

CITY COUNCIL AGENDA

Brainerd, Minnesota

March 2, 2020

7:30 P.M.

**Crow Wing County Historic Courthouse
326 Laurel Street**

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

2. **Roll Call**

___ K. Bevans ___ D. Badeaux ___ T. Erickson ___ J. Lambert

___ K. Stunek ___ D. Pritschet ___ 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 18, 2020

Documents:

20200218_CC draft .pdf

B. **Approval Of Licenses**

Contractor Licenses - 7 Renewals; 1 New

Documents:

Contractor Licenses.pdf

C. **Department Activity Reports**

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf

Parks Director Report.pdf

- D. Minnesota Lawful Gambling - Adopt Resolution Authorizing Brainerd Aeries Eagles #287 To Conduct Off-Site Gambling On April 24 And 25, 2020 At Memorial Park, 1700 Mill Ave., Brainerd - Approval Of
 - E. Minnesota Lawful Gambling Application For Exempt Permit - Submitted By The Mule Deer Foundation, 1939 S 4130 W Suite H, Salt Lake City, UT 84104 For An Event To Be Held March 20, 2020 At The Brainerd American Legion, 708 Front St., Brainerd - Approval Of
 - F. Temporary Beer License - Submitted By Brainerd Aeries Eagles #287, 124 Front St., Brainerd For An Event To Be Held April 25, 2020 At Memorial Park, 1700 Mill Ave., Brainerd - Approval Of
6. **Council Committee Reports**
- A. **Safety And Public Works Committee - 7:15 P.M.**

Documents:

20200302_SPW.pdf

- 1. Event/Street Closure Application - Lakes Area Music Festival Block Party

Documents:

Event Application - Lakes Area Music Festival Block Party.pdf

- 2. Resolution - Consolidating Improvement Projects - Improvements 13-21, 19-09, And 19-16 - B Street Reconstruction, 5th Avenue NE Reconstruction, And B, C, And D Street Reconstruction Projects, Respectively

Documents:

Res - Consolidating Improvements 13-21, 19-09, and 19-16 .pdf

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

Documents:

2020-03-02_PF.pdf

- 1. Approval Of Bills
- 2. Request To Purchase Squad Car

Documents:

Request to Replace Squad Car.pdf

3. Paid On Call Firefighter Hiring 2020

Documents:

POC Firefighter Hiring 2020.pdf

4. Fire Contract Formula For 2021-Informational

Documents:

Fire Contract Formula for 2021.pdf

5. Memorandum Of Agreement For Deseth To Serve As Interim Building Official

Documents:

MOA for Darrin Deseth to serve as Interim Building Official.pdf

6. Review Of Budget Policy

Documents:

Budget Policy .pdf

7. Review Of Debt Management Policy

Documents:

Debt Management Policy.pdf

7. **Unfinished Business**

A. **Call For Applicants - Informational**

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

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

Cable TV Advisory Committee - 2 terms (Expire 2021) - 2 terms (Expire 2022)

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

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

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

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

Planning Commission - 1 terms (Expire 2022)

Other

Water Tower Committee - Applicants Needed

8. New Business

A. Resignation Of Mayor Menk And Discussion Of Appointment Process

Documents:

Mayor Resignation.pdf

B. Resolution - Receiving Feasibility Report And Calling Hearing On Improvement - Improvement 19-10 - NE Brainerd Resurfacing Project

Documents:

Res - Report PH Imp 19-10.pdf

C. Resolution - Receiving Feasibility Report And Calling Hearing On Improvement - Improvements 13-21, 19-09, And 19-16 - B Street Reconstruction, 5th Avenue NE Reconstruction, And B, C, And D Street Projects Respectively

Documents:

Res - Report PH Imp 13-21, 19-09 and 19-16.pdf

9. Public Forum

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

10. Staff Reports

(Verbal: Any Updates since Packet)

11. Council Member Reports

12. Closed Session Pursuant Minnesota Statute 13D.05 Subd. 3(C)(3) To Consider Counteroffer For The Purchase Of Memorial Park Parking Lot

13. Adjourn

Note: Safety and Public Works Committee will meet at 7:15 p.m.
in the Board Room at the Crow Wing County Courthouse.
Personnel and Finance Committee will meet at 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 18, 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: Bevans, Badeaux, Erickson, Lambert, Stunek and Johnson. Member Pritschet 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 BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on February 3, 2020 and the Workshop held on February 10, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 4– Renewals; 1 - New

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

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 – Approved

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. Andrews Church, 1108 Willow St., Brainerd - Approved

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

Presentations

The Chair recognized Mr. Tyler Glynn, the new executive director of BLAEDC, who provided the Council with an update of BLAEDC’s (Brainerd Lakes Area Economic Development Corporation) activities. BLAEDC is addressing staffing issues of the organization and working on how the work of BLAEDC is reported to the City. Mr. Glynn updated the Council on the Unified Fund and Key Recruitment activities and announced that the annual BLAEDC meeting will be

held as a breakfast rather than a lunch on Tuesday, March 24, 2020. The Chair thanked him for the update.

Community Development Director Chanski gave a presentation on the City of Brainerd's Community Development Department since the department was formed in 2019, combining the Building and Planning departments of the City. Mr. Chanski compared stats from 2019 and 2018 as well as the work done for the City by the department. The Chair thanked Mr. Chanski for the presentation.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO APPROVE THE PAYMENT OF BILLS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE CONTINGENT UPON THE APPROVAL OF CHANGE ORDERS ONE AND TWO FOR IMPROVEMENTS 16-09 AND 19-07 ON THE SAFETY AND PUBLIC WORKS AGENDA.

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

(Added) Resignation of Community Service Officer (CSO) Lucas Caturia - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF CSO LUCAS CATURIA, EFFECTIVE FEBRUARY 26, 2020.

Police Request to Hire Community Service Officers (CSO's) - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE CONDITIONAL JOB OFFERS TO COLE THOMA AND MASEN BARTON FOR PART TIME POSITIONS OF COMMUNITY SERVICE OFFICER WITH STARTING DATES OF FEBRUARY 19TH OR SHORTLY THEREAFTER AT A STARTING WAGE OF \$11.33 PER HOUR.

State Delegation Agreement and Building Official Position - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO 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 AND TO AUTHORIZE STAFF TO POST THE BUILDING OFFICIAL POSITION AND CONDUCT HIRING PROCESS AS OUTLINED BY CITY POLICY.

Committee Chair Badeaux explained by changing the qualification for the state delegation agreement from minimum to desired, it will offer the position to a wider pool of applicants.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO DEVELOP AND DISTRIBUTE A REQUEST FOR PROPOSAL FOR STATE DELEGATION AGREEMENT SERVICES.

Committee Chair Badeaux stated this allows for staff to submit a request for proposal to an outside source to complete the inspections of state projects for the City.. He said once all information is received, staff will return to the Council for recommendation on how to proceed. He indicated Darrin Deseth, the interim building official, has two-year's experience of a four year requirement to hold this certification.

Federal Recreational Trail and Local Trail Connection Grants – Adopted by Resolutions 04:20 and 05:20

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO APPROVE THE RESOLUTION FOR A GRANT REQUEST FOR \$150,000 THROUGH THE FEDERAL RECREATIONAL TRAIL GRANT TO BE USED TOWARD THE DEVELOPMENT OF THE MISSISSIPPI LANDING TRAILHEAD.

RESOLUTION 04:20

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

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO APPROVE THE RESOLUTION FOR A GRANT REQUEST FOR \$150,000 THROUGH THE LOCAL TRAIL CONNECTION GRANT TO BE USED TOWARD THE DEVELOPMENT OF THE MISSISSIPPI LANDING TRAILHEAD.

RESOLUTION 05:20

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

Committee Chair Badeaux explained both require a 25% match in funding, but the 25% can be used for both grants. He also indicated the Council designated \$100,000 in the Capital Fund for 2020 to be used as matching finds for the development of the riverfront.

Review of Fund Balance Policy - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO APPROVE THE FUND BALANCE POLICY WITH THE CHANGES AS PRESENTED.

Committee Chair Badeaux explained the main change in the policy has to do with the policy of the spendable-unassigned section. He stated 35 – 50% of the working funds be changed from current year to subsequent year operating expenditures in order to look forward and not back. The other suggested changes to the policy had to do more with just cleaning the policy up and adding clarification.

Council discussion was held.

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

Safety and Public Works Committee Report

Improvements 16-09 and 19-07 – Buffalo Hills Lane and Mississippi Drive Reconstruction – Change Orders 1 and 2 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE CHANGE ORDERS 1 AND 2 FOR IMPROVEMENTS 16-09 AND 19-07 AS PRESENTED.

Anabec Street Stormwater Pond Maintenance Agreement - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE ANABEC STREET STORMWATER POND MAINTENANCE AGREEMENT AND AUTHORIZE PROPER SIGNATURES IN THE CROSS JURISDICTIONAL MAINTENANCE AGREEMENT.

Event/Street Closure Application – St. Patrick’s Day Parade - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO APPROVE THE EVENT APPLICATION FOR THE ST. PATRICKS DAY PARADE ON MARCH 14, 2020 UNDER THE CONDITION THAT THE APPLICANT ADD ADDITIONAL BARRICADES TO THE EAST OF THE LAUREL STREET PARKING LOT ENTRANCE ON LAUREL STREET AND THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT.

