

CITY COUNCIL AGENDA

Brainerd, Minnesota

July 6, 2020

7:30 P.M.

WebEx Teleconference Meeting

Call Toll-Free: 844-992-4726

Access Code: 146 165 2751

1. Call To Order - 7:30 PM

2. Roll Call

___ J. Lambert ___ K. Stunek ___ D. Pritschet ___ K. Bevans

___ W. Erickson ___ T. Erickson ___ G. Johnson ___ Mayor Badeaux

3. Approval Of Agenda - Voice Vote

4. 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 June 15, 2020

Documents:

20200615_CC draft.pdf

B. Approval Of Licenses

Contractor Licenses - 7

Documents:

CONTRACTOR LICENSE REPORT - 2020-07-01.pdf

C. Department Activity Reports

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf
Parks Director Report.pdf

D. Approval Of June 15, 2020 City Administrator Performance Review Summary

Documents:

City Adm June 2020 Perf Review Summary.pdf

E. Event Application - Produce Pop-Up

Documents:

Event Application - Produce Pop-Up Pantry.pdf

- F. Minnesota Lawful Gambling Application For Exempt Permit - Submitted By MN Trappers Association, 29041 73rd St., Pierz, MN For An Event To Be Held August 1, 2020 At Brainerd American Legion, 708 Front St., Brainerd - Approval Of**
- G. Minnesota Lawful Gambling Application For Exempt Permit - Submitted By The Brainerd Fire Department Relief Association For An Event To Be Held December 7, 2020 At The Brainerd Fire Department, 23 Laurel St., Brainerd - Approval Of**
- H. Temporary On-Sale Liquor License Application - Submitted By The Brainerd Jaycees For An Event To Be Held On September 12, 2020 In Downtown Brainerd In The Mills Parking Lot Located At Front Street And S. 6th Street**
- I. Ratification Of Hiring Temporary/Seasonal Employee**

Documents:

Ratify Hiring.pdf

5. Community Member Of The Month

Documents:

Tammy Ebertowski.pdf

6. Presentations

A. Camp Ripley Annual Update

Documents:

2020 Camp Ripley Update.pdf

7. Council Committee Reports

A. Safety And Public Works Committee - 6:45 P.M.
WebEx Teleconference Meeting Information

- Call Toll Free - 844-992-4726
- Access Code - 146 406 7805

Documents:

20200706_SPW.pdf

1. Event/Street Closure Application - ECFE & City Of Brainerd Touch-A-Truck

Documents:

Event Application Touch A Truck.pdf

2. Event/Street Closure Application - Jaycees Street Fest

Documents:

Event App Jaycees Street Fest.pdf

3. Improvements 13-21, 19-09, 19-16, 19-20, And 19-21 - NE Brainerd Reconstruction Project - Change Order 1

Documents:

IMP Change Order.pdf

4. City-Wide Storm Sewer Hydraulic And Hydrologic (H & H) Modeling Proposal

Documents:

City-Wide Modeling Proposal.pdf

5. Regulating Location Of Garbage Receptacles

Documents:

Regulating Location of Garbage Receptacles.pdf

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

WebEx Teleconference Meeting Information

- Call Toll Free - 844-992-4726
- Access Code - 146 649 8818

Documents:

20200706_PF.pdf

1. Approval Of Bills And 2019 Transfers Of Funds

From General Fund 101 to Capital Fund 400	\$133,000 per Fund Balance Policy
From Public Safety Fund 225 to Fire Capital Fund 404	\$ 52,000 per FAB Contract

2. Discussion On Lakes Area Media Collaborative

Documents:

Discussion LAMC.pdf

3. Resignation Of Paid On Call Firefighter Sell

Documents:

2020 Agenda Request Sell Resignation.pdf

4. Police Officer Retirement

Documents:

Police Officer Retirement.pdf

5. Police Request To Use Drug Forfeiture Funds

Documents:

Drug Forfeiture Fund Request.pdf

6. Resignation Of Seth Greenwaldt - Street Maintenance I

Documents:

Resignation of Street Employee.pdf

7. Memorandum Of Agreement Between The City And LELS Local #65
To Extend The Appeals Panel Decision Timeframe From Five Days To
Six Weeks.

Documents:

MOA to LELS.pdf

8. Recycling Fund Discussion

Documents:

Recycling Fund.pdf

8. **Unfinished Business**

A. **Call For Applicants - Informational**

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

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

Cable TV Advisory Committee - 1 term (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)

Other

Water Tower Committee - Applicants Needed

B. Committee Recommendations - Recommended By Mayor Badeaux

- Kevin Yeager - Charter Commission

Documents:

Yeager, Kevin - Charter Application.pdf

C. City Hall Remodel Front Stairwell/Exterior Work Discussion And Overall Project Update

Documents:

City Hall Front Steps and Overall Project Update.pdf

9. New Business

A. Update On Dangerous Dog

Documents:

Dangerous Dog Update.pdf

B. Adoption Of Resolution Awarding The Sale Of General Obligation Bonds, Series 2020A; Fixing Their Form And Specifications; Directing Their Execution And Delivery; And Providing For Their Payment

Documents:

Res - GO Bonds, Series 2020A.pdf

C. Discussion On Work From Home Plan And The Re-Opening Of City Facilities

Documents:

Discussion Reopening City Facilities.pdf

D. CARES Act Funding

Documents:

CARES Act Funding.pdf

E. Discussion On Re-Establishing The Parking Commission

Documents:

Parking Commission Agenda Item.pdf

F. Resolution - Improvement 14-05 - Old Stonebridge Trail Final Lift - Accepting Bid

Documents:

RES IMP 14-05 Accept Bid.pdf

G. Transient Food District Exemption

Documents:

Transient Food District Exemption.pdf

10. Public Forum

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

11. Staff Reports

(Verbal: Any Updates since Packet)

12. Council Member Reports

13. Adjourn

Personnel & Finance Committee will meet at PM 6:45 via WebEx Teleconference

Call Toll-Free: 844-992-4726

Access Code: 146 649 8818

Safety & Public Works Committee will meet at 6:45 PM via WebEx Teleconference

Call Toll-Free: 844-992-4726

Access Code: 146 406 7805

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
June 15, 2020**

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

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

Due to conducting the meeting electronically, all motions will be voted on by a roll call vote for accuracy.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE AGENDA.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND T. ERICKSON TO APPROVE THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on June 1, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 4
Bulk Plant License – 1
Growler License – 1
Filling Station License – 8
Off-Sale Beer License – 3
Taproom/Distillery License – 2
On-Sale Wine/Beer License – 1
On-Sale Liquor License – 8
Club On-Sale Licenses – 3
Off-Sale Liquor License – 4

Contingent Upon Inspection/Fire Department - Approved

On-Sale Liquor Licenses -6
Off-Sale Beer License – 1
Club On-Sale License – 1
Off-Sale Liquor License – 1

C. Department Activity Reports – Approved

1. Police Chief
2. Finance Director

D. Extension of Premises – Submitted by Shep's on Sixth for an Event to be Held on August 28-29, 2020, at 315 S. 6th St., Brainerd – Approved

E. Event Application – Produce Pop-Up Pantry - Approved

F. Ratification of Hiring – Seasonal/Temporary Employees - Approved

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

Dangerous Dog Hearing

City Attorney Langel gave a brief explanation regarding the details of the dangerous dog hearing based on an appeal from the dog owner.

The Chair recognized Mr. Michael O'Brien, animal control officer, who explained the criteria necessary according to City Code in order to deem a dog as dangerous.

The Chair recognized Mr. Joshua Hall and Ms. Erika Olson, who are the owners of the dog. Ms. Olson gave her deposition of the reports against her dog and the issues with the dog being deemed as dangerous. Mr. O'Brien gave responses to the statements made by Ms. Olson.

The Chair recognized Ms. Kathy Rolf who claimed the dog owned by Erika Olson attacked her dog on April 22, 2020 on her property and gave details of the event.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO DETERMINE THE DOG IS NOT DANGEROUS BASED ON THE FACTS.

Council Member Bevans stated the issue seems to be with the dog owners keeping their pet contained on their property and not necessarily the dog being a danger to others. City Attorney Langel explained the legal process involved with actions for the owner to follow if the dog was deemed dangerous.

Council Member Bevans chose to withdraw the above motion based on City Attorney Langel clarifying the legal procedure. Council Member Pritschet does agree the dog needs to be contained but does not agree with the dog being deemed dangerous.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO DEEM THE DOG AS DANGEROUS BUT NOT BE EUTHANIZED AND THE DOG OWNER WILL NEED TO COMPLY WITH THE NECESSARY REQUIREMENTS OF PROPER ENCLOSURE, VACCINATIONS, CITY LICENSING AND PROOF OF INSURANCE AND FOR THE ANIMAL CONTROL OFFICER REPORT BACK TO THE COUNCIL WITHIN 14 DAYS.

Upon roll call, members T. Erickson, Lambert, Stunek, Bevans, W. Erickson and Johnson voted “aye”. Member Pritschet voted “nay”. The Chair declared the motion carried.

Mr. O'Brien asked the Council what he needs to do in 14 days if these conditions have not been met. Council Member Johnson stated he is to report back in 14 days and it will be placed on the next council agenda for a decision if progress isn't being made.

Presentations

The Chair recognized Mr. Tyler Glynn, BLAEDC executive director. Mr. Glynn gave a brief update to the Key Recruitment Program and the River to Rail opportunities as businesses start to re-open. He stated he has received many positive responses to the Small Business Grant Relief that was recently passed by the EDA. He said he is working with the county regarding funding that could be received from the CARES Act.

Council Member Bevans indicated he would like the documentation supporting the funds that are paid from the City to BLAEDC. Mr. Glynn stated he is working on it and will provide the requested documents.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills – Approved

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

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

Custodial Services Proposals for City Hall, Police Department, Fire Department, and Streets Garage - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO ACCEPT STAFF'S RECOMMENDATION AND AUTHORIZE ENTERING INTO AN AGREEMENT FOR PROFESSIONAL CUSTODIAL SERVICES WITH ENVIROTECH IN THE AMOUNTS OF \$1,765/MONTH FOR CITY HALL, \$1,255/MONTH FOR POLICE DEPARTMENT, \$238/MONTH FOR FIRE DEPARTMENT AND \$238/MONTH FOR STREET DEPARTMENT GARAGE.

Committee Chair Pritschet explained the current cleaning company has new ownership and the fees were going to increase. He said staff indicated it would be an ideal time to solicit Request for Proposals to compare pricing and the recommendation was to accept the proposal from EnviroTech.

Finance Director Hillman indicated the increase in fees was not budgeted, as the change in ownership of the current company was not anticipated nor was the increase in rates.

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

Request for Additional Small Business Relief Grant Funds - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO FUND THE ADDITIONAL EIGHT BUSINESS APPLICANTS AS PRESENTED IN THE TOTAL AMOUNT OF \$23,500.

Committee Chair Pritschet explained there were eight applications received after the initial \$90,000 was allocated and the EDA has requested additional funding be approved for those eight

businesses in the amount of \$23,500. He clarified that all funds would be coming from Fund 217, as there was a misprint on the agenda request. He stated if the Federal Cares Act passes, the City may be eligible to be reimbursed for a portion of those funds.

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

Update on Marketing Campaign - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO APPROVE THE DESIGN AND MESSAGE OF THE CAMPAIGN, PURCHASE A FULL-PAGE AD IN THE LAKES COUNTRY JOURNAL FOR \$2,300 AND BEGIN A CAMPAIGN SERIES ON SOCIAL MEDIA IN THE AMOUNT OF \$700.

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

Police Officer Hiring - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO RATIFY THE HIRING OF OFFICER JORDAN HOST, STARTING AT LELS 2020 STEP 1 RATE OF \$27.43/HOUR WITH A STARTING DATE OF JUNE 8, 2020.

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

Long Term Disability RFP Process - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO APPROVE THE LONG-TERM DISABILITY INSURANCE RFP PROCESS AND TIMELINE AS SUBMITTED BY INTEGRITY EMPLOYEE BENEFITS.

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

Consideration to Finalize Liquor License Fees for 7/1/2020 Renewal – Approved

Committee Chair Pritschet explained this is due to the revised restrictions of allowing businesses to open for indoor seating starting on June 10, 2020.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO APPROVE THE LIQUOR LICENSES AFFECTED BY COVID-19 AS PREVIOUSLY IDENTIFIED FOR THE RENEWAL OF 7/1/2020-6/30/2021 BE REDUCED BY A PRO-RATED 4 MONTHS AND THEN REDUCE THE REMAINING FEE BY 50% AND BILLING WILL BE DONE PRIOR TO THE END OF JUNE WITH THE FEES PAYABLE WITHIN 90 DAYS.

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

The Skillet Restaurant Liquor License from 7/1/2019-6/30/2020 - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO REFUND THE ENTIRE LIQUOR LICENSE FEE IN THE AMOUNT OF \$2,800 FOR THE LIQUOR LICENSE RENEWAL PERIOD OF JULY 1, 2019-JUNE 30, 2020 THAT WAS PAID.

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

Safety & Public Works Committee Report

Improvement 20-01 – 2020 Seal Coat Project Bids - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND AWARD THE CONTRACT TO ASPHALT SURFACE TECHNOLOGIES CORPORATION (ASTECH) IN THE TOTAL AMOUNT BID OF \$147,576 AND FURTHER TO AUTHORIZE THE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO THE AGREEMENT WITH ASTECH.

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

Improvements 16-09 and 19-07 – 2019 Buffalo Hills Lane and Mississippi Drive Reconstruction Projects – Change Order 3 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND AUTHORIZE CHANGE ORDER 3 FOR IMPROVEMENTS 16-09 AND 19-07 FOR TURF ESTABLISHMENT CONTINGENT UPON P&F APPROVAL FOR THE CONTRACT IN THE REVISED AMOUNT OF \$1,607,663.

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

Resolution – Improvement 19-01 – NW 4th Street Reconstruction – Cooperative Construction Agreement – Adopted Resolution No. 29:20

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT THE ATTACHED CONSTRUCTION COST SHARE AGREEMENT RESOLUTION FOR IMPROVEMENT 19-01 NW 4TH STREET RECONSTRUCTION.

RESOLUTION NO. 29:20

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

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 – 1 term (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)

Other

Water Tower Fundraising Committee – Applicants Needed

Council Member Bevans requested an update from Council Member Lambert regarding the committee that was formed to address the rental housing ordinance code. He stated it has been almost two years and he would like to have information brought forth as to the recommendations of the committee. Council Member Lambert stated due to COVID-19, the committee has not met recently. She said the committee does not meet during the summer but will resume in September. She hopes to have information to the Council by the end of 2020.

Temporary Extensions of Premises Update – No Action Needed

Community Development Director Chanski stated new COVID-19 regulations have now allowed businesses to open to the public and indoor dining is allowed at a 50% capacity. He explained the recommendation is to continue to allow all current and future permitted COVID-19 Temporary Extension of Premises to remain in place until October 31, 2020. An official motion was not made by the Council but all were in agreement.

New Business

Resolution – Designating Polling Locations for 2020 Election – Adopted by Resolution 30:20

Finance Director Hillman explained due to COVID-19, the state statute was updated to allow municipalities to make changes to their adopted polling locations. She stated the recommendation is to reduce the number of locations from eight to four for the 2020 Election.

Council Member Johnson asked if the City would have only four polling locations in the future. Finance Director Hillman indicated the election of 2022 will be held after a redistricting is held due to the census and it could be a possibility. The City is within the recommended population for only having four versus eight polling locations for the 2020 election but not going forward.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO ADOPT A RESOLUTION DESIGNATING UPDATED POLLING LOCATIONS FOR 2020 FOR THE CITY OF BRAINERD AND TO AUTHORIZE STAFF TO WORK WITH THE COUNTY IN SENDING OUT POLLING LOCATION CHANGE NOTICES TO ONE PER HOUSEHOLD.

RESOLUTION NO. 30:20

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

Public Forum

The Chair directed IT Director Strong to unmute the call-in users and opened the public forum at 9:00 p.m.

The Chair recognized Ms. Cheryl Peterson, 1518 Quince St., who spoke regarding her request for a response from a City Council member for her animal rescue service. It was determined since this issue is under legal counsel, it was recommended not to respond.

The Chair closed the public forum at 9:10 p.m.

Staff Reports

City Administrator Report/Update

City Administrator Bergman indicated she is requesting a Council work session be scheduled for June 22, 2020 to discuss the goals of the City Council. It was determined not all members are available that date, and a doodle poll will be sent to all members.

Council Member Reports

Mayor Badeaux stated boards and committees are starting to meet once again.

Council Member Pritschet stated the Corpus Christi Procession went well and he thanked the Council for the permission to do so.

Council Member Lambert requested information on the amount of funding that has been spent and invested downtown, and the return on the investment. City Administrator Bergman stated she will work on this with Tyler Glynn and Community Development Director Chanski.

Council Member Bevans attended a parking lot church service recently that was well received.

Council Member W. Erickson thanked the Council for the additional grant funding that was approved tonight to be able to fund the additional small businesses that applied.

Adjourn to Closed Session Pursuant to MN Statutes 13D.05, Subd. 3(A), To Conduct the City Administrator Performance Review – 9:18 p.m.

The Council reconvened at 10:03 p.m.

The Council adjourned at 10:08 p.m.

Jennifer Bergman
City Administrator

Contractor List

07/01/2020

Contractor Name	Address	Local License #	Licensee Type
ACE HEATING AND AIR CONDITIONING, INC. JAMES TOWNSEND	7174 HWY 95 NW (769) 389 2647	2020-0009	Mechanical
CUSTOM MECHANICAL & SHEET METAL LLC DAMOND CLANTON	12700 PERSIMMAN DR (218) 821-1068	2020-0008	Mechanical
LAKEWOOD PETROLEUM SERVICES, LLC Kevin Vadnais	7136 LAND O LAKE RD (218) 820-1351	2020-0001	Petroleum Service
MN QUALITY ENTERPRISES LLC Arthur Lordbock	10718 GREENWOOD ST (218) 829-4664	2020-0001	Commercial Roofing
NORTH COUNTRY ROOFING & RENOVATIONS GRANT C. BUTCHER	10724 OTTAWA TRAIL (218) 251 4806	2020-0003	General Commerical
QUICK CONSTRUCTION INC Terry Quick	PO BOX 324 (218) 829-6203	2020-0004	General Commerical
VILLENEUVE EXCAVATING & DEMOLITION JOE VILLENEUVE	PO BOX 474 (218) 244 2968	2020-0007	Excavator

Totals: 7

Population: All Records

Licensee.DateRegistered Between 6/11/2020 12:00:00 AM AND 6/30/2020 12:00:00 AM

Brainerd Fire Department

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

We continue to navigate the COVID-19 pandemic as we very slowly get back to a new normal. The community has been so supportive these last several months, and we continue to get words of thanks and appreciation for our commitment to the community. We received this thank you at the end of the month: *To the unit who made my kids day, thank you!! Even though you were putting out that telephone pole fire you still managed to acknowledge the kids! My daughter was especially surprised when she saw the female firefighter who was also the one who got to drive the truck! (She thought only boys could be firefighters) but thank you so much for giving the children a memory they'll cherish!!*

Fire Marshal/Deputy Chief Cox has been busy with inspections and assisting businesses and other organizations with building occupancy as it relates to the COVID-19 restrictions. He has been able to get out in the community and help these organizations through some tough times.

We are starting to get back into firefighter training following CDC guidelines and the Governor's EO's. Training has included Hose Movement and Search and Rescue. Firefighters have also been doing online training to stay current.



In early June we took delivery of our new aerial apparatus, Tower 20. Brainerd firefighters were joined by their families to ceremonially push the truck into the station. The crew also transferred water from the old Ladder 2 into the new truck. Each of these traditions go back to the time of horse drawn fire engines and wagons. The truck was put into service on June 9.

Highlights of Tower 20:

- 2020 Sutphen SPH100
- Features a 100-foot, mid-mount ladder truck with a platform.
- Length of 48'6" with a wheelbase of 247".
- Has a 2000 GPM water pump with 400 gallons of on-board water and 20 gallons of firefighting foam.
- Platform is equipped with dual water monitors mounted on both sides allowing an open front for rescue or roof operations.
- Carries 115' of additional ground ladders.
- Seats six firefighters with five SCBA seating positions.



Tower 20 was purchased to replace two existing ladder trucks in the Brainerd Fire Department's fleet. Taking the fleet from two ladder trucks down to one will decrease maintenance costs. Tower 20's 100-foot ladder also has the highest value in ISO ratings, meaning a better insurance rating for the whole community.

Brainerd Fire Department covers nearly 260 square miles of both urban and rural areas, including residential, commercial, and agricultural. Tower 20 is usable in all of these settings and offers a wide variety of options in each of these scenarios. Tower 20 is useful in large residential home and agricultural building fires, technical rescue situations including high angle rope rescue, trench rescue, silo and grain bin rescue, and a variety of others.

The Fire Department is grateful to be in a position to purchase this ladder truck as it continues to serve communities at the highest level. Ladder #2 was purchased by Crosby Fire Department and was picked up June 4th. Their department is very excited to add the truck to their fleet and it is great to keep the ladder in the county.



We have been training on the new truck throughout the month and will continue through the next few months.



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

Structure Fire	1
Grass Fire	1
Outside Fire	2
Vehicle Crash with Injuries	4
Medical Assist	1
Assist Other Governmental Agency	2
Gas Leak	3
Unauthorized Burning	1
Smoke Removal, Scare	7
Alarm System Activation	7
Canceled Enroute	3
Carbon Monoxide Alarm	1
Total	33

City of Brainerd Incident Report

Outside Fire	2
Vehicle Crash with Injuries	2
Assist Other Governmental Agency	2
Gas Leak	3
Unauthorized Burning	1
Smoke Removal, Scare	6
Alarm System Activation	3
Carbon Monoxide Alarm	1
Total	20

Parks and Recreation Report

July 2020

Memorial Park project

The Park Board approved the final design for the Memorial Park project at a June 23 meeting.

Project details include:

- The City Council bonded for \$1.3 million for the Memorial Park project. Of that, \$223,000 was used toward the purchase of the Brainerd Industrial Center parking lot on the west side of Memorial Park. Staff applied for a DNR Outdoor Heritage Grant but the application was not selected. This grant opportunity will be available again for 2021.
- WSB was chosen as the engineer/architect for the project and worked with the Park Board on the final design (see attached). Bids will soon be sought, and construction will begin within the next few months.
- There is a Dec. 1 deadline to complete the warming house/pavilion, two hockey rinks and a pleasure rink. Other entities in the design, which may be completed this year or early in 2021, will include a splash pad, playground, and an 8' bituminous trail from the Mills Field parking lot to the parking lot on the west side of the property. These will be completed as funds permit.
- The 200' x 80' hockey rink will include 5 pickleball courts and the 100' x 80' hockey rink will convert to a basketball court. Staff indicated the pickleball courts could be used by the public but is also planning to start leagues and provide lessons. Staff has communicated with the Brainerd Basketball Association for possible summer leagues.
- The splashpad committee has raised a little more than \$80,000 and the Park Board will possibly be requesting capital improvement funds. The total cost of the 50' foot diameter splashpad is determined by the type and number of water structures.
- Future concepts in the design include a disc golf course, a pavilion next to Field 3, a fourth softball field, and a trail loop around the park.

Program RFPs

The Park Board is considering sharing recreation services beginning in 2021 and plans to send RFPs to organizations and associations. Proposals may cover only a portion of the existing programs, all the existing programs, or options for both.

The RFPs are expected to be sent to various organizations and associations in July.

Proposal requirements, which will be presented to the Park Board at its July 14 meeting, include:

1. An organization may have their own ideas for programs and will be asked to indicate how it would manage the program, including any changes.
2. Listing the programs an organization would be willing to manage.

3. Indicating if there would be a fee charged to the City of Brainerd to manage programs, and if so, stating how that fee would be calculated.
4. Indicating how the organization would do registrations, organize teams, purchase equipment and jerseys, secure sponsorships, secure volunteer coaches, hire and schedule umpires and hire and seasonal employees.
5. An agreement for City field usage fees would need to be negotiated between the Brainerd Park Board and interested parties.
6. If City facilities are used, the City reserves the right to set insurance requirements.
7. Describing the organization's background and experience in managing youth and adult activities.
8. The organization's current operating budget.

Parks survey

Staff is creating a survey for community feedback on park facilities and programs. The survey questions will be discussed at the July 14 Park Board meeting.

Buffalo Hills Trail

Staff installed three benches and signage indicating distances to parks and restrooms along the Buffalo Hills Trail. The benches were placed between Buffalo Hills-Lions Park and Kiwanis Park. The signs were placed on the west and south portions of the trail. Funds for the benches and signs were provided from a Crow Wing Energized grant.

Boat launch dock and piers

Staff constructed a floating dock to replace the dock at the Rice Lake boat launch in Lum Park. Because of the muck, the old dock kept sinking and could not be kept level.

Adult softball

The adult softball leagues will begin July 6 and have a 12-week season. Teams will only play one game per night, rather than doubleheaders, so social distancing can be better maintained for players and fans between games. Each player will need to sign a Preparedness Plan before they can play, umpires will stand off to the side to call pitches, and players will be asked to use their own equipment.

Tournaments cancelled

The Gopher State Tournament of Champions 15 & Under state baseball tournament, scheduled July 17-19, has been cancelled since teams have not been able to play games. Brainerd hosts this tournament each summer at Mills, Adamson, CLC and Forestview fields. All five of the state qualifier baseball tournaments scheduled at Bane and Jaycees parks in June were cancelled. The Haapajoki slow-pitch softball tournament, scheduled July 11-12 at Memorial Park, has been cancelled.

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WSB PROJECT NO.:
016307-000

SCALE:	DESIGN BY:
AS SHOWN	JLA
PLAN BY:	CHECK BY:
SDF	JLA

REVISIONS	
NO.	DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE:	XXXXXX	LIC. NO:	XXXX
XXXXXXXX X. XXXXXX			

MEMORIAL PARK REDEVELOPMENT
PROJECT

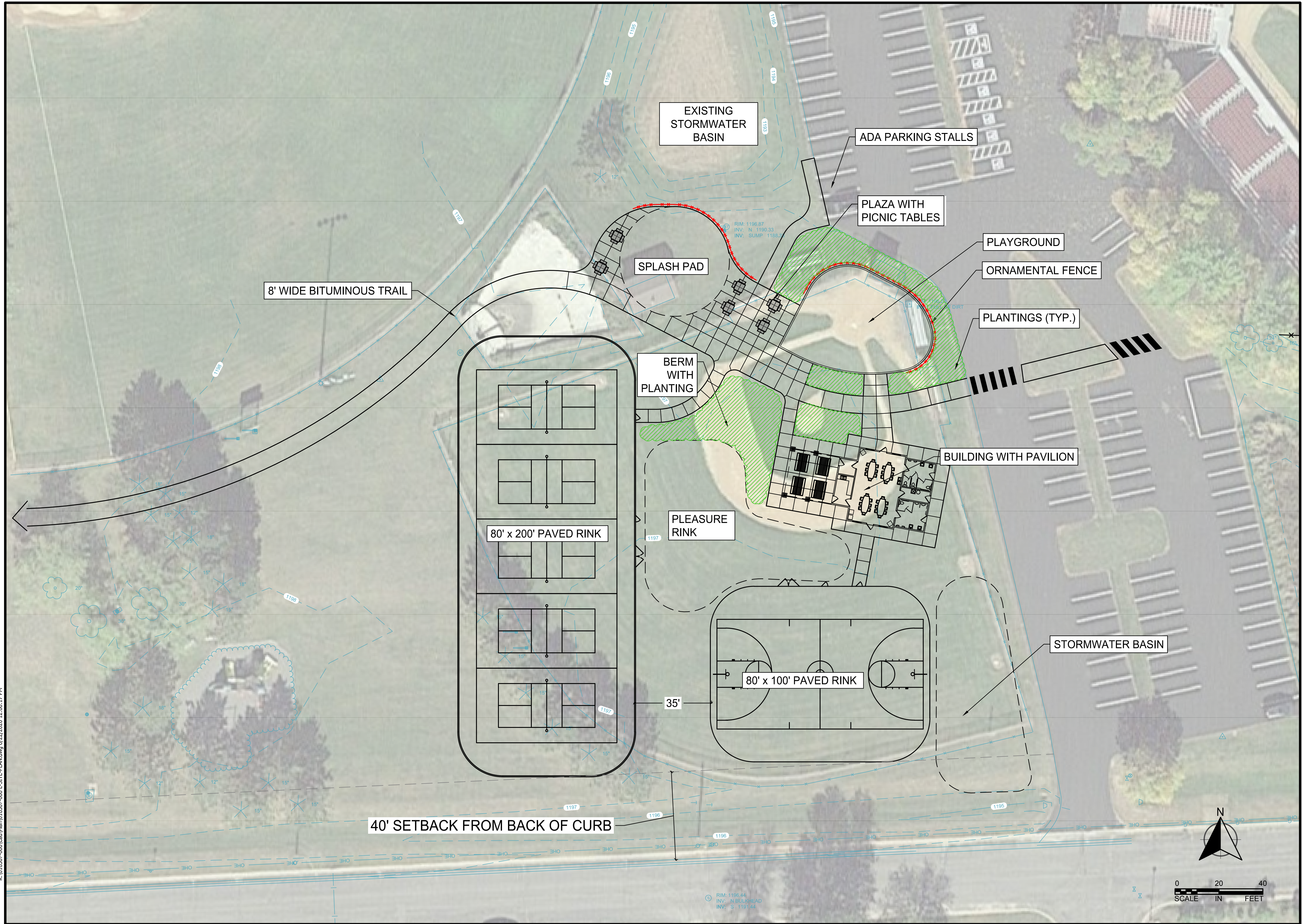
CITY OF BRAINERD

OVERALL LAYOUT

C.P.
XXXXXXX

SHEET
L3.0

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REVISIONS

NO.	DATE	DESCRIPTION

I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LANDSCAPE ARCHITECT UNDER THE LAWS OF THE STATE OF MINNESOTA.

DATE: XXXXXX
LIC. NO.: XXXX
XXXXXX X. XXXXXX

MEMORIAL PARK REDEVELOPMENT
PROJECT

CITY OF BRAINERD

OVERALL LAYOUT
ENLARGEMENT
PLAN

C.P.
XXXXXXX

SHEET
L3.1



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: City Administrator June 2020 Performance Review Summary

☐ 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: HR Director Kris Schubert	Department: Administration/HR
Presenter (Name & Title): n/a - Consent	Estimated Time Needed: n/a - Consent
Summary of Issue: A closed session to conduct City Administrator Jennifer Bergman's performance review was held on June 15, 2020. As required by law, a summary of her performance review is attached.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: This item is included on the consent calendar; therefore, no additional action is needed at this time.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

CITY ADMINISTRATOR QUARTERLY TALK PERFORMANCE REVIEW SUMMARY

June 15, 2020

The Brainerd City Council completed City Administrator Jennifer Bergman's quarterly talk performance review on June 15, 2020. It was noted that Administrator Bergman started on January 6, 2020 and has been on the job for almost six months. Below is a summary of the quarterly talk closed session. Items discussed included:

Things working well:

1. Communication: City Administrator Bergman noted that she tries to stay in contact with Council members on issues including meeting with the Council President prior to each Council meeting and also conducts bi-monthly Department Head meetings.
2. Building Relationships with Staff: City Administrator Bergman noted that her leading courageously and ethical behavior has been working well. She also has tried to empower staff while providing clear direction.
3. COVID-19 Pandemic: We have focused on safety issues for staff and residents as a result of the COVID-19 Pandemic. City Administrator Bergman noted that we, as a team, did a great job of putting together the Stay at Home Work Plan, the Preparedness Plan and letters to each employee providing safety guidance before returning to work.

Challenging and/or Additional Support items:

1. The COVID-19 Pandemic has been complicated and hard to stay on top of it all. Some of the items that have been challenging are instituting virtual meetings; creating, implementing and updating our Stay at Home Work Plan (working remotely); constantly changing Executive Orders from the Governor; and trying to procure safety and sanitizing equipment.
2. Parts of the Charter are unclear or ambiguous. City Administrator Bergman is appreciative that City Attorney Langel will be working with Staff and the Charter Commission to provide clarification to update/review/make changes to the Charter when a quorum for the Charter Commission can be secured.
3. The City Hall remodel project and recent City Hall Fire has caused a delay in the reopening of City Hall.
4. Goals Work Session: Administrator Bergman noted she is looking forward to the potential goals work session with the City Council to help provide guidance on what priorities the Council would like to see from Staff.

The Council members concurred with the above assessments and commended Administrator Bergman on her performance during her first six months. The Council also reminded Administrator Bergman that she also needs to take time for herself and focus on her work/life balance.

Dated: 7/6/2020



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Event Application - Produce Pop-Up Pantry

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 1 Minute
Summary of Issue: The hosts of the Produce Pop-Up Pantry would like to hold the same event again. This first event that was approved by the City Council was held successfully on June 22.	
Alternatives, Options, Effects on Others/Comments: The application remains unchanged from the last one, and is a drive-through event for getting nutritious foods to families in need. The event is to be held on July 27, 2020 from 9 AM - 1 PM on Mississippi Parkway at CLC.	
Recommended Action/Motion: Staff recommends approval of this application under the condition that the applicant remove any signs immediately after the event conclusion.	
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: 6/28/2020

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

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

Name of event: Produce Pop-up Pantry

Organizer Information

Organizer's Name: Central Lakes College Food Pantry
Organizer's Address: 501 W. College Dr. Brainerd, MN 56401
Event Contact Person: Erich Heppner
Event Contact Daytime Phone: 952-807-3279
Event Contact E-mail Address: eheppner@clcmn.edu
Contact Name/Number Day of Event: 952-807-3279
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
7/27/2020	9AM	1PM	Mississippi Parkway

☐ 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:

Travelling food shelf that delivers nutritious food directly to families in need.

It's our goal to increase access to fresh, healthy food throughout north central MN.

This is a social distance event where all participants receive their food while staying in their vehicles.

Partners: Second Harvest North Central Food Bank & Essentia Health

Site Information

Electrical usage

☒

Yes

☐

No

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

Amplified Sound

☐

Yes

☒

No

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

Restrooms provided

☐

Yes

☐

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☐

Yes

☐

No

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

Signs along Mississippi Parkway directing participants to food distribution.

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: Waste Management

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):

Mississippi Parkway loop along south side of Central Lakes College

Date and time for beginning of street closures: 7/27 9AM

Date and time for reopening of streets: 7/27 1PM

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.
This event is outside of normal college academic activities so it's a very low traffic time of year.

