CITY COUNCIL AGENDA

Brainerd, Minnesota
February 3, 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 January 21, 2020

      Documents:

      20200121_CC draft .pdf

   B. **Approval Of Licenses**
      Contractor Licenses - 14 Renewals; 1 - New

      Documents:

      CONTRACTOR LICENSE REPORT - 2020-01-15.pdf

   C. **Department Activity Reports**
      1. Fire Chief
      2. Parks Director

      Documents:

Fire Chief Report.pdf
2019 FD Annual Report.pdf
Parks Director Report.pdf

D. **Resolution Approving The Issuance Of Health Care Facilities Refunding Revenue Bonds By The Duluth Economic Development Authority To Refinance A Project Located In The City**

Documents:

Res - Health Care Facilities Refunding Revenue Bonds.pdf

6. **Council Committee Reports**

A. **Personnel And Finance Committee - 6:30 P.M.**

Documents:

2020-02-03_PF.pdf

1. Approval Of Bills & Payments To Contractors

Contractor	IMP#	Project	Amount Paid	Contract Amount
CWC Highway Dept	19-05	2019 Striping	$15,673	$15,521

2. Police Officer Resignation

Documents:

Police Officer Resignation.pdf

3. City Hall Fire Alarm System Update

Documents:

Fire Alarm System Update.pdf

4. Retirement Of Building Official Chuck Arvidson

Documents:

Retirement of Bldg Official Arvidson.pdf

5. Annual Review Of Investment Policy

Documents:

Annual Investment Policy Review.pdf

6. Request For Additional Street Department Employee And Funding

Opportunity

Documents:

Request for Street Dept Employee.pdf

B. **Safety And Public Works Committee - 6:30 P.M.**

Documents:

20200203_SPW.pdf

1. Improvement 17-08 Change Order 1

   Documents:

   Imp 17-08 Change Order 1.pdf

2. Improvement 19-05 - 2019 Striping Project Final Pay Estimate Number 1

   Documents:

   Imp 19-05 Pay Estimate No 1 - Final.pdf

3. ISD 181 Harrison Elementary Sewer Easement

   Documents:

   Sanitary Sewer Easement.pdf

4. Tax Forfeit Non-Conservation Parcels

   Documents:

   Tax Forfeit Parcel.pdf

5. Cuyuna Lakes State Trail Alignment

   Documents:

   Cuyuna Lakes.pdf

6. CSAH 20 Turnback

   Documents:

   CSAH 20 Turnback.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/*)

Mayor Recommended: (terms to expire 12/31 of said year)
Cable TV Advisory Committee - 2 terms (Expire 2021) - 2 terms (Expire 2022)
Charter Commission - 2 terms (Expire 2020) - 1 term (Expire 2021) - 1 term (Expire 2022) - 1 term (Expire 2023)

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)
Planning Commission - 1 terms (Expire 2022)

Other
Water Tower Committee - Applicants Needed

B. **City Hall Remodel Update**

Documents:

City Hall Remodel Update.pdf

8. **New Business**

A. **Potentially Dangerous Dog Hearing**

Documents:

Potenitally Dangerous Dog.pdf

1. (Distributed At The Meeting) Potentially Dangerous Dog Information

Documents:

Potentially Dangerous Dog.pdf

9. **Planning Commission**

A. **Final Reading - Proposed Ordinance No. 1502 - Amending Section 515-18: Outdoor Lighting Of The Code Of Ordinances - City Administrator Bergman Recommends To Dispense With The Actual Reading**
a. Hold Final Reading/Dispense with Actual Reading (Voice Vote)
b. Adopt Ordinance (Roll Call Vote)

Documents:

Final Reading - Proposed Ord 1502.pdf

10. **Public Forum**
Time allocated for citizens to bring matters not on the agenda to the

attention of the Council - Time limits may be imposed

11. **Staff Reports**

(Verbal: Any Updates since Packet)

A. **City Administrator Report/Update**

Documents:

CA Report.pdf

12. **Council Member Reports**

13. **Adjourn To Council Workshop, Monday February 10, 2020 At 6:00 Pm - Police Department Training Room**

Note: Safety and Public Works Committee will meet at 6:30 p.m.
in the Board Room at the Crow Wing County Courthouse.
Personnel and Finance Committee will meet at 6:30 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 (ci.brainerd.mn.us)

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

Brainerd, MN
January 21, 2020

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:31 P.M. by Council President Johnson.

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

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

A. Approval of the Minutes of the Regular Meeting held on January 6, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 10 – Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Adoption Resolution Accepting Donations & Contributions for the 4th Quarter 2019 – Adopted by Resolution No. 2:20

E. Temporary On-Sale Liquor License Application – Submitted by Brainerd Sports Boosters for an Event to be Held April 18, 2020 at Essentia Health Sports Center, 502 Jackson St., Brainerd - Approved

F. Temporary On-Sale Liquor License Application – Submitted by The Senior Center for an Event to be Held February 15, 2020 at 803 Kingwood St., Brainerd - Approved

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

Presentations

The Chair welcomed the following members of Crow Wing Energized; Karen Johnson, Dr. Jennifer Mahling-Stadum and Jessica Williams who presented updates of the new federal law regarding tobacco. They are asking that the local city ordinance be updated to reflect the federal mandated age of 21 years to purchase tobacco and vaping products. They indicated studies have shown a drastic increase in the amount of underage tobacco use in the past three years. They

said sales to individuals between 18 and 21 years of age cannot be enforced unless a state or city ordinance takes effect. At this time, the state has not made any changes and the request is for the city to act. They thanked the Council for the opportunity to present.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DIRECT STAFF TO REVIEW AND UPDATE THE CURRENT TOBACCO ORDINANCE TO REFLECT THE NEW FEDERAL LAW CHANGING THE AGE TO PURCHASE TOBACCO AND TOBACCO PRODUCTS FROM 18 TO 21 YEARS OF AGE.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

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

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

Police Officer Conditional Job Offers – Informational Only

Committee Chair Badeaux stated conditional job offers have been extended and the pre-employment screening process has begun for the police department.

Third Party Credit Card Processor - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO ENTER INTO AN AGREEMENT WITH INVOICE CLOUD FOR THE CITY DEPARTMENTS OTHER THAN PARKS TO PROCESS CREDIT CARDS BEGINNING IN MARCH AND DIRECT STAFF TO CONTINUE TO PASS THE USER FEES ONTO THE CARD HOLDER.

Committee Chair Badeaux stated staff feels Invoice Cloud was the correct choice, as they have more to offer to the City. He said the main differences are the service fees would be approximately 3.5%, with a $1.95 minimum and a $100 monthly account fee.

2020 Workers’ Compensation Renewal - Informational

Committee Chair Badeaux explained the 2020 workers’ compensation had been budgeted using an experience modification of 1.00. The actual renewal came in with an experience modification of .78. He stated the goal each year is to not exceed 1.00, but staff believes the 2021 renewal may increase due to a couple larger claims in 2019.

Safety and Public Works Committee Report

CSAH 20/Riverside Drive Turnback and Other Opportunities – No Action Taken

Committee Chair Bevans explained Crow Wing County has offered a potential turnback to the City for jurisdiction of Riverside Drive from Washington Street to Beaver Dam Road. He said with the 2020 reconstruction project from Highway 210 to Jackson Street, this creates an opportunity to gain ownership. He reviewed the state aid incentives and financial details of the proposal.

City Engineer Sandy explained the details regarding the state aid funding, maintenance allocation and the potential need for an additional maintenance employee. He said with the added responsibility of taking over this portion of street, a full-time mechanic would be beneficial. He stated much of the street staff's time is spent repairing and servicing the equipment and the additional staff member could also operate the extra plow in times of need.

Council Member Johnson directed staff to provide additional information at the next meeting.

Request for Cost Estimating of East River Road Riverfront Improvements - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DIRECT STAFF TO ESTIMATE COSTS FOR IMPROVEMENTS ASSOCIATED WITH THE MISSISSIPPI LANDING TRAILHEAD PROJECT THAT ARE WITHIN THE CITY'S RIGHT OF WAY AND INCORPORATE THEM INTO THE CITY 5-YEAR STREET CAPITAL PLAN.

Committee Chair Bevans explained this is specifically regarding the road improvements within the City right-of-way. He said this would allow for a lower amount of funding needed to be raised to construct the trailhead site itself through grants, donations and other funding sources.

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 2021) - 2 terms (Expire 2022)
Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022) – 1 term (Expire 2023)

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)

Planning Commission – 1 term (Expire 2022)

Other

Water Tower Fundraising Committee – Applicants Needed

New Business

Easement Acquisition Across Brainerd Public Utilities Property by City of Baxter - Approved

Finance Director Hillman stated members from the BPU Commission are attending tonight to answer any questions.

Ms. Dolly Matten, Public Utilities Commission board member stated the City of Baxter has requested an easement for an approximately 20-foot section of property to complete an interceptor and future roundabout project. She stated there will be a landscape agreement included with the acquisition documents.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO AUTHORIZE CITY ADMINISTRATOR TO SIGN THE AGREEMENT WITH THE CITY OF BAXTER AND EXECUTION OF THE EASEMENT DEED AS RECOMMENDED BY THE PUBLIC UTILITIES COMMISSION.

Potentially Dangerous Dog Hearing – Held Over

City Administrator Bergman stated this item has been delayed until the February 3, 2020 Council meeting to allow City Attorney Langel more time to review the documents. She said the delay was also agreed upon by the dog owner.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO POSTPONE THE HEARING TO THE FEBRUARY 3, 2020 COUNCIL MEETING.

Schedule a Work Session – February 10, 2020 at 6:00 P.M. - Scheduled

City Administrator Bergman stated she would like to schedule a workshop to discuss the Children's Museum and obtain direction from the Council the role of the Economic Development Authority (EDA). She said the workshop will be held Monday, February 10, 2020 at 6:00 p.m. in the police department training room.

Planning Commission

First Reading – Proposed Ordinance No. 1502 – Amending Section 515-18: Outdoor Lighting of the Code of Ordinances – City Administrator Bergman Recommends to Dispense with the Actual Reading - Approved

Community Development Director Chanski stated Planning Commissioner Chair Gorham and Vice-Chair Duval are present to explain the proposed amendments.

Mr. Duval explained the process that was followed in determining the requested changes to the current outdoor lighting ordinance.

Council questions were asked and answered.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1502 TO AMEND SECTION 515-18 OUTDOOR LIGHTING.

Public Forum

The Chair opened the public forum at 8:26 p.m.

No one came forward.

The Chair closed the public forum at 8:26 p.m.

Staff Reports

City Administrator Bergman stated her report was included with the council packet. She wanted to highlight the purchase agreement between the City and Brainerd Land LLC for the Memorial Park parking lot will be on the February 3, 2020 agenda.

City Engineer Sandy stated the first Project Management Team (PMT) trunk highway 210 project meeting was held last week with Council Members Johnson and Lambert in attendance. He stated he will forward the meeting minutes to the Council.

Community Development Director Chanski announced there will be a Special Planning Commission meeting taking place Wednesday, January 29th at 7:00 p.m. to consider a rezoning and preliminary plat application for CM Brainerd LLC.

Council Member Reports

Mayor Menk thanked the street department for snow plowing and removal.

Mayor Menk requested Council permission to direct staff to complete rules of order for all boards and committees. He said this would also include portions from the employee manual regarding peer to peer conduct to create positive interactions at all meetings.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO DIRECT STAFF TO COMPLETE RULES OF ORDER FOR ALL BOARDS AND COMMITTEES.

Members Pritschet, Badeaux, Erickson, Lambert and Johnson voted “aye”. Member Bevans voted “nay”. The Chair declared the motion carried.

Council Member Johnson announced the HRA executive director position is still open, with five applications received to date.

The Chair moved to a five-minute break prior to closed session – 8:30 p.m.

Closed Joint Session with BPU Commission Pursuant to Minnesota Statute 13D.05., Subd. 3(B) Under Attorney-Client Privilege to Discuss Pending Litigation with Tom’s Backhoe – 8:35 p.m.

The Chair moved to the second closed session – 8:57 p.m.

Closed Session Pursuant to Minnesota Statute 13D.05 Subd. (C)(3) To Consider Counteroffers for the Purchase of Property at 304 Washington Street W, 422 4th Street NW, 623 4th Street NW, 502 Jackson Street, 424 3rd Street NW, and 622 4th Street NW, all in Brainerd, MN 56401 – 9:13 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO RESPOND TO THE MEMO FROM BREEN & PERSON AND THE REQUEST WILL BE SUBMITTED TO PLANNING AND ZONING.

Adjourn

The Chair adjourned at 9:14 p.m.

_____
Jennifer Bergman
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS

CITY COUNCIL MEETING
January 21, 2020

(10 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
RANDY'S PLUMBING & HEATING 8216 INDUSTRIAL PARK ROAD BAXTER, MN 56425 20-0128	(218) 829-5736	PLUM	06/01/2020	12/31/2021	PC644775
AIRTECH HEATING AND COOLING OF BRD 18092 STATE HWY 371 BRAINERD, MN 56401 20-0127	(218) 297-0130	MECH	1/10/2021	7/28/2020	MB713591
SCHILLING MECHANICAL LLC 1687 KOERING ROAD FORT RIPLEY, MN 56449 20-0126	(320) 360-2030	MECH	9/2/2020	9/9/2020	MB746676
KRUCHTEN'S HEATING & AC LLC 15140 INGLEWOOD DRIVE BAXTER, MN 56425 20-0125	(218) 828-4991	MECH	11/10/2020	4/8/2020	MB003039
ABE LLC 1140 122ND STREET SW BRAINERD, MN 56401 20-0124	(218) 838-7173	GENC	12/29/2020	12/31/2020	
KRAEMER HEATING & AC LLC 21034 FRUITWOOD ROAD RICHMOND, MN 56368 20-0123	(320) 597-7272	MECH	9/1/2020	9/30/2020	MB746727
NORTHERN LAKES PLUMBING LLC 8249 COUNTY RD 1 SW PEQUOT LAKES, MN 56472 20-0122	(218) 251-4647	PLUM	6/12/2020	12/31/2021	PC671456
DIVERSIFIED INFRASTRUCTURE SERVICES 46 S ROLLING MEADOWS DRIVE FOND DU LAC, WI 54937 20-0121	(920) 924-3690	UTIL	2/1/2020	12/31/2020	
CLIMATE AIR INC 1301 10TH STREET N SAUK RAPIDS, MN 56379 20-0120	(320) 255-0641	MECH	9/15/2020	5/17/2020	MB005003
JOHN'S REFRIGERATION 12821 20TH AVENUE SW PILLAGER, MN 56473 20-0119	(218) 829-1349	MECH	11/1/2020	9/16/2020	MB003729

Brainerd Fire Department

To: Mayor and City Council

From: Tim Holmes, Brainerd Fire Chief

Date: January 30, 2019

Re: January 2019 Activity Report

We started 2020 with our Fire Department Annual Dinner honoring and remembering all that we did in 2019. Firefighter LaWayne Mann was named our 2019 Firefighter of the Year. Mann is very proud to be a Brainerd Firefighter and is committed to the department and the community. We also presented our newest firefighters with their badges, which were pinned on them by their spouse.

We provided assistance at the Brainerd Jaycee's $150,000 Ice Fishing Extravaganza and Crossfit Grow 3rd Annual Battle for the Axe. Both events were very successful. Several of our firefighters competed in the fitness competition that was held at the Brainerd Exchange this year.

Brainerd Fire Department was the host location for the #Safest Way Pipe Tour. The program was to support the Line 3 project and give the public an opportunity to see the actual pipe that is going in the ground and to ask questions about the project. The program was well attended and positive.

Firefighter training included EMS Refresher, Physical Fitness and Team Building with Floor Hockey, and a presentation from Crow Wing County LADID (Lakes Area Drug Investigation Division). Our new firefighters continue their FF I / II training.

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

Structure Fire	1
Vehicle Fire	1
Medical Assist	2
Vehicle Crash with Injuries	3
Extrication	1
Gas Leak	1
Carbon Monoxide	1
Electrical, Combustible, Arcing	1
Smoke Scare, Odor	1
Assist Other Governmental Agency	3
Mutual Aid	1
Good Intent Call	2
Canceled Enroute	8
Alarm System Activation	4
Carbon Monoxide Alarm Activation	2
Total	**32**

City of Brainerd Incident Report

Vehicle Fire	1
Gas Leak	1
Carbon Monoxide	1
Smoke Scare, Odor	1
Assist Other Governmental Agency	2
Good Intent Call	1
Canceled Enroute	3
Alarm System Activation	3
Carbon Monoxide Alarm Activation	2
Total	**15**

2019

BRAINERD FIRE DEPARTMENT ANNUAL REPORT

A Message from the Fire Chief

Our 2019 annual report is an exciting re-cap of all the wonderful work the men and women of Brainerd Fire Department are doing each and every day.

The department added an additional 4 Paid on-Call Firefighters in 2019; bringing our personnel numbers to 35 Paid on-Call Firefighters along with 3 full time staff: Fire Chief, Deputy Chief / Fire Marshal and Administrative Specialist.

Brainerd Fire Department continues to be recognized in our community and region for consistent and rapid response using state of the art equipment and tactics. We strive to be a leader in interagency collaboration and partnership by providing necessary resources and sharing of valuable information. The department has exciting opportunities available and we are excited for the future of the department and community.

Staff training recorded over 3,500 hours in 2019, with several members achieving certification in Fire Apparatus Operator and Aircraft Rescue Fire Fighting. We provide a supportive environment which promotes physical and mental fitness, allowing for growth and competence in the ever-changing demands of the fire service.

I am honored to represent this professional and dedicated group. Together we are privileged to serve the Brainerd Fire Department and the communities we protect.

Tim Holmes, Brainerd Fire Chief

Mission and Vision Statement and Core Values

Mission

Brainerd Fire Department is an all-hazard fire department dedicated to providing quality, timely and professional emergency services to the communities we serve. Respecting each other through trust, pride, diversity, integrity and training. Working together to achieve the highest levels of preparedness, prevention and community involvement with a dedication to purpose.

Vision

Brainerd Fire Department will be recognized in our community and region for consistent rapid response using state of the art equipment and tactics. Brainerd Fire Department is committed to employee growth and development. We will provide a supportive environment promoting physical and mental fitness that allows for growth and competence in the ever changing demands of the fire service. Brainerd Fire Department will strive to become a leader in interagency collaboration and partnership by providing necessary resources and sharing information.

Core Values

Honor – We are loyal, proud, and respectful of our profession, our leaders, our unit, our department, and the people we serve.

Integrity – We are honest, reliable and adhere to high moral standards. We demonstrate and encourage the highest ethical behavior. Our word is our bond.

Cooperation – We work together as a 'team' and assist each other. We constantly seek opportunities to make improvements in our jobs, support new ideas, encourage partnership and develop positive working relationships with cooperators. Together we are stronger.

Professionalism – We strive to be the best at what we do. We perform our jobs with the highest degree of skill and competency. Our appearance and conduct promotes confidence and trust from the public, other departments, and agencies we work with.

Innovation – We recognize and understand the constancy of change in our community and industry impacts our business daily. We are committed to seeking out and implementing innovation and progressive thinking to address change effectively and efficiently, benefitting those we serve.

Trust – We trust one another to prepare in such a way that puts the safety, effectiveness, and reputation of our department first.

Emergency Response

Brainerd Fire Department has a coverage area of 260 square miles, with a population of over 33,000 permanent residents. This coverage area includes the City of Brainerd, the City of Baxter and townships: Crow Wing, Long Lake, Nokay Lake, Oak Lawn, St. Mathias and Unorganized / 1st Assessment.

Critical infrastructure incudes regional medical centers, numerous government buildings, regional airport, public and private schools, community college, two race-tracks, Burlington Northern Railroad, MN DNR tanker base station, civic center, and multi-story structures, including a twelve-story apartment building, nursing homes, downtown buildings placed on the National Register of Historic Buildings and water parks. The coverage area also includes four major state highways. Fifty percent of the fire district is agricultural or wildland, ten percent is used for commercial purposes and forty percent is residential.

A Fire Advisory Board, consisting of representatives from every city and township in the coverage area meets quarterly for department updates.

Incident Type	Count
Fire	72
Rescue & EMS	49
Hazardous Condition	33
Service Call	72
Good Intent Call	126
False Alarm	121
Severe Weather	1
Total	474

Brainerd Fire Department has mutual aid agreements with 29 regional fire departments which protect 4,000 square miles. The Department is an active member of the Cuyuna Range Fire Chiefs and Firefighters Association.

Mutual Aid Given	**Count**
Crosby	1
Garrison	2
Little Falls	2
Pierz	1
Mutual Aid Received	**Count**
Deerwood	1
Nisswa	3
Little Falls	1

Contractee Emergency Response

City of Brainerd

Incident Type	Count
Fire	27
Rescue & EMS	23
Hazardous Condition	13
Service Call	46
Good Intent Call	66
False Alarm	61
Severe Weather	0
Total	236

City of Baxter

Incident Type	Count
Fire	6
Rescue & EMS	9
Hazardous Condition	11
Service Call	10
Good Intent Call	39
False Alarm	46
Severe Weather	1
Total	122

Crow Wing Township

Incident Type	Count
Fire	7
Rescue & EMS	1
Hazardous Condition	2
Service Call	2
Good Intent Call	3
False Alarm	1
Severe Weather	0
Total	16

Long Lake Township

Incident Type	Count
Fire	4
Rescue & EMS	2
Hazardous Condition	2
Service Call	1
Good Intent Call	2
False Alarm	2
Severe Weather	0
Total	13

Nokay Lake Township

Incident Type	Count
Fire	4
Rescue & EMS	2
Hazardous Condition	0
Service Call	0
Good Intent Call	1
False Alarm	0
Severe Weather	0
Total	7

Oak Lawn Township

Incident Type	Count
Fire	6
Rescue & EMS	6
Hazardous Condition	1
Service Call	2
Good Intent Call	5
False Alarm	0
Severe Weather	0
Total	20

St. Mathias Township

Incident Type	Count
Fire	2
Rescue & EMS	0
Hazardous Condition	0
Service Call	0
Good Intent Call	0
False Alarm	0
Severe Weather	0
Total	2

Unorganized / 1st Assessment

Incident Type	Count
Fire	16
Rescue & EMS	6
Hazardous Condition	4
Service Call	5
Good Intent Call	10
False Alarm	11
Severe Weather	0
Total	52

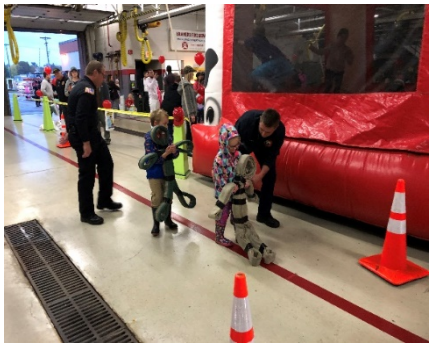
Fire Safety Education

Public safety education continues to be an important part of our fire prevention program. Fire safety education was presented to children enrolled in ISD 181, Lake Region Christian School, St. Francis Catholic School and the Discovery Woods School, along with children in numerous child care centers, family day cares, home school groups and station tours.

We were also involved in numerous community events in 2019.

Our annual open house was held in October with sixteen emergency service agencies represented at the event.

Type of Public Education	2019 Total Population Reached
Adults	2,000
Birthday Parties	40
Children; Schools and Day Cares	5,500
Events; including Annual Open House	6,000
Fire Extinguisher Training	232
Total	**13,772**



Fire Inspections

Fire prevention ensures all development projects meet the applicable life safety codes. We strive to keep the community safe through plan review and operational permits.

Annual inspections are conducted for license requirement within the coverage area. These include family child care and foster care, liquor establishments, filling stations, second-hand good establishments and pawnbrokers, second-hand automobiles, and tobacco sale establishments.

Fire permits require a fire inspection within the coverage area. These include fire suppression systems, exhibition and trade shows, fairs and temporary membrane events, fireworks displays and sale of consumer fireworks, and above ground / under ground tank permits. Knox boxes are also monitored by the Brainerd Fire Marshal.

