

CITY COUNCIL AGENDA

Brainerd, Minnesota

August 15, 2016

7:30 P.M.

Brainerd City Hall

Council Chambers

_____ C. Borkenhagen
_____ S. Hilgart
_____ M. Koep
_____ D. Pritschet
_____ K. Bevans
_____ G. Scheeler
_____ G. Johnson
_____ Mayor Menk

1. Call to Order

2. Roll Call

3. Pledge of Allegiance

4. Approval of Agenda (Voice Vote)

5. Consent Calendar (NOTICE TO PUBLIC) – All matters listed are considered routine by the Council and will all be enacted by one (1) motion. There will be no separate discussion of these items unless good cause is shown prior to the time the Council votes on the motion to adopt by ROLL CALL VOTE.

A. Approval of the Minutes of the Regular Meeting held on August 1, 2016, and the Special Meeting on August 11, 2016, as distributed

B. Approval of Licenses – (See Attachment)

1. Contractor's Licenses – 1 – New
2. Contractor's Licenses – 3 – Renewals

C. Department Activity Reports – (See Attachments)

1. Mayor
2. Police Chief
3. Finance Director – Distributed to Council Members

D. Minnesota Lawful Gambling – Application for Exempt Permit – Submitted by the Brainerd Fire Department Relief Association for a Raffle to be held on December 5, 2016 at the Brainerd Fire Department – Approval of

- E. Adopt Resolution Authorizing Gambling Activity at The Local, 723 Mill Avenue, Brainerd – Minnesota Lawful Gambling Premises Permit Submitted by Confidence Learning Center – See Attached Resolution**
- F. Application and Permit for a 1-4 Day Temporary On-Sale Liquor License – Submitted by the Brainerd American Legion for an Event to be held on August 27, 2016 at the NP Event Space, 210 Blacksmith Circle, Brainerd – Approval of**
- G. Application and Permit for a 1-4 Day Temporary On-Sale Liquor License – Submitted by Mount Ski Gull/Ski Gull Inc. for an Event to be held on September 22, 2016 at the NP Event Space, 210 Blacksmith Circle, Brainerd – Approval of**
- H. Police Department Joint Powers Agreement with BCA for ICAC – Adopt Resolution Authorizing Appropriate Signatures – See Attached Resolution**
- I. Adopt Resolution Accepting Donations and/or Contributions from April 1, 2016 through June 30, 2016 – See Attached Resolution**

6. Council Committee Reports

A. Personnel and Finance Committee Report

1. Approval of Bills, Transfer of Funds & Payments to Contractors

General Fund to Public Safety Fund	\$ 75,000
General Fund to Park Fund	\$ 80,000
General Fund to Street & Sewer Fund	\$ 30,000
General Fund to Airport Fund	<u>\$ 12,960</u>
	\$197,960

<u>Contractor</u>	<u>IMP #</u>	<u>Project</u>	<u>Amount</u>	<u>Total Retained On Project</u>
Braun Intertc	14-15	Construction materials thru 7/18/16	\$7,131.25	N/A
Tom's Backhoe Svc	14-15	Pay Application #4, Brd Airport Util Ext, thru 7/29/16	\$1,430,040.17	\$185,323.26

2. 2015 TIF Report

3. Marketing of Tax Forfeit Property

4. Board/Commission Compensation Validity

5. Police Department – Request to Attend Out-of-State Bomb Technician Training

- 6.** Fire Department – Fire Marshal/Deputy Chief Cox – Advancement to Step “C” of the Salary Administration Plan, Effective August 1, 2016
- 7.** Administration Department – City Administrator Thoreen – Advancement to Step “D” of Salary Administration Plan, Effective August 3, 2016

B. **Safety and Public Works Committee Report**

- 1.** **Library Parking Lot Resurfacing**
- 2.** **Acceptance of DEED for Rotary Park**
- 3.** **Joint Meeting with WBCC – September 19, 2016**
- 4.** **Downtown Maintenance Update**
- 5.** **City Code Section 403 - Addressing**
- 6.** **IMP 14-15 – Appeal of Change Order Decision**

7. **Unfinished Business**

A. **Public Hearing – Final Reading of Proposed Ordinance No. 1457 – An Ordinance Providing for the Annexation of Robert & Andrea Marohn Property at 11427 Easy Street, PID #811080000590009**

1. Hold Public Hearing
2. Hold Final Reading
3. Adopt Ordinance by Roll Call

B. **Public Hearing – Final Reading of Proposed Ordinance No. 1459 – Rezoning Property located South of Quince Street on S. 6th Street and S. 7th Street to just South of Willow Street from a B-4 (General Commercial) District to a B-2 Neighborhood Business) District and R-2 One and Two Family Residential District – Initiated by City of Brainerd Planning Commission**

1. Hold Public Hearing
2. Hold Final Reading
3. Adopt Ordinance by Roll Call

C. **Public Hearing – Final Reading of Proposed Ordinance No. 1460 – Rezoning Property located at 310 W Laurel Street, Brainerd from a B-2 (Neighborhood Business) District to a B-4 (General Commercial) District as requested by KRRC LLP, 521 Charles St, Ste 210, Brainerd**

1. Hold Public Hearing
2. Hold Final Reading
3. Adopt Ordinance by Roll Call

D. Public Hearing – Final Reading of Proposed Ordinance No. 1461 – Zoning Ordinance Text Amendment – Section 22, Off Street Parking – To Remove Minimum Off Street Parking Requirements in Certain Zoning Districts

1. Hold Public Hearing
2. Hold Final Reading
3. Adopt Ordinance by Roll Call

E. Call for Applicants – Informational:
(Application Information at www.ci.brainerd.mn.us/boards/)
Cable TV Advisory Committee – 1 Term to expire 12/31/2016
Rental Dwelling Board of Appeals – 1 “Tenant Representative” term to expire 12/31/2016
Ad Hoc Walkable Bikeable City Committee

8. New Business

A. Call for Public Hearing on Redevelopment Plan

9. Public Forum: Time allocated for citizens to bring matters not on the agenda to the attention of the Council – Time limits may be imposed.

10. Staff Reports – Written
(Verbal: Any Updates since Packet)

11. Council Member Reports

12. Adjourn

NOTE: Safety and Public Works Committee will meet at 6:45 P.M.
Personnel and Finance Committee will meet at 7:00 P.M.

**ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS, PLEASE CALL 828-2307.
Visit the City’s website at www.ci.brainerd.mn.us**

MISSION

***“Provide high quality, cost effective public services and leadership in creating
a sustainable city”***

Brainerd, MN
August 1, 2016

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

Upon roll call, the following members were noted present: Borkenhagen, Hilgart, Koep, Bevans, Johnson and Scheeler. It was noted that Council Member Pritschet was at a remote location in Rochester, MN; he appeared on screen through Skype. Mayor Menk was also noted as present.

The Chair opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN KOEP AND BEVANS, DULY CARRIED, TO ADD THE ITEMS "LIBRARY BOARD DIRECTION" AND "HOUSE NUMBERS" TO NEW BUSINESS.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO MOVE "MIKE HIGGINS, BIC" FROM THE PUBLIC FORUM SECTION TO DIRECTLY AFTER THE CONSENT CALENDAR.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO ADD "DISCUSSION OF BOARD COMPENSATION INEQUITY" TO UNFINISHED BUSINESS.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE AMENDED AGENDA.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ADD A PHRASE TO PAGE 2 OF THE JULY 18, 2016 CITY COUNCIL MINUTES (ITEM: JEFF CZECHOK – CHARTER COMMISSION – INFORMATIONAL) SUMMARIZING COUNCIL MEMBERS' REQUEST TO HAVE "BOARD COMPENSATION INEQUITY" RESEARCHED AND INCLUDED ON THE AUGUST 1, 2016 CITY COUNCIL AGENDA.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON TO ADOPT THE CONSENT CALENDAR WITH THE AMENDED JULY 18, 2016 MINUTES.

A. Approval of the Minutes of the Regular Meeting held on July 18, 2016, as amended – Approved

B. Approval of License – Approved

1. On-Sale Liquor – Patrick Severson dba 218, 723 Mill Avenue, Brainerd -
Contingent upon fire inspection

C. Department Activity Reports – Approved

1. Fire Chief
2. Park Director

Upon roll call, members Borkenhagen, Hilgart, Koep, Pritschet, Bevans, Johnson and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried.

Mike Higgins, BIC – Informational

The Chair recognized Mr. Mike Higgins, representing the Brainerd Industrial Center (BIC). He read a prepared statement in which he brought to the Council's attention his concerns regarding relationships between the City and his business. Specifically Mr. Higgins cited what he believes to be inappropriate actions on the part of Councilman Gary Scheeler. Discussion followed. The Council confirmed that the liaison to BIC is Councilman Bevans and that future communications regarding like issues be forwarded to the City Administrator, then forwarded to Councilmember Bevans.

Council Committee Reports

Safety and Public Works Committee Report

Event/Street Closure Application – Night Beats – September 24, 2016 on 800 Block of Laurel – Approved Subject to Two Conditions

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION AS SUBMITTED BY THE NIGHT BEATS COMMITTEE FOR AN EVENT TO BE HELD ON SATURDAY, SEPTEMBER 24, 2016 ON THE 800 BLOCK OF LAUREL STREET SUBJECT TO THE FOLLOWING 2 CONDITIONS: COORDINATE TRAFFIC CONTROL WITH THE STREET DEPARTMENT AND SUBMIT APPROPRIATE CERTIFICATE OF INSURANCE NAMING THE CITY AS ADDITIONAL INSURED.

Event/Street Closure – Street Rod Association – Temporary No Parking Zones for Bus Loading Areas – September 10, 2016 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION AS SUBMITTED BY THE MINNESOTA STREET ROD ASSOCIATION FOR AN EVENT TO BE HELD ON SEPTEMBER 10, 2016; SPECIFICALLY FOR TEMPORARY NO PARKING ZONES FOR BUS LOADING AREAS.

Dial-A-Ride Operating Policy Amendment – Section 2.1.1, Service Availability – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE CHANGE TO SECTION 2.1.1 OF THE TRANSIT POLICY RELATING TO START TIMES.

Buffalo Hills Construction Project Development Status – Referred to Staff for Further Information to be presented to the Safety and Public Works Committee before October 1, 2016 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO DIRECT STAFF TO PRESENT INFORMATION TO THE SAFETY AND PUBLIC WORKS

COMMITTEE BEFORE OCTOBER 1, 2016 ON THE DEVELOPMENT OF/STATUS OF THE BUFFALO HILLS CONSTRUCTION PROJECT INCLUDING ASSESSMENT METHODOLOGY.

Meeting Request from WBCC – Propose September 12, 2016 – Informational

Committee Chair Bevans stated that he will offer Walkable Bikeable City Committee (WBCC) Chair Jackie Burkey the date of Monday, September 12, 2016 for a special meeting between the Safety and Public Works Committee and the WBCC.

Downtown Maintenance Update – Informational

Committee Chair Bevans reported that there have been complaints about the maintenance of certain areas and planters in the Downtown area. He stated that the contractor has been contacted and that the City Planner and Mayor are monitoring the upkeep. He stated that the Council will be kept up to date with this issue.

Added Item: Library Parking Lot Re-Surfacing Request – Referred to Future Safety and Public Works Meeting

Council Member Koep requested the discussion/proposal for the re-surfacing of the Brainerd Public Library's parking lot be added to an upcoming agenda.

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors – Approved

<u>Contractor</u>	<u>IMP #</u>	<u>Project</u>	<u>Amount</u>	<u>Total Retained On Project</u>
S E H	14-15	Airport Utilities Ext. – Through 6/30	\$99,970.64	N/A
S E H	16-07	Jordan Rd Utilities Ext. – Feasibility Report	\$2,500.00	N/A
Anderson Brothers	16-05	2016 Crack Sealing – Final	\$13,838.72	N/A

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON TO APPROVE THE PAYMENT OF BILLS AND PAYMENTS TO CONTRACTORS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

Upon roll call, members Borkenhagen, Hilgart, Koep, Pritschet, Bevans, Johnson and Scheeler voted "aye." No member voted "nay." The Chair declared the motion carried.

Fire Relief Association – Authorize Signatures on Annual Reports – Approved

Committee Chair Koep reported that there is no increase in annual benefit level.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO AUTHORIZE PROPER SIGNATURES ON THE 2016 ANNUAL BENEFIT REPORTS FOR THE BRAINERD FIRE RELIEF ASSOCIATION.

Credit Card Status Update

Committee Chair Koep reported that the City is now accepting credit cards. More information on what can be paid for with a credit/debit card and what will eventually be available for online payment will be presented at the August 15, 2016 meeting.

Ratification of Administration Department Administrative Specialist Hiring – Nicole Torrence at Step “A” of the Salary Administration Plan with an Anticipated Hiring Date of August 8, 2016 – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO RATIFY THE HIRING OF NICOLE TORRENCE AS THE ADMINISTRATIVE SPECIALIST IN THE ADMINISTRATION/FINANCE DEPARTMENT AT STEP “A” OF THE SALARY ADMINISTRATION PLAN WITH AN ANTICIPATED HIRING DATE OF AUGUST 8, 2016.

Police Department – Promotion of Police Officer Michael Kulzer to Sergeant effective August 2, 2016 with Appropriate Wage/Benefit Changes Pursuant to the Current Labor Agreement in Place – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO APPROVE THE PROMOTION OF POLICE OFFICER MICHAEL KULZER TO SERGEANT EFFECTIVE AUGUST 2, 2016, WITH THE APPROPRIATE WAGE/BENEFIT CHANGES MADE PURSUANT TO THE CURRENT LABOR AGREEMENT IN PLACE.

Fire Department – Resignation of Paid On-Call Firefighter Dennis Logelin effective July 26, 2016 – Accepted with Regret

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF PAID ON-CALL FIREFIGHTER DENNIS LOGELIN EFFECTIVE JULY 26, 2016.

Subordination of Loan to 3rd Position – Held Over

City Attorney Transition – Welcome New City Attorney Joseph J. Langel following the departure of City Attorney Quiring – Informational

City Administrator Thoreen introduced Attorney Joseph Langel. Effective after tonight’s meeting, Mr. Langel will be representing the City under provisions of the contract with “Ratwik, Roszak and Maloney, P.A.

The Chair thanked departing City Attorney Quiring for his service and welcomed Mr. Langel. Contact information will be updated and available at City Hall.

Unfinished Business

Public Hearing – Final Reading – Proposed Ordinance No. 1458 – An Ordinance Opting out of the Requirements of Minnesota Statutes, Section 462.3593 – Temporary Family Healthcare Dwellings – Approved

The Chair opened the Public Hearing at 8:12 P.M. No one came forward.

The Chair closed the Public Hearing at 8:13 P.M.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1458 – AN ORDINANCE OPTING OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593 – TEMPORARY FAMILY HEALTHCARE DWELLINGS; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON TO ADOPT ORDINANCE NO. 1458 – AN ORDINANCE OPTING OUT OF THE REQUIREMENTS OF MINNESOTA STATUTES, SECTION 462.3593 – TEMPORARY FAMILY HEALTHCARE DWELLINGS.

ORDINANCE NO. 1458

Upon roll call, members Borkenhagen, Hilgart, Koep, Pritschet, Bevans, Johnson and Scheeler voted “aye.” No member voted “nay.” The Chair declared the motion carried and the ordinance adopted.

Call for Applicants – Informational:

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

Cable TV Advisory Committee – 1 Term to expire 12/31/2016

Rental Dwelling Board of Appeals – 1 “Tenant Representative” term to expire 12/31/2016

Ad Hoc Walkable Bikeable City Committee

Added Item: Board/Commission Compensation Inequities – Referred to Personnel and Finance Committee for August 15, 2016 Agenda – Approved

Council Member Bevans clarified that the subject of board compensation inequality was brought forth from the Charter Commission, not Mr. Czezok independently. He recommended the item be referred to committee level for further discussion.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO REFER THE ITEM OF BOARD/COMMISSION COMPENSATION INEQUITIES BE REFERRED TO THE PERSONNEL AND FINANCE COMMITTEE FOR DISCUSSION AT THE AUGUST 15, 2016 MEETING.

New Business

Canvass of Primary Election Returns – To be held on Thursday, August 11, 2016 at 1:00 P.M. in the City Hall Council Chambers – Approved

Finance Director Hillman announced that the Primary Election will be held on Tuesday, August 9, 2016 and that results need to be canvassed for accuracy by a quorum of the Council.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO SET A SPECIAL MEETING OF THE CITY COUNCIL TO CANVASS PRIMARY ELECTION RESULTS FOR THURSDAY, AUGUST 11, 2016 AT 1:00 P.M. IN THE CITY COUNCIL CHAMBERS.

Resolution No. 30:16 Adopted – Waiving Recertification of Outstanding Special Assessments to Certain Tax-Forfeit Parcels in the City

The Chair recognized Ms. Jennifer Bergman, Executive Director of the Crow Wing County HRA, who discussed the proposal from Paxmar Land Development Company, Anoka, MN, to purchase and redevelop tax forfeited parcels in the Brainerd Oaks, DalMar Estates and Serene Pines Developments. She discussed the timeline during which the offers and counter offers of Paxmar and CWC HRA resulted in a purchase offer of \$912,300. She discussed details of the purchase agreement and development proposal and explained what the HRA is requesting of the City.

Ms. Bergman then answered several questions of the Council.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND PRITSCHET TO ADOPT RESOLUTION NO. 30:16 – WAIVING RECERTIFICATION OF OUTSTANDING SPECIAL ASSESSMENTS TO CERTAIN TAX-FORFEIT PARCELS IN THE CITY.

RESOLUTION NO. 30:16

Upon roll call, members Borkenhagen, Pritschet, Bevans and Johnson voted “aye.” Members Hilgart, Koep and Scheeler voted “nay.” The Chair declared the motion carried and the resolution adopted.

Change Orders #3 and #4 for IMP 14-15 – Airport Utility Extension – Declare Action from July 18, 2016 City Council Meeting to Deny Change Orders Upheld – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND KOEP TO UPHOLD THE MOTION FROM THE JULY 18, 2016 CITY COUNCIL MEETING TO DENY CHANGE ORDERS #3 AND #4 FOR IMPROVEMENT 14-15 – AIRPORT UTILITY EXTENSION.

Upon roll call, members Hilgart, Koep, Bevans, and Scheeler voted “aye.” Members Borkenhagen, Pritschet and Johnson voted “nay.” The Chair declared the motion carried.

It was determined that based on the motion made, the following two items as listed on the agenda were null and void.

1. *Discussion and Action on Change Order #3 for Improvement 14-15*
2. *Discussion and Action on Change Order #4 for Improvement 14-15*

Break: The Council took a break from 8:54 P.M. to 9:01 P.M.

Added Item: Request from City of Crosby to add their Library to the Kitchigami Regional Library System (KRLS) – Uphold Library Board Determination that the Policy Established by KRLS itself would deny the Acceptance of an Additional Library – Approved

Library Council Liaison Koep reported that the City of Crosby began negotiations with the Kitchigami system to be identified as a branch library. She went over the Kitchigami Regional Library’s Branch Establishment Policy.

Following Council discussion about diminished service at the Brainerd Public Library with the loss of funding this change would create, the following motion was made:

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO UPHOLD THE BRAINERD LIBRARY BOARD DETERMINATION THAT THE POLICY ESTABLISHED BY THE KITCHIGAMI REGIONAL LIBRARY ITSELF WOULD DENY THE ACCEPTANCE OF AN ADDITIONAL BRANCH LIBRARY.

Added Item: House Numbers on Homes – Refer Content and Intent of Letters to Safety and Public Works Committee for Further Review and Suspend Sending of Letters at this time – Approved

Council Member Koep reported that she had been receiving calls from citizens who have received City-generated notifications to display more prominent numbers on their homes indicating addresses. It was noted that the local hardware store is now out of various numbers used for this purpose.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND JOHNSON, DULY CARRIED, TO REVIEW THE CONTENT OF THE "HOUSE NUMBER VIOLATION" LETTER AND REFER THIS ITEM TO THE SAFETY AND PUBLIC WORKS COMMITTEE FOR REVIEW; FURTHER, TO SUSPEND THE MAILING OF SUCH LETTERS AT THIS TIME.

Planning Commission

First Reading – Proposed Ordinance No. 1459 – Rezoning Property located South of Quince Street on S. 6th Street and S. 7th Street to just South of Willow Street from a B-4 (General Commercial) District to a B-2 (Neighborhood Business) District and R-2 One and Two Family Residential District – Initiated by City of Brainerd Planning Commission – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1459 – REZONING PROPERTY LOCATED SOUTH OF QUINCE STREET ON S. 6TH STREET AND S. 7TH STREET TO JUST SOUTH OF WILLOW STREET FROM A B-4 (GENERAL COMMERCIAL) DISTRICT TO A B-2 (NEIGHBORHOOD BUSINESS) DISTRICT AND R-2 ONE AND TWO FAMILY RESIDENTIAL DISTRICT AS INITIATED BY CITY OF BRAINERD PLANNING COMMISSION; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

First Reading – Proposed Ordinance No. 1460 – Rezoning Property located at 310 W Laurel Street, Brainerd from a B-2 (Neighborhood Business) District to a B-4 (General Commercial) District as requested by KRRC LLP, 521 Charles St, Suite 210, Brainerd – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1460 – REZONING PROPERTY LOCATED AT 310 W LAUREL STREET, BRAINERD FROM A B-2 (NEIGHBORHOOD BUSINESS) DISTRICT TO A B-4 (GENERAL COMMERCIAL) DISTRICT AS REQUESTED BY KRRC LLP, 521 CHARLES ST, SUITE 210, BRAINERD; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

Members Borkenhagen, Hilgart, Pritschet, Bevans, Johnson and Scheeler voted “aye.” Member Koep voted “nay.” The Chair declared the motion carried.

First Reading – Proposed Ordinance No. 1461 – Zoning Ordinance Text Amendment – Section 22, Off Street Parking – To Remove Minimum Off Street Parking Requirements in Certain Zoning Districts – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1461 – ZONING ORDINANCE TEXT AMENDMENT – SECTION 22, OFF STREET PARKING – TO REMOVE MINIMUM OFF STREET PARKING REQUIREMENTS IN CERTAIN ZONING DISTRICTS; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

Public Forum

The Chair recognized Spenser Bickett, Brainerd Daily Dispatch, who asked why Council President Scheeler passed the gavel during the June 6, 2016 City Council meeting discussion of a purchase offer for the Brainerd Oaks/DalMar Estates/Serene Pines Development based on “conflict of interest” but had not done the same this time.

Council President Scheeler stated that he no longer has the conflict based on the property now being sold and City Attorney Quiring stated that there was never a conflict actually proven; that Council President Scheeler voluntarily passed the gavel.

Staff Reports

1. Facilities Committee Report – City Administrator

City Administrator Thoreen reported that there has not yet been an official report received. He stated that the City Engineer is working on getting further information to HVAC consultant Gene Halvorson

City Engineer Hulsether reported that a local contractor is preparing a proposal for the repair of the City Hall front stairs and wing walls as well as acid washing the entire building.

2. PUC/HRA Information Request re Pay and Benefits – City Administrator

This item was referred to the Personnel and Finance Committee for review.

Council Member Reports

Council Member Borkenhagen requested that each Council Member choose a cause or issue to “champion” for the year based on past practices initiated by the late Bonnie Cumberland.

Council Member Johnson reported that the Park Board had held a public input meeting on the proposed splash pad. He stated that a donation account is set up at the Initiative Foundation and that the Park Board will continue to gather facts on size of the facility and where it should be built. He reported that the Riverfront Committee has been meeting and is considering construction of a three-trail bridge as part of the Riverfront project. He then read

from a letter written by HRA President Fargo relating to Council President Scheeler's actions throughout the Brainerd Oaks Development.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND PRITSCHET TO FORMALLY DISAPPROVE OF COUNCIL PRESIDENT SCHEELER'S ACTIONS THROUGHOUT THE BRAINERD OAKS DEVELOPMENT PROCEDURE.

Council President Scheeler responded that he had been in contact with HRA members relating to this issue.

Council discussion was held.

Upon roll call, members Pritschet and Johnson voted "aye." Members Borkenhagen, Hilgart, Koep, Bevans and Scheeler voted "nay." The Chair declared the motion failed.

Committee Recommendations:

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO RE-APPOINT MR. ED MENK TO THE ECONOMIC DEVELOPMENT AUTHORITY FOR THE RETROACTIVE TERM OF SEPTEMBER 8, 2015 TO SEPTEMBER 7, 2021.

Adjourn – To the Canvass of Primary Election Returns to be held at 1:00 P.M. on Thursday, August 11, 2016 in the City Hall Council Chambers

The Chair adjourned the meeting at 10:10 P.M.

James M. Thoreen
City Administrator

**Brainerd, MN
August 11, 2016**

Pursuant to due call and notice thereof, the Special Meeting of the Brainerd City Council was called to order at 1:00 P.M. by City Administrator Thoreen.

Upon roll call, the following members were noted present: Pritschet, Bevans, Scheeler and Johnson. City Administrator Thoreen and Finance Director Hillman were also noted as present.

The Chair stated that today's meeting was being held to canvass the 2016 Primary Election results.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT THE RESULTS OF THE 2016 PRIMARY ELECTION IN THE CITY OF BRAINERD AS PRESENTED.

Adjourn

The Chair adjourned the meeting at 1:01 P.M.

James M. Thoreen
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
August 15, 2016

(1 New, 3 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
EL-JAY MECHANICAL INC 520 APOLLO AVENUE NE ST. CLOUD, MN 56304 16-0185 (new)	(320) 251-8330	PLUM	10/1/2016	12/31/2017	PC659649
MILLERBUILT CUSTOM HOMES INC PO BOX 424 BRAINERD, MN 56401 16-0186	(218) 825-9761	GENL	2/1/2017	12/31/2016	BC384628
ABE LLC 22801 COUNTY ROAD 3 MERRIFIELD, MN 56465 16-0187	(218) 765-4344	GENL	12/29/2016	12/31/2016	BC636682
MITCHELL CONSTRUCTION 22224 COOLEY DRIVE BRAINERD, MN 56401 16-0188	(218) 851-1806	GENL	9/28/2016	12/31/2016	BC694225



www.ci.brainerd.mn.us

MAYOR'S REPORT TO COUNCIL

For the August 15, 2016, City Council Meeting

Greetings,

Last week I attended the National Night out at the Court House and while there was a limited turn out there I understand other areas had a high turnout. My thanks to the individuals that made this important night a success. Next year I plan on making the night a more successful event with a proclamation and more media coverage.

On the 9th I was among a small number of voters that cast their ballots during the primary and then I attended the City of Brainerd's employee picnic. It was a great time and you could not have asked for better weather. Again, thanks to a dedicated team of employees. The picnic was great and the conversations were even better.

Today, Thursday the 11th I along with Administrator Thoreen will be meeting with Laine Larson our new District 181 Superintendent. I look forward working with her in the future.

On Saturday the 13th I will be presenting a proclamation commemorating all of the outstanding work that the 194 Tank Battalion has done for our Country at its Regiment Reunion. I am certain that the gathering will be well attended and memorable to all that served.

Ed Menk
Mayor, City of Brainerd

**BRAINERD POLICE DEPARTMENT
MEMORANDUM**

TO: Brainerd City Council

FROM: Police Chief Corky McQuiston *cam*

DATE: 08-11-16

RE: Monthly Report

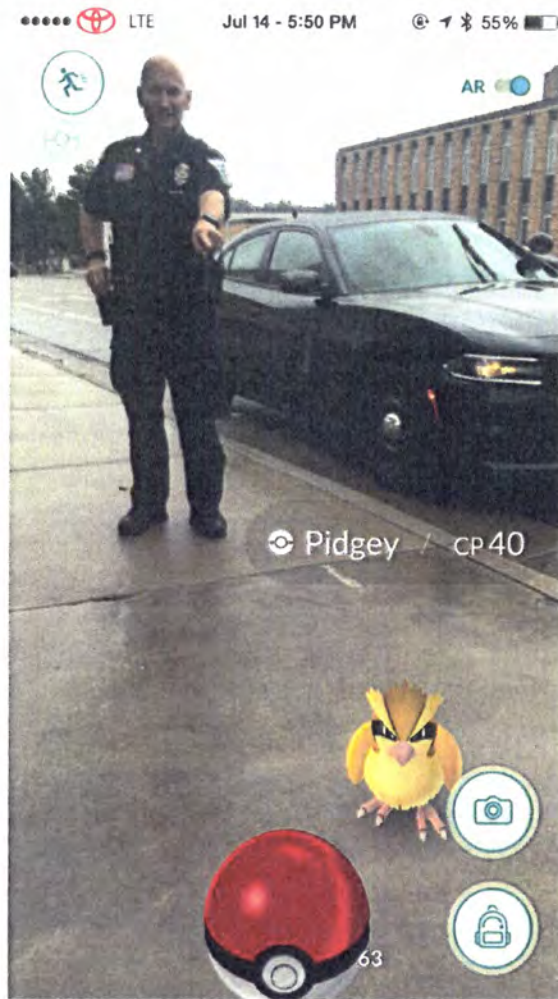


www.ci.brainerd.mn.us

The July 4th events were busy, but for the most part without any major incidents for us. We were very fortunate this year to receive **personnel** and **equipment** resources from both the Crow Wing County Sheriff's Department and the Baxter Police Department. Deputy Chief Bestul conducted several planning and mitigation meetings leading up to the 4th of July that, in my opinion, made it one of the safest, most efficiently and effectively run major events we've had involving this volume of people. The Sheriff's Department provided us with wireless surveillance devices to monitor crowds and also a Command Operations Center (mobile trailer equipped with computers and communication devices) to have at the live music event site to help monitor and staff the event. This allowed us and area to meet to review and plan operations, and provided a place for staff to take a break.

