

CITY COUNCIL AGENDA

Brainerd, Minnesota

January 6, 2020

7:30 P.M.

**Crow Wing County Historic Courthouse
3rd Floor County Board Room
326 Laurel Street**

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

2. **Roll Call**

___ D. Pritschet ___ K. Bevans ___ D. Badeaux ___ T. Erickson

___ J. Lambert ___ K. Stunek ___ 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 December 16, 2019

Documents:

20191216_CC draft .pdf

B. **Approval Of Licenses**

Contractor Licenses - 32 Renewals

Documents:

CONTRACTOR LICENSE REPORT - 2019-12-31.pdf

C. **Department Activity Reports**

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf

1. Park Director Report

Documents:

Parks Director Report.pdf

D. Adoption Of A Resolution Approving Signature Authorization For 2020 Capital Projects For The Brainerd Lakes Regional Airport

Documents:

Res - Authorize of Airport Commissioners .pdf

E. Designation Of Brainerd Dispatch As Official Newspaper For Calendar Year 2020 Pursuant To City Charter; And Authorize Signature On Contract With Dispatch

Documents:

Dispatch.pdf

F. Designation Of Financial Institutions As Depositories For 2020 Pursuant To City Charter

Documents:

Financial Institutions.pdf

G. Sourcewell Shared Service Agreement

Documents:

Sourcewell Shared Service Agreement.pdf

6. Council Committee Reports

A. Personnel And Finance Committee - 7:00 P.M.

Documents:

2020-01-06_PF.pdf

1. Approval Of Bills (2019 Year End & January 6, 2020) And Transfers Of Funds

General Fund to Airport Fund per Budget	\$ 155,500
General Fund to Mayor Contingency Fund per Budget	2,500
General Fund to IT Capital Fund per Budget	20,000
Public Safety Fund to Fire Capital Fund per Budget	57,000
Public Safety Fund to Debt Service Fund per Budget	147,396

2. Parks And Recreation Seasonal Pay Rates

Documents:

Parks Seasonal Pay Rates.pdf

3. Police Officer Resignation

Documents:

Police Officer Resignation.pdf

4. Police Sergeant Retirement

Documents:

Sergeant Retirement.pdf

5. 2020 Pay Equity Report Update

Documents:

2020 Pay Equity Report Update.pdf

a. (Distributed At The Meeting) Pay Equity Update

Documents:

Pay Equity Update.pdf

6. League Of Minnesota Cities Insurance Trust (LMCIT) Liability Coverage Waiver Form

Documents:

LMCIT Waiver Form.pdf

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

Documents:

20200106_SPW.pdf

1. Highway 210 Sidewalk Snow Shoveling

Documents:

Hwy 210 Sidewalk Snow Shoveling.pdf

7. Unfinished Business

A. Call For Applicants - Informational

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

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

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

Cable TV Advisory Committee - 2 terms (Expire 2019) - 2 terms
(Expire 2021)

Charter Commission - 1 term - (Expire 2019) - 2 terms (Expire 2020) -
1 term (Expire 2021) - 1 term (Expire 2022)

Housing & Redevelopment Authority (HRA) - 1 term (Expire 2019)
(*pending*)

Library Board - 4 terms (Expire 2019) (*4 pending*)

Park Board - 1 term (Expire 2019) (*pending*)

Public Utilities Commission (PUC) - 1 term (Expire 2019) (*pending*)

Transportation Advisory Committee (TAC) - 3 terms (Expire 2019)
(*pending*)

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

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

**Council President Recommended: (terms to expire 12/31 of said
year)**

Airport Commission - 1 term (Expire 2019) (*pending*)

Planning Commission - 3 terms (Expire 2019) (*2 pending*)

Police & Fire Civil Service Commission - 1 term (Expire 2019)
(*pending*)

Other

Water Tower Committee - Applicants Needed

B. Appointment Of Council Liaisons For 2020

Expiring Positions

- Airport Commission - Kevin Stunek

C. Committee Recommendations - Recommended By Mayor Menk

A. Brainerd HRA - Marlee Larson - Term to Expire 12/31/2024

B. Library Board - John Mattson - Term to Expire 12/31/2025

C. Library Board - Lynda Hummel - Term to Expire 12/31/2025

D. Library Board - Brenda DeWitt - Term to Expire 12/31/2025

E. Library Board - Jennifer Simota - Term to Expire 12/31/2025

F. Parks and Rec Board - Dale Parks - Term to Expire 12/31/2025

G. Public Utilities Commission - Dolly Matten - Term to Expire
12/31/2024

H. Transportation Advisory Committee - Jeff Czczok - Term to Expire
12/31/2021

I. Transportation Advisory Committee - Nathan Bertram - Term to Expire
12/31/2021

J. Transportation Advisory Committee - Mary Koep -Term to Expire
12/31/2021

Documents:

Mayor Recd - Board Applicants.pdf

**D. Committee Recommendations - Recommended By Council
President**

- A. Airport Commission - Jeff Czeczok - Term to Expire 12/31/2022
- B. Planning Commission - Donald Gorham - Term to Expire 12/31/2022
- C. Planning Commission - Mathew Kallroos - Term to Expire
12/31/2022
- D. Police & Fire Civil Service Commission - Patrick Wussow - Term to
Expire 12/31/2022

Documents:

Pres. Rec - Board Applicants.pdf

8. New Business

A. CM Brainerd Lot Split

Documents:

Appeal - CM Brainerd Property Subd.pdf

9. Public Forum

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

10. Staff Reports

(Verbal: Any Updates since Packet)

11. Council Member Reports

12. Adjourn

Note: Safety and Public Works Committee will meet at 7:15 p.m.
in the Board Room at the Crow Wing County Courthouse.
Personnel and Finance Committee will meet at 7:15 p.m.
in the Jinx Ferrari Room at the Crow Wing County Courthouse.

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
December 16, 2019**

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

Upon roll call, the following members were noted as present: Stunek, Pritschet, Bevans, Badeaux, Erickson, Lambert 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 LAMBERT AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on December 2, 2019 and the Budget and Levy Meeting held on December 9, 2019 - Approved

B. Approval of Licenses – Approved

Contractor Licenses – 86 – Renewals

Contingent Upon Fire Department Inspection

Tobacco Licenses – 1 Renewal: Mid-Town Depot, 321 Washington St.

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Temporary On-Sale Liquor License Application – Submitted by Brainerd American Legion Post 255 for an Event to be Held January 18, 2020 at the NP Event Center, 210 Blacksmith Cir., Brainerd - Approved

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

Presentations

Brainerd Lakes Area Economic Development Corporation (BLAEDC) Presentation

The Chair recognized Mr. Tyler Glynn, economic development officer for BLAEDC, who thanked the Council and the Economic Development Authority (EDA) for supporting BLAEDC. He explained the corporation wants to be as transparent as possible and will provide any requested information regarding the funding of BLAEDC. He indicated candidates were interviewed for the executive director position and shared that he is one of the two finalists that have been selected. He gave a review of the Unified Fund program, the key recruitment program and projects that occurred in Crow Wing County in 2019. The Chair thanked him for the update.

Brainerd Public Utilities (BPU) 2020 Operating & Capital Budget - Approved

Brainerd Public Utilities Superintendent, Mr. Scott Magnuson and Finance Director, Mr. Todd Wicklund reviewed the key points of the budget and operating costs which had been provided to the Council prior to the meeting. They answered questions of the Council and the Chair thanked them for the presentation.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO APPROVE THE 2020 CAPITAL AND OPERATING BUDGET FOR BRAINERD PUBLIC UTILITIES (BPU) AS PRESENTED.

Council Committee Reports

Safety and Public Works Committee Report

Crow Wing County Cost Share Policy Comment Period – No Action Taken

Committee Chair Bevans indicated staff met with Crow Wing County today and the recommendation is for no comment or motion on the policy.

Improvement 19-01 – NW 4th Street Reconstruction – Roundabout Treatments and Aesthetics - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT THE PROPOSAL FOR LANDSCAPING FROM BOLTON AND MENK FOR THE ROUNDABOUT AT NW 4TH STREET IN THE AMOUNT OF \$77,000 AS PRESENTED.

Committee Chair Bevans stated discussion at committee level was to possibly remove the color from the concrete in the islands, which is approximately \$20,000. He said the project is roughly \$200,000 under budget and the color gives aesthetic value.

Resolution – Agreeing to Maintain Facility for Transportation Alternatives Funding Related to the 28th Street Trail Connection – Adopted by Resolution 67:19

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION IN WHICH AGREES TO MAINTAIN THE NEWLY CONSTRUCTED FACILITY IF THE CITY OF BRAINERD IS AWARDED FUNDING FOR THE 28TH STREET TRAIL CONNECTION.

RESOLUTION NO. 67:19

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

Resolution – Sponsorship for Transportation Alternatives Funding Related to the 28th Street Trail Connection – Adopted by Resolution 68:19

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION IN WHICH AGREES TO BE THE SPONSORING AGENCY IF THE CITY OF BRAINERD IS AWARDED TRANSPORTATION ALTERNATIVES FUNDING FOR THE 28TH STREET TRAIL CONNECTION.

RESOLUTION NO. 68:19

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

Personnel and Finance Committee Report

Approval of Bills and Transfer of Funds - Approved

From Public Safety to Capital Fire Fund per FAB Agreement	\$ 98,997
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MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO APPROVE THE PAYMENT OF BILLS AND TRANSFER OF FUNDS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE.

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

Mississippi Landing Trailhead Proposal for Cost Estimating - Approved

Committee Chair Badeaux explained the committee is requesting financial assistance to supplement the funds raised by selling banners to area businesses to obtain a cost estimate for the project. He said a cost estimate is needed to know how to proceed with the project.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE \$2,050 FROM THE UNALLOCATED MISCELLANEOUS EXPENSE ACCOUNT TO SUPPLEMENT THE MISSISSIPPI RIVERFRONT COMMITTEE’S \$2,500 CONTRIBUTION TOWARD SEH’S MISSISSIPPI LANDING TRAILHEAD PROPOSAL FOR COST ESTIMATING.

Shared Services Agreement Between the City and the Economic Development Authority (EDA) - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE THE SHARED SERVICES AGREEMENT BETWEEN THE CITY AND THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) AND TO AUTHORIZE SIGNATURES ON THE DOCUMENT.

Committee Chair Badeaux indicated in the past, 20% of the City Administrator and 5% of the Administrative Specialist’s time has been budgeted to the Economic Development Authority (EDA). He said as compensation amounts are difficult to determine, an agreement was created for the 2020 budget in the amount of \$32,500.

Resolutions – Declaring the Official Intent to Reimburse Expenditures from Proceeds of Debt – Adopted by Resolution 69:19

Committee Chair Badeaux explained there will be costs incurred prior to the issuance of debt. He said the resolutions declares the intent to reimburse expenditures with bond proceeds.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO DECLARE THE OFFICIAL INTENT OF THE CITY OF BRAINERD TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY RELATED TO CAPITAL EQUIPMENT.

RESOLUTION NO. 69:19

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

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO DECLARE THE OFFICIAL INTENT OF THE CITY OF BRAINERD TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY RELATED TO ASSESSABLE IMPROVEMENTS.

RESOLUTION NO. 70:19

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

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO DECLARE THE OFFICIAL INTENT OF THE CITY OF BRAINERD TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY RELATED TO THE PARKS PROJECT.

RESOLUTION NO. 71:19

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

2020 Nuisance Assessment at 403 6th St SW - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO DENY THE WAIVER OF THE \$125 NUISANCE ASSESSMENT AT 403 6TH ST SW.

