

CITY COUNCIL AGENDA

Brainerd, Minnesota

TUESDAY, February 18, 2020

7:30 P.M.

**Crow Wing County Historic Courthouse
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 February 3, 2020
2. Workshop Held on February 10, 2020

Documents:

20200203_CC draft .pdf

20200210_CC Workshop.pdf

B. **Approval Of Licenses**

Contractor Licenses - 4 Renewals; 1 - New

Documents:

CONTRACTOR LICENSE REPORT - 2020-02-18.pdf

C. **Department Activity Reports**

1. Police Chief
2. Finance Director

Documents:

Police Chief Report.pdf

- D. Minnesota Lawful Gambling Application For Exempt Permit - Submitted By Council 11679, Saint Mathias, 1844 S Oakridge Ln., Fort Ripley, MN For An Event To Be Held April 26, 2020 At St. Francis Of The Lakes Catholic School, 817 Juniper St., Brainerd - Approval Of
- E. Minnesota Lawful Gambling Application To Conduct Excluded Bingo - Submitted By St. Andrew Of Brainerd. Bingo Events To Be Held March 14 And November 21, 2020 At St. Andrew's Church, 1108 Willow St., Brainerd - Approval Of

6. **Presentations**

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

Documents:

Community Development Department Presentation.pdf

7. **Council Committee Reports**

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

Documents:

2020-02-18_PF.pdf

- 1. Approval Of Bills
- 2. Police Request To Hire Community Service Officers

Documents:

Police Request to Hire CSO.pdf

- 3. State Delegation Agreement And Building Official Position

Documents:

State Agreement B.O. Position.pdf

- 4. Federal Recreational Trail And Local Trail Connection Grants

Documents:

Federal Grants.pdf

- 5. Review Of Fund Balance Policy

Documents:

Fund Balance Policy.pdf

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

Documents:

20200218_SPW.pdf

1. Improvements 16-09 And 19-07 - Buffalo Hills Lane And Mississippi Drive Reconstruction - Change Orders 1 And 2

Documents:

IMP 16-09 and 19-07 CHG.pdf

2. Anabec Street Stormwater Pond Maintenance Agreement

Documents:

Anabec Street.pdf

3. Event/Street Closure Application - St. Patrick's Day Parade

Documents:

Event App - St Patricks Day Parade.pdf

4. Transit Bus 118 Disposal

Documents:

Transit Bus Disposal.pdf

5. Notice Of Hearing - Municipal Separate Storm Sewer (MS4) Annual Update And Public Hearing

Documents:

Set PH - MS4 Annual Presentation.pdf

8. 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

9. **New Business**

A. **Law Enforcement Mutual Aid Agreement**

Documents:

RES Mutual State Aid.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. **Closed Session Pursuant Minnesota Statute 13D.05 Subd. 3(C)(3) To Consider Counteroffers For The Purchase Of Property At 304 Washington Street West, 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**

14. **Adjourn**

Note: Safety and Public Works Committee will meet at 7:00 p.m.
in the Board Room at the Crow Wing County Courthouse.
Personnel and Finance Committee will meet at 6:45 p.m.
in the Jinx Ferrari Room at the Crow Wing County Courthouse.

ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS,
PLEASE CALL 828-2307

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

MISSION

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

**Brainerd, MN
February 3, 2020**

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

Upon roll call, the following members were noted as present: 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 PRITSCHET, 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 21, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 14– Renewals; 1 - New

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director

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 – Adopted by Resolution 03:20

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

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO APPROVE THE PAYMENT OF BILLS AND PAYMENTS TO CONTRACTORS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE CONTINGENT UPON APPROVAL OF SAFETY & PUBLIC WORKS IMPROVEMENT 17-08 CHANGE ORDER 1.

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

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 Resignation - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF OFFICER GOWEN, EFFECTIVE JANUARY 21, 2020.

City Hall Fire Alarm System Update - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE OPTION #2 OF THE ESTIMATES PRESENTED AND APPROVE THE INSTALLATION OF A NEW CONTROL PANEL AND REPLACE THE ANNUNCIATOR IN THE AMOUNT OF \$5,195 AS RECOMMENDED.

Committee Chair Badeaux explained a fire code change will be taking place in March that requires the alarm system to be connected to an internet connection for monitoring and sending alarms rather than the current phone line system. He stated there is a cost savings of \$644 annually by disconnecting the two phone lines. He added the front door annunciator is non-operational, and the fire department would prefer the annunciator is replaced rather than permanently removed.

Retirement of Building Official Chuck Arvidson - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RETIREMENT OF BUILDING OFFICIAL CHUCK ARVIDSON EFFECTIVE MARCH 3, 2020.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO ENTER INTO A PHASED RETIREMENT OPTION (PRO) AGREEMENT WITH CHUCK ARVIDSON AND TO NEGOTIATE THE TERMS LISTED IN MR. ARVIDSON'S RESIGNATION LETTER WITH THE APPROVAL OF THE CITY ATTORNEY.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO 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.

Committee Chair Badeaux indicated staff will return to the next council meeting with information regarding the Minnesota Department of Labor and Industry Delegation Agreement for Inspections, which is currently held by Mr. Arvidson. He said this designation allows the City to issue permits and conduct inspections for state projects such as schools and hospitals.

Finance Director Hillman added a city is required to have a building official in order to issue building permits.

Annual Review of Investment Policy - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE THE INVESTMENT POLICY AS PRESENTED.

Request for Additional Street Department Employee and Funding Opportunity - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO CHANGE THE STATE AID MAINTENANCE ALLOCATION TO UP TO 25% BEGINNING IN YEAR 2021 AND TO AUTHORIZE THE TRANSFER OF STATE AID FUNDS FROM CONSTRUCTION FUND 401 TO STREET AND SEWER FUND 235 ON AN ANNUAL BASIS TO COVER THE BASE WAGE AND BENEFITS OF THE NEW MAINTENANCE III POSITION IN PERPETUITY.

City Engineer Sandy explained the details of the funding for the state aid system, the current and future maintenance allocation and the request for the additional maintenance staff member.

Council Member Johnson asked if there is a negative result of increasing the state aid funding from \$1,500 per mile to a 25% maintenance allocation. City Engineer Sandy stated the future construction allocation would be reduced which is used to repay past projects.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO FILL THE MAINTENANCE III MECHANIC POSITION ON OR ABOUT NOVEMBER 15, 2020.

Safety and Public Works Committee Report

Improvement 17-08 Change Order 1 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE APPLICATION FOR CHANGE ORDER 1 ON IMPROVEMENT 17-08 AS PRESENTED CONTINGENT UPON THE APPROVAL OF PERSONNEL AND FINANCE AUTHORIZING THE PAYMENT TO THE CONTRACTOR.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE PAYMENT TO CROW WING COUNTY IN THE AMOUNT OF \$15,673 FOR IMPROVEMENT 19-05 - 2019 STRIPING PROJECT.

Committee Chair Bevans explained the increase in cost is due to a 1% overrun attributed to materials exceeding the estimated quantities.

ISD181 Harrison Elementary Sewer Easement - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE EXECUTION OF THE ATTACHED EASEMENT AND AUTHORIZE PROPER SIGNATURES ON THE EASEMENT DOCUMENT.

Tax Forfeit Non-Conservation Parcels - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE THE NON-CONSERVATION STATUS ON PARCEL NUMBER 41040862 WHICH ALLOWS THE PARCEL TO BE PLACED ON THE CROW WING COUNTY LAND SALE.

Cuyuna Lakes State Trail Alignment - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE THE CONCEPT OF THE ALIGNMENT PRESENTED FOR DESIGN DEVELOPMENT, EASEMENT DRAWINGS AND OTHER DOCUMENTS MAY BE DRAFTED FOR THE PROJECT TO MEET ITS DEADLINE OF JULY 2021.

Committee Chair Bevans stated it is unfortunate an agreement could not be reached with Burlington Northern railroad for the trail to cross at 13th Street. He said the City was awarded bonding funds and a new proposed location needed to be found to meet the deadline.

CSAH 20 Turnback - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE 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 THE EXPENSE OF CROW WING COUNTY AND APPROVAL BY THE CITY ENGINEER AND CROW WING COUNTY IS TO PAY FOR HALF OF THE ENGINEERING FEES INCURRED BY THE CITY.

Unfinished Business

Call for Applicants – Informational:

(Application Information at www.ci.brainerd.mn.us/boards/)

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

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

City Hall Remodel Update - Informational

City Engineer Sandy stated Kevin Currie from Contegrity Group will explain the progress, anticipated schedule and answer questions the Council may have in reference to the project.

Mr. Currie said currently the date for the IT and Transit Departments to move back to their respective areas in City Hall is February 27th. He explained it was more conducive to combine phase one and two together which resulted in the engineering department move date to April 16th. He indicated the budget is on track with three change orders showing a credit towards the budget with pending changes for handrails. He stated there was a delay in starting the police department to February 17th due to determining security and access to the building, as well as arranging the subcontractors. He said they have settled on a solution by constructing a secured temporary entry vestibule in the parking garage. The Council thanked him for the updated.

New Business

Potentially Dangerous Dog Hearing

City Administrator Bergman stated the animal control officer received a complaint of a dog bite and the animal was deemed potentially dangerous. She indicated the owner of the dog, Mr. Stephan Nordin has requested a hearing to appeal that decision.

City Attorney Langel stated the dog has already been deemed potentially dangerous, and this is an appeal of a designation that has already occurred. He explained the dog owner has no further obligation to act upon; this definition just brings the dog closer to the dangerous dog designation if it bites again then further action would be necessary.

Mr. Stephan Nordin, 915 Laurel Street stated his dogs were being cared for by a friend as he was detained in jail. He indicated this person was aggressive towards his dog in trying to pull him out of a car which resulted in the dog biting his hand.

Mr. Michael O'Brien, animal control officer stated the victim, Mr. Williams, suffered the dog bite from attempting to remove the dog from a car. He said Mr. Williams received medical care within 15 hours of the bite.

Mr. Williams spoke to the Council and explained the details of the event that took place.

Council discussion took place and questions were answered.

MOVED AND SECONDED BY ALDERMEN BEVANS AND ERICKSON TO DEFINE THE DOG AS POTENTIALLY DANGEROUS DUE TO BITING AN INDIVIDUAL ON THE HAND.

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

Planning Commission

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 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO HOLD AND DISPENSE WITH THE FINAL READING OF PROPOSED ORDINANCE NO. 1502 TO AMEND SECTION 515-18 OUTDOOR LIGHTING WITH THE PROPOSED CHANGE FROM A THIRTEEN FOOT MAXIMUM HEIGHT LIGHT SOURCE TO A FIFTEEN FOOT MAXIMUM HEIGHT LIGHT SOURCE IN THE B-1 AND B-2 DISTRICTS AND FROM A FIFTEEN FOOT MAXIMUM HEIGHT LIGHT SOURCE TO A TWENTY FOOT MAXIMUM HEIGHT LIGHT SOURCE IN B-3, B-4, B-5 AND B-6 DISTRICTS.

Council member Bevans withdrew his previous motion.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO HOLD AND DISPENSE WITH THE FINAL READING OF PROPOSED ORDINANCE NO. 1502 TO AMEND SECTION 515-18 OUTDOOR LIGHTING WITH THE PROPOSED CHANGE FROM A FIFTEEN FOOT MAXIMUM HEIGHT LIGHT SOURCE TO A TWENTY FOOT MAXIMUM HEIGHT LIGHT SOURCE IN B-3, B-4, B-5 AND B-6 DISTRICTS.

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

Community Development Director Chanski indicated dispensing with the reading can only take place on a unanimous vote and proceeded to read the ordinance in its entirety.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT ORDINANCE NO. 1502 TO AMEND SECTION 515-18 OUTDOOR LIGHTING WITH THE CHANGE FROM A FIFTEEN FOOT MAXIMUM HEIGHT LIGHT SOURCE TO A TWENTY FOOT MAXIMUM HEIGHT LIGHT SOURCE IN B-3, B-4, B-5 AND B-6 DISTRICTS.

ORDINANCE NO. 1502

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

Public Forum

The Chair opened the public forum at 8:56 p.m.

No one came forward.

The Chair closed the public forum at 8:56 p.m.

Staff Reports

City Administrator Bergman stated her report was included with the council packet. She indicated she would like for a Council member to join her in meeting with the YMCA to discuss strategic planning and partnering with the City. Council member Johnson has offered to attend.

Community Development Director Chanski announced the Planning Commission has a workshop scheduled for Wednesday, February 5th at 6:00 p.m. in the fire department training room.

City Engineer Sandy stated there will be a public open house Tuesday, February 4th in the fire department training room at 6:00 p.m. to discuss the NE 5th Avenue and B Street reconstruction projects. He said there will be another public open house at the same location on February 11th at 6:00 p.m. regarding local reconstruction projects in NE Brainerd.

Council Member Reports

Mayor Menk announced he received a letter from the Government Finance Officers Association (GFOA) which stated the comprehensive annual financial report from 2018 qualifies for a certificate of excellence in financial reporting. He thanked Finance Director Hillman and she extended it to the Department Heads for their work as well.

Council member Johnson stated there are currently thirteen applicants for the HRA executive director position. He congratulated Tyler Glynn for being promoted to Executive Director for Brainerd Lakes Area Economic Development Corporation (BLAEDC).

Council member Pritschet invited anyone interested to participate in judging on February 15th at Forestview School for a speech tournament.

Adjourn to Council Workshop, Monday, February 10, 2020 at 6:00 PM in the Police Department Training Room – 9:05 p.m.

Jennifer Bergman
City Administrator

**Brainerd, MN
February 10, 2020**

Pursuant to due call and notice thereof, the Workshop of the Brainerd City Council was called to order at 6:00 p.m. by Council President Johnson.

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

Discussion on the Region 5 Children's Museum

City Administrator Bergman updated the council on the history of the Children's Museum progress to date. Mike Angland provided an update on the proposal for the Lum Park masterplan. The discussion was about the next steps in entering into a letter of intent (LOI) with the children's museum which will help to determine what we will get out of the master plan. The masterplan is step one in this process.

The city council discussed the task force structure, representatives on the task force, parameters of the masterplan and a timeline. The city council suggested a task force that would include members from the park board, planning commission, city council, economic development authority, children's museum and community members.

The takeaways from the discussion was to move ahead with the LOI with the Region 5 Children's Museum for the masterplan and the contract with WSN to be on a future agenda and to finalize the number of committee members and representatives.

Discussion on the Economic Development Authority (EDA)

City Administrator Bergman provided the city council with an overview of EDA's, the Brainerd EDA and program and projects in other Minnesota EDA's. The purpose of the discussion was to get direction from the City Council on what they would like to see the EDA working on. After some discussion, council members suggested that we hold a joint meeting between the EDA Board and City Council. This would give both bodies the opportunity to discuss the economic development goals of the city and discuss next steps.

Adjourn

The Chair adjourned the meeting at 7:31 p.m.

Jennifer Bergman
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
February 18, 2020
(4 Renewals, 1 New)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
DOUGLAS A CARLSON DEVELOPEMENT INC. 104 Fairway Ave COLD SPRING, MN 56320 20-0148	(320) 292-5277	GENC	11/17/2020	12/31/2020	
SCHULZ BROTHERS CUSTOM REMODELING 17377 COUNTY RD 10 DEERWOOD, MN 56444 20-0147	(218) 821-7734	GENC	7/23/2020	12/31/2020	
API GARAGE DOOR STORE INC 25188 HAZELWOOD DRIVE NISSWA, MN 56468 20-0146	(320) 251-7000	OVRD	12/31/2020	12/31/2020	
CENTERPOINT ENERGY MINNESOTA GAS 700 W LINDEN AVE MINNEAPOLIS, MN 55403-1136 20-0145	(763) 512-2764	MECH	10/1/2020	8/20/2020	MB003503
LARSON PLUMBING, INC 3095 162ND LN NW ANDOVER, MN 55304 20-0144	(763) 427-7680	PLUM MECH	7/1/2020 7/1/2020	12/31/2020 8/13/2020	PC643733 MB003613

**BRainerd POLICE DEPARTMENT
MEMORANDUM**

TO: Brainerd City Council
FROM: Police Chief Corky McQuiston
DATE: 02-12-20
RE: Monthly Report



Officer of the Year

Officer Travis Gleason was selected as the 2019 Brainerd Police Officer of the Year. Travis was a former Community Service Officer for us and started as a Police Officer on April 24th, 2017. Travis has quickly progressed as a very competent officer and earned the respect and admiration of the department. Travis lead the department in 2019 in DWI arrests and was at the top or near the top in other areas of measurable performance.



News Story on Sexual Assault Forensic Exam Kits

We wanted to provide this information to the council for their awareness following the recent news story featured on KARE 11 where the Brainerd Police Department and several other law enforcement agencies in Minnesota were discussed regarding the destruction of untested rape kits.

