim Houle, civil engineer at WSN, who explained the Request for Proposal (RFP) stated the first task as project scoping. He said WSN will meet with the Park Board and will not need to form a new committee to review the scope, which should not exceed 60 days.

Council Member Johnson stated the Council Liaison will need to address the concerns with the adjoining property owner on a long-term solution for the parking lot at Memorial Park.

Council discussion took place.

Minnesota State Investment Fund – One-Time Exception - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO RETURN TO THE COUNCIL IN THE SPRING OF 2020 WITH THE MINNESOTA STATE INVESTMENT FUND (MIF) ONE-TIME EXCEPTION.

2018 Tax Increment Financing (TIF) Report Summary – Informational

Committee Chair Hilgart stated the report was provided to Council and filed accordingly prior to the August 1, 2019 deadline.

Unfinished Business

Committee Recommendations – Recommended by Mayor Menk - Approved

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO APPOINT YVETTE CAMPBELL TO THE ECONOMIC DEVELOPMENT AUTHORITY WITH A TERM TO EXPIRE SEPTEMBER 7, 2021.

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 (Expire 2020) – 1 term (Expire 2021) pending

New Business

First Reading – Proposed Ordinance No. 1499 – An Ordinance Enacting Local Sales and Use Tax - Approved

Finance Director Hillman explained the League of Minnesota Cities sent a notice that an ordinance amendment was needed related to local option sales tax so that it would include internet sales.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO DISPENSE WITH THE ACTUAL READING OF PROPOSED ORDINANCE NO. 1499 – AN ORDINANCE ENACTING CHAPTER 259 OF MN LAWS, LOCAL SALES AND USE TAX.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1499 – AN ORDINANCE ENACTING CHAPTER 259 OF MN LAWS, LOCAL SALES AND USE TAX.

Resignation of Council Member Hilgart - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF COUNCIL MEMBER HILGART EFFECTIVE SEPTEMBER 3, 2019, PUBLISH THE VACANCY, ESTABLISH A PROCEDURE/SCHEDULE FOR INTERESTED PARTIES TO SUBMIT AN APPLICATION, CONDUCT INTERVIEWS IN AN OPEN MEETING AND MAKE A DECISION.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO PLACE THE DEADLINE FOR SUBMITTING APPLICATIONS BE WEDNESDAY, SEPTEMBER 4, 2019 BY 4:30 PM AND TO HOLD A SPECIAL COUNCIL MEETING ON MONDAY, SEPTEMBER 9, 2019 AT 6:00 PM.

Clarification on River-To-Rail Economic Incentives - Approved

Community Development Director Chanski explained there were some questions regarding the implementation of the River-To-Rail economic incentives adopted by Council. He stated the exact boundaries are unclear, the details regarding the fee waiver incentive needs defining as well as the penalty for those that do not apply for a permit.

The Chair recognized Mr. Bruce Buxton, who indicated the map that was prepared by WSN for the River-To-Rail committee did not have boundary lines. He said the boundaries were simply identified as Washington to Oak Street; Mississippi River to Northern Pacific Center. He explained he would be concerned if the residential areas in southeast were not included.

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO SPECIFY THE PROJECT AREA BOUNDARIES AS ONE-HALF BLOCK NORTH OF WASHINGTON STREET TO ONE-HALF BLOCK SOUTH OF OAK STREET; FROM THE MISSISSIPPI RIVER TO 19TH STREET SOUTHEAST.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO DEFINE THE FEE WAIVER INCENTIVES AT THE NORTHERN PACIFIC CENTER BY PROJECT; PER BUILDING PERMIT.

Community Development Director Chanski explained the details regarding the double fees for people that fail to obtain a permit and requested direction from Council.

The Chair recognized Mr. Bruce Buxton, who suggested calculating the permit fee as it should be for the permit with the state surcharge and deduct the permit fee for the incentive. He stated this would also allow for maintaining a record of the permits issued.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO DENY THE ECONOMIC INCENTIVE AND CHARGE AN INVESTIGATIVE FEE, WHICH IS EQUAL TO THE ORIGINAL COST OF THE PERMIT, FOR A PROPERTY OWNER WHO FAILS TO OBTAIN A PERMIT; ADDITIONALLY, TO DIRECT STAFF TO RETURN TO COUNCIL WITH FURTHER INFORMATION REGARDING THE PERMIT PROCESS FOR PROPERTIES IN THE INCENTIVE LOCATION.

Mayor Menk questioned if the City would need to submit the proper tax documents to the property owner that takes advantage of the incentive. Finance Director Hillman will research if the incentive is defined as a business subsidy and will bring back to Council.

Welcoming Communities - Approved

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED TO JOIN THE BRAINERD WELCOMING COMMUNITY ADVOCACY GROUP.

Planning Commission

First Reading – Proposed Ordinance No. 1498 – An Ordinance to Rezone Property at 701 7th St., NW from a B-4 to an R-1 - Approved

Community Development Director Chanski explained the details of the application to rezone the property at 701 7th Street NW, as a previous application for a variance was denied.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED, TO DISPENSE WITH THE ACTUAL READING OF PROPOSED ORDINANCE NO. 1498 – AN ORDINANCE TO REZONE PROPERTY AT 701 7TH ST. NW, BRAINERD FROM A B-4 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1498 - AN ORDINANCE TO REZONE PROPERTY AT 701 7TH ST. NW, BRAINERD FROM A B-4 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

Public Forum

The Chair opened the Public Forum at 9:10 p.m.

No one came forward.

The Chair closed the Public Forum at 9:10 p.m.

Staff Reports

Community Development Director Chanski stated he would like to recognize Laurie Johnson, who has submitted her letter of retirement. Mr. Chanski indicated Laurie has been with the City for 31 years and has been an indispensable part of the Building Department and an asset to the City. He said she will be sadly missed but congratulated her on her future endeavors.

Community Development Director Chanski indicated the Planning Commission will be meeting on August 7th at 6:00 pm to open the 30-day public comment period for the Comprehensive Plan Update.

City Administrator Torstenson stated per Council Member Lambert's request, the summer interns have conducted a survey from business owners on Washington Street, which the results were distributed at the meeting. She also indicated discussions and department head meetings are currently taking place to work on the 2020 budget. She announced she will be presenting in Bemidji on September 6, 2019 to the MN House Capital Investment Committee regarding the Riverfront Project.

Council Member Reports

Council Member Lambert stated on August 7th at 10:00 a.m., she will be at a ribbon cutting for a new business at 119 S 6th Street called Creative Corners. She will also be speaking at the baseball tournament at the VFW on August 8th to welcome everyone and as the VFW auxiliary president.

Council Member Bevans reminded everyone that August 6th is the northside National Night Out at Gregory Park.

Mayor Menk stated there will be an EDA meeting on Thursday, August 8 at 7:30 a.m. He also announced downtown the Knotty Pine Bakery is progressing on their construction, the VFW installed a new sidewalk and awning on the back of their building and the Legion has an incredible mural on the side of their building.

Council Member Johnson thanked Brainerd Restoration, Crossing Arts, the Legion and Tony Powers for both murals that have been painted downtown.

Council Member Badeaux thanked the Crow Wing County Fair for allowing the Water Tower Committee to fundraise and draw awareness to the community for their cause.

Adjourn to Closed Session Under the Attorney-Client Privilege Pursuant to MN Statutes 13D.05, Subd. 3(A) To Conduct the City Administrator Performance Review – 9:18 p.m.

The Chair reconvened the meeting at 9:25 p.m.

The Chair adjourned the meeting at 10:40 p.m.

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
August 19, 2019
(1 Renewal)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
UP NORTH FIREPLACE GALLERY 29707 394TH PLACE AITKIN, MN 56431 19-0215	(218) 454-1040	MECH	3/1/2020	2/10/2020	MB646415

**BRainerd POLICE DEPARTMENT
MEMORANDUM**

TO: Brainerd City Council
FROM: Police Chief Corky McQuiston
DATE: 08-14-19
RE: Monthly Report



Bomb Team on National Television

On the July 23rd (Season 4, Episode 8) edition of America Unearthed featured on the Travel Channel, the Brainerd-Crow Wing County Bomb Team assisted Forensic Geologist Scott Wolter in trying to solve an 1886 bombing incident that occurred at Haymarket Square in Chicago.

Our Bomb Technician Investigator, Tim Friis, worked with the crew of the television show and FBI agents to recreate an explosive device that was used for forensic purposes to simulate the bombing in a controlled setting using mannequins at Camp Ripley. Because of editing, Investigator Friis was only seen on the broadcast for a few seconds, however, he played an important role in creating and detonating the device used. Below is a link to America Unearthed about the episode:

<https://www.travelchannel.com/shows/america-unearthed/episodes/chicagos-mystery-bomber>



Officer Friis is on the right



ATF Bureau of Alcohol, Tobacco, Firearms and Explosives

On a related note, in July, Investigator Friis completed the ATF Certified Explosives Specialist Program. This was a two-year long process that included formal classroom and range training with written assignments and testing that consisted of graduate-level coursework through the University of Missouri Science and Technology. Tim received a Graduate Certificate in Explosives Engineering as a result. Other than Tim's wages, the program was completely funded by the FBI/ATF covering all course costs, along with travel, lodging and meals.



On July 25th, Officer Grant Larson completed his one-year probationary period. Grant has fit in very well with the department and we are fortunate he has chosen our agency to work at.

Grant's supervisors and partners have noted he is very polite and professional while interacting with the public. He is also very ambitious, and others enjoy working with him.

Officer Larson has continued his duties in the reserve unit of the US Coast Guard as a Boatswain's Mate First Class where he has been enlisted since July of 2014.

Grant's training and experience with the Coast Guard overall, in addition to coordinating search and rescue operations in the Guard, has clearly benefited him and our department during his training and first year of work with us.

Washington Street Bridge Washout

At 7:02 pm on Sunday, July 14th, officers were dispatched to check the Washington Street Bridge, after a “911” caller reported a section of the sidewalk had collapsed. Responding officers found that after the heavy rainfall, a large section of the sidewalk at the east end of the north side of the bridge was gone.



The City Street Department and MnDOT were notified and by 8 pm the westbound lanes of the bridge were closed and the detour to the Laurel Street Bridge was established by MnDOT. At about 7:30 am, on Monday July 15th, MnDOT contacted the police department to request assistance with traffic control as our normal heavy traffic was causing significant traffic back-ups on Washington Street in both directions, NW 4th Street, Laurel Street, and South 6th Street. Several officers were assigned to traffic control details at the intersections along the detour. Off-Duty officers were called in to assist and Baxter Police added support along with the State Patrol.

The College Drive mill and overlay road closure that was occurring at the same time along with the Cypress-College Road closure in Baxter were both altered and opened to traffic to help divert traffic from the detour while the bridge was out. This made a significant difference by Tuesday morning on July 16th to the congestion and back-up of the detour.

The Minnesota State Patrol took over the primary traffic control functions on the detour as the incident related to an issue with a State Trunk Highway (MH TH 210). A briefing was held consisting of Brainerd & Baxter Police, Brainerd City Engineering, MnDOT Engineering and the State Patrol to review the timeline of the repair and establish a plan of action. It was a good training/planning opportunity for us to be part of a multi-disciplinary group working on an incident like this together.

The MnDOT crew assigned to restore the bridge embankment washout worked very quickly on restoring the washout and by early afternoon on Wednesday, July 17th, the westbound lanes were open for traffic and the detour ended. We were very appreciative of the support from the Minnesota State Patrol and Baxter Police during the event and that we had no other major police activity at the same time.

Body Worn Camera Data Report



Month	Number of Videos	Hours of Videos	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
June	1846	368 Hours	707 GB	383 MB	11.98 Minutes	61
July	1955	394 Hours	747 GB	382 MB	12.10 Minutes	63

Conduct on Premises Activity Report for June

ICR	Date Reported	Title	Address	Summary
19008503	07/03/19	Conduct on Premises	503 SE 13 th Street	Conduct on premises.
19008537	07/03/19	Conduct on Premises	912 Oak Street	Conduct on premises.
19008818	07/09/19	Conduct on Premises	702 ½ South 9 th Street	<i>Unlicensed Rental – Action Pending</i>
19009743	07/26/19	Conduct on Premises	915 3 rd Avenue NE	Conduct on premises.
19009863	07/29/19	Conduct on Premises	310 James Street	Conduct on premises.

Monthly Police Activity

July	2019	2018
Calls	1612	1635
Citations (Inc. Parking)	238	184
Part I and Part II Crimes Reported	255 **	227

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

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

Revenue Recapture Receipts:

To Date: \$ 47,240.08

In 2019: \$ 6,593.95

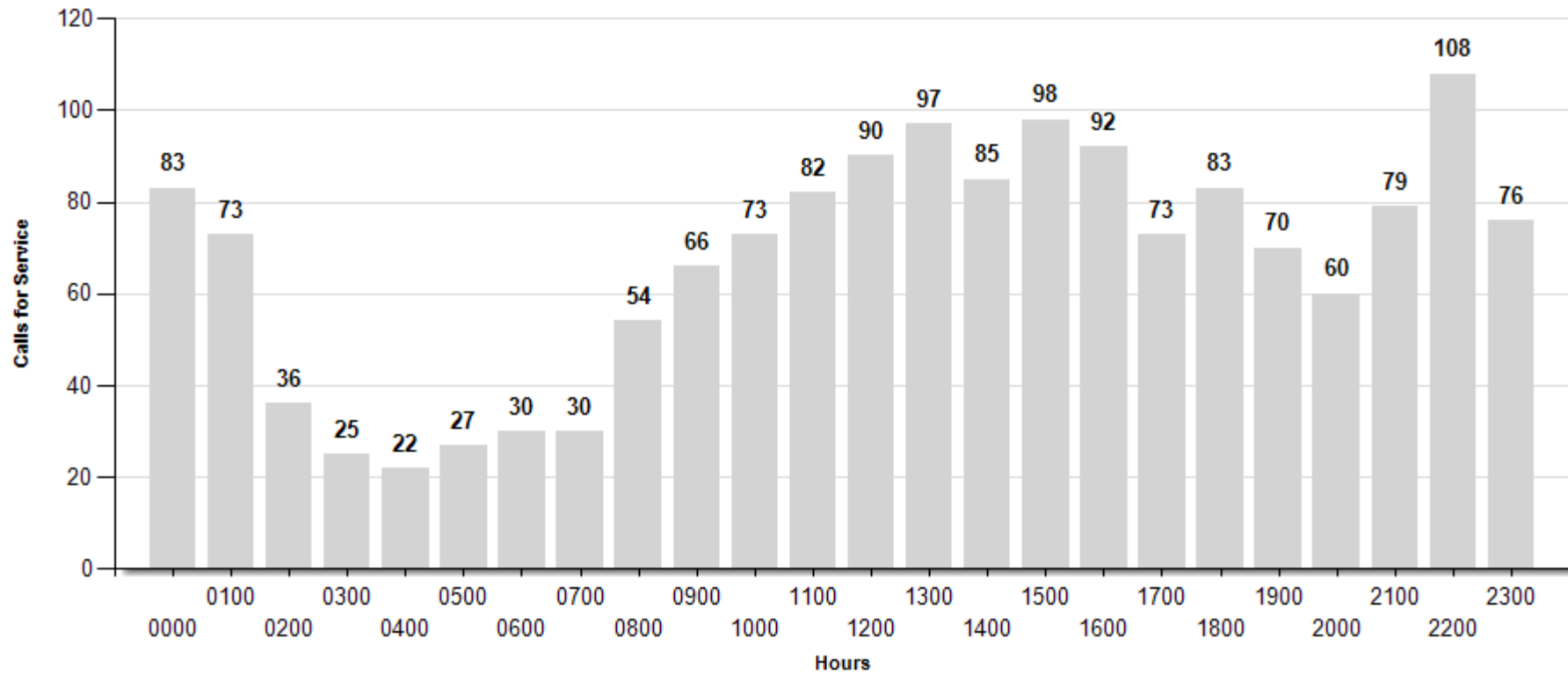
1	Dismissed
0	Business Validations
21	Paid in Full
0	Partial Payments Received
25	No Payment Received



Calls for Service Hourly

7/1/2019 to 7/31/2019

Total Calls: 1664





Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Memorandum of Agreement for Zoning Specialist/Permit Technician Wage

☐ INFORMATION ONLY ☒ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: HR Coordinator Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: n/a - consent
Summary of Issue: On August 5, 2019, the City Council created a new Zoning Specialist/Permit Technician position with a recommended wage grid to be negotiated with the IBEW Administrative Support Union. The Union has agreed to the recommended wage; therefore, attached is a Memorandum of Agreement (MOA) signed by the Union accepting the recommended wage grid.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approval of the MOA is included on the consent calendar; therefore, no additional action is needed.	
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 was approved by Council on 8/5/19	

Memorandum of Agreement

This Memorandum of Agreement (hereinafter, "MOA") is entered into between the City of Brainerd (hereinafter, "City") and the International Brotherhood of Electrical Workers, Local No. 31 (hereinafter, "Union"), on behalf of the Administrative Support bargaining unit. The City and the Union are hereinafter referred to collectively as the "parties," and individually as a "party."

WHEREAS, the City and Union are parties to a 2019-2020 collective bargaining agreement (hereinafter, "CBA"). Article IX of the CBA stipulates pay schedules for classifications;

WHEREAS, after the CBA went into effect, the City created a new Zoning Specialist/Permit Technician position that was not previously included in the CBA; and

WHEREAS, the City and Union have agreed to a wage for the Zoning Specialist/Permit Technician position.

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants and agreements contained in this MOA and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the parties hereto as follows:

1. To amend Article IX – Wages, Section 1, of the CBA specifically to include the following wage grid for the Zoning Specialist/Permit Technician position in the 2019-2020 contract:

Zoning Specialist/Permit Technician								
	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
1/1/2019	23.27	24.43	25.59	26.76	27.92	29.08	30.24	31.41
1/1/2020	23.73	24.92	26.10	27.29	28.48	29.66	30.85	32.03

2. This MOA will be in effect for the duration of the CBA.
3. The parties agree that the Zoning Specialist/Permit Technician position will, in all other respects, be subject to the CBA.
4. The City and the Union agree that this MOA will not result in the payment of back pay to any employee.
5. The City and the Union acknowledge that this MOA shall not be deemed to constitute a precedent or create a past practice which would be applicable to any other member of the bargaining unit or classification identified in the CBA or be admissible in any arbitration proceeding or other proceeding involving a dispute between the parties as evidence of a precedent or past practice. This MOA may not be used as evidence—whether in negotiations, arbitration, or other proceeding—or otherwise be used in any manner to interpret the CBA, or to seek similar benefits for any City employee(s) other than the employee(s) hired for the Zoning Specialist/Permit Technician, either through arbitration, negotiation, or other means.
6. The City and the Union agree that this MOA constitutes the entire agreement between the parties with respect to the payment of wages for the Zoning Specialist/Permit Technician position. No party has relied upon any oral statements or promises that are not set forth in this document. The terms of this MOA are contractual and supersede any and all prior

agreements between the Parties relating to the subject matter of this MOA. No waiver or modification of any provision of this MOA is valid unless it is in writing and signed by all parties.

7. This MOA shall be construed to have been drafted equally by the parties.

By signing below, each party specifically acknowledges that it has read this Memorandum of Agreement and that it understands and agrees it is legally bound by all terms of the Memorandum of Agreement.

IN WITNESS whereof the parties have hereunto set their hands the date and year affixed below.

FOR THE CITY OF BRAINERD

FOR INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS, LOCAL
NO. 31

Cassandra Torstenson, City Administrator

Will Keyes

Will Keyes, Business Manager

Date

8/14/2019

Date



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Continue City Administrator Performance Review to 9/3/19

☐ INFORMATION ONLY ☒ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: HR Coordinator Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: n/a
Summary of Issue: A closed session to conduct City Administrator Torstenson's performance review was held on August 5, 2019, and has been continued to the September 3, 2019 meeting. A summary of her annual review is expected to be included with the September 16, 2019 council meeting packet.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: This item is included on the consent calendar; therefore, no additional action is needed at this time.	
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>	



2019

COALITION OF GREATER MINNESOTA CITIES LEGISLATIVE SESSION REPORT

LGA funding reaches historic milestone

The 2018 election brought big changes to Minnesota's government.

For the first time in more than 30 years, voters elected a governor from Greater Minnesota—Mankato resident and former Congressman Tim Walz. Voters also flipped control of the House from GOP to DFL, based on a particularly strong showing by suburban Democrats. With the Republican-led Senate not up for election, that meant Minnesota had become the only state in the nation with a divided legislature.

By most accounts, Gov. Walz, House Speaker Melissa Hortman (DFL-Brooklyn Park) and Senate Majority Leader Paul Gazelka (R-Nisswa) got along well and worked hard to find common ground. However, in their efforts to reach an agreement on the next two-year state budget, several hot-button issues, such as raising the gas tax, gun control and family leave, ultimately fell by the wayside.

We are pleased to report that the final budget includes the CGMC's top priority: a \$30 million increase in Local Government Aid (LGA), which will bring program funding back to the 2002 level. Other bright spots in the session include funding for child care initiatives, clean water infrastructure and broadband.

Unfortunately, the Legislature failed to pass a bonding bill or any significant new

investments in transportation, both of which were high priorities for the CGMC. This leaves much work to do in 2020.

