

CITY COUNCIL AGENDA

Brainerd, Minnesota
October 16, 2017
7:30 P.M.
Brainerd City Hall
Council Chambers

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

2. **Roll Call**

___ J. Lambert ___ K. Stunek ___ K. Bevans ___ D. Badeaux
___ G. Johnson ___ S. Hilgart ___ D. Pritschet ___ Mayor Menk

3. **Pledge Of Allegiance**

4. **Approval Of Agenda - Voice Vote**

5. **Consent Calendar**

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

A. **Approval Of Minutes**

1. Regular Meeting Held on October 2, 2017

Documents:

[*20171002_CCdraft.pdf*](#)

B. **Approval Of Licenses**

1. Tobacco License - Informational - Location Change Only:

JHT Vape - Location Change From 823 Washington Street to 814
Front Street, Brainerd - Contingent Upon Fire Inspection

C. **Department Activity Reports**

1. City Administrators Report
2. Police Chief
3. Finance Director

Documents:

[*City Administrators Report.pdf*](#)
[*PD Report.pdf*](#)

D. **Adopt Resolution To Accept Donations & Contributions For 3rd Quarter
2017**

Documents:

RES DONATION.pdf

- E. Minnesota Lawful Gambling Application To Conduct Excluded Bingo - Submitted By St. Andrew's Catholic Church, 1108 Willow Street, Brainerd, MN. Bingo Events To Be Held November 18, 2017
 - F. Temporary Beer License - Submitted By Friends Of The Library For An Event To Be Held On November 10, 2017 At The Brainerd Public Library, 416 S. 5th Street, Brainerd - Contingent Upon Background Investigation
 - G. Tobacco License, Fill Station License And Off-Sale Beer License - Submitted By Casey's General Store, 850 Lum Park Rd, Brainerd, MN - Contingent Upon Background Check And Fire Inspection
6. Presentations
- A. MN State Independent Living Council Presentation/Listening Session - Submitted By Ms. Mary Koep - Thursday, October 26, 2017 7:00 - 9:00 P.m. - City Council Chambers
7. Council Committee Reports
- A. Personnel And Finance Committee

Documents:

PF Agenda.pdf

1. Approval Of Bills & Payments To Contractors

<u>Contractor</u>	<u>Imp #</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
Bolten & Menk	16-14	Traffic Study NW 4th St	\$2,730	\$0
Tri-City Paving	14-03	Jackson Street Change Order #1	\$2,470	\$130

2. Deferment Of Assessments

Documents:

Deferment of Assessment.pdf

3. Discussion Of City's Match For The Legislative-Citizen Commission On Minnesota Resources (LCCMR) Grant

Documents:

Match for the LCCMR Grant.pdf

4. Facilities Assessment

Documents:

Facilities Assessment.pdf

B. Safety And Public Works Committee

Documents:

SPW Agenda.pdf

1. Downtown Snow Removal Bids

Documents:

2017-2018 Downtown Snow Removal Bids.pdf

2. Event/Street Closure Application - St. Francis School Marathon

Documents:

Event Application - St. Francis School Marathon.pdf

3. Local Road Improvement Program Grant Opportunity - Authorization To Apply For Grant

Documents:

Res - Support Pursuit of LRIP Funds.pdf

4. Tax Forfeit Non-Conservation Parcels

Documents:

Tax Forfeit Non-Conservation Parcels.pdf

8. Unfinished Business

- A. **Public Hearing - Designation Of Brainerd Lakes Area Economic Development Corporation (BLAEDC) As The City's Local Development Organization (LDO)**

Documents:

PH - BLAEDC as LDO.pdf

- B. **Public Hearing - Downtown Special Services, Downtown Snow Removal And 2017 Nuisance Assessments - Adopt Resolution Ordering The Special Assessments**

Documents:

PH - Adopt Assessments DSSD, DTSR, and 2017 Nuisance Abatement.pdf

C. Public Hearing - Improvement 14-03 And 16-13 Assessments - Adopt Resolution Ordering The Special Assessments

Documents:

PH - Adopt Assessments Imp 14-03 and Imp 16-13.pdf

D. Public Hearing - Improvement 15-12 And 16-10 Assessments - Adopt Resolution Ordering The Special Assessments

Documents:

PH - Adopt Assessments Imp 15-12 and Imp 16-10.pdf

E. Public Hearing - Supplemental Assessments Related To Improvement 05-28 And 09-02 - Adopt Resolution Ordering The Special Assessments

Documents:

PH - Adopt Supplemental Assessments.pdf

**F. Call For Applicants - Informational
(Application Information at the City's Website
<http://www.ci.brainerd.mn.us>)**

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

Charter Commission - 1 term (Expire 2020)

Transportation Advisory Committee - 1 term (Expire 2018)

Park Board - 1 term (Expire 2021)

9. New Business

10. Planning Commission

A. Comprehensive Plan Steering Committee Appointments

Documents:

Comprehenisve Plan - Discuss Steering Committee Appointments - 3rd.pdf

B. Variance Request - 113 Carol Lane, Brainerd, MN - Construct An Accessory Building (Garage)

Documents:

Variance Request - Accessory Building Setbacks, Bruce and Cynthia Thompson, 113 Carol Lane.pdf

11. Public Forum

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

12. Staff Reports

(Verbal: Any Updates since Packet)

13. **Council Member Reports**

14. **Committee Recommendations - Recommended By Mayor Menk**

A. **Parks And Recreation Board - Mr. Troy Rushmeyer - Term To Expire
12/31/21**

15. **Adjournment To:**

Tuesday, October 17, 2017 at 6:00 p.m. in City Hall 2nd Floor Conference Room
to Conduct the City Administrator Applicant Review Process

Wednesday, October 18, 2017 at 6:00 p.m. Planning Commission Meeting in
City Hall Council Chambers for a Presentation from ISD181 on School Facilities
Planning Status

NOTE: Safety and Public Works Committee will meet at 7:00 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](http://ci.brainerd.mn.us) (ci.brainerd.mn.us)

MISSION

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

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 Vice-President Hilgart.

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

Council Vice-President Hilgart opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO AMEND THE AGENDA BY MOVING ITEM 9B – RESOLUTION FOR AUTHORIZATION FOR BRAINERD PUBLIC UTILITIES COMMISSION TO SUBMIT A GRANT APPLICATION TO THE BUSINESS DEVELOPMENT INFRASTRUCTURE PROGRAM (BDIP) – TO 6B BEFORE COMMITTEE REPORTS.

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

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

- A. Approval of the Minutes of the Regular Meeting held on September 18, 2017 - Approved**
- B. Approval of Licenses – Approved**

Contractor's Licenses – 1 – New
- C. Department Activity Reports - Approved**

1. City Administrator
2. Fire Chief
3. Parks Director
- D. Minnesota Lawful Gambling Application to Conduct Excluded Bingo – Submitted by Lakes Area USBC Bowling Association. Bingo Events to be Held November 13th – 17th, 2017 at Jack's House, 300 State Highway 25, Brainerd, MN - Approved**
- E. On-Sale Beer and Wine License – Submitted by Sage on Laurel, 606 Laurel Street, Brainerd, MN – Contingent Upon Background Investigation and Fire Inspection - Approved**
- F. Settlement Agreement for IBEW Grievance 2017-1 – Approval of and Authorize Signatures of City Officials - Approved**

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

Resolution Ratifying the Sale of Electric Utility Revenue and Refunding Bond, Series 2017A, in the Original Aggregate Principal Amount of \$6,035,000; Fixing its Form and Specifications; Directing its Execution and Delivery; Providing for its Payment; and Providing for the Redemption of Bonds Refunded Thereby – Adopted by Resolution No. 55:17

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 55:17 RATIFYING THE SALE OF ELECTRIC UTILITY REVENUE AND REFUNDING BOND, SERIES 2017A, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$6,035,000; FIXING ITS FORM AND SPECIFICATIONS; DIRECTING ITS EXECUTION AND DELIVERY; PROVIDING FOR ITS PAYMENT; AND PROVIDING FOR THE REDEMPTION OF BONDS REFUNDED THEREBY.