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

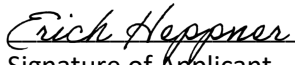
The Applicant covenants to save, defend, hold harmless, and indemnify the City of Brainerd and all of its officers, departments, agencies, agents, and employees (collectively the "City") from and against any and all claims, losses, damages, injuries, fines, penalties, costs (including court costs and 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

Erich Heppner
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

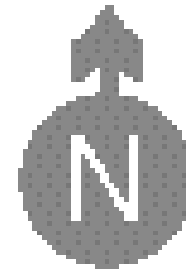
Approval Conditions

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):

BRAINERD CAMPUS

Entrance Numbers



ATHLETIC
FIELDS

WEST COLLEGE DRIVE

ROUNDBOUT

B & I
PARKING

NORTH
PARKING
LOT

B & I
CENTER

EAST
PARKING
LOT

EAST
WING

CENTRAL
CORE

WEST WING

SOUTH
PARKING
LOT

MISSISSIPPI PARKWAY

MISSISSIPPI RIVER

WEST
PARKING
LOT

GREEN
HOUSE

CHILD CARE
CENTER

ROUNDBOUT

Key

West Parking Lot - Distribution Zone

Entry/Lineup - Red Line

Exit Options - Green Line



Produce Pop-Up Pantry

FREE FOOD FOR ANYONE IN NEED

Date: June 22, 2020

Time: 11:00am- until food is gone

**Location: Central Lakes College
501 W. College Dr.
Brainerd, MN. 56425**

Instructions:

- Stay in your car at all times and following signs to enter
- Food is available to those in need
- 1 food box per household
- Carpooling: Two boxes per vehicle (1 food box per household)
- If you have more than two households in your vehicle, you can receive additional boxes by going to the back of the line.
- No restrooms will be available

A Pop-Up Produce Pantry is a traveling food shelf that delivers nutritious food directly to families in need.

It is our priority to increase access to fresh, healthy food in every community throughout north central Minnesota.

Partners:
Essentia Health



**SECOND
HARVEST**
NORTH CENTRAL
FOOD BANK



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Ratification of Hiring Temporary/Seasonal Employees

☐ 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: HR Director Kris Schubert	Department: Administration/HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: n/a - consent calendar
Summary of Issue: This report serves as Council's ratification of the hiring of Braeden Egeland as a temporary/part-time Street Department Summer Maintenance Worker for our Paint Crew. His date of hire for this position was June 29, 2020 and he will be paid \$12 per hour. This position is not eligible for Sourcewell Internship Program funding.	
Alternatives, Options, Effects on Others/Comments: At the last Council meeting, we officially hired Braeden as our temporary/seasonal Downtown Maintenance worker. Since that was a part-time position and we were having issues recruiting a second Street Department Summer Maintenance Worker, we asked Braeden if he would be interested in working both positions and he agreed. His priority will be Downtown and will fill in at the Street Department when time permits. Braeden and his supervisors have been informed that he cannot work more than 40 hours per week between the two positions to alleviate overtime issues.	
Recommended Action/Motion: n/a - consent calendar.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>12 per hour</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> This position was included in the 2020 budget.	



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Community Member of the Month

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): Mayor Badeaux and Alderwoman Lambert	Estimated Time Needed: 2 minutes
Summary of Issue: Tammy Ebertowski has been nominated for the Community Member of the Month Award for many years of service to the Brainerd community through her volunteer service with the Mid-Minnesota Women's Center.	
Alternatives, Options, Effects on Others/Comments: Tammy makes a difference. Her great generosity has had a profound and lasting impact on domestic violence victims/survivors and children in Region 5+. Her willingness to share both her time and talent by volunteering with Mid-Minnesota Women's Center, Inc. says a lot about her as a human being. Tammy's willingness to give selflessly to help others speaks to both her strength and the quality of her character. When Tammy volunteers, she is making a commitment to share the most precious of resources – her time – to make life better for those who are in need. The fruits of her labors make a tangible impact, of course, but perhaps it is the fact that she is willing to lend a helping hand and to show genuine kindness and caring that makes the greatest difference in the lives of the individuals who are touched by her generosity. The Alex & Brandon Child Safety Center 20th Anniversary Open House is a perfect example to illustrate just how passionate Tammy is. She volunteered approximately 2,000 hours to coordinate the event which took place on December 13, 2019. Tammy invited many people to pay tribute to three amazing guests of honor: Louise Seliski (MMWC founding mother), Angie Plantenberg (Alex and Brandon's mom) and Patty Wetterling (children's advocate). Dennis Weimann, Lakeland News Director, served as the Master of Ceremonies. Media was out in full force with The Pulse broadcasting live from the Center's parking lot, The Word conducting interviews to air during the event and Lakeland TV and Brainerd Dispatch reporters were present. None of this would have been possible without our wonderful volunteer, Tammy. She has even bigger plans for 2020! While I know she chooses to volunteer selflessly and without expectation of being recognized or rewarded, it would be wonderful if we could do just that. All of us wish to let Tammy know just how much her dedication is appreciated and to make sure that everyone in the City of Brainerd is forever grateful to her. Words cannot adequately express the gratitude we wish to convey. I know I can speak for everyone at MMWC – the Board of Directors, staff, clients and residents, and me when I say all our lives are better because of Tammy. We want her to know that her selfless volunteerism is recognized, appreciated, valued and cherished every single day. We thank Tammy and look forward to continuing to work with her for many years to come!	
Recommended Action/Motion: Present Tammy Ebertowski with the Community Member of the Month Award.	
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>	



COMMUNITY MEMBER OF THE MONTH

THE BRAINERD CITY COUNCIL AWARDS

Tammy Ebertowski

For her selfless service to the Brainerd community through her many years of
volunteer service with the Mid-Minnesota Women's Center

Dave Badeaux
Mayor

David Chanski
Community Development Director

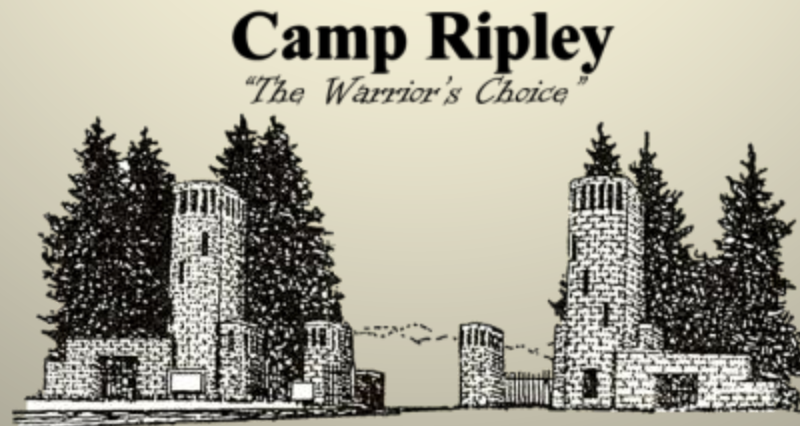
2020 Camp Ripley Update

Camp Ripley *"The Warrior's Choice"*



Camp Ripley's Mission

Provide superior customer service, facilities, and resources empowering organizations to train in a realistic environment while fostering positive community relations.





MN Leadership



- **MG Jon Jensen** is the Adjutant General of the Minnesota National Guard



- **CSM Brian Soper** is the Command Senior Enlisted Leader for the Minnesota National Guard



34 ID Leadership



- **BG Michael Wickman** is the Commander of the 34th Infantry Division



- **CSM Michael Whitehead** is the Command Sergeant Major for the 34th Infantry Division



Camp Ripley Leadership



- **BG Lowell Kruse** is the Senior Commander of Camp Ripley and the Assistant Adjutant General – Army



- **COL Joshua Simer** is the Garrison Commander of Camp Ripley



- **CSM Marcus Erickson** is the Garrison Command Sergeant Major of Camp Ripley



2019 Economic Impact

Payroll	~\$48,000,000
DOD/Military Retirees	~\$50,000,000
Projects	\$11,590,800
Local Contracts	\$3,374,784
Utilities	\$1,900,400
Food	\$3,017,252
<u>Army Compatible Use Buffer</u>	<u>\$2,700,000</u>
Total FY 19	~\$120,583,236

2013

Total \$140,883,278
Total Impact \$304,181,085

2014

Total \$146,314,803
Total Impact \$315,908,291

2015

Total \$133,631,855
Total Impact \$288,524,538

2016

Total \$131,815,064
Total Impact \$284,601,904

2017

Total \$136,174,066
Total Impact \$294,013,426

2018

Total \$119,184,322
Total Impact \$257,330,870

FY 19 Total Impact \$260,351,265

Camp Ripley
"The Warrior's Choice"



***Total Impact based on
Multiplier index of 2.1591**



2019 Highlights

- 2019 Training year over 396,000 DoD man-days and over 60,000 man-days for local and State interagency partners (+17k)
- Awarded DoD-level Natural Resource Conservation Award
- Hosted 1st Army Commander Lt. Gen. Thomas James
- Facilitated 2/34th IBC's XCTC, approximately 2500 Soldiers and support staff
- Hosted winter gunnery for Field Artillery, Tanks and Bradley Fighting Vehicles
- Conducted the first annual Planting for the Future event, engaging Native American youth
- Visited by Representatives Dean Phillips and Pete Stauber
- Hosted MN Vikings Youth Football Camp
- Supported mobilization of the 34th Expeditionary Combat Aviation Brigade
- Medical Logistics (MEDLOG) Warehouse started pilot to support all 54 states and territories
- Receive 3 new fire trucks, allowing us to respond to over 225 off-post calls



COVID-19 Efforts



- Modified lodging policies
- Protective equipment installed at customer facing facilities
- Hosted training of medical staff to conduct COVID-19 tests
- Sorted & distributed over \$5M of personal protective equipment
- Distributed over \$6M of other medical supplies to support the response
- Hosting monthly blood drives



New Construction



- Long Houses, Replaces Tin Huts, 100 pax (Complete)
- 7-130 Super T-Bldg, 200 pax (Complete)
- 7-170 Maid Service Suites 40 pax (Complete)
- 10-66 Battalion Headquarters (Complete)
- 7-149 Vehicle Maintenance Shop (Complete)





Other Projects



- Simulations Facility
- 11-1 HQ Building Classroom Remodel
- Electrical Grid Updates
- Recreation Center Modification
- PX remodel (complete)
- HEM Building / Fire Station
- Fuel Point Upgrades



2020 Scheduled Training

JUN – 77,679 Military (Aviation)

3,434 Civilian

JUL – 74,182 Military (Light Demo)

4,544 Civilian (Youth Camp)

AUG – 46,660 Military (Artillery)

6,981 Civilian

SEP – 48,295 Military (Tank firing)

9,572 Civilian

OCT – 31,201 Military (Weapon's Qualification)

26,342 Civilian (DNR Hunts)





Air Force Guard & Reserve

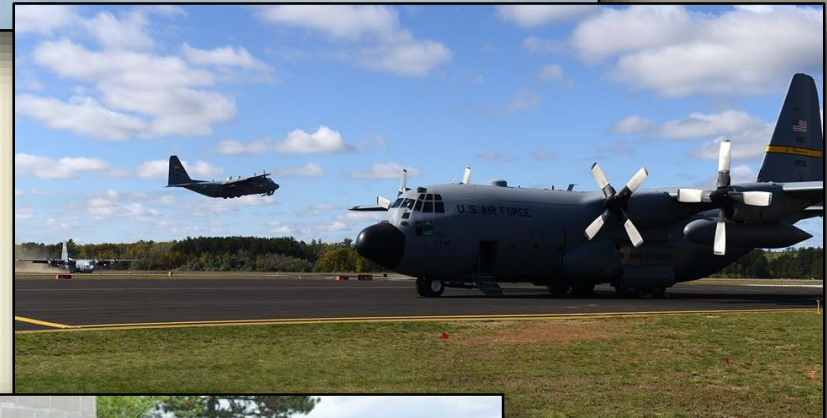
- **Flight Training**

- Tactical and low level flight maneuvers
- Assault short field landings
- Air drops and drop zone operations
- Aeromedical evacuation
- Troop and cargo transport training
- NVG training



- **Ground Training**

- Security Forces Training
- Weather forecasting and monitoring
- Medical and Aeromedical
- Engineering/Installation Support
- Weapons qualification
- Cargo Handling Operations
- Wilderness survival
- Land Navigation





Camp Ripley Partners

MN DNR

- Conservation Officer Headquarters on Post
- Academy conducted
- Annual training events

MN State Patrol

- Training Offices on Post
- Academy conducted
- Annual training events

HSEM

- Offices on Post
- Multi-agency training events conducted

MN DOT

- Annual driver training events





Community Outreach

- Camp Ripley Open House (September 2021)
- Environmental Field Tours, Festivals and Presentations
- National Public Lands Day, Earth Day
- Morrison County Water Festival
- Memorial and Veterans Day Speeches
- Christmas Gift Tags
- Food Drive
- Job Shadow Program
- Archery Hunt
- Disabled American Veterans & Soldier Hunts
- Trolling for the Troops Fishing Event





Environmental Program

“Managing Today’s Resources for Tomorrow’s Mission”

Responsibilities

- Wildlife
- Fisheries
- Forestry
- Protected Species
- Cultural Resources
- Pest Management
- Wetlands
- Noise
- Wild Land Fire
- Outreach & Recreation
- ITAM (Land Rehabilitation)
- GIS

**2019 DoD, Army, ARNG
Natural Resource Conservation
Award**

**2018 DOD, Army, ARNG Cultural
Resources Protection Award**

**2017 DoD, Army, ARNG Natural
Resource Conservation Award**





Environmental Oversight

Drivers of Regulation

- Federal and State Statutes [**EPA, USFWS, MPCA, MNDNR**]
 - E.g. Integrated Natural Resource Management Plan coordination through by NGB, MN DNR, and USFWS
- Federal and State Executive orders [**Presidential and Governor Orders**]
- Army and ARNG Regulations [**ACSIM, ARNG I&E**]
 - Environmental Performance Assessment (EPAS), Environmental Management System (eMS),
- DoD Strategic Sustainability Plan and Directives [**DoD, HQDA, ARNG**]
- Army Campaign Plan [**HQDA, ACSIM, ARNG I&E**]
- Army National Guard Environmental and Sustainability Policy [**AR-2001, JFMN 200-1**]
- MN National Guard Campaign Plan - Sustainable Infrastructure [**MNNG**]
- Right thing to do

Agency Oversight listed above:

- EPA: Environmental Protection Agency
- USFWS: US Fish and Wildlife Service
- MPCA- Minnesota Pollution Control Agency
- MNDNR: Minnesota Department of Natural Resources
- ACSIM: Army Assistant Chief of Staff for Installation Management
- ARNG I&E: Army National Guard Installations and Environment
- AR: Army Regulation
- HQDA: Headquarters Army

Minnesota National Guard
Campaign Plan 2019-2021
OPERATION: ARROWHEAD

Camp Ripley Training Site
Integrated Natural Resource
Management Plan

2018-2022



Minnesota Department of Military Affairs
Minnesota Army National Guard



Environmental Partnerships

- Minnesota Department of Natural Resources
- Minnesota Board of Water and Soil Resources
- Minnesota State Colleges and Universities
 - Central Lakes College
 - St. Cloud State University
- U.S. Fish and Wildlife Service
- The Nature Conservancy
- Local School Districts
- Community Interest Groups





Prescribed Burns

When: April-June 2020

Why we conduct burns:

- To create a safe training environment for Soldiers and protect surrounding communities
- Mitigates the risk of fires starting during range firing
- Improve and enhance native fire dependent plant communities

Considerations taken before burns:

- Wind Speed/direction
- Temperature
- Relative Humidity
- Fuel/moisture content
- Training area occupancy

Those involved:

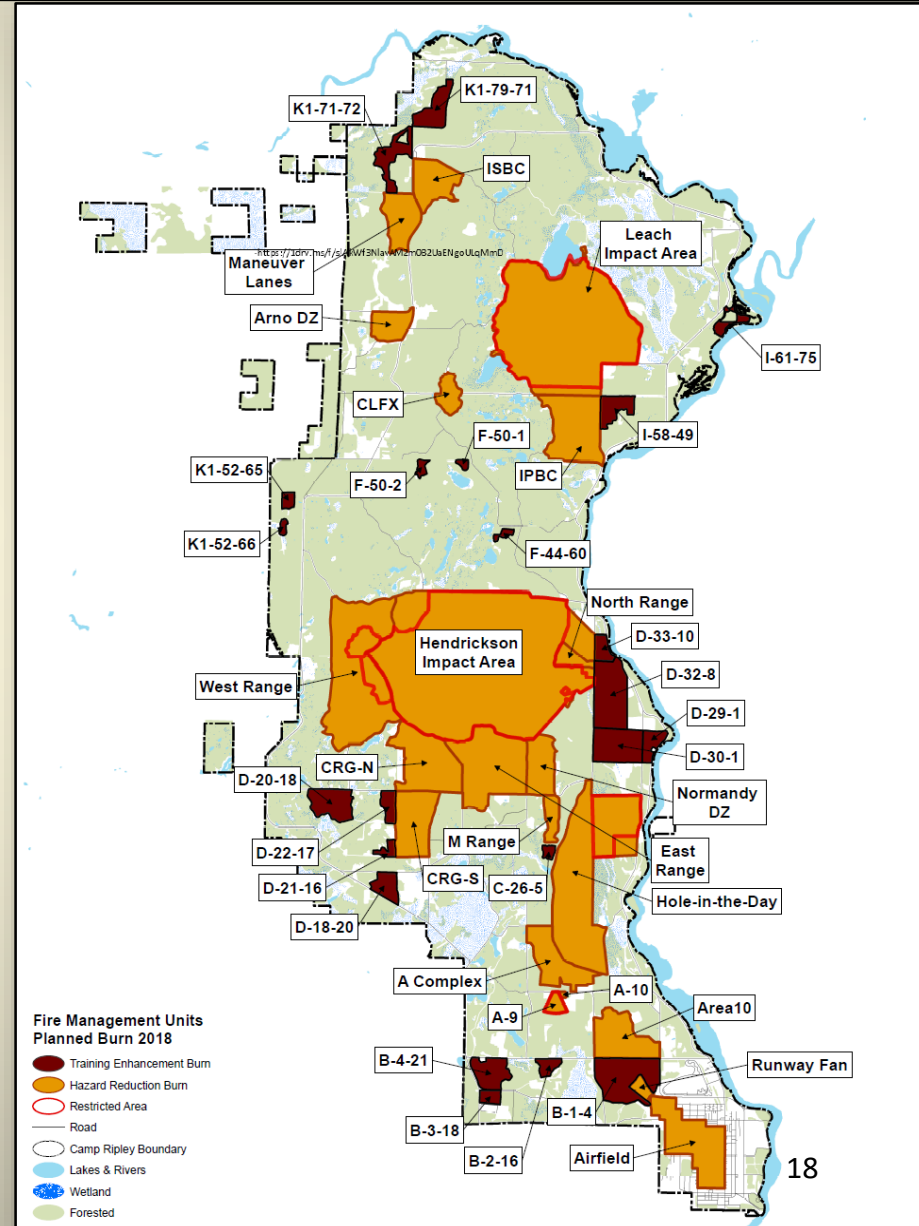
- Camp Ripley's Fire and Emergency Services
- Camp Ripley's Dept. of Public Works
- Camp Ripley's Environmental Team

Hazard Reduction Burns

- 14,233 acres

Mission Enhancement Burns

- 1,758 acres





ACUB*/Sentinel Landscape

Program Status

FY19 Federal Funding

Total To Date: \$42,480,400

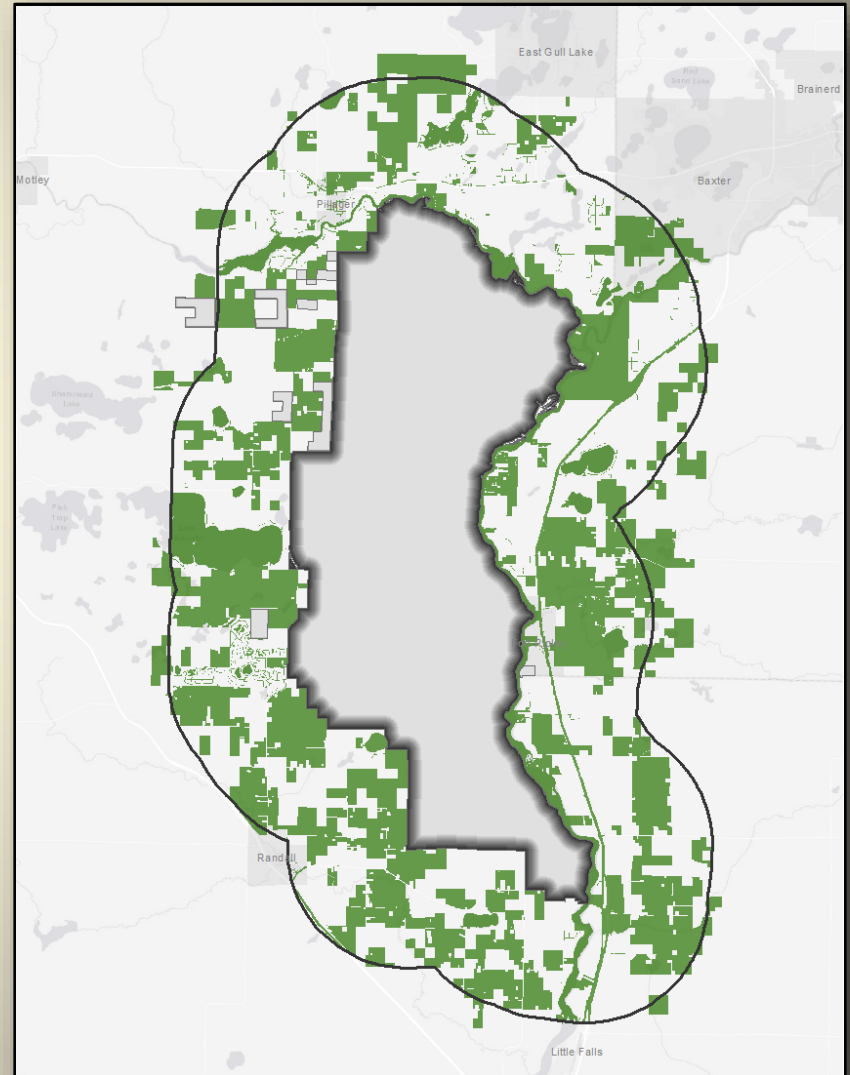
FY19 State Funding

\$2.7 Lessard-Sams Outdoor Heritage Council

Total To Date: \$14,962,000

- 30,000+ acres enrolled into easements
- 289 land deals
- 200+ Interested landowners

***Army Compatible Use Buffer**





Camp Ripley Update



To find more information about Camp Ripley
please search for us on these social media sites:





STATE OF MINNESOTA, DEPARTMENT OF MILITARY AFFAIRS
CAMP RIPLEY VISITORS BUREAU
15000 HWY 115 CAMP RIPLEY
LITTLE FALLS, MINNESOTA 56345-4173

Organization _____

Date: _____

Please rate each of the following indicating your level of satisfaction.	Dissatisfied	Somewhat dissatisfied	Neutral	Somewhat Satisfied	Satisfied
1. How satisfied are you with the quality of the slide presentation?					
2. How satisfied are you with the presenter's capabilities?					
3. How satisfied are you with the relevance of the presentation?					
4. How satisfied are you with Camp Ripley's efforts to keep your community informed.					
5. How satisfied are you in your relationship with Camp Ripley					

Address any comments below (please comment on any dissatisfied ratings):

6. What improvements can be made to our presentation

7. How can we better inform your community about Camp Ripley?

8. Any other comments or concerns?

To find more information about Camp Ripley
Please search us on these social media platforms.



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

**July 6, 2020
6:45 PM**

**WebEx Teleconference Meeting
Call Toll-Free: 844-992-4726
Access Code: 146 406 7805**

1. Event/Street Closure Application – ECFE & City of Brainerd Touch-a-Truck
2. Event/Street Closure Application – Jaycees Street Fest
3. Improvements 13-21, 19-09, 19-16, 19-20, and 19-21 – NE Brainerd Reconstruction Project – Change Order 1
4. City-Wide Storm Sewer Hydraulic and Hydrologic (H&H) Study Proposal
5. Regulating Location of Garbage Receptacles



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Event/Street Closure Application - ECFE & City of Brainerd Touch-a-Truck

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: Brainerd Early Childhood Family Education (ECFE) and the City of Brainerd, for the second consecutive year, plan to hold a Touch-a-Truck event in downtown as part of ISD 181's homecoming weekend. The event will be held Saturday, October 3rd from 10am to noon. We request that Laurel St. between S. 6th St. and S. 8th St. as well as S. 7th St. between Front St. and the Maple St. alley be closed from 7:30am to 1:00pm.	
Alternatives, Options, Effects on Others/Comments: Please see attached Special Event Application and Save the Date.	
Recommended Action/Motion: Motion to approve Special Event Application for the Brainerd ECFE and City of Brainerd Touch-a-Truck event.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



SPECIAL EVENT APPLICATION

Date of Application: 6/17/2020

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

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

Name of event: ECFE & City of Brainerd 2nd Annual Touch - a - Truck

Organizer Information

Organizer's Name: Early Childhood Family Education
Organizer's Address: 12149 Knollwood Drive, Baxter, MN 56425
Event Contact Person: Tahnee Flowers
Event Contact Daytime Phone: 218-454-5438
Event Contact E-mail Address: tahnee.flowers@isd181.org
Contact Name/Number Day of Event: _____
For Profit/Nonprofit Status (type): ISD 181

Applicant information (if different from the event organizer):

Applicant Name: David Chanski, Community Development Director
Applicant Address: 501 Laurel St
Applicant Phone: 218-828-2307
Applicant E-mail Address: dchanski@ci.brainerd.mn.us

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
October 3, 2020	10:00am	12:00pm	Laurel St between S. 6th and S. 8th
			S. 7th St. between Front and Maple

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

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

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

Description of Activities

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

Touch-a-Truck event to be held in the street. Downtown businesses will be contacted to be made aware of street closure as well as give them an opportunity to participate.

Site Information

Electrical usage

☒

Yes

☐

No

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

Amplified Sound

☐

Yes

☐

No

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

Restrooms provided

☐

Yes

☒

No

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

Company contracted for restrooms: _____

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

Signs, banners, and/or posters/flyers

☐

Yes

☐

No

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

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Laurel St. between S. 6th St. and S. 8th St.

S. 7th St between Front St. and Maple St.

Date and time for beginning of street closures: 7:30am

Date and time for reopening of streets: 1:00pm

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.

Sidewalk/pedestrian traffic will not be restricted through the area.

Parking will be available in the City Hall, Justice Center, Front Street, and Laurel St (access via alley) parking lots as well as on Front Street.

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.

David Chanski

Signature of Applicant

David Chanski

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

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 or Parks & Recreation Director

Date

Approval Conditions

Certification of Street Closure Approval

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

SAVE THE DATE



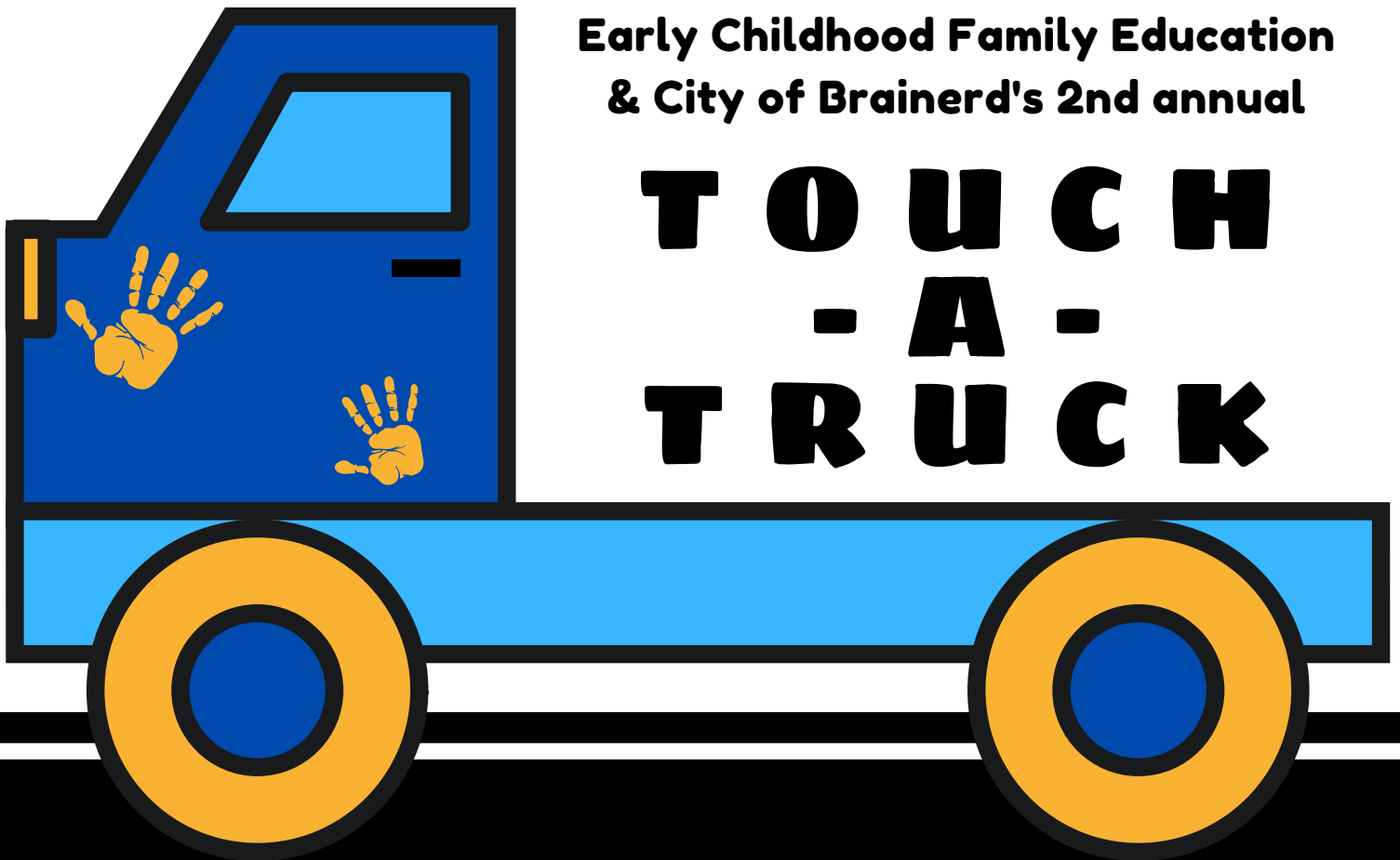
Saturday, October 3rd
10:00am - 12:00pm
Downtown Brainerd



Join us, Oct 3rd, for a morning of big trucks and big fun. Kids can explore emergency and military vehicles, semi trucks, construction vehicles, and more!

**Early Childhood Family Education
& City of Brainerd's 2nd annual**

**T O U C H
- A -
T R U C K**



Contact: (218) 454-5430 | brandi.wynn@isd181.org

SAVE THE DATE



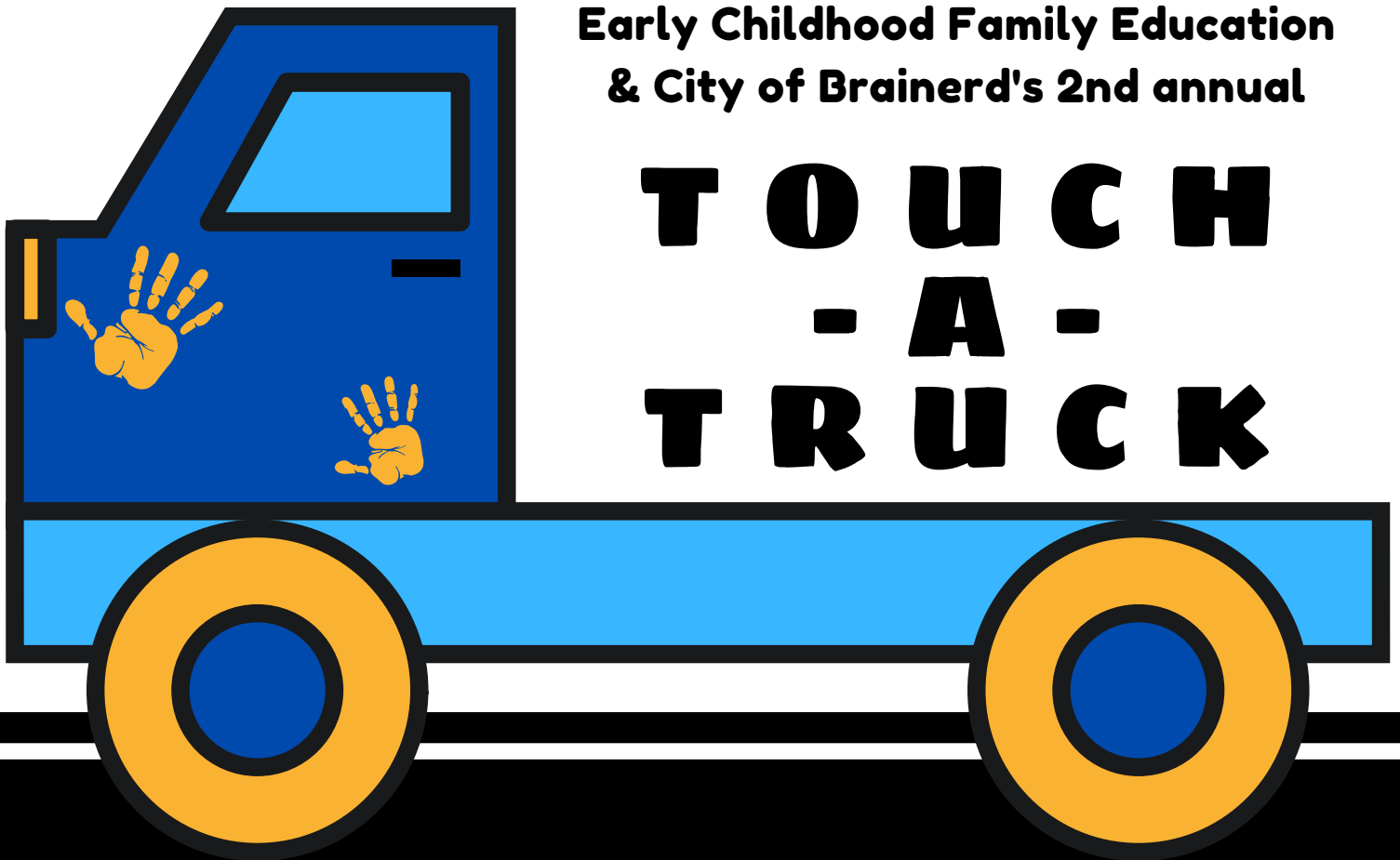
Saturday, October 3rd
10:00am - 12:00pm
Downtown Brainerd



Families and kids will be heading to Downtown Brainerd for the 2nd annual Touch-a-Truck event. If you would like to participate or offer an attraction for the event and be featured in the next flyer, please contact David Chanski.