LGA set to finally return to 2002 funding level

The \$30 million LGA increase happened against the backdrop of an acrimonious debate over how much tax revenue the state should collect. Debates over an increase in the gas tax and extension of the sunset health care provider tax dominated tax policy talks at the Capitol, but the CGMC made sure policymakers understood that restoration of LGA funding to the 2002 level is critical to ensuring strong and vibrant communities across the state.

Proposals aim to boost LGA

The session opened with reasons to be optimistic that LGA funding would finally be restored. During his campaign—and during the CGMC-sponsored gubernatorial debate in Mankato last July—Gov. Walz frequently mentioned the need to increase LGA. Speaking to city leaders at CGMC's Legislative Action Day in January, he once again reiterated his support.

In February, Gov. Walz released his budget proposal, which included a \$30 million increase in LGA. The Governor's support was echoed by the new House



Gov. Tim Walz and Lt. Gov. Peggy Flanagan join city leaders and legislators in Austin to discuss the need for more LGA funding.

Taxes Committee chair, Rep. Paul Marquart (DFL-Dilworth).

In addition to the Governor's budget proposal, several bills were introduced to increase LGA funding. Two of these bills were CGMC proposals, authored by Rep. Jeff Brand (DFL-St. Peter)/Sen. Kent Eken (DFL-Twin Valley) and Rep. Dave Lislegard (DFL-Aurora)/Sen. Bill Weber (R-Luverne). Both bills included a \$30.5 million increase in LGA and modernization of the formula. The Brand/Eken bill would have also pegged the LGA appropriation to annual changes in inflation and population growth.

Two chambers, two very different LGA proposals

In March, the House Property and Local Tax Division held two days of hearings on LGA. Eveleth City Councilor Brad Hadrava testified in support of the CGMC's proposals. His testimony illustrated how an LGA increase will help his city with rising construction costs, as well as aid efforts to preserve aging public buildings and address capital improvement needs.

Later that month, the Senate heard the one and only LGA bill it would consider during session, a proposal authored by Senate Taxes Committee chair, Sen.

CGMC 2019 Legislative Outcomes at a Glance

- | | |
|--|--|
| <ul style="list-style-type: none"> • \$30M increase in Local Government Aid • \$1.5M for child care initiatives aimed at increasing capacity in Greater Minnesota • \$18M for Point Source Implementation Grant Program | <ul style="list-style-type: none"> • Failure to pass a bonding bill results in no additional funding for PFA programs, other infrastructure needs • "Lights on" transportation bill means no funding for small-city streets, no additional funding for larger cities |
|--|--|

Roger Chamberlain (R- Lino Lakes). His bill would have increased LGA by \$15 million, but it directed all the new revenue to cities with populations below 5,000. The CGMC opposed the proposal due to the arbitrary nature of directing money to certain cities instead of utilizing the current formula to disburse aid.

Following these hearings, the CGMC was active in ensuring legislators remained committed to an LGA increase. CGMC President Ron Johnson authored an editorial that appeared in numerous newspapers, and the CGMC issued action alerts to members and met with media outlets to stress the importance of LGA.



Rep. Dave Lislegard (DFL-Aurora) and Eveleth City Councilor Brad Hadrava testify in support of CGMC-backed legislation to increase LGA.

House bill boosts LGA, Senate stays silent

As the Legislature's May deadline approached, the House and Senate passed their respective tax bills, setting up conference committee negotiations. While the House bill included the CGMC's proposal to increase LGA funding, the Senate bill did not.

This was, however, far from the only major difference between the two tax bills.

The House bill included \$1.3 billion in additional revenue, primarily from provisions that were part of Minnesota's response to the 2017 federal tax overhaul known as conformity, as well as other tax increases.

The Senate bill had \$600 million in new revenues from conformity, but it used that revenue for tax relief elsewhere, including a reduction in income tax rates from 7.2% to 6.8% and a \$50 million annual reduction in the statewide property tax.

Final bill includes \$30M increase and no city will lose LGA in 2020

The CGMC's efforts to keep legislators focused on LGA paid off when the Legislature passed a tax bill that increased LGA funding by \$26 million in 2020, with an additional \$4 million increase in 2021. The final bill also includes a "hold harmless" provision that will prevent any city from losing LGA in 2020.

CGMC explores solutions to the child care crisis

In preparing for the 2019 session, CGMC staff and members assessed the child care crisis in Greater Minnesota and tried to identify how the CGMC could help impact this complex issue. We ultimately settled on advocating in two areas: efforts to stabilize existing child care providers through training and business development support, and creating opportunities for access to capital to expand child care opportunities in Greater Minnesota.

Bills aim to increase capacity

The CGMC advocated for legislation to provide funding to the six Initiative Foundations to support their work in helping child care providers access quality training, business development and community planning. We also advocated for the creation of a new capital grants program that would provide funds to providers and cities to build or expand child care facilities.

Our efforts at the Capitol were aided by a number of groups throughout the session, particularly the Greater Minnesota Partnership (GMNP), our economic development-focused sister organization. Supporting our efforts as testifiers were Nicole Griensewic Mickelson, executive director of Region Nine Development Commission and president of the GMNP; Tim Penny, president of Southern Minnesota Initiative Foundation; Scott Marquardt, vice president of Southwest Initiative Foundation; and Nancy Jost, director of early childhood for West Central Initiative. Additional testifiers included representatives from the Minnesota Chamber of Commerce, Minnesota Business Partnership, First Children's Finance and Think Small.



Sen. Karin Housley (R-St. Mary's Point) and Region Nine Development Commission Executive Director Nicole Griensewic Mickelson shed light on the need for funding for child care provider business assistance and training.

Legislature passes \$1.5M in funding, but more work ahead

The final omnibus jobs and economic development bill included \$1.5 million for child care support and access expansion. Of that amount, \$750,000 was appropriated to the Initiative Foundations and \$750,000 was appropriated to the existing DEED child care grant program, of which 60% must be awarded to projects in Greater Minnesota.

With the failure to pass a bonding bill, there was no funding for a capital grants program this year. However, the proposal received strong support, so we expect this to be a high priority for the 2020 session.

CGMC advocates for funding for PFA programs

The CGMC focused its environmental efforts this session on preserving the funding for Public Facilities Authority (PFA) grant and loan programs that passed in 2018, as well as advocating for additional dollars to help meet water infrastructure needs facing communities across the state.

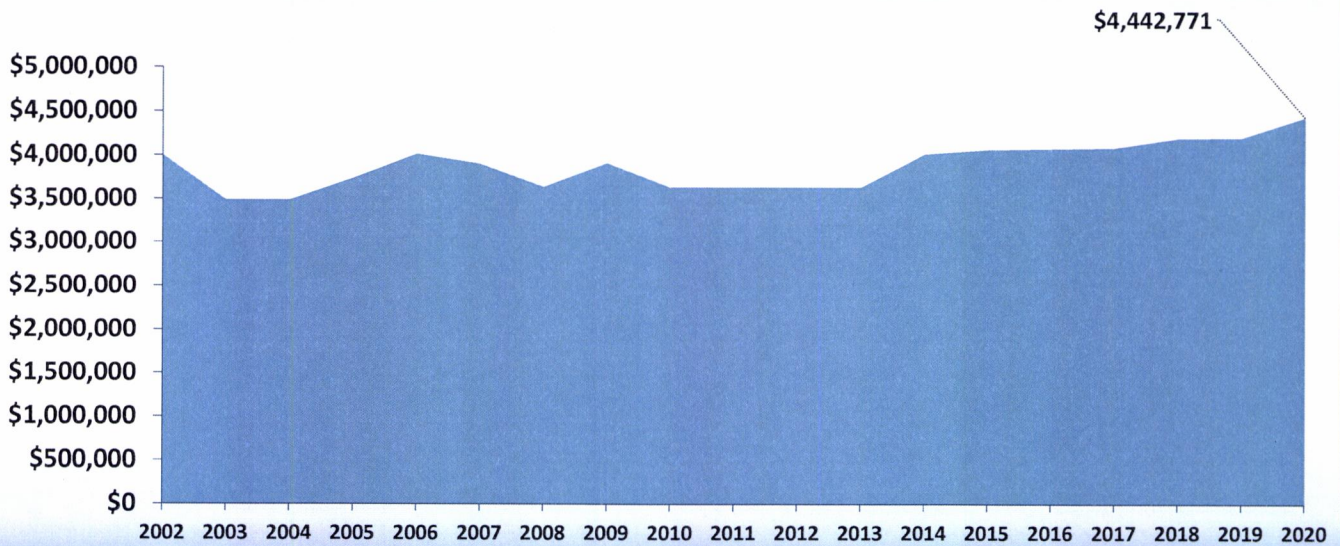
Lawsuit blocks 2018 funding

Led by the CGMC's efforts, the 2018 bonding bill included a near record-high package of funding for water infrastructure. However, of the \$123 million for PFA programs, \$58.6 million was funded out of a new form of appropriation bonds that were to be paid back with proceeds from the Environment and Natural Resources Trust Fund (ENRTF). Former Governor Dayton signed the bill into law over the protests of environmental groups who objected to the use of the ENRTF for this purpose.



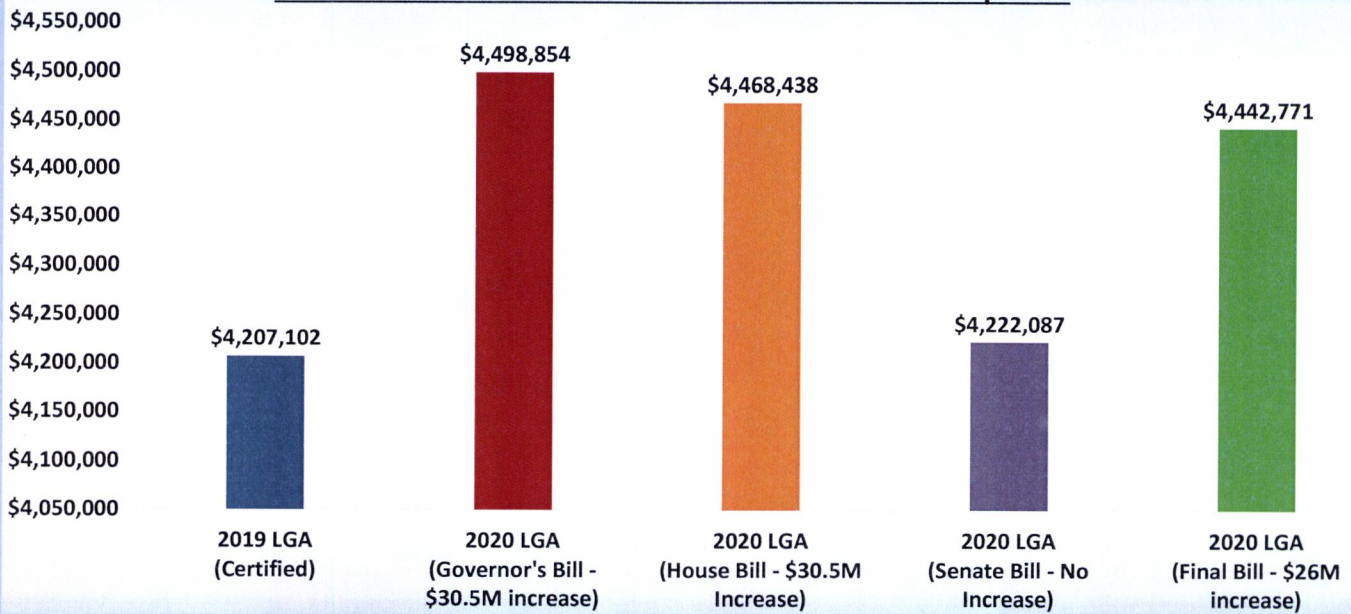
2019 CGMC City Report

Brainerd LGA, 2002-2020



The City of Brainerd is expected to received \$4,442,771 in LGA for 2020, which is an increase of \$235,669 compared to 2019 (\$4,207,102).

LGA Estimates for Brainerd Under 2019 Session Proposals



The LGA appropriation will be increased by an additional \$4 million in 2021, restoring the program to its 2002 level. The final tax bill includes a hold harmless provision that will prevent any city from losing LGA from 2019 to 2020.



2019 Legislative Session: Outcome of CGMC priorities

	CGMC Goal	Governor	House	Senate	Final Outcome
Local Government Aid (LGA)	\$30.5M increase in base funding	\$30.5M increase in base funding	\$30.5M increase in base funding	No increase	\$26M increase in base funding 2020, additional \$4M increase in 2021
Public Facilities Authority (PFA) water infrastructure grant & loan programs	\$59M in general obligation (GO) bonds to unlock PFA funding approved in 2018 bonding bill \$67M in additional bonding \$18M in Legacy funding	- Signed HF 80 to approve \$59M in GO bonds to unlock PFA funding approved in 2018 - Supports additional \$67M in bonding \$18M in Legacy funding	- Passed HF 80 to approve \$59M in GO bonds to unlock PFA funding approved in 2018 - Supports additional \$67M in bonding \$18M in Legacy bill	- Passed HF 80 to approve \$59M in GO bonds to unlock PFA funding approved in 2018 - No 2019 bonding bill \$20M in Legacy bill	- HF 80 adopted, which approved \$59M in GO bonds to unlock PFA funding approved in 2018 - No 2019 bonding bill \$18M in Legacy bill
Greater Minnesota Business Development Public Infrastructure (BDPI) Grant Program	\$20M in bonding	\$3M in bonding	\$3M in bonding	No bonding bill	\$3.574M (\$1.787/year for two years) in jobs bill
Child Care Capital Grant Program (<i>new program</i>)	\$10M	\$0	\$10M in bonding bill	No bonding bill	No bonding bill
Child Care Grants - Grants to the Minnesota Initiative Foundations (MIFs) for child care business development - DEED child care grants for training and business development	- MIFs grants: \$3M - DEED grants: Supports program, but no specific amount requested	- MIFs grants: \$0 - DEED grants: \$1M	- MIFs grants: \$0 - DEED grants: \$2.865M	- MIFs grants: \$1.827M - DEED grants: \$649,000	- MIFs grants: \$750,000 - DEED grants: \$750,000, of which at least 60% must go to Greater Minnesota



2019 Legislative Session: Outcome of CGMC Priorities

	CGMC Goal	Governor	House	Senate	Final Outcome
Comprehensive Transportation Funding Package	Increased funding for transportation infrastructure through existing dedicated sources (such as gas tax, sales tax on vehicles, electric vehicle tax, etc.)	- Plan increases transportation funding by \$18B over 20 years - Increases gas tax by 20 cents (10 cents a year over two years), tab fees, transportation-related sales taxes	- Plan raises \$1.1B/year for transportation once phased in - Increases gas tax by 20 cents (5 cents a year over four years), tab fees, transportation-related sales taxes	- No significant new investments - Increases electric vehicle registration fees and fee on plug-in hybrids (raises \$300,000/year)	No new investments
Large-City Streets (Cities with populations over 5,000 receive a share of constitutionally dedicated state funding for transportation)	\$25M/year through a new surcharge on tab fees	More than \$60M/year through the gas tax increase by 2021	More than \$60M/year through the gas tax increase by 2023	No increase	No increase
Small-City Streets (Cities with populations under 5,000 receive no dedicated funding from the state)	\$25M/year through a new surcharge on tab fees	\$0	\$10M+/year through dedicated share of the motor vehicle lease sales tax	\$250,000 in 2020; \$500,000 in 2021 from general fund	\$0
Corridors of Commerce	\$200M/year (in cash and bonding)	No new funding; continues the \$25M/year funding passed in 2017 transportation bill	\$300M in new bonding funds; continues the \$25M/year funding passed in 2017 transportation bill	No new funding; eliminates the \$25M/year funding passed in 2017 transportation bill	No new funding; continues the \$25M/year funding passed in 2017



2019 CGMC Environmental Accomplishments & Activities

Over the last several years, legislative and regulatory efforts targeting cities for more stringent (and sometimes unnecessary) regulation have combined with aging infrastructure and severe weather events to cause increasingly high wastewater, drinking water and stormwater costs for cities in Greater Minnesota. In response, the CGMC's environmental program has dramatically increased its activities to ensure funding for critical environmental projects and to push back against regulatory overreach.

We have made progress in recent years, but there is still much more work to do. Thank you to the cities who have contributed to the CGMC Environmental Action Fund to help support these efforts. As a result of this support, we were able to complete the important work summarized below:

1. Broke logjam on bonding funding for water infrastructure

The 2018 bonding bill appropriated more than \$123 million in funding for Public Facilities Authority (PFA) water infrastructure grant and loan programs. However, of that amount, \$58.6 million was funded through appropriation bonds whose sale was blocked by a lawsuit. CGMC advocated in the media and with legislators for a solution. In March, legislation replacing the appropriation bonds with general obligation bonds was signed into law.

2. Obtained additional funding for water infrastructure

The CGMC advocated for additional funding for the PFA programs through the Clean Water Fund and in a potential 2019 bonding bill. The Legacy bill included \$18 million for the Point Source Implementation Grant (PSIG) program. The proposed House bonding bill included \$67 million for the PFA, but was not passed by the Senate.

3. Supported codifying external peer review

The CGMC has advocated for an external peer review requirement for several years. In July 2017, in response to the CGMC's efforts, then-Minnesota Pollution Control Agency (MPCA) Commissioner John Linc Stine issued a directive requiring the agency to integrate external and transparent scientific peer review requirements into the water quality standards development process. This year, after much additional pressure from the CGMC and others, this directive was codified into law.

4. Protected city representation in TMDL alternative process

Proposed legislation would have allowed watershed organizations to develop plans that could serve as Total Maximum Daily Load (TMDLs), allocating a pollutant reduction to a municipality without involving the affected municipality in the process. The CGMC worked with the bill authors to ensure that no plan could be adopted as a TMDL alternative without engaging affected municipal permit holders.

5. Participated in Legislative Water Commission stakeholder process

The CGMC participated in a stakeholder process established by the Legislative Water Commission (LWC) focused on taking an in-depth look at regulatory and cost issues associated with wastewater, stormwater, and drinking water systems. The CGMC advocated for codifying the peer review requirement, increasing the amount and sources for infrastructure funding, and creating a chloride reduction report and plan. The LWC recommended several of the initiatives supported by the CGMC, including putting the directive on external peer review into law and appropriating bonding proceeds for water infrastructure programs.



2019 CGMC Environmental Accomplishments & Activities

6. Established relationship with new MPCA Commissioner

Shortly after Governor Walz appointed Laura Bishop as the new MPCA Commissioner, CGMC staff met with her and top deputies to introduce CGMC's legislative priorities and concerns with the way the agency has conducted business in the past. CGMC staff has continued to work on strengthening that relationship throughout the legislative session and beyond.

7. Participated in new municipal stakeholder group

This winter, the MPCA established a municipal clean water discussion group to examine issues affecting our cities in greater detail. The CGMC has participated in these meetings to discuss issues ranging from recruiting and retaining wastewater operators, point-to-non-point source trading, and increased transparency on pre-TMDL memoranda.

8. Participated in Class 3 and Class 4 waters rulemaking

The water quality rules governing Class 3 and Class 4 waters, commonly known as salty water quality parameters, are outdated and causing problems for many of our cities. The CGMC is participating in the process to update these rules.

9. Opposed changes to well interference claim and groundwater management process

The CGMC worked with the League of Minnesota Cities and other stakeholders to successfully oppose changes to the groundwater management process. If implemented, the changes would have abandoned plans protecting groundwater if the Department of Natural Resources could not solve the problem quickly enough and would have made it difficult to raise claims for well interference with older wells.

10. Participated in wild rice sulfate water quality issues

Former Governor Dayton created a task force to find a compromise solution on wild rice restoration and protection in Minnesota. The CGMC participated as an observer and submitted comments that were reflected in the recommendations.

11. Commented on Fond du Lac Band's proposed water quality standards

Because of the potential impact to city wastewater permits, the CGMC submitted comments on a proposed revision to the Fond du Lac Band's water quality standards that included a standard for "specific conductance" (which relates to salty discharge and like sulfate or chloride limits) that could be difficult for cities to meet if included in their permit limits.

12. Opposed arbitrary fee increases

The CGMC actively opposed the MPCA's push to increase fees for water quality permits and opposed similar efforts at the Legislature. To date, the effort to raise these fees has not been successful.

13. Engaged legislators on flushable wipes issue

Legislation to address the flushable wipes problem that clogs many city pipes and sewers stalled during the 2018 legislative session. With a new House majority, the CGMC has been engaging with the new committee chair on potential legislative solutions for the 2020 session.

14. Participated in McKnight Foundation clean water discussion

The CGMC participated in a clean water discussion sponsored by the McKnight Foundation. The gathering, titled "Multi-Million Dollar Infrastructure and a Million Little Decisions," brought together representatives from local government, state agencies, public health, agriculture, philanthropy, tribal nations, and the environmental community for a discussion on the value of clean water.



Labor & Employee Relations Committee

Purpose

The purpose of the Coalition of Greater Minnesota Cities Labor & Employee Relations Committee is 1) to develop a coordinated effort among Greater Minnesota cities on managing labor and employee relations and negotiating labor contracts through researching and developing databases, advocating positive changes to labor processes, and by providing a forum for networking, discussing and implementing uniform labor policies and negotiating strategies; and 2) to make available expert and coordinated advice—at a significantly reduced rate—on employment and labor relations issues facing Greater Minnesota cities.

Labor Committee Services

The Labor Committee provides the services listed below to CGMC cities as part of its joint action program:

Publications

Quarterly newsletter on relevant labor relations and public employment issues.

Wages and Insurance Database

Database tracking greater Minnesota labor contract settlements and interest arbitration awards on wages, health insurance contributions and cost-saving measures.