Committee Chair Badeaux stated the committee voted to deny the waiver of the nuisance as the timeframe to oppose the assessment has passed and all assessments have been submitted to Crow Wing County.

The Chair recognized Mr. Rich Wilkinson, 403 6th Street SW, who stated he is contesting the citation due to lack of communication with City staff. He said he was told to cover the vehicle and the citation would be voided.

Discussion took place.

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

Unfinished Business

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

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

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

Cable TV Advisory Committee – 2 terms (Expire 2019) - 2 terms (Expire 2021)
Charter Commission – 1 term (Expire 2019) - 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022)
Housing & Redevelopment Authority (HRA) – 1 term (Expire 2019)
Library Board – 4 terms (Expire 2019)
Park Board – 1 term (Expire 2019)
Public Utilities Commission (PUC) – 1 term (Expire 2019)
Transportation Advisory Committee (TAC) – 3 terms (Expire 2019)

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

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

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

Airport Commission – 1 term (Expire 2019)
Planning Commission – 3 terms (Expire 2019)
Police & Fire Civil Service Commission – 1 term (Expire 2019)

Other

Water Tower Fundraising Committee – Applicants Needed

New Business

Appeal – 601 Madison Street Property Subdivision - Approved

Community Development Director Chanski explained the details of the property owner's request to conduct a lot split on the 601 Madison Street property. He stated the City Ordinance does not allow a split on lots less than 20,000 square feet with a width of 100 feet, as this property is 12,455 square feet with a width of 91 ½ feet. Mr. Chanski denied the request, due to City Ordinance prohibits conducting an administrative subdivision that results in the creation of a new nonconforming lot. He indicated the next option was to appeal to the Board of Zoning Appeals, which is the City Council.

The Chair recognized Mr. James Kramer from Kramer Leas Deleo Surveying, who is representing the property owner, Mr. Dean Renneke. Mr. Kramer stated they would like to split the property in order to sell the vacant building, and to have the two separate structures identified with separate parcel numbers to operate separate businesses.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE PROPOSED LOT SPLIT AS PRESENTED AT 601 MADISON STREET, BRAINERD.

Brainerd Police Department Remodel – Request to Approve Quotes – Approved

City Engineer Sandy stated the quotes were received for the police department remodel project by the contractors listed.

Council Member Johnson requested if the City Hall project was progressing within the budgeted amount. Mr. Kevin Currie, construction manager for Contegrity, stated the project is on budget.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE QUOTES FOR THE POLICE DEPARTMENT REMODEL AS PRESENTED.

2020 Budget and Levy – Adopted by Resolution 72:19

Finance Director Hillman indicated the levy needs to be certified to the County by December 28, 2019. She stated the HRA levy is set at the maximum allowed amount set by state statute.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS TO ADOPT A RESOLUTION SETTING THE CITY LEVY AT \$6,072,439 WHICH IS A 3% INCREASE AND \$130,426 FOR THE HRA FOR 2020.

Council discussion took place.

RESOLUTION NO. 72:19

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

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO APPROVE SETTING THE 2020 BUDGETS AS PRESENTED WITH THE GENERAL FUND BUDGET BEING ADJUSTED FOR THE LEVY BEING SET AT 3% RATHER THAN 4%.

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

Planning Commission

Final Reading – Proposed Ordinance No. 1501 – An Ordinance to Rezone Property at 7757 Wise Road from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District – Interim City Administrator Thoreen Recommends to Dispense with the Actual Reading - Approved

Community Development Director Chanski stated this is the final reading to adopt the ordinance to rezone property at 7757 Wise Road from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District. He explained the purpose of the rezoning is to allow the property owner the ability to split the lot into less than 20 acres to build a home on the lot for a family member.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO DISPENSE WITH THE ACTUAL READING OF PROPOSED ORDINANCE NO. 1501 – AN ORDINANCE TO REZONE 7757 WISE ROAD FROM AN R-A (RURAL AGRICULTURE) DISTRICT TO AN R-1A (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS TO ADOPT ORDINANCE NO. 1501 – AN ORDINANCE TO REZONE 7757 WISE ROAD FROM AN R-A (RURAL AGRICULTURE) DISTRICT TO AN R-1A (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

ORDINANCE NO. 1501

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

Public Forum

The Chair opened the public forum at 8:45 p.m.

No one came forward.

The Chair closed the public forum at 8:45 p.m.

Staff Reports

Community Development Director Chanski announced the Planning Commission meeting that was scheduled for Wednesday, December 18th has been canceled. He explained there were no issues or applications to discuss, therefore the commission voted to cancel. He also stated there are vacancies on the Planning Commission starting in January and encouraged anyone interested to apply. He said there are some exciting projects taking place in 2020 and it would be a great opportunity to be a part of the commission.

Interim City Administrator Thoreen thanked the Council for the opportunity to once again serve the community of Brainerd in the interim of hiring a new administrator. He also congratulated the hiring of Ms. Jennifer Bergman as the new City Administrator as she is a highly qualified candidate and will serve the City well.

Council Member Reports

Mayor Menk wished everyone a Merry Christmas and wonderful holiday season.

Council Member Bevans stated Mr. Mike Higgins, owner of the Brainerd Industrial Center, will be submitting a written response very soon regarding the offer to purchase the Memorial Park parking lot.

Council Member Johnson stated a contract was signed with David Drowns and Associates to recruit candidates for a new Housing & Redevelopment Authority (HRA) executive director to fill the vacancy. He also thanked City Administrator Thoreen for returning in the time of need to serve the City.

Council Members Lambert, Erickson, Stunek, and Badeaux wished everyone a Merry Christmas and thanked City Administrator Thoreen for filling the administrator vacancy for the interim.

Adjourn

The Chair adjourned at 8:48 p.m.

James M. Thoreen
Interim City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 6, 2020
(32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
NOR-SON INC 7900 HASTINGS ROAD BAXTER, MN 56425 20-0118	(218) 828-1722	GENC	12/31/2020	12/31/2020	
LAKES AREA PLUMBING 8354 WALDEN ROAD BRAINERD, MN 56401 20-0117	(218) 855-0155	MECH PLUM	9/1/2020 9/1/2020	9/24/2020 12/31/2021	MB003499 PC643829
TOMS BACKHOE SERVICE INC 323 WOODLAND HILLS LANE BRAINERD, MN 56401 20-0116	(218) 828-4232	EXCA PIPE	7/1/2020 7/1/2020	12/31/2020 12/31/2022	PB643233
HEARTLAND GLASS COMPANY, LLC 401 SUNDIAL DRIVE WAITE PARK, MN 56387 20-0115	(320) 259-1679	GLAS	1/1/2021	12/31/2020	
TIM THOMPSON PLUMBING LLC 16675 JACKSONVILLE ACRES BRAINERD, MN 56401 20-0114	(218) 829-3858	PLUM	10/16/2020	12/31/2021	PC643406
5 STAR HEATING AND AIR LLC 510 9TH AVE S SAUK RAPIDS, MN 56379 20-0113	(320) 241-9001	PLUM MECH	11/15/2020	12/31/2021 06/20/2020	PC677163 MB682971
GPS RESTORATION SOLUTIONS LLC PO BOX 2615 BAXTER, MN 56425 20-0112	(218) 454-0805	GENC	1/27/2020	12/31/2020	
JOHN FRANZEN STUCCO LLC 30012 EAST HORSESHOE LAKE RD MERRIFIELD, MN 56465 20-0111	(218) 820-2160	STUC	12/1/2020	12/31/2020	
WEATHERPROOFING TECHNOLOGIES, INC. 3735 GREEN ROAD BEACHWOOD, OH 44122 20-0110	(216) 292-5000	GENC	4/1/2020	12/31/2020	

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(32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
CLIMATE MAKERS INC 1700 FREEWAY BLVD SUITE 10 BROOKLYN CENTER, MN 55430 20-0109	(763) 786-5999	MECH PLUM	11/1/2020 11/1/2020	12/12/2020 12/31/2021	MB004290 PC648912
WELLS CONCRETE PRODUCTS CO. PO BOX 656 ALBANY, MN 56307 20-0108	(320) 845-2229	MASO	4/1/2020	12/31/2020	
B-DIRT LLC 4706 WILDERNESS CT SUITE 103 BRAINERD, MN 56401 20-0107	(218) 232-1360	GENC	1/1/2021	12/31/2020	
MCDOWALL COMPANY 1431 PROSPER DRIVE WAITE PARK, MN 56387 20-0106	(320) 251-8640	MECH	4/1/2020	8/26/2020	MB003342
THE JAMAR COMPANY 4701 MIKE COLALILLO DRIVE DULUTH, MN 55807 20-0105	(218) 628-6122	MECH PLUM HPPB	12/31/2020 12/31/2020 12/31/2020	9/8/2020 12/31/2021	MB003320 PC644545 HC000126
AUGUSTA PLUMBING LLC 24891 21ST AVENUE ST. CLOUD, MN 56301 20-0104	(320) 237-4219	PLUM MECH	3/21/2020 3/21/2020	12/31/2021 11/14/2020	PC643143 MB643672
IDEAL CONCRETE CONSTRUCTION INC 7757 WISE RD BRAINERD, MN 56401 20-0103	(614) 578-1600	MASO	6/26/2020	12/31/2020	
THE BOLDT COMPANY 2525 N. ROEMER ROAD APPLETON, WI 54911 20-0102	(920) 739-6321	GENC	12/31/2020	12/31/2020	
RASINSKI EXCAVATING, INC. 10775 PINEWOOD DRIVE SW NISSWA, MN 56468 20-0101	(218) 825-8609	EXCA	5/1/2020	12/31/2020	

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
January 6, 2020
(32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
LANGE TRENCHING INC. PO BOX 70 AVON, MN 56310 20-0100	(320) 356-7976	SSTS EXCA	5/1/2020 5/1/2020	03/31/2020 12/31/2020	L688
A-1 ENTERPRISES, DBA: A-1 ROOFNG 43716 CONIFER STREET AITKIN, MN 56431 20-0099	(218) 678-2493	GENC	10/20/2020	12/31/2020	
CENTRAL LAKES DRYWALL INC. PO BOX 2569 BAXTER, MN 56425 20-0098	(218) 820-9600	DRYW	9/1/2020	12/31/2020	
SEARS HOME IMPROVEMENT PRODUCTS INC 1024 FLORIDA CENTRAL PKWY LONGWOOD, FL 32750 20-0097	(407) 551-6000	GENC	4/1/2020	12/31/2020	
NAC MECHANICAL AND ELECTRICAL SERV. 1001 LABORE INDUSTRIAL CT SUITE B VADNAIS HEIGHTS, MN 55110 20-0096	(651) 490-9868	PLUM MECH	8/28/2020 8/28/2020	12/31/2021 7/1/2020	PC642594 MB003184
HY-TEC CONSTRUCTION OF BRAINERD INC PO BOX 621 BRAINERD, MN 56401 20-0095	(218) 829-8529	GENC	4/1/2020	12/31/2020	
RARDIN CONSTRUCTION, INC. 10990 COUNTY ROAD 77 SW NISSWA, MN 56468 20-0094	(218) 829-6507	GENC	1/1/2021	12/31/2020	
SCHAFER BUILDING MAINTENANCE 6037 85TH STREET NE FOLEY, MN 56329 20-0093	(320) 387-3205	CROO	3/7/2020	12/31/2020	
FRANZEN BROS. PLASTERING LLC 10872 COUNTY ROAD 8 BRAINERD, MN 56401 20-0092	(218) 764-2474	DRYW	8/1/2020	12/31/2020	

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(32 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
GARTH TRETTER TRUCKING 15461 IRONWOOD LANE BRAINERD, MN 56401 20-0091	(218) 829-7645	EXCA SSTS	3/1/2020 3/1/2020	12/31/2020	L1843
ANDERSON BROTHERS CONSTRUCTION LLC 11325 STATE HWY 210 BRAINERD, MN 56401 20-0090	(218) 829-1768	EXCA PIPE SSTS	3/29/2020 3/29/2020 3/29/2020	12/31/2020 12/31/2020	PB667019 L-3693
RACHEL CONTRACTING, LLC. 4125 NAPIER COURT NE ST MICHAEL, MN 55376 20-0089	(763) 424-1502	EXCA	4/1/2020	12/31/2020	
HENGEL READY MIX & CONSTRUCTION INC 12883 UPPER SYLVAN ROAD SW PILLAGER, MN 56473 20-0088	(218) 746-3355	DEMO	9/1/2020	12/31/2020	
PREMISE, INC 4024 WASHINGTON AVE N MINNEAPOLIS, MN 55412 20-0087	(612) 216-1850	GENC	3/21/2020	12/31/2020	

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: December 31, 2019
Re: December 2019 Activity Report

As we finish another year, I am honored to be part of such a great organization. We have a group of men and women that are hardworking and dedicated to serving the community. I couldn't be prouder of them and the organization. I also want to thank FM/ DC Cox and Administrative Specialist Kraemer for their hard work and dedication. Without everyone's dedication to service, we wouldn't be the outstanding fire department that we are. We all look forward to 2020.