On July 6th the Pokémon Go game was released and we immediately noticed numerous people engaged with it around town. The newspaper asked if we were experiencing additional calls for police services as a result of it. I was only able to locate one call that specifically noted a suspicious vehicle report that confirmed it was people engaged in the playing the game from July 6th to the July 18th.





We had some great interaction with the public on our Facebook page related to Pokémon Go. Here is a comparison of our suspicious persons/activity/vehicle calls from the same time period in July of 2015 to July of 2016 where you'll see overall there was not a noticeable increase:

July 6th to July 18th

- Suspicious Activity Reports **2016:** 14 **2015:** 16
- Suspicious Person Reports **2016:** 12 **2015:** 11
- Suspicious Vehicle Reports **2016:** 14 **2015:** 6
 ***one confirmed playing Pokémon Go
- Trespassing **2016:** 5 **2015:** 6

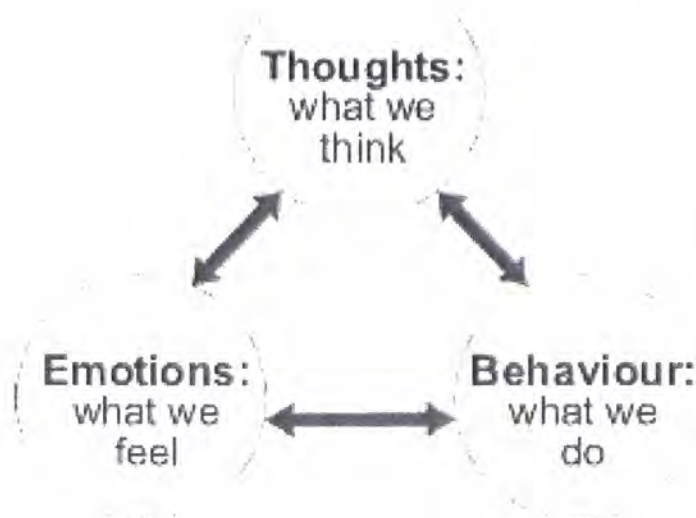


During July, our mandated PATROL on-line training had two different modules. One was the OSHA required AWAIR—Right To Know annual training and the other was **Emotional Wellness for Law Enforcement**.

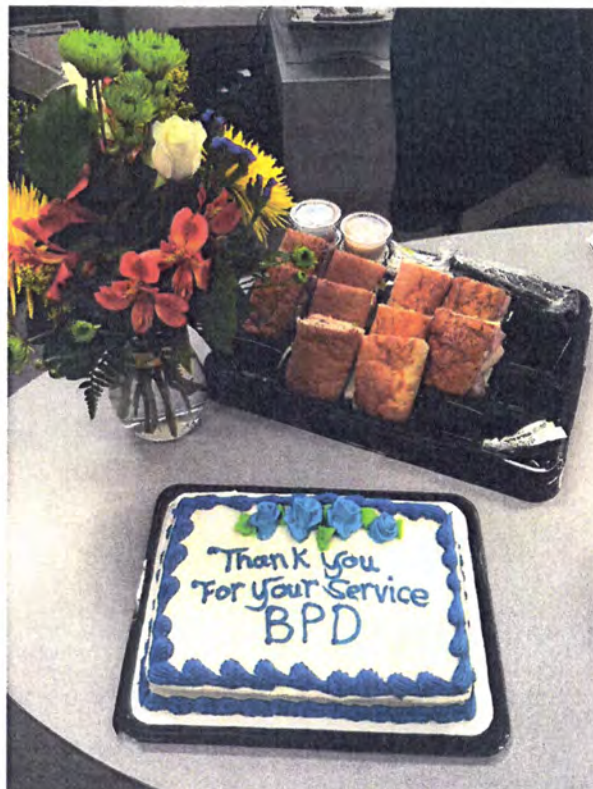
The Emotional Wellness covered what a Picture of Good Health should look like for police officers amidst all the obstacles they face on a daily basis that make this a very emotionally challenging career. The training helps officers to develop strategies and tactics for emotional wellbeing and integrate them into their daily lives. The learning objectives covered:

- Differentiating between characteristics of and myths about being in a state of good emotional health
- Identifying the benefits of good emotional health and the potential consequences of not working to stay healthy
- Identify what "resiliency" is, how it relates to emotional health, and strategies for being and staying resilient

Officers learned an overall strategy for addressing emotional health that contains three major components referred to as **BET** = **B**ehavior + **E**motion + **T**hought. These are identified as the three pillars of emotional health, like diet, exercise, and rest are to physical health. By looking at these three areas individually officers learn what they need to do in each one to enhance emotional health.



We could fill up several monthly reports with pictures and stories about the overwhelming amount of public support that we experienced during the month of July. If you didn't get a chance to see some of it, please visit our Facebook page and scroll through the posts from July. The amount of cookies, cake, muffins, coffee, pizza, sandwiches, candy, cards, and hugs that we received from this community was nothing short of astounding. Amidst all the negative things nation-wide involving police, our community really touched the hearts of the staff at the police department. Here are just a couple examples of what we experienced:



Sergeant Retirement

As many of you are aware of, Sergeant Joy Larson retired after her last day of work on July 4th, serving over 12 years with the department. Joy's retirement leaves a huge void in our department with the loss of her Community Policing Skills. Joy also brought diversity to our department from a non-typical officer perspective that benefitted us in different ways. We wish her well in retirement, and we are looking forward to the opportunity for an officer to be promoted to Sergeant with the testing process conducted in July.

Level III Predatory Offender

The Police Department learned that Level 3 Predatory Offender Jordan Koloski would be released from prison on July 6th and that he would be returning to the 100 block of Gillis where he has resided in the past. Since Koloski was not new to our area and returning to a prior address he has resided at, no community notification meeting was held. We had public fact sheets available at the police department and posted the notice of this on our Facebook page.

Methadone Clinic

We were advised that a different company was in the process of purchasing the Methadone Clinic and applying for a transfer of the license. The Crow Wing County Attorney, Crow Wing County Director of Community Services and I met with Chuck Hilger the Vice President of Medication Assisted Treatment for Meridian Behavioral Health on July 28th. We voiced our concerns and opposition of the clinic being operated and located in Brainerd and our reasons for such. Mr Hilger subsequently made a presentation to the the Crow Wing County Board and they also informed him they would not support the clinic. Both the City Planner and I attended the County Board meeting and spoke of our concerns with the clinic and how it has negatively impacted Brainerd.

Unfortunately the licensing process is ultimately in the hands of the State Commissioner of the Department of Human Services, who can still determine that there is a need for the clinic and issue a license, regardless of community opposition to it.

Conduct on Premises Activity Report for July

ICR	Date Reported	Title	Address	Summary Contains
16009080	07/06/16	Conduct on Premises	709 Laurel Street	Conduct on Premises Notice sent
16009133	07/07/16	Conduct on Premises	1823 Oak Street	Conduct on Premises Notice sent
16009290	07/09/16	Conduct on Premises	601 Washington Street	Conduct on Premises Notice sent

Monthly Police Activity

July	2016	2015
Calls	1614	1732
Citations (Inc. Parking)	230	248
Part I and Part II Crimes Reported	324 **	322

** Note: This does not include files that have not yet been coded.

56 parking tickets were issued in the month of July with the following dispositions:

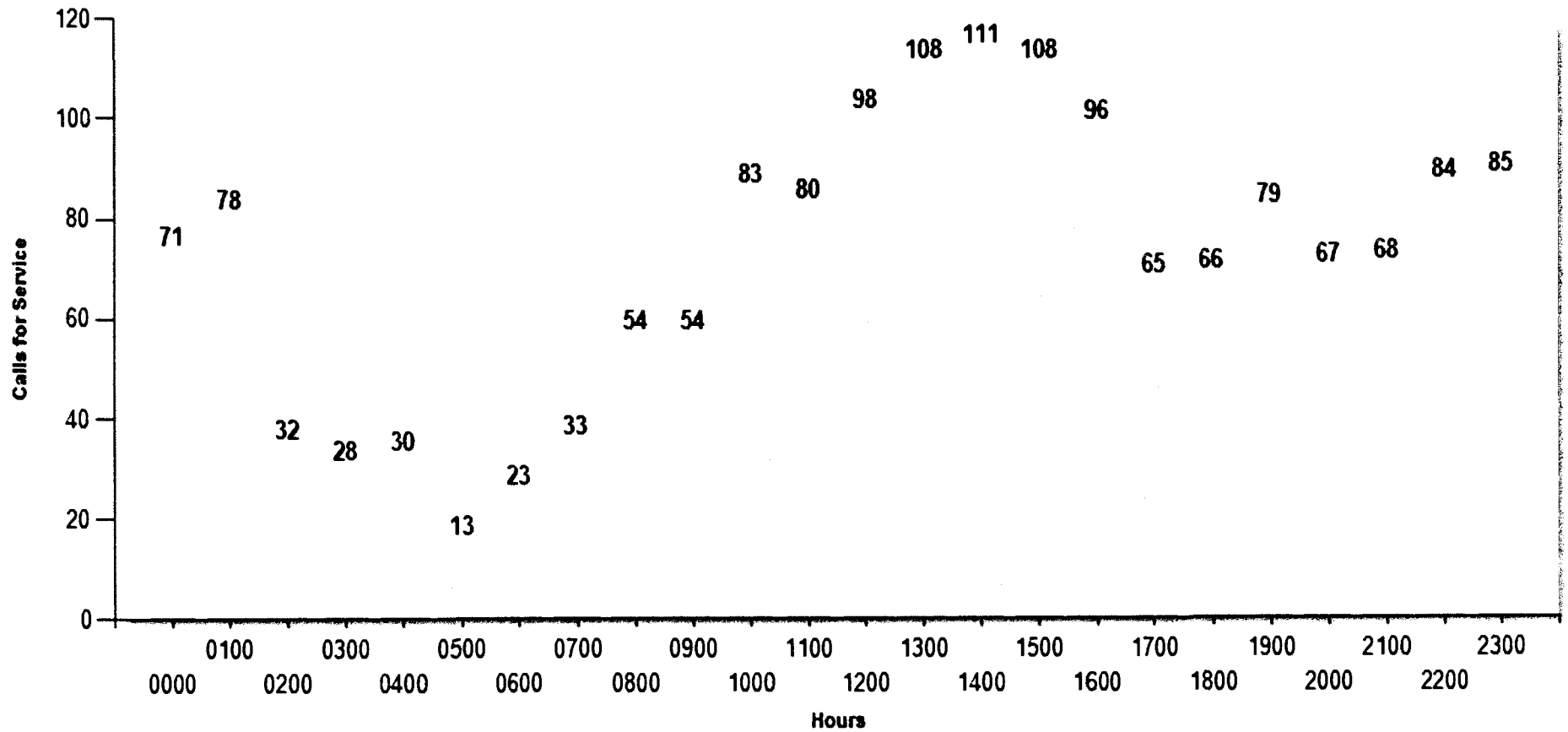
4	Dismissed
2	Business Validations
26	Paid in Full
1	Partial Payments Received
23	No Payment Received



Calls for Service Hourly

7/1/2016 to 7/31/2016

Total Calls: 1668



#5E

**RESOLUTION
NO.**

WHEREAS, Confident Learning Center has applied for a Minnesota Lawful Gambling Premises Permit at The Local, 723 Mill Avenue, Brainerd.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brainerd that the Minnesota Lawful Gambling Premise Permit application as requested by Confidence Learning Center is hereby approved.

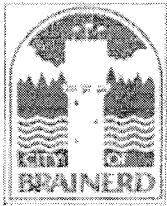
Adopted this ____ day of _____, 2016

GARY SCHEELER
President of the Council

Adopted this 2____ day of _____, 2016

EDWIN L. MENK
Mayor

ATTEST: _____
JIM THOREEN
City Administrator



Brainerd City Council Agenda Request

54

Agenda Item #

Requested Meeting Date: August 15th, 2016

Title of Item: ICAC JPA & Resolution

☐ 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: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed:
Summary of Issue: Investigator Craig Katzenberger is an outstate member of Internet Crimes Against Children (ICAC) Task force with the BCA. This provides our agency with computer forensic equipment and ongoing training for Craig to work on complex child internet pornography cases and attempts to solicit minors for sexual acts over the internet. Our existing 3-year JPA with the BCA for ICAC has expired and they have provided us with a new agreement for 2016-2019.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Adopt the included resolution authorizing the Mayor, City Administrator, and Police Chief to sign the attached JPA and enter into another 3-year agreement with the BCA for ICAC.	
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>	

RESOLUTION NO. _____

**RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS
WITH THE CITY OF BRAINERD ON BEHALF OF ITS AND POLICE DEPARTMENT
REGARDING THE MINNESOTA INTERNET CRIMES AGAINST CHILDREN
TASK FORCE (ICAC)**

WHEREAS, the City of Brainerd on behalf of its Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to utilize applicable state and federal laws to investigate and prosecute crimes committed against children and the criminal exploitation of children that is committed and/or facilitated by or through the use of computers.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Brainerd on behalf of its Police Department, are hereby approved. A copy of the Joint Powers Agreement is attached to this Resolution and made a part of it.
2. That the Police Chief, Corky McQuiston or his successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's relationship, authority, and involvement with ICAC.
3. That Edwin L. Menk, the Mayor for the City of Brainerd, and James M. Thoreen, the City Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Adopted this ____ day of _____, 2016

GARY SCHEELER
President of the Council

Approved this ____ day of _____, 2016

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator

Minnesota Internet Crimes Against Children Task Force

Multi-Agency Law Enforcement Joint Powers Agreement

This Multi-Agency Law Enforcement Joint Powers Agreement, and amendments and supplements thereto, ("Agreement") is between the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension ("Grantee"), empowered to enter into this Agreement pursuant to Minnesota Statutes § 471.59, subdivisions 10 and 12, and ***City of Brainerd on behalf of its Police Department, 225 East River Road, Brainerd, MN 56401*** ("Undersigned Law Enforcement Agency"), empowered to enter into this Agreement pursuant to Minnesota Statutes § 471.59, subdivision 10.

WHEREAS, the above subscribed parties have joined together in a multi-agency task force intended to investigate and prosecute crimes committed against children and the criminal exploitation of children that is committed and/or facilitated by or through the use of computers, and to disrupt and dismantle organizations engaging in such activity; and

WHEREAS, the undersigned agencies agree to utilize applicable state and federal laws to prosecute criminal, civil, and forfeiture actions against identified violators, as appropriate; and

WHEREAS, the Grantee is the recipient of a federal grant, attached and incorporated into this Agreement as Exhibit A, disbursed by the Office of Juvenile Justice and Delinquency Prevention ("OJJDP") in Washington, D.C. to assist law enforcement in investigating and combating the exploitation of children which occurs through the use of computers by providing funding for equipment, training, and expenses, including travel and overtime funding, which are incurred by law enforcement as a result of such investigations; and

WHEREAS, the OJJDP Internet Crimes Against Children ("ICAC") has established a Working Group of Directors representing each of the existing ICAC Task Forces to oversee the operation of the grant and sub-grant recipients; and the State of Minnesota, acting through its Commissioner of Public Safety on behalf of the Bureau of Criminal Apprehension ("BCA") has designated Donald Cheung as the Commander of the Minnesota ICAC Task Force;

NOW THEREFORE, the parties agree as follows:

1. The Undersigned Law Enforcement Agency approves, authorizes, and enters into this Agreement with the purpose of implementing a three-pronged approach, **prevention, education, and enforcement**, to combat Internet Crimes Against Children; and
2. The Undersigned Law Enforcement Agency shall adhere to the Minnesota ICAC Task Force Program Standards identified in Exhibit B, attached and incorporated into this Agreement, in addition to complying with applicable Minnesota state and federal laws in the performance of this Agreement, including conducting undercover operations relative to ICAC (a list of Regional ICAC Task Force, Minnesota State Affiliate Agency and Training & Technical Assistance Program contact information is available at <http://www.ojjdp.gov/programs/progsummary.asp?pi=3#Resources>); and
3. Exhibits A and B are incorporated into this Agreement and made a part thereof. In the event of a conflict between this Agreement and the Exhibits, the terms of the Exhibits

prevail; and

4. The Undersigned Law Enforcement Agency and the Grantee agree that each party will be responsible for its own acts and the results thereof to the extent authorized by law and shall not be responsible for the acts of any others and the results thereof. The Grantee's liability shall be governed by provisions of the Minnesota Tort Claims Act, Minnesota Statutes § 3.736, and other applicable law. The Undersigned Law Enforcement Agency's liability shall be governed by provisions of the Municipal Tort Claims Act, Minnesota Statutes §§ 466.01-466.15, and other applicable law; and
5. All members and representatives of the Undersigned Law Enforcement Agency shall continue to be employed and directly supervised by the same law enforcement agency employer which currently employs the member performing Minnesota ICAC Task Force assignments; and all services, duties, acts or omissions performed by the member will be within the course and duty of that employment, and therefore, are covered by the Workers Compensation programs of that employer; will be paid by that employer and entitled to that employer's fringe benefits; and
6. The Undersigned Law Enforcement Agency must first submit a written request for funds and receive approval for the funds from the Grantee to receive any funds from the Grantee; and
7. The Undersigned Law Enforcement Agency must supply original receipts to be reimbursed on pre-approved requests. Approved reimbursement will be paid directly by the Grantee to the Undersigned Law Enforcement Agency within thirty (30) calendar days of the date of invoice, with payment made to **Brainerd Police Department, 225 East River Road, Brainerd, MN 56401**; and
8. The Undersigned Law Enforcement Agency shall maintain accurate records pertaining to prevention, education, and enforcement activities, to be collected and forwarded monthly to the Minnesota ICAC Task Force Commander, or his successor or designee, for statistical reporting purposes; and
9. The Undersigned Law Enforcement Agency shall participate fully in any audits required by the OJJDP. In addition, under Minnesota Statutes § 16C.05, subdivision 5, the Undersigned Law Enforcement Agency's books, records, documents, and accounting procedures and practices relevant to this Agreement are subject to examination by the Grantee and/or the Minnesota State Auditor and/or the Legislative Auditor, as appropriate, for a minimum of six (6) years from the end date of this Agreement; and
10. The Undersigned Law Enforcement Agency shall make a reasonable good faith attempt to be represented at any scheduled regional meetings in order to share information and resources amongst the multiple entities; and
11. The Undersigned Law Enforcement Agency shall be solely responsible for forwarding information relative to investigative targets to the Child Pornography Pointer System ("CPPS") pursuant to the OJJDP guidelines; and
12. In the event future federal funding is no longer available, or if this Agreement is terminated

by either the State or the Undersigned Law Enforcement Agency, or if the Undersigned Law Enforcement Agency breaches this Agreement, then the Undersigned Law Enforcement Agency shall, at the request of the Minnesota ICAC Task Force Commander or his successor or designee, return all investigative equipment acquired through OJJDP funding within sixty (60) calendar days of such request.

13. That the Grantee may reimburse, the Undersigned Law Enforcement Agency for the following duties:
 - A. Investigations by the Undersigned Law Enforcement Agency under this Agreement shall be conducted in accordance with the OJJDP ICAC Task Force Program Standards identified in Exhibit B, and concluded in a timely manner. The Undersigned Law Enforcement Agency will only be reimbursed by the Grantee for overtime hours inclusive of fringe benefits of actual hours and/or actual expenses incurred related to performing Minnesota ICAC Task Force assignments and/or training approved by the Minnesota ICAC Task Force Commander, or his successor or designee, through the term of this Agreement or until all federal funds under the OJJDP grant have been expended, whichever comes first.
 - B. The Undersigned Law Enforcement Agency participating in the Minnesota ICAC Task Force investigations will be reimbursed by the Grantee for actual costs as defined in Clause 13, Section A, to the extent such actual costs have been reviewed and approved by the Minnesota ICAC Task Force Commander, or his successor or designee.
14. Any amendment to this Agreement must be in writing and will not be effective until it has been executed and approved by the same parties who executed and approved the original agreement, or their successors in office.
15. The Undersigned Law Enforcement Agency and the Grantee may terminate this Agreement at any time, with or without cause, upon 30 days written notice to the other party.
16. **Term of this Agreement**

This Agreement shall be effective on the date the Grantee and the Undersigned Law Enforcement Agency obtain all required signatures under Minnesota Statutes § 16C.05, subdivision 2, and shall remain in effective through **May 31, 2019** unless terminated or canceled. **Upon the effective date of this Agreement, the Undersigned Law Enforcement Agency will be entitled to reimbursements approved by the Grantee dating back to June 1, 2016 for overtime salary including fringe benefits, equipment, training and expenses to the extent Grantee has available funds to pay such and they have been approved consistent with Clause 13, Sections A and B.** Nothing in this Agreement shall otherwise limit the jurisdiction, powers, and responsibilities normally possessed by an employee as a member of the Undersigned Law Enforcement Agency.
17. **Venue**

Venue for all legal proceedings arising out of this Agreement, or its breach, must be in the appropriate state or federal court with competent jurisdiction in Ramsey County, Minnesota.

1. Undersigned Law Enforcement Agency

Undersigned Law Enforcement Agency certifies that the appropriate person(s) have executed the Agreement on behalf of the Undersigned Law Enforcement Agency and its jurisdictional government entity as required by applicable articles, laws, by-laws, resolutions, or ordinances.

By and Title

Undersigned Law Enforcement Agency

Date

Edwin L. Menk, Mayor

Date

Jim Thoreen, City Administrator

Date

2. Department or Public Safety; Bureau of Criminal Apprehension

Name: _____

Signed: _____

Title: _____
(With delegated authority)

Date

3. Commissioner of Administration

As delegated to Materials Management Division

By and Title

Date

#51

RESOLUTION NO.

**RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS
FROM APRIL 1, 2016 THROUGH JUNE 30, 2016**

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

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

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

SEE ATTACHED LIST OF DONORS

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

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

Adopted this 16th day of August, 2016

GARY SCHEELER
President of the Council

Approved this 17th day of August, 2016

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



www.ci.brainerd.mn.us

MEMO

TO: Mayor and Council

FROM: City Administrator James Thoreen

DATE: August 2, 2016

RE: Resolution Accepting Donations & Contributions for 2nd Quarter 2016

Attached is a resolution accepting donations and contributions that have been made to the City of Brainerd for the period of April 1, 2016 through June 30, 2016. The City is very appreciative to all who have made these contributions. The funds from the donations and contributions will be used as requested by the donor.

A resolution needs to be adopted with a two-thirds vote of the Council. The item appears on the August 15, 2016 agenda.

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

\dj

LEGIONVILLE DONATIONS

Organization Name	Donation
American Legion Auxillary	\$300.00
American Legion Post #255	\$550.00
Anderson Brothers Construction	\$100.00
Animal Care Center	\$50.00
ATEK Access Technologies	\$250.00
Baxter Lions Club	\$275.00
Brainerd Area Sertoma Club	\$250.00
Brainerd Eyecare Center	\$275.00
Brainerd Fire Relief Association	\$550.00
Brainerd Hardwoods Inc	\$275.00
Deerwood Bank	\$275.00
Elks Lodge #615	\$275.00
Holden Electric	\$75.00
Hy-Tec Construction	\$250.00
KLJ	\$275.00
Knights of Columbus	\$275.00
Mid-MN Federal Credit Union	\$275.00
Mills Fleet Farm	\$275.00
NAPA Auto Parts - Baxter	\$275.00
Northern Orthopedics Ltd	\$275.00
Northland Cabin Care	\$100.00
Pike Plumbing & Heating	\$70.00
SEH	\$275.00
Shipman Auto Parts	\$275.00
The Fine Line Salon	\$25.00
The Office Shop	\$50.00
Thelen Heating & Roofing	\$275.00
Town of Daggett Brook	\$275.00
Town of Long Lake	\$275.00
Town of Nokay Lake	\$275.00
Town of Oak Lawn	\$50.00
Town of St. Mathias	\$275.00
VFW Post #1647	\$550.00
Widseth Smith & Nolting	\$275.00
Total	\$8,445.00

Brainerd Parks and Recreation

Contributions and Donations April-June 2016

Received From	Receipt Date	Type of Donation	Amount Received
Baxter Lions Club	04/04/16	Special Events	100.00
Country Inn & Suites	04/04/16	Pinto Baseball Sponsor	150.00
Last Turn Saloon & Eatery	04/04/16	Mustang Baseball Sponsor	200.00
Three Bear Waterpark	04/04/16	Junior Softball Sponsor	175.00
BSN Sports	04/05/16	Mustang Baseball Sponsor	200.00
McDermott Orthodontics	04/07/16	Petite Softball Sponsor	175.00
Sibbert Drywall LLC	04/07/16	Designated for Memorial Park field improvements	50.00
Baxter Dental PA	04/11/16	Designated for Memorial Park field improvements	110.00
Arrowwood Lodge at Brainerd Lakes	04/13/16	Petite Softball Sponsor	175.00
Riddle's Jewelry	04/14/16	Mustang Baseball Sponsor	200.00
Brainerd Lions Club	04/18/16	Special Events	500.00
Steve Boyd Flooring	04/18/16	Designated for Memorial Park field improvements	50.00
Barrel O' Fun Inc	04/25/16	Designated for Miracle League facility	712.94
Anderson Brothers Construction LLC	04/25/16	Designated for Memorial Park field improvements	150.00
Brainerd BN Credit Union	04/25/16	Designated for Memorial Park field improvements	150.00
Eagles Club	04/27/16	Designated for Memorial Park field improvements	50.00
Brainerd Jaycees	04/27/16	Designated for Jaycees Park improvements	500.00
Bernick Companies	05/02/16	Designated for Memorial Park field improvements	250.00
East Side Auto	05/03/16	Junior Softball Sponsor	175.00
Alexander Electric	05/10/16	Bronco Baseball/Senior Softball Sponsor	375.00
Marr Sales Group	05/10/16	Pinto Baseball Sponsor	150.00
Sullivan Candy and Supply	05/10/16	Senior Softball Sponsor	175.00
VFW Post 1647	05/16/16	Designated for U.S. flags	1,500.00
Jody Young	05/23/16	Donation for Fishing Clinic	100.00
Minnesota Twins Community Fund	05/24/16	Grant-youth baseball and softball programs-to be used over 3 years	5,000.00
Eagles Club	05/26/16	Designated for Memorial Park field improvements	600.00
Kristy Van Hefty	06/06/16	Memorial bench at Memorial Park	696.00
Darcie and James Klink	06/07/16	Designated to purchase bats for the Youth Softball Leagues	250.00
Brien Devins	06/07/16	Designated to purchase bats for the Youth Softball Leagues	250.00
Terri Close	06/14/16	Memorial bench at Kiwanis Park	696.00
Northland Kart Kountry	06/20/16	Designated for Memorial Park field improvements	400.00
Walmart	05/24/16	Donation for Fishing Clinic	in-kind
Tuff's Bait & Tackle	05/28/16	Donation of rods and reels for Fishing Clinic	in-kind
Pan O Gold Baking Company	05/28/16	Donation of hot dog buns for Fishing Clinic	in-kind
TOTAL			\$14,264.94

MEMO

TO: Finance Director Connie Hillman
FROM: Fire Chief Tim Holmes
DATE: August 4, 2016
SUBJECT: 2016 – 2nd Quarter Donations



www.ci.brainerd.mn.us

2nd Quarter donations for the Brainerd Fire Department are as follows:

• Adium Oil	\$ 931.87	Donation
• Borgen, Alison	\$ 25.00	Birthday Party
• Brainerd Jaycees	\$ 500.00	Donation
• Center Point Energy	\$ 2,500.00	Donation/Rescue Equipment
• Mill Avenue Holiday	\$ 75.00	Donation

Feel free to contact me with any questions.

CITY OF BRAINERD PERSONNEL AND FINANCE COMMITTEE AGENDA

August 15, 2016
City Hall Conference Room
7:00 P.M.