Cluster Analysis Database

Computer Cluster Analysis Database for cities to identify comparable cities for purposes of labor contract negotiations and interest arbitrations. Cluster Analysis is a statistical data analysis tool that sorts cities into groups where the degree of socio-economic association is strong based on input criteria commonly considered by arbitrators.

Arbitrator Database

Maintain and further develop an arbitrator selection database. This database allows cities, on a reduced fee-for-service basis (see Individual Consultation Services on the next page), to request an analysis of those lists of seven arbitrators received from the Bureau of Mediation Services, whereby the listed arbitrators are analyzed and ranked for purposes of selecting arbitrators in grievance and interest arbitrations.

Legislative Services

Analyze and summarize labor relations and public employment law changes made during the legislative session and report to cities.

Labor Seminar

Prepare and present a Labor and Employee Relations Seminar, based on topics selected by the Committee, one time each in the northern and southern parts of the state.

Committee Meetings

Prepare materials and present information at Labor Committee meetings.

Strategy

Develop joint labor contract negotiation strategy and policy positions/guidelines for member cities to use as benchmarks in their labor contract negotiations.

Coordination

Coordinate efforts with the League of Minnesota Cities and other labor and management organizations and governmental agencies.

Contact Us

For more information, call Flaherty & Hood, P.A., CGMC's representative, at 651-225-8840, or contact:
Brandon Fitzsimmons: bmfitzsimmons@flaherty-hood.com
Chelsea Bodin: cjbodin@flaherty-hood.com
Karina Patino: kpatino@flaherty-hood.com

Individual Consultation Services

Through the Labor Committee program, CGMC cities have access to consultation services on labor relations and public employment issues impacting their individual city on a reduced fee-for-service basis. Examples of services available to CGMC cities are listed below.

Labor Relations Services

Labor Contract Negotiations

Represent cities in labor contract negotiations and mediations with employee unions; develop strategies and proposals; review labor contracts and recommend changes; and collect, compile and summarize data from comparable cities on wages, health insurance and other data.

Grievances

Investigate employee and union grievances, draft responses and settlement proposals for cities, and attend and represent cities at grievance meetings.

Arbitrations

Represent cities in grievance and interest arbitration hearings, and compile and analyze relevant data, including ability to pay and comparable cities analyses.

Arbitrator Selection

Research state-provided lists of arbitrators for grievance and interest arbitrations and provide ranking order for purposes of striking and selection.

Bureau of Mediation Services (BMS) Proceedings

Prepare responses to and filings with the Bureau of Mediation Services (BMS) and represent cities at meetings, negotiations, mediations and hearings related to strikes; certification, decertification and affiliation; unit determinations and clarifications; fair share fee challenges; and independent review.

Human Resources Services

Policy and Job Audits

Draft, revise and interpret policies, employee handbooks, administrative manuals, performance evaluations and job descriptions.

Management Training

Conduct training sessions for management employees on hiring, performance matters, discipline, handling grievances and other employment matters.

Employment Law Services

Representation

Represent cities in negotiations, mediation, arbitration, administrative proceedings, litigation and appeals.

Advice

Advise cities on compliance with public labor and employment laws; selecting and hiring employees; investigating misconduct, harassment and discrimination; and discipline and discharge actions.

Investigations

Investigate personnel misconduct, performance problems, harassment and discrimination.

Job Classification and Compensation Services

Job Analysis

Review job classification systems, conduct incumbent and supervisor interviews, prepare and analyze job questionnaires, observe jobs and draft job descriptions.

Job Evaluation

Prepare and establish comparisons of jobs to determine the appropriate job worth using point factor, factor comparison, job ranking, job classification or market data methods.

Compensation

Draft a classification and compensation plan. Establish pay structure and total compensation packages. Analyze market data.

Pay Equity

Review, analyze and recommend changes to classification and compensation system to ensure legal compliance. Prepare pay equity report to the state and advise and represent in any contested matter involving legal compliance.

Organizational

Analyze and make recommendations related to work flow processes, organizational structure, workforce staffing, productivity, retention, workplace environment, communication, innovation and collaboration.

SAVE THE DATE

Mark your calendar for upcoming Coalition of Greater Minnesota Cities events:

Fall Conference

Nov. 14-15, 2019, Alexandria

Legislative Action Day

March 11, 2020, St. Paul

Labor & Employee Relations Seminars

Summer 2020 (dates & locations TBD)

Summer Conference

July 29-31, 2020, Red Wing

Website

greatermncities.org

Facebook

facebook.com/greatermncities

Twitter

[@greatermncities](https://twitter.com/greatermncities)

YouTube

youtube.com/GreaterMNCities

FOLLOW CGMC ON SOCIAL MEDIA

In October 2018, days before the bonds were to be sold, nine environmental groups filed a lawsuit challenging the bonds, which prevented the state from proceeding with the bond sale.

Because a number of CGMC member cities were relying on this funding, the CGMC immediately took action. We reached out to Minnesota Management and Budget (which manages bonding issues), the Governor's office and legislative leaders, urging them to resolve the matter. The CGMC also worked with Little Falls Mayor Greg Zylka to author a guest column on this issue, which ran in several newspapers.

CGMC pushes legislation to provide clean water funding

When the Legislature convened in January, the CGMC worked with Rep. Jeanne Poppe (DFL-Austin) and Sen. Gary Dahms (R-Redwood Falls) to introduce a bill to provide \$128 million in general obligation bonds to the PFA programs. This amount would cover the funds tied up by the lawsuit as well as the additional need for 2019.

The CGMC pushed for the Legislature to take swift action on this matter, and multiple member cities, including Little Falls, Austin, Marshall, Mountain Lake, Staples, Hoyt Lakes and Wells, participated in these efforts.

In early March, due to increasing pressure from the CGMC and other groups, the Senate, House and Governor reached an agreement to pass a bill, HF 80, to replace the \$56.8 million in ENRTF bonds with general obligation bonds. On March 5, it became the first bill Governor Walz signed into law since taking office.

While HF 80 corrected a problem with



City leaders meet with Rep. Rick Hansen (DFL-South St. Paul), chair of the House Environment and Natural Resources Finance Division, to discuss wastewater funding needs.

last year's legislation, it did not fund this year's needs. We continued our lobbying efforts and were pleased when House Bonding Committee chair, Rep. Mary Murphy (DFL-Hermantown), unveiled a bonding bill that included our requested \$67 million for the PFA. Unfortunately, the Legislature failed to pass a bonding bill this year.

The one glimmer of hope on wastewater funding was the inclusion of \$18 million for the Point Source Implementation Grant Program (PSIG) in the Legacy bill. Last summer, the CGMC urged the Clean Water Council to include money for PSIG in its Legacy recommendations, which it did. The Legislature adopted the recommendations.

Peer review finally becomes law

Over the past several years, the CGMC has advocated for independent peer review to be required during the development of water quality standards. In 2017, then-Commissioner John Linc Stine issued a memorandum requiring that the Minnesota Pollution Control Agency adopt a strengthened peer review process. Since then, the CGMC has been striving to get this requirement enacted into law. This strengthened external peer review requirement was finally put into law this year.

Transportation plans hit a roadblock

At the beginning of the session, Gov. Walz and the House DFL majority made it clear that they intended to pursue an ambitious funding package designed to pay for Minnesota's transportation needs over the next two decades. The CGMC remained adamant that any comprehensive transportation package must include significant new funding for city streets and the Corridors of Commerce program.

Competing city streets plans bring hope, frustration

The CGMC was delighted to see a permanent funding stream for small-city streets included in the House transportation bill. The House proposal dedicated a share of the sales tax on motor vehicle leases, an existing dedicated source of transportation revenue. The



Transportation Conference Committee members and staff attempt to work out the vast differences between the House and Senate plans.

total amount dedicated would have been \$10.2 million in 2020, and would have grown naturally over time. In addition, the House bill would have given larger cities more than \$60 million per year in new funding for the Municipal State Aid (MSA) system once fully phased in.

The Senate's bill provided no new dollars for transportation, meaning MSA cities would not receive any increase. The Senate plan did recognize small cities, but it only appropriated \$250,000 in 2020 and \$500,000 in 2021 for the Small Cities Assistance Program. With at least 705 qualifying cities, the average city would have received just \$350 in the first year and around \$700 the next year under this plan.

Corridors of Commerce: House invests, Senate cuts

The House and Senate were also miles apart on the Corridors of Commerce program, which has funded vital highway projects since its creation in 2013.

The House bill would have invested \$300 million in new bonding for Corridors of Commerce and maintained the \$25 million per year cash appropriation for the program originally passed in 2017. Not only did the Senate plan put no new

SAVE THE DATE!

CGMC Summer Conference

July 24-26, 2019

Sanford Center

Bemidji, MN

CGMC Fall Conference

November 14-15, 2019

Arrowwood Resort

Alexandria, MN

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funding into the program, it proposed eliminating the \$25 million per year appropriation.

Final budget deal leaves transportation behind

When the Governor and legislative leaders struck their budget deal, all of these transportation proposals were left out. Preserving the annual appropriation for Corridors of Commerce is a small victory. However, with funding for the Small Cities Assistance Program now expired, small cities will receive no help from the state. For larger cities, no new funding will flow through the MSA system.

After transportation funding was left out of the final budget deal, a bonding package was the last hope for investment in local infrastructure this session. Unfortunately, the Legislature failed to pass a bonding bill.

Economic development programs see modest gains

The failure of the bonding bill thwarted many economic development priorities, specifically our hopes for money for child care facilities grants and additional funding for the Greater Minnesota Business Development Public Infrastructure Grant Program (BDPI).

However, there were some bright spots for economic development programs this session. In addition to some child care funding, the Legislature passed \$1.35 million for the Greater Minnesota Job Training Incentive Program, \$40 million



City leaders from southern Minnesota meet with Sen. Bill Weber (R-Luverne) during CGMC's Legislative Action Day in January.

for the Border-to-Border Broadband Development Grant Program and \$3.547 million in cash for BDPI.

CGMC continues successful pushback on annexation bills

The Minnesota Association of Townships once again introduced a bill this session that would allow townships to block annexations. And once again, the CGMC prevented the legislation from moving forward.

The townships' bill would have made it illegal for a city to annex property that is subject to an orderly agreement with a different city. Such a law change would allow townships to enter into agreements with cities who may have no intention to ever annex land for the purpose of blocking annexations by a nearby city.

After the bill was introduced, the CGMC met with legislators to explain our concerns. The bill never received a hearing in the House or Senate.

About the CGMC

The Coalition of Greater Minnesota Cities is dedicated to a strong Greater Minnesota. Our mission is to develop viable, progressive communities through strong economic growth and good local government. We support fair property taxes, sound land use planning, sensible environmental regulation, a balanced transportation system and effective economic development tools to meet that goal.

Contact Us

Email: CGMC_Communications@flaherty-hood.com
Online: greatermncities.org

About Flaherty & Hood, P.A.

With more than 25 years of experience at the Capitol, Flaherty & Hood, P.A. has the expertise needed to successfully create change at the state level for the CGMC. Our unique approach integrates strong policy analysis and media relations with traditional, bipartisan lobbying to effectively communicate with key decision makers.

Contact Us

Phone: 651-225-8840

Fax: 651-225-9088

Email: FH@flaherty-hood.com

Online: flaherty-hood.com



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Brainerd and Crow Wing County 5-Year Plan Presentation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Transit
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 15 Minutes
Summary of Issue: AECOM and MnDOT will be at the City Council meeting presenting the 5-Year Plan that was created for the Brainerd and Crow Wing County Public Transit System.	
Alternatives, Options, Effects on Others/Comments: This plan is a collaboration of a large amount of staff time, MnDOT and their consultant AECOM. Questions will be answered at the end of the presentation.	
Recommended Action/Motion: Informational.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

Five-Year Transit System Plan for Brainerd Crow Wing Transit

City Council Meeting

August 19, 2019

Five-Year Transit System Plans

Creating a Vision for Each Transit System in Minnesota

What is needed to develop the five-year plans?

- Establish a longer-term vision to guide annual budgets and decision making
- Identify system-specific priorities
- Work with local government officials, local planning agencies, transit system board members and other organizations (stakeholders) to plan for the future
- Develop a clear blueprint for improving and expanding transit services
- Meet 90% of the need for transit service by 2025 (statutory goal)



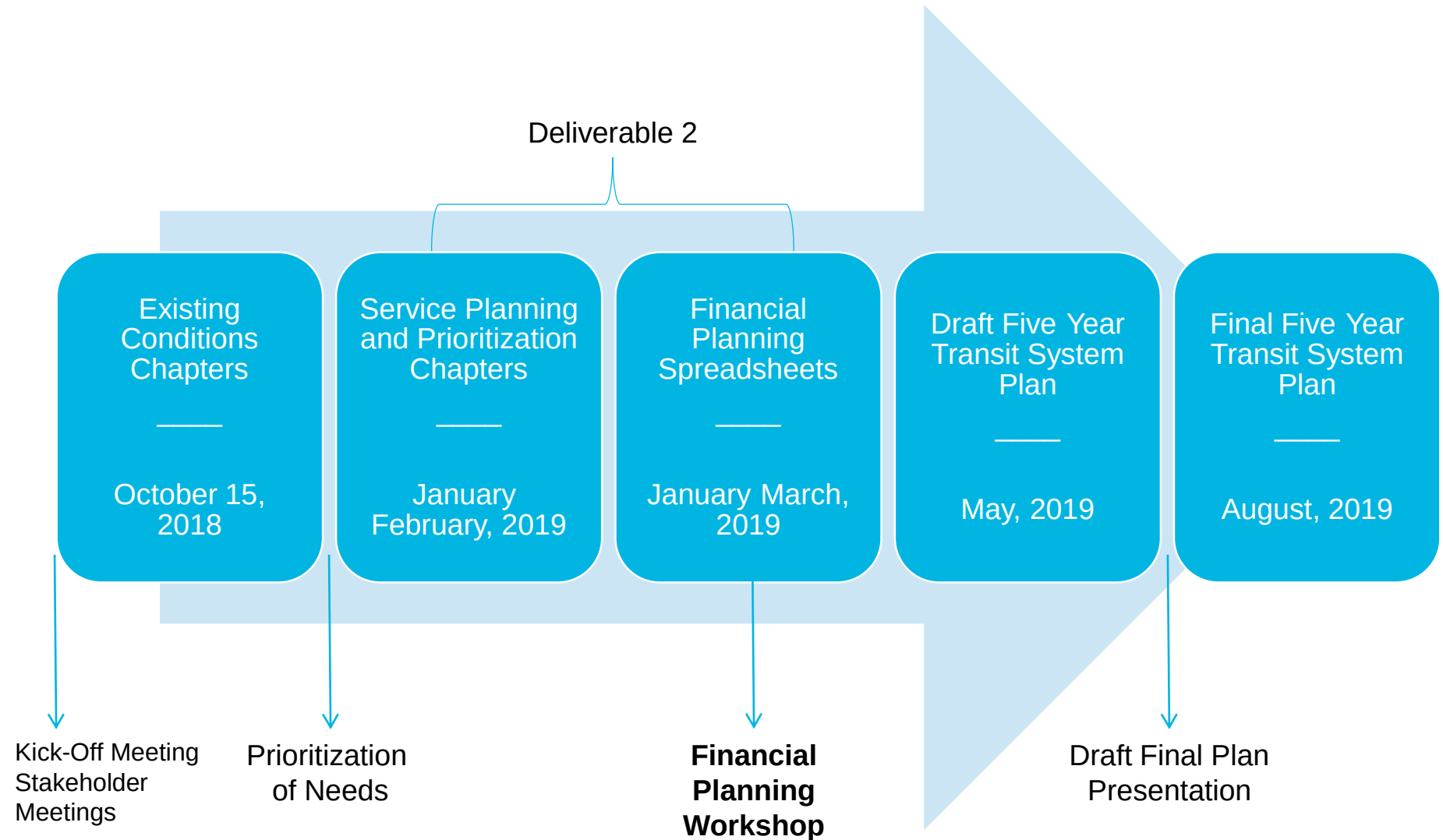
Five-Year Transit System Plans

Creating a Vision for Each Transit System in Minnesota

What are the benefits of the five-year plans?

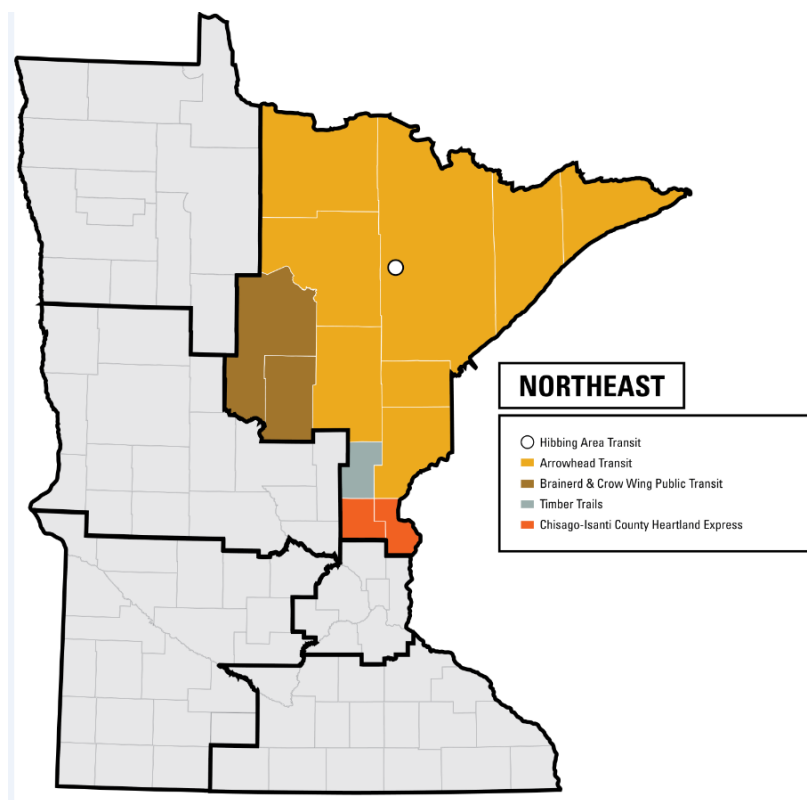
- Five-year plans will help systems better deliver service and work toward overall goals such as:
 - Improving coordination of services to meet transportation needs;
 - Increasing ridership/usage across the network;
 - Ensuring fiscal responsibility as a transit funding agency;
 - Anticipating and planning for future funding levels to achieve service expansion;
 - Articulating and communicating a vision for the transit system and the benefits it provides to the community.