Members Bevans, Erickson, Lambert, Stunek and Johnson voted “aye”. Member Badeaux abstained from voting. The Chair declared the motion carried.

Transit Bus 118 Disposal - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE THE DISPOSAL OF TRANSIT BUS 118 AND FURTHER TO ACCEPT THE PAYMENT OF \$13,676 FROM THE INSURANCE OF THE RESPONSIBLE PARTY TO BE PUT TOWARDS THE LOCAL 20% SHARE OF THE NEW BUS.

Notice of Hearing – Municipal Separate Storm Sewer (MS4) Annual Update and Public Hearing - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO SET THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PUBLIC HEARING FOR APRIL 6, 2020 AT THE REGULARLY SCHEDULED CITY COUNCIL MEETING.

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

New Business

Law Enforcement Mutual Aid Agreement - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK, DULY CARRIED, TO ADOPT A RESOLUTION TO AUTHORIZE THE MAYOR AND POLICE CHIEF TO SIGN THE CROW WING COUNTY JOINT POWERS AGREEMENT FOR INTER-CITY EMERGENCY MUTUAL AID.

RESOLUTION NO. 06:20

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

Public Forum

The Chair opened the public forum at 8:05 p.m.

No one came forward.

The Chair closed the public forum at 8:05 p.m.

Staff Reports

City Administrator Bergman stated her report was included with the council packet. She highlighted that there are some training opportunities for elected officials and the League of Minnesota Cities Conference is coming up. Anyone interested to talk with her and Staff can assist with registration. She also indicated she continues to work with the Memorial Park property owner regarding the sale of the property.

Police Chief McQuiston addressed the Council about the recent news story that recently appeared on Kare 11 regarding destroyed sexual assault cases that included the Brainerd Police Department. Chief McQuiston shared that this story was old news. In 2017/2018, national news organizations submitted data requests for the same information, which promoted changes in the state legislation and a new policy for the department. The data the story referenced was from cases 5 to 11 years old and before all of the changes were in place at the local and state level. McQuiston shared changes have been made at the agency as well as the state level, and agencies across the state value the importance of untested sexual assault cases.

City Engineer Sandy reported that the City has received the maximum amount for the Safe Routes to School engineering grant and Staff will be working with MnDOT and School District to complete the project. Provided an update on the Transportation Alliance grant application for the 28th Street trail connection stating that our application was awarded the ten regional significance points and the application is moving along in the process. A joint meeting has been scheduled with the DNR and MnDOT regarding the new trail alignment.

Council Member Reports

Mayor Menk distributed and read his letter of resignation stepping down from the City Council as Mayor effective March 31, 2020. The Mayor thanked the City of Brainerd, its leaders, citizens, and the Brainerd area for their support.

Council member Johnson reported that the HRA received 15 applicates for the executive director's position, and this time the Board has determined to hold off on the hiring process and to repost the position at a later date.

Council member Lambert expressed deep sympathy to Jeff Hulsether's, former City Engineer, family. Mr. Hulsether was employed by the City for 30 years and passed away on Saturday, February 15, 2020. Deepest sympathy to the family.

Council member Stunek thanked everyone for the support during the time he was absent from the Council.

Council member Badeaux announced to the Council that he recently accepted the position as the Director of Brainerd Community Action.

Closed Session Pursuant to 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 in Brainerd, MN 56401 – 8:32 p.m. - 8:58 p.m.

Adjourn

The Chair adjourned at 8:59 p.m.

Jennifer Bergman
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
March 2nd, 2020
(7 Renewals, 2 New)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
TDS METROCOM LLC 316 PINE STREET MONTICELLO, MN 55362 20-0157	(763) 450-3494	UTIL	1/1/2021	12/31/2020	
TOTAL PROPERTY CARE, LLC 20620 CAROLYN LANE BRAINERD, MN 56401 20-0156	(218) 831-1061	GENC	2/16/2021	12/31/2020	
ROTH ROOFING INC 6782 IDA VIEW RD NW ALEXANDRIA, MN 56308 20-0155	(320) 766-9772	ROOF	8/18/2020	12/31/2020	
UPLAND ADVERTISING & DESIGN LLC 21683 CAMPBELL LAKE ROAD MERRIFIELD, MN 56465 20-0154	(218) 828-9435	SIGN	6/3/2020	7/29/2020	SB701308
LANDWERX LLC 16035 CARLSON LAKE RD BRAINERD, MN 56401 20-0153	(218) 831-3435	EXCA SSTS	3/26/2020 3/26/2020	12/31/2020	L4021
PETES CABIN CARE INC 32781 CULLEN CT BREEZY POINT, MN 56472 20-0152	(218) 838-7165	GENC	4/6/2021	12/31/2020	
DIVERSIFIED CONST OF THE LAKES AREA 1107 6TH STREET SOUTH BRAINERD, MN 56401 20-0151	(218) 820-7841	GENC	1/1/2021	12/31/2020	
MECHANICAL BROTHERS LLC 508 1ST STREET SE AVON, MN 56310 20-0150	(320) 356-7100	PLUM MECH	5/1/2020 5/1/2020	12/31/2021 3/30/2020	PC643833 MB004799
WARNER DRYWALL, LLC 6482 FLYING JIB GARRISON, MN 56450 20-0149	(218) 838-3835	DRYW	6/3/2020	12/31/2020	

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: February 27, 2020
Re: February Activity Report

Brainerd Fire Department was honored to be part of the escort back into town for the Warrior Cheer Team as they returned from national competitions in February. We also escorted the Warrior Dance Team out of town as they headed to state competition.

Brainerd Fire Department was proud to be able to assist, along with many other MN fire departments, at the Becker Northern Metals Recycling Fire. Chief Holmes covered two shifts at the fire and was assigned as Incident Commander for one and Operations Section Chief for another. These deployments are not only great for the community we are helping, but they are also a great, on the job training opportunity and a chance to network with other chiefs and command staff. It is also very practical experience since we have a similar recycling center in south Brainerd on a smaller scale.



We had a full month of department training including: EMS, Pumping, Drafting, Gas Monitors, and Tech Rescue Equipment. All firefighters completed our annual physical and hearing tests. Several firefighters attended the Cuyuna Range Medical Center EMS Airway and Cardiovascular training. Several firefighters also attended the safeTALK: Preventing Suicide training hosted by Crow Wing Energized and Essentia Health.

Fire Administrative Specialist Kraemer has been very active with the City Wellness Committee as they work to strengthen the program and increase participation. She is also working very hard on a FEMA SCBA grant application.

FM / DC Cox has been keeping engaged with inspections and non-compliant follow-up inspections. We continue to work closely with the rental inspector on several properties.

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

Structure Fire	2
Chimney Fire	1
Vehicle Fire	1
Outside Storage Fire	1
Vehicle Crash with Injuries	3
Smoke Scare, Odor	2
Assist Other Governmental Agency	1
Good Intent	1
Mutual Aid	4
Unauthorized Burning	1
Canceled Enroute	1
Alarm System Activation	3
Carbon Monoxide Alarm Activation	1
Total	22

City of Brainerd Incident Report

Vehicle Fire	2
Vehicle Crash with Injuries	1
Smoke Scare, Odor	2
Assist Other Governmental Agency	1
Good Intent Call	1
Unauthorized Burning	1
Alarm System Activation	3
Carbon Monoxide Alarm Activation	1
Total	12

Parks and Recreation Report

March 2020

- The Park Board submitted a letter of support to the Mississippi Landing committee regarding the Federal Recreation Trail Grant program.
- The Brainerd Ski Loons' 2020 show dates will be on July 12, July 26, Aug. 16 and Aug. 19. The first three shows will be on Sundays starting at 5 p.m. and the last show will be on a Wednesday at 6:30 p.m.
- The Park Board directed staff to seek RFPs for engineering, construction and administration for the Memorial Park project.
- Staff will offer a youth tennis program for boys and girls ages 6-7 and 8-9 at Gregory Park this summer. Each age group will be limited to eight players. New program funds in the 2020 budget will cover the startup cost
- The Minnesota Department of Agriculture's 2019 forest pest survey results have been compiled from around Minnesota, including sites at Lum and Rotary parks. A total of 15 exotic bark and woodboring beetles were surveyed across the state. The MDA also looked for Ash Yellows and Chalara dieback, which are diseases of ash trees. None of the listed were found at the Brainerd sites. Staff has informed the MDA that it would like to have Brainerd offer sites for the surveys in 2020.
- The St. Joseph's Foundation donated an AED unit for placement at the Gregory Park warming house. During the summer months, when the warming house is locked for general public use, a representative from The Center's tennis and pickleball leagues will be provided with a key in the event the AED is needed.
- The Santa Paws event at Buster Park was one of six unique outdoor events featured in the winter edition of the Minnesota Recreation and Parks Association magazine.
- The Smooch A Pooch event at Buster Park was attended by 25 dogs and their owners and the annual skating party at Gregory Park had 190 attendees. Both events were Feb. 15.
- The season-ending youth Pond Hockey jamboree took place at the Gold Medal Arena Feb. 23 at the Essentia Sports Center. The adult Pond Hockey championship was Feb. 25 at Mill Avenue Park.



