

CITY COUNCIL AGENDA

Brainerd, Minnesota

April 6, 2020

7:30 P.M.

WebEx Teleconference Meeting

Call Toll-Free: 844-992-4726

Access Code: 960 333 377

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 March 16, 2020
2. Emergency Meeting Held on March 26, 2020

Documents:

20200316_CC draft.pdf

20200326_CC Emergency Meeting.pdf

B. Approval Of Licenses

Contractor Licenses - 4 Renewals

Documents:

CONTRACTOR LICENSE REPORT - 2020-04-01.pdf

C. Department Activity Reports

1. Fire Chief
2. Park Director

Documents:

Fire Chief Report.pdf
Park Director Report.pdf

**D. Adopt Resolution Accepting Donations & Contributions For The
1st Quarter 2020 - Approval Of**

Documents:

RES - Accept Donations 1st Qtr.pdf

**E. On-Sale/Sunday Wine License Application - Submitted By Slice On
Oak LLC, 625 Oak St., Brainerd - Contingent Upon Police & Fire
Department Approval**

6. Council Committee Reports

A. Safety And Public Works Committee - 6:30 P.M.
WebEx Teleconference Meeting Information

- Call Toll Free - 844-992-4726
- Access Code - 966 447 311

Documents:

20200406_SPW.pdf

1. Request To Waive SAC/WAC At 728 4th Ave NE

Documents:

Request to Waive SAC-WAC at 728 4th Ave NE.pdf

2. Event/Street Closure Application - Crop Walk

Documents:

Event and Street Closure Application - Crop Walk.pdf

**3. Improvement 19-01 - NW 4th Street Reconstruction - Postponing
Construction**

Documents:

IMP 19-01 Postpone.pdf

**4. Riverside Drive Turnback Agreement And Cost Share Termination
Agreement**

Documents:

Riverside Drive.pdf

B. Personnel And Finance Committee - 6:30 P.M

WebEx Teleconference Meeting Information

- Call Toll Free - 844-992-4726
- Access Code - 964 465 957

Documents:

20200406_PF.pdf

1. Approval Of Bills
2. Police Lieutenant Resignation & Promotion

Documents:

Police Lt Resignation and Promotion.pdf

3. Police Officer Hiring Ratification

Documents:

Police Officer Hiring.pdf

4. LCCMR Submission Request

Documents:

LCCMR Submission Request.pdf

5. Review Election Judge Pay

Documents:

Review Election Judge Pay.pdf

7. Unfinished Business

A. Committee Recommendations - Recommended By Council President

- Yeager, Kevin - Planning Commission

Documents:

Applicant - Yeager, Kevin.pdf

B. 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

C. Postponement Of MS4 Annual Public Hearing And Presentation

Documents:

MS-4 Postponed.pdf

D. Review COVID-19 Recommendations

Documents:

Reivew COVID-19 Actions Agenda Item.pdf

8. New Business

A. Public Hearing And Resolution - Ordering Improvement, Approving Plans And Specifications, And Ordering Advertisement For Bids - Improvement 19-10 - NE Brainerd Resurfacing Project

Documents:

PH - IMP 19-10.pdf

B. Public Hearing And Resolution - Ordering Improvement, Approving Plans And Specifications, And Ordering Advertisement For Bids - Improvements 13-21, 19-09, And 19-16 - NE Brainerd Reconstruction Project

Documents:

PH - IMP 13-21 19-09 19-16.pdf

C. Review Licenses And Fees

Documents:

Review License and Fees Agenda Item.pdf

9. **Public Forum**

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

10. **Staff Reports**

(Verbal: Any Updates since Packet)

11. **Council Member Reports**

12. **Adjourn**

Personnel & Finance Committee will meet at 6:30 PM via WebEx Teleconference

Call Toll-Free: 844-992-4726

Access Code: 964 465 957

Safety & Public Works Committee will meet at 6:30 PM via WebEx Teleconference

Call Toll-Free: 844-992-4726

Access Code: 966 447 311

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
March 16, 2020**

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:32 P.M. by Council President Johnson.

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

Council President Johnson opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO AMEND THE AGENDA BY MOVING ITEM 9D - POLICE DEPARTMENT REMODEL – SERVER ROOM FIRE SUPPRESSION TO THE PERSONNEL AND FINANCE AGENDA AND ADD CORONAVIRUS UPDATE TO NEW BUSINESS.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO AMEND THE CONSENT CALENDAR BY REMOVING ITEM 5E - MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT SUBMITTED BY MN DARKHOUSE & ANGLING ASSOCIATION, 225 1ST ST., RANDALL, MN FOR AN EVENT TO BE HELD ON MARCH 28, 2020 AT THE AMERICAN LEGION POST 255, 708 FRONT ST., BRAINERD WHICH WAS CANCELED BY THE APPLICANT.

A. Approval of the Minutes of the Regular Meeting held on March 2, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 6– Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Minnesota Lawful Gambling – Adopt Resolution Authorizing Brainerd American Legion Post 255 to Conduct Off-Site Gambling on April 23, 2020 at the Essentia Health Sports Center, 502 Jackson St., Brainerd – Adopted by Resolution No. 11:20

E. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by MN Darkhouse & Angling Association, 225 1st St., Randall, MN for an Event to be Held on March 28, 2020 at the American Legion Post 255, 708 Front St., Brainerd – Canceled by Applicant

F. Temporary On-Sale Liquor License – Submitted by Brainerd American Legion Post 255 for an Event to be Held April 23, 2020 at the Essentia Health Sports Center, 502 Jackson St., Brainerd - Approved

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

March 16, 2020 - **DRAFT**

Presentations

The Chair welcomed Mr. Dave Badeaux, executive director of Brainerd Community Action, who was recently hired for this position. He said Community Action is a non-profit organization that focuses on helping individuals and groups who have a desire to help others but may not know where to get started. He gave a brief summary of the role of Community Action as they partner with many of the non-profits in the area as well as planning events in the community, such as the 4th of July festivities. He indicated fiscal sponsorship is another service offered by Community Action, which is the ability to hold charitable non-tax status funds for a non-profit that is just getting started. The Council thanked him for the presentation.

Council Committee Reports

Safety and Public Works Committee Report

Resolution – Concurring with the Revocation of Segments of CSAH20 in Brainerd – Adopted by Resolution No. 12:20

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT A RESOLUTION IN WHICH CONCURS WITH THE COUNTY'S RESOLUTION IN WHICH REVOKES CSAH 20 FROM WASHINGTON STREET TO BEAVER DAM ROAD FROM A COUNTY STATE AID HIGHWAY TO A MUNICIPAL STATE AID STREET.

Committee Chair Bevans indicated this resolution simply confirms the City is in agreement with the county to allow MnDOT to remove the segment of roadway from the County State Aid System and transfer it to the City of Brainerd. He said a second resolution will come before the Council at a later date to approve signatures on the agreement.

RESOLUTION NO. 12:20

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

Resolution – Supporting Infrastructure Accountability – Adopted by Resolution No. 13:20

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT A RESOLUTION TO SUPPORT LEGISLATION OF INFRASTRUCTURE ACCOUNTABILITY.

Committee Chair Bevans stated this resolution would give the City the right to collect fees on future infrastructure improvements from those responsible for the improvements. He said the reasoning is that cities and townships should not be forced to make current residents and businesses pay for costs of growth through local taxes.

RESOLUTION NO. 13:20

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

Transit Express Route - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO ELIMINATE THE EXPRESS SERVICE AND TO USE THE SERVICE HOURS AS ADDITIONAL DIAL-A-RIDE HOURS, IN CONCURRENCE WITH THE TRANSPORTATION ADVISORY COMMITTEE'S (TAC) UNANIMOUS RECOMMENDATION.

Committee Chair Bevans stated the express route incurred a \$7,000 deficit last year, and it was decided the best option was to eliminate this route to provide more hours for the curb to curb service that Dial-A-Ride offers.

Council Member Johnson asked if the Transportation Advisory Committee (TAC) considered adding benches or signs indicating the specific bus stops.

Council Member Lambert, who is the committee liaison, responded that due to the added expense for the equipment needed, it was not a logical option.

Tax-Forfeit Non-Conservation Parcels - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND CONCUR WITH CROW WING COUNTY'S NON-CONSERVATION STATUS OF PARCEL NO.'S 41350577, 41330537, 41241509, 41241032, 41241038 AND 41191554 TO ALLOW THE PROPERTIES TO BE PLACED ON THE CROW WING COUNTY LAND SALE.

2020 Downtown Landscaping and Maintenance - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO DISTRIBUTE THE REQUEST FOR QUOTE FOR DOWNTOWN LANDSCAPING SERVICES AND AUTHORIZE STAFF TO DEVELOP, POST AND CONDUCT THE HIRING PROCESS FOR A PART-TIME DOWNTOWN MAINTENANCE POSITION TO BE PAID THROUGH THE BUDGETED FUNDS FOR THE PLANNING INTERN POSITION.

Committee Chair Bevans stated the City annually contracts with an outside entity to provide landscaping and maintenance services for the downtown, which is assessed to the business owners. He said the Community Development Department has an annual budget to hire a Planning Intern during the summer. He indicated an intern is not needed this year, and the department would like to use the budgeted funds for a part-time downtown maintenance and streetscape position and reduce the outside contract to initial landscaping only.

Council discussion took place.

Council determined this would only be for year 2020 and will be reevaluated after the season ends.

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.

Council Member Bevans indicated the financial reports should be included with the packet, and not as a separate document. City Administrator Bergman apologized to the Council and stated the software conversion has been consuming for staff with training for two weeks. Finance Director Hillman indicated they were possibly provided separately in the past due to the number of pages when packets were printed, but she will research further. She also added the prepaid payments will now be included in the main Accounts Payable report instead of separately.

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

Request to Apply for a Grant from the Otto Bremer Trust - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE FIRE DEPARTMENT STAFF TO APPLY FOR A GRANT THROUGH THE OTTO BREMER TRUST IN THE AMOUNT OF \$300,000 FOR A SELF-CONTAINED BREATHING APPARATUS (SCBA).

Police Sergeant Promotion - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE PROMOTING POLICE OFFICER DEREK PALLANSCH TO POLICE SERGEANT EFFECTIVE APRIL 13TH AND HIS WAGE BE SET AT THE STEP 3 RATE OF THE TEAMSTERS LABOR AGREEMENT OF \$35.67 PER HOUR.

Appointment of Building Official - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPOINT DARRIN DESETH AS BUILDING OFFICIAL AT STEP 2 OF THE BUILDING OFFICIAL PAY SCALE WHICH IS \$31.11 PER HOUR EFFECTIVE MARCH 17, 2020.

Committee Chair Badeaux indicated there were 5 applicants, but Mr. Deseth was the only one certified with the State of Minnesota, which was one of the minimum requirements.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO POST THE BUILDING INSPECTOR POSITION AND CONDUCT THE HIRING PROCESS.

Request to Apply for DNR Outdoor Recreation Grant – Memorial Park - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO AUTHORIZE STAFF TO SUBMIT THE DNR OUTDOOR RECREATION GRANT APPLICATION PENDING PARK BOARD APPROVAL.

Committee Chair Badeaux stated the agenda request lists the incorrect amount of \$236,338 and it should be \$248,623. He said the potential grant amount could be between \$10,000 to \$248,623. He indicated it is pending Park Board approval, as the due date for the grant application is March 27, 2020. He asked the Council the process for future grant requests for parks related applications.

Council Member Johnson stated according to the City Charter, the Park Board operates as an independent entity and they may apply for the desired grants.

Finance Director Hillman indicated there is a city policy in place that states any City department intending to apply for a grant of \$5,000 or more shall notify the City Council.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS, DULY CARRIED, THAT POTENTIAL GRANT FUNDS RECEIVED ARE IN ADDITION TO THE ALLOTTMENT OF THE \$1.3 MILLION FOR THE MEMORIAL PARK PROJECT.

Police Department Remodel – Server Room Fire Suppression - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO APPROVE THE INSTALLATION OF A CLEAN AGENT SYSTEM IN THE AMOUNT OF \$18,700 RATHER THAN A WATER BASED SPRINKLER SYSTEM IN THE SERVER ROOM TO MINIMIZE DISRUPTION TO THE CITY'S NETWORK ESPECIALLY IN THE CASE OF A FALSE ALARM OR FIRE IN ANOTHER ROOM.

Committee Chair Badeaux explained due to having expensive equipment in the server room, the clean agent system is the best option as it does not affect electronics.

Unfinished Business

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

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

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

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

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

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

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

Planning Commission – 1 term (Expire 2022)

Other

Water Tower Fundraising Committee – Applicants Needed

City Hall and Police Department Remodel Update - Informational

The Chair recognized Kevin Currie from Contegrity, who gave a brief update to the City Hall and Police Department remodel projects. He summarized the construction status and the breakdown by contractor which are under budget. He indicated the project is on schedule with city hall staff being able to occupy the second-floor next week in order to clear the third floor for the final stage of construction. He explained the police department project is scheduled to start on March 30th.

Crow Wing County Shared Services Maintenance Contract Update – Informational

City Engineer Sandy gave an overview of the first year of the shared services agreement with Crow Wing County and the next steps towards the future of the agreement. He indicated due to the remodel projects taking place, staff would like to continue with the agreement as it is and obtain more data this summer prior to the budgeting process to get a more accurate breakdown of hours and services.

New Business

Authorize Letter of Intent with the Region 5 Children's Museum - Approved

City Administrator Bergman explained the letter outlines the responsibilities of each entity. She said the letter will include cost sharing, establishment of a task force, a working group, a focus group and community engagement. She indicated the City will contribute \$20,000 towards the masterplan with Region 5 Children's Museum contributing \$17,000 and will be doing additional community engagement.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO THE LETTER OF INTENT WITH THE REGION 5 CHILDREN'S MUSEUM.

Authorize Proposal with Widseth Smith Nolting (WSN) for Lum Park Masterplan - Approved

City Administrator Bergman indicated that WSN will be creating a task force consisting of 9-11 people, including members from the City Council, EDA, Planning Commission, Park Board, Region 5 Children's Museum and community members and a working group to assist WSN. She explained the masterplan will be conducted in three phases through 2020: Programming, Preliminary Design and Final Presentation Graphics and Deliverables.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A PROPOSAL WITH WIDSETH SMITH NOLTING (WSN) FOR THE LUM PARK MASTERPLAN.

Mississippi Landing Trailhead Concept Design Presentation - Approved

Community Development Director Chanski gave a presentation with the final concept design of the Mississippi Landing Trailhead. He explained the concept is fully supported by the newly adopted Comprehensive Plan in many of the goals and policies. He reviewed the details of the site, the site plan and the benefits of having these various amenities available to the community.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO RESEARCH AND PURSUE FUNDING OPPORTUNITIES FOR FINAL DESIGN AND CONSTRUCTION OF THE MISSISSIPPI LANDING TRAILHEAD.

(Added Item) Coronavirus Update

City Administrator Bergman stated staff has been working most of the day on issues revolving around COVID-19, and the role the City has in addressing these concerns in the community. She reviewed the recommendations from staff as follows:

- Modify services to online, phone, and mail and close public buildings of Parks, City Hall, Fire, Police
- Rental housing inspections are put on hold unless emergency
- Cancel special events for the next eight weeks
- Cancel all advisory and ad hoc meetings until further notice unless emergency item needs immediate attention
- Cancel trainings, conferences, and travel until further notice
- Schedule a meeting for Thursday, March 19, 2020 for updated information if needed

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ADOPT THE RECOMMENDATIONS OF CITY ADMINISTRATOR BERGMAN STATED IN HER MEMO PROVIDED TO COUNCIL DATED MARCH 16, 2020 REGARDING COVID-19 BASED ON CDC RECOMMENDATIONS UNTIL APRIL 6, 2020.

Council Member Pritschet volunteered to assist staff in any area needed regarding meetings as an appointed liaison.

Public Forum

The Chair opened the public forum at 9:27 p.m.

No one came forward.

The Chair closed the public forum at 9:27 p.m.

Staff Reports

None

Council Member Reports

Council Member Badeaux stated although these are uncertain times, things will eventually go back to normal.

Council Member Pritschet said we can work together as a community and help each other out.

(Revised) Adjourn to Special Council Meeting March 19, 2020 at 6:00 P.M.

The Chair adjourned at 9:27 p.m.

Jennifer Bergman
City Administrator

**Brainerd, MN
March 26, 2020**

Pursuant to due call and notice thereof, the Emergency Meeting of the Brainerd City Council was called to order at 6:04 p.m. by Council President Johnson in the Fire Department Training Room. President Johnson reminded those calling in or using WebEx to mute your line to help eliminate background noise.

Upon roll call, the following members were noted as present: Badeaux, Lambert, Pritschet and Johnson. Mayor Menk was also noted as present. Also present was City Administrator Bergman, and Fire Chief Holmes. The following members were noted as present electronically: Bevans, Erickson and Stunek. Also present electronically were Police Chief McQuiston, Finance Director Hillman, City Engineer Sandy, HR Director Schubert, Community Development Director Chanski, and Parks Director Sailer.

Consider Adoption of the Continuity of Operations Plan

City Administrator Bergman explained the purpose of the Continuity of Operations Plan (COOP) is to provide guidance on critical operations if an emergency or disaster causes normal operations to cease. She indicated the COOP is an overarching document that gives guidance and a plan to fall back on in a situation like what is occurring now. She said the COOP outlines the preparation that the City is doing, the activity associated with the disaster or emergency and the efforts to return to normal, or recovery from an emergency.

Fire Chief Holmes stated the plan came from a template that was created by the Emergency Management Managers in the state of Minnesota. He said the City Administrator, City Department Heads, BPU and Alderman Pritschet worked together to modify the plan for the City of Brainerd, which was reviewed by City Attorney Langel.

Council Member Johnson praised the staff in preparing such a through plan in the tight time constraints we are experiencing.

Mayor Menk questioned the chart shown in the packet titled "*Anticipated Minnesota Service Delivery Chart for a pandemic*" in which item 3 lists the Avian Flu. He asked if this should be changed from Avian Flu to COVID-19.

Fire Chief Holmes stated the table is from the state of Minnesota with examples of delivery methods, and it is for reference only.

Council Member Lambert asked who is identified under the responsibilities section of the plan shown on page 16, i.e. Chief Government Officer, and so forth. She suggested the assigned person is listed next to the title.

Fire Chief Holmes stated the Chief Government Officer will be City Administrator Bergman, and all others are indicated on the next page titled Order of Succession. He said he will make the additions to the job title.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO ADOPT THE CONTINUITY OF OPERATIONS PLAN WITH ONE AMENDMENT TO ADD CITY ADMINISTRATOR TO THE TITLE OF 9A.

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

Consider Stay at Home Plan

City Administrator Bergman indicated Governor Walz issued an Emergency Executive Order directing Minnesotans to Stay at Home. She said to honor that order, the recommendation is to allow most City Staff whose primary work is done on a computer to work from home. She stated City functions will continue to operate as best as we can from a remote work environment for the next two weeks and all calls will be answered and returned. She directed each department head to explain the tasks that will be worked on in their departments.

Council discussion took place.

City Administrator Bergman stated at this time, there are 21 employees identified who are unable to work from home, which are maintenance crews in the Street and Parks Departments, Police Records Management Staff, and Community Service Officers. She indicated although they are unable to work from home, they need to be available to work when needed. She explained at the March 24th Brainerd Public Utilities (BPU) Commission meeting, the Commission authorized paying all their employees whether they are reporting to work, working from home or are unable to work. She said consistent with the BPU’s Commission’s action, the recommendation is the City Council would also continue to pay employee’s unable to work from home.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET TO ADOPT THE STAY AT HOME PLAN AS PRESENTED, CONSISTENT WITH THE GOVERNOR’S ORDER, ALONG WITH THE TEMPORARY TELEWORK NOTICE AND CONTINUE TO PAY THOSE IN THE “EMPLOYEE’S UNABLE TO WORK FROM HOME-AVAILABLE WHEN NEEDED” SECTION THEIR NORMAL BASE PAY DURING THE TIMEFRAME IDENTIFIED IN THE GOVERNOR’S EMERGENCY EXECUTIVE ORDER 20-20.

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

MOVED AND SECONDED BY ALDERMEN BADEAUX AND PRITSCHET TO AUTHORIZE ALL TRANSIT OPERATIONS TO CONTINUE TO OPERATE DURING THE TIMEFRAME IDENTIFIED IN THE GOVERNOR’S EMERGENCY EXECUTIVE ORDER 20-20 AND DIRECT STAFF TO REDUCE CAPACITY APPROPRIATELY DUE TO REDUCED RIDERSHIP DURING THE PANDEMIC.

Council Member Lambert suggested having hand sanitizer and surface wipes available to riders and staff on the buses. City Engineer Sandy will explore this option, as supplies in the area have been depleted recently.

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

Discussion on Next Steps

Council Member Johnson indicated he has been asked about the two-hour parking enforcement downtown, as many of the residents are temporarily out of work and their vehicles would be parked during daytime hours.

City Attorney Langel stated he believes the two-hour parking limit is part of a City ordinance but could be a temporary action from the Police Chief.

Finance Director Hillman indicated Police Chief McQuiston does not have audio to reply but he stated the Police Department supports the temporary exemption of the two-hour parking downtown as they will not have the staff available to enforce it. He stated the only concern would be abandoned or junk vehicles and state statute allow local authority to tow after 48 hours.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BADEAUX TO DIRECT THE POLICE DEPARTMENT TO TEMPORARILY SUSPEND THE ENFORCEMENT OF THE TWO-HOUR PARKING RESTRICTIONS IN DOWNTOWN BRAINERD (B-4 DISTRICT) WITH THE EXCEPTION OF ABANDONED OR INOPERABLE VEHICLES UNTIL THE MAY 4TH, 2020 CITY COUNCIL MEETING.