Study Schedule



Northeast Region

- Arrowhead Transit (Aitkin, Carlton, Cook, Itasca, Koochiching, Lake, Pine, St. Louis)
- Brainerd Crow Wing Transit
- Hibbing Area Transit
- Heartland Express (Chisago – Isanti)
- Timber Trails (Kanabec)

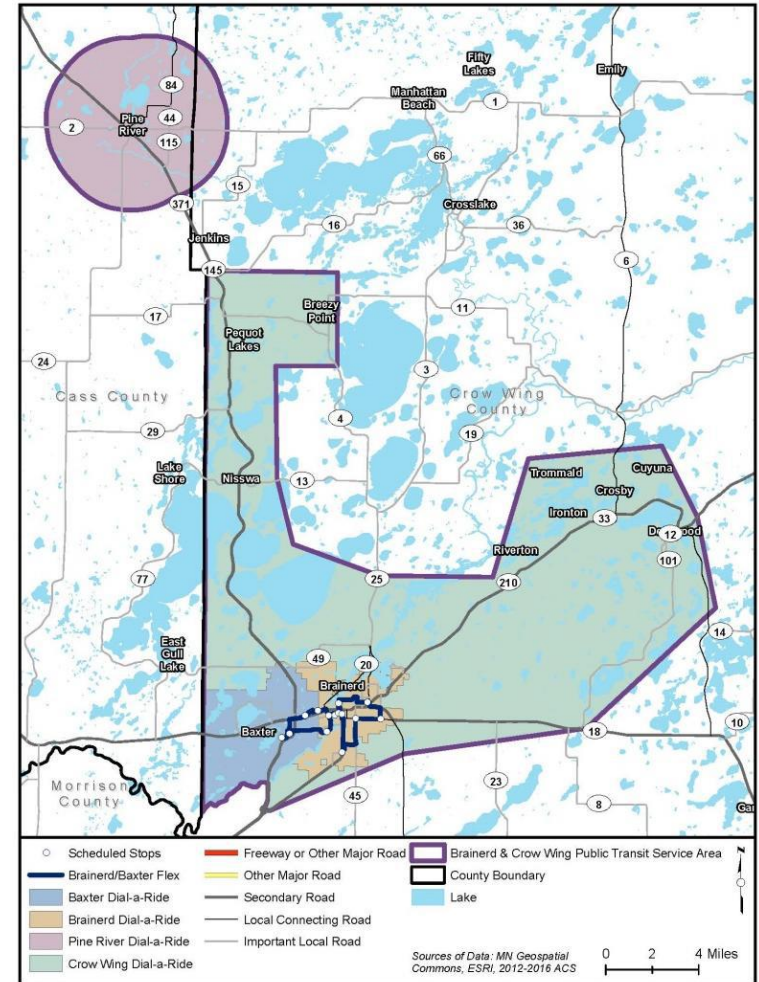


Brainerd Crow Wing Transit

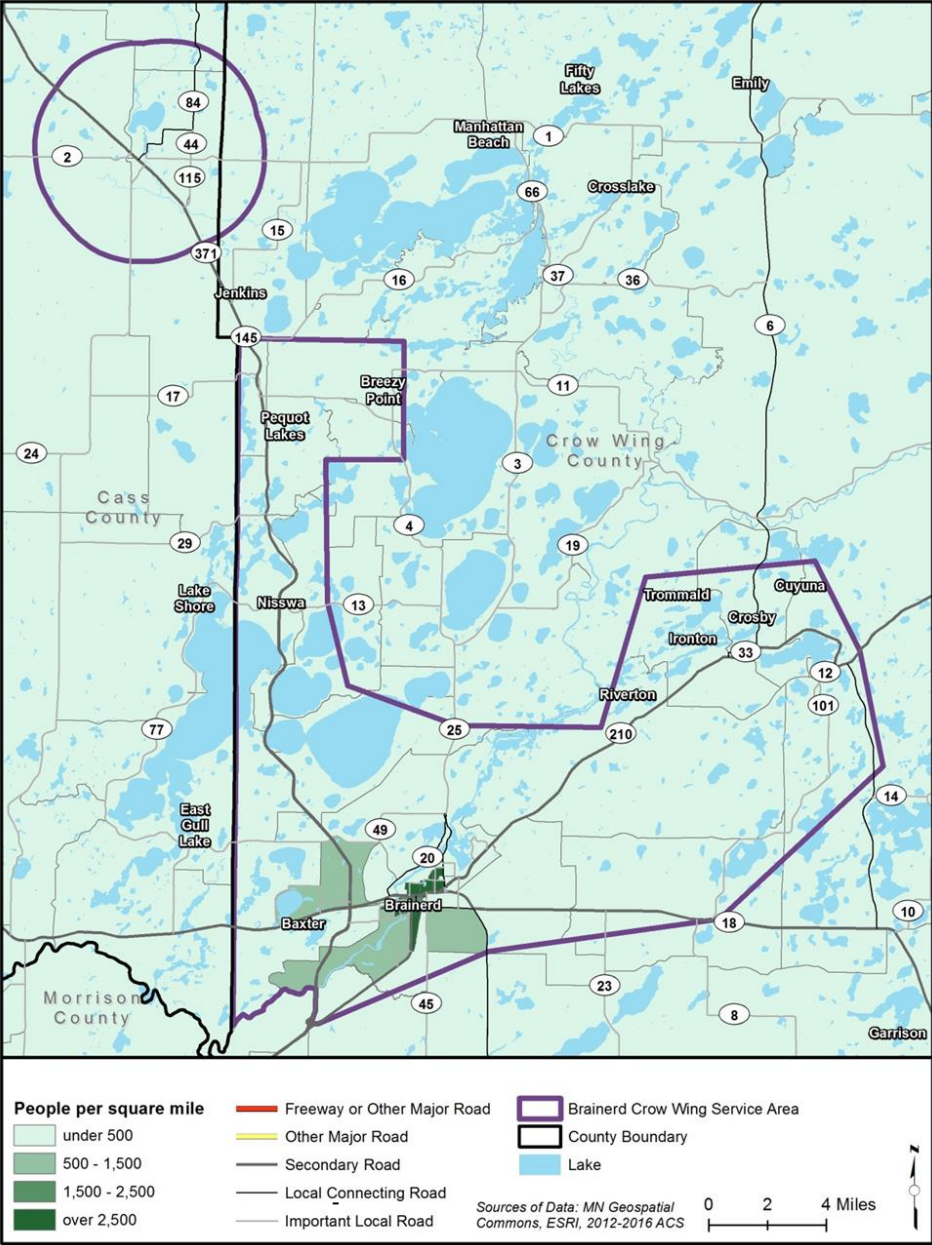


Brainerd Crow Wing Transit

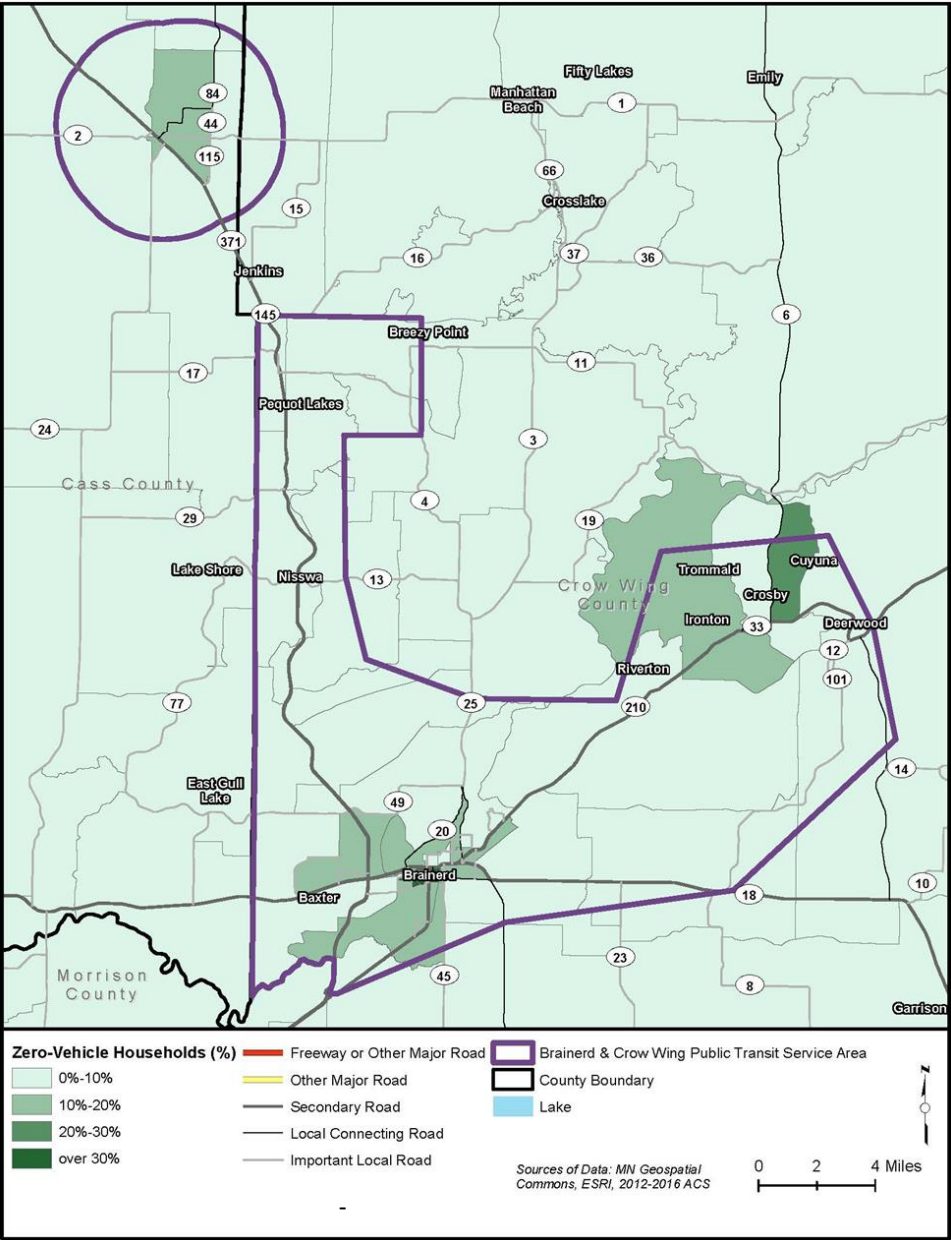
- 250 square mile service area includes Brainerd, Baxter, Nisswa, Pequot Lakes, Breezy Point, Deerwood, Crosby, Riverton and Nokay Lake in Crow Wing County and Pine River in Cass County
- Demand response to service area
- Deviated route (Express Route) in the Brainerd Baxter area
- Demand Response operates generally between 6:00am and 6:00pm on weekdays with limited spans of service to Pine River and parts of Crow Wing County.
- Express Route operates from 9:00am to 3:00pm weekdays
- Brainerd City Council is the decision making body
 - Three separate memorandums of understanding into Baxter, Pine River and Crow Wind County



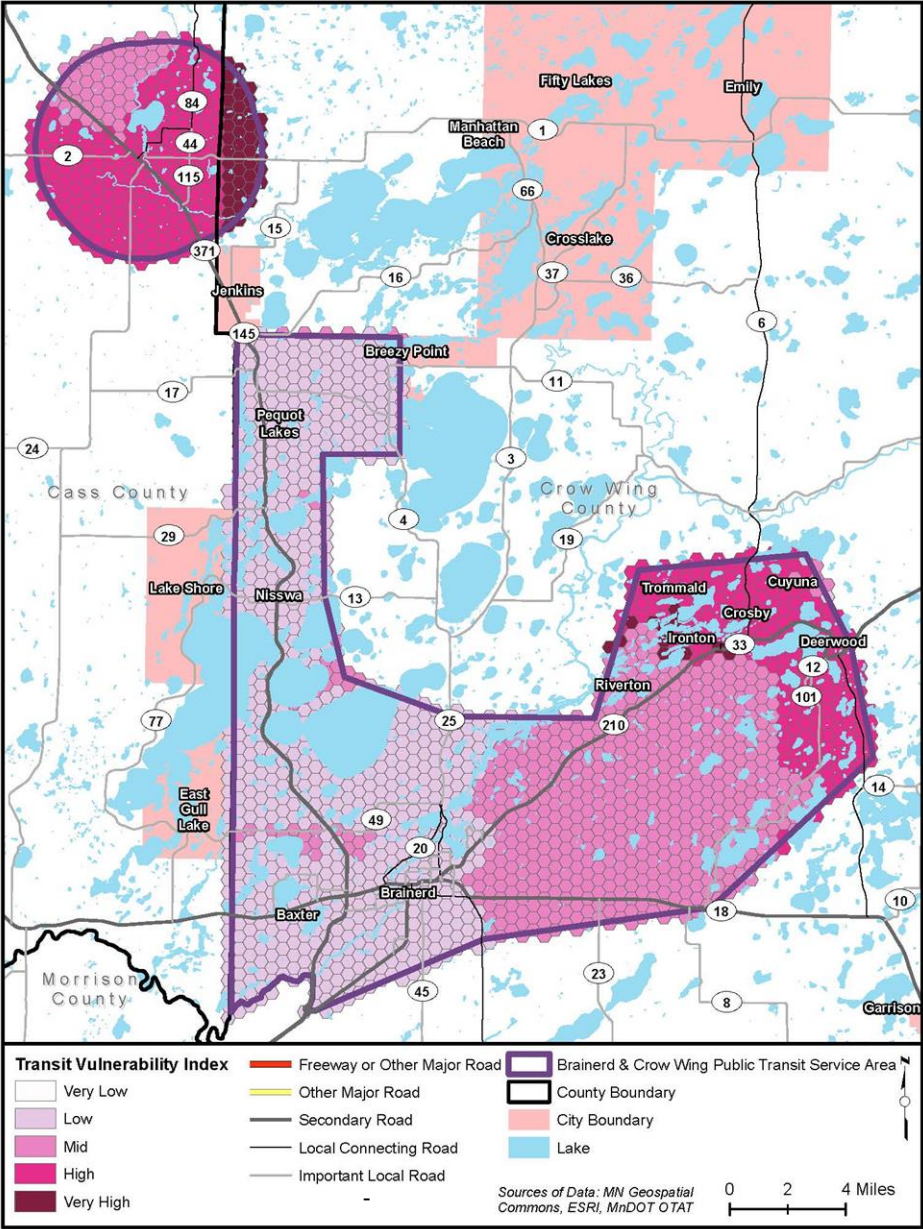
Demographics – Population Density



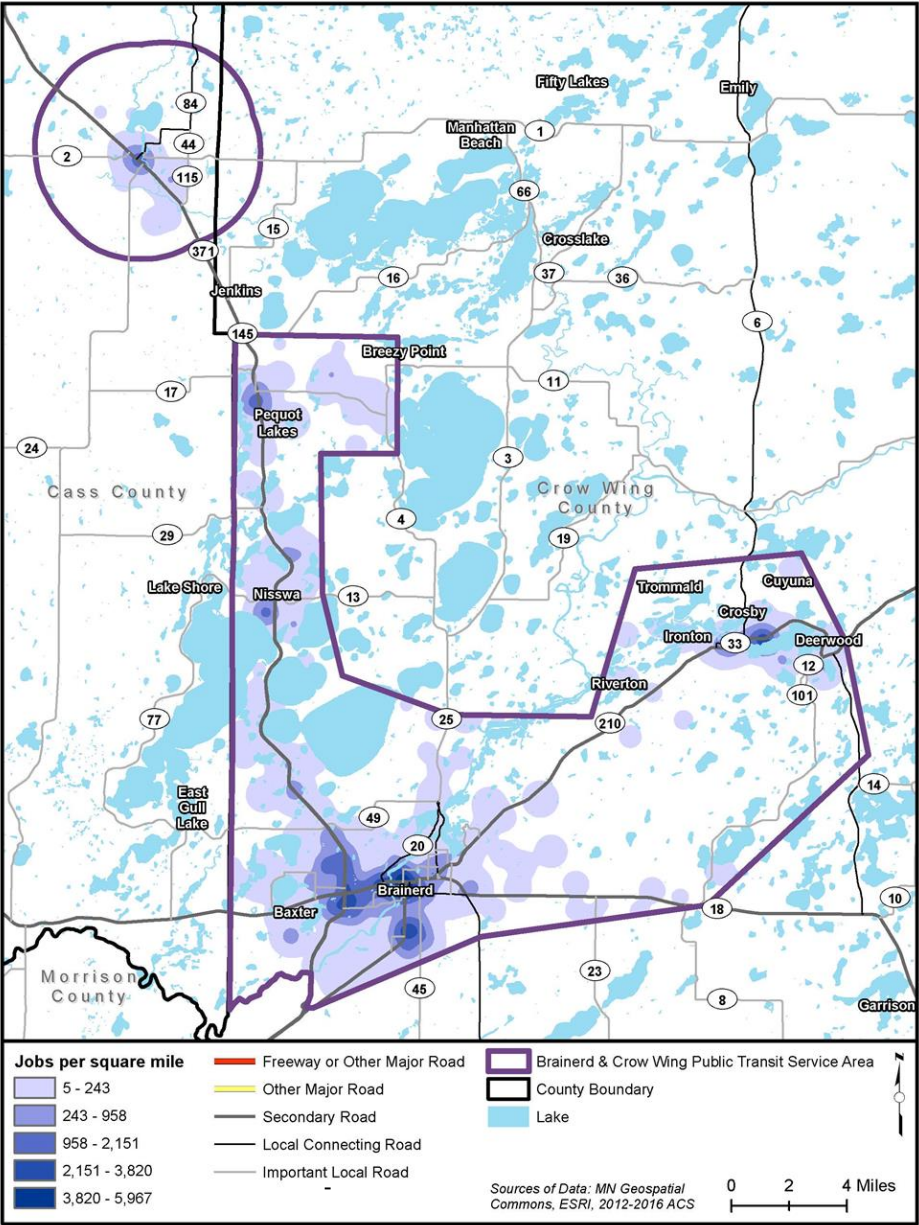
Demographics – Zero Car Households



Demographics – Transit Vulnerability Index



Demographics – Job Density



Operating Statistics

Route/Service	2018 Annual Hours of Service	2018 Annual Miles of Service
Brainerd/Baxter Express	1,507	23,326
Downtown Brainerd	1,909	25,083
South Brainerd	2,498	33,345
Southeast Brainerd	1,823	24,455
Northeast Brainerd	259	3,495
Baxter	2,398	38,195
Pine River	1,160	12,345
Breezy Point	875	13,022
Pequot Lakes	1,867	40,699
Crosby	1,921	38,212

Ridership

Year	Annual Ridership	Riders/Month	Riders/Hour
2015	84,064	7,005	5.1
2016	80,658	6,722	5.2
2017	77,824	6,485	4.9
2018	72,954	6,079	4.5

Route/Service	2018 Riders	2018 Riders/Hour	2018 Riders/Mile
Brainerd/Baxter Express	6,415	4.26	0.23
Downtown Brainerd	9,249	4.85	0.37
South Brainerd	13,488	5.40	0.40
Southeast Brainerd	10,397	5.70	0.43
Northeast Brainerd	1,666	6.43	0.42
Baxter	10,899	4.54	0.29
Pine River	3,001	2.59	0.24
Breezy Point	2,780	3.18	0.21
Pequot Lakes	6,175	3.31	0.15
Crosby	8,894	4.63	0.23

Needs Prioritization Workshop Results

1. Staffing

- Full time operations and dispatcher support

2. Service

- Redesign Express Route to improve on-time performance and ridership
- Expand Dial-A-Ride service hours
- Introduce regional service starting with Pillager

3. Capital

- Bus stop signs at all Express route stops
- Add three bus shelters
- Antennae upgrade for two-way radio service
- Upgrade communications system
- Purchase additional vehicle for expanded service

4. Technology

- Introduce mobile phone app for real time information and future fare payment

6. Marketing

- Rebranding system including logo, brand and name
- Develop new marketing materials including maps and schedules
- Marketing at local events
- Develop social media presence

Five Year Plan – Unconstrained Needs

Need	Priority Level	Year	Description	Rationale	Estimated Cost (2019)
1. One 0.5 FTE^a for a Transit Operations Assistant	High	2020-2025	Staff to assist in all aspects of agency operations, planning, and marketing	Agency is understaffed currently, some functions cannot be prioritized without additional support	\$41,000 ^b
2. One 0.5 FTE for a second dispatcher during peak hours	High	2020-2025	Dispatcher to more quickly schedule rides	Riders currently have difficulty reaching the single dispatcher	\$31,000 ^c
3. Redesign the Express Route	High	2020	Redesign Express Route to meet rider needs	Identify stops based on ridership and demand	\$0 ^d
4. Signage at all Express Route stops	High	2021	Installation of signs at all locations along Express Route ^e	Prevent confusion for new or non-regular riders	\$1,600 ^f
5. Rebranding	High	2021	Create new name, logo, and brand for the agency	Modernize agency brand	\$4,000 ^g
6. Print marketing materials	High	2021	Develop and print updated route maps and other printed materials	Update materials to reflect Express Route changes, familiarize public with new agency brand	\$200 ^h
7. Marketing at local events	High	2021	Attend community events such as County Fair	Enhance community awareness of the service	\$3,500 ⁱ

Five Year Plan – Unconstrained Needs

Need	Priority Level	Year	Description	Rationale	Estimated Cost (2019)
8. Social media presence and activities	High	2020-2025	Create social media accounts and keep updated - also possible social media ads	Update riders on changes, enhance community awareness of the service	\$0 for account; advertising
9. Three shelters for Express Route stops	Medium	2022, 2023, 2024	Installation of shelters at three locations ^j	Enhance rider comfort, enhance ridership	\$43,000 (\$14,300 per shelter ^k)
10. New mobile application	Medium	2023	New mobile application to streamline dispatch	Improve customer experience, reduce labor costs, real-time communication with riders regarding vehicle arrival time	Unknown ^l
11. Expand Dial-A-Ride service hours	Medium	2021	Provide additional weekday Dial-A-Ride service – additional vehicle running from 4:30 to 6:00 p.m.	Address high levels of demand for rides in the weekday evening peak	\$93,000 ⁿ
12. Additional vehicle	Medium	2021	Additional vehicle for expanded service	Required to expand service hours	\$82,400 ^o
14. Cashless payment option	Long-term	2023	Acquire and implement non-cash payment option	Reduce dwell times, simplify rider experience	Unknown ^p
15. Provide regional service	Long-term	After 2025	Expand service to Pillager on weekdays	Enhance accessibility to jobs and other opportunities for residents	\$45,000 ^q
16. Study need for antennae upgrade	Long-term	2024	Identify need for infrastructure upgrades that would be required for expanding service area	Upgrade needed to enable service outside of Crow Wing County	Unknown ^r
17. Vehicle to provide regional service	Long-term	After 2025	Vehicle required to expand service to Pillager	Enhance accessibility to jobs and other opportunities for residents	\$82,400

Redesign of Express Service



Legend

Bus Stops

- Existing Stop to be Retained
- Proposed New Stop
- Stop to be Transitioned to DAR Service

Bus Routes

- Initial Proposed Alignment (14.4 miles)
- - - Northeast Brainerd Option 1 (15.5 miles)
- - - Northeast Brainerd Option 2 (15.4 miles)
- ... Existing Alignment (17.2 miles)

Brainerd-Baxter Express Route Proposals

0 0.25 0.5 1 Miles



AECOM Imagine it.
Delivered.