Sexual assaults continue to be a very serious crime and we are constantly expanding our training on this and have established best practices working with sexual assault advocates and multi-disciplinary teams. We have made changes in our training, understanding and practices involving trauma informed interviewing and investigating that have helped us to provide better services in these cases.

Probably the most important thing to point out is the information in the news story refers only to cases from between 2004 through 2015. As a result of earlier media reports of this matter by the Star & Tribune and CNN, the legislature enacted changes in the State Statute 299C.106 in 2018, that went into effect in 2019. This section specifically identifies how the kits will be handled:

Subd. 3. **Submission of unrestricted sexual assault examination kit.** Within 60 days of receiving an unrestricted sexual assault examination kit, a law enforcement agency shall submit the kit for testing to a forensic laboratory, **unless the law enforcement agency deems the result of the kit would not add evidentiary value to the case.** If a kit is not submitted during this time, the agency shall make a record, in consultation with the county attorney, stating the reasons why the kit was not submitted. Restricted sexual assault examination kits shall not be submitted for testing.

In 2019, we adopted a new model policy from the POST Board on Sexual Assault Investigations like most other agencies across the state. More importantly, this legislation allowed for more funding to the BCA Forensic Laboratory for more resources to accommodate processing untested kits. We had already taken corrective action regarding this and the BCA has kept us updated on their process and directions for submitting untested kits. We recognize the value un-tested kits have in adding to the BCA's DNA data base.

The news story referred to 43 specific cases reported to the Brainerd Police Department. As indicated in the results below, the majority of the kits were destroyed **only after there was a disposition status on the case.** The case that the news story showed with a victim interview was one of these cases where prosecution was declined. Prosecutors will request that we submit the kit for testing if they want the results for evaluating the case in situations where the kit has not been submitted. Keep in mind all of these cases in the news story were prior to the changes initiated by the legislature. The table shows the date the kits were destroyed, and this is a summary of that data:

11 beyond records retention cannot determine the disposition of those kits.

*assuming the percentages continue to follow the pattern 75% most likely had case dispositions that would add 8 more cases with dispositions from the courts or prosecutor
21 Prosecution Declined

- 2 Acquitted by Jury
- 2 Referred or requested to assist another agency (not primary investigating jurisdiction)
- 2 Victim requested case not be investigated
- 2 Active Investigations
- 2 No evidence of sexual assault occurring (kits were taken as a precautionary step)
- 1 Case dismissed after being charged

ICR	Destroyed Date	Disposition
4023075		Cases are beyond records retention period
4029769		No records to show destruction dates and/or
5008927		if the kits were forwarded to the BCA Lab
5045244		for testing.
6002524		
6027287		
6029115		
6030364		
6039025		
7005703		
7008023		
7019051	2/14/2012	No Evidence of Sexual Assault
7025058	2/14/2012	Prosecution Declined
8000772	2/24/2012	Victim Request No Investigation
8004352	2/24/2012	Prosecution Declined
8006646	3/18/2015	Prosecution Declined
8012781	2/24/2012	Prosecution Declined
9003454	3/18/2015	Prosecution Declined
9004098	4/10/2015	Acquitted by Jury
9004126	3/18/2015	Prosecution Declined
9005853	3/18/2015	Prosecution Declined & Stay of Adjudication
9007616	3/18/2015	Referred to another agency
10006768	3/14/2019	Active Investigation
10007332	4/10/2015	Prosecution Declined
10007545	4/10/2015	Prosecution Declined
10008214	4/10/2015	Prosecution Declined
10012254	4/10/2015	Prosecution Declined
10013940	2/13/2012	Prosecution Declined
10014536	2/19/2018	Prosecution Declined
11005147	4/10/2015	Request by another Jurisdiction
11010085	4/10/2015	Prosecution Declined

11014783	3/15/2019	Prosecution Declined
11015031	3/14/2019	Active Investigation
12007908	10/31/2017	Acquitted by Jury
12012874	10/31/2017	Case Dismissed
13006169	2/19/2018	Prosecution Declined
14003376	3/14/2019	Prosecution Declined
14003815	3/14/2019	Prosecution Declined
14011639	2/19/2018	Prosecution Declined
14013955	2/19/2018	No Evidence of Sexual Assault
14014194	2/19/2018	Prosecution Declined
15010630	3/14/2019	Prosecution Declined
15015272	3/14/2019	Victim Request No Investigation

None of this changes the fact that submitting sexual assault kits to the BCA will help build the DNA data base they have and should help to solve other cases and we fully support this process and have engaged in doing so.

January Police Activity

At about 5:26 pm on January 3rd, officers were dispatched to respond to the theft of a vehicle that had just occurred in the 1000 block of SE 12th Street. The vehicle owner reported that he had just started the vehicle to warm it up and went back into a residence when they heard the door closing on the car and the engine revving up. They looked outside to see the black 2006 Pontiac Grand Prix being driven away by an unknown person.

A responding officer located the vehicle as it was going eastbound on Washington Street at SE 13th Street. When officers attempted to catch up to the vehicle, it increased speed. Officers continued to pursue the vehicle which traveled east on MN TH 18. The vehicle turned north onto County Road 25. Officers lost sight of the vehicle on County Road 25 and upon reaching MN TH 210, officers could not determine which direction the vehicle went at 210 and they discontinued pursuit of the vehicle.

Shortly after that, officers from the Deerwood and Crosby Police Departments located the vehicle on County Road 12. Those officers also attempted to stop the vehicle and the vehicle subsequently ran off the road and crashed near County Road 8. Crosby and Deerwood officers took the driver into custody and identified him as 19-year-old Baley Turner of Crosby.

Turner was transported to jail for charges of motor vehicle theft. Turner was already on parole/probation for burglary, vehicle theft and damage to property. Officers later recovered an electronic monitoring bracelet that Turner had cut off his ankle that was reported found by the public in the area of the 1300 block of Pine Street. Turner remains in custody.

Body Worn Camera Data Report



Month	Number of Videos	Hours of Videos	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
December	1721	332 Hours	610.7 GB	354 MB	11.58 minutes	55
January	1638	328 Hours	609.8 GB	373 MB	12.18 minutes	52

Conduct on Premises Activity Report for January

ICR	Date Reported	Title	Address	Summary
20000018	01/01/20	Conduct on Premises	802 Quince	Conduct on Premises
20000989	01/20/20	Conduct on Premises	324 2 nd Avenue NE	Conduct on Premises

Monthly Police Activity

January	2020	2019
Calls	1563	1418
Citations (Inc. Parking)	364	260
Part I and Part II Crimes Reported	**	180

** Note: Files not coded at time of report—converting to new NIBRS reporting.

207 parking tickets were issued in the month of January with the following dispositions:

Revenue Recapture Receipts:

To Date: \$ 48,884.08

In 2029: \$ 1,044.00

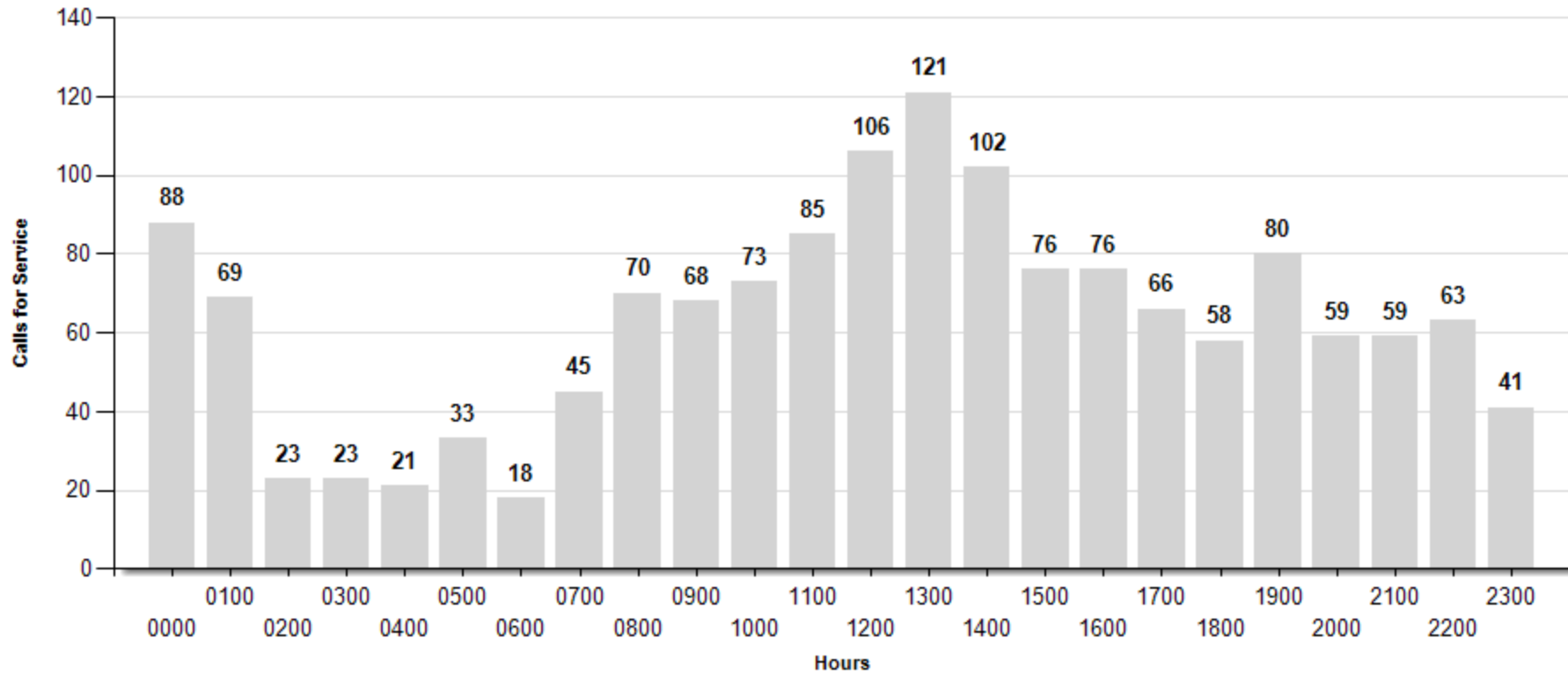
11	Dismissed
0	Business Validations
112	Paid in Full
4	Partial Payments Received
80	No Payment Received



Calls for Service Hourly

1/1/2020 to 1/31/2020

Total Calls: 1563





Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

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

**February 18, 2020
Crow Wing County Historic Courthouse
2nd Floor Jinx Ferrari Room
6:45 PM**

1. Approval of Bills
2. Police Request to Hire Community Service Officers
3. State Delegation Agreement and Building Official Position
4. Federal Recreational Trail and Local Trail Connection Grants
5. Review of Fund Balance Policy



Brainerd City Council Agenda Request

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Title of Item:

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Brainerd City Council Agenda Request

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MEMO



TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: February 13, 2020

RE: State Delegation Agreement and Building Official Position

On February 3rd, the City Council accepted the retirement of Building Official Chuck Arvidson, effective March 3, 2020 and authorized entering into a Phased Retirement Option (PRO) agreement with Mr. Arvidson to hold the City's State Projects "Inspections Only" Delegation Agreement until a long-term solution can be found. Additionally, the Council appointed Building Inspector Darrin Deseth as Interim Building Official, effective March 3, 2020, and directed staff to begin negotiating the terms of this temporary appointment with the IBEW union.

At that time, however, staff did not request direction from the City Council for the long-term filling of the Building Official position. The main reason for this is that the Building Official job description, as previously approved by the City Council, requires the Building Official to hold a state projects delegation agreement in addition to having 4 years of building inspection experience and being a certified building official by the State of Minnesota. While Building Inspector Darrin Deseth is a certified building official and Housing Inspector Jason Stockinger holds a limited certified building official designation by the State of Minnesota, neither is eligible to hold a state projects delegation agreement. Therefore, the City would have to seek a candidate from outside of the organization to fill the Building Official vacancy as it currently is described.

Additionally, the City of Baxter's Building Official position has been vacant since July 2019, and the City has not been able to hire a qualified applicant since, despite contracting with Baker Tilly for recruitment services. In the meantime, they have contracted with Sadusky Renovations to serve as the City's Building Official, paying out almost \$81,000 between July 2019 and December 2019 for all inspection services. Mr. Arvidson's 2019 hourly wage for Brainerd's Building Official position was \$33.40 per hour (Step 4) which equates to \$69,472 annually.

Finally, as mentioned previously, the City of Brainerd must have an inspector with a state projects delegation agreement to charge permit fees for and conduct inspections of any state level projects. Currently there are 2 projects underway in Brainerd (Harrison Elementary and Brainerd High School) with an additional 4-6 projects expected to begin later this year.

In light of these factors, staff recommends the following actions:

1. Amend the Building Official job description as recommended by staff (primary change making possession of the state delegation agreement being a “desired” instead of a “minimum” qualification)
2. Authorize staff to post the Building Official position and conduct hiring process as outlined by City policy.
3. Direct staff to develop and distribute a Request for Proposal for state delegation agreement services.

Staff believes that this is the best course of action as amending the Building Official job description opens up the position to a wider applicant pool (including internal candidates) and ensures that the City continues to hold a State Projects “Inspections Only” Delegation.



City Building Official

Department: Community Development/Building Safety Division

FLSA Status: Exempt

General Definition of Work

Performs difficult and advanced technical work interpreting, administering, and enforcing the Minnesota State Building Code and related local laws and ordinances; supervises the work of Division staff; and performs related work as apparent or assigned. Work is performed under the general direction of the Community Development Director. Supervision is exercised over the Building Inspector, Housing Inspector, Zoning Specialist/Permit Technician and temporary staff.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills and/or abilities required. Reasonable accommodations may be made to enable an individual with disabilities to perform the essential functions.

Essential Functions

- Responsible for the administration of local and state building codes, housing codes, and all permits issued by the Building Safety Division; coordinates reviews with staff including the Fire Marshal, Engineering Department, and Planning/Zoning Official as well as State and regional authorities as necessary.
- Oversees the Building Safety Division and supervises the work of Division Staff.
- Facilitates commercial and residential inspections and plan reviews; performs all Building Inspector and Housing Inspector duties and required inspections.
- Issues correction and stop work orders; works with the City's legal team to bring action to achieve code compliance as warranted.
- Assists the City Attorney and Prosecutor in preparing for legal actions involving local and state building code.
- Prepares the Division's annual budget and controls expenditures; recommends adjustments to the permit fee schedule.
- Assists state and local building officials, fire officials, building design professionals, City Council and Staff with interpretations of the Minnesota State Building Code.
- Monitors compliance with state law for licensing requirements of architects, engineers, building, plumbing and mechanical contractors.
- Oversees and utilizes the division's software to ensure permits are tracked in a timely and accurate manner so that all transactions are documented.
- Attends and/or facilitates meetings as required; conducts staff meetings as needed.
- Performs other duties when assigned or when necessary.

Knowledge, Skills and Abilities

- Thorough knowledge of the Minnesota State Building Code, local building codes, zoning ordinances and other related codes and ordinances.
- Comprehensive knowledge of building construction materials and methods.
- General knowledge of routine legal procedures related to enforcement of laws and ordinances.
- Ability to detect practices not compliant with state and local codes and ordinances.
- Ability to review plans, specifications and blueprints quickly and accurately and to compare with construction in process.
- Ability to enforce ordinances and regulations with firmness, tact and impartiality.
- Ability to direct division staff to ensure consistent application of building codes and ordinances.
- Outstanding communication and interpersonal skills and the ability to work with customers to answer questions and provide service in a professional manner. Must be able to deal with complaints, difficult situations, and angry individuals. Possesses the ability to effectively gather and present information as well as respond to questions and resolve complaints from the general public, all departments, government officials, and public agencies in a courteous manner.
- Stays abreast of modern developments, current literature and sources of information in the field of building inspection.
- Ability to establish and maintain effective working relationships with design professionals, building owners, contractors, associates, the general public and staff.

Education, Experience and Special Requirements

Minimum Qualifications:

- Associates/Technical degree with coursework in building inspection, construction management, architecture or related field; and
- Four years' experience in conducting building inspections and administering building code.
- Equivalent combination of education and experience may be considered as determined by the City.
- Minnesota Building Official certification.
- Valid driver's license.

Desirable Qualifications:

- Possess MN Department of Labor and Industry Delegation Agreement.
- Construction trade experience.

Physical Requirements

This work requires the regular exertion of up to 25 pounds of force and occasional exertion of up to 50 pounds of force; work regularly requires speaking or hearing, frequently requires walking, using hands to finger, handle or feel and reaching with hands and arms and occasionally requires standing, sitting, climbing or balancing, stooping, kneeling, crouching or crawling, tasting or smelling, pushing or pulling, lifting and repetitive motions; work requires close vision, distance vision, ability to adjust focus, depth perception, color perception and peripheral vision; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, visual inspection involving small defects and/or small parts, using of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work frequently requires exposure to outdoor weather conditions and occasionally requires wet, humid conditions (non-weather), working near moving mechanical parts, working in high, precarious places, exposure to fumes or airborne particles, exposure to the risk of electrical shock and exposure to vibration; work is generally in a moderately noisy location (e.g. business office, light traffic).