RESOLUTION NO. 55:17

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

Resolution for Authorization for Brainerd Public Utilities Commission (BPU) to Submit a Grant Application to the Business Development Infrastructure Program (BDIP) - Adopted by Resolution No. 56:17

Mr. Todd Wicklund, Finance Director at BPU explained the Commission would like to submit a grant application to the Business Development Infrastructure Program (BDIP) to obtain assistance to build a new water tower in the south zone. The proposed water tower would hold 500,000 gallons. Currently, all businesses and residential properties south of Willow Street are operating on pumps. These pumps are about 20 years old and running a lot of the time.

Council Vice-President Hilgart questioned if the Commission planned financially for the additional costs that would be over and above the grant. Finance Director Wicklund indicated that would be part of the budget that will be presented in December.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON TO ADOPT RESOLUTION NO. 56:17 TO AUTHORIZE BRAINERD PUBLIC UTILITIES COMMISSION (BPU) TO SUBMIT A GRANT APPLICATION TO THE BUSINESS DEVELOPMENT INFRASTRUCTURE PROGRAM (BDIP).

RESOLUTION NO. 56:17

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

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

<u>Contractor</u>	<u>Imp. #</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
Braun Intertec	16-10	Material Testing NW St thru 9/9	\$3,684	\$0
Braun Intertec	16-13	Material Testing Buffalo Hills thru 9/9	\$11,140	\$0
Millsop Assoc.	17-05	Site Investigation Services thru 9/15	\$5,382	\$0
S.E.H.	14-15	Airport Util Ext thru 8/31	\$21,074	\$0
Tri-City Paving	16-13	Buffalo Hills Resurfacing thru 9/22	\$1,659	\$87
Tri-City Paving	14-01	Oak Street Mill & Overlay thru 9/22	\$13,181	\$694
Tri-City Paving	14-03	Jackson St thru 9/22	\$2,224	\$117
Anderson Bros	15-12	S. 6 th Street Frontage thru 9/22	\$70,606	\$3,716
Anderson Bros	16-10	NW Brainerd Resurfacing thru 9/22	\$125,053	\$6,582

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

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

Discussion of the City's Federal and State Minnesota Investment Funds (MIF) – Adopted by Resolution No. 57:17

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO RECOMMEND TO THE FULL COUNCIL TO DISCUSS EXERCISING OUR ONE TIME USE OPTION THROUGH MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED) TO GIVE 20% BACK TO THE STATE AND RETAIN 80% FOR A PROJECT THE COUNCIL IDENTIFIES.

Committee Chair Johnson indicated it was an item to be brought up to council for discussion of what to do with the MIF dollars for State MIF. Do we want to put State and Federal all into the Unified Fund or do we take the one time option to invest into a downtown project or something else. Council Member Bevans stated the Council has not heard all of the details of this topic and requested more information.

The Chair welcomed Shelia Haverkamp, BLAEDC Executive Director. Ms. Haverkamp explained the BLAEDC Unified Fund (BUF) and discussed the one-time exception for the State MIF dollars.

Council discussion took place and it was determined the next step is to hold a public hearing.

The original motion has been rescinded.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 57:17 CALLING A PUBLIC HEARING REGARDING DESIGNATION BY THE CITY, OF THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION AS THE CITY'S LOCAL DEVELOPMENT ORGANIZATION (LDO) ON OCTOBER 16, 2017 AT 7:30 P.M.

RESOLUTION NO. 57:17

Upon roll call, members Lambert, Stunek, Bevans, Badeaux, and Johnson voted “aye.” Member Hilgart voted “nay.” The Chair declared the motion carried.

Resolution Waiving Recertification of Outstanding Nuisance Abatement Assessments in Connection with Property Addressed 601 10th Street South – Adopted by Resolution No. 58:17

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT RESOLUTION NO. 58:17 WAIVING RECERTIFICATION OF OUTSTANDING NUISANCE ABATEMENT ASSESSMENTS IN CONNECTION WITH PROPERTY ADDRESSED 601 10TH STREET SOUTH WITH THE PARCEL NUMBER 091170090210009.

RESOLUTION NO. 58:17

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

Deferment of Assessments - Denied

MOVED AND SECONDED BY ALDERMEN AND STUNEK, DULY CARRIED, TO DENY DEFERMENT FOR THE TWO APPLICANTS DUE TO NOT MEETING THE POLICY QUALIFICATIONS TO RECEIVE DEFERMENT AND TO DIRECT STAFF TO WORK WITH OTHER APPLICANTS THAT MAY QUALIFY.

Mills Property Annexation Area – Taxes to Park Dedication Fund – Adopted by Resolution No. 59:17

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT RESOLUTION NO. 59:17 DESIGNATING THE PROPERTY TAXES GENERATED BY THE MILLS PROPERTY “ANNEXATION AREA” TO BE DEDICATED TO PARK DEVELOPMENT THROUGH 2021.

Committee Chair Johnson indicated the property was annexed in 2010 and this will be the third time we have passed this resolution.

RESOLUTION 59:17

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

2018 Health Insurance Renewal Rates - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE 2018 HEALTH INSURANCE RATE RENEWAL SUBMITTED BY NATIONAL JOINT POWERS ALLIANCE (NJPA); FURTHER, TO APPROVE THE TWO HEALTH PLAN OPTIONS AS PRESENTED.

Committee Chair Johnson explained the rates went up 7.17% and we need to increase the deductible for the current High Deductible Health Plan from \$2,652 to \$2,754, due to IRS regulations of qualifications for Health Saving Account (HSA) contributions.

Safety and Public Works Committee Report

Municipal State Aid Street Revision – Adopted by Resolution No. 60:17

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO AUTHORIZE THE REVISION TO THE MUNICIPAL STATE AID SYSTEM (MSAS) AND AUTHORIZE SIGNATURES ON RESOLUTION NO. 60:17 TO BE SENT TO THE COMMISSIONER OF TRANSPORTATION OF THE STATE OF MINNESOTA FOR APPROVAL OF THE REVISION.

Committee Chair Bevans indicated the map provided in the packet shows the streets proposed to be added and removed from state aid. The needs are based upon traffic counts, thus more aid will be received by adding the streets that need the most work.

RESOLUTION NO 60:17

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

Speed Limit – County Road 48 – Informational

Committee Chair Bevans stated there have been recent changes to the speed limits posted on County Road 48. Currently, the speed limit is posted at 45 mph which is designated by Crow Wing County.

(Added Item) Snow Plowing Notification – Informational

City Engineer Sandy explained the snow plowing regulations and maps are posted on the City's website and other sources of social media will be used. There will be radio announcements regarding the new snow plowing regulations as well as articles in the Brainerd Dispatch. The hope is to get as many residents informed as possible so it doesn't come as a surprise when the snow plow season arrives.

(Added Item) Bids on S. 6th Street Project for 2018 – Informational

City Engineer Sandy explained the bid opening was held on September 22, 2017 for the South 6th Street project which resulted in seven bids received. The apparent low bidder is Tom's Backhoe Service with a total cost of \$5.74 million. This is significantly lower than engineer's estimates.

Unfinished Business

Public Hearing – Final Reading of Proposed Ordinance No. 1473 – Ordinance Amending City Code Section 1200.03 Intoxication Liquor Regarding Sunday Hours – Adopted by Ordinance No. 1473

The Chair Opened the Public Hearing at 8:20 P.M.

No one came forward.

The Chair Closed the Public Hearing at 8:21 P.M.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1473 – AN ORDINANCE AMENDING CITY CODE SECTION 1200.03 INTOXICATING LIQUOR REGARDING SUNDAY HOURS.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS TO ADOPT ORDINANCE NO. 1473 – AN ORDINANCE AMENDING CITY CODE SECTION 1200.03 INTOXICATING LIQUOR REGARDING SUNDAY HOURS.