1. Approval of Bills, Transfer of Funds & Payments to Contractors

General Fund to Public Safety Fund	\$ 75,000
General Fund to Park Fund	\$ 80,000
General Fund to Street & Sewer Fund	\$ 30,000
General Fund to Airport Fund	<u>\$ 12,960</u>
	\$197,960

<u>Contractor</u>	<u>IMP #</u>	<u>Project</u>	<u>Amount</u>	<u>Total Retained On Project</u>
Braun Interc	14-15	Construction materials thru 7/18/16	\$7,131.25	N/A
Tom's Backhoe Svc	14-15	Pay Application #4, Brd Airport Util Ext, thru 7/29/16	\$1,430,040.17	\$185,323.26

2. 2015 TIF Report

3. Marketing of Tax Forfeit Property

4. Board/Commission Compensation Validity

5. Police Department – Request to Attend Out-of-State Bomb Technician Training

6. Fire Department – Fire Marshal/Deputy Chief Cox – Advancement to Step “C” of the Salary Administration Plan, Effective August 1, 2016

7. Administration Department – City Administrator Thoreen – Advancement to Step “D” of Salary Administration Plan, Effective August 3, 2016

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-239362	101-41940-2220	REPAIR & MAIN LUBE, LIME-RUST REMOVER, WALL	072868	19.98
		I-239903	101-41410-2210	OPERATING SUP 8 MULTI OUTLET STRIPS - ELECTI	072868	47.32
01-0015	ADAMSON, DOROTHY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072869	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.5 HOURS 8/9 PRIMARY	072869	155.00
01-0033	AMERICAN PLANNING ASSOC					
		I-087011-1673	101-41910-3433	DUES & SUBSCR APA MEMBERSHIP RENEWAL	072871	455.00
01-0071	FORUM COMMUNICATIONS CO					
		I-1750558	101-41910-3350	PRINTING/LEGA NOH - REZONE 310 W LAUREL B-2	072886	43.54
		I-1750558	101-41910-3350	PRINTING/LEGA NOH - AMEND ZONE ORD SEC 15-22	072886	37.32
		I-1750558	101-49200-3350	LEGAL PUBLICA ORD 1453 - ANIMAL CONTROL	072886	37.32
		I-1750558	101-49200-3350	LEGAL PUBLICA ORD 1454 - LIC. FEE ANIMAL FEE	072886	40.43
		I-1750558	101-49200-3350	LEGAL PUBLICA ORD 1455 - DELETE PHONE BOOTHS	072886	31.10
		I-1750558	101-41910-3350	PRINTING/LEGA NOH - REZONE S. 6TH ST B-4 TO	072886	43.54
		I-1750558	101-49200-3350	LEGAL PUBLICA DOG LIC REQUIREMENTS AD	072886	365.40
		I-1750558	101-49200-3350	LEGAL PUBLICA DOG LIC REQUIREMENTS AD	072886	298.58
		I-1750558	101-49200-3350	LEGAL PUBLICA DISCOUNT	072886	74.65-
		I-1750558	101-49200-3350	LEGAL PUBLICA DOG LIC REQUIREMENTS AD	072886	298.58
		I-1750558	101-49200-3350	LEGAL PUBLICA SUMMARY OF FINANCIAL REPORT	072886	177.29
01-0086	CITY OF BRAINERD					
		I-TRANSFERS 8/16	101-49300-7720	TRANSFERS OUT 8/16 TRANSFERS PUBLIC SAFETY	072901	75,000.00
		I-TRANSFERS 8/16	101-49300-7720	TRANSFERS OUT 8/16 TRANSFERS PARKS	072901	80,000.00
		I-TRANSFERS 8/16	101-49300-7720	TRANSFERS OUT 8/16 TRANSFERS ST & SWR	072901	30,000.00
		I-TRANSFERS 8/16	101-49300-7720	TRANSFERS OUT 8/16 TRANSFERS AIRPORT	072901	12,960.00
01-0100	BUSINESS FORMS PLUS					
		I-211104	101-41400-2210	OPERATING SUP ORDERED 3 BOXES OF CHECKS	072893	645.83
01-0133	CWC RECORDER					
		I-201100006681	101-41910-3350	PRINTING/LEGA CUP A875401 & VAR A875402	072903	92.00
		I-201100006725	101-41910-3350	PRINTING/LEGA VAR A876088	072903	46.00
		I-201100006732	101-41910-3350	PRINTING/LEGA VAR A876230 & CUP A876231	072903	92.00
01-0204	HOLCO INC					
		I-12320061/JUL 16	101-42400-2212	MOTOR FUELS JULY MOTOR FUELS	072932	118.67
01-0229	CLIFTONLARSONALLEN LLP					
		I-079-014170	101-49200-3300	PROFESSIONAL FINAL 2015 AUDIT BILLING	072902	1,000.00
01-0232	LEAGUE MN CITIES INS TR					
		I-236723	101-41910-3330	PROFESSIONAL 7/14/16 WRKSHP DALE PARKS	072946	45.00
01-0243	MARCO FINANCING					
		I-310782941	101-41800-3331	LEASE PAYMENT AUGUST COPIER LEASE	072951	726.06

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0284	OFFICE SHOP					
		I-1009256-1	101-41940-2210	OPERATING SUP COPY PAPER	072966	361.38
		I-1009306-0	101-42400-2200	OFFICE SUPPLI SMALL WRITING NOTEPADS	072966	5.29
		I-1009306-0	101-41700-2200	OFFICE SUPPLI SMALL WRITING NOTEPADS	072966	2.65
		I-1009306-0	101-41910-2200	OFFICE SUPPLI SMALL WRITING NOTEPADS	072966	2.64
		I-1009306-1	101-41700-2200	OFFICE SUPPLI SIGNATURE STAMP (SANDY)	072966	26.67
		I-1009531-0	101-41400-2200	OFFICE SUPPLI AUDIO CASSETTES	072966	38.90
		I-1009929-0	101-41400-2200	OFFICE SUPPLI FOLDERS FOR HR	072966	38.99
01-0293	PITNEY BOWES RESERVE AC					
		I-8/05/16 REFILL	101-15500	PREPAID EXPEN POSTAGE REFILL 8/05/2016	072971	500.00
01-0296	BRAINERD PUBLIC UTILITI					
		I-JULY 2016	101-41940-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	3,535.55
		I-JULY 2016	101-49200-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	283.90
01-0307	CENTER POINT ENERGY/MIN					
		I-5942870-6/JUL 16	101-41940-3380	UTILITIES 6/20-7/20 HEAT	072898	45.43
		I-6031615-5/JUL 16	101-41940-3380	UTILITIES 6/20-7/20 HEAT	072898	22.19
01-0334	U.S. BANK					
		I-4365750	101-14100	DUE FROM COMP BPU GO IMPR BOND 2016A	072990	496.00
		I-4365757	101-14100	DUE FROM COMP BPU GO IMPR BOND 2016B	072990	296.00
01-0344	WASTE PARTNERS INC					
		I-67X90791	101-41940-3300	PROFESSIONAL JULY GARBAGE SERVICE	072995	70.24
01-0447	CDW GOVERNMENT, INC					
		I-DPK5333	101-49200-3438	MISC SPECIAL EPSON 110/220 AC POWER ADAPTER	072897	48.99
01-0548	MCBREEN, KATHY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072952	20.00
01-0959	KELLER, FLORENCE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072939	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072939	155.00
01-0968	SIEVEK, DORIS					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072977	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072977	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR NURSING HOME TRAINING	072977	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2.50 HOURS NURSING HOME WORK	072977	30.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072977	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16.25 HOURS 8/9 PRIMARY	072977	195.00
01-0973	CASH, LORRAINE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072895	20.00
01-0977	GOGOLIN, RUTH					

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0977	GOGOLIN, RUTH	continued				
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072922	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 8 HOURS 8/9 PRIMARY	072922	80.00
01-0983	MOILANEN, BARB					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072958	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072958	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072958	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16.75 HOURS 8/9 PRIMARY	072958	201.00
01-0996	DWYER, MARY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072911	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR NURSING HOME TRAINING	072911	10.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2.5 HOURS NURSING HOME WORK	072911	25.00
01-1	MISCELLANEOUS VENDOR					
	JOSEPH HAMM	I-1601045 REFUND	101-32270	RENTAL HOUSIN REFUND OVERPAYMENT LIC FEE	072936	43.00
	SHEILA REEM	I-2000413	101-20801	SALES TAX PAY REFUND RENTAL FEE - PARK CLOSE	072975	4.74
01-1001	ELLIS, JUNE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072914	20.00
01-1063	WLASIUK, PATRICIA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072999	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.25 HOURS 8/9 PRIMARY	072999	152.50
01-1104	BURTON, JANET					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072892	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072892	155.00
01-1668	PENN, LINDA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072967	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15 HOURS 8/9 PRIMARY	072967	150.00
01-1669	BORDEN, PATRICK					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072883	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 9.25 HOURS 8/9 PRIMARY	072883	92.50
01-1684	EDMUNDS, KATHLEEN					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072913	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16 HOURS 8/9 PRIMARY	072913	160.00
01-1753	MARCO					
		I-INV3503541	101-41400-2200	OFFICE SUPPLI STAPLES FOR COPIER	072950	106.71
		I-INV3507097	101-41800-3309	COMPUTER SUPP SMART NET	072950	4,596.00
01-1859	ENTERPRISE FM TRUST					
		I-FBN3063921	101-41940-3331	LEASE PAYMENT 8/1/16-8/31/16 FUSION LEASE	072915	312.37

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-2005	T-MOBILE					
		I-AUG 2016	101-41940-3321	TELEPHONE	JULY CHG GPS SATELLITE ACCESS 072984	33.85
01-2232	GROSSMAN, CHRISTINE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072924	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	16 HOURS 8/9 PRIMARY 072924	160.00
01-2233	HANSON, MARY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072927	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	15.25 HOURS 8/9 PRIMARY 072927	152.50
01-2245	LARGE, LAURA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072944	20.00
01-2259	MURPHY, GORDY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072961	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	8 HOURS 8/9 PRIMARY 072961	80.00
01-2266	PEPPER, AMANDA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072968	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	15.50 HOURS 8/9 PRIMARY 072968	155.00
01-2302	MINK, DONALD					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072957	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	1 HOUR PUBLIC TESTING 072957	10.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	11 HOURS 8/9 PRIMARY 072957	110.00
01-2345	TOUMI, MICHAEL					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072988	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	15.75 HOURS 8/9 PRIMARY 072988	157.50
01-2677	BRAINERD ADMINISTRATION					
		I-AUGUST 2016	101-41400-3322	POSTAGE	POSTAGE - CERTIFIED LETTERS PE 072884	5.12
01-2805	BLANCK, GERALD					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072878	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	3.50 HOURS 8/9 PRIMARY 072878	35.00
01-2806	BLANCK, KATHY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072879	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS HJ TRAINING 072879	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	1 HOUR NURSING HOME TRAINING 072879	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2.50 HOURS NURSING HOME WORK 072879	30.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	1 HOUR PUBLIC TESTING 072879	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	1 HOUR SUPPLY PICKUP 072879	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	16.75 HOURS 8/9 PRIMARY 072879	201.00
01-2807	BLANCK, THERESA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY	2 HOURS REG TRAINING 072880	24.00

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-2807	BLANCK, THERESA	continued				
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072880	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR NURSING HOME TRAINING	072880	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2.50 HOURS NURSING HOME WORK	072880	30.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072880	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.25 HOURS 8/9 PRIMARY	072880	183.00
01-2809	DWYER, EILEEN					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072909	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072909	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072909	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR SUPPLY PICKUP	072909	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.75 HOURS 8/9 PRIMARY	072909	189.00
01-2810	DWYER, JIM					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072910	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072910	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072910	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15 HOURS 8/9 PRIMARY	072910	180.00
01-2812	ERICKSON, SALLY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072916	20.00
01-2814	FITZPATRICK, JOHN					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072921	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072921	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR NURSING HOME TRAINING	072921	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2.50 HOURS NURSING HOME WORK	072921	30.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072921	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR SUPPLY PICKUP	072921	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 17.50 HOURS 8/9 PRIMARY	072921	210.00
01-2815	FITZPATRICK, ARLENE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072920	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072920	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR NURSING HOME TRAINING	072920	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2.50 HOURS NURSING HOME WORK	072920	30.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072920	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR SUPPLY PICKUP	072920	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 17.50 HOURS 8/9 PRIMARY	072920	210.00
01-2817	JENSEN, BEV					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072934	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072934	155.00
01-2818	LEISDON, BETTY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072945	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 14.75 HOURS 8/9 PRIMARY	072945	147.50

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-2823	THESING, MARGIE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072986	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072986	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072986	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR SUPPLY PICKUP	072986	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.75 HOURS 8/9 PRIMARY	072986	189.00
01-2924	VERIZON WIRELESS					
		I-9769204826	101-41940-3321	TELEPHONE 7/24-8/23 GPS SATELLITE ACCESS	072993	35.01
01-3081	BOLLES, SOPHIE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072881	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16 HOURS 8/9 PRIMARY	072881	160.00
01-3082	BOLLES, THERON					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072882	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072882	155.00
01-3083	BROWN, DAN					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072891	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072891	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR SUPPLY PICKUP	072891	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 17 HOURS 8/9 PRIMARY	072891	204.00
01-3087	GUIDI, DIANE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072925	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 9 HOURS 8/9 PRIMARY	072925	90.00
01-3275	PREISINGER, CAL					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072972	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072972	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072972	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR SUPPLY PICKUP	072972	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16.75 HOURS 8/9 PRIMARY	072972	201.00
01-3276	STEFFENSON, NATHAN					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072981	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 7.50 HOURS 8/9 PRIMARY	072981	75.00
01-3277	WELLIVER, MARY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072997	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072997	155.00
01-3289	CAUGHEY, ROSEANNE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072896	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 10.50 HOURS 8/9 PRIMARY	072896	105.00
01-3291	KNUTH, MIKE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072941	24.00

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-3291	KNUTH, MIKE	continued				
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072941	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072941	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR SUPPLY PICKUP	072941	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16.75 HOURS 8/9 PRIMARY	072941	201.00
01-3292	LYSCIO, JERRY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072947	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16 HOURS 8/9 PRIMARY	072947	160.00
01-3293	MORRIS, GORDON					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072959	20.00
01-3415	KAUFMAN, KATIE					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072937	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS HJ TRAINING	072937	24.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 1 HOUR PUBLIC TESTING	072937	12.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.75 HOURS 8/9 PRIMARY	072937	189.00
01-3442	BAILEY, WAYNE (BILL)					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072876	20.00
01-3443	BAILEY, CHERYL					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072875	20.00
01-3444	BAKER, DEBORAH					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072877	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.25 HOURS 8/9 PRIMARY	072877	152.50
01-3446	FALK, GLENNA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072917	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16.25 HOURS 8/9 PRIMARY	072917	162.50
01-3447	HERMAN, LAURA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072930	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15 HOURS 8/9 PRIMARY	072930	150.00
01-3449	KNAKMUHS, MICHAEL					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072940	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072940	155.00
01-3450	PIERZINSKI, DOROTHY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072969	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072969	155.00
01-3451	SCHAEFER, MARTHA					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072974	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 16.25 HOURS 8/9 PRIMARY	072974	162.50

FUND : 101 GENERAL FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-3464	KRAKLAU, KATHY					
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 2 HOURS REG TRAINING	072942	20.00
		I-2016 PRIMARY	101-41410-1104	TEMPORARY 15.50 HOURS 8/9 PRIMARY	072942	155.00
				FUND 101 GENERAL FUND	TOTAL:	222,174.93

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 203 TRANSIT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0069	BRAINERD BUS LINES INC					
		I-11607A	203-49000-2212	MOTOR FUELS JULY SERVICE	072885	5,830.71
		I-11607A	203-49000-3401	VEHICLE REPAI JULY SERVICE	072885	10,326.01
		I-11607A	203-49000-3440	TRANSIT SERVI JULY SERVICE	072885	50,422.62
01-0071	FORUM COMMUNICATIONS CO					
		I-1750558	203-49000-3350	PRINTING/LEGA BOTICE - TAC MEETING 7/21	072886	21.77
01-0102	CANON FINANCIAL SERVICE					
		I-AUG 2016	203-49000-3420	COPY MACHINE RETURN COPIER - FINAL PAYMENT	072894	209.80
01-0381	STONE, ANDER					
		I-AUG 2016	203-49000-3330	PROFESSIONAL MNDOT RTCC MTG - MILEAGE REIM	072982	108.00
01-1573	DELL MARKETING LP					
		I-XK149WRR8	203-49000-2200	OFFICE SUPPLI NEW DELL COLOR PRINTER	072907	398.39
01-1965	NORTH CENTRAL BUS SALES					
		I-72753	203-49000-3401	VEHICLE REPAI REPLACE SIDE SKIRTS	072964	3,042.55
01-3486	RURAL TRANSIT ASSISTANC					
		I-110	203-49000-3330	PROFESSIONAL DEFENSE DRIV/MALTREAT TRAINING	072973	968.14
			FUND	203 TRANSIT FUND	TOTAL:	71,327.99

PAGE: 10

FUND : 211 LIBRARY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0296	BRAINERD PUBLIC UTILITI					
		I-JULY 2016	211-45500-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	2,754.97
				FUND 211 LIBRARY FUND	TOTAL:	2,754.97

PAGE: 11

FUND : 223 DRUG FORFEITURE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0888	WEST BRAINERD	AUTO SERV				
		I-26426	223-42140-2210	OPERATING EXP TOW 16009990	072998	45.00
		I-26437	223-42140-2210	OPERATING EXP TOW 16010704	072998	45.00
				FUND 223 DRUG FORFEITURE	TOTAL:	90.00

PAGE: 12

FUND : 224 DUI FORFEITURE

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0888	WEST BRAINERD AUTO SERV					
		I-25809	224-42150-2210	OPERATING EXP TOW 16010176	072998	45.00
				FUND 224 DUI FORFEITURE	TOTAL:	45.00

PACKET: 03771 08/15/16 COUNCIL
 VENDOR SET: 01
 FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0177	FIRST IMPRESSION PRINTI	I-64979	225-42120-2200	OFFICE SUPPLI 705 & 722 BUSINESS CARDS	072919	50.00
01-0199	HANNAHS, DONALD C. JR.	I-AUGUST 2016	225-42700-3300	PROFESSIONAL AUGUST 2016	072926	1,360.60
01-0200	HEARTLAND ANIMAL RESCUE	I-JULY 2016	225-42700-3300	PROFESSIONAL JULY 2016 MONTHLY FEE	072928	1,698.75
		I-JULY 2016	225-42700-3430	MISCELLANEOUS JULY 2016 BOARDING	072928	2,071.00
01-0204	HOLLCO INC	I-12320052/JUL 16	225-42220-2212	MOTOR FUELS JULY 2016 FUEL	072932	329.49
01-0226	LAKES AREA MAT SERVICE	I-#580: 20160712	225-42120-3430	MISCELLANEOUS #580 PD MAT SERVICE	072943	40.15
		I-#580: 20160726	225-42120-3430	MISCELLANEOUS #580 PD MAT SERVICE	072943	40.15
01-0255	XTREME LAWN CARE LLC	I-398	225-42220-3300	PROFESSIONAL MOWING/TRIMMING JULY 2016	073000	150.00
01-0273	NAPA AUTO PARTS	I-983877	225-42220-2210	OPERATING SUP HVAC BELT	072962	14.06
01-0291	PIKE PLUMBING AND HEATI	I-64015	225-42120-2220	REPAIR & MAIN PLUMBING REPAIR	072970	238.31
01-0296	BRAINERD PUBLIC UTILITI	I-JULY 2016	225-42120-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	3,475.10
		I-JULY 2016	225-42220-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	1,709.57
01-0307	CENTER POINT ENERGY/MIN	I-5956221-5/JUL 16	225-42120-3380	UTILITIES 6/20-7/20 HEAT	072898	22.19
		I-6004720-6/JUL 16	225-42220-3380	UTILITIES 6/20-7/20 HEAT	072898	22.19
01-0322	STREICHERS PROF EQUIP	I-I1218603	225-42120-1113	UNIFORM ALLOW 712 - UNIFORM BOOTS	072983	99.98
01-0325	THELEN HTG & RFG CO	I-2453	225-42120-2220	REPAIR & MAIN HVAC REPAIR	072985	1,708.50
01-0344	WASTE PARTNERS INC	I-67X90790	225-42220-3430	MISCELLANEOUS GARBAGE JULY 2016	072995	81.90
		I-67X91083	225-42120-3430	MISCELLANEOUS GARBAGE JULY 2016	072995	91.23
01-0655	SOTHERS STUDIO	I-23000	225-42120-3300	PROFESSIONAL 726 - OFFICER OF THE YEAR PHOT	072978	168.00
01-1171	KEEPRS, INC/CY'S UNIFOR	I-316451	225-42120-1113	UNIFORM ALLOW 718TK - INITIAL ISSUE	072938	965.03

PACKET: 03771 08/15/16 COUNCIL
VENDOR SET: 01
FUND : 225 PUBLIC SAFETY FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-1343	CHARTER COMMUNICATIONS					
		I-07/16-08/16	225-42220-3380	UTILITIES BUSINESS TV NE STATION	072900	6.41
		I-08/16-09/16	225-42220-3380	UTILITIES BUSINESS TV MAIN STATION	072900	7.35
01-1753	MARCO					
		I-INV3511508	225-42120-3309	COMPUTER TECH PRINTER MAINT CONTRACT	072950	38.02
01-1859	ENTERPRISE FM TRUST					
		I-FBN3063921	225-42220-3331	LEASE PAYMENT 8/1/16-8/31/16 UTILITY INTERCE	072915	482.31
01-1913	GRAND FORKS FIRE EQUIPM					
		I-17729	225-42220-2250	PERSONAL PROT RESCUE EQUIPMENT	072923	3,900.58
01-2177	HOLIDAY CREDIT OFFICE					
		C-JULY 2016	225-42120-2212	MOTOR FUELS CREDITS/REBATES JULY 2016	072931	263.72-
		C-JULY 2016	225-42220-2212	MOTOR FUELS CREDITS/REBATES JULY 2016	072931	24.19-
		I-JUL 16 PD	225-42220-2212	MOTOR FUELS JULY 2016 FUEL	072931	223.93
		I-JUL 16 PD	225-42120-2212	MOTOR FUELS SQUAD FUEL	072931	2,603.63
01-2412	DAVIS, JOHN					
		I-TRAVREIM 7/16	225-42120-3330	PROFESSIONAL 704 - USE OF FORCE TRAINING ME	072905	31.50
01-2677	BRAINERD ADMINISTRATION					
		I-AUGUST 2016	225-42120-3322	POSTAGE POSTAGE - RETURN UNUSED PO TES	072884	22.95
01-3018	NORTH COUNTRY JANITORIA					
		I-JULY 2016	225-42120-3300	PROFESSIONAL JANITORIAL SERVICES	072965	1,000.00
01-3052	SQUAD PRO					
		I-285	225-42120-2221	SQUAD CAR REP SQD 424 - REPLACE GUN LOCK TIM	072979	151.99
01-3138	ST. LOUIS MRO INC.					
		I-39705	225-42225-3300	PROFESSIONAL 3 PRE-EMPLOYMENT POC	072980	73.50
01-3168	MOTORS-N-MORE					
		I-24441	225-42120-2221	SQUAD CAR REP SQD 499 - CLEANED INTAKE & THR	072960	86.00
01-3202	INNOVATIVE OFFICE SOLUT					
		I-IN1263463	225-42220-2200	OFFICE SUPPLI LABEL TAPE	072933	25.25
01-3428	TURFCARE, INC.					
		I-13137	225-42220-3300	PROFESSIONAL STATION ONE FERTILIZER	072989	115.00
		I-13138	225-42220-3300	PROFESSIONAL STATION TWO FERTILIZER	072989	69.70
01-3438	D - D BEVERAGE, LLC					
		I-72349	225-42220-2210	OPERATING SUP TOWELS	072904	31.70
01-3495	UL LLC					
		I-72020152648	225-42220-3300	PROFESSIONAL AERIAL LADDER TESTING	072991	2,710.00
				FUND 225 PUBLIC SAFETY FUND	TOTAL:	25,628.11

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 227 RECYCLING FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0278	NISSWA SANITATION					
		I-AUGUST 2016	227-43230-3300	PROFESSIONAL AUGUST 2016 RECYCLING PAYMENT	072963	1,578.36
01-0343	WASTE MANAGEMENT					
		I-AUGUST 2016	227-43230-3300	PROFESSIONAL AUGUST 2016 RECYCLING PAYMENT	072994	1,187.81
		I-AUGUST 2016	227-43230-3300	PROFESSIONAL AUGUST 2016 RECYCLING PAYMENT	072994	84.91
01-0344	WASTE PARTNERS INC					
		I-67X90793	227-43230-3428	USED OIL RECY WASTE OIL REMOVAL 7/2016	072995	54.99
		I-AUGUST 2016	227-43230-3300	PROFESSIONAL AUGUST 2016 RECYCLING PAYMENT	072995	1,464.82
01-1286	EAST SIDE OIL COMPANY					
		I-R63351	227-43230-3428	USED OIL RECY 7/27/16 FILTER & ANTI-FREEZE R	072912	50.00
01-3485	UNITED STATES TREASURY					
		I-AUGUST 2016	227-43230-3300	PROFESSIONAL AUGUST 2016 RECYCLING PAYMENT	072992	1,350.77
				FUND 227 RECYCLING FUND	TOTAL:	5,771.66

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 230 PARK & RECREATION FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0027	WEX BANK					
		I-46337306	230-45200-2212	MOTOR FUELS JULY MOTOR FUEL	000020	324.66
01-0296	BRAINERD PUBLIC UTILITI					
		I-JULY 2016	230-45200-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	8,949.75
		I-JULY 2016	230-45280-3380	UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	618.32
01-0889	MENARDS - BAXTER					
		I-26778	230-45207-2220	REPAIR & MAIN LUMBER - MILLS FIELD FENCE	072953	38.40
		I-27345	230-45207-2220	REPAIR & MAIN LUMBER & SCREWS - MILLS FIELD	072955	31.24
01-1	MISCELLANEOUS VENDOR					
	SHEILA REEM	I-2000413	230-34780	PARK PAVILION REFUND RENTAL FEE - PARK CLOSE	072975	60.26
01-1859	ENTERPRISE FM TRUST					
		I-FBN3063921	230-45200-3331	LEASE PAYMENT 8/1/16-8/31/16 EQUINOX LEASE	072915	392.03
		I-FBN3063921	230-45200-3331	LEASE PAYMENT EQUINOX LICENSE FEE REFUND	072915	397.75-
01-2177	HOLIDAY CREDIT OFFICE					
		C-JULY 2016	230-45200-2212	MOTOR FUELS CREDITS/REBATES JULY 2016	072931	26.61-
		I-JUL 16 PK	230-45200-2212	MOTOR FUELS JULY MOTOR FUEL	072931	242.56
				FUND 230 PARK & RECREATION FUND	TOTAL:	10,232.86

PACKET: 03771 08/15/16 COUNCIL
 VENDOR SET: 01
 FUND : 235 STREET & SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0011	ACE HARDWARE					
		I-239761	235-43100-2220	REPAIR & MAIN FASTENERS	072868	4.40
01-0039	AMERIPRIDE LINEN SERVIC					
		I-2200809284	235-43100-3430	MISCELLANEOUS COVERALLS & MATS LAUNDRY SERV	072873	88.98
		I-2200811836	235-43100-3430	MISCELLANEOUS COVERALLS & MATS LAUNDRY SERV	072873	65.31
01-0162	DIAMOND VOGEL PAINT					
		I-8131283202	235-43170-2210	OPERATING SUP 10 5 GALLON WHITE TRAFFIC PAINT	072908	772.00
01-0204	HOLLCO INC					
		I-12320008-/JUL 16	235-43100-2212	MOTOR FUELS JULY MOTOR FUELS	072932	620.70
01-0273	NAPA AUTO PARTS					
		I-985071	235-43100-2220	REPAIR & MAIN POWERATED BELT	072962	48.18
01-0296	BRAINERD PUBLIC UTILITI					
		I-JULY 2016	235-43100-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	20,390.64
01-0307	CENTER POINT ENERGY/MIN					
		I-5974635-4/JUL 16	235-43100-3380	UTILITIES 6/20-7/20 HEAT	072898	45.43
01-0315	SHERWIN WILLIAMS					
		I-4764-9	235-43170-2220	REPAIR & MAIN 6 FT HOSE 1/4" WHIP	072976	35.00
		I-4802-7	235-43170-2220	REPAIR & MAIN QP CHROME EX ROD	072976	225.00
		I-4875-3	235-43100-2220	REPAIR & MAIN RETAINING STRAP	072976	4.95
		I-7993-0	235-43170-2220	REPAIR & MAIN QP REPAIR KIT	072976	90.00
01-0344	WASTE PARTNERS INC					
		I-67X90789	235-43100-3430	MISCELLANEOUS JULY GARBAGE SERVICE	072995	81.90
01-0354	ZIEGLER, INC					
		I-PC190058409	235-43100-2220	REPAIR & MAIN 1 LOUVRE ASSEMBLY	073001	18.73
		I-PC190058542	235-43100-2220	REPAIR & MAIN 2 EDGES - #112	073001	287.98
01-0889	MENARDS - BAXTER					
		I-27307	235-43170-2210	OPERATING SUP 12 PKS D-8 BATTERIES - BARRICA	072954	143.40
		I-27434	235-43100-2220	REPAIR & MAIN POLE BARN NAILS, LUMBER	072956	132.55
01-1333	CHAMBERLAIN OIL COMPANY					
		I-163672	235-43100-2220	REPAIR & MAIN 1 KEG PURUS 80W-90	072899	137.10
01-1449	M-R SIGN CO., INC.					
		I-191781	235-43170-2210	OPERATING SUP SIGNS AND HARDWARE	072948	4,909.50
01-1859	ENTERPRISE FM TRUST					
		I-FBN3063921	235-43100-3331	LEASE PAYMENT 8/1/16-8/31/16 CHEV SILVERADO	072915	731.91
01-2670	AMERICAN STEEL SUPPLY I					