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



Brainerd City Council Agenda Request

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Alternatives, Options, Effects on Others/Comments:	
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RESOLUTION

No. ____:20

WHEREAS, the City of Brainerd supports the grant application made to the Minnesota Department of Natural Resources for the Federal Recreational Trail Program. The application is to design and construct a permanent trailhead facility and trail improvements for the Mississippi Landing Trailhead. The trailhead is located on approximately 3 acres of property owned by the City of Brainerd along the Mississippi River, and

WHEREAS, the City of Brainerd recognizes that it has secured \$100,000 in local cash matching funds for this project and must provide a twenty-five percent (25%) cash match

BE IT RESOLVED, if the City of Brainerd is awarded a grant by the Minnesota Department of Natural Resources, the City of Brainerd agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Brainerd will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Trail Program Grant Manual and certifies it will report any actual, potential, perceived, or organizational conflicts of interest upon discovery to the state related to the application or grant award, and

BE IT FURTHER RESOLVED, the City Council of the City of Brainerd names the fiscal agent for the City of Brainerd for this project as:

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

BE IT FURTHER RESOLVED, the City of Brainerd hereby assures the Mississippi Landing Trailhead will be maintained for a period of not less than 20 years.

Adopted this ____ day of February 2020

GABE JOHNSON
President of the Council

Approved this ____ day of February 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

RESOLUTION

No. ____:20

WHEREAS, the City of Brainerd supports the grant application made to the Minnesota Department of Natural Resources for the Local Trail Connections Program. The application is to design and construct a permanent trailhead facility and trail improvements for the Mississippi Landing Trailhead. The trailhead is located on approximately 3 acres of property owned by the City of Brainerd along the Mississippi River, and

WHEREAS, the City of Brainerd recognizes that it has secured \$100,000 in non-state cash matching funds for this project

BE IT RESOLVED, if the City of Brainerd is awarded a grant by the Minnesota Department of Natural Resources, the City of Brainerd agrees to accept the grant award and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Brainerd will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

BE IT FURTHER RESOLVED that the applicant has read the Conflict of Interest Policy contained in the Local Trail Connections Grant Manual and certifies it will report any actual, potential, perceived, or organizational conflicts of interest upon discovery to the state related to the application or grant award.

BE IT FURTHER RESOLVED, the City Council of the City of Brainerd names the fiscal agent for the City of Brainerd for this project as:

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

BE IT FURTHER RESOLVED, the City of Brainerd hereby assures the Mississippi Landing Trailhead will be maintained for a period of not less than 20 years.

Adopted this ____ day of February 2020

GABE JOHNSON
President of the Council

Approved this ____ day of February 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

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MEMO



TO: Mayor & Council

FROM: Finance Director Hillman

DATE: February 13, 2020

RE: Fund Balance Policy Proposed Changes

This memo is intended to explain the proposed changes to the Fund Balance Policy.

Changes Throughout the Policy:

In 2009 when the policy was originally adopted, the Governmental Accounting Standards Board (GASB) standard on fund balance classifications was still in exposure draft form. Since then, the standard has been finalized and it was adopted as it was presented in the exposure draft. Staff is therefore recommending eliminating the background section, and making the current section III section I; and eliminating any reference to the "old" fund balance classifications or the exposure draft as well as the Office of the State Auditor's Statement of Position. Staff feels this will clean up the policy in hopes of making it easier to understand.

Spendable – Restricted:

The City does not use encumbrance accounting, therefore removed the references to encumbrances and to update the policy section as it has been put into practice.

Spendable – Assigned:

There were really two changes to this section:

1. Making part of the definition the policy:

- The practice has been, that any other governmental fund - other than the general fund - if the fund balance is not required to be "committed", that the Council as therefore "assigned" the fund balance to be used for a specific purpose. As an example, when the Council authorized the one-time exception for state MIF funds, it said that they wanted the portion of funds retained by the City to be used for economic development purposes. The Council essentially assigned the fund balance of that fund, which is a special revenue fund.

It is assumed that the Special Revenue Funds Cash Flow policy was for the Public Safety, Parks and Streets funds. With the subsequent GASB statement defining a special revenue fund for reporting purposes, and how the fund

balance policy subsequently references the Working Funds, this section is no longer needed.

2. Defines who can assign fund balance:

- The proposed designators of assigned fund balance are the City Council – not through formal action and/or the City Administrator and Finance Director. To explain it would be helpful to look at the assigned fund balance at 12/31/18. The City has assigned fund balance of \$222,793 in the general fund and \$3,755,147 in the capital project funds.
 - o Capital Project Funds – per the definition of the policy: In government funds other than the general fund, which includes the capital project funds, assigned fund balance represents the amount that is not restricted or committed.
 - o General Fund: The amount represented 10% of the compensated absences, and the fund balance of the state MIF funds from the one-time exception.
 - Compensated Absences: many years ago, the Council directed to show 10% of the audited compensated absences as set aside on the monthly reports the council receives. The City does not budget for severance pay outs yet the City has an obligation to Staff to pay severance. Therefore, the City Administrator and Finance Director have assigned fund balance equal to this amount to pay for the potential liability. By doing so, it is not reflected in the unassigned fund balance that is available for use.
 - State MIF Funds: As mentioned above, when the Council authorized the one-time exception, it stated that it desired the funds retained by the City to be used for Economic Development purposes. Staff set up a special revenue fund to track the funds, but the fund does not meet the definition of a special revenue fund for reporting purposes and is reported as part of the general fund in the CAFR. Therefore, staff assigned the fund balance in the general fund at the end of 2018.

So it is through Council direction and Staff's discretion to assign a portion of the general fund balance. The recommended policy change is more of a formality of the practice.

Spendable – Unassigned

As discussed during the 2018 audit presentation, it was shared that the unassigned fund balance was 40% of the of the 2018 working funds expenditures. Staff and the Auditors shared that the policy really should be looking ahead, as the City needs to operate the first 6 months with what it has in reserves. The recommended policy change is therefore to reference the subsequent year operating expenditures.



CITY OF BRAINERD

FINANCIAL MANAGEMENT POLICIES

FUND BALANCE

I. Background

In August 2007 (reviewed January 2008), The Office of the State Auditor issued a Statement of Position on Fund Balances which provided recommendations on Fund balance policies to be adopted by local governments. This statement of position is based on generally accepted accounting principles (GAAP).

At the end of February 2008, the Governmental Accounting Standards Board (GASB) released an exposure draft (ED) that proposes to substantially change how fund balance is categorized. It also proposes guidance that would modify how some of the governmental fund types are used.

This policy will provide a cross reference between the Current Classification of Fund Balance and the Proposed Classifications of Fund Balance.

Commented [CH1]: GASB has adopted the standard, no longer needed

II Fund Balance Classifications: Current and Proposed

Current Classifications of Fund Balance

The chart below summarizes the Fund Balance Classifications.

Proposed Classifications of Fund Balance

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Fund Balance	Reserved Non-spendable	Not available for appropriation Not available for spending, either now or in the future, because of the form of the asset (e.g., inventories) or a permanent legal restriction (e.g., debt retirement)	
	Unreserved Spendable	Designated Restricted	Available for appropriation but intended for a specific use. Constraints on spending that are legally enforceable by outside parties.
		Designated Committed	Constraints on spending that the government imposes upon itself by high-level formal action prior to the close of the period.
		Undesignated Assigned	Available for appropriation. Resources intended for spending for a purpose set by the governing body itself or by some person or body delegated to exercise such authority in accordance with policy established by the board.

		Unassigned	Residual (general fund only)
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I. **Purpose – This will be section I**

To provide a stable financial environment for the City of Brainerd’s operations that allows the City to provide quality services to its residents in a fiscally responsible manner designed to keep services and taxes as consistent as possible over time. This fund balance policy is meant to serve as the framework upon which consistent operations may be built and sustained.

II. **Definitions & Policies This will be Section III**

Fund Balance -

Describes the difference between assets and liabilities in the governmental funds (general fund, special revenue funds, capital project funds, debt service funds and permanent funds). This policy covers the general fund and special revenue funds unreserved fund balances.

Non-spendable (GAAP-Reserved)-

Definition -

Describes the amount of a fund balance that is associated with resources such as inventories or permanent legal restrictions such as principal of an endowment.

Policy -

At the end of each fiscal year, the City will report the portion of the fund balance that is not available for spending (defined by the State of Minnesota Office of the State Auditor ~~Statement of Position on Fund Balances~~ and ~~the GASB Exposure Draft on Fund Balances~~).

Spendable (GAAP-Unreserved) -

Describes the amount of a cash fund balance that is available for appropriation based on the constraints that control how specific amounts can be spent. Typically, a significant portion of a government’s spendable resources can be spent only for specified purposes. The following categories (designations) define the revenue source and the force of the constraint on spending.

Designations should be supported by actual plans approved by either the governing body, an appropriate officer, grant providers or enabling legislation.

Spendable – Restricted (GAAP Part of Reserved & Unreserved- Designated)

Definition -

The restricted fund balance category includes the portion of the *spendable fund balance* that reflects constraints on spending because of legal restrictions stipulated by *outside parties* (e.g., ~~encumbrances for goods or services with outside parties creditors, grantors outstanding at the end of the year~~). Also, any legal restrictions from state statutes or grant requirements placed on the use for specific purposes).

Policy -

At the end of each fiscal year, the City will maintain a Spendable-Restricted fund balance equal to the amounts required to accommodate; ~~encumbrances or~~ funds restricted by constraints outside of the City-enabling legislation

Spendable – Committed (GAAP Unreserved – Designated)

Definition -

The committed fund balance classification includes the portion of the *spendable fund balance* that reflects constraints that the city has *imposed upon itself* by a *formal action* of the *city council* (for example, an ordinance or resolution passed by a city council).

Policy -

At the end of each fiscal year, the City will maintain a Spendable-Committed fund balance for long-term loan receivables such as advances to other funds. Any unrestricted fund balance at year end in any special revenue fund is deemed to be committed to the purpose of that fund and can only be removed by council action. (As amended by Council Action on 12/19/11).

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Spendable – Assigned (GAAP Unreserved – Designated)

Definition -

The assigned fund balance is the portion of the *spendable fund balance* that reflects funds intended to be used by the government for specific purposes assigned by more informal operational plans (e.g. capital goods replacement - the constraint on use is not imposed by external parties or by formal council action). ~~In governmental funds other than the general fund (special revenue funds, capital project funds, debt service funds and permanent funds), assigned fund balance represents the amount that is not restricted or limited.~~

Policy -

Capital Goods Replacement

~~At the end of each fiscal year, the City will maintain a Spendable – Assigned fund balance portion for equipment replacement according to the City's Capital Improvement Plan.~~

Special Revenue Funds Cash Flow

~~At the end of each fiscal year, The City will maintain Spendable – Assigned portion of the fund balance for cash flow in a range equal to 20 – 40% of the subsequent year's budgeted revenues.~~

In governmental funds other than the general fund (special revenue funds, capital project funds, debt service funds and permanent funds), assigned fund balance represents the amount that is not restricted or committed. The council not through formal action and/or the City Administrator and Finance Director can designate the assigned fund balance.

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Spendable – Unassigned (GAAP Unreserved – Undesignated)

Definition -

This is the residual classification for the government's **General Fund** and includes all spendable amounts not contained in the other classifications and, therefore, not subject to any constraints. Unassigned amounts are available for any purpose. These are the current resources available for which there are no government self-imposed limitations or set spending plan. Although there is generally no set spending plan for the undesignated portion, there is a need to maintain a certain funding level. Undesignated fund balance is commonly used for emergency expenditures not previously considered. In

addition, the resources classified as undesignated can be used to cover expenditures for revenues not yet received.

Policy-

Cash Flow

At the end of each fiscal year, the City will maintain Spendable – Unassigned portion of the fund balance for Cash Flow in a range equal to 35 – 50% of the Working Funds ~~subsequent current~~ year operating expenditures (as amended by Council Action 10/17/16). In addition to cash flow needs this accommodates emergency contingency concerns.

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In the event that amounts designated for cash flow fall above or below the desired range, the City Administrator shall report such amounts to the City Council as soon as practical after the end of the fiscal year. Should the actual amount designated for Cash Flow fall below the desired range, the City shall create a plan to restore the appropriate levels. Should the actual amount designated for cash flow rise above the desired range, any excess funds will remain undesignated pending the Council's final decision concerning transfer to another fund. It is the policy of the City that such excess funds will be, by council action, to be reported in the spendable limited category of this policy.

If revenues exceed expenditures in excess of budget in the Working Funds for any given year, all funds in excess of 1% of operating expenditures should be transferred to the general Capital Fund (400) until we get to 50% of ~~unassigned unreserved~~ funds balance (as amended by Council Action 10/17/16).

Adopted by the Brainerd City Council on this 18th day of May, 2009.

Amended by the Brainerd City Council on this 19th day of December, 2011

Amended by the Brainerd City Council on this 17th day of October, 2016

Amended by the Brainerd City Council on this _____ day of _____ 2020

~~James M. Thoreen~~ Jennifer Bergman
City Administrator



CITY OF BRAINERD
FINANCIAL MANAGEMENT POLICIES
FUND BALANCE

I. Purpose

To provide a stable financial environment for the City of Brainerd's operations that allows the City to provide quality services to its residents in a fiscally responsible manner designed to keep services and taxes as consistent as possible over time. This fund balance policy is meant to serve as the framework upon which consistent operations may be built and sustained.

II. Fund Balance Classifications

The chart below summarizes the Fund Balance Classifications

Fund Balance	Non-spendable	Not available for spending, either now or in the future, because of the form of the asset (e.g., inventories) or a permanent legal restriction (e.g., debt retirement)	
	Spendable	Restricted	Constraints on spending that are legally enforceable by outside parties.
		Committed	Constraints on spending that the government imposes upon itself by high-level formal action prior to the close of the period.
		Assigned	Resources intended for spending for a purpose set by the governing body itself or by some person or body delegated to exercise such authority in accordance with policy established by the board.
		Unassigned	Residual (general fund only)

III. Definitions & Policies

Fund Balance -

Describes the difference between assets and liabilities in the governmental funds (general fund, special revenue funds, capital project funds, debt service funds and permanent funds). This policy covers the general fund and special revenue funds unreserved fund balances.

Non-spendable

Definition -

Describes the amount of a fund balance that is associated with resources such as inventories or permanent legal restrictions such as principal of an endowment.

Policy -

At the end of each fiscal year, the City will report the portion of the fund balance that is not available for spending (defined by the State of Minnesota Office of the State Auditor and GASB).

Spendable -

Definition -

Describes the amount of a cash fund balance that is available for appropriation based on the constraints that control how specific amounts can be spent. Typically, a significant portion of a government's spendable resources can be spent only for specified purposes. The following categories (designations) define the revenue source and the force of the constraint on spending.

Policy -

Designations should be supported by actual plans approved by either the governing body, an appropriate officer, grant providers or enabling legislation.

Spendable – Restricted

Definition -

The restricted fund balance category includes the portion of the *spendable fund balance* that reflects constraints on spending because of legal restrictions stipulated by *outside parties* (e.g., ~~any~~ legal restrictions from state statutes or grant requirements placed on the use for specific purposes).

Policy -

At the end of each fiscal year, the City will maintain a Spendable-Restricted fund balance equal to the amounts required to accommodate; funds restricted by constraints outside of the City.

Spendable – Committed

Definition -

The committed fund balance classification includes the portion of the *spendable fund balance* that reflects constraints that the city has *imposed upon itself* by a *formal action* of the *city council* (for example, an ordinance or resolution passed by a city council).

Policy -

At the end of each fiscal year, the City will maintain a Spendable-Committed fund balance for long-term loan receivables such as advances to other funds. Any unrestricted fund balance at year end in any special revenue fund is deemed to be committed to the purpose of that fund and can only be removed by council action. (*As amended by Council Action on 12/19/11*).

Spendable – Assigned

Definition -

The assigned fund balance is the portion of the *spendable fund balance* that reflects funds intended to be used by the government for specific purposes assigned by more informal operational plans (e.g. capital goods replacement - the constraint on use is not imposed by external parties or by formal council action).

Policy -

In governmental funds other than the general fund (special revenue funds, capital project funds, debt service funds and permanent funds), assigned fund balance represents the amount that is not restricted or committed. The council, not through formal action and/or the City Administrator and Finance Director can designate the assigned fund balance.

Spendable – Unassigned

Definition -

This is the residual classification for the government's **General Fund** and includes all spendable amounts not contained in the other classifications and, therefore, not subject to any constraints. Unassigned amounts are available for any purpose. These are the current resources available for which there are no government self-imposed limitations or set spending plan. Although there is generally no set spending plan for the undesignated portion, there is a need to maintain a certain funding level. Undesignated fund balance is commonly used for emergency expenditures not previously considered. In addition, the resources classified as undesignated can be used to cover expenditures for revenues not yet received.