ORDINANCE NO.1473

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

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

Mayor Recommended: (all terms expire on 12/31 of said year)
Charter Commission – 1 term (Expire 2020)
Transportation Advisory Committee – 1 term (Expire 2018)
Park Board – 1 term – (Expire 2021)

New Business

Clarification of Fire Department Vehicle Wash Guideline - Informational

Council Vice-President Hilgart explained a resident seeks clarification to the history of the September 5, 2017 adoption of the Guideline which permits Paid On-Call firefighters to wash their personal vehicles in with Station 1 or 2. The Council hereby affirms its action of September 5, 2017 to permit Paid On-Call firefighters the privilege to wash personal vehicles in accordance with Standard Operating Guidelines (SOG) set forth by the Fire Chief. All previous actions regarding this privilege are hereby rescinded.

HR Intern Megan Duhn – Discuss Intern Experience - Informational

HR Director Kris Schubert introduced Ms. Megan Duhn. Ms. Duhn shared her experiences working as a HR Intern for the City of Brainerd and BPU since May of this year. She thanked Ms. Schubert for being her mentor as she learned a lot about the “real” world in the HR business and the City Council for allowing the internship. This experience will help her tremendously in her career search. The Council wished her well.

Planning Commission

Comprehensive Plan Steering Committee Appointments - Informational

City Planner Ostgarden asked the Council if all committee appointments have been finalized. There are a few more open positions to fill that are awaiting responses. Mr. Ostgarden stressed the importance of completing these appointments so the project can proceed.

City Planner Ostgarden indicated members of ISD181 will be attending the October 18, 2017 Planning Commission meeting to discuss an overview of the plans taking place within the district. Mr. Ostgarden encourages all to attend as it will be very informative.

Public Forum

The Chair Opened the public forum at 8:33 P.M.

No one came forward.

The Chair Closed the public forum at 8:34 P.M.

Staff Reports

Fire Chief Holmes thanked the Council for the opportunity to represent the City and Fire Department to assist in Florida with Hurricane Irma. It was a humbling experience and he will work on a presentation for a future council meeting.

Mayor Menk will be meeting with Senator Carrie Ruud on Thursday, October 5, 2017 to talk about the 3 Bridges Trail Project. The same day, City Administrator Thoreen will be attending the Legislative-Citizen Commission on Minnesota Resources (LCCMR) presentation in St. Paul on the topic.

Council Member Reports

Council Member Stunek reminded everyone of the Fire Department Open House taking place at 5:00 p.m. on October 12th, 2017 at the Fire Station. Mr. Stunek also asked the community to take a moment to think about the lives lost from the tragedy in Las Vegas.

Council Member Badeaux had attended the ceremony for the expansion of the Bethlehem Lutheran Church. The church will be a future participant in the program Operation Sandwich to provide children with lunches throughout the summer months.

Committee Resignations

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF MS. HOLLY HOLM FROM THE PARK BOARD.

Adjourn to Planning Commission Meeting Wednesday, October 11, 2017 at 5:00 p.m.

The Chair adjourned the meeting at 8:40 p.m.

James M. Thoreen
City Administrator

Brainerd City Council

Administrator's Report

October 16, 2017



www.ci.brainerd.mn.us

1. Annex Remodeling Project

Tim Caughey and I reviewed the plans as advertised and confirmed that the details of the remodeling are appropriate; it is not a complicated project. We agree that the timing is the challenge due to many contractors now in the final stages of projects. To better ensure that we will receive proposals and can complete the work during the usually less busy early winter season, I have re-set the timetable as follows:

- a. November 27, 2017
Advertise for bids and direct mail the request to 9 qualified firms in the area
- b. December 13, 2017
Bids due in the Administrator's Office
- c. December 18, 2017
Council Awards Bid
- d. February 16, 2018
Project completion date

This scenario has been forwarded to the State of Minnesota Real Property Specialist with whom I have worked to renew the lease for the License Center.

2. Fire Chief's Deployment to Florida

Congratulations to Chief Holmes for his role as part of the Minnesota select team assigned to assist cities in Florida as they recover from Hurricane Irma. In our area we will never face the same conditions as those brought about by a major hurricane, but Tim will be much better prepared to lead staff and help to direct public safety services when the next tornado, windstorm or winter weather event causes injuries or deaths in our area. Public safety officers can learn from books; they can do "table top exercises"; but the real sense of learning from a devastating natural disaster arises from direct experience with the chaos. We are proud that the State of Minnesota reached out and called on Tim as a representative to assist Florida in its immediate efforts and almost impossible work to recover from the devastation. I'm confident that emergency response teams from that state will assist any major future natural disasters here in Minnesota.

3. 2017 Street Construction Projects

I extend my great appreciation to City Engineer Paul Sandy and his crew to manage the extremely difficult construction season caused by the recent heavy rains. Many complaints were noted by phone or personal contact, and while I am confident that most residents can fully

understand the mutual frustration Paul and his staff share, there are those who expect miracles to overcome Mother Nature and end the disruptions to their lives caused by our projects. Apparently, many people cannot grasp the need to improve and repair streets which, in the present, cause minor disruptions but yield 20-30 years of safe, comfortable driving.

Paul and I shared time on WJJY's Community Connection program this past week and offered some perspectives on the huge inventory of true public infrastructure needs which confront us, as well as all other Minnesota cities. Investments in our streets, sewer and water needs will require very difficult discussions and decisions to assure our residents of safe, adequate services. All of these projects will be expensive but to delay or ignore them will be much more expensive.

4. Plan and Prepare for Commercial-Industrial Development

City Finance Director Connie Hillman each week of every year dedicates extraordinary time beyond the norm in order to assure the Council and our citizens that every possible stone has been overturned to find the optimal responses to financial challenges. In the matter of the Unified Fund concept brought to us by BLAEDC, she has shared communications with our City Audit firm, officials from the State DEED, and with our financial adviser Paul Steinman at Springsted. Whatever route the Council chooses to best suit our needs in this matter, I believe that Connie has explored all reasonable options and is prepared to answer fully to the Council and our citizens. Hats Off to Connie...and thank you!

5. Latest Development in the Case to Demolish the Motel on 6th Street

Attached is the most recent information from City Attorney Langel regarding our efforts to demolish the motel, which is under the ownership of the former operator of the apartments at 217 So. 7th Street. A note in the file from the owner's attorney states that an engineer has found the building to be habitable. I yield to Mr. Langel to provide more details Monday night.

Joseph J. Langel
Direct Phone: (612) 225-6837
Direct Fax: (612) 225-6860
jjl@ratwiklaw.com



October 10, 2017

Via Electronic Filing
Court Administrator
Crow Wing County Judicial Center
213 Laurel Street, Suite 11
Brainerd, MN 56401

RE: *City of Brainerd v. DBM Two Partnership, LLC*
Court File No. 18-CV-17-2814
Our File No. 4034-0091

Dear Court Administrator:

We represent the Plaintiff City of Brainerd in the above-referenced matter. Pursuant to the Court's Order of July 27, 2017, we are requesting to appear by telephone for the October 24, 2017, Scheduling Conference before Judge Erik Askegaard.

Please advise regarding the status of this request at your earliest convenience.