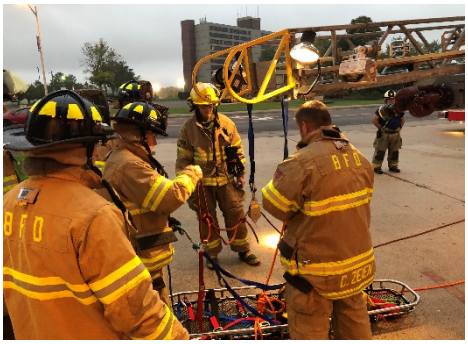
Type of Inspection	2019 Total
Child Seat Safety	8
Commercial Kitchen Exhaust Cleaning	101
Confined Space	1
Construction and Plan Review	4
Family Day Care	3
Fire Alarm Permit and Testing	184
Fire Safety	26
Fire Pump	36
Hood Suppression	144
Knox Box Installation	5
Licensing	57
Paint / Spray Booth Suppression	3
Rental Housing	8
Special Suppression	15
Sprinkler Annual and Review	230
Tank Install / Removal	1
Tier II Reports	19
Total	**845**

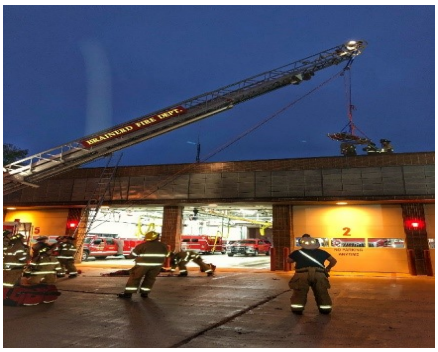
Training

Brainerd firefighters fill many different roles to protect the community. Firefighters are all certified Firefighter I and II and train in various topics, including Medical Response, Auto Extrication, Rescue, Fire Control and Suppression, Hazardous Materials, OSHA, Incident Command System, Pumping, Fitness, Tactical Operations, Aircraft Rescue Fire Fighting, Truck Operations, Emergency Driving, SCBA, Ladders, Ventilation and Confined Space.

Certification training and refresher training is also conducted annually. Firefighters, Captains and Battalion Chiefs all have minimum training requirements for their positions. In 2019, firefighters spent 3,582 hours training for various response.

Certification Training	Certified Firefighters
Aircraft Rescue Fire Fighting	23
Fire Apparatus Operator	22
Hazardous Materials	24
Fire Officer	16
Fire Investigator	3
Fire Instructor	21
Fire Inspector	7
Youth Fire Prevention Intervention	2
Emergency Medical Technician	18
Emergency Medical Responder	15





Emergency Management

Emergency Management is an important part of public safety in the City of Brainerd. Fire Chief Holmes is the Emergency Management Director for the City of Brainerd and has built a positive working relationship with Crow Wing County Emergency Management. This relationship is key for both planning and emergency incident response.

In 1979 the Federal Emergency Management Agency (FEMA) was created by consolidation of five agencies, which had each focused on a single hazard. With this came the concept of "Comprehensive Emergency Management." This concept moved away from a single hazard approach to the all-hazards approach we see today.

Emergency Management activities are divided into four phases; Mitigation, Preparedness, Response, and Recovery. Activities in the Mitigation Phase are to "eliminate or reduce the chance of occurrence or the effects of a disaster." The Planning Phase addresses how we will respond to a disaster in our community that can't be mitigated. The Response Phase is the time spent immediately after an incident occurs where we provide direct assistance to the community. The Recovery Phase runs from the end of the Response Phase until activities are back to "normal."

The City of Brainerd participates in Crow Wing County ALERT. Crow Wing County ALERT is a mass notification system through Everbridge to inform our residents of immediate emergency alerts and optional community information.

Highlights

Promotion

Rahn Findlay to Squad 2 Captain

Newly Hired

Clint Headley

Erik Hidalgo

Matt Ingman

Robert Kramer

Resignations

Joshua Mailhot
August 2013 – February 2019

Mark Teckemeyer
August 2013 – July 2019

Awards

Barry Sell
2018 Firefighter of the Year

Paul Rosier
2019 Community Service Provider of the Year

Leadership

Tim Holmes
Fire Chief
4 years

Dave Cox
Fire Marshal / Deputy Chief
3 years

Elaine Kraemer
Administrative Specialist
18 years

Daryl Rubbelke
Battalion Chief
27 years

Joe Rubado
Battalion Chief
23 years

Jeff Schellin
Squad 1 Captain
18 years

Rahn Findlay
Squad 2 Captain
6 years

Matt Holmstrom
Squad 3 Captain
13 years

Joe Enge
Squad 4 Captain
11 years

Barry Sell
Squad 5 Captain
17 years

Firefighters

Josh Smith
17 YEARS

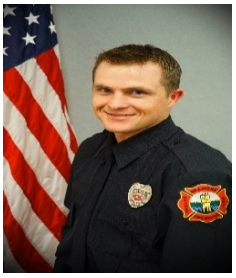
Todd Johnson
16 YEARS

Dennis Howard
14 YEARS

LaWayne Mann
14 YEARS

Cory Zeien
14 YEARS

Jay Bautch
13 YEARS



Joel Jacobson
11 YEARS

Dave Read
11 YEARS

Sam Marohn
10 YEARS

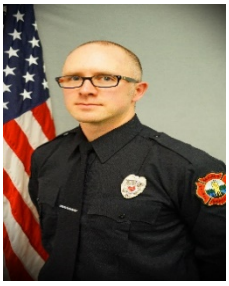
Jeremy Powell
10 YEARS

Greg Amundson
8 YEARS

Chris Groenwold
8 YEARS

Jonathan LeMieur
8 YEARS

Brian Kargel
6 YEARS



James Norwood
6 YEARS

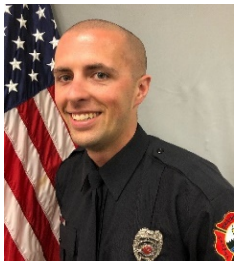
Andrew Bickel
6 YEARS

Josh Stangel
4 YEARS

Erik Flowers
3 YEARS

Steve Isle
3 YEARS

Nick Haglin
3 YEARS



Paul Rosier
1 YEAR

Robert Gawboy
1 YEAR

Katie Grimsby
1 YEAR

Chris Wallace
1 YEAR

Clint Headley
NEW HIRE

Erik Hidalgo
NEW HIRE

Matt Ingman
NEW HIRE

Robert Kramer
NEW HIRE

History

Brainerd Fire Department was organized February 13, 1872 in Askews Billiard Hall, with 37 men paying one dollar each to belong. The only source of water in town was three town wells. The usual manner of fighting a fire was with a bucket brigade in which pails of water was passed from hand-to-hand down the line of men to the fire. In 1885, a two-story frame fire station was constructed at the north end of South Fifth Street. In the early 1890's, a team of iron grey horses was purchased. The equipment was arranged in such a way that at the sound of the alarm, the team would come out of its stall, be harnessed and hitched to the wagon, often times in less than a minute after the alarm sounded. Horses were used for 20 years.

In 1914, a new fire station was constructed on Fifth Street, next to City Hall. A new fire truck was purchased in 1915.

The current fire station located at 23 Laurel Street, was constructed in 1982. In 2004, a substation was built at 1301 Mill Avenue and a training room addition was added to the main station.

Apparatus

Engine 2

Engine 3

Engine 4

Tender 1

Tender 3

Tender 4

Ladder 2

Rescue 2

Zodiac Boat

Fire Chief

Deputy Chief / Fire Marshal

Parks and Recreation Report

February 2020

- Kara Schaefer was elected president of the Park Board and Kevin Yeager was elected vice-president. These are one-year terms.

- Crow Wing Soil and Water Conservation District has applied for a grant through the Clean Water Land & Legacy Amendment. One of the projects earmarked in the grant application is the removal of buckthorn. The SWCD will consider using goats to remove the buckthorn. If this would happen, the SWCD will work with Minnesota Native Landscapes who would install fencing and rotate the fencing in designated areas as needed. The SWCD will be working with the Brainerd Rotary Club on the various projects, which includes the Field of Seeds area.

- The Parks and Recreation Department will host three adult Minnesota USA Softball sanctioned state tournaments at Memorial and Mill Avenue parks in 2020. The state co-ed tournament will be on Aug. 22, and the women's and master's state tournaments will be on Aug. 23. Each team will pay a $50 gate fee to cover field maintenance supplies and staff wages.

- Smooch A Pooch will take place from 11 a.m. to noon on Feb. 15 at Buster Park. Persons can have a picture taken with their dog in a special "kissing" booth.

- The annual Valentine's Day skating party will take place from 1 p.m. to 4 p.m. on Feb. 15 at Gregory Park.

- The 12, 13 and 14 & Under state qualifier baseball tournaments have been filled. The 10U and 11U tournaments both have a couple of spots remaining. These tournaments will take place on three consecutive weekends in June.

- Staff has been busy securing team sponsorships for the summer programs, selling field banner advertising, securing advertising for the summer program guide, and taking campground and pavilion reservations.

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Res: Approving Issuance of Health Care Facilities Refunding Bonds

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

Summary of Issue:

Essentia Health is refunding bonds that were originally issued by the Minnesota Agricultural and Economic Development Board in 2010. In order to refinance the debt, there is a procedural requirement under Minnesota law, in which communities where the bond proceeds were originally spent must provide consent in the form of a resolution. The bond proceeds were originally spent at the Essentia Health St. Joesph's - Brainerd Clinic.

Alternatives, Options, Effects on Others/Comments:

Attached is a memo from Christopher Virta, the Bond Counsel for the Duluth EDA, and the proposed resolution for the Council to consider for adoption.

The City's Bond Counsel and City Attorney reviewed the information and found no issues. The City passed a resolution in August of 2012 (most recent) for a different bond issue for Essentia Health.

Recommended Action/Motion:

Adopt the resolution approving the issuance of health care facilities refunding revenue bonds by the Duluth Economic Development Authority to refinance a project located in the City.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

FRYBERGER
LAW FIRM

MEMO

To: City Council

From: Christopher Virta, Bond Counsel (Duluth Economic Development Authority)

Subject: Refunding of Minnesota Agricultural and Economic Development Board's $160,120,000 Health Care Facilities Revenue Bonds, Series 2008C-1 (Essentia Health Obligated Group)

Date: January 28, 2020

You have been presented with a Resolution consenting to the refunding of the above referenced series of Bonds (the "Bonds") by the Duluth Economic Development Authority ("DEDA"). Under Minnesota law applicable to the issuance of the Bonds, a municipality is only allowed to issue bonds that refund bonds issued by another municipality if the original issuer of the bonds and the municipalities in which bond proceeds were originally spent provide consent. A portion of the Bonds were used to finance or refinance, as applicable, the following project:

- acquisition and installation of certain equipment in, and remodeling, new construction and improvements to, the existing medical facilities of St. Joseph's Medical Center, a Minnesota non-profit corporation, all located at or adjacent to 523 North Third Street in the City.

The obligor on the Bonds is Essentia Health, a Minnesota nonprofit corporation located in Duluth, Minnesota, which provides hospital and clinic services throughout the northern Minnesota region. The bonds to be issued by DEDA (the "Refunding Bonds") will be purchased in their entirety by Wells Fargo Municipal Capital Strategies, LLC. The interest rate on the Refunding Bonds will be fixed for the term of the Refunding Bonds (10 years) and is projected to generate considerable interest expense savings for Essentia Health.

RESOLUTION NO. ___:20

CITY OF BRAINERD, MINNESOTA

RESOLUTION APPROVING THE ISSUANCE OF HEALTH CARE FACILITIES REFUNDING REVENUE BONDS BY THE DULUTH ECONOMIC DEVELOPMENT AUTHORITY TO REFINANCE A PROJECT LOCATED IN THE CITY

BE IT RESOLVED by the City Council (the "City Council") of the City of Brainerd, Minnesota (the "City"), as follows:

Section 1. General Recitals.

A. On February 25, 2010, the Minnesota Agricultural and Economic Development Board issued its $160,120,000 Health Care Facilities Revenue Bonds, Series 2008C-1 (Essentia Health Obligated Group) (the "Prior Bonds") to finance or refinance, as applicable, a project located in the City.

B. The project located in the City and financed by the Series 2008C-1 Bonds consisted of the following activity: acquisition and installation of certain equipment in, and remodeling, new construction and improvements to, the existing medical facilities of St. Joseph's Medical Center, a Minnesota non-profit corporation, all located at or adjacent to 523 North Third Street in the City (the "Project"). Through the Project, Essentia Health ("Essentia") provides health care services available to residents of the City and the surrounding area.

C. Essentia has requested that the Duluth Economic Development Authority ("DEDA") issue its health care facilities refunding revenue bonds to refund the Prior Bonds.

D. Fryberger, Buchanan, Smith & Frederick, P.A., bond counsel to DEDA, has informed the City that since the Project is located in the City, Minnesota Statutes, Section 471.656, subdivision 2(2) requires the City Council to consent by resolution to the issuance by DEDA of any portion of bonds financing or refinancing the Project, and further, that adoption of this resolution by the City Council provides the required consent.

Section 2. Consent. The City consents to the issuance by DEDA of health care facilities refunding revenue bonds to refinance the Project.

Section 3. Authorization to Staff. The officers of the City are authorized to provide a certified copy of this resolution to DEDA or its representatives, as evidence of the City's consent to the refinancing of the Project by DEDA.

Adopted this ____ day of _____, 2020

_____
GABE JOHNSON
President of the Council

Approved this ____ day of _____, 2020

_____
EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

EXTRACT OF MINUTES OF A REGULAR MEETING OF THE CITY OF BRAINERD, MINNESOTA

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Brainerd, Minnesota, was held at the Crow Wing County Courthouse located in Brainerd, Minnesota, on February 3, 2020, at 7:30 p.m.

The following members were present: _____

and the following members were absent: _____

MOTION: Member _____ moved to adopt Resolution No. _____, entitled "Resolution Approving the Issuance of Health Care Facilities Refunding Revenue Bonds by the Duluth Economic Development Authority to Refinance a Project Located in the City."

SECOND: Member _____

RESULT: On a roll call vote the motion was carried.

Ayes: ____

Nays: ____

Not Voting: ____

Absent: ____

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CITY OF BRAINERD
PERSONNEL AND FINANCE COMMITTEE
AGENDA

February 3, 2020
Crow Wing County Historic Courthouse
2nd Floor Jinx Ferrari Room
6:30 PM

1. Approval of Bills & Payment to Contractor

Contractor	IMP#	Project	Amount Paid	Contract Amount
Crow Wing County Highway Dept	19-05	2019 Striping Project	$15,673	$15,521

2. Police Officer Resignation

3. City Hall Fire Alarm System Update

4. Retirement of Building Official Chuck Arvidson

5. Annual Review of Investment Policy

6. Request for Additional Street Department Employee and Funding Opportunity

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Police Officer Resignation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☑ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: CHIEF MCQUISTON	**Department:** POLICE
Presenter (Name & Title): CHIEF MCQUISTON	**Estimated Time Needed:** 2 MINUTES

Summary of Issue:

On January 21st, Police Officer Zachary Gowens submitted a Letter of Resignation. He was in Step 3 of Field Training. The Civil Service Commission met earlier today (February 3rd) and certified the next three candidates on our new Police Officer Eligibility List.

Alternatives, Options, Effects on Others/Comments:

We are in process of conducting pre-employment screening with the candidates on the eligibility list and will return to the council to affirm the hiring dates when that process is completed. This resignation creates a fourth vacancy in the department.

Recommended Action/Motion:

Accept Officer Gowen's resignation with regret.

Financial Impact:

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

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

Is this budgeted? ☑ Yes ☐ No

Please Explain:

The positions and costs associated with the process are with in the department's current budget.

Zachariah D. Gowens

January 21, 2020

Brainerd Police Department
225 East River Road
Brainerd, MN 56401

RE: Formal Resignation

Dear Chief McQuiston:

Please accept this letter as my formal resignation from the position of Police Officer for the Brainerd Police Department, with my last day being Friday, January 17, 2020.

It has been such a pleasure working with you and the entire team at Brainerd PD over the last two years. In particular, I am thankful for the opportunities provided to me, the countless hours of training invested in me, and the relationships I have made.

Sincerely,

Zachariah D. Gowens

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: City Hall Fire Alarm System Update

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

Summary of Issue:

Staff recently learned of a fire code change that requires fire alarm control systems to utilize an internet connection instead of a phone line for monitoring and sending alarms - effective March 2020. A quote was requested from the current vendor (Northland Fire Protection) to meet the code change and also address the defunct annunciator inside the front door of City Hall. The existing fire system was installed May 2006 for $8,467 -- an entirely new system was quoted at $12,564. Although not part of the building remodel, addressing this issue at this time could make installation and wiring changes easier.

Alternatives, Options, Effects on Others/Comments:

Option 1: add an IP communicator to existing control panel and remove annunciator at front door = $2,412
Option 2: install new control panel and replace annunciator = $5,195
Option 3: install new control panel and remove annunciator = $4,730
Any of the 3 options will allow for the two analog phone lines used for the fire alarm to be removed for a savings of $643.92/yr ($26.83/mo x2) off the phone bill. There is no additional cost to connect either option to the internet (use existing connection). There will be a similar need at the police department in the coming months including similar savings with the removal of two more phone lines.

Recommended Action/Motion:

Because of the age of the existing control panel (~14 yrs) it is believed a replacement of the control panel is likely the better option in the long run. The fire department would prefer to see the annunciator replaced instead of removed (replace is $465 more than remove). For these reasons, option 2 would be the recommended action.

Financial Impact:

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

What is the total cost, with tax and shipping $ 5,195

Is this budgeted? ☐ Yes ☑ No

Please Explain: Need unknown during budget cycle; Finance Director suggests 2020 capital (400-49050-5530)

201 South 8th Street
Brainerd, MN 56401
Toll Free 866-829-5969
Local 218-829-5969
Fax 218-824-2322
State License # TS00752
D.O.T. Rin # E035

Proposal

January 17, 2020

Brainerd City Hall
501 Laurel St
Brainerd, MN 56401

Shawn,

Per our email conversations I have prepared three options for upgrading the fire alarm panel to IP communication and correcting the annunciator issue.

- Option #1: Install and program a stand-alone Firelite IP communicator to tie into existing EST fire alarm control panel and remove faulty annunciator from building and fire alarm panel programming.

  Total cost for parts, labor and permitting: **$2,412.00**

- Option #2: Install and program a new EST fire alarm control panel with onboard IP communicator and a new EST annunciator due to current annunciator is discontinued. The new fire alarm control panel is backwards compatible with new annunciator and existing devices.

  Total cost for parts, labor and permitting: **$5,195.00**

- Option #3: Install and program a new EST fire alarm control panel with onboard IP communicator and remove the existing annunciator that is non-functional. The new fire alarm control panel is backwards compatible with new existing devices.

  Total cost for parts, labor and permitting: **$4,730.00**

We look forward to continuing our relationship with you and thank you for the opportunity to serve you. Please contact myself with any questions. Please see page 2 for exceptions and proposal acceptance.

Thank you for your time.

Sincerely,
Rachel Gellert
Operations Manager
Northland Fire Protection
(218) 454-4222 office
(218) 824-2322 fax

Exceptions and Clarifications – page 2

1. All work done in a professional manner with trained technicians working normal weekday hours (6 am to 6 pm). Optional after hours are available for an additional charge.
2. Any 110v work will be done by others cost not included in pricing.
3. The warranty period will start upon completion of the contract and will be valid for (1) one year from that date.
4. All equipment and labor is covered by warranty for normal use, the equipment is not covered for vandalism or any issues caused by storms or other unforeseen acts not controlled in normal use.
5. Any wiring or additional devices not listed on this proposal will be subject to additional charges.
6. This proposal will be valid for 90 days from this date.
7. All word done above and beyond scope of work, may be subject to an additional charge- based on labor and material expenses.

Northland Fire Protection Authorized Signature_____

Rachel Gellert

Acceptance of this proposal is by signature below. Customer acknowledges that the foregoing prices, specifications and conditions are satisfactory and acceptable.

_____	_____
Date	Company
_____	_____
Title	Signature

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Retirement of Building Official Chuck Arvidson

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☑ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: CDD & HR Director	**Department:** CD & HR
Presenter (Name & Title): David and Kris	**Estimated Time Needed:** 10 minutes

Summary of Issue:

Building Official Chuck Arvidson has announced his retirement. Please see the attached memo for details.

Alternatives, Options, Effects on Others/Comments:

There are a number of ripple effects as a result of Chuck's retirement. Please see the attached memo, which outlines these effects.

Recommended Action/Motion:

Please see the attached memo for recommended action for the February 3 Council Meeting.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

M E M O

TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: January 30, 2020

RE: Retirement of Building Official Chuck Arvidson

On January 27th, Building Official Chuck Arvidson announced his retirement. Chuck's retirement will be effective Tuesday, March 3, 2020. Chuck has been a faithful employee of the City of Brainerd since August 2005, serving as Building Inspector from August 2005-November 201, Interim Building Official from November 2018-March 2019, and Building Official from March 2019-Present.

Chuck's retirement has three primary ripple effects:

First, his retirement leaves the City without an inspector who holds a Minnesota Department of Labor and Industry Delegation Agreement for Inspection. This designation allows the City to issue permits and conduct inspections for building projects overseen by the State of Minnesota such as public schools, hospitals, institutions, and other state facilities. At this time, the City is overseeing two such projects (Harrison Elementary and Brainerd High School) with an additional 4-6 projects projected to commence this summer. If the City does not have an inspector with a state delegation agreement, DOLI will take over the management of all current state level projects (charging the City for their services) and cut the City out of all future state level projects. This would result in a severe hit to the City's budget as at least $150,000 in planned permit revenue would not be realized in addition to any revenue that would be received through future projects.

Second, his retirement leaves a significant vacancy in the Building Department. As the Building Official, Chuck oversees the other three members of the Building Department staff (Building Inspector, Housing Inspector, and Permit Tech/Zoning Specialist). Additionally, Chuck is responsible for overseeing and conducting plan review, permit issuance, and is an active member of the inspection team, having conducted 1,452 building inspections in 2019. Building Inspector Darrin Deseth conducted an additional 1,480 building inspections, and Housing Inspector Jason Stockinger conducted 913 building inspections, 894 rental inspections, and over 1,000 code compliance inspections. A vacant position within the Building Department will significantly increase the workload across the department, resulting in burnt out staff members and increased costs due to the necessary overtime that will be needed to keep projects moving. For example, if each of Chuck's 1,452 inspections averaged 30 minutes in length, that is an additional 726 hours of work to be spread across two employees.

Third**, the State of Minnesota REQUIRES that municipalities appoint a qualified building official within 15 days of the building official position becoming vacant.** If a building official is not appointed, the State will, according to the DOLI website, "use whichever state employees are necessary to perform the duties of the building official until the municipality makes a temporary or permanent designation. All costs incurred are borne by the municipality and receipts arising from these services must be paid to the Department of Labor and Industry."

In light of these three impacts, staff recommends the following actions:

1. Accept the retirement of Building Official Chuck Arvidson, effective March 3, 2020.

2. Enter into a Phase Retirement Option (PRO) agreement with Chuck Arvidson to serve as the holder of the City's State Projects Delegation Agreement until a long-term solution can be found. Chuck has agreed to serve in such a capacity. Please see Chuck's Notice of Retirement, which outlines his proposed terms for a PRO agreement.

3. To comply with the terms of Mr. Arvidson's PRO agreement, designate Darrin Deseth as Interim Building Official, effective March 3, 2020 and instruct staff to begin discussions with the IBEW Union regarding this temporary appointment.

At a later date, staff will be seeking direction from the City Council as to:

1. The long-term plan for replacing Chuck as the holder of the State Projects Delegation Agreement.

2. Future staffing of the Building Department.

3. Staff will provide an update after initial discussions with the IBEW union regarding the temporary appointment of Darrin Deseth as Interim Building Official.

MEMO

www.ci.brainerd.mn.us

TO: **Community Development Director David Chanski**

FROM: **Building Official Chuck Arvidson**

DATE: **January 27, 2020**

RE: **Retirement / Phased Retirement Option**

This is my official notice that I intend to retire from the City of Brainerd effective Tuesday, March 3, 2020.

As we discussed, I am currently listed as the City's certified building official as required by the State and the City Charter. I am also listed as the individual responsible for the City's municipal Delegation Agreement with the MN Department of Labor and Industry. This Delegation Agreement is required in order to conduct inspections on state projects i.e. schools, hospitals, etc.

In order to maintain the MN DOLI Delegation Agreement for Inspections, I was asked to enter into the MN Public Employees Retirement Association's Phased Retirement Option (PRO) after my retirement. The PRO would allow the City time to locate a new certified building official for its Delegation Agreement.