December was a great month of training. We started off the month with a national speaker from California. Brainerd Fire Department hosted the training in cooperation with the Cuyuna Range Fire Chiefs Association. The two-day training was Mastering Fireground Command – Calming the Chaos. There was a total of 54 in attendance with 17 of them from Brainerd Fire Department. We had 2 that traveled from Illinois and California to attend. It was great training and we were very excited to be able to bring it into our community.

I want to thank Mike Higgins and the BIC for allowing us to use space in his facility for our confined space and technical rescue training. It is very beneficial to our learning.



We also conducted a HazMat Refresher, Fireground Command, Ice / Water Rescue and Confined Space Scenario training.



Chief Holmes attended Strength and Resiliency: A Tactical Approach to Wellness, a seminar offered by Sourcewell. This class focused on nutrition, fitness and overall health of public safety personnel.

We had a Family Fun Night for our fire families, where we shared a meal together, made crafts with our children and watched a seasonal family movie.

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

Structure Fire	1
Vehicle Fire	1
Vehicle Crash	7
Rescue	1
Gas Leak	1
Smoke Removal	3
Assist Another Governmental Agency	1
Good Intent Call	5
Canceled Enroute	7
Alarm Activation	5
Carbon Monoxide Alarm	3
Total	35

City of Brainerd Incident Report

Vehicle Crash	3
Gas Leak	1
Smoke Removal	3
Assist Another Governmental Agency	1
Good Intent Call	4
Canceled Enroute	4
Alarm Activation	3
Carbon Monoxide Alarm	1
Total	20

Parks and Recreation Report

January 2020



- The Santa Paws event at Buster Park took place Dec. 14. Twenty-six dogs and their owners stopped by for pictures with Santa, who handed out bags of treats. The editor of the Minnesota Recreation and Parks Association magazine requested photos and a short story of the event for an upcoming edition.
- The warming houses opened for the season Dec. 20.
- The youth Pond Hockey season began Jan. 2. Games are played either at Mill Avenue Park or Nisswa beginning Jan. 11.
- The adult Pond Hockey season begins Jan. 7 at Bane Park. This is a 4-on-4 league.



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

RESOLUTION
NO. xx:20

SIGNATURE AUTHORIZATION FOR 2020 CAPITAL PROJECTS FOR THE
BRAINERD LAKES REGIONAL AIRPORT

BE IT RESOLVED that the Chairman and/or Vice Chairman of the Brainerd Lakes Regional Airport Commission is hereby authorized and directed to act as the authorized representative of the City of Brainerd for all 2020 capital projects for airport operations, and the same is hereby authorized and directed to execute and affix his/her signature to any and all required documents pertinent thereto, and all amendments thereof.

Adopted this ____ day of January, 2020

GABE JOHNSON
President of the Council

Approved this ____ day of January, 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

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Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



BRAINERD DISPATCH

SERVING THE BRAINERD LAKES AREA AND CENTRAL MINNESOTA SINCE 1881

RECEIVED

DEC 05 2019

CITY OF BRAINERD
ADMINISTRATION

November 29, 2019

The City of Brainerd

You signed a **\$5,000** contract with us last year, but you actually purchased \$9922.90 worth of advertising from January 1 through November 29, 2019. It is time to decide if you would like to sign a contract with us again for 2020.

My recommendation based on your history with us, would be that you sign a contract for **\$10,000** this year. That would entitle your office to a rate of **\$12.41** per inch for your legal notices, which is your principle type of advertising, rather than the open rate of **\$14.60** per inch.

I filled out a **\$10,000** contract for you. If that sounds like it would work for you, please sign both contracts, keep 1 copy and mail the other one back to me. Feel free to call me if you have any questions, 855-5804.

Sincerely,



Ann Windorski
Legal Advertising Coordinator

Enclosures



ANNUAL CONTRACT

BUSINESS PARTNERSHIPS
WITH REAL SOLUTIONS

316123

DEC 05 2019

CITY OF BRAINERD
ADMINISTRATION

Advertiser: City of Brainerd

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

The Advertiser agrees to purchase \$ 10,000 or a frequency of _____ of advertising services from us during the next twelve months.

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

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

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

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

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

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

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

Accepted for Dispatch/Echo: Ann Windorski

Signed: Ann Windorski

Advertiser: City of Brainerd

Signed: _____

(Owner or Authorized Representative)

Date: 11/29/19

Comments: _____



Brainerd City Council Agenda Request

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Brainerd City Council Agenda Request

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Alternatives, Options, Effects on Others/Comments:	
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SOURCEWELL COMMUNITY DEVELOPMENT AND PLANNING SHARED SERVICES AGREEMENT

This Shared Services Agreement (Agreement) is made effective upon execution by all parties ("Effective Date"), by and between Sourcewell, located at 202 – 12th Street NE, PO Box 219, Staples, MN 56479, and the City of Brainerd ("Community") located at 501 Laurel Street, Brainerd, MN 56401. Sourcewell and Community shall be known collectively as the "Parties".

ARTICLE I: PURPOSE AND INTENT

- 1.1 **Purpose.** Sourcewell and Community agree that the purpose of this Agreement is to outline the Parties' responsibilities with respect to Community's purchase of Community Development and Planning services from Sourcewell.

ARTICLE 2: SCOPE OF SERVICES

- 2.1 **Services.** Community shall purchase Community Development and Planning services from Sourcewell, and Sourcewell shall furnish a Community Development Specialist to perform such services for Community. Said Community Development Specialist shall be employed by Sourcewell and supervised by Sourcewell's Community Solutions Manager. Sourcewell reserves the right to assign any Community Development Specialist on its staff and to provide an alternative Community Development Specialist as needed to fulfill its obligations under this Agreement.
- 2.2 **Scope of Work.** During the term of this Agreement, the Community Development Specialist shall assist Community in advancing its planning goals and actions as set forth in Community's planning documents, including its Mississippi River Partnership Plan, Comprehensive Plan, and Non-Motorized Transportation Plan.

During the term of this Agreement, the Community Development Specialist shall provide additional services related to various planning functions, which may include, but not limited to:

- Identify implementation strategies, benchmarks, and metrics for project initiatives
- Presentations to various boards, commissions, and committees to advance project initiatives and actions within the plan(s)
- Formulate new projects and partnerships to achieve action items within the plan(s)
- Engage the community through various means and methods to gather input
- Develop reports, studies, research, and other special assignments
- Attend meetings of various boards, commissions, and committees pertinent to planning efforts
- Work with Community Development Director to identify appropriate funding sources

- Aid in the development of grant applications with the Community Development Director
- 2.3 Availability and Location. The Community Development Specialist shall provide the agreed upon services on a remote basis up to ten (10) hours per week. The Specialist may be available for onsite office hours and to attend Community meetings and forums, as appropriate. Such time shall be within the ten (10) hours per week allotment. However, Sourcewell may offer additional in-kind service hours at no charge.
- 2.4 Additions and Modifications. Any modification this Agreement must be mutually agreed upon between the Parties. If the modification will result in a change to material terms in this Agreement, including, but not limited to, the term, time or location in which the Specialist shall be available, or compensation, the modification shall be in writing and signed by the Parties.

ARTICLE 3: PAYMENT FOR SHARED SERVICES

- 2.5 Fees. Sourcewell shall provide the above-described services at a rate of \$ 50.00 per hour, billed in 15-minutes increments. The total annual cost to Community shall not exceed \$26,000.00. Sourcewell staff reserves the right to bill on-site meetings/visits after 5:00pm with a 2-hour minimum.
- 3.1 Billing and Payment. Sourcewell shall submit a monthly invoice to Community for services rendered. Invoices are due upon receipt by Community.
- 3.2 Expenses. Sourcewell shall pay all employment-related expenses for the Planning and Community Development Specialist, including salary, benefits, travel expenses, and training.
- 3.3 Limitation. Sourcewell shall not impose costs and fees other than those outlined above.

ARTICLE 4: TERM AND TERMINATION

- 4.1 Term. This Agreement will commence on the Effective Date and shall continue for and a term of one (1) year.
- 4.2 Termination for Convenience. Either party may terminate this Agreement at any time upon sixty (60) days' written notice to the other party. Termination pursuant to this Section does not relieve Sourcewell of its obligations to complete any open services. Nor will Community be relieved of its obligation to pay for such open services.
- 4.3 Termination for Cause. Either party may terminate this Agreement upon written notice of material breach to the other Party provided the other Party does not cure the breach within thirty (30) calendar days of receiving the notice. The notice must describe the

breach in reasonable detail and state the non-breaching Party's intent to terminate the Agreement.

- 4.4 Survival. Notwithstanding any expiration or termination of this Agreement, all payment obligations incurred prior to expiration or termination, and Articles 4, 5, and 6 will survive. All other rights granted under this Agreement shall cease.

ARTICLE 5: DATA AND MATERIALS

- 5.1 Government Data. The Parties acknowledge that each is subject to the Minnesota Government Data Practices Act (MGDPA) at Minnesota Statutes, Chapter 13. The Parties further acknowledge that any data collected, created, received, maintained or disseminated in conjunction with this Agreement is collected, created, received, maintained, or disseminated for Community's benefit and is the sole property of Community.

5.1.1 Community shall be responsible for ensuring government data related to this Agreement is appropriately classified, categorized, and inventoried as required by the MGDPA, for protecting such data in accordance with the Act, and for responding to any related public data requests.

5.1.2 Sourcewell shall restrict access to Community's government data to staff whose work assignments reasonably require such access, and it shall take reasonable measures to protect Community's data during the term of this Agreement. Upon expiration or termination of this Agreement, Sourcewell shall return or destroy Community's data except to the extent that such data must be retained to satisfy auditing or statutory requirements.

- 5.2 Work Product. The Parties acknowledge that any reports, exhibits, models, graphics, computer files, maps, charts, and supporting documentation (Materials) developed or used in conjunction with this Agreement are generated for Community's benefit and are the sole property of Community.