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

Council Member Johnson stated due to local businesses having to temporarily close, the upcoming liquor license renewals need to be discussed. Mayor Menk recommended the fees be suspended for the first three months and payment for the balance of the year be submitted after that time. It was determined this item will be on the agenda for the April 6, 2020 City Council meeting.

Council Member Lambert received an email from Mr. Chuck Marohn suggesting the City to offer information to local business owners directing them to the options available to them through the State. Community Development Director Chanski stated the Chamber of Commerce and Brainerd Lakes Area Economic Development Corporation (BLAEDC) have links on their websites.

Council Member Johnson directed Community Development Director Chanski to contact Mr. Tyler Glynn, executive director of BLAEDC to inquire about the ability to meet with business owners to assist in the application process.

Mayor Menk indicated March 31, 2020 was his resignation day to serve as Mayor but is offering to extend his services until a new mayor is appointed.

MOVED AND SECONDED BY ALDERMEN STUNEK AND LAMBERT TO EXTEND THE MAYOR'S DUTIES UNTIL A NEW MAYOR IS APPOINTED.

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

City Administrator Bergman thanked the Council and indicated future Council meetings will be done live via WebEx. She is requesting a trial run on April 3, 2020 to confirm the equipment is working properly prior to the Monday night meeting.

Council Member Johnson thanked City Administrator Bergman and the Department Heads for the great work that was done in the short timeframe with this challenging situation.

Adjourn

The Chair adjourned the meeting at 7:18 p.m.

Jennifer Bergman
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
April 6, 2020
(4 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
CULLIGAN SOFT WATER SERVICE COMPANY 8240 INDUSTRIAL PARK ROAD BAXTER, MN 56425 20-0167	(219) 829-5137	WATC	1/1/2021		WC644193
BLUE STAR PLUMBING INC 1222 7TH AVENUE N ST. CLOUD, MN 56303 20-0166	(320) 251-0138	PLUM MECH	5/7/2020 5/7/2020	12/31/2021 1/1/2022	PC644073 MB646226
ELLINGSON PLUMBING, HEATING, A/C 2510 BROADWAY STREET S. ALEXANDRIA, MN 56308 20-0165	(320) 762-8645	MECH PLUM	10/26/2020 10/26/2020	8/27/2020 12/31/2021	MB003601 PC003601
RIGHTMARK LLC 2534 EASTWOOD AVE. SE PO BOX 343 BUFFALO, MN 55313 20-0164	(952) 758-6237	PLUM MECH	5/30/2020 5/30/2020	12/31/2021 6/7/2020	PC652832 MB653174

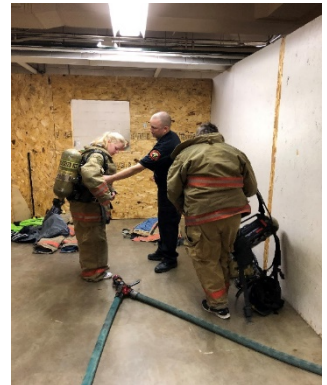
Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: April 1, 2020
Re: March Activity Report

As you can imagine, our report for March 2020 is going to be a little different. We were able to start the month off pretty normal, but that quickly changed with COVID-19. All our public education events were canceled and we started controlling access to the fire stations early in the month.



We were again honored to participate in the CLC Career Exploration Day. The event brings in high school students explorer career options and learn more about them. There were more than 2,800 students from school districts around the area. Several of our Paid on-Call Firefighters helped to make this a very successful event for us.



Our new firefighters completed their Firefighter I/II written and practical testing. They are now waiting to finish the practical tests for the HazMat portion.



We responded to several major incidents including 5 structure fires, several gas leaks, and a gasoline tanker roll-over. We had a very good response to all these incidents and everyone did a great job. We got a very nice email from one of the property owners, "Our whole family and I would like to say a very big thank you to the guys that came to put out the fire in our shop/office. They were quick, efficient and kind. We were impressed with their work and thankful they got the fire out before it spread to the woods. Well done!"

Our hiring process with testing for new firefighters has been postponed and will be rescheduled as soon as it is safe to do so.



We continue to monitor all the COVID-19 information and will continue to structure our response to protect our firefighters and the community.

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

Structure Fire	5
Vehicle Crash with Injuries	2
Extrication, Rescue	1
Gas Spill, Leak	3
Assist Other Governmental Agency	1
Good Intent	2
Smoke Scare	5
Unauthorized Burning	1
Canceled Enroute	1
Alarm System Activation	9
Carbon Monoxide Alarm Activation	1
Total	31

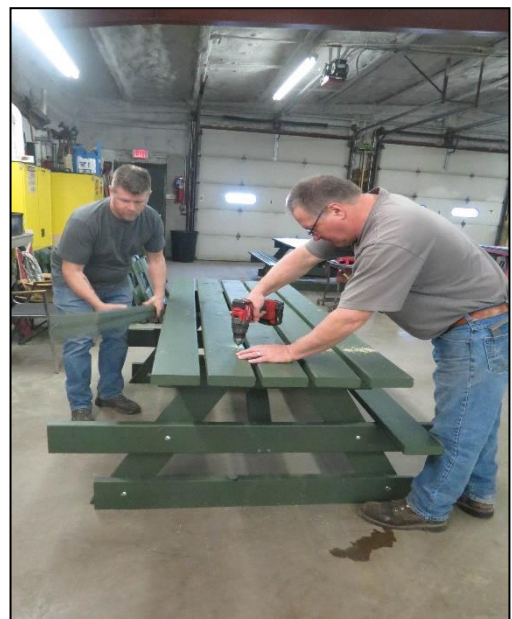
City of Brainerd Incident Report

Structure Fire	1
Vehicle Crash with Injuries	2
Smoke Scare, Odor	3
Good Intent Call	1
Alarm System Activation	3
Carbon Monoxide Alarm Activation	1
Total	11

Parks and Recreation Report

April 2020

- Crow Wing Soil & Water Conservation District informed staff that it was awarded a \$50,000 Conservation Partners Legacy grant which will be used for improvements at Rotary Riverside Park. Projects funded by the grant include vegetation, invasive species prevention (buckthorn), restoration and management, and pollinator best management practices for the Field of Seeds project. The grant was written in conjunction with the Brainerd Rotary Club.
- The Park Board approved the Outdoor Recreation grant application for \$248,623 from the Minnesota DNR. The application was sent in March 27. Staff should learn within two-to-three months if the grant request is approved.
- The City Council determined that City offices be closed to the public and special events and gatherings be cancelled until at least May 12. Parks staff compiled a proposed list of cancellations and postponements for Park Board discussion (see attached).
- Staff has learned that the Brainerd Lakes Area Baseball Association and the Baxter Baseball Association have discussed merging. Because of the Covid-19 situation, tryouts and further discussions have been postponed.
- The Park Board approved applying for a Minnesota Timberwolves all-season basketball court grant. There are four regions in the state and each region will be awarded a new court at no cost to the City. Parks staff applied for the grant in 2019. If Brainerd should be selected this year, the Gregory Park basketball court would be replaced.
- Mid-Minnesota Women's Center will host its 3rd annual Family Fun Day from 11 a.m. to 6 p.m. on Sunday, Aug. 16, at Lum Park. There will be free food, games, activities and interaction with local emergency response personnel. This event took place last year at Lum Park. The Brainerd Ski Loons have a show scheduled to begin at 5 p.m. at Lum Park on Aug. 16 but the two groups worked together last year to have the events coincide.
- Joe Pfeiffer, a student studying Sports Management at the University of South Dakota, has been offered the intern position. His duties will tentatively begin May 4 but could change due to the pandemic. The position is funded by Sourcewell.
- The maintenance staff built 12 picnic tables and constructed a metal and wood dock extension for the Kiwanis Park pier. The Kiwanis Club will reimburse the department for dock material expenses.



To: City Council
Jennifer Bergman, City Administrator
From: Tony Sailer, Parks Director
Date: March 25, 2020
Re: Park closures, postponements and cancellations

The Brainerd City Council restricted public access to City buildings and facilities effective March 17. While most City services will continue to fully operate at this time, we will be closing all our buildings to the public. This includes City Hall, Parks, Fire, Police and the Street garage.

All communication with our residents can be done online, by phone, email or US Mail.

Upon recommendation of the CDC and MDH regarding the Coronavirus, the City will cancel all special events and group gatherings effective immediately and through May 12.

The Park Board indicated there is no way to keep citizens from frequenting City parks and stated that with schools and many businesses being closed the park system may be places where people wish to visit while maintaining social distancing. This is an evolving situation and changes in directives may occur.

The following cancellations and postponements were approved by the Park Board at its March 24 meeting.

Special Events

The Easter Egg Hunt, Easter Tennis Ball Hunt and Arbor Day will be cancelled. Easter candy already donated by the Rotary Club will be handed out at the Fishing Clinic as requested by the service club. The Lakes Area Bicycle Clinic is scheduled for May 3 and is run by Essentia Health with assistance from Brainerd Parks and Recreation, and the Brainerd and Baxter Police Departments. Staff is waiting for further information from Essentia Health on whether the clinic will take place.

Tournaments

The Early Bird softball tournament will be cancelled.

Practices and Games

Adult softball: The regular season will be delayed until at least May 12. Per Park Board policy, teams will be refunded on a per game basis if the season is shortened. Fields will not be reserved for practices.

Youth baseball and softball: The Skills Clinic and draft dates will be moved to on or after May 12. Practices and games will be scheduled accordingly. Registrations are being taken on-line or by mailing the registration form. The registration deadline is moved to May 8.

Non-competitive activities: At this time, the start date of these activities should occur as scheduled. The registration deadline for non-competitive activities is May 15.

Lum Park Campground

The campground will be closed until at least May 12. Reservations are being accepted at this time for after May 12.

Pavilions

While pavilion reservations can be accepted at this time, pavilions cannot be utilized for public gatherings until May 12 at the earliest.

Restrooms

Park restrooms will be closed until at least May 12. Signs will be posted.

Playgrounds

Signs will be posted with CDC guidelines and people are urged to use caution if using the playground equipment due to potential spread of the Covid-19 virus.

MEMO

TO: Mayor and Council

FROM: City Administrator Jennifer Bergman

DATE: April 2, 2020

RE: Resolution Accepting Donations & Contributions for 1st Quarter 2020

Attached is a resolution accepting donations and contributions that have been made to the City of Brainerd for the period of January 1 through March 31, 2020. The City is very appreciative to all who have made these contributions. The funds from the donations and contributions will be used as requested by the donor.

A resolution needs to be adopted with a two-thirds vote of the Council. The item appears on the April 6th, 2020 agenda.

If you have any questions, please don't hesitate to contact me.

\pz

MEMO

TO: Finance Director Connie Hillman
FROM: Fire Chief Tim Holmes 
DATE: April 2, 2020
SUBJECT: 2020 – 1st Quarter Donations



www.ci.brainerd.mn.us

1st Quarter donations for the Brainerd Fire Department are as follows:

- | | | |
|------------------------------------|----------|------------------|
| • Brainerd Building / Construction | \$ 75.00 | Public Education |
| • Karels, Royal & Diane | \$ 25.00 | Public Education |
| • St. Paul's Episcopal Church | \$125.00 | Public Education |

Feel free to contact me with any questions.

Brainerd Parks and Recreation

Contributions and Donations January-March 2020

Received From	Receipt Date	Type of Donation	Amount Received
Brainerd Lakes Area Women of Today	01/02/20	Youth team sponsor	\$200.00
Brainerd Rotary Foundation	01/02/20	Special events sponsor	600.00
Baratto Brothers Construction Inc	01/10/20	Banner program-Memorial Park field improvements	250.00
Mill Avenue Holiday	01/10/20	Banner program-Memorial Park field improvements	250.00
Edgewood Dental	01/13/20	Banner program-Memorial Park field improvements	150.00
Penmac Staffing Services Inc	01/13/20	Banner program-Memorial Park field improvements	325.00
Waste Partners Inc	01/14/20	Youth team sponsor	175.00
Brainerd Jaycees	01/14/20	Youth team sponsor	200.00
Hasskamp Brothers Well Drilling	01/15/20	Banner program-Memorial Park field improvements	325.00
E L Menk Jewelers	01/15/20	Youth team sponsor	200.00
Winners Trophy and Engraving	01/21/20	Special events sponsor	250.00
Northland Construction	01/21/20	Youth team sponsor	200.00
McDonald's-Guests Inc	01/21/20	Banner program-Memorial Park field improvements	250.00
Clow Stamping Co	01/21/20	Youth team sponsor	200.00
Anonymous	01/22/20	Skate sharpening	4.00
Picture Day Pro	01/23/20	Youth team sponsor	175.00
VFW Auxiliary #1647	01/27/20	Youth team sponsor	225.00
Eagles Club	01/27/20	Youth team sponsor	225.00
Eagles Club	01/27/20	Special events sponsor	225.00
American National Bank	01/27/20	Youth team sponsor	175.00
LU 242 IBEW/Twin Ports NECA LLCC	01/27/20	Banner program-Memorial Park field improvements	325.00
Anonymous-various donors	01/29/20	Designated for GGP Skating Party-extra to skate sharpening	120.00
Laurie Hall State Farm Insurance	02/03/20	Youth team sponsor	200.00
Grand Casino Mille Lacs	02/03/20	Special events sponsor	500.00
Brainerd Elks Lodge #615	02/07/20	Youth team sponsor	200.00
Brainerd General Rental	02/07/20	Banner program-Memorial Park field improvements	150.00
Sibbert Drywall LLC	02/12/20	Banner program-Memorial Park field improvements	150.00
Hy-Tec Construction	02/12/20	Youth team sponsor	225.00
Bremer Bank	02/13/20	Youth team sponsor	225.00
Crow Wing Power	02/13/20	Banner program-Memorial Park field improvements	325.00
Schroeder's Appliance Center	02/18/20	Youth team sponsor	275.00
McDermott Orthodontics	02/18/20	Youth team sponsor	200.00
Finnegan & Assoc. Amer. Family Ins.	02/18/20	Youth team sponsor	200.00
Tia Stinar/Holden Electric	02/20/20	Designated for youth softball	50.00
Paul Bunyan Land	02/20/20	Youth team sponsor	200.00
Dondelinger Chevrolet	02/20/20	Youth team sponsor (2)	350.00
Pampered Pets LLC	02/21/20	Banner program-Memorial Park field improvements	150.00
CTC	02/24/20	Youth team sponsor	175.00
Tom Hofius Agency-Farmers Insurance	02/24/20	Youth team sponsor	200.00
MidMinnesota Federal Credit Union	02/24/20	Youth team sponsor	225.00
Anonymous	02/25/20	Designated for Buster Dog Park	20.00
Taco John's	03/09/20	Youth team sponsor	175.00
Widseth Smith Nolting	03/09/20	Youth team sponsor	200.00
Mill Avenue Holiday	03/09/20	Youth team sponsor	200.00
Anonymous	03/10/20	Skate sharpening	22.00
Holden Electric Company Inc	03/10/20	Banner program-Memorial Park field improvements	325.00
Gull Lake Glass Inc	03/10/20	Youth team sponsor	275.00
Riddle's Jewelry	03/13/20	Youth team sponsor	225.00
Essentia Health	03/16/20	Banner program-Memorial Park field improvements	300.00
Advantage Seamless Gutters	03/16/20	Banner program-Memorial Park field improvements	150.00
Neighborhood National Bank	03/16/20	Youth team sponsor	175.00
Country Inn & Suites	03/16/20	Youth team sponsor	175.00
Arrowwood Lodge Brainerd	03/18/20	Youth team sponsor	200.00
Viking Coca-Cola	03/26/20	Youth team sponsor	250.00
Mills Automotive Group	03/31/20	Youth team(s) sponsor	775.00
Cub Foods		Special Events	in-kind
Viking Coca-Cola		Gregory Park Skating Party-beverages-vendor contract	in-kind
Wendy's		Gregory Park Skating Party-chili,crackers,bowls,spoons,napkins	in-kind
St. Joseph's Foundation		AED unit with cabinet-Gregory Park building	in-kind
TOTAL			\$12,516.00

Brainerd Parks and Recreation

Contributions and Donations 2020

Special Events

Received From	Date	Receipt Number	General Ledger	Event	Amount
Brainerd Rotary Foundation	01/02/20	1032724	230-34711	Easter Egg Hunt	\$600.00
Winners Trophy and Engraving	01/21/20	1032773	230-34711	Undesignated special events	250.00
Eagles Club	01/27/20	1032802	230-34711	Undesignated special events	225.00
Grand Casino Mille Lacs	02/03/20	1032822	230-34711	Undesignated special events	500.00
Viking Coca-Cola	01/15/20			Contract donation-used for Skating Party	in-kind
Wendy's	02/15/20			Gregory Park Skating Party-chili,crackers,bowls	in-kind
					\$1,575.00

Team Sponsorships

Received From	Date	Receipt Number	General Ledger	League	Amount
Brainerd Lakes Area Women of Today	01/02/20	1032723	230-0000-34708	Petite Youth Softball	\$200.00
Waste Partners Inc	01/14/20	1032759	230-0000-34703	Shetland T-Ball	175.00
Brainerd Jaycees	01/14/20	1032760	230-0000-34708	Junior Youth Softball	200.00
E L Menk Jewelers	01/15/20	1032763	230-0000-34708	Petite Youth Softball	200.00
Northland Construction	01/21/20	1032775	230-0000-34708	Petite Youth Softball	200.00
Clow Stamping Co	01/21/20	1032778	230-0000-34708	Junior Youth Softball	200.00
Picture Day Pro	01/23/20	1032791	230-0000-34702	Youth Soccer	175.00
VFW Auxiliary #1647	01/27/20	1032796	230-0000-34726	Bronco Baseball	225.00
Eagles Club	01/27/20	1032801	230-0000-34728	Miracle League	225.00
American National Bank	01/27/20	1032803	230-0000-34703	Intro to Baseball	175.00
Laurie Hall State Farm Insurance	02/03/20	1032821	230-0000-34708	Junior Youth Softball	200.00
Brainerd Elks Lodge #615	02/07/20	1032853	230-0000-34708	Senior Youth Softball	200.00
Hy-Tec Construction	02/12/20	1032864	230-0000-34726	Mustang Baseball	225.00
Bremer Bank	02/13/20	1032867	230-0000-34726	Bronco Baseball	225.00
Schroeder's Appliance Center	02/18/20	1032872	230-0000-34726	Pony Baseball	275.00
McDermott Orthodontics	02/18/20	1032875	230-0000-34708	Petite Youth Softball	200.00
Finnegan & Assoc. Amer. Family Ins.	02/18/20	1032876	230-0000-34708	Senior Youth Softball	200.00
Paul Bunyan Land	02/20/20	1032899	230-0000-34708	Junior Youth Softball	200.00
Dondelinger Chevrolet	02/20/20	1032900	230-0000-34703	Minor League Baseball	175.00
Dondelinger Chevrolet	02/20/20	1032900	230-0000-34712	Kickball	175.00
CTC	02/24/20	1032911	230-0000-34703	T-Ball and Baseball Ages 3-9	175.00
Tom Hofius Agency-Farmers Insurance	02/24/20	1032912	230-0000-34708	Junior Youth Softball	200.00
MidMinnesota Federal Credit Union	02/24/20	1032913	230-0000-34726	Bronco Baseball	225.00
Taco John's	03/09/20	1032981	230-0000-34703	Intro to Baseball	175.00
Widseth Smith Nolting	03/09/20	1032982	230-0000-34708	Petite Youth Softball	200.00
Mill Avenue Holiday	03/09/20	1032983	230-0000-34708	Senior Youth Softball	200.00
GullLake Glass Inc	03/10/20	1033003	230-0000-34726	Pony Baseball	275.00
Riddle's Jewelry	03/13/20	1033012	230-0000-34726	Mustang Baseball	225.00
Neighborhood National Bank	03/16/20	1033021	230-0000-34703	Intro to Baseball	175.00
Country Inn & Suites	03/16/20	1033022	230-0000-34703	Intro to Baseball	175.00
Arrowwood Lodge Brainerd	03/18/20	1033025	230-0000-34708	Petite Youth Softball	200.00
Viking Coca-Cola Bottling Company	03/26/20	1033036	230-0000-34703	Lil' Buckaroos sponsor	250.00
Mills Automotive Group	03/31/20	1033046	230-0000-34708	Petite/Junior/Senior Softball	600.00
Mills Automotive Group	03/31/20	1033046	230-0000-34702	Youth Soccer	175.00
					\$7,300.00

Donations/Grants/Special Revenue

Received From	Date	Receipt Number	General Ledger	Description	Amount	Notes
Baratto Brothers Construction Inc	01/10/20	1032744	405-36230	Banner program-field improvements MMP	\$250.00	Memorial Park
Mill Avenue Holiday	01/10/20	1032745	405-36230	Banner program-field improvements MMP	250.00	Memorial Park
Edgewood Dental	01/13/20	1032749	405-36230	Banner program-field improvements MMP	150.00	Memorial Park
Penmac Staffing Services Inc	01/13/20	1032751	405-36230	Banner program-field improvements MMP	325.00	Memorial Park
Hasskamp Brothers Well Drilling	01/15/20	1032762	405-36230	Banner program-field improvements MMP	325.00	Memorial Park
McDonald's-Guests Inc.	01/21/20	1032776	405-36230	Banner program-field improvements MMP	250.00	Memorial Park
Anonymous	01/22/20	1032781	230-36230	Skate sharpening	4.00	Warming houses
LU 242 IBEW/Twin Ports NECA LLMCC	01/27/20	1032804	405-36230	Banner program-field improvements MMP	325.00	Memorial Park
Anonymous-various donors	01/29/20	1032808	230-36230	Designated for GGP Skating Party	120.00	Xtra to skate sharpening
Brainerd General Rental	02/07/20	1032854	405-36230	Banner program-field improvements MMP	150.00	Memorial Park
Sibbert Drywall LLC	02/12/20	1032858	405-36230	Banner program-field improvements MMP	150.00	Memorial Park
Crow Wing Power	02/13/20	1032869	405-36230	Banner program-field improvements MMP	325.00	Memorial Park
Tia Stinar/Holden Electric	02/20/20	1032882	230-36230	Designated for youth softball	50.00	Youth softball
Pampered Pets LLC	02/21/20	1032904	405-36230	Banner program-field improvements MMP	150.00	Memorial Park
Anonymous	02/25/20	1032918	230-36230	Designated for Buster Dog Park	20.00	Buster Dog Park
Anonymous	03/10/20	1032997	230-36230	Skate sharpening	22.00	Warming houses
Holden Electric Company Inc	03/10/20	1033002	405-36230	Banner program-field improvements MMP	325.00	Memorial Park
Essentia Health	03/16/20	1033018	405-36230	Banner program-field improvements MMP	300.00	Memorial Park
Advantage Seamless Gutters	03/16/20	1033019	405-36230	Banner program-field improvements MMP	150.00	Memorial Park

Athletic Fields - 2020 Expenditures

Vendor	Date	Invoice Number	General Ledger	Description	Amount	Balance
2020 budget for 45200-2221						\$4,500.00
Total expenditures-Mills Field					0.00	
Admin xfer-Park Fund to Park Dedication	December	Park Board request	230-49300-7720	Balance of anonymous donation		\$0.00

**RESOLUTION
NO. _:20**

**RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS
FROM JANUARY 1, 2020 THROUGH MARCH 31, 2020**

WHEREAS, the City of Brainerd is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Sections 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and bequests for the benefit of recreational service pursuant to Minnesota Statutes Section 471:17; and

WHEREAS, the following persons and entities have offered to contribute the gifts and cash sums set forth below to the City:

<u>Name of Donor</u>	<u>Amount</u>	<u>Requested Use of Donation or Contribution</u>
----------------------	---------------	--

SEE ATTACHED LIST OF DONORS

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA that all donations and/or contributions described above are hereby graciously accepted by the City of Brainerd and shall be used as requested by the donors or grant requirements.