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: 5-Year Street and Sewer Capital Improvement Plan Presentation

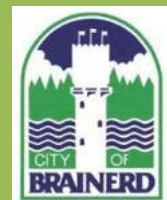
☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 15-20 Minutes
Summary of Issue: I will be presenting the updates 5-Year Street and Sewer Capital Plan. Attached is the presentation. The report was previously sent in an email to the Council members and is available on the City website.	
Alternatives, Options, Effects on Others/Comments: This will be informational to the City Council.	
Recommended Action/Motion: Information.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

City of Brainerd 2019 5-Year Street and Sewer Capital Improvement Plan



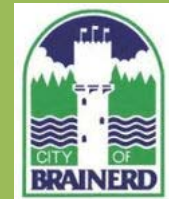
PURPOSE

- What is a 5-year CIP? Why is it important?
- Describe process of building the 5-year CIP
 - Streets
 - Storm Sewer
 - Sanitary Sewer
- Brief overview of projects and costs for 2020-2024



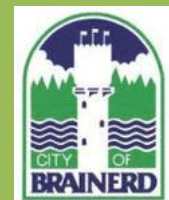
IMPORTANCE OF A 5-YEAR CIP

- Serves as a “road map” for future improvements
- Provides schedules, timing, and details
- Includes project specific cost estimates
- Assists in prioritizing needs for improvements
- Identifies revenue sources for project costs
- Guides City Council and staff



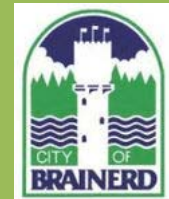
IMPORTANCE OF A 5-YEAR CIP

- Adjustments to 5-Year CIP are important
 - Improvement needs can change
 - Financial complications may cause project delays
 - Difficulty obtaining permits or approvals
- Amendments to 5-year CIP presented annually



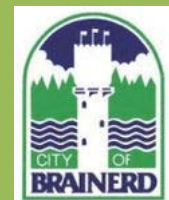
BUILDING THE 5-YEAR CIP

- Determining priority areas for improvements
 - Pavement management system
 - Communication with City maintenance staff
 - Areas requiring frequent temporary repairs
 - Resident concerns
- Used to determine potential improvement areas



BUILDING THE 5-YEAR CIP

- Estimation of project costs
 - Provides information to allow for budgeting
 - How much is feasible?
 - Identifies improvement funding sources
 - Are we doing enough to maintain assets?



BUILDING THE 5-YEAR CIP

Street System

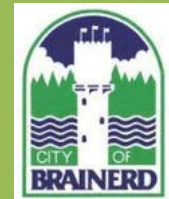
City maintains approximately 83.06 miles of streets

- 19.21 miles eligible for State Aid Funding

Comprehensive Pavement Management System

- Provides street rating scores
- Shows street segments which are in poor condition

Approximately 2 miles of streets per year to stay “on track”



BUILDING THE 5-YEAR CIP

Sanitary Sewer System

City operates and maintains approx. 76.03 miles of pipes

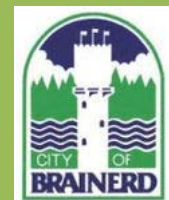
- 54.3% is vitrified clay pipe (does not include 2019's Replacement project)

Communication with City maintenance staff

- Where are spot repairs/maintenance frequent?

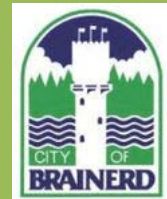
Current Focus on SE Brainerd

- Staff is currently working on using the sewer camera And jet-vac truck to identify priority areas.



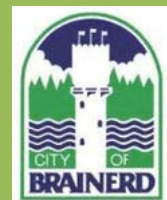
BUILDING THE 5-YEAR CIP

- Grouping projects together by year
 - Another factor used when building 5-year CIP
 - Can drive project costs down



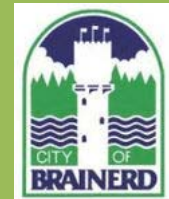
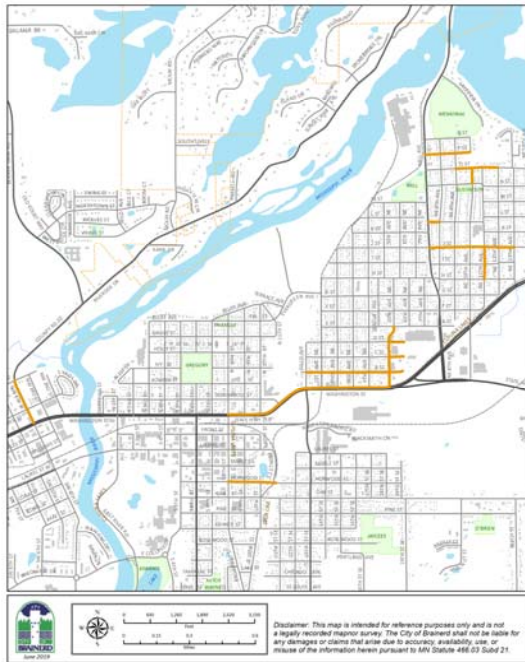
2020

- Total project costs estimated at \$3,850,000
 - 1.87 miles of street resurfacing or reconstruction
 - Sanitary sewer replacement or rehab (TBD)
 - NE Brainerd Focus
 - Cuyuna Lakes State Trail Extension and Connection
 - NW 4th Street Improvement



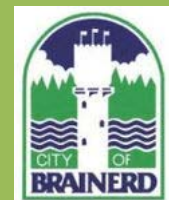
City of Brainerd

Capital Improvement Plan 2020



2020 Capital Improvement Plan

Improvement Year	Project #	Project Name	GO Bonds	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost
2020											
		2020 Street Striping	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2020 Street Patching	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2020 Crack Filling	\$0	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000
		L St Resurfacing	\$0	\$31,000	\$4,000	\$0	\$2,000	\$0	\$0	\$0	\$33,000
		10th Ave NE Resurfacing	\$0	\$44,000	\$11,000	\$0	\$4,000	\$8,000	\$0	\$0	\$56,000
		11th Avenue NE Resurfacing	\$0	\$93,000	\$24,000	\$0	\$0	\$4,000	\$0	\$0	\$97,000
		O Street Resurfacing	\$0	\$118,000	\$15,000	\$0	\$8,000	\$16,000	\$0	\$0	\$142,000
		P Street Resurfacing	\$0	\$124,000	\$16,000	\$0	\$6,000	\$12,000	\$0	\$0	\$142,000
		2020 Seal Coat	\$0	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000
		J St Resurfacing	\$0	\$155,000	\$20,000	\$0	\$14,000	\$12,000	\$0	\$0	\$181,000
		B Street, C Street, and D Street Recon	\$0	\$175,000	\$27,000	\$0	\$2,000	\$6,000	\$0	\$0	\$183,000
		2020 Sanitary Sewer Replacement Pro	\$0	\$0	\$0	\$0	\$338,000	\$0	\$0	\$0	\$338,000
		NW 4th Street Reconstruction	\$0	\$414,000	\$0	\$0	\$0	\$0	\$0	\$0	\$414,000
		5th Ave NE Reconstruction	\$0	\$0	\$46,000	\$448,000	\$14,000	\$12,000	\$0	\$0	\$474,000
	13-21	B Street Reconstruction	\$0	\$0	\$50,000	\$479,000	\$12,000	\$4,000	\$0	\$0	\$495,000
		Cuyuna Trail Extension, 13th/Washing	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100,000	\$1,100,000
2020 Construction Totals			\$0	\$1,349,000	\$213,000	\$927,000	\$400,000	\$74,000	\$0	\$1,100,000	\$3,850,000

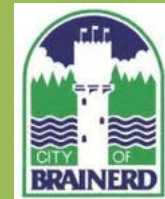


2021 Capital Improvement Plan

Improvement Year	Project #	Project Name	GO Bonds	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost
2021											
14-13	5	6th St Sidewalk Extension	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0
		2021 Street Striping	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2021 Street Patching	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2021 Crack Filling	\$0	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000
		Paul Circle Resurfacing	\$0	\$31,000	\$8,000	\$0	\$2,000	\$4,000	\$0	\$0	\$37,000
		Madison Street Resurfacing	\$0	\$38,000	\$5,000	\$0	\$2,000	\$0	\$0	\$0	\$40,000
		Wright Street Realignment	\$0	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000
		5 7th Street Resurfacing	\$0	\$62,000	\$16,000	\$0	\$2,000	\$0	\$0	\$0	\$64,000
		Willow Street Resurfacing	\$0	\$0	\$6,000	\$68,000	\$2,000	\$0	\$0	\$0	\$70,000
		5 8th St Resurfacing	\$0	\$68,000	\$17,000	\$0	\$4,000	\$0	\$0	\$0	\$72,000
		Paul Street Resurfacing	\$0	\$62,000	\$8,000	\$0	\$6,000	\$4,000	\$0	\$0	\$72,000
		Todd Street Resurfacing	\$0	\$118,000	\$30,000	\$0	\$0	\$4,000	\$0	\$0	\$122,000
		2021 Seal Coat	\$0	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000
		5 7th Street Resurfacing	\$0	\$136,000	\$35,000	\$0	\$6,000	\$10,000	\$0	\$0	\$152,000
		Rosewood, Sycamore, Tamarack Pave	\$0	\$186,000	\$29,000	\$0	\$60,000	\$0	\$0	\$0	\$246,000
		Madison Street Reconstruction	\$0	\$330,000	\$102,000	\$0	\$10,000	\$18,000	\$0	\$0	\$358,000
		5 10th Street Reconstruction	\$0	\$366,000	\$121,000	\$0	\$16,000	\$30,000	\$0	\$0	\$412,000
		5 7th Street Reconstruction	\$0	\$289,000	\$89,000	\$0	\$235,000	\$52,000	\$0	\$0	\$576,000
		Wright Street Resurfacing	\$0	\$0	\$91,000	\$548,000	\$30,000	\$52,000	\$0	\$0	\$630,000
2021 Construction Totals			\$0	\$1,881,000	\$557,000	\$666,000	\$375,000	\$174,000	\$0	\$0	\$3,096,000

Monday, August 12, 2019

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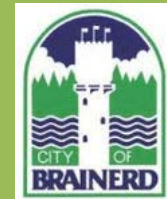
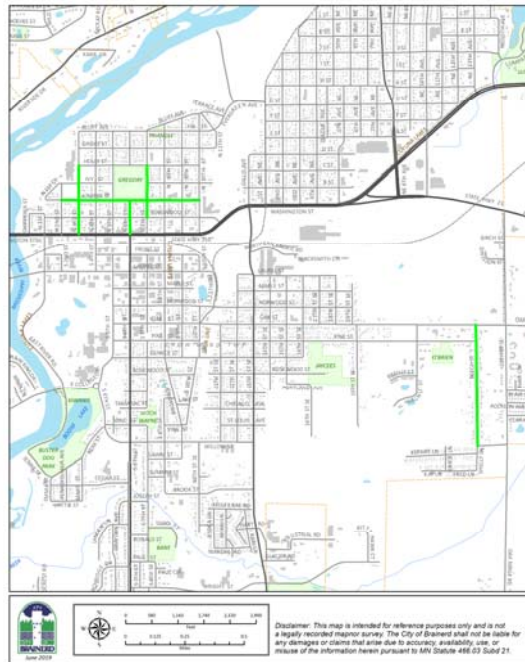
2022

- Total project costs estimated at \$2,626,000
 - 1.72 miles of street resurfacing or reconstruction
 - Sanitary sewer replacement or rehab (TBD)
 - North Brainerd focus
 - North 6th Street Reconstruction
 - North 7th Street Reconstruction
 - North 3rd Street Reconstruction
 - Juniper Street Reconstruction
 - Beech Street Resurfacing



City of Brainerd

Capital Improvement Plan 2022



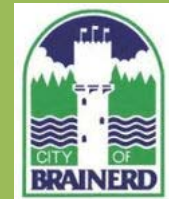
2022 Capital Improvement Plan

Improvement Year	Project #	Project Name	GO Bonds	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost
2022											
		2022 Street Striping	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2022 Street Patching	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2022 Crack Filling	\$0	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000
		2022 Seal Coat	\$0	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000
12-04		North 6th Street Reconstruction	\$0	\$138,000	\$21,000	\$0	\$2,000	\$50,000	\$0	\$0	\$190,000
		N 7th Street Reconstruction	\$0	\$234,000	\$35,000	\$0	\$4,000	\$25,000	\$0	\$0	\$263,000
		North 3rd Street Reconstruction	\$0	\$308,000	\$46,000	\$0	\$4,000	\$25,000	\$0	\$0	\$337,000
		2022 Sanitary Sewer Replacement Pro	\$0	\$0	\$0	\$0	\$352,000	\$0	\$0	\$0	\$352,000
14-04		Beech Street Resurfacing	\$0	\$0	\$80,000	\$481,000	\$18,000	\$30,000	\$0	\$0	\$529,000
		Juniper Street Reconstruction	\$0	\$615,000	\$92,000	\$0	\$20,000	\$125,000	\$0	\$0	\$760,000
2022 Construction Totals			\$0	\$1,490,000	\$274,000	\$481,000	\$400,000	\$255,000	\$0	\$0	\$2,626,000



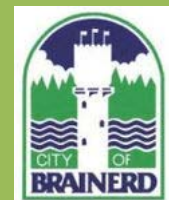
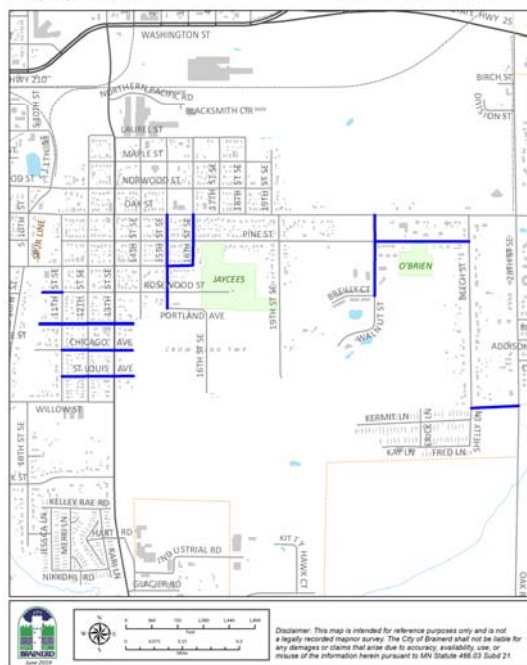
2023

- Total project costs estimated at \$1,886,000
 - 1.65 miles of street resurfacing or reconstruction
 - Sanitary sewer replacement or rehab (TBD)
 - SE Brainerd Focus
 - Chicago, St. Louis, Portland, Rosewood, Quince Street resurfacing
 - Walnut Street and Oakridge Road
 - 15th Street and 16th Street SE



City of Brainerd

Capital Improvement Plan 2023

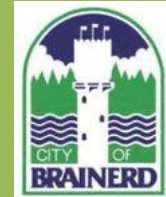


2023 Capital Improvement Plan

Improvement Year	Project #	Project Name	GO Bonds	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost
2023											
		2023 Street Patching	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2023 Street Striping	\$0	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$15,000
		2023 Crack Sealing	\$0	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000
		Quince Street Resurfacing	\$0	\$44,000	\$11,000	\$0	\$0	\$0	\$0	\$0	\$44,000
		Rosewood Street Reconstruction	\$0	\$62,000	\$10,000	\$0	\$2,000	\$0	\$0	\$0	\$64,000
		Oakridge Road Resurfacing	\$0	\$81,000	\$10,000	\$0	\$0	\$0	\$0	\$0	\$81,000
		16th Street SE Resurfacing	\$0	\$87,000	\$11,000	\$0	\$6,000	\$4,000	\$0	\$0	\$97,000
		Walnut Street Resurfacing	\$0	\$106,000	\$27,000	\$0	\$8,000	\$4,000	\$0	\$0	\$118,000
		St. Louis Avenue Resurfacing	\$0	\$118,000	\$15,000	\$0	\$6,000	\$14,000	\$0	\$0	\$138,000
		2023 Seal Coat	\$0	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000
		15th Street SE Resurfacing	\$0	\$155,000	\$20,000	\$0	\$10,000	\$12,000	\$0	\$0	\$177,000
		Pine Street Resurfacing	\$0	\$155,000	\$40,000	\$0	\$8,000	\$16,000	\$0	\$0	\$179,000
		Chicago Avenue Resurfacing and Reco	\$0	\$196,000	\$30,000	\$0	\$8,000	\$16,000	\$0	\$0	\$220,000
		Portland Avenue Resurfacing and Rec	\$0	\$206,000	\$32,000	\$0	\$12,000	\$10,000	\$0	\$0	\$228,000
		2023 Sanitary Sewer Replacement Pro	\$0	\$0	\$0	\$0	\$340,000	\$0	\$0	\$0	\$340,000
2023 Construction Totals			\$0	\$1,410,000	\$206,000	\$0	\$400,000	\$76,000	\$0	\$0	\$1,886,000

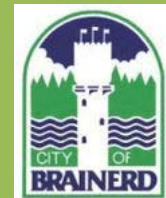
Monday, August 12, 2019

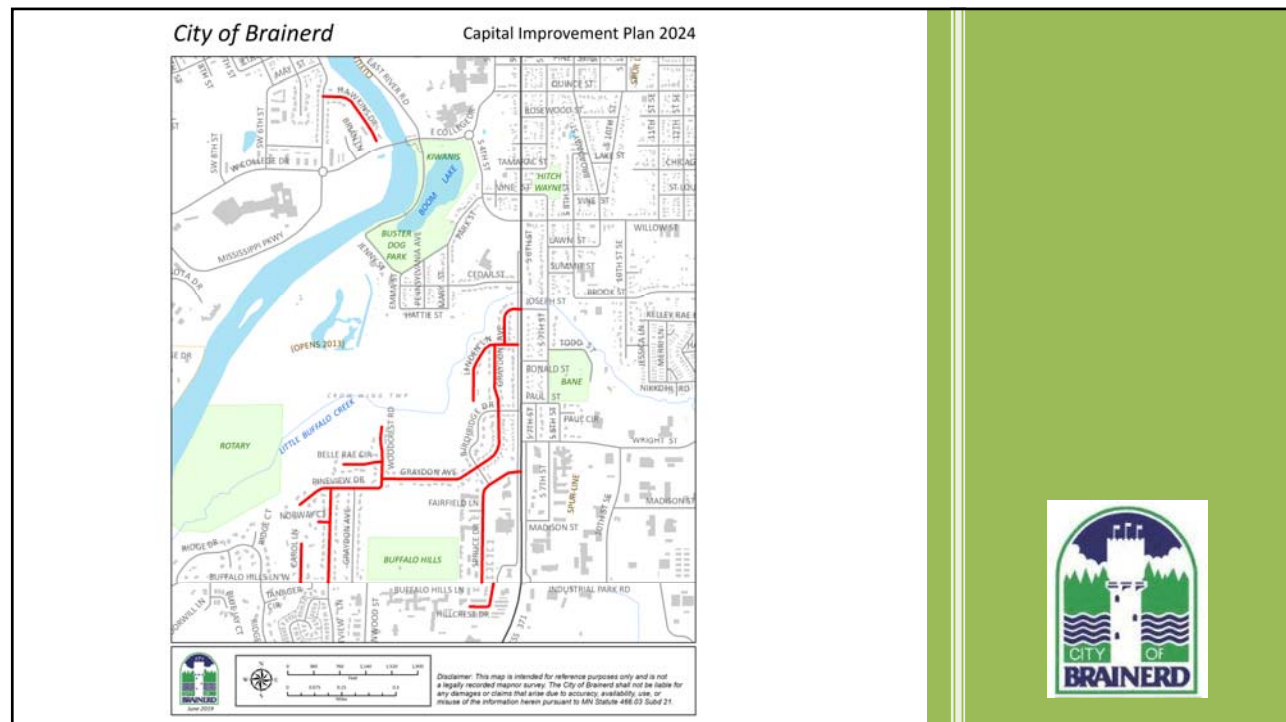
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2024

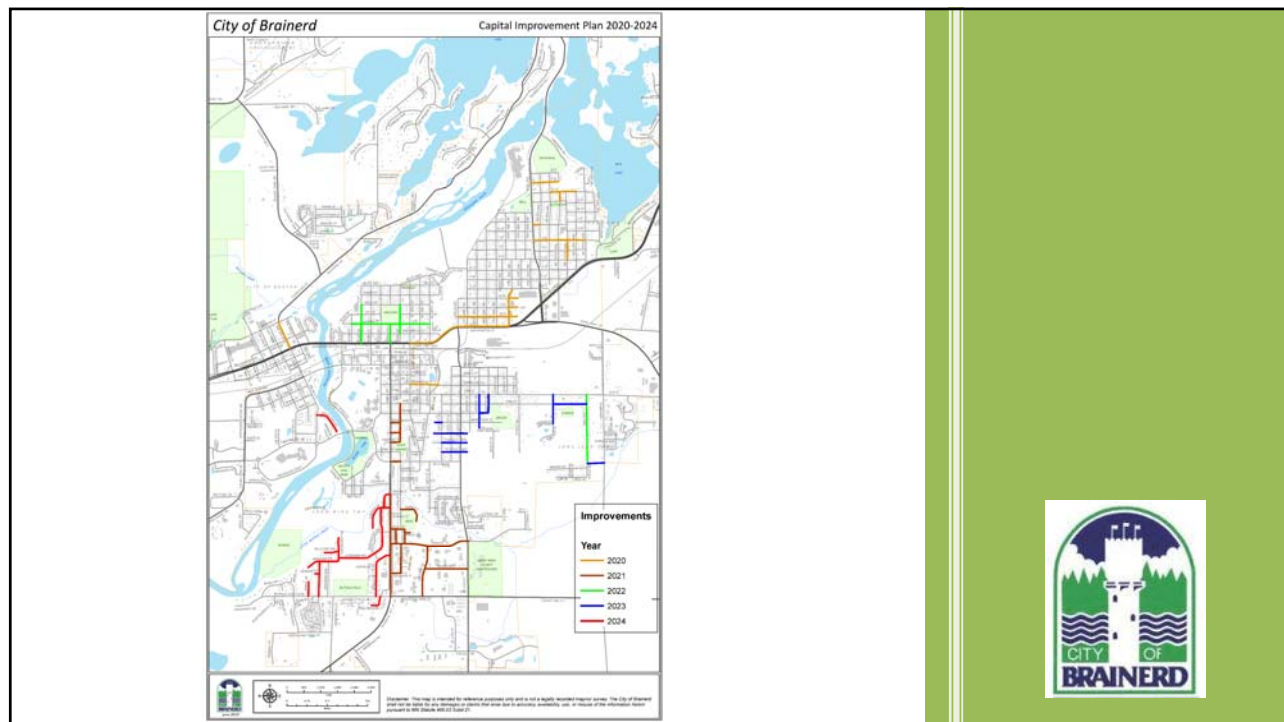
- Total project costs estimated at \$2,397,000
 - 2.94 miles of street resurfacing or reconstruction
 - Sanitary sewer replacement or rehab (TBD)
 - South Brainerd focus
 - Norway, Hillcrest, Belle Rae, Carol, Woodcrest, Pineview, Hawkins, Linden, Crestview, Spruce, and Graydon.