I would be willing to enter into the PRO Agreement with the City based on the following terms:

1. As required by the State, a new City Building Official would be appointed for the time of the PRO Agreement. I would recommend that the City's Building Inspector Darrin Deseth be appointed as the City's Interim Building Official to comply with State law and the City's Charter. Please note that the City cannot issue building permits without this designation.
2. I will remain the designated person for the MN DOLI "Municipal Delegation Agreement covering all inspections", during the term of the PRO.
3. My duties will be conducting required plan reviews/inspections for state projects.
4. The hourly rate for my services would be $125 per hour.
5. I would be paid for travel time (from home to home).
6. We are estimating that my services will be needed up to 10 hours per week.
7. After my reviews/inspections, City's current Building Inspector Darrin Deseth would enter the applicable notes into the City's computer system.
8. I will be considered retired and will not be eligible for any city benefits during the term of the PRO.
9. I would be willing to serve in this capacity until May 2, 2020, or until the new building official would be in place.
10. If requested, I could assist in the transition for the new Building Official before the PRO termination on May 2, 2020.

/ks

PERA ID

PERA

PHASED RETIREMENT OPTION (PRO) AGREEMENT

The employee and employer must enter into a PRO Agreement prior to the start of the employee's phased retirement employment. The employer and PERA member must complete this form in its entirety. The signed Agreement must be submitted to PERA before the effective date of the PRO and should accompany a completed *Application for PERA Retirement Benefits.*

Employer

City of Brainerd

Name of employer offering PRO Agreement

PERA Employer No. (6-digits) 9931

Charles L. Arvidson

Name of individual to be employed under the PRO Agreement

Social Security No. (last 4)

March 3, 2020

Starting date of the PRO employment period

The employee must have a reduced schedule that (1) is a reduction of at least 25 percent of regularly scheduled work hours and (2) does not exceed 1,044 hours. Complete lines 1-3 to determine the allowable number of compensated hours the employee may have in any reporting period under the PRO Agreement.

Normal reporting period for the employee ☐ Weekly ☒ Biweekly ☐ Monthly ☐ Semi-monthly

Member must meet BOTH of the following maximum hour criteria:

A. Maximum hours per pay period:

1. Number of current hours the employee worked in a normal pay period: 80
2. Multiply the number from line 1 X .75: x .75
3. Enter the **maximum** hours to be worked per pay period (result from multiplying lines 1 and 2): 60

B. Maximum hours per year. 1,044[1]

[1] Note: For members working less than full time prior to the PRO, annualized maximum hours per pay period may be less than 1,044

I have read the requirements for PRO Agreements (on back of form) and confirm that the named employee has met the PRO requirements.

Signature of Employer Representative | Job Title | Date

Member

I have read the requirements for PRO Agreements (on back of form) and confirm that my agreement has met the PRO requirements.

Signature of PERA member | Date: March 3, 2020 | Home email address (for PRO communications)

INFORMATION ABOUT THE PERA PHASED RETIREMENT OPTION (PRO) PROGRAM

The employer has sole discretion to determine the length of an employee's PRO employment period. The maximum period of phased retirement employment for a member is five years.

The PRO Agreement must be completed by the employer and employee and sent to PERA before the reduced PRO employment begins. If a PRO Agreement covering employment of less than five years is renewed, do not send the renewal document to PERA. Keep the document on file.

To participate in the PRO program, the following requirements must be met:

The employee must:

- **understand that if the allowed hours in a pay period or the maximum hours per year are exceeded, the PERA monthly benefit will be suspended. The benefit will not be reinstated until all public employment has been terminated and a continuous separation for 30 days has occurred.**
- be an active member of General Plan as an employee, not an elected official
- be age 62 or older
- be immediately eligible for a retirement annuity from the General Plan
- have worked at least 1,044 hours each of the five preceding years
- have a reduced annual work schedule that is both a reduction of at least 25 percent from the employee's number of previously regularly scheduled work hours and that may not exceed 1,044 hours in a one-year period. The employer and employee may agree on any scheduling arrangement that is less than the maximum hours allowed
- not be eligible for the state employee Post-Retirement Option program under Minn.Stat. § 43A.346
- not work as an employee for another governmental employer in Minnesota
- at the termination of the PRO agreement, have no written/verbal agreement prior to termination of employment to provide services to your agency as an employee, independent contractor or an employee of an independent contractor for 30 days. Public employment includes service to any governmental employer in Minnesota–e.g. school districts, cities, counties, townships, and state

The PERA reporting responsibilities of the employer are:

- I understand that our agency must report the earnings and number of compensated hours that the named employee has each pay period while the PRO employment continues. I further understand the break in service requirements that must be met when the employee fully retires and will immediately notify PERA when the employee terminated PRO employment and all public employment.
- Enroll the employee under PERA's Exempt Plan at the start of the phased retirement employment period.
- Report the phased retirement earnings of the employee and the associated number of compensated hours after each pay period using the Salary Deduction Report or an approved alternative method.
- Do not pay employer contributions or employee deductions to PERA on the earnings of the PRO position.
- Monitor the number of compensated hours that the employee has while working in a PRO position and ensure that the limit in law is not exceeded. Please work with PERA to fulfill this requirement.
- When the member does fully retire, report the termination of service to PERA and take steps to ensure that the employee has a complete, continuous separation from all public employment for 30 days. Also, there can be no written/verbal agreement prior to termination of employment to provide services to your agency as an employee, independent contractor or an employee of an independent contractor for 30 days. Public employment includes service to any governmental employer in Minnesota–e.g. school districts, cities, counties, townships, and state.

IMPORTANT:

If the PRO employment does not meet the conditions in law (stated above) the employee will no longer qualify to receive retirement annuity payments unless the person has a termination of service and a 30 day break from all public employment.

RETURN (MAIL OR FAX) COMPLETED FORM TO:

Public Employees Retirement Association
60 Empire Drive, Suite 200, St. Paul, MN 55103-2088
1-800-652-9026 | 651-296-7460 | Fax: 651-297-2547 | mnpera.org

From: Depuydt, Jake (DLI)
To: Chuck Arvidson; Manz, Timothy (DLI); Swett, Paul H (DLI); Christensen, Kyle (DLI)
Cc: David Chanski; Wheeler, Scott (DLI)
Subject: {external} RE: Regional Code coverage
Date: Tuesday, January 28, 2020 2:46:24 PM
Attachments: image001.png
image003.png
image005.png

Hello Mr. Arvidson,

Thanks for giving the Construction Codes and Licensing Division notice of your upcoming retirement plans at the City of Brainerd. I'm sure the City will promptly search for a replacement certified building official, to establish the new Designated Building Official of Brainerd.

You mentioned that Brainerd has two current school projects that are "state projects" or in other words termed as public buildings and/or state-licensed facilities. New construction, additions or remodeling of Public Buildings and State licensed Facilities are administered and enforced by the Construction Codes and Licensing Division (CCLD); and a delegation agreement can be entered with a municipality (Brainerd) based on having trained and qualified inspectors to provide the administration and enforcement for the state projects.
Chuck, you are currently qualified to perform all required building inspections including inspections of fire protection systems. This includes the responsibilities of providing the building permit, conducting a cursory plan review to familiarize yourself with the project, maintain inspection records, review change orders and addendums for code compliance, and interpret, apply and enforce all applicable code provisions.

The City of Brainerd may contract with other qualified individuals approved for state project inspections or with other municipalities that hold a state project inspection delegation in order to retain Brainerd's State Projects "Inspections Only" Delegation. If Brainerd does not contract or maintain qualified staff, the two ongoing state projects will be returned and completed by CCLD. A portion of the permit fees collected by the City of Brainerd would then be transferred to CCLD to cover the administration and enforcement fees incurred to complete the project inspections.

Chuck you may contract with the City of Brainerd to maintain Brainerd's inspections delegation. If your contract commitment is not for a substantial duration (the length to complete the three new state projects) these new projects will not be delegated to the City of Brainerd.
The Construction Codes and Licensing Division does not contract with (under) municipalities for the administration and enforcement of state projects. CCLD will keep future public buildings or state licensed facility projects and also the plan review and inspections fees. A municipality needs to provide their own qualified inspectors who are employees, or qualified inspectors under contract with the municipality to maintain their state project delegation.

I will also try to reach out to you by phone. Let me know if you have other questions.

Regards,

Jake

JAKE DEPUYDT | CODE SERVICES REPRESENTATIVE |
Construction Codes and Licensing | 651-284-5963 (office) |
jake.depuydt@state.mn.us | 651-284-5749 (fax)

Minnesota Department of Labor and Industry
443 Lafayette Road N., St. Paul, MN 55155-4341 |
Phone: (651) 284-5005 | Web: www.dli.mn.gov

From: Chuck Arvidson <carvidson@ci.brainerd.mn.us>
Sent: Tuesday, January 28, 2020 8:16 AM
To: Christensen, Kyle (DLI) <Kyle.Christensen@state.mn.us>; Manz, Timothy (DLI) <timothy.manz@state.mn.us>; Depuydt, Jake (DLI) <jake.depuydt@state.mn.us>
Cc: David Chanski <dchanski@ci.brainerd.mn.us>
Subject: Regional Code coverage

RE: Regional Code coverage

Gentlemen:

Please copy David Chanski, Brainerd Community Development Director with all replies.
I have decided to retire from service as the BO in Brainerd. I will, for the time being, continue in Aitkin as the BO.

In the short term, I have been asked to stay on in the PERA PRO (Phased Retirement Option – up to half time) until May to cover the State projects. And I have agreed to stay on in that capacity.

David Chanski has been asked by the City Council what options are available to the City that would allow the City of Continue to cover the State projects in addition to contracting with me. This situation would last until a new BO is hired for the City of Brainerd.

Currently the City of Brainerd has two school projects underway. Those projects will continue through the year 2020 and into 2021.

Brainerd will have 3 additional school projects going this summer.

From what we understand that there are contract inspectors that may be used and we will look into and consider that coverage as needed. If you have any comments with regard to contractors please let us know.

However we are wondering how the State DOLI staff might be utilized for the City of Brainerd?

1. What type of arraignment may be worked out with the State Regional staff with regard to covering inspections on the two projects that are in progress? Trip charge, hourly, etc.
2. If a qualified BO was not available what options are available to the City of Brainerd for the projects beginning in the spring?

Thank you. I may be contacted directly at 218-454-3408.

Respectfully,
City of Brainerd
Chuck Arvidson, Building Official
Department of Building Safety
218-454-3408 Direct
218-828-2309 Office

The purpose of the building code is to establish minimum requirements to safeguard the public health, safety, and general welfare…, and safety to life and property from fire and other hazards…, and to provide safety to firefighters and emergency responders during emergency operations.

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Annual Review of Investment Policy

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

Summary of Issue:

Per the City's investment policy, it is to be reviewed annually at the first regular meeting in February. Staff is not suggesting any changes at this time.

Alternatives, Options, Effects on Others/Comments:

The current policy states that cash for all City funds is pooled in an investment account and that the interest earnings are allocated among the various funds based upon their semi-annual average cash balance. Our new financial software (BS&A) that we will be using starting in March, can allocate interest on a monthly average cash balance, but the investments cannot be pooled. BS&A is researching a way to allocate the interest for pooled investments. Therefore, the investment policy may be brought back to council later in the year for updating, either how the City handles investments (pooled or not) and how often interest is allocated.

Recommended Action/Motion:

Approve the policy as presented or provide direction to staff as to what the Council would like to have included in the Investment Policy.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

CITY OF BRAINERD
INVESTMENT POLICY

This policy covers all monies of the City of Brainerd and includes deposits and investments of funds deposited in interest bearing accounts.

It is a common occurrence for the City of Brainerd to have cash balances in various fund accounts which, though allocated for a specific purpose, are temporarily not needed. It is the policy of the City that any fund with a cash balance which will remain unexpended for a reasonable period of time, shall be invested in a manner as outlined below.

The investment policy of the City of Brainerd encompasses the following principles:

1. Safety of principal
2. Chief Investment Officer
3. Consultants
4. Collateralization
5. Authorized investments
6. Prohibited investments
7. Maximum investment
8. Pooling of investments
9. Liquidity
10. Maximum interest earnings

SAFETY OF PRINCIPAL

Safety of principal is the first priority in investing City funds. The City invests only in those investment instruments authorized by Statute, Minnesota Statutes Chapters *118A* and as amended set forth the authorized investments for a municipality. Depositories as designated shall have insurance through the FDIC (Federal Insurance). To ensure safety, it is the policy of the City that when considering an investment, all depositories under consideration be cross-checked against existing investments to make certain that funds in excess of insurance limits are not made in the same institution unless collateralized as outlined below.

CHIEF INVESTMENT OFFICER

The chief investment officer will be the City Administrator/Clerk-Treasurer, who will assure compliance with this policy and further develop and maintain adequate controls, procedures and methods assuring safe and accurate accounting on a day-to-day basis, with the approval of the Personnel and Finance Committee of the Brainerd City Council. The day-to-day investment activities are handled by the City Finance Director and Secretary of the Brainerd Public Utilities Commission in accordance of this Policy. The City Administrator/Clerk-Treasurer will provide the Personnel and Finance Committee, on a regular basis, all and any information requested by the Committee. The Chairman of the Committee will, in turn, keep the elected officials fully apprised of any problems, changes or irregularities which may occur to assure proper handling of City funds.

CONSULTANTS

The retention of consultants, agreements with money managers, etc., will not be authorized without express consent of the Council after recommendation by the Personnel and Finance Committee and the City Administrator/Clerk-Treasurer.

COLLATERALIZATION

In accordance with Minn. Stat. 118A the total amount of the collateral computed at its market value shall be at least ten percent more than the amount on deposit at the close of the financial institution's bank day, except that where the collateral is irrevocable standby letters of credit issued by Federal Home Loan Banks, the amount of collateral shall be at least equal to the amount on deposit at the close of the financial institution's banking day.

Collateralization will be required on the following types of investments:

(1) Certificates of Deposit
(2) Demand Deposits

Collateral is limited to securities allowable pursuant to Minn. Stat. 118A.03.

For cash deposits on hand, collateralization shall be in the form of specific securities with an active secondary market for the County held by an independent third party as detailed in statute 118A.06. The only exceptions are Federal Depository Insurance Corporation (FDIC).

AUTHORIZED INVESTMENTS

The City of Brainerd will only invest in securities authorized by Minnesota Statute 118A.04 and 118A.05. Examples of authorized investments are as follows:

1. Savings/demand deposits
2. Certificates of Deposit (CD's)
3. U.S. Treasury obligations
4. U.S. Agency Securities such as:
    a. Federal Home Loan Bank System (FHLB)
    b. Federal Home Loan Mortgage Corporation (FHLMC)
    c. Federal Farm Credit Bureau (FFCB)
    d. Federal National Mortgage Association (FNMA)
5. Municipal Securities. The statute allows the City to invest in municipal securities of state or local government agencies with taxing power and a rating of "A" or better by a national bond rating agency.

MAXIMUM INVESTMENT

It is the policy of the City to determine its cash balance on a daily basis for the purpose of investing excess funds.

POOLING OF INVESTMENTS

For the purpose of making the maximum amount of funds available for investment, the cash for all City funds is pooled in an investment account. Interest earnings are allocated among the various funds based upon their semi-annual average cash balance.

LIQUIDITY

The purpose of having part of the City's investment portfolio in very liquid funds is to ensure that funds will be available should unexpected large bills be presented for payment.

MAXIMUM INTEREST EARNINGS

After the liquidity needs and scheduled maturity needs are satisfied, the balance of the funds available for investment are placed with institutions that offer the greatest safety and highest rate of return consistent with the maturities as determined by the City. Quotations or telephone bids are normally taken for all investments, whether they are short term or long term. This alleviates the problem of whom to place the investment with.

ANNUAL REVIEW

It shall be the practice of the City Council to review and approve the investment policy each year on the first regular meeting of February.

Reviewed and Approved this _____ day of February, 2020.

_____

JENNIFER BERGMAN
City Administrator

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Request for Additional Street Department Employee and Funding Opportunity

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☑ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): Finance Director Hillman	**Estimated Time Needed:** 15 Minutes

Summary of Issue:

Attached to this request is a memo and supporting documentation for a request to add an additional Street Department Employee (mechanic). This conversation stemmed from a larger discussion as it relates to CSAH 20 (Riverside Drive) turnback and was separated out due to committee structure.

Alternatives, Options, Effects on Others/Comments:

See the attached memo and alternatives as it related to this request and opportunities for funding.

Recommended Action/Motion:

Staff recommends authorizing staff to hire the Maintenance III Mechanic position on 11/15/2020, authorizing staff to change the State Aid maintenance allocation to 25% beginning in year 2021, and to authorize the transfer of funds from the Construction Fund 401 to the Street and Sewer Fund 235 on a yearly basis to cover the loaded rate of such new Maintenance III position in perpetuity.

Financial Impact:

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

What is the total cost, with tax and shipping $ Average 3 year cost of $82,000

Is this budgeted? ☐ Yes ☑ No

Please Explain:

M E M O

TO: Personnel and Finance Committee

FROM: City Engineer Paul Sandy

DATE: January 27, 2020

SUBJECT: Additional Street Department Employee and Funding Opportunity

This memo will talk through the need of additional staffing within our street department and a proposal to fund said position utilizing funds to be transferred from the Construction Fund.

State Aid Maintenance Allocation and Maintenance Employees
Staff did a quick evaluation of the 5-year capital improvement plan, and it indicates that the City has four state aid street projects planned over the next four years totaling approximately $1,513,000 (this does not include 2020 planned construction projects). The year 2020 is not included as we have already authorized these projects moving forward and have advanced State Aid funds to construct them accordingly. This is an annual investment of approximately $378,250/Year (see Table 1).

Table 1 - State Aid CIP Project Outlook

Total CIP State Aid Projects 2021-2024	$ 1,513,000.00
Average State Aid Project Cost/Year	$ 378,250.00

We have been very aggressive on resurfacing and reconstructing our state aid system in recent years, and we now find that the City is in a situation where our state aid system is in good condition. The City's 2020 allocation for State Aid is $911,863. With the lack of State Aid work and the opportunity to let our account rebound over the next 4-years, staff would like to pursue the option of increasing the State Aid Maintenance Allocation for 2021. The City can either choose to allocate $1,500/improved state aid mile or 25% of its total allocation per year as two lump sum payments throughout the year. The City currently chooses to do $1,500/improved state aid mile, which equates to around $27,555/year that is deposited into the construction fund. If the City were to switch this allocation to 25%, and using 2020's of $911,863, staff estimates that would make that total $227,966 to be used for maintenance projects (see Table 2).

Table 2 - State Aid Allocation and Maintenance Allocation

State Aid Allocation 2020	$ 911,863.00
Maintenance Allocation @ $1,500/mile	$ 27,555.00
Maintenance Allocation @ 25% Total	$ 227,965.75
Total Allocation Less Maintenance @ $1,500/mile	$ 884,308.00
Total Allocation less Maintenance @ 25%	$ 683,897.25

This is a great time to increase our maintenance projects or Construction Fund dollars due to the small amount of State Aid construction projects planned for in the next 4-years and the increased need to maintain our pavements that have been constructed over the past 20-years. This change, if authorized, would take place in 2021. This addition would help to supplement the construction fund, which realistically only covers wages and some of the maintenance projects (seal coat, crack seal, large patches, striping) costs yearly (see Table 3). Table 3 shows that the current $1,500/improved state aid mile does not cover current budgeted expenses coming out of Construction Fund 401.

Table 3 - Construction Fund Existing Conditions FY 2020

Revenues

Construction Fund Levy @ 2 Mils	$ 368,564.00
State Aid Allocation @ $1,500/mile	$ 27,555.00
Total Revenues	$ 396,119.00

Expenditures

Salaries	$ 228,372.00
Seal Coat Project	$ 150,000.00
Crack Sealing Project	$ 25,000.00
Striping Project	$ 10,000.00
Large Patches Project	$ 10,000.00
Total Expenditures	$ 423,372.00

Difference Revenues to Expenditures $ (27,253.00)

**** This analysis does not take into account any assessment revenue that may be received for salaries allocated to assessable projects.

Maintenance Needs and Staffing

Currently, at the street department, we have 7-full time staff which include 1-foreman, 3-maintenance III employees, 1-maintenance II employee, and 2-maintenance I employees. This number is down from 10 full-time employees' pre-recession. The biggest loss during this time was the loss of the full-time mechanic at the street department. At the current time, street staff typically do all their own repairs on their equipment along with the standard preventative maintenance (greasing, etc.) before they use or while they are using the equipment. In the fall of 2018, I tasked staff in the Street Department to record all their hours when working or maintaining equipment (larger repairs that take over an hour of time to complete). This is outside of the everyday preventative maintenance performed on the equipment such as

greasing, changing oil, etc. With the total amount of hours recorded since that time, there were 620 hours of total large repairs over a 12-month time frame. Estimating preventative maintenance for the equipment was done by estimating approximately 10 hours per week over the 7 employees in the shop over that same 12- month period, it equates to approximately 520 hours of total staff time over that same 16 months. The total estimated hours worked on equipment by City staff equating to 1,140 hours over 12 months, or approximately 0.55 FTE.

This leads to other priorities taking a back seat to equipment maintenance, and maintenance I and maintenance II employees working out of class in the mechanic position which they are repairing or performing preventative maintenance on equipment. Street Department staff have been keeping a list of items that do not get completed due to short staffing and other larger priorities being done first. Examples of these items include smaller equipment repairs that do not impact the operation of the equipment, pothole patching, brushing within street right-of-ways, removing/replacing street signs, grading alley-ways, general storm sewer improvements and ditching, installing street signs on construction projects, and assisting Parks Department with dead tree removals.

When snow falls and plowing is needed, the Street Department currently has more equipment than people. We typically have 4-trucks, 2 blades, and 1 loader hit the streets during an event, while one plow truck sits until one of the operators (typically the sewer foreman) frees up to operate the truck. The addition of this position would allow the entire fleet to begin operating right away, which would provide better service times to get the streets plowed. With plowing duties taking place for 6 or more months out of the year, the workload for the mechanic, besides fixing equipment when repairs are needed, would also consist of assisting in plowing duties in time of need.

Staff was able to pull the data from 2019 related to hours worked for snow removal purposes within the Street Department, overtime for snow removal department wide, hours worked by a parks employees to assist with snow removal, and overtime hours worked by the parks employee for snow removal. In 2019, Street Department Staff worked a total of 3,190 hours for snow removal in 2019 and 530 hours of overtime. Parks employees spent a total of 73.5 hours for snow removal and 34 hours of overtime in 2019. With the overtime hours from the street department and the additional employee from the Parks Department included, staff calculated these hours to be approximately 0.30 FTE in 2019. Added to the total hours for mechanics work as calculated above, it equates to a total of approximately 0.85 FTE.

Staff propose to fund this position in the following manner:

Table 4 - Construction Fund Proposed Conditions

Revenues

Construction Fund Levy @ 2 Mils	$ 368,564.00
State Aid Allocation @ 25% Total	$ 227,965.75
Total Revenues	$ 596,529.75

Expenditures

Salaries	$ 228,372.00
Proposed Transfer to Fund 235 for Mechanic *	$ 82,000.00
Seal Coat Project	$ 150,000.00
Crack Sealing Project	$ 25,000.00
Striping Project	$ 10,000.00
Large Patches Project	$ 50,000.00
Total Expenditures	$ 545,372.00

Difference Revenues to Expenditures	$ 51,157.75
	Denotes Changes or Additions from Existing Conditions

**** This analysis does not take into account any assessment revenue that may be received for salaries allocated to assessable projects.

- 3-Year assumed budget increase in the Street Department. See attached calculation for assumptions.

This option includes receiving the 25% maintenance allocation into the Construction Fund, paying the full 3-year average wage of the mechanics position from Construction Fund 401, and increasing the large patch maintenance project from $10,000/year to $50,000. This brings the construction fund balance at year end from ($27,253) to $51,157.75.

Recap

The options to the committee and council are as follows:

1. Leave the State Aid Maintenance Allocation at $1,500/Improved Mile or increase this to 25% total allocation. These additional dollars could be spent to cover the additional position, could be spent on pavement maintenance projects such as seal coating, crack sealing, large patches, etc.
2. Maintain current staffing levels at the street department or re-hire the full-time mechanic position. Additional funding could come from increased maintenance allocation, inclusion into the budget in 2021, or any other method the Committee and Council deems fit.