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

March 2, 2020
County Board Room – Crow Wing County Historic Courthouse
7:15 PM

1. Event/Street Closure Application – Lakes Area Music Festival Block Party
2. Resolution – Consolidating Improvement Projects – Improvements 13-21, 19-09, and 19-16



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: _____

Event applications can be submitted to the Engineering Department at 501 Laurel Street, Brainerd, MN 56401 or engineer@ci.brainerd.mn.us. Event applications that include a street closure must be submitted at least 30 calendar days prior to the event and will require City Council approval. All other event applications must be submitted at least 14 calendar days prior to the event.

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

Name of event: _____

Organizer Information

Organizer's Name: _____

Organizer's Address: _____

Event Contact Person: _____

Event Contact Daytime Phone: _____

Event Contact E-mail Address: _____

Contact Name/Number Day of Event: _____

For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name: _____

Applicant Address: _____

Applicant Phone: _____

Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below

Recurring event (requires only one application submittal per year)

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

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

Description of Activities

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

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:

Trash Receptacle Disposal	Yes	No
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Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

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

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

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

Hold Harmless Agreement and Insurance Information

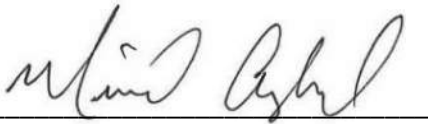
The Applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and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

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

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

Signature of Event Applicant

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



Signature of Applicant

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	<u>OK</u>	<u>Coordinate Power needs from adjacent pole</u>
City Administration	<u>OK</u>	<u>near Laurel street lot.</u>
Engineering Department	<u>OK</u>	<u>None</u>
Fire Department	<u>OK</u>	<u>None</u>
Fire Support/EMS	<u>OK</u>	<u>None</u>
Parks Department	<u>OK</u>	<u>None</u>
Planning Department	<u>OK</u>	<u>Verify when parking lot needs closure</u>
Police Department	<u>OK</u>	<u>to avoid last year's issues.</u>
		<u>line to under organizer info</u>
		<u>is phone # for someone in</u>
		<u>charge that can be called</u>
		<u>w/ issues.</u>

Event Application Approval

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

City Administrator

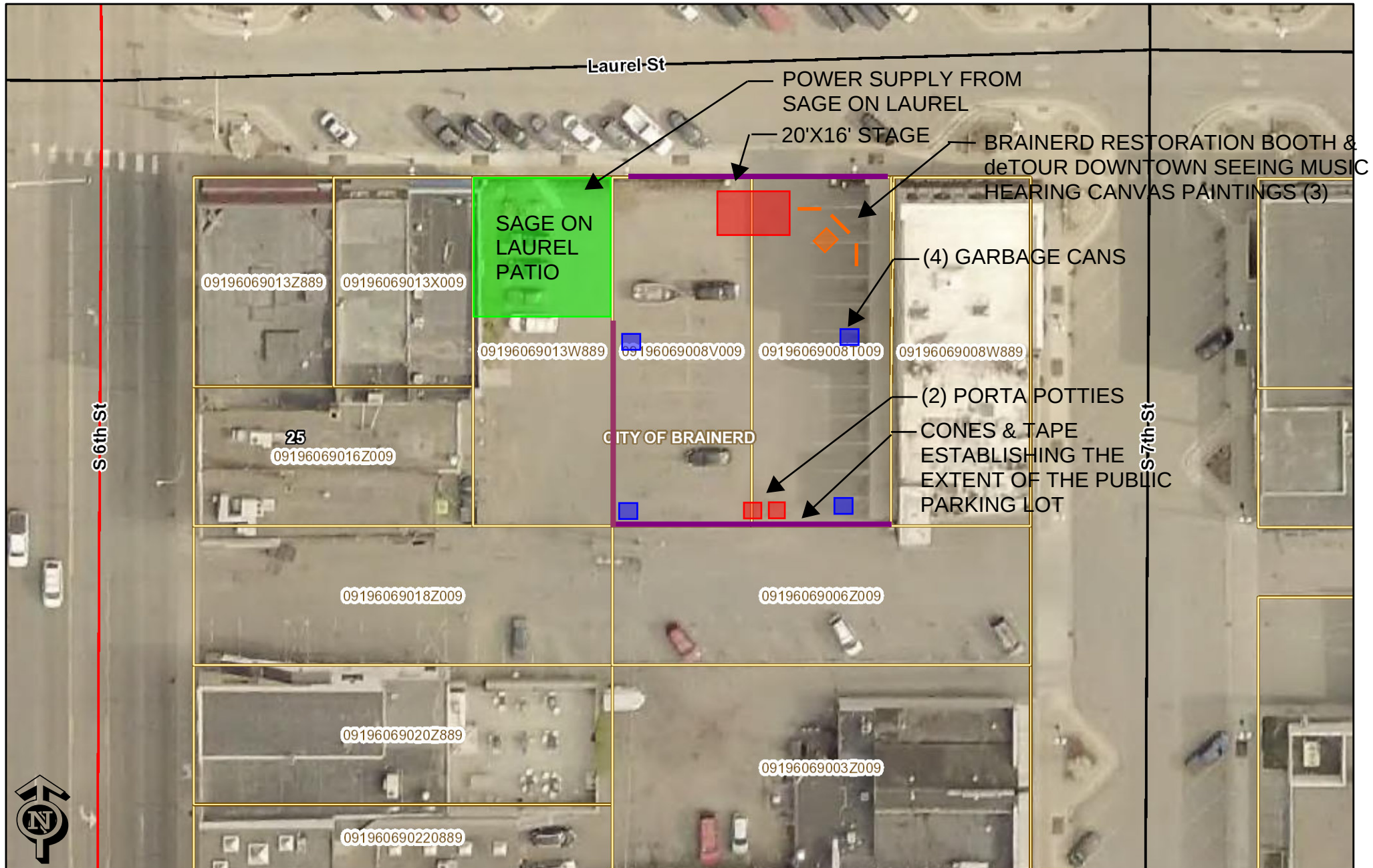
Date

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):

2020-02-26



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

Date: 7/25/2018 Time: 2:29:37 PM





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 CONSOLIDATING CERTAIN IMPROVEMENT PROJECTS

WHEREAS, the City of Brainerd (the "City") will institute proceedings for the following public improvements:

City Improvement 13-21 (the "First Project"), City Improvement 19-09 (the "Second Project"), and City Improvement 19-16 (the "Third Project")

WHEREAS, the City Council will hold an improvement hearing for the First Project, Second Project, and Third Project on April 6, 2020; and

WHEREAS, the City Council will consider ordering the improvements described as the First Project, Second Project, and Third Project immediately following the public hearing therefor; and

WHEREAS, the proceedings for the above projects will be instituted on substantially the same dates; and

WHEREAS, the City Council has determined that the various components of the First Project, Second Project, and Third Project may be more economically completed if consolidated and joined as one project, as authorized under Minnesota Statutes, Section 435.56.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRAINERD, MINNESOTA AS FOLLOWS:

1. The Council hereby consolidates and joins the First Project, Second Project, and Third Project as a single consolidated improvement project for all purposes under Minnesota Statutes, Section 435.56 and Chapter 429.
2. All proceedings in connection with each component of the above named projects shall be deemed instituted and conducted as one proceeding.
3. The consolidated project is designated as "2020 Street Reconstruction Project".

Adopted this _____ day of _____, 2020

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

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

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

1. Approval of Bills
2. Request to Purchase Squad Car
3. Paid on Call Firefighter Hiring 2020
4. Fire Contract Formula for 2021 – Informational
5. Memorandum of Agreement for Deseth to Serve as Interim Building Official
6. Review of Budget Policy
7. Review of Debt Management Policy



Brainerd City Council Agenda Request

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Brainerd City Council Agenda Request

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Brainerd City Council Agenda Request

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CITY OF BRAINERD FIRE SERVICE DISTRICTS - PAYMENT CALCULATION FOR 2021 ASSESSMENT

2020 FIRE DEPT BUDGET, INCLUDING PAID ON-CALL AND PENSION	\$894,827
CAPITAL EQUIPMENT FUND - is a 5% increase over 2020 Assessment	\$109,144
BUILDINGS ONLY DEPRECIATION	\$63,405
DEBT SERVICE FOR FIRE ENGINE - Year 5 of 5	\$92,515
DEBT SERVICE FOR FIRE TENDER - Year 3 of 5	\$38,422
DEBT SERVICE FOR LADDER TRUCK - Year 2 of 7	\$131,000
TOTAL AMOUNT USED FOR CALCULATION	\$1,329,313