**Early Childhood Family Education
& City of Brainerd's 2nd annual**

**T O U C H
- A -
T R U C K**



Contact: (218) 454-3409 | dchanski@ci.brainerd.mn.us



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Event/Street Closure Application - Jaycees Street Fest

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading *provide copy of published hearing notice
--	--



SPECIAL EVENT APPLICATION

Date of Application: 07/01/2020

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 Concert in Mills parking lot

Name of event: Street Fest

Organizer Information

Organizer's Name: Brainerd Jaycees
Organizer's Address: PO Box 384; Brainerd, MN 56401
Event Contact Person: Andrew Sanchez
Event Contact Daytime Phone: 817-528-9506
Event Contact E-mail Address: brdstreetfest@gmail.com
Contact Name/Number Day of Event: Andrew Sanchez 817-528-9506
For Profit/Nonprofit Status (type): Non-Profit

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
07/25/2020	6:00pm	12:00am	Mills parking lot on Front St

☐ 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:

Concert in the parking lot with one band.

Site Information

Electrical usage ☒ Yes ☐ No

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

Power drops by Brainerd Jaycees

Amplified Sound ☒ Yes ☐ No

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

Pro sound equipment by Silent Partner Production

Restrooms provided ☒ Yes ☐ No

If yes, how many **30+** (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: **Blakeman**

(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 banners, flyers on event corners/perimeter

Trash Receptacle Disposal ☒ Yes ☐ No

Company contracted for trash receptacle disposal: **Waste Partners**

Additional Event Information

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

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

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

Street Closure Request Information

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

Date and time for beginning of street closures: _____

Date and time for reopening of streets: _____

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

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant



Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	OK	Coordinate w/ BDU for power
City Administration	OK	OK
Engineering Department	OK	Submit traffic control 1-week prior to event.
Fire Department	OK	None
Fire Support/EMS	OK	None
Parks Department	OK	None
Planning Department	OK	None
Police Department	OK	Coordinate w/ Deputy Chief Bestul on Police Staffing needs for event

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

Approval is granted upon applicant following
governors recommendations for gatherings at time
of the event. Please remove all signs and
banners after event. Please submit a plan for
social distancing, requesting the event to under 250 people,
and wearing masks prior to the event.
to the police department

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):



① STREETFEST SITE CONCEPT - JULY
1" = 20'



COPYRIGHT 2019 - HYTEC CONSTRUCTION, PRINTED: 6/24/20 3:29:01 PM

A1.1	2020 STREETFEST LAYOUT SITE PLAN - JULY	HYTEC CONSTRUCTION ARCHITECTURAL DIVISION	11360 BUSINESS 371 BRAINERD MN 56401 PHONE 218-829-8529 FAX 218-829-8593 hyteconstruction.com Lic #BC-20050648	I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota.	REVISIONS <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 50px; height: 20px;"></td> <td style="width: 50px; height: 20px;"></td> </tr> </table>		



SPECIAL EVENT APPLICATION

Date of Application: 07/01/2020

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

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

Name of event: Street Fest

Organizer Information

Organizer's Name: Brainerd Jaycees
Organizer's Address: PO Box 384; Brainerd, MN 56401
Event Contact Person: Andrew Sanchez
Event Contact Daytime Phone: 817-528-9506
Event Contact E-mail Address: brdstreetfest@gmail.com
Contact Name/Number Day of Event: Andrew Sanchez 817-528-9506
For Profit/Nonprofit Status (type): Non-Profit

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
09/11/2020	5:00pm	8:00pm	Mills parking lot
09/12/2020	8:00am	12:00am	Front St & Mills parking lot

☐ 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:

Friday - prep for Ribfest teams, nothing else happening that night Saturday - ribfest, games, activities, concert

Site Information

Electrical usage

☒

Yes

☐

No

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

Power drops by Brainerd Jaycees

Amplified Sound

☒

Yes

☐

No

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

Pro sound equipment by Silent Partner Production

Restrooms provided

☒

Yes

☐

No

If yes, how many **30+** (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: **Blakeman**

(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 banners, flyers on event corners/perimeter

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: **Waste Partners**

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):

Front St between 6th Street & 8th Street

Date and time for beginning of street closures: **Friday Sept 11th 1:00pm**

Date and time for reopening of streets: **Sunday Sept 13th @ 12:00am**

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

sidewalks will remain open.

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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



Signature of Applicant



Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	OK	Coordinate power & water needs w/ BPV Staff
City Administration	OK	None
Engineering Department	OK	Submit traffic Control 1-week prior to event.
Fire Department	OK	None
Fire Support/EMS	OK	None
Parks Department	OK	None
Planning Department	OK	None
Police Department	OK	Coordinate with deputy chief Beltul on Police Staffing needs for event

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

Approval is granted upon the applicant following city council recommendations for gatherings at the time of the event. Please remove all signs & banners after event. Please submit a plan for social distancing, regulating the event to under 250 people and mask wearing prior to the event to the police department.

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):

 $\theta = 30^\circ$

1111

SHEET 13

DATE:

DATE:

PROJECT #

2020 STREETFEST LAYOUT

HYTEC
CONSTRUCTION
ARCHITECTURAL DIVISION

11360 BUSINESS 371
BRAINERD MN 56401
PHONE 218-829-8528
FAX 218-829-5383
hyteconstruction.com
lic #BC-20050648

I hereby certify that this plan, specification, or report was prepared by me or under my direct supervision and that I am a duly Licensed Architect under the laws of the State of Minnesota:

REVISIONS	



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: IMPs 13-21, 19-09, 19-16, 19-20, and 19-21 - Change Order 1 - NE Recon.

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is change order 1 for Improvements 13-21, 19-09, 19-16, 19-20, and 19-21 - NE Brainerd Reconstruction Project.	
Alternatives, Options, Effects on Others/Comments: This change order is for a couple of items related to the watermain work on these streets and the storm sewer on these streets. The first item is a small revision to the temporary water system in which is provided to property owners while their watermain is shut down to add onto or replace the existing system. Due to the nature of valve placements or the inability to properly operate existing valves, the contractor had to go outside of the area that he would normally have to provide temporary service for. That being said, the contractor had extra time and expenses to serve these properties during the construction. The total amount for temporary water on the project was \$15,000. The other part of the change order is a revision to the one block of storm sewer that is being placed on B Street due to very shallow grades and a few small drainage issues. A fiber optic duct was discovered at the alley crossing between 4th and 5th Avenue NE, and the storm sewer does not make it under the duct. Therefore, the structures had to be remade at a deeper elevation so that the pipe could make it underneath the utility that is unable to be moved. Total cost of this work is \$2,500 for the remaking of the structures. Total Change Order 1 amount is \$5,500.	
Recommended Action/Motion: Staff recommends approval of the attached change order and subject to approval of the Personnel and Finance Committee payment application under the payments to contractors section of their agenda for the referenced projects.	
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> \$ <u>\$5,500</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> \$3,000 is attributed to BPU's bill at the end of the project, and \$2,500 is storm sewer related, which will be a state aid eligible reimbursement expense.	

SP/SAP(s)	108-118-003, 108-134-003, 108-139-001, 108-141-001	MN Project No.:		Change Order No.	1
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Project Location			
Local Agency	City of Brainerd	Local Project No.	13-21
Contractor	Anderson Brothers Construction	Contract No.	
Address/City/State/Zip	11325 State Hwy 210 / Brainerd / MN / 56401		
Total Change Order Amount \$	\$5,500.00		

Changes to storm structures 114 and 115. Lowering those 2 structures to modify the storm sewer run on B Street from NE 4th Avenue to NE 5th Avenue. The changes were made to lower the run and avoid a utility duct mid-block at the alley between 4th and 5th Avenue. Additional temporary water for shutting down locations off of the project site in order to complete the planned watermain work on the project.

Estimate Of Cost: (Include any increases or decreases in contract items, any negotiated or force account items.)						
**Group/ funding Category	Item No.	Description	Unit	Unit Price	+ or – Quantity	+ or – Amount \$
Change Order 1	2504.60 1/00040	TEMPORARY WATER SERVICE	LS	\$3,000.00	1	\$3,000.00
Change Order 1	2506.50 2/00072	CONST DRAINAGE STRUCTURE DESIGN G OR H	EAC H	\$1,250.00	1	\$1,250.00
Change Order 1	2506.50 2/02420	CONST DRAINAGE STRUCTURE DES 48-4020	EAC H	\$1,250.00	1	\$1,250.00
Net Change this Change Order						\$5,500.00

****Group/funding category is required for federal aid projects**

Due to this change, the contract time: (check one)	
☐ () Is NOT changed	☐ () May be revised as provided in MnDOT Specification 1806
Number of Working Days Affected by this Contract Change: 0	Number of Calendar Days Affected by this Contract Change: 0

Approved by Project Engineer: Paul Sandy Date: 2020-06-29T13:16:15.725Z

Print Name: Paul Sandy Phone:

Approved by Contractor: first_name last_name Date: obtained

Print Name: first_name last_name Phone: phone



STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

Rev. February 2018

SP/SAP(s)	108-118-003, 108-134-003, 108-139-001, 108-141-001	MN Project No.:		Change Order No.	1
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DSAE Portion: The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for **FUNDING PURPOSES ONLY** and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

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

District State Aid Engineer:

Date: obtained



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: City-Wide Hydraulic and Hydrologic (H&H) Model Proposal

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 10 Minutes
Summary of Issue: Back on May 20, 2019, the City Council authorized staff to budget for a City-Wide Hydraulic and Hydrologic (H&H) Model. As you saw earlier, HRGreen just completed the City Stormwater Retrofit analysis, which is a study that was funded by SWCD and Mississippi Headwaters Board and identifies areas where green infrastructure or upgrades to existing ponds or stormwater treatment basins will be the most cost effective. This will help the City to be very competitive in the future for Clean Water fund grants to help improve the overall stormwater infrastructure in the City, which is a goal of the Comprehensive Plan.	
Alternatives, Options, Effects on Others/Comments: City staff took this direction and budgeted \$70,000 in professional services in the storm sewer fund for this study. An H&H model integrates the trunk line storm sewer data and inserts it into a model to help assist the City in identifying where potential flooding and property damage may occur. A study such as this helps the City to mitigate risks through a deeper understanding of the makeup and sizing of the system and how it reacts to larger storm events. With this information and model, the City can optimize its system and inform asset management decisions which street projects are taking place, and making the correct upsizing of pipes that cause the system to become stressed or overwhelmed during large storm events. Due to the fact that HRGreen has already completed the retrofit study for the City and other partners, it only makes sense to have them continue with this modeling due to their knowledge of the system, the previously delineated pipesheds by their staff, and the general technical expertise they have within their office to complete this study. I have attached a few examples of other studies from other jurisdictions that they have performed. As stated before, City staff has budgeted \$70,000 for this study. HRGreen, within their proposal, has a range from \$57,750 - \$68,250. City staff has discussed the possibility of using their intern to assist in data collection (storm sewer inverts) to assist the consultant at a lower rate than what they could provide to help drive down the overall costs of the study.	
Recommended Action/Motion: Staff recommends authorizing staff to enter into a professional services agreement with HRGreen for this study at a cost not to exceed the budgeted amount of \$70,000.	
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> \$ 70,000 <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> \$70,000 in professional services was budgeted for 2020 out of storm sewer fund 238.	



▷ 2550 University Avenue West | Suite 400N | St. Paul, MN 55114
Main 651.644.4389 + Fax 651.644.9446

▷ HRGREEN.COM

9 September, 2019

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

Re: Engineering Services for City-Wide Hydrologic and Hydraulic Modeling

Dear Mr. Sandy,

In response to your request at our May 5th, 2019 meeting, we are pleased to present you this letter outlining a proposed scope and fee to create a city-wide hydrologic and hydraulic (H-and-H) model of Brainerd's stormwater infrastructure.

Currently, the City of Brainerd (City) manages its stormwater infrastructure for compliance with its municipal MS4-NPDES permit and to provide drainage to mitigate risks of flooding and property damage. Though there is understanding of the makeup of this system, no current, comprehensive model exists to empower the City to optimize its system or to inform asset management planning. Having this type of tool becomes more important as infrastructure ages and scheduling repairs and updates is critical to the effective functioning of the system. In addition, the majority of the stormwater infrastructure was designed for historic precipitation patterns that have dramatically changed in the past 30-40 years, with more intense storm events placing demands possibly beyond current capacity. An H-and-H model of the built system will provide the City the opportunity to assess the system's capacity, identify strategic updates to improve performance, plan needed maintenance, and allow for analysis of future development. Such a model can be the foundation from which all stormwater planning, asset management and future forecasting is made, enabling the City to plan its CIP more efficiently.

The following presents a brief overview of HR Green's technical capabilities and a proposed scope of services and cost estimate for the development of an H-and-H model for the City of Brainerd.

HR Green is a proven leader in municipal stormwater infrastructure modeling and optimization

HR Green specializes in the development of municipal H-and-H modeling. We are known throughout the Midwest for the quality of our urban stormwater modeling and have developed models for cities across Minnesota, Iowa, Missouri and Illinois. We regularly work with municipalities on flooding issues, infrastructure upgrades, and infrastructure optimization. In Minnesota, we have recently completed:

- A 2D-XPSWMM model for the Fairview Storm Sewer Trunk System in Roseville;
- A 2D-XPSWMM model for the City of Newport;
- A 2D-XPSWMM model for the City of St. Paul Park;
- An XPSWMM and Optimatics analysis of the Southwest Harriet watershed in Minneapolis; and
- A HydroCAD model for Frogtown Park and Farms in St. Paul

Case studies of these projects are provided with this proposal and outline the primary issues the work addressed, the scope of work, deliverables, and project benefits. Each of these projects addressed common urban stormwater challenges that cities like Brainerd experience. The modeling projects helped the cities identify the drivers of existing and potential future drainage issues as well as system optimization upgrades to inform CIP development and phased implementation. Many of these

projects also incorporated results from stormwater water quality retrofit analyses, as was proposed to Brainerd on May 15th, 2019 by HR Green (presented at City Council on May 20th) to provide integrated planning.

Proposed Scope of Services

The following Scope of Services is presented as a general outline of activities associated with developing an existing conditions H-and-H model. Final scope, schedule, associated fees and work plan may be modified during Task 1, below.

1. Project Management

Description of Services: Facilitate stakeholder involvement and coordinate engineering services. Complete general project management tasks including invoicing, organizing team meetings and scheduling.

Roles

- HR Green – Project Management; meeting facilitation
- City – Active attendance at meetings

Scope

- Manage team partners (City Staff-HR Green Staff), scope, schedule, fee and finances
- Coordinate with Paul Sandy, City Engineer
- One, two-hour kickoff meeting with the City to discuss storm sewer data and discuss areas of concern
- Two, half-hour internal team meetings

2. Data Collection and Assessment

Description of Services: Compile and review data including, but not limited to, existing storm sewer data, existing best management practices (BMPs) and storage facilities (if any), and existing stormwater models for existing facilities.

Roles

- HR Green – Data acquisition, collaboration with City and other entities; meeting facilitation
- City – Active attendance at meetings, coordination with partners and provision of data

Scope

- Data collection
 - Data provided by the City
 - Available GIS and AutoCAD data of existing storm sewer
 - Known ponding and problem locations
 - As-built maps of existing infrastructure including but not limited to storm sewers, culverts and BMPs
 - Data obtained by HR Green
 - GIS, CAD and as-built data
 - LIDAR information within the project area
 - NRCS soil data
- Model input parameter calculations
 - Surface slopes
 - SCS Curve Number values based on land use
 - Travel time
 - Flow accumulation
 - Flow direction

- Gap Analysis
 - Review information collected from the City and other entities for development of the XPSWMM model. Identify gaps in required information. Review and discuss data resolution or quality issues with the City.
- Field Survey
 - Conduct a limited field survey and field investigation to fill gaps found in the previous steps.

Assumptions

- City will provide data that is generally adequate to model the existing systems with minimal required survey
- Any required survey information that is not available within the information provided by the City and separate entities (e.g., County, MNDOT) will be identified by HR Green during the gap analysis.
- Up to a maximum of 16 hours of field survey (one HR Green Survey Crew Chief and one additional junior staff) is included for minor field survey and verification of storm sewers, culverts and best management practices.

3. Develop Existing Conditions Hydrologic and Hydraulic Model

Description of Services: Develop a H-and-H model for the project area including the existing storm sewer system and surface topography.

Roles

- HR Green – Model development
- City – Model results review and verification

Scope

- Develop 2D-XPSWMM model
- Model the 2-, 5-, 10- and 100-year return period 24-hour storms.
- Share existing model results, including identified areas of surface ponding, with the City for review. Any comments from the City will be reflected in the final model.
- Calibration of model via either existing flow monitoring data or by City review of known, historic storm events and system response (e.g., known flooding locations).
- One, one-hour meeting with City to discuss modeling results

Assumptions

- No previous storm water modeling has been completed in these areas. Any existing data or models received by City will be forwarded to HR Green.
- Trunkline storm sewer systems will be modeled. Individual inlet laterals will not be included, but can be added at a later date.
- 10-year tailwater conditions for the Mississippi River will be used to determine effects on the storm sewer systems. Mississippi River tailwater elevations will be obtained from the FEMA Flood Insurance Study. Assessment of the FEMA 100-year floodplain will not be included in this project.
- Meeting with the City to review and confirm existing ponding locations will serve as the model's calibration

4. Technical Memo & Data Export

Description of Services: Export XPSWMM data into City's preferred ArcGIS format and create exhibits. Prepare technical memo detailing modeling processes and results. Identify areas of concern; however, no conceptual best management practice or system modification/optimization designs will be completed in this phase of modeling.

Roles

- HR Green – Develop technical memo including expected surface ponding figures; meeting facilitation.

- City – Review technical memo and provide comments within 2 weeks of submittal.

Scope

- Data Export: Export and deliver to the City relevant data in a format defined by the City.
- Technical Memo: Prepare summary of modeling effort including data used, known data gaps, assumptions, exhibits, and discussion of known and identified infrastructure problem areas.
- Incorporate City's comments into final electronic copy of the Technical Memo with figures

Assumptions

- Submit draft technical memo to the City for one round of review and comments.

Estimated Budget

Budget associated with the above scope of services is highly dependent on the total linear miles of stormwater infrastructure within the City, the level of modeling detail desired by the City, the amount and quality of existing data, the quantity of new data to be collected, and the amount of staff time the City can provide as a valued team member. Therefore, HR Green will work with the City in final scoping and budgeting, during Task 1, to find the optimal level of detail balanced with budget.

The above scoped items are expected to range from **\$57,750 - \$68,250**, depending on the level of effort required as discussed above.

On behalf of HR Green, I thank you for the opportunity to present this proposal. We are all very excited to work with you to add the value that a robust H-and-H model can bring to the City of Brainerd.

Sincerely,

HR GREEN, INC.



Shawn Tracy

Lead Scientist



▷ HRGREEN.COM

XPSWMM Model Development for The City of St Paul Park And Grey Cloud Island Township

November 2018

HR Green Project No: 180366

Prepared For:
South Washington Watershed District

Table of Contents

Executive Summary	1
Introduction	1
Overview	1
Existing System	1
Data Collection	4
Modeling and Analysis Methods	4
Modeling Procedures and Assumptions	4
Hydrology & Hydraulics	8
Existing Condition Review	9
Initial Recommendations	11
Appendix A	13

List of Figures

Figure 1: SWWD Geodatabase	1
Figure 2: St Paul Park Modeled Stormwater Network	2
Figure 3: Grey Cloud Island Modeled Stormwater Network	3
Figure 4: St Paul Park Subwatersheds	6
Figure 4: Grey Cloud Island Subwatersheds	7
Figure 5: Surcharged Pipes	10
Figure 6: Potential BMP Locations	12

List of Tables

Table 1: Atlas 14 Storm Data	8
Table 2: BMP Location Data	11

Appendices

Surface Flooding Figures

Executive Summary

The City of St Paul Park (SPP) and Grey Cloud Island Township (GCI) are located on the western edge of the South Washington Watershed District (SWWD) along the east bank of the Mississippi River. SPP and GCI both joined SWWD in 2003, and since that time, SWWD has not included their stormwater infrastructure in any of the watershed district hydrologic and hydraulic modeling. HR Green, Inc. (HR Green) has prepared a 2D XPSWMM model of the existing stormwater networks within SPP and GCI in order to locate problem areas and potential retrofit locations. The model results show significant surcharge of pipes for various rainfall events and display ponding areas within the SPP city limits.

Introduction

Overview

HR Green was retained to collect data and develop a geodatabase and a 2D XPSWMM model of the existing stormwater trunk lines. The 2D XPSWMM model will assist SWWD in identifying areas of undersized storm sewer surcharging locations as well as connection points for potential water quality or rate control retrofits. SWWD utilizes a geodatabase to maintain their stormwater infrastructure data as detailed in their Surface Water Model User Guide. This geodatabase, seen in Figure 1, allows for interfacing between ArcGIS and XPSWMM programs, leading to a standardized creation of a hydrologic and hydraulic model.

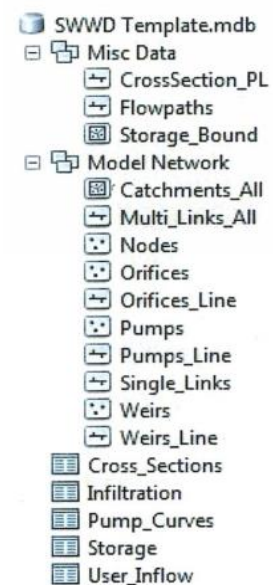


Figure 1: SWWD Geodatabase

Existing System

HR Green divided St Paul Park's infrastructure system into six networks for identification purposes. Figure 2 displays the City's storm system and zone labels (F – K). Labels A through E were previously used to identify storm networks in SWWD's Newport XPSWMM model. Four outfalls to the Mississippi River service the majority of SPP, and a series of storm ponds and wetlands act as outfall points for the northeast and southern portions of the City. US Highway 61 runs north to south along the eastern edge of SPP, but since it is not City owned, its drainage system is not included in this analysis.

Grey Cloud Island does not contain any underground stormwater infrastructure. HR Green identified and measured five culverts on the island, as shown in Figure 3. These culverts generally redirect flow towards the river out from low lying inland areas. Modeling focused around those areas where infrastructure was observed.

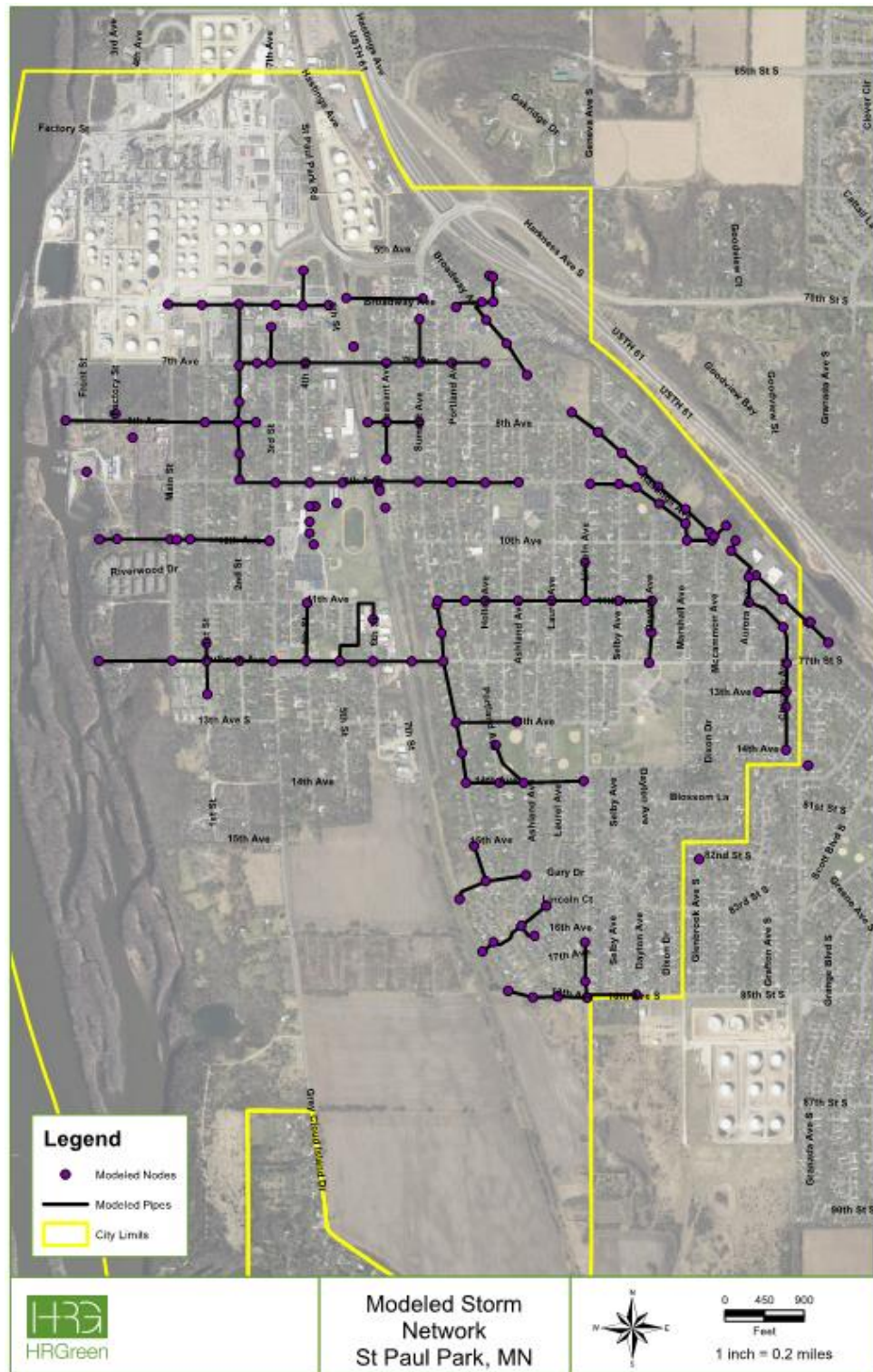


Figure 2: Modeled Stormwater Network in St Paul Park



Figure 3: Modeled Stormwater Conveyance in Grey Cloud Island

Data Collection

Data was collected from several entities for the hydrologic and hydraulic analysis including SWWD, Washington County, MnDOT, and the Minnesota DNR. HR Green staff conducted a field survey to collect invert and rim data for manholes, and to collect pipe diameters at each surveyed manhole. Catch basins were only surveyed when they acted as a flow-through catch basin. HR Green incorporated the data into a GIS geodatabase. The GIS data was transferred to the XPSWMM model using the GIS Link tool as described in the SWWD Surface Water Model User Guide.

Hydrologic parameters for each subwatershed were determined from the SWWD-provided shapefile of NRCS soil data and NOAA Atlas 14 precipitation data from the Inver Grove, MN station.

The scope of work included using a two-year Mississippi River tailwater in the model; however, Mississippi River Flood Insurance Study data did not exist for the two-year river elevation. HR Green interpolated the river elevation from USGS gage stations to determine the effects of backwater on storm pipe outlets. Gage readings from gage stations at St. Paul and Hastings, the nearest stations up and downstream, were reviewed. Available data was analyzed for the Hastings station, and the same data range was examined for the St. Paul station. Since the two-year river elevation relates to an elevation that is exceeded 50% of the time, median gage heights were used at each location. Newport, the city immediately north of St Paul Park, is approximately halfway between St. Paul and Hastings, so the two stations' median gage elevations were averaged to produce an approximate gage elevation in Newport of 682.31 ft. Because the lowest outlet elevation in St Paul Park is set to 688.3 ft, HR Green deemed there would be no tailwater effect from the river in a two-year river stage.

Modeling and Analysis Methods

Modeling Procedures and Assumptions

Storm pipe and node shapefiles were overlaid onto the SWWD-provided subwatershed shapefile to identify storm flow paths throughout the City. Where two sources of data indicated two inlets are in very close proximity, the two inlets were assumed to be the same and were treated as one inlet. LIDAR data was used to delineate only one watershed for each inlet. As seen in Figure 4, a total of 127 subwatersheds were analyzed within St Paul Park's City limits. Some of these subwatersheds contain areas which lie outside of the City limits, but which drain back into St Paul Park infrastructure. Significant areas omitted from the model within the City limits include the farmland south of the city, the area along Highway 61 on the northeast side of the City, and the St Paul Park refinery area on the north side of the City.

As seen in Figure 5, a total of 10 subwatersheds were analyzed within Grey Cloud Island, with five subwatersheds flowing to identified culverts. The five other subwatersheds delineated areas draining to identified low points or potential road crossings. A culvert at Node CV24 was found during a field survey, but the culvert was almost completely buried. It was unclear whether or not the culvert was intentionally abandoned, so it was modeled in XPSWMM as sealed.

HR Green created "placeholder" nodes for infrastructure that was unable to be included in the storm network without additional investigation. For example, the dirt road on the northeast side of Oltman Middle School contains multiple catch basins or manholes. Digital data was provided by SWWD; however, when conducting the field review and survey, the flow directions based on inverts didn't match the assumed connections. HR Green was unable to identify their connections to the main storm sewer trunk line at this time. When more information is

collected on this infrastructure, the corresponding nodes are in place for data input. Some subwatersheds contain areas that drain from St Paul Park properties to areas outside of City Limits. Hydrologic parameters were calculated and assigned to these subwatersheds, and their values were assigned nodes at the lowest point in the subwatershed.

HR Green was not able to access storm infrastructure to the west of node F0, located at the entrance to Andeavor Refinery on Broadway Ave. It was assumed that stormwater could freely outfall from that point.

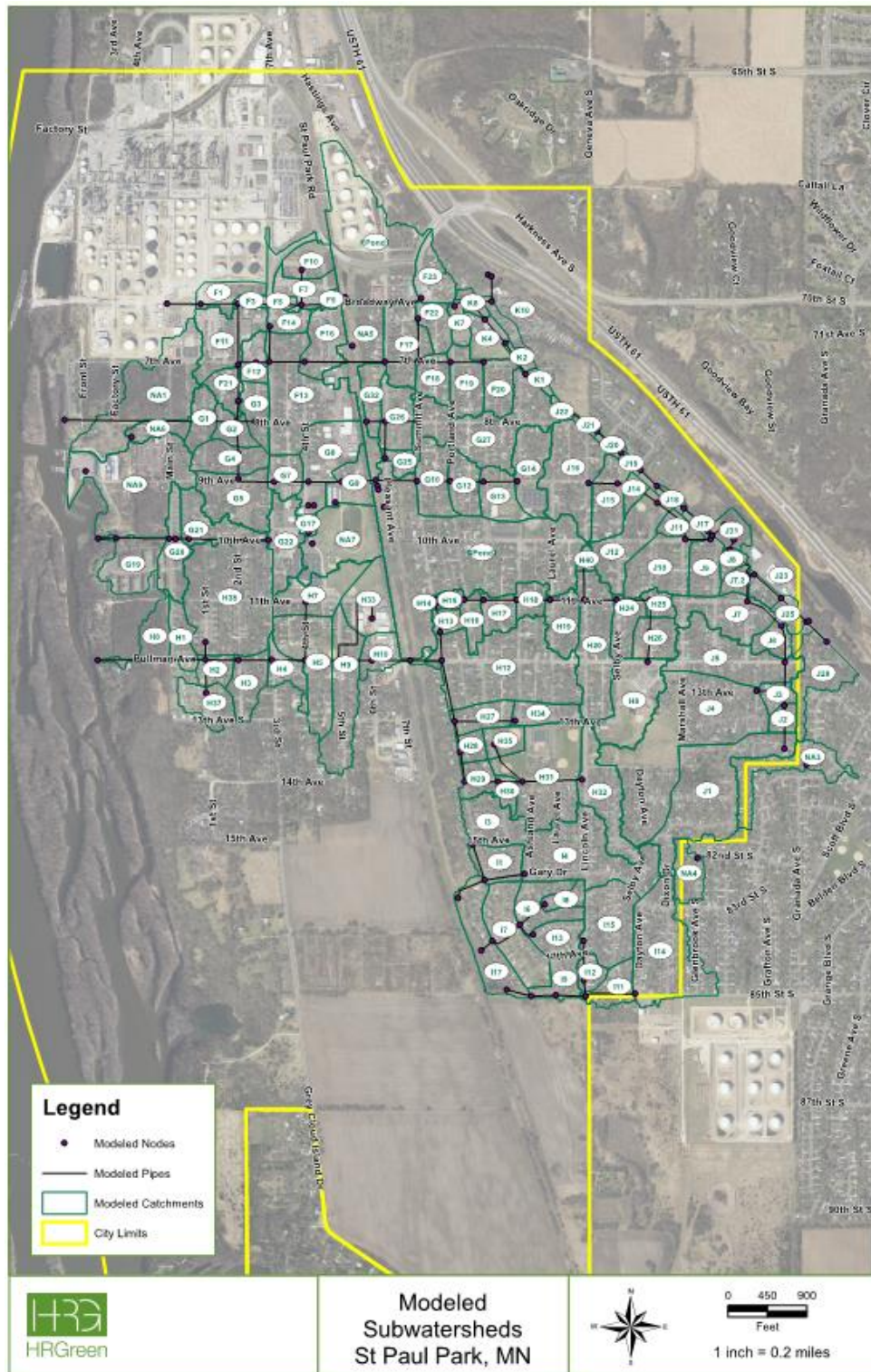


Figure 4: St Paul Park Subwatersheds

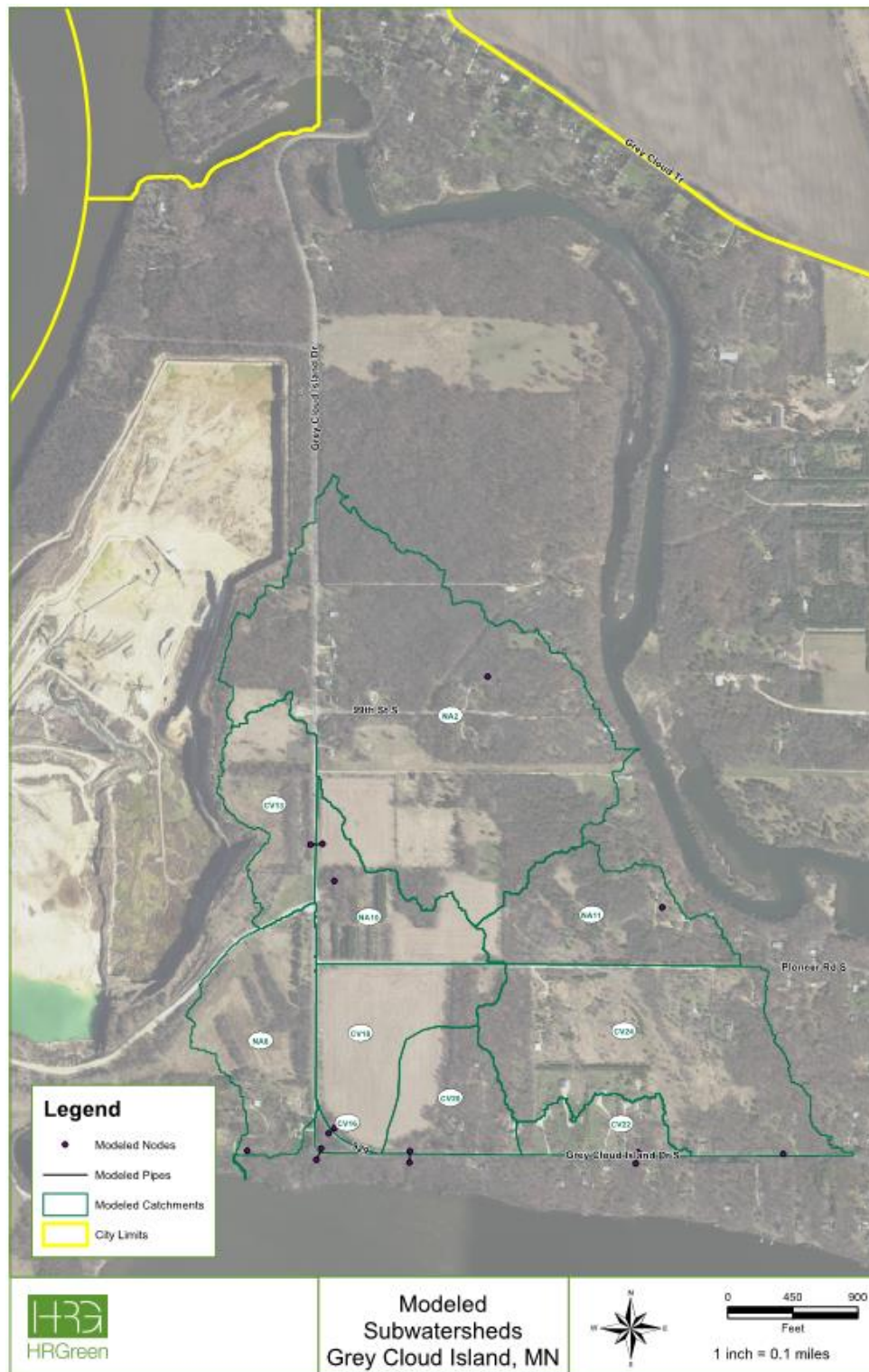


Figure 6: Grey Cloud Island Subwatersheds

Hydrology & Hydraulics

HR Green updated SWWD-provided curve number (CN) runoff data to reflect recent observations in the field and by aerial photography. Using land cover and topography, a time of concentration value was calculated for each subwatershed. A minimum time of concentration value of seven minutes (based on MnDOT standard design) was assigned to small, highly impervious subwatersheds. Initial abstraction depths were also assigned to each subwatershed based on their CN. All of the data discussed above was compiled into the Catchments_All feature class of the Model Geodatabase for XPSWMM provided with this document. Atlas 14 Storm Data for four storm scenarios were modeled with NRCS Type II conditions and are shown in Table 1 below.