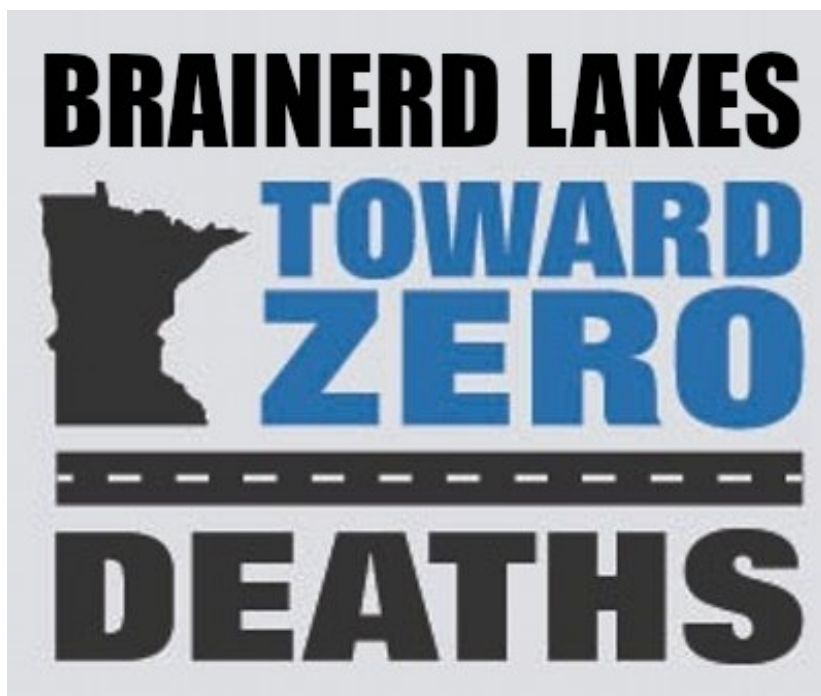
Very truly yours,

A handwritten signature in black ink, appearing to read 'J. Langel', is written over the typed name 'Joseph J. Langel'. Below the signature and name is the name 'Nathan B. Shepherd'.

cc: Mick Conlan, Counsel for DBM Two Partnership, LLC (via e-service)

**BRAINERD POLICE DEPARTMENT
MEMORANDUM**

TO: Brainerd City Council
FROM: Police Chief Corky McQuiston
DATE: 10-11-17
RE: Monthly Report



September marked the close of the fiscal year 2017 TZD Traffic Safety Grant, that the Brainerd Police Department administers for our area. The last enforcement event for this grant was conducted in Brainerd targeting DWI on September 23rd. A combination of 5 officers from local agencies worked the event stopping 64 vehicles, making 2 arrests, and issuing 11 citations. Officer Runde, who oversees this project, commented that he was proud of the officer's activity, even though there was very heavy rain during the entire event. Runde noted despite the rainfall, the officers assigned continued to work the full detail stopping numerous vehicles. Part of the concepts behind these projects is **high-visibility enforcement** that as a deterrent can often time be just as effective as an arrest.

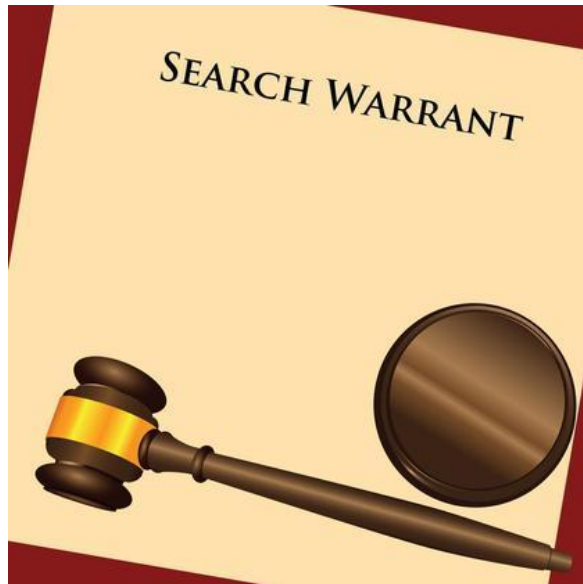
Police Activity

On September 2nd, at 1230 pm, officers met with a 26-year-old Brainerd woman who came to the police department to report that she was receiving threatening messages from an ex-boyfriend. The messages had violent threatening actions to the victim and referenced her children in the same context. Officers located that suspect and identified him as 23-year-old Austin Reid Matteson of Brainerd. Austin did admit to contacting the victim in messages and to the content of the messages. Matteson was placed under arrest and transported to jail on charges felony charges of Terroristic Threats and Stalking. Matteson has prior domestic violence related convictions which elevate the penalties of these charges.

On September 8th, at about 2:05 am, officers responded to a report of a disturbance at an apartment in the 1500 block of Riverside Drive. The initial report from the 911 caller was that a neighbor was outside in his underwear looking for his dog, however the caller knew the man did not have a dog. While officers were in route, dispatchers relayed that the man had now forced his way into the caller's apartment and was assaulting people with a shovel. Officers arriving at the scene located the suspect, 43-year-old Theodore Erickson, pulling garbage out of a garbage can at the edge of the roadway. He was taken into custody without incident and transported to the Crow Wing County Jail. Erickson remains incarcerated on charges of 1st Degree Burglary and 2nd Degree Assault. The victim was transported by ambulance to the hospital for assessment and treatment of injuries she suffered to her arm from being struck by the shovel.

On September 16th, at about 1:15 am, officers were dispatched to investigate a report of a large fight involving at least five people in the area of 100 block of Nikkohl Road. Officers arriving on the scene determined that 18-year-old James Daniel Waite of Brainerd, had punched a female victim at least twice and was in possession of a firearm. Waite had fled the immediate area prior to officers arriving. Officers searching the area did locate an empty 13-round magazine for a .45 caliber pistol. It was believed that Waite had threatened others with the gun. Waite was located a short distance from the scene and taken into custody. He was intoxicated and had just been released from jail the day before. The gun was not located and police continue to investigate this incident. Waite remains in custody in the Crow Wing County Jail on numerous charges including 2nd Degree Assault, Terroristic Threats, and 5th Degree Assault.

Training



On September 7th, Investigator Athman attended a one-day Search Warrant Class in Alexandria. This class covered basic Search Warrant writing, requirements, case law, and was conducted by the Minnesota BCA.



Minnesota State Patrol

A Division of the Minnesota Department of Public Safety

On September 12th & 13th, Officers Rosier, Pallansch, and Kostreba attend Criminal Interdiction through Traffic Enforcement training in Brainerd conducted by staff from the Minnesota State Patrol. Along with classroom training that involves techniques, indicator recognition, and legal requirements, officers spent hands-on training time with mock traffic stops where they applied their learned skills and received feedback from the instructors. The officers received 16 POST-Credits for this free training.



On September 15th, Sergeant Kulzer and Officer Myers attended a one-day training at the Anoka County Sheriff's Department in Coon Rapids entitled the Dynamics of Officer/Citizen Encounters. This highly acclaimed training class conducted by Command Presence uses guided discussions, video analysis, and case studies covering topics of:

- Effective Communication with People in Crisis
- Current Research about the Threats to Officer Safety
- Awareness: Going Beyond "Keep your head on a Swivel"
- Addressing the Culture of Speed in Law Enforcement
- Characteristics of Officers Killed and Assaulted
- Unconditional Respect as an Officer Safety Tool

The also covered the Think CLEAR Approach to Law Enforcement Professionalism. Their acronym for CLEAR is:

Communication
Legal Authority
Emootional Intelligence
Adaptive Decision Making
Respect Unconditionally

This is intended to provide a simple approach to officer/citizen contacts that can increase officer safety while also increasing the quality of contacts officers have with citizens. It addresses the areas that most often lead to officers "going viral," while enhancing officers' physical and career survival, which can be a win/win/win for law enforcement, individuals, and the community.

DATAMASTER DMT.



Starting on September 26th, Officer Personius attend the 3-day certification at the BCA to be a breath test operator for the DataMaster DMT. This device is in the Breath Testing Room of the Crow Wing County Jail Pre-Book and is the state-issued instrument used by law enforcement in Minnesota to measure the Breath Alcohol Concentration of drivers arrested for impaired driving. This device analyzes the breath sample using infrared absorption spectrometry.