PAGE: 18

PACKET: 03771 08/15/16 COUNCIL
VENDOR SET: 01
FUND : 235 STREET & SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-2670	AMERICAN STEEL SUPPLY I	continued				
	I-69629	235-43170-2210	OPERATING SUP 12 SHEET STEEL, 14	ANGEL BIKE	072872	111.68
01-2902	ADVANCE AUTO PARTS					
	I-6574621487040	235-43100-2220	REPAIR & MAIN TOGGLE SWITCH		072870	4.59
	I-6574621487072	235-43100-2220	REPAIR & MAIN DYNA-TRAP FILTER		072870	125.00
	I-6574621571499	235-43100-2220	REPAIR & MAIN RADIATOR CAP		072870	8.51
	I-6574621887216	235-43100-2220	REPAIR & MAIN ELEC FLASHER FORD GM 94		072870	14.71
	I-6574622119913	235-43100-2240	SMALL TOOLS FAN CLUTCH TOOL KIT, ENGINE AS		072870	71.68
			FUND	235 STREET & SEWER FUND	TOTAL:	29,169.83

PAGE: 19

FUND : 236 PARKING LOT FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0296	BRAINERD PUBLIC UTILITI					
	I-JULY 2016		236-43180-3381	BPU UTILITIES 6/22/2016-7/25/2016 UTILITIES	072889	36.00
				FUND 236 PARKING LOT FUND	TOTAL:	36.00

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 237 SANITARY SEWER FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0041	ANDERSON BROTHERS CONST	I-752	237-43190-2220	REPAIR & MAIN SEWER REP ALLEY 8TH & 9TH	072874	990.00
01-0084	BRAINERD PIPE SUPPLY	I-AUG 2016	237-43190-2220	REPAIR & MAIN PVC	072888	380.19
01-0170	FASTENAL COMPANY	I-MNBAX192135	237-43190-2220	REPAIR & MAIN INSULATED GLOVES	072918	6.43
		I-MNBAX198092	237-43190-2220	REPAIR & MAIN RUBBER GLOVES	072918	88.65
01-0202	HENGEL CONSTRUCTION	I-132781	237-43190-2220	REPAIR & MAIN 12.08 YARDS SEWER ROCK	072929	295.96
01-0204	HOLCO INC	I-12320008-/JUL 16	237-43190-2212	MOTOR FUELS JULY MOTOR FUELS	072932	104.64
01-0239	MACQUEEN EQUIPMENT INC	I-P00378	237-43190-2220	REPAIR & MAIN DEBRIS HOSES	072949	389.13
		I-P00384	237-43190-2220	REPAIR & MAIN RETAINING RING, RING NUT, KNOB	072949	274.16
01-0334	U.S. BANK	I-4365750	237-43190-3430	MISCELLANEOUS GO IMPR BOND 2016A	072990	304.00
01-1381	DECHANTAL EXCAVATING LL	I-3856	237-43190-2220	REPAIR & MAIN SEWER LINE REP 8TH & 9TH I & J	072906	920.00
		I-3857	237-43190-2220	REPAIR & MAIN SEWER LINE REP 13 & 14 QUINCE	072906	760.00
01-2313	JOHN'S MACHINING	I-849829	237-43190-2220	REPAIR & MAIN REPAIR #126V	072935	140.00
				FUND 237 SANITARY SEWER FUND	TOTAL:	4,653.16

PAGE: 21

FUND : 250 HYDRANT RENT & EL CURRENT

VENDOR	NAME	ITEM #	G/L ACCOUNT	NAME	DESCRIPTION	CHECK#	AMOUNT
01-0086	CITY OF BRAINERD						
		I-JUL 16 ELEC	250-49042-3466	BPU COSTS DIS	JULY 2016 ELEC SALES	072901	62,348.97
				FUND	250 HYDRANT RENT & EL CURRENT	TOTAL:	62,348.97

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 251 LOCAL OPTION SALES TAX

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0296	BRAINERD PUBLIC UTILITI					
		I-TAX AUG 2016	251-49360-3467	REMIT LOCAL S LOCAL USE TAX REMITTANCE	072889	85,880.20
			FUND	251 LOCAL OPTION SALES TAX	TOTAL:	85,880.20

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 310 SINKING EQUIP CERTIFICATES

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0334	U.S. BANK	I-4365757	310-47850-6620	PAYING AGENT GO IMPR BOND 2016B	072990	504.00
FUND 310 SINKING EQUIP CERTIFICATESTOTAL:						504.00

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 319 SINKING 2009A GO BONDS

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0334	U.S. BANK	I-4363786	319-47980-6620	PAYING AGENT GO IMPR BOND 2009A	072990	450.00
			FUND	319 SINKING 2009A GO BONDS	TOTAL:	450.00

PACKET: 03771 08/15/16 COUNCIL

VENDOR SET: 01

FUND : 400 CAPITAL PROJECTS FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
=====						
01-1573	DELL MARKETING LP					
		I-XK11F4763	400-49050-5530	CAPITAL - OTH 2 MOBILE TABLETS (INSPECTIONS)	072907	2,755.54
		I-XK13C3RW6	400-49050-5530	CAPITAL - OTH ADAPTER FOR TABLETS INSP	072907	134.98
				FUND 400 CAPITAL PROJECTS FUND	TOTAL:	2,890.52

PACKET: 03771 08/15/16 COUNCIL
VENDOR SET: 01
FUND : 401 CONSTRUCTION FUND

VENDOR	NAME	ITEM #	G/L ACCOUNT NAME	DESCRIPTION	CHECK#	AMOUNT
01-0071	FORUM COMMUNICATIONS CO					
		I-1750558	401-41606-3350	LEGAL PUBLICA NOB - BIDS FOR IMP 16-06 SAN S	072886	273.68
01-0204	HOLLCO INC					
		I-12320061/JUL 16	401-41408-3430	MISCELLANEOUS JULY MOTOR FUELS	072932	197.54
01-0329	TOMS BACKHOE SERVICE IN					
		I-PAY APP 4/ 8-16	401-41415-5530	PYMTS TO CONT ARPT UTIL EXT THRU 7/29	072987	1,430,040.17
01-0344	WASTE PARTNERS INC					
		I-67X90792	401-41003-3300	PROFESSIONAL JULY GARBAGE SERVICE	072995	164.97
01-0929	BRAUN INTERTEC CORP					
		I-B065353	401-41415-3300	PROFESSIONAL MATERIALS TEST THRU 7/8/16	072890	7,131.25
			FUND	401 CONSTRUCTION FUND	TOTAL:	1,437,807.61
					REPORT GRAND TOTAL:	1,961,765.81

THE ABOVE LISTED ACCOUNTS PAYABLE DISBURSEMENTS HAVE BEEN REVIEWED AND ARE HEREBY APPROVED:

MARY KOEP

DAVID PRITSCHET

GABE JOHNSON



Brainerd City Council Agenda Request

P+F
#2
Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: 2015 TIF Report Summary

☐ 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): Finance Director Hillman	Estimated Time Needed: 5 minutes
Summary of Issue: Per council direction at the March 2, 2015 council meeting, staff was directed to annually provide the City's "Annual Disclosure" document to the City Council. Attached is the 2015 required TIF disclosure that was published in the Dispatch on August 5, 2016.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Informational, no action required.	
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, Minnesota

Annual Disclosure of Tax Increment Districts for the Year Ended December 31, 2015

TIF District Name:	TIF 4-3 ASI Apartments	TIF 4-8 * Thrifty Drug	TIF 4-9 * Walgreens	TIF 4-11 East Brainerd Mall	TIF 4-12 * Willows II	TIF 4-13 Timberland Townhomes	TIF 4-14 Brainerd Oaks	TIF 4-15 Artspace	TIF 4-16 Taco John's	TIF 4-17 Jimmy John's
Current net tax capacity	\$6,650	\$15,814	\$26,766	\$257,544	\$20,103	\$14,268	\$2,191	\$38,274	\$11,654	\$5,890
Original net tax capacity	\$418	\$3,358	\$9,282	\$50,184	\$55	\$258	\$21	\$22,158	\$7,346	\$2,848
Captured net tax capacity	\$6,232	\$12,456	\$17,484	\$207,360	\$20,048	\$14,010	\$2,170	\$16,116	\$4,308	\$3,042
Principal and interest payments due in 2016	\$2,566	\$0	\$0	\$190,826	\$0	\$11,052	\$0	\$19,264	\$3,609	\$2,494
Tax increment received in 2015	\$5,669	\$13,806	\$20,693	\$196,793	\$21,398	\$11,623	\$1,899	\$14,481	\$4,013	\$2,775
Tax increment expended in 2015	\$5,669	\$32,658	\$43,593	\$203,172	\$56,843	\$10,875	\$100	\$13,261	\$3,856	\$2,690
Month and year of first tax increment receipt	7 / 1994	7 / 1999	7 / 2000	7 / 2004	7 / 2003	7 / 2003	7 / 2005	7 / 2009	7 / 2009	7 / 2010
Date of required decertification	12/31/2019	12/31/2024	12/31/2025	12/31/2029	12/31/2028	12/31/2028	12/31/2030	12/31/2034	12/31/2034	12/31/2035

* Denotes districts that were decertified 12/31/15

Additional information regarding each district may be obtained from-

Ms. Connie Hillman, Finance Director
City of Brainerd
501 Laurel Street
Brainerd, MN 56401
(218) 828-2307



Brainerd City Council Agenda Request

P+F
#3

Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Marketing of Tax Forfeit Properties

☐ 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 *provide copy of published hearing notice
Submitted by: Alderwoman Koep	Department: Council
Presenter (Name & Title): Alderwoman Koep	Estimated Time Needed: 5 minutes
Summary of Issue: Alderwoman Koep requests discussion to see if there is interest to have representatives from the County at the next council meeting: 1. To discuss notifying the City when property goes tax forfeit; 2. To discuss City's options for marketing the properties.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Discussion Item.	
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>	



Brainerd City Council Agenda Request

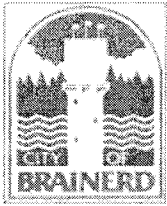
P&F
#4

Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Board/Commission Compensation Validity

☐ 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 *provide copy of published hearing notice
Submitted by: Jim Thoreen	Department: Administration
Presenter (Name & Title): City Administrator Thoreen	Estimated Time Needed: 10 minutes
Summary of Issue: The validity of boards/commissions receiving compensation was forwarded to the P&F committee at the August 1, 2016 council meeting. Staff will provide a report Monday night of all boards/committees and any compensation or mileage reimbursement allowed.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Discussion item.	
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>	



Brainerd City Council Agenda Request

P&F
#5

Agenda Item #

Requested Meeting Date: August 15th, 2016

Title of Item: Employee Out of State Travel

☐ 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: 3 MINUTES
Summary of Issue: Police Officer Tim Friis is the department Bomb Technician. The regional in-service training conference for the International Association of Bomb Technicians (IABTI) is schedule for September 19th--23rd, in Springfield, Indiana. Lodging, transportation, and registration fees are covered by federal funding. We are able to schedule Tim to attend this without incurring additional expense to the department.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Authorize Brainerd Police Officer Tim Friis to travel out of state to attend this regional Bomb Technician Training in Springfield, Indiana, from September 19th--23rd.	
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> Travel, lodging, and training registration covered by federal funding.	



Brainerd City Council Agenda Request

P & F
#6

Agenda Item #

Requested Meeting Date: August 15th, 2016

Title of Item: Salary adjustment to Step C for FM/ DC Cox

☐ 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: Chief Holmes	Department: Fire Department
Presenter (Name & Title): City Administrator Jim Thoreen	Estimated Time Needed: 5 minutes
Summary of Issue: Fire Marshal/ Deputy Chief David Cox completed his first six months of employment with the City on August 1st, 2016. I am recommending that we follow the Salary Administration Plan wage adjustment practice to advance Deputy Fire Chief David Cox to Step C retroactive to August 1, 2016. This results in a wage change from 90% to 95% of the base wage or to \$5,193.37 per month. Please note that this recommendation and advancement does not affect his current probationary status to comply with Civil Service Rules.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Motion to authorize the advancement to Step C or 95% of base wage for FM/ DC Cox effective August 1st, 2016.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 5193.37 per month Is this budgeted? ☒ Yes ☐ No Please Explain:	

MEMO

TO: City Administrator Jim Thoreen

FROM: Fire Chief Tim Holmes 

DATE: August 2, 2016

RE: Step C Advancement & Wage Adjustment for Fire Marshal/ Deputy Chief David Cox

Fire Marshal/ Deputy Chief David Cox completed his first six months of employment with the City on August 1st, 2016. David's performance in his first six months demonstrates that the city made the correct choice for this position.

According to our City Salary Administration Plan (see attachment), there is customarily a six-month timeframe between Step B and Step C with a wage adjustment. Normally this coincides with completion of the employee's probationary period; however, the Civil Service Rules require a full-year probationary period for full-time police and fire staff instead of just six months as is required for other employees.

At this time, I am recommending that we follow the Salary Administration Plan wage adjustment practice to advance Deputy Fire Chief David Cox to Step C retroactive to August 1, 2016. This results in a wage change from 90% to 95% of the base wage or to \$5,193.37 per month. Please note that this recommendation and advancement does not affect his current probationary status to comply with Civil Service Rules.

This recommendation is included on the August 15, 2016, Personnel and Finance Committee Agenda. Feel free to contact me before the meeting if you have any questions or concerns regarding this matter.

C: Fire Marshal/ Deputy Chief David Cox
HR Coordinator Kris Schubert
Personnel File

Mission:

"To commit to providing high quality, cost effective public services and leadership in creating a sustainable city."



Brainerd City Council Agenda Request

P4F
#7

Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Advancement and Wage Adjustment for City Administrator

☐ 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: HR Coordinator Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: City Administrator Jim Thoreen was hired at Step C of our Salary Administration Plan (SAP). As of August 3, 2016, he completed his first year of employment with the City of Brainerd. With this service, he is eligible to advance to Step D which is 100% of the base wage for the position per the attached SAP. Staff would also like clarification regarding Administrator Thoreen's employment contract that states, "Employee's salary will be reviewed and set by City Council beginning 8/1/16 and annually thereafter."	
Alternatives, Options, Effects on Others/Comments: This recommended advancement results in a wage change from 95% to 100% of the base wage or an adjustment to \$9,599.69 per month. For budgeting purposes, Staff would also request Council direction regarding what "annually thereafter" means describing the date for future general wage adjustments. Please note that for several years, the City Administrator's general wage adjustment occurred the same time as Department Heads and Supervisors (usually on January 1st) instead of following their date of hire.	
Recommended Action/Motion: Motion to approve the advancement and wage adjustment for City Administrator Jim Thoreen to Step D (100% of the base wage) pursuant to our Salary Administration Plan retroactive to August 3, 2016; further, to clarify that the date for City Administrator Thoreen's future general wage increases be the same as other Department Heads and Supervisors.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 9,599.69 per month Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> This recommended wage adjustment was included in the 2016 budget.	

SECTION 30. SALARY ADMINISTRATION PLAN

- A. Step A is the normal starting salary for new employees which shall be set at 85% of the top (Step D) rate. However, the City Administrator has full discretion to recommend that the City Council employ personnel at Step B or C within the Plan.

All new and promotional employees shall serve a minimum probationary period of six months. During this probationary period, the department head shall meet with the employee and review the employee's job performance and make appropriate comments and suggestions. If the department head feels the employee's probationary period should be extended, it can be extended six additional months, up to a maximum of 12 months. If at the end of 12 months job performance the employee's long term future in the job is still questionable, the employee shall be terminated.

After successful completion of the probationary period, as certified by the department head, a probationary employee shall be considered a regular employee and is eligible for advancement to Step B of the Plan.

- B. Step B is considered a six month step between the hiring rate (Step A) and the top rate established (Step D) for each position and shall be set at 90% of the top (Step D) rate. An employee at Step B has satisfactorily demonstrated the ability to perform the job, but has not been in the job long enough to have performed the full range of duties and responsibilities of the job. An employee would be eligible for advancement to Step C after completing an additional six months of employment upon department head certification based upon job performance evaluations.

Step B or Step C may be used as a hiring rate for the job if the applicant demonstrates greater qualifications than minimally required for the job.

- C. Step C is considered an interim rate for the job after completing one year of service and shall be set at 95% of the top (Step D) rate. Employees at Step C have demonstrated capabilities of acceptably meeting most performance responsibilities for their job. The minimum time period to reach Step C if hired at Step A would be one year. The maximum time would be 18 months. An employee would be eligible for advancement to Step D after a minimum period of 12 months from their last step increase.

- D. Step D is the top rate established for the job. Employees at Step D have demonstrated capabilities of acceptably meeting performance responsibilities for their job. The minimum period to reach Step D if hired at Step A would be two years. The maximum time would be 2.5 years. Failure of an employee to advance to Step D in 2.5 years would result in termination.

After an employee has reached Step D of the Salary Administration Plan, no additional salary adjustments will be made, other than the normal annual adjustments, if any, made for all employees within a specific employee group.

NOTE: The following information has been added by HR for quick reference:

Step:	% of Base Wage	Minimum Timeframe to next step
Step A	85%	6 months
Step B	90%	6 months
Step C	95%	12 months
Step D	100%	n/a – top pay (before longevity)

Hiring: Step A is the normal starting salary for new employees which shall be set at 85% of the top (Step D) rate. However, the City Administrator has full discretion to recommend that the City Council employ personnel at Step B or C within the Plan.

Step B or Step C may be used as a hiring rate for the job if the applicant demonstrates greater qualifications than minimally required for the job.

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

August 15, 2016
6:45 P.M.
City Council Chambers

1. Library Parking Lot Resurfacing
2. Acceptance of DEED for Rotary Park
3. Joint Meeting with WBCC – September 19, 2016
4. Downtown Maintenance Update
5. City Code Section 403 - Addressing
6. IMP 14-15 – Appeal of Change Order Decision



Brainerd City Council Agenda Request

SPW
#1
Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Library Parking Lot Resurfacing

☐ 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: Alderwoman Koep	Department:
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 5 minutes
Summary of Issue: At the last Council meeting, Alderwoman Koep referred the Library Parking Lot to the Safety and Public Works Committee for resurfacing.	
Alternatives, Options, Effects on Others/Comments: The pavement section in the parking lot is structurally sound but like all pavements, should be part of a preservation program to ensure longevity. Given the condition of the pavement, staff is recommending including the parking lot in the 2017 crack filling program to be followed by including the parking lot in the 2017 chip seal program. The chip seal being proposed would be identical to what was used at the civic center a few years ago, a FA-1 chip seal with fog seal. This treatment will likely require that the parking lot be vacated on for an hour or 2 on two consecutive days.	
Recommended Action/Motion: Staff's recommendation is to include the parking lot in the 2017 crack filling and chip sealing contracts.	
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>	



Brainerd City Council Agenda Request

SPW
2
Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Consider Acceptance of Deed for Land Addition to Rotary Park

☐ 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: Mark Ostgarden	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5 Minutes
Summary of Issue: A natural trail follows a City of Brainerd utility easement that crosses the backs of lots fronting on Pineview Drive and it also crosses a larger land locked parcel to the north. The Brainerd Noon Rotary has worked with property owners Gary Larson and Beverly Gotti, 160 Pineview Drive, to donate to the City of Brainerd that portion of their property across which the trail runs. Noon Rotary is planning to work with the other property owners to acquire and donate that portion of the lots across which the trail runs and making the trail public.	
Alternatives, Options, Effects on Others/Comments: The current parcel is adjacent to Rotary Park. Acquiring and donating the other parcels to the City of Brainerd is a work in progress for the Noon Rotary and will most likely take years to complete. The desire is to create a trail loop that crosses Little Buffalo Creek. For that to occur a non-motorized transportation bridge will be needed. Acquiring the parcel occurred just prior to Mr. Larson and Ms. Gotti selling the lot. Attached are aerial maps that depict the location of the parcel and its relation to Rotary Park. The maps identify the other parcels across which the trail passes and are parcels which the Noon Rotary will continue to work to acquire.	
Recommended Action/Motion: Motion by _____ and second by _____ to accept the deed for land located on the northerly portion of Lot 1 Block 1 Shirmar Woods First Addition, property owned by Gary Larson and Beverly Gotti and to send a letter of thanks Mr. Larson and Ms. Gotti for this donation.	
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 County fees to record the deed. <u>Please Explain:</u>	

HATTIE ST

Buffalo Hills Trail

Edgewood Homes

Rotary Park

BELLE RAE CIR

PINEVIEW DR

Natural Path/Trail

Donated Parcel

NORWAY CT

CRESTVIEW LN

GRAYDON AVE

WOODCREST RD

RIDGE DR

RIDGE CT

BUFFALO HILLS LN W

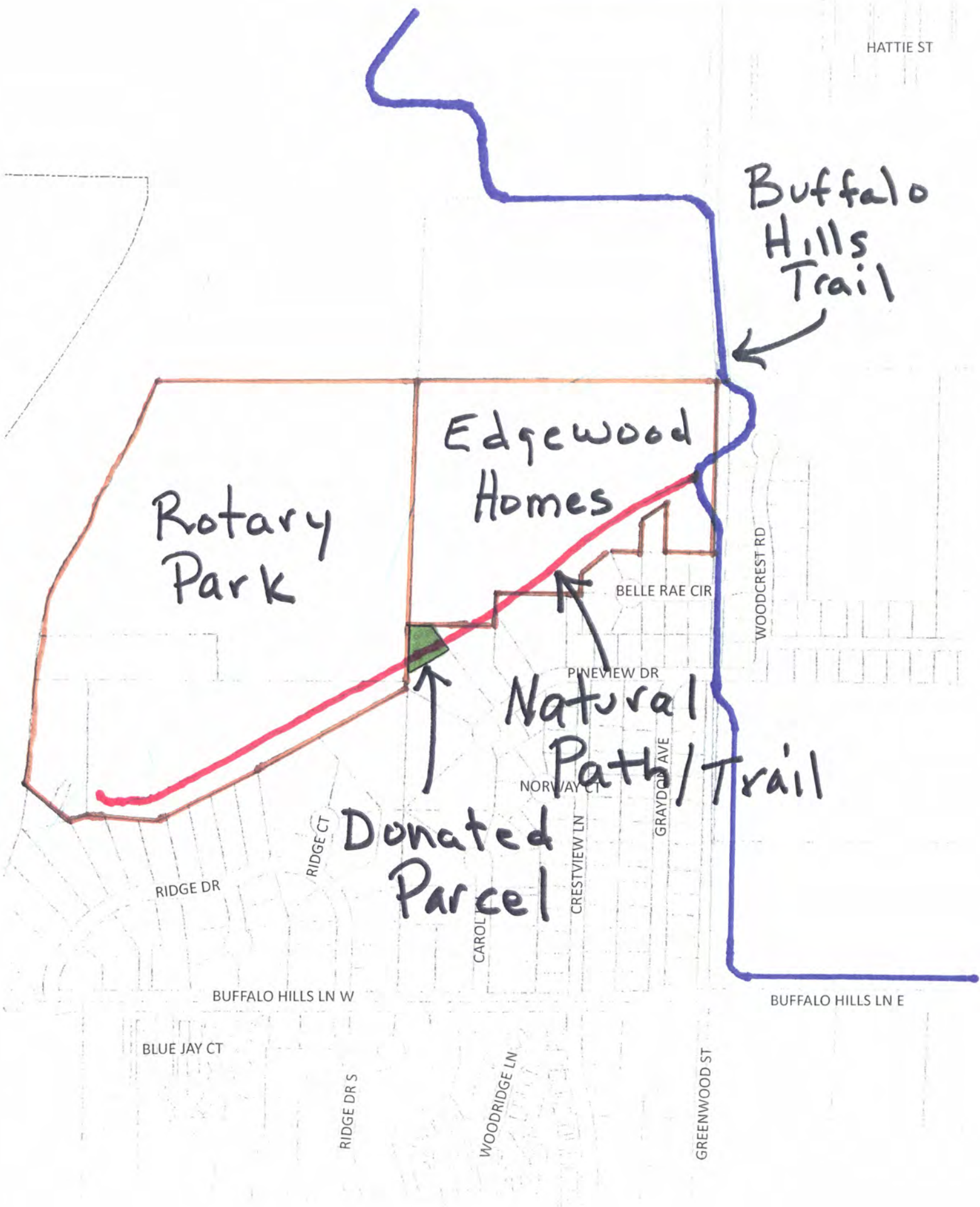
BLUE JAY CT

RIDGE DR S

WOODRIDGE LN

GREENWOOD ST

BUFFALO HILLS LN E





Buffalo
Hills
Trail

Natural
Path/Trail

Donated
Parcel

RIDGE DR

BUFFALO HILLS LN W

BLUE JAY CT

RIDGE DR S

WOODRIDGE LN

NORWAY

GRAYDON AVE

GREENWOOD ST

BUFFALO HILLS LN E

WOODCREST RD

BEILERA CIR

GREENWOOD LN

QUIT CLAIM DEED

Individual(s) to Corporation

eCRV number: **NONE**

DEED TAX DUE: **\$1.65**

DATE: 7-25, 2016

FOR VALUABLE CONSIDERATION, **Gary Larson, a single person, and Beverly Gotti, a single person ("Grantor")**, hereby convey and quit claim to **City of Brainerd, ("Grantee")**, real property in **Crow Wing** County, Minnesota, legally described as follows:

See Exhibit A

Check here if all or part of the described real property is Registered (Torrens) ☐

together with all hereditaments and appurtenances belonging thereto, subject to the following exceptions:

None.

Consideration for this transfer is less than \$500.00.

Check applicable box:

- ☒ The Seller certifies that the Seller does not know of any wells on the described real property.
- ☐ A well disclosure certificate accompanies this document or has been electronically filed. (If electronically filed, insert WDC number: [...].)
- ☐ I am familiar with the property described in this instrument and I certify that the status and number of wells on the described real property have not changed since the last previously filed well disclosure certificate.

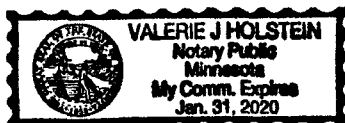
Grantor

Gary Larson
Gary Larson

State of Minnesota, County of **Crow Wing**

This instrument was acknowledged before me on July 25, 2016, by **Gary Larson, a single person, Grantor.**

(Stamp)



Valerie J. Holstein
(signature of notarial officer)

Title (and Rank): Assistant Secretary

My commission expires: 01-31-20
(month/day/year)

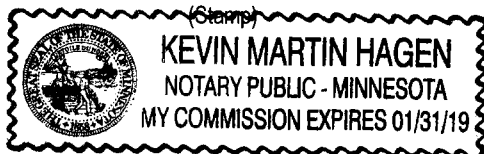
Grantor

Beverly Gotti

Beverly Gotti

State of Minnesota, County of ~~Grow Wing~~ *St Louis*

This instrument was acknowledged before me on July 27, 2016 by Beverly Gotti, a single person, Grantor.



[Signature]
(signature of notarial officer)

Title (and Rank): Personal Banker

My commission expires: 01/31/2019
(month/day/year)

THIS INSTRUMENT WAS DRAFTED BY:

J. Bradley Person
Breen & Person, Ltd.
510 Laurel Street
P.O. Box 472
Brainerd, MN 56401

TAX STATEMENTS FOR THE REAL PROPERTY DESCRIBED IN THIS INSTRUMENT SHOULD BE SENT TO:

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Exhibit A

That part of Lot 1, Block 1 Shirmar Woods First Addition, according to the recorded plat thereof, which lied northwesterly of and 10.00 feet southeasterly of the following described line: Commencing at the northeast corner of Lot 2, Block 1, Meyer Addition to Brainerd, according to the recorded plat thereof; thence South 89 degrees 25 minutes 35 seconds West, assumed bearing, 118.42 feet along the north line of said Lot 2 to the point of beginning of the centerline to be described; thence South 57 degrees 03 minutes 58 seconds West 89.09 feet; thence South 47 degrees 59 minutes 54 seconds West 118.57 feet; thence South 57 degrees 55 minutes 09 seconds West 234.29; thence South 62 degrees 09 minutes 31 seconds West 143.57 feet; thence South 73 degrees 23 minutes 27 seconds West 58.19 feet, more or less, to the west line of said Lot 1, Block 1, Shirmar Woods First Addition and said line there terminating.