Assumptions:

* Promotions and new hiring would occur after 9/30. Used 11/15/2020
* Assumed mechanic position would be at a Maintenance III hourly wage, position would need to be negotiated with union, scored and pointed
* Used the most senior individuals to go to next level and a new employee would be hired at the Maint I position
* New Maint I hire would start at Step 1
* Same budget split for Maint I position used for the 2020 budget
* Used 2020 rates for all years
* Benefits include: FICA; Medicare; PERA; LTD; Life, health and workers' compensation insurance

Estimated Impact to Budgets:

2020

Proposed New Staffing 11/15/2020-12/31/2020	Salary	Benefits	Total
Maint III	$ 7,192	$ 3,631	**$ 10,822**
Maint II	6,110	3,372	**9,482**
Maint I (65%)	3,497	1,654	**5,151**
Total Portion of Street Budget	**$ 16,798**	**$ 8,656**	**$ 25,454**

Existing Staffing 11/15/2020-12/31/2020	Salary	Benefits	Total
Maint II	$ 7,133	$ 3,617	**$ 10,750**
Maint I (65%)	3,846	2,162	**6,008**
Total Portion of Street Budget	**$ 10,980**	**$ 5,778**	**$ 16,758**

Estimated Unbudgeted Expense for 2020 $ 8,697

2021

Year 2021 - Proposed New Staffing	Salary	Benefits	Total
Maint III	$ 59,062	$ 29,362	**$ 88,424**
Maint II	50,251	27,251	**77,502**
New Maint I (65%)	28,090	16,617	**44,707**
Total Portion of Street Budget	**$ 137,403**	**$ 73,230**	**$ 210,633**

Year 2021 - Existing Staffing	Salary	Benefits	Total
Maint II	$ 57,408	$ 28,966	**$ 86,374**
Maint I (65%)	31,236	17,371	**48,607**
Total Portion of Street Budget	**$ 88,644**	**$ 46,337**	**$ 134,981**

Estimated Increase to Budget for 2021 $ 75,652

2022

Year 2022 - Proposed New Staffing	Salary	Benefits	Total
Maint III	$ 61,682	$ 29,990	**$ 91,673**
Maint II	52,577	27,808	**80,385**
New Maint I (65%)	29,495	16,954	**46,449**
Total Portion of Street Budget	**$ 143,755**	**$ 74,752**	**$ 218,507**

Year 2022 - Existing Staffing	Salary	Benefits	Total
Maint II	$ 57,614	$ 29,015	**$ 86,629**
Maint I (65%)	32,633	17,733	**50,365**
Total Portion of Street Budget	**$ 90,247**	**$ 46,748**	**$ 136,995**

Estimated Increase to Budget for 2022 **$ 81,512**

2023

Year 2023 - Proposed New Staffing	Salary	Benefits	Total
Maint III	$ 64,303	$ 30,619	**$ 94,922**
Maint II	54,898	28,364	**83,263**
New Maint I (65%)	30,888	17,287	**48,175**
Total Portion of Street Budget	**$ 150,089**	**$ 76,270**	**$ 226,359**

Year 2023 - Existing Staffing	Salary	Benefits	Total
Maint II	$ 57,614	$ 29,015	**$ 86,629**
Maint I (65%)	34,034	18,068	**52,103**
Total Portion of Street Budget	**$ 91,648**	**$ 47,084**	**$ 138,732**

Estimated Increase to Budget for 2023 **$ 87,627**

3 YEAR AVERAGE INCREASE TO BUDGET **$ 81,597**

Capital Improvement Plan Report 2020-2024 - Construction Costs

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
2020											
		2020 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2020 Street Striping	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		Old Stonebridge Court Paving	$20,000	$10,000	$0	$0	$0	$0	$0	$20,000	0.04
		2020 Crack Filling	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		L St Resurfacing	$31,000	$4,000	$0	$2,000	$0	$0	$0	$33,000	0.05
		10th Ave NE Resurfacing	$44,000	$11,000	$0	$4,000	$8,000	$0	$0	$56,000	0.07
		NE 10th Avenue Resurfacing	$44,000	$11,000	$0	$4,000	$8,000	$0	$0	$56,000	0
		Jackson Street Improvement Project	$80,000	$40,000	$0	$0	$0	$0	$0	$80,000	0.07
		11th Avenue NE Resurfacing	$93,000	$24,000	$0	$0	$4,000	$0	$0	$97,000	0.15
		Old Stonebridge Trail Paving	$140,000	$70,000	$0	$0	$0	$0	$0	$140,000	0.27
		O Street Resurfacing	$118,000	$15,000	$0	$8,000	$16,000	$0	$0	$142,000	0.19
		P Street Resurfacing	$124,000	$16,000	$0	$6,000	$12,000	$0	$0	$142,000	0.2
		2020 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		NW 3rd Street Improvement Project	$160,000	$80,000	$0	$0	$0	$0	$0	$160,000	0.14
		J St Resurfacing	$155,000	$20,000	$0	$14,000	$12,000	$0	$0	$181,000	0.19
		B Street, C Street, and D Street Recon	$175,000	$27,000	$0	$2,000	$6,000	$0	$0	$183,000	0.17
		2020 Sanitary Sewer Replacement Pr	$0	$0	$0	$338,000	$0	$0	$0	$338,000	0
		NW 4th Street Reconstruction	$414,000	$0	$0	$0	$0	$0	$0	$414,000	0.25
		5th Ave NE Reconstruction	$0	$46,000	$448,000	$14,000	$12,000	$0	$0	$474,000	0.29
	13-21	B Street Reconstruction	$0	$50,000	$479,000	$12,000	$4,000	$0	$0	$495,000	0.31
		Cuyuna Trail Extension, 13th/Washin	$0	$0	$0	$0	$0	$0	$1,100,000	$1,100,000	0
		Yearly Total	**$1,793,000**	**$424,000**	**$927,000**	**$404,000**	**$82,000**	**$0**	**$1,100,000**	**$4,306,000**	**2.39**
2021											
	14-13	S 6th St Sidewalk Extension	$0	$0	$0	$0	$0	$0	$0	$0	0
		2021 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2021 Street Striping	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2021 Crack Filling	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		Quince Street Resurfacing	$44,000	$11,000	$0	$0	$0	$0	$0	$44,000	0.07

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
		Wright Street Realignment	$0	$0	$50,000	$0	$0	$0	$0	$50,000	0
		Rosewood Street Reconstruction	$62,000	$10,000	$0	$2,000	$0	$0	$0	$64,000	0.06
		Oakridge Road Resurfacing	$81,000	$10,000	$0	$0	$0	$0	$0	$81,000	0.13
		16th Street SE Resurfacing	$87,000	$11,000	$0	$6,000	$4,000	$0	$0	$97,000	0.14
		Walnut Street Resurfacing	$106,000	$27,000	$0	$8,000	$4,000	$0	$0	$118,000	0.17
		St. Louis Avenue Resurfacing	$118,000	$15,000	$0	$6,000	$14,000	$0	$0	$138,000	0.19
		2021 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		15th Street SE Resurfacing	$155,000	$20,000	$0	$10,000	$12,000	$0	$0	$177,000	0.25
		Pine Street Resurfacing	$155,000	$40,000	$0	$8,000	$16,000	$0	$0	$179,000	0.25
		Chicago Avenue Resurfacing and Reco	$196,000	$30,000	$0	$8,000	$16,000	$0	$0	$220,000	0.19
		Portland Avenue Resurfacing and Rec	$206,000	$32,000	$0	$12,000	$10,000	$0	$0	$228,000	0.2
		Madison Street Reconstruction	$330,000	$102,000	$0	$10,000	$18,000	$0	$0	$358,000	0.32
		S 10th Street Reconstruction	$0	$121,000	$366,000	$16,000	$30,000	$0	$0	$412,000	0.38
		Wright Street Resurfacing	$0	$91,000	$548,000	$30,000	$52,000	$0	$0	$630,000	0.57
		Yearly Total	**$1,735,000**	**$520,000**	**$964,000**	**$116,000**	**$176,000**	**$0**	**$0**	**$2,991,000**	**2.92**
2022											
		2022 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2022 Street Striping	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2022 Crack Filling	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		2022 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
	12-04	North 6th Street Reconstruction	$138,000	$21,000	$0	$2,000	$50,000	$0	$0	$190,000	0.13
		N 7th Street Reconstruction	$234,000	$35,000	$0	$4,000	$25,000	$0	$0	$263,000	0.22
		North 3rd Street Reconstruction	$308,000	$46,000	$0	$4,000	$25,000	$0	$0	$337,000	0.29
		2022 Sanitary Sewer Replacement Pr	$0	$0	$0	$352,000	$0	$0	$0	$352,000	0
	14-04	Beech Street Resurfacing	$0	$80,000	$481,000	$18,000	$30,000	$0	$0	$529,000	0.5
		Juniper Street Reconstruction	$615,000	$92,000	$0	$20,000	$125,000	$0	$0	$760,000	0.58
		Yearly Total	**$1,490,000**	**$274,000**	**$481,000**	**$400,000**	**$255,000**	**$0**	**$0**	**$2,626,000**	**1.72**
2023											
		2023 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2023 Street Striping	$15,000	$0	$0	$0	$0	$0	$0	$15,000	0
		2023 Crack Sealing	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
		Paul Circle Resurfacing	$31,000	$8,000	$0	$2,000	$4,000	$0	$0	$37,000	0.05
		Madison Street Resurfacing	$38,000	$5,000	$0	$2,000	$0	$0	$0	$40,000	0.06
		S 7th Street Resurfacing	$62,000	$16,000	$0	$2,000	$0	$0	$0	$64,000	0.1
		Willow Street Resurfacing	$0	$6,000	$68,000	$2,000	$0	$0	$0	$70,000	0.07
		Paul Street Resurfacing	$62,000	$8,000	$0	$6,000	$4,000	$0	$0	$72,000	0.1
		S 8th St Resurfacing	$68,000	$17,000	$0	$4,000	$0	$0	$0	$72,000	0.11
		Todd Street Resurfacing	$118,000	$30,000	$0	$0	$4,000	$0	$0	$122,000	0.19
		2023 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		S 7th Street Resurfacing	$136,000	$35,000	$0	$6,000	$10,000	$0	$0	$152,000	0.22
		Rosewood, Sycamore, Tamarack Pave	$186,000	$29,000	$0	$60,000	$0	$0	$0	$246,000	0.18
		2023 Sanitary Sewer Replacement Pr	$0	$0	$0	$340,000	$0	$0	$0	$340,000	0
		S 7th Street Reconstruction	$289,000	$89,000	$0	$235,000	$52,000	$0	$0	$576,000	0.28
		Yearly Total	**$1,190,000**	**$243,000**	**$68,000**	**$659,000**	**$74,000**	**$0**	**$0**	**$1,991,000**	**1.36**
2024											
		2024 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2024 Street Striping	$15,000	$0	$0	$0	$0	$0	$0	$15,000	0
		2024 Crack Sealing	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		Norway Court Resurfacing	$38,000	$10,000	$0	$2,000	$6,000	$0	$0	$46,000	0.06
		Hillcrest Drive Resurfacing	$50,000	$13,000	$0	$4,000	$6,000	$0	$0	$60,000	0.08
		Belle Rae Circle Resurfacing	$75,000	$19,000	$0	$4,000	$2,000	$0	$0	$81,000	0.12
		Carol Lane Resurfacing	$75,000	$19,000	$0	$4,000	$4,000	$0	$0	$83,000	0.12
		Woodcrest Road Resurfacing	$93,000	$24,000	$0	$8,000	$4,000	$0	$0	$105,000	0.15
		Pineview Drive Resurfacing	$106,000	$27,000	$0	$6,000	$6,000	$0	$0	$118,000	0.17
		Hawkins Drive Resurfacing	$130,000	$33,000	$0	$6,000	$4,000	$0	$0	$140,000	0.21
		2024 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		Linden Lane Resurfacing	$161,000	$42,000	$0	$10,000	$4,000	$0	$0	$175,000	0.26
		Crestview Lane Resurfacing	$161,000	$42,000	$0	$10,000	$12,000	$0	$0	$183,000	0.26
		Spruce Drive Resurfacing	$235,000	$60,000	$0	$14,000	$22,000	$0	$0	$271,000	0.38
		2024 Sanitary Sewer Replacement Pr	$0	$0	$0	$302,000	$0	$0	$0	$302,000	0
		Graydon Avenue Mill and Overlay	$567,000	$179,000	$0	$30,000	$36,000	$0	$0	$633,000	1.13
		Yearly Total	**$1,891,000**	**$468,000**	**$0**	**$400,000**	**$106,000**	**$0**	**$0**	**$2,397,000**	**2.94**

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
		Grand Total	**$8,099,000**	**$1,929,000**	**$2,440,000**	**$1,979,000**	**$693,000**	**$0**	**$1,100,000**	**$14,311,000**	**11.33**

Account Management - (View)

File Edit Options Functions Help

Account 401 33422

Fiscal Year 2019 Current

Account Name STATE GRANTS

General | Balance | Budget | Budget Adjustments | History | Detail

No Filter Selections Made

Filter

Drag a column header here to group by that column

Date	Tran	Reference	Description	Amount	Vendor	Invoi
02/05/2019	C32112	RCPT 0005...	2019 MUNI PARTIAL PYMNT	13,777.50CR		
07/02/2019	C32944	RCPT 0005...	108-119-006 IMP 17:06 STATE	569,525.06CR		
07/09/2019	C32997	RCPT 0005...	2019 MUNI FINAL PYMNT	13,777.50CR		
07/23/2019	C33109	RCPT 0005...	IMP 18:08 STATE AID	477,217.10CR		
07/23/2019	C33109	RCPT 0005...	IMP 18:09 STATE AID	143,165.37CR		
08/23/2019	C33273	RCPT 0005...	IMP 16-09 - 108-136-004 DOT ST	1,325,021.71CR		
			6 records	2,542,484.24CR		

Edit This Record

Clear

View | chillman

Paul Sandy

From:	CEAM <CEAM@DOT.STATE.MN.US> on behalf of Lanoux, William (DOT) <william.lanoux@STATE.MN.US>
Sent:	Monday, October 28, 2019 2:50 PM
To:	CEAM@DOT.STATE.MN.US
Subject:	{external} **Annual Maintenance Requests for the 2020 Apportionment**
Attachments:	REQUESTS FOR 2019 ALLOTMENT.pdf; MAINTENANCE REQUEST 2019 for 2020.docx

City Engineers:

If you'd like to change the amount of your annual apportionment that goes towards your maintenance allotment, this is the time of year to send us a request. **Requests are due by December 15th, 2019**

A city only needs to submit a request if they wish to revise the request on file (see attached pdf, or the January 2019 Apportionment Book, pages 67-70, to see your request on file)

Maintenance Requests should be emailed to me at william.lanoux@state.mn.us.

The following wording is an example of what may be used in the request to cover future Maintenance Allotments: (emails are acceptable)
"The city of _____ hereby notifies the Commissioner of Transportation that all future maintenance allotments are to be calculated at _____ percent of the total or an amount of _____plus bond interest (if any) until the City notifies the Department otherwise."

According to state aid rules (described in State Aid Operational Rule 8820.14 subp. 3.) a city can request a Maintenance Allotment based on one of the following four options:

1) $1500 per Improved Mile.
2) 25% of the city's Total Allocation.
3) 35% of the city's Total Allocation.
4) A lump sum dollar amount, which is greater than $1500 per Improved Mile, but not more than 35%.

Bond interest (if any) will be added onto your requested option.

As in the past, if a city has never submitted a request, its Maintenance Allotment is computed at the minimum of $1500/Improved Mile plus bond interest.

A Maintenance Expenditure Report will be required from the city if:

1) Your maintenance request (not including bond interest) is greater than 25% of your Total Allocation
2) Your lump sum request (not including bond interest) is greater than 25% of your Total Allocation.
   (Bottom line: 25% is the maximum maintenance request you can have without having to fill out a Maintenance Expenditure Report.)

Full instructions are on the attached word document. This document is also available on the MSAS web page at:
http://www.dot.state.mn.us/stateaid/msas.html

Thanks,

Bill Lanoux
MSAS Needs Manager
William.Lanoux@state.mn.us
651.366.3817

CITY OF BRAINERD
SAFETY AND PUBLIC WORKS COMMITTEE
AGENDA

February 3, 2020
County Board Room – Crow Wing County Historic Courthouse
6:30 PM

1. Improvement 17-08 Change Order 1

2. Improvement 19-05 – 2019 Striping Project Final Pay Estimate Number 1

3. ISD 181 Harrison Elementary Sewer Easement

4. Tax Forfeit Non-Conservation Parcels

5. Cuyuna Lakes State Trail Alignment

6. CSAH 20 Turnback

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Improvement 17-08 - Garfield Safe Routes to School - Change Order 1

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

Summary of Issue:

Attached to this request is change order 1 for Improvement 17-08 - Garfield Safe Routes to School. The pay estimate with this change order added in is on the Personnel and Finance Committee agenda for approval of payments to contractors.

Alternatives, Options, Effects on Others/Comments:

Change Order 1 is a culmination of items that occurred during the 2018 construction season, with pricing negotiated between the engineer and the contractor settled. The MnDOT estimating office has also reviewed the pricing and has found to be in concurrence with the proposal. The change order is pretty self explanatory. Part 1 is a change in the substantial completion date of the project. Part 2 mainly has to deal with the removal and replacement of some unsuitable material found underneath a proposed sidewalk section. Part 3 and Part 4 have to deal with a couple of hydrant adjustments that had to take place as part of the sidewalk placement, in which BPU will be responsible for payment. Part 5 and part 6 generally deal with the storm sewer system and some adjustments that needed to take place due to the construction. More detailed synopsis of each item is provided on the change order document. The engineer (SEH) is recommending approval of the change order. The engineer has also indicated that, even with these additional costs, it is anticipated or looks as though that the project costs will come in at or below the authorized bid costs.

Recommended Action/Motion:

Staff recommends approval of the attached application contingent upon the Personnel and Finance Committee authorizing the payment application to the Contractor on their agenda.

Financial Impact:

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

What is the total cost, with tax and shipping $ $23,383.80

Is this budgeted? ☐ Yes ☑ No

Please Explain:

$6,930 under part 2 is state aid and federal fund eligible. $539 under part 3 is BPU cost. $6,416.30 under part 4 is BPU cost. $3,124 under part 5 is state aid and federal fund eligible. $3,019.50 under part 6 is 80% federal fund eligible with the rest local cost and $3,355 under part 6 is state aid and federal fund eligible.

SP 108-591-005	Minn. Proj. No. TA 1819 (214)	**CO No.**	**1**
Project Location Brainerd, MN			
Local Agency: City of Brainerd, MN		Local Project No.: 17-08	
Contractor: Concrete Idea, Inc.		SEH No.: BRDMN 143614	
Address/City/State/Zip: 5295 Ranchview Lane, Plymouth, MN 55446			
Total Change Order Amount $	**23,383.80**		

In accordance with the terms of this Contract, you are hereby authorized and instructed to perform the work as altered by the following provisions:

Part 1

Due to delays with awarding and starting construction on the project beyond the control of the Contractor, the Engineer determined it was necessary to extend the Contract Substantial Completion date to October 4, 2019. Due to the subsequent late season timing of turf establishment activities the Engineer determined it was necessary to extend the Contract Final Completion Date to June 12, 2020.

Part 2

During construction of the proposed sidewalk on NE "N" Street between NE 9th Avenue & NE 13th Avenue (Approximate Stations 98+50 to 110+50) the Engineer determined the existing sidewalk subgrade soil to be unsuitable material. The Engineer ordered this material be excavated out and replaced with suitable granular subgrade material. The Contractor claimed additional compensation for the above work. The Engineer determined additional compensation was justified. The negotiated costs are summarized in the Breakdown below:

BREAKDOWN

Item	Unit	Unit Price	Quantity	Amount	Group
Rem. & Haul Unsuitable Material	CY	$12.00	225	$2,700.00	3
Haul & Place Suitable Material	CY	$16.00	225	$3,600.00	3
Prime Contractor Mark-up (10%)	LS	$630.00	1	$630.00	3
Subtotal Part 2: Change Order No. 1				**$6,930.00**	

Part 3

During construction of the sidewalk in the northeast quadrant of NE "H" Street and NE 10th Avenue, the Engineer determined it was necessary to insulate the hydrant lead at approximate station 32+25 to address Brainerd Public Utilities (BPU) concerns with loss of ground cover. The Engineer ordered the Contractor to excavate down and install a 4" insulation over the hydrant lead. Additional time was spent working around existing underground private utilities. The Contractor claimed additional compensation for the above work. The Engineer determined additional compensation was justified. The negotiated costs are summarized in the Breakdown below:

BREAKDOWN

Item	Unit	Unit Price	Quantity	Amount	Group
710 Backhoe Operated	HR	$140.00	2	$280.00	2
Laborer	HR	$75.00	2	$150.00	2
SP 40 Insulation Board (4"x4'x8')	EA	$60.00	1	$60.00	2
Prime Contractor Mark-up (10%)	LS	$49.00	1	$49.00	2
Subtotal Part 3: Change Order No. 1				**$539.00**	

Part 4

The Plans call for the replacement and relocation of hydrants at various locations on the project including in the northeast quadrant of NE "N" Street and NE 9th Avenue (approximate station 120+60), and in the southeast quadrant of NE "P" Street and NE 9th Avenue (approximate station 127+40). The Plans called for standard 6-inch diameter hydrant leads. During construction it was discovered that the existing hydrant leads were 4-inches in diameter. The Engineer ordered the Contractor to install new 6-inch by 6-inch tees onto the main at each location in lieu of installing a reducer fitting. BPU provided the necessary fittings other than one 6-inch (Romac) transition sleeve provided by the Contractor. During the hydrant relocation at station 120+60 the Contractor damaged an unmarked existing sanitary sewer service line buried approximately 3-4' deep running parallel to the street within boulevard in the road right of way. The Engineer ordered the Contractor to repair the damaged sanitary service line. The Contractor claimed additional compensation for the tee connections and sewer service repair work. The Engineer determined additional compensation was justified. The negotiated costs are summarized in the Breakdown below:

BREAKDOWN

Item	Unit	Unit Price	Quantity	Amount	Group
710 Backhoe Operated	HR	$140.00	12	$1,680.00	1
Pipe-layer / Laborer	HR	$75.00	22	$1,650.00	1
Foreman w/ Pickup	HR	$120.00	10	$1,200.00	1
Ditchwitch Vac	EA	$200.00	2	$400.00	1
6" Romac Sleeve	EA	$503.00	1	$503.00	1
1-1/2" Filter Aggregate	CY	$37.50	8	$300.00	1
4" SDR35 Sewer Pipe	LF	$3.00	20	$60.00	1
4" Fernco Pipe Coupler	EA	$20.00	2	$40.00	1
Prime Contractor Mark-up (10%)	LS	$583.30	1	$583.30	1
Subtotal Part 4: Change Order No. 1				**$6,416.30**	

Part 5

The Plans call for replacing curb and gutter along the radius of each intersection to facilitate installation of a new pedestrian ramp. The Plans further call for adjustment of existing catch basin casting heights falling within these areas in order to accommodate grade changes necessary for drainage and ADA design. During construction along NE "N" Street, the upper portions of the existing block storm structures collapsed as the rings were removed for adjustment due to the age and deteriorated condition. The Engineer ordered the Contractor to repair each structure that was damaged during adjustment approximate stations: 97+45, 97+80, 101+10, 101+45, and 115+20. The Contractor claimed additional compensation for rebuilding the structures below the rings. The Engineer determined additional compensation was justified. The negotiated costs are summarized in the Breakdown below:

BREAKDOWN

Item	Unit	Unit Price	Quantity	Amount	Group
Foreman w/ Pickup	HR	$120.00	4.5	$540.00	3
Manhole Block Type S Mortar Mix	EA	$110.00	5	$550.00	3
Catch Basin Structure Rebuild	EA	$350.00	5	$1,750.00	3
Prime Contractor Mark-up (10%)	LS	$284.00	1	$284.00	3
Subtotal Part 5: Change Order No. 1				**$3,124.00**	

Part 6

The Plans call for casting adjustment on 24 each storm structures. The intent of the Adjust Frame and Ring Casting bid item was to include replacement of the casting in conjunction with the adjustment per Note L of the Statement of Estimated Quantities and Project Special Provisions section 33 41 00. During construction the

Contractor claimed the Plans only require new castings for 5 of the 24 casting adjustments per their interpretation of Tabulation Table C. The Engineer ordered new castings for all 24 each adjusted storm structure castings. Contractor claimed additional compensation to cover the cost of the materials for 19 each new castings from their supplier. The Engineer, in consultation with the City Engineer, determined additional compensation was justified. The negotiated costs are summarized in the Breakdown below:

BREAKDOWN

Item	Unit	Unit Price	Quantity	Amount	Group
Storm Frame & Ring Casting	EA	$305	7	$2,135.00	1
Storm Frame & Ring Casting	EA	$305	10	$3,050.00	3
Storm Frame & Ring Casting	EA	$305	2	$610.00	4
Prime Contractor Mark-up (10%)	LS	$213.50	1	$213.50	1
Prime Contractor Mark-up (10%)	LS	$305.00	1	$305.00	3
Prime Contractor Mark-up (10%)	LS	$61.00	1	$61.00	4

Subtotal Part 6: Change Order No. 1 **$6,374.50**

Total Change Order No. 1 **$23,383.80**

Prices Reviewed by MnDOT Estimating Unit: 01/15/2020 JB

Group 1: SP 108-591-005 Eligible; Miscellaneous Non-MSAS Eligible
Group 2: SP 108-591-005 Eligible; H St MSAS Eligible
Group 3: SP 108-591-005 Eligible; N St MSAS Eligible
Group 4: SP 108-591-005 Eligible; N St Non-MSAS Eligible

Approved by Project Engineer: Scott D. Hedlund Date: 1-21-2020
Print Name: Scott D. Hedlund, PE - SEH Phone: 218.855.1705

Approved by City of Brainerd: _____ Date: _____
Print Name: _____ Phone: _____

Approved by Contractor: Trent Gundersson Date: 1/22/2020
Print Name: Trent Gundersson Phone: 763-360-5151

Distribution: Project Engineer (Original), Contractor, City (copy), DSAE (copy for funding review)

DSAE Portion: **The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for FUNDING PURPOSES ONLY and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.**

This work is eligible for: ___ Federal Funding ___ State Aid Funding ___ Local funds

District State Aid Engineer: _____ Date: _____

Tom's Backhoe Service, Inc.