2024 Capital Improvement Plan

Improvement Year	Project #	Project Name	GO Bonds	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost
2024											
		2024 Street Patching	\$0	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000
		2024 Street Striping	\$0	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$15,000
		2024 Crack Sealing	\$0	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000
		Norway Court Resurfacing	\$0	\$38,000	\$10,000	\$0	\$2,000	\$6,000	\$0	\$0	\$46,000
		Hillcrest Drive Resurfacing	\$0	\$50,000	\$13,000	\$0	\$4,000	\$6,000	\$0	\$0	\$60,000
		Belle Rae Circle Resurfacing	\$0	\$75,000	\$19,000	\$0	\$4,000	\$2,000	\$0	\$0	\$81,000
		Carol Lane Resurfacing	\$0	\$75,000	\$19,000	\$0	\$4,000	\$4,000	\$0	\$0	\$83,000
		Woodcrest Road Resurfacing	\$0	\$93,000	\$24,000	\$0	\$8,000	\$4,000	\$0	\$0	\$105,000
		Pineview Drive Resurfacing	\$0	\$106,000	\$27,000	\$0	\$6,000	\$6,000	\$0	\$0	\$118,000
		Hawkins Drive Resurfacing	\$0	\$130,000	\$33,000	\$0	\$6,000	\$4,000	\$0	\$0	\$140,000
		2024 Seal Coat	\$0	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000
		Linden Lane Resurfacing	\$0	\$161,000	\$42,000	\$0	\$10,000	\$4,000	\$0	\$0	\$175,000
		Crestview Lane Resurfacing	\$0	\$161,000	\$42,000	\$0	\$10,000	\$12,000	\$0	\$0	\$183,000
		Spruce Drive Resurfacing	\$0	\$235,000	\$60,000	\$0	\$14,000	\$22,000	\$0	\$0	\$271,000
		2024 Sanitary Sewer Replacement Pro	\$0	\$0	\$0	\$0	\$302,000	\$0	\$0	\$0	\$302,000
		Graydon Avenue Mill and Overlay	\$0	\$567,000	\$179,000	\$0	\$30,000	\$36,000	\$0	\$0	\$633,000
2024 Construction Totals			\$0	\$1,891,000	\$468,000	\$0	\$400,000	\$106,000	\$0	\$0	\$2,397,000

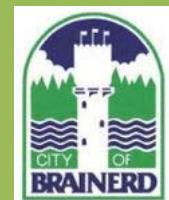


Capital Improvement Plan Report 2020-2024 - Construction Costs

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
2020											
		2020 Street Patching	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2020 Street Striping	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2020 Crack Filling	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	0
		L St Resurfacing	\$31,000	\$4,000	\$0	\$2,000	\$0	\$0	\$0	\$37,000	0.05
		10th Ave NE Resurfacing	\$44,000	\$11,000	\$0	\$4,000	\$8,000	\$0	\$0	\$67,000	0.07
		11th Avenue NE Resurfacing	\$93,000	\$24,000	\$0	\$0	\$4,000	\$0	\$0	\$121,000	0.15
		O Street Resurfacing	\$118,000	\$15,000	\$0	\$8,000	\$16,000	\$0	\$0	\$157,000	0.19
		P Street Resurfacing	\$124,000	\$16,000	\$0	\$6,000	\$12,000	\$0	\$0	\$158,000	0.2
		2020 Seal Coat	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	0
		J St Resurfacing	\$155,000	\$20,000	\$0	\$14,000	\$12,000	\$0	\$0	\$191,000	0.19
		B Street, C Street, and D Street Recon	\$175,000	\$27,000	\$0	\$2,000	\$6,000	\$0	\$0	\$200,000	0.17
		2020 Sanitary Sewer Replacement Pr	\$0	\$0	\$0	\$338,000	\$0	\$0	\$0	\$338,000	0
		NW 4th Street Reconstruction	\$414,000	\$0	\$0	\$0	\$0	\$0	\$0	\$414,000	0.25
		5th Ave NE Reconstruction	\$0	\$46,000	\$448,000	\$14,000	\$12,000	\$0	\$0	\$510,000	0.29
		13-21 B Street Reconstruction	\$0	\$50,000	\$479,000	\$12,000	\$4,000	\$0	\$0	\$545,000	0.31
		Cuyuna Trail Extension, 13th/Washin	\$0	\$0	\$0	\$0	\$0	\$0	\$1,100,000	\$1,100,000	0
		Yearly Total	\$1,349,000	\$213,000	\$927,000	\$400,000	\$74,000	\$0	\$1,100,000	\$3,850,000	1.87
2021											
	14-13	S 6th St Sidewalk Extension	\$0	\$0	\$0	\$0	\$0	\$0	\$0	\$0	0
		2021 Street Patching	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2021 Street Striping	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2021 Crack Filling	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	0
		Paul Circle Resurfacing	\$31,000	\$8,000	\$0	\$2,000	\$4,000	\$0	\$0	\$45,000	0.05
		Madison Street Resurfacing	\$38,000	\$5,000	\$0	\$2,000	\$0	\$0	\$0	\$45,000	0.06
		Wright Street Realignment	\$0	\$0	\$50,000	\$0	\$0	\$0	\$0	\$50,000	0
		S 7th Street Resurfacing	\$62,000	\$16,000	\$0	\$2,000	\$0	\$0	\$0	\$80,000	0.1
		Willow Street Resurfacing	\$0	\$6,000	\$68,000	\$2,000	\$0	\$0	\$0	\$76,000	0.07
		Paul Street Resurfacing	\$62,000	\$8,000	\$0	\$6,000	\$4,000	\$0	\$0	\$80,000	0.1

Monday, August 12, 2019

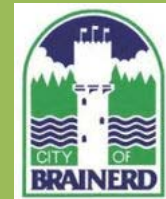
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Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
2022		5 8th St Resurfacing	\$68,000	\$17,000	\$0	\$4,000	\$0	\$0	\$0	\$72,000	0.11
		Todd Street Resurfacing	\$118,000	\$30,000	\$0	\$0	\$4,000	\$0	\$0	\$122,000	0.19
		2021 Seal Coat	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	0
		5 7th Street Resurfacing	\$136,000	\$35,000	\$0	\$6,000	\$10,000	\$0	\$0	\$152,000	0.22
		Rosewood, Sycamore, Tamarack Pave	\$186,000	\$29,000	\$0	\$60,000	\$0	\$0	\$0	\$246,000	0.18
		Madison Street Reconstruction	\$330,000	\$102,000	\$0	\$10,000	\$18,000	\$0	\$0	\$358,000	0.32
		5 10th Street Reconstruction	\$366,000	\$121,000	\$0	\$16,000	\$30,000	\$0	\$0	\$412,000	0.38
		5 7th Street Reconstruction	\$289,000	\$89,000	\$0	\$235,000	\$52,000	\$0	\$0	\$576,000	0.28
		Wright Street Resurfacing	\$0	\$91,000	\$548,000	\$30,000	\$52,000	\$0	\$0	\$630,000	0.57
		Yearly Total	\$1,881,000	\$557,000	\$666,000	\$375,000	\$174,000	\$0	\$0	\$3,096,000	2.63
		2022 Street Patching	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2022 Street Striping	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2022 Crack Filling	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	0
		2022 Seal Coat	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	0
	12-04	North 6th Street Reconstruction	\$138,000	\$21,000	\$0	\$2,000	\$50,000	\$0	\$0	\$190,000	0.13
		N 7th Street Reconstruction	\$234,000	\$35,000	\$0	\$4,000	\$25,000	\$0	\$0	\$263,000	0.22
		North 3rd Street Reconstruction	\$308,000	\$46,000	\$0	\$4,000	\$25,000	\$0	\$0	\$337,000	0.29
		2022 Sanitary Sewer Replacement Pr	\$0	\$0	\$0	\$352,000	\$0	\$0	\$0	\$352,000	0
	14-04	Beech Street Resurfacing	\$0	\$80,000	\$481,000	\$18,000	\$30,000	\$0	\$0	\$529,000	0.5
		Juniper Street Reconstruction	\$615,000	\$92,000	\$0	\$20,000	\$125,000	\$0	\$0	\$760,000	0.58
		Yearly Total	\$1,490,000	\$274,000	\$481,000	\$400,000	\$255,000	\$0	\$0	\$2,626,000	1.72
2023		2023 Street Patching	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2023 Street Striping	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$15,000	0
		2023 Crack Sealing	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	0
		Quince Street Resurfacing	\$44,000	\$11,000	\$0	\$0	\$0	\$0	\$0	\$44,000	0.07
		Rosewood Street Reconstruction	\$62,000	\$10,000	\$0	\$2,000	\$0	\$0	\$0	\$64,000	0.06
		Oakridge Road Resurfacing	\$81,000	\$10,000	\$0	\$0	\$0	\$0	\$0	\$81,000	0.13
		16th Street SE Resurfacing	\$87,000	\$11,000	\$0	\$6,000	\$4,000	\$0	\$0	\$97,000	0.14
		Walnut Street Resurfacing	\$106,000	\$27,000	\$0	\$8,000	\$4,000	\$0	\$0	\$118,000	0.17
		Yearly Total	\$500,000	\$61,000	\$0	\$8,000	\$8,000	\$0	\$0	\$516,000	0.57
		Grand Total	\$3,096,000	\$618,000	\$1,147,000	\$783,000	\$282,000	\$0	\$0	\$5,298,000	4.20

Monday, August 12, 2019

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Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
2023		St. Louis Avenue Resurfacing	\$118,000	\$15,000	\$0	\$6,000	\$14,000	\$0	\$0	\$138,000	0.19
		2023 Seal Coat	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	0
		15th Street SE Resurfacing	\$155,000	\$20,000	\$0	\$10,000	\$12,000	\$0	\$0	\$177,000	0.25
		Pine Street Resurfacing	\$155,000	\$40,000	\$0	\$8,000	\$16,000	\$0	\$0	\$179,000	0.25
		Chicago Avenue Resurfacing and Reco	\$196,000	\$30,000	\$0	\$8,000	\$16,000	\$0	\$0	\$220,000	0.19
		Portland Avenue Resurfacing and Rec	\$206,000	\$32,000	\$0	\$12,000	\$10,000	\$0	\$0	\$228,000	0.2
		2023 Sanitary Sewer Replacement Pr	\$0	\$0	\$0	\$340,000	\$0	\$0	\$0	\$340,000	0
		Yearly Total	\$1,410,000	\$206,000	\$0	\$400,000	\$76,000	\$0	\$0	\$1,886,000	1.65
2024		2024 Street Patching	\$10,000	\$0	\$0	\$0	\$0	\$0	\$0	\$10,000	0
		2024 Street Striping	\$15,000	\$0	\$0	\$0	\$0	\$0	\$0	\$15,000	0
		2024 Crack Sealing	\$25,000	\$0	\$0	\$0	\$0	\$0	\$0	\$25,000	0
		Norway Court Resurfacing	\$38,000	\$10,000	\$0	\$2,000	\$6,000	\$0	\$0	\$46,000	0.06
		Hillcrest Drive Resurfacing	\$50,000	\$13,000	\$0	\$4,000	\$6,000	\$0	\$0	\$60,000	0.08
		Belle Rae Circle Resurfacing	\$75,000	\$19,000	\$0	\$4,000	\$2,000	\$0	\$0	\$81,000	0.12
		Carol Lane Resurfacing	\$75,000	\$19,000	\$0	\$4,000	\$4,000	\$0	\$0	\$83,000	0.12
		Woodcrest Road Resurfacing	\$93,000	\$24,000	\$0	\$8,000	\$4,000	\$0	\$0	\$105,000	0.15
		Pineview Drive Resurfacing	\$106,000	\$27,000	\$0	\$6,000	\$6,000	\$0	\$0	\$118,000	0.17
		Hawkins Drive Resurfacing	\$130,000	\$33,000	\$0	\$6,000	\$4,000	\$0	\$0	\$140,000	0.21
		2024 Seal Coat	\$150,000	\$0	\$0	\$0	\$0	\$0	\$0	\$150,000	0
		Linden Lane Resurfacing	\$161,000	\$42,000	\$0	\$10,000	\$4,000	\$0	\$0	\$177,000	0.26
		Crestview Lane Resurfacing	\$161,000	\$42,000	\$0	\$10,000	\$12,000	\$0	\$0	\$183,000	0.26
		Spruce Drive Resurfacing	\$235,000	\$60,000	\$0	\$14,000	\$22,000	\$0	\$0	\$271,000	0.38
		2024 Sanitary Sewer Replacement Pr	\$0	\$0	\$0	\$302,000	\$0	\$0	\$0	\$302,000	0
		Graydon Avenue Mill and Overlay	\$567,000	\$179,000	\$0	\$30,000	\$36,000	\$0	\$0	\$683,000	1.13
		Yearly Total	\$1,891,000	\$468,000	\$0	\$400,000	\$106,000	\$0	\$0	\$2,397,000	2.94
		Grand Total	\$8,021,000	\$1,718,000	\$2,074,000	\$1,975,000	\$685,000	\$0	\$1,100,000	\$13,855,000	10.81

Monday, August 12, 2019

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

August 19, 2019
City Council Chambers
7:00 PM

1. Event Application – Brainerd Homecoming Run 2019
2. Event Application – DANGIE 5K – War Against Cancer One Step at a Time
3. Improvement 17-08 – SP 108-591-005 – Garfield Safe Routes to School – Testing Services
4. Improvement 19-04 – 2019 Crack Sealing – Pay Estimate No. 1 Final
5. Improvement 19-06 – 2019 Street Patching – Pay Estimate No. 1 Final



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Event Application - Brainerd Homecoming Run 2019

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is an event application for the Brainerd Homecoming Run 2019 to be held on October 5, 2019 from 8 am to 11 am within Kiwanis Park and on numerous streets around the park consisting of S 5th Street, Laurel Street, County Road 48, East River Road, and College Drive.	
Alternatives, Options, Effects on Others/Comments: This event is very similar to the other homecoming run events that have been held in the past. There is a 5K and a 10K that utilize similar routes, with the 10K also utilizing Laurel, County Road 48, and College Drive. There are maps attached to the event for reference. The applicant is not requesting any road closures nor assistance for the event. The School District's track and field PA system will be used for the event. The applicant has indicated that they will use the school district's and Kiwanis Park's restroom facilities for the event. There will be directional signs placed around each route that the applicant has indicated will be removed by noon that day. Volunteers monitor street crossings where runners will be crossing.	
Recommended Action/Motion: Staff recommends approval of the attached event application.	
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: 8-9-19

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 _____

Name of event: Brainerd Homecoming Run 2019

Organizer Information

Organizer's Name: Chris Hanson
Organizer's Address: 25282 E. Clark Lk. Rd. Nisswa 56468
Event Contact Person: Chris Hanson
Event Contact Daytime Phone: 218-820-1300
Event Contact E-mail Address: christopher.hanson@isd181.org
Contact Name/Number Day of Event: Same
For Profit/Nonprofit Status (type): Brainerd ISD #181

Applicant information (if different from the event organizer):

Applicant Name: Same
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
10-5-19	8:00 am	11:00am	Kiwanis Park and Brainerd City Streets

☒ This is a reoccurring event to take place on the following days and times:

1st Sat. morning of October.

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:

First Saturday of Oct. hosts the 5 and 10 km homecoming run/walk. 2018 event had ~ 200 participants. Partnership

between Brainerd ISD #181 activities, Brainerd Public School Foundation, and the Brainerd Nordic Ski team.

Route maps @ <http://www.usatf.org/events/courses/maps/showMap.asp?courseID=MN15077RR> and

<http://www.usatf.org/events/courses/maps/showMap.asp?courseID=MN15076RR> and attached

Site Information

Electrical usage

☐

Yes

☒

No

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

N/A

Amplified Sound

☐

Yes

☒

No

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

School district track and field PA system will be used.

Restrooms provided

☒

Yes

☐

No

If yes, how many 2 (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: ISD 181 and Kiwanis park public 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:

Temporary directional signage set up early in the am and taken down before noon.

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: ISD #181

Additional Event Information

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

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

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

Street Closure Request Information

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

No closures required. Volunteers monitor each street crossing.

Date and time for beginning of street closures: N/A

Date and time for reopening of streets: N/A

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.

Volunteers caution runners and provide visibility to vehicles.

Runners pass by early in the am and are instructed to yield to traffic.

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

Christopher K. Hanson

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	<u>OK</u>	<u>None</u>
City Administration	<u>OK</u>	<u>None</u>
Engineering Department	<u>OK</u>	<u>None</u>
Fire Department	<u>OK</u>	<u>None</u>
Fire Support/EMS	<u>OK</u>	<u>None</u>
Parks Department	<u>OK</u>	<u>Request to use City Park submitted.</u>
Planning Department	<u>OK</u>	<u>None</u>
Police Department	<u>OK</u>	<u>None</u>

Event Application Approval

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

City Administrator or Parks & Recreation Director

Date

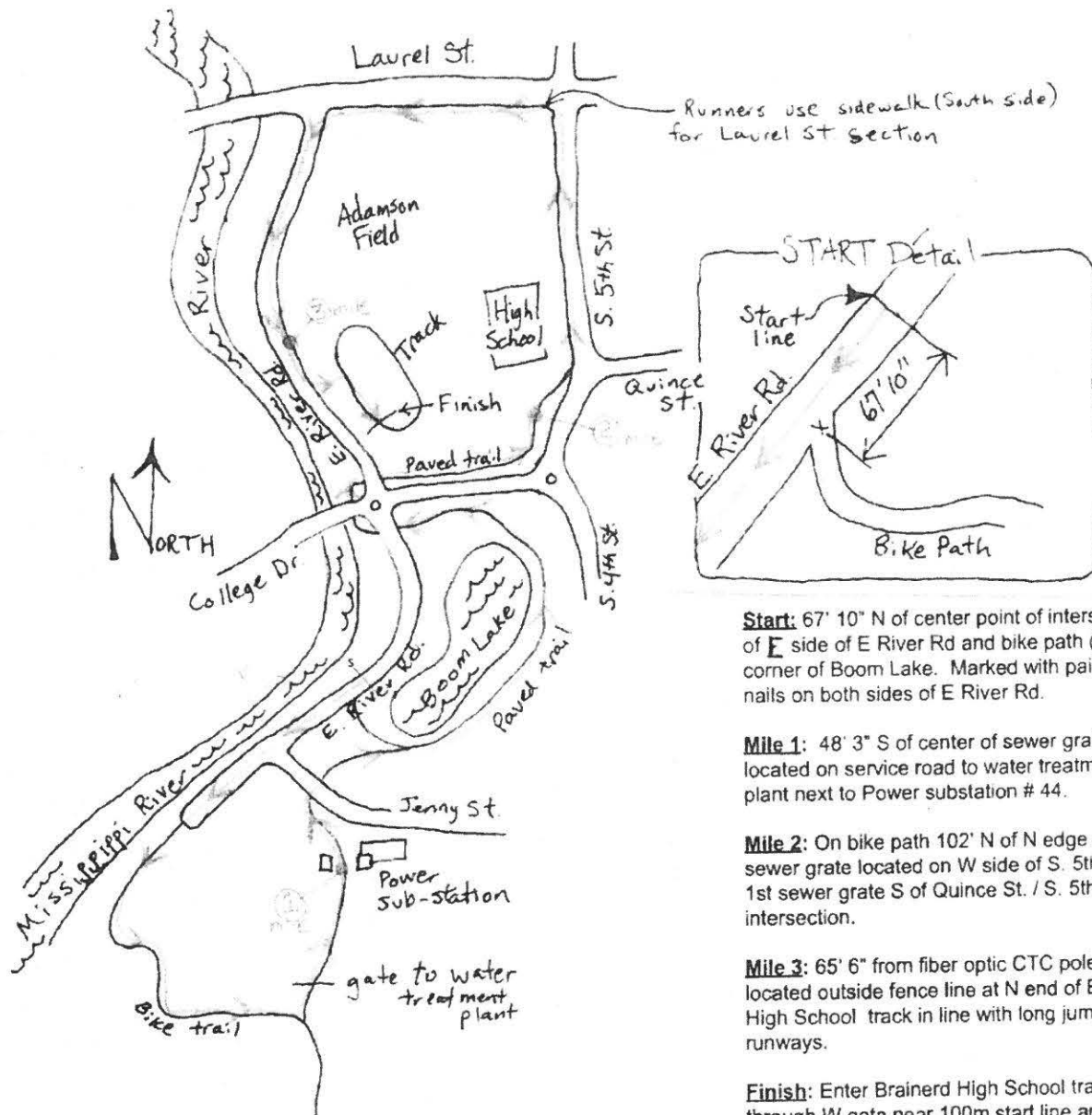
Approval Conditions

Certification of Street Closure Approval

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

Brainerd Homecoming 5k
Brainerd, MN 56401

USATF Certified Course# MN15076RR
Effective from Oct 2,2015 - Dec 31,2025



Start: 67' 10" N of center point of intersection of E side of E River Rd and bike path @ SE corner of Boom Lake. Marked with paint and nails on both sides of E River Rd.