Brainerd City Council Agenda Request

SPW
#5
Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Enforcement of House Numbers

☐ 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: Alderwoman Koep	Department:
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 15 minutes
Summary of Issue: At the last Council meeting, Alderwoman Koep referred the issue of house number to the Safety & Public Works Committee. At the time, the Council also approved a temporary suspension of violation notices and enforcement citations. To date this year, the City has sent 392 violation notices for house numbers. Of this number 15 have compliance inspections pending the outcome of Monday's meeting, 28 remain non-compliant at last inspection and the remainder have complied. between 10 and 15 property owners have contacted staff with questions and only 2 or 3 of those were "upset".	
Alternatives, Options, Effects on Others/Comments: We hope to have the Police and Fire Chiefs and Building Official at the committee meeting to discuss their perspectives on addresses and our code. A copy of Section 403 of the City Code is attached for your reference. From staff's perspective, the code requirements for the placement of addresses is appropriate and should be retained as is.	
Recommended Action/Motion: Staff's recommendation is to set aside the temporary suspension of notification and enforcement actions and to resume those activities immediately.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No Please Explain: Staff time	

Section 403 - Addressing Including Emergency Address Signs

403.01 Purpose. The purpose of this Section is to provide addressing standards for structures and land to enhance the effective and rapid location of properties by public safety personnel including law enforcement, fire, rescue and emergency medical services personnel in the City of Brainerd.

403.03. Definitions. Subdivision 1. "Address" – A series of numbers and/or letters that identify the location of a structure and/or parcel of property. The address is typically used along street names and directionals for reference. Examples include: 123 Elm Street, 123 N. Elm Street, Building A, 123 S. Elm Street Unit 1, etc.

Subd. 2. "Emergency Address Sign" – White six (6) inch letters on blue reflector (High Intensity Prismatic) back to back on one (1) - sixteen (16) inch by six (6) inch sign blank bolted to an approved signpost.

Subd. 3. "Street Right-of-Way" – A strip of land occupied or intended to be occupied by a street, boulevard, sidewalk, trail, water main, sanitary sewer, storm drain, or any other use involving maintenance by a public agency and dedicated to public use by the recording of the plat on which such right-of-way is established.

Subd. 4. "Structure" – Anything that is built, constructed or erected, an edifice or building of any kind or any piece of work artificially built up and/or composed of parts joined together in some definite manner whether temporary or permanent in character.

Subd. 5. "Structure Visibility" – An address can be seen by City of Brainerd emergency services personnel from the road's edge during times of "leaf on" conditions.

403.05. Address Assignment. Any property or structure that requires an address, shall at the time of applying for a building permit be issued an address.

403.07. Enforcement. The Building Official shall enforce this Section. Any property or structure required to have an address or has an address that does not conform to addressing requirements of the City of Brainerd shall comply with the terms thereof within fifteen (15) days of receiving a written notice to comply.

403.09. Addressing – Compliance. When placing an address on a structure or for a parcel of land in the City of Brainerd it shall be placed in accordance with the instructions of the Building Official and in conformance with this Section:

Structures located within fifty (50) feet of the road's edge shall be identified as follows:

- a) One and two family dwellings shall have an address that is at least four inches in height; shall be of durable materials; and shall be of contrasting color to the base to which they are attached.
- b) All other dwelling buildings and complexes, public buildings, commercial buildings and industrial buildings shall conform to the above criteria. The Building Official may require an address exceeding four inches in height.
- c) An address shall be placed so as to be directly visible from the road's edge as follows:
 - (1) One and two family dwellings. The address shall be attached to the building at the front entrance or such other location approved or required by the Building Official;
 - (2) Multi-family dwellings and townhouse complexes. Approved addressing shall be attached to the building at the main entrance nearest an adjoining driveway, public or private street and at such other locations as directed by the Building Official. In the case of dwelling complexes which may be assigned a common address, addressing shall be displayed in a manner approved by the Building Official at the main entrances to the complex;
 - (3) Individual detached commercial and industrial establishments. Addressing shall be attached to the building at the front entrance and at such other location as may be required by the Building Official;
 - (4) Attached commercial and industrial establishments, clustered in a complex or in a multi tenant building. Approved addressing shall be attached to the building at the main entrances to the establishments, nearest to the adjoining driveway, public or private street, and at such other locations as directed by the Building Official. In the case of complexes or multi tenant buildings which may be assigned a common address, addressing shall be displayed in a manner approved by the Building Official at the main entrances to the complex;
 - (5) Individual dwelling units in multi-family dwellings, and individual tenant areas in multi tenant commercial and industrial buildings, which have entrances not facing an adjoining public or private street or driveway. Approved addressing placed at each entrance to said dwelling or tenant area. In the case of multi story buildings, said addressing shall be sequential, corresponding with the respective floor or level.
- d) Structures. In addition, structures not identified in c. above, that are more than fifty (50) feet from the road's edge and for which an address is required (as determined by the City of Brainerd) or requested, such address shall be displayed in accord with c. above.

- e) Undeveloped land. When an emergency address sign is required (as determined by the City of Brainerd) or requested, such address shall be placed in accord with Section 403.11.

403.11. Emergency Address Signs. Structures located more than fifty (50) feet from the road's edge and undeveloped land that requires an address shall in addition to all of the requirements in Section 403.09, have an emergency address sign placed in the street right-of-way at a location determined by the City of Brainerd as follows:

- a) The City of Brainerd shall place the initial emergency address post and address number sign plate at each address. The property owner at each address will be charged for the cost of the material and installation. Once installed emergency address number sign plate and post maintenance becomes the owner's responsibility and its location shall not be changed or altered in any manner.
- b) Should the emergency address post or emergency address number sign plate need replacement for any reason, replacement will be done by the City of Brainerd.
- c) An owner of land on which there is a structure not required to have an emergency address sign, or any undeveloped land not required to have an emergency address sign, may voluntarily request placement of an emergency address sign within the street right-of-way. Sign placement shall comply with all placement requirements list above.
- d) The City Engineer or authorized City representative shall be responsible for the (re)placement of emergency address numbers plates and post.

403.13. Utility Notification. No utility company operating in the City of Brainerd shall furnish its utility services to any new structure until it has been issued a valid address by the City of Brainerd.

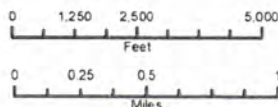
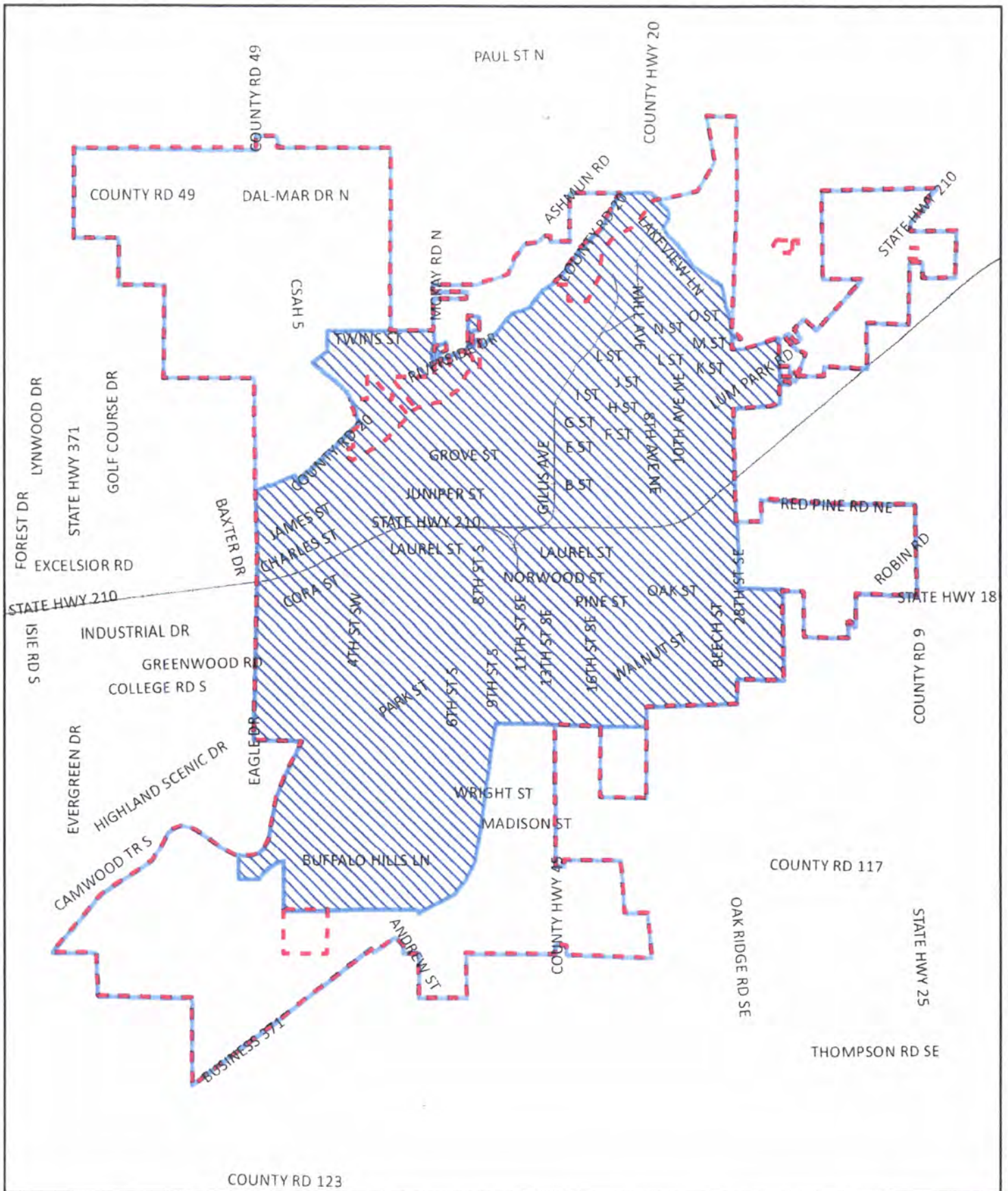
403.15. Affected Area. Emergency address signs are not required within the area identified in the attached map.

403.17. Fees. All material and installation costs shall be the responsibility of the property owner. Fees are listed in Chapter X of the Brainerd City Code.

403.19. Penalty. Violation of this Section shall constitute a misdemeanor.

403.21. Severability. If any section, subsection, paragraph, sentence, clause or phrase of this Emergency Address Ordinance is declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Section, which shall continue in full force and effect, and to this end the provisions of this Section are hereby declared to be severable.

(Added Ord. 1360 – 2010)



Legend

- City Limits
- - - Address Sign Boundary
- Address Signs Not Required

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





Brainerd City Council Agenda Request

SPW
#6

Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Improvement 14-15 - Appeal of Change Order 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 *provide copy of published hearing notice
Submitted by: Jeff Hulsether	Department: Engineering
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 15 minutes
Summary of Issue: As discussed in a couple of documents distributed to the Council earlier this week, staff has notified the Contractor on the Airport Utility Extension Project that we are appealing the Engineer's decision that change orders are warranted for the conditions described in proposed change orders 3 and 4. The claims/appeal process provided for the Article 12 requires that the appeal be accompanied by substantiation for the appeal.	
Alternatives, Options, Effects on Others/Comments: The bases for an appeal should be that the subsurface conditions do not meet the criteria and definition of Differing Subsurface or Physical Conditions as described in Section 5.04. The result would then be that the extra work would not be necessary. The task in Committee will be to develop a rationale that supports that position.	
Recommended Action/Motion:	
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> The cost is unknown but will likely involve additional claims, costs of mediation, attorneys fees, consultant fees, and staff time.	



Brainerd City Council Agenda Request

7A
Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: 2nd Annexation Request - Robert and Andrea Marohn 11427 Easy Street- Hold Public Hearing and 2nd Ordinance Reading Consideration

☐ 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 ^{2nd} Reading *provide copy of published hearing notice
Submitted by: Mark Ostgarden, City Planner	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 10 minutes
Summary of Issue: Robert and Andrea Marohn have submitted an annexation request for a .61 acre parcel located in Oak Lawn Township. That parcel is located across the street from their residence at 11427 Easy Street. The parcel by definition abuts the current Brainerd city limits. State statute requires that the municipality schedule a public hearing and provide 30 days notice of the hearing to all land owners in the proposed annexation area and to the State property owners adjacent to the proposed annexation. Attached is the annexation petition, a map depicting the proposed annexation area and property in the city in that area.	
Alternatives, Options, Effects on Others/Comments: The annexation qualifies for annexation by ordinance. A criteria for this type of annexation is the property must abut the current city limits. However the Municipal Boundary Adjustment Unit for the State of Minnesota has determined that lands across a public waterway can be considered abutting the city limits. This is how parcels to the northwest along Easy Street were approved for annexation some years ago.	
Recommended Action/Motion: Note that Ordinance # 1457 Section 6 describes the tax reimbursement schedule with the affected township. The petitioner pays no property tax due to his status as a disabled American veteran. I have discussed this with the Office of Administrative Hearings and the City Attorney. Section 6 language has been reviewed and approved by the City Attorney. Motion _____ and second by _____ to deny/approve the Ordinance #1457 2nd Reading; further to dispense with the actual reading.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☒ No Please Explain:	

**ORDINANCE
NO. 1457**

**AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN
PROPERTIES LOCATED IN OAK LAWN TOWNSHIP, CROW WING COUNTY,
TO THE CITY OF BRAINERD, CROW WING COUNTY MINNESOTA, PURSUANT
TO MINNESOTA STATUTE 414.033**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Robert and Andrea Marohn, 11427 Easy Street, Brainerd, MN 56401, the fee owner of certain property in the County of Crow Wing, State of Minnesota, described as follows:

LOT 59 PINE SHORES ADDITION, Crow Wing County, Minnesota.

P.I.N. # 811080000590009
Sect/Town/Range: 17/45/30

filed a petition with the City Council of the City of Brainerd pursuant to Section 414.033, Subdivision 2 (3) of the Minnesota Statutes. This property is located within Oak Lawn Township of Crow Wing County. This area contains approximately .61 acres of land.

SECTION TWO: That said realty abuts the City of Brainerd and is less than 120 acres in size.

SECTION THREE: That pursuant to Minnesota Statutes Section 414.033, Subdivision 13, the petitioner will see no change in their electric utility service at this time.

SECTION FOUR: That pursuant to Minnesota Statutes Section 414.033, Subdivision 2B, the City of Brainerd has held the required public hearing and notified the town along with all landowners within and contiguous to the area being annexed.

SECTION FIVE: That Council of the City of Brainerd deems the annexation of said realty to the City of Brainerd to be in the best interest of the City of Brainerd and the territory affected and accordingly, said realty is hereby annexed to the City of Brainerd as R-1 (Single Family Residential) District so as to become and be part of the City of Brainerd and included within its corporate limits and boundaries thereof.

SECTION SIX: The property is currently exempt from property taxes. In the event the property becomes subject to property taxes, any such property taxes payable on the annexed land for the year in which the annexation becomes effective shall be paid to the affected Township. If the annexation becomes effective on or before August 1, of a levy year, the City may levy on the annexed area beginning with that same levy year. If the annexation becomes effective after August 1 of a levy year, the Township may levy on the annexed area for that levy year, and the City may not levy on the annexed area until the following levy year. The first year following the year when the City could first levy on the annexed area, any available property taxes on the annexed land would be paid to the City. However, the City would then make a cash payment to the Township for that period and in accordance with the following schedule:

Any necessary reimbursement shall be completed in substantially equal payments over two years from the time of annexation. The City must reimburse the Township for all special assessments assigned by the Township to the annexed property, and any portion of debt incurred by the Township prior to the annexation and attributable to the property to be annexed but for which no special assessments are outstanding, in substantially equal payments over a period of not less than two or no more than eight years.

SECTION SEVEN: This Ordinance shall take effect and be in force one week from and after its publication and is further subject to final approval of Minnesota Municipal Boundary Adjustment Unit.

Adopted this ____ day of _____, 2016

GARY SCHEELER
President of the Council

Approved this ____ day of _____, 2016

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator

Published: One Time, _____

PROPERTY OWNER PETITION FOR ANNEXATION BY ORDINANCE

IN THE MATTER OF THE PETITION OF CERTAIN PERSONS FOR THE ANNEXATION
OF CERTAIN LAND TO THE CITY OF BRAINERD, MINNESOTA
PURSUANT TO MINNESOTA STATUTES § 414.033, SUBD. 5

TO: Council of the City of Brainerd, Minnesota

AND

Office of Administrative Hearings
Municipal Boundary Adjustment Unit
P. O. Box 64620
St. Paul, MN 55164-0620

PETITIONER(S) STATE: The property owner or a majority of the property owners in number are required to commence a proceeding under Minnesota Statutes § 414.033, Subd. 5.

It is hereby requested by:

- ☒ the sole property owner; or
☐ all of the property owners; or
☐ a majority of the property owners of the area proposed for annexation to annex certain property described herein lying in the Town of _____ to the City of Brainerd, County of Crow Wing, Minnesota.

The area proposed for annexation is described as follows:

***INSERT THE COMPLETE AND ACCURATE PROPERTY DESCRIPTION.
DO NOT USE DESCRIPTIONS FROM PROPERTY TAX STATEMENTS.***

1. There are _____ property owners in the area proposed for annexation. (If a property owner owns more than one parcel in the area proposed for annexation, he/she is only counted once as an owner - the number of parcels owned by a petitioner is not counted.)
2. Two property owners have signed this petition. (If the land is owned by both husband and wife, both must sign the petition to represent all owners.)
3. Said property is unincorporated, abuts on the city's N S (E) W (circle one) boundary(ies), and is not included within any other municipality.
4. The area of land proposed for annexation, in acres, is:
 Unplatted Platted Total
5. The reason for the requested annexation is have all properties in the City of Brainerd.
6. The area proposed for annexation will be zoned Residential.
7. All of the area proposed for annexation is or is about to become urban or suburban in character.

8. The area proposed for annexation is not included in any area that has already been designated for orderly annexation pursuant to Minnesota Statutes § 414.0325, nor in any other boundary adjustment proceeding pending before the Municipal Boundary Adjustment Unit of the Office of Administrative Hearings.

PETITIONERS REQUEST: That pursuant to Minnesota Statutes § 414.033, the property described herein be annexed to and included within the City of Brainerd, Minnesota.

Dated: 06/16/16

Signatures: Robert E Marohn
Andrea K Marohn

NOTE: Pursuant to Minnesota Statutes § 414.033 and Minnesota Rules 6000.0800, the petition to the Office of Administrative Hearings must be accompanied by a certification showing that a copy of the petition was filed within 10 days after service on the annexing city to the affected township(s), county, and any other abutting municipality(ies).

NOTE: Under Minnesota Statutes § 414.033, Subd. 5, if the petition is not signed by all of the property owners of the land proposed for annexation, the ordinance shall not be enacted until the municipal council has held a hearing on the proposed annexation after at least 30 days mailed notice to all property owners within the area to be annexed.

99
90
43
73
00
02



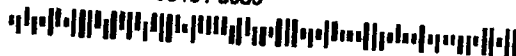
Crow Wing County
Land Services
322 Laurel Street, Suite 15
Brainerd, MN 56401
218-824-1010
www.crowwing.us

Property ID Number: 811080000590009

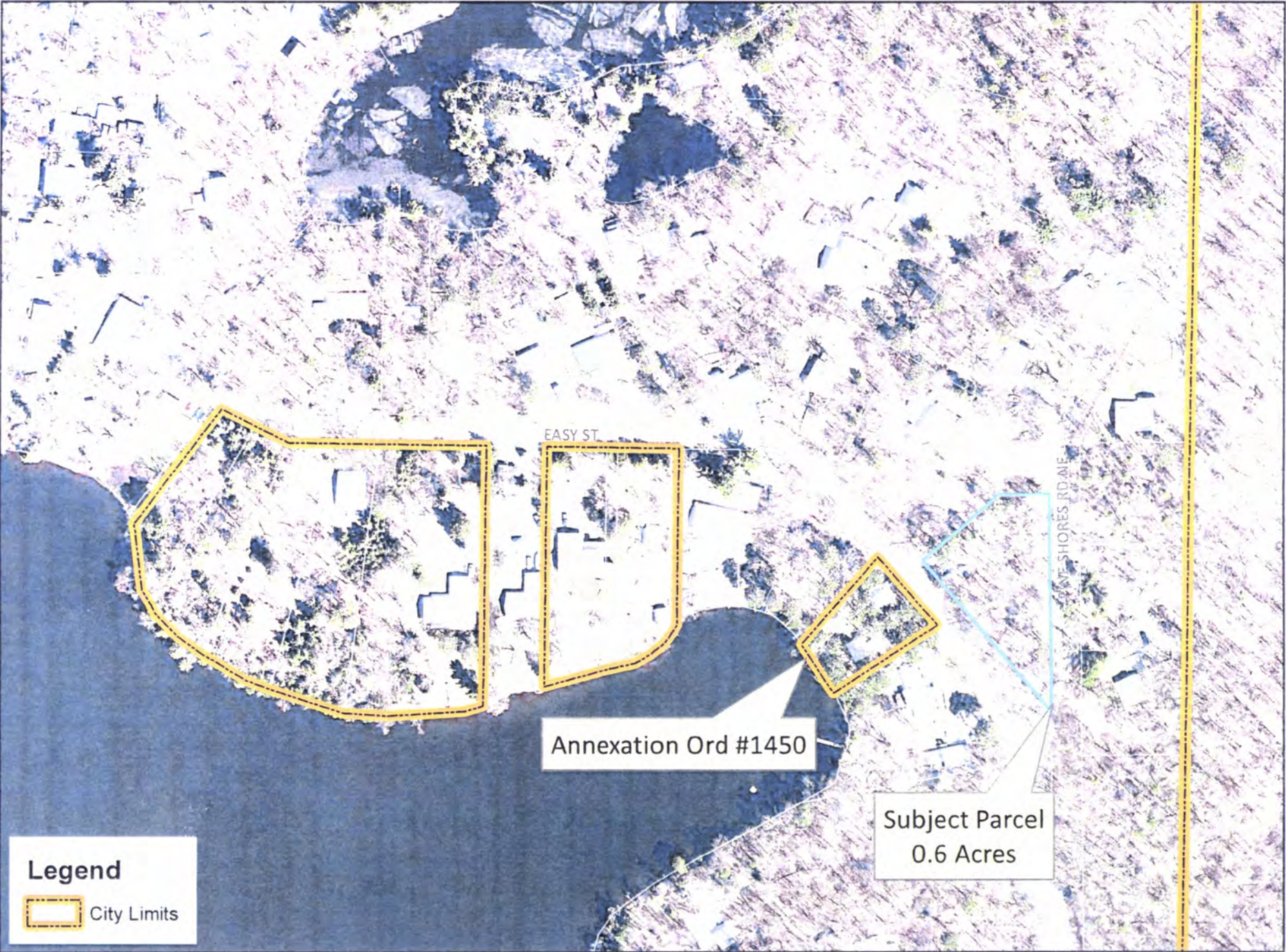
Owner: MAROHN, ROBERT E & ANDREA K

Taxpayer ID: 000146066
MAROHN, ROBERT E & ANDREA K
11427 EASY ST
BRainerd MN 56401-5835

3373

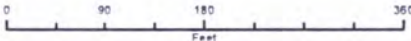


Property Description: OAK LAWN TOWNSHIP
SEC:17 TWP:045.0 RG:30 LOT:059 BLK:000 ACRES:.00
PINE SHORES-FIRST SUBDIVISION LOT 59



Legend

 City Limits



Print Date
6/28/2016

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



PLANNING COMMISSION
Wednesday, July 20, 2016

For Items
7B-7D

City Planner Ostgarden called the meeting of the Brainerd Planning Commission to order at 6:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Parks, Plantenberg, Straw, Headley, Turner and Pritschet. Also present were City Planner Ostgarden, Planning Intern Hermerding, and 10 others.

#2 Approval/Amendment of Agenda

MOTIONED AND SECONDED BY COMMISSIONERS PARKS AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

#3 Approve Minutes of the Regular Meeting held on June 15, 2016 and the Special Meeting held on June 29, 2016, as Distributed

MOTIONED AND SECONDED BY COMMISSIONERS PARKS AND PRITSCHET, DULY CARRIED, TO APPROVE THE MINUTES FROM THE REGULAR MEETING HELD ON JUNE 15, 2016 AND THE SPECIAL MEETING HELD ON JUNE 29, 2016, AS DISTRIBUTED.

#4 NEW BUSINESS

- a) **Public Hearing – City of Brainerd - for the Rezoning of property located south of Quince Street on S. 6th Street and S. 7th Street to just south of Willow Street from a B-4 (General Commercial) District to a B-2 Neighborhood Business) District and R-2 (One and Two Family Residential) District**

City Planner Ostgarden reported that the proposed amendment dates back to even before the zoning ordinance amendment to change the B-2 zoning language to allow residential land uses. He presented the public hearing notice and maps and discussed existing structures and future land use. He stated that he'd received many phone calls from those who received the information; most inquiring about what the change would mean for them.

The Public Hearing was opened at 6:14pm.

The Chair recognized Ms. Sara Hayden-Shaw, 521 N 9th St and co-owner of 810 S 6th St, Brainerd, who stated that she is very much in favor of the rezoning. She stated that the removal of the non-conforming status is extremely important to allow her neighbors to rebuild, maintain and remodel their properties.

The Public Hearing was closed at 6:15pm.

The following findings-of-fact were read into the record:

1. The rezoning area is generally an area south of Quince to just south of Willow Street and between S. 6th St and S. 7th St.

2. The area proposed for rezoning is an area with businesses and residential land uses.
3. The B-2 District has been amended to include residential uses as permitted uses.
4. The B-4 District makes residential uses non-conforming uses and rezoning to B-2 will eliminate the nonconforming status.
5. B-2 zoning permits commercial uses in buildings up to 5,000 sq. ft. and also permits residential uses.
6. The S. 6th Street corridor is one with an uncertain development future which makes land use and zoning decisions difficult.
7. Rezoning the S. 7th Street frontage to R-2 will affect how development along S. 6th Street will occur.

8. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

LAND USE GOAL #3: *Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.*

Strategies

Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.

Encourage development of low-density and high-density family housing units in those areas designated on the adopted Land Use Plan.

Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.

Support the redevelopment of vacant and abandoned sites within the urban core.

LAND USE GOAL #2: *Plan for the orderly, efficient and fiscally responsible growth of commercial and industrial development in Brainerd.*

Encourage the development of additional commercial and industrial areas within the city in accordance with the land use plan.

LAND USE GOAL #5: *Support development that enhances community character and identity.*

Strategy

Work to strengthen and maintain the appearance of the Business Highway 371, Highway 210/Washington Street, Oak Street (former Highway 18), Highway 25 and County Road 3 corridors through design standards, trails, lighting, sidewalks, signage and other tools.

9. One resident spoke in favor of the change.

10. City Planner received several calls relating to the nature of the change; answers satisfied their concerns.

MOTIONED AND SECONDED BY COMMISSIONERS STRAW AND PRITSCHET, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING OF PROPERTY LOCATED SOUTH OF QUINCE STREET ON S. 6TH STREET AND S. 7TH STREET TO JUST SOUTH OF WILLOW STREET FROM A B-4 (GENERAL COMMERCIAL) DISTRICT TO A B-2 NEIGHBORHOOD BUSINESS) DISTRICT AND R-2 ONE AND TWO FAMILY RESIDENTIAL) DISTRICT.

Commissioners discussed the advantages of this rezone, including flexibility for residents, the reduction of spot zoning, and the creation of a more vital organic community with the option for more home-based businesses.

- b) Public Hearing - KRRC LLP 521 Charles Street, Ste. 210, Brainerd, MN 56401- for the Rezoning of the property at 310 W Laurel Street, Brainerd, MN 56401 from a B-2 (Neighborhood Business) District to a B-4 (General Commercial) District**

City Planner Ostgarden reported that the property has been an automotive repair business for approximately 7 years and the company wishes to expand to include a U-Haul rental outlet. He discussed the location and surrounding areas, stating that the property has Mississippi River frontage subjecting it to Shoreland Regulations. He stated that the land use plan for this area has not been updated since 2004 and asked the Commission to consider if the ability for additional activity that comes with B-4 help with redevelopment as referenced in the staff report as a "Land Use Goal."