Table 1: Atlas 14 Storm Data

	<u>2 Year</u>	<u>5 Year</u>	<u>10 Year</u>	<u>100 Year</u>
24-Hour Storm Precipitation Depth (in)	2.79	3.47	4.16	7.43

Where neither field survey nor as-built information was available for pipe size or invert elevation, interpolation from adjacent manholes were used to estimate existing pipe parameters. These pipes have been identified in the Modeled Pipes shapefile. Since the two-year gage elevation for the Mississippi River was below St Paul Park's lowest outfall elevation of 688.3 ft, outfalls were assumed to be free outfalls for modeling purposes.

In the XPSWMM Geodatabase, storm infrastructure was divided into the Modeled_Links and Modeled_Nodes feature classes. The Modeled_Nodes represent inlets, manholes, storage ponds, and a placeholder for subwatersheds with no infrastructure. Modeled_Links contain all pipes in the system. Catchments_All data relates watershed data to Modeled_Nodes.

Existing Condition Review

A combined 1D/2D XPSWMM model was run, analyzing the 2-, 5-, 10-, and 100-year, 24-hour storms. Figure 4 displays the modeled pipe network color coded to show the storm event at which a pipe surcharged. It should be noted that the pipes that surcharge at a smaller storm should be assumed to surcharge at larger storms as well.

Most of the City's trunk sewers surcharge in a 2- or 5-year event. Typical storm sewer designs require a storm system to convey a 5- or 10-year storm, with an overland flow path for larger events. However, in most cases, ordinary storm sewers are not designed to convey a 100-year storm. It is likely that the existing storm sewers were sized for lower impervious areas or for smaller areas than they now serve.

As shown by Figure 4, 96 of 128 modeled trunkline pipes in St Paul Park are surcharged during a 2-year storm, and 106 of 128 are surcharged during a 5-year storm. Areas that the XPSWMM model show to experience excessive surface flooding include 2nd St between 7th Ave and 9th Ave, the networks north of Pullman Ave between 6th St and 1st St, and the pipe network running under Chicago Ave. To note, a pipe being surcharged does not necessarily equate to significant surface flooding occurring above that pipe. A large portion of the pipes surcharged during the 2-year storm event produce hydraulic grade lines above the top of the pipe but below the ground surface, indicating surcharging but not surface flooding.

The Appendix contains maps of the 2-, 5-, 10- and 100-year modeling results indicating where surface ponding will be greater than or equal to six inches. In St Paul Park, ponding is heaviest in areas with no storm sewer infrastructure and above areas with surcharged pipes. The maps also show pockets in the topography throughout the City that accumulate surface water during the peak flows of each storm. Significant ponding is occurring along the railroad tracks running north and south through the City. The ditches along the tracks appear to be successfully storing the stormwater entering them and preventing impacts to the adjacent homes.

In Grey Cloud Island, the culverts present appear to convey a significant portion of the runoff they are designed to convey, with no significant ponding occurring behind an operable culvert. Three major ponding areas appear on the flood extents maps shown in the Appendix. Northeast of the intersection of Pioneer Road and Grey Cloud Island Drive, significant ponding occurs in an existing open area, primarily due to it being a local low point. No residential structure impacts are expected. Near 10733 Grey Cloud Island Drive, significant ponding occurs in a low area north of an abandoned culvert. No residential structure impacts are expected. Areas north and south of 99th Street near the riverbank are subject to significant ponding extents, again due to being a local low points. No stormwater infrastructure was identified in this area to convey the water to the river. Residential structure impacts are possible in this area.

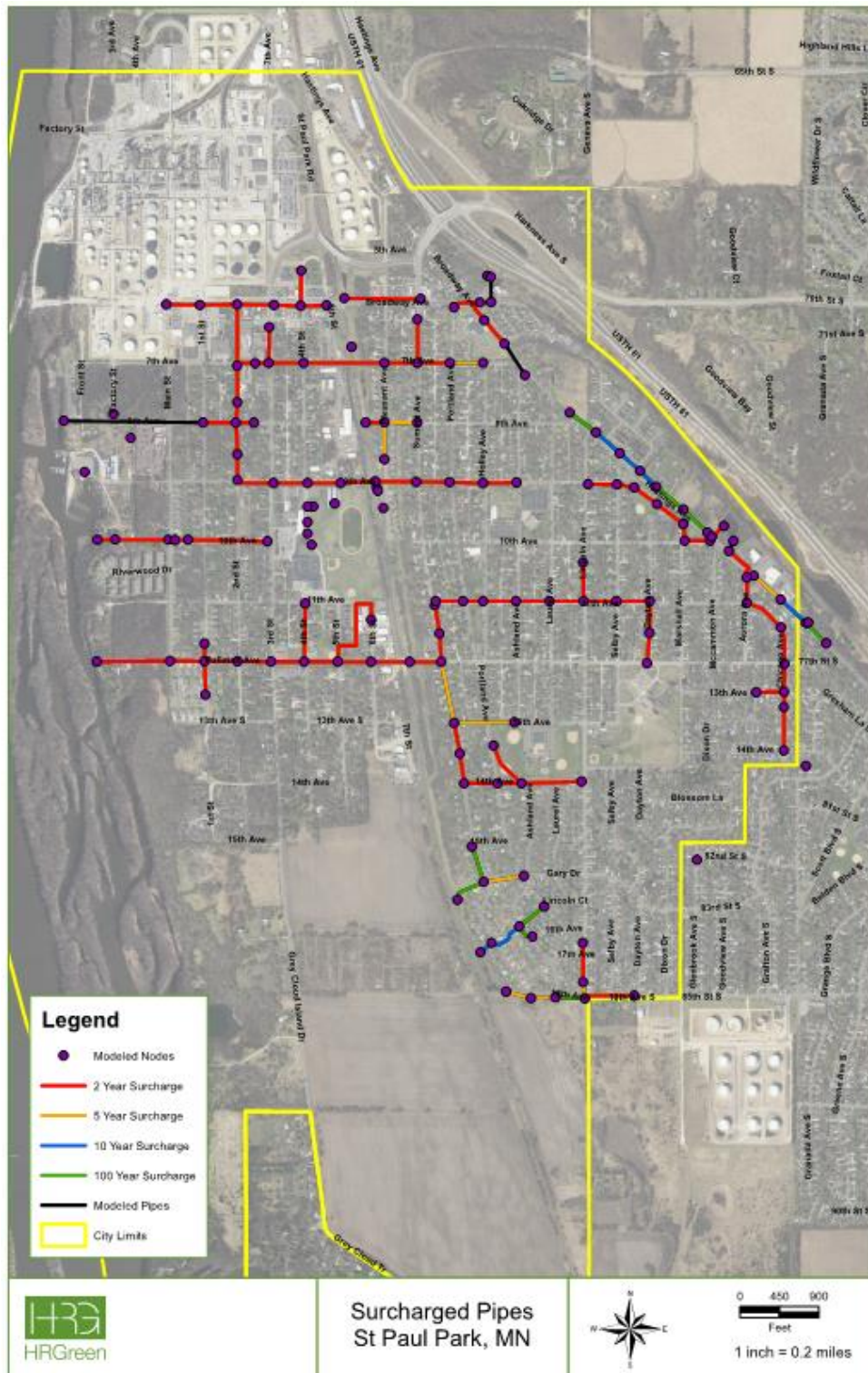


Figure 6: Surcharged Pipes

Initial Recommendations

Infrastructure improvements may be required to address the effects of stormwater flooding at some locations discussed above in the Existing Conditions Review. Figure 7 displays and Table 2 summarizes four sites that SWWD could consider for stormwater detention or storage. No additional analysis was performed to investigate the effects of the recommended improvements and water quality modeling was not performed for these recommendations. Recommended BMPs were only located upon public property.

Table 2: BMP Location Data

<u>Improvement Number</u>	<u>Location</u>	<u>Type of Improvement</u>	<u>Effect of Improvement</u>
1	Abdella Memorial Park	Infiltration Swale or Rain Gardens	Reduce ponding in the park. Provide water quality and educational opportunities.
2	Pullman Elementary School	Rain Gardens	Reduce ponding. Provide water quality and educational opportunities.
3	Axelrod Park	Storage BMP	Reduce surcharging under Pullman Ave.
4	City of St Paul Park Government Center	Rain Gardens	Reduce surcharging under Hastings Ave and Broadway Ave. Provide water quality opportunities.

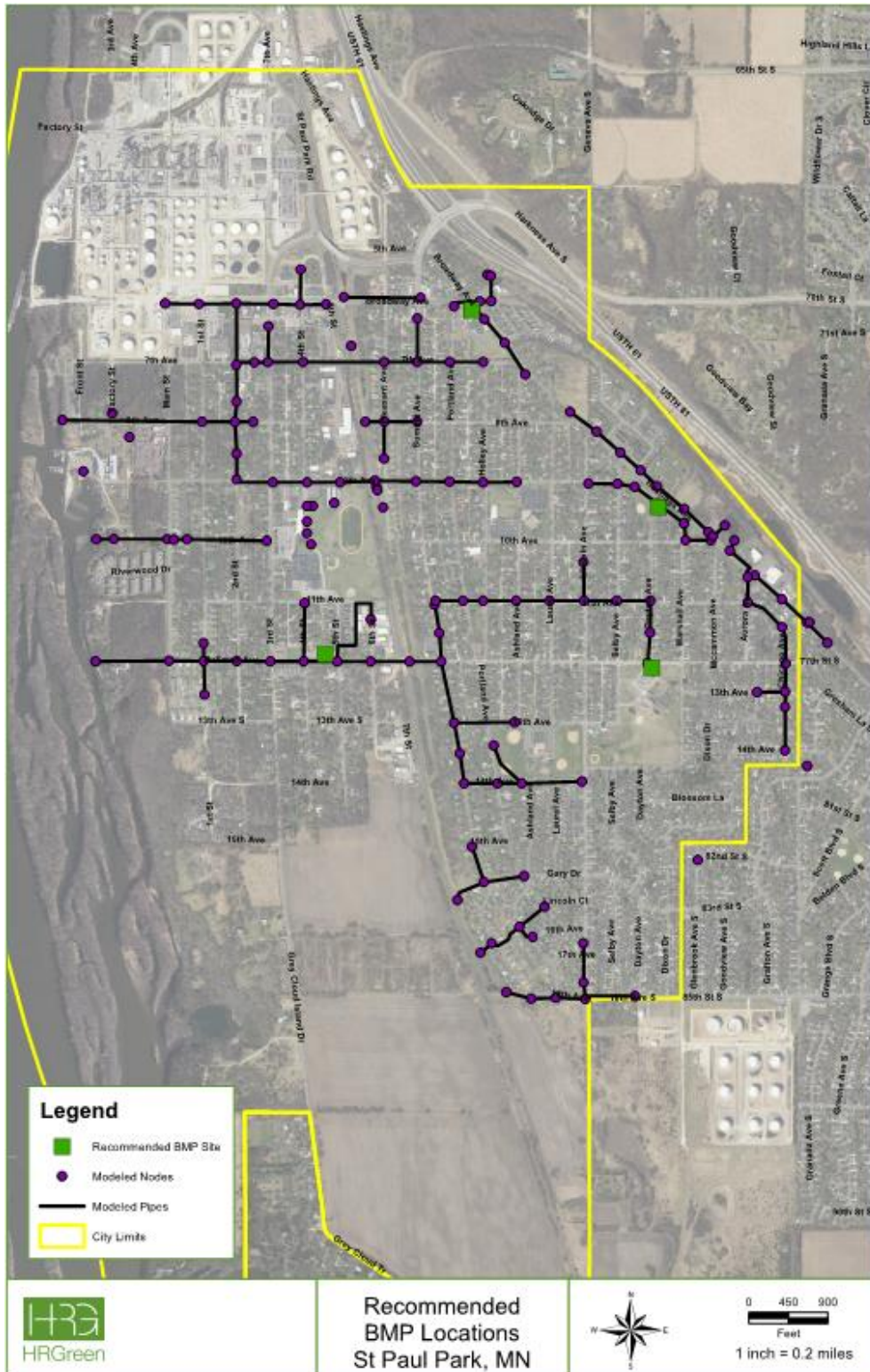
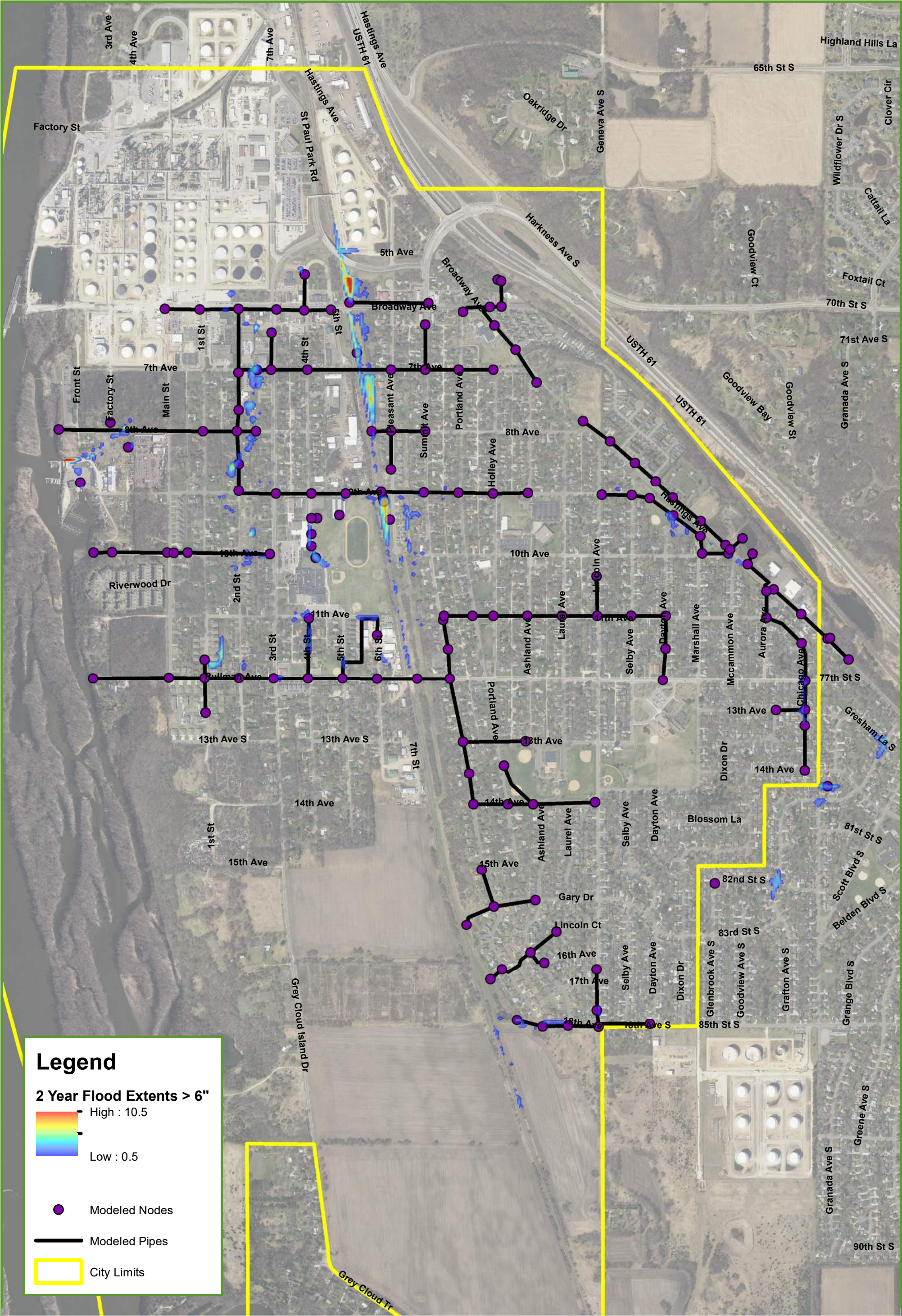


Figure 5: Potential BMP Locations

Appendix A



Legend

2 Year Flood Extents > 6"

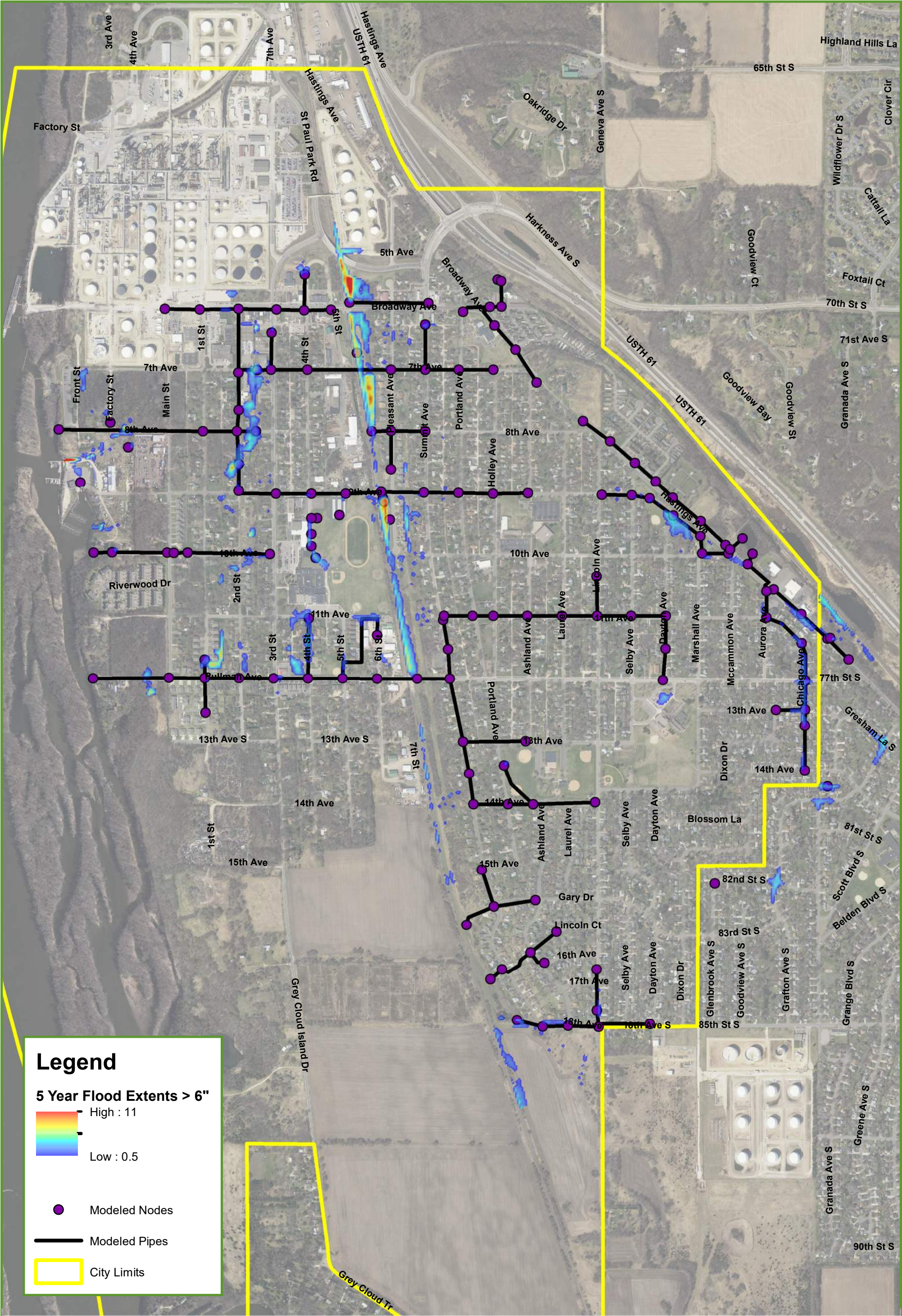
High : 10.5

Low : 0.5

Modeled Nodes

Modeled Pipes

City Limits



Legend

5 Year Flood Extents > 6"



High : 11

Low : 0.5



Modeled Nodes



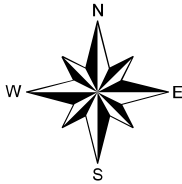
Modeled Pipes



City Limits



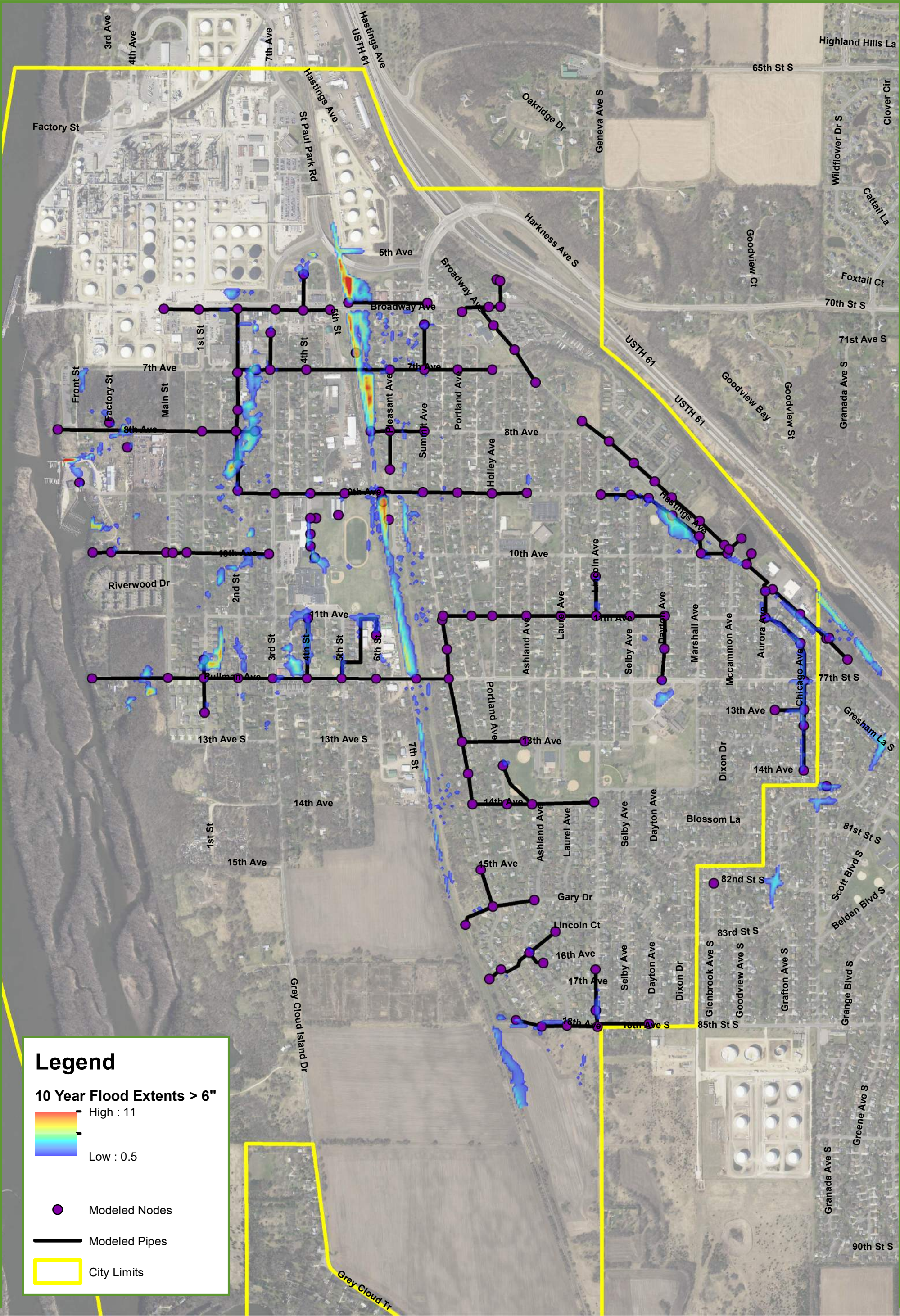
5 Year Storm
Flood Extents
St Paul Park, MN

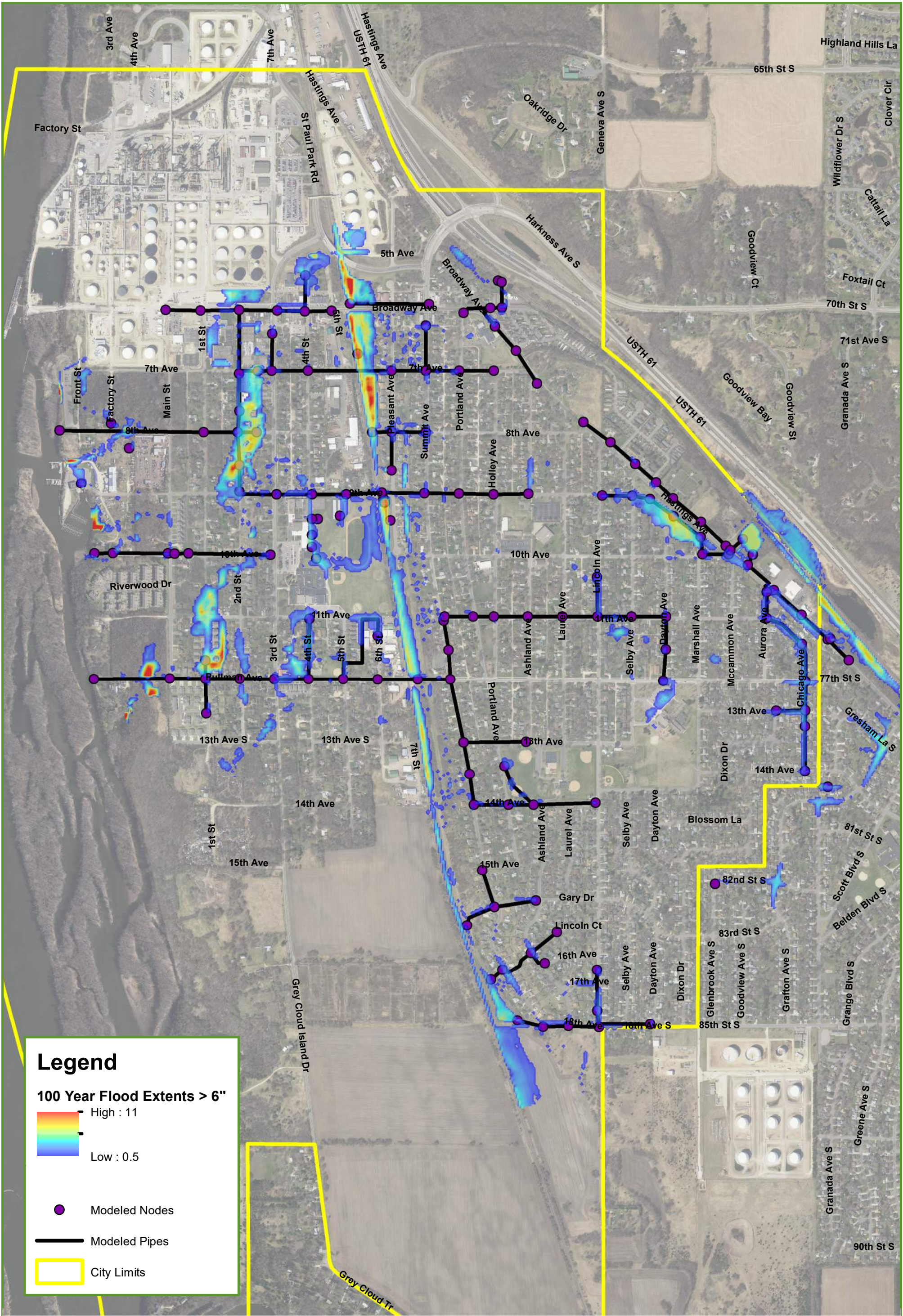


0 450 900

Feet

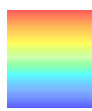
1 inch = 0.2 miles





Legend

100 Year Flood Extents > 6"



High : 11

Low : 0.5



Modeled Nodes



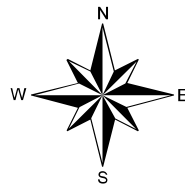
Modeled Pipes



City Limits



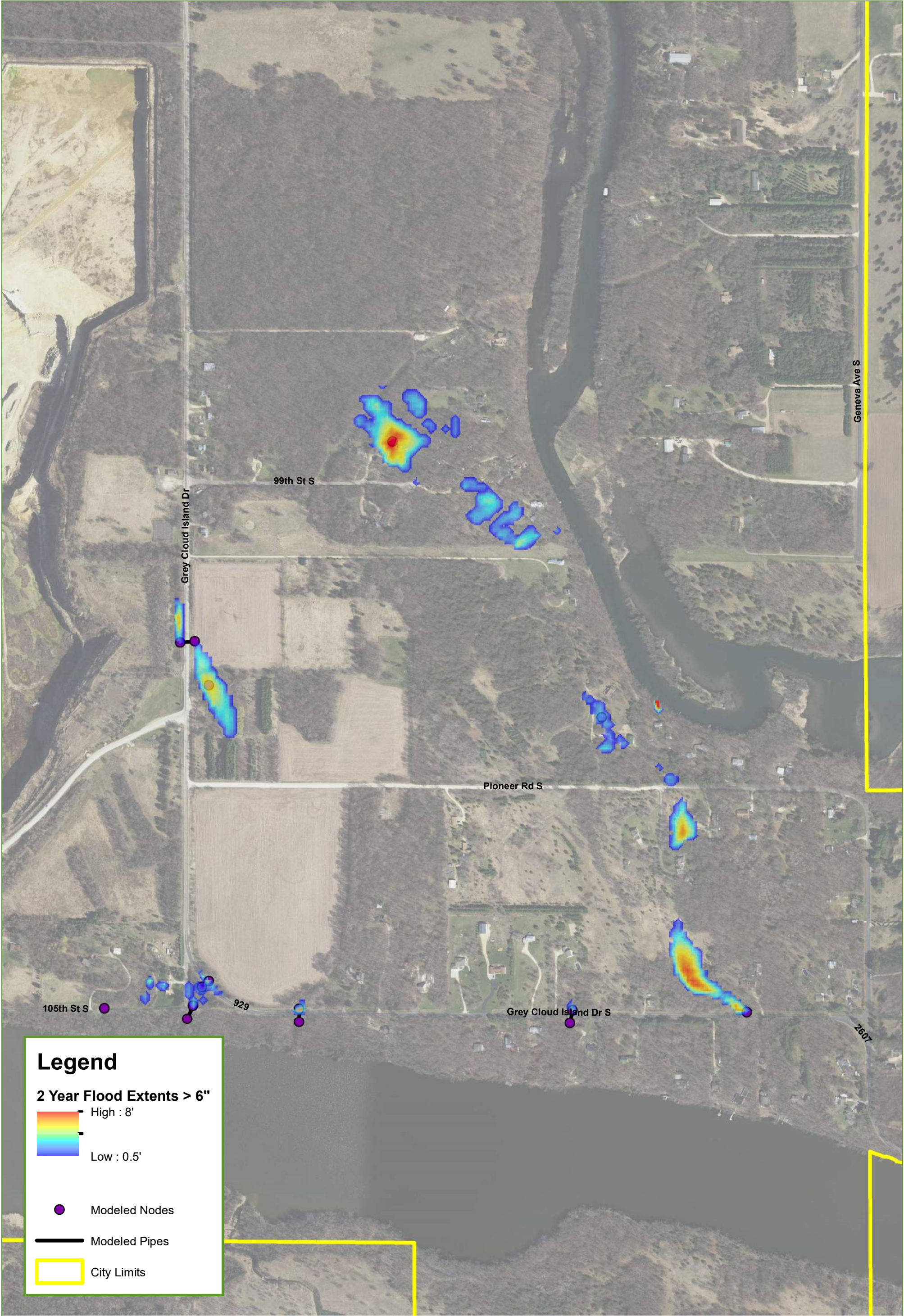
100 Year Storm Flood Extents St Paul Park, MN