Conduct on Premises Activity Report for September

ICR	Date Reported	Title	Address	Summary Contains
17012403	09/01/17	Conduct on Premises	315 4 th Avenue NE	Conduct on Premises
17012737	09/08/17	Conduct on Premises	15073 Riverside Drive	Conduct on Premises
17012879	09/12/17	Conduct on Premises	712 ½ Laurel Street	Conduct on premises
17012944	09/13/17	Conduct on Premises	1203 W Campus Driver	Conduct on Premises
17013385	09/21/17	Conduct on Premises	313 North 10 th Street	Conduct on Premises
17013589	09/24/17	Conduct on Premises	522 8 th Avenue NE	Conduct on Premises
17013648	09/25/17	Conduct on Premises	707 Laurel Street	Conduct on Premises
17013655	09/26/17	Conduct on Premises	220 North 4 th Street	Conduct on Premises

Monthly Police Activity

September	2017	2016
Calls	1617	1395
Citations (Inc. Parking)	233	174
Part I and Part II Crimes Reported	307 **	328

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

45 parking tickets were issued in the month of September with the following dispositions:

4	Dismissed
0	Business Validations
20	Paid in Full
0	Partial Payments Received
21	No Payment Received

Revenue Recapture Receipts:

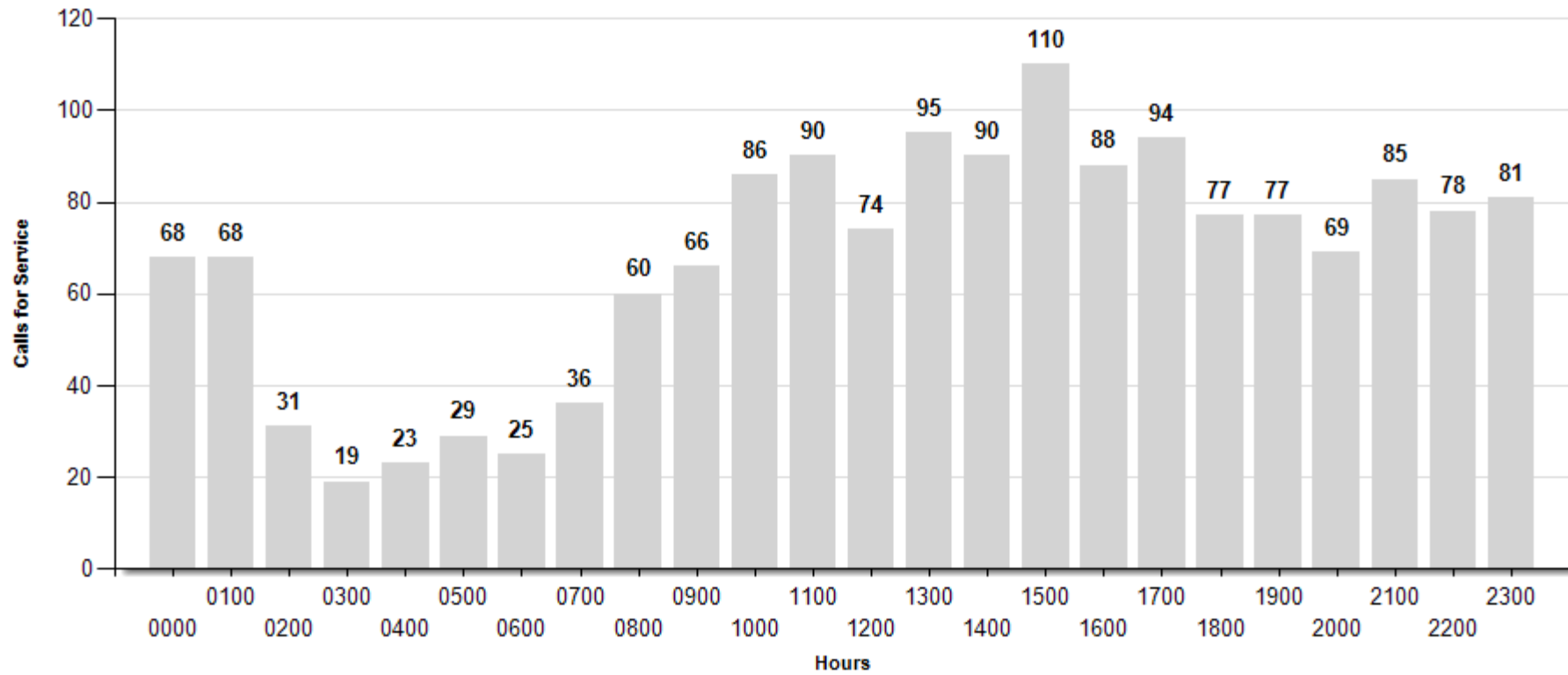
To Date: \$ 33,638.69
In 2017: \$ 5,629.23



Calls for Service Hourly

9/1/2017 to 9/30/2017

Total Calls: 1649



**RESOLUTION
NO. XX:XX**

**RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS
FROM JULY 1, 2017 THROUGH SEPTEMBER 30, 2017**

WHEREAS, the City of Brainerd is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Sections 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and bequests for the benefit of recreational service pursuant to Minnesota Statutes Section 471.17; and

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

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

SEE ATTACHED LIST OF DONORS

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

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

Adopted this ____ day of _____, 2017

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of _____, 2017

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: October 4, 2017

RE: Resolution Accepting Donations & Contributions for 3rd Quarter 2017

Attached is a resolution accepting donations and contributions that have been made to the City of Brainerd for the period of July 1, 2017 through September 30, 2017. 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.

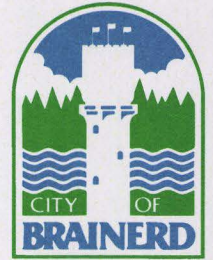
A resolution needs to be adopted with a two-thirds vote of the Council. The item appears on the October 16, 2017 agenda.

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

\dj

LEGIONVILLE

Organization Name	2017
Town of Daggett Brook	\$ 275.00



www.ci.brainerd.mn.us

MEMO

TO: Connie Hillman, Finance Director

FROM: Corky McQuiston, Chief of Police 

DATE: October 4, 2017

RE: 3rd Quarter 2017 Donations

The Brainerd Police Department received the following donations from July – September, 2017:

- Lakes Area Law Enforcement Association \$300.00
for Body Worn Camera Program

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

\dj

Brainerd Parks and Recreation **Contributions and Donations July-September 2017**

Received From	Receipt Date	Type of Donation	Amount Received
Brainerd Eagles Club	07/05/17	Designated for Memorial Park field improvements	\$1,000.00
VFW Post 1647	07/31/17	Designated for downtown flags	1,500.00
TOTAL			\$2,500.00

MEMO

TO: Finance Director Connie Hillman
FROM: Fire Chief Tim Holmes
DATE: October 2, 2017
SUBJECT: 2017 – 3rd Quarter Donations



www.ci.brainerd.mn.us

3rd Quarter donations for the Brainerd Fire Department are as follows:

- | | | |
|---|------------|------------------------|
| • Brainerd Fire Department Relief Association | \$4,565.65 | Jackets, iPad, Docking |
| • Kinney, Larry & Diana | \$ 100.00 | Donation |
| • Enbridge | \$1,000.00 | Multi-Gas Monitor |

Feel free to contact me with any questions.

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

October 16, 2017
City Hall Conference Room
7:00 PM

1. Approval of Bills & Payments to Contractors

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
Bolten & Menk	16-14	Traffic Study NW 4 th St	\$2,730	\$0
Tri-City Paving	14-03	Jackson Street Change Order #1	\$2,470	\$130

2. Deferred Assessment Approval

3. Discussion of City's Match for the Legislative-Citizen Commission on Minnesota Resources (LCCMR) Grant

4. Facility Study Requests for Proposals – Approval Of



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Deferment of Assessments

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 minutes
Summary of Issue: The City received 2 applications for deferment due to a permanent and total disability. The applicant is requesting deferment of two assessments. The applicant submitted a letter signed by their medical doctor per number 5 of Resolution No. 54:16.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve or deny deferment for the applicant for assessment payable in 2018 for improvements 08-11 and 05-27.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 463.75 Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

RESOLUTION
NO. 54:16

WHEREAS, Minnesota Statutes 435.193 through 435.195 authorizes the City of Brainerd to defer the payment of special assessments against any homestead property for certain citizens; and

WHEREAS, said deferment of assessment may be permitted at the discretion of the City Council; and

WHEREAS, the City Council of the City of Brainerd finds and determines that deferral of special assessments for certain citizens is in the public interest; and

WHEREAS, it is necessary and proper that the City Council set forth its general policies and guidelines for granting said deferrals of special assessments for citizens.