	5 YR AV # OF RUNS ('15 -'19)	<u>30%</u> % OF # OF RUNS	2018 POPULATION	<u>30%</u> % OF POP	(Asst '19 pay '20) VALUE OF BUILDINGS	<u>30%</u> % OF VALUE OF BLDGS	(Assessment '16) VALUE OF TAX EXEMPT BLDGS	<u>10%</u> % OF VALUE TAX EX BLDGS	% OF BUDGET	FUNDING SHARE
BRAINERD	242.60	55.04%	13,732	39.95%	476,685,102	24.74%	\$407,251,800	73.03%	43.220239%	\$574,532.25
BAXTER	103.20	23.41%	8,478	24.66%	646,036,618	33.53%	\$128,580,500	23.06%	26.787388%	\$356,088.23
CROW WING	14.80	3.36%	2,092	6.09%	109,173,582	5.67%	\$454,900	0.08%	4.540989%	\$60,363.96
LONG LAKE	10.40	2.36%	1,072	3.12%	75,852,059	3.94%	\$446,200	0.08%	2.832401%	\$37,651.48
NOKAY LAKE	6.00	1.36%	861	2.50%	48,959,005	2.54%	\$1,133,600	0.20%	1.942389%	\$25,820.42
OAK LAWN	15.40	3.49%	1,812	5.27%	98,348,505	5.10%	\$10,209,000	1.83%	4.343841%	\$57,743.24
ST. MATHIAS	5.00	1.13%	629	1.83%	28,348,913	1.47%	\$1,609,300	0.29%	1.359482%	\$18,071.78
UNORGANIZED	43.40	9.85%	5,701	16.58%	443,265,029	23.01%	\$7,939,400	1.42%	14.973271%	\$199,041.64
TOTAL	440.80	100.00%	34,377	100.00%	1,926,668,813	100.00%	\$557,624,700	100.00%	100.000000%	\$1,329,313.00
Last Year's Information	428.80		34,114		1,820,651,328		\$557,624,700			\$1,316,780.00
% Change	2.80%		0.77%		5.82%		0.00%			0.95%

	2021 ASSESSMENT	2020 ASSESSMENT	DIFFERENCE	% incr
BRAINERD	\$574,532.25	\$574,651.18	(\$118.93)	-0.02%
BAXTER	\$356,088.23	\$353,857.55	\$2,230.68	0.63%
CROW WING	\$60,363.96	\$59,310.82	\$1,053.14	1.78%
LONG LAKE	\$37,651.48	\$36,244.37	\$1,407.11	3.88%
NOKAY LAKE	\$25,820.42	\$25,367.99	\$452.43	1.78%
OAK LAWN	\$57,743.24	\$57,442.10	\$301.14	0.52%
ST. MATHIAS	\$18,071.78	\$17,614.99	\$456.79	2.59%
UNORGANIZED	\$199,041.64	\$192,291.00	\$6,750.64	3.51%
TOTAL	\$1,329,313.00	\$1,316,780.00	\$12,533.00	0.95%



Brainerd City Council Agenda Request

Requested Meeting Date:

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Recommended Action/Motion:	
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Memorandum of Agreement

This Memorandum of Agreement ("Agreement") is entered into between the City of Brainerd (hereinafter, "City"), Darrin Deseth ("Deseth"), and International Brotherhood of Electrical Workers Local Union #31 ("Union"). The City, Deseth, and the Union are hereinafter referred collectively as the "parties," and individually as a "party."

WHEREAS, the City and the Union are parties to a collective bargaining Memorandum of Agreement ("CBA") governing the terms and conditions of employment for the City's Administrative Support bargaining unit, including Building Inspectors;

WHEREAS, the City employs Deseth as a Building Inspector and, as such the terms of Deseth's employment with the City, including his position in the seniority list, are governed by the CBA;

WHEREAS, the City's Building Official position is a supervisory position and is not part of the bargaining unit governed by the CBA;

WHEREAS, Deseth wishes to work as the Interim Building Official without losing seniority and benefits provided by the CBA; and

WHEREAS, the City is amenable to allowing Deseth to work in such a position pending its appointment of a permanent Building Official.

NOW, THEREFORE, in consideration of the mutual promises and agreements contained herein and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledge, the parties agree as follows.

1. **Appointment as Interim Building Official.** Subject to the terms of this Memorandum of Agreement, Deseth will work as the Interim Building Official. While working as the Interim Building Official, Deseth will perform all duties assigned by the City. The parties understand, acknowledge, and agree that the terms of the CBA pertaining to Article 9 - Wages will not apply to the Interim Building Official position. Deseth's wages will be paid as provided in this Agreement. Deseth's schedule as Interim Building Official will be dictated by the needs of the City.

2. **Reassignment.** The parties agree that the City has the right to transfer or reassign Deseth to a Building Inspector position at any time during the term of this Agreement. In the event of such a transfer, this Memorandum of Agreement will immediately terminate and have no further effect. The parties acknowledge and agree that the City has the sole discretion to transfer or reassign Deseth pursuant to this Paragraph and that the exercise of that discretion is not subject to the grievance procedure of the CBA.
3. **Compensation While on Special Assignment.** While serving as the Interim Building Official, Deseth will receive salary and benefits, including insurance benefits and leaves of absence, as provided in the herein and the CBA. Time spent serving as the Interim Building Official pursuant to this Memorandum of Agreement will be counted as years of service for purposes of calculating Deseth's salary, seniority, and other benefits of the CBA. During the term of this Agreement, Deseth shall receive benefits in accordance with the CBA, except that the parties agree that, during the term of this Agreement, Deseth will not be entitled to request a leave of absence pursuant to Article 4, Section 4 of the CBA.

Deseth shall be compensated at the rate of \$29.63 per hour beginning March 3, 2020 and during the term of this agreement.

4. **Term.** This Memorandum of Agreement will be in effect until: the earlier of 1) the City exercises the right described in Paragraph 2 to reassign Deseth; 2) Deseth is granted a voluntary transfer or reassignment; 3) Deseth is laid off in accordance with the provisions of the CBA; 4) Deseth is terminated from his Building Inspector position for cause; 5) The City appoints a permanent Building Official, regardless of whether the City appoints Deseth or another individual to that position; or 6) 5:00 p.m. on June 3, 2020.
5. **Not Subject to Bumping, Realignment, or Recall.** The parties agree that the Interim Building Official position that is described in this Memorandum of Agreement is not subject to any bumping, realignment, or recall rights. As a result, no employee in the bargaining unit described in the CBA may claim any right to the Interim Building Official position through any exercise of bumping, realignment, or recall rights that would otherwise be recognized under the CBA or applicable law. At the expiration or termination of this Memorandum of Agreement, Deseth shall have no further right, entitlement, preference, or other interest with regard to employment in the Interim Building Official position described in this Agreement, or the Building Official position, which the parties acknowledge and agree is not subject to the terms of the CBA.
6. **Application of CBA to Deseth.** Except as expressly provided herein, the terms and conditions of Deseth's employment with the City will be governed by the CBA while Deseth is serving as the Interim Building Official.

7. **No Precedent or Past Practice.** This Memorandum of Agreement is limited solely to Deseth and shall not create any past practice or precedent for either the Union or the City. No party may refer to this Memorandum of Agreement or submit this Memorandum of Agreement in any proceeding as evidence of a precedent or past practice. Nothing in this Memorandum of Agreement shall be construed as requiring the City to provide the same or similar benefits to any other member of the bargaining unit. This Memorandum of Agreement may not be used as evidence—whether in negotiations, arbitration, or other proceeding—or otherwise be used in any manner to interpret the CBA, or to seek similar benefits for any City employee(s) other than Deseth, either through arbitration, negotiation, or other means.
8. **Mutual Drafting.** This Memorandum of Agreement is the result of negotiations between the parties and, accordingly, shall not be construed for or against any party, regardless of which party drafted the Memorandum of Agreement or any portion thereof. The Memorandum of Agreement shall for all purposes be deemed to have been mutually drafted.
9. **Entire Agreement.** This Memorandum of Agreement constitutes the entire Memorandum of Agreement between the parties relating to the subject matter of this Memorandum of Agreement. No party has relied upon any statements, promises, or representations that are not stated in this Memorandum of Agreement. No changes to this Memorandum of Agreement are valid unless they are in writing and signed by all parties.

IN WITNESS WHEREOF, the Parties hereto have executed this Memorandum of Agreement on the dates indicated by their respective signatures.

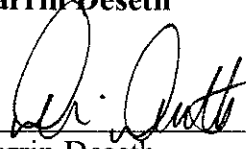
By signing below, each party specifically acknowledges that it has read this Memorandum of Agreement and that it understands and agrees it is legally bound by all terms of the Memorandum of Agreement.

International Brotherhood of Electrical Workers Local Union #31

Its: Business Manager

Date

Darrin Deseth



Darrin Deseth

2/27/2020

Date

City of Brainerd

Its: Council Chairperson

Date

Its: Mayor

Date

RRM: 308901



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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CITY OF BRAINERD

FINANCIAL MANAGEMENT POLICIES

ANNUAL BUDGET

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 annual budget policy is meant to serve as the framework upon which consistent operations may be built and sustained.

II. Operating Budget Policies

Scope -

The City considers our operating budget to consist of the General Fund and City Charter specified Public Safety, Street & Sewer, and Park Fund Special Revenue Funds. The City is required to report levy and expenditure amounts for other Special Revenue and Debt Service Funds for ~~Truth in Taxation (TNT)~~ the budget and levy public hearing purposes, but these levies and expenditures are usually related to dedicated and/or capital spending decisions and are therefore excluded from the operating budget policy.