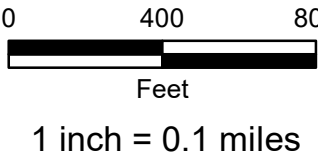
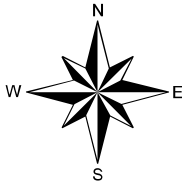
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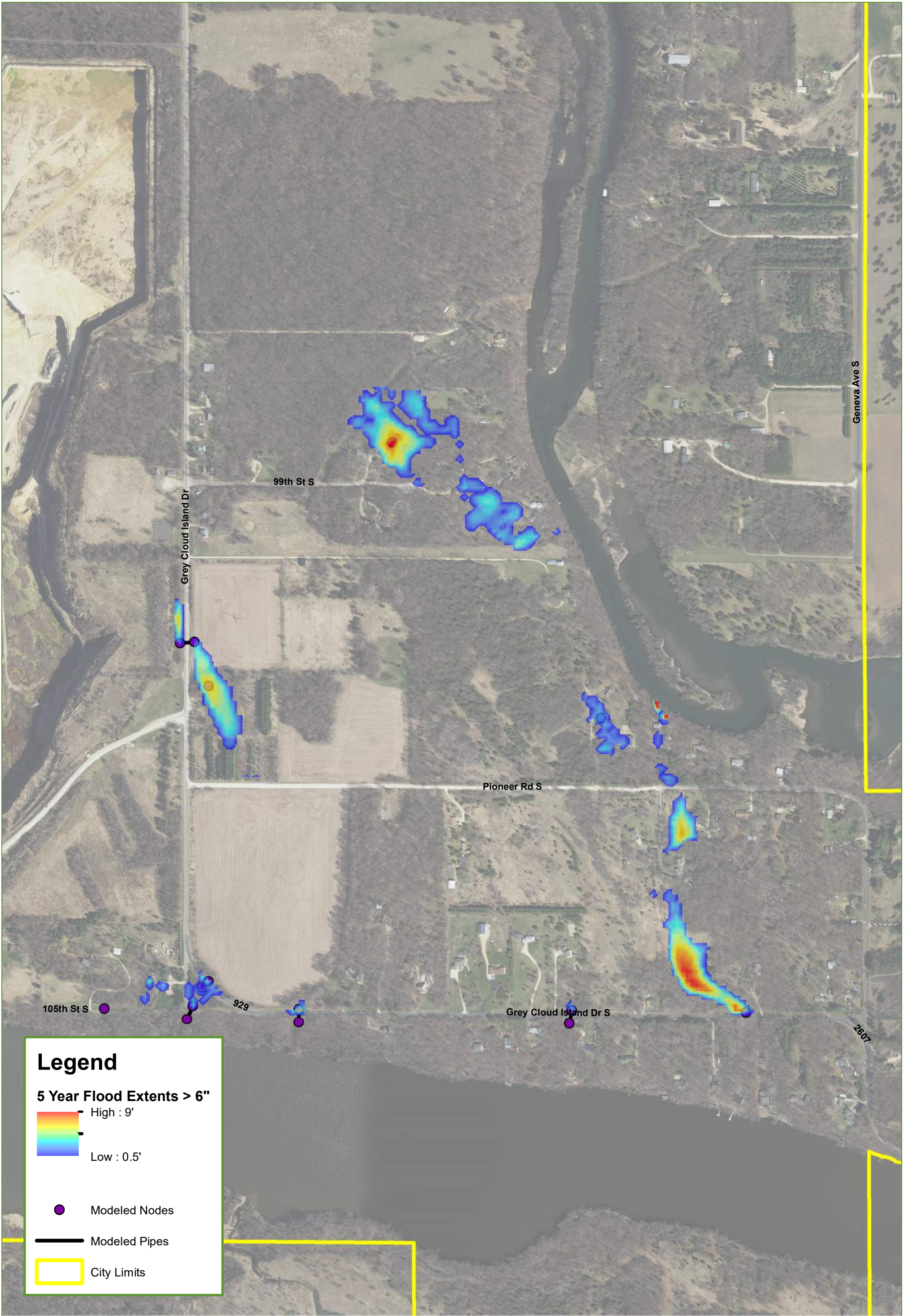
Feet

1 inch = 0.2 miles



2 Year Storm Flood Extents Grey Cloud Island, MN





Legend

5 Year Flood Extents > 6"

High : 9'

Low : 0.5'

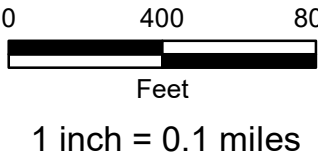
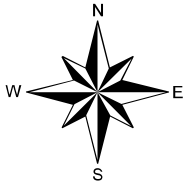
Modeled Nodes

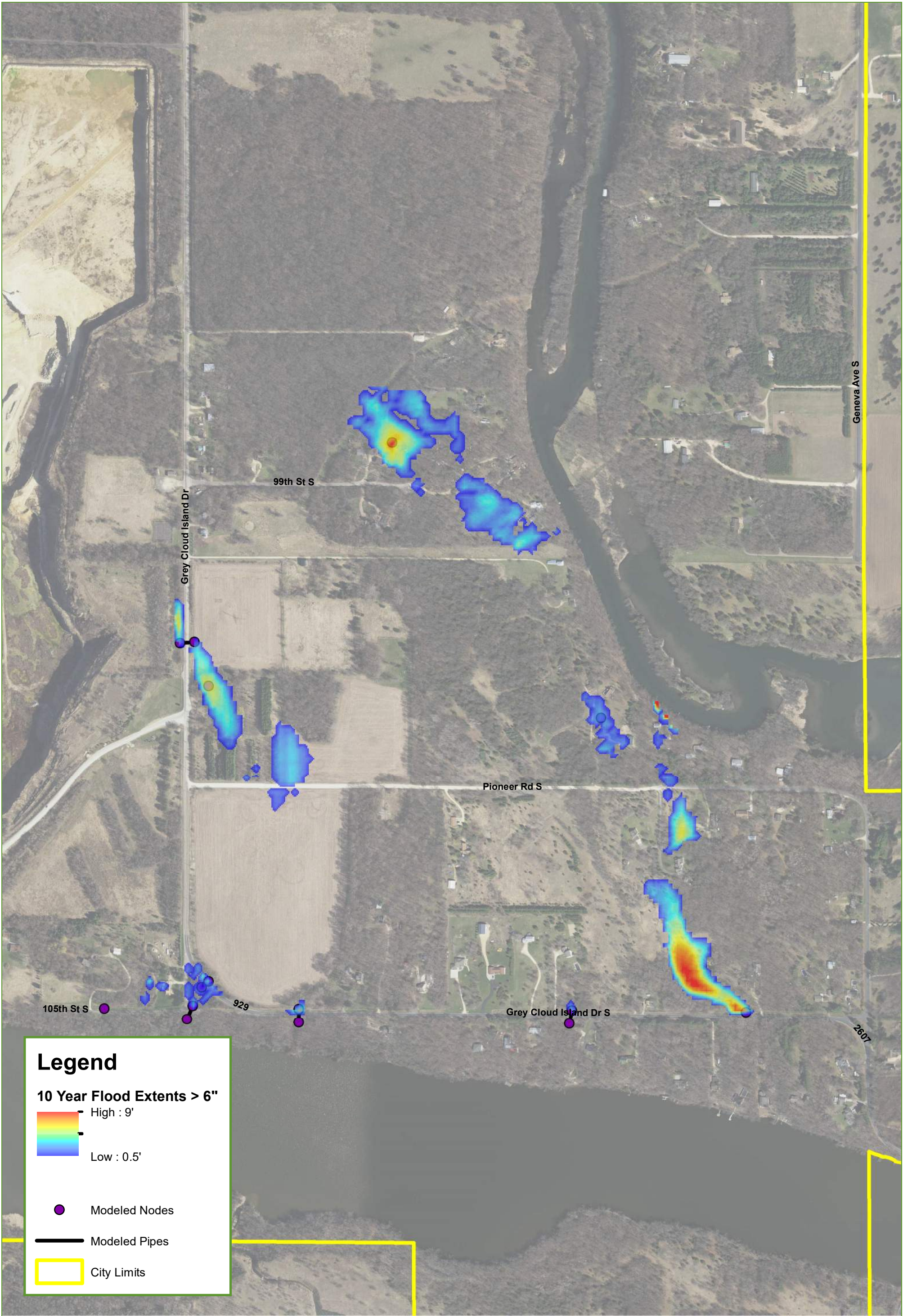
Modeled Pipes

City Limits



5 Year Storm Flood Extents Grey Cloud Island, MN





Legend

10 Year Flood Extents > 6"

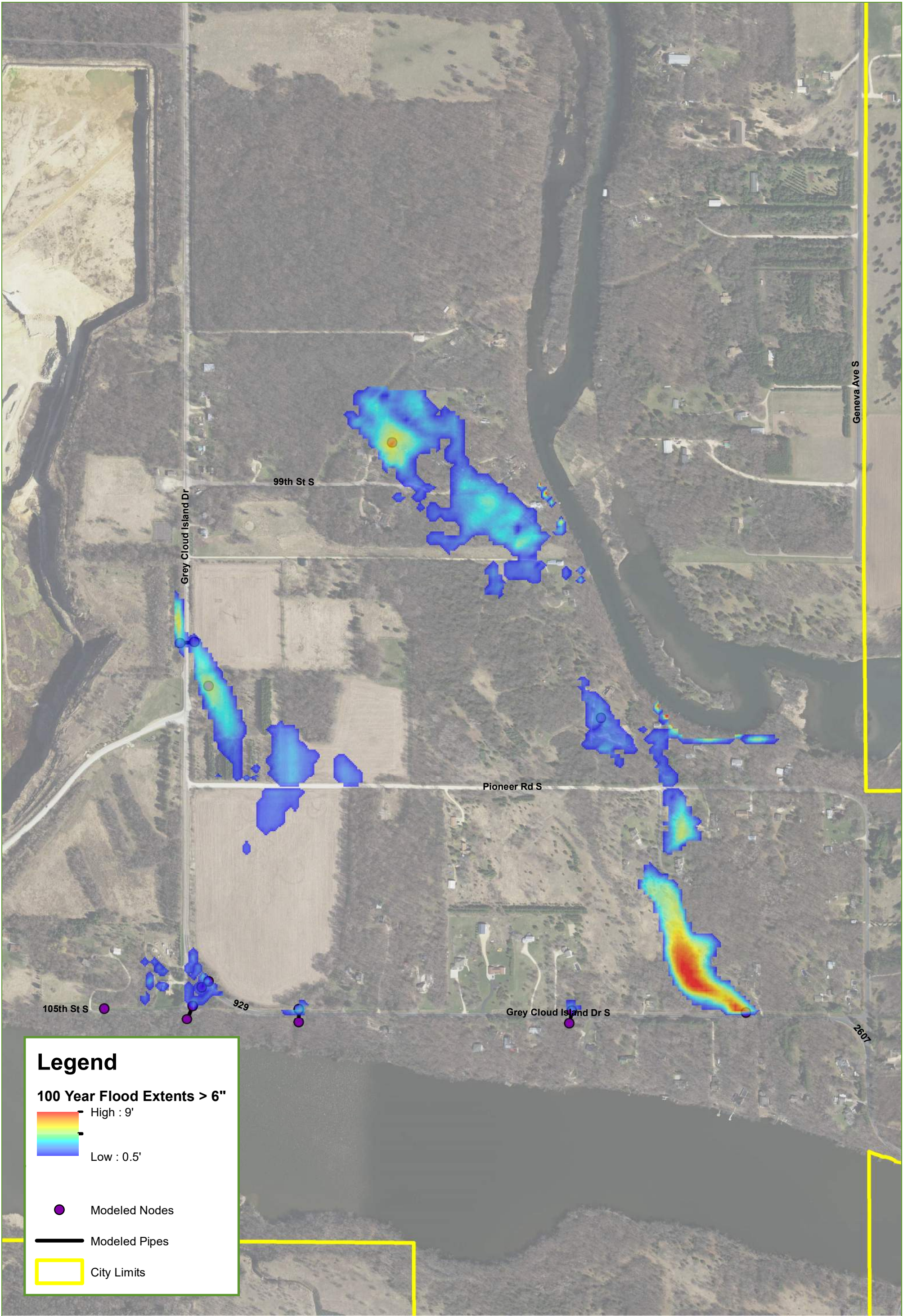
High : 9'

Low : 0.5'

Modeled Nodes

Modeled Pipes

City Limits



Legend

100 Year Flood Extents > 6"

High : 9'

Low : 0.5'

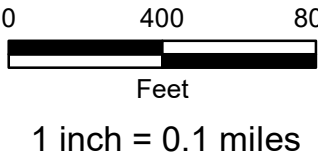
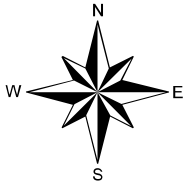
Modeled Nodes

Modeled Pipes

City Limits



100 Year Storm
Flood Extents
Grey Cloud Island, MN





Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Regulating Location of Garbage Receptacles

☐ 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: Alderman Pritschet	Department:
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 5 minutes
Summary of Issue: Alderman Pritschet has requested that staff bring the issue of the placement of garbage receptacles before the Safety & Public Works Committee for discussion. He has received multiple complaints from residents regarding properties at which garbage receptacles are regularly left at the curb and in the right-of-way for extended periods of time. Additionally, the placement of receptacles in the right-of-way is often a nuisances for snow plowing, street sweeping, safe navigation of alley ways, etc. City Code does not current regulate the duration receptacles can be placed in the right-of-way for pick-up.	
Alternatives, Options, Effects on Others/Comments: Garbage receptacles are regulated by Section 600.05 of the City Code (see attached). Currently, Section 600.05 only governs the location of receptacles for pick-up by stating, "Garbage and refuse containers shall be placed for collection at one place at ground level on the property and accessible to the street or alley from which collection is made." No reference is made to how long they may be in place before and after their scheduled pick-up. Additionally, it makes no reference to placement within the right-of-way, which is where most receptacles are placed for pick-up.	
Recommended Action/Motion: Staff recommends amending Section 600.05 to restrict the placement of garbage receptacles within the right-of-way up to 12 hours prior to and 12 hours after scheduled pick-up. All other times, they must be fully contained on the owner's property.	
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>	

CHAPTER VI

PUBLIC HEALTH

Section 600 – Garbage Disposal

600.01 General Rule. It is unlawful for any person to fail to dispose of garbage and rubbish (which may be or may accumulate upon property owned or occupied by him) in a sanitary manner as often as may be necessary, and to keep said premises in an orderly and sanitary condition. Every household and business in the City of Brainerd shall engage a hauler of mixed municipal solid waste or otherwise deliver or cause to be delivered their waste to a permitted landfill facility. Any person who fails or refuses a lawful order to make provisions for and secure such disposal is guilty of a misdemeanor.

(Amended Ord. 984 – 1995)

600.03 Definitions. Subdivision 1. The term “garbage” means and includes organic refuse resulting from the preparation of food, and decayed and spoiled matter from any source.

Subd. 2. The term “rubbish” means and includes all inorganic refuse matter such as tin cans, glass, paper, ashes, sweepings, and similar substance.

600.05 Garbage Containers. Every owner of any dwelling, house and boarding house, and every owner or occupant of any restaurant or any place of business, having garbage to dispose of shall provide one or more fly tight containers sufficient to receive all garbage which may accumulate between the times of collection. All garbage and rubbish accumulating between the times of collection shall be placed in the containers. Garbage and refuse containers shall be placed for collection at one place at ground level on the property and accessible to the street or alley from which collection is made.

(Amended Ord. 984 – 1995)

600.07 Garbage Haulers: License. Subdivision 1. License Required. It is unlawful for any person to collect garbage and charge a fee therefore without having first secured from the Council a license to do so.

Subd. 2. Application; Fees; Procedure. Any person desiring to license a vehicle or vehicles with which to collect garbage shall make application for the same to the city clerk treasurer upon a form prescribed by the Council. The application shall set forth the name and address of the applicant and a list of the equipment which is proposed to be used in such collection. Before, a license is issued, the applicant shall, if the application is approved by the council, deposit with the City Clerk-Treasurer a surety bond in the penal sum of \$1,000 conditioned that the license will faithfully and continuously provide garbage collection service

specified in the application as modified by the council and under the conditions imposed by the ordinances of the City and the lawful orders, rules and regulations of the board of health. If the surety bond is approved by the Council, the Clerk-Treasurer shall issue and deliver the license. A license fee for each vehicle in the amount fixed by Chapter X of this Code to be licensed shall accompany the application. No license for any vehicle shall be issued to other than the registered owner thereof. No license issued hereunder shall be for a longer period than one year. All licenses expire annually on December 31st.

600.09 Collection Vehicles. Each licensed garbage and rubbish collector shall provide a truck equipped with a covered, watertight, steel tank, constructed so the contents will not leak or spill therefrom, in which all garbage collected shall be conveyed to an approved landfill. The conveyance shall be kept clean, and as free from offensive odors as possible, and shall not be allowed to stand in any street, alley or public place longer than is reasonably necessary to collect garbage.

600.11 Collection Schedule. Each licensed collector shall make collections of garbage on the following basis:

- a) Daily from hotels, restaurants, boarding houses, and other commercial establishments;
- b) Once weekly from residential dwellings. This however, does not preclude more frequent collections of garbage if desired by the customer or required by the volume of garbage.

(Amended Ord. 984 – 1995)

600.13 Approved Disposal Sites. No person shall dispose of refuse or garbage anywhere within the City except at an approved landfill site or disposal depot. An approved landfill site or disposal depot is a site for the disposal of refuse or garbage approved by the City, or the County, and operated in accordance with the rules and regulations of the Minnesota Pollution Control Agency.

600.14 Disposal of City-Wide Clean-Up Materials. During a duly authorized City-wide cleanup endeavor, owners or occupants of property located in the City are allowed to place items permitted for disposal at the curb line of the property that they own or occupy. Anyone found to have placed items at the curb line of property that they do not own or occupy will be prosecuted.

(Added Ord. 1388 – 2011)

600.15 Incinerators. No person shall operate an incinerator within the City for the burning of garbage or refuse unless such incinerator complies with the requirements of the Minnesota Pollution Control Agency.

600.17 Recycling. All garbage haulers licensed to do business in the City shall offer collection of recyclables to all residential dwelling units including single family, duplexes, multi-family, apartment complexes and mobile homes. All recyclables shall be placed for collection in containers provided by the Hauler and approved by the City for each residential account. A residential dwelling unit shall be defined as a single family home, duplex, multi-family, apartment complex or mobile home. Said containers shall be located at one place at ground level on the property on the dates agreed to between the customer and Hauler and shall be accessible to the street or alley from which collection is made. Recyclables shall include the following: paper, corrugated cardboard, food boxes, glass, plastic containers, aluminum cans, metal cans and other materials defined by agreement between the Hauler and City. Collection of recyclables shall be made at least twice a month. The Hauler shall be responsible for picking up and disposing of recyclable materials at an approved Recycling Center. The appropriation of SCORE funding, if any, paid to licensed garbage haulers shall be based their percent of total recycling tonnage for the City of Brainerd as reported by Crow Wing County. An individual residential dwelling unit shall be defined as each residential living unit in a single family home, duplex, multi-family, apartment complex or mobile home.

(Added Ord. 1037 – 1997)

(Amended Ord. 1354 – 2010, Ord. 1416 – 2014)

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

**July 6, 2020
6:45 PM**

**WebEx Teleconference Meeting
Call Toll-Free: 844-992-4726
Access Code: 146 649 8818**

1. Approval of Bills and 2019 Transfer of Funds

From General Fund 101 to Capital Fund 400	\$133,000 per Fund Balance Policy
From Public Safety Fund 225 to Fire Capital Fund 404	\$52,000 per FAB Contract

2. Discussion on Lakes Area Media Collaborative

3. Resignation of Paid on Call Firefighter Sell

4. Police Officer Retirement

5. Police Request to Use Drug Forfeiture Funds

6. Resignation of Seth Greenwaldt – Street Maintenance I

7. Memorandum of Agreement Between the City and LELS Local #65 to Extend the Appeals Panel Decision Timeframe from Five Days to Six Weeks

8. Recycling Fund Discussion



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Discussion on Lakes Area Media Collaborative

☐ 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: Jennifer Bergman	Department: Administration
Presenter (Name & Title): Jennifer Bergman & Shawn Strong	Estimated Time Needed: 10 minutes
Summary of Issue: The Council Chambers will be ready to host Council meetings soon after July 6th; however, we are waiting for the audio system to be reinstalled along with a new video system. We have an agreement with Lakes Area Media Collaborative (LAMC) and provide them with funding (franchise fees), they were tasked with purchasing a new camera system for televising/streaming. The audio system is only a few years old and will be reinstalled. We are having considerable difficulty coordinating the new equipment and the installation. LAMC has asked Digital Horizons to complete the installation but they are unable to proceed without the necessary equipment. After realizing a 7/6 deadline was not going to be met, we met on site 6/17 and established a plan with a hard deadline of 7/20.	
Alternatives, Options, Effects on Others/Comments: At this point, we are concerned that the 7/20 deadline may also go unmet. IT/GIS Director Strong has been attempting to move this process along for the past 6+ months with little to no communication from LAMC. Charter has terminated our public access channels for lack of content, resulting in a difficult, lengthy, and expensive path to reinstitute. We would like to have a discussion with the Council about potential next steps.	
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: July 6th, 2020

Title of Item: Resignation of Paid on Call Firefighter Sell

☐ 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: Fire Chief Tim Holmes	Department: Fire
Presenter (Name & Title): Fire Chief Tim Holmes	Estimated Time Needed: 5 minutes
Summary of Issue: Paid on Call Firefighter Sell submitted a letter of resignation and will be retiring from the fire department on July 31st, 2020. Sell has been with the fire department since 2002. He has advanced from firefighter to Captain. Sell was Brainerd's 2018 Firefighter of the Year. He has been a great team member and will be greatly missed.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Accept with regret the resignation of Firefighter Sell effective July 31st, 2020.	
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>	

Date: May 1, 2020

To: President of Brainerd Fire Relief Association Joe Enge, Chief Tim Holmes

From: Barry Sell

Subject: Retirement

Please accept my request to retire from the Brainerd Fire Relief Association and from the Brainerd Fire Department effective July 31, 2020.

A handwritten signature in black ink that reads "Barry Sell". The signature is written in a cursive style with a large initial 'B' and a long, sweeping underline.



Brainerd City Council Agenda Request

Requested Meeting Date: July 6th, 2020

Title of Item: Police Officer Retirement

☐ 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: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 5 MINUTES
Summary of Issue: On June 16th, Police Officer Troy Schreifels submitted a Letter of Retirement effective August 16th. This creates a 7th police officer vacancy for our 2020 budgeted staff of 27.	
Alternatives, Options, Effects on Others/Comments: The Police and Fire Civil Service Commission met on July 1st, and certified the top three names on the new eligibility list. We have conditional job offers to these three candidates and will return to the council for ratification of their hiring on the successful completion of their preemployment screening process.	
Recommended Action/Motion: Accept Officer Schreifels' retirement with regret.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u>	

DATE: 06/16/2020

Chief Corky McQuiston
Brainerd Police Department
225 East River RD
Brainerd, MN 56401

Chief McQuiston-

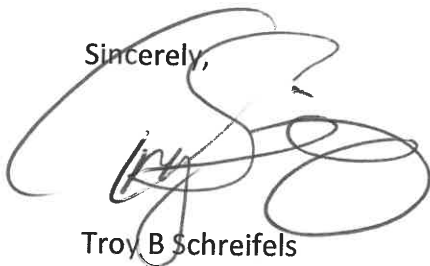
I would like to inform you that I will be retiring effective August 16, 2020.

I have genuinely enjoyed working for the Brainerd Police Dept, and I sincerely appreciate the support provided to me over the last (nearly) 24 years. The stimulation of our positive department culture and the opportunities for promotion and professional advancement I was given made waking up and coming to work each day a joyful experience.

While I look forward to my retirement, I will miss being part of our team and the department.

Thank you for your leadership and assistance, personally and professionally, over the years.

Sincerely,

A handwritten signature in black ink, appearing to read 'Troy B Schreifels', is written over the word 'Sincerely,'. The signature is stylized with large, looping letters.

Troy B Schreifels



Brainerd City Council Agenda Request

Requested Meeting Date: July 6th, 2020

Title of Item: Request to Use Drug Forfeiture Funds for Computer

☐ 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: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 7 MINUTES
Summary of Issue: The Police Department is requesting authorization to utilize approximately \$1,037 of Drug Forfeiture Funds to pay for a Microsoft Surface Laptop 3 for the Police Lieutenant Position. With the continuation of training and meetings being conducted via the Internet during this ongoing pandemic event, the Lieutenant's position is required to attend several virtual meetings. Nearly all external training opportunities are web based at this time. The current balance of funds available in the Drug Forfeiture Account is \$6,358.95	
Alternatives, Options, Effects on Others/Comments: We anticipate web based meetings and training continuing to be the way of future even post-pandemic as they save related travel costs and time. Having this computer as a stand-alone device with the web camera, speakers and microphone integrated also allows for our users to simultaneously use their existing work station device. In addition it can serve as a back-up device and it's portability allows for alternate location and remote use.	
Recommended Action/Motion: Approve a motion: Authorize the Police Department to utilize approximately \$1,037 of Drug Forfeiture Funds to pay for a laptop computer.	
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> \$ 1,037 <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> Request to use Drug Forfeiture Funds for an un-budgeted expense.	



800.808.4239

Order Number: 1C23WX1

THANK YOU FOR YOUR ORDER
ORIGINAL INVOICE

CDW Government
75 Remittance Drive
Suite 1515
Chicago, IL 60675

INVOICE DATE	INVOICE NUMBER	INVOICE TERMS	DUE DATE
6/17/2020	ZDK2781	Net 30 Verbal	7/17/2020

Purchase Reference

Cost Center: POLICE
Quote/Order Source:

Customer Notes
Beginning of customer text: Microsoft
Surface for Lieutenant End of customer
text.

OUR PART NO.	DESCRIPTION	QTY ORD	QTY SHIP	QTY B/O	UNIT PRICE	TOTAL
5788062	Microsoft Surface Laptop 3 - 13.5" - Core i5 1035G7 - 8 GB RAM - 128 GB SSD Mfg Part # : PKH-00001 Serial # : 006442502157	1	1	0	\$1,036.28	\$1,036.28

Contract : SW-081419

ORDER DATE	SHIP VIA UPS Ground (2 - 3 day)	PO NUMBER 20200617-PD COST CENTER POLICE	CUSTOMER NO. 0590355	PRODUCT SUBTOTAL	
6/17/2020				\$1,036.28	
BILL TO: CITY OF BRAINERD ATTN: ACCTS PAYABLE 501 LAUREL ST BRAINERD, MN 56401-3595 P (218) 828-2309				SHIPPING	\$0.00
SHIP TO: CITY OF BRAINERD ATTN: SHAWN STRONG 501 LAUREL STREET BRAINERD, MN 56401				US Tax	\$0.00
ACCOUNT MANAGER Michael Lofstrand (312) 705-8739 michlof@cdwg.com				INVOICE AMOUNT	\$1,036.28
				AMOUNT DUE	\$1,036.28

CDW
An Illinois Corporation FEIN 36-4230110

HAVE QUESTIONS ABOUT YOUR ACCOUNT? PLEASE E-MAIL
US AT CREDIT@CDW.COM

This page was printed on 6/24/2020 8:26:17 AM.



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Resignation of Seth Greenwaldt - Street Maintenance I

☐ 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: Paul Sandy & Kris Schubert	Department: Engineer/HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 3 Minutes
Summary of Issue: Seth Greenwaldt who is currently a Street Maintenance I employee has submitted his resignation.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Staff recommends: 1. To accept Seth Greenwaldt's resignation with his last working day being July 9, 2020; and 2. To authorize Staff to begin the hiring process to backfill his position.	
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> \$ <u>unknown</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> The advertising cost will be absorbed in the Street Department's current budget and offset by the wages that were expected to be paid to Mr. Greenwaldt.	

From: [Seth Greenwaldt](#)
To: [Kris Schubert](#)
Cc: [Shawn Middagh](#); [Paul Sandy](#)
Subject: {external} Letter of resignation
Date: Monday, June 29, 2020 1:35:38 PM

To whom it may concern,

First of all, I would like to thank the City of Brainerd for giving me this opportunity to work with you. With that being said, I have been offered a position at another facility, and with much thought by myself and my family I have decided to accept the position. My last day of employment with the city of Brainerd will be 7-9-2020.
Again thank you for this opportunity.

Respectfully,

Seth Greenwaldt



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Memorandum of Agreement with LELS to Extend Appeals Panel Decision

☐ 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: HR Director Kris Schubert	Department: Administration/HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 3 minutes
Summary of Issue: Attached is a Memorandum of Agreement (MOA) between the City of Brainerd and Law Enforcement Labor Services, Inc., Local #65 (Police Officer) Union extending the timeframe for the Appeals Panel to reach a binding decision after an annual performance evaluation presentation from five days to six calendar weeks.	
Alternatives, Options, Effects on Others/Comments: When we moved to performance-based pay, we included an appeals process in the union contracts for employees that disagree with the result of their annual performance evaluation. The process established a three-member Appeals Panel and includes a requirement that said Panel has five days to make a decision regarding the appeal after it is presented. In 2019, we received two appeals from Police Officers regarding their 2018 performance evaluations. At the beginning of the hearing, the mediator from the Bureau of Mediation Services recommended to extend the decision deadline to give the Panel more time to finalize their decision and provide appropriate documentation. Since the matter had to be addressed immediately, City Representatives and the Union agreed to the Mediator's recommendation and extended the decision timeframe for the appeals heard in 2019 from five days to six weeks. It was felt that the six-week timeframe should be more than adequate time to accomplish the task and to alleviate an additional extension. This MOA formalizes that extension timeframe for future appeals.	
Recommended Action/Motion: Motion to approve the Memorandum of Agreement (MOA) as presented between the City of Brainerd and Law Enforcement Labor Services, Inc., Local #65 (Police Officer) Union extending the timeframe for the Appeals Panel to reach a binding decision after an annual performance evaluation presentation from five days to six calendar weeks.	
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> The Bureau of Mediation Services does not charge the City for mediation services.	

MEMORANDUM OF AGREEMENT
Between City of Brainerd (Employer)
and
Law Enforcement Labor Services, Inc. Local #65 (Union)
Representing the Police Officer bargaining unit

(Amendment to Annual Performance Evaluation Appeals Process)

This Memorandum of Agreement is entered into between the City of Brainerd (hereafter referred to as “the Employer”) and Law Enforcement Labor Services, Inc. Local #65 (hereafter referred to as the “Union”), which is the exclusive representative for the Police Officer bargaining unit. The Employer and the Union will collectively be referred to as the “Parties”.

WHEREAS, the Parties are parties to a labor agreement currently in effect January 1, 2019 to December 31, 2021 (hereinafter referred to as the “Collective Bargaining Agreement”) governed by the Minnesota Public Employment Labor Relations Act (as amended); and

WHEREAS, Article 9 – Wages, Section 9.1 of the Collective Bargaining Agreement outlines an appeals process for employees that disagree with the result of their annual performance evaluations; and

WHEREAS, the appeals process described in Section 9.1 of the Collective Bargaining Agreement includes a hearing (“Appeals Hearing”) before a panel of three individuals, including a Mediator from the Bureau of Mediation Services (“BMS”); and

WHEREAS, Section 9.1 of the Collective Bargaining Agreement requires the appeals panel to deliver its decision within five days of the hearing; and

WHEREAS, following the 2019 performance evaluations, one or more employees whose employment is governed by the Collective Bargaining Agreement requested an Appeals Hearing pursuant to Section 9.1 of the Collective Bargaining Agreement; and

WHEREAS, during a 2019 Appeals Hearing, the BMS Mediator assigned to the hearing panel recommended to extend the timeframe for the Appeals Panel to make a binding decision; and

WHEREAS, at the 2019 Appeals Hearing, the Parties agreed to extend the appeal panel’s decision timeframe from five days to a six-week period; and

WHEREAS, the Parties wish to modify the existing appeals process to formally extend the period of time that an appeal panel has to make its decision from five days to six weeks.

NOW, THEREFORE, the Employer and the Union agree as follows:

1. The second to last sentence of the last paragraph of Section 9.1 of the Collective Bargaining Agreement is hereby modified to read: “The panel will issue a decision the same day as the presentation, if possible, and in any event within six (6) calendar weeks from the presentation.” . The remainder of the Collective Bargaining Agreement, including all other portions of Section 9.1 shall remain unaltered.

2. To the extent that this Memorandum of Agreement is inconsistent with the terms of the Collective Bargaining Agreement, this Memorandum of Agreement will control.
3. This Memorandum of Agreement shall not create any past practice or precedent for either the Union or the Employer. No party may refer to this Memorandum of Agreement or submit this Memorandum of Agreement in any proceeding as evidence of a precedent or past practice. This Memorandum of Agreement may not be used as evidence—whether in negotiations, arbitration, or other proceeding—or otherwise be used in any manner to interpret the Collective Bargaining Agreement, or to seek similar benefits for any of the Employer's employee(s) in the future, either through arbitration, negotiation, or other means.
4. This Memorandum of Agreement shall on December 31, 2021, and shall not renew or have any force or effect after that date.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on this ____ day of _____, 2020.

FOR THE EMPLOYER

FOR THE UNION

Jennifer Bergman

Sean McKnight, Business Agent

Date

Date

6-23-2020



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Recycling Fund Discussion

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☒ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 10 Minutes
Summary of Issue: The Recycling Fund (227) accounts for revenue from the Crow Wing County's SCORE funds, funds provided to the City from the County to develop waste reduction, recycling and solid waste management programs, that are restricted for the City's recycling program. The Fund also accounts for the revenue and costs of the used oil recycling facility located at the fire department. 100% of the SCORE funds received are distributed to the garbage haulers licensed with the City. For 2020, the City did not receive any SCORE funds from the County.	
Alternatives, Options, Effects on Others/Comments: The amount budgeted to receive in free-will offering for the used oil/anti-freeze program does not cover the cost of the charge for collection of the used anti-freeze and filters as well as the dumpster that is also provided. Attached is the 2020 budget and YTD performance as of June 30, 2020. Prior to 3rd quarter of 2015, the City did not have to pay East Side Oil for the collection of the used antifreeze and filters. At that time, there was discussion as to whether the City should keep the location open or not. The facility was continued as it promotes water quality and reduce the possibility of pollutants entering our waterways from illegal dumping or spills. The station provides for dumping of possible pollutants. The fund balance at the end of December 2019 was a positive \$1,078.	
Recommended Action/Motion: In preparation of the 2021 budget, discussion needs to be held on how to fund the used oil facility. Some possible solutions besides levy dollars could be Storm Sewer funds and/or a possible contribution from BPU.	
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>	

07/01/2020 11:58 AM
User: chillman
DB: Brainerd

REVENUE AND EXPENDITURE REPORT FOR CITY OF BRAINERD
PERIOD ENDING 06/30/2020
% Fiscal Year Completed: 49.73

Page: 1/1

		ACTIVITY FOR		YTD BALANCE	
		2020 MONTH 06/30/2020	06/30/2020		% BDGT
GL NUMBER	DESCRIPTION	AMENDED BUDGET	CREASE (DECREASE)	NORMAL (ABNORMAL)	USED
Fund 227 - RECYCLING FUND					
Dept 0000					
Revenues					
CHARGES FOR SERVICES					
227-0000-34403	USED OIL REVENUE	600.00	132.66	176.96	29.49
CHARGES FOR SERVICES		600.00	132.66	176.96	29.49
TOTAL REVENUES		600.00	132.66	176.96	29.49
Net - Dept 0000		600.00	132.66	176.96	
Dept 3230 - RECYCLING EXPENSE					
Expenditures					
SERVICES					
227-3230-43428	USED OIL RECYCLING EXPENSE	1,000.00	108.50	458.50	45.85
227-3230-43430	MISCELLANEOUS	700.00	0.00	292.50	41.79
SERVICES		1,700.00	108.50	751.00	44.18
TOTAL EXPENDITURES		1,700.00	108.50	751.00	44.18
Net - Dept 3230 - RECYCLING EXPENSE		(1,700.00)	(108.50)	(751.00)	
TOTAL REVENUES		600.00	132.66	176.96	29.49
TOTAL EXPENDITURES		1,700.00	108.50	751.00	44.18
NET OF REVENUES & EXPENDITURES		(1,100.00)	24.16	(574.04)	52.19



City of Brainerd Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for CHARTER COMMISSION Date: 6.16.2020

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 THE CHARTER IS A CRITICAL FACTOR
IN THE GOVERNMENT OF OUR CITY, I WOULD LOVE
TO BE A PARTICIPANT.