5.2.1 Community shall use all Materials only for the purpose for which they were prepared. If the Materials are used for any other purpose, Community shall indemnify and hold Sourcewell harmless for such reuse.

5.2.2 Notwithstanding the foregoing, Sourcewell may maintain and reuse standard details related to this Agreement in the normal course of its business.

- 5.3 Audit and Record Disclosure. Pursuant to Minn. Stat. § 16C.05, subd. 5, Sourcewell acknowledges that the books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by Community, the State Auditor, and other duly authorized entities. For that purpose, Sourcewell shall maintain these and other related records for a period of six (6) years after the date of

termination of this Agreement. This Section does not apply to government data generated or used solely for Community's benefit and, therefore, owned by Community as outlined above.

ARTICLE 6: GENERAL TERMS AND CONDITIONS

- 6.1 **Subcontracting.** Sourcewell shall not enter into any subcontract for performance of any services under this Agreement without the prior written approval from Community.
- 6.2 **Notices.** All notices, invoices, and statements (Notice) related to this Agreement must be in writing. Notice of termination shall be delivered in person or mailed to the intended recipient at its current address. All other correspondence or communication may be mailed, hand delivered, or sent via fax or email to the other Party.
- 6.2.1 Each Party shall notify the other of any change to contact information, including address, telephone number, point of contact, and email address.
- 6.2.2 Notice will be deemed to have been given: (a) when delivered in person during normal business hours; (b) upon confirmation of receipt when transmitted by facsimile or electronic mail; (c) upon receipt when sent by registered or certified mail, postage prepaid; or (d) on the date of receipt if transmitted by national overnight courier with confirmation of delivery.
- 6.3 **Governing Law, Jurisdiction and Attorney's Fees.** This Agreement shall be interpreted and construed in accordance with the laws of the State of Minnesota. Any dispute arising out of this Agreement shall be adjudicated in a Minnesota court of competent jurisdiction. In any action or proceeding to enforce rights under this Agreement, the prevailing Party shall be entitled to recover costs and reasonable attorney's fees from the other Party.
- 6.4 **Assignment.** Neither Party shall have the right to assign or otherwise transfer its rights and obligations under this Agreement without prior written consent from the other Party. If assignment is permitted, any successor in interest shall acquire the assigning Party's entire interest in this Agreement. Any prohibited assignment shall be invalid.
- 6.5 **Relationship.** Each Party is an independent entity under the terms of this Agreement. Neither Party will have any right, power, or authority to act or create any obligation on behalf of the other Party. Except as otherwise provided, all operational expenses incurred by either Party will be borne by the Party incurring the expense.
- 6.6 **Hold Harmless.** Each party shall hold the other harmless from any claims and demands that may result from their negligence in connection with their duties and responsibilities under this Agreement, unless such action is a result of intentional wrongdoing by the other party. Each party shall be responsible for its own acts to the extent authorized by

law and shall not be responsible for the acts of the other party and the results thereof. Sourcewell's responsibility shall be governed by the Minnesota Statutes, Chapter 466.

- 6.7 Limitations of Liability. Excepting the Parties' indemnification obligations hereunder, neither party shall be liable to the other for any punitive, special, incidental or consequential damages including but not limited to: compensation or damages for loss of present or prospective profits or revenues, loss of actual or anticipated commissions on sales or anticipated sales, or expenditures, investments or commitments made in connection with the establishment, development or maintenance of the selling representation created by this Agreement or in connection with the performance of obligations regardless of the form of action, whether in contract, tort or other legal theory. The foregoing limitation shall apply: (a) even if such party has been advised of the possibility of such damages; and (b) notwithstanding any failure of essential purpose of any limited remedy herein.
- 6.8 Insurance. Sourcewell agrees to provide a minimum of one million dollars (\$1,000,000.00) per occurrence in general liability insurance with excess umbrella coverage of two million dollars (\$2,000,000.00) for Sourcewell staff assigned to provide services in conjunction with this Agreement.
- 6.9 Force Majeure. The Parties shall each be excused from performance under this Agreement while and to the extent that either of them are unable to perform for any cause beyond its reasonable control. Such causes shall include, but not be restricted to fire, storm, flood, earthquake, explosion, war, failure of transportation or delivery facilities, raw materials or supplies, interruption of utilities or power, and any act of government or military authority. In the event either party is rendered unable to carry out its obligations under this Agreement, that party shall give written notice to the other including an explanation of the circumstances.
- 6.10 Binding Effect. This Agreement binds and inures to the benefit of the Parties and their respective successors and permitted assigns.
- 6.11 Entire Agreement. The individuals signing this Agreement hereby represent that they are authorized to execute this Agreement on behalf of their respective organizations, and the Agreement contains the entire understanding between the Parties concerning the subject matter.
- 6.12 Severability. In the event that any terms of this Agreement are in conflict with or are otherwise unenforceable under any rule, law, or statutory provision, such terms shall be deemed stricken from this Agreement, but such invalidity or unenforceability shall not invalidate any other terms of the Agreement unless the invalidity or unenforceability of such provisions substantially harms, compromises an integral part of, or are otherwise inseparable from the remainder of this Agreement.

- 6.13 Waiver. Failure by either party to take action or assert any right hereunder shall not be deemed a waiver of such right in the event of the continuation or repetition of the circumstances giving rise to such right.
- 6.14 Execution and Delivery of Documents. Each of the parties hereto, his or her heirs, legal representatives, successors, and assigns shall do all things to execute and deliver any documents necessary, at any time, to carry out and effectuate the terms and conditions of this Agreement.

ARTICLE 7: AGREEMENT

IN WITNESS THEREOF, Community and Sourcewell have executed this Agreement as of the date hereof.

Sourcewell

By_____

Authorized Signature-**Signed**

Name **Anna Gruber**

Title Manager, Community Solutions

Date_____

City of Brainerd

By_____

Authorized Signature-**Signed**

Name_____

Title_____

Date_____

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

**January 6, 2020
Crow Wing County Historic Courthouse
2nd Floor Jinx Ferrari Room
7:00 PM**

1. Payment of Bills and Transfer of Funds

General Fund to Airport Fund per Budget	\$155,500
General Fund to Mayor Contingency Fund per Budget	\$2,500
General Fund to IT Capital Fund per Budget	\$20,000
Public Safety Fund to Fire Capital Fund per Budget	\$57,000
Public Safety Fund to Debt Service Fund per Budget	\$147,396

2. Parks and Recreation Seasonal Pay Rates

3. Police Officer Resignation

4. Police Sergeant Retirement

5. 2020 Pay Equity Report Update

6. League of Minnesota Cities Insurance Trust (LMCIT) Liability Coverage Waiver Form



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

BRAINERD PARKS AND RECREATION

2020 Pay Rates for Temporary Seasonal Positions

Effective January 2020

Adult Softball Umpire	\$30.00/game
American Sign Language Interpreter	Market rate
Baseball League Umpire	\$25.00/game – Mustang/Bronco \$30.00/game - Pony
Baseball Tournament Umpire	\$45.00/game – 10U/11U \$50.00/game – 12U/13U \$45.00/game - State
Pond Hockey Referee	\$22.00/game
Temporary Seasonal Hourly Workers: Clerical, maintenance, and recreation aides	\$11.00 - \$14.00/hour
Temporary Seasonal Hourly Workers: Concession workers and warming house attendants	\$11.00 - \$14.00/hour
Tournament Scorekeeper/Announcer	\$17.00/game
Weekend Maintenance Worker	\$13.00 - \$15.00/hour
Youth Softball Umpire	\$22.00/game

Effective January 2020, the Minnesota state minimum wage is \$10.00 per hour for large employers.



Brainerd City Council Agenda Request

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December 16, 2019

Chief McQuiston,

Please accept my resignation effective January 5th, 2020. I'm grateful for the experience and relationships gained while working at the Brainerd Police Department. I appreciate the support of all the staff that helped me grow professionally and personally.

Thank you,


Officer Nicholas Andringa



Brainerd City Council Agenda Request

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www.ci.brainerd.mn.us

December 23, 2019

Mayor Ed Menk
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Reference: SGT Timothy Melin Retirement

Dear: Mayor Menk

I am formally advising you and the City of Brainerd of my intentions to retire from the Brainerd Police Department effective April 26th 2020. I will, at that time, have over 27 years of service as a police officer and believe that it is time for me to retire. Please accept this letter of retirement as my official notice to the you and the City of Brainerd of my intentions and if you have any questions please contact me.

Sincerely,

Sergeant Timothy Melin
Patrol Supervisor
Brainerd Police Department
225 East River Road
Brainerd, MN 56401



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Local Government Pay Equity Act: An Overview

Learn about Minnesota law requirements to analyze city employee pay structure for evidence of gender inequity. How to use a job evaluation system to determine the comparable work value of each employee class. State requirements for a pay equity implementation report. Maintaining equitable pay relationships; effects of noncompliance.

RELEVANT LINKS:

[Minn. Stat. §§ 471.998 - .999.](#)
[Minn. Stat. § 471.992 subd. 1.](#)
[Minn. R. 3920.0200.](#)

For information on types of pay systems see [HR Reference Manual, Chapter 4.](#)

[Minn. R. 3920.0100 subp. 8.](#)
[Minn. Stat. § 471.994.](#)

I. History

In 1984 the Minnesota Legislature passed a bill extending pay equity to all local governments in the State. The law requires each local government to analyze its pay structure for evidence of inequities, and to report this information to the Department of Management and Budget (the “Department”) every three years. Most Minnesota cities are also subject to the Equal Pay for Equal Work Law, which is a different law from the Pay Equity Act but also prohibits discrimination in pay based on sex.

II. Concept of pay equity

Compensation programs have three parts:

- Pay level—the level an employer pays in comparison to other employers.
- Pay structure—the relationships among jobs in an organization.
- Pay method—the set of policies and procedures for paying individual employees.

Pay equity is designed to address the problem of a wage structure in which there is one pay pattern for jobs performed mostly by men and another pay pattern for jobs performed mostly by women. Pay equity primarily affects pay structure, not pay level or pay method. An employer can still have a pay level that is different than other employers. The city can still pay more to recognize individuals’ seniority and performance. One way to do this is to establish salary ranges for each job class and reward employees for seniority, performance, or both by moving them through the salary range.

III. Job evaluation system

Every city must use a job evaluation system to determine the comparable work value of the work performed by each class of its employees. System options are:

RELEVANT LINKS:

MN Mgmt. & Budget, [State Job Match Job Evaluation System](#).

[Minn. Stat. § 471.994.](#)

[Minn. Stat. § 471.994.](#)

[Minn. Stat. § 471.997.](#)

[Minn. Stat. § 471.994.](#)

[Minn. Stat. § 471.995.](#)

[Minn. Stat. § 471.992 subd. 2.](#)

[Minn. Stat. § 471.9966.](#)

- Use the state job match.
- Use or modify systems developed by other public employers.
- Design your own system.
- Purchase a privately-owned (consultant's) system.

Regardless of what job evaluation system is used, a city should be prepared to explain to the state's Pay Equity Coordinator the criteria considered within their job evaluation system, how the points are awarded and the objective basis for the system, to ensure there is no inherent bias against female job classes.

No matter what job evaluation system is used, it must be updated to account for:

- New employee classes.
- Any changes in factors affecting the comparable work value of existing classes.