Accounting

The General Fund uses the modified accrual basis of accounting for budgeting and reporting purposes. Revenues are recognized as soon as they are both measurable and available. Expenditures generally are recorded when a liability is incurred, as under accrual accounting, however expenditures related to compensated absences and claims and judgments are recorded only when payment is due.

Stakeholder Input.

The annual budget process is intended to weigh all competing requests for City resources within expected fiscal constraints. Requests for new programs made outside the annual budget process are discouraged. The City provides opportunity for public input into its budget process every year, including the required the budget and levy public TNT (Truth in Taxation) hearing.

Balanced Budget Adoption

The operating budget for the City will be balanced. The balanced budget will include a reasonable annual appropriation for contingencies. A budget shall be considered structurally balanced when revenues equal or exceed expenditures. When deemed appropriate by the City Council, the City may adopt a budget that is not structurally balanced. Such budgets will result in a planned usage of fund balance.

Budgetary Controls

The legal level of budgetary control is at the department level even though budgetary data is presented at lower levels (e.g. Operating Supplies, Small Tools & Minor Equipment, Other Professional Services, and Capital Outlay). Expenditures may not legally exceed appropriations by department unless offset by increases in revenues.- All ~~unencumbered~~ appropriations lapse at year-end.

The City Council approves a budgetary transfers and/or supplemental purchases.

Monitoring

Department heads are responsible for administration of their respective department budgets. Such responsibility includes reviewing monthly financial reports to detect errors and assess progress, staying within budget authorization, and submitting requests for budget adjustments, when required.

III. Revenue Policies

Policies -

The City will endeavor to maintain a diversified and stable revenue system to shelter programs and services from short-term fluctuations in any single revenue source.

Property Taxes -

It is beneficial for residents and for the City to keep tax rates competitive and consistent from year to year. The City will strive to proactively avoid large increases in the tax rate.

Fees and Charges-

The City shall establish user charges and fees for General Fund program activities at a level related to the full cost of providing the services. The City will also consider policy objectives and market rates when setting fees.

Investment Income -

The City will reasonably budget for investment revenue in our operating budget based on the conservative investment strategy outline in our investment policy (under separate cover).

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

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

~~Daniel J. Vogt~~ Jennifer Bergman
City Administrator



Brainerd City Council Agenda Request

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CITY OF BRAINERD

FINANCIAL MANAGEMENT POLICIES

DEBT MANAGEMENT

I. Policy Limits

~~The City will use debt only for capital improvement or projects that have a life of more than 4 years. The City won't finance projects for longer than 100% or 90% of their useful life.~~ The City will avoid using debt for cash flow borrowing, operations or repairs.

When possible, the City will not use debt to finance equipment purchases when it is possible to purchase the equipment on a pay-as-you-go basis with equipment replacement program or capital goods replacement plan reserves.

The City shall use its bonding authority to facilitate private development only when the development merits special consideration.

II. Legal Limits

Minnesota Statutes, Section 475 prescribes the statutory debt limit that outstanding principal of debt cannot exceed 3% of taxable market value. This limitation applies only to debt that is wholly tax-supported. The type of debt included is either general obligation debt of any size bond issue (G.O.) or lease revenue bond issues that were over \$1,000,000 at the time of issuance. However, there are also several other types of debt that do not count against the limit. G.O. tax increment, G.O. special assessment, G.O. utility revenue, G.O. recreational facility revenue, and HRA-issued debt are considered to have a separate revenue source other than just taxes and are excluded from the legal debt limit calculation. Local ordinances do not limit the City's ability to issue debt.

III. Issuance Practices

The City uses the competitive sale method for its general obligation bond sales unless factors such as structure, size or market conditions compel the use of a negotiated sale.

The City may use an outside bond attorney, an independent financial advisor, and/or other service providers to assist with the structuring and sale of the bonds.

IV. Debt Structuring

The City's collective debt shall amortize at least 50% of its principal within 15 years. In all cases, the maturity shall not exceed the life of the related assets.

V. Conduit Debt

The City may participate in conduit debt financings. Development proposals are reviewed to determine if they meet program objectives and whether the proposals are financially feasible.

It is the practice of the City to charge fees that range from, 0.25% to 2.00% of the Bond offering to cover the City's cost.

VI. Refunding

Current refunding bonds may be utilized when present value savings of 3% of refunded principal is achieved or in concert with other bond issues to save costs of issuance.

~~Advance refunding bonds~~ Refunding bonds in advance of their call date may be utilized when present value savings of 3% of refunded principal is achieved.

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

Amended by Brainerd City Council on this ____ day of ____, 2020

~~Daniel J. Vogt~~ Jennifer Bergman
City Administrator



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>	



February 18, 2020

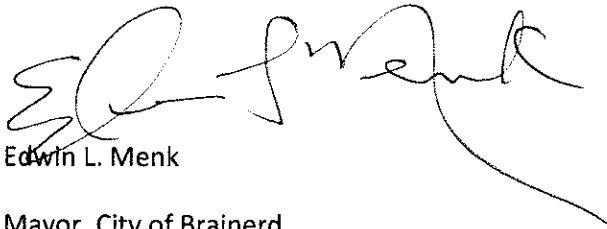
It has been my pleasure to have served on various commissions, authorities, and other city sponsored entities in the City of Brainerd since 1987. This would include being Mayor for the last 4 1/3 years. This represents 1/3rd of a century.

As a wise person once said, "there are only so many minutes in an hour, so many hours in a day, so many days in a month, so many months in a year and only so many years in a lifetime".

With that in mind, I am hereby informing The Brainerd City Council that I am stepping down from the Position of Mayor of Brainerd on March 31, 2020.

The timing of this is to allow the City Council time to work out the process to appoint an interim mayor to serve until January 2021. It will also allow any individual in the city of Brainerd time to consider filing for the office during the filing period of May 19th to June 2nd for the primary and the November election.

I would like to thank the City of Brainerd, its leaders, Brainerd citizens and the entire Brainerd Lakes Area for their support.



Edwin L. Menk

Mayor, City of Brainerd



Brainerd City Council Agenda Request

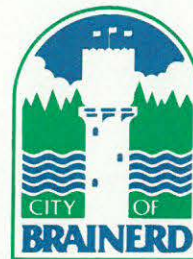
Requested Meeting Date:

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>	

February 25, 2020

Mayor Menk
and Brainerd City Council Members



www.ci.brainerd.mn.us

RE: City Improvement 19-10 – NE Brainerd Resurfacing Project
11th Avenue NE – H Street to J Street
J Street – Mill Avenue to 13th Avenue NE
L Street – Mill Avenue to 8th Avenue NE
O Street – 9th Avenue NE to 12th Avenue NE
10th Avenue NE – N Street to O Street and P Street to Q Street
P Street – Mill Avenue to 10th Avenue NE

Dear Mayor Menk and City Council Members,

I am pleased to present this report for improvements as listed above, and from here on out in this report, I will generally refer to these as the “Improvements” to simplify and condense this report. Generally, the improvements consist of resurfacing the streets consisting of removal of all existing surfacing, select driveways, and new blacktop surfacing. For simplification, I will dive into each facet of this larger project in detail in the report and will summarize all the projects for a total project cost at the end of the report. For reference, all improvements listed in this report are locally funded.

Project Description and Existing Curb and Gutter and Pavement Condition Ratings

The existing street would be considered a “local street/residential street” design by City of Brainerd standards, or a 7-ton design. A list of the pavement scores and curb scores of each section of street can be seen below:

	Curb Score	Pavement Score
11 th Avenue NE	1.0/4.0	2.82/4.0
J Street	2.5/4.0	2.41/4.0
L Street	1.5/4.0	2.15/4.0
O Street	2.0/4.0	3.25/4.0
10 th Avenue NE – N-O	3.5/4.0	1.86/4.0
10 th Avenue NE – P-Q	3.5/4.0	1.78/4.0
P Street	4.0/4.0	1.97/4.0

Likewise, a summary of when pavements were last constructed can be seen below:

	Year Constructed	Year Overlay
11 th Avenue NE	1962	1998
J Street	1975	
L Street	1964	
O Street	1994	
10 th Avenue NE – N-O	1994	
10 th Avenue NE – P-Q	1994	
P Street	1993	

Most of the pavements listed above on 11th Avenue NE, J Street, and L Street have outlived their anticipated life expectancy. Streets like O Street, 10th Avenue NE, and P Street have poor underlying soils and thus, are not expected to last as long as other streets with sufficient underlying soils.