323 Woodland Hills Ln
Brainerd, MN 56401

Invoice

Date	Invoice #
10/15/2019	17130

Bill To
Concrete Idea Inc. 5295 Ranchview LN Plymouth, MN 55446

Terms	Due Date	Project	Other
Net 30	11/14/2019	2019 Garfield ...	

Date	Description	Amount
8/16/2019	Extra Work Order #1, 2019 Garfield Safe Routes to School NE Corner of H Street & 10th Ave., Install 4" thick insulation, 4 x 8 for Hydrant Lead.	
	710 Backhoe, 2 hrs. @ $140.00 per hr.	280.00
	Laborer, 2 hrs. @ $90.00 per hr.	180.00
	Materials SP 40 Insulation	60.00

1.5% Interest Charge after 30 days

Subtotal	$520.00
Total	$520.00
Payments/Credits	$0.00
Balance Due	$520.00

Phone #	Fax #
2188284232	218-829-3746

1

NOTICE OF EXTRA WORK

Date	Day of Week	Project No.	Report No.
8/16/15	S M T W T F S		1

Project Name	Engineer or Firm	Start Time:	Stop Time:
Garfield Sidewalk			

Description of Extra Work, Delays, Damages or Back-Charges

4" Insulation installed on Hydrant Lead Installed by Previous Contractor

NE Corner of 4th & 10th Ave NE

EQUIPMENT AND LABOR DOCUMENTATION

EQUIPMENT USED List Make & Model	Qty	Hrs	EQUIPMENT USED List Make & Model	Qty	Hrs
710B Backhoe		2			

Position Used	Qty	Hrs	Material Used Vendor or Sub	Type	Quantity
Laborer		2	4 Sheets 2"- 4x8' Sheets SP 40 Insulation		4

Owners Representative

TBSI Superintendent or Project Manager

Owner's Field Representative must sign this report. Signature verifies equipment and labor time only; not merit of claim.

Tom's Backhoe Service, Inc.

323 Woodland Hills Ln
Brainerd, MN 56401

Invoice

Date	Invoice #
10/15/2019	17131

Bill To
Concrete Idea Inc. 5295 Ranchview LN Plymouth, MN 55446

Terms	Due Date	Project	Other
Net 30	11/14/2019	2019 Garfield ...	

Date	Description	Amount
9/19/2019	Extra Work Order #2, 2019 Garfield Safe Routes to School Rebuild 5 Storm Sewer Catch Basins, materials and Labor Foreman and Truck, Foreman and Truck, 4.5 hrs.each @ $120.00, Manhole Block Type S Mortar Mix $110.00 each (5each manholes @ $650.00 each)	3,250.00

1.5% Interest Charge after 30 days

Subtotal	$3,250.00
Total	$3,250.00
Payments/Credits	$0.00
Balance Due	$3,250.00

Phone #	Fax #
2188284232	218-829-3746

TOM'S BACKHOE

2

NOTICE OF EXTRA WORK

Date	Day of Week	Project No.	Report No.
9/9/19 - 9/13/19	S ☐ M ☐ T ☐ W ☐ T ☐ F ☐ S ☐		2

Project Name	Engineer or Firm	Start Time:	Stop Time:
Garfield Sidewalk Safe			

Description of Extra Work, Delays, Damages or Back-Charges

Rebuild Manholes Locations N & 14th Ave SW Corn.
NST & 9th Ave NE SE & SW Corners
NS+ & 10th Ave NE SE & SW corners

EQUIPMENT AND LABOR DOCUMENTATION

EQUIPMENT USED List Make & Model	Qty	Hrs	EQUIPMENT USED List Make & Model	Qty	Hrs
Foreman + Truck	1	4.5	x $120.00 = $540.00		

Position Used	Qty	Hrs	Material Used Vendor or Sub	Type	Quantity
			Manhole Block		
			Type S Mortar Mix		$110.00
					$650.00
			5 Manhole CB x		
			$3550.00		

Owners Representative

TBSI Superintendent or Project Manager

Owner's Field Representative must sign this report. Signature verifies equipment and labor time only; not merit of claim.

Tom's Backhoe Service, Inc.

323 Woodland Hills Ln
Brainerd, MN 56401

Invoice

Date	Invoice #
10/15/2019	17132

Bill To
Concrete Idea Inc. 5295 Ranchview LN Plymouth, MN 55446

Terms	Due Date	Project	Other
Net 30	11/14/2019	2019 Garfield ...	

Date	Description	Amount
9/3/2019	Extra Work Order #3, 2019 Garfield Safe Routes to School	0.00
	N Street & 9th Ave NE, NE Corner	0.00
	Existing Hydrant Lead was 4" , needed to be 6" for new Fire Hydant, had to install new 6" Gate Valve and 6 x 6 x 6 tee.	503.00
	Tom's Backhoe Service supplied one 6" Romac Sleeve.	
	4 yds 1- 1/2 inch rock.	150.00
	710 Backhoe, 6 hrs. @ $140.00	840.00
	Ditchwitch Vac,	200.00
	Pipelayers, 2 each @ 6 hrs. each @ $90.00 per hr.	1,080.00
	Foreman & Truck, 6 hrs. @ $120.00 per hr.	720.00

1.5% Interest Charge after 30 days

Subtotal	$3,493.00
Total	$3,493.00
Payments/Credits	$0.00
Balance Due	$3,493.00

Phone #	Fax #
2188284232	218-829-3746

TOM'S BACKHOE

#3

NOTICE OF EXTRA WORK

Date	Day of Week	Project No.	Report No.
9/3/19	S M T W T F S		3

Project Name	Engineer or Firm	Start Time:	Stop Time:
Garfield Sidewalk/Scale	SEH		

Description of Extra Work, Delays, Damages or Back-Charges

Existing Hydrant Lead was 4" Needed Tobe 6". Old Mechanical Joint Fitting attached To 6" Mainline Gate Valve Need to be Replaced Plus Need T 6"x6"x6" & 6" Romac Sleeve

N ST & 9TH AV NE NE Corner

EQUIPMENT AND LABOR DOCUMENTATION

EQUIPMENT USED List Make & Model	Qty	Hrs	EQUIPMENT USED List Make & Model	Qty	Hrs
710 Backhoe & Operator		6	x 140.00 = $840.00		
Ditch Witch - Vacuum			$200.00		
Pipelayers	2	12	x 90.00 = $1080.00		
Foreman & Truck	1	6	x 120.00 = $720.00		

Position Used	Qty	Hrs	Material Used Vendor or Sub	Type	Quantity
			1-6" Romac Sleeves		$503.00
			4 yds Rock 1½"		$150.00

Owners Representative

TBSI Superintendent or Project Manager

Owner's Field Representative must sign this report. Signature verifies equipment and labor time only; not merit of claim.

Tom's Backhoe Service, Inc.

323 Woodland Hills Ln
Brainerd, MN 56401

Invoice

Date	Invoice #
10/15/2019	17133

Bill To
Concrete Idea Inc. 5295 Ranchview LN Plymouth, MN 55446

Terms	Due Date	Project	Other
Net 30	11/14/2019	2019 Garfield ...	

Date	Description	Amount
9/4/2019	Extra Work Order #4, 2019 Garfield Safe Routes to School	0.00
	M Street & 9th Ave NE SE Corner	0.00
	Existing Hydrant Lead was 4", needed to be 6" for new Fire Hydrant, had to install new 6 x 6 x 6 tee. Tom's Backhoe Supplied 2 - 6" Romac Sleeves	1,006.00
	4 yds 1-1/2 inch Rock	150.00
	710 Backhoe, 4 hrs @ $140.00 per hr.	560.00
	Ditchwitch Vac	200.00
	Pipelayers, 2 at 4 hrs. each @ $90.00 per hr.	720.00
	Foreman and Truck, 4 hrs. @ $120.00 per hr.	480.00

Subtotal	$3,116.00
Total	$3,116.00
Payments/Credits	$0.00
Balance Due	$3,116.00

Phone #	Fax #
2188284232	218-829-3746

TOM'S BACKHOE

#4

NOTICE OF EXTRA WORK

Date	Day of Week	Project No.	Report No.
9/4/19	S M T W T F S		4

Project Name	Engineer or Firm	Start Time:	Stop Time:
Garfield sidewalk Sate	SEH		

Description of Extra Work, Delays, Damages or Back-Charges

Existing Hydrant Lead was 4" Needed to be 6" Install 6x6x6 Tee & 2 Romac Sleeves

M ST & 9th Av NE SE Corner

EQUIPMENT AND LABOR DOCUMENTATION

EQUIPMENT USED List Make & Model	Qty	Hrs	EQUIPMENT USED List Make & Model	Qty	Hrs
710 Backhoe & Operator		4	x $140.00 = $560.00		
Ditch Witch Vacum			$200.00		
Pipelayers	2	8½	x $90.00 = $765.00		
Foreman & Truck	1	4	x $120.00 = $480.00		

Position Used	Qty	Hrs	Material Used Vendor or Sub	Type	Quantity
			2-6" Romac Sleeves		$1006.00
			2 yds Rock 1½"		$150.00

Owners Representative

TBSI Superintendent or Project Manager

Tom

Owner's Field Representative must sign this report. Signature verifies equipment and labor time only; not merit of claim.

Tom's Backhoe Service, Inc.

323 Woodland Hills Ln
Brainerd, MN 56401

Invoice

Date	Invoice #
10/15/2019	17134

Bill To
Concrete Idea Inc. 5295 Ranchview LN Plymouth, MN 55446

Terms	Due Date	Project	Other
Net 30	11/14/2019	2019 Garfield ...	

Date	Description	Amount
9/10/2019	Extra Work Order #5, 2019 Garfield Safe Routes to School	0.00
	Repair 4" Sanitary Sewerline 3' to 4' deep not located on Road Right away on NE Corner of N Street and 9th Ave. NE during Hydrant Installation.	0.00
	710 Backhoe 2 hrs. @ $140.00	280.00
	Laborer, 2 hrs. @ $90.00 per hr.	180.00
	20 ft - 4" SDR35 Sewer Pipe.	60.00
	2 - 4" Fernco's	40.00

1.5% Interest Charge after 30 days

Subtotal	$560.00
Total	$560.00
Payments/Credits	$0.00
Balance Due	$560.00

Phone #	Fax #
2188284232	218-829-3746

5

TOM'S BACKHOE

NOTICE OF EXTRA WORK

Date	Day of Week	Project No.	Report No.
9/10/19	S M T W T F S	2019 Garfield Safe Routes	5

Project Name	Engineer or Firm	Start Time:	Stop Time:
	SEH		

Description of Extra Work, Delays, Damages or Back-Charges

Repair Sewer line -4" Sanitary 3' to 4' Deep
N Street & 9th Ave NE
Not Located on Rd. Right away on NE Corner
of N Street + 9th Ave NE During Hydrant
installation

EQUIPMENT AND LABOR DOCUMENTATION

EQUIPMENT USED List Make & Model	Qty	Hrs	EQUIPMENT USED List Make & Model	Qty	Hrs
710 B Backhoe		2	x 140.00 = $280.00		
Laborer		3	x 90.00 = $180.00		

Position Used	Qty	Hrs	Material Used Vendor or Sub	Type	Quantity
			20' 4" SDR 35 Sewer Pipe		$60.00
			2- 4" Fernco's		$40.00

Owners Representative	TBSI Superintendent or Project Manager

Owner's Field Representative must sign this report. Signature verifies equipment and labor time only; not merit of claim.

Tom's Backhoe Service, Inc.

323 Woodland Hills Ln
Brainerd, MN 56401

Invoice

Date	Invoice #
10/16/2019	17135

Bill To
Concrete Idea Inc. 5295 Ranchview LN Plymouth, MN 55446

Terms	Due Date	Project	Other
Net 30	11/15/2019	2019 Garfield ...	

Date	Description	Amount
	Extra Work Order #6, 2019 Garfield Safe Routes to School N Street 9th Ave NE, Dig out unsuitable soil various depth, 6" to 12", haul away unsuitable soil as directed by SEH, haul in and place sand to bring back to sidewalk subgrade.	
	15 loads unsuitable soil, dug out and hauled away, 20 yd loads @ $12.00 per yd	3,600.00
	15 loads sand bedding hauled in & placed, 20 yd loads @ $16.00 per yd.	4,800.00

1.5% Interest Charge after 30 days

Subtotal	$8,400.00
Total	$8,400.00
Payments/Credits	$0.00
Balance Due	$8,400.00

Phone #	Fax #
2188284232	218-829-3746

#6

NOTICE OF EXTRA WORK

Date	Day of Week	Project No.	Report No.
8/15 - 8/16	S M T W T F S		

Project Name	Engineer or Firm	Start Time:	Stop Time:
Garfield Sidewalk Safe	SEH	7:00	5:00

Description of Extra Work, Delays, Damages or Back-Charges

Dig out unsuitable soil on NST & 9th Ave NE Various Depth 6" to 12" Haul away Unsuitable as Directed by SEH Haul in and Place Sand to bring back to Sidewalk Sub grade

EQUIPMENT AND LABOR DOCUMENTATION

EQUIPMENT USED List Make & Model	Qty	Hrs	EQUIPMENT USED List Make & Model	Qty	Hrs

Position Used	Qty	Hrs	Material Used Vendor or Sub	Type	Quantity
			15 loads Unsuitable Soil Dug out & Hauled out 20 yd lds =	300 yds	
			at $12.00 per yd	$3600.00	
			15 Loads Sand bedding hauled in and Placed 20 yd lds	300 yds	
			at $16.00 per yd	$4800.00	

Owners Representative	TBSI Superintendent or Project Manager

Owner's Field Representative must sign this report. Signature verifies equipment and labor time only; not merit of claim.

ROCK ON TRUCKS, INC.

3100 7th Street South
Waite Park, MN 56387
Office 320-230-2998
Fax 320-230-2912

No.

- ☐ TRI
- ☐ QUAD
- ☐ QUINT
- ☐ 7 AXLE
- ☐ REEFER
- ☐ END DUMP
- ☐ SIDE DUMP
- ☐ BELLY DUMP
- ☐ FLATBED/LOWBOY
- ☐ STEP DECK

TRK CO. NAME: Tarts Backhoe DRIVER NAME: Rob

TRUCK # 20 TRAILER # _____ JOB # 5665-0 DATE 8/16/19

CUSTOMER: Concrete Idea Inc

LOCATION AND DESCRIPTION	TIME
LOADED AT: Tom's Shop	START DAY 7:00
DELIVERED TO: Garfield Sidewalks	BREAK/TRUCK DOWN START _____
	BREAK/TRUCK DOWN STOP _____
	STOP DAY 5:00
MATERIAL: Sand	TOTAL 10

LOAD DATE/TIME	TICKET #	NET WEIGHT	LOAD DATE/TIME	TICKET #	NET WEIGHT
1 7:00	Sand	20 yds			
2 8:13	Sand	20 yds			
3 8:53	Sand	20 yds	18		
4 9:50	Removals		19		
5 10:30	Sand	20 yds	20		
6 11:40	Sand	20 yds	21		
7 1:00	Removal		22		
8 2:00	Removal		23		
9 3:10	Removals		24		
10 4:15	Removals		25		
11			26		
12			27		
13			28		
14			29		
15			30		

ACCEPTED BY: _____

OPERATOR: _____

CUSTOMER

Rev - 3/17

ROCK ON TRUCKS, INC.

No.

3100 7th Street South
Waite Park, MN 56387
Office 320-230-2998
Fax 320-230-2912

☐ TRI ☐ END DUMP
☐ QUAD ☐ SIDE DUMP
☐ QUINT ☐ BELLY DUMP
☐ 7 AXLE ☐ FLATBED/LOWBOY
☐ REEFER ☐ STEP DECK

TRK CO. NAME: Tonks Backhoe DRIVER NAME: Rob

TRUCK # 20 TRAILER # _____ JOB # 5665-0 DATE 8/15/19

CUSTOMER: Concrete Idea Inc

LOCATION AND DESCRIPTION	TIME
LOADED AT: Tom's Shop	START DAY 7:00
DELIVERED TO: Garfield Sidewalk	BREAK/TRUCK DOWN START _____
	BREAK/TRUCK DOWN STOP _____
	STOP DAY 6:30
MATERIAL:	TOTAL 11.5

	LOAD DATE/TIME	TICKET #	NET WEIGHT		LOAD DATE/TIME	TICKET #	NET WEIGHT
1	7:45	Sand	20 lbs	16			
2	8:30	Sand	20 lbs	17			
3	8:51	Sand	20 lbs	18			
4	9:33	Sand	20 lbs	19			
5	10:00	Removals		20			
6	10:45	Removals		21			
7	12:00	Sand	20 lbs	22			
8	12:41	Sand	20 lbs	23			
9	1:30	Sand	20 lbs	24			
10	3:30	Sand	20 lbs	25			
11	2:50	Sand	20 lbs	26			
12	4:00	Sand	20 lbs	27			
13				28			
14				29			
15				30			

ACCEPTED BY: _____

OPERATOR: _____

CUSTOMER

Rev - 3/17

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Improvement 19-05 - 2019 Striping Project Pay Estimate No. 1 Final

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

Summary of Issue:

Attached to this request is the final invoice for our 2019 striping project. You will recall we join on with Crow Wing County's contract to do this work within the City.

Alternatives, Options, Effects on Others/Comments:

The cost share agreement estimated a total cost of $15,520.71. The final invoiced amount for this work is $15,673.09. The $152.38 overrun is a 1% overrun of estimated costs, and can be attributable to a couple of quantities that exceeded the estimates on the project.

Recommended Action/Motion:

Staff recommends authorization of payment to Crow Wing County in the total amount of $15,673.09. This payment is also on the Personnel and Finance Committee agenda for Payment of Bills.

Financial Impact:

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

What is the total cost, with tax and shipping $ $15,673.09

Is this budgeted? ☑ Yes ☐ No

Please Explain: We budget $10,000/year in the CIP for street striping, with a project occurring every 2 years.

Crow Wing County Highway
16589 County Road 142
Brainerd, MN 56401
PH. (218) 824-1110

INVOICE

Please include invoice number on check. Make checks payable to Crow Wing County.

CUSTOMER	INVOICE DATE	INVOICE NUMBER	AMOUNT PAID	DUE DATE	INVOICE TOTAL DUE
CITY OF BRAINERD	12/30/2019	2967	$0.00	**01/29/2020**	**$15,673.09**

DESCRIPTION	QUANTITY	PRICE	UOM	ORIGINAL BILL	ADJUSTED	PAID	AMOUNT DUE
CONSTRUCTION AND ENGINEERING PER COST SHARE AGREEMENT FOR CP 18-200-89	1.00	$15673.0900	EACH	$15,673.09	$0.00	$0.00	$15,673.09

Invoice Total:	$15,673.09

RECEIVED
JAN 16 2020
CITY OF BRAINERD
ADMINISTRATION

Crow Wing County Highway
16589 County Road 142
Brainerd, MN 56401
PH. (218) 824-1110

Final payment
to CWC for
Imp 19-05

CITY OF BRAINERD
501 LAUREL ST
BRAINERD, MN 56401

INVOICE
Remit Portion

Invoice Date	12/30/2019
Invoice Number	2967
Customer Number	76
Amount Paid	
Due Date	01/29/2020
Invoice Total Due	$15,673.09

(P2)

Imp 19-05

173

CONSTRUCTION COST SHARE AGREEMENT
WITH THE CITY OF BRAINERD – PROJECT NO. CP 18-200-89
FOR ROADWAY PAVEMENT MARKINGS ON
VARIOUS CITY OF BRAINERD STREETS

This Agreement is made and entered into this day of 2/19, 2019, by and between the County of Crow Wing, State of Minnesota, a political subdivision of the State of Minnesota, 326 Laurel Street, Brainerd, Minnesota, 56401, hereinafter referred to as "County", and the City of Brainerd, 501 Laurel St., Brainerd, MN 56401 herein after referred to as the "City".

WITNESSETH

WHEREAS, the parties mutually agree that pavement markings desired by the City to be applied to various City streets have the potential to result in overall costs savings when combined with the County project which will provide for pavement markings to numerous county roadways, and

WHEREAS, the County has budgeted funds to complete the project; and,

WHEREAS, the Crow Wing County Highway Department has prepared plans and specifications for the project entitled 2019 PAVEMENT MARKINGS, which plans and specifications are on file in the office of the County Engineer;

NOW, THEREFORE, IT IS MUTUALLY STIPULATED AND AGREED:

I. PURPOSE

The parties have joined together for the purpose of applying pavement markings to numerous County roadways and City streets as described in the plans and specifications entitled 2019 PAVEMENT MARKINGS on file in the office of the Crow Wing County Highway Department (hereinafter referred to as the "Project").

II. Duties

A. Design and Construction

The County shall incorporate City provided quantities and maps into the overall bidding package for the Project unless otherwise stated in this agreement. A contract administration fee for the City roads, at a rate of three percent of the City's construction costs, shall be reimbursable from the City. The County shall do the calling for all bids and the acceptance of all bid proposals and shall enter into a construction contract as the "owner" for purposes of the project..

B. Inspection and Approval

The County and City shall each provide construction inspection and staking for their respective roadways for the Project and approval for acceptance of the work as it is completed. The City will ensure that City streets are swept and in a condition ready to receive pavement markings. The City will notify the County of any concerns that arise during or after the completion of the Project. Approval of the completed construction contract by the County shall be final, binding and conclusive upon the City as to the satisfactory completion of the construction.

III. COSTS

A. The contract costs of the work, or if the work is not contracted, the cost of all labor, materials, normal engineering costs and equipment rental required to complete the work, shall constitute the estimated

construction costs and shall be so referred to herein. Actual final construction costs may vary and those will be the actual costs for which the relevant parties will be responsible.

B. The estimated construction cost for the City portion of the Project is $15,068.65. Participation in the construction costs is as follows:

1. The City shall pay one hundred percent (100%) of the cost of the pavement markings related to all City streets. The estimated cost to the City for these items is $15,068.65. When adding the three percent contract administration costs of $452.06, the total estimated cost to the City is $15,520.71.

2. The County shall pay for one hundred percent (100%) of the pavement markings related to the remaining County roadways and through agreements with other project partners.

C. The total estimated cost to the City for the Project is $15,520.71 as shown in the attached Exhibit A. This amount is only an estimate and the City agrees to pay its share of actual costs incurred by the County in fulfilling this agreement.

D. After the award of the construction contract for the Project, the County shall update the City as to the current City construction costs. The City shall reimburse the County for its costs within 30 days of receipt of final project costs.

IV. TERM

This Agreement shall continue until terminated as provided hereinafter.

V. DISBURSEMENT OF FUNDS

All funds disbursed by the County or City pursuant to this Agreement shall be disbursed pursuant to law.

VI. CONTRACTS AND PURCHASES

All contracts let and purchases made pursuant to this Agreement shall be made by the County in conformity with State law.

VII. ACCOUNTABILITY

An accounting shall be made of all receipts and disbursements upon request by either party.

VIII. TERMINATION

This agreement shall terminate upon completion of all obligations of the parties under this agreement. This Agreement may be terminated prior to completion by either party only for breach of this Agreement or by mutual consent of the parties.