In addition, when substantially modifying your job evaluation system or adopting a new system you must notify the Commissioner of the Department of Management and Budget (the "Commissioner"). Cities should note that the results of any job evaluation system and subsequent reports may be used in any proceeding or action alleging discrimination.

IV. Pay equity and bargaining units

Pay equity laws directly address some issues where collective bargaining and pay equity laws intersect:

- Cities must meet and confer with the exclusive representatives of their employees on the development or selection of a job evaluation system.
- A report containing the results of the job evaluation system must be provided to the exclusive representatives of the employees to be used by both parties in contract negotiations.
- In interest arbitration (for any class other than balanced) the arbitrator shall consider pay equity, including results of a job evaluation study and any employee objections to said study, together with other standards appropriate to interest arbitration.
- The provisions of the Pay Equity Act do not diminish a city's duty to bargain in good faith.

V. Pay equity implementation report

Cities with one or more employees must file a pay equity implementation report every three years as required by the Department.

RELEVANT LINKS:

[Minn. R. 3920.0100 subp. 5.](#)
[Minn. Stat. § 179A.03 subd. 14.](#)
[MN Mgmt. & Budget, Local Government Pay Equity.](#)

[Minn. Stat. § 13.03.](#)

[Minn. R. 3920.0300 subp. 5.](#)

[Minn. R. 3920.0400.](#)

[Minn. R. 3920.0800 subp. 1, 3.](#)

[Minn. R. 3920.0800 subp. 1.](#)
and
[Minn. R. 3920.1000 subp. 3.](#)

[Minn. Stat. § 471.9981 subd. 7.](#)
[Minn. R. 3920.1200.](#)

Generally, an employee is one who works in a position a minimum of 67 days per year (100 days in the case of a student) and works an average of at least 14 hours per week during the weeks they are scheduled to work.”

The information in the report is public. The form that cities must use is provided by the Department and requires that the following information be submitted:

- A list of all job classes in the political subdivision.
- The number of employees in each class.
- The number of female employees in each class.
- An identification of each class as male-dominated, female-dominated, or balanced.
- The comparable work value of each class as determined by the job evaluation system.
- The minimum and maximum monthly salary for each class and the amount of time in employment required to qualify for the maximum.
- Any additional cash compensation.
- Whether or not job classes are eligible for benefits, or if the jurisdiction's contribution limit for benefits is different for any male-dominated and female-dominated classes of comparable work value.
- Any other information requested by the commissioner.

Based on the pay equity implementation report and any other information requested by the Department, a number of tests are used to analyze the information submitted and determine compliance/noncompliance.

VI. Noncompliance

If a city is found not in compliance, a notice will be issued to that city. A city in disagreement with such a finding may notify the Commissioner and will be given a defined period of time during which additional information may be submitted for reconsideration of the finding.

In the event compliance is not achieved within the defined time period set by the commissioner, the commissioner will notify the city and the commissioner of revenue the city is subject to a five percent reduction in the aid that would otherwise be payable to that city, or to a fine of \$100 per day, whichever is greatest.

Cities may appeal the imposition of a penalty by filing a notice of appeal with the commissioner within 30 days of the commissioner’s notification to the city of the penalty. No penalty may be imposed while an appeal is pending.

RELEVANT LINKS:

[Minn. R. § 3920.1300.](#)

Dominique Murray, State
Program Administrator- Pay
Equity
Email:
Dominique.Murray@statemn.us

651-259-3805
800.627.3529

800.925.1122
651.281.1200
HRbenefits@lmc.org

VII. Maintaining pay equity

Cities must maintain equitable pay relationships and submit additional reports as required by the department, generally every third year. The Department monitors compliance on an ongoing basis and reports to the legislature annually. The procedures for imposing or appealing penalties still apply to those cities found in compliance at one time, but found not in compliance at a future date.

VIII. Further assistance

Cities may contact the Pay Equity Coordinator for specific assistance. The League's Human Resources and Benefits Department will also discuss with you any additional questions you may have.



www.ci.brainerd.mn.us

MEMO

TO: Mayor and Council
FROM: HR Director Kris Schubert
DATE: January 6, 2020
RE: Pay Equity Update

As noted in the Council packet, the City of Brainerd is mandated by State law to submit a Pay Equity Report to the State of Minnesota every three years. Our next Pay Equity report is due January 31, 2020, for wages as of December 31, 2019.

We are required to utilize software on the State's website to determine compliance; however, I was unable to access the State's software to submit our data almost all of last week. The State's Pay Equity Coordinator informed me on Friday morning that the issue was resolved.

Using software on the State's website and entering all appropriate data, it has been determined that the City of Brainerd will meet compliance requirements of the Pay Equity Law.

To verify the compliance, I have attached our Compliance Report regarding our results. Please review Section II which is the Statistical Analysis Test. Since our Underpayment Ratio is more than 80%, we are in compliance.

The law also requires that our governing body review and approve the report before it is submitted. Attached is the Job Class Data Entry Verification List that details the data submitted.

Staff's recommendation is to approve submittal of the City of Brainerd's Pay Equity Report for wages as of December 31, 2019, as presented this evening.

/ks

Compliance Report

Jurisdiction: Brainerd
501 Laurel Street

Report Year: 2020
Case: 2 - 2019 TST1 (Private (Jur Only))

Brainerd MN 56401

Contact: Kristy Schubert

Phone: (218) 828-2307

E-Mail: kschubert@ci.brainerd.mn.us

The statistical analysis, salary range and exceptional service pay test results are shown below. Part I is general information from your pay equity report data. Parts II, III and IV give you the test results.

For more detail on each test, refer to the Guide to Pay Equity Compliance and Computer Reports.

I. GENERAL JOB CLASS INFORMATION

	Male Classes	Female Classes	Balanced Classes	All Job Classes
# Job Classes	51	23	2	76
# Employees	89	27	6	122
Avg. Max Monthly Pay per employee	6,304.51	5,178.53		5,944.18

II. STATISTICAL ANALYSIS TEST

A. Underpayment Ratio = 96.64 *

	Male Classes	Female Classes
a. # At or above Predicted Pay	21	9
b. # Below Predicted Pay	30	14
c. TOTAL	51	23
d. % Below Predicted Pay (b divided by c = d)	58.82	60.87

*(Result is % of male classes below predicted pay divided by % of female classes below predicted pay.)

B. T-test Results

Degrees of Freedom (DF) = 114	Value of T = 0.415
-------------------------------	--------------------

- a. Avg. diff. in pay from predicted pay for male jobs = \$1
b. Avg. diff. in pay from predicted pay for female jobs = (\$58)

III. SALARY RANGE TEST = 136.69 (Result is A divided by B)

- A. Avg. # of years to max salary for male jobs = 4.78
B. Avg. # of years to max salary for female jobs = 3.50

IV. EXCEPTIONAL SERVICE PAY TEST = 170.57 (Result is B divided by A)

- A. % of male classes receiving ESP 25.49 *
B. % of female classes receiving ESP 43.48

*(If 20% or less, test result will be 0.00)

Job Class Data Entry Verification List

Brainerd
LGID 482

Case: 2019 TST1

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
106	CSO	2	1	B	115	\$1,982.55	\$2,252.90	1.00		
6	PARK MAINTENANCE-LE	4	0	M	148	\$3,996.30	\$4,082.95	0.50	21.00	Longevity
112	PARK MAINTENANCE-GF	1	0	M	148	\$3,311.76	\$4,141.87	6.00	0.00	
102	ACCOUNTS REC REP	0	1	F	150	\$3,900.81	\$4,334.23	1.00		Longevity
101	CASHIER POSTAL SPEC	0	1	F	158	\$3,900.81	\$4,334.23	1.00		
79	ADMINISTRATIVE SPECI	0	2	F	178	\$3,681.15	\$4,330.77	2.00	0.00	Longevity
3	POLICE REC MGMT TEC	0	2	F	180	\$3,516.26	\$4,394.89	6.00	0.00	
111	POLICE REC MGMT TEC	0	2	F	180	\$3,681.15	\$4,330.77	2.00		Longevity
14	CUSTODIAN / CLERK	1	0	M	183	\$4,298.62	\$4,524.86	0.50	17.00	Longevity
9	BILLING REP	0	1	F	188	\$3,994.91	\$4,699.90	1.50	0.00	Longevity
100	ADMINISTRATIVE ASSIS	0	1	F	188	\$4,243.86	\$4,992.77	1.50		Longevity
20	ACCOUNTANT 1	0	1	F	190	\$4,529.63	\$5,328.98	1.50	0.00	Longevity
99	PAYABLES PAYROLL SP	0	1	F	193	\$4,382.32	\$5,155.68	1.50		Longevity
23	METER TECH/LOCATOR	1	0	M	195	\$5,182.88	\$5,758.76	1.00	0.00	Longevity
84	STREET AND SWR MAIN	2	0	M	195	\$3,516.26	\$4,394.89	6.00	0.00	
109	FACILITY AND GROUND	1	0	M	196	\$4,524.86	\$4,524.86	0.00	13.00	Longevity
13	CREDIT COLLECTION	0	1	F	198	\$4,170.20	\$4,906.12	1.50	0.00	Longevity
98	MATERIALS CONTROL	0	1	F	198	\$4,402.95	\$5,179.94	1.50		Longevity
69	HOUSING INSPECTOR	1	0	M	208	\$3,912.42	\$4,602.85	2.00	0.00	
73	HYDRO OPERATOR	2	1	B	220	\$4,670.44	\$5,836.74	6.00	0.00	
7	AP ADMIN SPECIALIST	0	1	F	223	\$3,681.15	\$4,330.77	2.00	0.00	
91	TRANSIT SPECIALIST	0	1	F	223	\$3,802.20	\$4,753.62	6.00	0.00	
72	POLICE RECORD MANA	0	1	F	230	\$4,037.63	\$4,750.15	2.00	0.00	Longevity
80	ADMINISTRATIVE SPECI	0	2	F	233	\$3,802.20	\$4,753.62	6.00	0.00	
25	METER SERVICE WORKI	1	0	M	235	\$5,015.74	\$5,900.87	1.50	0.00	Longevity
33	BUILDING INSPECTOR	1	0	M	235	\$4,183.46	\$4,921.72	2.00	0.00	
16	STREET AND SWR MAIN	1	0	M	240	\$4,438.21	\$4,438.21	0.00	18.00	Longevity
92	IT/DATA ANALYST	0	1	F	240	\$4,345.50	\$5,112.35	1.50	0.00	
27	WASTEWATER OPERATI	3	0	M	245	\$4,988.44	\$5,250.99	0.50	2.00	
31	MAINTENANCE MECHAN	1	0	M	245	\$5,595.86	\$5,595.86	0.00	4.00	
74	HYDRO OPERATOR/ MEI	1	0	M	245	\$4,949.45	\$6,186.81	6.00	0.00	
78	WATER PLANT OPERATI	4	0	M	245	\$4,962.59	\$5,223.57	0.08	22.00	Longevity
107	ENGINEERING TECHN	1	0	M	245	\$4,032.69	\$5,039.56	6.00		
110	ZONING SPEC/PERMIT T	1	0	M	253	\$4,032.69	\$5,039.56	6.00		
29	ST & SWR MAINT III-LEG	1	0	M	273	\$4,805.61	\$4,805.61	0.00	25.00	Longevity
113	ST & SWR MAINT III-GRII	2	0	M	273	\$4,271.85	\$5,341.11	6.00		
115	APPRENTICE LINWORK	1	0	M	280	\$5,199.09	\$6,454.04	4.00	0.00	
82	PARK FOREMAN	1	0	M	285	\$5,043.03	\$5,043.03	0.00	22.00	Longevity
83	SR ENGINEERING TECH	1	0	M	290	\$4,271.85	\$5,341.11	6.00	0.00	
95	WATER SERVICEWORKE	2	0	M	290	\$5,019.72	\$5,283.92	0.50	6.00	
108	BPU SENIOR ENGINEER	1	0	M	290	\$5,904.33	\$5,904.33	0.00	5.00	
76	LINEWORKER	6	0	M	295	\$7,171.15	\$7,171.15	0.00	4.00	
81	IT SPECIALIST	0	1	F	295	\$4,271.85	\$5,341.11	6.00	0.00	
70	MAINTENANCE ELECTRI	1	0	M	305	\$7,003.05	\$7,003.05	0.00	4.00	
93	RECREATION SPECIALIS	0	1	F	318	\$4,569.92	\$5,711.97	6.00		
71	POLICE ADMINISTRATIV	0	1	F	323	\$4,569.92	\$5,711.97	6.00	0.00	
114	WASTEWATER CREW CI	1	0	M	325	\$6,171.14	\$6,171.14	0.00	19.00	Longevity
36	POLICE OFFICER	15	2	M	343	\$4,661.77	\$5,826.35	6.00	0.00	
41	STREET AND SWR FORE	1	0	M	360	\$4,706.83	\$5,885.27	6.00	0.00	
44	WATER CREW CHIEF	2	0	M	360	\$5,830.23	\$5,830.23	0.00	24.00	Longevity
48	LINEWORKER CREW CH	3	0	M	371	\$7,379.11	\$7,379.11	0.00	26.00	Longevity
51	BUILDING OFFICIAL	1	0	M	383	\$5,034.37	\$6,292.52	6.00	0.00	
104	REC COORDINATOR	0	1	F	388	\$5,034.37	\$6,292.52	6.00		
75	HYDRO LEAD/ RELIEF OI	1	0	M	390	\$5,890.47	\$7,361.78	6.00	0.00	
54	ASSISTANT CITY ENGINI	1	0	M	399	\$5,034.37	\$6,292.52	6.00	0.00	
77	WATER PLANT CHIEF OF	1	0	M	400	\$6,020.41	\$6,020.41	0.00	13.00	Longevity
47	ACCOUNTING SUPERVIS	0	1	F	413	\$6,477.95	\$8,098.31	6.00	0.00	
52	TECHNOLOGY SUPERVI	1	0	M	425	\$6,477.95	\$8,098.31	6.00	0.00	