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

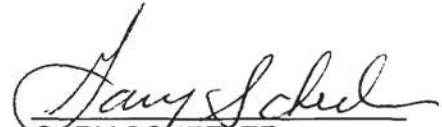
1. That the City Council does endorse the principle of deferment of special assessments for citizens where the payment of said special assessments constitutes hardship.
2. The Council, in accordance therewith, may defer the payment of any special assessment on homestead property when payment of the assessment would create a hardship upon the property owner as defined herein.
3. The deferment may be granted upon an application by the owner on a form prescribed by the County Auditor supplemented by the City Administrator to establish the qualifications of the owner for said deferment. All deferments shall be subject to renewal each following year upon the filing of a similar application not later than August 15. The Council shall either grant or deny the deferment, and if it grants the deferment, the deferred assessment shall bear interest at the rate established in the Resolution adopting the assessment. If the Council grants the deferment, the City Administrator shall notify the County Auditor who shall, in accordance with Minnesota Statute 435.194, record a notice of the deferment with the County Recorder setting forth the amount of the assessment.
4. A hardship shall be deemed prima facie to exist when all of the following apply:
 - A. The applicant's spouse and family combines shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of application. All data necessary to confirm applicant's income shall be furnished to the City Administrator.
 - B. The special assessments to be deferred exceed \$300.00.

- C. The total assets of the applicant and spouse, exclusive of the homestead, do not exceed \$25,000.00.
- D. The Crow Wing County Assessor's estimated market value of the applicant's homestead is less than \$110,000.

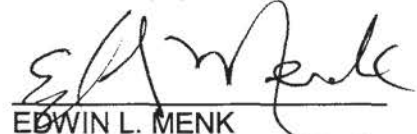
Notwithstanding the foregoing provisions of this paragraph, the City Council may consider exceptional and unusual circumstances pertaining to an applicant not covered by the above standards; but any determination shall be made in a non-discriminatory manner and shall not give the applicant an unreasonable preference or advantage over the other applicants.

- 5. Retirement by reason of permanent and total disability shall be deemed prima facie to exist when the applicant presents a sworn affidavit by a licensed medical doctor attesting that the applicant is unable to be gainfully employed because of a permanent and total disability.
- 6. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any of the following events:
 - A. The death of the owner when there is no spouse who is eligible for deferment;
 - B. The sale, transfer, or subdivision of all or any part of the property;
 - C. Loss of homestead status on the property;
 - D. Determination by the Council for any reason that there would be no hardship to require immediate or partial payment; or
 - E. Failure to file a renewal application with the time prescribed by Paragraph 3.
- 7. This Resolution supersedes Resolution No. 06:05 adopted on February 22, 2005.

Adopted this 21st day of November, 2016


GARY SCHEELER
President of the Council

Approved this 22nd day of November, 2016


EDWIN L. MENK
Mayor

ATTEST:


JAMES M. THOREEN
City Administrator

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

APPLICATION AND AUTHORIZATION FOR DELAYED PAYMENT OF TAX ON SPECIAL ASSESSMENT FOR SENIOR CITIZENS OR DISABLED PERSONS HOMESTEAD MS. 435.193, MS. 435.194 AND/OR WHERE A FINANCIAL HARDSHIP EXISTS -RESOLUTION. NO. 06:05.

TO: James M. Thoreen, City Administrator, City of Brainerd, Minnesota

NAME Tamara Haberle ADDRESS 318 3 rd Ave NE Brainerd, MN 56401	I am (check one) ☒ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☐ Financial hardship exists
R.E. CODE OF PROPERTY: 091220100110009 LEGAL DESCRIPTION OF PROPERTY: Lot 11 Block 10, East Brainerd	

I, the undersigned, declare under penalties of perjury:

That I and family combined shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of the application (see attached).

That the special assessments to be deferred exceed \$300.00.

That my total assets do not exceed \$25,000.00.

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

That my interest in the ownership of the above property was acquired in November 1994 and is as follows (check one):

☒ Sole ownership
☐ Joint tenancy
☐ Other (specify)

That on January 1, 2010, I owned and occupied the above property as my homestead and such occupancy began in November 1994.

That the taxes for improvements on the special assessments adopted by Resolution No. 51:10 on October 18, 2010 by the City of Brainerd, which have been allocated against the subject property, would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2018. (NOTE: Application for deferment shall be made each year.)

I declare under penalties of perjury that the above information is correct to the best of my knowledge and belief:

Signed Tamara Haberle
Owner

I, James M. Thoreen, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of Tamara Haberle, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 2017, in said City Council Chambers, was duly APPROVED or DENIED.	
That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$201.55 and interest, which is based on the unpaid principal balance payable in the year 2018 should be so deferred with interest at the annual rate of 3.57%, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.	
Date: _____ 2017	_____ City Administrator

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

APPLICATION AND AUTHORIZATION FOR DELAYED PAYMENT OF TAX ON SPECIAL ASSESSMENT FOR SENIOR CITIZENS OR DISABLED PERSONS HOMESTEAD MS. 435.193, MS. 435.194 AND/OR WHERE A FINANCIAL HARDSHIP EXISTS -RESOLUTION. NO. 06:05.

TO: James M. Thoreen, City Administrator, City of Brainerd, Minnesota

NAME Tamara Haberle ADDRESS 318 3 rd Ave NE Brainerd, MN 56401	I am (check one) ☒ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☐ Financial hardship exists
R.E. CODE OF PROPERTY: '091220100110009 LEGAL DESCRIPTION OF PROPERTY: Lot 11 Block 10, East Brainerd	

I, the undersigned, declare under penalties of perjury:

That I and family combined shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of the application (see attached).

That the special assessments to be deferred exceed \$300.00.

That my total assets do not exceed \$25,000.00.

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

That my interest in the ownership of the above property was acquired in November 1994 and is as follows (check one):

- ☒ Sole ownership
☐ Joint tenancy
☐ Other (specify)

That on August 8, 2008, I owned and occupied the above property as my homestead and such occupancy began in November 1994.

That the taxes for improvements on the special assessments adopted by Resolution No. 89:02 on October 21, 2002 by the City of Brainerd, which have been allocated against the subject property, would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2018. (NOTE: Application for deferment shall be made each year.)

I declare under penalties of perjury that the above information is correct to the best of my knowledge and belief:

Signed Tamara Haberle
Owner

I, James M. Thoreen, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of Tamara Haberle, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 2017, in said City Council Chambers, was duly APPROVED or DENIED. That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$262.20 and interest, which is based on the unpaid principal balance payable in the year 2018 should be so deferred with interest at the annual rate of 6%, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility. Date: _____ 2017 _____ City Administrator



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: City Share of Future LCCMR Grants

☐ 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 minutes
Summary of Issue: Last Thursday Riverfront Committee Chair Rod Osterloh, Committee member Jim Roelofs and I presented the City's request for \$1 million to launch the Three Bridges Trail design. We were cordially received with two Senate members of the Commission indicating initial support. One shortcoming pointed out by Commission staff with concurrence from the Chair is the lack of City financial commitment. The lead staff person indicated that we will not receive funding without a substantial City commitment.	
Alternatives, Options, Effects on Others/Comments: 1. Make no financial commitment and the result will be no award of grant 2. Pledge a match which will be commensurate with many other requests: Minimum of \$100,000, but a 20% commitment of \$200,000 will receive more favorable consideration. 3. We will not write a check, but will place in future allocations whichever amount the Council chooses.	
Recommended Action/Motion: See attached Resolution	
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 Pledge will be considered in 2018 budget <u>Please Explain:</u>	

RESOLUTION NO. _____

**A RESOLUTION TO COMMIT \$____,000 MATCH TO A
LEGISLATIVE-CITIZEN COMMISSION ON MINNESOTA RESOURCES (LCCMR) GRANT
AS THE CITY'S PORTION OF THE THREE BRIDGES TRAIL DESIGN PHASE**

WHEREAS, the City of Brainerd has requested a grant from the LCCMR in the amount of \$1 million for purposes of scoping and designing the "Three River Bridges Trail" along the Mississippi River in mid-town Brainerd; and,

WHEREAS, the best interests of visitors, residents and tourists will be served by this project as a huge "difference maker" in the future of the City, to include proper respect and honor to our nation's Great River;

NOW THEREFORE BE IT RESOLVED that the City Council of Brainerd, Minnesota hereby commits a pledge of \$____,000 as a local contribution to the LCCMR grant application submitted to that body on October 5, 2017.