IX. NOTICE

For purposes of delivery of any notices hereunder, the notice shall be effective if delivered to the County Auditor of Crow Wing County, 326 Laurel Street, Brainerd, Minnesota, 56401, on behalf of the County, and City of Brainerd, 501 Laurel St., Brainerd, MN 56401 on behalf of the City.

XI. INDEMNIFICATION

To the extent allowed by law, the City and the County mutually agree to indemnify and hold harmless each other from any claims, losses, costs, expenses or damages resulting from the acts or omissions of the respective officers, agents, or employees relating to activities conducted by either party under this Agreement.

XII. ENTIRE AGREEMENT

It is understood and agreed that the entire agreement of the parties is contained herein and that this Agreement supersedes all oral agreements and all negotiations between the parties relating to the subject matter hereof, as well as any previous agreement presently in effect between the parties to the subject matter hereof. Any alterations, variations, or modifications of the provisions of this Agreement shall be valid only when they have been reduced to writing and duly signed by the parties.

IN WITNESS WHEREOF, the parties of this Agreement have hereunto set their hands on the dates written below:

COUNTY OF CROW WING

By: Robert Hall
Robert Hall
Assistant County Engineer

Dated: 2/27/19

CITY OF BRAINERD

By: Edwin Menk
Edwin Menk
Mayor

Dated: _____

Exhibit A

BRAINERD QUANTITIES - COUNTY PROJECT 18-200-89

LINEAR PAINT

ITEM DESCRIPTION	UNITS	TOTAL UNITS	UNIT PRICE	TOTAL COST
4" SOLID LINE PAINT	LIN FT	36716	0.040	1,468.64
6" SOLID LINE PAINT	LIN FT	0	0.070	-
8" SOLID LINE PAINT	LIN FT	0	0.110	-
4" BROKEN LINE PAINT	LIN FT	9590	0.040	383.60
4" DOTTED LINE PAINT	LIN FT	0	0.040	-
8" DOTTED LINE PAINT	LIN FT	0	0.250	-
4" DOUBLE PAINT	LIN FT	14849	0.090	1,336.41

MESSAGE PAINT

ITEM DESCRIPTION	UNITS	TOTAL UNITS	UNIT PRICE	TOTAL COST
PAVEMENT MESSAGE PAINT	SQ FT	4400	2.700	11,880.00
6" SOLID LINE PAINT (HAND)	LIN FT	0	1.100	-
8" SOLID LINE PAINT (HAND)	LIN FT	0	1.200	-
12" SOLID LINE PAINT (HAND)	LIN FT	0	1.700	-
24" SOLID LINE PAINT (HAND)	LIN FT	0	2.250	-
PAINT REMOVAL	SQ FT	0	1.250	-

ESTIMATED CONSTRUCTION COST	$	15,068.65
ESTIMATED CONTRACT ADMINISTRATION (3%)	$	452.06
TOTAL ESTIMATED CITY COST	**$**	**15,520.71**

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Sanitary Sewer Easement - ISD 181 Harrison Elementary Property

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

Summary of Issue:

When the additions to Harrison Elementary were being built, the school district, along with City staff, planned for a relocation and replacement of the sanitary sewer which cut across the school property. If left in place, the sanitary sewer main would have been underneath of the new building footprint. Widseth Smith Nolting designed the sewer main to be outside of the building footprint and installed the new sewer main as a project cost.

Alternatives, Options, Effects on Others/Comments:

To clean up this area, staff requested that the school district provide easement across the property for maintenance of the sewer main. The easement document was drafted by the City Engineer and City Attorney, and the draft that has been executed by the district is attached. This easement will allow the City to perform long term maintenance of the sanitary sewer system and allow reasonable access to the property for repairs, standard jetting, root cutting, etc.

Recommended Action/Motion:

Staff recommends execution of the attached easement and authorization to obtain proper signatures on the easement document.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

(Above space reserved for recording data)

PERPETUAL EASEMENT

THIS EASEMENT GRANT is made by **INDEPENDENT SCHOOL DISTRICT NO. 181,** a Minnesota public corporation **(**hereinafter referred to as the "Grantor") in favor of and to the **CITY OF BRAINERD,** a Minnesota municipal corporation (hereinafter referred to as the "Grantee").

The following recitals of fact are a material part of this instrument:

A: The Grantor is the owner of tracts of land located in Crow Wing County, Minnesota and identified as property adjacent to Oak Street with the following Parcel Identification Numbers: 41300599, 41300607, 41300606, 41300603, and 41300604 (hereinafter referred to as the **"Parcels"**):

B: The Grantor wishes to grant and covey to Grantee a perpetual easement for utility and drainage purposes over, under, across, and through those parts of the Parcels described as follows and shown in the attached exhibit (hereinafter referred to the **"Perpetual Easement"**):

UTILITY EASEMENT A

An easement for utility purposes over, under and across that part of Block 17, SLEEPER'S ADDITION TO THE CITY OF BRAINERD, according to the recorded plat thereof on file in the Crow Wing County Minnesota Recorder's Office, described as follows: Commencing at the northeast corner of said Block 17; thence South 00 degrees 02 minutes 53 seconds West, bearing based on Crow Wing County Coordinate Database NAD 83, 35.00 feet along the east line of said Block 17 to the point of beginning of the easement to be described; thence South 89 degrees 59 minutes 25 seconds West 182.13 feet; thence South 57 degrees 42 minutes 10 seconds West 139.52 feet to the west line of said Block 17; thence South 00 degrees 02 minutes 53 seconds West 35.51

feet along said west line of Block 17; thence North 57 degrees 42 minutes 10 seconds East 149.84 feet; thence North 89 degrees 59 minutes 25 seconds East 162.08 feet; thence South 00 degrees 02 minutes 53 seconds West 91.42 feet; thence South 89 degrees 57 minutes 07 East 11.34 feet to said east line of Block 17; thence North 00 degrees 02 minutes 53 seconds East 121.43 feet along said east line of Block 17 to the point of beginning.

UTILITY EASEMENT B

An easement for utility purposes over, under and across the South 15.00 feet of Lots 3, 4, 5 and 6, and the North 15.00 feet of Lots 7, 8, 9 and 10, all in Block 16, SLEEPER'S ADDITION TO THE CITY OF BRAINERD, according to the recorded plat thereof on file in the Crow Wing County Minnesota Recorder's Office.

NOW, THEREFORE, for valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the following grants, agreements, and covenants and restrictions are made:

1. GRANT OF PERPETUAL EASEMENT. The Grantor hereby grants to the Grantee, and its successors and assigns, the Perpetual Easement for utility and drainage purposes. Exclusive use of the Perpetual Easement is hereby granted to Grantee for said purpose.

2. IMPROVEMENTS OF PERPETUAL EASEMENT. Grantor acknowledges that Grantee may alter and improve the Perpetual Easement premises for utility and drainage purposes. Grantee shall endeavor to design such alterations and improvements in a manner that does not unreasonably interfere with Grantor's intended use of the property.

Grantor hereby grants and conveys unto Grantee the right, privilege and authority to freely enter upon said Perpetual Easement premises at any and all times with all machinery, tools, equipment, vehicles and materials necessary for the purpose above set forth, and to use and remove all earth and other materials lying within the Perpetual Easement premises.

Grantor further agrees not to place any structure upon or within the Perpetual Easement premises that will interfere with the operation or maintenance of said Perpetual Easement grant without first securing the written approval of Grantee.

3. WARRANTIES OF TITLE. Grantor warrants and covenants that Grantor has full authority to grant the Perpetual Easement and the Temporary Construction Easement provided herein, free and clear of all other claims.

4. INDEMNIFICATION. Grantee shall indemnify and hold harmless Grantor against any and all liability, loss, costs, damages, expenses, claims, actions, or judgements made by a third-party, which Grantor may hereafter sustain, incur, or be required to pay, arising out of Grantee's use of and exercise of its rights granted by the Easement. Notwithstanding anything to the contrary, Grantee's obligation to indemnify and hold harmless Grantor shall not extend to any claim, liability, loss, costs, damages, expenses, actions, or judgments which relate to, result from, or are caused by Grantor's violation of applicable law, this Easement or the negligent or intentional acts or omissions of Grantee, its officers, employees, agents, assigns. and/or contractors.

5. RUNNING OF BENEFITS AND BURDENS. All provisions of this instrument including the benefits and burdens, run with the Parcel and are binding upon and inure to the heirs, assigns, successors, tenants and personal representatives of the parties hereto.

IN WITNESS WHEREOF, the Grantor has hereunto set Grantor's hand this 20 day of JANUARY, ~~2019~~ 2020

Independent School District No. 181

By: Tom Haglin

Its: Board Chair

STATE OF MINNESOTA)
) ss
COUNTY OF CROW WING **)**

The foregoing instrument was acknowledged before me this 20th day of January, ~~2019~~, 2020 by Janet Horn, its Notary, Brainerd Public Schools.

JANET R HORN
NOTARY PUBLIC
MINNESOTA
My Commission Expires Jan. 31, 2023

Janet R. Horn

Notary Public

IN WITNESS WHEREOF, the Grantee has hereunto set Grantee's hand this _____ day of _____, 2019

City of Brainerd

By:_____

Its:_____

STATE OF MINNESOTA)
) ss
COUNTY OF _____)

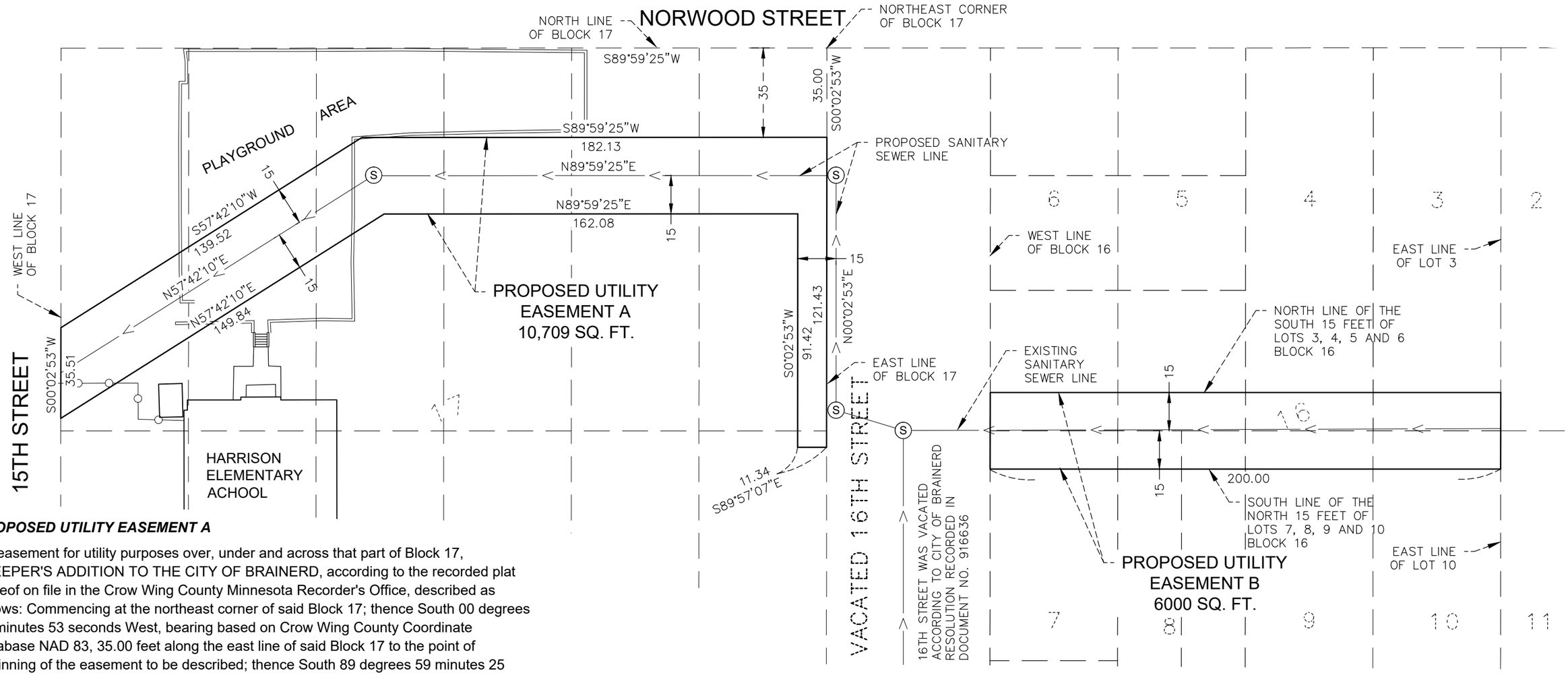
The foregoing instrument was acknowledged before me this _____ day of _____, 2019, by _____, its _____, City of Brainerd.

_____

Notary Public

SKETCH AND DESCRIPTION

PART OF BLOCKS 16 AND 17,
SLEEPER'S ADDITION TO THE CITY OF BRAINERD
SECTION 30, TOWNSHIP 45, RANGE 30,
CROW WING COUNTY, MINNESOTA



PROPOSED UTILITY EASEMENT A

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PROPOSED UTILITY EASEMENT B

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NORTH

0 40 80

SCALE (IN FEET)

ORIENTATION OF THIS BEARING SYSTEM IS BASED ON CROW WING COUNTY COORDINATE DATABASE NAD 83

INDEPENDENT SCHOOL DISTRICT NO. 181

© 2019 WIDSETH SMITH NOLTING

DATE:	8-22-19
SCALE:	AS SHOWN
DRAWN BY:	CMN
CHECKED BY:	CMC
FILE NUMBER:	281B0083.042

DATE	AMENDMENTS	BY

PREPARED FOR:

I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA

CHAD M. CONNER DATE: LIC. NO. 41643

WIDSETH SMITH NOLTING

Engineering | Architecture | Surveying | Environmental

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Tax Forfeit Non-Conservation Parcel

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

Summary of Issue:

Attached to this request is a letter from Crow Wing County regarding a parcel of tax forfeit land that will go on upcoming land sale.

Alternatives, Options, Effects on Others/Comments:

The City has the option to hold this parcel in conservation for purchase by the City. The City must approve of the County's intended classification of non-conservation, which then enables the County to sell the property. Staff has received this notice and classified the parcel, provided the zoning and any outstanding assessments. Staff sees no need to hold this parcel in conservation for future purpose.

Recommended Action/Motion:

Staff recommends concurrence with Crow Wing County's non-conservation status of this parcel so that the land may be placed on the Crow Wing County land sale.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

CROW WING COUNTY
MINNESOTA

Land Services Department
218-824-1010

322 Laurel Street
Brainerd Minnesota 56401

RECEIVED
JAN 06 2020
CITY OF BRAINERD
ADMINISTRATION

January 2, 2020

Jim Thoreen
City of Brainerd
501 Laurel St
Brainerd, MN 56401

Re: Classification to "Non-Conservation" and Future Sale of Tax Forfeited Lands

Dear Mr. Thoreen:

In the near future, the Crow Wing County Board of Commissioners will classify the tax forfeited parcels, attached, as "Non-Conservation" which is required prior to sale pursuant to MS 282.01

Before, however, Crow Wing County can proceed with its plans to offer these parcels for sale, the city or township wherein these parcels lie ***"must first approve the classification and intended sale"*** by the County Board. The city or township ***"is considered to have approved the classification and sale if the county board is not notified of the disapproval...within 60 days of the date"*** of this letter.

If you respond within 60 days and do not support the County Board's action, ***"the County Board must follow the procedures in paragraphs (c) and (d) per MS Statute 282.01, with regard to the parcel, and must additionally cause to be published in a newspaper a notice of the date, time, location, and purpose of the required meeting."***

Please review the list of tax forfeited parcels, attached, and inform this office of your approval or disapproval of the County Board's future action to classify said parcels to a "non-conservation" status with intentions to sell at a future public auction.

Please include the zoning information for each tax forfeited parcel along with any special assessments that are or will be attached to each parcel.

Maps have been enclosed to aid in your review.

If you have any questions concerning this process, please advise.

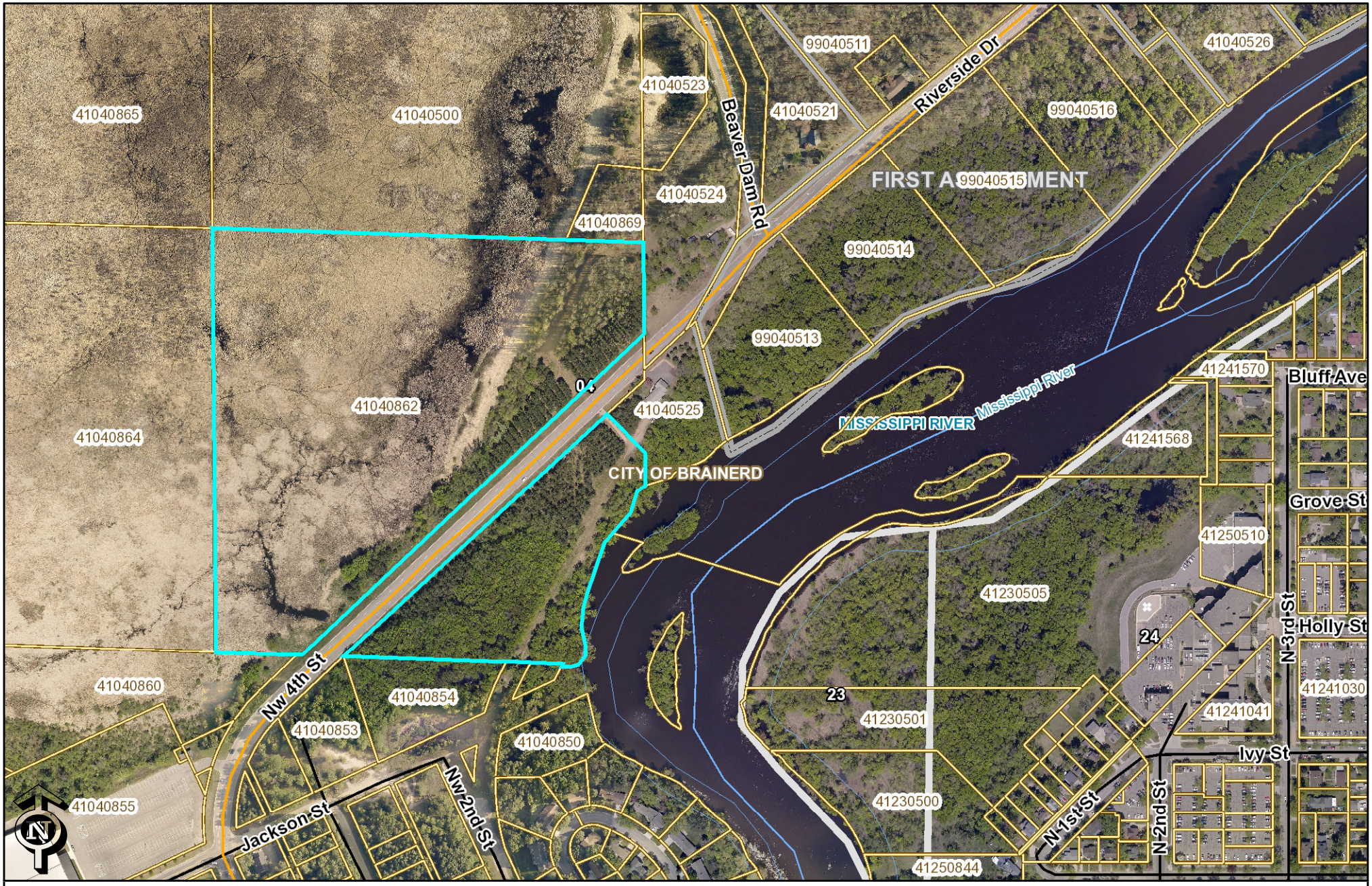
Sincerely,

Heather Becker

Heather Becker
Assessment Specialist

Enclosures

CITY OF BRAINERD									
Tract	Description	Sec.-Twp.-Rge.	Approx. Lot Size (acres)	RE Code(s)	Remarks	Specials	Judgement Year	Forfeited	Zoning
	GOV LOT 5 SEC 4 SUBJ TO STATE RESERV, EXCEPT THAT PT OF GOV LOT 5 DESC AS FOLLOWS; BEG AT A POINT ON THE E LINE OF SAID GOV LOT 5 WHERE SAID E LINE INTERSECTS THE S'LY ROW LINE OF CSAH 20 AS CONSTRUCTED IN 1978 AND NOW MAINTAINED, THEN SW'LY ALG SAID S'L	4-133-28	34.01	41040862	N/A	None		1/1/1970	R3 + RA



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

Tax-Forfeit Land Sale

Paul Sandy

Date: 1/23/2020 Time: 11:21:12 AM

CROW WING COUNTY MINNESOTA

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Cuyuna Lakes State Trail Alignment Discussion

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

Summary of Issue:

Over the past couple of months, staff has been working with SEH to develop the portion of the Cuyuna Lakes State Trail Connection from 5th Avenue NE to the start of the Buffalo Hills Trail near Norwood Street. As you are aware, the City was awarded $1,100,000 in 2014 bonding appropriated money to construct this connection. You may also recall that much of this alignment is dependent on concurrence with the railroad to allow for the crossing at 13th Street across the triple track in this location. Recent events have lead staff to believe that this will not happen, and has caused staff to re-evaluate potential alignments.

Alternatives, Options, Effects on Others/Comments:

Attached is a rough sketch that was brainstormed collectively between City Staff, SEH Staff, and Mr. Higgins. The only alternate route to get across the railroad tracks from north to south is to utilize the railroad bridge on Trunk Highway 25 and connect into the 28th Street trail. Here, from this connection point, the alignment would follow 28th Street until it converged with the platted Laurel Street right-of-way (not constructed) and in line with the south edge of the Northern Pacific Center property. This would require easement or right-of-way acquisition from a minimal amount of property owners. Mike Higgins will be available at the meeting to discuss his willingness to allow the trail through his property. After these circumstances have evolved, staff is confident that this will be the easiest approach and alignment to get this work done and the trail constructed. As you recall, we submitted a Transportation Alternatives grant application for the trail segment along Highway 25 from 5th Avenue NE - 28th Street, in which we will know if funding was awarded by the end of February. MnDOT also intends on replacing the bridge over the railroad in 2022, which MnDOT has planned to include pedestrian accommodations.

Recommended Action/Motion:

Staff recommends approval of the concept of this alignment so that design development, easement drawings, and other documents may be drafted so that the project can meet its deadline of July, 2021.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

Paul Sandy

From: Peltier, Daniel <Daniel.Peltier@BNSF.com>
Sent: Thursday, January 2, 2020 3:34 PM
To: Paul Sandy
Cc: Mcbeth, Amy G; Pearson, Justin; mikeh@brainerdindustrialcenter.com; David Chanski
Subject: RE: {external} RE: Cuyuna Lakes State Trail - BNSF Crossing at 13th Street

Paul, generally speaking, federal, state, and railroad policy all favor a policy of "fewer, safer" at-grade crossings, i.e. the closure of unsafe, unnecessary, or under-utilized crossings to focus resources on those that remain open. In some cases BNSF will agree to a new at-grade crossing (road or trail) if it supports that policy (meaning the new crossing is grouped with one or more closures).

However, in this instance, the fundamental problem is that BNSF believes that the 13th St. crossing itself is just not an appropriate place to encourage an increase in pedestrian or bicycle crossings. The location is between a rail yard and a rail equipment maintenance shop, both of which use the tracks across the crossing for various switching movements. In some respects it would be analogous to routing a trail through the middle of someone's factory complex. Closures at other crossings have their own safety benefits, but don't change the equation at this location.

Both BNSF and MnDOT do offer financial incentives for voluntary crossing closures. Those incentive payments could be applied to the cost of a grade-separated crossing, although they probably would not come anywhere close to covering the difference in cost between an at-grade and grade-separated crossing.

I would also add that there might be options for reducing the cost of the tunnel option. The first thing that comes to mind is that, if you can install an acceptable structure (or possibly a twin pair of structures) by jack-and-bore techniques, you can save most of the $1M they have estimated for a shoofly track alignment.

Regards,
Dan

From: Paul Sandy [mailto:psandy@ci.brainerd.mn.us]
Sent: Thursday, January 2, 2020 2:57 PM
To: Peltier, Daniel <Daniel.Peltier@BNSF.com>
Cc: Mcbeth, Amy G <Amy.Mcbeth@BNSF.com>; Pearson, Justin <Justin.Pearson@BNSF.com>; mikeh@brainerdindustrialcenter.com; David Chanski <dchanski@ci.brainerd.mn.us>
Subject: RE: {external} RE: Cuyuna Lakes State Trail - BNSF Crossing at 13th Street

EXTERNAL EMAIL

Daniel,

Thanks for the response and contact information. Your response is consistent with others we have received when inquiring about this. A general questions for you as it relates to crossings: If the City were to explore the options of ridding a road crossing in the City limits, would this further the conversation of an at-grade crossing for pedestrians at this location?