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

I HAVE BEEN A RESIDENT AND A BUSINESS
OWNER FOR MANY YEARS. BUT MOSTLY, I JUST
CARE.

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

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

Please list any additional comments:

Kevin Teager 6.16.20
(Signature) (Date)

*Required Information

Submit completed application forms via one of the following options:

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



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: City Hall Front Steps/Exterior Work and Overall Project Update

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): Kevin Currie, Contegrity Group, Mike Angland, WSN, and City Engineer Paul Sandy	Estimated Time Needed: 15 Minutes
Summary of Issue: Mike Angland from WSN, Kevin Currie from Contegrity Group, and City Engineer Sandy will be at the meeting to update the Council on the overall project along with presenting some ideas or changed scope of work for the front staircase at City Hall.	
Alternatives, Options, Effects on Others/Comments: See the attached memo and photos. Staff will have pricing available at the meeting for the different options presented in the memo.	
Recommended Action/Motion: Discussion and consideration of changing the scope of the front steps to a more permanent solution that will last long into the future.	
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> \$ <u>unknown</u> <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



MEMO

TO: Mayor and City Council

FROM: City Engineer Paul Sandy

DATE: 7/1/2020

SUBJECT: City Hall Front Steps

To ensure that the public and City Council's expectation are met regarding the front entrance at City Hall, staff felt it necessary to meet with Contegrity Group, Baratto Brothers, and WSN to review the exterior work as a whole, and more specifically, the front steps. Currently, the plans call for a simple tuck point of the front steps. Staff is worried that this will not resolve the unevenness of the staircase, the staining or delamination's on the surfaces of the granite or existing patches, the safety of the staircase in regards to railings/slipping, or the overall aesthetics of the steps. WSN put in some recommendations for changes in scope that was out for pricing at the time of this request but will be available at the meeting.

The main issue with the existing steps is that they do not have a solid base or foundation to rest on. This has caused differential settlement over the years, and with the failed joints between the granite pieces, there has been water infiltration that has caused shifting, as freeze/thaw cycles have occurred. As a result of this condition, the actual granite pieces themselves have experienced chipping and spalling on the horizontal surface, and in some instances the pieces need to be replaced. The handrails have also created rusting and physical damage where they've been anchored into the granite.

What WSN is proposing is a design solution that utilizes and preserves the historic granite material and provides the City of Brainerd with a durable and safe stairway. The design is to remove the existing granite steps, provide engineered fill and foundations to ensure a solid base, replace the granite steps and then pour a new concrete horizontal surface. I have attached a photo that provides you with a visual for what I'm proposing. In this case, we can preserve the granite, but rely on it's vertical surface as the riser, and not the tread for the stairs. The new concrete finish will provide a solid walking surface, that can be sloped away from the building to properly shed water and will provide a continuous material that is not comprised of multiple joints that could fail over time and create a similar situation for long term maintenance issues.

The new concrete would be air entranced and properly sealed to resist the impacts of freeze/thaw cycles and other outside elements. The concrete finish could be an exposed aggregate finish, stamped concrete, stained or other specified finish that would complement the existing granite steps. In order to comply with commercial building code, the maximum height of the stairs needs to be 7", so there would be approximately 4" of granite riser and 3" of concrete, similar to what the attached image is showing.

In staff's opinion, this approach will provide the City of Brainerd with the opportunity to preserve a historic building element and incorporate new durable materials for their main entry. The new stairs will provide a safe entry, eliminate ongoing maintenance, and provide an aesthetically pleasing appearance.

Baratto Brothers was also researching the possibility is using the existing granite to cut it into slabs, providing a concrete base, and surfacing the new stairs with the old granite.

All of these options along with preliminary pricing and other photos will be provided at the meeting for the council consideration.

Crow Wing County Historical Society









Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Update on Dangerous Dog

☐ 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: Jennifer Bergman	Department: Administration
Presenter (Name & Title): Mike O'Brien	Estimated Time Needed: 5 minutes
Summary of Issue: As requested at the June 15th City Council meeting, Animal Control Officer Mike O'Brien will be present at the meeting to provide the Council an update of the conditions required to be met within 14 days of the designation of Rayne as a Dangerous Dog at the June 15th City Council meeting.	
Alternatives, Options, Effects on Others/Comments: The Council identified four conditions that must be met: 1) Be properly licensed and registered with the city. 2) Be current on rabies vaccination, and keep current and valid. 3) Be kept inside a proper enclosure. 4) Maintain a public liability insurance policy for a dangerous dog in a minimum amount of \$300,000 payable to anyone who receives personal injuries caused by Rayne.	
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: July 6, 2020

Title of Item: General Obligation Bonds, Series 2020A

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Paul Steinman, Baker Tilly	Estimated Time Needed: 15 Minutes
Summary of Issue: Mr. Paul Steinman will present an overview of the City's bond rating (attached) as well as the tabulation of the bid results (not available until Monday). The City is issuing debt for the following projects/equipment: * Tax abatement bonds for the Memorial Park Improvements. * Equipment certificates for the ladder fire truck, an end loader, and broom sweeper. * Assessment (or improvement bonds) for the local share and special assessments of the 2020 construction projects.	
Alternatives, Options, Effects on Others/Comments: The attached resolution is a draft. You will notice that the draft resolution has many blanks that can only be completed after the bids are received which will occur on Monday, July 6th. The sale information will be forwarded to our bond council who will complete the resolution.	
Recommended Action/Motion: Adopt a resolution awarding the sale of General Obligation Bonds, Series 2020A, in the original aggregate principal amount of \$_____; fixing their form and specifications; directing their execution and delivery; and providing for their payment.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>Unknown</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u>	

July 1, 2020

City of Brainerd
City Hall
501 Laurel Street
Brainerd, MN 56401--3595
Attention: Ms. Connie Hillman, Finance Director

Re: US\$3,880,000 City of Brainerd, Minnesota, General Obligation Bonds, Series 2020A, dated: Date of delivery, due: February 01, 2035

Dear Ms. Hillman:

Pursuant to your request for an S&P Global Ratings rating on the above-referenced obligations, S&P Global Ratings has assigned a rating of "AA-". S&P Global Ratings views the outlook for this rating as stable. A copy of the rationale supporting the rating is enclosed.

This letter constitutes S&P Global Ratings' permission for you to disseminate the above-assigned ratings to interested parties in accordance with applicable laws and regulations. However, permission for such dissemination (other than to professional advisors bound by appropriate confidentiality arrangements or to allow the Issuer to comply with its regulatory obligations) will become effective only after we have released the ratings on standardandpoors.com. Any dissemination on any Website by you or your agents shall include the full analysis for the rating, including any updates, where applicable. Any such dissemination shall not be done in a manner that would serve as a substitute for any products and services containing S&P Global Ratings' intellectual property for which a fee is charged.

To maintain the rating, S&P Global Ratings must receive all relevant financial and other information, including notice of material changes to financial and other information provided to us and in relevant documents, as soon as such information is available. Relevant financial and other information includes, but is not limited to, information about direct bank loans and debt and debt-like instruments issued to, or entered into with, financial institutions, insurance companies and/or other entities, whether or not disclosure of such information would be required under S.E.C. Rule 15c2-12. You understand that S&P Global Ratings relies on you and your agents and advisors for the accuracy, timeliness and completeness of the information submitted in connection with the rating and the continued flow of material information as part of the surveillance process. Please send all information via electronic delivery to: pubfin_statelocalgovt@spglobal.com. If SEC rule 17g-5 is applicable, you may post such information on the appropriate website. For any information not available in electronic format or posted on the applicable website,

Please send hard copies to:
S&P Global Ratings
Public Finance Department
55 Water Street
New York, NY 10041-0003

The rating is subject to the Terms and Conditions, if any, attached to the Engagement Letter applicable to the rating. In the absence of such Engagement Letter and Terms and Conditions, the rating is subject to the attached Terms and Conditions. The applicable Terms and Conditions are incorporated herein by reference.

S&P Global Ratings is pleased to have the opportunity to provide its rating opinion. For more information please visit our website at www.standardandpoors.com. If you have any questions, please contact us. Thank you for choosing S&P Global Ratings.

Sincerely yours,

S&P Global Ratings
a division of Standard & Poor's Financial Services LLC

kl
enclosures

cc: ***Mr. Paul Steinman, Director***
Baker Tilly Municipal Advisors, LLC

S&P Global Ratings
Terms and Conditions Applicable To Public Finance Credit Ratings

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Summary:

Brainerd, Minnesota; General Obligation; Non-School State Programs

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Table Of Contents

Rating Action

Stable Outlook

Credit Opinion

Related Research

Summary:

Brainerd, Minnesota; General Obligation; Non-School State Programs

Credit Profile

US\$3.88 mil GO bnds ser 2020A due 02/01/2035

Long Term Rating

AA-/Stable

New

Rating Action

S&P Global Ratings assigned is 'AA-' rating to the City of Brainerd, Minn.'s \$3.88 million series 2020A general obligation (GO) bonds. At the same time, S&P Global Ratings affirmed its 'AA-' underlying rating on the city's GO bonds outstanding. The outlook is stable.

Series 2020A bonds are general obligations of the city and are secured by Brainerd's full faith and credit pledge to levy ad valorem taxes, without limitation of amount. Bond proceeds will be used to buy capital equipment and to finance street and park facility capital improvements.

Credit overview

Generally, our rating outlook time frame is up to two years, but our view of the credit risks to Brainerd are centered on the more immediate economic and budget effects over the next six-to-12 months as a result of the COVID-19 pandemic. Brainerd is situated among a chain of lakes in central Minnesota, and the city's direct access to many outdoor tourism and recreation sites has supported a robust leisure and hospitality industry. Management reports that the onset of the COVID-19 pandemic and recession have slowed local business operations beginning with the governor's stay-at-home orders in late March. However, businesses have begun reopening in recent weeks and will operate under social distancing requirements specified under the state's Stay Safe Plan in the near term. Brainerd's strong management practices and historically stable revenue sources have supported a long-standing record of consistently breakeven-to-surplus operating results, which have contributed to maintenance of very strong reserves. Management reports no major general fund expenditure impacts as a result of the pandemic and recession, but indicates revenues from licenses and permits are currently trending lower than budget. Based on Brainerd's historically conservative budgeting practices, we anticipate the city will appropriately manage its budget to reduce expenditures to maintain mostly balanced operations if revenues decline over the upcoming months. Considering Brainerd's very strong reserves and liquidity, we believe the city has adequate resources to address potential fiscal pressures over the next six-to-12 months.

The rating reflects our assessment of the city's:

- Weak economy, with market value per capita of \$55,428 and projected per capita effective buying income at 72.4% of the national level;
- Strong management, with good financial policies and practices under our Financial Management Assessment (FMA)

methodology;

- Adequate budgetary performance, with an operating surplus in the general fund and a slight operating surplus at the total governmental fund level in fiscal 2019;
- Very strong budgetary flexibility, with an available fund balance in fiscal 2019 of 55% of operating expenditures;
- Very strong liquidity, with total government available cash at 77.1% of total governmental fund expenditures and 7.6x governmental debt service, and access to external liquidity we consider strong;
- Weak debt and contingent liability profile, with debt service carrying charges at 10.2% of expenditures and net direct debt that is 194.0% of total governmental fund revenue, but rapid amortization, with 94.2% of debt scheduled to be retired in 10 years; and
- Strong institutional framework score.

Environmental, social, and governance factors

The rating also incorporates our view of the health and safety risks posed by the COVID-19 pandemic, which we consider social risk factors. Although the scope of economic and financial challenges posed by the pandemic remains unknown, we believe a prolonged disruption could weaken the city's local economy. Absent the implications of the pandemic, we consider the city's social risks to be in line with those of the sector. We also view governance and environmental risks as being in line with our view of the sector as a whole.

Stable Outlook

Downside scenario

We could lower the rating with material deterioration in the city's finances, in particular with weaker budgetary performance leading to weaker reserves. In addition, a substantially higher direct debt burden could pressure the rating.

Upside scenario

The city's economic characteristics--in particular, its projected incomes and per capita wealth levels--are currently weak in relation to those of more highly rated peers. We could therefore raise the rating with sustained and material improvements in the area economy, as reflected in wealth and incomes in line with those peers, while all other credit factors remain equal.

Credit Opinion

Weak economy

We consider Brainerd's economy weak. The city, with an estimated population of 13,530, is located in Crow Wing County. The city has a projected per capita effective buying income of 72.4% of the national level and per capita market value of \$55,428. Overall, the city's market value grew by 5.5% over the past year to \$749.9 million in 2019. The county unemployment rate was 4.3% in 2019. In May 2020, the county unemployment rate was 9.5%.

With approximately 475 lakes within 25 miles and numerous championship golf courses within 30 minutes, Brainerd is

in the heart of one of the state's prime outdoor recreation and tourism areas. The city is the county seat of Crow Wing County and is also a regional service, commercial, and industrial hub serving a trade area that encompasses a population of nearly 60,000. The city's economic market value has shown improvements in each of the past two years, spurred in part by new commercial developments, appreciating home prices, and several revitalization projects. Brainerd's tax base is primarily residential homestead (55.5%) and commercial/industrial, railroad, and public utility (34.5%).

The area's leading employers include Essentia Health (1,496 employees), Grand View Lodge (997), and Cuyuna Regional Medical Center (973). Although many of the city's commercial businesses had paused operations in March through early June due to the COVID-19 pandemic, and we understand many have begun reopening and will adhere to social distancing requirements as they resume operations in the upcoming months. While there is uncertainty regarding how the pandemic and recession will affect Brainerd's economy over the upcoming years, we expect it will remain weak. In particular, we anticipate social distancing practices in response to the pandemic will cause potential visitor declines for the local tourism industry, which could result in continuously high unemployment and weakened incomes over the upcoming months.

Strong management

We view the city's management as strong, with good financial policies and practices under our FMA methodology, indicating financial practices exist in most areas, but that governance officials might not formalize or monitor all of them on a regular basis.

Highlights to the FMA include:

- Realistic and well-grounded financial assumptions, as reflected in its line-item budgeting methodology, and incorporation of at least two years of historical data and information from external sources;
- Ability to amend the budget as needed and monthly reporting on budget-to-actual performance to the city council;
- A five-year capital plan covering infrastructure--streets, storm sewer, and sanitary--that is updated annually and includes funding sources for projects in the plan, but which is not comprehensive;
- Formal investment policy with monthly reporting on investment holdings to the board;
- Formal debt management policy that adheres to state statutes and places certain limitations on length and purpose of debt; and
- Formal fund balance policy requiring the city's unassigned working funds balance (general fund, public safety fund, park and recreation fund, and street fund) equal between 35% and 50% of operating expenditures at year-end for cash flow and contingencies.

The city does not have a long-term financial plan.

Adequate budgetary performance

Brainerd's budgetary performance is adequate in our opinion. The city had surplus operating results in the general fund of 3.3% of expenditures, and slight surplus results across all governmental funds of 1.0% in fiscal 2019. Although budgetary performance has generated breakeven-to-surplus results in the past three fiscal years, we believe the pressures resulting from the pandemic and recession could pose budgetary challenges in the near term. The adequate

budgetary performance score reflects our view of the budgetary uncertainty the city faces because of the current economic climate, particularly as it relates to revenues from licenses and permits and potential changes to future state aid distributions.

The city reports its public safety function outside of the general fund in a separate public safety fund, and we combined the two funds to assess Brainerd's recent budgetary performance. As per its fund balance policy, the city transfers reserves in excess of its policy requirement to its capital projects fund. Therefore, we made adjustments for these recurring transfers, in addition to adjustments for the spending of capital lease and bond proceeds, for one-time capital expenditures, and for one-time revenues across total governmental funds. After these adjustments, Brainerd has reported breakeven-to-surplus results under the general fund and across total governmental funds for the past three audited fiscal years. Management attributes recent positive variances in the general fund primarily to higher revenues from various sources, such as grants and licenses and permits, in addition to understaffing in the police department.

For fiscal 2020, the city budgeted for a slight general fund surplus of \$107,000 (3.8%). Currently, management reports general fund expenditures are trending along budget, but indicates revenues from licenses and permits are trending lower than budget. The general fund benefits from a revenue structure that has historically been stable, consisting primarily of property taxes (50%) and licenses and permits (21%), followed by miscellaneous revenues (15%). In fiscal 2020, the city budgeted for higher property tax receipts based on the council's decision to raise the levy by 3%, as well as an additional \$235,000 in state Local Government Aid (LGA). While we are not aware of any reductions to LGA at present, we acknowledge that cuts to certain government aid have occurred in past recessions. Based on Brainerd's historically conservative budgeting practices, we anticipate the city will appropriately manage its budget to reduce expenditures to maintain mostly balanced operations if revenues decline over the upcoming months.

Very strong budgetary flexibility

Brainerd's budgetary flexibility is very strong, in our view, with an available fund balance in fiscal 2019 of 55% of operating expenditures, or \$4.5 million. We expect the available fund balance to remain above 30% of expenditures for the current and next fiscal years, which we view as a positive credit factor. Over the past three years, the total available fund balance has remained at a consistent level overall, totaling 55% of expenditures in 2018 and 53% in 2017.

Management reports no significant plans to draw down its general fund reserves in the coming few years. The city's formal fund balance policy requires an unassigned general fund balance of between 35% and 50% of expenditures, and the city's general fund (not including the public safety fund) have been well in excess of the minimum policy requirement for a number of years. Given our expectation that operations will remain stable, we also expect the city's reserves to remain stable over the upcoming years.

Very strong liquidity

In our opinion, Brainerd's liquidity is very strong, with total government available cash at 77.1% of total governmental fund expenditures and 7.6x governmental debt service in 2019. In our view, the city has strong access to external liquidity if necessary.

At fiscal 2019 year-end, the city reported \$13.5 million of total available cash and investments. Its investments are primarily in certificates of deposit and sweep accounts and we do not consider its portfolio aggressive. Brainerd's

semi-frequent access to capital markets to issue GO debt within the past few decades supports our view that it has strong access to external liquidity if needed. The city issued \$6 million in revenue bonds in October 2017 as a private placement. We have examined the offering documents and they include no listed events of default and no provisions that introduce contingent liquidity risk. As such, we expect the city's liquidity will remain very strong.

Weak debt and contingent liability profile

In our view, Brainerd's debt and contingent liability profile is weak. Total governmental fund debt service is 10.2% of total governmental fund expenditures, and net direct debt is 194.0% of total governmental fund revenue. Almost 95% of the direct debt is scheduled to be repaid within 10 years, which is in our view a positive credit factor.

Brainerd has \$34 million of tax-supported direct debt outstanding. We have included the city's series 2008 Build America bonds, issued by the Brainerd Public Utility component unit, in our direct debt calculation on clarification that the bonds are supported by a dedicated half-cent sales tax and are not eligible for self-support credit under debt statement analysis criteria (see "Debt Statement Analysis," published on Aug. 22, 2006). Management has indicated that the city will likely issue new money debt to fund capital projects in the next two years, but currently does not have an expected par amount or timeline for issuance. Given management's plan to issue additional debt, we expect Brainerd's debt profile will remain weak over the medium term.

Pension and other postemployment benefits

Brainerd's combined required pension and actual other postemployment benefits (OPEB) contributions totaled 3.8% of total governmental fund expenditures in 2019. Of that amount, 3.3% represented required contributions to pension obligations, and 0.5% represented OPEB payments. The city made its full annual required pension contribution in 2019.

- We do not believe that Brainerd's pension liabilities represent a medium-term credit pressure because contributions are only a modest share of the budget and we believe the city has the capacity to absorb higher costs without pressuring operations.
- The city participates in two multiple-employer, defined benefit pension plans that have seen recent improvements in funded status, though plan statutory contributions have regularly fallen short of actuarial recommendations. Along with certain plan-specific actuarial assumptions and methods, this introduces some long-term risk of funding volatility and cost acceleration.
- City firefighters are also covered by the Brainerd Firefighters Relief Association, a single-employer defined benefit plan.
- Although the city funds its OPEB on a pay-as-you-go basis, exposing it to cost acceleration and volatility, we expect that medium-term costs will remain only a small share of total spending and, therefore, not a significant budgetary pressure.

Brainerd participates in the following plans:

- Minnesota General Employees Retirement Fund (GERF): 80.2% funded (as of June 30, 2019), with an estimated city proportionate share of the plan's net pension liability of \$2.3 million.
- Minnesota Public Employees Police and Fire Fund (PEPFF): 89.3% funded (June 30, 2019), with an estimated city proportionate share of the plan's net pension liability of \$2 million.

- Brainerd Firefighters Relief Association: 117.6% funded (as of Dec. 31, 2018), with a net pension asset of \$513,000.
- An implicit rate subsidy arising from retirees staying on the city's plan while paying active premium rates: 0% funded with a liability of \$935,000.

Total contributions to GERF and PEPFF were 89.0% and 93.7%, respectively, of our minimum funding progress metric in 2019 and were slightly above static funding in both cases. Annual contributions are based on a statutory formula that has typically produced contributions less than the actuarially determined contribution for each plan, which we think increases risk of underfunding over time if future funding shortfalls are not met with offsetting adjustments by the state legislature. Other key risks include a 7.50% investment rate of return assumption (for both plans) that indicates some exposure to cost acceleration due to market volatility, and amortization methods that significantly defer contributions through lengthy, closed 30-year amortization periods based on a level 3.25% payroll growth assumption. Regardless, costs remain only a modest share of total spending and, we think, are unlikely to pressure Brainerd's medium-term operational health.

Strong institutional framework

The institutional framework score for Minnesota cities with a population greater than 2,500 is strong.

Related Research

- U.S. Faces A Longer And Slower Climb From The Bottom, June 25, 2020
- Through The ESG Lens 2.0: A Deeper Dive Into U.S. Public Finance Credit Factors, April 28, 2020
- S&P Public Finance Local GO Criteria: How We Adjust Data For Analytic Consistency, Sept. 12, 2013
- Alternative Financing: Disclosure Is Critical To Credit Analysis In Public Finance, Feb. 18, 2014
- Criteria Guidance: Assessing U.S. Public Finance Pension And Other Postemployment Obligations For GO Debt, Local Government GO Ratings, And State Ratings, Oct. 7, 2019
- 2019 Update Of Institutional Framework For U.S. Local Governments

Ratings Detail (As Of July 2, 2020)		
Brainerd GO		
Long Term Rating	AA-/Stable	Affirmed
Brainerd GO		
Long Term Rating	AA-/Stable	Affirmed
Brainerd GO		
Long Term Rating	AAA/Stable	Affirmed
Underlying Rating for Credit Program	AA-/Stable	Affirmed
Brainerd GO		
Long Term Rating	AA-/Stable	Affirmed
Brainerd GO		
Long Term Rating	AA-/Stable	Affirmed

Ratings Detail (As Of July 2, 2020) (cont.)		
Brainerd GO		
Long Term Rating	AA-/Stable	Affirmed
Brainerd GO bnds		
Long Term Rating	AA-/Stable	Affirmed

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Extract of Minutes of Meeting
of the City Council of the City of
Brainerd, Crow Wing County, Minnesota

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Brainerd, Minnesota, was duly held by teleconference or other electronic means on Monday, July 6, 2020, commencing at 7:30 P.M. The teleconference was held in accordance with Minnesota Statutes, Section 13D.021, and pursuant to [a resolution adopted on _____, 2020] [a declaration by _____ on _____, 2020].

The following members of the Council were present:

and the following were absent:

* * *

* * *

* * *

The Mayor announced that the next order of business was consideration of the proposals which had been received for the purchase of the City's General Obligation Bonds, Series 2020A, to be issued in the original aggregate principal amount of \$_____.

The City Administrator presented a tabulation of the proposals that had been received in the manner specified in the Terms of Proposal for the Bonds. The proposals are as set forth in EXHIBIT A attached.

After due consideration of the proposals, Member _____ then introduced the following written resolution, the reading of which was dispensed with by unanimous consent, and moved its adoption:

RESOLUTION NO. _____

**A RESOLUTION AWARDING THE SALE OF GENERAL
OBLIGATION BONDS, SERIES 2020A, IN THE ORIGINAL
AGGREGATE PRINCIPAL AMOUNT OF \$_____; FIXING
THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR
EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR
PAYMENT**

BE IT RESOLVED By the City Council (the "City Council") of the City of Brainerd, Crow Wing County, Minnesota (the "City"), as follows:

Section 1. Sale of Bonds.

1.01. Authorization for Sale of Bonds. Pursuant to a resolution adopted by the City Council of the City on June 1, 2020 (the "Initial Resolution"), the City authorized the sale of its General Obligation Bonds, Series 2020A (the "Bonds"), for the following purposes:

(a) to finance the construction of certain assessable public improvements in the City designated as the NE Brainerd Resurfacing Project (the "Assessable Improvements"), pursuant to Minnesota Statutes, Chapters 429 and 475, as amended (collectively, the "Improvement Act");

(b) to finance the construction of infrastructure improvements primarily consisting of improvements to City parks (the "Abatement Project"), pursuant to Minnesota Statutes, Chapter 475, as amended, and Sections 469.1812 through 469.1815, as amended (collectively, the "Abatement Act"), and a resolution adopted by the City Council on June 1, 2020 (the "Abatement Resolution") authorizing a property tax abatement (the "Abatements") in the maximum principal amount of \$1,300,000 for certain property in the City identified in the Abatement Resolution (the "Abatement Parcels"); and

(c) to finance the acquisition of items of capital equipment described in the Initial Resolution, or other similar equipment to be purchased (the "Equipment"), pursuant to Minnesota Statutes, Chapter 475, as amended, and Sections 410.32 and 412.301, as amended (collectively, the "Equipment Acquisition Act").

1.02. Award to the Purchaser and Interest Rates. The proposal of _____ (the "Purchaser") to purchase the Bonds of the City is hereby found and determined to be a reasonable offer and is hereby accepted, the proposal being to purchase the Bonds at a price of \$_____ (par amount of \$_____, [plus original issue premium of \$_____,] [less original issue discount of \$_____,] less underwriter's discount of \$_____), plus accrued interest, if any, to the date of delivery for Bonds bearing interest as follows:

<u>Year</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Interest Rate</u>
2021	%	2029	%
2022		2030	
2023		2031	
2024		2032	
2025		2033	
2026		2034	
2027		2035	
2028			

True interest cost: _____%

1.03. Purchase Contract. The amount proposed by the Purchaser in excess of the minimum bid shall be credited to the accounts of the Debt Service Fund hereinafter created or deposited in the accounts of the Project Fund hereinafter created, as determined by the Finance Director of the City in consultation with the City's municipal advisor. The Finance Director is directed to deposit the good faith check or deposit of the Purchaser, pending completion of the sale of the Bonds, and to return the good faith deposits of the unsuccessful proposers. The Mayor and City Administrator are directed to execute a contract with the Purchaser on behalf of the City.

1.04. Terms and Principal Amounts of the Bonds. The City will forthwith issue and sell the Bonds pursuant to the City Charter, the Improvement Act, the Abatement Act, and the Equipment Acquisition Act (collectively, the "Act") in the total principal amount of \$_____, originally dated August 6, 2020, in the denomination of \$5,000 each or any integral multiple thereof, numbered No. R-1, upward, bearing interest as above set forth, and maturing serially on February 1 in the years and amounts as follows:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$	2029	\$
2022		2030	
2023		2031	
2024		2032	
2025		2033	
2026		2034	
2027		2035	
2028			

(a) \$_____ of the Bonds (the "Improvement Bonds"), maturing on February 1 in the years and in the amounts set forth below, will be used to finance the construction of the Assessable Improvements:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$	2027	\$
2022		2028	
2023		2029	
2024		2030	
2025		2031	
2026			

(b) \$_____ of the Bonds (the "Abatement Bonds"), maturing on February 1 in the years and in the amounts set forth below, will be used to finance the construction of the Abatement Project:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$	2029	\$
2022		2030	
2023		2031	
2024		2032	
2025		2033	
2026		2034	
2027		2035	
2028			

(c) The remainder of the Bonds in the amount of \$_____ (the "Equipment Certificates"), maturing on February 1 in the years and in the amounts set forth below, will be used to finance the acquisition of the Equipment:

<u>Year</u>	<u>Amount</u>	<u>Year</u>	<u>Amount</u>
2021	\$	2026	\$
2022		2027	
2023		2028	
2024		2029	
2025		2030	

1.05. Optional Redemption. The City may elect on February 1, 2029, and on any day thereafter to prepay Bonds due on or after February 1, 2030. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify DTC (as defined in Section 7 hereof) of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

[1.06. Mandatory Redemption; Term Bond. **TO BE COMPLETED IF TERM BONDS REQUESTED BY THE PURCHASER:** The Bonds maturing on February 1, 20____ and February 1, 20____ and shall hereinafter be referred to collectively as the "Term Bonds." The principal amount of the Term Bond subject to mandatory sinking fund redemption on any date may be reduced through earlier optional redemptions, with any partial redemptions of the Term Bonds credited against future mandatory sinking fund redemptions of such Term Bonds in such order as

the City shall determine. The Term Bonds are subject to mandatory sinking fund redemption and shall be redeemed in part at par plus accrued interest on February 1 of the following years and in the principal amounts as follows:]

Sinking Fund Installment Date

February 1, 20 Term Bond

Principal Amount

** Maturity*

February 1, 20 Term Bond

Principal Amount

** Maturity*

Section 2. Registration and Payment.

2.01. Registered Form. The Bonds will be issued only in fully registered form. The interest thereon and, upon surrender of each Bond, the principal amount thereof, is payable by check or draft issued by the Registrar described herein.

2.02. Dates; Interest Payment Dates. Each Bond will be dated as of the last interest payment date preceding the date of authentication to which interest on the Bond has been paid or made available for payment, unless (i) the date of authentication is an interest payment date to which interest has been paid or made available for payment, in which case the Bond will be dated as of the date of authentication, or (ii) the date of authentication is prior to the first interest payment date, in which case the Bond will be dated as of the date of original issue. The interest on the Bonds is payable on February 1 and August 1 of each year, commencing February 1, 2021, to the registered owners of record thereof as of the close of business on the fifteenth day of the immediately preceding month, whether or not that day is a business day.

2.03. Registration. The City will appoint a bond registrar, transfer agent, authenticating agent and paying agent (the "Registrar"). The effect of registration and the rights and duties of the City and the Registrar with respect thereto are as follows:

(a) Register. The Registrar must keep at its principal corporate trust office a bond register in which the Registrar provides for the registration of ownership of Bonds and the registration of transfers and exchanges of Bonds entitled to be registered, transferred or exchanged.

(b) Transfer of Bonds. Upon surrender for transfer of a Bond duly endorsed by the registered owner thereof or accompanied by a written instrument of transfer, in form satisfactory to the Registrar, duly executed by the registered owner thereof or by an attorney duly authorized by the registered owner in writing, the Registrar will authenticate and deliver, in the name of the designated transferee or transferees, one or more new Bonds of a like aggregate principal amount and maturity, as requested by the

transferor. The Registrar may, however, close the books for registration of any transfer after the fifteenth day of the month preceding each interest payment date and until that interest payment date.

(c) Exchange of Bonds. When Bonds are surrendered by the registered owner for exchange the Registrar will authenticate and deliver one or more new Bonds of a like aggregate principal amount and maturity as requested by the registered owner or the owner's attorney in writing.

(d) Cancellation. Bonds surrendered upon transfer or exchange will be promptly cancelled by the Registrar and thereafter disposed of as directed by the City.

(e) Improper or Unauthorized Transfer. When a Bond is presented to the Registrar for transfer, the Registrar may refuse to transfer the Bond until the Registrar is satisfied that the endorsement on the Bond or separate instrument of transfer is valid and genuine and that the requested transfer is legally authorized. The Registrar will incur no liability for the refusal, in good faith, to make transfers which it, in its judgment, deems improper or unauthorized.

(f) Persons Deemed Owners. The City and the Registrar may treat the person in whose name a Bond is registered in the bond register as the absolute owner of the Bond, whether the Bond is overdue or not, for the purpose of receiving payment of, or on account of, the principal of and interest on the Bond and for all other purposes and payments so made to registered owner or upon the owner's order will be valid and effectual to satisfy and discharge the liability upon the Bond to the extent of the sum or sums so paid.

(g) Taxes, Fees and Charges. The Registrar may impose a charge upon the owner thereof for a transfer or exchange of Bonds, sufficient to reimburse the Registrar for any tax, fee or other governmental charge required to be paid with respect to the transfer or exchange.

(h) Mutilated, Lost, Stolen or Destroyed Bonds. If a Bond becomes mutilated or is destroyed, stolen or lost, the Registrar will deliver any new Bond of like amount, number, maturity date and tenor in exchange and substitution for and upon cancellation of the mutilated Bond or in lieu of and in substitution for a Bond destroyed, stolen or lost, upon the payment of the reasonable expenses and charges of the Registrar in connection therewith; and, in the case of a Bond destroyed, stolen or lost, upon filing with the Registrar of evidence satisfactory to it that the Bond was destroyed, stolen or lost, and of the ownership thereof, and upon furnishing to the Registrar of an appropriate bond or indemnity in form, substance and amount satisfactory to it and as provided by law, in which both the City and the Registrar must be named as obligees. Bonds so surrendered to the Registrar will be cancelled by the Registrar and evidence of such cancellation must be given to the City. If the mutilated, destroyed, stolen or lost Bond has already matured or been called for redemption in accordance with its terms it is not necessary to issue a new Bond prior to payment.

(i) Redemption. In the event any of the Bonds are called for redemption, notice thereof identifying the Bonds to be redeemed will be given by the Registrar by mailing a copy of the redemption notice by first class mail (postage prepaid) to the registered owner of each Bond to be redeemed at the address shown on the registration

books kept by the Registrar and by publishing the notice if required by law. Failure to give notice by publication or by mail to any registered owner, or any defect therein, will not affect the validity of the proceedings for the redemption of Bonds. Bonds so called for redemption will cease to bear interest after the specified redemption date, provided that the funds for the redemption are on deposit with the place of payment at that time.