BE IT FURTHER RESOLVED, that the City Council expresses its gratitude to the donors of the gifts.

Adopted this ____ day of March, 2020

GABE JOHNSON
President of the Council

Approved this ____ day of March, 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

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

**April 6, 2020
6 :30 P.M.**

**WebEx Teleconference Meeting
Call Toll-Free : 844-992-4726
Access Code : 966 447 311**

1. Request to Waive SAC/WAC Fees at 728 4th Ave NE
2. Event/Street Closure Application – Crop Walk
3. Improvement 19-01 – NW 4th Street Reconstruction – Postponing Construction
4. Riverside Drive Turnback Agreement and Cost Share Termination Agreement



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>	

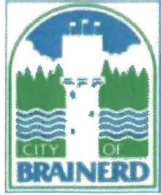


Brainerd City Council Agenda Request

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: 3/11/20

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 street use

Name of event: Brainerd Lakes Area Crop Walk

Organizer Information

Organizer's Name: Rob Hall
Organizer's Address: 27287 CR 3, Merrifield, MN 56465
Event Contact Person: Rob Hall
Event Contact Daytime Phone: (218)-838-0964
Event Contact E-mail Address: rhall@brainerd.net
Contact Name/Number Day of Event: same as above
For Profit/Nonprofit Status (type): Nonprofit

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
5/6/20	7:00 p.m.	8:30 p.m.	NE Brainerd - see map

☐ 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:

This is a walking event that begins and ends at Bethlehem Lutheran Church on 8th Ave. NE. The route will proceed north along 9th Ave. to N St., then south along 14th and 15th Avenues to the trail adjacent to TH 210, then west back to Bethlehem Lutheran Church.

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: Walkers will utilize the church facilities.

(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:

Small directional signs will be placed along the route, to be removed by the last walker.

Trash Receptacle Disposal

☐

Yes

☒

No

Company contracted for trash receptacle disposal: Utilize church facilities as needed.

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):

Not needed.

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.

Historically there have been between 50 and 100 walkers in the event. The group typically stays within a one to two block grouping with minimal impacts to local properties.

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

Robert Hall

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	_____	_____
City Administration	_____	_____
Engineering Department	_____	_____
Fire Department	_____	_____
Fire Support/EMS	_____	_____
Parks Department	_____	_____
Planning Department	_____	_____
Police Department	_____	_____

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.

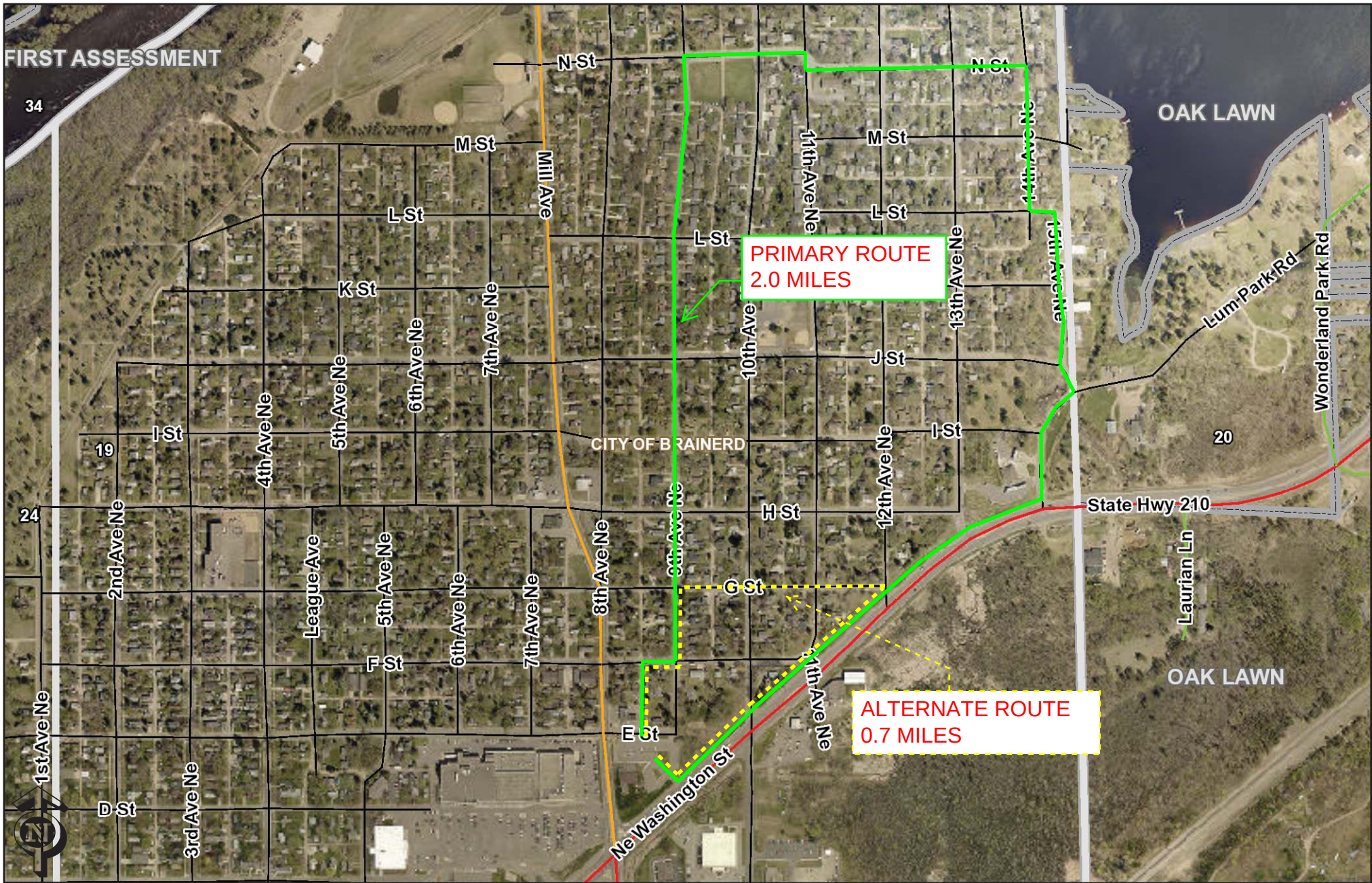
City Administrator

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):



PRIMARY ROUTE
2.0 MILES

ALTERNATE ROUTE
0.7 MILES

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.

2019 CROP WALK

BRAINERD LAKES AREA



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>	



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>	

**JURISDICTIONAL TRANSFER AGREEMENT BETWEEN
CROW WING COUNTY AND THE CITY OF BRAINERD
FOR A SEGMENT OF COUNTY STATE AID HIGHWAY (CSAH) 20
BETWEEN TRUNK HIGHWAY 210 AND CSAH 5 (BEAVER DAM ROAD)**

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

WITNESSETH

WHEREAS, the City and County intend to reconstruct CSAH 20 from TH 210 to Jackson Street in 2020, including the installation of a roundabout at the CSAH 20/Jackson Street intersection, and

WHEREAS, the City and County have discussed possible trail/shoulder options along CSAH 20 from TH 210 to CSAH 5 for many years with no project ever being moved forward, and

WHEREAS, the 2020 reconstruction project will include changing lane assignments on CSAH 20 from Jackson Street to CSAH 5 which will result in a two-lane roadway with wide shoulders for multi-modal use, and

WHEREAS, Minnesota Statute 162.02 authorizes the revocation of County State Aid Highways to a City by joint action of the County Board and Commissioner of Transportation, and

WHEREAS, revoking the segment of CSAH 20 from TH 210 to CSAH 5 to the City will allow the City to have complete control over future decisions related to the roadway in response to economic development, access control, trail systems, etc. and will create a more efficient system related to maintenance efforts by both the City and County, and

WHEREAS, both parties agree that 0.70 miles (from TH 210 to CSAH 5) of existing CSAH 20, as shown in Exhibit A, shall revert to the City and become a City Street.

NOW, THEREFORE, IT IS MUTUALLY STIPULATED AND AGREED:

I. Effective Date

This agreement and roadway transfer will be effective on May 1, 2020 or the date last signed by the parties, whichever is later. As of this effective date, the City shall be the appropriate road jurisdiction for this segment of roadway and become responsible for all maintenance. This date has been selected in part to ensure there is no needed change in maintenance operations during the 2019/20 snow removal season, and to allow the City to have complete control of the 2020 reconstruction project.

II. Identification of Roadway Segments

The roadway segment covered in this agreement is as shown in Exhibit A and described as follows:

CSAH 20 – from TH 210 to CSAH 5

III. Conveyance of Documents

Prior to the effective date of the agreement, the County will deliver to the City all records associated with the transferred roadway segment. Upon the effective date, the City will assume all responsibility for the operation, maintenance and reconstruction of the identified roadway segment and of all structures and facilities that are a part of the roadway segment.

IV. Maintenance

Prior to the effective release date, maintenance of CSAH 20 will continue to be provided by the County. Upon the effective release date, the City will become the roadway authority responsible for maintenance of the roadway segment. The City will thereafter be responsible for performing and paying for all maintenance and reconstruction of the roadway segment, including all structures and facilities that constitute a part of the roadway segment.

V. Responsibility for Claims

The County will remain responsible for claims related to construction, maintenance and operation of their respective roadway segment during the period it was a County roadway. The City will be responsible for claims arising out of its own construction, maintenance or operation of the roadway segment after the effective date of release.

VI. Naming of Released Roadways

On or very near to the effective release date, the County will remove roadway signing that identifies this segment of CSAH 20 as a county roadway. The City will determine what the road names/numbers will be for the turned back roadway segments.

VII. Payment In Lieu of Construction

The parties agree that in lieu of being paid for contracting or force account work, the City will receive a lump sum payment of \$524,361 in exchange for accepting jurisdiction of the roadway segment identified in this agreement. The County and City entered into a construction cost share agreement for the 2020 reconstruction project on 2/19/19. This agreement identified cost share responsibilities for the reconstruction project, which are being transferred to this Jurisdictional Transfer Agreement. A Termination of Agreement for the construction cost share agreement will be performed to identify this change.

As can be seen in Exhibit B, the \$524,361 represents a combination of previously agreed upon amounts based on the 2/19/19 construction cost share agreement as well as additional items related to this turnback agreement. The amount of \$524,361 is partially based upon estimated costs for the 2020 reconstruction project. This amount will be considered the lump sum final payment for the jurisdictional transfer, regardless of final costs for the reconstruction project.

On or before May 1, 2020, the City shall invoice the County for an amount of \$524,361. The County will reimburse the City within 30 days of receipt of said invoice. The County will have no

cost share obligation in the 2020 reconstruction project. The City will be the lead agency in the project, receive all of the Local Road Improvement Program (LRIP) grant funds for the project and be responsible for entering into a contract for the construction and making the associated contractor payments.

VIII. Release of Claims; Covenant Not to Sue

By accepting the payment provided for in this agreement, the City releases the County from any and all claims related to the condition of the roadway segments, regardless of whether such claims result from surface or sub-surface conditions, and regardless of whether such conditions were known or unknown at the time of reversion. The City may perform its own geotechnical explorations and will not rely on previous geotechnical studies performed by the County. In consideration of the turnback payment provided by the County, the City covenants not to sue the County or any of its officials with respect to the County's decision to make the reversion or for any claim arising out of the condition of the roadway segments.

IX. TERMINATION

This Agreement may be terminated by either party only for breach of this Agreement or by mutual consent of the parties.

IX. NOTICE

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

XI. INDEMNIFICATION

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

XII. ENTIRE AGREEMENT

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

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

COUNTY OF CROW WING

CITY OF BRAINERD

By: _____
Timothy Bray
Crow Wing County Engineer

By: _____
Edwin Menk, Mayor
City of Brainerd

Dated: _____

Dated: _____

By: _____
Jennifer Bergman
City Administrator

Dated: _____

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**CONSTRUCTION COST SHARE AGREEMENT
BETWEEN CROW WING COUNTY, MN AND THE CITY OF BRAINERD, MN
FOR COUNTY STATE AID HIGHWAY (CSAH) 20 RECONSTRUCTION
BETWEEN TH 210 AND JACKSON STREET
COUNTY PROJECT NUMBER S.A.P. 018-620-012
CITY PROJECT NUMBER S.A.P. 108-129-003, S.A.P. 108-594-001 and S.A.P. 108-020-005**

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

WITNESSETH

WHEREAS, the City and County worked together to develop an application for specialty funding through the Local Road Improvement Program (LRIP) for CSAH 20 (a.k.a NW 4th Street) between TH 210 and Jackson Street, and

WHEREAS, the City was notified that the project was selected to receive \$800,000 of LRIP funding towards installing a center median, TH 210 signal modifications, constructing a roundabout at Jackson Street and other associated improvements, and

WHEREAS, the parties mutually agree that the aforementioned project be completed as soon as possible;

NOW, THEREFORE, IT IS MUTUALLY STIPULATED AND AGREED:

I. PURPOSE

The parties have joined together for the purpose of constructing project S.A.P. 018-620-012 and S.A.P. 108-129-003, S.A.P 108-594-001 and S.A.P. 108-020-005 (Local Improvement No. 19-01). This agreement identifies funding responsibilities and also future responsibilities upon project completion. Attachment A (estimate) is considered a part of this agreement.

II. Duties

A. Design and Construction

For the project, the City shall provide all design-engineering services unless otherwise stated in this agreement. The City shall provide all construction-engineering services, with the County being responsible for its share of design engineering/project development as identified in Attachment A. Attachment A is an estimate and final costs will be determined upon project completion. The City shall do the calling for all bids and the acceptance of all bid proposals and shall enter into a construction contract as the "owner" for purposes of the project.

B. Property Acquisition

The City shall be responsible for acquiring property needed for the proposed project. This includes identifying needs, acquiring property, creating documents and finalizing the process. The estimated costs are included in Attachment A.

C. Inspection and Approval

The City shall provide construction inspection and staking for the project and approval for acceptance of the work as it is completed. The County shall also be available to inspect any items the County is cost sharing in and notify the City of any concerns that arise during or after completion of the Project. Approval of the completed construction shall be completed by the City and the County.

III. COSTS

A. Project Costs

The project costs identified in this agreement are based upon current estimates. Attachment A identifies the agreed upon cost share quantities and estimated costs. Actual final costs for each agency will be determined by actual final quantities. The LRIP funding will be shared by each agency based upon their percentage of the construction cost share. An amount of \$800,000 of LRIP funding has been identified for this project.

B. SUMMARY OF ESTIMATED COSTS - The estimated construction and engineering costs of the projects are shown in Attachment A and summarized as follows:

Estimated City Construction Costs	\$311,675 (32.4% of total)
Estimated City Engineering Costs	\$79,655 (32.4% of eng. proposal)
Estimated City Right of Way Costs	<u>\$22,000</u>
Total estimated City Costs	\$413,330
Estimated City LRIP Funding	<u>-\$259,200</u> (32.4% of LRIP)
Estimated City Final Costs	\$154,130
Estimated County Construction Costs	\$651,325 (67.6% of total)
Estimated County Engineering Costs	<u>\$166,195</u> (67.6% of eng. proposal)
Total estimated County Costs	\$817,520
Estimated County LRIP Funding	<u>-\$540,800</u> (67.6% of LRIP)
Estimated County Final Costs	\$276,720

C. RIGHT-OF-WAY ACQUISITION COSTS – The City will fund the Right-of-Way acquisition and finalize the right-of-way acquisition process as stated in Section II.B above. These costs are identified in Attachment A.

IV. TERM

This Agreement shall continue until terminated as provided hereinafter.

V. DISBURSEMENT OF FUNDS

All funds disbursed by the County or City pursuant to this Agreement shall be disbursed pursuant to law. Upon project completion, a final cost accounting will be performed totaling costs related to the Project. An invoice will be prepared by the City and submitted to the County. The County shall reimburse the City within 30 days of receipt of invoice.

VI. CONTRACTS AND PURCHASES

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

VII. ACCOUNTABILITY

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

VIII. TERMINATION

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

IX. MAINTENANCE

The maintenance of the in-place, rehabilitated and proposed storm sewer system including manholes, catch basins, catch basin leads, trunklines and detention basins (including ponds and their outlet structures) on the Project shall be the responsibility of the City. Routine maintenance is considered all procedures required to keep the system in working order as designed. Future rehabilitation of pipes and structures shall be the responsibility of the County and City dependent upon the road jurisdiction at that time.

The City shall be responsible for all maintenance and future costs of the sidewalk/trail system and for general maintenance of the interior of the roundabout intersection. Any appurtenances, structures, landscaping, etc. to be placed within the interior of the roundabout shall have prior authorization from the County. The maintenance, power costs and future locating of any street lighting will be the responsibility of the City. The City shall be responsible for vegetation control adjacent to any sidewalk/trail systems and within the interior of the roundabout.

Upon project completion, typical maintenance procedures (snow and ice control, surface preservation/rehabilitation, signing, etc.) shall be the responsibility of the appropriate road authority.

X. NOTICE

For purposes of delivery of any notices hereunder, the notice shall be effective if delivered to the Office of the Crow Wing County Highway Department, 16589 CR 142, Brainerd,

MN 56401, on behalf of the County, and the City of Brainerd, 501 Laurel St., Brainerd, MN 56401, on behalf of the City.

XI. INDEMNIFICATION

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

XII. ENTIRE AGREEMENT

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

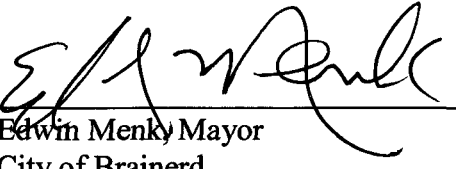
IN WITNESS WHEREOF, the parties of this Agreement have hereunto set their hands on the dates written below:

COUNTY OF CROW WING

By: 
Robert Hall
Crow Wing County Assistant Engineer

Dated: 3/12/19

CITY OF BRAINERD

By: 
Edwin Menky Mayor
City of Brainerd

Dated: _____



Real People. Real Solutions.