Mile 1: 48' 3" S of center of sewer grate located on service road to water treatment plant next to Power substation # 44.

Mile 2: On bike path 102' N of N edge of sewer grate located on W side of S. 5th St. 1st sewer grate S of Quince St. / S. 5th St intersection.

Mile 3: 65' 6" from fiber optic CTC pole located outside fence line at N end of Brainerd High School track in line with long jump runways.

Finish: Enter Brainerd High School track through W gate near 100m start line and take best line to official track finish line.

Course description: From start, head SW on E River Rd, continuing on paved bike path and curving E to intersection with gravel service Rd to city water treatment plant. Turn N on service road to Jenny St. Cross Jenny St. to bike path and run around E side of Boom Lake. At N end of lake at Kiwanis Park, take best line W to paved path / W College Drive underpass. Path crosses river and turns E across E River Rd uphill to Quince St. Runners take best line from end of path to S. 5th St and proceed North to Laurel St. At Laurel St. runners are directed to sidewalk on S side of Laurel St. and head E. At intersection with 4th St. turn S on E River Rd to W entrance of Brainerd High School track, taking best line on track to finish line.

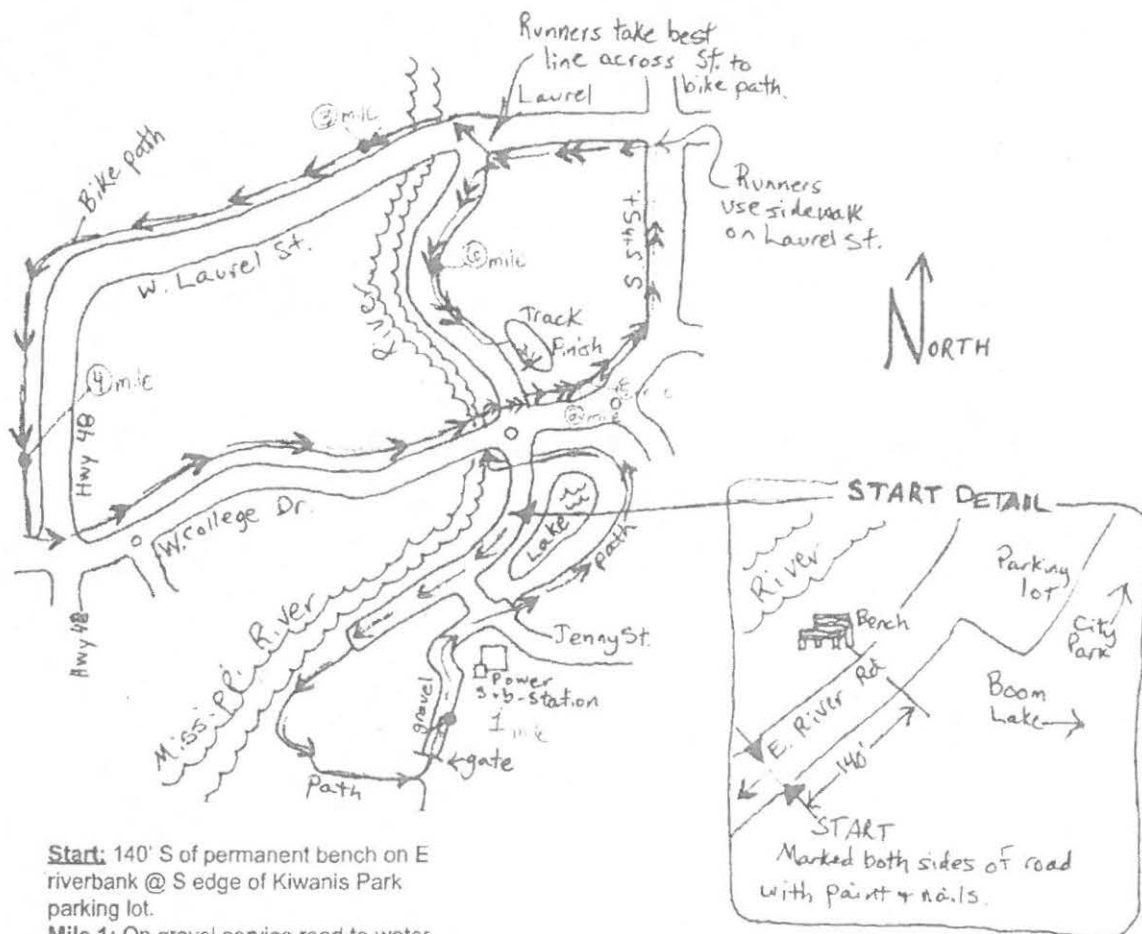
All points marked with paint.

Measured by Chris Hanson on
Sep 16,2015
christopher.hanson@isd181.org

Brainerd Homecoming 10k

Brainerd, MN 56401

USATF Certified Course# MN15077RR
Effective from Oct 2, 2015 - Dec 31, 2025



Start: 140' S of permanent bench on E riverbank @ S edge of Kiwanis Park parking lot.

Mile 1: On gravel service road to water treatment plant. GPS coordinates N46 20.469, W094 12.567

Mile 2: 73' S. of mile mark 5. (see below)

Mile 3: 9' SW of center of 1st sewer grate W of bridge over Mississippi River on NW curb of W Laurel St.

Mile 4: 40' S of cable utility box A2-9 on W side of bike trail parallel to HWY 48.

Mile 5: 96' W of city light pole on NE quadrant of round-a-bout connecting S 4th St., S 5th St., and College Dr.

Mile 6: 18' 5" N of center of crosswalk between S parking lot of North Star Apartments and access trail through the NW gate of Adamson field on E River Rd.

Finish: Enter Brainerd High School track through W gate near 100m start line and take best line to track finish line.

Course description: From start, head SW on E River Rd, continuing on paved bike path and curving E to intersection with gravel service rd to city water treatment plant. Turn N on service road to Jenny St. Cross Jenny St. to bike path and run around E side of Boom Lake. At N end of lake at Kiwanis Park, take best line W to paved path / W College Drive underpass. Path crosses river and turns E across E River Rd up hill to Quince St. Runners take best line from end of path to S. 5th St and proceed North to Laurel St. At Laurel St. runners are directed to sidewalk on S side of Laurel St. and head E. At intersection with 4th St, runners are directed across Laurel to paved path on N side of Laurel using best line tangent. Take path W and S to intersection with W College Dr. Use crosswalk across Hwy 48 to reach paved path on N side of W College Dr and continue to E River Rd, then repeat College Dr/S. 5th/Laurel St. section to E River Rd. Turn S on E River Rd to W entrance of Brainerd High School track, taking best line on track to finish line.

All points marked with paint.

Measured by Chris Hanson on
Sep 16, 2015
christopher.hanson@isd181.org



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Event Application - DANGIE 5K - War Against Cancer One Step at a Time

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is an event application for the DANGIE 5K to be held in Kiwanis Park on September 14, 2019 from 8:30 am to 11:30 am.	
Alternatives, Options, Effects on Others/Comments: The applicant has already received authorization to use the city park from the Parks and Recreation Department for this event. The event is a 5K run/walk event with around 100-150 participants. The applicant has indicated there will be a speaker, microphone, and TV to display the time. They have requested use of the restroom facilities at the park and the park trash cans. The applicant has indicated that there will be a sign at the entrance to the park at the start of the event and signs along the route in the park. No street closure is being requested.	
Recommended Action/Motion: Staff recommends approval of the attached event application under the condition that the signs placed for the event are removed immediately after the event is complete.	
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>	

**RECEIVED**

AUG -2 2019

CITY OF BRAINERD
ADMINISTRATION

SPECIAL EVENT APPLICATION

Date of Application: 8/1/19

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:

DANGIE 5th: War Against Cancer
One Step at a Time**Organizer Information**

Organizer's Name:

Team DANGIE - Relay for Life

Organizer's Address:

15347 Riverside Dr. Brainerd, Mn 56401

Event Contact Person:

Hailee Guderjohn

Event Contact Daytime Phone:

(C) 218-821-4591

Event Contact E-mail Address:

hguderjohn1993@gmail.com

Contact Name/Number Day of Event:

Hailee Guderjohn 218-821-4591

For Profit/Nonprofit Status (type):

American Cancer Society
Relay for Life**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
9-14-19	8:30am	11:30am	City park - Ihiwani's

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:

5k run/walk around 100-150
participants estimated.

Site Information

Electrical usage

☒ Yes

☐ No

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

Speaker, extension cord, microphone,
T.V. to display time.

Amplified Sound

☒ Yes

☐ No

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

Speaker with microphone

Restrooms provided

☒ Yes

☐ No

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

Company contracted for restrooms: Brainerd Parks and Recreation

(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:

Sign at entrance/Start of event,
Sign's at Ihiwani's on the route

Trash Receptacle Disposal

☒ Yes

☐ No

Company contracted for trash receptacle disposal: Brainerd Parks and Recreation

Additional Event Information

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

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

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

Street Closure Request Information

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

N/A

Date and time for beginning of street closures: N/A

Date and time for reopening of streets: N/A

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

NO businesses will be affected by
the route. Route uses Paul Bunyan
trail from Ihiwani's to Buffalo Hills.

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

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

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

Hold Harmless Agreement and Insurance Information

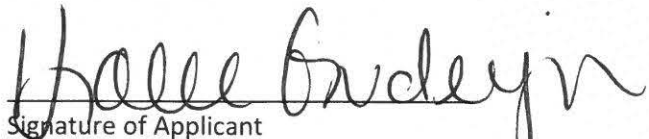
The Applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and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

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

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

Signature of Event Applicant

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


Signature of Applicant


Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	<u>OK</u>	<u>None</u>
City Administration	<u>OK</u>	<u>None</u>
Engineering Department	<u>OK</u>	<u>None</u>
Fire Department	<u>OK</u>	<u>None</u>
Fire Support/EMS	<u>OK</u>	<u>None</u>
Parks Department	<u>OK</u>	<u>Parks has granted permission to use Kiwanis Park.</u>
Planning Department	<u>OK</u>	<u>None</u>
Police Department	<u>OK</u>	<u>None</u>

Event Application Approval

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

City Administrator or Parks & Recreation Director

Date

Approval Conditions

Certification of Street Closure Approval

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

April 17, 2019

Kalee Guderjohn
15347 Riverside Drive
Brainerd, MN 56401



www.ci.brainerd.mn.us/parks

Dear Ms. Guderjohn:

Enclosed is your permit for the use of Pavilion 1 at Kiwanis Park on September 14, 2019. Please verify that the reservation information is correct on the permit.

Please **sign the disclaimer and return the permit, with payment, upon receipt.** If we do not receive from you within 14 days, the City of Brainerd reserves the right to cancel your reservation. Upon receipt of the signed permit/payment, we will finalize your reservation. *Please have your copy of the permit with you the day of your event to prevent any misunderstandings that might occur.*

If you wish to pay with a credit card, you can stop by the Lum Park office (preferably), or call us at 218-828-2320 and we can take your card information over the phone.

Amplified entertainment equipment is prohibited in city parks. **Small canopies up to 12' X 12' are allowed**, larger tent canopies are NOT.

The sale and/or consumption of liquor or strong beer is strictly prohibited at Brainerd's public parks. Glass containers are not allowed. You may apply for a permit to serve 3.2 keg beer, which must be approved by the Director of Parks and Recreation as stipulated by City Ordinance #851. Applications are available at the Lum Park office and the beer permit fee is \$20.00.

If you have any questions or concerns please feel free to contact our office. Thank you for choosing our facility for your event!

Sincerely,

Kim Finch, Administrative Specialist
Brainerd Parks and Recreation
Enc.

Sales tax exempt? Yes _____ No ☒

If yes, MN Department of Revenue form ST-3 or ST-17 is required.

On file _____ Customer needs to send with signed permit _____

Permit Contract

Brainerd Parks and Recreation
 1619 NE Washington Street
 Brainerd, MN 56401
 Phone: (218) 828-2320
 FAX: (218) 828-2791
 Email: parks@ci.brainerd.mn.us

Permit #18943, Approved
 Apr 17, 2019 3:35 PM

Customer Type: Regular
 Prepared By: Kim Finch

Kalee Guderjohn
 15347 Riverside Dr
 Brainerd, MN 56401
 Email: kguderjohn1993@gmail.com

Customer ID: 17376
 Home: (218) 821-4591

Charges	Taxes	Discounts	Total Charges	Deposits	Deposit Taxes	Total Payments	Refunds	Balance
\$65.00	\$5.12	\$0	\$70.12	\$0	\$0	\$0	\$0	\$70.12

RESERVATIONS

Event	Resource	Center	Notes
DANGIE 5K Type: Pavilion Rental Attend/Qty: 1	Pavilion 1 KWP	Kiwanis Park 1101 E River Rd Brainerd, MN 56401	Six picnic tables (accommodates 30-50 comfortably). Dimensions are 20' by 24' (480 sq ft). Electrical outlets are located on the building exterior and also on an outside post. No outside water - water is available only if restrooms are open.

Days Requested	Event Begins	Duration	Event Ends
Day	Date		Date
Saturday	Sep 14, 2019	7:30 AM	11:30 AM

Summary	Notes
Total Number of Dates: 1 Total Time: 4 hours	DANGIE 5k fundraiser for Relay For Life. First time event-expecting between 80-150 people.

CHARGES

Description	Event / Resource	Unit Fee	Units	Tax	Charge
Pavilion Fee BHP/GGP/KWP Sat-Sun	DANGIE 5K #18943 Pavilion 1 KWP	\$65.00	1.00	Sales Tax: \$5.12	\$70.12

DISCLAIMERS

Please pick up all trash and dispose of it properly. No glass containers are allowed. The sale and/or consumption of liquor/strong beer is prohibited. An application to serve 3.2 keg beer may be completed with the Parks and Recreation office and approved by the Parks and Recreation Director as required by City Ordinance #851. Amplified entertainment equipment is prohibited. Small canopies up to 12' X 12' are allowed; large tent canopies are NOT.

Rental fees must be paid no later than 14 days from the date this permit was issued, unless the reservation is made less than 30 days in advance, in which case payment would be due immediately. The City of Brainerd reserves the right to cancel the reservation if payment is not received in a timely manner. Your cancellation of this reservation less than 30 days in advance of the event date will result in forfeiture of the rental fee.

In consideration of my application for facility use, I hereby for myself or any representatives of my organization or family waive and release any and all rights and claims for damages I or representatives of my organization or family have against the Brainerd Parks and Recreation Department and its representatives for any and all injuries suffered at any activity held at or sponsored by a Brainerd Parks and Recreation facility. I also assume full responsibility for any damages to equipment or to the facility during our use. For after-hours emergency maintenance issues call 218-851-8455 or 218-232-8635.

Facility User Signature _____
 Date _____ Staff Initials _____



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Improvement 17-08 - Garfield Safe Routes to School - 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): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a proposal for testing services from Braun Intertec for Improvement 17-08 - SP 108-591-005 - Garfield Safe Routes to School.	
Alternatives, Options, Effects on Others/Comments: The testing for this project consists of nuclear compaction testing under the sidewalk segments, moisture tests, concrete field testing, compressive strength tests for concrete cylinders, sieve analysis of the concrete aggregate used, and any other incidental testing that is required to meet the specifications for a federally funded sidewalk project. The total cost of the testing services is estimated to be \$29,146.00. This is based upon a standard number of tests the consultant expects to perform. Project construction costs are covered 80/20 by federal funds, however, engineering costs are not eligible. The costs for testing services on H Street and N Street sidewalks are eligible for state aid reimbursement, and will be calculated upon project completion. The remainder of the services as it relates to this proposal will be paid through construction fund 401.	
Recommended Action/Motion: Staff recommends approval of the attached proposal from Braun Intertec in the total estimated amount of \$29,146.00 for the testing services for the Garfield Safe Routes to School project.	
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>29,146.00</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> As stated above, these costs are not eligible for federal reimbursement. However, a portion of the costs (approximately 50%) will be eligible for state aid reimbursement as the sidewalks are being installed on State Aid routes. The rest of the funds to be paid through construction fund 401.	

August 2, 2019

Proposal QTB104774

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

Re: Proposal for Construction Materials Testing Services
2019 Garfield Safe Routes to School
SP 108-591-005
Brainerd, Minnesota

Dear Mr. Fladung:

Braun Intertec Corporation is pleased to submit this proposal to provide construction materials testing services for the 2019 Garfield Safe Routes to School project in Brainerd, Minnesota.

Our Understanding of Project

We understand this project will include the construction of new sidewalks, pedestrian ramps, and curb and gutter, some minor grading work, retaining walls, and a small amount of storm sewer and water main utilities improvements on a number of streets around Garfield Elementary and Lowell Elementary Schools.

This project is a City of Brainerd project with federal funding. Projects that are constructed with federal 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 2019 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 specifications and plans prepared by SEH, dated March 18, 2019, and February 11, 2019, respectively.

AA/EOE

To our knowledge, no geotechnical report was prepared for this project.

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
- MnDOT or ACI Strength Testing

Accredited Laboratory

In the 2019 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 utility backfill and sub-grade preparation materials.
- Perform laboratory standard Proctor tests on backfill and fill materials.
- Perform moisture content tests at time of compaction on backfill and sub-grade preparation materials.
- Perform gradation tests on select granular bedding material.
- Prepare the preliminary and final grading and base report.

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 monitoring which includes periodic observations of plant operations, collecting and submitting aggregate samples, cement samples and admixture samples for testing. Observe and review quality control gradation and moisture testing of coarse and fine aggregate. 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.

MnDOT Independent Assurance (IA)

On Federal funded projects, MnDOT requires one of their IA personnel observe the QC/QA representative performing soil, concrete and bituminous tests. We will schedule the IA visits as required for Braun Intertec Personnel.

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.
- Completed IA Summary Report.
- Moisture, Density, and Proctor 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.
- Copies of concrete 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 utility backfill and fill material; a minimum of two tests will be conducted each trip with four trips assumed.
- We assume twenty-five 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.
- We assume MnDOT will calibrate and certify the ready mix concrete plant.
- We assume the total bituminous for this project will be less than 300 tons, and will not need quality assurance testing per MnDOT 2360 small quantity specification. If the tonnage for the project is over 300 tons please notify us and we can provide an estimate for testing per MnDOT specifications.
- 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 \$29,146. **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



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

QTB104774

City of Brainerd - 2019 Garfield SRTS - SP 108-591-005

Client:

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

Work Site Address:

9th Ave., 10th Ave., 13th Ave., G Street, H Street,
J Street, L Street, & N Street
Brainerd, MN

Service Description:

Construction Materials Testing

	Description	Quantity	Units	Unit Price	Extension
Phase 1	MnDOT Testing				
Activity 1.1	Soil Testing				\$3,166.00
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, Water Main	2.00	Trips	4.00	8.00
	Retaining Wall Backfill	1.00	Trips	4.00	4.00
	Subgrade Preparation	1.00	Trips	4.00	4.00
209	Sample pick-up	2.00	Hour	81.00	\$162.00
1308	Nuclear moisture-density meter charge, per hour	16.00	Each	23.00	\$368.00
1318	Moisture Density Relationship (Proctor)	3.00	Each	191.00	\$573.00
1162	Sieve Analysis with 200 wash, per sample	2.00	Each	136.00	\$272.00
1861	CMT Trip Charge	5.00	Each	99.00	\$495.00
Activity 1.2	Concrete Testing				\$21,325.00
261	Concrete Testing	100.00	Hour	81.00	\$8,100.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Sidewalks/Flatwork	20.00	Trips	4.00	80.00
	Curb & Gutter	5.00	Trips	4.00	20.00
278	Concrete Cylinder Pick up	20.00	Hour	81.00	\$1,620.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Cylinder Pickup	10.00	Trips	2.00	20.00
1364	Compressive strength of concrete cylinders, per specimen	75.00	Each	31.00	\$2,325.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Sidewalks/Flatwork	20.00	Set	3.00	60.00
	Curb & Gutter	5.00	Set	3.00	15.00
215	Concrete Ready Mix Plant Monitoring	25.00	Hour	104.00	\$2,600.00
	<i>Work Activity Detail</i>	<i>Qty</i>	<i>Units</i>	<i>Hrs/Unit</i>	<i>Extension</i>
	Sidewalks/Flatwork	3.00	Trips	5.00	15.00
	Curb & Gutter	2.00	Trips	5.00	10.00
1162CO	Sieve Analysis, per sample	20.00	Each	136.00	\$2,720.00
1861	CMT Trip Charge	40.00	Each	99.00	\$3,960.00
Activity 1.3	Project Management				\$4,655.00
226	Project Manager	20.00	Hour	165.00	\$3,300.00
1230	MnDOT Final Report	1.00	Each	500.00	\$500.00
228	Senior Project Manager	1.00	Hour	180.00	\$180.00
238	Project Assistant	9.00	Hour	75.00	\$675.00
Phase 1 Total:					\$29,146.00

Proposal Total:	\$29,146.00
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General Conditions

Construction Material Testing and Special Inspections

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 19, 2019

Title of Item: Improvement 19-04 - 2019 Crack Sealing - Pay Estimate #1 Final

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is the final pay estimate for Improvement 19-04 which is our 2019 crack sealing project.	
Alternatives, Options, Effects on Others/Comments: You will notice from the pay estimate the overrun in quantity of crack sealing performed by the contractor. This is due to the crack filling material that was ordered being more than was necessary to fill the cracks identified and estimated on the project. We also had the contractor use an additional pallet of crack filling material that was at the street department garage from a few years ago. The unit prices we saw from the contractor for installing the material was very good, so staff took the opportunity to fill more cracks, use the extra material, and still stay under the budgeted amount of \$25,000 for this project. Total project cost per the pay estimate is \$16,030.80 with the original contract amount of \$12,302.40. With the purchase of the crack filling material from this year at \$5,625, the total project construction cost is \$21,655.80. This final cost represents a 20.80% additional cost from the original contract, but is still under the budgeted amount of \$25,000 for this project.	
Recommended Action/Motion: Staff recommends approval of the final pay request as attached for Improvement 19-04 - 2019 Crack Sealing Project. This estimate is also on the payments to contractors in the Personnel and Finance Committee.	
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>16,030.80</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> We budget \$25,000 in crack sealing every year in the 5-year capital improvement plan.	