Policy -

Cash Flow

At the end of each fiscal year, the City will maintain Spendable – Unassigned portion of the fund balance for Cash Flow in a range equal to 35 – 50% of the Working Funds subsequent year operating expenditures (as amended by Council Action 10/17/16 and 2/18/2020). In addition to cash flow needs this accommodates emergency contingency concerns.

In the event that amounts designated for cash flow fall above or below the desired range, the City Administrator shall report such amounts to the City Council as soon as practical after the end of the fiscal year. Should the actual amount designated for Cash Flow fall below the desired range, the City shall create a plan to restore the appropriate levels. Should the actual amount designated for cash flow rise above the desired range, any excess funds will remain undesignated pending the Council's final decision concerning transfer to another fund. It is the policy of the City that such excess funds will be, by council action, to be reported in the spendable limited category of this policy.

If revenues exceed expenditures in excess of budget in the Working Funds for any given year, all funds in excess of 1% of operating expenditures should be transferred to the general Capital Fund (400) until we get to 50% of unassigned funds balance (as amended by Council Action 10/17/16).

Adopted by the Brainerd City Council on this 18th day of May, 2009.

Amended by the Brainerd City Council on this 19th day of December, 2011

Amended by the Brainerd City Council on this 17th day of October, 2016

Amended by the Brainerd City Council on this ____ day of _____ 2020

Jennifer Bergman
City Administrator

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

February 18, 2020
County Board Room – Crow Wing County Historic Courthouse
7 :00 PM

1. Improvement 16-09 and 19-07 Change Orders 1 and 2
2. Anabec Street Stormwater Pond Maintenance Agreement
3. Event/Street Closure Application – St. Patrick's Day Parade
4. Transit Bus 118 Disposal
5. Notice of Hearing – Municipal Separate Storm Sewer System (MS4) Annual Update and Public Hearing



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDERCity/County of City of BrainerdChange Order No. 1

FEDERAL PROJECT NO.	STATE PROJECT NO. SAP 108-136-004	LOCAL PROJECT NO. 16-09	CONTRACT NO. 2019-04
CONTRACTOR NAME AND ADDRESS Kraemer Trucking & Excavating Inc. PO Box 434 Cold Spring, MN 56320		LOCATION OF WORK Reconstruction of Buffalo Hills Lane from Mississippi Drive to Greenwood Street	
		TOTAL CHANGE ORDER AMOUNT \$11,816.00	

This change order is for the addition of 400' of 4' high chain link fence that was added along two parking lots adjacent to the Buffalo Hills Lane trail.

COST BREAKDOWN

Item No.	Item	Unit	Unit Price	Quantity	Amount
Funding Category No. 000					
2557.503	WIRE FENCE DESIGN 48-9322	L F	\$29.54	400	\$11,816.00
Funding Category No. 000 Total:					\$11,816.00
Change Order No. 1 Total:					\$11,816.00

* Funding category is required for federal projects.

CHANGE IN CONTRACT TIME (check one)	
Due to this change the Contract Time:	
a. ☐ Is Increased by _____ Working Days	b. ☒ Is Not Changed
☐ Is Decreased by _____ Working Days	
☐ Is Increased by _____ Calendar Days	c. ☐ May be revised if work affected the controlling operation
☐ Is Decreased by _____ Calendar Days	

Approved By Project Engineer: Sandy, Paul G	Approved By Contractor: Kraemer Trucking & Excavating Inc.
Signed <u>467fd949638fee50aa0676a76396e64a4090db12041c4c0a3fcb4a97efb5cca0</u>	Signed Kraemer, Jeff M <u>9c864b0c001133c5a26f8b85937d528d3c47a4c2c5eb4fceeaf0067dce63e011</u>
Date: <u>12/05/2019</u> Phone: <u>0</u>	Date: <u>12/06/2019</u> Phone: <u>(320) 685-3024</u>

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: Howieson, Kelvin <u>a2f0dbb67ec37936f5ca4105115a8ce1a126eeb64fc5cb2b5a489ec5b7e3e1a3</u>	Date: <u>12/06/2019</u>

STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDERCity/County of City of BrainerdChange Order No. 2

FEDERAL PROJECT NO.	STATE PROJECT NO. SAP 108-136-004	LOCAL PROJECT NO. 16-09	CONTRACT NO. 2019-04
CONTRACTOR NAME AND ADDRESS Kraemer Trucking & Excavating Inc. PO Box 434 Cold Spring, MN 56320		LOCATION OF WORK Reconstruction of Buffalo Hills Lane from Mississippi Drive to Greenwood Street	
		TOTAL CHANGE ORDER AMOUNT \$22,220.00	

Change order for the reconstruction of 6 sanitary manholes and 1 storm manhole in order to bring them to the final grade of the new construction. With the dramatic changes in grade in some areas of the project, it was necessary to substantially adjust old manholes in order to bring them up (or down) to the new final grade.

COST BREAKDOWN

Item No.	Item	Unit	Unit Price	Quantity	Amount
Funding Category No. 000					
2506.602	RECONSTRUCT DRAINAGE STRUCTURE	EACH	\$3,080.00	6	\$18,480.00
2506.602	RECONSTRUCT DRAINAGE STRUCTURE	EACH	\$3,740.00	1	\$3,740.00
Funding Category No. 000 Total:					\$22,220.00
Change Order No. 2 Total:					\$22,220.00

* Funding category is required for federal projects.

CHANGE IN CONTRACT TIME (check one)	
Due to this change the Contract Time:	
a. ☐ Is Increased by _____ Working Days	b. ☒ Is Not Changed
☐ Is Decreased by _____ Working Days	
☐ Is Increased by _____ Calendar Days	c. ☐ May be revised if work affected the controlling operation
☐ Is Decreased by _____ Calendar Days	

Approved By Project Engineer: Sandy, Paul G	Approved By Contractor: Kraemer Trucking & Excavating Inc.
Signed <u>3e5bf1c4fd53b017188cae108b1c645f77dfcd98444d7304c5305eac30534d0f</u>	Signed Kraemer, Jeff M <u>9cf9392a6b4737233bea7b0f6d2c2921055a9ec8acd108f6440515bb58cb3f51</u>
Date: <u>12/16/2019</u> Phone: <u>0</u>	Date: <u>12/16/2019</u> Phone: <u>(320) 685-3024</u>

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: Howieson, Kelvin <u>941e2e2545fed515bfea6e3f8ffd03d36843e6f5eea22e1c964adeaad7e7097b</u>	Date: <u>12/17/2019</u>



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

CROSS-JURISTICTIONAL MAINTENANCE AGREEMENT
BETWEEN CROW WING COUNTY AND CITY OF BRAINERD

This Agreement is made and entered into this day of January 28, 2020, by and between the County of Crow Wing, a political subdivision of the State of Minnesota, 326 Laurel Street, Brainerd, Minnesota, 56401, hereinafter referred to as "Crow Wing", and the City of Brainerd, a municipal corporation of the State of Minnesota, 501 Laurel Street, Brainerd, Minnesota 56401, hereinafter referred to as "Brainerd".

WHEREAS, Crow Wing and Brainerd both contribute stormwater from area public roads to a stormwater pond located at CSAH 48 (Highland Scenic Road/Highland Scenic Dr. S.) and Anabec Street in the City of Brainerd (see map, Exhibit A), hereinafter referred to as "the stormwater pond"; and,

WHEREAS, Crow Wing has performed stormwater pond maintenance operations at the stormwater pond for a long period of time with no formal agreement in place; and,

WHEREAS, Crow Wing and Brainerd wish to establish a clear set of responsibilities and expectations with respect to maintenance operations of the stormwater pond and to formalize the long-standing unwritten agreement between Crow Wing and Brainerd.

NOW THEREFORE Crow Wing and Brainerd agree to the following:

1. MAINTENANCE

Crow Wing will be responsible for ensuring periodic maintenance is performed on the stormwater pond. Maintenance shall include:

- sediment removal;
- weed/brush control;
- right of way/easement enforcement;
- signage;
- cleaning/trash removal;
- emergency situations that pose a danger to public safety, storm sewer/drainage structures or devices;
- washouts;
- and any other type of normal stormwater pond maintenance.

2. COSTS

Crow Wing will be responsible for 30% of the costs and Brainerd will be responsible for 70% of the costs. This calculation was determined by the percentage of stormwater entering the pond from each entity. Materials and services shall be invoiced by Crow Wing to Brainerd for services provided in accordance with this agreement.

3. EXCLUSIONS

Maintenance does not include engineered construction or road reconstruction.

4. TERMINATION

Neither entity may terminate this agreement unless mutually agreed upon in writing and approved by both the Crow Wing County Board of Commissioners and the City of Brainerd City Council.

5. NOTICE

For purposes of delivery of any notices hereunder, the notice shall be effective if delivered to the Crow Wing County Engineer, 16589 County Road 142, Brainerd, Minnesota, 56401, on behalf of Crow Wing County, and the City of Brainerd City Engineer, 501 Laurel Street, Brainerd, Minnesota 56401.

6. INDEMNIFICATION

To the extent allowed by law, Crow Wing and Brainerd mutually agree to indemnify and hold each other harmless 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 entity under this Agreement.

7. 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.

8. MODIFICATION OF AGREEMENT

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 that regard, the parties shall review the terms of this Agreement no later than May 1, 2025, and, if necessary, modify the terms of the Agreement to suit the then current conditions.

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

COUNTY OF CROW WING

By: _____

Timothy Bray, P.E.
Crow Wing County Engineer

Date: _____

CITY OF BRAINERD

By: _____

Edwin L. Menk
City of Brainerd Mayor

By: _____

Jennifer Bergman
City Administrator

Date: _____

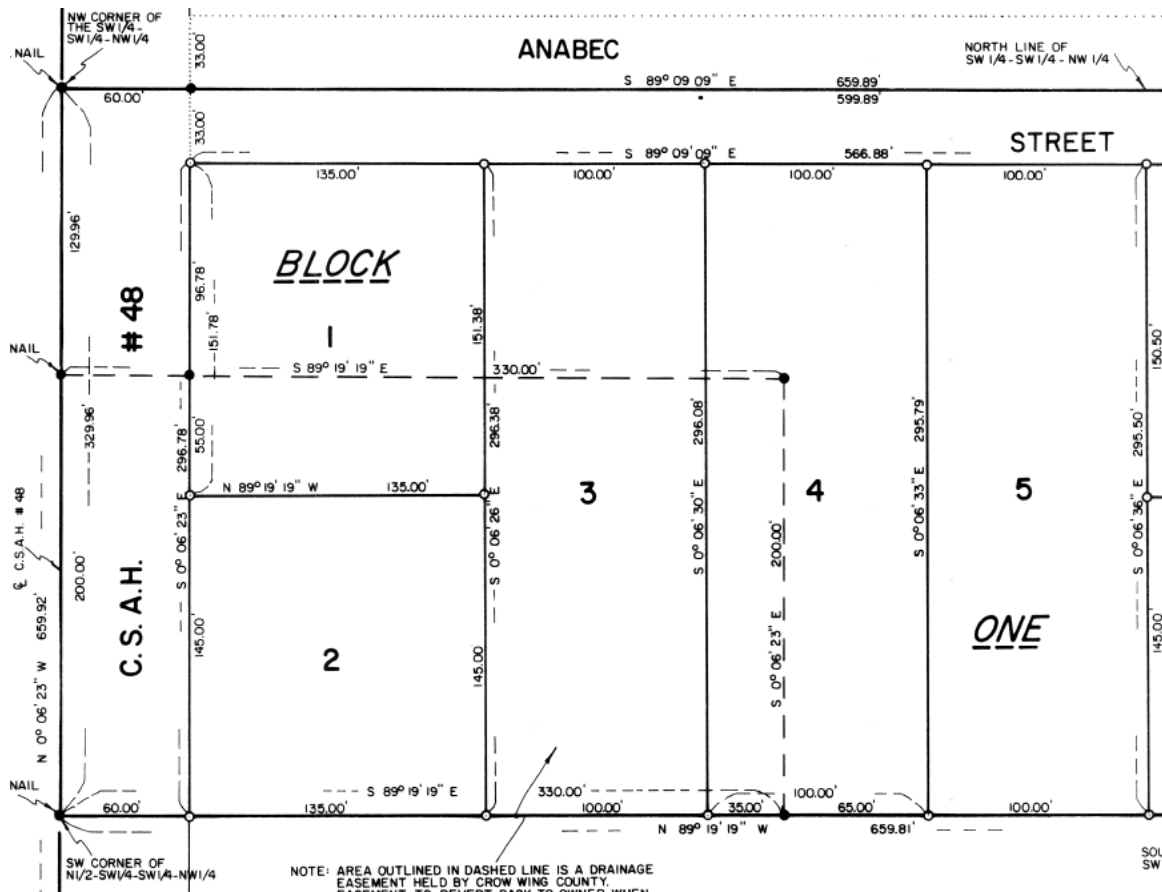
ATTEST:

APPROVED:

By: _____

Rockwell Wells
Asst. Crow Wing County Attorney

Date: _____







Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



SPECIAL EVENT APPLICATION

Date of Application: 2/7/20

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

RECEIVED

FEB 06 2020

CITY OF BRAINERD
ADMINISTRATION

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

Name of event: 2020 St. Patrick's Day Celebration Parade

Organizer Information

Organizer's Name: Steve Shepherd/Dave Badeaux
Organizer's Address: 315 S. 6th Street/321 S 7th Street
Event Contact Person: Steve Shepherd
Event Contact Daytime Phone: c- 218-839-5837
Event Contact E-mail Address: mixn14u@gmail.com
Contact Name/Number Day of Event: Steve Shepherd/c-218-839-5837
For Profit/Nonprofit Status (type): 501c3

Applicant information (if different from the event organizer):

Applicant Name: Dave Badeaux
Applicant Address: 321 S. 7th Street Suite 105
Applicant Phone: 218-829-5278
Applicant E-mail Address: info@BrainerdCommunityAction.org

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
3/14/20	11:30m	2:00pm	See Route Map

☐ Recurring event (requires only one application submittal per year.) Indicate all event dates and times above.

Event locations (*all dimensions are parking lot usable space estimates*):

- City Hall Parking Lot (130' x 146')
- Laurel Street Parking Lot (92' x 120')
- Front Street Parking Lot (66' x 125')
- City Street(s) (street closure request information on page 4 MUST be filled out)
- City Park (must contact the Parks & Recreation Department for information)
- Other (specify location above)

Description of Activities

Brief description of the activities planned during the event. If a parade/run/walk event, please describe the proposed route with the assembly and dispersal locations and attach a route map:

Medallion hunt starting a few days prior to parade

12 pm - Kids costume contest at VFW

1 pm - Parade

Site Information

Electrical usage

☐

Yes

☐

No

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

Amplified Sound

☒

Yes

☐

No

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

Restrooms provided

☐

Yes

☒

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☒

Yes

☐

No

Describe the signs, banners, posters, flyers and the locations:

8.5 x 11 color flyers to be distributed to downtown Businesses.

1/2 sheet flyers will be distributed to schools.

Trash Receptacle Disposal

☐

Yes

☒

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Please see route map.

Date and time for beginning of street closures: **3/14/20 11:30 am**

Date and time for reopening of streets: **3/14/20 2:00 pm (or soon as parade is done)**

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

Sidewalks will remain open, with city parking lots available nearby.