Following Commission inquiries, City Planner Ostgarden confirmed that the petitioner is not requesting to expand or build at the site; the request will involve the storage of U-Haul trailers.

The Chair opened the Public Hearing at 6:32pm.

The Chair recognized Mr. Greg Schmidt, 11573 River Vista Drive, Baxter, co-owner of the automotive repair business at 310 W. Laurel Street. He stated that the parking lot was expanded and improved recently and that the rezoning would allow for further traffic and business to the area as there is no U-Haul rental location within the City of Brainerd.

The Chair recognized Mr. Bill Simon, 9671 Leisure Lane, Brainerd, owner of the four-plex across from the petitioner's shop. He stated that his only concern is noise based on the complaint of one of his tenants.

The Chair closed the Public Hearing at 6:37pm.

The following Findings-of-Fact were read into the record:

1. Property is approximately 2.34 acres and partially developed.
2. The property is adjacent to the Mississippi River and subject to shoreland regulations that will limit the amount of development on the property.
3. There is vacant land to the north, office use to the west and multifamily development to the south.

4. The Future Land Used Map has not been updated and identifies the property as future Public/Semi Public land use.
5. Laurel Street is designed to accommodate traffic associated with a B-4 District.
6. The property has been used for automotive repair for about 7 years.
7. The rezoning is consistent with the following Comprehensive Plan Land Use goals and Strategies:
8. **LAND USE GOAL #5: *Support development that enhances community character and identity.***
Support the redevelopment of vacant and abandoned sites within the urban core.
9. Petitioner spoke in favor.
10. One person expressed a concern with noise.

Commissioner Parks asked how this request is not “spot zoning.” He stated that his inquiry is based on the denial of the rezoning request at 814 Front Street which the Commission denied based specifically on not desiring to “spot zone.”

Discussion was held relating to noise levels/emissions in a B-4 as compared to a B-2 based on the residential area directly across the street. City Planner Ostgarden stated that there were conditions attached to the original opening of Paradigm Performance based on those concerns and that if the zoning change to B-4 is approved those conditions would no longer apply. He added that noise requirements for the City in general would still apply to encourage neighborhood compatibility; however, the City does not know about these issues unless they are reported.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND STRAW, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REQUEST FROM KRRC LLP 521 CHARLES STREET, STE. 210, BRAINERD, MN 56401- FOR THE REZONING OF THE PROPERTY AT 310 W LAUREL STREET, BRAINERD, MN 56401 FROM A B-2 (NEIGHBORHOOD BUSINESS) DISTRICT TO A B-4 (GENERAL COMMERCIAL) DISTRICT.

c) Public Hearing - Zoning Ordinance Text Amendment – Amend Zoning Ordinance Section 22 – Off Street Parking – to Remove Minimum Off Street Parking

City Planner Ostgarden that from the Planning Department’s perspective he recommends to not include the residential uses or rural agricultural areas in off street parking minimum requirement removals at this time; rather, to look mostly at the business uses and industrial districts. He stated that a meeting of representatives of the business and realty industries was recently held with the outcome being positive and even, “the sooner the better” response and that similar changes are happening in many other communities. He advised the Commission to carefully consider how any changes will affect future businesses, stating no off-street parking at a business would be concerning to him.

The Chair opened the Public Hearing at 6:58pm.

The Chair recognized Ms. Sara Hayden-Shaw, 521 N 9th St, Brainerd, who spoke in favor of this concept moving forward, stating that it will make Brainerd more open to investment based on businesses having some parking available without having to add the immediate expense of creating their own parking areas. She encouraged the Commission to include all of the business zones. She also recommended having a “retro-active” option.

Commission discussion was held relating to the many variations that need to be considered relating to the numerous zones within the community.

MOTIONED AND SECONDED BY COMMISSIONERS PRITSCHET AND PARKS, DULY CARRIED, TO REMOVE THE PARKING RESTRICTIONS FOR I-2, I-1, B-4, B-6 AND B-5.

It was determined that the Commission would wait for Council action before addressing parking restrictions for other zones.

d) Vacation Residence By Owner (VRBO) Discussion

City Planner Ostgarden explained that there may be VRBOs operating in Brainerd; however, this is not a use that is permitted according to the Zoning Ordinance. He stated that the practice involves a property owner renting out their own home to visitors for a short amount of time as a vacation rather than using a hotel or resort or bed and breakfast. He asked the Planning Commission to consider whether they would like to permit this use, and distributed language adopted by Aitkin County on the subject. He recommended that the City consider requiring inspections of the units as well as a license.

Pros and Cons of allowing VRBOs were discussed by the Commission. Other items considered were having a limit on how many rentals one could own, registration to track complaints, amount of days staying determining hotel vs. timeshare and department of health requirements.

Commission requested further information be provided in order to hold further discussion at the next Planning Commission meeting.

e) Temporary Family Healthcare Dwellings

City Planner Ostgarden added this item which was presented to the City Council at their July 18, 2016 meeting. The first reading of Ordinance No. 1458 was read opting out of the requirements for temporary family healthcare dwellings.

He explained that "Temporary Family Healthcare Dwellings" are a new type of dwelling that supersedes zoning ordinance requirements wherein a property owner can place a temporary dwelling on their property to house someone that is providing healthcare services to that property owner. He stated that per Legislature, cities that wish to opt out of having this option available can opt out via city ordinance by September 1, 2016.

Following discussion, Commission agreed that the ordinance should proceed to final reading and adoption.

#5 PUBLIC FORUM

None.

#6 OLD BUSINESS

None.

#7 Commissioners' Questions/Comments

Commissioner Pritschet discussed Pokémon Go, stating that businesses should consider embracing this new app to bring people in to their shops, etc.

#8 City Planner's Report

None.

#9 Adjourn

As there was no further business, the Chair adjourned the meeting at 7:50pm.

Respectfully submitted,

Mark Ostgarden AICP
City Planner



Brainerd City Council Agenda Request

7B
Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: 2nd Reading - Proposed Ordinance No. 1459 - Rezoning of South 6th Street and South 7th Street

☐ 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 ^{2nd} Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden, City Planner	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5-10 minutes
Summary of Issue: The City of Brainerd has initiated rezoning of property located south of Quince St. on S. 6th St. and S. 7th St. to just south of Willow St. from a B-4 (General Commercial) District to a B-2 (Neighborhood Business) District and an R-2 (One and Two Family Residential) District. The Planning Commission recommended approval. Minutes from the Planning Commission meeting held on July 20, 2016 are attached in draft form. A use matrix is attached that compares uses allowed in B-2 and B-4 Districts. Attached please find proposed Ordinance No. 1459 and the Staff Report which provides the issue summary, maps and Findings of Fact.	
Alternatives, Options, Effects on Others/Comments: 1. Deny the rezoning which will not permit the parcels to be rezoned. 2. Approve the request which will permit the parcel to be used for R-2 and B-2 uses.	
Recommended Action/Motion: Please refer to Packet information supporting the following motion: A motion by _____ and seconded by _____ to approve /deny the 2nd reading of proposed ordinance no. 1459 - Rezoning property located south of Quince St. on S. 6th St. and S. 7th St. to just south of Willow St. from a B-4 (General Commercial) District to a B-2 (Neighborhood Business) District and an R-2 (One and Two Family Residential) District; further to dispense with the actual reading.	
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>	

**ORDINANCE
NO. 1459**

**AN ORDINANCE AMENDING ORDINANCE NO. 812
PERTAINING TO THE ZONING IN THE CITY OF BRAINERD**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-2 of the Brainerd City Code is hereby amended by changing the zoning designation of the property descriptions below from B-4 (General Commercial) District to R-2 (Medium Density Residential) District for the following:

Lots 1-12 Block 217, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 21
Lots 1-12 Block 239, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 21
Lots 1-12 Block 269, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 21
Lots 1-5 inclusive Block 287 and E 132 ft of Lots 6 thru 8 Inclusive Block 287, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 21
Lots 1-12 Block 319, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 21

and

PT OF LOT 1 DESC: COMM AT POINT ON N LINE OF SD LOT 1 WHICH IS 137 FT W ASSM BEAR FROM NE COR OF SD LOT 1 THEN S 0D 28'30" W 40 FT TO S'LY LINE OF WILLOW STREET THEN W 62.4 FT ALG SD WILLOW STREET TO POB THEN S 1D 23'30" E 150.04 FT TO S LINE OF SD LOT 1 THEN W 49 FT TO E LINE OF W 125 FT OF SD LOT 1 THEN N 0D 8" E 150 FT PARA/W W LINE OF SD LOT 1 TO S LINE OF WILLOW STREET THEN E 45 FT ALG SD WILLOW STREET TO POB, AUD PLAT OF E1/2 NW1/4 SEC 36-45-31

and

THAT PART OF LOT 1 DESCRIBED AS FOLLOWS; COMM. AT THE NE CORNER OF SAID LOT 1, THEN W. ASSUMED BEARING 137 FT ALONG THE N. LINE OF SAID LOT 1, THEN S. 0 DEG 28 MIN 30 SEC W. 40 FT PARALLEL WITH THE E. LINE OF SAID LOT 1 TO THE POINT OF BEG ON THE S'LY LINE OF WILLOW STREET, THEN CONT. S. 0 DEG 28 MIN 30 SEC W. 150 FT TO THE S. LINE OF SAID LOT 1, THEN W. 57.4 FT, THEN N. 1 DEG 23 MIN 30 SEC W. 150.04 FT TO THE S'LY LINE OF WILLOW STREET, THEN E. 62.4 FT TO THE POINT OF BEG. SUBJECT TO RESTRICTIONS, AND RESERVATIONS AND EASEMENTS OF RECORD, AUD PLAT OF E1/2 NW1/4 SEC 36-45-31

and

THE N'LY 128 1/2 FT OF E. 137 FT OF LOT 1 SUBJ. TO WILLOW STR. & S. 7TH STR. EASE, AUD PLAT OF E1/2 NW1/4 SEC 36-45-31

and

THE E'LY 137 FT EX. THE N. 128 1/2 FT OF LOT 1 SUBJECT TO S. 7TH STR. EASE, AUD PLAT OF E1/2 NW1/4 SEC 36-45-31

and

N. 65 FT OF LOT 2, EXCEPT THE W'LY 125 FT THEREOF, SUBJECT TO S. 7TH STR EASEMENT, AUD PLAT OF E1/2 NW1/4 SEC 36-45-31

and

S. 50 FT OF N. 115 FT OF LOT 2 EX. WLY 125 FT THEREOF. SUBJECT TO S. 7TH STR. EASE, AUD PLAT OF E1/2 NW1/4 SEC 36-45-31

and

S. 75 FT OF LOT 2 EX. W. 125 FT. SUBJECT TO S. 7TH STR. EASE, AUD PLAT OF E1/2 NW1/4 SEC 36-45-31

SECTION TWO: That existing Section 515-04-2 of the Brainerd City Code is hereby amended by changing the zoning designation of the property descriptions below from R-1 (Single Family Residential) District to R-2 (Medium Density Residential) District for the following:

E 132 ft of Lots 9 thru 12 Block 287 incl, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

SECTION THREE: That existing Section 515-04-2 of the Brainerd City Code is hereby amended by changing the zoning designation of the property descriptions below from B-4 (General Commercial) District to B-2 (Neighborhood Business) District for the following:

Lots 13 and 14, Block 217, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

Lots 17-24, Block 217, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

Lots 13-24, Block 239, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

Lots 13-24 Block 269, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

Lots 13-24 Block 287, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

Lots 13-24 Block 319, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

and

W 125 FT OF N 165 FT OF LOT 1 AUDITOR'S SUBDIVISION OF THE E 1/2 OF THE NW QTR, AUD PLAT OF E1/2 OF NW1/4 SEC 36-45-31

and

W. 125 FT OF LOT 2 AND W. 125 FT OF S. 25 FT OF LOT 1, AUD PLAT OF E1/2 OF NW1/4 SEC 36-45-31

and

LOTS 13 THRU 16 INCLUSIVE BLK 285 & ALSO INCL W 55 FT OF LOTS 10 THRU 12 INCL BLK 285, TOWN OF BRAINERD & 1ST ADDN TO BRAINERD, SECTION 24 TOWNSHIP 45 RANGE 31

and

LOTS 10 THRU 12 INCL BLK 285 EXC W 55 FT THEREOF, TOWN OF BRAINERD & 1ST ADDN TO BRAINERD, SECTION 24 TOWNSHIP 45 RANGE 31

and

Lots 1-9 Block 285, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

and

Lots 1-12 Block 317, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

SECTION FOUR: That existing Section 515-04-2 of the Brainerd City Code is hereby amended by changing the zoning designation of the property descriptions below from R-2 (Medium Density Residential) District to B-2 (Neighborhood Business) District for the following:

Lots 15 and 16 Block 187, Town of Brainerd & 1st Addn to Brainerd, Section 24 Township 45 Range 31

SECTION FIVE: This Ordinance shall take effect and be in force one week from and after its publication.

Adopted this _____ day of _____, 2016

GARY SCHEELER
President of the Council

Approved this _____ day of _____, 2016

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator

Published: One Time, _____

STAFF REPORT TO THE PLANNING COMMISSION

July 11, 2016

REZONING

APPLICANT/LOCATION:	City of Brainerd for property located south of Quince Street on S. 6 th Street and S. 7 th Street to just south of Willow Street
REQUESTED ACTION:	Rezone property from B-4 (General Commercial) District to B-2 (Neighborhood Business) District and R-2 (Medium Density Residential) District
ADJACENT USES:	North: Single Family Residential East: Single Family Residential South: Single Family Residential West: Single Family Residential
ADJACENT ZONING:	North: B-4 (General Commercial) District East: R-2 One and Two Family Residential) District South: R-1 (Single Family Residential) District West: R-1 (Single Family Residential) District

PETITION EVALUATION

1. The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.

LAND USE GOAL #3: *Plan for the orderly, efficient and fiscally responsible growth of residential development in Brainerd.*

Strategies

Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.

Encourage development of low-density and high-density family housing units in those areas designated on the adopted Land Use Plan.

Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost effective provision of city services.

Support the redevelopment of vacant and abandoned sites within the urban core.

LAND USE GOAL #2: *Plan for the orderly, efficient and fiscally responsible growth of commercial and industrial development in Brainerd.*

Encourage the development of additional commercial and industrial areas within the city in accordance with the land use plan.

LAND USE GOAL #5: *Support development that enhances community character and identity.*

Strategies

Work to strengthen and maintain the appearance of the Business Highway 371, Highway 210/Washington Street, Oak Street (former Highway 18), Highway 25 and County Road 3 corridors through design standards, trails, lighting, sidewalks, signage and other tools.

2. The proposed use's compatibility with present and future land uses of the area.

The attached section of the Future Land Use Map identifies this area along the South 6th Street corridor as Low to Medium Density Residential Land Use. Typically that is considered one and two family units.

The Future Land Use Map has not been updated to include S. 6th Street as a Mixed Commercial and Residential land use area. The Comprehensive Plan reads as follows:

Mixed General Commercial and Residential

The purpose of this category is to identify portions of Brainerd that would benefit from a mix of General Commercial and Medium to High Density Residential. Areas that would benefit from this type of development would be along the Business Highway 371 corridor and the southern portion of the rail yards. New commercial development along the Business Highway 371 corridor and along the existing rail yard will encourage the inclusion of residential units. The city will need to amend its zoning ordinance to include a percentage of residential units for all new commercial development in these areas.

3. The proposed use's effect upon the area in which it is proposed.

Rezoning the area will permit it to be used for neighborhood business and residential uses. Residential use is the predominate lands along in this area.

4. Traffic generation of the proposed use in relation to capabilities of streets serving the property.

S. 6th Street capacity will not be affected by this change.

5. The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.

There should be no negative impact upon existing public services and facilities including parks, schools, streets, and utilities, or its potential to overburden the City's service capacity.

PLANNING DEPARTMENT REVIEW

The S. 6th Street/B371 corridor from Quince Street to just south of Willow Street is an area of uncertain future land use. Will this be a desirable location for business use? Will residential use continue to dominate the land use pattern along this section of the corridor? Will residential investment (or disinvestment) occur? Should the community plan for an area where business and residential uses can coexist in a mixed use area?

Lot depths along this corridor section are generally 50' deep, which makes (re)development difficult. The area between S. 6th and S. 7th Street was zoned B-4 in 2011 as part of a community wide zoning review to promote additional business development and to permit

larger sites for (re)development and/or more efficient land use. The issue the B-4 zoning created is that residential uses included in the proposed rezoned area became nonconforming uses, uses that have rights to continue but have limits on the ability to expand.

In order to continue as a business corridor and recognizing the corridor will also be a residential corridor in the future, the Planning Commission is recommending the zoning change to permit both business and residential uses along a portion of the corridor.

There are 4 significant changes that would occur should the property be rezoned.

1. S. 6th Street is rezoned, changed from B-4 to B-2. We permit the residential and business uses and eliminate the non-nonconformity issues.
2. S. 7th Street is rezoned from B-4 to R-2, removing the residential nonconformity issues along S. 7th Street
3. Rezoning S. 7th Street to R-2 removing the potential for larger development sites between S. 6th Street and S. 7th Street.

The B-4 to B-2 rezoning will permit the businesses to remain either permitted uses or conditional uses. There is a 5,000 sq. ft. building size limit for B-2, meaning any new construction or current building with expansion will have that size limit. The building at the west end of Tamarac Street is about 5,400 sq. ft. meaning expansion of that building is not possible. The attached aerial map identifies the building sq. ft. for the businesses uses in the proposed rezoning area.

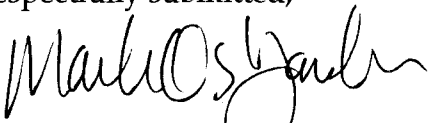
Attached is a Zoning Ordinance Use Matrix that lists uses allowed by right, as an accessory use or conditional use in B-4 and B-2 Districts. This helps clarify the uses that will (will not) be permitted in the proposed rezoning area. Following is a list of the attached maps and documents:

1. Option 2 rezoning
2. Zoning prior to 12/2/2011
3. Existing Land Use
4. Future Land Use
5. Commercial Building sq. ft. in the proposed rezoning
6. Zoning Ordinance B-2 and B-4 Use Matrix

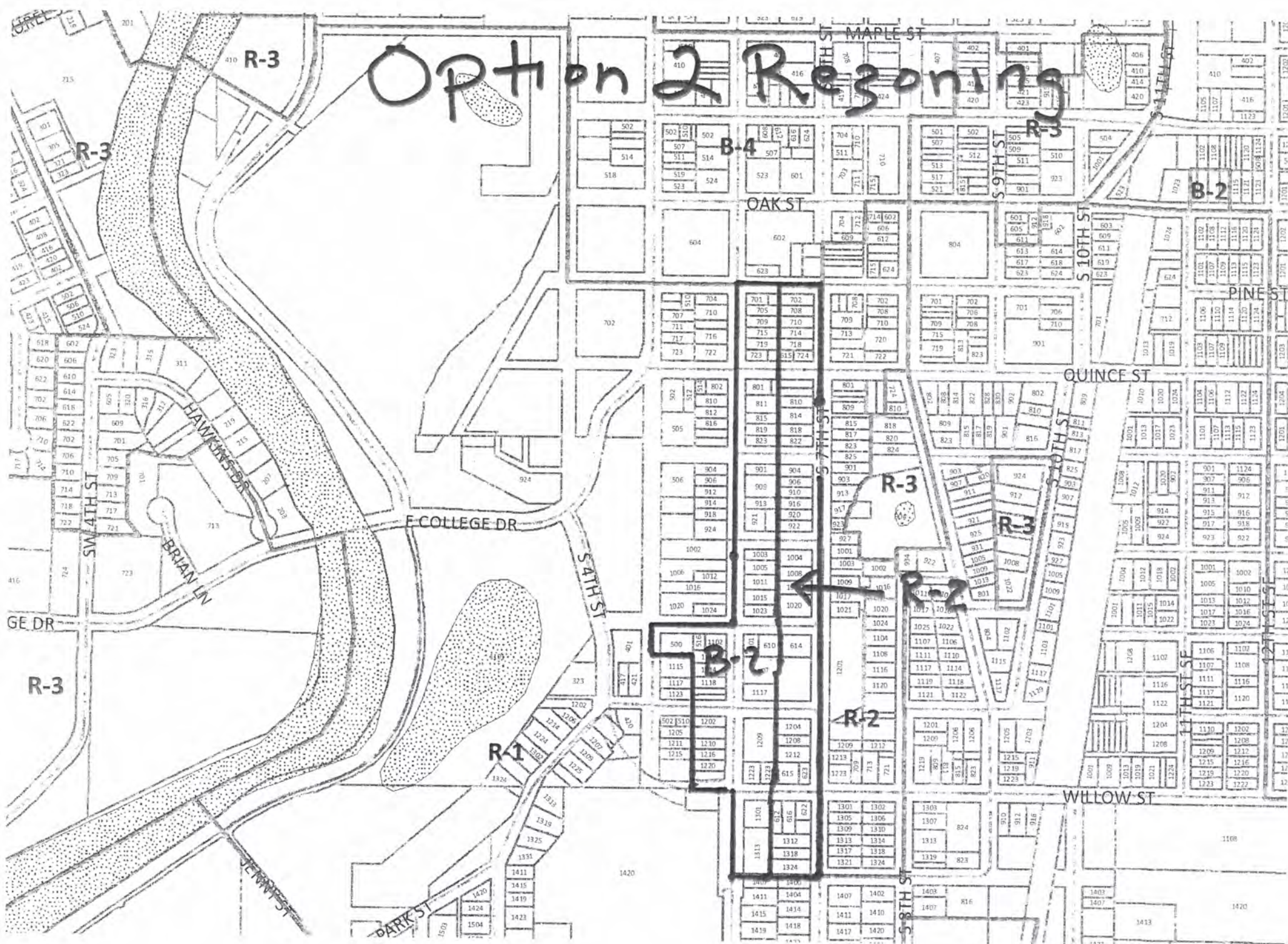
PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its July 20, 2016 meeting. The City Council can receive the Planning Commission recommendation and can consider an Ordinance First Reading on August 1, 2016 and can consider the Ordinance Second Reading August 15, 2016.