2.04. Appointment of Initial Registrar. The City appoints U.S. Bank National Association, Saint Paul, Minnesota, as the initial Registrar. The Mayor and the City Administrator are authorized to execute and deliver, on behalf of the City, a contract with the Registrar. Upon merger or consolidation of the Registrar with another corporation, if the resulting corporation is a bank or trust company authorized by law to conduct such business, the resulting corporation is authorized to act as successor Registrar. The City agrees to pay the reasonable and customary charges of the Registrar for the services performed. The City reserves the right to remove the Registrar upon thirty (30) days' notice and upon the appointment of a successor Registrar, in which event the predecessor Registrar must deliver all cash and Bonds in its possession to the successor Registrar and must deliver the bond register to the successor Registrar. On or before each principal or interest due date, without further order of the City Council, the City Administrator must transmit to the Registrar monies sufficient for the payment of all principal and interest then due.

2.05. Execution, Authentication and Delivery. The Bonds will be prepared under the direction of the City Administrator and executed on behalf of the City by the signatures of the Mayor and the City Administrator, provided that those signatures may be printed, engraved or lithographed facsimiles of the originals. If an officer whose signature or a facsimile of whose signature appears on the Bonds ceases to be such officer before the delivery of a Bond, that signature or facsimile will nevertheless be valid and sufficient for all purposes, the same as if the officer had remained in office until delivery. Notwithstanding such execution, a Bond will not be valid or obligatory for any purpose or entitled to any security or benefit under this resolution unless and until a certificate of authentication on the Bond has been duly executed by the manual signature of an authorized representative of the Registrar. Certificates of authentication on different Bonds need not be signed by the same representative. The executed certificate of authentication on a Bond is conclusive evidence that it has been authenticated and delivered under this resolution. When the Bonds have been so prepared, executed and authenticated, the City Administrator will deliver the same to the Purchaser upon payment of the purchase price in accordance with the contract of sale heretofore made and executed, and the Purchaser is not obligated to see to the application of the purchase price.

Section 3. Form of Bond.

3.01. Execution of the Bonds. The Bonds will be printed or typewritten in substantially the form as attached hereto as EXHIBIT B.

3.02. Approving Legal Opinion. The City Administrator is directed to obtain a copy of the proposed approving legal opinion of Kennedy & Graven, Chartered, Minneapolis, Minnesota, and to cause the opinion to be printed on or accompany each Bond.

Section 4. Payment; Security; Pledges and Covenants.

4.01. Debt Service Fund. The Bonds are payable from the General Obligation Bonds, Series 2020A Debt Service Fund (the "Debt Service Fund") hereby created. The Debt Service Fund shall be administered by the Finance Director as a bookkeeping account separate and

apart from all other funds maintained in the official financial records of the City. The City will maintain the following accounts in the Debt Service Fund: the "Assessable Improvements Account," the "Abatement Project Account," and the "Equipment Account." Amounts in the Assessable Improvements Account are irrevocably pledged to the Improvement Bonds, amounts in the Abatement Project Account are irrevocably pledged to the Abatement Bonds, and amounts in the Equipment Account are irrevocably pledged to the Equipment Certificates.

(a) Assessable Improvements Account. Proceeds of special assessments levied or to be levied for the Assessable Improvements (the "Assessments") and ad valorem taxes hereinafter levied for the Assessable Improvements are hereby pledged to the Assessable Improvements Account of the Debt Service Fund. There is appropriated to the Assessable Improvements Account a pro rata portion of (i) amounts over the minimum purchase price of the Bonds paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (ii) capitalized interest financed with proceeds of the Bonds, if any.

(b) Abatement Project Account. The Finance Director shall timely deposit in the Abatement Project Account of the Debt Service Fund the Abatements from the Abatement Parcels and proceeds of ad valorem taxes hereinafter levied for the Abatement Project, which Abatements and proceeds of ad valorem taxes are hereby pledged to the Abatement Bonds Account. There is appropriated to the Assessable Improvements Account a pro rata portion of (i) amounts over the minimum purchase price of the Bonds paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (ii) capitalized interest financed with proceeds of the Bonds, if any.

(c) Equipment Account. Ad valorem taxes hereinafter levied for the Equipment are hereby pledged to the Equipment Account of the Debt Service Fund. There is appropriated to the Equipment Account a pro rata portion of (i) amounts over the minimum purchase price of the Bonds paid by the Purchaser, to the extent designated for deposit in the Debt Service Fund in accordance with Section 1.03 hereof; and (ii) capitalized interest financed with proceeds of the Bonds, if any.

4.02. Project Fund. The City hereby creates the General Obligation Bonds, Series 2020A Project Fund (the "Project Fund"). The City will maintain the following accounts in the Project Fund: the "Assessable Improvements Account," the "Abatement Project Account," and the "Equipment Account." Amounts in the Assessable Improvements Account are irrevocably pledged to the Improvement Bonds, amounts in the Abatement Project Account are irrevocably pledged to the Abatement Bonds, and amounts in the Equipment Account are irrevocably pledged to the Equipment Certificates.

(a) Assessable Improvements Account. Proceeds of the Improvement Bonds, less the appropriations made in Section 4.01(a) hereof, together with any other funds appropriated for the Assessable Improvements, Assessments, and ad valorem taxes collected during the construction of the Assessable Improvements, will be deposited in the Assessable Improvements Account of the Project Fund to be used solely to defray expenses of the Assessable Improvements and the payment of principal and interest on the Improvement Bonds prior to the completion and payment of all costs of the Assessable Improvements. Any balance remaining in the Assessable Improvements Account of the Project Fund after completion of the Assessable Improvements may be used to pay the cost in whole or in part of any other improvement

instituted under the Improvement Act under the direction of the City Council. When the Assessable Improvements are completed and the costs thereof paid, the Assessable Improvements Account of the Project Fund is to be closed and subsequent collections of Assessments for the Assessable Improvements are to be deposited in the Assessable Improvements Account of the Debt Service Fund.

(b) Abatement Bonds Account. Proceeds of the Abatement Bonds, less the appropriations made in Section 4.01(b) hereof, will be deposited in the Abatement Project Account of the Project Fund to be used solely to defray expenses of the Abatement Project described herein and in the Abatement Resolution. When the Abatement Project is completed and the cost thereof paid, the Abatement Project Account of the Project Fund is to be closed and any funds remaining may be deposited in the Abatement Bonds Account of the Debt Service Fund.

(c) Equipment Account. Proceeds of the Equipment Certificates, less the appropriations made in Section 4.01(c) hereof, together with any other funds appropriated for the purchase of the Equipment, will be deposited in the Equipment Account of the Project Fund to be used solely to pay the costs of acquiring the Equipment. When the Equipment is purchased and the cost thereof paid, the Equipment Account of the Project Fund is to be closed and any monies remaining therein shall be transferred to the Equipment Account of the Debt Service Fund.

4.03. City Covenants with Respect to the Improvement Bonds. It is hereby determined that the Assessable Improvements will directly and indirectly benefit abutting property, and the City hereby covenants with the holders from time to time of the Bonds as follows:

(a) The City has caused or will cause the Assessments for the Assessable Improvements to be promptly levied so that the first installment will be collectible not later than 2020 and will take all steps necessary to assure prompt collection, and the levy of the Assessments is hereby authorized. The City Council will cause to be taken with due diligence all further actions that are required for the construction of each Assessable Improvement financed wholly or partly from the proceeds of the Bonds, and will take all further actions necessary for the final and valid levy of the Assessments and the appropriation of any other funds needed to pay the Bonds and interest thereon when due.

(b) In the event of any current or anticipated deficiency in Assessments and ad valorem taxes, the City Council will levy additional ad valorem taxes in the amount of the current or anticipated deficiency.

(c) The City will keep complete and accurate books and records showing receipts and disbursements in connection with the Assessable Improvements, Assessments and ad valorem taxes levied therefor and other funds appropriated for their payment, collections thereof and disbursements therefrom, monies on hand and, the balance of unpaid Assessments.

(d) The City will cause its books and records to be audited at least annually and will furnish copies of such audit reports to any interested person upon request.

(e) At least twenty percent (20%) of the cost of the Assessable Improvements described herein will be specially assessed against benefited properties.

4.04. General Obligation Pledge. For the prompt and full payment of the principal of and interest on the Bonds, as the same respectively become due, the full faith, credit and taxing powers of the City will be and are hereby irrevocably pledged. If the balance in the Debt Service Fund is ever insufficient to pay all principal and interest then due on the Bonds and any other bonds payable therefrom, the deficiency will be promptly paid out of monies in the general fund of the City which are available for such purpose, and such general fund may be reimbursed with or without interest from the Debt Service Fund when a sufficient balance is available therein.

4.05. Pledge of Tax Levy. For the purpose of paying a portion of the principal of and interest on the Bonds, there is levied a direct annual irrevocable ad valorem tax upon all of the taxable property in the City (the "Taxes"), which will be spread upon the tax rolls and collected with and as part of other general taxes of the City. The Taxes will be credited to the Assessable Improvements Account, the Abatement Project Account, and the Equipment Account of the Debt Service Fund above provided and will be in the years and amounts as attached hereto as EXHIBIT C.

4.06. Certification to County Auditor-Treasurer as to Debt Service Fund Amount. It is hereby determined that the estimated collections of Taxes, Assessments, and Abatements will produce at least five percent (5%) in excess of the amount needed to meet when due the principal and interest payments on the Bonds. The tax levy herein provided for the Bonds is irrevocable until all of the Bonds are paid, provided that at the time the City makes its annual tax levies the Finance Director may certify to the County Auditor-Treasurer of Crow Wing County, Minnesota (the "County Auditor-Treasurer") the amount available in the Debt Service Fund to pay principal and interest due during the ensuing year, and the County Auditor will thereupon reduce the levy collectible during such year by the amount so certified.

4.07. Filing of Resolution. The City Administrator is authorized and directed to file a certified copy of this resolution with the County Auditor-Treasurer and to obtain the certificate required by Section 475.63 of the Act.

Section 5. Authentication of Transcript.

5.01. City Proceedings and Records. The officers of the City are authorized and directed to prepare and furnish to the Purchaser and to the attorneys approving the Bonds, certified copies of proceedings and records of the City relating to the Bonds and to the financial condition and affairs of the City, and such other certificates, affidavits and transcripts as may be required to show the facts within their knowledge or as shown by the books and records in their custody and under their control, relating to the validity and marketability of the Bonds, and such instruments, including any heretofore furnished, may be deemed representations of the City as to the facts stated therein.

5.02. Certification as to Official Statement. The Mayor, the City Administrator, and the Finance Director are authorized and directed to certify that they have examined the Official Statement prepared and circulated in connection with the issuance and sale of the Bonds and that to the best of their knowledge and belief the Official Statement is a complete and accurate representation of the facts and representations made therein as of the date of the Official Statement.

5.03. Other Certificates. The Mayor, the City Administrator, and the Finance Director are hereby authorized and directed to furnish to the Purchaser at the closing such certificates as

are required as a condition of sale. Unless litigation shall have been commenced and be pending questioning the Bonds or the organization of the City or incumbency of its officers, at the closing the Mayor, the City Administrator, and the Finance Director shall also execute and deliver to the Purchaser a suitable certificate as to absence of material litigation, and the Finance Director shall also execute and deliver a certificate as to payment for and delivery of the Bonds.

5.04. Electronic Signatures. The electronic signature of the Mayor, the City Administrator, and/or the Finance Director to this resolution or any certificate authorized to be executed hereunder shall be as valid as an original signature of such party and shall be effective to bind the City thereto. For purposes hereof, (i) "electronic signature" means a manually signed original signature that is then transmitted by electronic means; and (ii) "transmitted by electronic means" means sent in the form of a facsimile or sent via the internet as a portable document format ("pdf") or other replicating image attached to an electronic mail or internet message.

Section 6. Tax Covenants.

6.01. Tax-Exempt Bonds. The City covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986, as amended (the "Code"), and the Treasury Regulations promulgated thereunder, in effect at the time of such actions, and that it will take or cause its officers, employees or agents to take, all affirmative action within its power that may be necessary to ensure that such interest will not become subject to taxation under the Code and applicable Treasury Regulations, as presently existing or as hereafter amended and made applicable to the Bonds.

6.02. No Rebate Required.

(a) The City will comply with requirements necessary under the Code to establish and maintain the exclusion from gross income of the interest on the Bonds under Section 103 of the Code, including without limitation requirements relating to temporary periods for investments, limitations on amounts invested at a yield greater than the yield on the Bonds, and the rebate of excess investment earnings to the United States, if the Bonds (together with other obligations reasonably expected to be issued in calendar year 2020) exceed the small-issuer exception amount of \$5,000,000.

(b) For purposes of qualifying for the small issuer exception to the federal arbitrage rebate requirements, the City finds, determines and declares that the aggregate face amount of all tax-exempt bonds (other than private activity bonds) issued by the City (and all subordinate entities of the City) during the calendar year in which the Bonds is issued and outstanding at one time is not reasonably expected to exceed \$5,000,000, all within the meaning of Section 148(f)(4)(D) of the Code.

6.03. Not Private Activity Bonds. The City further covenants not to use the proceeds of the Bonds or to cause or permit them or any of them to be used, in such a manner as to cause the Bonds to be "private activity bonds" within the meaning of Sections 103 and 141 through 150 of the Code.

6.04. Qualified Tax-Exempt Obligations. In order to qualify the Bonds as “qualified tax-exempt obligations” within the meaning of Section 265(b)(3) of the Code, the City makes the following factual statements and representations:

(a) the Bonds are not “private activity bonds” as defined in Section 141 of the Code;

(b) the City hereby designates the Bonds as “qualified tax-exempt obligations” for purposes of Section 265(b)(3) of the Code;

(c) the reasonably anticipated amount of tax-exempt obligations (other than any private activity bonds that are not qualified 501(c)(3) bonds) which will be issued by the City (and all subordinate entities of the City) during calendar year 2020 will not exceed \$10,000,000; and

(d) not more than \$10,000,000 of obligations issued by the City during calendar year 2020 have been designated for purposes of Section 265(b)(3) of the Code.

6.05. Procedural Requirements. The City will use its best efforts to comply with any federal procedural requirements which may apply in order to effectuate the designations made by this section.

Section 7. Book-Entry System; Limited Obligation of City.

7.01. The Depository Trust Company. The Bonds will be initially issued in the form of a separate single typewritten or printed fully registered Bond for each of the maturities set forth in Section 1.04 hereof. Upon initial issuance, the ownership of each Bond will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee for The Depository Trust Company, New York, New York, and its successors and assigns (“DTC”). Except as provided in this section, all of the outstanding Bonds will be registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC.

7.02. Participants. With respect to Bonds registered in the registration books kept by the Registrar in the name of Cede & Co., as nominee of DTC, the City, the Registrar and the Paying Agent will have no responsibility or obligation to any broker dealers, banks and other financial institutions from time to time for which DTC holds Bonds as securities depository (the “Participants”) or to any other person on behalf of which a Participant holds an interest in the Bonds, including but not limited to any responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any Participant or any other person (other than a registered owner of Bonds, as shown by the registration books kept by the Registrar) of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any Participant or any other person, other than a registered owner of Bonds, of any amount with respect to principal of, premium, if any, or interest on the Bonds. The City, the Registrar and the Paying Agent may treat and consider the person in whose name each Bond is registered in the registration books kept by the Registrar as the holder and absolute owner of such Bond for the purpose of payment of principal, premium and interest with respect to such Bond, for the purpose of registering transfers with respect to such Bonds, and for all other purposes. The Paying Agent will pay all principal of, premium, if any, and interest on the Bonds only to or on the order of the respective registered owners, as shown in the registration books kept by the Registrar, and all

such payments will be valid and effectual to fully satisfy and discharge the City's obligations with respect to payment of principal of, premium, if any, or interest on the Bonds to the extent of the sum or sums so paid. No person other than a registered owner of Bonds, as shown in the registration books kept by the Registrar, will receive a certificated Bond evidencing the obligation of this resolution. Upon delivery by DTC to the City Administrator of a written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., the words "Cede & Co." will refer to such new nominee of DTC; and upon receipt of such a notice, the City Administrator will promptly deliver a copy of the same to the Registrar and Paying Agent.

7.03. Representation Letter. The City has heretofore executed and delivered to DTC a Blanket Issuer Letter of Representations (the "Representation Letter") which shall govern payment of principal of, premium, if any, and interest on the Bonds and notices with respect to the Bonds. Any Paying Agent or Registrar subsequently appointed by the City with respect to the Bonds will agree to take all action necessary for all representations of the City in the Representation Letter with respect to the Registrar and Paying Agent, respectively, to be complied with at all times.

7.04. Transfers Outside Book-Entry System. In the event the City, by resolution of the City Council, determines that it is in the best interests of the persons having beneficial interests in the Bonds that they be able to obtain Bond certificates, the City will notify DTC, whereupon DTC will notify the Participants, of the availability through DTC of Bond certificates. In such event the City will issue, transfer and exchange Bond certificates as requested by DTC and any other registered owners in accordance with the provisions of this resolution. DTC may determine to discontinue providing its services with respect to the Bonds at any time by giving notice to the City and discharging its responsibilities with respect thereto under applicable law. In such event, if no successor securities depository is appointed, the City will issue and the Registrar will authenticate Bond certificates in accordance with this resolution and the provisions hereof will apply to the transfer, exchange and method of payment thereof.

7.05. Payments to Cede & Co. Notwithstanding any other provision of this resolution to the contrary, so long as a Bond is registered in the name of Cede & Co., as nominee of DTC, payments with respect to principal of, premium, if any, and interest on the Bond and notices with respect to the Bond will be made and given, respectively in the manner provided in DTC's Operational Arrangements, as set forth in the Representation Letter.

Section 8. Continuing Disclosure.

8.01. Execution of Continuing Disclosure Certificate. "Continuing Disclosure Certificate" means that certain Continuing Disclosure Certificate executed by the Mayor and City Administrator and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

8.02. City Compliance with Provisions of Continuing Disclosure Certificate. The City hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. Notwithstanding any other provision of this resolution, failure of the City to comply with the Continuing Disclosure Certificate is not to be considered an event of default with respect to the Bonds; however, any Bondholder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the City to comply with its obligations under this section.

Section 9. Defeasance. When all Bonds and all interest thereon have been discharged as provided in this section, all pledges, covenants and other rights granted by this resolution to the holders of the Bonds will cease, except that the pledge of the full faith and credit of the City for the prompt and full payment of the principal of and interest on the Bonds will remain in full force and effect. The City may discharge all Bonds which are due on any date by depositing with the Registrar on or before that date a sum sufficient for the payment thereof in full. If any Bond should not be paid when due, it may nevertheless be discharged by depositing with the Registrar a sum sufficient for the payment thereof in full with interest accrued to the date of such deposit.

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The motion for the adoption of the foregoing resolution was duly seconded by Member _____, and upon vote being taken thereon, the following voted in favor thereof:

and the following voted against the same:

whereupon said resolution was declared duly passed and adopted.

Adopted this ____ day of _____, 2020.

GABE JOHNSON
President of the Council

Approved this ____ day of _____, 2020.

DAVE BADEAUX
Mayor

ATTEST:

JENNIFER BERGMAN
City Administrator

EXHIBIT A
PROPOSALS

EXHIBIT B
FORM OF BOND

No. R-_____

\$_____

UNITED STATES OF AMERICA
STATE OF MINNESOTA
COUNTY OF CROW WING
CITY OF BRAINERD

GENERAL OBLIGATION BOND
SERIES 2020A

<u>Rate</u>	<u>Maturity</u>	<u>Date of Original Issue</u>	<u>CUSIP</u>
	February 1, 20__	August 6, 2020	

Registered Owner: CEDE & CO.

The City of Brainerd, Minnesota, a duly organized and existing municipal corporation in Crow Wing County, Minnesota (the "City"), acknowledges itself to be indebted and for value received hereby promises to pay to the Registered Owner specified above or registered assigns, the principal sum of \$_____ on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above (calculated on the basis of a 360 day year of twelve 30 day months), payable February 1 and August 1 in each year, commencing February 1, 2021, to the person in whose name this Bond is registered at the close of business on the fifteenth day (whether or not a business day) of the immediately preceding month. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by U.S. Bank National Association, Saint Paul, Minnesota, as Bond Registrar, Paying Agent, Transfer Agent and Authenticating Agent, or its designated successor under the Resolution described herein. For the prompt and full payment of such principal and interest as the same respectively become due, the full faith and credit and taxing powers of the City have been and are hereby irrevocably pledged.

The City may elect on February 1, 2029, and on any day thereafter to prepay Bonds due on or after February 1, 2030. Redemption may be in whole or in part and if in part, at the option of the City and in such manner as the City will determine. If less than all Bonds of a maturity are called for redemption, the City will notify The Depository Trust Company ("DTC") of the particular amount of such maturity to be prepaid. DTC will determine by lot the amount of each participant's interest in such maturity to be redeemed and each participant will then select by lot the beneficial ownership interests in such maturity to be redeemed. Prepayments will be at a price of par plus accrued interest.

This Bond is one of an issue in the aggregate principal amount of \$_____ all of like original issue date and tenor, except as to number, maturity date, interest rate, and redemption privilege, all issued pursuant to a resolution adopted by the City Council on July 6, 2020 (the "Resolution"), for the purpose of providing money to defray the expenses incurred and to be

incurred in making certain assessable public improvements and certain public infrastructure improvements in the City and in financing the acquisition of certain items of capital equipment, pursuant to and in full conformity with the home rule charter of the City and the Constitution and laws of the State of Minnesota, including Minnesota Statutes, Chapters 429 and 475, as amended, and Minnesota Statutes, Sections 410.32, 412.301, and 469.1812 through 469.1815, as amended, and the principal hereof and interest hereon are payable in part from special assessments levied against property specially benefited by improvements, in part from abatements collected from certain property in the City, and in part ad valorem taxes, as set forth in the Resolution to which reference is made for a full statement of rights and powers thereby conferred. The full faith and credit of the City are irrevocably pledged for payment of this Bond and the City Council has obligated itself to levy additional ad valorem taxes on all taxable property in the City in the event of any deficiency in special assessments, abatements, and ad valorem taxes pledged, which taxes may be levied without limitation as to rate or amount. The Bonds of this series are issued only as fully registered Bonds in denominations of \$5,000 or any integral multiple thereof of single maturities.

The City Council has designated the issue of Bonds of which this Bond forms a part as "qualified tax-exempt obligations" within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the "Code") relating to disallowance of interest expense for financial institutions and within the \$10 million limit allowed by the Code for the calendar year of issue.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the City at the principal office of the Bond Registrar, by the registered owner hereof in person or by the owner's attorney duly authorized in writing, upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or the owner's attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the City will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange.

The City and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the City nor the Bond Registrar will be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the home rule charter and the Constitution and laws of the State of Minnesota, to be done, to exist, to happen and to be performed preliminary to and in the issuance of this Bond in order to make it a valid and binding general obligation of the City in accordance with its terms, have been done, do exist, have happened and have been performed as so required, and that the issuance of this Bond does not cause the indebtedness of the City to exceed any constitutional, statutory, or charter limitation of indebtedness.

This Bond is not valid or obligatory for any purpose or entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon has been executed by the Bond Registrar by manual signature of one of its authorized representatives.

IN WITNESS WHEREOF, the City of Brainerd, Crow Wing County, Minnesota, by its City Council, has caused this Bond to be executed on its behalf by the facsimile or manual signatures of the Mayor and City Administrator and has caused this Bond to be dated as of the date set forth below.

Dated: August 6, 2020

CITY OF BRAINERD, MINNESOTA

(Facsimile)
Mayor

(Facsimile)
City Administrator

CERTIFICATE OF AUTHENTICATION

This is one of the Bonds delivered pursuant to the Resolution mentioned within.

U.S. BANK NATIONAL ASSOCIATION

By _____
Authorized Representative

ABBREVIATIONS

The following abbreviations, when used in the inscription on the face of this Bond, will be construed as though they were written out in full according to applicable laws or regulations:

TEN COM -- as tenants in common

UNIF GIFT MIN ACT

Custodian _____

(Cust) _____ (Minor)

TEN ENT -- as tenants by entireties

under Uniform Gifts or Transfers to
Minors Act, State of _____

JT TEN -- as joint tenants with right of
survivorship and not as tenants in
common

Additional abbreviations may also be used though not in the above list.

ASSIGNMENT

For value received, the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and does hereby irrevocably constitute and appoint _____ attorney to transfer the said Bond on the books kept for registration of the within Bond, with full power of substitution in the premises.

Dated: _____

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the face of the within Bond in every particular, without alteration or any change whatever.

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by a financial institution that is a member of the Securities Transfer Agent Medallion Program ("STAMP"), the Stock Exchange Medallion Program ("SEMP"), the New York Stock Exchange, Inc. Medallion Signatures Program ("MSP") or other such "signature guarantee program" as may be determined by the Registrar in addition to, or in substitution for, STAMP, SEMP or MSP, all in accordance with the Securities Exchange Act of 1934, as amended.

The Bond Registrar will not effect transfer of this Bond unless the information concerning the assignee requested below is provided.

Name and Address: _____

(Include information for all joint owners if this Bond is held by joint account.)

Please insert social security or other identifying number of assignee

PROVISIONS AS TO REGISTRATION

The ownership of the principal of and interest on the within Bond has been registered on the books of the Registrar in the name of the person last noted below.

Date of Registration

Registered Owner

Signature of
Officer of Registrar

Cede & Co.
Federal ID #13-2555119

EXHIBIT C
TAX LEVY SCHEDULES

Tax Levy Schedule for Improvement Bonds

<u>YEAR *</u>	<u>TAX LEVY</u>
2021	
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	

** Year tax levy collected.*

Tax Levy Schedule for Abatement Bonds

<u>YEAR *</u>	<u>TAX LEVY</u>
2021	
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	
2030	
2031	
2032	
2033	
2034	

** Year tax levy collected.*

Tax Levy Schedule for Equipment Certificates

<u>YEAR *</u>	<u>TAX LEVY</u>
2021	
2022	
2023	
2024	
2025	
2026	
2027	
2028	
2029	

** Year tax levy collected.*

STATE OF MINNESOTA)
)
COUNTY OF CROW WING) SS.
)
CITY OF BRAINERD)

I, the undersigned, being the duly qualified and acting City Administrator of the City of Brainerd, Minnesota (the "City"), do hereby certify that I have carefully compared the attached and foregoing extract of minutes of a regular meeting of the City Council of the City held on July 6, 2020, with the original minutes on file in my office and the extract is a full, true and correct copy of the minutes insofar as they relate to the issuance and sale of the City's General Obligation Bonds, Series 2020A, in the original aggregate principal amount of \$_____.

WITNESS My hand officially as such City Administrator and the corporate seal of the City this _____ day of _____, 2020.

(SEAL)

City Administrator
City of Brainerd, Minnesota

STATE OF MINNESOTA
COUNTY OF CROW WING

CERTIFICATE OF COUNTY
AUDITOR-TREASURER AS TO TAX
LEVY AND REGISTRATION

I, the undersigned County Auditor-Treasurer of Crow Wing County, Minnesota, hereby certify that a certified copy of a resolution adopted by the governing body of the City of Brainerd, Minnesota (the "City"), on July 6, 2020, levying taxes for the payment of the City's General Obligation Bonds, Series 2020A, issued in the original aggregate principal amount of \$_____, dated August 6, 2020, has been filed in my office and said bonds have been entered on the register of obligations in my office and that such tax has been levied as required by law.

WITNESS My hand and official seal this _____ day of _____, 2020.

**COUNTY AUDITOR-TREASURER,
CROW WING COUNTY, MINNESOTA**

By: _____

Its: _____

(SEAL)



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Discussion on Work from Home Plan and the Re-Opening of City Facilities

☐ 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: Jennifer Bergman	Department: Administration
Presenter (Name & Title): Jennifer Bergman	Estimated Time Needed: 10 minutes
Summary of Issue: The remodel and the repairs to City Hall after the fire are progressing. ServiceMaster will be cleaning the 3rd floor on July 2nd, cubicle walls will be assembled and desks moved the week of July 6th. We should be able to move back into our offices by July 10th. Our team (Alderman Pritschet and Department Heads) met to discuss the safe reopening of City Hall and other city facilities. Now that City Hall offices will be completed, glass partitions have been installed on the 2nd and 3rd floor counters and we have secured a sufficient amount of disinfecting and cleaning supplies, we would recommend allowing controlled public access by utilizing appointments, installing video doorbells to the East and South entrances, and installing a release switch to the doors. CARES Act funds can be used for the video doorbells and release switches for the doors. This would allow staff to buzz people in and direct them to their destination. This would allow for access to City Hall while still keeping our staff and the public safe. The Police and Fire Departments will continue to be closed to the public and the Park Board will decide when and how to open the Parks Office.	
Alternatives, Options, Effects on Others/Comments: We have revised the City of Brainerd Work from Home Plan (see attached) to call more people back to the office on a rotating basis. Some people will be back at City Hall full-time while others will split their time working remotely and at City Hall. This will allow for adequate staffing for the public. This Plan complies with the Governor's Executive Order that employees that can work from home, should work from home if possible.	
Recommended Action/Motion: 1) Authorize staff to open City Hall with controlled access 2) Approve the revised City of Brainerd Stay at Home Work Plan	
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> \$ <u>\$3,000</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> This is an estimated cost for the installation of controlled access switches but CARES Act funds can be used to purchase these items. Video doorbells have already been purchased.	

CITY OF BRAINERD'S COVID-19 WORK FROM HOME PLAN - 7/1/2020

*Essential Employees Who Must Remain on the Job per Governor's Order		
DEPARTMENT	JOB TITLE	WORK FROM HOME
POLICE	POLICE CHIEF	No
POLICE	DEPUTY POLICE CHIEF	No
POLICE	POLICE LIEUTENANT	No
POLICE	POLICE SERGEANT	No
POLICE	POLICE SERGEANT	No
POLICE	POLICE SERGEANT	No
POLICE	POLICE SERGEANT	No
POLICE	INVESTIGATOR	No
POLICE	INVESTIGATOR	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
POLICE	POLICE OFFICER	No
FIRE	FIRE CHIEF	No
FIRE	FIRE MARSHAL / DEPUTY FIRE CHIEF	No

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

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

DEPARTMENT	JOB TITLE	WORK FROM HOME
ADMIN	CITY ADMINISTRATOR	Split Home/City Facility
COMMUNITY DEVELOPMENT	COMM DEV DIRECTOR	No
COMMUNITY DEVELOPMENT	BUILDING OFFICIAL	No
COMMUNITY DEVELOPMENT	HOUSING INSPECTOR	No
COMMUNITY DEVELOPMENT	ZONING SPECIALIST / PERMIT TECH	No
FINANCE	FINANCE DIRECTOR	Split Home/City Facility
FINANCE	PAYROLL / HR - ADMIN SPECIALIST 2	Split Home/City Facility
FINANCE	ADMIN SPECIALIST - ADMIN	Split Home/City Facility
FINANCE	A/P - ADMIN SPECIALIST	Split Home/City Facility
FIRE	ADMIN SPECIALIST 2 - FIRE	Yes
HR	HR DIRECTOR	Split Home/City Facility
IT/GIS	IT/GIS DIRECTOR	Split Home/City Facility
IT/GIS	IT SPECIALIST	Split Home/City Facility
ENGINEERING	CITY ENGINEER	No
ENGINEERING	ASST CITY ENGINEER	No
ENGINEERING	SENIOR ENG TECH / PROJECT COORD	No
ENGINEERING	ENGINEERING TECH	No
ENG (TRANSIT)	TRANSIT COORDINATOR	Yes
ENG (TRANSIT)	TRANSIT OPERATIONS SPECIALIST	Yes
PARKS	PARK DIRECTOR	No
PARKS	RECREATION COORDINATOR	No
PARKS	ADMIN SPECIALIST - PARKS	Split Home/City Facility
POLICE	POLICE ADMIN SUPERVISOR	No
POLICE	POLICE RECORDS MGMT LEAD	No

****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 - Reported for Work

DEPARTMENT	JOB TITLE	WORK FROM HOME
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	No
POLICE	POLICE RECORDS MGMT TECH	No
POLICE	POLICE RECORDS MGMT TECH	No
POLICE	POLICE RECORDS MGMT TECH	No
POLICE (CSO - Part-time)	COMMUNITY SERVICE OFFICER	No
POLICE (CSO - Part-time)	COMMUNITY SERVICE OFFICER	No
POLICE (CSO - Part-time)	COMMUNITY SERVICE OFFICER	No
POLICE (CSO - Part-time)	COMMUNITY SERVICE OFFICER	No

Interns/Temp		
DEPARTMENT	JOB TITLE	WORK FROM HOME
ADMIN	COMMUNICATIONS/MARKETING	No
COMMUNITY DEVELOPMENT	CODE COMPLIANCE	No
HR	HR INTERN	No
IT/GIS	GIS INTERN	No
PARKS	PARK INTERN	No
ENG (STREETS)	STREET PAINT CREW	No
ENG INTERN	ENG INTERN	No



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: CARES Act Funding

☐ 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: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: On June 25, 2020, the Walz administration announced that the Department of Revenue (DOR) will initiate the process of distributing the federal COVID-19 relief funds to local governments. The City of Brainerd's allocation of the \$841 million the state received is \$1,034,572. Since June 25, Staff has been reviewing the guidance that is currently available, having internal discussions, and attending a webinar put on through the LMC to determine the eligible uses of the funds.	
Alternatives, Options, Effects on Others/Comments: The current guidance has listed out 3 distinct elements that are to be considered and present when determining if Coronavirus Relief Funds (CRF) can be used: * Necessary and due to COVID-19. A municipality should document this fact. * Unaccounted. The expenditure wasn't part of the 2020 adopted budget. Another way to look at this is that the cost cannot lawfully be funded; OR it is substantially different than what say the line budgeted line item was to be used for. Funds cannot be used to replace lost revenue. * Incurred during the covered period of 3/1/2020-11/15/2020. The City did submit the Coronavirus Relief Funds Certification Form as required to receive the funds to the Department of Revenue on Monday, June 29th. We should receive payments approximately 6-8 business days after June 29th.	
Recommended Action/Motion: Informational, no action needed. Staff will return to Council at the July 20th meeting detailing out the cost that have been incurred to date, lists of items the City could use the funds, and an estimated amount for use outside the City.	
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>	

Coronavirus Relief Fund Certification Form

The Coronavirus Relief Fund (CRF) Certification Form must be submitted prior to disbursement of the funds.

Submit by email to proptax.admin@state.mn.us or by mail to Property Tax Division, Mail Station 3340, St. Paul, MN 55146

Name of Local Government (if city or town include county) City of Brainerd	SWIFT Supplier ID # (if known) VN0000199019_1	Phone Number 218-828-2307
Name and Title of Person Filling Out Form Dave Badeaux, Mayor		Email Address dbadeaux@ci.brainerd.mn.us

By submitting this application, the above-named local government ("local government") certifies that it will honor all commitments in the statements below and the Information and Requirements document.