Preliminary Cost Estimate
City of Brainerd & Crow Wing County
4th Street (CSAH 20)
November 2017

					Total Project Cost	Crow Wing County				City of Brainerd			
Item	Unit	Unit Cost		Quantity	Estimated Cost	Quantity		Estimated Cost Share		Quantity		Estimated Cost Share	
		Most Likely	Most Likely			Most Likely	Cont.	Most Likely	Most Likely	Most Likely	Cont.	Most Likely	Most Likely
1.0 Removals													
1.01 REMOVE CURB AND GUTTER	LF	\$ 4.64		2478	\$ 11,506	2,000	10%	2,056	\$ 9,548	410	10%	422	\$ 1,857
1.02 REMOVE CONCRETE WALK AND DRIVEWAY	SF	\$ 1.95		2118	\$ 3,486	1,800	10%	1,953	\$ 3,215	180	10%	164	\$ 271
1.03 SAWING BITUMINOUS PAVEMENT FULL DEPTH	LF	\$ 3.66		422	\$ 1,542	310	10%	319	\$ 1,166	100	10%	103	\$ 376
1.04 MILL BITUMINOUS SURFACE (5")	SY	\$ 3.52		9564	\$ 33,884	8,095	20%	8,539	\$ 30,073	871	20%	1,025	\$ 3,611
1.05 DRAINAGE REMOVALS	LS	\$ 10.561		1	\$ 10,000		50%	0.50	\$ 5,000		50%	0.50	\$ 5,000
					\$ 60,896			Total for Category:	\$ 49,996			Total for Category:	\$ 11,899
2.0 Roadway													
2.01 COMMON EXCAVATION	CY	\$ 12.16		1514	\$ 18,409	387	20%	409	\$ 4,974	1,048	20%	1,105	\$ 13,435
2.02 RECYCLED AGGREGATE BASE MATERIAL (12" roadway, 6" walk/trail)	CY	\$ 5.70		1072	\$ 6,110	280	20%	274	\$ 1,563	785	20%	797	\$ 4,547
2.03 5" BITUMINOUS (roadway)	TON	\$ 58.14		2019	\$ 117,364	1,994	20%	1,952	\$ 96,048	347	20%	367	\$ 21,316
2.04 3" BITUMINOUS (trail)	TON	\$ 72.22		245	\$ 17,671		20%			232	20%	245	\$ 17,671
2.05 4" CONCRETE (medians)	SF	\$ 5.21		12378	\$ 64,525	10,355	10%	10,645	\$ 55,495	1,685	10%	1,732	\$ 9,030
2.06 8" CONCRETE APRONS (roundabouts)	SY	\$ 78.85		294	\$ 23,149	161	10%	155	\$ 12,205	135	10%	139	\$ 10,944
2.07 CONCRETE CURB & GUTTER DESIGN B612	LF	\$ 35.36		504	\$ 17,813	480	10%	504	\$ 17,813		10%		\$ -
2.08 CONCRETE CURB & GUTTER DESIGN B624	LF	\$ 24.44		4657	\$ 113,829	2,815	10%	2,894	\$ 70,735	1,715	10%	1,763	\$ 43,094
2.09 CONCRETE CURB & GUTTER DESIGN B624	LF	\$ 38.09		262	\$ 9,985	135	10%	138	\$ 5,285	120	10%	123	\$ 4,686
					\$ 389,898			Total for Category:	\$ 364,990			Total for Category:	\$ 128,999
3.0 Sidewalks/Driveways													
3.01 6" CONCRETE WALK (ped ramps)	SF	\$ 8.42		2503	\$ 21,073		20%		\$ -	2,370	20%	2,503	\$ 21,073
3.02 TRUNCATED DOMES	SF	\$ 51.20		485	\$ 25,794	280	20%	256	\$ 15,142	180	20%	168	\$ 8,682
3.03 4" CONCRETE WALK	SF	\$ 5.21		339	\$ 1,759		10%		\$ -	330	10%	339	\$ 1,759
3.04 6" CONCRETE PAVEMENT (driveways)	SY	\$ 59.37		83	\$ 4,917		10%		\$ -	81	10%	83	\$ 4,917
					\$ 61,800			Total for Category:	\$ 18,990			Total for Category:	\$ 36,899
4.0 Traffic Signals													
4.01 SIGNAL RETROFIT (TH 210)	LS			1	\$ 96,000	1	-	1	\$ 96,000	-	-	-	\$ -
					\$ 96,000			Total for Category:	\$ 96,000			Total for Category:	\$ -
5.0 Lighting													
5.01 LIGHTING STRUCTURES	LS			2	\$ 60,000	50%	-	1	\$ 30,000.00	50%	-	1	\$ 30,000
					\$ 60,000			Total for Category:	\$ 30,000			Total for Category:	\$ 30,000
6.0 City Utilities													
6.01 WATERMAIN	LS			1	\$ -		-		\$ -	1	-	1	\$ -
6.02 SANITARY SEWER	LS			1	\$ -		-		\$ -	1	-	1	\$ -
					\$ -			Total for Category:	\$ -			Total for Category:	\$ -
7.0 Storm Sewer													
7.01 STORM SEWER & TREATMENT	LS			1	\$ 83,350	0.5	-	0.5	\$ 41,675	0.5	-	0.5	\$ 41,675
					\$ 83,350			Total for Category:	\$ 41,675			Total for Category:	\$ 41,675
7.0 Traffic Signing and Striping													
7.01 SIGNS AND PAVEMENT MARKINGS	%	3%		-	\$ 23,000	-	3%		\$ 15,000	-	3%		\$ 8,000
					\$ 23,000			Total for Category:	\$ 15,000			Total for Category:	\$ 8,000
8.0 Turf and Erosion Control													
8.01 TURF ESTABLISHMENT AND EROSION CONTROL	%	3%		-	\$ 23,000	-	3%		\$ 15,000	-	3%		\$ 8,000
					\$ 23,000			Total for Category:	\$ 15,000			Total for Category:	\$ 8,000
9.0 Other Misc. Removals													
9.01 MISC. REMOVALS	%	5%		-	\$ 38,000	-	5%		\$ 25,000	-	5%		\$ 13,000
					\$ 38,000			Total for Category:	\$ 25,000			Total for Category:	\$ 13,000
10.0 Other Misc. Items													
10.01 OTHER MISC. ITEMS	%	10%		-	\$ 74,000	-	10%		\$ 49,000	-	10%		\$ 25,000
					\$ 74,000			Total for Category:	\$ 49,000			Total for Category:	\$ 25,000
11.0 Mobilization/Traffic Control													
11.01 MOBILIZATION	%	5%		-	\$ 38,000	-	5%		\$ 25,000	-	5%		\$ 13,000
11.02 TRAFFIC CONTROL	%	5%		-	\$ 38,000	-	2%		\$ 25,000	-	2%		\$ 13,000
					\$ 76,000			Total for Category:	\$ 50,000			Total for Category:	\$ 26,000
TOTAL CONSTRUCTION COST					\$963,000			\$861,325		BRND CNET		\$311,675	
12.0 Property Acquisitions													
12.01 RIGHT OF WAY ACQUISITIONS	LS	\$ 22,000		1	\$ 22,000	-	-		\$ -	1	-	1	\$ 22,000
					\$ 22,000			Total for Category:	\$ -			Total for Category:	\$ 22,000
13.0 Project Development and Delivery													
13.01 PROJECT DEVELOPMENT AND DELIVERY		\$ 245,950		-	\$ 245,950	1	-		\$ 165,195	-	-		\$ 79,655
					\$ 245,950			Total for Category:	\$ 165,195			Total for Category:	\$ 79,655
TOTAL PROJECT COST					\$1,230,850			\$817,520		BRND PROJ		\$413,330	

Notes:

The aggregate remaining from MILLED BITUMINOUS SURFACE (1.04) should be used for RECYCLED AGGREGATE BASE MATERIAL (2.02). Cost associated with 2.02 is for moving and placing material. Excess material should be the responsibility of the contractor

**TERMINATION OF AGREEMENT
FOR CONSTRUCTION COST SHARE AGREEMENT
BETWEEN CROW WING COUNTY, MN AND THE CITY OF BRAINERD, MN
FOR COUNTY STATE AID HIGHWAY (CSAH) 20 RECONSTRUCTION
BETWEEN TH 210 AND JACKSON STREET
COUNTY PROJECT NUMBER S.A.P. 018-620-012
CITY PROJECT NUMBER S.A.P. 108-129-003, S.A.P. 108-594-001 and S.A.P. 108-020-005**

THIS AMENDMENT is made and entered into by and between Crow Wing County, Minnesota, hereinafter referred to as the "County", and the City of Brainerd, Minnesota, hereinafter referred to as the "City".

WITNESSETH:

WHEREAS, the County and City previously entered into the construction cost share agreement referenced above, dated 2/19/19, and

WHEREAS, subsequent to the aforementioned cost share agreement, the County and City have entered into a Jurisdictional Transfer Agreement for the segment of County State Aid Highway (CSAH) 20 between Trunk Highway (TH) 210 and CSAH 5, and

WHEREAS, the segment of CSAH 20 being transferred from the County to the City entirely encompasses all County roadway jurisdiction and cost share responsibility identified in the 2/19/19 Cost Share Agreement, and

WHEREAS, Article VIII. TERMINATION of the Cost Share Agreement states the agreement may be terminated prior to completion by mutual consent of the parties, and

WHEREAS, the Jurisdictional Transfer Agreement identifies a lump sum payment from the County to the City that covers the previously agreed upon construction cost share responsibilities of the County as well as additional compensation related to the jurisdictional transfer.

NOW THEREFORE, IT IS MUTUALLY STIPULATED AND AGREED:

The Construction Cost Share Agreement Between Crow Wing County, MN and the City of Brainerd, MN for County State Aid Highway (CSAH) 20 Reconstruction Between TH 210 and Jackson Street, County Project S.A.P. 018-620-012, City Project Number S.A.P. 108-129-003, S.A.P. 108-594-001 and S.A.P. 108-020-005, dated 2/19/2019 is hereby terminated.

The City shall be the sole road authority involved in the construction project and will be responsible for all costs related to the roadway construction project.

The City will receive all of the Local Road Improvement Program (LRIP) funding identified for the roadway construction project.

IN WITNESS WHEREOF, the County and the City by their authorized partner or officer have hereunto subscribed their names.

COUNTY OF CROW WING

CITY OF BRAINERD

By: _____
Robert Hall, P.E.
Crow Wing County Assistant Engineer

By: _____
Edwin Menk, Mayor
City of Brainerd

Dated: _____

Dated: _____

SUMMARY OF CSAH 20 TURNBACK COSTS
TH 210 TO BEAVER DAM ROAD

For the revocation from Crow Wing County to the City of Brainerd of the segment of County State Aid Highway (CSAH) 20 from TH 210 to CSAH 5, the following amounts serve as the basis for the lump sum agreement amount of \$524,361.

Items related to 2020 reconstruction project:

County construction portion:	\$110,525
County engineering portion:	\$166,195
City construction portion:	\$52,475
City engineering portion (50%)	<u>\$39,828</u>
Subtotal:	\$369,023

Items related to 2020 jurisdictional transfer:

Future resurfacing from Jackson St. to CSAH 5	\$121,322
Re-striping from Jackson St. to CSAH 5:	<u>\$34,016</u>
Subtotal:	\$155,338

Total: **\$524,361**

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

**April 6, 2020
6:30 PM**

**WebEx Teleconference Meeting
Call Toll-Free: 844-992-4726
Access Code: 964 465 957**

1. Approval of Bills
2. Police Lieutenant Resignation & Promotion
3. Police Officer Hiring Ratification
4. LCCMR Submission Request
5. Review Election Judge Pay



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>	

MARCH 17, 2020

Chad Kleffman



www.ci.brainerd.mn.us

Chief Corky McQuiston

I have accepted a position with the Minnesota Bureau of Criminal Apprehension. I would like to inform you that I intent to resign from the Brainerd Police Department at the end of my shift on March 31, 2020.

I would like to express my sincere appreciation to the City of Brainerd and the Brainerd Police Department. The City of Brainerd and Brainerd Police Department hold a special place in my heart. I am privileged to have served the City of Brainerd for twenty years and am grateful for the wonderful memories and relationships I have accumulated.

I look forward to my new position with the Bureau of Criminal Apprehension and assisting the Brainerd Police Department with investigations. I acknowledge and appreciate the fact that I could not have received my new position without all the training and experience I have received at the Brainerd Police Department.

Sincerely,

Chad Kleffman



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

RESOLUTION

No. ____:20

WHEREAS, the City of Brainerd supports the project proposal submitted to the Legislative-Citizen Commission on Minnesota Resources for the 2021 Environment and Natural Resource Trust Fund Request for Proposal. The proposal is to design and construct the Mississippi Landing Trailhead at an estimated cost of \$3.8 million. The proposed project is located on approximately 3 acres of property owned by the City of Brainerd along the Mississippi River, and

WHEREAS, the City of Brainerd recognizes that over \$200,000 in grant funds, contractual services, and in-kind services as well as countless community volunteer hours has been spent implementing the Mississippi River Partnership Plan, the result of which is the Mississippi Landing Trailhead project, and

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

WHEREAS, both the City Council of the City of Brainerd and the Park and Recreation Board of the City of Brainerd have expressed their support of the Mississippi Landing Trailhead project

BE IT RESOLVED, if the City of Brainerd and the Mississippi Landing Trailhead is selected by the Legislative-Citizen Commission on Minnesota Resources, the City of Brainerd agrees to accept the award and may enter into an agreement with the State of Minnesota for the above referenced project. The City of Brainerd will comply with all applicable laws, environmental requirements and regulations as stated in the grant agreement, and

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

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

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

Adopted this ____ day of April 2020

GABE JOHNSON
President of the Council

Approved this ____ day of April 2020

EDWIN L. MENK
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Environment and Natural Resources Trust Fund

2021 Request for Proposal

General Information

Proposal ID: 2021-092

Proposal Title: City of Brainerd - Mississippi Landing Trailhead

Project Manager Information

Name: David Chanski

Organization:

Office Telephone: (218) 828-2307

Email: dchanski@ci.brainerd.mn.us

Project Basic Information

Project Summary: The trailhead will help connect residents and visitors to the Mississippi River through recreation, education and restoration; a one of a kind trailhead making the riverfront an accessible amenity

Funds Requested: -

Proposed Project Completion: 2023-12-31

LCCMR Funding Category: Land Acquisition for Habitat and Recreation (G)

Project Location

What is the best scale for describing where your work will take place?

Region(s): Central

What is the best scale to describe the area impacted by your work?

Region(s): Central

When will the work impact occur?

During the Project

Narrative

Describe the opportunity or problem your proposal seeks to address. Include any relevant background information.

The City of Brainerd seeks \$3.8 million to engineer, design, and construct a new park called the Mississippi Landing Trailhead (MLT). This park will be constructed on a vacant, 3-acre, city owned property adjacent to the Mississippi River in the heart of the city. The MLT seeks to connect people to the river through education, music, wellness, and preservation. The MLT specifically aims to expand access for recreation and develop this strategic parcel for water protection.

An immense opportunity is before us, to infill a vacant, underutilized, largely impervious parcel along the Mississippi River and transform it into a public amenity that will expand recreation opportunities and provide for a space of interaction and education. By transforming the site into a public park we can take drastic measures to capture runoff water, and treat the stormwater through green infrastructure before it enters the Mississippi River.

The site will also become the official point of beginning within the local and state trail network. Centrally located within the city, near the downtown, and large public employers, this trailhead will help trail users officially launch into local trail network (Buffalo Hills Trail, Cuyuna Lakes Trail) and (Paul Bunyan State Trail) state network.

What is your proposed solution to the problem or opportunity discussed above? i.e. What are you seeking funding to do? You will be asked to expand on this in Activities and Milestones.

The solution is to transform the site into a \$3.8 million destination; a public space offering opportunity to engage with the river, and ultimately improving the condition of the parcels. The MLT will provide six core program elements: amphitheater, river steps to the water, outdoor classroom, a trailhead, various trail typologies (bicycle, walking, shared, hiking), and canoe/kayak launch. In addition to these program elements the project will include sustainable design features such as filtration gardens and permeable pavers that will clean the stormwater runoff for water quality measures.

The amphitheater will be constructed into the adjacent hillside providing a natural amphitheater with stunning views of the river. The outdoor classroom will be a space of education and collaboration with the neighboring school district and Central Lakes College around water quality, habitat management, and biology. The river steps will provide a welcoming access and “touch point” to the river, and the canoe/kayak launch will provide a welcoming entrance into the river; sending paddlers on their journey downstream. The intent of the space is to welcome all trail users, visitors, and residents, and provide them a central space to connect with the water, either physically or via exposure.

What are the specific project outcomes as they relate to the public purpose of protection, conservation, preservation, and enhancement of the state’s natural resources?

Project provides direct access and enhancements to a Mississippi River site. Specific project outcomes include:

Protection/Preservation: stormwater improvements (raingardens/bioswales) to protect/filter stormwater BEFORE it enters river. Adding native vegetation/pollinator plants to protect and prevent habitat degradation.

Conservation: Project provides critical steps to rehabilitate underutilized riverfront property, saving it from threats of dilapidation.

Enhancement: Improves connectivity and access to outdoor recreation by installing equitable accessibility (ADA) upgrades, removal of impervious surface (parking lot), adding green space, provides direct riverfront enjoyment via outlooks/river steps, allows spots for gatherings (Amphitheatre) and adjacent trails connect to the Paul Bunyan

Activities and Milestones

Activity 1: Architectural, Landscape Architectural Design, Engineering, and Construction

Activity Budget: \$606,596

Activity Description:

The project will include architecture, landscape architecture and engineering design for all project elements. Design will include site grading, site utilities, riverbank restoration, erosion control, bituminous trails, sidewalks, design of structures (outdoor classroom, amphitheater), site amenities (curb, gutter, nature play area, lighting, signage, trailhead elements, amphitheater seating, retaining walls, stormwater treatment facilities, site furnishings, and landscape plantings. A&E firm will be chosen through competitive RFP process. The selected firm will provide public presentation, estimated costs, final plans, bidding and construction management to the project. A preliminary concept plan is attached and is the basis for advancing this project. The project non-construction cost items include design/engineering (survey, geotech, final design and engineer) and construction administration.

Activity Milestones:

Description	Completion Date
Design, Construction Drawings, Survey	2021-03-31
Testing and Permitting	2021-03-31

Activity 2: Site Improvements and Construction

Activity Budget: \$3,266,287

Activity Description:

Construction will follow final plans and specifications developed by the A&E firm. Contractors will be solicited through the public bidding process that adheres to the City of Brainerd's policy. Construction will include mobilization, site demolition, site clearing and grubbing, pavement, curb, gutter, sidewalks, site utilities, erosion control, gateway construction, stage structure and overhead structure, and other miscellaneous construction items.

Activity Milestones:

Description	Completion Date
Construction Completion	2023-11-30
Project Closeout	2023-11-30

Long-Term Implementation and Funding

Describe how the results will be implemented and how any ongoing effort will be funded. If not already addressed as part of the project, how will findings, results, and products developed be implemented after project completion? If additional work is needed, how will this be funded?

The project will be completed, or implemented, when the Mississippi Landing Trailhead park is officially open for public use and enjoyment. After the opening of MLT, no further funding will be needed to operate or maintain the park. The City of Brainerd Parks Department has committed to operating and maintaining the Mississippi Landing Trailhead into future years. The construction of the park will fulfill its intended purpose and will not need future support. Since this will be a capital project no findings, results, or products will be developed as a part of the project.

Project Manager and Organization Qualifications

Project Manager Name: David Chanski

Job Title: Community Development Director

Provide description of the project manager's qualifications to manage the proposed project.

The development of the Mississippi Landing Trailhead (MLT) is under the direction of Community Development Director David Chanski, who acts as the Project Manager for the MLT project. Mr. Chanski has worked for the City of Brainerd since December 2018. In his capacity as Community Development Director, Mr. Chanski serves as the City's Zoning Administrator and City Planner as well as oversees the Building Safety Division. He currently administers various third-party contracts with Sourcewell, Short Elliot Hendrickson (SEH), Inc., Wilton Smith and Nolting (WSN), (fill in selected contractor for building delegation services), and grants with the National Parks Services and Minnesota Historical Society. In addition to Mr. Chanski's four person team, which includes a licensed landscape architect and two certified building officials with over 20 years of construction experience, City Engineer Paul Sandy, PE, and City Finance Director Connie Hillman, CPA, are active members of the MLT team, providing civil engineering and financial management support. Ashley Kaisershot, ASLA, is a Planning and Zoning Specialist who has been contracted through Sourcewell to provide professional support for the MLT project since 2017. Prior to working for the City of Brainerd, Mr. Chanski served as the Management Assistant for the City of Alvin, TX, Management Analyst/Zoning Administrator for the City of Amery, WI, and Management & Budget Intern for the City of Thornton, CO. Professionally, Mr. Chanski is a member of the International City/County Management Associations (ICMA) and American Planners Association (APA) and holds a Bachelor of Arts in Political Science from the University of Minnesota – Twin Cities and Master of Public Administration from the University of Colorado Denver.

Organization:

Organization Description:

Budget Summary

Category / Name	Subcategory or Type	Description	Purpose	Gen. Ineligible	% Benefits	# FTE	Classified Staff?	\$ Amount
Personnel								
							Sub Total	-
Contracts and Services								
							Sub Total	-
Equipment, Tools, and Supplies								
							Sub Total	-
Capital Expenditures								
							Sub Total	-
Acquisitions and Stewardship								
							Sub Total	-
Travel In Minnesota								
							Sub Total	-
Travel Outside Minnesota								
							Sub Total	-
Printing and Publication								
							Sub Total	-
Other Expenses								

							Sub Total	-
							Grand Total	-

Classified Staff or Generally Ineligible Expenses

Category/Name	Subcategory or Type	Description	Justification Ineligible Expense or Classified Staff Request
---------------	---------------------	-------------	--

Non ENRTF Funds

Category	Specific Source	Use	Status	Amount
State				
			State Sub Total	-
Non-State				
			Non State Sub Total	-
			Funds Total	-

Administrative Use

Does your project include restoration or acquisition of land rights?

No

Does your project have patent, royalties, or revenue potential?

No

Does your project include research?

No

Does the organization have a fiscal agent for this project?

No



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. 25:18

**RESOLUTION SETTING PAY FOR ELECTION JUDGES FOR TRAINING AND THE
PRIMARY AND GENERAL ELECTIONS**

BE IT RESOLVED by the Council of the City of Brainerd that the judges of the Election are those individuals who have completed training as required by MN Statutes and are on file with the Administrator's Office.

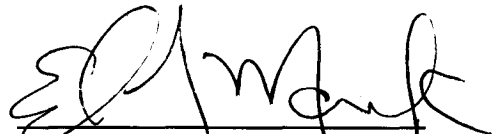
BE IT FURTHER RESOLVED, that the rate of pay of judges for the election be fixed as follows:

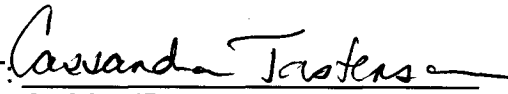
Precinct Head and Assistant Head Judges - \$12.00 per hour;
Election Judges - \$10.00 per hour;
Trainee Election Judges - \$10.00 per hour.