This is the only feasible location in which we can get trail users across the tracks, and is heavily used by pedestrians currently. We would like to continue the dialogue and are open to any and all options in which will further this dialogue into a situation that the trail can be constructed to the benefit and safety of both the railroad and the trail users.

Thanks

Paul G. Sandy, P.E.
City Engineer | City Of Brainerd
501 Laurel Street, Brainerd, MN 56401
218.454.3411 direct | 218.828.2316 fax
218.513.0172 mobile
Email | psandy@ci.brainerd.mn.us
www.ci.brainerd.mn.us

From: Peltier, Daniel <Daniel.Peltier@BNSF.com>
Sent: Thursday, January 2, 2020 2:41 PM
To: Paul Sandy <psandy@ci.brainerd.mn.us>
Cc: Mcbeth, Amy G <Amy.Mcbeth@BNSF.com>; Pearson, Justin <Justin.Pearson@BNSF.com>; mikeh@brainerdindustrialcenter.com; David Chanski <dchanski@ci.brainerd.mn.us>
Subject: {external} RE: Cuyuna Lakes State Trail - BNSF Crossing at 13th Street

Paul-

My name is Dan Peltier. Earlier this summer I took over Rich Scott's position as BNSF Manager of Public Projects for the state of Minnesota. I can help you work on further development of the Cuyuna Lakes trail. However, BNSF has not changed its consistent position that it does not support an at-grade trail crossing at 13th St.

Regards,
Dan Peltier
Manager Public Projects
763-782-3495

From: Pearson, Justin
Sent: Thursday, January 2, 2020 1:57 PM
To: Peltier, Daniel <Daniel.Peltier@BNSF.com>
Cc: Mcbeth, Amy G <Amy.Mcbeth@BNSF.com>
Subject: FW: Cuyuna Lakes State Trail - BNSF Crossing at 13th Street

From: Paul Sandy [mailto:psandy@ci.brainerd.mn.us]
Sent: Tuesday, December 17, 2019 2:39 PM
To: Pearson, Justin <Justin.Pearson@BNSF.com>
Cc: Mike Higgins <mikeh@brainerdindustrialcenter.com>; David Chanski <dchanski@ci.brainerd.mn.us>
Subject: Cuyuna Lakes State Trail - BNSF Crossing at 13th Street

*** This email includes an ATTACHMENT from outside of BNSF and could contain malicious links. Ensure email is from a **trusted** sender before opening the attachment.

Never enter your login credentials if prompted. Click the **Email Alert**

EXTERNAL EMAIL

Hey Justin,

Thanks again for meeting with us at the Northern Pacific Center site to look at the City of Brainerd's plans for a connection of the Cuyuna Lakes State Trail in Brainerd. You will recall from the meeting that we were going to prepare estimates for three different types of crossings, them being an at grade, a tunnel, and a bridge. We had our Engineer's, SEH, prepare these estimates and schematics for review. I have attached them to this email along with a map of the proposed alignment.

During the meeting, you had indicated that you would help us out be potentially getting this information in the right hands to help hopefully lead us through the process of getting this crossing installed.

You can see the large price differences between the at grade compared to the over and under options. The City's ultimate goal is an at-grade trail crossing on 13th Street. I am hoping you can continue to help us through this process, or get this information into the right hands so that we may start having some conversations around this concept on 13th Street so that a project can be developed to get this crucial trail extension completed in Brainerd.

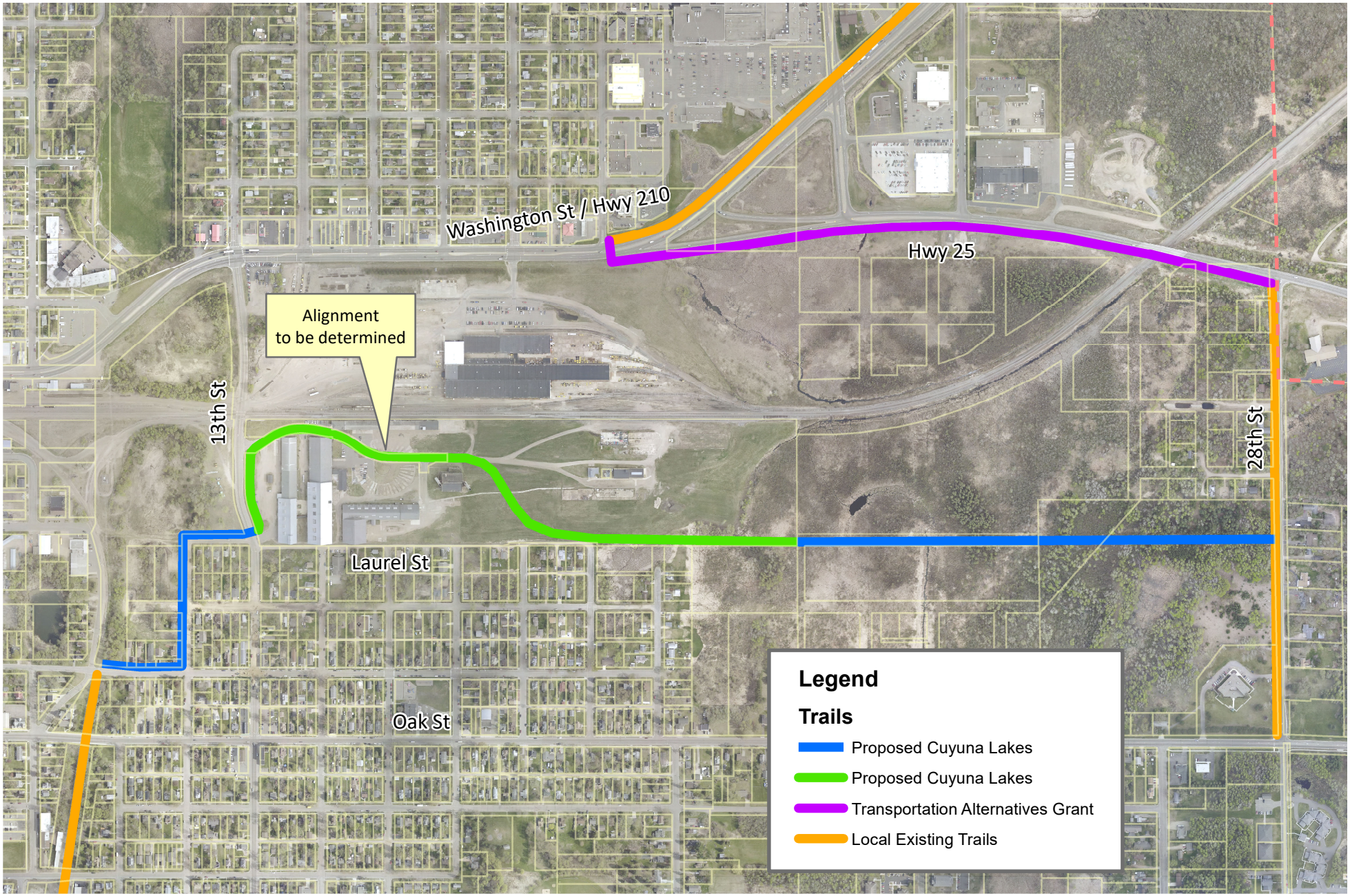
Please let me know if you have questions or need additional information from us.

Thanks

Paul G. Sandy, P.E.
City Engineer | City Of Brainerd
501 Laurel Street, Brainerd, MN 56401
218.454.3411 direct | 218.828.2316 fax
218.513.0172 mobile
Email | psandy@ci.brainerd.mn.us
www.ci.brainerd.mn.us

City of Brainerd

Proposed Alignment for Cuyuna Lakes Trail



0 500 1,000 2,000 Feet

0 0.125 0.25 0.5 Miles

Aerial: 2016

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: CSAH 20 (Riverside Drive) Turnback

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☑ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): City Engineer Sandy	**Estimated Time Needed:** 15 Minutes

Summary of Issue:

Attached to this request is a memo in which outlines the request from Crow Wing County along with a recommendation from staff in regards to the proposal.

Alternatives, Options, Effects on Others/Comments:

This discussion began at the meeting on January 21, 2020, and continued into this meeting. Additional information was provided, more centered around the request for another maintenance employee that is being discussed at the personnel and finance committee meeting this evening. These items were separated due to the nature of the requests falling more in line with what personnel and finance committee usually discusses. Please see the attached memo. Staff will be available to answer any questions that the committee and council may have in regards to this.

Recommended Action/Motion:

Staff recommends approving the turnback of CSAH 20 (Riverside Drive) from Washington Street to Beaver Dam Road in concurrence with the offer from Crow Wing County under the conditions that the portion of the roadway from Jackson Street to Beaver Dam Road be re-configured and re-striped as part of the 2020 construction of Riverside Drive at Crow Wing County's expense and approval by the City Engineer.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☑ No

Please Explain: Long term maintenance costs will increase, but staff finds that because of different priorities related to pedestrian infrastructure, it is appropriate to consider this portion for turnback so that we may implement other alternatives for all modes of traffic.

M E M O

TO: Safety and Public Works Committee

FROM: City Engineer Paul Sandy

DATE: January 27, 2020

SUBJECT: CSAH 20 Turnback (Washington Street to Beaver Dam Road – Improvement 19-01 NW 4th Street Reconstruction

City staff have received a letter from Crow Wing County Assistant County Engineer Rob Hall regarding some preliminary conversations about a possible County Road turnback on CSAH 20, which is better known as Riverside Drive or NW 4th Street. You will recall that the City and County have a joint project on this portion of street in 2020 consisting of the roundabout at Jackson Street, the median through James Street, and some signal modifications to allow the corridor to operate better. Staff feels that this gives us the opportunity to talk in depth about this proposal and bring to light a few other things that are similar in nature and may ultimately benefit the City long-term.

Jurisdictional transfers, or more commonly known as turnbacks, are negotiated between the two governmental agencies. These negotiations typically consist of status of the roadway at the date of turnback, future project funds to assist in the reconstruction or rehabilitation of the project, maintenance costs, or other factors that might be taken into consideration by one entity taking the maintenance and long term jurisdictional responsibility for a roadway. It is no secret that cities and counties typically have much different priorities when it comes to the look, feel, and comfort of a corridor, and this presents a situation where this is the case.

CSAH 20 was last reconstructed in 2004. At that time, the City installed sewer and water within Riverside Drive and Beaver Dam Road. The roadway was configured into a four-lane section, as can be seen today. Riverside Drive and Beaver Dam Road are a main route for cyclists to traverse to the Paul Bunyan Trail. This segment of Riverside Drive is not suitable for pedestrian or bicycle traffic and can be seen through the recommendations from the Walkable/Bikeable City Committee in their trail recommendation. This roadway is wide and could accommodate on-street pedestrian and bicycle facilities. These accommodations would also help to slow traffic, as the 4-lane section promotes high speeds and typically a reduction of lanes and widths would assist in slowing speeds.

Crow Wing County Offer
Through the existing cost share agreement for the NW 4th Street Improvements in 2020, the funding responsibilities for each agency are outlined below. The estimated local construction costs for the project are $52,475 for the City and $110,525 for the County. The current age of the pavement of Riverside Drive is approaching 20 years. Although the pavement is performing extremely well, and staff would not recommend doing this at this time, the County has estimated a mill/overlay project on this segment to restore the pavement for another +/- 20 years at $121,322.

The total Crow Wing County offer for the revocation and turnback of this segment of Riverside Drive is (and can be seen in the attached letter):

Fund County portion of 2020 project:	$110,525 (per cost agreement)
Fund County engineering portion of 2020 project:	$166,195 (per cost agreement)
Fund City construction portion of 2020 project:	$52,475 (per cost agreement)
Fund future resurfacing project:	$121,517 (estimated costs)

It is important to note that the County is already responsible for $276,720 of the project whether the transfer occurs or not. The net gain for the City in this offer is $173,992.

State Aid Funding
One stipulation that would occur with this transfer is the placement of this segment of NW 4th Street on the State Aid System. This would be **in addition** to the City's current State Aid mileage and the designation would not be pulled on any other routes. Turnback's are treated differently in the fact that the City receives additional mileage over their 20% of their improved mileage (the City has 2.48 miles additional mileage for Oak Street which was a Trunk Highway turnback).

Based on a preliminary calculation of needs for the route, staff anticipates that the City would receive an additional $20,000/year in state aid funding if it were to authorize this jurisdictional change. Assuming the City continues riding out the existing pavement surface until the end of it's life and uses the mill and overlay money ($121,517) to perform a pavement rehab to last another 20 years, this would mean the City would gain another $400,000 (20 years x $20,000/yr) in funds for use on the state aid system or money would be used for future projects on Riverside Drive (reconstructions/resurfacing). Based on rough calculations, this is equivalent to about $100.00/ft, which in theory is not enough to cover the reconstruction of the street after 20 years. In short, this means that the City is acquiring a liability, which does happen when you increase street mileage. State aid is used and advanced accordingly when streets on the system need to be completed, so there are funding mechanisms for future reconstructions, and none of our funding from State Aid actually covers 100% of our State Aid system.

Recommendation
Staff recommends the approval of this jurisdictional transfer with adding the stipulation that Crow Wing County will prepare a striping plan and install the striping to the City's chosen layout to reduce lanes to two in each direction and incorporate on-street pedestrian facilities with the layout as approved by the City Engineer.

You will recall that there were other items of interest on the memo from the January 21, 2020 Committee agenda. These other items have been forwarded to the Personnel and Finance Committee for their consideration and recommended action and using the feedback from that meeting.

CROW WING COUNTY
MINNESOTA

December 18, 2019

RECEIVED
DEC 23 2019
CITY OF BRAINERD
ADMINISTRATION

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

RE: CSAH 20 (Riverside Drive)

Dear Mr. Sandy,

As we have discussed verbally, the proposed 2020 reconstruction project of CSAH 20 from Jackson Street to TH 210, and the associated intersection improvements create an opportunity to review roadway jurisdictions in the immediate area. The project was originally brought forward due to existing traffic levels, crash statistics and the potential for increased adjacent development within the City. It has also brought to light that there are improvements each of our agencies would like to see occur; however we each have different priority levels for these improvements. Some of these include the inter-connectivity of bike/trail accommodations within the City, access management, 3rd Street improvements, etc.

CSAH 20 is an important corridor serving a heavy residential area to the north, as well as through traffic. The 2020 project will ensure it can continue to operate as intended into the future. It is also an important route to the City as it looks to serve its residents and commercial properties, existing and future. One way to address all needs is to transfer jurisdiction of the roadway from the County to City. The most logical revocation is from TH 210 to CSAH 5 (Beaver Dam Road). This allows for the continuation of a CSAH roadway system (CSAH 20-CSAH 5-CSAH 49) that makes sense from a jurisdictional as well as maintenance perspective. It also allows for the City to have full control and decision making on the proposed segment to be revoked.

Through an existing cost share agreement, we have identified funding responsibility for each of our agencies for the 2020 project. After subtracting the LRIP grant that was awarded for the project, the anticipated local construction costs for the City are $52,475, and $110,525 for the County. In addition, the pavement from Jackson Street to Beaver Dam Road is 16 years old. While it has been performing well and is not in our 5-year improvement plan, there is a future cost should the City accept ownership. We have performed an estimate for a mill and overlay project, which calculated at $121,322.

Robert Hall
Assistant County Engineer
Highway Department
16589 County Road 142
Brainerd, MN 56401

Office: (218) 824-1110
Email: rob.hall@crowwing.us
Fax: (218) 824-1111
www.crowwing.us

CROW WING COUNTY
MINNESOTA

For the revocation of CSAH 20 from TH 210 to Beaver Dam, the County proposes the following:

Fund County construction portion of 2020 project:	$110,525
Fund County engineering portion of 2020 project:	$166,195
Fund City construction portion of 2020 project:	$52,475
Fund future resurfacing project:	$121,322
Lump sum payment to City:	$450,517

For clarification, of the $450,517 shown, the County is funding $276,720 (2020 project) regardless if a revocation occurs or not.

One item the County would need assurance of is that the City would place this segment of roadway on the MSAS system. If it does not continue to be a state aid route, the County would need to reimburse to the state a portion of past state aid funding utilized. This would impact the amount of funding that could be made available to the City.

This lump sum payment and official transfer could occur in the spring of 2020. This ensures there is no change in maintenance responsibilities during the winter season, and allows the City to have full control of the 2020 project.

One outstanding issue to visit is existing property classification. There is one property adjacent to CSAH 20 that is outside of City limits. This is the furthest north parcel adjacent to this segment of roadway, on the southeast side of CSAH 20. The City should review if it can/will take jurisdiction of a roadway with an adjacent parcel not in City limits.

Once you have had a chance to review the above information, feel free to contact me with questions or to discuss further.

Sincerely,

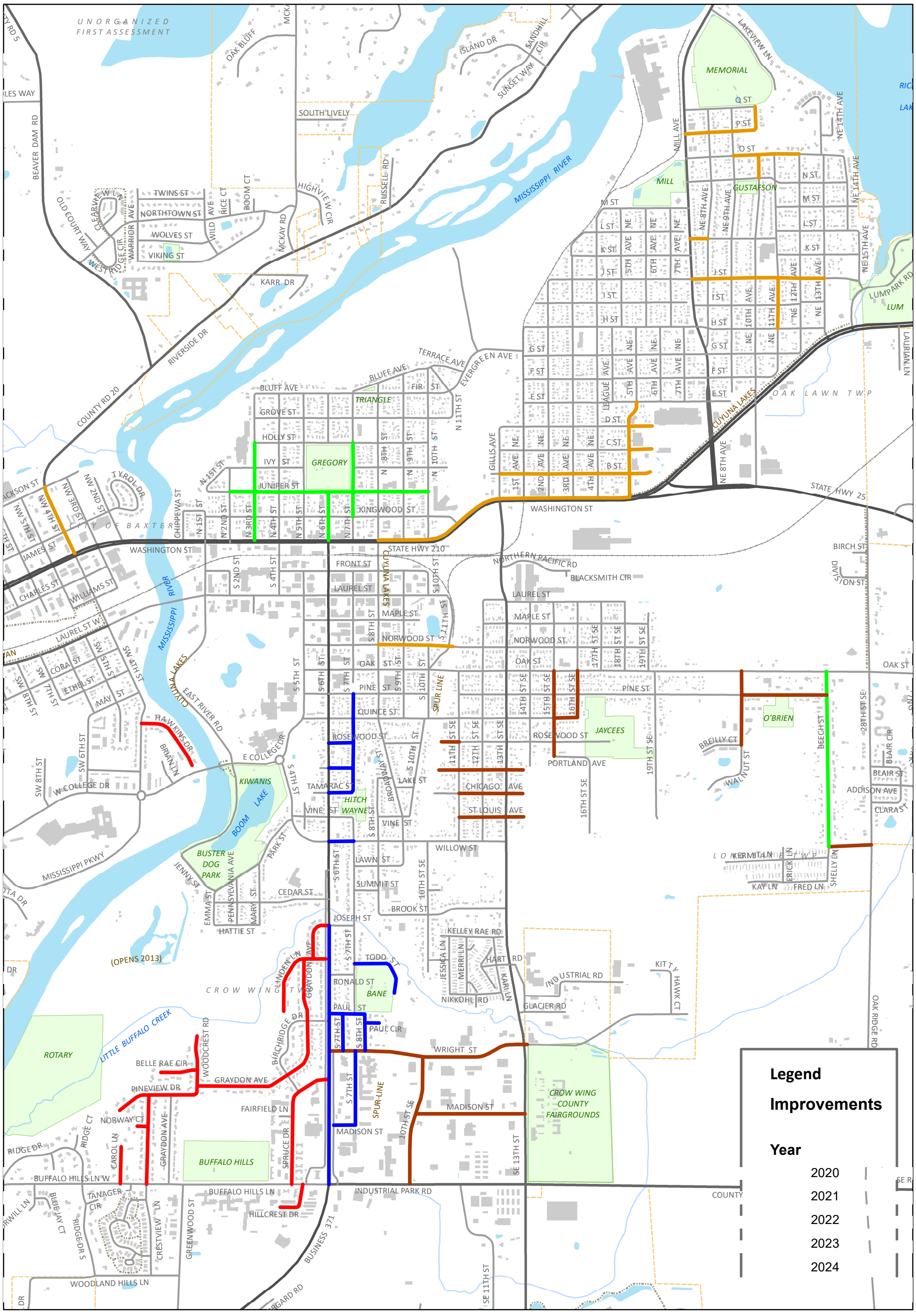
Robert Hall

Robert Hall

C.c. Commissioner Franzen, County Administrator, County Engineer

City of Brainerd

Capital Improvement Plan 2020-2024



Disclaimer: This map is intended for reference purposes only and is not a legally recorded map nor survey. The City of Brainerd shall not be liable for any damages or claims that arise due to accuracy, availability, use, or misuse of the information herein pursuant to MN Statute 466.03 Subd 21.