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant

Dave Badeaux

Print Name

Contacts, Permits, and Fees Checklist

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

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

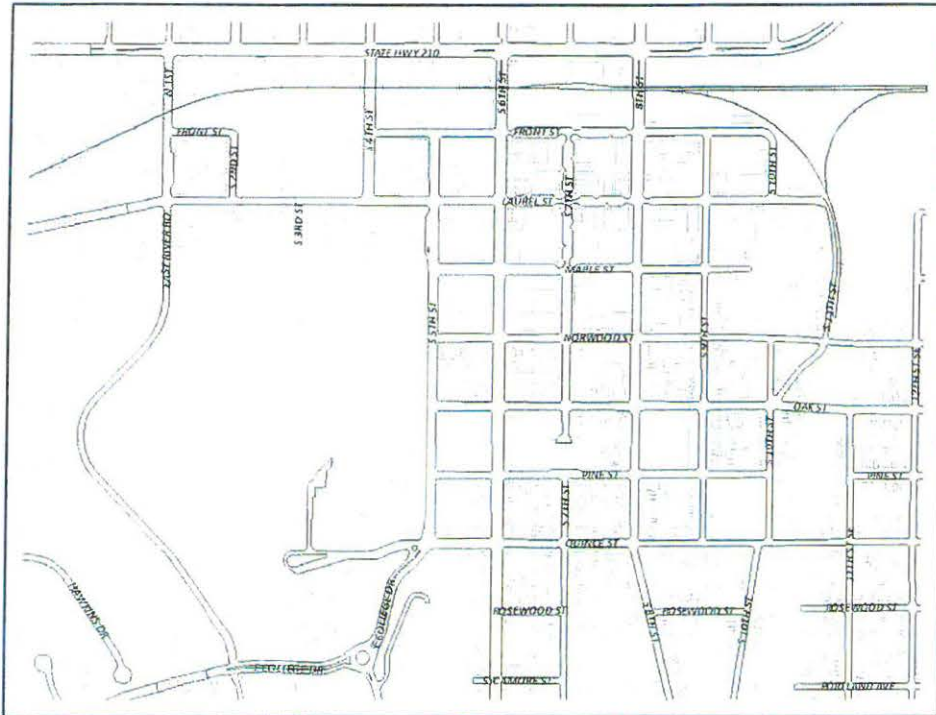
Permit, License, or Checklist	Yes	Pending	N/A	Contact (See contact information below)
Authorization to use a city park			X	Contact the Parks & Recreation Department for information/procedure.
Fire/EMS/Police support			x	Check yes to request emergency support. The appropriate level of fire, EMS, and police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

Contact Information

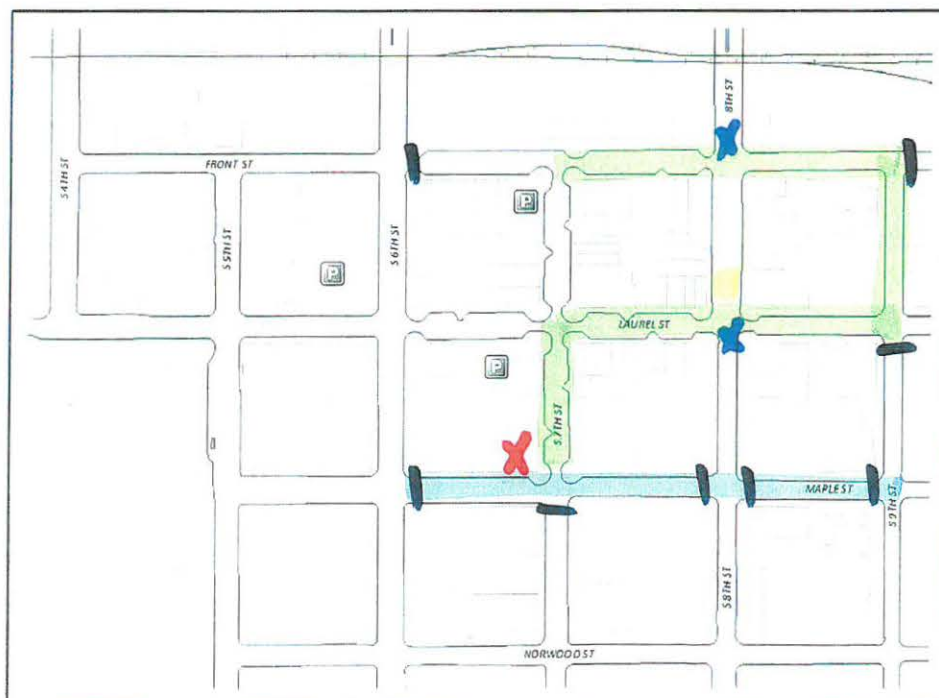
Administration Department:	(218) 828-2307 admin@ci.brainerd.mn.us
Parks and Recreation Department:	(218) 828-2320 parks@ci.brainerd.mn.us
Engineering Department:	(218) 828-2307 engineer@ci.brainerd.mn.us
Planning Department:	(218) 828-2307 planning@ci.brainerd.mn.us
Police Department:	(218) 829-2805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

Route Maps

Greater Downtown Area



Historic Downtown Area



- Staging
- Parade Route
- X Parade Check in
- Judging
- X Police
- Barricade

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	2/10	No Comments
City Administration	2/10	No Comments
Engineering Department	2/10	Place Barricade @ mid block Laurel between 6th & 7th east of Laurel lot
Fire Department	2/10	Same as engineering comment
Fire Support/EMS	2/10	OK, No comment
Parks Department	2/10	No comment
Planning Department	2/10	Same as engineering comment
Police Department	2/10	Allow access to Laurel Street lot and shop's alley without access to 7th.

Event Application Approval

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

City Administrator or Parks & Recreation Director

Date

Approval Conditions

Certification of Street Closure Approval

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



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

Minnesota Auto Claim

GW
Auto
DOL - 1/27/20

CA102189

Trust Member Name: BRAINERD, CITY OF

Trust Member Address: 501 LAUREL STREET
BRAINERD, MN 56401

Contact Person: Andy Stone

Contact Person Phone: 218-454-3413

Today's Date: 01/28/2020

Reported Previously: no

Covenant Number: CMC1002962

Covenant Period: 03/01/2019 - 03/01/2020

Description of Accident: IV bus was t-boned in the middle of an intersection on Hwy 371 when the other party failed to stop at a red light. Both drivers were cited. No passengers were on the bus and there were no reported injuries at the scene.

Date of Accident: 01/27/2020

Time of Accident:

Insured Vehicle Year: 2011

Insured Vehicle Make: CHEV

Insured Vehicle Model: Goshan

Insured Vehicle VIN: 9181

Ins. Veh. Description of Damage: The bus may be a total loss

Ins. Veh. Est. Damage: \$

Driver's Name:

Driver's Job Title: Transit Driver

Driver's Phone:

Other Vehicle Year: 2016

Other Vehicle Make: SUB

Other Vehicle Model: XV Crosstrek

Other Vehicle VIN:

Minnesota Auto Claim

Other Vehicle Owner's Name: Matthew Rutske

Other Vehicle Owner's Address: Brainerd, MN 56401
Matthew Rutske

Other Vehicle Owner's Phone:

Other Vehicle Driver's Name: yes

Other Vehicle Driver's Phone: Unknown

Other Vehicle Insurance: \$

Other Vehicle Damage:

Other Vehicle Est. Damage:

Injured's Name: ,

Injured's Address:

Injured's Phone:

Description of Injury: 01/28/2020

Add'l Information/Comments: Kelly Masche

Date Submitted: kjmasche@we-ins.com

Report Submitted By:

Your Email Address:

Peterson, Jennifer

From: Peterson, Jennifer
Sent: Tuesday, January 28, 2020 1:42 PM
To: 'Masche, Kelly J.'
Subject: RE: City of Brainerd

Received and will add to the claim.

Jen Peterson | Administrative Services Clerk

Phone: (651) 281-1286 | Fax: (651) 281-1297 (New Claims)
1-866-291-4942 (Exsiting claims)

jenpeterson@lmc.org |

League of Minnesota Cities | 145 University Ave. West | St. Paul, MN 55103
www.lmc.org | [Facebook](#) | [Twitter](#) | [Podcast](#)

From: Masche, Kelly J. <kjmasche@we-ins.com>
Sent: Tuesday, January 28, 2020 1:12 PM
To: Claims <Claims@lmc.org>
Cc: Reinhardt, Melissa <mreinhardt@lmc.org>
Subject: City of Brainerd

Hi,

I submitted this claim online. Documents to go with it attached

Kelly Masche CIC, AIS, ACS, AINS | Senior Agency Marketer

Weizenegger-Engel Insurance

301 NW 6th Street, Brainerd MN 56401

O: 218-829-4721 | D: 507-455-5488 | E: kjmasche@we-ins.com



BUSINESS INSURANCE | PERSONAL LINES | HEALTH | LIFE | SUCCESSION PLANNING

Weizenegger-Engel Insurance is not licensed in all states.

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Baxter Police Department Crash Information Exchange



Officer: Huntley

Date: 1/27/2020 0755 hrs

Case #: 20000508

Accident Location: State Hwy 371/ College Rd

Vehicle #1

Driver: Matthew Thomas Rutske

Phone Number: 218

Brainerd MN 56401-7245

Vehicle Plate/State/Year: 30DTVE/MN/2020

Year/Make/Model: 2016/SUBA/XV CROSSTREK

Owner: Matthew Thomas Rutske

Insurance Company: Travelers Insurance Compan

Policy Number:

Brainerd MN 56401-7245

Vehicle #2

218

Driver:

Phone Number:

2011/GOSH/BUS

Vehicle Plate/State/Year: 935633/MN/2022

Year/Make/Model: League of MN Citiescmc1002

Owner: Of Brainerd City

Insurance Company: cmc1002962

CITY Hall

Policy Number:

Brainerd MN 56401

If your crash has an apparent total damage totaling \$1000 or more, or if the crash results in personal injury or death, you are required by state law to forward a state Crash Report to:

Department of Public Safety
DVS/Crash Records
445 Minnesota Street, Suite 181
St. Paul, Minnesota 55101-5181

State law does not require police officers to complete a report on every crash. If a police report is necessary, the Officer will advise you at the scene. Please wait 2 business days after your crash and call us at our agency before coming in to ensure the report is complete.

A blank driver's copy of the Minnesota Motor Vehicle Crash Report that may need to be filled out can be obtained from the Baxter Police Department or online at: <https://dps.mn.gov/divisions/dvs/forms-documents/Documents/MinnesotaMotorVehicleAccidentReport.pdf>

We hope that you find this crash information helpful in documenting and dealing with your crash. If you have any questions please call the Baxter Police Department at (218) 454-5090.

DPS Minnesota State Patrol, District 4700
Commercial Vehicle Section
1110 Centre Pointe Curve, Suite 410
Mendota Heights, MN 55120
Phone: (651)350-2000 Fax:

Report Number: MN00XC002221
Inspection Date: 01/27/2020
Start: 08:00 AM CT End: 11:19:46 AM CT
Inspection Level: I - Full
HM Inspection Type: None

CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401

USDOT#: 01546328

Phone#: (218)

MC/MX#:

Fax#:

State#:

Driver: License#:

CoDriver:

State: MN

License#:

Date of Birth:

State:

Location: BAXTER

Highway: MNTH 371 AND COLLEGE

County: CROW WING, MN

MilePost:

Origin: BRAINERD, MN

Destination: BAXTER, MN

Shipper: CARRIER

Bill of Lading:

Cargo: EMPTY

VEHICLE IDENTIFICATION

Unit	Type	Make	Year	State	Plate #	Equipment ID	VIN	GVWR	CVSA #	CVSA Issued #	OOS Sticker
1	BU	CHEV	2011	MN	935633	118	1GB6G58L2B1189181	15,500			

BRAKE ADJUSTMENTS

Axle #	1	2
Right	N/A	N/A
Left	N/A	N/A
Chamber	HYDR	HYDR

VIOLATIONS

Vio Code	Section	Unit	OOS	Citation #	Verify	Crash	Violations Discovered
383.23A2	383.23(a)(2)	D	Y	882005460023	N	N	Operating a CMV without a CDL: Operating a CMV without a CDL on 01/27/2020
393.209D	393.209(d)	1	Y		U	Y	Steering system components worn, welded, or missing: STEERING COMPONENTS BROKE CAUSING BOTH FRONT WHEELS TO POINT INWARD. 1199
396.3A1B	396.3(a)(1)	1	N		N	Y	Brakes (general) Explain: #1 LEFT BRAKE CALIPER LEAKING BRAKE FLUID. 1101

HazMat: No HM Transported.

Placard: No Cargo Tank:

Special Checks: Post Crash

State Information:

Event #: P200046480; ICR #: 20800188; 3203 - BORDER GRANT INSPECTION: NO; 3209 - RED DYED FUEL CHECK: NO; DEPT. OF AG TEMP CHECK: NO; DURING OTR NOT REG SHIFT: NO; 3215 - HIGH PRIORITY GRANT: NO; 5002 - TRUCK WEIGHED MOBILE: NO; 5017 - MOBILE BILL CHECKED: YES; 5019 - HEIGHT CHECKED: NO; 2010 - SHIFT LOAD: NO; 2020 - UNLOADED: NO; DVS: NO; 4%: NO; 5% Forest Products: NO; 10% First Haul: NO; 25%: NO; 9 Ton Route: NO; 10 Ton Route: NO; Restricted Route: NO; Accident ICR #: 20000508; CRASH WRITTEN BY: BAXTER PD OFFICER HUNTLEY #451; TOW AWAY/INJURY/FATALITY: DISABLING DAMAGE; TOWED FOR DISABLING DAMAGE: YES; TOWED FOR SUSPENDED/REVOKED DL: NO; TOWED FOR NO INSURANCE: NO; INJURY TREATED AWAY FROM SCENE: NO; FATALITY WITHIN 30 DAYS: NO; HM Placard? Yes-No-N/A: N/A; HM Class Number: N/A; HM 4-Digit Number: N/A; HM Name: N/A; IFTA Violation: NO; IRP Violation: NO;

Report Prepared By: Badge #
J. BAILLIF 546

Page 1 of 2



01546328 MN MN00XC002221

DPS Minnesota State Patrol, District 4700
Commercial Vehicle Section
1110 Centre Pointe Curve, Suite 410
Mendota Heights, MN 55120
Phone: (651)350-2000 Fax:

Report Number: MN00XC002221
Inspection Date: 01/27/2020
Start: 08:00 AM CT End: 11:19:46 AM CT
Inspection Level: I - Full
HM Inspection Type: None

CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401

USDOT#: 01546328

Phone#: (218

MC/MX#:

Fax#:

State#:

Driver: License#: Date of

Birth:

State: MN

CoDriver:

License#:

Date of Birth:

State:

Location: BAXTER

MilePost:

Shipper: CARRIER

Highway: MNTH 371 AND COLLEGE

Origin: BRAINERD, MN

Bill of Lading:

County: CROW WING, MN

Destination: BAXTER, MN

Cargo: EMPTY

*Pursuant to the authority contained in MS Chapter 221, I hereby notify and declare DEBRA JOHNSON "Out-of-Service". No person shall permit or require this driver to operate any commercial motor vehicle until OBTAINS A CDL WITH PASSENGER ENDORSEMENT. OPERATING A COMMERCIAL MOTOR VEHICLE IN VIOLATION OF AN OUT-OF-SERVICE ORDER MAY RESULT IN A FINE OF UP TO \$10,000.00, LOSS OF CDL AND/OR 90 DAYS IN JAIL.

*Pursuant to the authority contained in MS Chapter 221, I hereby declare vehicles with defects with a "Y" in the "OOS" column of this report Out-of-Service. No person shall place this vehicle in service until the Out-of-Service defects have been repaired and the vehicles have been restored to safe operating condition.

I certify that all mechanical violations have been repaired.

Signature Of Repairer X:

Facility:

Date:

Within fifteen (15) days following the date of this inspection, the motor carrier or intermodal equipment provider shall:

(1) Certify that all violations noted have been corrected by completing the signature portion of this form; and

(2) Retain a copy at the motor carrier's principal place of business, or where the vehicle is housed, for twelve (12) months from the date of the inspection.

To dispute violations or information on this inspection, please use the following website: <https://DataOs.FMCSA.dot.gov>

The undersigned certifies that all violations noted on this report have been corrected and action has been taken to assure compliance with all applicable federal and state regulations.

Signature Of Motor Carrier X:

Title:

Date:

Report Prepared By:
J. BAILLIF

Badge #:
546

Copy Received By:
DEBRA JOHNSON

Page 2 of 2



01546328 MN MN00XC002221

X

X



BUS SALES
TRUCK EQUIPMENT
MOBILITY

P.O. Box 1084
 25112 22nd Ave.
 St. Cloud, MN 56301

4825 Mustang Circle
 Mounds View, MN 55112

(320) 251-7252 · (877) 485-9595

"The factory warranty constitutes all of the warranties with respect to the sale of this item/items. The Seller hereby expressly disclaims all warranties either express or implied, including any implied warranty of merchantability or fitness for a particular purpose, and the seller neither assumes nor authorizes any other person to assume for it any liability in connection with the sale of this item/items. No merchandise may be returned without a returned goods authorization. This policy also applies to warrantable parts. After 90 days a 15% restocking fee will be applied to all returns. All returns must be in resalable condition. Credit will be allowed at billed price less handling charges. Clerical errors subject to correction."