Job Class Data Entry Verification List

Brainerd
LGID 482

Case: 2019 TST1

Job Nbr	Class Title	Nbr Males	Nbr Females	Class Type	Jobs Points	Min Mo Salary	Max Mo Salary	Yrs to Max Salary	Yrs of Service	Exceptional Service Pay
94	HR DIRECTOR	0	1	F	430	\$5,538.67	\$6,923.34	6.00		
50	POLICE SERGEANT	4	0	M	433	\$5,483.21	\$6,854.02	6.00	0.00	
103	LIEUTENANT	1	0	M	436	\$5,736.23	\$7,169.42	6.00		
68	FIRE MARSHAL / DEP. CI	1	0	M	440	\$5,538.67	\$6,923.34	6.00	0.00	
45	IT/GIS DIRECTOR	1	0	M	445	\$6,036.04	\$7,543.75	6.00	0.00	
39	TRANSIT COORDINATOR	1	0	M	448	\$5,538.67	\$6,923.34	6.00	0.00	
59	PARK DIRECTOR	1	0	M	465	\$6,036.04	\$7,543.75	6.00	0.00	
56	WASTEWATER SUPERVISOR	1	0	M	495	\$7,202.35	\$9,002.94	6.00	0.00	
60	DEPUTY POLICE CHIEF	1	0	M	496	\$6,155.62	\$7,801.97	6.00	0.00	
105	COMMUNITY DEVELOPMENT	1	0	M	540	\$6,280.39	\$7,850.49	6.00		
62	FIRE CHIEF	1	0	M	590	\$6,280.39	\$7,850.49	6.00	0.00	
61	CITY FINANCE DIRECTOR	0	1	F	615	\$6,594.07	\$8,242.15	6.00	0.00	
85	BPU OPERATIONS MANAGER	1	0	M	630	\$8,678.86	\$10,848.58	6.00		
63	CITY ENGINEER	1	0	M	650	\$7,417.24	\$9,271.55	6.00	0.00	
64	POLICE CHIEF	1	0	M	653	\$7,417.24	\$9,271.55	6.00	0.00	
66	BPU SUPERINTENDENT	1	0	M	665	\$9,642.41	\$12,054.75	6.00	0.00	
65	BPU FINANCE DIRECTOR	1	0	M	680	\$9,642.41	\$12,054.75	6.00	0.00	
67	CITY ADMINISTRATOR	1	0	M	740	\$9,067.06	\$11,333.82	6.00	0.00	

Job Number Count: 76



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

LIABILITY COVERAGE – WAIVER FORM

Members who obtain liability coverage through the League of Minnesota Cities Insurance Trust (LMCIT) must complete and return this form to LMCIT before the member's effective date of coverage. Return completed form to your underwriter or email to psstech@lmc.org.

The decision to waive or not waive the statutory tort limits must be made annually by the member's governing body, in consultation with its attorney if necessary.

Members who obtain liability coverage from LMCIT must decide whether to waive the statutory tort liability limits to the extent of the coverage purchased. The decision has the following effects:

- *If the member does not waive the statutory tort limits, an individual claimant could recover no more than \$500,000 on any claim to which the statutory tort limits apply. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would be limited to \$1,500,000. These statutory tort limits would apply regardless of whether the member purchases the optional LMCIT excess liability coverage.*
- *If the member waives the statutory tort limits and does not purchase excess liability coverage, a single claimant could recover up to \$2,000,000 for a single occurrence (under the waive option, the tort cap liability limits are only waived to the extent of the member's liability coverage limits, and the LMCIT per occurrence limit is \$2,000,000). The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to \$2,000,000, regardless of the number of claimants.*
- *If the member waives the statutory tort limits and purchases excess liability coverage, a single claimant could potentially recover an amount up to the limit of the coverage purchased. The total all claimants could recover for a single occurrence to which the statutory tort limits apply would also be limited to the amount of coverage purchased, regardless of the number of claimants.*

Claims to which the statutory municipal tort limits do not apply are not affected by this decision.

LMCIT Member Name:

Check one:

- The member **DOES NOT WAIVE** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#).
- The member **WAIVES** the monetary limits on municipal tort liability established by [Minn. Stat. § 466.04](#), to the extent of the limits of the liability coverage obtained from LMCIT.

Date of member's governing body meeting: _____

Signature: _____ Position: _____

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

January 6, 2020
Crow Wing County Historic Courthouse
3rd Floor Board Room
7 :15 PM

1. Highway 210 Sidewalk Snow Shoveling



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



RECEIVED

DEC 02 2019

City of Brainerd
Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

CITY OF BRAINERD
ADMINISTRATION

Commission/Committee/Board Applying for HRA Date: 11-26-19

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

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

*Name: Last Larson First Marlee M.I. L

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

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

Affordable housing is critical to the wellbeing of our population. Redevelopment strengthens our community.

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

I believe that I am a good listener, I always review materials and issues, and I ask questions.

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

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

Please list any additional comments:

The HRA is now preparing to replace the Executive Director, leaving the board at this critical time would be a disservice to the Agency, Staff, Clients and Community.

Marlee Larson
(Signature)

11-26-19
(Date)

***Required Information**

Submit completed application forms via one of the following options:

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



RECEIVED

DEC 02 2019

City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

CITY OF BRAINERD
ADMINISTRATIONCommission/Committee/Board Applying for Library Board Date: 11/29/2019**This application is public data pursuant to M.S. 13.43****PLEASE NOTE:** Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.*Name: Last Mattson First John M.I. M**PLEASE NOTE:** To serve on a City Committee or Board, you must either live in or own property within the City Limits of Brainerd.

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

I have enjoyed my work as a member of the Brainerd Public Library as we have continued to maintain it as a vital part of our community.

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

A strong knowledge of the workings of non-profit organizations and of government financial procedures.*Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule? Yes*After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed: None

Please list any additional comments:

(Signature)11/29/2019
(Date)***Required Information**

Submit completed application forms via one of the following options:

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



City of Brainerd
Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

RECEIVED

DEC 03 2019

CITY OF BRAINERD
ADMINISTRATION

Commission/Committee/Board Applying for Library Date: 11/25/19

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

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

* Name: Last Hummel First Lynda M.I. G

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

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

I love the library and am very
proud of the programs and
classes they provide

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

I want the library to be a
place that people want to use and
I will work hard to accomplish that

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

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

none

Please list any additional comments:

I feel it has been an honor
to serve on the library board
and will love to continue doing
so.

Lynda Hummel 11/25/19
(Signature) (Date)

*** Required Information**

Submit completed application forms via one of the following options:

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

**RECEIVED**

DEC 03 2019

**City of Brainerd
Commission/Committee/Board Application Form**

Any questions contact City Hall at 218-828-2307

CITY OF BRAINERD
ADMINISTRATIONCommission/Committee/Board Applying for Library Board Date: 120219***This application is public data pursuant to M.S. 13.43*****PLEASE NOTE:** Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.*Name: Last DeWitt First Brenda M.I. A**PLEASE NOTE:** Please see the individual committee requirements to serve on a City Committee or Board.

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

Am proud of our local library and all that this board has accomplished. Would like to continue to work with this board and community and to see projects through.

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

Listening to varied opinions and suggestions, then evaluate before implementing the motion. Have been on 'financial' committee and personnel chair.*Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule? yes

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

none

Please list any additional comments:

Had served as board president for 2 yrs stint. Believe the current board works well together and City of Brainerd has an excellent librarian and staff - very resourceful, and great assets to our community.

(Signature)

(Date)

***Required Information**

Submit completed application forms via one of the following options:

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



RECEIVED

City of Brainerd
Commission/Committee/Board Application Form

DEC 16 2019

Any questions contact City Hall at 218-828-2307

CITY OF BRAINERD
ADMINISTRATIONCommission/Committee/Board Applying for LIBRARY Date: 12-11-19This application is public data pursuant to M.S. 13.43

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

*Name: Last SIMOTA First JENNIFER M.I. J

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

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

I am passionate about literacy. I would like to participate in this committee in order to help make decisions for my community.

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

I have worked at an Elementary School for the past 5 years! I am surrounded by a variety of community people every day. (Teachers, Parents, Social Workers & etc..)

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

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

I am not aware of any conflicts of interest.

Please list any additional comments:

From 2008-2016, I was an Administrative Assistant for the Crow Wing County Administrator. I am knowledgeable about the County government processes. I know that my clerical and customer service background will also be helpful.

Jennifer J. Simota 12-11-19
(Signature) (Date)

*Required Information

Submit completed application forms via one of the following options:

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



City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Park Board Date: 12/5/19

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

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

*Name: Last Parks First Dale M.I. A

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

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

To continue overview and planning the city's park system. I'm excited to continue with planning of Memorial Park.

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

Past Chair of the Board and 5 year member. Past City Council President.

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

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

No

Please list any additional comments:


(Signature)

12/05/19

(Date)

*Required Information

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us **fax:** 218-828-2316

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



City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Public Utilities Commission Date: 11/19/19

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

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

* Name: Last MATTEN First DOLLY M.I. R.