Capital Improvement Plan Report 2020-2024 - Construction Costs

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
2020											
		2020 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2020 Street Striping	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		Old Stonebridge Court Paving	$20,000	$10,000	$0	$0	$0	$0	$0	$20,000	0.04
		2020 Crack Filling	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		L St Resurfacing	$31,000	$4,000	$0	$2,000	$0	$0	$0	$33,000	0.05
		10th Ave NE Resurfacing	$44,000	$11,000	$0	$4,000	$8,000	$0	$0	$56,000	0.07
		NE 10th Avenue Resurfacing	$44,000	$11,000	$0	$4,000	$8,000	$0	$0	$56,000	0
		Jackson Street Improvement Project	$80,000	$40,000	$0	$0	$0	$0	$0	$80,000	0.07
		11th Avenue NE Resurfacing	$93,000	$24,000	$0	$0	$4,000	$0	$0	$97,000	0.15
		Old Stonebridge Trail Paving	$140,000	$70,000	$0	$0	$0	$0	$0	$140,000	0.27
		O Street Resurfacing	$118,000	$15,000	$0	$8,000	$16,000	$0	$0	$142,000	0.19
		P Street Resurfacing	$124,000	$16,000	$0	$6,000	$12,000	$0	$0	$142,000	0.2
		2020 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		NW 3rd Street Improvement Project	$160,000	$80,000	$0	$0	$0	$0	$0	$160,000	0.14
		J St Resurfacing	$155,000	$20,000	$0	$14,000	$12,000	$0	$0	$181,000	0.19
		B Street, C Street, and D Street Recon	$175,000	$27,000	$0	$2,000	$6,000	$0	$0	$183,000	0.17
		2020 Sanitary Sewer Replacement Pr	$0	$0	$0	$338,000	$0	$0	$0	$338,000	0
		NW 4th Street Reconstruction	$414,000	$0	$0	$0	$0	$0	$0	$414,000	0.25
		5th Ave NE Reconstruction	$0	$46,000	$448,000	$14,000	$12,000	$0	$0	$474,000	0.29
	13-21	B Street Reconstruction	$0	$50,000	$479,000	$12,000	$4,000	$0	$0	$495,000	0.31
		Cuyuna Trail Extension, 13th/Washin	$0	$0	$0	$0	$0	$0	$1,100,000	$1,100,000	0
		Yearly Total	**$1,793,000**	**$424,000**	**$927,000**	**$404,000**	**$82,000**	**$0**	**$1,100,000**	**$4,306,000**	**2.39**
2021											
	14-13	S 6th St Sidewalk Extension	$0	$0	$0	$0	$0	$0	$0	$0	0
		2021 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2021 Street Striping	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2021 Crack Filling	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		Quince Street Resurfacing	$44,000	$11,000	$0	$0	$0	$0	$0	$44,000	0.07

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
		Wright Street Realignment	$0	$0	$50,000	$0	$0	$0	$0	$50,000	0
		Rosewood Street Reconstruction	$62,000	$10,000	$0	$2,000	$0	$0	$0	$64,000	0.06
		Oakridge Road Resurfacing	$81,000	$10,000	$0	$0	$0	$0	$0	$81,000	0.13
		16th Street SE Resurfacing	$87,000	$11,000	$0	$6,000	$4,000	$0	$0	$97,000	0.14
		Walnut Street Resurfacing	$106,000	$27,000	$0	$8,000	$4,000	$0	$0	$118,000	0.17
		St. Louis Avenue Resurfacing	$118,000	$15,000	$0	$6,000	$14,000	$0	$0	$138,000	0.19
		2021 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		15th Street SE Resurfacing	$155,000	$20,000	$0	$10,000	$12,000	$0	$0	$177,000	0.25
		Pine Street Resurfacing	$155,000	$40,000	$0	$8,000	$16,000	$0	$0	$179,000	0.25
		Chicago Avenue Resurfacing and Reco	$196,000	$30,000	$0	$8,000	$16,000	$0	$0	$220,000	0.19
		Portland Avenue Resurfacing and Rec	$206,000	$32,000	$0	$12,000	$10,000	$0	$0	$228,000	0.2
		Madison Street Reconstruction	$330,000	$102,000	$0	$10,000	$18,000	$0	$0	$358,000	0.32
		S 10th Street Reconstruction	$0	$121,000	$366,000	$16,000	$30,000	$0	$0	$412,000	0.38
		Wright Street Resurfacing	$0	$91,000	$548,000	$30,000	$52,000	$0	$0	$630,000	0.57
		Yearly Total	**$1,735,000**	**$520,000**	**$964,000**	**$116,000**	**$176,000**	**$0**	**$0**	**$2,991,000**	**2.92**
2022											
		2022 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2022 Street Striping	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2022 Crack Filling	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		2022 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
	12-04	North 6th Street Reconstruction	$138,000	$21,000	$0	$2,000	$50,000	$0	$0	$190,000	0.13
		N 7th Street Reconstruction	$234,000	$35,000	$0	$4,000	$25,000	$0	$0	$263,000	0.22
		North 3rd Street Reconstruction	$308,000	$46,000	$0	$4,000	$25,000	$0	$0	$337,000	0.29
		2022 Sanitary Sewer Replacement Pr	$0	$0	$0	$352,000	$0	$0	$0	$352,000	0
	14-04	Beech Street Resurfacing	$0	$80,000	$481,000	$18,000	$30,000	$0	$0	$529,000	0.5
		Juniper Street Reconstruction	$615,000	$92,000	$0	$20,000	$125,000	$0	$0	$760,000	0.58
		Yearly Total	**$1,490,000**	**$274,000**	**$481,000**	**$400,000**	**$255,000**	**$0**	**$0**	**$2,626,000**	**1.72**
2023											
		2023 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2023 Street Striping	$15,000	$0	$0	$0	$0	$0	$0	$15,000	0
		2023 Crack Sealing	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
		Paul Circle Resurfacing	$31,000	$8,000	$0	$2,000	$4,000	$0	$0	$37,000	0.05
		Madison Street Resurfacing	$38,000	$5,000	$0	$2,000	$0	$0	$0	$40,000	0.06
		S 7th Street Resurfacing	$62,000	$16,000	$0	$2,000	$0	$0	$0	$64,000	0.1
		Willow Street Resurfacing	$0	$6,000	$68,000	$2,000	$0	$0	$0	$70,000	0.07
		Paul Street Resurfacing	$62,000	$8,000	$0	$6,000	$4,000	$0	$0	$72,000	0.1
		S 8th St Resurfacing	$68,000	$17,000	$0	$4,000	$0	$0	$0	$72,000	0.11
		Todd Street Resurfacing	$118,000	$30,000	$0	$0	$4,000	$0	$0	$122,000	0.19
		2023 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		S 7th Street Resurfacing	$136,000	$35,000	$0	$6,000	$10,000	$0	$0	$152,000	0.22
		Rosewood, Sycamore, Tamarack Pave	$186,000	$29,000	$0	$60,000	$0	$0	$0	$246,000	0.18
		2023 Sanitary Sewer Replacement Pr	$0	$0	$0	$340,000	$0	$0	$0	$340,000	0
		S 7th Street Reconstruction	$289,000	$89,000	$0	$235,000	$52,000	$0	$0	$576,000	0.28
		Yearly Total	**$1,190,000**	**$243,000**	**$68,000**	**$659,000**	**$74,000**	**$0**	**$0**	**$1,991,000**	**1.36**
2024											
		2024 Street Patching	$10,000	$0	$0	$0	$0	$0	$0	$10,000	0
		2024 Street Striping	$15,000	$0	$0	$0	$0	$0	$0	$15,000	0
		2024 Crack Sealing	$25,000	$0	$0	$0	$0	$0	$0	$25,000	0
		Norway Court Resurfacing	$38,000	$10,000	$0	$2,000	$6,000	$0	$0	$46,000	0.06
		Hillcrest Drive Resurfacing	$50,000	$13,000	$0	$4,000	$6,000	$0	$0	$60,000	0.08
		Belle Rae Circle Resurfacing	$75,000	$19,000	$0	$4,000	$2,000	$0	$0	$81,000	0.12
		Carol Lane Resurfacing	$75,000	$19,000	$0	$4,000	$4,000	$0	$0	$83,000	0.12
		Woodcrest Road Resurfacing	$93,000	$24,000	$0	$8,000	$4,000	$0	$0	$105,000	0.15
		Pineview Drive Resurfacing	$106,000	$27,000	$0	$6,000	$6,000	$0	$0	$118,000	0.17
		Hawkins Drive Resurfacing	$130,000	$33,000	$0	$6,000	$4,000	$0	$0	$140,000	0.21
		2024 Seal Coat	$150,000	$0	$0	$0	$0	$0	$0	$150,000	0
		Linden Lane Resurfacing	$161,000	$42,000	$0	$10,000	$4,000	$0	$0	$175,000	0.26
		Crestview Lane Resurfacing	$161,000	$42,000	$0	$10,000	$12,000	$0	$0	$183,000	0.26
		Spruce Drive Resurfacing	$235,000	$60,000	$0	$14,000	$22,000	$0	$0	$271,000	0.38
		2024 Sanitary Sewer Replacement Pr	$0	$0	$0	$302,000	$0	$0	$0	$302,000	0
		Graydon Avenue Mill and Overlay	$567,000	$179,000	$0	$30,000	$36,000	$0	$0	$633,000	1.13
		Yearly Total	**$1,891,000**	**$468,000**	**$0**	**$400,000**	**$106,000**	**$0**	**$0**	**$2,397,000**	**2.94**

Improvement Year	Project #	Project Name	Construction Fund	Special Assessment	Municipal State Aid	Sanitary Sewer Fund	Storm Water Utility	Water Fund (BPU)	Other	Total Project Cost	Project Length
		Grand Total	**$8,099,000**	**$1,929,000**	**$2,440,000**	**$1,979,000**	**$693,000**	**$0**	**$1,100,000**	**$14,311,000**	**11.33**

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: City Hall Remodel Update

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☑ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: City Engineer Sandy	**Department:** Engineering
Presenter (Name & Title): Kevin Currie - Contegrity Group	**Estimated Time Needed:** 10 Minutes

Summary of Issue:

The City Hall remodel project has been going on for a couple of months now. Kevin Currie from Contegrity Group will be at the meeting to discuss progress, anticipated schedule, and answer any other questions the council may have in reference to the project.

Alternatives, Options, Effects on Others/Comments:

Informational only.

Recommended Action/Motion:

Informational. No formal action needed.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Potentially Dangerous Dog Hearing

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: Jennifer Bergman	**Department:** Administration
Presenter (Name & Title): City Attorney, Animal Control Officer, and Resident	**Estimated Time Needed:** 15 Minutes

Summary of Issue:

The City received a request on January 13, 2020, from Mr. Stephan Nordin for a hearing regarding his dog Dixon. Pursuant to Brainerd City Ordinance 900.25, the City Administrator shall place the matter before the City Council at its next regular council meeting. It was mutually agreed by both parties to hold the hearing at the February 3, 2020 council meeting rather than the January 21, 2020 meeting. Please see the attached request for hearing and section of the City Ordinance pertaining to the regulation of dangerous dogs.

Alternatives, Options, Effects on Others/Comments:

The Animal Control Officer deemed the animal potentially dangerous. There are no requirements that the owner must implement at this time, unless the animal commits another bite. The owner is requesting the potentially dangerous classification be lifted.

Recommended Action/Motion:

Conduct the dangerous dog hearing and make a determination of the facts and issue an order as to whether or not the said animal is properly characterized as dangerous.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

RECEIVED
JAN 13 2020
CITY OF BRAINERD
ADMINISTRATION

BRAINERD POLICE DEPARTMENT
POTENTIALLY DANGEROUS DOG REQUEST FOR HEARING

(To Be Completed by Dog Owner)

Date of Request: TUES. JAN 7th 2020

OWNER:

Full Name: STEPHEN MARTIN NORDIN (First, Middle, Last) — Date of Birth: 10-23-67

Address: 915 LAUREL ST. 1 — Home Phone #: ~~0~~

City/State/Zip: BRAINERD MN 56401 — Alternate/Cell Phone #: 218-513-7880

ANIMAL:

Name of Animal: DIXON — Date Seized (if applicable): ~~0~~

Breed: GOLDEN LAB/GREYHOUND Color(s): YELLOW Markings: ~~0~~

Return completed form to the Brainerd Police Department.

Pursuant to Brainerd City Ordinance 900.25:

- A request for a hearing must be made within 10 days of receipt of notice of that the animal appears to be dangerous.
- If the owner of the animal requests a hearing as to the dangerous nature of the animal, the City Administrator shall place the matter before the City Council at its next regular meeting. The owner may present evidence in opposition to the designation of the animal as dangerous. The Animal Control Officer shall present evidence to the City Council that supports the determination that the animal is dangerous.
- Following the hearing, the Council shall make a determination of the facts and issue an order as to whether or not said animal is properly characterized as dangerous.
- If a request for hearing is made, the owner must still comply with the requirements of Minnesota State Statute 347.515 to have a microchip implanted within 14 days of receipt of the Notice of Potentially Dangerous Dog.

I hereby request a hearing as to the dangerous nature of the animal.

Signature of Dog Owner/Representative — Date: 1-7-20

Copies Also Given to -

FOR OFFICE USE ONLY:

Received by: Connie Hellman — Date Received: 1/13/2020 ICR #: 19017823

Date Notice was Served: 1/13/2020

Date to City Administrator: 1/13/2020 — Date of Next Regular Council Meeting: 1/21/2020

Subd. 2. Confinement. Any animal reasonably suspected of being diseased and presenting a threat to the health and safety of the public, may be apprehended and confined in the pound by any person or Enforcement Officer. The Officer shall have a qualified veterinarian examine the animal. If the animal is found to be diseased in such a manner so as to be a danger to the health and safety of the City, the Officer shall cause such animal to be painlessly killed and shall properly dispose of the remains. The owner or keeper of the animal killed under this Section shall be liable for all costs of maintaining and disposing of the animal, plus the costs of any veterinarian examinations.

Subd. 3. Release. If the animal, upon examination, is not found to be diseased within the meaning of this Section, the animal shall be released to the owner or keeper free of charge.

900.25 Regulation of Dangerous Dogs. Subdivision 1. Definition of Dangerous Dog. The definition of a dangerous dog shall be taken from Minnesota Statutes Sections 347.50-347.56, as those statutes may be amended from time to time, which are hereby adopted and incorporated by reference into the Brainerd City Code. The Enforcement Officer, or designee, shall have the authority to order the euthanasia of a dangerous dog meeting the criteria established in State Statute, subject to the procedure set forth herein.

Subd. 2. Proper Enclosure. Proper enclosure means securely confined indoors or in a securely locked outdoor pen or structure suitable to prevent the dog from escaping and to provide protection for the animal from the elements. A proper enclosure does not include a porch, patio, or any part of a house, garage, or other structure that would allow the animal to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only barriers which prevent the animal from exiting. The enclosure shall not allow the egress of the animal in any manner without human assistance. A pen or kennel shall meet all of the following minimum specifications:

A) Have a minimum overall floor size of thirty-two (32) square feet.

B) Sidewalls shall have a minimum height of five (5) feet and be constructed of 11-gauge or heavier wire. Openings in the wire shall not exceed two (2) inches, support posts shall be one-and-one-quarter-inch or larger steel pipe buried in the ground eighteen (18) inches or more. When a concrete floor is not provided, the sidewalls shall be buried a minimum of eighteen (18) inches in the ground.

C) A cover over the entire pen or kennel shall be provided. The cover shall be constructed of the same gauge wire or heavier as the sidewalls and shall also have no openings in the wire greater than two (2) inches.

D) An entrance/exit gate shall be provided and be constructed of the same material as the sidewalls and shall also have no openings in the wire greater than two (2) inches. The gate shall be equipped with a device capable of being locked and shall be locked at all times when the animal is in the pen or kennel.

E) The pen or kennel must be located in the animal owner's backyard and be at least five (5) feet from any property line.

Subd. 3. Unprovoked. Unprovoked shall mean the condition in which the animal is not purposely excited, stimulated, agitated, or disturbed.

Subd. 4. Procedure/Hearing. The procedure to seize an animal that appears to be dangerous shall be as follows

A) Notify the owner, by registered mail that the animal appears to be dangerous. The notice shall specify the dates, times, places and parties or animals bitten. Said notice shall also apprise the owner of the animal that he or she may request a hearing before the City Council by notifying the City Administrator within ten (10) days after the receipt of the notice.

B) If the owner does not request a hearing within ten (10) days of said notice, the Enforcement Officer shall immediately take possession of the animal and euthanize same.

C) If the owner of the animal requests a hearing as to the dangerous nature of the animal, the City Administrator shall place the matter before the City Council at its next regular meeting. The owner may present evidence in opposition to the designation of the animal as dangerous. The Animal Control Officer shall present evidence to the City Council that supports the determination that the animal is dangerous. Following the hearing, the Council shall make a determination of the facts and issue an order as to whether or not said animal is properly characterized as dangerous. If the Council determines that the animal is dangerous, it will then order the owner to deliver said animal to the Animal Control Officer for the purpose of euthanizing said animal, unless the owner provides an alternative proposal, acceptable to the City Council which may include the permanent removal of the animal from the Brainerd City limits.

(Amended Ord. 1043 – 1998, Ord. 1325 – 2008)

900.27 Dangerous Animal Requirements. Subdivision1. Requirements. If the City Council does not order the destruction of an animal that has been declared dangerous, the City Council may, as an alternative, order any or all of the following:

A) That the owner provide and maintain a proper enclosure for the dangerous animal as specified in Section 900.25, Subd. 2;

B) Post the front and the rear of the premises with clearly visible warning signs, including a warning symbol to inform children, that there is a dangerous animal on the property as specified in Minnesota Statutes Sections 347.50-347.56;

BRAINERD POLICE DEPARTMENT
NOTICE OF POTENTIALLY DANGEROUS DOG

Date of Notification: ~~1/6/2020~~ 1/7/2020 m.o ICR #: 19017823

OWNER:

Full Name: Stephan Martin Nordin (First, Middle, Last) Date of Birth: 10/23/1967

Address: 915 Laurel St Home Phone #: none

City/State/Zip: Brainerd, MN 56401 Alternate/Cell Phone #: 218-513-7880

ANIMAL:

Name of Animal: Dixon Sex: M Altered: ☒ Yes ☐ No Age: 8 y

Breed: Labrador mix Color(s): Yellow Markings: none

Current Rabies Vaccination? ☒ Yes ☐ No Veterinary Clinic: Garrison Animal Hospital

INCIDENT:

Date of Incident: 12/27/2019 Time of Incident: 0700

Location of Incident 915 Laurel St

Parties or Animals Bitten: Cody Williams

You are placed on notice that your dog has been defined by Minnesota State Statute 347.50 as Potentially Dangerous.

X On above date, said dog, without provocation, inflicted bite(s) on a human or domestic animal on public or private property.

____ On above date, said dog, without provocation, chased or approached a person, including a person on a bicycle, upon a street, sidewalk, or any public or private property, other than the dog owner's property, in an apparent attitude of attack.

____ The dog has a known propensity, tendency, or disposition to attack, unprovoked, causing injury or threatening the safety of humans or domestic animals.

Your dog has been defined as a POTENTIALLY DANGEROUS DOG. You should familiarize yourself with the State Statutes regarding such dogs. Pursuant to Brainerd City Ordinance 900.25, you may request a hearing before the City Council to determine the validity of the Dangerous Dog declaration by completing the attached Potentially *Dangerous Dog Request for Hearing* form and returning it to our office within 10 days of this notification. [redacted] m/o

Note: Once a dog has been defined as a potentially dangerous dog and the owner has been notified as such, if the dog further acts in an aggressive manner, it may be defined as a dangerous dog.

I hereby acknowledge receipt of this Notice of Potentially Dangerous Dog.

Signature of Dog Owner/Representative 1/7/20 Date

Michael O'Brien ACO Issuing Officer & Badge Number 1/4/2020 Date

Brainerd Animal Control
225 E River Rd
Brainerd, MN 56401
(218) 820-6288

01/06/2020

Re: Stephan Nordin
915 Laurel St
Brainerd, MN 56401
ICR- 19017823

On 12/27/2019 at 11:58 pm animal control was notified of an animal bite victim that was at the ER at St Josephs Medical Center. I responded immediately and met with a Cody Williams DOB 04/04/1998.

Mr Williams stated he was currently homeless and he and his girlfriend Sara were living in a motorhome on Steve Nordin's property located at 915 Laurel St. The day before Mr Nordin was taken into custody by the Brainerd PD and during his arrest he gave his shop keys to Cody and asked him to look after his 2 dogs, Dixon and Simon. Sometime in the evening of 12/26/2019 Cody let the dogs outside to go potty and he was unable to get them to come back inside. He stated he knew they loved to go for car rides so he opened a car door and both jumped inside.

He tried several times to get them to come out of the car and into the shop throughout the night, but they wouldn't leave the car. At 0700 the next am he again tried to convince them to come inside. He gave a dog treat to Simon and Dixon attacked him unprovoked and bit his left hand.

He had one ¼" deep puncture wound which also tore the skin and several other smaller wounds. Later that evening he went to the ER once his hand started to hurt more.

During our investigation Mr Nordin was very uncooperative and at one time told me the dogs had been taken out of the county and we would not find them. When I explained to him how serious this could be for him and that I needed to verify that it was current on rabies vaccinations he finally admitted that they were still at his shop and he agreed to meet me on January 2nd, 2020- almost 1 week after the bite.

We were able to verify that Simon was not vaccinated for rabies but Dixon was, and neither had the required city animal license.

We allowed Mr Nordin to quarantine Dixon for the remainder of the 10 days.

Mr Nordin also stated that a few weeks earlier Dixon also bit someone else unprovoked, but they didn't report it or seek any treatment.

I gave him a warning re getting Simon vaccinated and he already had an appointment for that. I also told him I would likely be citing him for not having the required Brainerd animal license. I also gave him the paperwork informing him that we deemed Dixon to be a "Potentially Dangerous Dog", and explained the process if he wished to contest this determination.

Michael O'Brien
Brainerd Animal Control

Brainerd City Council
Agenda Request

Requested Meeting Date: February 3, 2020

Title of Item: Final Reading - Proposed Ordinance No. 1502

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☑ MAIN AGENDA	**Action Requested:** ☑ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading **provide copy of published hearing notice*
Submitted by: Community Development Director	**Department:** Community Development
Presenter (Name & Title): David Chanski, CDD	**Estimated Time Needed:** 2 minutes

Summary of Issue:

The Planning Commission called for a public hearing on lighting standards to be held during their regular meeting on Wednesday, October 16, 2019, to get public input after a proposed lighting standards ordinance revision failed to be passed by the City Council. After this public hearing was held, the Planning Commission conducted a workshop on Thursday, November 14, 2019, to work through a new lighting ordinance revision that took into account the concerns expressed by the City Council and the Brainerd Community. Following that meeting, a second public hearing was held on November 20, 2019 to consider revisions made. During the November 20, 2019 public hearing, few concerns were raised about the proposed height standards with most of the feedback the Commission received revolving around the requirement that parking lot lights be shut-off within 60 minutes of final activity. Staff reviewed options for alternate wording to address these concerns, but ultimately advised the Commission to drop the language entirely. A public hearing on the final draft of the proposed ordinance was held on Wednesday, January 15, 2020.

Alternatives, Options, Effects on Others/Comments:

Upon holding a public hearing for Proposed Ordinance No. 1502 during their regular meeting on Wednesday, January 15, the Planning Commission voted unanimously to recommend approval of this ordinance amendment to Section 515-18: Outdoor Lighting of the Code of Ordinances to the City Council.

The City Council held the first reading of this proposed ordinance during their regular meeting on January 21st.

Recommended Action/Motion:

1) Motion to hold (or dispense with) the final reading of Proposed Ordinance No. 1502, an ordinance amending section 515-18: Outdoor Lighting of the Code of Ordinances.

2) Motion to adopt Proposed Ordinance No. 1502, an ordinance amending Section 515-18: Outdoor Lighting of the Code of Ordinances.

Financial Impact:

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

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

Is this budgeted? ☐ Yes ☐ No

Please Explain:

O R D I N A N C E
NO. 1502

AN ORDINANCE AMENDING BRAINERD ZONING ORDINANCE
SECTIONS 515-18 OUTDOOR LIGHTING

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Section 515-18-2 – Exemptions shall be amended by adding the following:

E. Outdoor athletic facilities, except that lighting for such facilities, shall be shut off within ninety (90) minutes of final activity.

SECTION TWO: That Section 515-18-5 – Performance Standards shall be amended by adding the following:

A. Residential District Standards

2. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a structure shall not exceed the height of the structure.

a. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of twenty (20) feet may be allowed.

3. The luminaire shall contain a full cut off fixture which directs and cuts off light at an angle of ninety (90) degrees or less.

B. Business/Industrial District Standards

~~4. The maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirty (30) feet. A light source mounted on a building shall not exceed the height of the building. In no case shall the height of a light source mounted on a pole or on a building exceed the height limits of the zoning district in which the use is located, unless allowed by Conditional Use Permit.~~

4. In B-1 and B-2 districts, the maximum height of the fixture, pole and base above the ground grade permitted for light sources is thirteen (13) feet. A light source mounted on a structure shall not exceed the height of the structure.

a. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of twenty (20) feet may be allowed.

5. In B-3, B-4, B-5 and B-6 districts, the maximum height of the fixture, pole and base above the ground grade permitted for light sources is fifteen (15) feet. A light source mounted on a structure shall not exceed the height of the structure.

a. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of twenty-five (25) feet may be allowed.

6. In I-1 and I-2 districts, the maximum height of the fixture, pole and base above the ground grade permitted for light sources is twenty-five (25) feet. A light source mounted on a structure shall not exceed the height of the structure.

a. If the bulb/light source is fully recessed and/or shielded from view by an observer at five (5) feet above grade at the nearest property line, an increase in light source height to a maximum of thirty (30) feet may be allowed.

SECTION THREE: All other provisions of Sections 515-18 shall remain in full force and effect.

SECTION FOUR: This ordinance shall take effect and be in full force one week from and after its publication.

Adopted this ___ day of ____, 2020

_____
GABE JOHNSON
President of the Council

Approved this ___ day of ____, 2020

_____
EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Published: One Time – ____, 2020

M E M O

TO: Mayor and City Council

FROM: City Administrator, Jennifer Bergman

DATE: February 3, 2020

RE: City Administrator Report/Update

YMCA Strategic Planning

The Brainerd Family YMCA is currently engaged in strategic planning, and as part of this process, is reaching out to a short list of key institutional and philanthropic partners about the community's long-term needs. The Y would like to meet with City representatives to get our thoughts about our future. In preparation, they will be specifically looking at these questions: Does your facility meet your current needs? Would there be a time in the future where you might partner or collaborate with the Y (space/assets, programming, etc.)? They have proposed several dates/times and I think it would be helpful if a City Council member attended with me.

Crow Wing County Complete Count Committee (CCC)

The Crow Wing County CCC for the Census met on January 22nd to discuss recruiting efforts and public relations campaigns to inform people of the upcoming 2020 census. Information will be sent out in late March or early April to notify people of how they can provide their information for the census count.

River to Rail

We had a River to Rail (R2R) meeting on January 23rd to discuss how the committee would like to proceed with this initiative. We will be having a follow up meeting towards the end of March to invite more partners and discuss what the R2R role should be going forward.

Destination Downtown Business Coalition

Community Development Director David Chanski and I met with representatives from the Destination Downtown Business Coalition (DDBC) who requested a meeting to discuss planters for this summer. They received quotes from a few vendors for the planters, hanging baskets and the maintenance and suggested asking the property owners to consider including a portion of this cost in the downtown special service district. In addition, we also attended DDBC board meeting on meeting on January 23rd.

Sale of Memorial Park Parking Lot

A draft purchase agreement was sent to Brainerd Land LLC on January 27th. Mr. Higgins and his attorneys are reviewing the purchase agreement and will be responding to the offer within a couple of days. I anticipate this on the February 18th City Council agenda.