DATE ENTERED 30 JAN 20	YOUR ORDER NO.	DATE SHIPPED 30 JAN 20	INVOICE DATE	INVOICE NUMBER Q186244
----------------------------------	----------------	----------------------------------	--------------	----------------------------------

ACCOUNT NO. 900263

PAGE 1 OF 1

S
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CITY OF BRAINERD
 ANDY STONE
 501 LAUREL
 BRAINERD, MN 56401
 (218)828-6172

S
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P

T
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SALES SLIP MUST ACCOMPANY ALL RETURNED PARTS

SHIP VIA	SLSM. 241	B/L NO. (218)828-6172	TERMS	F.O.B. POINT ST.CLOUD, MN
----------	---------------------	---------------------------------	-------	-------------------------------------

ORD	SHIP	B.O	PART NO.	DESCRIPTION	LIST	NET	AMOUNT
1	1	0	GOS10225450	SKIRT, 120"L X 22"	363.39	363.39	363.39
1	1	0	GOS10221736	PANEL, TRANSITION,	1256.80	1256.80	1,256.80
2	2	0	GOS10220197	TRIM, EXTERIOR, 16"	19.80	19.80	39.60
32	32	0	GOS1021740	INSERT, 1"L, WHITE	1.25	1.25	40.00
1	1	0	GOS10217983	BOARD, STEP	281.02	281.02	281.02
1	1	0	GOS10225562	TUBE, 144"L X 1"H	165.00	16.50	16.50
1	1	0	GMYZ537-950	DOOR, DRIVER, 3500,	993.30	922.35	922.35
1	1	0	GM1240312PP	FENDER, FT, LH, 03-1	268.55	268.55	268.55
1	1	0	GM1320396	MIRROR, LH, PWR, TXT	204.54	204.54	204.54
1	1	0	GM1246117	FEND, APRN, LH, 03-1	80.89	80.89	80.89
1	1	0	GM1250131	FEND, SPLASH, SHLD,	50.92	50.92	50.92
1	1	0	SHOP	SHOP SUPPLIES	75.00	75.00	75.00
1	1	0	SHOP	PAINT AND SUPPLIE	500.00	500.00	500.00
55	55	0	LABOR	REPAIR	95.00	95.00	5,225.00
				REPAIR FRONT RIGHT FRONT SIDE DAMAGE TO BUS			
				FENDER, DOOR, STEP, CORNER PANEL, SIDE PANEL			
				ROCKER PANEL AND OTHER RELATED PARTS			
				VIN 1GB6G5BL2B1189181			
				**** INVOICE QUOTE - DO NOT PAY ****			

A 25% NON-REFUNDABLE DOWN PMT IS
 REQUIRED FOR ALL SPECIAL ORDER ITEMS!

** THANK YOU FOR YOUR BUSINESS **

CUSTOMER'S SIGNATURE

X

PARTS	9,324.56
SUBLET	
FREIGHT	0.00
SALES TAX	0.00
TOTAL	\$9,324.56

Thank you, we appreciate your business.

Security Agreement

By accepting this invoice, the Customer grants to North Central Bus & Equipment Inc, (the "Company") a security interest (the "Security Interest") in Customer's Inventory, (the "Inventory") and all accounts receivable and all other proceeds resulting from the sale of the Inventory (the "Inventory Proceeds"), to secure the payment of all obligations of Customer to the Company for goods sold on account and under any loans, advances, credit and other financial accommodations extended by the Company to Customer, including, without limitation, costs and expenses, including attorney's fees, incurred by Seller in enforcing its rights under this invoice.

Payment Terms

Customer shall receive an invoice from the Company at the time of delivery and/or pick up of the purchased goods. Payment terms and conditions for goods delivered and/or picked up will ordinarily be set out on the invoice. However, to the extent not inconsistent with the terms on any invoice; the following payment terms shall apply:

Payment for goods supplied by the Company to the Customer will be made in cash or certified funds on the date of receipt of the goods by the Customer (the "Payment Date").

Any portion of the purchase price not paid by cash or certified funds on or before the Payment Date shall accrue interest at a rate of eighteen percent (18%) per annum or the highest amount allowed by applicable law, whichever is less (the "Finance Charge"). The Finance Charge shall continue to accrue and be due and owing by Customer to Company until such time as the principal balance, together with all then accrued Finance Charges, have been paid in full.

If any payment is not made when due, Customer agrees to pay Company's costs of enforcement and/or collection, including attorney's fees, court costs and other expenses.

Warranties

Any and all Manufacturer's warranties in regards to the goods sold by Company shall be transferred and be applicable to Customer. COMPANY DISCLAIMS ALL OTHER WARRANTIES OF ANY KIND, EXPRESS OR IMPLIED, ORAL OR WRITTEN, INCLUDING BUT NOT LIMITED TO THE IMPLIED WARRANTY OF MERCHANTABILITY AND THE IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE. IN NO EVENT SHALL COMPANY BE LIABLE FOR SPECIAL, INDIRECT, INCIDENTAL OR CONSEQUENTIAL DAMAGES. North Central Bus & Equipment Inc does not guarantee color match on painted parts.

Special Orders

All credit customers must submit a written purchase order to North Central Bus & Equipment Inc offices. All COD customers are required to pay a 25% NON-REFUNDABLE deposit. Special Orders after the vendor has shipped are not cancelable, all freight charges apply. Special Order charges imposed by the manufacturer will be added. Special Order and painted parts are non-returnable.

Returned Goods

No merchandise may be returned without prior written approval. You must call for a Returned Goods Authorization (RGA) for all merchandise you wish returned. This policy also applies to warrantable parts. There will be a 15% restocking fee applied to all returns completed within 90 calendar days of the original purchase. After 90 calendar days a 25% restocking fee will be applied to all returns. All returns must be accompanied by a copy of the original invoice. Goods shipped back via Common Carrier must be freight prepaid or they will be refused, unless otherwise agreed upon by North Central Bus & Equipment Inc. ALL RETURNS MUST BE IN RESALABLE CONDITION. No returns on electrical parts.

Shipping Damage

All shipments leave in good condition. Please verify product, quantity and condition before signing for shipment. Lost or damaged shipments should be reported to the carrier by the customer. Please report mis-shipments to North Central Bus & Equipment, Inc immediately.

All Prices, Terms & Policies are Subject to Change without Notice

Possession of this price guide does not constitute an offer to sell. Local, State and Federal laws take precedence over the published terms and policies. We reserve the right to correct pricing errors. North Central Bus & Equipment, Inc is not responsible for typographical errors.



REPORT SUMMARY



CLAIM INFORMATION

Owner	City Of Brainerd Brainerd, MN 56401
Loss Unit	Class 4 2011 Chevrolet G4500 4X2 CUTAWAY 8 6.6I-Td
Loss Unit Type	TRUCKS
Loss Incident Date	01/27/2020
Claim Reported	02/11/2020



INSURANCE INFORMATION

Report Reference Number	96489274
Claim Reference	IHX6093002
Adjuster	Swann, Rich
Odometer	258,164
Last Updated	02/11/2020 03:41 PM



VALUATION SUMMARY

Base Value	\$ 13,676.00
Adjusted Value	\$ 13,676.00
Total	\$ 13,676.00

The total may not represent the total of the settlement as other factors (e.g. license and fees) may need to be taken into account.

The CCC ONE® Market Valuation Report reflects CCC Information Services Inc.'s opinion as to the value of the loss unit, based on information provided to CCC by TRAVELERS.

BASE VALUE

This is derived from comparable unit(s) available or recently available in the marketplace at the time of valuation, per our valuation methodology described on the next page.

Inside the Report

Valuation Methodology.....	2
Loss Unit Information.....	3
Comparable Units.....	5
Valuation Notes.....	8
Supplemental Information.....	9

VALUATION METHODOLOGY

How was the valuation determined?



CLAIM INSPECTION

TRAVELERS has provided CCC with the zip code where the loss unit is garaged, loss unit VIN, mileage/hours, options and additional equipment, as well as loss unit condition, which is used to assist in determining the value of the loss unit.



DATABASE REVIEW

CCC maintains an extensive database of units that currently are or recently were available for sale in the U.S. This database includes units advertised for sale by dealerships or private parties. All of these sources are updated regularly.



SEARCH FOR COMPARABLES

When a valuation is created the database is searched and comparable units are selected. On current year units, new units for sale at the time of the valuation may have been used. The zip code where the loss unit is garaged determines the starting point for the search. Comparable units are similar to the loss unit based on relevant factors. If a sufficient number of comparable units cannot be located, CCC may also obtain dealer quotations for a unit with attributes as reported by the insurer.



CALCULATE VALUATION

Adjustments to the price of the selected comparable units are made to reflect differences in attributes, including mileage/hours, options, additional equipment, refurbishments, after factory equipment, and condition. Dollar adjustments are based upon market research. Finally, the Base Value is the straight average of the adjusted values of the comparable units. Due to the unique nature of the loss units valued in the Commercial and Recreational Vehicle division, a valuation specialist handles each request individually.

 LOSS UNIT INFORMATION**CHASSIS DETAILS**

Location	Brainerd , MN 56401
VIN	1GB6G5BL2B1189181
Year	2011
Make	Chevrolet
Model	G4500 4X2 CUTAWAY
Drivetrain	X2
Trans Model #/Speed	AT
Truck Valuation Type	W
Engine -	
Description	8
Displacement	6.6L-TD
# of Axles (Excluding Tag & Push)	2
# of Drive Axles	1
Front Axle Rating (lbs.)	5000
Rear Axle Rating (lbs.)	10000
Front Wheel Type	Steel
Outside Rear Wheel Type	Steel
Inside Rear Wheel Type	Steel
Front % of Wear Remaining	80
Rear % Wear remaining	80
Fuel Tank Type	Steel
# of Tanks/Size (Gal.)	1/35

BODY DETAILS

Body Type	SHUTTLE BUS
Year	2011
Make	GOSHEN
Model	UNK
Length(feet)	Unknown

LOSS UNIT CONDITION

	Condition
Truck Rating	Average
Body Rating	Average

Vehicles sold in the United States are required to have a manufacturer assigned Vehicle Identification Number(VIN). This number provides certain specifications of the vehicles .

Please review the information in the Loss Unit Information Section to confirm the reported mileage and condition, and to verify that the information accurately reflects the options, additional equipment, refurbishments or other aspects of the loss unit that may impact the value.

TRAVELERS uses condition inspection guidelines to determine the condition of the loss unit prior to the loss. The guidelines describe physical characteristics for the loss unit, for the condition selected based upon age. Inspection Notes reflect observations from the appraiser regarding the loss unit's condition.

LOSS UNIT EQUIPMENT

SR - Suspension	SPRING SUSPENSION	✓
5W - 5th Wheel/Brakes	4-WHEEL DISC BRAKES	✓
	ANTI-LOCK BRAKES (4)	✓
PQ - Power	POWER STEERING	✓
	POWER BRAKES	✓
CR - Radio	AM RADIO	✓
	FM RADIO	✓
	STEREO	✓
	CD PLAYER	✓
OU - Other	RUNNING BOARDS/SIDE STEPS	✓
DX - Decor/Convenience	AIR CONDITIONING	✓
	REAR DEFOGGER	✓
	CRUISE CONTROL	✓
	INTERMITTENT WIPERS	✓
	MESSAGE CENTER	✓
	TINTED GLASS	✓
SJ - Safety	AIR BAG (DRIVER ONLY)	✓
	PASSENGER AIR BAG	✓
SH - Seating	BUCKET SEATS	✓

To the left is the equipment of the loss unit that TRAVELERS provided to CCC.

ADDITIONAL EQUIPMENT

16 Passenger	✓
Wheelchair Lift	✓
Rebuilt Transmission (12,813 Miles)	✓
Maintenance (07/2019)	✓

COMPARABLE UNITS

CHASSIS

Loss Unit Comp 1 Comp 2

	2011 Chevrolet G4500 4X2 CUTAWAY	2011 Chevrolet G4500 4X2 CUTAWAY	2012 Chevrolet G4500 4X2 CUTAWAY
--	---	--	--

Odometer 258,164 147,255 161,190

Configuration

Outside Rear Wheel Type	Steel	Steel	Steel
Model Description	8	8	8
Front Wheel Type	Steel	Steel	
Body Model	UNK	UNK	UNK
Truck Valuation Type	W	W	
# of Axles (Excluding Tag & Push)	2	2	2
Front % of wear remaining	80	50	
		Steel	Steel

Options

TG - Tinted Glass	✓	✓	✓
RG - Passenger Air Bag	✓	✓	✓
BS - Bucket Seats	✓		
RD - Rear Defogger	✓	✓	✓
S1 - Spring Suspension	✓	✓	✓
	✗	✗	✓
	✗	✗	✓

Comp 1 Updated Date: 02/11/2020
2011 Chevrolet G4500 4X2 CUTAWAY
VIN 1GB6G5BL7B1136640
Dealership BURCHFIELD TRUCK SAL
Location Erie, PA
Telephone (814) 240-6025
Source Dealer Ad
Stock # PA36640

Comp 2 Updated Date: 02/11/2020
2012 Chevrolet G4500 4X2 CUTAWAY
VIN 1GB6G5BL3C1183536
Dealership PIEDMONT TRUCK CENTE
Location Yanceyville, NC
Telephone (336) 933-7079
Source Dealer Ad
Stock # 3360A

Comparables used in the determination of the Base Value are not intended to be replacement units but are reflective of the market value, and may no longer be available for sale.

Price is the amount that the dealership will accept to sell the unit, though a lower price may be obtainable through negotiation.

COMPARABLE UNITS

CHASSIS	Loss Unit	Comp 1	Comp 2
AB - Anti-Lock Brakes (4)	✓	✓	✓
ST - Stereo	✓	✓	✓
AG - Drivers Side Air Bag	✓	✓	✓
CC - Cruise Control	✓	✓	✓
BD - Running Boards/Side Steps	✓	✓	✓
PS - Power Steering	✓	✓	✓
CD - CD Player	✓	✓	✗
FM - FM Radio	✓	✓	✓
MC - Message Center	✓	✓	✓
TW - Tilt Wheel	✗	✗	✓
AM - AM Radio	✓	✓	✓
PB - Power Brakes	✓	✓	✓

Additional Equipment

Maintenance (07/2019)	✓	✗	✗
16 Passenger	✓	✗	✗
Wheelchair Lift	✓	✓	✓
18 Passenger	✗	✓	✗
Rebuilt Transmission (12,813 Miles)	✓	✗	✗
14 Passenger	✗	✗	✓

Body

Body Type	SHUTTLE BUS	SHUTTLE BUS	SHUTTLE BUS
-----------	-------------	-------------	-------------

Body Condition

Average	Average	Average
---------	---------	---------

Truck Condition

Average	Average	Average
---------	---------	---------

Adjustments:

Make/Model/Trim	- \$ 2,050
-----------------	------------

Configuration

Front % of wear remaining	\$ 120	\$ 120
Rear % of wear remaining	\$ 240	\$ 240
Rear Axle Rating(lbs.)	\$ 124	\$ 0

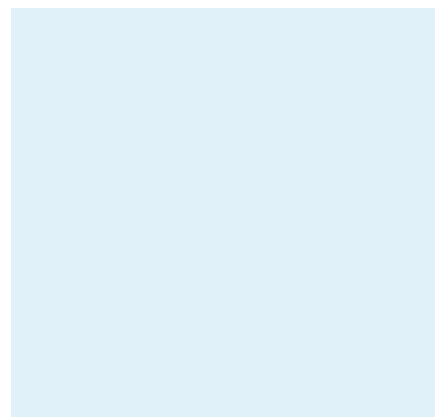
Additional Equipment

Maintenance (07/2019)	\$ 123	\$ 123
18 Passenger	- \$ 150	
Rebuilt Transmission (12,813 Miles)	\$ 2,192	\$ 2,192
14 Passenger		\$ 150

COMPARABLE UNITS

Options

PL - Power Locks		- \$ 99
PW - Power Windows		- \$ 124
CD - CD Player	\$ 0	\$ 75
TW - Tilt Wheel		- \$ 116
Odometer	- \$ 5,134	- \$ 3,874
Body Condition	\$ 0	\$ 0
Truck Condition	\$ 0	\$ 0
Adjusted Comparable Value	\$12,015	\$15,337



VALUATION NOTES

02/11/2020 15:17 - STANDARD EQUIPMENT: AB, AC, AG, AT, BS, DB, IW, MC, OD, PB, PS, RD, RG, SV, SY, TG

02/11/2020 15:16 - Loss Vehicle Average Mileage: 182,778

This Market Valuation Report has been prepared exclusively for use by TRAVELERS, and no other person or entity is entitled to or should rely upon this Market Valuation Report and/or any of its contents. CCC is one source of valuations, and there are other valuation sources available.