Adopted this 16th day of April, 2018


DAVID J. PRITSCHET
President of the Council

Approved this 17th day of April, 2018


EDWIN L. MENK
Mayor

ATTEST: 
CASSANDRA TORSTENSON
City Administrator

Election Judge Compensation Comparison

City	Election Judge	Head Judge	Mileage	Meals	Extra/Misc.
Aitkin	\$10.00	\$10.00		Pizza	
Babbitt	\$10.00	\$12.00	To/From training		
Barnum	\$10.00	\$10.00	Yes	Lunch, dinner, coffee & water	
Bigfork	\$10.00	City Clerk	Yes	Lunch & dinner on election days	
Brainerd	\$10.00	\$12.00	No	Lunch & dinner on election days	Head Judge extra hour for supply pickup
Coleraine	\$10.00	\$11.00	Yes	One meal on election days	
Cook	\$10.00	\$10.00	To/From training		
Crosby	\$10.00	\$10.00	Yes	Donuts	
Crosslake	\$10.00	\$10.00	Yes	Coffee, water, bananas, donuts, lunch & dinner	
Deer River	\$10.00	\$11.00	Yes	\$7.00 for a meal	Judges work half days
Duluth	\$9.00	\$9.00	For judge picking up/dropping off keys & election material		Additional \$15.00 flat for Head Judge
East Gull Lake	\$12.00		Drive time	Lunch or dinner for training day, dinner and snacks on election days	
Ely	\$10.00	\$12.00		Coffee, pop, water, bakery items in AM, lunch and dinner	
Fifty Lakes	\$12.50	Deputy Clerk	For training, unless online training		
Grand Rapids	\$10.00	\$11.00	Yes		
Hermantown	\$10.00	\$10.00			Head Judge extra hour for mileage
Hoyt Lakes	\$9.50	\$10.80	To/From training	Morning goodies, snacks for day, lunch & supper from local restaurant	
Kettle River	\$10.00	\$10.00	Yes		
Littlefork	\$9.00	\$9.00	Yes		
Nisswa	\$9.50	City Clerk	To/From training		
Pequot Lakes	\$10.50	City staff	To and from training and polling place on election days	All meals & snacks throughout the election day.	
Pillager	\$13.00	Deputy Clerk	Yes	One meal per day	
Ranier	\$10.00	City Clerk		Donuts, drinks, evening meal	
Rice Lake	\$9.50	\$11.50	No		
Silver Bay	\$9.00	\$9.00			
Tow Harbors	\$9.50	\$9.50			Lunch compensation of \$16 per judge for absentee nursing home judges.
White, Town of	\$10.00	\$10.50	Yes	Meals	

Attachment B

RESOLUTION NO. XX:20

**RESOLUTION SETTING PAY FOR ELECTION JUDGES FOR TRAINING AND THE
PRIMARY AND GENERAL ELECTIONS**

BE IT RESOLVED by the Council of the City of Brainerd that the judges of the Election are those individuals who have completed training as required by MN Statutes and are on file with the Administrator's Office.

BE IT FURTHER RESOLVED, that the rate of pay of judges for the election be fixed as follows:

Precinct Head and Assistant Head Judges - \$.00 per hour;
Election Judges - \$.00 per hour;
Trainee Election Judges \$.00 per hour.

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 Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for PLANNING COMMISSION Date: 4.20.20

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

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

*Name: Last TEAGER First KEVIN M.I. A-

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

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

I BELIEVE IN THE CITY OF BRAINERD. I ALSO BELIEVE IT CAN BE, AND DO, BETTER. I WOULD LIKE TO USE MY SKILLSET & EXPERIENCE TO IMPROVE UPON OUR CITY.

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

I HAVE BEEN IN THE CONSTRUCTION INDUSTRY MY ENTIRE LIFE. I OWN & OPERATE A RESIDENTIAL DESIGN FIRM HERE IN BRAINERD. I OWN & MAINTAIN BOTH RESIDENTIAL & COMMERCIAL PROPERTIES IN THIS CITY.

*Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule? I MAY HAVE AN OCCASIONAL CONFLICT BUT

GENERALLY, YES, ABSOLUTELY. I INTEND TO TAKE THIS SERIOUSLY.
*After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed:

OCCASIONALLY I WILL BE A REPRESENTATIVE FOR A CLIENT SUBMITTING AN APPLICATION, I WOULD SIMPLY REFUSE.
Please list any additional comments:

I ALSO SERVE ON THE PARKS BOARD AS VICE PRESIDENT.

Kevin A. Teager
(Signature)

4.2.20
(Date)

*Required Information

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us

fax: 218-828-2316

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



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



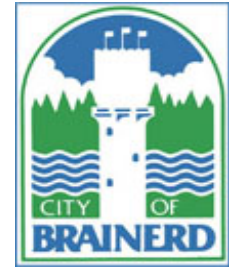
Brainerd City Council Agenda Request

Requested Meeting Date:

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MEMO



TO: Mayor and City Council

FROM: City Administrator, Jennifer Bergman
All Department Heads

DATE: March 26, 2020

RE: Consider Stay at Work Plan

Stay-At-Home Work Plan

To honor the Governor's Emergency Executive Order 20-20, Directing Minnesotans to Stay at Home (see attached), we are recommending that almost all City staff whose primary work is done on a computer, work from home. We have a laptop or tablet available for those staff and they will be expected to work a 40-hour week without overtime. We will continue to operate as best as we can in a work-from-home environment. All calls will be answered and returned.

Certain functions of the Police and Fire Department are identified as exempt from the Order and must continue. Please see attached memo from Chief McQuiston regarding police operations during this time.

Below is a general description of what each department will be working on from home:

Community Development

Community Development Director - Continue to work on Comprehensive Plan Implementation; develop an action plan for the Zoning Code Update; research and begin drafting a Revitalization Plan for aiding in the COVID-19 economic recovery in Brainerd; continue to prepare the LCCMR submittal for the Mississippi Landing Trailhead (to be presented to Council on April 6); BS&A training remotely from March 30 through April 2.

Building Official - Plan Review report form with quick text (BS&A); review/Update permit applications; review/update required submittal documents; review/update informational brochures; generate inspection checklists; continue work on plumbing plan review program; develop backflow prevention program framework; develop FOG program framework; cleanout project e-folders; review open, uncollected, or expired permits; develop Temporary Certificate of Occupancy policy; continue building inspections as necessary; BS&A training remotely from March 30 through April 2.

Housing Inspector - Scan rental files into Laserfiche; update brochures and handouts; review and close out old, expired permits; work on updates to rental code and checklists; assist with plan reviews; assist with building inspections as necessary; BS&A training remotely from March 30 through April 2.

Permit Technician/Zoning Specialist - Process permits and licensing as needed; document scanning; managing email; conduct complete review of the Comprehensive Plan; conduct complete review of the City Code.

Engineering

Engineering Technicians – Plan Development and Staking Layouts for 2020 construction projects. Will be able to complete from home with supplied hardware.

Assistant Engineer – development of specifications and contracts for 2020 construction projects. Upload electronic documents to bidding software, assist with bid documents/bid questions/bid opening. Assist City Engineer with other issues that arise daily. Begin MS4 documentation and evaluate streets for seal coating. Begin contract documents for seal coat project, crack seal project, and large patching project.

City Engineer – COVID response, 2020 construction plan and specification development, providing leadership to subordinate employees during this time, working with IT to ensure everyone is up and running from home, etc. Normal Department Head duties (A/P, payroll, etc.)

Transit

Continued Operation of the Transit System from home. MnDOT is recommending that Transit continues to run for those in need of the services. We have spoken to the 3rd party contractor about continuance of operations for transit dependent population and they have drivers who are available and willing to work at this time. MNDOT has indicated that the continuing of transit operations is a local decision. See staff recommendation below regarding continuation of services during the Stay at Home Order.

Street and Sewer

All street and sewer employees will be sent home and not work during this shelter in place order. Workers would be expected to be available to be dispatched anytime during the normal workdays for emergency purposes. Outside normal work hours, emergency response will follow existing call-out procedures as defined in the union contract. Emergency situations would entail sewer backups, potholes, sinkholes, one-call locate tickets, trees/brush in street, or any other transportation or utility public safety issue.

Finance

Accounts Payable – Continue to pay bills and prepare deposits. Audit preparation and implementing new software, scanning of nonprivate documents.

Payroll – Processing payroll, implementing new software, and paperwork for HR.

Administrative Specialist – Minutes, counsel/meeting agendas, scanning on nonprivate documents.

Finance Director – Audit preparation, continued implementation of software, support to above function.

Human Resources

- Continue hiring processes including addressing applicant questions, conducting Facetime/Skype interviews and providing conditional job offers for multiple full-time and seasonal positions.
- Finalize employer registration on new DOT Clearinghouse, update city policies to address regulation changes and begin employee training preparation.
- Review and update Police Civil Service Rules based on Commission's recommended changes.
- Complete LMC Annual Salary Survey and Fergus Falls salary survey
- Hopefully start to tackle my never-ending to-do list

IT/GIS

- Support remote work functions and communications
- Support on duty police/fire as much as possible remotely
- Maintain network operations, security, updates, backups, etc
- Proceed with BS&A software migration

Parks

Director & Recreation Coordinator - Order program uniforms/proof reading designs; communicate with summer coaches: Pdf sharing, meetings, required certification; program criterium and packet creation for Rec Aides; create schedules for adult softball, and youth baseball and softball schedule and put on website; develop plan to start up programs in mid-May; emailing past participants to remind them to register; watch on-line registrations and send confirmation emails; complete pools and brackets for 5 state baseball qualifiers; respond to phone calls and emails; pick up USPS mail

Administrative Specialist - take home files (no personnel files) and new file folders to better organize in anticipated move to City Hall

Maintenance (one person) - Garbage pickup in parks once per week; restock Mutt Mitts at Buster Park and other parks as needed; clean graffiti (we are expecting vandalism with warmer weather and children out of school)

Summary

Attached is the City of Brainerd's COVID-19 Work from Home Plan.

The City of Brainerd has a total of 105 employees (66 full-time, 4 part-time and 35 paid on-call firefighters). Of which, 60 are deemed essential employees that must remain on the job by the Governor's Order: 23 sworn police officers, two full-time members of the fire department and our 35 Paid-on-Call Firefighters.

The Order does not restrict virtual work or telework and encourages Minnesotans working in any field to work from their home or residence. We were able to identify and accommodate 24 individuals who are able to be issued and take home City equipment as approved by their supervisor to telework. Attached is a draft telework notice.

At this time, we have identified 21 employees who are unable to work from home. These include our maintenance crews in the Street and Parks Departments, four of our Police Records Management staff and four part-time Community Service Officers (CSO). Although not able to work from home at this time, we believe all 21 of these employees should be available to work when needed.

Although the Order includes Public Works and Outdoor Activities as exempt, it references specific circumstances. While we believe it is necessary to have our Street Department and Parks Maintenance available as needed, they would not have the ability to work from home.

Also, the Police Department will be looking into getting additional laptops equipped to be able to deploy to the four Records Management staff who currently do not have the ability to telework. The Chief would also like to be able to call in the CSO's if needed (i.e. traffic control issues).

On March 24th, the Brainerd Public Utilities (BPU) Commission authorized paying all of their employees whether they are reporting to work, working from home or unable able work from home. Consistent with the BPU's Commission's action, we are recommending that the City Council would also continue to pay employee's unable to work from home.

Recommendation: We are recommending that the City Council adopt the City of Brainerd's COVID-19 Work from Home Plan as presented, consistent with the Governor's Order, along with the temporary telework notice and continue to pay those in the "Employee's Unable to Work from Home – Available When Needed" section their normal base pay during the timeframe identified in the Governor's Emergency Executive Order 20-20.

Recommendation: Authorize all transit operations to continue to operate during timeframe identified in the Governor's Emergency Executive Order 20-20 and direct staff to reduce capacity appropriately due to reduced ridership during the pandemic.

STATE OF MINNESOTA

Executive Department



Governor Tim Walz

Emergency Executive Order 20-20

Directing Minnesotans to Stay at Home

I, Tim Walz, Governor of the State of Minnesota, by the authority vested in me by the Constitution and applicable statutes, issue the following Executive Order:

The COVID-19 pandemic presents an unprecedented challenge to our State. On March 11, 2020, the World Health Organization (“WHO”) characterized the COVID-19 outbreak as a pandemic. Despite efforts to contain COVID-19, the WHO and the Centers for Disease Control (“CDC”) indicate that it is expected to spread. Confirmed cases of COVID-19 in Minnesota are rapidly increasing. On March 15, 2020, Minnesota detected the first confirmed cases caused by “community spread”—infections not epidemiologically linked to overseas travel. By March 17, 2020, all fifty states had reported a confirmed case of COVID-19. By March 20, 2020, the CDC had confirmed more than 15,000 COVID-19 cases in the United States. And on March 21, 2020, the Minnesota Department of Health (“MDH”) announced the first confirmed fatality due to COVID-19 in Minnesota.

Community spread of COVID-19 in Minnesota and nationwide is increasing. As of March 24, 2020, Minnesota had 287 confirmed COVID-19 cases, with 35 hospitalizations. It is further expected that increased testing capacity would demonstrate that COVID-19 is circulating in communities across Minnesota that currently have not identified a confirmed case.

Minnesota has already taken proactive steps to ensure that we are ahead of the curve on COVID-19 prevention and response. On March 13, 2020, I issued Executive Order 20-01 and declared a peacetime emergency because this pandemic, an act of nature, threatens the lives of Minnesotans, and local resources are inadequate to address the threat. On March 15, 2020, I issued Executive Order 20-02 ordering the temporary closure of public schools. On March 16, 2020, I issued Executive Order 20-04 ordering the closure of bars, restaurants, and other places of public accommodation.

Recent developments, including the presence of community spread in Minnesota, the rapid increase in COVID-19 cases both globally and in Minnesota, and the first COVID-19 related death in our state, require Minnesota to take additional proactive measures to slow the spread of this pandemic. Slowing the community spread of COVID-19 is critical to ensuring that our

healthcare facilities remain able to accommodate those who require intensive medical intervention.

This Executive Order is consistent with a growing nationwide effort to contain the spread of COVID-19. On March 16, 2020, President Donald Trump issued guidelines to limit gatherings of more than 10 people. As of March 24, 2020, twenty-four states representing almost 200 million Americans have issued orders or public health directives closing non-essential businesses or limiting residents from participating in non-essential activities. Limiting activities to only those which are most essential and practicing social distancing at all times are vital tools required to mitigate the community spread of COVID-19 in Minnesota and nationwide.

On March 23, 2020, the U.S. Department of Homeland Security issued Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response (“CISA Guidance”—attached to, and incorporated into, this Executive Order). The CISA Guidance identifies workers who conduct a range of operations and services that are essential to continued critical infrastructure viability. This federal guidance provides a baseline for Minnesota’s efforts to ensure critical infrastructure and services are maintained while slowing the spread of COVID-19.

In Minnesota Statutes 2019, section 12.02, the Minnesota Legislature conferred upon the Governor emergency powers “in order to (1) ensure that preparations of this state will be adequate to deal with disasters, (2) generally protect the public peace, health, and safety, and (3) preserve the lives and property of the people of the state.” Pursuant to Minnesota Statutes 2019, section 12.21, subdivision 1, the Governor has general authority to control the state’s emergency management as well as carry out the provisions of Minnesota’s Emergency Management Act.

Minnesota Statutes 2019, section 12.21, subdivision 3(7), authorizes the Governor to cooperate with federal and state agencies in “matters pertaining to the emergency management of the state and nation . . .” including “the direction or control of . . . the conduct of persons in the state, including entrance or exit from any stricken or threatened public place, occupancy of facilities, and . . . public meetings or gatherings . . .” Pursuant to subdivision 3 of that same section, the Governor may “make, amend, and rescind the necessary orders and rules to carry out the provisions” of Minnesota Statutes 2019, Chapter 12. When approved by the Executive Council and filed in the Office of the Secretary of State, such orders and rules have the force and effect of law during the peacetime emergency. Any inconsistent rules or ordinances of any agency or political subdivision of the state are suspended during the pendency of the emergency. Any person who willfully violates such an order or rule is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days.

For these reasons, I order as follows:

1. Beginning on Friday, March 27, 2020 at 11:59 pm through Friday, April 10, 2020 at 5:00 pm, all persons currently living within the State of Minnesota are ordered to stay at home or in their place of residence except to engage in the Activities and Critical Sector work set forth below in Paragraphs 5 and 6.

2. For purposes of this Executive Order, homes or residences include hotels, motels, shared rental units, shelters, and similar facilities, to the extent they are used for lodging.
3. This Executive Order does not restrict virtual work or telework (*i.e.* work from home), and Minnesotans working in any field are encouraged to work from their home or residence as much as possible.
4. **Definitions.** As used in this Executive Order, “workers” and “personnel” are broadly defined to include employees, contractors, vendors, and volunteers. As used in this Executive Order, “Critical Sectors” is defined to include the categories found in the CISA Guidance and the additional categories listed below.
5. **Exemptions – Activities.** Minnesotans may leave their homes or residences to engage in the following activities, provided that all persons follow the guidelines set forth and maintained by the Minnesota Department of Health (“MDH Guidelines”), including but not limited to social distancing, to the maximum extent possible. This list of Activities may be clarified, as deemed necessary by the Governor, to ensure the health, safety, and security of all Minnesotans. Clarifications will be available for public review at: <https://www.health.state.mn.us/diseases/coronavirus/>
 - a. **Relocation to ensure safety.** Individuals whose homes or residences are unsafe or become unsafe, including individuals who have suffered or are at risk of domestic violence or for whom the safety, sanitation or essential operations of the home or residence cannot be maintained, are allowed and urged to leave their home or residence and relocate to a safe alternative home or residence.
 - b. **Health and safety activities.** Individuals may seek emergency services, obtain medical services, supplies, and medications, and visit a health care or dental professional or facility, or a veterinarian. Individuals may also donate blood.
 - c. **Outdoor activities.** Individuals may engage in outdoor activities (*e.g.*, walking, hiking, running, biking, driving for pleasure, hunting, or fishing), and may go to available public parks and other public recreation lands, consistent with remaining at least six feet apart from individuals from other households. This does not exempt public accommodations that may feature outdoor activities from closure under Executive Order 20-04 and does not permit trespass upon private property.
 - d. **Necessary supplies and services.** Individuals may obtain food, including delivery or carry-out services, beverages (alcoholic and non-alcoholic), and other grocery items, gasoline, supplies needed to work from home, and products needed to maintain the safety, sanitation, and essential operation of homes and residences, businesses, and personally owned vehicles, including

automobiles and bicycles. Individuals may also visit and use the services of laundromats and dry cleaners.

- e. **Essential intrastate and interstate travel.** Individuals may travel to exempted activities and may travel to return to a home or place of residence. Individuals may also travel into and out of Minnesota.
- f. **Care of others.** Individuals may care for a family member, friend, or pet in another household, and may transport family members, friends, or pets as allowed by this Executive Order, including the transport of children pursuant to existing parenting time schedules or other visitation schedules pertaining to a child in need of protective services (“CHIPS”) proceeding.
- g. **Displacement.** Individuals without a home are exempt from the restrictions in this Executive Order, and they may move between emergency shelters, drop-in centers, and encampments. Encampments should not be subject to sweeps or disbandment by state or local governments, as such sweeps or disbandment increase the potential risk and spread of COVID-19.
- h. **Tribal Activities & Lands.**
 - i. Activities by tribal members within the boundaries of their tribal reservations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
 - ii. Activities within the boundaries of federal land held in trust for one of the 11 Minnesota Tribal Nations are exempt from the restrictions in this Executive Order but may be subject to restrictions by tribal authorities.
 - iii. Activities by tribal members to exercise their federal treaty rights within the boundaries of their treaty territory (also known as “ceded territory”) are exempt from the restrictions in this Executive Order but may be subject to restrictions by applicable tribal authorities.
 - iv. Tribal members may travel to and from their tribal reservations in accordance with applicable tribal law.

6. **Exemptions – Critical Sectors. All workers who can work from home must do so.** Workers in the following Critical Sectors, who are performing work that cannot be done at their home or residence through telework or virtual work and can be done only at a place of work outside of their home or residence, are exempted from the prohibition in paragraph 1 as set forth below. **These critical services exemptions apply only to travel to and from an individual’s home or residence and place of work and an individual’s performance of work duties that cannot be done at their homes or residence. Travel may include transportation to and from child care or school settings as necessary to ensure the safe care of children.** This list of Critical Sectors may be clarified, as deemed necessary by the Governor, to ensure the

health, safety, and security of all Minnesotans. Clarifications will be available for public review at: <http://mn.gov/deed/critical/>

- a. **Healthcare and public health.** This category is limited to:
- i. Healthcare and public health workers listed in the CISA Guidance.
 - ii. Providers of, and workers supporting, reproductive health care, childbirth services, mental health care, and substance use treatment.
 - iii. Workers supporting manufacturers, technicians, logistics and warehouse operators, and distributors of personal care, hygiene, and healthcare products.
 - iv. Workers providing home care and human services workers from government or non-profit providers who are delivering food, prescriptions, case management services, mental health and substance abuse therapy, or who are otherwise caring for a client.
 - v. Workers providing or supporting home-based care for adults, seniors, and children, including but not limited to people who are blind, deaf, deafblind, or hard of hearing and people with disabilities, including physical disabilities, developmental disabilities, intellectual disabilities, substance use disorders, or mental illness. This includes workers who must travel to a person's home to provide care or other in-home services including meal delivery and one-on-one interpreting services for people who are blind, deaf, deafblind, or hard of hearing. This includes personal care attendants, paid employees of government and non-profit providers, or volunteers representing government and non-profit providers.

As applicable, such healthcare and public health workers are subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17.