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

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

It's important to me that I continue to serve on a board that strives to operate on a high level of service. Safety while making certain that the public is treated fairly, efficiently, safely with reliability while addressing BPU's

What skills, strengths, or abilities do you believe you will add to the organization? I'm a future needs. Having had the opportunity to serve one term has allowed me the chance to be involved in the Power Company Contract Change, Arbitration of Contractor issues, and Real Estate issue that have come up during the past 5 years. I'm fair, I'm inquisitive, and I strive to get all the answers before making final decisions.

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

* After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed: No

Please list any additional comments:

Dolly Matten 11/19/19
(Signature) (Date)

* Required Information

Submit completed application forms via one of the following options:

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



City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Airport Commission and TAC Date: 11/25/19

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

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

* Name: Last Czczok First Jeff M.I. _____

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

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

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

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

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

Please list any additional comments:

(Signature)

(Date)

* Required Information

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us **fax:** 218-828-2316

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

Stephanie Bestul

From: Jeff V. Czczok
Sent: Monday, November 25, 2019 12:43 PM
To: Stephanie Bestul
Subject: {external} application form for TAC and Airport Commission

Greetings, Stephanie,

Please let me know if there is anything further you might require.

Best regards, Jeff

828-8476

Committee-Application-PDF

City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for:

Airport Commission and Transportation Advisory Committee

Date: November 25, 2019

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

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

*Name: Last Czczok First Jeff M.I. V

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

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

Both the Airport Commission and TAC interest me a great deal and I believe I do a good job for the City and would like to continue to serve.

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

I've acquired a lot of knowledge of both airports and transportation (bus) systems over the many years and I ask a lot of questions and look out for public tax dollars.

I advocate that all public meetings adhere to the OML and I advocate for the Olmsted Act.

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

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

I first rode the city bus in 1993 and was first appointed to the TAC in 1996. I distinctly recall when TAC member Howard "Jiggs" Blanck spoke of just how recognizable it was that for the first time, the City now had a member on the TAC that was a regular bus rider. I've always tried my best to do a good job for both the city and users of the bus.

In the past few weeks I had a brief conversation with an individual that lives in my apartment building and he indicated that he doesn't like riding the bus. This was after I tried to encourage him to ride as the bus passes by the building several times per day and after he said "I want to go somewhere."

I asked him why he doesn't ride and he said he was late to an appointment by 20 minutes and that was a long time ago. I said I get good service and he told me that's because I'm on the committee.

I guess he could be considered to be a person that has a perceived conflict of interest of my being on the TAC.

AT our most recent TAC meeting last week, our member with the longest tenure, indicated that I receive preferential service by the bus service because I am a member of the TAC. As much as I resent the comment simply because I haven't any idea how the employees for the service think or how they might be influenced in the implementation of their duties, I honestly cannot say that the statement is incorrect. However, I firmly believe that if the bus service was providing me or anyone else preferential service because they were on the TAC, I would be the loudest voice to speak out against it.

I did follow up with the Transportation Coordinator to get his thoughts and a copy of his email response follows in bold text:

"Hi Jeff, Honestly, it is my job to see that we treat the "public" fairly and "equally". If you abuse the system because of preferential treatment, then I would be having discussions with PA, Dispatch, and you. I do not currently see any issues.

Andy"

As food for thought, I would appreciate it if you would think of the following scenarios before making your determination as to whether you see a conflict.

If I, as a bus rider and a TAC member have a conflict, then wouldn't anybody serving on the city council also have a conflict if they rode the bus based on the two examples identified above?

Would not virtually any city employee also have a conflict based on the same?

I can give you a scenario where there would be a definitive conflict...see the following scenario:

A TAC member or perhaps a city employee or city elected official requests a city employee such as the engineer or transit coordinator to assist them with a disabled family member on the bus to travel with said family member to a medical facility and return on the bus from the same.

If the person that requested the city employee to provide such a non-policy service based on their being a TAC member or elected city official, this would be an example of said individual using their position to garner special service and should never be allowed.

Of course the decision to reappoint me to the TAC is entirely up to the Mayor and City Council to determine if a conflict of interest exists if a person serving on the Transportation Advisory Committee suffers a conflict, perceived or otherwise, by also being a regular bus rider.

Please email or call me if you've any further questions or concerns.

In order to provide full disclosure, I used the term, "regular bus rider," but I may have taken liberties with the term "regular" as I have taken a total of 48 bus trips since January 1st of 2017.

One final note, there is one other individual serving on the TAC that rides the bus regularly.

I have no conflict of interest by serving on the Airport Commission.

(Signature) (Date)

*Required Information

Submit completed application forms via one of the following options:

Email:

sbestul@ci.brainerd.mn.us

fax: 218-828-2316

Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401
266

City of Brainerd



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City of Brainerd
Commission/Committee/Board Application Form

NOV 22 2019

Any questions contact City Hall at 218-828-2307

CITY OF BRAINERD
ADMINISTRATION

Commission/Committee/Board Applying for TAC Date: 11/22/19

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

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

*Name: Last Bertram First Nathan M.I. D

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

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

Transportation affects many of the populations
I serve. I also believe its a vital part
of our community

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

Organized / Knowledgeable

*Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule? Yes, as I have in the past

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

I don't believe there are any. I do work for
CWC Social Services but that is not a conflict.
Please list any additional comments:

[Signature] 11/12/19
(Signature) (Date)

***Required Information**

Submit completed application forms via one of the following options:

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



City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for TAC Date: _____

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

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

*Name: Last Koep First Mary M.I. A.

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

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

Important issue to city - people
Need cost effective program with best
resource possible

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

History with committees. Handicapped
Senior citizens. Do my homework.
VERY interested.

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

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

No

Please list any additional comments:

great committee

Mary Koep
(Signature)

11-21-2019
(Date)

*Required Information

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us

fax: 218-828-2316

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



City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Airport Commission and TAC Date: 11/25/19

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

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

* Name: Last Czczok First Jeff M.I. _____

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

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

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

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

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

Please list any additional comments:

(Signature)

(Date)

* Required Information

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us **fax:** 218-828-2316

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

Stephanie Bestul

From: Jeff V. Czczok <bubbajustice@charter.net>
Sent: Monday, November 25, 2019 12:43 PM
To: Stephanie Bestul
Subject: {external} application form for TAC and Airport Commission

Greetings, Stephanie,

Please let me know if there is anything further you might require.

Best regards, Jeff

828-8476

Committee-Application-PDF

City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for:

Airport Commission and Transportation Advisory Committee

Date: November 25, 2019

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

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

*Name: Last Czczok First Jeff M.I. V

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

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

Both the Airport Commission and TAC interest me a great deal and I believe I do a good job for the City and would like to continue to serve.

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

I've acquired a lot of knowledge of both airports and transportation (bus) systems over the many years and I ask a lot of questions and look out for public tax dollars.

I advocate that all public meetings adhere to the OML and I advocate for the Olmsted Act.

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

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

I first rode the city bus in 1993 and was first appointed to the TAC in 1996. I distinctly recall when TAC member Howard "Jiggs" Blanck spoke of just how recognizable it was that for the first time, the City now had a member on the TAC that was a regular bus rider. I've always tried my best to do a good job for both the city and users of the bus.

In the past few weeks I had a brief conversation with an individual that lives in my apartment building and he indicated that he doesn't like riding the bus. This was after I tried to encourage him to ride as the bus passes by the building several times per day and after he said "I want to go somewhere."

I asked him why he doesn't ride and he said he was late to an appointment by 20 minutes and that was a long time ago. I said I get good service and he told me that's because I'm on the committee.

I guess he could be considered to be a person that has a perceived conflict of interest of my being on the TAC.

At our most recent TAC meeting last week, our member with the longest tenure, indicated that I receive preferential service by the bus service because I am a member of the TAC. As much as I resent the comment simply because I haven't any idea how the employees for the service think or how they might be influenced in the implementation of their duties, I honestly cannot say that the statement is incorrect. However, I firmly believe that if the bus service was providing me or anyone else preferential service because they were on the TAC, I would be the loudest voice to speak out against it.

I did follow up with the Transportation Coordinator to get his thoughts and a copy of his email response follows in bold text:

"Hi Jeff, Honestly, it is my job to see that we treat the "public" fairly and "equally". If you abuse the system because of preferential treatment, then I would be having discussions with PA, Dispatch, and you. I do not currently see any issues.

Andy"

As food for thought, I would appreciate it if you would think of the following scenarios before making your determination as to whether you see a conflict.

If I, as a bus rider and a TAC member have a conflict, then wouldn't anybody serving on the city council also have a conflict if they rode the bus based on the two examples identified above?

Would not virtually any city employee also have a conflict based on the same?

I can give you a scenario where there would be a definitive conflict...see the following scenario:

A TAC member or perhaps a city employee or city elected official requests a city employee such as the engineer or transit coordinator to assist them with a disabled family member on the bus to travel with said family member to a medical facility and return on the bus from the same.

If the person that requested the city employee to provide such a non-policy service based on their being a TAC member or elected city official, this would be an example of said individual using their position to garner special service and should never be allowed.

Of course the decision to reappoint me to the TAC is entirely up to the Mayor and City Council to determine if a conflict of interest exists if a person serving on the Transportation Advisory Committee suffers a conflict, perceived or otherwise, by also being a regular bus rider.

Please email or call me if you've any further questions or concerns.

In order to provide full disclosure, I used the term, "regular bus rider," but I may have taken liberties with the term "regular" as I have taken a total of 48 bus trips since January 1st of 2017.

One final note, there is one other individual serving on the TAC that rides the bus regularly.

I have no conflict of interest by serving on the Airport Commission.

(Signature) (Date)

*Required Information

Submit completed application forms via one of the following options:

Email:

sbestul@ci.brainerd.mn.us

fax: 218-828-2316

Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401
266

City of Brainerd



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DEC 02 2019

City of Brainerd
Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

CITY OF BRAINERD
ADMINISTRATION

Commission/Committee/Board Applying for PLANNING Date: 12/1/19

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

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

*Name: Last GORHAM First DONALD M.I. A

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

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

I BELIEVE COMMUNITIES BECOME STRONGER AND BETTER PLACES TO LIVE WHEN WHEN PEOPLE VOLUNTEER. THE PLANNING COMMISSION PROVIDES A VITAL LINK BETWEEN CITIZENS AND GOVERNMENT.
What skills, strengths, or abilities do you believe you will add to the organization?
MY COMMUNICATION SKILLS, AS WELLAS MY THREE YEARS OF PREVIOUS EXPERIENCE, WILL MAKE ME AN ASSET TO THE COMMISSION.

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

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

Please list any additional comments:

[Signature] 12/1/19
(Signature) (Date)

***Required Information**

Submit completed application forms via one of the following options:

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



City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Planning Commission Date: 12/20/19

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

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

*Name: Last Kallroos First Matthew M.I. J

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

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

I would like to be on the Planning Commission
because I believe it is essential that citizens play an
active role in their community and the City of Brainerd PC offers a
What skills, strengths, or abilities do you believe you will add to the organization? great opportunity to do
I believe I will bring my ability to listen, learn, so.
and take action. which is key for a Planning Commission member.
I also bring a background in planning/community development
through my employer at Region Five Development Commission

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

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

No

Please list any additional comments:

- Assisted in writing Brainerd new Comprehensive Plan
but unsure if that is a "conflict of interest"

Matthew Kallroos
(Signature)

12/20/19
(Date)

*Required Information

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us

fax: 218-828-2316

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

NOV 26 2019

CITY OF BRAINERD
ADMINISTRATION

City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Police & Fire Civil Service ^{Commissioner} Date: 11-26-19This application is public data pursuant to M.S. 13.43**PLEASE NOTE:** Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.*Name: Last Wasson First Patrick M.I. D**PLEASE NOTE:** Please see the individual committee requirements to serve on a City Committee or Board.