SUPPLEMENTAL INFORMATION



LOSS UNIT HISTORY INFORMATION

VINGuard®

VINGuard® Message: VINGuard has decoded this VIN without any errors

SUPPLEMENTAL INFORMATION



EXPERIAN® AUTOCHECK® VEHICLE HISTORY REPORT

TITLE CHECK		RESULTS FOUND
Abandoned	✓	No Abandoned Record Found
Damaged	✓	No Damaged Record Found
Fire Damage	✓	No Fire Damage Record Found
Grey Market	✓	No Grey Market Record Found
Hail Damage	✓	No Hail Damage Record Found
Insurance Loss	✓	No Insurance Loss Record Found
Junk	✓	No Junk Record Found
Rebuilt	✓	No Rebuilt Record Found
Salvage	✓	No Salvage Record Found
EVENT CHECK		RESULTS FOUND
NHTSA Crash Test Vehicle	✓	No NHTSA Crash Test Vehicle Record Found
Frame Damage	✓	No Frame Damage Record Found
Major Damage Incident	✓	No Major Damage Incident Record Found
Manufacturer Buyback/Lemon	✓	No Manufacturer Buyback/Lemon Record Found
Odometer Problem	✓	No Odometer Problem Record Found
Recycled	✓	No Recycled Record Found
Branded Title Auction	✓	No Branded Title Auction Record Found
Water Damage	✓	No Water Damage Record Found
VEHICLE INFORMATION		RESULTS FOUND
Accident	📄	Accident Record Found
Corrected Title	✓	No Corrected Title Record Found
Driver Education	✓	No Driver Education Record Found
Duplicate Title	✓	No Duplicate Title Record Found
Emissions Safety Inspection	✓	No Emissions Safety Inspection Record Found
Fire Damage Incident	✓	No Fire Damage Incident Record Found
Lease	✓	No Lease Record Found
Lien	✓	No Lien Record Found
Livery Use	✓	No Livery Use Record Found
Government Use	✓	No Government Use Record Found
Police Use	✓	No Police Use Record Found
Fleet	✓	No Fleet Record Found
Rental	✓	No Rental Record Found
Fleet and/or Lease	✓	No Fleet and/or Lease Record Found
Fleet and/or Rental	✓	No Fleet and/or Rental Record Found
Repossessed	✓	No Repossessed Record Found
Taxi use	✓	No Taxi use Record Found
Theft	✓	No Theft Record Found

CCC provides TRAVELERS information reported by Experian® regarding the 2011 Chevrolet G4500 4X2 CUTAWAY 8 6.6I-Td (1GB6G5BL2B1189181). This data is provided for informational purposes. Unless otherwise noted in this Market Valuation Report, CCC does not adjust the value of the loss unit based upon this information.

LEGEND :

- ✓ No Event Found
- 🛑 Event Found
- 📄 Information Needed

TITLE CHECK

THIS VEHICLE CHECKS OUT

AutoCheck's result for this loss unit show no significant title events. When found, events often indicate automotive damage or warnings associated with the unit.

EVENT CHECK

THIS VEHICLE CHECKS OUT

AutoCheck's result for this loss unit show no historical events that indicate a significant automotive problem. These problems can indicate past previous car damage, theft, or other significant problems.

VEHICLE INFORMATION

INFORMATION FOUND

AutoCheck found additional information on this loss unit. These records will provide more history for this loss unit

ODOMETER CHECK

THIS VEHICLE CHECKS OUT

AutoCheck's result for this loss unit show no indication of odometer rollback or tampering was found. AutoCheck determines odometer rollbacks by searching for records that indicate odometer readings less than a previously reported value. Other odometer events can report events of tampering, or possible odometer breakage.

SUPPLEMENTAL INFORMATION



FULL HISTORY REPORT RUN DATE: 02/11/2020

Below are the historical events for this vehicle listed in chronological order.

EVENT DATE	EVENT LOCATION	ODOMETER READING	DATA SOURCE	EVENT DETAIL
11/02/2011	BRAINERD, MN	727	Motor Vehicle Dept.	TITLE
02/17/2012	BRAINERD, MN		Motor Vehicle Dept.	REGISTRATION EVENT/ RENEWAL
04/30/2012	BRAINERD, MN		Motor Vehicle Dept.	TITLE
05/02/2012	BRAINERD, MN		Motor Vehicle Dept.	REGISTRATION EVENT/ RENEWAL
05/09/2012	BRAINERD, MN		Motor Vehicle Dept.	TITLE
05/21/2012	BRAINERD, MN		Motor Vehicle Dept.	REGISTRATION EVENT/ RENEWAL
08/26/2013	MN		State Agency	REAR IMPACT WITH ANOTHER VEHICLE
01/22/2014	BRAINERD, MN		Motor Vehicle Dept.	REGISTRATION EVENT/ RENEWAL
01/06/2016	BRAINERD, MN		Motor Vehicle Dept.	REGISTRATION EVENT/ RENEWAL
01/13/2020	BRAINERD, MN		Motor Vehicle Dept.	REGISTRATION EVENT/ RENEWAL
01/20/2020	BRAINERD, MN		State Agency	FRONT IMPACT WITH ANOTHER VEHICLE
01/27/2020	BAXTER, MN		State Agency	LEFT FRONT IMPACT WITH ANOTHER VEHICLE
01/27/2020	MN		State Agency	VEHICLE WAS TOWED

AUTOCHECK TERMS AND CONDITIONS:

Experian's Reports are compiled from multiple sources. It is not always possible for Experian to obtain complete discrepancy information on all vehicles; therefore, there may be other title brands, odometer readings or discrepancies that apply to a vehicle that are not reflected on that vehicle's Report. Experian searches data from additional sources where possible, but all discrepancies may not be reflected on the Report.

These Reports are based on information supplied to Experian by external sources believed to be reliable, BUT NO RESPONSIBILITY IS ASSUMED BY EXPERIAN OR ITS AGENTS FOR ERRORS, INACCURACIES OR OMISSIONS. THE REPORTS ARE PROVIDED STRICTLY ON AN "AS IS WHERE IS" BASIS, AND EXPERIAN FURTHER EXPRESSLY DISCLAIMS ALL WARRANTIES, EXPRESS OR IMPLIED, INCLUDING ANY IMPLIED WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE REGARDING THIS REPORT.

YOU AGREE TO INDEMNIFY EXPERIAN FOR ANY CLAIMS OR LOSSES, INCLUDING COSTS, EXPENSES AND ATTORNEYS FEES, INCURRED BY EXPERIAN ARISING DIRECTLY OR INDIRECTLY FROM YOUR IMPROPER OR UNAUTHORIZED USE OF AUTOCHECK VEHICLE HISTORY REPORTS.

SUPPLEMENTAL INFORMATION

Experian shall not be liable for any delay or failure to provide an accurate report if and to the extent which such delay or failure is caused by events beyond the reasonable control of Experian, including, without limitation, "acts of God", terrorism, or public enemies, labor disputes, equipment malfunctions, material or component shortages, supplier failures, embargoes, rationing, acts of local, state or national governments, or public agencies, utility or communication failures or delays, fire, earthquakes, flood, epidemics, riots and strikes.

These terms and the relationship between you and Experian shall be governed by the laws of the State of Illinois (USA) without regard to its conflict of law provisions. You and Experian agree to submit to the personal and exclusive jurisdiction of the courts located within the county of Cook, Illinois.

5311, 5316, 5317

FY 2011 VEHICLE ORDER FORM MN/DOT COOPERATIVE PROCUREMENT FOR SMALL, MID-SIZED & MEDIUM DUTY ACCESSIBLE BUSES

MN/DOT Contract Number: _____ (Completed by recipient or TPM)
Contract Amount: \$ _____ (Completed by recipient or TPM)

Legal Name:	<u>City of Brainerd</u>	Phone Number:	<u>218-828-6172</u>
Address:	<u>501 Laurel St.</u>	Fax Number:	<u>218-828-6172</u>
City, State, Zip:	<u>Brainerd, MN. 56401</u>	Email Address:	<u>tjay@ci.brainerd.mn.us</u>
Contact Name:	<u>Tom Jay</u>		
Vendor Name:	<u>North Central</u>	Bus GVRW:	<u>14,500</u>
Vendor Contact:	<u>Tony</u>	Chassis Manufacturer:	<u>Chevrolet</u>
Bus Manufacturer:	<u>Goshan</u>	Chassis Wheelbase:	<u>177"</u>
Model:	<u>GCII</u>	Vehicle Length:	<u>25'</u>

Vehicle Spec. # 10. 15 16 # of Passenger seats (drivers seat not included)
2 # of WC Position(s)

Lift Manufacturer: Braun Millenium Position: Front X Rear _____

Wheelchair Securements Manufacturer & Model: Q Straint Slide and Click

Floor Plan Attached: Yes X No _____

Inspection Site/Location: _____

<u>BASE PRICE (includes freight - manufacturer to vendor & all rebates)</u>	\$ <u>49709.00</u>
<u>TOTAL OPTIONS (from page 2)</u>	\$ <u>21044.00</u>
<u>TOTAL OPTIONS (from page 3)</u>	\$ <u>0.00</u>
<u>DELIVERY CHARGE (vendor to recipient)</u>	\$ <u>125.00</u>
<u>LICENSE & TRANSFER FEES</u>	\$ <u>115.00</u>
<u>EXTENDED WARRANTIES</u>	\$ <u>0.00</u>
<u>EXCISE TAX (if applicable)</u>	\$ <u>0.00</u>
VEHICLE TOTAL	\$ <u>70,993.00</u>

Contract Amount	\$ <u>72,000.00</u>	MnDot Share	\$ <u>56,794.40</u>
		Recipient Share	\$ <u>14,198.60</u>

Recipient Signature: _____ Date: _____

Vendor Signature: _____ Date: _____

Mn/DOT APPROVAL

Project Manager Signature: _____ Date: _____

Procurement Coordinator Signature: _____ Date: _____



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

NOTICE OF ANNUAL STORMWATER PUBLIC MEETING

NOTICE is hereby given that the City Council of the City of Brainerd will hold the Annual Stormwater Public Meeting in the Council Chambers of the City Hall, 501 Laurel Street, Brainerd, Minnesota 56401 at 7:30 p.m. on Monday, April 6, 2020. Any person wishing to express an opinion on the matters to be considered will be heard orally or in writing.

Dated this 18th day of February 2020

JENNIFER BERGMAN
City Administrator
City of Brainerd, Minnesota

Publish Brainerd Dispatch February 28, 2020 (once)



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

RESOLUTION NO. _____

**RESOLUTION APPROVING THE CROW WING COUNTY JOINT POWERS AGREEMENT
FOR INTER-CITY EMERGENCY MUTUAL AID
WITH THE CITY OF BRAINERD ON BEHALF OF ITS POLICE DEPARTMENT**

WHEREAS, the City of Brainerd on behalf of its Police Department desires to enter into a Joint Powers Agreement with the political subdivisions of Crow Wing to make equipment, personnel, and other resources available to political subdivisions from other political subdivisions.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brainerd, Minnesota as follows:

1. That the Crow Wing County Joint Powers Agreement for Inter-City Emergency Mutual Aid Agreement by and between the City of Brainerd acting through its Police Department, is hereby approved. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.
2. That the Police Chief, Corky McQuiston and Mayor Edwin Menk or their successor(s), are designated the Authorized Representatives for the Police Department. The Authorized Representatives are also authorized to sign any subsequent amendment or agreement that may be required to maintain the City's involvement in this mutual aid agreement.
3. That Edwin L. Menk, the Mayor for the City of Brainerd, and Corky T. McQuiston, the Chief of Police, are authorized to sign the Crow Wing County Joint Powers Agreement for Inter-City Emergency Mutual Aid.

Adopted this ____ day of _____, 2020

GABE JOHNSON
President of the Council

Approved this ____ day of _____, 2020

ATTEST: _____
JENNIFER H. BERGMAN
City Administrator

Crow Wing County Joint Powers Agreement for Inter-City Emergency Mutual Aid

Purpose

This agreement is made pursuant to Minnesota Statutes 471.59 which authorizes the joint and cooperative exercise of powers common to contracting parties. The intent of this agreement is to make equipment, personnel and other resources available to political subdivisions from other political subdivisions.

Definitions

Party – means a political subdivision

Requesting Official – means the person designated by a Party who is responsible for requesting assistance from the other Party.

Requesting Party – means the party that requests assistance from other parties.

Responding Official – means the person designated by the Party who is responsible to determine whether and to what extent that Party should provide assistance to the Requesting Party.

Responding Party – means a Party that provides assistance to the Requesting Party.

Assistance Type – Law enforcement personnel and equipment.

1. Procedure

1.1 Request for assistance: Immediate Response / Short Term

1.1.1 **Request for Assistance.** Whenever, in the opinion of a Requesting Party there is an immediate need for assistance from another Party, the Requesting Party may call upon the Responding Party for assistance.

1.1.2 **Responding to Request.** Upon the request for assistance from a Requesting Party, the Responding Party may authorize and direct personnel to aid the Requesting Party. This decision will be made after considering the needs of the Responding Party and the availability of other law enforcement personnel and equipment to the Responding Party.

1.1.3 **Method.** Whenever practical the Requesting Party shall request immediate assistance through the 911 Emergency Communications Operations Center and the Responding Party shall indicate its intended response using the same method.

1.1.4 **Command of Scene.** Except as provided in Section 1.1.4.1, the Requesting Party shall be in command of the mutual aid scene. The personnel and equipment of the Responding Party shall be under the direction and control of the Requesting Party until the Responding Official determines to withdraw assistance.

1.1.4.1 **Specialized Forces.** When a Requesting Party requests the assistance of specialized forces from a Responding Party, such as a Tactical Command, Canine Units, Bomb Squads, Rescue Squad, etc. the personnel and equipment of the Responding Party shall be under the direction of the Responding Party.

1.1.5 **Recall of Assistance.** The Responding Official may at any time recall assistance provided hereunder to the Requesting Party when in his/her best judgement, or by an order from the governing body of the Responding Party, it is considered to be in the best interest of the Responding Party to recall or withdraw the assistance provided by it.

1.1.6 **Release of Assistance.** The Requesting Party may at any time advise the Responding Party that the assistance of the Responding Party is no longer needed. In such event, the Responding Party shall withdraw its assistance at the earliest possible time that it is safe for its personnel and equipment to withdraw.

1.2 Request for Assistance: Long Term

1.2.1 **Request for Assistance.** Whenever, in the opinion of a Requesting Party, there is need for assistance from the other party that will reasonably be expected to continue beyond eight (8) hours, the Requesting Official may call upon the Responding Official of any other party to furnish assistance.

1.2.2 **Responding to Request.** Upon the request for assistance from a Requesting Official on behalf of the Requesting Party, the Responding Official may authorize and direct his/her Party's personnel to aid the Requesting Party. This decision will be made after considering the needs of the Responding Party and the availability of other law enforcement personnel and equipment to the Responding Party.

1.2.3 **Method.** A request for Long Term Assistance shall be made to the Responding Official and the Responding Official shall indicate the intended response of the Responding Party of the Requesting Official.

1.2.4 **Recall of Assistance.** The Responding Official may at any time recall such assistance when in her/his best judgment, or by any order from the governing body of the Responding Party, it is considered to be in the best interest of the Responding Party to recall or withdraw the assistance provided by it.

1.2.5 **Command of Scene.** The Requesting Party shall be in command of the mutual aid scene. The personnel and equipment of the Responding Party shall be under the direction and control of the Requesting Party until the Responding Official determine to withdraw assistance.

1.2.5.1 **Specialized Forces.** When a Requesting Party requests the assistance of specialized forces from a Responding Party, such as a Tactical Command, Canine Units, Bomb Squads, Rescue Squad, etc. the personnel and equipment of the Responding Party shall be under the direction of the Responding Party.

1.2.6 **Release of Assistance.** The Requesting Party may at any time advise the Responding Party that the assistance of the Responding Party is no longer needed. In such event, the Responding Party shall withdraw its assistance at the earliest possible time that it is safe for its personnel and equipment to withdraw.

2. **Worker's Compensation**

Each party shall be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are aiding pursuant to this Agreement. Each party waives the right to sue any other party for any workers' compensation benefits paid to its own employee, volunteer or their dependents, even if the injuries were caused wholly or partially by the negligence of any other party or its officers, employees or volunteers.

3. **Damage to Equipment**

Each party shall be responsible for damages to or loss of its own equipment. Each party waives the right to sue any other party for any damage to or loss of its equipment, even if the damages or losses were caused wholly or partially by the negligence of any other party or its officers, employees or volunteers.

4. **Liability**

4.1 **Requesting Party Liable.** For purposes of the Minnesota Municipal Tort Liability Act (Minn. Stat. Ch. 466), the employees and officers of the Responding Party are deemed to be employees (as defined in Minn. Stat. 466.01, subdivision 6) of the Requesting Party. This is specifically agreed and intended to be applicable to situations covered by Section 1.1.4.1 and/or 1.2.5.1 of this Agreement.

- 4.2 **Indemnification and Defense.** The Requesting Party agrees to defend and indemnify the Responding Party against any claims brought or actions filed against the Responding Party or any officer, employee, or volunteer of the Responding Party for injury to, death of, or damage to the property of any third person or persons, arising from the performance and provisions of assistance in responding to a request for assistance by the Requesting Party pursuant to this Agreement.

4.2.1 Under no circumstances, however, shall a party be required to pay on behalf of itself and other parties, any amounts, which exceed the limits, on liability established in Minnesota Statutes Chapter 466 applicable to any one party. The limits of liability for some or all the parties may not be added together to determine the maximum amount of liability for any party.