- b. **Law enforcement, public safety, and first responders.** This category is limited to law enforcement and public safety workers and first responders listed in the CISA Guidance, including all corrections personnel, state and county probation officers, and supervision agents, in addition to victims' advocates, animal control officers, humane officers, and all workers who support electronic security and life-safety services.
- c. **Food and agriculture.** This category is limited to food and agriculture workers listed in the CISA Guidance, including agricultural equipment repair services. For clarity, and for the purposes of this Executive Order, references to "beverages" include alcoholic beverages. The restrictions on restaurants, bars, and other places of public accommodation adopted in Executive Orders 20-04 and 20-18 remain in effect.

- d. **Energy.** This category is limited to energy workers listed in the CISA Guidance.
- e. **Water and wastewater.** This category is limited to water and wastewater workers listed in the CISA Guidance, including State Parks workers who maintain water and wastewater infrastructure, in addition to workers who perform work related to residential wells and septic tanks, and workers who supply bottled water or home filtration systems in areas where that is a health necessity.
- f. **Transportation and logistics.** This category is limited to the transportation and logistics workers listed in the CISA Guidance, in addition to:
 - i. State, county, and local government agencies and agency workers, as well as private sector workers, who support or enable transportation functions, including engineers, dispatchers, maintenance and repair technicians (including workers at maintenance and repair shops), warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-border travel).
 - ii. Workers engaged in roadway construction, maintenance, and utility projects.
 - iii. Public transit workers.
 - iv. Bicycle shops and distribution facilities.
 - v. Automobile sales that are necessary to allow for essential travel, when conducted by appointment, and only when CDC and MDH guidelines, including social distancing, can be met.
- g. **Public Works.** This category is limited to public works workers listed in the CISA Guidance, in addition to construction material suppliers and workers providing services necessary to maintain construction material sources.
- h. **Communications and information technology.** This category is limited to communications and information technology workers listed in the CISA Guidance, in addition to all workers who support news services of all kinds, including newspapers, radio, television, and other forms of news media.
- i. **Other community-based government operations and essential functions.** This category is limited to the other community-based and government essential functions listed in the CISA Guidance, in addition to workers who support the following functions and services:
 - i. Election support services and election administration workers

- ii. Housing, shelter, and homelessness-prevention staff of state and local agencies and organizations responsible for ensuring safe and stable housing, including workers from state and local agencies and organizations with responsibility for ensuring safe and stable housing; shelter outreach or drop-in center programs; financing affordable housing; and administering rent subsidies, homeless interventions, operating supports, and similar supports. This includes workers necessary to provide repairs, maintenance, and operations support to residential dwellings.
- iii. Workers performing all other governmental functions which are necessary to ensure the health, safety, and welfare of the public, to preserve the essential elements of the financial system of government, and to continue priority services as determined by a political subdivision of the State. All political subdivisions of the State will determine the minimum personnel necessary to maintain these governmental operations.
- iv. Workers supporting building code enforcement necessary to maintain public safety and health of essential infrastructure and any construction as required in response to the COVID-19 peacetime emergency including but not limited to construction of health care facilities and essential businesses and services, or construction as required for emergency repairs and safety purposes.
- j. **Critical manufacturing.** This category is limited to critical manufacturing workers listed in the CISA Guidance. This category includes iron ore mining and processing operations and supplier/vendor industries essential to such mining and processing operations.
- k. **Hazardous materials.** This category is limited to hazardous materials workers listed in the CISA Guidance.
- l. **Financial services.** This category includes workers at banks, credit unions, insurance companies, insurance agencies, and other financial services workers identified in the CISA Guidance.
- m. **Chemical.** This category is limited to chemical workers listed in the CISA Guidance.
- n. **Defense industrial base.** This category is limited to defense industrial base workers listed in the CISA Guidance.
- o. **Tribal Governments.** Tribal officers and workers deemed essential by the relevant Tribal government, regardless of residence.

- p. **The Judicial Branch.** This category is limited to judicial officers and personnel deemed essential by the Chief Justice to ensure the continued operations of Minnesota's court system.
- q. **The Executive Branch.** This category is limited to personnel deemed necessary to continue priority services of executive branch agencies, offices, departments, divisions, boards, bureaus, councils, committees, institutions, authorities, and commissions, as well as, the Minnesota State Colleges and Universities system, Minnesota State Retirement System, Public Employees Retirement Association, and Teacher's Retirement Association, as determined by the Commissioner of Management and Budget in consultation with those agencies and entities.
- r. **Executive Constitutional Offices.** This category is limited to Constitutional Officers and personnel deemed essential by the applicable Constitutional Officer to ensure the continued operations of the Constitutional Office.
- s. **The Legislative Branch.** This category is limited to personnel deemed essential by the presiding officers of each body.
- t. **Federal Employees.** Nothing in this Executive Order will be construed to limit, prohibit, or restrict in any way the operations of the federal government, or the movement of federal officials in Minnesota while acting in their official capacity, including federal judicial, legislative, and executive staff and personnel.
- u. **National Guard.** This category is limited to National Guard members that are on orders, to include state active duty, Title 32, or Title 10 orders and members in an Inactive Duty for Training status. At the discretion of the Adjutant General, this category also includes full-time staff of the Minnesota National Guard or Department of Military Affairs that are necessary for the execution of the National Guard's mission.
- v. **Faith leaders and workers.** This category includes officials, workers, and leaders in houses of worship and other places of religious expression or fellowship, wherever their services may be needed. This category also includes workers necessary to plan, record, and distribute online or broadcast content to community members.
- w. **Education.** Educators and other workers supporting public and private schools, as well as higher education (*e.g.*, colleges and universities). This category includes educators and other workers providing care to children as provided by Executive Order 20-19. Executive Order 20-02 remains in effect.
- x. **Construction and critical trades.** This category includes workers in the skilled trades such as electricians, plumbers, HVAC and elevator technicians, and other related construction of all kind. This category also includes exterminators, cleaning and janitorial staff for commercial and governmental

properties, moving and relocation services, security staff, operating engineers, and all other service providers who provide services that are necessary to maintain the safety, sanitation, and essential operation of homes and residences and the Critical Sectors listed in this Executive Order.

- y. **Child care providers.** This category includes workers in child care centers, family child care, schools, and other facilities. Such providers are encouraged to remain open to provide child care services for workers in the Critical Sectors listed in this Executive Order as possible and insofar as public health guidance can be followed. This category also applies to individuals providing child care for Critical Sector workers in a personal home, such as family, friend, and neighbor care required for Critical Sector workers to continue to perform their duties.
- z. **Hotels, residential facilities and shelters.** This category includes workers supporting hotels and motels, facilities and shelters for adults, seniors, and children, including victims of domestic violence, people with developmental disabilities, intellectual disabilities, substance abuse disorders, or mental illness. Such facilities and shelters include halfway houses and residential treatment programs. This category also includes workers needed to keep apartment complex buildings and other congregate residences or homes operational and sanitary.
- aa. **Shelters for displaced individuals.** This category is limited to workers supporting emergency shelters, drop-in centers, and encampments, as well as outreach workers. Governmental and other entities are strongly urged to make 24-hour shelter available as soon as possible, to the maximum extent practicable, and in compliance with CDC guidance.
- bb. **Charitable and social services organizations.** This category is limited to workers supporting organizations that are engaged in hunger relief work, and those that provide food, shelter, prescription delivery, mental health and substance abuse treatments, and other social services, as well as other necessities of life for individuals in need of such services, older adults who live alone, people with disabilities, and those who need assistance as a result of this emergency.
- cc. **Legal services.** This category is limited to workers who are necessary to provide essential legal services. Essential legal services include:
 - i. Advice and representation needed to aid the delivery of all critical government services.
 - ii. Advice and representation required to ensure the immediate and critical health, safety, and liberties of Minnesotans, including but not limited to, end-of-life planning, immigration, essential services to elders and persons with disabilities, child supports, child-protection

and domestic abuse matters, protection of personal financial resources necessary to meet basic needs, prosecution or defense in ongoing criminal matters, or all matters in which individuals are held in custody pending a legal proceeding, and proceedings held in the district or appellate courts during the effective period of this order.

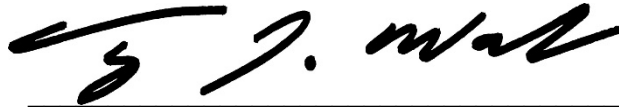
- iii. Advice and representation related to the continuation of the Critical Sectors identified in this Executive Order, including ensuring compliance with this Executive Order, previous Executive Orders, and all applicable laws, rules, and regulations applying to Critical Sectors.
 - iv. Supporting housing and shelter-related efforts, including loan applications, loan processing, seeking temporary relief from residential and commercial loan or lease provisions, retention of gas, electric, or water utility services, and seeking temporary relief from residential evictions or foreclosures, or other actions intended to keep people in their homes.
- dd. **Notaries.** This category is limited to notaries performing services that cannot be deferred and which cannot be accomplished via remote services under Minnesota Statutes 2019, section 358.645.
- ee. **Critical Labor Union Functions.** This category includes labor union essential activities, including the administration of health and welfare funds, and monitoring the wellbeing and safety of members providing services in the Critical Sectors.
- ff. **Laundry services.** This category is limited to workers who support laundromats, dry cleaners, industrial laundry services, and laundry service providers for other Critical Sectors.
- gg. **Animal shelters and veterinarians.** This category is limited to veterinarians and workers at animal care facilities or Department of Natural Resources workers who provide food, shelter, veterinary services, and other necessities of life for animals. Workers in this category are subject to the restrictions on elective surgeries and procedures as set forth in Executive Orders 20-09 and 20-17.
- hh. **Real Estate Transactions.** This category is limited to workers who facilitate and finance real estate transactions and real estate services, including appraisers and title services.
- ii. **Essential Supply Stores.** This category is limited to workers at businesses that sell products, tools, materials, or supplies necessary for: (1) the above Critical Sectors to continue their essential operations, (2) for workers to work from home, or (3) for the maintenance of the safety, sanitation, and essential operation of homes or residences.

7. Allowed activities and work performed in the above Critical Sectors should, to the maximum extent possible, be conducted in a manner that adheres to Minnesota Occupational Safety and Health Standards and the Minnesota Department of Health and CDC Guidelines related to COVID-19, including social distancing and hygiene.
8. Except as necessary to seek medical care and obtain other necessities of life, people at high risk of severe illness from COVID-19 (*e.g.*, elderly people and those with underlying health conditions) are strongly urged to stay in their home or residence, even when the terms of this Executive Order would allow them to do leave their home or residence.
9. I urge all Minnesotans to voluntarily comply with this Executive Order. Pursuant to Minnesota Statutes 2019, section 12.45, a person who willfully violates this Executive Order is guilty of a misdemeanor and upon conviction must be punished by a fine not to exceed \$1,000 or by imprisonment for not more than 90 days. Nothing in this Executive Order is intended to encourage or allow law enforcement to transgress individual constitutional rights.
10. I direct the cabinet agencies to coordinate expeditiously in developing relevant guidance related to this Executive Order and to provide that guidance to the public.
11. I direct all state agencies to continue to coordinate expeditiously in developing plans to mitigate the economic effects of closures and restrictions necessitated by this peacetime emergency, including potential financial support, regulatory relief, and other executive actions.
12. This Executive Order may be extended by a future Executive Order, with the approval of the Executive Council.

Pursuant to Minnesota Statutes 2019, section 4.035, subdivision 2, and section 12.32, this Executive Order is effective immediately upon approval by the Executive Council. It remains in effect until the peacetime emergency declared in Executive Order 20-01 is terminated or until it is rescinded by proper authority.

A determination that any provision of this Executive Order is invalid will not affect the enforceability of any other provision of this Executive Order. Rather, the invalid provision will be modified to the extent necessary so that it is enforceable.

Signed on March 25, 2020.

A handwritten signature in black ink, appearing to read "T. J. Walz", written over a horizontal line.

Tim Walz
Governor

Filed According to Law:

Steve Simon
Secretary of State

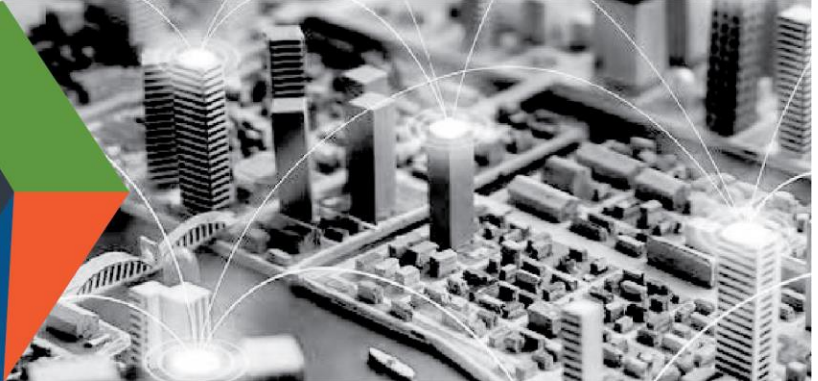
Approved by the Executive Council on March 25, 2020:

Alice Roberts-Davis
Secretary, Executive Council



CISA
CYBER+INFRASTRUCTURE

DEFEND TODAY, SECURE TOMORROW



Guidance on the Essential Critical Infrastructure Workforce: Ensuring Community and National Resilience in COVID-19 Response

Version 1.1 (March 23, 2020)

THE IMPORTANCE OF ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

Functioning critical infrastructure is imperative during the response to the COVID-19 emergency for both public health and safety as well as community well-being. Certain critical infrastructure industries have a special responsibility in these times to continue operations.

This guidance and accompanying list are intended to support State, Local, and industry partners in identifying the critical infrastructure sectors and the essential workers needed to maintain the services and functions Americans depend on daily and that need to be able to operate resiliently during the COVID-19 pandemic response.

This document gives guidance to State, local, tribal, and territorial jurisdictions and the private sector on defining essential critical infrastructure workers. Promoting the ability of such workers to continue to work during periods of community restriction, access management, social distancing, or closure orders/directives is crucial to community resilience and continuity of essential functions.

CONSIDERATIONS FOR GOVERNMENT AND BUSINESS

This list was developed in consultation with federal agency partners, industry experts, and State and local officials, and is based on several key principles:

1. Response efforts to the COVID-19 pandemic are locally executed, State managed, and federally supported
2. Everyone should follow guidance from the CDC, as well as State and local government officials, regarding strategies to limit disease spread.
3. Workers should be encouraged to work remotely when possible and focus on core business activities. In-person, non-mandatory activities should be delayed until the resumption of normal operations.
4. When continuous remote work is not possible, businesses should enlist strategies to reduce the likelihood of spreading the disease. This includes, but is not necessarily limited to, separating staff by off-setting shift hours or days and/or social distancing. These steps can preserve the workforce and allow operations to continue.

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5. All organizations should implement their business continuity and pandemic plans, or put plans in place if they do not exist. Delaying implementation is not advised and puts at risk the viability of the business and the health and safety of the employees.
6. In the modern economy, reliance on technology and just-in-time supply chains means that certain workers must be able to access certain sites, facilities, and assets to ensure continuity of functions.
7. Government employees, such as emergency managers, and the business community need to establish and maintain lines of communication.
8. When government and businesses engage in discussions about critical infrastructure workers, they need to consider the implications of business operations beyond the jurisdiction where the asset or facility is located. Businesses can have sizeable economic and societal impacts as well as supply chain dependencies that are geographically distributed.
9. Whenever possible, jurisdictions should align access and movement control policies related to critical infrastructure workers to lower the burden of workers crossing jurisdictional boundaries.

IDENTIFYING ESSENTIAL CRITICAL INFRASTRUCTURE WORKERS

The following list of sectors and identified essential critical infrastructure workers are an initial recommended set and are intended to be overly inclusive reflecting the diversity of industries across the United States. CISA will continually solicit and accept feedback on the list (both sectors/sub sectors and identified essential workers) and will evolve the list in response to stakeholder feedback. We will also use our various stakeholder engagement mechanisms to work with partners on how they are using this list and share those lessons learned and best practices broadly. We ask that you share your feedback, both positive and negative on this list so we can provide the most useful guidance to our critical infrastructure partners. Feedback can be sent to CISA.CAT@CISA.DHS.GOV.



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HEALTHCARE / PUBLIC HEALTH

- Workers providing COVID-19 testing; Workers that perform critical clinical research needed for COVID-19 response
- Caregivers (e.g., physicians, dentists, psychologists, mid-level practitioners, nurses and assistants, infection control and quality assurance personnel, pharmacists, physical and occupational therapists and assistants, social workers, speech pathologists and diagnostic and therapeutic technicians and technologists)
- Hospital and laboratory personnel (including accounting, administrative, admitting and discharge, engineering, epidemiological, source plasma and blood donation, food service, housekeeping, medical records, information technology and operational technology, nutritionists, sanitarians, respiratory therapists, etc.)
- Workers in other medical facilities (including Ambulatory Health and Surgical, Blood Banks, Clinics, Community Mental Health, Comprehensive Outpatient rehabilitation, End Stage Renal Disease, Health Departments, Home Health care, Hospices, Hospitals, Long Term Care, Organ Pharmacies, Procurement Organizations, Psychiatric Residential, Rural Health Clinics and Federally Qualified Health Centers)
- Manufacturers, technicians, logistics and warehouse operators, and distributors of medical equipment, personal protective equipment (PPE), medical gases, pharmaceuticals (including materials used in radioactive drugs), blood and blood products, vaccines, testing materials, laboratory supplies, cleaning, sanitizing, disinfecting or sterilization supplies, and tissue and paper towel products
- Public health / community health workers, including those who compile, model, analyze and communicate public health information
- Blood and plasma donors and the employees of the organizations that operate and manage related activities
- Workers that manage health plans, billing, and health information, who cannot practically work remotely
- Workers who conduct community-based public health functions, conducting epidemiologic surveillance, compiling, analyzing and communicating public health information, who cannot practically work remotely
- Workers performing cybersecurity functions at healthcare and public health facilities, who cannot practically work remotely
- Workers conducting research critical to COVID-19 response
- Workers performing security, incident management, and emergency operations functions at or on behalf of healthcare entities including healthcare coalitions, who cannot practically work remotely
- Workers who support food, shelter, and social services, and other necessities of life for economically disadvantaged or otherwise needy individuals, such as those residing in shelters
- Pharmacy employees necessary for filling prescriptions
- Workers performing mortuary services, including funeral homes, crematoriums, and cemetery workers
- Workers who coordinate with other organizations to ensure the proper recovery, handling, identification, transportation, tracking, storage, and disposal of human remains and personal effects; certify cause of death; and facilitate access to mental/behavioral health services to the family members, responders, and survivors of an incident

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LAW ENFORCEMENT, PUBLIC SAFETY, FIRST RESPONDERS

- Personnel in emergency management, law enforcement, Emergency Management Systems, fire, air medical, and corrections, including front line and management
- Emergency Medical Service Technicians
- 911 call center employees
- Fusion Center employees
- Hazardous material responders from government and the private sector.
- Workers – including contracted vendors – who maintain, manufacture, or supply digital systems infrastructure supporting law enforcement emergency service, and response operations.