Most of the pavement scores indicated above indicate pavement failure. Examples of underlying utility failure and soil failure are evident in pavements such as 11th Avenue NE and O Street, where storm sewers under the street have begun leaking and have caused soils under the pavement to become eroded and large potholes on the pavement surface to occur. While the pavement scores do not indicate major deterioration of the road surface, the curb sections and drainage characteristics in the area indicate major deterioration of the existing roadway. Besides the data provided in our pavement management system used as scoring criteria, staff uses professional judgement when evaluating street segments for deterioration and need for replacement within the 5-year capital improvement plan timeframe. Other items of interest that would be considered signs of pavement deterioration and the need for replacement are:

- Longitudinal and transverse cracking and “cupping” characteristics. Cupping happens when longitudinal and transverse cracks form in pavement, and traffic subsequently beats on the crack and causes further cracking near the original crack to occur. This allows for water intrusion into the pavement, and further potholing to occur near the crack. This causes rough ride conditions and a poor public perception of the street.
- Poor drainage conditions within the old curb line. Over the years of freeze and thaw cycles, curb sections tend to heave/sink which causes localized ponding within the curb section. Localized ponding and standing water enter the pavement and worsens the freeze thaw condition by saturating underlying soils.
- Alligator cracking. Alligator cracking is a sign of severe pavement deterioration and is indicative of an underlying soil failure along with pavement weathering or pavement being past its useful life. Alligator cracking is one of the most severe pavement distresses, and typically is a sign that the pavement should be replaced soon as to not “blow out” in future years.
- Block Cracking. Block cracking occurs when longitudinal and transverse cracks become so severe or at such frequent intervals on the surface that they begin joining and breaking the pavement into blocks. This typically happens before alligator cracking occurs.

The pavements on most of these streets have all these deficiencies, or at least a large majority of them. Taking this information into consideration, staff evaluated both options of resurfacing and full reconstruction before survey work was performed on this segment of street. A resurfacing of these streets was chosen due to the condition of the curb in most locations. The curbs in most of these locations are sufficient to last another pavement cycle. Some spot repair of curb in areas where it is deteriorated, heaved, or broken is to be expected. This type of construction is much less intrusive, although there is planned watermain work on 11th Avenue NE, P Street, and 10th Avenue NE for looping watermains and to prevent some failures that BPU has had in the past. There may be more curb removed in areas where watermain replacement or additions are taking place.

The proposed section for the street that was analyzed will follow the City of Brainerd’s standard residential typical section. This section is a 35-foot face-of-curb to face-of-curb width section with 4” of aggregate base and 2” of new super pave asphalt. Parking would remain on both sides of the street, and the street width would be the same as it exists today. As part of the project, minor storm sewer improvements and additions need to be performed to assist in drainage issues in the area, and BPU is proposing watermain replacements and additions to loop the system in with adjacent systems. Trees will be replaced as necessary along with restoration practices typically performed on like projects by the City. Due to poor underlying soils on O Street, staff has anticipated a sub-cut of this area consisting of removing 2-feet of the underlying soils and replacing with separation fabric and

select granular borrow. A total estimated cost breakdown of the proposed project can be seen below, and is summarized as total project cost at the end of this report:

Roadway

Resurfacing	\$849,000
Engineering	\$85,000
B Street Roadway Assessable:	\$465,000

Storm Sewer

Storm Sewer Construction:	\$22,000
Storm Sewer Engineering:	\$3,000

Sanitary Sewer

Sanitary Sewer Construction	\$25,000
Sanitary Sewer Engineering	\$3,000

BPU Water

BPU Water Construction:	\$293,000
BPU Water Engineering:	\$30,000

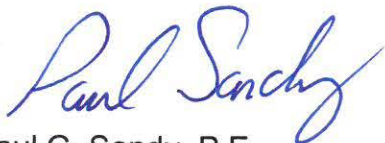
Project Cost:	\$1,310,000
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When taking all this information including curb scores, pavement scores, other conditions for roadway replacement, utility needs, and the fact that none of the proposed roadway section widths are not changing, the project is feasible to construct, cost effective, and necessary due to the existing conditions seen on the projects currently. No right-of way acquisition is anticipated as part of the project and existing street widths and alignment will remain consistent as conditions are today.

A public open house was held as a part of the project design and before this report. Five attendees were at the meeting and expressed the need for these improvements and had general questions about the project layout.

I will be available to answer any questions or concerns as it relates to this report at the meeting. The first step of Minnesota Statute 429 is to adopt the resolution receiving this report and setting the public improvement hearing, in which testimony will be received for or against the proposed improvements as identified in this report.

Respectfully Submitted,



Paul G. Sandy, P.E.
City Engineer
City of Brainerd

R E S O L U T I O N
NO. _____

RESOLUTION RECEIVING REPORT
CALLING HEARING ON IMPROVEMENT

WHEREAS, a report has been prepared by the City Engineer with reference to the improvement of the following described improvements:

IMPROVEMENT 19-10

Street Resurfacing – NE Brainerd Resurfacing Project – Grading, Aggregate Base, Bituminous, Watermain, Concrete Curb and Gutter, Sidewalk and ADA Improvements

11th Avenue NE – H Street to J Street

J Street – Mill Avenue to 13th Avenue NE

L Street – Mill Avenue to 8th Avenue NE

O Street – 9th Avenue NE to 12th Avenue NE

10th Avenue NE – N Street to O Street and P Street to Q Street

P Street – Mill Avenue to 10th Avenue NE

This report was received by the Council on the 2nd Day of March 2020.

WHEREAS, the statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels (the “Impact of Assessments”) has been made available at the hearing, all in accordance with law; and

WHEREAS, this City Council has heretofore discussed and made determinations about the Impact of Assessments:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, BRAINERD, MINNESOTA:

1. The Council will consider the above-described improvement in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statute Chapter 429 at an estimated total cost of \$1,310,000.
2. A public hearing shall be held on such proposed improvement on the 6th Day of April 2020, in the County Board Room of the Crow Wing County Historic Courthouse at 7:30 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this ____ day of _____, 2020

GABE JOHNSON
President of the Council

Approved this ____ day of _____, 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

NOTICE OF HEARING ON IMPROVEMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota, will meet in the County Board Room of the Crow Wing County Historic Courthouse at 7:30 p.m. on April 6, 2020 to consider making the improvement as described below pursuant to Minnesota Statute Sections 429.011 to 429.111:

IMPROVEMENT 19-10

Street Resurfacing – NE Brainerd Resurfacing Project – Grading, Aggregate Base, Bituminous, Watermain, Concrete Curb and Gutter, Sidewalk and ADA Improvements

11th Avenue NE – H Street to J Street
J Street – Mill Avenue to 13th Avenue NE
L Street – Mill Avenue to 8th Avenue NE
O Street – 9th Avenue NE to 12th Avenue NE
10th Avenue NE – N Street to O Street and P Street to Q Street
P Street – Mill Avenue to 10th Avenue NE

The area proposed to be assessed is the property abutting said streets and alleys.

The estimated cost of such improvements is \$1,310,000.

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting.

Any individual needing special accommodations please call 828-2307.

Dated: March 2, 2020

Jennifer Bergman
City Administrator

Publish Brainerd Dispatch March 13, 2020 and March 20, 2020



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>	

February 25, 2020

Mayor Menk
and Brainerd City Council Members



RE: City Improvements 13-21, 19-09, 19-21, 19-20, and 19-16
Improvement 13-21 – B Street Reconstruction – Gillis Avenue to 5th Avenue NE www.ci.brainerd.mn.us
Improvement 19-09 – 5th Avenue NE Reconstruction – Washington Street to D Street
Improvement 19-21 – 4th Avenue NE Sidewalk Infill – Washington Street to C Street
Improvement 19-20 – Gillis Avenue Sidewalk Infill – Washington Street to B Street
Improvement 19-16 – B, C, and D Street Reconstruction – 5th Avenue NE to East Brainerd Mall

Dear Mayor Menk and City Council Members,

I am pleased to present this report for improvements as listed above, and from here on out in this report, I will generally refer to these as the “Improvements” to simplify and condense this report. Generally, the largest part of these improvements are within the project areas of B Street and 5th Avenue NE, where the improvements are to completely reconstruct the streets consisting of removal of all existing surfacing, curb and gutter, driveways, and replacement of curb and gutter, driveways new blacktop surfacing. For simplification, I will dive into each facet of this larger project in detail in the report and will summarize all the projects for a total project cost at the end of the report. For reference, all improvements listed in this report are State Aid eligible funded except for Improvement 19-16, which are local street connectors into the East Brainerd mall property.

Improvement 13-21 (SAP 108-139-001) – B Street Reconstruction – Gillis Avenue to 5th Avenue NE

This portion of B Street was last reconstructed in numerous segments, with the pavement and curb age ranging from 1959 to 1988. The existing typical section on this section of street consists of a 35-foot face-of-curb to face-of-curb section with 2-inches of bituminous surfacing and 4” of aggregate base. The existing section on this street would be considered a “local street/residential street” design by City of Brainerd standards, or a 7-ton design. While the pavement scores do not indicate major deterioration of the road surface, the curb sections and drainage characteristics in the area indicate major deterioration of the existing roadway. The curb scores from the City’s pavement management system range from a score of 1.0/4.0 to a 3.0/4.0 and the pavement scores range from a 3.0/4.0 and a 3.43/4.0. Besides the data provided in our pavement management system used as scoring criteria, staff uses professional judgement when evaluating street segments for deterioration and need for replacement within the 5-year capital improvement plan timeframe. Other items of interest that would be considered signs of pavement deterioration and the need for replacement are:

- Longitudinal and transverse cracking and “cupping” characteristics. Cupping happens when longitudinal and transverse cracks form in pavement, and traffic subsequently beats on the crack and causes further cracking near the original crack to occur. This allows for water intrusion into the pavement, and further potholing to occur near the crack. This causes rough ride conditions and a poor public perception of the street.
- Poor drainage conditions within the old curb line. Over the years of freeze and thaw cycles, curb sections to heave/sink which causes localized ponding within the curb section. Localized ponding and standing water enter the pavement and worsens the freeze thaw condition by saturating underlying soils.
- Alligator cracking. Alligator cracking is a sign of severe pavement deterioration and is indicative of an underlying soil failure along with pavement weathering or pavement being past

its useful life. Alligator cracking is one of the most severe pavement distresses, and typically is a sign that the pavement should be replaced soon as to not “blow out” in future years.