CITY OF BRAINERD ENGINEERING

501 Laurel Street
Brainerd, MN 56401
Project 19-04 - 2019 Crack Sealing Project
Final Pay Request No. 1

Contractor: Lot Pros LLC
P.O.Box 423
Fergus Falls, MN 56537

Contract No. 2019-08
Vendor No. N/A
For Period: 7/8/2019 - 8/12/2019
Warrant # _____ Date _____

Contract Amounts

Original Contract	\$12,302.40
Contract Changes	\$0.00
Revised Contract	\$12,302.40

Work Certified To Date

Base Bid Items	\$16,030.80
Backsheet	\$0.00
Change Order	\$0.00
Supplemental Agreement	\$0.00
Work Order	\$0.00
Material On Hand	\$0.00
Total	\$16,030.80

Funds Encumbered

Original	\$12,302.40
Additional	N/A
Total	\$12,302.40

	Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
19-04	\$16,030.80	\$16,030.80	\$0.00	\$0.00	\$16,030.80	\$16,030.80
Percent Retained: 0.0000%						
Amount Paid This Final Pay Request					\$16,030.80	

I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed,
that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work
Performed

in accordance with, and pursuant to, the terms of the Contract is as shown in this Final Voucher.

Approved By Sandy, Paul G
45973add4e843a3f88ac294ed3f959af
e7e4fcefa6df36166e7c782d1f9f52d1

County/City/Project Engineer

08/12/2019

Date

Approved By
Zelinsky, Walter R
165dcffabeda95c2dbc1af2d98befb02
5ceb75de9b8df8731cb441f8c931a51a

Contractor

08/12/2019

Date

CITY OF BRAINERD ENGINEERING

501 Laurel Street

Brainerd, MN 56401

Project No. 19-04

Final Pay Request No. 1

19-04 Payment Summary

No.	From Date	To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	07/08/2019	08/12/2019	\$16,030.80	\$0.00	\$16,030.80
Totals:			\$16,030.80	\$0.00	\$16,030.80

19-04 Funding Category Report

Funding Category No.	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
000	16,030.80	0.00	0.00	16,030.80	16,030.80
Totals:	\$16,030.80	\$0.00	\$0.00	\$16,030.80	\$16,030.80

19-04 Funding Source Report

Accounting No.	Funding Source	Amount Paid This Request	Revised Contract Amount	Funds Encumbered To Date	Paid To Contractor To Date
401-41904-5530	Local-City of Brainerd	16,030.80	12,302.40	12,302.40	16,030.80
Totals:		\$16,030.80	\$12,302.40	\$12,302.40	\$16,030.80

CITY OF BRAINERD ENGINEERING

501 Laurel Street
Brainerd, MN 56401
Project No. 19-04
Final Pay Request No. 1

19-04 Project Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
2019 Crack Seal									
1	2021.501	MOBILIZATION	LS	\$1.00	1	1	\$1.00	1	\$1.00
2	2331.603	CRACK SEALING	L F	\$0.20	61502	80144	\$16,028.80	80144	\$16,028.80
3	2563.601	TRAFFIC CONTROL	LS	\$1.00	1	1	\$1.00	1	\$1.00
Totals For 2019 Crack Seal:							\$16,030.80		\$16,030.80
Project Totals:							\$16,030.80		\$16,030.80



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Improvement 19-06 - 2019 Street Patching - Pay Estimate #1 Final

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is the final invoice for Improvement 19-06 which is the 2019 Street Patching project.	
Alternatives, Options, Effects on Others/Comments: This project had a little change of scope, as we had some areas on Madison Street and S 10th Street near Fedex and CTC that completely fell apart this spring. Staff elected to change around the patching project a bit and patch the areas in the industrial park as part of this project due to the numerous complaints due to the roadway condition after spring thaw. The project should hold the streets together until it is resurfaced, and is currently planned for resurfacing in 2021. This project was needed, as the pavement was completely gone in 3 areas on the streets and large potholes formed. Typical street patching was not working. Anderson Brothers gave us the same price as was approved by the Council for the streets we identified during the project design process. Total project construction cost is \$9,993.	
Recommended Action/Motion: Staff recommends approval of the attached invoice which is the final payment for Improvement 19-06 - 2019 Street Patching project. This invoice is also under payments to Contractors on the Personnel and Finance Committee agenda.	
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>\$9,993</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> We budget for \$10,000/year for the large patching project in the 5-year capital improvement plan.	



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

Invoice # 7888

Bill to: 07335 CITY OF BRAINERD 501 LAUREL ST BRAINERD, MN 56401	Job: 29429 CITY OF BRAINERD/29429
---	--------------------------------------

Invoice #: 7888	Date: 07/30/19	Customer P.O. #: PATCHING
Payment Terms: Due in 10 Days	Salesperson:	
Customer Code: 07335		

Remarks: PATCHING

Quantity	Description	U/M	Unit Price	Extension
	COMPLETE AS PROPOSED			9,993.00
	THIESSE DR, BASE AND MIX \$6,709.00			
	K ST AND 6TH AVE NE INTER, BASE AND MIX \$1,057.00			
	F ST AND 7TH AVE NE INTER, BASE AND MIX \$2,227.00			

Subtotal: 9,993.00

Total: 9,993.00

RECEIVED

AUG - 5 2019

CITY OF BRAINERD
ADMINISTRATION

Imp

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

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

August 19, 2019
City Hall Conference Room
7:15 PM

1. Approval of Bills & Payments to Contractors

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Authorized</u>
Lot Pros LLC	19-04	2019 Crack Sealing	\$16,031	\$17,000
Anderson Bros	19-06	2019 Street Patching	\$9,993	\$9,993

2. Police Officer Resignation – Request to Hire

3. Reorganization of Management Team



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Police Officer Resignation-Request to Hire

☐ 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: Officer Michael Lysico submitted a Letter of Resignation on August 5th. Officer Lyscio was in Step 2 of the Field Training Program. We are requesting authorization to make a conditional job offer to the next eligible candidate on our current police officer hiring list. Because the next two officer candidates have not finished the pre-employment screening process, we estimate a hiring date for this officer of mid-December. We would like to make a conditional job offer to begin the screening process while this candidate is still available.	
Alternatives, Options, Effects on Others/Comments: If one of the other two current candidates is unable to successfully complete the pre-employment screening process, we would request this officer's starting date to be changed on or about September 16th.	
Recommended Action/Motion: Accept Officer Lyscio's resignation with regret and authorize making a conditional job offer to the next available candidate with a tentative starting date of mid-December or sooner, pending the successful completion of the pre-employment screening 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 <u>Please Explain:</u> The police department was approved for 26 positions for 2019, we are currently at 23.	

8/5/19

Letter of Resignation

I would like to thank the Brainerd Police Department for the opportunity that I had to work as an Officer. The experience that I had was one that was priceless. The knowledge that I obtained is knowledge that I will be able to carry for the rest of my life and into many careers to come. The relationships that I was able to form in the short time I was with the department are ones that I will be able to carry for the rest of my life. The Brainerd Police Department strives to hire and to train some of the best men and women in the law enforcement field, and they have done just that. I am honored to say that I was able to work beside some of the best officers in the field. At this time in my life I recognize that Law Enforcement is not the field that I wish to pursue and would like to officially resign from the Brainerd Police Department. I recognize that the training that I received will carry on with me and will not be wasted. I truly hope the best for the Brainerd Police Department and would encourage anyone to apply to be an Officer for such a rewarding department.

Thank you again for your support.

Mike Lyscio

A handwritten signature in dark ink, appearing to read 'Mike Lyscio', with a stylized, cursive script.



Brainerd City Council Agenda Request

Requested Meeting Date: 8.19.19

Title of Item: Reorganization of Management Team

☐ 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: Councilwoman Hilgart	Department: Council
Presenter (Name & Title): Councilwoman Hilgart	Estimated Time Needed: 10
Summary of Issue: The Human Resources and Information Technology Coordinator positions were previously moved from Finance and Engineering to their own Departments reporting to the City Administrator. Due to the importance of these two positions and their organizational impact they are most appropriately positioned at the Department Head Director level.	
Alternatives, Options, Effects on Others/Comments: Human Resources - It is important to have this position as a Department Head to more effectively implement the compensation and performance systems. Information Technology - This position supports the entire City. To most effectively implement and oversee the IT infrastructure of the City, they should be part of the chain of communication at the Department Head level.	
Recommended Action/Motion: Motion to authorize the restructure of the Human Resources and Information Technology Coordinator positions to Department Head level positions. This will not effect eligibility for step increases on January 1, 2020 as the two individuals were previously performing the same duties. Once this reorganization becomes effective, the Human Resources Director and Information Technology Director will receive health care benefits and all other benefits on the same terms as other Department Heads.	
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 This is cost neutral. <u>Please Explain:</u>	



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Charter Commission Request - Authorize City Attorney to Review Charter

☐ 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: Charter Commission & Administrator Torstenson	Department: Administration
Presenter (Name & Title): Administrator Torstenson	Estimated Time Needed: 5
Summary of Issue: During the December 2018 Charter Commission Meeting, the Charter Commission had discussion regarding needed changes to the City Charter. On July 15th, 2019, City Attorney Langel presented to the Charter Commission a summary of the concerns within the City Charter. In short, in many areas of the Charter, the Charter conflicts with State Law and it takes legal research to determine where State law takes precedence vs. the City Charter. Additionally, there are many areas of the Charter that are functionally obsolete and inefficient, such as the assessments section and ordinance amendments/adoptions. The Charter Commission unanimously voted to recommend the City Attorney complete a full review and provide recommended redline changes to the City Charter. The Charter Commission is requesting authorization from the City Council to complete this task.	
Alternatives, Options, Effects on Others/Comments: Potential options include: 1) Do Nothing 2) Authorize a full review and red line changes by the City Attorney Staff reviewed other options such as the Charter Commission conducting the review or hiring a private consultant/attorney to review the existing Charter. Upon staff review of these options, the most financially viable option, due to the City attorney's familiarity with the Charter and its present issues, is to have the City attorney review the Charter in its entirety and make recommended red line changes for the Charter Commission and City Council to review.	
Recommended Action/Motion: Staff's recommendation is to follow the Charter Commission recommendation to authorize a full review and red line changes by City Attorney Langel.	
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>estimated around \$20,000</u> <i>Is this budgeted?</i> ☐ Yes ☒ No Staff can program this into the 2020 budget. <u>Please Explain:</u>	



Brainerd City Council Agenda Request

Requested Meeting Date: August 19, 2019

Title of Item: Final Reading - Proposed Ordinance No. 1498

☐ 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 B-4 (General Commercial) District to R-1 (Single Family Residential) District during their regular meeting on June 19. On July 17th, the Planning Commission held a public hearing and unanimously voted to approve said rezoning. The City Council held the first reading of this proposed ordinance on August 5th.	
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 adopt 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

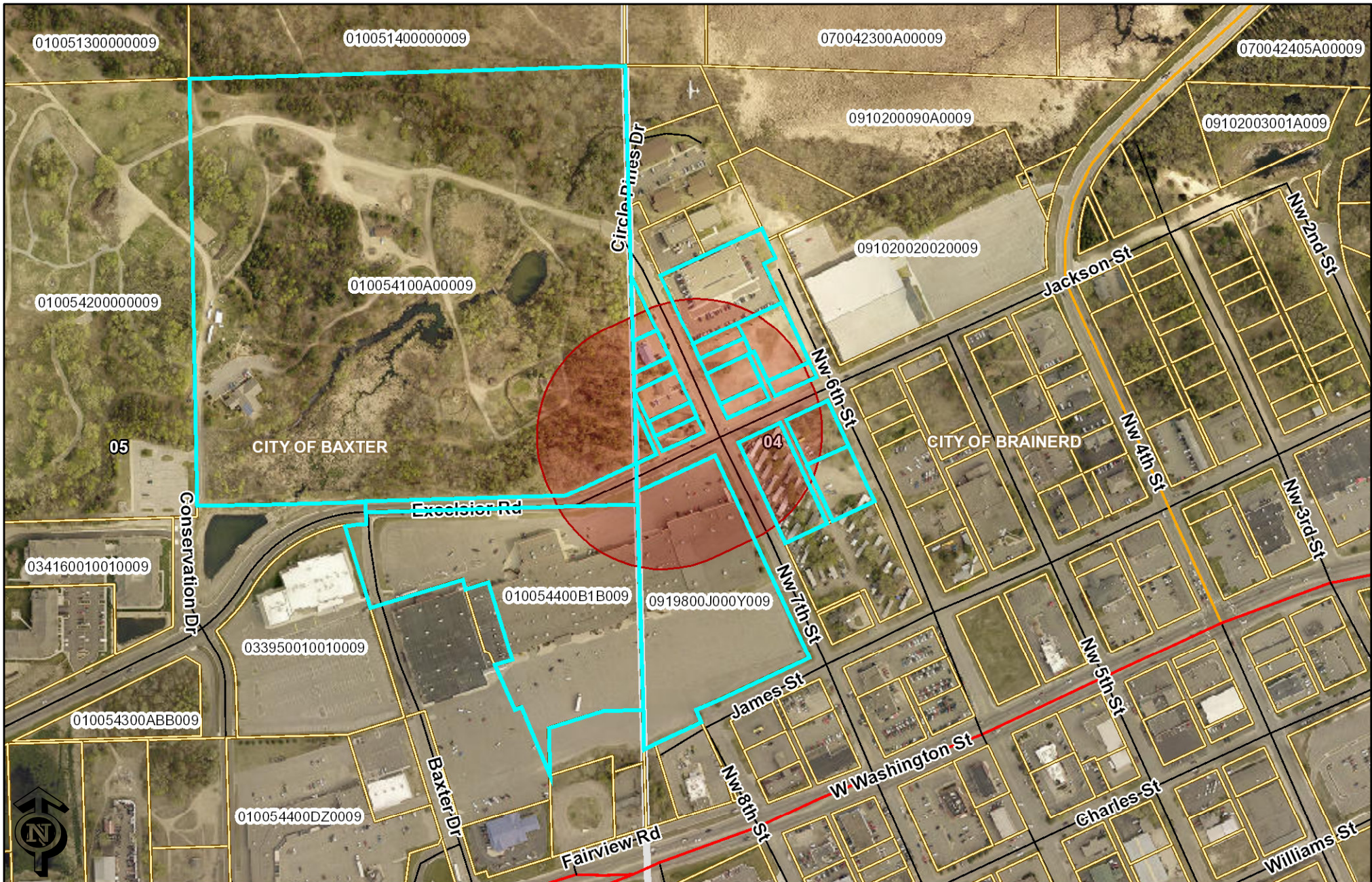
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 17, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

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

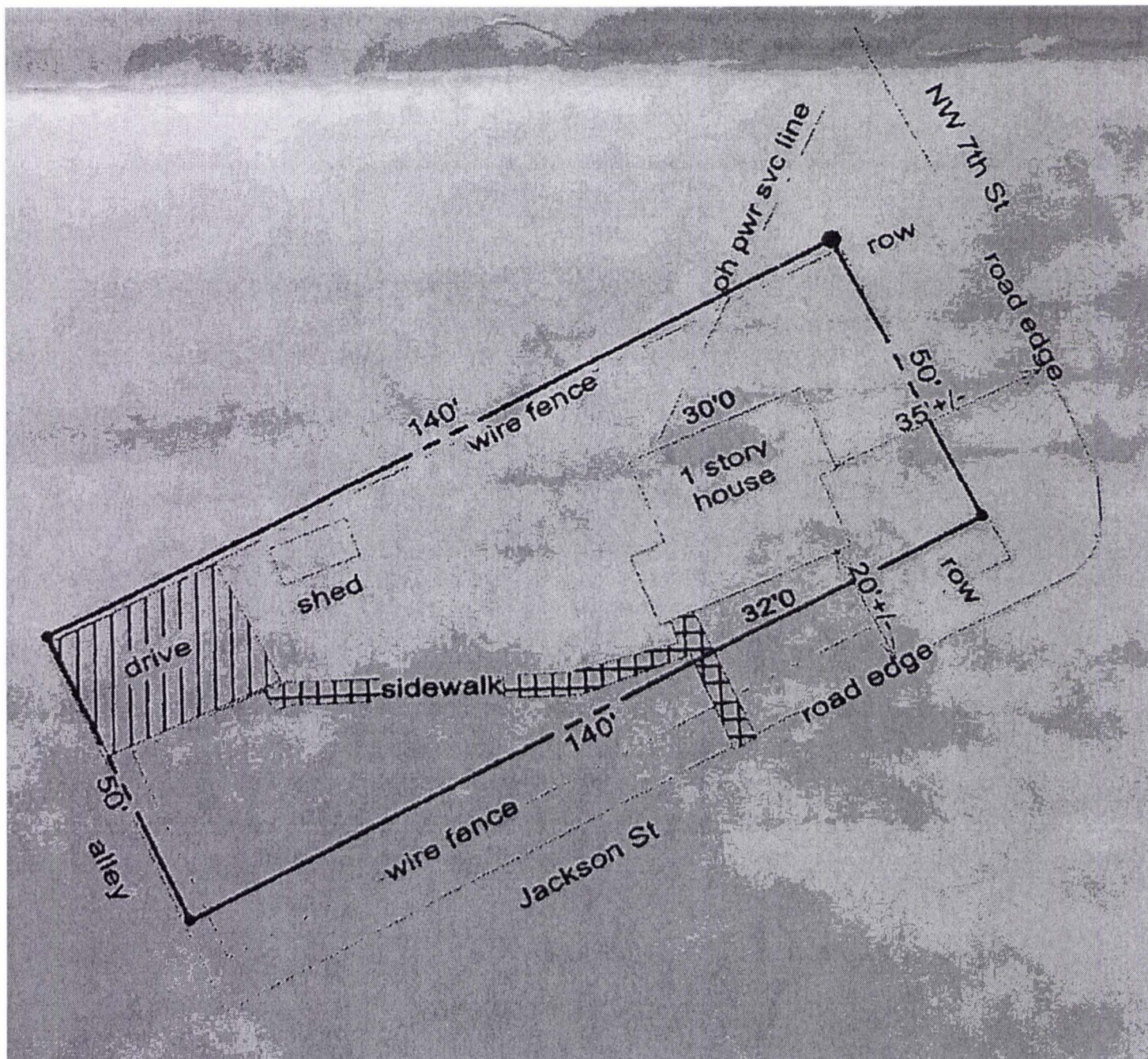


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

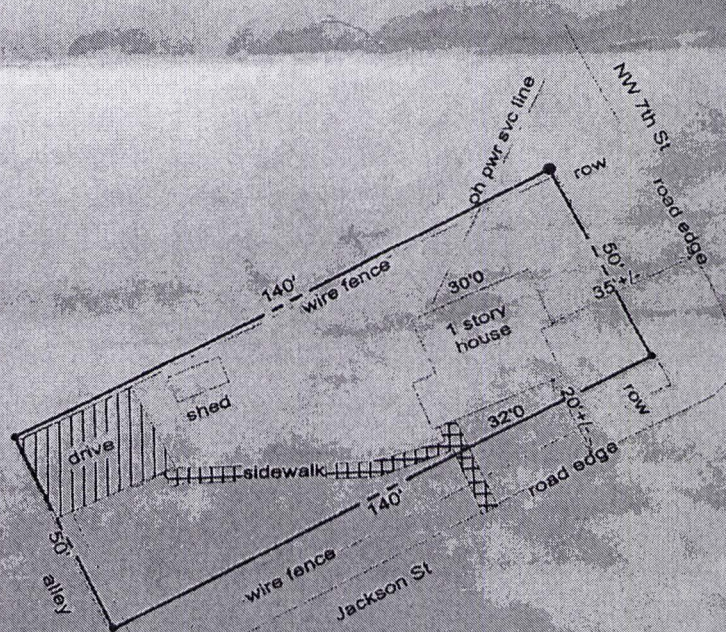
Date: 4/4/2019 Time: 4:07:23 PM



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				0 BRAINERD	56401
41040760	0919800T0010009	CITY OF BRAINER	41759	HAGLIN, TIMOTHY M & LADONNA A	13754 TWO MILE RD	BRAINERD MN 56401				0 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				0 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