FOOD AND AGRICULTURE

- Workers supporting groceries, pharmacies, convenience stores, and other retail that sells human food, animal/pet food, and beverage products
- Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees
- Food manufacturer employees and their supplier employees—to include those employed in food processing (packers, meat processing, cheese plants, milk plants, produce, etc.) facilities; livestock, poultry, seafood slaughter facilities; pet and animal feed processing facilities; human food facilities producing by-products for animal food; beverage production facilities; and the production of food packaging
- Farm workers to include those employed in animal food, feed, and ingredient production, packaging, and distribution; manufacturing, packaging, and distribution of veterinary drugs; truck delivery and transport; farm and fishery labor needed to produce our food supply domestically
- Farm workers and support service workers to include those who field crops; commodity inspection; fuel ethanol facilities; storage facilities; and other agricultural inputs
- Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers
- Workers supporting the sanitation of all food manufacturing processes and operations from wholesale to retail
- Company cafeterias - in-plant cafeterias used to feed employees
- Workers in food testing labs in private industries and in institutions of higher education
- Workers essential for assistance programs and government payments
- Employees of companies engaged in the production, storage, transport, and distribution of chemicals, medicines, vaccines, and other substances used by the food and agriculture industry, including pesticides, herbicides, fertilizers, minerals, enrichments, and other agricultural production aids
- Animal agriculture workers to include those employed in veterinary health; manufacturing and distribution of animal medical materials, animal vaccines, animal drugs, feed ingredients, feed, and bedding, etc.; transportation of live animals, animal medical materials; transportation of deceased animals for disposal; raising of animals for food; animal production operations; slaughter and packing plants, renderers, and associated regulatory and government workforce
- Workers who support the manufacture and distribution of forest products, including, but not limited to timber, paper, and other wood products
- Employees engaged in the manufacture and maintenance of equipment and other infrastructure necessary to agricultural production and distribution

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ENERGY

Electricity industry:

- Workers who maintain, ensure, or restore, or are involved in the development, transportation, fuel procurement, expansion, or operation of the generation, transmission, and distribution of electric power, including call centers, utility workers, reliability engineers and fleet maintenance technicians
- Workers needed for safe and secure operations at nuclear generation
- Workers at generation, transmission, and electric blackstart facilities
- Workers at Reliability Coordinator (RC), Balancing Authorities (BA), and primary and backup Control Centers (CC), including but not limited to independent system operators, regional transmission organizations, and balancing authorities
- Mutual assistance personnel
- IT and OT technology staff – for EMS (Energy Management Systems) and Supervisory Control and Data Acquisition (SCADA) systems, and utility data centers; Cybersecurity engineers; cybersecurity risk management
- Vegetation management crews and traffic workers whosupport
- Environmental remediation/monitoring technicians
- Instrumentation, protection, and control technicians

Petroleum workers:

- Petroleum product storage, pipeline, marine transport, terminals, rail transport, road transport
- Crude oil storage facilities, pipeline, and marine transport
- Petroleum refinery facilities
- Petroleum security operations center employees and workers who support emergency responseservices
- Petroleum operations control rooms/centers
- Petroleum drilling, extraction, production, processing, refining, terminal operations, transporting, and retail for use as end-use fuels or feedstocks for chemical manufacturing
- Onshore and offshore operations for maintenance and emergency response
- Retail fuel centers such as gas stations and truck stops, and the distribution systems that support them

Natural and propane gas workers:

- Natural gas transmission and distribution pipelines, including compressorstations
- Underground storage of natural gas
- Natural gas processing plants, and those that deal with natural gasliquids
- Liquefied Natural Gas (LNG) facilities
- Natural gas security operations center, natural gas operations dispatch and control rooms/centers natural gas emergency response and customer emergencies, including natural gas leak calls
- Drilling, production, processing, refining, and transporting natural gas for use as end-use fuels, feedstocks for chemical manufacturing, or use in electricitygeneration
- Propane gas dispatch and control rooms and emergency response and customer emergencies, including propane leak calls
- Propane gas service maintenance and restoration, including call centers

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- Processing, refining, and transporting natural liquids, including propane gas, for use as end-use fuels or feedstocks for chemical manufacturing
- Propane gas storage, transmission, and distribution centers

WATER AND WASTEWATER

Employees needed to operate and maintain drinking water and wastewater/drainage infrastructure, including:

- Operational staff at water authorities
- Operational staff at community water systems
- Operational staff at wastewater treatment facilities
- Workers repairing water and wastewater conveyances and performing required sampling or monitoring
- Operational staff for water distribution and testing
- Operational staff at wastewater collection facilities
- Operational staff and technical support for SCADA Control systems
- Chemical suppliers for wastewater and personnel protection
- Workers that maintain digital systems infrastructure supporting water and wastewater operations

TRANSPORTATION AND LOGISTICS

- Employees supporting or enabling transportation functions, including truck drivers, bus drivers, dispatchers, maintenance and repair technicians, warehouse workers, truck stop and rest area workers, and workers that maintain and inspect infrastructure (including those that require cross-jurisdiction travel)
- Employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.
- Mass transit workers
- Workers responsible for operating dispatching passenger, commuter and freight trains and maintaining rail infrastructure and equipment
- Maritime transportation workers - port workers, mariners, equipment operators
- Truck drivers who haul hazardous and waste materials to support critical infrastructure, capabilities, functions, and services
- Automotive repair and maintenance facilities
- Manufacturers and distributors (to include service centers and related operations) of packaging materials, pallets, crates, containers, and other supplies needed to support manufacturing, packaging staging and distribution operations
- Postal and shipping workers, to include private companies
- Employees who repair and maintain vehicles, aircraft, rail equipment, marine vessels, and the equipment and infrastructure that enables operations that encompass movement of cargo and passengers
- Air transportation employees, including air traffic controllers and maintenance personnel, ramp workers, aviation and aerospace safety, security, and operations personnel and accident investigations
- Workers who support the maintenance and operation of cargo by air transportation, including flight crews, maintenance, airport operations, and other on- and off- airport facilities workers

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PUBLIC WORKS

- Workers who support the operation, inspection, and maintenance of essential dams, locks and levees
- Workers who support the operation, inspection, and maintenance of essential public works facilities and operations, including bridges, water and sewer main breaks, fleet maintenance personnel, construction of critical or strategic infrastructure, traffic signal maintenance, emergency location services for buried utilities, maintenance of digital systems infrastructure supporting public works operations, and other emergent issues
- Workers such as plumbers, electricians, exterminators, and other service providers who provide services that are necessary to maintaining the safety, sanitation, and essential operation of residences
- Support, such as road and line clearing, to ensure the availability of needed facilities, transportation, energy and communications
- Support to ensure the effective removal, storage, and disposal of residential and commercial solid waste and hazardous waste

COMMUNICATIONS AND INFORMATION TECHNOLOGY

Communications:

- Maintenance of communications infrastructure- including privately owned and maintained communication systems- supported by technicians, operators, call-centers, wireline and wireless providers, cable service providers, satellite operations, undersea cable landing stations (including cable marine depots and submarine cable ship operators), Internet Exchange Points, and manufacturers and distributors of communications equipment
- Workers who support radio, television, and media service, including, but not limited to front line news reporters, studio, and technicians for newsgathering and reporting
- Workers at Independent System Operators and Regional Transmission Organizations, and Network Operations staff, engineers and/or technicians to manage the network or operate facilities
- Engineers, technicians and associated personnel responsible for infrastructure construction and restoration, including contractors for construction and engineering of fiber optic cables
- Installation, maintenance and repair technicians that establish, support or repair service as needed
- Central office personnel to maintain and operate central office, data centers, and other network office facilities
- Customer service and support staff, including managed and professional services as well as remote providers of support to transitioning employees to set up and maintain home offices, who interface with customers to manage or support service environments and security issues, including payroll, billing, fraud, and troubleshooting
- Dispatchers involved with service repair and restoration

Information Technology:

- Workers who support command centers, including, but not limited to Network Operations Command Center, Broadcast Operations Control Center and Security Operations Command Center
- Data center operators, including system administrators, HVAC & electrical engineers, security personnel, IT managers, data transfer solutions engineers, software and hardware engineers, and database administrators
- Client service centers, field engineers, and other technicians supporting critical infrastructure, as well as

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manufacturers and supply chain vendors that provide hardware and software, and information technology equipment (to include microelectronics and semiconductors) for critical infrastructure

- Workers responding to cyber incidents involving critical infrastructure, including medical facilities, SLTT governments and federal facilities, energy and utilities, and banks and financial institutions, and other critical infrastructure categories and personnel
- Workers supporting the provision of essential global, national and local infrastructure for computing services (incl. cloud computing services), business infrastructure, web-based services, and critical manufacturing
- Workers supporting communications systems and information technology used by law enforcement, public safety, medical, energy and other critical industries
- Support required for continuity of services, including janitorial/cleaning personnel

OTHER COMMUNITY-BASED GOVERNMENT OPERATIONS AND ESSENTIAL FUNCTIONS

- Workers to ensure continuity of building functions
- Security staff to maintain building access control and physical security measures
- Elections personnel
- Federal, State, and Local, Tribal, and Territorial employees who support Mission Essential Functions and communications networks
- Trade Officials (FTA negotiators; international data flow administrators)
- Weather forecasters
- Workers that maintain digital systems infrastructure supporting other critical government operations
- Workers at operations centers necessary to maintain other essential functions
- Workers who support necessary credentialing, vetting and licensing operations for transportation workers
- Customs workers who are critical to facilitating trade in support of the national emergency response supply chain
- Educators supporting public and private K-12 schools, colleges, and universities for purposes of facilitating distance learning or performing other essential functions, if operating under rules for social distancing
- Hotel Workers where hotels are used for COVID-19 mitigation and containment measures

CRITICAL MANUFACTURING

- Workers necessary for the manufacturing of materials and products needed for medical supply chains, and for supply chains associated with transportation, energy, communications, food and agriculture, chemical manufacturing, nuclear facilities, the operation of dams, water and wastewater treatment, emergency services, and the defense industrial base. Additionally, workers needed to maintain the continuity of these manufacturing functions and associated supply chains.

HAZARDOUS MATERIALS

- Workers at nuclear facilities, workers managing medical waste, workers managing waste from pharmaceuticals and medical material production, and workers at laboratories processing test kits
- Workers who support hazardous materials response and cleanup
- Workers who maintain digital systems infrastructure supporting hazardous materials management operations

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FINANCIAL SERVICES

- Workers who are needed to process and maintain systems for processing financial transactions and services (e.g., payment, clearing, and settlement; wholesale funding; insurance services; and capital markets activities)
- Workers who are needed to provide consumer access to banking and lending services, including ATMs, and to move currency and payments (e.g., armored cash carriers)
- Workers who support financial operations, such as those staffing data and security operations centers

CHEMICAL

- Workers supporting the chemical and industrial gas supply chains, including workers at chemical manufacturing plants, workers in laboratories, workers at distribution facilities, workers who transport basic raw chemical materials to the producers of industrial and consumer goods, including hand sanitizers, food and food additives, pharmaceuticals, textiles, and paper products.
- Workers supporting the safe transportation of chemicals, including those supporting tank truck cleaning facilities and workers who manufacture packaging items
- Workers supporting the production of protective cleaning and medical solutions, personal protective equipment, and packaging that prevents the contamination of food, water, medicine, among others essential products
- Workers supporting the operation and maintenance of facilities (particularly those with high risk chemicals and/or sites that cannot be shut down) whose work cannot be done remotely and requires the presence of highly trained personnel to ensure safe operations, including plant contract workers who provide inspections
- Workers who support the production and transportation of chlorine and alkali manufacturing, single-use plastics, and packaging that prevents the contamination or supports the continued manufacture of food, water, medicine, and other essential products, including glass container manufacturing

DEFENSE INDUSTRIAL BASE

- Workers who support the essential services required to meet national security commitments to the federal government and U.S. Military. These individuals, include but are not limited to, aerospace; mechanical and software engineers, manufacturing/production workers; IT support; security staff; security personnel; intelligence support, aircraft and weapon system mechanics and maintainers
- Personnel working for companies, and their subcontractors, who perform under contract to the Department of Defense providing materials and services to the Department of Defense, and government-owned/contractor-operated and government-owned/government-operated facilities

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**BRAINERD POLICE DEPARTMENT
MEMORANDUM**



**TO: City Council
Mayor
City Administrator**

FROM: Police Chief Corky McQuiston

DATE: 03-26-20

RE: POLICE OPERATIONS DURING GOVERNOR'S ORDER 20-20

The police department has been developing a plan to maintain operations to continue to provide services to the community during the course of this pandemic event.

We've issued several directives to staff during the interim regarding critical work functions, social distancing practices, and utilizing personal protective equipment. Officers are attempting to conduct as much basic reporting and information gathering as they can over the phone or by email. They are spending minimal time in the office and increased residential and commercial/business district patrolling activity. ***At this time, we have not reduced any police services to the community we are just reducing person to person contact whenever possible.***

We've taken the appropriate steps for some of our support staff to work remotely with secure police computer equipment. We've identified what is critical to maintain the bare essentials we need to process our criminal case files, arrests and citations, and other administrative police services to the community. We may need to recall staff as we evaluate how effective this will be. We have the Police Records Lead and Police Administrative Supervisor set up to work from home. They may need to work on a very limited basis at the police department. This would initially mean we would have **four records management technicians paid to stay home not working.**

We would be changing the police officer scheduling to reduce our exposure risks, by eliminating our overlapping days and lengthen the officer's time off between work periods. This would include **one day per pay period** of *Precautionary Administrative Leave*, where they will be paid to stay at home and not work. With our current staffing level this means **15 police officers**, one day a pay period.

The Deputy Police Chief and Police Chief are set up to work from home, so we plan to try alternating work weeks at the police department. Our Criminal Investigators will also be placed on alternating work weeks initially with one here while the other works from home. All licensed staff will still be subject to call back to work if circumstances or events necessitate it. Again, this is designed to reduce staff exposure and cross contamination risks while we can.

We would be requesting at this time that the Community Service Officers(CSOs) be included with the City Staff to be **paid and stay at home**. **The four CSOs are part-time employees so we would only be paying them for 23 hours per pay period.** They too would be subject to call back as needed, particularly if we identify things they can do if we experience a shortage of police officers if officers become sick. With our challenges in hiring, employing and retaining CSOs has become as much an important recruitment tool as is the work they perform for us.

We are working with the IT staff to determine if we can possibly update the operating system on older mobile computers that are set for destruction and add air-card plans to possibly have more of the records management technicians work from home, however this only would be to process case files. This is the challenge we have with police work because of encryption requirements to access systems on the Criminal Justice Data Network(CJDN).

There will most likely be some challenges or situations that we will have to adapt to, but I'm confident at this point that we will be able to continue to provide the critical police services to the community by working collectively with our partner agencies.

Please don't hesitate to contact me if you have any concerns or become aware of any issues we need to address.

Thank you.

CITY OF BRAINERD'S COVID-19 WORK FROM HOME PLAN

*Essential Employees Who Must Remain on the Job per Governor's Order		
DEPARTMENT	JOB TITLE	REPORTS TO WORK
POLICE	POLICE CHIEF	Yes
POLICE	DEPUTY POLICE CHIEF	Yes
POLICE	POLICE LIEUTENANT	Yes
POLICE	POLICE SERGEANT	Yes
POLICE	POLICE SERGEANT	Yes
POLICE	POLICE SERGEANT	Yes
POLICE	POLICE SERGEANT	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
POLICE	POLICE OFFICER	Yes
FIRE	FIRE CHIEF	Yes
FIRE	FIRE MARSHAL / DEPUTY FIRE CHIEF	Yes

***This list of Essential Employees includes our 35 Paid-on-Call Firefighters**

****Teleworking Employees (Working a Normal Schedule)**

DEPARTMENT	JOB TITLE	WORK FROM HOME
ADMIN	CITY ADMINISTRATOR	Yes
COMMUNITY DEVELOPMENT	COMM DEV DIRECTOR	Yes
COMMUNITY DEVELOPMENT	BUILDING OFFICIAL	Yes
COMMUNITY DEVELOPMENT	HOUSING INSPECTOR	Yes
COMMUNITY DEVELOPMENT	ZONING SPECIALIST / PERMIT TECH	Yes
FINANCE	FINANCE DIRECTOR	Yes
FINANCE	PAYROLL / HR - ADMIN SPECIALIST 2	Yes
FINANCE	ADMIN SPECIALIST - ADMIN	Yes
FINANCE	A/P - ADMIN SPECIALIST	Yes
FIRE	ADMIN SPECIALIST 2 - FIRE	Yes
HR	HR DIRECTOR	Yes
IT/GIS	IT SPECIALIST	Yes
ENGINEERING	CITY ENGINEER	Yes
ENGINEERING	ASST CITY ENGINEER	Yes
ENGINEERING	SENIOR ENG TECH / PROJECT COORD	Yes
ENGINEERING	ENGINEERING TECH	Yes
ENG (TRANSIT)	TRANSIT COORDINATOR	Yes
ENG (TRANSIT)	TRANSIT OPERATIONS SPECIALIST	Yes
PARKS	PARK DIRECTOR	Yes
PARKS	RECREATION COORDINATOR	Yes
PARKS	ADMIN SPECIALIST - PARKS	Yes
POLICE	POLICE ADMIN SUPERVISOR	Yes
POLICE	POLICE RECORDS MGMT LEAD	Yes

****Teleworking employees are expected to work their normal work schedule (8 hours per day/40 hours per week) during the time identified in the Governor's Executive Order 20-20. Overtime will not be authorized unless approved by the City Administrator**

Employees Unable to Work from Home - Available When Needed

DEPARTMENT	JOB TITLE	REPORTS TO WORK
ENG (STREET)	STREET & SEWER FOREMAN	No
ENG (STREET)	MAINT III / SEWER LEAD	No
ENG (STREET)	MAINT III / BLADE OPERATOR	No
ENG (STREET)	MAINT III / HEAVY EQUIP OPERATOR	No
ENG (STREET)	MAINT II	No
ENG (STREET)	MAINT I	No
ENG (STREET)	MAINT I	No
PARKS	PARK FOREMAN	No
PARKS	PARK MAINT I	No
PARKS	PARK MAINT I	No
PARKS	PARK MAINT I	No
PARKS	PARK MAINT I	No
PARKS	PARK MAINT I	No
POLICE	POLICE RECORDS MGMT TECH	Tenative/Alternate
POLICE	POLICE RECORDS MGMT TECH	Tenative/Alternate
POLICE	POLICE RECORDS MGMT TECH	Tenative/Alternate
POLICE	POLICE RECORDS MGMT TECH	Tenative/Alternate

Date: March 27, 2020

To: [employee group name]

From: City Administrator Jennifer Bergman

Re: Temporary Notice for Telework

In response to evolving conditions of the COVID-19 outbreak, and the declaration of local, state and national emergencies relating to it, the City of Brainerd is implementing this Temporary Notice for Telework.

Disclaimer

This notice supplements existing employment policies, rules, procedures, and regulations. All current employment policies, rules, procedures, and regulations remain in full effect, except for instances where this notice directly contradicts another current policy, rule, procedure, or regulation in which case this notice supersedes existing policy, rule, procedure, or regulation.

The City of Brainerd reserves the right to modify or rescind this notice at any time.

Effective Date

This notice is effective the employee's next scheduled work day after the effective date of Executive Order 2020 and will remain in effect until otherwise determined by City of Brainerd.

Guidelines for Employees Approved to Work Remotely

1. Teleworking is a privilege, not an entitlement.
2. Teleworking may be terminated at any time by the employer with or without cause.
3. An employee's duties, obligations, responsibilities and conditions of employment with the City of Brainerd remains unchanged when teleworking. A teleworker should observe the same attendance and performance expectations as if they were in the office on any other work day. A teleworker must be available by telephone and email (as appropriate based on the employee's work assignment) during agreed upon work hours. A teleworker must notify their supervisor or designee if they leave their telework location during regular working hours.
4. Employees who wish to telework and who require certain equipment and/or access to the City of Brainerd's network must first receive approval from their supervisor and then discuss their equipment and connection options. A determination will be made regarding what type of equipment and connectivity is appropriate and a review of any technical requirements will occur with the employee.

5. A teleworker may not download or copy items through a work portal to a personal device. A teleworker may not connect, wired or wireless, any non-city devices to the equipment issued to them. A teleworker may not connect city equipment to any internet or network connection that has not previously been approved by IT staff. All policies regarding City of Brainerd technology, data, and records will remain in effect, which include retaining, safeguarding, and organizing data consistent with policy and law.
6. A teleworker must ensure that their telework location is safe and healthy.
7. Failure to comply with all laws and standards of the City of Brainerd may result in the loss of telecommuting privileges and/or disciplinary action, consistent with city policy and any applicable collective bargaining agreement.
8. Telework arrangements must comply with applicable State and Federal employment laws. This includes the Fair Labor Standards Act (FLSA) which regulates the payment of minimum wage and overtime for exempt and non-exempt employees. Teleworking employees cannot work any overtime hours unless they receive advance written permission from the City Administrator.
9. Telework must not result in additional work for other staff.
10. In addition to all other reviews required by city policy or the collective bargaining agreement, a teleworker and his or her supervisor will participate in periodic reviews to evaluate the effectiveness of the procedure.
11. Provisions of collective bargaining agreements and personnel policies remain in full force and effect.
12. Subject to applicable city policy and other provisions of this notice, an employee who is authorized to telework, including ad-hoc telework, may do so even if his or her household members are present in the remote work location, with supervisor approval, so long as the employee is actually conducting his or her job duties and actually working a normal work schedule or flexing his or her time with supervisor approval.
13. While teleworking, employees may only use city-issued equipment to telework unless approved by their supervisor and the City Administrator. Employees assigned to telework must follow applicable city policies and procedures relating to Data Privacy and Data Security. Employees must not disclose private, confidential, or other non-public data except as authorized by applicable law. Employees must take all appropriate steps, consistent with City Policy, to safeguard and protect the security of City data.



Brainerd City Council Agenda Request

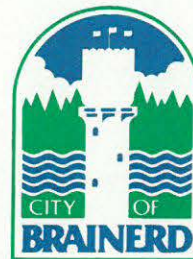
Requested Meeting Date:

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

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

RESOLUTION
NO. _____

**RESOLUTION ORDERING IMPROVEMENT, APPROVING PLANS AND
SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, a motion by the City Council passed on the 2nd day of March 2020, fixed a date for a Council hearing on the proposed improvement listed below; and

WHEREAS, the City Engineer has prepared plans and specifications for the improvement of the following described project:

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

WHEREAS, such plans and specifications have been presented to the Council for approval;

WHEREAS, ten days' mailed and two weeks' published notice of the hearing was given and the hearing was held thereon on the 6th day of April, 2020, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, at said hearing there was available a reasonable estimate of the amount to be assessed and a description of the methodology, in the forms attached hereto as Exhibit A;

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

1. Said improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Said improvement is hereby ordered as proposed in the Council motion on the 6th day of April 2020.
3. City Engineer Sandy is hereby designated as the engineer for this improvement.
4. The City Council declares its official intent to reimburse itself for costs of the project from proceeds of bonds, which are expected to be issued in the maximum principal amount of \$1,500,000.

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

1. Such plans and specifications, a copy of which is on file at the offices of the City Administrator and the City Engineer, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published, shall specify the work to be done, shall state that bids will be received by the City Administrator until 11:00 a.m. on May 8, 2020, at which time they will be publicly opened in the Council Chambers of the City Hall by the City Administrator and City Engineer, will then be tabulated, and will be considered by the Council at 7:30 p.m. on May 18, 2020, in the Council Chambers of the City Hall, Brainerd, Minnesota.

Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Administrator for five (5) percent of the amount of such bid.

Upon roll call, members _____ voted "aye." No member voted "nay."

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

EXHIBIT A
IMPACT OF ASSESSMENTS
CITY OF BRAINERD
IMPROVEMENT NO. 19-10

Available at Hearing Held April 6, 2020

The purpose of the improvement is to provide necessary and desirable facilities for public use. The City's intention with respect to the assessments for the improvement is to make benefited properties and their owners responsible for paying the costs of the improvement over time, not the public at large. The extent of the impact of the assessments depends upon the amount assessed.

The total estimated cost of the proposed improvements is \$1,310,000. A reasonable estimate of the total amount assessed is \$253,284. This estimate is approximately 50% of the street resurfacing costs. The City reserves the right when actually levying assessments to assess up to the full costs of the improvement, which may exceed estimates available at the time of the hearing on the improvement.