- Block Cracking. Block cracking occurs when longitudinal and transverse crack become so severe or at such frequent intervals on the surface that they begin joining and breaking the pavement into blocks. This typically happens before alligator cracking occurs.

An evaluation of the pavement conditions on B Street indicate that most of these situations as listed previously exist in the field today. The pavements and curb on B Street have outlived their useful life and should be replaced as to prevent further deterioration and unacceptable pavement conditions.

Taking this information into consideration, staff evaluated both options of resurfacing and full reconstruction before survey work was performed on this segment of street. A resurfacing of the street will not address the curb issues currently existing on the street today, so a full reconstruction is the option in which was considered. This option will also aid replacement or extension/looping of watermain, in which Brainerd Public Utilities proposed for sections of this street.

The proposed section for the street that was analyzed will follow the City of Brainerd’s State Aid standard typical section. This section is a 35-foot face-of-curb to face-of-curb width section with 5” of aggregate base and 3 ½” of new super pave asphalt. Parking would remain on both sides of the street, and the street width would be the same as it exists today. B Street was added to the Municipal State Aid System (MSAS) a few years ago, as it serves as backage to many commercial properties along the Highway 210 corridor. As part of the project, minor storm sewer improvements and additions need to be performed to assist in drainage issues in the area, and BPU is proposing watermain replacements and additions to loop the system in with adjacent systems. Trees will be replaced as necessary along with restoration practices typically performed on like projects by the City. A total estimated cost breakdown of the proposed project can be seen below, and is summarized as total project cost at the end of this report:

B Street Roadway

B Street Reconstruction	\$537,000
B Street Engineering	\$54,000
B Street Roadway Assessable:	\$212,000

Storm Sewer

Storm Sewer Construction:	\$94,000
Storm Sewer Engineering:	\$10,000

Sanitary Sewer

Sanitary Sewer Construction	\$15,000
Sanitary Sewer Engineering	\$2,000

BPU Water

BPU Water Construction:	\$233,000
BPU Water Engineering:	\$23,000

Project Cost:	\$968,000
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Estimated Reimbursement from State Aid: \$703,000

Note: The estimated reimbursement from State Aid considers that 100% of the storm sewer cost for engineering and construction can be covered by State Aid. This may not be the case and will be determined when plans go for review at the State Aid office and an appropriate split based upon drainage is determined by MnDOT Hydraulics Office.

Improvement 19-09 (SAP 108-141-001) – B Street Reconstruction – Gillis Avenue to 5th Avenue NE

This portion of 5th Avenue NE was last reconstructed in two segments. The segment of 5th Avenue NE from Washington Street to C Street was last resurfaced in 1988, and the section from C Street to D Street was last constructed in 1950 and overlayed in 1988. The existing typical section on this section of street consists of a 35-foot face-of-curb to face-of-curb section with 2-inches of bituminous surfacing and 4" of aggregate base. The existing section on this street would be considered a "local street/residential street" design by City of Brainerd standards, or a 7-ton design. While the pavement scores do not indicate major deterioration of the road surface, the curb sections and drainage characteristics in the area indicate major deterioration of the existing roadway. The curb scores from the City's pavement management system on both segments of street are 2.5/4.0 and the pavement scores range from a 3.01/4.0. Besides the data provided in our pavement management system used as scoring criteria, staff uses professional judgement when evaluating street segments for deterioration and need for replacement within the 5-year capital improvement plan timeframe. Other items of interest that would be considered signs of pavement deterioration and the need for replacement are:

- Longitudinal and transverse cracking and "cupping" characteristics. Cupping happens when longitudinal and transverse cracks form in pavement, and traffic subsequently beats on the crack and causes further cracking near the crack to occur. This allows for water intrusion into the pavement, and further potholing to occur near the crack. This causes rough ride conditions and a poor public perception of the street.
- Poor drainage conditions within the old curb line. Over the years of freeze and thaw cycles, curb sections tend to heave/sink which causes localized ponding within the curb section. Localized ponding and standing water enter the pavement and worsens the freeze thaw condition by saturating underlying soils.
- Alligator cracking. Alligator cracking is a sign of severe pavement deterioration and is indicative of an underlying soil failure along with pavement weathering or pavement being past its useful life. Alligator cracking is one of the most severe pavement distresses, and typically is a sign that the pavement should be replaced soon as to not "blow out" in future years.
- Block Cracking. Block cracking occurs when longitudinal and transverse cracks become so severe or at such frequent intervals on the surface that they begin joining and breaking the pavement into blocks. This typically happens before alligator cracking occurs.

An evaluation of the pavement conditions on 5th Ave indicate that most of these situations as listed previously exist in the field today. The pavements and curb on 5th Ave have outlived their useful life and should be replaced as to prevent further deterioration and unacceptable pavement conditions.

Taking this information into consideration, staff evaluated both options of resurfacing or full reconstruction before survey work was performed on this segment of street. A resurfacing of the street will neither address the curb issues currently existing on the street today nor the severe transverse cracking, cupping, and potholing occurring, so a full reconstruction is the option in which was considered. This option will also aid replacement or extension/looping of watermain, in which Brainerd Public Utilities proposed for some sections of this street.

The proposed section for the street that was analyzed will follow the City of Brainerd's State Aid standard typical section. This section is a 35-foot face-of-curb to face-of-curb width section with 5" of aggregate base and 3 ½" of new super pave asphalt. Parking would remain on both sides of the street, and the street width would be the same as it exists today. 5th Avenue NE was added to the Municipal State Aid System (MSAS) a few years ago, as it serves as the main entrance to the East

Brainerd Mall. As part of the project, minor storm sewer improvements and additions need to be performed to assist in drainage issues in the area, and BPU is proposing watermain replacements and additions to loop the system in with adjacent systems. Trees will be replaced as necessary along with restoration practices typically performed on like projects by the City. A total estimated cost breakdown of the proposed project can be seen below, and is summarized as total project cost at the end of this report:

5th Avenue NE Roadway

5 th Avenue NE Reconstruction:	\$302,000
5 th Avenue NE Engineering	\$31,000
5 th Avenue NE Roadway Assessable:	\$138,000

Storm Sewer

Storm Sewer Construction:	\$6,000
Storm Sewer Engineering:	\$1,000

Sanitary Sewer

Sanitary Sewer Construction	\$8,000
Sanitary Sewer Engineering	\$1,000

BPU Water

BPU Water Construction:	\$201,000
BPU Water Engineering:	\$20,000

Project Cost: \$570,000

Estimated Reimbursement from State Aid: \$349,000

Note: The estimated reimbursement from State Aid considers that 100% of the storm sewer cost for engineering and construction can be covered by State Aid. This may not be the case and will be determined when plans go for review at the State Aid office and an appropriate split based upon drainage is determined by MnDOT Hydraulics Office.

Improvement 19-21 (SAP 108-118-003) – 4th Avenue NE Sidewalk Infill – Washington Street to C Street

This State Aid project was created to fill in a segment of sidewalk currently not in place on the east side of 4th Avenue NE from Washington Street to C Street. Currently, the sidewalk ends just south of C Street and doesn't continue south to Washington Street. The Walkable Bikeable City Committee (WBCC) has this sidewalk infill identified in the Non-Motorized Transportation Plan (NMTP), and thus, because there are projects in the area and available funding sources to complete them, they are incorporated into this project. A total estimated cost breakdown of the proposed project can be seen below, and is summarized as total project cost at the end of this report:

4th Avenue NE Sidewalk Infill

Construction	\$68,000
Engineering	\$7,000

Storm Sewer

Storm Sewer Construction:	\$2,000
Storm Sewer Engineering:	\$1,000

BPU Water

BPU Water Construction:	\$2,000
BPU Water Engineering:	\$1,000

Project Cost: \$81,000

Estimated Reimbursement from State Aid: \$81,000

Improvement 19-20 (SAP 108-134-003) – Gillis Avenue Sidewalk Infill – Washington Street to B Street

This State Aid project was created to fill in a segment of sidewalk currently not in place on the east side of Gillis Avenue from Washington Street to B Street. Currently, There is no sidewalk infrastructure on the east side of Gillis Avenue from Washington Street to B Street. The Walkable Bikeable City Committee (WBCC) has this sidewalk infill identified in the Non-Motorized Transportation Plan (NMTP), and thus, because there are projects in the area and available funding sources to complete them, they are incorporated into this project. A total estimated cost breakdown of the proposed project can be seen below, and is summarized as total project cost at the end of this report:

Gillis Avenue Sidewalk Infill

Construction	\$84,000
Engineering	\$9,000

Storm Sewer

Storm Sewer Construction:	\$1,000
Storm Sewer Engineering:	\$1,000

BPU Water

BPU Water Construction:	\$3,000
BPU Water Engineering:	\$1,000

Project Cost: \$99,000

Estimated Reimbursement from State Aid: \$99,000

Improvement 19-16 – B, C, and D Street Reconstruction – 5th Avenue NE and east into East Brainerd Mall property

This project consists of 3 locally funded street segments that start at 5th Avenue NE and terminate at the property line of the East Brainerd Mall. B Street was last constructed in 1988 and currently has a curb score of 1.5/4.0 and a pavement score of 3.43/4.0. Within this section of street, there are underlying storm sewer issues that are being addressed with the new construction, along with the replacement of the poor condition curb and pavement. C Street was last constructed in 1988 and currently has a curb score of 1.5/4.0 and a pavement score of 3.52/4.0. D Street was last constructed in 1988 and has a curb score of 2.0/4.0 and a pavement score of 1.86/4.0. The existing sections on these streets would be considered a “local street/residential street” design by City of Brainerd standards, or a 7-ton design. While the pavement scores do not indicate major deterioration of the road surface, the curb sections and drainage characteristics in the area indicate major deterioration of the existing roadway. Besides the data provided in our pavement management system used as scoring criteria, staff uses professional judgement when evaluating street segments for deterioration

and need for replacement within the 5-year capital improvement plan timeframe. Other items of interest that would be considered signs of pavement deterioration and the need for replacement are:

- Longitudinal and transverse cracking and “cupping” characteristics. Cupping happens when longitudinal and transverse cracks form in pavement, and traffic subsequently beats on the crack and causes further cracking near the crack to occur. This allows for water intrusion into the pavement, and further potholing to occur near the crack. This causes rough ride conditions and a poor public perception of the street.
- Poor drainage conditions within the old curb line. Over the years of freeze and thaw cycles, curb sections to heave/sink which causes localized ponding within the curb section. Localized ponding and standing water enter the pavement and worsens the freeze thaw condition by saturating underlying soils.
- Alligator cracking. Alligator cracking is a sign of severe pavement deterioration and is indicative of an underlying soil failure along with pavement weathering or pavement being past its useful life. Alligator cracking is one of the most severe pavement distresses, and typically is a sign that the pavement should be replaced soon as to not “blow out” in future years.
- Block Cracking. Block cracking occurs when longitudinal and transverse crack become so severe or at such frequent intervals on the surface that they begin joining and breaking the pavement into blocks. This typically happens before alligator cracking occurs.

An evaluation of the pavement conditions on B, C, and D Street indicate that most of these situations as listed previously exist in the field today. The pavements and curb on these three streets have outlived their useful life and should be replaced as to prevent further deterioration and unacceptable pavement conditions.

Taking this information into consideration, staff evaluated both options of resurfacing or full reconstruction before survey work was performed on this segment of street. A resurfacing of the street will neither address the curb issues currently existing on the street today nor the severe transverse cracking, cupping, and potholing occurring, so a full reconstruction is the option in which was considered. Storm sewer issues currently being experienced on B Street will also be addressed as part of the reconstruction of these streets.

The proposed section for the street that was analyzed will follow the City of Brainerd’s State Aid standard typical section. This section is a 35-foot face-of-curb to face-of-curb width section with 5” of aggregate base and 3 ½” of new super pave asphalt. Parking would remain on both sides of the street, and the street width would be the same as it exists today. All three of these streets exist as entrances into the East Brainerd Mall, and thus experience more than average heavy truck loads. As part of the project, minor storm sewer improvements and additions need to be performed to assist in drainage issues in the area, and BPU is proposing watermain replacements and additions to loop the system in with adjacent systems. Trees will be replaced as necessary along with restoration practices typically performed on like projects by the City. A total estimated cost breakdown of the proposed project can be seen below, and is summarized as total project cost at the end of this report:

B, C, and D Street Roadway

B, C, and D Reconstruction:	\$276,000
B, C, and D Engineering	\$28,000
B, C, and D Street Roadway Assessable:	\$132,000

Storm Sewer

Storm Sewer Construction:	\$17,000
Storm Sewer Engineering:	\$2,000

BPU Water

BPU Water Construction:	\$25,000
BPU Water Engineering:	\$3,000

Project Cost: \$351,000

Summary of Total Project Costs:

A summary of the total project costs can be seen below:

Roadway

Roadway Reconstruction:	\$1,115,000
Roadway Engineering	\$113,000
Roadway Assessable:	\$482,000

Storm Sewer

Storm Sewer Construction:	\$120,000
Storm Sewer Engineering:	\$15,000

Sanitary Sewer

Sanitary Sewer Construction	\$23,000
Sanitary Sewer Engineering	\$3,000

BPU Water

BPU Water Construction:	\$464,000
BPU Water Engineering:	\$48,000

Sidewalk Infill

Construction	\$152,000
Engineering	\$16,000

Total Project Cost: \$2,069,000

Estimated Reimbursement from State Aid: \$1,232,000

When taking all this information including curb scores, pavement scores, other conditions for roadway replacement, utility needs, and the fact that none of the proposed roadway section widths are changing, the project is feasible to construct, cost effective. and necessary due to the existing conditions seen on the projects currently. No right-of way acquisition is anticipated as part of the project and existing street widths and alignment will remain consistent as conditions are today.

A public open house was held as a part of the project design and before this report. Five attendees were at the meeting and expressed the need for these improvements and had general questions about the project layout.

I will be available to answer any questions or concerns as it relates to this report at the meeting. The first step of Minnesota Statute 429 is to adopt the resolution receiving this report and setting the public improvement hearing, in which testimony will be received for or against the proposed improvements as identified in this report.

Respectfully Submitted,

A handwritten signature in blue ink that reads "Paul G. Sandy". The signature is written in a cursive, flowing style.

Paul G. Sandy, P.E.
City Engineer
City of Brainerd

R E S O L U T I O N
NO. _____

**RESOLUTION RECEIVING REPORT
CALLING HEARING ON IMPROVEMENT**

WHEREAS, a report has been prepared by the City Engineer with reference to the improvement of the following described improvements:

IMPROVEMENT 13-21

Street Reconstruction

B Street from Gillis Avenue to 5th Avenue NE

IMPROVEMENT 19-09

Street Reconstruction

5th Avenue NE from Washington Street (TH 210) to D Street

IMPROVEMENT 19-16

Street Reconstruction

B Street from 5th Avenue NE to Dead End at East Brainerd Mall property

C Street from 5th Avenue NE to Dead End at East Brainerd Mall property

D Street from 5th Avenue NE to Dead End at East Brainerd Mall property

This report was received by the Council on the 2nd day of March 2020.

WHEREAS, the statute provides that no such improvements shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of the hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels (the "Impact of Assessments") has been made available at the hearing, all in accordance with law; and

WHEREAS, this City Council has heretofore discussed and made determinations about the Impact of Assessments:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL, BRAINERD, MINNESOTA:

1. The Council will consider the above-described improvement in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvements pursuant to Minnesota Statute Chapter 429 at an estimated total cost of \$2,069,000.
2. A public hearing shall be held on such proposed improvement on the 6th day of April 2020, in the County Board Room of the Crow Wing County Historic Courthouse at 7:30 p.m. and the City Administrator shall give mailed and published notice of such hearing and improvement as required by law.

Adopted this ____ day of _____, 2020

GABE JOHNSON
President of the Council

Approved this ____ day of _____, 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

NOTICE OF HEARING ON IMPROVEMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota, will meet in the County Board Room of the Crow Wing County Historic Courthouse at 7:30 p.m. on April 6, 2020 to consider making the improvement as described below pursuant to Minnesota Statute Sections 429.011 to 429.111:

IMPROVEMENT 13-21

Street Reconstruction – Grading, Aggregate Base, Bituminous, Storm Sewer, Watermain, Concrete Curb and Gutter

B Street from Gillis Avenue to 5th Avenue NE

IMPROVEMENT 19-09

Street Reconstruction - Grading, Aggregate Base, Bituminous, Storm Sewer, Watermain, Concrete Curb and Gutter

5th Avenue NE from Washington Street (TH 210) to D Street

IMPROVEMENT 19-16

Street Reconstruction - Grading, Aggregate Base, Bituminous, Storm Sewer, Watermain, Concrete Curb and Gutter

B Street from 5th Avenue NE to Dead End at East Brainerd Mall property

C Street from 5th Avenue NE to Dead End at East Brainerd Mall property

D Street from 5th Avenue NE to Dead End at East Brainerd Mall property

The area proposed to be assessed is the property abutting said streets and alleys.

The estimated cost of such improvements is \$2,069,000.

Such persons as desire to be heard with reference to the proposed improvements will be heard at this meeting.

Any individual needing special accommodations please call 828-2307.

Dated: March 2, 2020

Jennifer Bergman
City Administrator

Publish Brainerd Dispatch March 13, 2020 and March 20, 2020