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

30 years ago I worked with North Marketa Police Civil Service and enjoyed it. In addition I have been on the Brainerd Civil Service and also enjoy it.

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

30 plus years of working with Police & Fire departments, knowledge of Human Resources & State laws.*Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule? yes

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

I did not see a conflict

Please list any additional comments:

I am willing to assist, but if the Mayor & City Council do not wish to reappoint me, that is their per option.Thank you for considering me.

(Signature)

11/26/2019
(Date)
***Required Information**

Submit completed application forms via one of the following options:

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

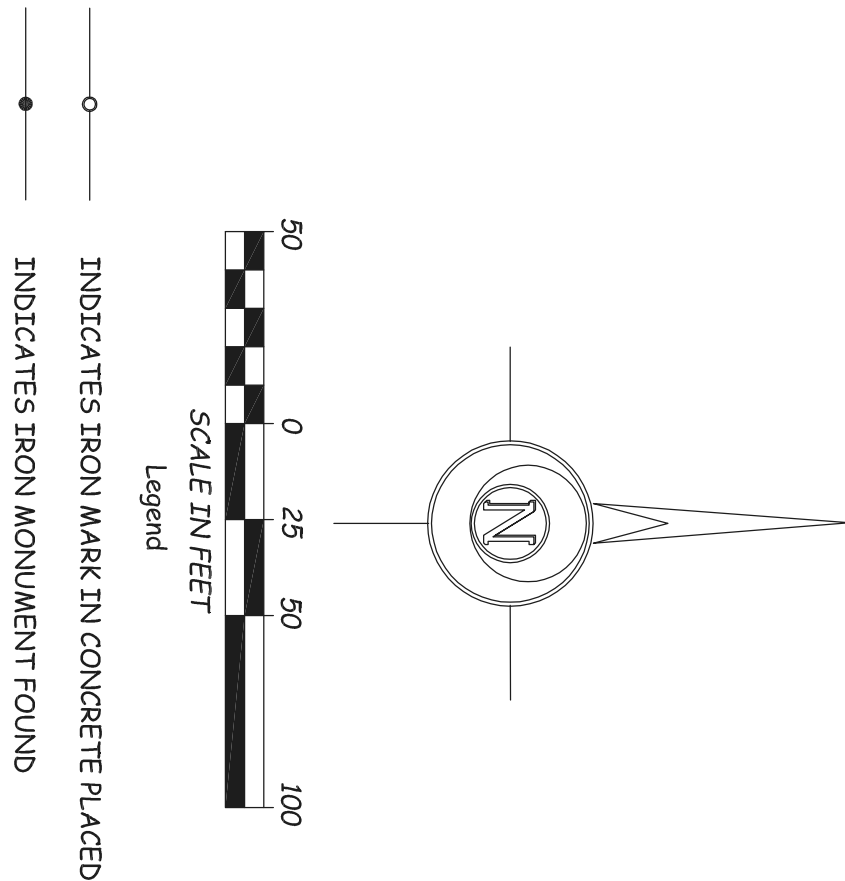


Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



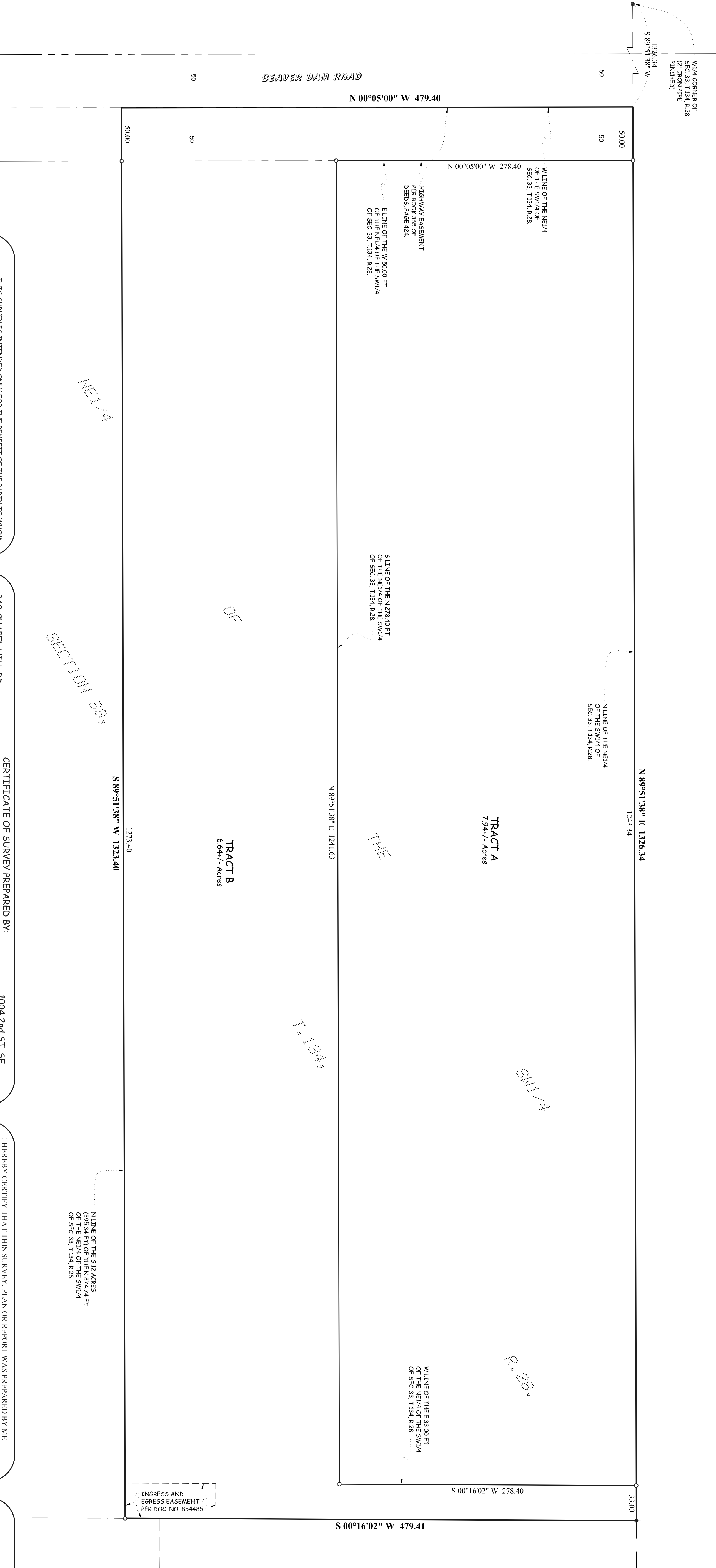
LEGAL DESCRIPTIONS

EXISTING LEGAL DESCRIPTION (Per Commitment file number 1502811)
North 874.74 feet of NE1/4 of SW1/4, Except the South 12 acres of the North 874.74 Feet, Crow Wing County, Minnesota.

TRACT A
The North 278.40 feet of the Northeast Quarter of Section 33, Township 134, Range 28, Crow Wing County, Minnesota, lying westerly of the East 33.00 feet thereof and lying easterly of the West 50.00 feet thereof.

TRACT B
North 874.74 feet of NE1/4 of SW1/4, Except the South 12 acres of the North 874.74 Feet, Crow Wing County, Minnesota.

LESS AND EXCEPT
The North 278.40 feet of the Northeast Quarter of Section 33, Township 134, Range 28, Crow Wing County, Minnesota, lying westerly of the East 33.00 feet thereof and lying easterly of the West 50.00 feet thereof.



NOTE: THIS SURVEY IS INTENDED ONLY FOR THE BENEFIT OF THE PARTY TO WHOM OR FOR ANY OTHER PURPOSE WITHOUT FIRST CONTACTING THE SURVEYOR WHO DEVELOPED AND MADE THIS DRAWING. UNAUTHORIZED REPRODUCTION OF THIS DOCUMENT IS PROHIBITED.

340 CHAPEL HILL RD.
COLD SPRING MN 56320
PH. 320-685-5905
FAX 320-685-3056

CERTIFICATE OF SURVEY PREPARED BY:
O'MALLEY & KRON
LAND SURVEYORS, INC.

1004 2nd ST. SE
WILLMAR MN 56201
PH. 320-235-4012
FAX 320-685-3056

I HEREBY CERTIFY THAT THIS SURVEY, PLAN OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, AND THAT I AM A DULY REGISTERED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.
DANIEL M. KRON
MINNESOTA REGISTRATION NO. 42621
DATE: 12-17-19

SHEET 1 OF 1

JOB NO: 2018-389
FILE NAME: 2018-389D.DWG
LOCATION: 33-134-28

CERTIFICATE OF SURVEY PREPARED FOR:
CM BRAINERD, LLC

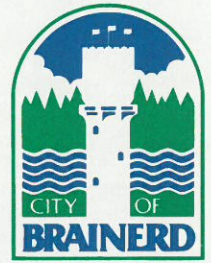
December 23, 2019

Pemberton Law, P.L.L.P

C/O Marc Sugden

203 22nd Avenue West

Alexandria, MN 56308



www.ci.brainerd.mn.us

Dear Mr. Sugden:

I am writing in response to your administrative subdivision application to split the unaddressed lot currently owned by CM Brainerd LLC (PID 41330755).

At this time, I must deny this lot split request. This property is in a R-A (Rural Agricultural) District. Within a R-A District, lots must have a minimum area of 20 acres and a minimum lot width of 500 feet. The proposed Tract A within the submitted certificate of survey has a lot size of approximately 7.94 acres with a lot width of approximately 278.40 feet and the proposed Tract B has a lot size of approximately 6.64 acres with a lot width of approximately 201.01 feet, putting both proposed lots under the 20 acre minimum as well as the 500 foot width minimum as required by Section 515-51-7.A of the Code of Ordinances.

While the existing lot is considered legal nonconforming lot as it is already under the 20 acre minimum and has a width of less than 500 feet, City ordinance prohibits me from conducting an administrative subdivision that results in the creation of a new nonconforming lot(s). For this reason, I must deny your request.

Should you disagree with this decision, you may make an appeal in writing to the Board of Zoning Appeals, which is the Brainerd City Council.

Sincerely,

David C. Chanski, MPA
Community Development Director



December 30, 2019

City of Brainerd
c/o David C. Chanski, MPA
501 Laurel Street
Brainerd, MN 56401

SENT VIA U.S. MAIL AND EMAIL TO: DCHANSKI@CI.BRAINERD.MN.US

IN RE: CM Brainerd, LLC ("CM Brainerd") // Application for Parcel Split
PID: 41330755
Our File No. 2018-1932.333

Dear Mr. Chanski:

I am in receipt of your letter dated December 23, 2019, denying my client CM Brainerd's application to split the unaddressed lot currently owned by CM Brainerd (Crow Wing County PID No. 41330755).

In the event the split is approved, CM Brainerd plans to retain and develop, and therefore re-zone and plat, 7.94 acres of the parcel. Therefore, CM Brainerd formally appeals the denial to the Board of Zoning Appeals. I, on behalf of my client, request that the appeal be scheduled as soon as allowable.

If you have any questions, please contact me at your earliest convenience.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. Sugden", is written over a horizontal line.

Marc W. Sugden
m.sugden@pemlaw.com
jls