The intent of this subdivision is to impose on each Requesting Party a limited duty to defend and indemnify a Responding Party for claims arising within the Requesting Party's jurisdiction subject to the limits of liability under Minnesota Statute Chapter 466. The purpose of creating this duty to defend and indemnify is to simplify the defense of claims against multiple defendants from a single occurrence to be defended by a single attorney or a single law firm.

- 4.3 **No Liability.** No party to this Agreement nor any officer, employee, agent or official of any Party shall be liable to any other Party or to any other person for failure of any Party to furnish assistance to any other Party, or for recalling assistance, both as described in this Agreement.

5. Charges to the Requesting Party

- 5.1 No charges will be levied by a Responding Party to this Agreement for assistance rendered to the Requesting Party under the terms of this Agreement pursuant to Section 1.1 hereof except as provided in Section 4 hereof. If assistance is provided under this Agreement pursuant to Section 1.2 hereof, the Responding Party may submit to the Requesting Party an itemized bill for the actual cost of any assistance provided pursuant to Section 1.2 herein, including salaries, overtime, materials and supplies and other necessary expenses and the Requesting Party will pay the Responding Party providing the assistance that amount.
- 5.2 Such charges are not contingent upon the availability of federal or state government funds.

6. Duration

This Agreement will be in force until terminated by any Party hereto. Any Party may withdraw from this Agreement and terminate this Agreement with respect to it upon thirty-days (30) written notice to the other party or parties to the Agreement. This agreement supersedes any previous agreement.

7. Execution

Each Party hereto has read, agreed and executed this Mutual Aid Agreement on this date indicated.

8. Miscellaneous

This Agreement will be governed by the laws of the State of Minnesota.

This Agreement shall be construed as complementary to and not inconsistent with the provisions of Minn Stat Section 12.331, which authorizes inter-agency disaster assistance.

Crow Wing County Board Chair Rosemary Franzen

Crow Wing County Administrator Timothy J. Houle

Crow Wing County Sheriff Scott Goddard

Crow Wing County Attorney Donald F. Ryan

City of Baxter

City of Brainerd

City of Breezy Point

City of Crosby

City of Crosslake

City of Cuyuna

City of Deerwood

City of Emily

City of Nisswa

City of Pequot Lakes

MEMO



TO: Mayor and City Council

FROM: City Administrator, Jennifer Bergman

DATE: February 18, 2020

RE: City Administrator Report/Update

Upcoming Trainings/Events

The League of Minnesota Cities (LMC) will be holding a couple of trainings in February and March. The City Council has \$3,000 in their professional development budget. If you are interested in attending either, please let us know and we can get you registered.

2020 Elected Leaders Institute: Advanced Program

The League of Minnesota Cities (LMC) will be holding a Elected Leaders Institute training for experience municipal officials (see attached).

LMC Legislative Conference

The League of Minnesota Cities is holding their annual legislative conference on March 18 and 19 (see attached).

EDA Board Meeting

The EDA Board met on February 13th and elected new officers: President, Jerry Sinner; Vice President, Yvette Campbell; Secretary/Treasurer, Wayne Erickson. The EDA adopted a resolution approving the Agreement for Professional Services between the EDA and BLAEDC. In addition, they discussed the recommendation from the City Council to hold a joint EDA/City Council meeting. The EDA concurred and we will be scheduling that joint meeting in April.

Junior Achievement

I had the opportunity to participate in the Junior Achievement Career Speaker series at Forestview Middle School. I talked to 45-50 8th graders about my career in public administration and had them participate in an interactive activity on spending tax dollars.

Destination Downtown Business Coalition

The Entrepreneur Fund will be providing the Be Strategic series to 8 downtown businesses starting on February 18th. The purpose of this is to assist business owners in developing strategic plans, marketing strategies and develop solutions to propel their business forward.

Sale of Memorial Park Parking Lot

City Attorney Joe Langel and Mr. Higgins attorney are working through the purchase agreement for the Memorial Park parking lot. We hope to have this on a city council agenda soon.

2020 Elected Leaders Institute: Advanced Program

REGISTER for the Baxter location (Feb. 28-29)! ([Link to: https://mylmc.lmc.org/ebusiness/ProductCatalog/Product.aspx?ID=3191](https://mylmc.lmc.org/ebusiness/ProductCatalog/Product.aspx?ID=3191))
(Please note --- this event was formerly entitled the Experienced Officials Leadership Conference.)

Looking to start the new year on a positive note? This two-day program — developed specifically for experienced municipal officials — gives you that chance by helping to develop your leadership skills and giving you useful tools to bring back to your city!

When you attend this program, you will:

Find creative solutions for working with difficult constituents.

Learn how transparency and public trust are built through ethical leadership skills.

Get tools for clearly communicating decisions that gain support and lead to action.

Understand a decision-making framework that allows for identifying problems, collecting evidence, creating a solution, and implementing a plan.

Hear about the League's priorities for the 2020 legislative session.

---Baxter Agenda (Feb. 28-29) ([Link to: http://www.lmc.org/page/1/2020AdvancedLearning-Agenda-Baxter.jsp](http://www.lmc.org/page/1/2020AdvancedLearning-Agenda-Baxter.jsp))

---Hotel Information ([Link to: http://www.lmc.org/page/1/2020AdvancedLearning-Hotel.jsp](http://www.lmc.org/page/1/2020AdvancedLearning-Hotel.jsp))

Fee: \$275

Please note: The conference fee does not include lodging.

Date and Location:

Feb. 28-29---Baxter

Arrowwood Lodge at Brainerd Lakes

6967 Lake Forest Road (view map ([Link to: https://goo.gl/maps/crPY2fgU3orytsGL6](https://goo.gl/maps/crPY2fgU3orytsGL6)))

Baxter, MN 56425

Local Phone Number: (218) 822-5634

Your LMC Resource

Contact Amy Harger

Engagement & Learning

Events Manager

(651) 281-1240 or (800) 925-1122

aharger@lmc.org ([Link to: mailto:aharger@lmc.org](mailto:aharger@lmc.org))

Cancellation Policy

All cancellation requests must be in writing, emailed, or faxed 7 days prior to the conference and are subject to a 20% handling fee. All unpaid registrations not cancelled 7 days in advance will be billed at the full conference rate; no refunds will be made. Registrants unable to attend may also send a substitute.

Meet our city vendors!



([Link to: http://www.lmc.org/ads/102406](http://www.lmc.org/ads/102406))

Special Thanks to This Year's Sponsors



2020 Elected Leaders Institute: Advanced Program Agenda - Baxter

FRIDAY

10:30 a.m.

Registration Opens

11 a.m.

Welcome and Overview

Mike Mornson, LMC Board President and City Manager, Hopkins; Adriana Temali-Smith, Education Manager, League of Minnesota Cities

Kick off the program by hearing how to make the most out of your conference experience, and hear about resources and ongoing learning available after you leave.

11:15 a.m.

Critical Issues Roundtables

Luke Fischer, Deputy Director, League of Minnesota Cities

Discuss critical issues facing cities, exploring trends and ideas with other elected leaders.

12 p.m.

Lunch

1 p.m.

Effective Decision-Making and Communicating for Action

John McVea, Associate Professor of Entrepreneurship, University of St. Thomas (Link to: <http://www.lmc.org/page/1/2020ElectedLeaders-SpeakerBios.jsp>)

How do leaders make good decisions? What are the steps to consider when thinking critically about complex issues? Once we make decisions, how do we communicate them clearly?

In this workshop you will explore and practice using two models designed to increase your effectiveness as leaders within your city:

1. Explore how to use a four-step decision-making process to make more effective decisions.
2. Practice how to communicate decisions clearly using pyramid-thinking that generates support and action.

Note: Two breaks of 15 minutes each are scheduled for 2 p.m. & 3:15 p.m. during this session.

4:30 p.m.

Break

4:45 p.m.

Advocacy at the Capitol

Gary Carlson, Director of Intergovernmental Relations, League of Minnesota Cities

Learn about the League's priorities for the 2020 legislative session and how you can make a difference at the Capitol.

5:15 p.m.

Social Time

6 p.m.

Dinner and Remarks from League Leadership

Mike Mornson, LMC Board President and City Manager, Hopkins; Dave Unmacht, Executive Director, League of Minnesota Cities

7 p.m.

Adjourn

SATURDAY

7:30 a.m.

Continental Breakfast

8 a.m.

Your Role as a City Leader

Dave Unmacht, Executive Director, League of Minnesota Cities

What does being an elected official mean in terms of leading your city? What skills do you need? We'll take a look at how you can use collaboration and communication to effectively lead your city into the future.

8:30 a.m.

Building Trust, Creating Solutions

Roger Reinert, Managing Partner, Reinert Law (Link to: <http://www.lmc.org/page/1/2020ElectedLeaders-SpeakerBios.jsp>)

The ground has shifted when it comes to the public's trust in government. Facts are no longer facts, and for many citizens there are no longer any trusted sources of information — including their elected and appointed officials. However, there is good news! Those serving in local government are still considered competent and effective. This session will address tangible actions you can take as elected officials to bolster — and even grow — public trust in your community. By the end of this session, you will have techniques you can use to successfully build trust within your community, as well as creative solutions for engaging multiple parties within your city. Come prepared to learn and share.

Note: A 15-minute break is scheduled for 9:30 a.m. during this session.

10:45 a.m.

Break

11 a.m.

The Power of Purpose

Chad Weinstein, Ethical Leaders in Action (Link to: <http://www.lmc.org/page/1/2020ElectedLeaders-SpeakerBios.jsp>)

A clear sense of purpose is a critical leadership tool, enabling leaders like you to sustain yourself and to engage others in pursuit of common goals. But elected leaders often face real challenges to their sense of purpose. Using real-world stories and examples, this session will show how consciously maintaining a clear sense of purpose can boost your effectiveness and help you build teams.

This interactive presentation will give you practical techniques, such as:

Understanding the dynamic nature of a sense of purpose, and how to maintain it in situations that would otherwise put mission orientation at risk.

Ethical persuasion: an approach drawn from the tradition of servant leadership that helps to change minds while strengthening relationships.

Using fair process principles in civic decisions, which research has shown leads to a level of trust in decision-makers.

12 p.m.

Adjourn

Return to the main conference page. (Link to: <http://www.lmc.org/page/1/2020AdvancedLearning-PlymouthAgenda.jsp>)

Reserve your hotel room. (Link to: <http://www.lmc.org/page/1/2020AdvancedLearning-Hotel.jsp>)

Your LMC Resource

Contact Amy Harger

Engagement & Learning

Events Manager

(651) 281-1240 or (800) 925-1122

2020 Legislative Conference

Join more than 150 city officials as you showcase cities at the Capitol this March!

REGISTER NOW!

(Link to: <https://mylmc.lmc.org/ebusiness/ProductCatalog/Product.aspx?ID=3213>)

Mark your calendars and save the date for the League's 2020 Legislative Conference, March 18-19 in St. Paul! This is your yearly chance to sit down with your city colleagues and discuss what's going on at the Capitol, advocate for city priorities, get updates on legislation impacting cities, explore the new political environment, and meet with your legislators.

Get a head start on the action by coming to St. Paul Wednesday afternoon. You'll have the opportunity to choose from pre-conference sessions on housing or tips on how to advocate at the Capitol. Then, you'll join your city colleagues, state legislators, and League staff for a reception at the Rathskeller Café.

On Thursday, you'll have a packed schedule, including:

News from the governor's office.

Details on legislation from the League's intergovernmental relations staff.

Updates on how city priorities are faring at a federal level.

What to expect during a bonding year, and your part in the process.

A look at Minnesota's political landscape from some of the new faces in the Capitol press pool.

Opportunities to schedule meetings with your legislators and share your city's stories.

Time to network and connect with city officials from across the state.

Your city has a voice! Don't miss your chance to share it.

—AGENDA (Link to: <http://www.lmc.org/page/1/2020LegislativeConference-Agenda.jsp>)

It's never too early to schedule a meeting with your legislators! Start planning your trip to the Capitol by arranging time to meet with your legislators during the reception at the Rathskeller Café on March 18 or during the afternoon on March 19.

Need contact information for your legislators? Visit the Minnesota Senate website (Link to: <https://www.senate.mn/members/index.php?ls=#header>) and the Minnesota House of Representatives website (Link to: <http://www.house.leg.state.mn.us/members/hmem.asp>) to find your legislators.

Tips for getting in touch with your legislators:

Earlier is better! Schedules fill up quickly — make sure you're on the calendar early to help ensure you have a quality meeting with your legislators.

If this is the first time you're meeting with your legislators, try setting up a meeting through their legislative assistant. You can find assistants' phone numbers on the legislators' webpages.

Can't find details for someone's legislative assistant? Try calling your legislator before emailing them — people tend to have more luck when setting up meetings over the phone.

Schedule more time with your legislators! Come down early and meet with your legislators on Wednesday, followed by a reception at the Rathskeller Cafe at the State Capitol.

Sometimes larger groups have more luck scheduling time with legislators. View the conference registration list (pdf), updated weekly, to see who else from your area is coming.

—HOTEL INFORMATION (*Link to: <http://www.lmc.org/page/1/2020LegislativeConference-Hotels.jsp>*)

Fee: \$109

Lodging is not included in the conference fee.

New for 2020! Show your city spirit on the steps of the State Capitol building. Included with registration, you will get a League of Minnesota Cities spirit scarf. During the conference, the League will bring attendees to the Capitol for a special city spirit photo.

Date and location:

March 18-19 — St. Paul

Conference events on Wednesday will be held at the League of Minnesota Cities and the Rathskellar Cafe. On Thursday, all conference events will be held at the Christ on Capitol Hill Lutheran Church.

Transportation and Parking During the Conference

Christ on Capitol Hill is one block from the League building and about four blocks from the Capitol Ridge Hotel. If you're staying at a conference hotel, you can keep your car parked there during the conference. **Not staying overnight?** You can also park at the League — the conference is being held only one block away!

The League will provide a free looping shuttle bus that will go from the conference hotels, Christ on Capitol Hill Church, the Capitol, and the League.

REGISTER NOW!

(*Link to: <https://mylmc.lmc.org/ebusiness/ProductCatalog/Product.aspx?ID=3213>*)

Your LMC Resource

Contact Amy Harger

Events Manager

(651) 281-1240 or (800) 925-1122

aharger@lmc.org (*Link to: <mailto:aharger@lmc.org>*)

Cancellation Policy

If you cannot attend, please consider sending a substitute. All cancellations must be submitted in writing seven days prior to the start of this event and are subject to a 20% cancellation fee. All cancellation requests submitted after this timeframe will be billed at the full conference rate; no refunds will be made.

Learn more!

2020 Legislative Conference — Agenda

Below is the tentative agenda for the 2020 Legislative Conference. More details will be coming soon!

Wednesday, March 18

4-5 p.m.

Pre-Conference Sessions

League of Minnesota Cities

Housing

Hear about emerging housing-related policy issues being discussed during the 2020 session that would impact cities, including additional tools and resources that are being considered to help meet your community's housing needs.

OR

Advocacy 101: How Things Get Done and Your Part in the Process

Have you wondered about the finer points of how policy and budget ideas become state law? Join the League's intergovernmental relations (IGR) team as they take you through this process, as well as explore how League policies are decided each year. Plus, learn about additional resources that can help you navigate the bonding process. This pre-conference session will provide a refresher for both new and experienced officials on how things work at the Capitol.

5:30-7:30 p.m.

Legislative Reception

Rathskeller Café—Basement, State Capitol

Mingle with legislators and network with your city colleagues and League staff at this cash bar reception on the eve of the conference.

Thursday, March 19

All morning sessions will take place at Christ on Capitol Hill Church unless otherwise noted.

7:45 a.m.

Registration Open

Grab your scarf! Head over to the Capitol right after lunch and show your city spirit during a special photo.

8:20 a.m.-12 p.m.

Legislative Conference Program

Times and titles subject to change. Full descriptions and speaker information will be coming in February.

Welcome Remarks from LMC President Mike Mornson

Remarks from the Governor's Office

Governor Tim Walz (invited)

Update on City Legislative Priorities

IGR staff have been meeting with legislators and advocating for key city issues throughout the session so far. Hear about the latest developments, and what we can expect during the rest of the session.

Federal Advocacy Update

Legislative Panel on Bonding

Politics and State Government at the Capitol

Moderator: Don Reeder, Public Affairs Manager, League of Minnesota Cities

A panel of print and broadcast reporters shares experiences and expertise. Learn about what's getting media attention during the 2020 State Legislative session and what more to expect in the coming days and weeks.

Remarks from League Leadership

12-1 p.m.

Lunch

Thursday's lunch is sponsored by Moore Engineering.

1-1:15 p.m.

City Spirit Photo on the Capitol Steps

1:15-4:30 p.m.

Meetings with Legislators

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New LMC Blog - The Pipeline



(Link to: <http://www.lmc.org/ads/103201>)

Special Accommodations

If this attendee has any dietary, accessibility, or other needs during this event, please list those in the space provided below. If you'd prefer to discuss via phone, please indicate that in the space provided and we will contact you directly.