The following is a description of the methodology the City intends to use to calculate individual assessments for affected parcels on Improvement 19-10: in accordance with front footage calculations consistent with the City's Assessment Policy. The City reserves the right when levying assessments to modify or depart from this methodology to the extent the City deems appropriate.

City of Brainerd, Minnesota

Street and Sewer Assessment Policy

1. Introduction

Special assessments are a charge imposed on properties for an improvement that benefits the owners of that selected property. The authority to use special assessments originates in the state constitution which allows the state legislature to give cities and other local government units the authority “to levy and collect assessments for local improvements upon property benefitted hereby”. The legislature designates that authority to cities in Minnesota Statutes Chapter 429.

A charter city (in which Brainerd is) may choose to use either Chapter 429 or provisions of the charter to assess for local improvements, however, even the state law requires that charter cities follow state law in certain steps of the proceedings.

Special Assessments have three distinct characteristics:

- They are a levy the City uses to finance, or partially finance, a public improvement program.
- The city levies the charge only against those parcels of property that receive some special benefit from the program.
- The amount of the charge bears a direct relationship to value of the benefits the property receives.

The City of Brainerd, Minnesota finds it beneficial to fund portions or all the 5-year street and sewer capital plan using special assessments. Special assessment proceedings will follow the procedures as outlined in Minnesota Statute 429 and any modifications thereto.

2. Assessable Improvements

How Much is Being Assessed?

Developer New Construction

On projects where utilities and roadways are being constructed for the first time, the developer is responsible for installing the watermain, sanitary sewer, grading, surfacing, storm sewers, and any other incidental features it sees fit. The city requires developers to construct all facilities to city standards and be approved by the City engineering department. While it is ultimately up to the developer to decide how the development costs incurred are recouped, the developer will typically split these costs to the number of parcels developed and recoup its cost through the sale price of the lots.

Petitioned New Construction

On projects where the city is petitioned to install the new improvements, the entire project cost being constructed is assessed to the abutting properties, as either by a per lot basis or by a front-foot basis.

Petitioned or Council Authorized Reconstruction of Resurfacing

Whether the city acts upon its own authority to make an improvement or it is petitioned by property owners, the city assesses one-half (1/2) of the cost of the reconstruction or resurfacing improvement including construction and engineering of the said improvement on a front-foot or per lot basis. The other one-half (1/2) of the resurfacing or reconstruction cost is paid by the city. If utilities such as sanitary sewer, water mains, or storm sewers are being reconstructed along with the project, the cost of this work is not assessed, but rather is covered through user fees and rates set by council or public utilities commission. If a project consisting of overlaying a street is proposed, the entire project cost is assessed to abutting properties. The City does not typically assess for new sidewalks, but may from time to time, assess for the entire costs of repairs thereto.

Pursuant to Petition – Properties Abutting the City but outside City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

Pursuant to Council Action – Properties not Abutting the City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

In prior years, the City Council authorized the construction of utility improvements outside its corporate boundaries and not abutting the city. To pay for such costs, the council established a Water Connection Charge (WCC) and Sewer Connection Charge (SCC). This charge, as initially set by council resolution, represents the average costs of constructing such utility improvements and is payable immediately upon connection to the system. This charge is enacted if the property owner elects to divide the property in which assessments were imposed and deferred. If a lot is split and the owner elects to connect to sewer and water, the WCC and SCC are charged to the property owner, with the balance of the deferred assessment remaining on the other parcel created from the split.

The WCC and SCC set by council resolution will remain in effect until repealed by the council. Said resolution may be adjusted periodically by the city council.

3. Initiation of an Improvement

By Petition from Property Owners

Per Minnesota Statute 429, if the council chooses to proceed with an improvement based on a petition, it must have the signatures of at least 35 percent in frontage of the property bordering the proposed improvements. If the council relies upon a petition as its basis for proceeding, it cannot make substantial change the improvement from what is asked for in the petition. The council must pass a resolution determining whether the petition is legally sufficient or not.

By Council Action

Per City of Brainerd Charter Section 92, in the first instance in which the council desires to levy a special assessment for an improvement, it shall require a two-thirds (2/3) vote of the members elect except in the case of sidewalks, in which a majority is sufficient.

4. Proceedings

Minnesota Statute 429

The City of Brainerd has elected to utilize Minnesota Statute 429 for its assessment proceedings, as amended and incorporated by reference into this policy.

Interest Rates

The council determines the interest rate on the special assessments, along with any other repayment provisions. The interest rate is typically set by ensuring a reasonable relationship between the assessments interest rate and the bond interest rate if the city issued bonds for the project. If the city finances the project with funds on hand, the council will look at the interest rate the city would otherwise have earned on the funds.

5. Payments

Once the assessments have been adopted, property owners originally have numerous options for repayment:

1. Pay the total amount of the assessment within 30 days after the council adopts the assessment rolls. This this situation, the city cannot charge interest; or
2. Pay the assessments in annual installments (with interest) under the terms set by the council; or
3. Pay the entire amount at any time after the 30 days, but before any certification to the county auditor. The property owner pays only the amount of interest accrued as of the date of payment; or
4. At any time after certification to the County Auditor, the property owner may still pay the entire remaining unpaid amount to the County Treasurer. However, the property owner must pay the entire remaining unpaid amount of the assessment before November 15 of any year and must also pay all interest accrued until the end of that calendar year.

6. Deferments

The City Council has adopted policy which allows for assessment deferments for elderly person and for all other persons who fall within the economic hardship criteria. A deferred assessment is not forgiven but is postponed until such time that the property owner either elects to resume making the annual installments as certified, no longer meets the economic hardship criteria, or sells the property. Persons interested in deferring assessments must apply each year to have the following year assessment installment deferred. After 10 years, no further applications are necessary, and the deferred installments will remain permanently deferred without accrual of additional interest, until such time that the deferred assessment is voluntarily paid of the property is sold. The most current deferment criteria passed by council resolution can be requested from the City Clerk and a copy provided to the requestor.

7. Other Frequently Asked Questions

Will Improvements Affect my Property Taxes?

While it is well documented within the real estate industry that streets and utilities that are in poor condition decrease the marketability and sale prices of homes, improvements to the streets and utilities do not automatically increase the taxes on the property. Property market valuations, as determined by the County Assessor, are based on the recent sale prices of comparable properties within the neighborhood. Following improvements to streets and utilities, the marketability of properties tends to increase, and the properties can demand a higher sale price. As years pass and the history of sale prices in the neighborhood show increases, the County Assessor will adjust the market valuation of properties to more closely reflect the price the property would sell for. If the market valuations in the neighborhood are increasing at a faster rate than the City, County, and School District averages, the property taxes will tend to increase over time.

Why is There a Difference Between my Front Footage and Assessable Footage?

If you live on a corner lot, your property is subject to assessments for improvements on both streets. The City Council has adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots or reconstruction or resurfacing projects. Your side-yard is defined as the side of your lot with the most street frontage. Improvements made to your side-yard street result in the city paying for the cost of one-half of your side-yard footage and the property owner being assessed for one-half (1/2) of the side-yard footage. The most common assessment notices for side-yard street improvements will list the front-footage as 140 feet and the assessable front-footage as 70 feet.



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 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 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-feet 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 Sandy". The signature is stylized with a large, looped "P" and a cursive "Sandy".

Paul G. Sandy, P.E.

City Engineer

City of Brainerd

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

RESOLUTION
NO. _____

**RESOLUTION ORDERING IMPROVEMENT, APPROVING PLANS AND
SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS**

WHEREAS, a motion by the City Council passed on the 2nd day of March 2020, fixed a date for a Council hearing on the proposed improvement listed below; and

WHEREAS, the City Engineer has prepared plans and specifications for the improvement of the following described project:

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

WHEREAS, such plans and specifications have been presented to the Council for approval;

WHEREAS, ten days' mailed and two weeks' published notice of the hearing was given and the hearing was held thereon on the 6th day of April, 2020, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, at said hearing there was available a reasonable estimate of the amount to be assessed and a description of the methodology, in the forms attached hereto as Exhibit A;

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

1. Said improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Said improvement is hereby ordered as proposed in the Council motion on the 6th day of April 2020.
3. City Engineer Sandy is hereby designated as the engineer for this improvement.
4. The City Council declares its official intent to reimburse itself for costs of the project from proceeds of bonds, which are expected to be issued in the maximum principal amount of \$2,400,000.

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

1. Such plans and specifications, a copy of which is on file at the offices of the City Administrator and the City Engineer, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published, shall specify the work to be done, shall state that bids will be received by the City Administrator until 10:00 a.m. on May 8, 2020, at which time they will be publicly opened in the Council Chambers of the City Hall by the City

Administrator and City Engineer, will then be tabulated, and will be considered by the Council at 7:30 p.m. on May 18, 2020, in the Council Chambers of the City Hall, Brainerd, Minnesota. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Administrator for five (5) percent of the amount of such bid.

Upon roll call, members _____ voted "aye." No member voted "nay."

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

EXHIBIT A

IMPACT OF ASSESSMENTS CITY OF BRAINERD IMPROVEMENT NO. 13-21, 19-09, and 19-16

Available at Hearing Held April 6, 2020

The purpose of the improvement is to provide necessary and desirable facilities for public use. The City's intention with respect to the assessments for the improvement is to make benefited properties and their owners responsible for paying the costs of the improvement over time, not the public at large. The extent of the impact of the assessments depends upon the amount assessed.

The total estimated cost of the proposed improvements is \$2,069,000. A reasonable estimate of the total amount assessed is \$315,362. This estimate is approximately 50% of the street resurfacing costs. The City reserves the right when actually levying assessments to assess up to the full costs of the improvement, which may exceed estimates available at the time of the hearing on the improvement.

The following is a description of the methodology the City intends to use to calculate individual assessments for affected parcels on Improvements 13-21, 19-09, and 19-16: in accordance with front footage calculations consistent with the City's Assessment Policy. The City reserves the right when levying assessments to modify or depart from this methodology to the extent the City deems appropriate.

City of Brainerd, Minnesota

Street and Sewer Assessment Policy

1. Introduction

Special assessments are a charge imposed on properties for an improvement that benefits the owners of that selected property. The authority to use special assessments originates in the state constitution which allows the state legislature to give cities and other local government units the authority “to levy and collect assessments for local improvements upon property benefitted hereby”. The legislature designates that authority to cities in Minnesota Statutes Chapter 429.

A charter city (in which Brainerd is) may choose to use either Chapter 429 or provisions of the charter to assess for local improvements, however, even the state law requires that charter cities follow state law in certain steps of the proceedings.

Special Assessments have three distinct characteristics:

- They are a levy the City uses to finance, or partially finance, a public improvement program.
- The city levies the charge only against those parcels of property that receive some special benefit from the program.
- The amount of the charge bears a direct relationship to value of the benefits the property receives.

The City of Brainerd, Minnesota finds it beneficial to fund portions or all the 5-year street and sewer capital plan using special assessments. Special assessment proceedings will follow the procedures as outlined in Minnesota Statute 429 and any modifications thereto.

2. Assessable Improvements

How Much is Being Assessed?

Developer New Construction

On projects where utilities and roadways are being constructed for the first time, the developer is responsible for installing the watermain, sanitary sewer, grading, surfacing, storm sewers, and any other incidental features it sees fit. The city requires developers to construct all facilities to city standards and be approved by the City engineering department. While it is ultimately up to the developer to decide how the development costs incurred are recouped, the developer will typically split these costs to the number of parcels developed and recoup its cost through the sale price of the lots.

Petitioned New Construction

On projects where the city is petitioned to install the new improvements, the entire project cost being constructed is assessed to the abutting properties, as either by a per lot basis or by a front-foot basis.

Petitioned or Council Authorized Reconstruction of Resurfacing

Whether the city acts upon its own authority to make an improvement or it is petitioned by property owners, the city assesses one-half (1/2) of the cost of the reconstruction or resurfacing improvement including construction and engineering of the said improvement on a front-foot or per lot basis. The other one-half (1/2) of the resurfacing or reconstruction cost is paid by the city. If utilities such as sanitary sewer, water mains, or storm sewers are being reconstructed along with the project, the cost of this work is not assessed, but rather is covered through user fees and rates set by council or public utilities commission. If a project consisting of overlaying a street is proposed, the entire project cost is assessed to abutting properties. The City does not typically assess for new sidewalks, but may from time to time, assess for the entire costs of repairs thereto.

Pursuant to Petition – Properties Abutting the City but outside City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

Pursuant to Council Action – Properties not Abutting the City Corporate Boundaries

The City does not construct municipal utilities outside of its corporate boundaries until such time the properties are annexed and within the City of Brainerd corporate boundaries. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

In prior years, the City Council authorized the construction of utility improvements outside its corporate boundaries and not abutting the city. To pay for such costs, the council established a Water Connection Charge (WCC) and Sewer Connection Charge (SCC). This charge, as initially set by council resolution, represents the average costs of constructing such utility improvements and is payable immediately upon connection to the system. This charge is enacted if the property owner elects to divide the property in which assessments were imposed and deferred. If a lot is split and the owner elects to connect to sewer and water, the WCC and SCC are charged to the property owner, with the balance of the deferred assessment remaining on the other parcel created from the split.

The WCC and SCC set by council resolution will remain in effect until repealed by the council. Said resolution may be adjusted periodically by the city council.

3. Initiation of an Improvement

By Petition from Property Owners

Per Minnesota Statute 429, if the council chooses to proceed with an improvement based on a petition, it must have the signatures of at least 35 percent in frontage of the property bordering the proposed improvements. If the council relies upon a petition as its basis for proceeding, it cannot make substantial change the improvement from what is asked for in the petition. The council must pass a resolution determining whether the petition is legally sufficient or not.

By Council Action

Per City of Brainerd Charter Section 92, in the first instance in which the council desires to levy a special assessment for an improvement, it shall require a two-thirds (2/3) vote of the members elect except in the case of sidewalks, in which a majority is sufficient.

4. Proceedings

Minnesota Statute 429

The City of Brainerd has elected to utilize Minnesota Statute 429 for its assessment proceedings, as amended and incorporated by reference into this policy.

Interest Rates

The council determines the interest rate on the special assessments, along with any other repayment provisions. The interest rate is typically set by ensuring a reasonable relationship between the assessments interest rate and the bond interest rate if the city issued bonds for the project. If the city finances the project with funds on hand, the council will look at the interest rate the city would otherwise have earned on the funds.

5. Payments

Once the assessments have been adopted, property owners originally have numerous options for repayment:

1. Pay the total amount of the assessment within 30 days after the council adopts the assessment rolls. This this situation, the city cannot charge interest; or
2. Pay the assessments in annual installments (with interest) under the terms set by the council; or
3. Pay the entire amount at any time after the 30 days, but before any certification to the county auditor. The property owner pays only the amount of interest accrued as of the date of payment; or
4. At any time after certification to the County Auditor, the property owner may still pay the entire remaining unpaid amount to the County Treasurer. However, the property owner must pay the entire remaining unpaid amount of the assessment before November 15 of any year and must also pay all interest accrued until the end of that calendar year.

6. Deferments

The City Council has adopted policy which allows for assessment deferments for elderly person and for all other persons who fall within the economic hardship criteria. A deferred assessment is not forgiven but is postponed until such time that the property owner either elects to resume making the annual installments as certified, no longer meets the economic hardship criteria, or sells the property. Persons interested in deferring assessments must apply each year to have the following year assessment installment deferred. After 10 years, no further applications are necessary, and the deferred installments will remain permanently deferred without accrual of additional interest, until such time that the deferred assessment is voluntarily paid of the property is sold. The most current deferment criteria passed by council resolution can be requested from the City Clerk and a copy provided to the requestor.

7. Other Frequently Asked Questions

Will Improvements Affect my Property Taxes?

While it is well documented within the real estate industry that streets and utilities that are in poor condition decrease the marketability and sale prices of homes, improvements to the streets and utilities do not automatically increase the taxes on the property. Property market valuations, as determined by the County Assessor, are based on the recent sale prices of comparable properties within the neighborhood. Following improvements to streets and utilities, the marketability of properties tends to increase, and the properties can demand a higher sale price. As years pass and the history of sale prices in the neighborhood show increases, the County Assessor will adjust the market valuation of properties to more closely reflect the price the property would sell for. If the market valuations in the neighborhood are increasing at a faster rate than the City, County, and School District averages, the property taxes will tend to increase over time.

Why is There a Difference Between my Front Footage and Assessable Footage?

If you live on a corner lot, your property is subject to assessments for improvements on both streets. The City Council has adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots or reconstruction or resurfacing projects. Your side-yard is defined as the side of your lot with the most street frontage. Improvements made to your side-yard street result in the city paying for the cost of one-half of your side-yard footage and the property owner being assessed for one-half (1/2) of the side-yard footage. The most common assessment notices for side-yard street improvements will list the front-footage as 140 feet and the assessable front-footage as 70 feet.



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

CITY OF BRAINERD LICENSES AND FEES

LICENSE TYPE	EXPIRATION DATES	FEES	NOTES	Recommendation
PARKING TIME LIMITS ENFORCEMENT	SET DATES	\$ 25.00	PER EVENT	All enforcement suspended dependent on Governor's Order
CODE ENFORCEMENT	SET DATES	VARIOUS	PER EVENT	Complaint driven enforcement
RENTAL LICENSES	5/31	\$ 32.00	PER UNIT PER YEAR	Extend current license to 7/31
WINE	6/30	\$ 300.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
SUNDAY LIQUOR	6/30	\$ 150.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay. On Sale Only
CLUB - 200 OR LESS MEMBER	6/30	\$ 300.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
CLUB - 201 OR MORE MEMBERS	6/30	\$ 500.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
COCKTAIL ROOM	6/30	\$ 500.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
GROWLER	6/30	\$ 300.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
OFF-SALE DISTILLERY	6/30	\$ 300.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
ON SALE BEER	6/30	\$ 200.00	PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.

ON SALE LIQUOR-CLASS 1 BAR	6/30	\$ 3,300.00 PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
ON SALE LIQUOR-CLASS 2 RESTAURANT	6/30	\$ 2,700.00 PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
ON SALE LIQUOR-CLASS 3 HOTEL/BOWLING	6/30	\$ 3,000.00 PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
TAP ROOM	6/30	\$ 500.00 PER YEAR	Filing due to State and City by 7/1, Prorate City's fee monthly dependant on Governor's Order. Invoiced within 30 days after order giving 90 days to pay.
ADULT ESTABLISHMENT	12/31	\$ 3,000.00 PER YEAR	No change
AMUSEMENTS	12/31	15 PER MACHINE 15 PER LOCATION	No change
BACKGROUND INVESTIGATION		\$ 100.00 NEW LICENSE	No change
BOXING	SET DATES	\$ 25.00 PER EVENT	No change
BUILDING PERMIT FEES	SET DATES	VARIOUS PER EVENT	No change
CIRCUS	SET DATES	\$ 25.00 PER EVENT	No change
CONTRACTORS	12/31	\$ 50.00 PER YEAR	No change
DOGS - NOT FIXED	12/31	\$ 20.00 PER YEAR	No change
DOGS - REPLACEMENT LICENSE		\$ 2.50 PER INSTANCE	No change
DOGS - SPAYED/NEUTERED	12/31	\$ 15.00 PER YEAR	No change
ELECTION FEES	EVERY OTHER YEAR	\$ 5.00 PER APPLICANT	No Change
FARMERS MARKET	AS NEEDED		No change
FIREWORKS	SEE FIRE DEPARTMENT		No change
FLEA MARKET	SET DATES		No change
FOOD TRUCK	ANYTIME - 1 YEAR	\$ 300.00 ANNUAL FROM DATE	No change
MUSIC	SET DATES	15 PER MACHINE 15 PER LOCATION	No change
PARADE/SPECIAL EVENT	SET DATES	PER EVENT	No change
PAWNBROKERS	12/31	\$ 150.00 PER YEAR	No change
PEDDLERS	SET DATES	\$ 200.00 PER YEAR	No change
RELIGIOUS & CHARITABLE ORG	SET DATES	NO FEE	No change
ROLLER RINKS	12/31	\$ 25.00 PER YEAR	No change
SAC/WAC FEES	SET DATES	\$2700/\$3300 PER EVENT	No change
SANITARY & STORM USER FEES	MONTHLY	VARIOUS ON WATER BILL COLLECTED BY BPU	No change
SECOND HAND AUTO	12/31	\$ 50.00 PER LOT	No change
SECOND HAND GOODS	12/31	\$ 550.00 PER YEAR	No change
SOLICITORS	SET DATES	\$ 200.00 PER YEAR	No change
TAXI	12/31	\$ 40.00 PER UNIT	No change
TEMPORARY BEER	SET DATES	\$ 20.00 PER DAY	No change
TEMPORARY GREENHOUSES	SET DATES	\$ 25.00 PER YEAR	No change
TEMPORARY LIQUOR	SET DATES	\$ 135.00 PER DAY	No change
THEATRE	12/31	\$ 25.00 PER YEAR	No change

TOBACCO	12/31	\$	75.00 PER YEAR	No change
TRANSIENT MERCHANTS	SET DATES	\$	200.00 PER YEAR	No change
BULK PLANT	6/30	\$	100.00 PER PLANT	No change - Open for operations
FILLING STATION	6/30	\$	100.00 PER STATION	No change - Open for operations
GARBAGE	12/31		50 PER UNIT 25 PER SCOOTER	No change - Open for operations
OFF SALE BEER	6/30	\$	25.00 PER YEAR	No change - Open for operations
OFF SALE LIQUOR	6/30	\$	200.00 PER YEAR	No change - Open for operations
PARKING LOT RENTALS	MONTHLY		VARIOUS MONTHLY	No change - Residents can cancel lease upon request.

Updated: 4/2/2020