Respectfully submitted,



Mark Ostgarden AICP
City Planner



Option 2 Rezoning

B-2

R-3

R-3

R-2

R-1

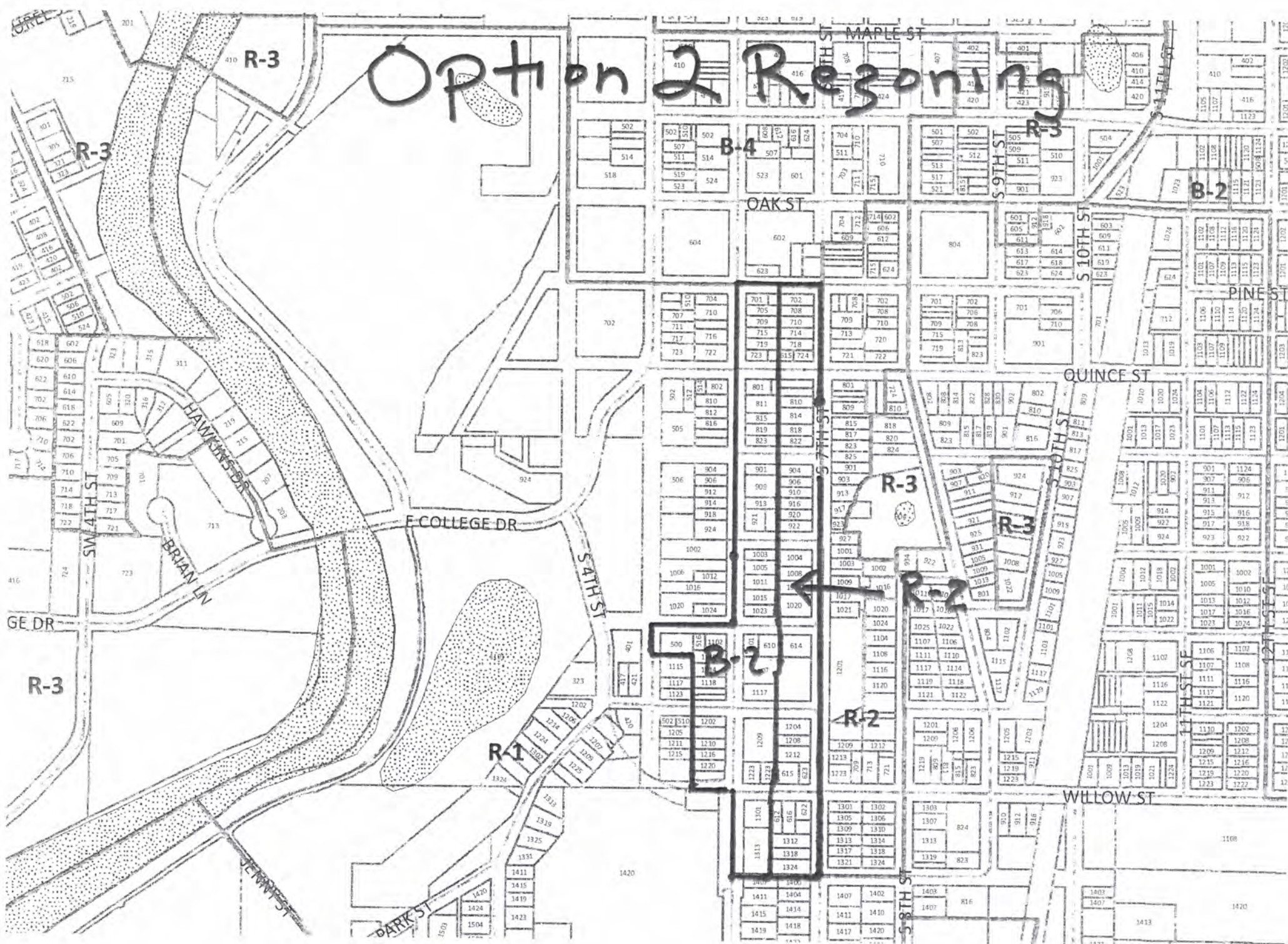
B-2

B-4

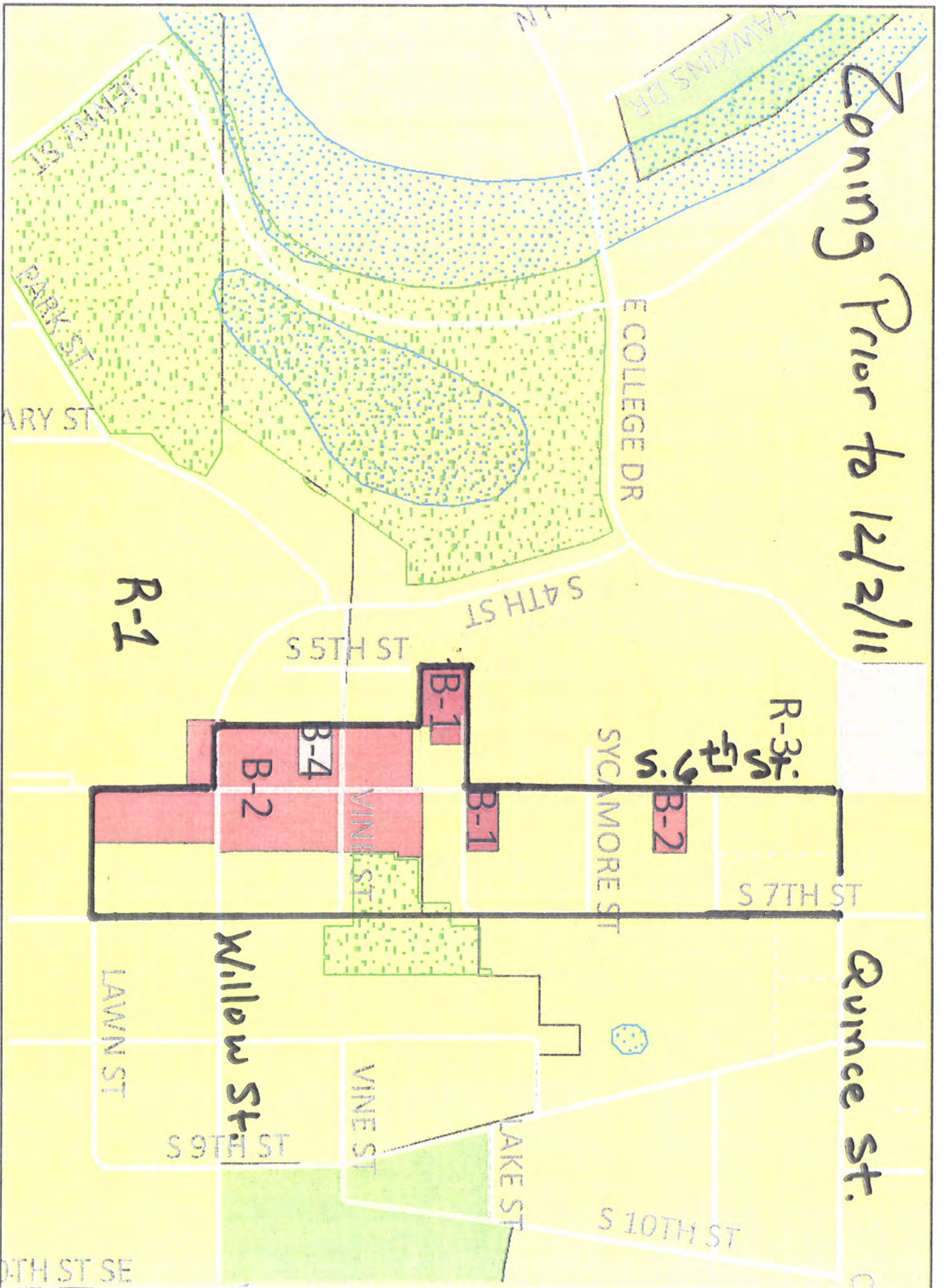
R-3

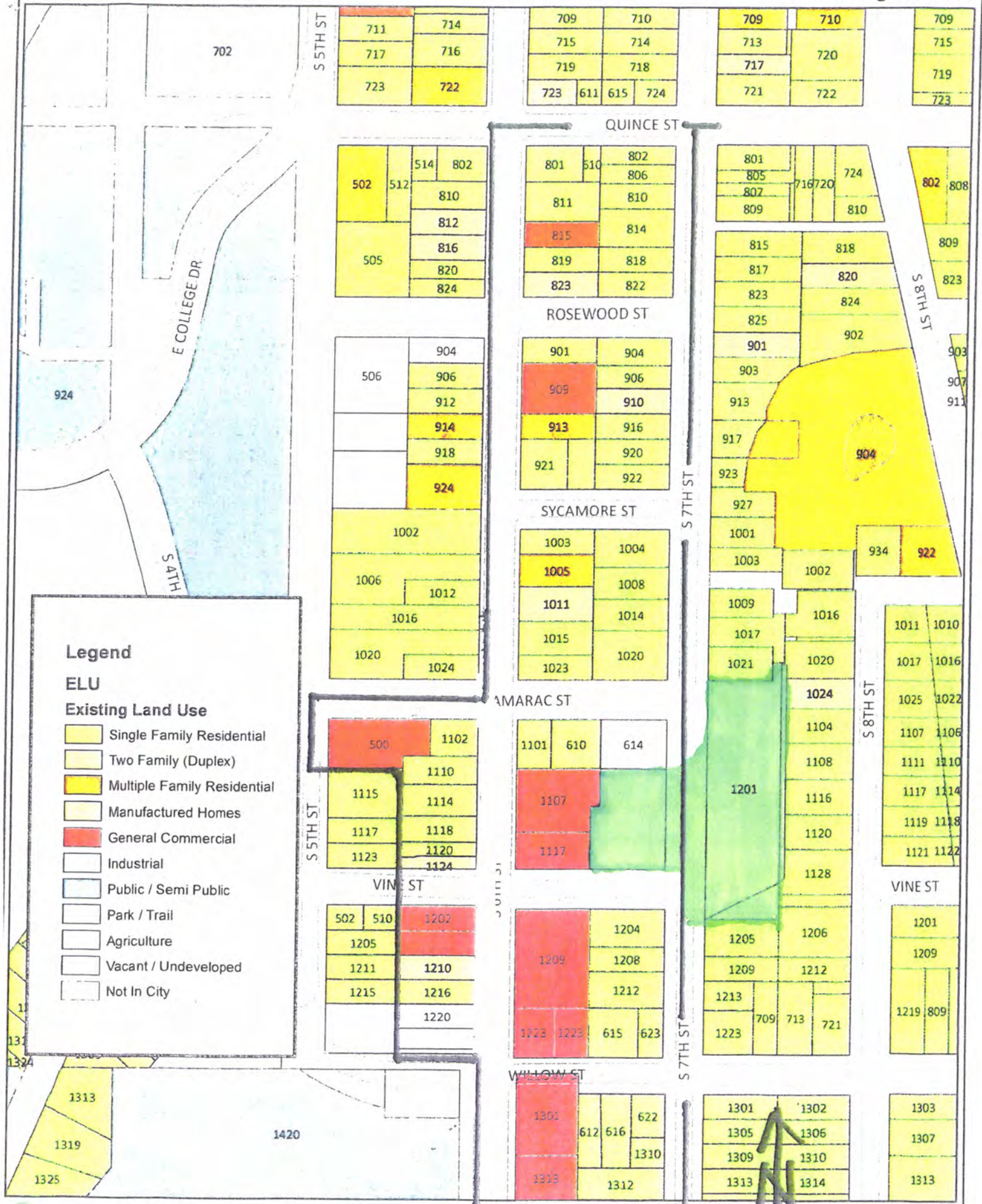
R-3

R-3



Zoning Prior to 12/2/11



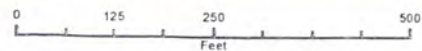


Legend

ELU

Existing Land Use

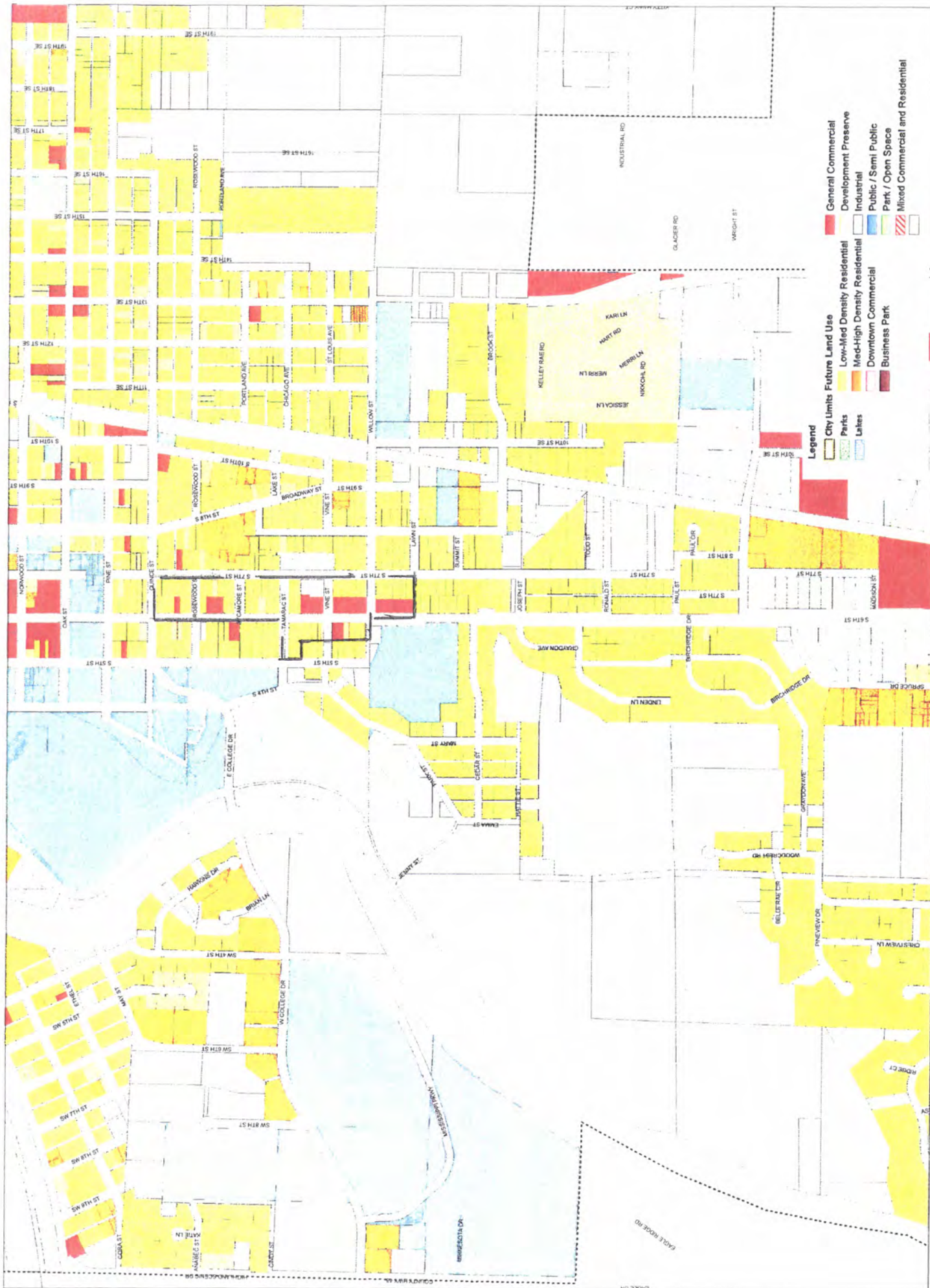
- Single Family Residential
- Two Family (Duplex)
- Multiple Family Residential
- Manufactured Homes
- General Commercial
- Industrial
- Public / Semi Public
- Park / Trail
- Agriculture
- Vacant / Undeveloped
- Not In City



Print Date
8/14/2015

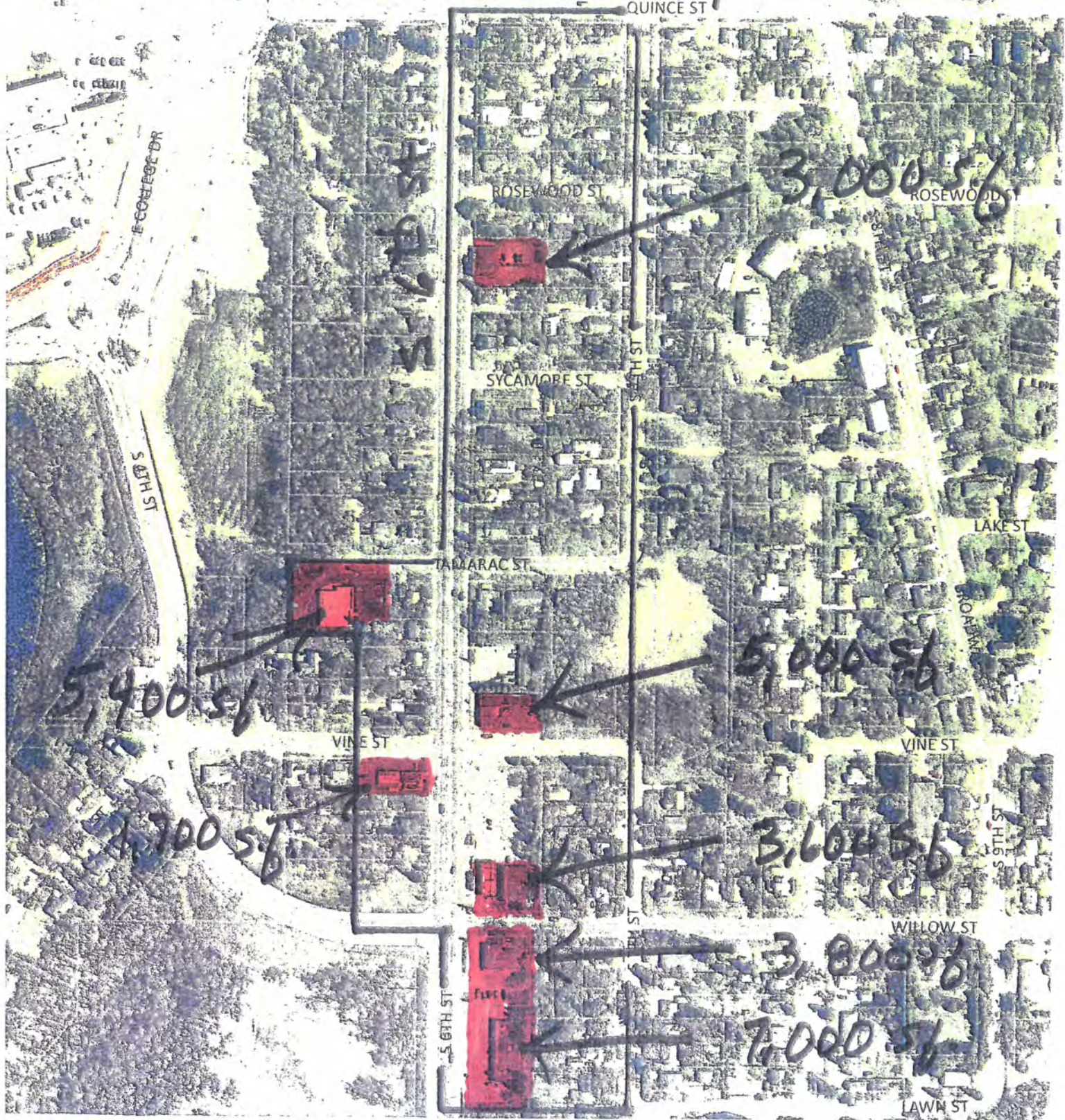
This map is intended for reference purposes only and is not a legally recorded map nor survey. The City of Brainerd shall not be liable for any damages or claims that arise due to accuracy, availability, use, or misuse of the information herein pursuant to MN Statutes 466.03 Subd 21.





Future Land Use

Commercial Building Area in the Proposed Area



B-2 and B-4 Zoning Ordinance Use Matrix

A "C" appearing in the table for any use means that the use will be permitted in the zoning district by a "Conditional Use Permit". By "I" appearing in the table for any use means that the use will be permitted an "Interim Use Permit". A "P" means that the use is permitted in the zoning district subject to the general provisions of the Zoning Ordinance, and "NP" means the use is not permitted in the zoning district. For uses not included on this list, application shall be made to the Board of Adjustment for interpretation.

USE	B-2	B-4
Adult Uses	NP	P
Agricultural Building	NP	NP
Agricultural Sales	NP	NP3
Agricultural Uses	NP	NP
Amusement Park	NP	NP
Animal Hospital or clinic and kennels	NP	C
Antenna ¹	P	P
Armories	NP	C
Art centers, museums	NP	P
Automobile Dealership	NP	C
Auto Racing tracks	NP	NP
Auto Service Stations	NP	C
Automobile and truck repair	NP	C
Bed & Breakfasts	NP	NP
Business or trade school	NP	P
Campground	NP	C
Car wash	NP	NP
Cemeteries	NP	NP
Colleges and universities	NP	C
Commercial kennels	NP	NP
Commercial Car Wash	NP	C
Commercial riding stables	NP	NP
Commercial recreational businesses	NP	NP
Commercial Day Care Facility	C	C
DHS Drug/alcohol treatment center	NP	C
Drive-In movie Theater	NP	NP
Drive-up service facilities	NP	P ²
Equipment rental- indoor	NP	P
Farms, farmsteads and farming	NP	NP
Financial institutions	P	P
Funeral Homes	C	P
Golf Courses	NP	NP
Government and public buildings, utilities and/or structure	P	P
Health Clubs	NP	NP
Home Businesses	P/C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Hospitality Business	NP	P
Hospitals	NP	C
In home day care ²	P	NP
Liquor Sales, Off-sale	NP	NP
Liquor Sales, On-sale	C	NP
Light manufacturing	NP	C
Loading and unloading areas	P ²	P ²
Mining & Extraction	NP	NP
Motor Fuel Sales	C	C
Nursing Home	NP	NP
Office Business- Clinic & General	P	P
Offices		P
Off-street parking ²	P	P
Off-street loading ²	P	P
On-site service businesses ³	P	P
Outdoor Dining	C	C
Outdoor Entertainment Venues	NP	NP
Outdoor Sales ⁴	NP	C
Outdoor Storage	NP	C ²
Outside services, sales, and equipment rental ⁵	NP	P ²
Pawn Shops	NP	P
Parking Structures	NP	NP
Personal, Professional, and Recreational Vehicle Repair- major	NP	NP
Personal, Professional, and Recreational Vehicle Repair- minor	NP	NP
Personal Services ⁶	P	P
Place of Worship	C	NP
Planned Unit Development	C ⁷	C ⁷
Private Clubs	C	P
Public Buildings	NP	P
Public Parks	NP	NP
Public & Private Schools	NP	NP
Radio and Television studios	NP	C
Recreational Businesses- indoor	NP	P
Repair services	P	P
Residential uses	P	NP
Restaurants-sit down, take out or delivery	C	P
Restaurants and on-sale establishments	C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Restaurants with drive-up window	NP	P
Retail Businesses	NP	P
Retail Establishments	P	P
Seasonal Non-Agricultural Merchandise Sales	NP	P ¹⁴
Self-service Laundromat with dry cleaning pick up and drop off	P	P
Service Business-Off site	NP	NP
Small engine and boat repair	NP	C
Specialty Food Shops	C	P
Sports Stadium	NP	NP
Studio ¹⁰	P	P
Swimming Pool and Water Parks	NP	NP
Taxi or bus dispatch sites	NP	P
Temporary/seasonal outdoor events and sales ⁹	P	P
Testing Labs for water and soil, rocks/minerals and air quality	NP	P
Theaters-except drive-in	NP	P
Wind Energy Conversion Systems ⁸	C	C

1 All antennas are accessory uses and need a permit

2 Are accessory uses

3 Limited to tailoring/alterations, dry cleaners, self-service and copy centers

4 And/or rental lot to lumber yards, motor vehicle and boat sales/rental, construction and landscaping sales/rental and farm implement sales/rental

5 Is an accessory to the principal use and limited in area to 15 ft of the gross floor area of the principal building or 15% of the tenant bay if it is a multiple tenant building. Must be located on private property and shall not intrude on the public sidewalk or boulevard.

6 Such as barber shops, beauty salons, nail salons, tanning salons, therapeutic massage and tattooing

7 Includes shopping centers

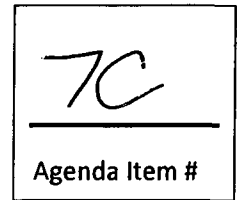
8 Wind Energy Conversion Systems may be allowed as an accessory, conditional use, provided the property upon which the system is to be located is zoned R-A, B-1, B-2, B-3, B-4, B-5, I-1, or I-2 (Section 34 of the Zoning Ordinance)

9 Needs a permit

10 These are art, decorating, dance, music and photography studios



Brainerd City Council Agenda Request



Requested Meeting Date: August 15, 2016

Title of Item: 2nd Reading - Proposed Ordinance No. 1460 - Rezoning of 310 W. Laurel Street

☐ 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 ^{2nd} Reading
Submitted by: Mark Ostgarden, City Planner	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5 minutes
Summary of Issue: KRRC LLP 521 Charles Street, Ste. 210, Brainerd, the property owner at 310 W. Laurel Street, Brainerd where Paradigm Performance Auto Repair is located, has requested rezoning from a B-2 (Neighborhood Business) District to a B-4 (General Commercial) District. The Planning Commission recommended approval. Minutes from the Planning Commission meeting held on July 20, 2016 are attached in draft form. A use matrix is attached that compares uses allowed in B-2 and B-4 Districts. Attached please find proposed Ordinance No. 1460 and the City Planner Staff Report which provides the issue summary, maps and Findings of Fact.	
Alternatives, Options, Effects on Others/Comments: 1. Deny the rezoning which will not permit the parcels to be rezoned. 2. Approve the request which will permit the parcel to be used for B-4 uses.	
Recommended Action/Motion: Please refer to Packet information supporting the following motion: A motion by _____ and seconded by _____ to approve /deny the 2nd reading of proposed ordinance no. 1460 - rezoning property located at 310 W. Laurel Street, Brainerd, MN 56401 from a B-2 (Neighborhood Business) District to a B-4 (General Commercial) District; further to dispense with the actual reading.	
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>	

**ORDINANCE
NO. 1460**

**AN ORDINANCE AMENDING ORDINANCE NO. 812
PERTAINING TO THE ZONING IN THE CITY OF BRAINERD**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-2 of the Brainerd City Code is hereby amended by changing the zoning designation of the property descriptions below from B-2 (Neighborhood Business) District to B-4 (General Business) District for the following:

*THE S'LY 150 FT OF BNFS RAILWAY COMPANY'S 400 FT ROW, BEING 200 FT WIDE ON EACH SIDE OF SAIDRAILWAY COMPANY'S MAIN TRACT CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED UPON, OVER AND ACROSS GOVT LOT 7 OF SEC 4 AND GOVT LOT 1 OF SEC 9 ALL IN TWP 133 RNG 28, LYING BETWEEN TWO LINES DRAWN PARALLEL WITH AND DIST RESPECTIVELY 50 FT AND 200 FT S'LY, AS MEASURED AT RIGHT ANGLES FROM SAID MAIN TRACK CENTERLINE BOUNDED ON THE E BY THE W BANK OF THE MISSISSIPPI RIVER, AND BOUNDED ON THE W BY THE E'LY ROW LINE OF SW 4TH STREET AS DEDICATED ON THE PLAT OF WEST BRAINERD, EXCPT THAT PART THEREOF THAT LIES NE'LY OF THE NE'LY LINE OF THIRD STREET AS DEDICATED ON WEST BRAINERD PLAT AND THE S'LY EXTENSION THEREOF. THE ABOVE DESC PARCEL INCLUDES PORT- IONS OF BLOCK 3, THIRD STREET AND FLORENCE STREET, ALL AS DEDICATED ON THE PLAT OF WEST BRAINERD. & ALSO EXCEPT THE FOLLOWING PARCEL; (S'LY 150 FT OF BNSF RAILWAY CO 400 FT WIDE CHARTER ROW BEING 200 FT WIDE ON EACH SIDE OF SD RAILWAY CO MAIN TRACK CNT LINE AS ORIGIN- ALLY LOCATED & CONSTRUCTED UPON OVER & ACROSS GL 7 OF SEC 4 & GL 1 OF SEC 9 TWP 133 RNG 28 LYING BETWEEN 2 LINES DRAWN PARALLEL WITH & DISTANT RESPECTIVELY 50 FT & 200 FT S'LY AS MEASURED AT RIGHT ANG FROM MAIL TRACT C/L BOUNDED ON E BY W BANK OF MISSISSIPPI RIVER & BOUNDED ON W BY E'LY ROW OF SW 4TH STREET AS DEDICATED ON PLAT OF WEST BRAINERD EXC PT THEREOF THAT LIES NE'LY OF SW'LY LINE OF LOT 5 BLOCK 3 WEST BRAINERD & THE SE'LY EXT THERE OF. THE ABOVE DESC PARCELS INCL PT OF BLOCK 3 OF PLAT WEST BRAINERD.) SUBJ TO AN ESMNT OF RECORD
SECTION 4 TOWNSHIP44 RANGE 31
PID 09198001001A009*

and

*THE S'LY 150 FT OF BNSF RAILWAY COMPANY'S 400 FT WIDE CHARTER ROW, BEING 200 FT WIDE ON EACH SIDE OF SAID RAILWAY COMPANY'S MAIN TRACK CENTERLINE, AS ORIGINALLY LOCATED AND CONSTRUCTED UPON, OVER AND ACROSS GOVT LOT 7 OF SEC 4 AND GOVT LOT 1 OF SEC 9, ALL IN TWP 133, RNG 28, LYING BETWEEN TWO LINES DRAWN PARALLEL WITH AND DIST RESPECTIVELY 50 FT AND 200 FT S'LY, AS MEASURED AT RIGHT ANGLES FROM SAID MAIN TRACT CENTERLINE, BOUNDED ON THE E BY THE W BANK OF THE MISSISSIPPI RIVER, AND BOUNDED ON THE W BY THE E'LY ROW LINE OF SW 4TH STREET AS DEDICATED ON THE PLAT OF WEST BRAINERD, EXCEPT THAT PART THEREOF THAT LIES SW'LY OF THE SE'LY LINE OF THIRD STREET AS DEDICATED ON THE PLAT OF WEST BRAINERD AND THE S'LY EXTENSION THEREOF. THE ABOVE DESC PARCEL INCLUDES PORTIONS OF BLOCK 1 AND FLORENCE STREET ALL IN THE PLAT OF WEST BRAINERD
SECTION 4 TOWNSHIP44 RANGE 31
PID 09198003001A009
310 W LAUREL STREET*

SECTION TWO: This Ordinance shall take effect and be in force one week from and after its publication.

Adopted this _____ day of _____, 2016

GARY SCHEELER
President of the Council

Approved this _____ day of _____, 2016

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator

Published: One Time, _____

STAFF REPORT TO THE PLANNING COMMISSION

July 11, 2016

REZONING

APPLICANT/LOCATION: KRRC LLP 521 Charles Street, Ste. 210, Brainerd, MN 56401
for 310 W Laurel Street, Brainerd, MN 56401

PROPOSED ZONING: B-4 (General Commercial)

AREA: 2.34 acres

CURRENT ZONING: B-2 (Neighborhood Business) District

ADJACENT USES: North: Railroad, Vacant
East: River
South: Mental Health Center, Multi-Family Residential
West: Office

ADJACENT ZONING: North: R-3 (Multi-Family Residential)
East: B-4 (General Commercial) District
South: R-3 (Multi-Family) District
West: B-2 (General Commercial) District

PETITION EVALUATION

1. **The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.**

The Future Land Use Map identifies the property as future Public Semi Public Land Use. This designation was done in 2004 when the property was still owned by the City of Brainerd and the map has not been updated. The site is adjacent to a small multi-family parcel identified as future Medium to High Density Residential Land Use and is zoned R-3. The following land use goal would support the rezoning:

LAND USE GOAL #5: *Support development that enhances community character and identity.*

Support the redevelopment of vacant and abandoned sites within the urban core.

2. **The proposed use's compatibility with present and future land uses of the area.**

There are office uses to the west, southwest across the intersection of Laurel Street and SW 4th Street and north of the BNSF tracks.

B-4 Districts list drive-up restaurants as permitted uses which would have the potential for additional traffic for the area (Restaurants without drive windows are permitted in B-2). B-4 permitted uses should not create compatibility issues for uses north of Laurel Street.

The B-4 District includes conditional uses such as automobile and truck repair, animal hospitals/clinics/kennels and light manufacturing. Such uses have the potential for added noise, odors, and unsightly outdoor storage which could have an impact on the multi-family development to the south of Laurel Street. However, because automobile and truck repair, animal hospitals/clinics/kennels and light manufacturing are conditionally permitted, problems caused by noise, odors, and unsightly outdoor storage can jeopardize a conditional use permit.

Attached is a Zoning Ordinance Use Matrix that lists uses allowed by right, accessory and conditional uses in B-2 and B-4 Districts. This helps clarify the uses that will (will not) be permitted in the proposed rezoning area.

3. **The proposed use's effect upon the area in which it is proposed.**
The property has Mississippi River frontage subjecting it to Shoreland Regulations. The significant one being the land within 300' of the river is subject to a 25% maximum impervious coverage limit. This requirement will limit the size and type of property development. The attached map identifies the limit of the shoreland regulation area on the property.
4. **Traffic generation of the proposed use in relation to capabilities of streets serving the property.**
NW 7th Street is a local street which can accommodate the additional day-to-day traffic of the proposed use as well as the traffic generated by the multi-family dwellings to the north.
5. **The proposed use's impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.**
None of the uses allowed in the district will have a negative impact on public services and facilities nor will they overburden city services.

PLANNING DEPARTMENT COMMENTS

The property has been an automotive repair business for approximately 7 years initially permitted by conditional use permit. A few years ago we did have a complaint about excessive engine noise, but since then no complaints have been received.

The automotive repair business desires to expand to include a U-Haul rental outlet. I have talked to the business owner and explained that should another use be added, the site needs to be brought into conformance with current regulations. The gravel parking will need to be paved and striped with a properly identified handicapped space and the parking will need to be screened.

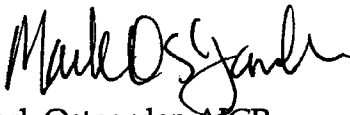
Following is a list of the attached maps and documents:

1. Existing Zoning
2. Existing Land Use
3. Future Land Use
4. Aerial of Site Identifying the 300' Shoreland Regulation Area
5. Zoning Ordinance B-2 and B-4 Use Matrix

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its July 20, 2016 meeting. The City Council can receive the Planning Commission recommendation and can consider an Ordinance First Reading on August 1, 2016 and can consider the Ordinance Second Reading August 15, 2016.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Mark Ostgarden', written in a cursive style.