Adopted this ____ day of _____, 2017

Approved this ____ day of _____, 2017

DAVID J. PRITSCHET
President of the Council

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Facilities Assessment Request for Proposal - Approval of

☐ 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): City Administrator Thoreen	Estimated Time Needed: 5 minutes
Summary of Issue: Request for proposals for the facilities assessment were sent to six entities. The proposals were due to City Hall by October 11, 2017 at 4:30 p.m. The City received one proposal from Widseth Smith Nolting (WSN) in concert with Contegrity Group (CGI) of Little Falls. The estimated cost of the study is \$77,640. We were estimating the cost of the assessment to be around \$30,000 based on previous experience with Pope County. However, we failed to include the portion of the project that would address the HVAC, electrical and plumbing aspect of the project that was done by a separate contract with an engineering firm with the Pope County project. We apologize for failing to include this aspect of the project in our estimate.	
Alternatives, Options, Effects on Others/Comments: Other than awarding the contract, there is no reasonable means of identifying the facilities needs for each of our properties for either the short or long term. The budget for Capital Equipment Fund for 2017 was that expenditures were going to exceed revenue by \$11,000. Preliminary actual results, revenues are expected to exceed expenditures by approximately \$50,000. There is \$30,000 in the preliminary budget for 2018 for the facility study. Staff is proposing to use fund balance for half of the cost of the study and/or adjust the 2018 budget to be able to pay for the study.	
Recommended Action/Motion: Authorize staff to enter into agreement with WSN and Contegrity to perform a facilities assessment for the City of Brainerd to be completed prior to budget work for 2019.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 77,640 Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u>	



BRAINERD
MINNESOTA



See separate map
of enlarged Kiwanis
Park area

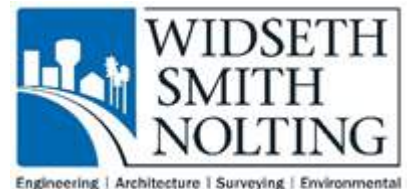
Request for Proposal

Facilities Assessment for the City of Brainerd

Brainerd, MN



contegritygroup
| Construction Management



October 11, 2017

Jim Thoreen, City Administrator
City of Brainerd
501 Laurel Street
Brainerd, MN 56401



Baxter/Brainerd
7804 Industrial Park Road
PO Box 2720
Baxter, MN 56425-2720

218.829.5117 
218.829.2517 

Brainerd@wsn.us.com 

WidethSmithNolting.com

Re: RFP FACILITIES ASSESSMENT FOR THE CITY OF BRAINERD

Dear Mr. Thoreen,

The City of Brainerd is facing the challenge of how to effectively serve the public from aging facilities. This is a consistent theme throughout the state, and we are working with other communities that are experiencing similar challenges. Our design professionals are eager to work with you to identify these issues through providing a Long-Term Facility Study, Building Maintenance Schedule and Implementation Strategies for moving forward. Wideth Smith Nolting and Contegrity Group, Inc. welcome the challenge set forth in this RFP and look forward to working with the City of Brainerd to provide an analysis of your facilities and solutions that are specific to the public you serve, the buildings you occupy, and the services you provide.

In 2016, I had the opportunity to participate in a citizens committee, formulated by the City Council, that was assigned with the task of touring the city's facilities. The committee's primary task was to evaluate the facts of the city facilities situation and make a preliminary determination of the condition of city buildings. Upon touring through the city's facilities and seeing these issues firsthand, I'm encouraged that the city of Brainerd is proceeding with a more thorough and comprehensive analysis that will serve as a basis for future decisions made by City Council.

As design professionals, we have the privilege and opportunity of getting to know our clients, understand the services they provide and how they want to provide them. Above all, we listen. While the deliverables for this exercise will not be highly detailed designs for future improvements, they will be highly detailed in terms of collecting information from you, getting a chance to review your current facilities, and, most important, understanding your goals and expectations moving forward.

WSN has an impressive list of similar projects, which include everything from manufacturing facilities, retail buildings, multi-family housing, office buildings, churches, schools, and governmental buildings across Minnesota. Many of these are facing a similar challenge of accommodating current demands with aging facilities and infrastructure with a daunting list of needs: deficient accessibility, lack of security measures, inadequate infrastructure to accommodate technological advances, lack of meeting room space and seating capacity, on-going maintenance issues, and inefficient mechanical and electrical systems. WSN is experienced in addressing these issues, and our most recent work is most relevant for your

consideration in selecting our firm for this project. WSN has provided the City of Staples and the City of Lakeshore with facility assessments as well as Crow Wing County, and we encourage you to reach out to them to ask them any questions you may have regarding our services that we provided them.

Recently, WSN has worked with government agencies to provide a review of their current organization of their campus, the condition of their buildings on campus, and what departments are in each building. A majority of this work included meeting with various government service directors to review their departments and identify what inefficiencies and challenges exist within their current work environment. We also considered consolidation opportunities to increase efficiencies and convenience for the general public. In many cases, the findings from this initial analysis point to the most preferred method of providing services through “client centered care,” which is defined as multiple departments providing services in a single location. The objective is to provide quality services to your constituents by the most efficient means possible. The direct result is quality customer service, efficiency within each department, efficiencies between departments, improved space planning within the confines of existing buildings, increased security, energy savings and reduction of operational costs through a well-defined building maintenance schedule.

Recently, WSN had the pleasure of seeing this process through from the conceptual phase through construction, and to witness the opening of a new customer service counter that accommodates the needs of the general public. This particular project included the joint efforts of Contegrity Group, Inc. and WSN. The collaboration between WSN and CGI gave the client a complete perspective of the project in terms of design, budget, schedule, and the feasibility of the proposed project.

For the City of Brainerd, we propose consulting with CGI to assist in evaluating the city facilities and provide probable cost estimates of the anticipated items identified in the facility assessment and continue this valuable relationship. Their expertise and impressive experience with cities and counties throughout the state of Minnesota, combined with our team will be a huge asset to the City of Brainerd.

Our proposal and work plan is defined by the following principles:

1. Listen
2. Collaboration
3. Presentation

Listen

The success of this project will depend on our ability to listen to the diverse shareholders for their valuable input, record this information in an organized manner, and distribute the findings to the appropriate decision makers. Prior to the project starting, we suggest acquiring organizational charts from city administration and each department head to expedite this process. There are many layers within each department, as you are well aware, and providing this early on in the process will be beneficial to the design team. Also, having this information during the initial meetings will help provide context for discussions

further into the process. This will be the appropriate time to identify the obstacles currently in place that inhibit the city of Brainerd's ability to provide their services to the general public. These obstacles may include structural limitations, access to buildings and interior spaces, clear separation of public and private spaces, lack of signage and wayfinding, historic elements that cannot be modified due to their historic significance, and others items that may become apparent. WSN will compile this information, provide a summary of the findings and recommendations for developing strategies based on agreed upon priorities and construction.

Please refer to Attachment C Work Plan for when this phase of the project will occur.

Collaboration

After the initial information has been gathered from you through various meetings, WSN architects and engineers will tour through all city facilities and parks, and document all deficient items. We encourage a member of the city staff, that works in each facility, to attend our walkthrough and provide their input regarding specific items related to that building or park. This is similar to how the citizens committee walkthroughs occurred at each building and it was very helpful for us to hear about issues from someone that has an intimate knowledge of the building. A perfect example of this is the information that Corky McQuiston, Brainerd Chief of Police, provided the committee as we toured the Brainerd Police Department. He shared the issues that the building has from an HVAC standpoint, the need to arrange spaces in a more efficient manner to accommodate current needs of the department, technology needs for interview rooms as well as the need to properly ventilate the evidence storage and intake room. This is also a perfect example of how WSN, CGI and the City of Brainerd can collaborate on identifying the issues with each facility and potential solutions.