- The distributed funds will be used by the local government only to cover those costs that:
 - Are necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19) ("necessary expenditures"), as described and defined by official federal guidance on section 601(d) of the Social Security Act, as added by section 5001 of Public Law 116-136 ("federal guidance");
 - Were not accounted for in the budget most recently approved as of March 27, 2020, for the local government; and
 - Were or will be incurred during the period that begins on March 1, 2020, and ends on December 1, 2020. A cost is incurred when the local government has expended funds to cover the cost.
- The funds distributed pursuant to this certification will not be used by the local government in any manner contrary to federal guidance. This includes, but is not limited to:
 - As a revenue replacement for lower than expected tax or other revenue collections; and
 - For expenditures for which the local government has received other emergency COVID-19 supplemental funding for that same expense, regardless of the funding source.
- The local government is responsible for repayment of any funds used by the local government in any manner contrary to federal or State of Minnesota guidance.
- The local government will periodically report expenditures from the Coronavirus Relief Fund as required by Minnesota Management and Budget.
- Any aid amount remaining unexpended by an eligible city or town on November 15, 2020, must be sent to the home county in which the city or town is located. For cities located in Hennepin County the funds must be transferred to Hennepin County Medical Center or granted to another hospital in the county's boundaries. For the cities or towns located in Ramsey County the funds must be granted to Regions Hospital or another hospital in the county's boundaries. The transfer must be made no later than November 20, 2020. Any amount of aid remaining unexpended by an eligible county by December 1, 2020 must be returned to Minnesota Management and Budget by December 10, 2020.
- The local government will maintain copies of any agreements to share Coronavirus Relief Funds pursuant to a joint powers agreement under Minn. Stat. § 471.59. Copies of such agreements and accounting records must be sufficient to document the funds distributed to other local governments.
- The local government is responsible for FEMA nonfederal share, increased workers compensation costs, and costs of supporting its Community Health Board COVID-19 response, and should not anticipate additional state funds for these purposes.
- The local government understands that these funds are subject to the requirements under the Single Audit Act (31 U.S.C. §§ 7501-7507) and the related provisions of the Uniform Guidance, 2 C.F.R. § 200.303 regarding internal controls, §§ 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

I certify that I have the authority to complete this certification on behalf of the local government.

Signature of Chief Executive of Local Government 	Title Mayor	Date 6/29/2020
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Federal Award Name and CFDA Number: 601(d) of the Social Security Act (CARES Act) CFDA Number 21.019



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Discussion on Re-establishing the Parking Commission

☐ 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: Jennifer Bergman	Department: Administration
Presenter (Name & Title): Jennifer Bergman	Estimated Time Needed: 10 minutes
Summary of Issue: The City has received a request from a downtown business owner to establish an ad hoc committee on parking. After some research, the City did create a Parking Commission but abolished it in 2005 because of a lack of quorum (see attached).	
Alternatives, Options, Effects on Others/Comments: Does the City Council want to re-establish the Parking Commission? If so, what specifically would the Council like the Parking Commission to discuss/explore? Would you like to create an ad-hoc committee with a specific task and disband after complete? Would you like to have this be a standing committee as it appears to have been in the past?	
Recommended Action/Motion: Discuss and provide direction to Staff.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

CITY OF BRAINERD

COMMITTEE JOB DESCRIPTION

PARKING COMMISSION

Purpose: The Parking Commission makes advisory recommendations to the Brainerd City Council relative to parking issues throughout the city.

Length of Term: Three years.

Commission Membership: Commission comprised of seven members.

Mayor and City Engineer serve as ex-officio members.

Mayor recommends nomination/Council approves.

Compensation: Volunteer.

Meeting Dates and Time: Second Tuesday of the month at 4 p.m. in the City Hall Conference Room.

Qualifications to Serve:

- * Be a resident of the City of Brainerd or have an ownership interest in a business or other property within the City of Brainerd.
- * Interested in assisting/resolving parking problems in the City of Brainerd.
- * Commission members cannot hold public office or position in the city government.

Mr. Bill Brown gave an environmental update focusing on the planning, research, partnerships, and community outreach. He reviewed the Army Compatible Use Buffer Program which addresses the problem of encroachment around Camp Ripley from development.

In conclusion, Colonel Weaver invited the Mayor and Council to a tour they will be having on August 5, 2005.

Unfinished Business.

Public Hearing – Abolishment of Parking Commission – First Reading Set for May 16.

The Chair opened the public hearing at 7:55 P.M. and asked if anyone wished to respond.

Ms. Jan Lambert, 426 Tyrol and member of the Parking Commission, stated she understands the Council's decision to consider abolishing the Commission. She suggested the possibility of reducing the number of members in order to keep the Commission. She stated it has been beneficial for both the Council and the Safety and Public Works Committee as they have been able to listen to citizens and their concerns and bring a recommendation back to the Council. She asked the Council to reconsider the abolishment.

The Chair closed the public hearing at 7:57 P.M.

Alderman Koep stated if the Parking Commission is abolished, items that would be referred to the Parking Commission would then be given to staff to review and referred to either the Planning Commission or the Safety and Public Works Committee. She stated there have been many important issues that have come to the Parking Commission, but at times there wasn't a quorum so things were not being discussed and resolved. She stated it was felt that this process will improve the ability to address the important issues in a timely matter.

MOVED AND SECONDED BY ALDERMEN NESHEIM AND GOEDKER, DULY CARRIED, TO HOLD THE FIRST READING OF ORDINANCE NO. 1261 ON MAY 16, 2005.

First Reading – Proposed Ordinance No. 1260 – An Ordinance Amending Section 515.25 Pertaining to the Limited Business District and Section 515.94 Pertaining to Bed and Breakfasts – Approved.

MOVED AND SECONDED BY ALDERMEN KOEP AND GOEDKER, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1260 – AN ORDINANCE AMENDING SECTION 515.25 PERTAINING TO THE LIMITED BUSINESS DISTRICT AND SECTION 515.94 PERTAINING TO BED AND BREAKFASTS, FURTHER TO DISPENSE WITH THE ACTUAL READING.

Crow Wing Township Proposal Regarding the Lively Auto/Mills Property Annexation – Direct Staff to Review Proposal and Receive Comment from Lively Auto.

Alderman Goedker stated he feels it would be a good idea to sit down with Lively Auto to get comments from them on the proposal.

**ORDINANCE
NO. 1261**

**AN ORDINANCE AMENDING SECTION 305 PERTAINING
TO THE ADVISORY CITY PARKING COMMISSION**

The Council of the City of Brainerd does ordain:

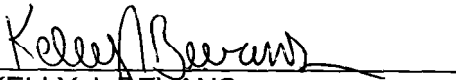
Section One: That Section 305.01 Subd. 2 be amended by deleting the following:

“(d) Advisory City Parking Commission”

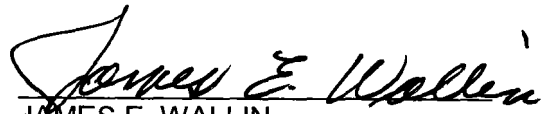
Section Two: That Section 305.11 entitled “Advisory City Parking Commission” be deleted.

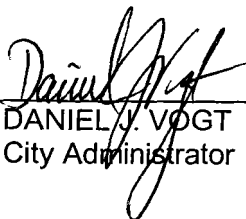
Section Three: This Ordinance shall take effect and be in full force one week from and after its publication.

Adopted this 6th day of June, 2005.


KELLY J. BEVANS
President of the Council

Approved this 7th day of June, 2005.


JAMES E. WALLIN
Mayor

ATTEST: 
DANIEL J. VOGT
City Administrator

Published: June 17, 2005



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

Title of Item: Res - Imp. 14-05 - Old Stonebridge Trail Final Lift - Accepting Bids

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request are two quotes received from Anderson Brothers Construction of Brainerd, LLC and Knife River Corporation for Improvement 14-05, Old Stonebridge Trail Final Lift along with a resolution in which accepts the bid and authorizes the Mayor and City Administrator to enter into a contract with Knife River Corporation for the work.	
Alternatives, Options, Effects on Others/Comments: You will recall, there was some previous discussion on what was already paid for this final lift work when the street was originally constructed and how much should get assessed to the neighboring properties for the work. Staff researched this project, and found that the original developer placed a \$20,000 wear course escrow. This was done to pay for the final lift of pavement after 70% of the homes were developed in the development. This never occurred, and thus, the final lift was never installed. As we all know, things get more expensive in time. Staff's recommendation is to assess for the total amount of the project less the \$20,000 escrow to the adjacent properties. This would be based on a per lot assessment, rather than a front footage. Original assessment amounts were based on an \$80,000 estimated cost. With the quoted cost of \$66,073 from Knife River, and less the \$20,000, the assessment rate should drop dramatically; nearly in half. This will be determined before the assessment hearing in the fall. The other quote received was from Anderson Brothers Construction of Brainerd, LLC in the total amount of \$71,152.74.	
Recommended Action/Motion: Staff recommends adopting the attached resolution in which accepts the bid from Knife River Corporation at a total bid cost of \$66,073 and authorizes the Mayor and City Administrator to enter into a contract as such.	
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> \$ <u>\$66,073</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> There was \$80,000 programmed out of Construction Fund 401 for this project. Total project cost is \$66,073. Assessed amount less the \$20,000 escrow is estimated to be \$46,073.	

Quote for Brainerd North Old Stone Bridge Trail

06/02/2020 2:42PM Page 1

KNIFE RIVER CORPORATION - NC

4787 Shadow Wood Drive NE
Sauk Rapids, MN 56379

Phone: 3202519472
Fax: 3202582940

Bond: Included
Sales Tax: Included
Bid Date:

Quote To: Paul Sandy
City of Brainerd
501 Laurel Street
Brainerd MN 56401

Phone: 218-454-3411
Fax:
Email: psandy@ci.brainerd.mn.us

Quote is valid for 15 days.

Item	Description	Quantity	Unit	Unit Price	Extension
10	Mobilization	1.000	LS	4,000.000	4,000.00
100	Sawing Bituminous Pavement (FD)	56.000	LF	6.500	364.00
140	Street Sweeper with Pickup Broom	4.000	HR	140.000	560.00
170	Mill Bitumious Surface (1.5")	92.000	SY	5.000	460.00
210	Type SP 9.5 Wearing Course Mix (2,B)	644.000	TN	60.000	38,640.00
220	Type SP 9.5 Nonwearing Course (2,B)	281.000	TN	64.000	17,984.00
250	Adjust Gate Valve Box	1.000	EA	225.000	225.00
320	Casting Iron Manhole Adjusting Rings	6.000	EA	500.000	3,000.00
420	Traffic Control	0.140	LS	6,000.000	840.00
Total Quote: \$					66,073.00

Inclusions/Exclusions:

NOTES:

1. All items tied, unless approved by Estimator.
2. Bond, if included, may be prorated to a maximum of 0.4%. We will provide our own bond for rates above this.
3. Quote is valid for 15 days.
4. Mix will be a SPNW/WEA240BR as discussed on site.

PAYMENT TERMS:

1. To accept this proposal, sign and return a copy to Knife River Corp.
2. A valid credit account with Knife River Corp. is required before work will be scheduled.
3. No retainage is provided for in this quotation or per owner as required in plans and spec's. Any deducts due to material deficiencies must be in writing and Knife River Corp. notified prior to the invoice being due.
4. All work becomes due and payable within 30 days of the invoice. Balances beyond 30 days are subject to finance charges in accordance with the credit agreement.

ACCEPTANCE:

All material is guaranteed to be as specified. All work will be completed in a workmanlike manner according to standard practices.

Your signature indicates you agree to the prices, specifications and conditions as stated. It gives us authorization to do the work specified and payment will be made as outlined above.

Signature: _____

Printed Name: _____

Title: _____

Firm: _____

Date: _____

Signature: 

Printed Name: Adam J. Surma

Title: Estimator/Project Manager

Firm: Knife River Corporation - North Central

Date: 6-2-20



Anderson Brothers Construction Company
 11325 State Highway 210
 Brainerd, MN 56401
 218-829-1768
 218-829-7607 Fax

To:	City Of Brainerd	Contact:	Paul Sandy
Address:	Brainerd, MN 56401	Phone:	
		Fax:	
Project Name:	City Of Brainerd Projects	Bid Number:	
Project Location:	Various	Bid Date:	6/2/2020

Item #	Item Description	Estimated Quantity	Unit	Unit Price	Total Price
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14-05 Stonebridge

2021.501	Mobilization	1.00	LS	\$1,171.05	\$1,171.05
2232.501	Mill Bit Surface/Clean Etc.	1.00	LS	\$2,159.04	\$2,159.04
2357.502	Tack	493.00	GAL	\$2.10	\$1,035.30
2506.516	Casting Assembly	6.00	EACH	\$210.00	\$1,260.00
2360.502	Bituminous Leveling Course SPNWA230B	281.00	TON	\$77.35	\$21,735.35
2360.501	Bituminous Wear Course SPWEA230B	644.00	TON	\$68.00	\$43,792.00

Total Price for above 14-05 Stonebridge Items: \$71,152.74

Wild Ave

2021.501	Mobilization	1.00	LS	\$1,800.00	\$1,800.00
2232.501	Mill Bit Surface/Clean Etc.	1.00	LS	\$1,200.00	\$1,200.00
2357.502	Tack	30.00	GAL	\$2.10	\$63.00
2360.501	Bituminous Wear Course SPWEA230B	35.00	TON	\$68.00	\$2,380.00

Total Price for above Wild Ave Items: \$5,443.00

Total Bid Price: \$76,595.74

Notes:

- These Quotes Are not tied
- All is priced per unit of measure listed

PRE-LIEN NOTICE: OWNER UNDERSTANDS THAT CONTRACTOR IS REQUIRED BY LAW TO PROVIDE OWNER WITH THIS NOTICE. (a) ANY PERSON OR COMPANY SUPPLYING LABOR OR MATERIALS FOR THE IMPROVEMENT TO YOUR PROPERTY MAY FILE A LIEN AGAINST YOUR PROPERTY IF THAT PERSON OR COMPANY IS NOT PAID FOR THE CONTRIBUTION. (b) UNDER MINNESOTA LAW, YOU HAVE THE RIGHT TO PAY PERSONS WHO SUPPLIED LABOR OR MATERIALS FOR THIS IMPROVEMENT DIRECTLY AND DEDUCT THIS AMOUNT FROM OUR CONTRACT PRICE, OR WITHHOLD THE AMOUNTS DUE THEM FROM US UNTIL 120 DAYS AFTER COMPLETION OF THE IMPROVEMENT UNLESS WE GIVE YOU A LIEN WAIVER SIGNED BY PERSONS WHO SUPPLIED ANY LABOR OR MATERIALS FOR THE IMPROVEMENT WHO GAVE YOU TIMELY NOTICE.

ACCEPTED: The above prices, specifications and conditions are satisfactory and hereby accepted. Buyer: _____ Signature: _____ Date of Acceptance: _____	CONFIRMED: Anderson Brothers Construction Company Of Brainerd, LLC Authorized Signature:  Estimator: Scott Hendrickson shendrickson@andersonbrothers.com
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RESOLUTION
NO _____

RESOLUTION ACCEPTING BID

WHEREAS, pursuant to an advertisement for bids for the improvements of the following described improvements:

IMPROVEMENT 14-05

Street Surfacing – Final Lift

Old Stonebridge Trail – westerly cul-de-sac to easterly cul-de-sac

Bids were received, opened and tabulated according to law and the following bids were received complying with the advertisement:

<u>NAME OF BIDDER</u>	<u>AMOUNT OF BID</u>
Anderson Brothers Construction of Brainerd, LLC	\$71,152.74
Knife River Corporation	\$66,073.00

AND WHEREAS, Knife River Corporation is the lowest responsible bidder; and

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

1. The Mayor and the City Administrator are hereby authorized and directed to enter into a contract with Knife River Corporation for the amount of its said bid in the name of the City of Brainerd for the improvements above described according to the plans and specifications therefore approved by the City Council and of record in the office of the City Administrator.
2. The City Administrator is hereby authorized and directed to return forthwith to all bidders the deposits made with their bids, except that the deposits of the successful bidder and the next lowest bidder shall be retained until a contract has been signed.

Adopted this _____ day of _____, 2020

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2020

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Mayor

(218) 828-2308
Fax (218) 828-2316

City Administrator

(218) 828-2307
Fax (218) 828-2316
admin@ci.brainerd.mn.us

Civil Attorney

220 Laurel Street
P.O. Box 367
(218) 828-2775
Fax (218) 829-9768

Criminal Attorney

222 Laurel Street
(218) 828-2311
Fax (218) 825-8922

City Engineer

(218) 828-2309
Fax (218) 828-2316
jhulsether@ci.brainerd.mn.us

Chief of Police

Law Enforcement Center
304 Laurel Street
(218) 829-2805
Fax (218) 829-9459

Fire Chief

Fire Station
23 Laurel Street
(218) 828-2312
Fax (218) 828-2331
brdfire@brainerd.net

City Planner

(218) 828-2309
Fax (218) 828-2316
planning@ci.brainerd.mn.us

Director of Parks & Recreation

1619 Washington Street N.E.
(218) 828-2320
Fax (218) 828-2791
parks@brainerdonline.com

Public Utilities

P.O. Box 373
Business
(218) 829-8726 · fax (218) 829-4703
Service
(218) 829-2193 · fax (218) 829-2308
email@bpu.org

MEMO

TO: Safety and Public Works Committee

FROM: Jeff Hulsether

DATE: October 14, 2004

RE: Special Assessments - Improvement 04-03, Stonebridge

The contract cost for Improvement 04-03 is estimated at \$639,431.00 based on the bid, Change Order No. 1, and a contingency. The cost includes a final lift of bituminous that will not be constructed with this project. The intent is to assess for the final lift at this time, hold the funds in the Construction Fund, and let a separate contract to complete the project when the development is approximately 75% developed.

Additional costs associated with the project including engineering, legal, etc. is estimated at \$95,915.70 for a total project cost of \$735,346.70.

Attached are calculations to determine the cost of oversizing and extra depth of the sanitary sewer, oversizing of the water mains, and the lift station. The sanitary sewer oversizing calculations are based on a unit price difference of \$14.00 per foot of 12 inch PVC vs. 8 inch PVC in the different depth zones. The extra depth calculations are based on discussions at Committee related to the extra cost associated with re-aligning the sewer through the subdivision vs. the cost of constructing the pipe under Riverside Drive. If the sewer had been constructed under Riverside Drive, there would have been an average burial depth of approximately 20 feet, in which case the SAC fees would pay for 8 feet of additional depth. The 8 feet has been applied to the depth zone prices on this contract which results in a variable credit of between \$1.00 and \$4.00 per foot of pipe.

The total contract cost of the lift station, oversizing, and extra Burial depth based on the rational above has been calculated to be \$142,345.50, resulting in an assessable contract cost of \$479,085.05. When pro-rating and distributing the engineering costs between the city and assessable, the costs are \$21,352.08 and \$74,563.62 for total costs of \$163,697.58 and \$571,648.67 respectively.

Applying the assessable cost to the 26 lots in the development, the per lot cost would be \$21,986.50.



The total lift station cost is approximately \$85,000.00. There has been discussion in Committee related to assigning a portion of that cost to the development. The lift station will ultimately provide gravity service to the remainder of the Ashmun Road area and Ahrens Hill, along with providing service for flows from a future lift in the Wise Road area. If ½ of the cost were assigned to the Ashmun Road and Ahrens Hill areas, with an estimated build out of 85 parcels, the cost would be \$500.00 per lot.

The Stonebridge Development also benefits from the water booster station constructed along with the Riverside Drive Project. When considering the assessments for the Riverside Drive Project, a \$200.00 per lot assessment was distributed to each parcel to assist with covering this cost. The \$200.00 was based on the total number of parcels that may ultimately benefit from the station and that would be assessed in the future. Based on this, the \$200.00 assessment should also be added to each lot in the Stonebridge development.

When adding the lift station and booster station assessments onto the per lot cost, the total assessment for each of the 26 lots in the subdivision would be \$22,686.50 for a total assessment to private property of \$589,849.00.

The remaining cost for oversizing, etc. of \$145,497.70 would be assigned to the respective SAC or WAC fund.

04-03
STONEBRIDGE

CONTRACT COST - 603,942.10

C.O. #1 - 15,496.25

CONTINGENCY - 20,000.00 - WEAR COURSE ESCROW

639,431.00

ENGINEERING - (18%) 95,915.70

735,346.70

TOTAL COST ESTIMATE

04-03
STONE BRIDGE -

... FLEV. E RIVERSIDE DR. 1242 ±

... SANITARY INVERT 1'222± - 20' AUG DEPTH

... MH 5 20 - 8 - 12 - 0'

... MH 6 34' - 20 - 14'

... MH 7 38' - 20 = 18'

... MH 8 32' - 20 = 12'

... MH 9 26 - 20 = 6'

... TOTAL ESTIMATED CONSTRUCTION COST -

... OVERSIZING/EXTRA DEPTH/LIFT STATIONS COSTS

... CONTRACT COST
... ASSESSMENT TO PRIVATE PROPERTY

639,431.00

~~735,546.70~~ 173,115.70

142,345.50 22.2613%

~~593,001.20~~ 92.8421%

497,085.50 77.7387%

CONTRACT COST

OVERSIZING

142,345.50

DEVELOPMENT

~~593,001.20~~ 497,085.05

ENG. ~~EST~~ 95,915.70

21,352.08

74,563.62

163,697.58

667,569.82

571,648.67

571,648.67

21,986.50

~~667,569.82~~ / 26 = ~~25,675.57~~ / LOT

LIFT STATION ASSESSMENT \$500/LOT -

BOOSTER STATION - \$200/LOT - → \$26,375.00/LOT.

LIFT ST - 85,000 ITEM.

22,686.50 = 589,849

SAC
& WAC.

145,497.70

04-03

$$SAC - 122,627.00 + 18,394.27 = 141,021.27$$

$$\begin{array}{r} WAC \quad 19,718.50 \\ \hline 147,345.50 \end{array} \quad \begin{array}{r} 2,957.81 \\ \hline 21,352.08 \end{array} = \begin{array}{r} 22,676.31 \\ \hline 163,697.58 \end{array}$$

$$SAC - 141,021.27 - (13,000)^{LS} = 128,021.27$$

$$WAC = 22,676.31 - (5,200) = 17,476.31$$

$$145,497.58$$

RESOLUTION

No. 78:04

RESOLUTION DECLARING COSTS TO BE ASSESSED ORDERING PREPARATION OF PROPOSED ASSESSMENTS, AND ORDERING A PUBLIC HEARING ON PROPOSED ASSESSMENT

WHEREAS, the costs have been determined for Improvements 04-03, 04-02, 03-07, 03-04, 03-01, 02-14, 02-03, and 00-13, involving improvement of the following described streets, alleys, and utilities in the City of Brainerd:

IMPROVEMENT NO. 04-03

Street and Utility Construction

Water, Sanitary Sewer, Storm Sewer, Lift Station, Grading, Aggregate Base, Curb & Gutter, and Bituminous Surfacing

Ashmun Road from CSAH 20 to a point approximately 650 feet north of CSAH 20
Old Stonebridge Trail from Ashmun Road to the cul-de-sac
Old Stonebridge Court from Ashmun Road to the cul-de-sac

IMPROVEMENT NO. 04-02

Turn Lane Construction

TH 25 from approximately 500 feet south of TH 18 to 28th Street

Utility Construction

Oak Street sanitary sewer from approximately 400 feet east of 28th Street to a point approximately 1020 feet east of 28th Street

Oak Street water and sanitary sewer services from approximately 1350 feet east of 28th Street to a point approximately 1650 feet east of 28th Street

IMPROVEMENT NO. 03-07

Street and Utility Construction

Water, Sanitary Sewer and Street Grading, Aggregate Base, and Bituminous Surfacing

Russell Road from Riverside Drive to a point approximately 760 feet north of Riverside Drive

IMPROVEMENT NO. 03-04

Street and Utility Construction

Water, Sanitary Sewer and Street Grading, Aggregate Base, and Bituminous Surfacing

Wonderland Park Road from TH 210 to the cul-de-sac

IMPROVEMENT 03-01

Street Reconstruction

Removals, Grading, Aggregate Base, and Bituminous Surfacing

South 7th Street from Oak Street to a point 150 south of Oak Street

SE 17th Street from Oak Street to Norwood Street

IMPROVEMENT 02-14

Street Construction

Grading, Aggregate Base, Bituminous Surfacing

B Street from 120 feet west of Gillis Avenue to Gillis Avenue

IMPROVEMENT 02-03

Street and Utility Reconstruction

Removals, Sanitary Sewer reconstruction, Grading, Curb & Gutter, Aggregate Base, Bituminous Surfacing

5th Avenue NE from G Street to H Street

IMPROVEMENT 00-13

Utility Construction

Sanitary Sewer

Hawkins Drive Cul-de-sac

WHEREAS, the contract price for said improvements are \$639,431.00, \$2,441,816.63, \$84,598.64, \$357,418.91, \$1,753,407.61, and \$82,969.65 (for 02-14, 02-03, and 00-13) respectively, and the expenses incurred in making said improvements are \$95,915.70, \$238,013.83, \$31,203.52, \$73,926.71, \$210,408.91, and \$23,645.51 (for 02-14, 02-13, and 00-13) respectively so that the total construction costs for said improvements are \$735,346.70, \$2,679,830.46, \$115,802.16, \$431,345.69, \$1,963,816.52, and \$106,615.16 (for 02-14, 02-03, and 00-13), respectively, and

WHEREAS, the City Council has ordered preparation of the proposed assessments, and

WHEREAS, the City Council hereby sets the Public Hearing for November 1, 2004 at 7:30 p.m.,

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

1. The portions of the cost of such improvements to be paid by the City are hereby declared to be \$145,497.70, \$319,963.28, \$0.00, \$301,941.89, \$92,233.90, and \$67,395.03 (for 02-14, 02-03, and 00-13), respectively, and the portions of the costs to be assessed against benefited property owners are declared to be \$589,849.00, \$149,514.60, \$115,802.16, \$86,269.20, \$8,048.00, and \$39,220.13 (for 02-14, 02-03, and 00-13), respectively.

2. Assessments shall be payable in annual installments extending over a period of ten years, the first of the installments to be paid on or before the first Monday in January, 2005, and shall bear interest at the rate of five and three quarter (5 $\frac{3}{4}$) percent per annum from the date of the adoption of the assessment resolution.

3. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the assessment on such property with interest accrued to the date of payment to the City Administrator, except that no interest shall be charged if the entire assessment is paid within 30 days from the adoption of the assessment. The owner of any property so assessed may at any time thereafter pay to the Crow Wing County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year.

4. Pursuant to Ordinance No. 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988 and any amendments thereto, the City Council may defer a special assessment for needy persons.

5. Pursuant to proper notice duly given as required by law, the hearing will be held on the 1st day of November, 2004, in the City Hall building at Brainerd, Minnesota, at 7:30 p.m. concerning such proposed assessments and at such time and place all persons owning property affected by such improvements were given an opportunity to be heard with reference to such assessments.

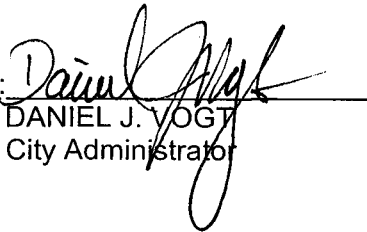
Adopted this 18th day of October, 2004.


JAMES J. DEHEN JR
President of the Council

Approved this 19th day of October, 2004.


JAMES E. WALLIN
Mayor

ATTEST:


DANIEL J. YOGY
City Administrator

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land below described, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of Stonebridge Addition Improvements.

PROPERTY OWNERS	ADDRESS	CITY, STATE, ZIP	RE CODE	LEGAL DESCRIPTION	ADDITION	ASSESSMENT
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	0960500090A0009	OUTLOT A	STONEBRIDGE	
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050010010009	LOT 1, BLOCK 1	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050010020009	LOT 2, BLOCK 1	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050010030009	LOT 3, BLOCK 1	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050010040009	LOT 4, BLOCK 1	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050010050009	LOT 5, BLOCK 1	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050020010009	LOT 1, BLOCK 2	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050020020009	LOT 2, BLOCK 2	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050020030009	LOT 3, BLOCK 2	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050020040009	LOT 4, BLOCK 2	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050020050009	LOT 5, BLOCK 2	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050020060009	LOT 6, BLOCK 2	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050020070009	LOT 7, BLOCK 2	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030010009	LOT 1, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030020009	LOT 2, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030030009	LOT 3, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030040009	LOT 4, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030050009	LOT 5, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030060009	LOT 6, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030070009	LOT 7, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030080009	LOT 8, BLOCK 3	STONEBRIDGE	22,686.50

PROPERTY OWNERS	ADDRESS	CITY, STATE, ZIP	RE CODE	LEGAL DESCRIPTION	ADDITION	ASSESSMENT
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030090009	LOT 9, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030100009	LOT 10, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030110009	LOT 11, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030120009	LOT 12, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050030130009	LOT 13, BLOCK 3	STONEBRIDGE	22,686.50
HEIDMANN AND DONOVAN, LLC	P.O. BOX 735	PEQUOT LAKES, MN 56472	096050040010009	LOT 1, BLOCK 4	STONEBRIDGE	22,686.50
TOTAL:						589,849.00

Dated this 30th day of November, 2004

Attest:


Daniel J. Vogt
City Administrator

Attest:


James J. Dehen, Jr.,
President of Council



Brainerd City Council Agenda Request

Requested Meeting Date: July 6, 2020

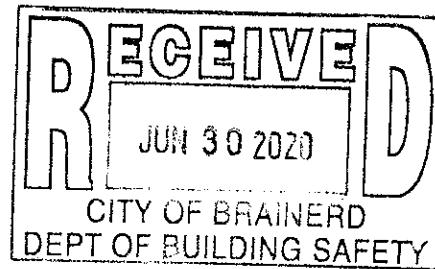
Title of Item: Transient Food District Exemption

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: Wade and Sabrina Andrew, owners of All Fried Up, LLC, have submitted a request to locate their food truck in the former Papa Johns parking lot located at 400 Washington St. one day per week. All Fried Up is a licensed food truck by the City. However, 400 Washington St. is just outside of the Transient Food Districts 2 & 3 (see attached). The Andrews are requesting an exemption from the City Council to locate their food truck at this location.	
Alternatives, Options, Effects on Others/Comments: - The Andrews would meet all other requirements set forth in Section 66 (attached), including being at least 300 feet from a restaurant or bar that serves food. - The Andrews have received permission from the property owner to operate from this location - Staff believes there is adequate ingress and egress from this location off S. 4th St. and Washington St. - Staff believes there is adequate parking at this location to not impede the operation of any neighboring business.	
Recommended Action/Motion: Motion to approve the operation of the All Fried Up food truck outside of the old Papa Johns located at 400 Washington St. one day per week.	
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>	

All Fried Up llc

1219 Oak Street
Brainerd, MN 56401
(218) 330-2868
Allfriedupmn@gmail.com

30th June 2020



David Chanski
Community Developer
501 Laurel Street
Brainerd, MN 56401

Dear Mr. Chanski,

We are a local Food Trailer that already has purchased a Brainerd Permit. We are proposing to set up in the parking lot of the old Papa Johns one day a week. We do have permission from the owners of the property and all of the correct licensing and insurance.

Sincerely,

Wade and Sabrina Andrew

All Fried Up llc

SECTION 66
TFU – TRANSIENT FOOD UNIT OVERLAY DISTRICT

Section:

- 515-66-1: Purpose and Intent
- 515-66-2: Establishment Boundaries and Permitted Hours of Operation
- 515-66-3: Relationship to other Applicable Regulations
- 515-66-4: Permitted Uses
- 515-66-5: Uses by Administrative Permit
- 515-66-6: Interim Uses
- 515-66-7: Conditional Uses
- 515-66-8: Lot Area and Setback Requirements
- 515-66-9: Building Height
- 515-66-10: Exterior Building Standards

515-66-1: Purpose and Intent. The Purpose of the TFU Overlay District is to provide areas within the community where mobile food units can operate.

515-66-2: Established Boundaries and Permitted Hours of Operation. The boundaries of the TFU – Transient Food Unit Overlay Districts are shown on the Transient Food Unit Overlay Map attached to this Ordinance as Appendix 1.

Transient food unit hours of operation are identified as follow:

- | | |
|------------------------------------|--------------------|
| 1. West Brainerd | 11:00am to 7:00pm |
| 2. County Government Center | 11:00am to 7:00pm |
| 3. Downtown | 11:00pm to 2:00 am |
| 4. Northern Pacific Center | 11:00am to 2:00 am |
| 5. Intersection of Hwys 18 and 25 | 11:00am to 7:00pm |
| 6. Brainerd Industrial Park | 11:00am to 7:00pm |
| 7. Central Lakes College | 11:00am to 7:00pm |
| 8. Franklin Art Center Parking Lot | 11:00am to 7:00pm |

515-66-3: Relationship to other Applicable Regulations. Property located within a redevelopment overlay district shall be subject to the provisions of the primary zoning district.

515-66-4: Permitted Uses. Transient food units including trucks, trailers, wagons, carts, seasonal temporary food stands, etc. are allowed on public and private property subject to the following:

1. Only food and non-alcoholic beverages can be sold.
2. At least one (1) trash receptacle with a tight fitting lid shall be provided.
3. Operators must clean around their unit at the end of each day.
4. Operator cannot call attention to themselves by crying out, blowing a horn, ringing a bell, and playing music or other noise discernable beyond the unit.
5. Units must be kept in good repair and order and have a neat appearance.
6. Electrical cords and hookups to public utilities are not permitted.
7. Liquids from a food unit cannot be drained onto public property.

8. Generators must be self-contained and fully screened from view and not exceed 70 dbs.
9. Exterior lighting that will call attention to the setup is not permitted.
10. Follow applicable Department of Health regulations.
11. Copies of all required state licenses and insurance coverage.
12. One “A” frame sign not exceeding twelve (12) square feet per side is permitted during operation.
13. Property owner written approval is required.
14. Units cannot be left unattended nor remain at an authorized operating location outside allowed hours of operation.
15. Sales cannot be made to individuals parked or stopped in a public street or alley. Sales to customers on a sidewalk are not allowed.
16. Units cannot locate within 300’ of the property line of a restaurant or bar that serves food.
17. Units cannot locate within 300’ from the property perimeter of any festival (including the Crow Wing County Fairgrounds), sporting event and civic event unless a license is issued to be a part of the festival or event.
18. Proof of liability insurance is provided in accordance with City of Brainerd requirements.
19. Transient food units are permitted to operate during festivals and community events provided it is approved by City of Brainerd as part of a festival and community events permit.
20. Sales are permitted in a City park when approved by City of Brainerd Parks and Recreation Board.
21. Maximum number of units per property:
 - Two (2) food trucks on lots of one-half acre or less.
 - Three (3) food trucks on lots between one-half acre and 1 acre.
 - Four (4) food trucks on lots greater than 1 acre.
22. A primary use must be operating on the property in order for food unit operations to be allowed.

515-66-5: Uses by Administrative Permit. None

515-66-6: Interim Uses. None

515-66-7: Conditional Uses. None

515-66-8: Lot Area and Setback Requirements. Not Applicable

515-66-9: Building Height. Not Applicable

515-66-10: Exterior Building Standards. Not Applicable