Mark Ostgarden AICP
City Planner



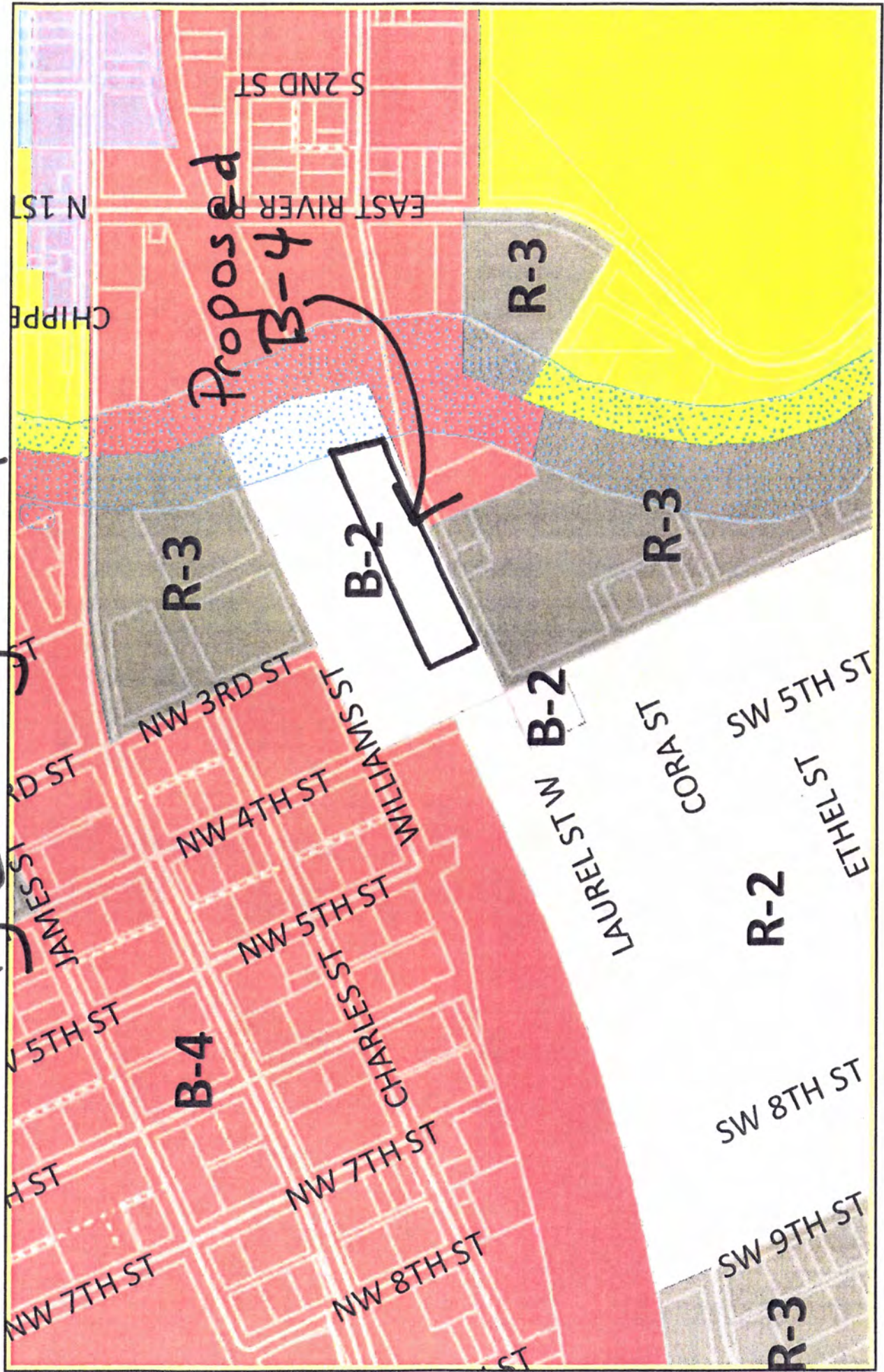
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

KRRC LLC Rezoning

Date: 7/5/2016 Time: 4:13:56 PM



Existing Zoning Map





B-2 and B-4 Zoning Ordinance Use Matrix

A “C” appearing in the table for any use means that the use will be permitted in the zoning district by a “Conditional Use Permit”. By “I” appearing in the table for any use means that the use will be permitted an “Interim Use Permit”. A “P” means that the use is permitted in the zoning district subject to the general provisions of the Zoning Ordinance, and “NP” means the use is not permitted in the zoning district. For uses not included on this list, application shall be made to the Board of Adjustment for interpretation.

USE	B-2	B-4
Adult Uses	NP	P
Agricultural Building	NP	NP
Agricultural Sales	NP	NP3
Agricultural Uses	NP	NP
Amusement Park	NP	NP
Animal Hospital or clinic and kennels	NP	C
Antenna ¹	P	P
Armories	NP	C
Art centers, museums	NP	P
Automobile Dealership	NP	C
Auto Racing tracks	NP	NP
Auto Service Stations	NP	C
Automobile and truck repair	NP	C
Bed & Breakfasts	NP	NP
Business or trade school	NP	P
Campground	NP	C
Car wash	NP	NP
Cemeteries	NP	NP
Colleges and universities	NP	C
Commercial kennels	NP	NP
Commercial Car Wash	NP	C
Commercial riding stables	NP	NP
Commercial recreational businesses	NP	NP
Commercial Day Care Facility	C	C
DHS Drug/alcohol treatment center	NP	C
Drive-In movie Theater	NP	NP
Drive-up service facilities	NP	P ²
Equipment rental- indoor	NP	P
Farms, farmsteads and farming	NP	NP
Financial institutions	P	P
Funeral Homes	C	P
Golf Courses	NP	NP
Government and public buildings, utilities and/or structure	P	P
Health Clubs	NP	NP
Home Businesses	P/C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Hospitality Business	NP	P
Hospitals	NP	C
In home day care ²	P	NP
Liquor Sales, Off-sale	NP	NP
Liquor Sales, On-sale	C	NP
Light manufacturing	NP	C
Loading and unloading areas	p ²	p ²
Mining & Extraction	NP	NP
Motor Fuel Sales	C	C
Nursing Home	NP	NP
Office Business- Clinic & General	P	P
Offices		P
Off-street parking ²	P	P
Off-street loading ²	P	P
On-site service businesses ³	P	P
Outdoor Dining	C	C
Outdoor Entertainment Venues	NP	NP
Outdoor Sales ⁴	NP	C
Outdoor Storage	NP	C ²
Outside services, sales, and equipment rental ⁵	NP	p ²
Pawn Shops	NP	P
Parking Structures	NP	NP
Personal, Professional, and Recreational Vehicle Repair- major	NP	NP
Personal, Professional, and Recreational Vehicle Repair- minor	NP	NP
Personal Services ⁶	P	P
Place of Worship	C	NP
Planned Unit Development	C ⁷	C ⁷
Private Clubs	C	P
Public Buildings	NP	P
Public Parks	NP	NP
Public & Private Schools	NP	NP
Radio and Television studios	NP	C
Recreational Businesses- indoor	NP	P
Repair services	P	P
Residential uses	P	NP
Restaurants-sit down, take out or delivery	C	P
Restaurants and on-sale establishments	C	NP

B-2 and B-4 Zoning Ordinance Use Matrix

USE	B-2	B-4
Restaurants with drive-up window	NP	P
Retail Businesses	NP	P
Retail Establishments	P	P
Seasonal Non-Agricultural Merchandise Sales	NP	p ¹⁴
Self-service Laundromat with dry cleaning pick up and drop off	P	P
Service Business-Off site	NP	NP
Small engine and boat repair	NP	C
Specialty Food Shops	C	P
Sports Stadium	NP	NP
Studio ¹⁰	P	P
Swimming Pool and Water Parks	NP	NP
Taxi or bus dispatch sites	NP	P
Temporary/seasonal outdoor events and sales ⁹	P	P
Testing Labs for water and soil, rocks/minerals and air quality	NP	P
Theaters-except drive-in	NP	P
Wind Energy Conversion Systems ⁸	C	C

1 All antennas are accessory uses and need a permit

2 Are accessory uses

3 Limited to tailoring/alterations, dry cleaners, self-service and copy centers

4 And/or rental lot to lumber yards, motor vehicle and boat sales/rental, construction and landscaping sales/rental and farm implement sales/rental

5 Is an accessory to the principal use and limited in area to 15 ft of the gross floor area of the principal building or 15% of the tenant bay if it is a multiple tenant building. Must be located on private property and shall not intrude on the public sidewalk or boulevard.

6 Such as barber shops, beauty salons, nail salons, tanning salons, therapeutic massage and tattooing

7 Includes shopping centers

8 Wind Energy Conversion Systems may be allowed as an accessory, conditional use, provided the property upon which the system is to be located is zoned R-A, B-1, B-2, B-3, B-4, B-5, I-1, or I-2 (Section 34 of the Zoning Ordinance)

9 Needs a permit

10 These are art, decorating, dance, music and photography studios



Brainerd City Council Agenda Request

7D

Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: 2nd Reading - Proposed Ordinance No. 1461 - Zoning Ordinance Text Amendment - Section 22, Off Street Parking - To Remove Minimum Off Street Parking Requirements in Certain Zoning Districts

☐ 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 2 nd Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden, City Planner	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5 minutes
Summary of Issue: The amendment would eliminate the minimum off street parking requirements in the B-4 (General Business) District, B-5 (Commercial Amusement) District, B-6 (Washington Street Commercial) District, I-1 (Light Industry) District and I-2 (General Industry) District The Planning Commission recommended approval. Minutes from the Planning Commission meeting held on July 20, 2016 are also attached in draft form. Attached please find proposed ordinance No. 1461 and Planning Department memo to the Planning Commission.	
Alternatives, Options, Effects on Others/Comments: 1. Deny the text amendment which will retain the minimum off street parking requirements. 2. Approve the request which will eliminate the off street parking requirements in the districts listed above.	
Recommended Action/Motion: Please refer to Packet information supporting the following motion: A motion by _____ and seconded by _____ to approve /deny the 2nd Ordinance reading to amend the B-4 (General Business) District, B-5 (Commercial Amusement) District, B-6 (Washington Street Commercial) District, I-1 (Light Industry) District and I-2 (General Industry) District eliminating the minimum off street parking requirements for said districts; further to dispense with the actual reading.	
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>	

ORDINANCE
NO. 1461

**AN ORDINANCE AMENDING BRAINERD ZONING ORDINANCE
SECTIONS 515-22-8 REGARDING OFF-STREET PARKING REQUIREMENTS**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Section 515-22-8: Number of Spaces Required shall be amended as follows:

515-22-8: Number of Spaces Required. The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. THE FOLLOWING DISTRICTS ARE EXEMPT FROM THE MINIMUM OFF STREET REQUIREMENTS:

- B-4 (GENERAL BUSINESS) DISTRICT
- B-5 (COMMERCIAL AMUSEMENT) DISTRICT
- B-6 (WASHINGTON STREET COMMERCIAL) DISTRICT
- I-1 (LIGHT INDUSTRY) DISTRICT
- I-2 (GENERAL INDUSTRY) DISTRICT

SECTION TWO: All other provisions of Section 515-22 shall remain in full force and effect.

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

Adopted this ____ day _____, 2016

GARY SCHEELER
President of the Council

Approved this ____ day of _____, 2016

GARY SCHEELER
Acting Mayor

ATTEST: _____
JIM THOREEN
City Administrator

Published: One Time, _____

MEMO

TO: Planning Commission

FROM: Mark Ostgarden, City Planner

DATE: July 12, 2016

RE: Zoning Ordinance Text Amendment - Off Street Parking

The public hearing to consider testimony about removing the minimum Zoning Ordinance off street parking requirements is scheduled for July 20, 2016. The notice is worded so as to permit the Planning Commission to consider removing the requirements in all zoning districts. Below is a list of the zoning districts in the community. It is the Planning Department's suggestion that the highlighted districts be the one we initially consider amending:

A. Agricultural Districts:

1. R-A, Rural Agricultural District

B. Residential Districts:

1. R-R, Rural Residential District
2. R-E, Single Family Estate Residential District
3. R-1A, Single Family Residential
4. R-1, Single Family Residential
5. R-2, Medium Density Residential
6. R-3, High Density Residential
7. R-MH, Manufactured Housing District

C. Business Districts:

1. B-1, Residential-Office District
2. B-2, Neighborhood Business District
3. B-3, Central Business District
4. B-4, General Business District
5. B-5, Commercial Amusement District
6. B-6, Washington Street Commercial District

D. Industrial Districts:

1. I-1, Light Industry District
2. I-2, General Industry District

E. Special Districts:

1. PUD, Planned Unit Development District
2. Floodplain District
3. FW, Floodway District
4. FF, Flood Fringe District

Following is draft language for the Planning Commission to consider:

515-22-8: Number of Spaces Required. The following minimum number of off-street parking spaces shall be provided and maintained by ownership, easement and/or lease for and during the life of the respective uses hereinafter set forth. THE FOLLOWING DISTRICTS ARE EXEMPT FROM THE MINIMUM OFF STREET REQUIREMENTS:

- B-3 (CENTRAL BUSINESS) DISTRICT
- B-4 (GENERAL BUSINESS) DISTRICT
- B-5 (COMMERCIAL AMUSEMENT) DISTRICT
- B-6 (WASHINGTON STREET COMMERCIAL) DISTRICT
- I-1 (LIGHT INDUSTRY) DISTRICT
- I-2 (GENERAL INDUSTRY) DISTRICT

The Planning Department is supportive of amending our off street parking requirements. However it does not think that eliminating the minimums without addressing other land use issues should be done.

For example, communities the Planning Department researched have included parking maximums to cap the number of off street spaces. Another issue that should be addressed is parking lot placement and site design. The Planning Department would like to think the community desires better in our ability to create attractive corridors with more green space, parking lots along a building side or behind a building rather than between the road and the building, and corridors that promote walking and bicycling.



Brainerd City Council Agenda Request

8A

Agenda Item #

Requested Meeting Date: August 15, 2016

Title of Item: Call for Public Hearing on Redevelopment Plan

☐ 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: Jim Thoreen	Department: Administration
Presenter (Name & Title):	Estimated Time Needed: 5 min.
Summary of Issue: State law requires that the city effected by the project must provide opportunity for public input regarding the plan for development/re-development. The law also requires the local planning authority (City Planning Commission) to review the proposal and issue a written opinion to the Council.	
Alternatives, Options, Effects on Others/Comments: This requirement could not be brought forward until there was a decision not to re-certify the special assessments. Our due diligence now requires us to follow state law and present the proposal under the required HRA actions.	
Recommended Action/Motion: On motion of ____, seconded by ____ and carried the Council calls for a public hearing pursuant to Minnesota Statutes 469.028 regarding the re-development plan for Tax Forfeited Properties in the subdivisions of Brainerd Oaks, Del Mar Estates, and Serene Pines as forwarded by the Crow Wing County HRA; the Council requests the Brainerd City Planning Commission to hear the proposal and forward a written recommendation to Council as soon as possible. The City Council Public Hearing is Scheduled for Tuesday, September 6, 2016 during the regular City Council meeting.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

469.028 MUNICIPAL GOVERNING BODY.

Subdivision 1. **Findings, notice, determination.** When an authority determines that a redevelopment project should be undertaken, it shall apply to the governing body of the city in which the project is located for approval. The application shall be accompanied by a redevelopment plan, a statement of the method proposed for financing the project, and the written opinion of the planning agency, if there is one. Before approving any redevelopment plan, the governing body shall hold a public hearing thereon after published notice in a newspaper of general circulation in the municipality at least once not less than ten days nor more than 30 days prior to the date of the hearing.

Subd. 2. **Findings, notice, determination; governing body.** The authority shall not proceed with the project unless the governing body finds by resolution that:

- (1) the land in the project area would not be made available for redevelopment without the financial aid to be sought;
- (2) the redevelopment plans for the redevelopment areas in the locality will afford maximum opportunity, consistent with the needs of the locality as a whole, for the redevelopment of the areas by private enterprise; and
- (3) the redevelopment plan conforms to a general plan for the development of the locality as a whole.

The governing body shall within 30 days after submission of the application, or resubmission as hereinafter provided, give written notice to the authority of its decision with respect to the project. When an authority has determined the location of a proposed redevelopment project, it may, without awaiting the approval of the governing body, proceed, by option or otherwise, to obtain control of the real property within the area, but it shall not, without the prior approval by the governing body of the redevelopment plan, unconditionally obligate itself to purchase any such property. A plan which has not been approved by the governing body when submitted to it may be again submitted to it with the modifications necessary to meet its objections. Once approved, the determination of the authority to undertake the project and the resolution of the governing body shall be conclusive, in any condemnation proceeding, of the public need for the project.

Subd. 3. **Acquisition of open land.** A redevelopment project may include any work or undertaking to acquire open or undeveloped land determined to be blighted by virtue of the following conditions:

- (1) unusual and difficult physical characteristics of the ground;
- (2) the existence of faulty planning characterized by the subdivision or sale of lots laid out in disregard of the contours or of irregular form and shape or of inadequate size; or
- (3) a combination of these or other conditions which have prevented normal development of the land by private enterprise and have resulted in a stagnant and unproductive condition of land potentially useful and valuable for contributing to the public health, safety, and welfare. Acquisition of such land shall be a redevelopment project only if a redevelopment plan has been adopted which provides for the elimination of these conditions, thereby making the land useful and valuable for contributing to the public health, safety, and welfare and the acquisition of the land is necessary to carry out the redevelopment plan.

Subd. 4. **Acquisition of unused or inappropriately used land.** A redevelopment project may include any work or undertaking to acquire land or space that is vacant, unused, underused or inappropriately used, including infrequently used rail yards and rail storage facilities, and excessive or vacated railroad rights-of-

way; air rights over streets, expressways, railroads, waterways, and similar locations; land which is occupied by functionally obsolete nonresidential buildings, or is used for low utility purposes, or is covered by shallow water, or is subject to periodic flooding, or consists of unused or underused slips or dock areas or other waterfront property. This subdivision applies only to land or space that the authority determines may be developed at a cost reasonably related to the public purpose to be served without major residential clearance activities, and with full consideration of the preservation of beneficial aspects of the urban and natural environment, for uses that are consistent with emphasis on housing for low and moderate income families. These uses include the provision of schools, hospitals, parks and other essential public facilities and, where appropriate, all uses associated with new community development programs as defined in the United States Urban Growth and New Community Development Act of 1970, as amended, or similar large scale undertakings related to inner city needs, including concentrated sources of employment.

Subd. 5. Early acquisition. When an authority has determined the location of a proposed redevelopment project, but prior to the approval of the redevelopment plan and project as provided in subdivision 2, the authority may acquire individual tracts of real property with the approval of the governing body as to each separate tract. Before approving early acquisition, the governing body shall hold a public hearing on the proposed acquisition activities after published notice in a newspaper of general circulation in the municipality at least once not less than ten days nor more than 30 days prior to the date of the hearing.

The authority shall not proceed with the acquisition unless the governing body finds by resolution that (1) the proposed acquisition is necessary to carry out public improvements in the area, or that the acquisition will contribute to the elimination of blight or deterioration within the area or that the acquisition is necessary to relieve hardship; and (2) there is a feasible method for the relocation of families and individuals to be displaced by the proposed acquisition.

The governing body may, in approving early acquisition, agree to assume the responsibility for any loss that may arise as a result of the acquisition of land and related activities, including any costs of demolition, removal, and relocation, in the event that the property so acquired is not used for urban renewal purposes because the urban renewal plan is not approved, or is amended to omit the acquired property or is abandoned for any reason. Nothing in this subdivision shall be construed to waive the requirement for public hearing upon the redevelopment plan for the redevelopment project.

History: 1987 c 291 s 28

469.027 REDEVELOPMENT PLAN.

Any person may submit a redevelopment plan to an authority, or an authority may consider a redevelopment plan on its own initiative. An authority shall immediately transmit the plan to the planning agency of the city in which the area to be redeveloped is situated, for its study, or, if no planning agency exists, the plan shall be submitted to an agency indicated by the governing body of the city. An authority shall request the written opinion of the planning or other agency on all redevelopment plans submitted to it prior to approving those redevelopment plans, and the planning or other agency shall submit its written opinion within 30 days.

History: 1987 c 291 s 27

ADMINISTRATOR'S REPORT

August 15, 2016 Council Meeting

FACILITIES COMMITTEE

1. CITY HALL HVAC

Attached please find a copy of a proposal for Gene Halvorson of Duluth, MN. He is the consultant suggested by Facilities Committee member Dave Pueringer. Gene visited City Hall twice and has forwarded the suggested plan. It is a reasonable path to walk as we tackle the HVAC challenges of our historical building and the need for us to operate it comfortably and safely in the 21st century. His proposed phases are appropriate, particularly from an affordability standpoint. Gene will provide estimated costs. I have reminded him that our public bid process may cause some constraints on phases, but he is aware of our bid law requirements. This is perhaps "information overload" for the Council, but the document conveys the depth of his work on our behalf. We will need to delineate his role more clearly: Consultant? Supplier? Service Provider? That will be better approached once Gene provides cost estimates and precise phasing of the project.

2. CITY HALL STEPS

Jeff Hulsether met with a local contractor, JWJ Remodeling, on July 28 and reviewed with Josh from that firm the challenges of the state of disrepair. Josh from JWJ will develop a plan of action accompanied with cost estimates. We will need to clarify his role in this work with the City, as this preliminary report and estimate may potentially eliminate him from actually bidding on the project. The approach we are taking is not the usual path. Typically we would engage an engineering firm to scope the project, develop plans and specs, and then we would proceed to obtain quotes and/or bids.

ELECTION JUDGES

The Primary Election provided some excellent training opportunities to acquaint both new and well-practiced Election Judges with changes to processes at the polling place. The most significant change is that of electronic sign-in for voters instead of the paper process. The computers distributed by Crow Wing County will, we believe, will expedite the process when registered voters appear and when people register on Election Day. Connie and I observed at each of our precincts the majority of judges who embrace the new process; some were a bit challenged by the computer. Overall, our experience on Tuesday was positive. We did suggest to Deb Erickson that within a week to 10 days of the General Election that she make available

the computers in order allow judges to become more familiar with the election-day registration process on the computer.

I will initiate a “call for election judges” at the end of August and early September through the media and service clubs. The number of judges this past Tuesday was sufficient given the extremely low turnout. However, we will need at least two more judges per precinct for November. They can be trained on-line and given more hands-on training prior to November 8th. It will be especially helpful to have at least one judge assigned solely to election-day registration.

Jim Thoreen

From: Eugene Halvorson <genehalvorson@gmail.com>
Sent: Tuesday, August 09, 2016 2:10 PM
To: Jim Thoreen; Jeff Hulsether
Subject: Proposal from Gene Halvorson

August 9, 2016

Mr. Jim Thoreen
City Administrator
Mr. Jeff Hulsether
City Engineer
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Gentlemen:

Thank you for giving me the opportunity to be involved in the rehabilitation of the plant equipment for the City Hall Building. I believe I have a feel for what the City wants and have addressed the building needs here but if this proposal is not comprehensive enough please let me know.

My suggestions outlined below are based upon replacement of equipment in a "like for like" basis. In other words, picking similar equipment where possible and selecting it without the benefit of a full engineering

study which would include a ACCA manual J load calculation. I will assume a load calculation was done at the time of the last retrofit in the early 1990's and equipment was sized appropriately with the usual 20 to 25% CYA factors and no significant changes have been made to the building since.

This equipment is all of the latest technology of the conventional type. For practical purposes, you should consider this to be a 10 to 15 year plan. The heat exchanger is warrantied for ten years but all other boiler parts are for one year. Heat pumps and drives have one year warranties on them as most other components being replaced. Technology seems to be advancing at an accelerated rate every year. It's impractical to think equipment investment is going to last 30 years or more. Because of advancements, a more sensible approach is to view each equipment change as an investment that has a limited life.

As I see it, complete replacement of most of the operating equipment is both desired and needed. I would suggest breaking the complete project down into phases outlined below. The phases I have outlined focus on replacing equipment based on need and highest return (savings) with the seasonal climate in

mind. Since the addition of the new Johnson Controls equipment, the building is no longer in a critical stage. Let's avoid working on the cooling equipment in the hottest months of summer and the heating equipment during the coldest months of winter.

A small crew doing work that is contained to a small area will be the least disruptive and should be flexible in order to not hamper the normal course of business. Spreading the work out over an extended time frame would seem to be easier for the City's budgetary process and allows time for a smaller workforce.

A concern I noted was the money spent already on the new Johnson Controls equipment. Although it does add an element that makes it more difficult for the installer, the equipment can remain and the rest of the new equipment can be adapted to work with the Johnson Controls controller. I would normally recommend eliminating the centralized controller in favor of a decentralized command structure. The problem with a centralized piece of equipment is that when that unit fails, there is a good probability that nothing works. With a decentralized control structure, a zone may have a problem but the entire building does not go into crisis.

There are going to be additional costs in the linking of the Johnson Controls controller to the new equipment that I cannot predict or have control of. However, this plan is with the new controller remaining.

Phase One:

Replace the Peerless #711FDA-W gas boiler that now provides heating of the loop water for the heat pumps and the closed loop hot water baseboard system, with two new high efficiency gas boilers. I would split the two systems and reverse the priority order making the fin/tube baseboard system the first stage of heat. I would suggest a Lochinvar Knight XL, KBN601, 567,600 BTU/Hr modulating boiler for the first stage. Then, as the second stage of heat, an additional Lochinvar Knight XL, KBN601 would supply heat to the closed loop water source heat pumps. Two separate systems independent of each other to supply heat to the building.

PLEASE NOTE: I have suggested two 567K boilers but at this time do not have all the information needed on the fin/tube system. I do suspect this boiler is considerably oversized for the fin/tube system and a smaller (lower cost) boiler can be utilized. With some further investigation a more accurate evaluation can be made.

Phase Two:

Install two Danfoss VLT FC-102P5K5T2 HVAC drives for the WSHP (Water Source Heat Pump) motor/pumps. This will allow for variable control over the motors with a pressure and temperature sensors to give input to the drives. With the installation of flow control valves at the heat pumps loop flow can be regulated to almost nothing resulting in very substantial savings.

Phase Three:

Replace both electric drive motors for the WSHP loop with new Baldor Super E 7.5 HP motors. At the same time, remove (one at a time) the water pumps and rebuild them.

Phase Four:

Replace the existing Imeco cooling tower Model EFC-E with an Evapco LSWE 4-4J12 closed circuit cooler. Another Danfoss VLT variable frequency drive

is to be installed to regulate cooling tower fan speed. The Evapco unit will have a galvanized steel basin, galvanized upper sheet metal, galvanized steel internal coil, 1.5 HP pump and 15 HP blow through FC fan. I will assume the Johnson Controls controller will provide the proper signals. New vibration isolators and discharge dampers are to be installed. I think a Danfoss VFD would be a good investment for the TEFC motor.

PLEASE NOTE: If the Bulldog heat pump option is selected, a different cooling tower would be recommended. That tower would be a closed system, direct fan, not requiring the water mister which simplifies the operation and saves the water consumption. It would be a smaller unit in physical size and capacity.

Phase Five:

Remove and replace the 14 WSHP's (Water Source Heat Pump). There are 13 different models ranging from 12MBH cooling/10MBH heating to 66MBH cooling/65MBH heating.

There are two options here:

Option 1: Replace existing units with comparable Dakain heat pumps. These heat pumps use the

compressor in both heating and cooling modes. They are similar to the units in use now.

Option 2: Replace existing units with similar Bulldog Manufacturing heat pumps. These heat pumps do not run the compressor in the heating mode. Instead, it has a separate coil that the loop water flows through. The loop temperature is regulated by outdoor air temps. The compressor only runs in the cooling mode and loop temperatures can be higher resulting in the use of a smaller and different design cooling tower. Installing flow control valves which shut the water off when the unit is not running, reduces the flow demand in the loop which the Danfoss drive will sense and therefore reduce speed, dropping flow. All of this results in significant energy savings. Even though equipment costs are about 15 to 20% higher the long term savings far outweighs the initial cost increase.

With either of the options, there will be some duct and plumbing modifications necessary. Many of the new design Dakin units are not built to the same physical specifications as the old 1990's era units. Therefore, installation costs of either option appear to be about the same.

Phase Six:

Address the needs of the Make-Up-Air unit. At this time, there are some issues that need to be addressed. The lack of humidity controls, air temperature freezing up the unit controls which then leads to over/under air pressurization within the building. Right now, this is more of a nuisance than a critical problem. I need more time to evaluate the needs of the building before suggesting either replacement or modifications to the existing unit. I'm not convinced that a full replacement incorporating a heat exchanger is cost effective. There are other options that can be explored. Smaller, highly efficient air exchangers located throughout the building are a good solution.

The order of the listed phases are not necessarily in order of priority or timing. Depending upon when the City elects to make the investment in new equipment and certainly the time of the year will determine the order. Clearly, the new cooling tower (chiller) should be moved up on the list as the corrosion has gotten to a point where the City is spending a lot of money on wasted water and the effectiveness is becoming questionable. The biggest bang for the buck is tied between the new boilers with the priority change and

the VFD's on the pump motors. The boiler is clearly a summer time change over and we are already running short of time to get that phase completed this summer season.

This is the first part of my response, I am gathering more information to narrow down the cost ranges in my second response. I will quickly follow this up with some cost projections for work I will be involved in if the City so decides. I understand you are now working on the budget for next year so I will do my best to get it to you shortly.

Thank you again,
Gene Halvorson
Maple Hill Energy Co.
Duluth, MN
218-310-7433