WSN will then enter all deficient items, by building or park, into a report that will prioritize them by importance and provide a probable cost of construction for each item. CGI will provide the probable cost of construction through their knowledge and expertise of similar projects and current construction trends. This document will be the Long-Term Facility Assessment, and will be the primary resource for identifying the current and future needs that will need to be addressed. Please refer to Attachment A to see an example of how the information within the Long-Term Facility Assessment is prepared.

WSN will also provide the City of Brainerd with a Building Maintenance Schedule that will identify practices that can be employed by city staff that will increase the longevity of the facilities, increase operational functions and decrease future costs associated with buildings that are not well maintained. Please refer to Attachment B to see an example of how the information within the Building Maintenance Schedule is prepared.

Please refer to Attachment C Work Plan for when this phase of the project will occur.

Presentation

The final phase of this project will consist of WSN and CGI presenting to the Brainerd City Council our Long-Term Facility Study, Building Maintenance Schedule and Implementation Strategies for moving forward. Throughout this project, WSN will provide the City Council Committee members and the City Council with regular updates and agreed upon intervals. Communication will be key throughout this process and the objective is for the final presentation to be a final version of the information that has been already discussed on a regular basis with the City Council.

Please refer to Attachment C Work Plan for when this phase of the project will occur.

The WSN/CGI team proposes to provide the professional services above for a lump sum fee that is provided in Attachment D Scope of Work Analysis. We look forward to the opportunity to discuss our proposal in further detail, review examples of similar facility studies that we have provided other clients and answer any questions you may have.

Thank you for considering us!

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Angland".

Mike Angland, AIA, LEED AP
Vice President



■ Wideth Smith Nolting Firm Background

VIBRANT DESIGN. INTEGRATED SYSTEMS. ON BUDGET. ON TIME.

This is what Wideth Smith Nolting is all about. We design the structures and systems that keep life humming along smoothly. We've been doing it for a long time—since 1975, in fact—and we've developed the experience and expertise to tackle all manner of challenges, from straightforward to complex. We are an integrated, multi-disciplined firm that brings together all the services you need under one umbrella. For you, that means better communication, greater efficiency, and a more satisfying experience as your project plays out.



FIRM-WIDE, WSN'S DISCIPLINES AND STAFF INCLUDE:

26 Architecture | 65 Civil Engineering | 5 Structural Engineering
5 Mechanical Engineering | 2 Electrical Engineering | 29 Land Surveying |
7 Environmental Services | 7 Water Resources | 2 Funding Specialists | 4
Communications | 20 Administrative | 172 Total Employees | 6 LEED® AP

FIRM HISTORY

WSN maintains a strategic focus on serving the communities of Greater Minnesota and North Dakota. Sustainability through managed growth has always been a goal of the WSN ownership team—the firm has taken advantage of many growth opportunities since its inception.

- 2014** Rochester architecture team expanded through acquisition of Kane and Johnson Architects, Inc.
- 2013** Brainerd architecture team expanded through acquisition of Architecture One
- 2012** East Grand Forks is added through acquisition of FS Engineering
- 2010** WSN's services expand to include water resources through acquisition of JOR
- 2008** Rochester added through merger with QED Engineering
- 1999** Bemidji opens
- 1999** Brainerd expands through acquisition of EDC Engineering
- 1998** Grand Forks opens
- 1996** Brainerd expands through acquisition of Meyer Donnay Architects
- 1979** Alexandria is added through acquisition of Hall Engineering
- 1978** Brainerd is added through acquisition of Dean Anderson
- 1975** Wideth Smith Nolting & Assoc., Inc., is incorporated

BAXTER/BRainerd OFFICE

7804 Industrial Park Road
PO Box 2720
Baxter, MN 56425-2720

MIKE ANGLAND, AIA, LEED® AP

Project Manager | Architect
218.316.3608
Mike.Angland@wsn.us.com

WSN OFFICE LOCATIONS

Alexandria
Bemidji
Baxter/Brainerd
Crookston
East Grand Forks
Grand Forks
Rochester

WidethSmithNolting.com



■ Key Personnel



MIKE ANGLAND, AIA, LEED® AP, VP

PROJECT MANAGER | ARCHITECT | VICE PRESIDENT | WSN

Mike joined WSN in 2012 with more than 12 years of experience in the fields of architecture and construction. He is responsible for project management and design; preparing architectural plans, construction documents, and as-builts; interpreting design criteria; and developing site plan/design. He is also responsible for code research and review, cost estimating, preliminary field measurements, and construction observation. He is involved in programming and preliminary design, including creation of models and conceptual renderings, and he handles day-to-day communication with contractors.

LICENSES/CERTIFICATIONS

Registered Architect: MN (45375);
IA 07028; WI 11896-5

LEED® Accredited Professional

EDUCATION

Bachelor of Architecture / Iowa
State University, 2001

PROJECT EXPERIENCE

- Crow Wing County
 - » Land Services Interior Remodel
 - » Community Services Interior Remodel
 - » Law Enforcement Center Exterior Remodel
 - » Law Enforcement Center Interior Remodel
 - » Law Enforcement Center Shooting Range Restroom Addition
 - » Law Enforcement Center Cold Storage Building
 - » Historic Courthouse Preservation Project
 - » Judicial Building Interior Remodel
- » Historical Museum Preservation Project
- » Highway Department Mezzanine Storage Project
- BLACC/BLAEDC Remodel—Brainerd, MN
- Central Lakes College Foundation Student Residence—Brainerd, MN
- Brainerd Area Civic Center Addition & Remodel—Brainerd, MN
- Nisswa Lake Recreation Area—Nisswa, MN



MARK HALLAN, PE, VP

CIVIL ENGINEER | VICE PRESIDENT | WSN

Mark joined WSN in 1996 and has more than 30 years' experience in civil and structural engineering. He serves as senior engineer for the planning, design, and construction for various water treatment/storage and wastewater treatment systems for WSN offices around the State. Hallan manages WSN's project teams assigned to the preparation of facility plans, preliminary engineering reports, preliminary and final plans / specifications, State regulatory agency reviews/approvals and construction phase observation services. He represents WSN's clients in all negotiations with state and federal agencies and prepares permit applications for a variety of organizations. His experience with mechanical wastewater plants includes planning, design, construction administration, start-up, operator training, and preparation of operations and maintenance manuals.

LICENSES/CERTIFICATIONS

Professional Engineer: MN (24997),
WI (22476-006)

EDUCATION

Bachelor of Science, Civil
Engineering - Emphasis in
Structural and Hydraulics / North
Dakota State University, 1979

PROJECT EXPERIENCE

- Aitkin County Highway Maintenance Facility—Hill City, MN
- Crow Wing County Compressor Building—Brainerd, MN
- Baxter Public Works Facility—Baxter, MN
- McGregor Highway Department Building—McGregor, MN
- Crow Wing County Landfill Expansion—Baxter, MN
- Crosslake/Crow Wing County Joint Public Works Facility—Crosslake, MN

ASHLEY MARTEL

DESIGNER | WSN

Ashley joined WSN in 2012 after completing her master's degree in architecture. She has worked under the direction of registered architects in a variety of architectural project types including multi-family residential, office, commercial, justice, building renovation, historic preservation, downtown redevelopment, educational, and religious facilities. Her responsibilities include assisting with project design, specifications, estimates, client development, and client and public presentations.

PROJECT EXPERIENCE

- Crow Wing County
 - » Land Services Interior Remodel
 - » Community Services Interior Remodel
 - » Law Enforcement Center Exterior Remodel
 - » Law Enforcement Center Interior Remodel
 - » Law Enforcement Center Shooting Range Restroom Addition
 - » Law Enforcement Center Cold Storage Building
 - » Historic Courthouse Preservation Project
 - » Judicial Building Interior Remodel
- » Historical Museum Preservation Project
- » Highway Department Mezzanine Storage Project
- Brainerd Area Civic Center Addition & Remodel—Brainerd, MN
- St. Francis of Assisi Catholic Church, Facility Assessment—Brainerd, MN



EDUCATION

Master of Architecture / North Dakota State University, 2012

Bachelor of Science, Environmental Design / North Dakota State University, 2011

the WSN

EDGE

Energy.
Drive.
Grit.
Excellence.



ERIC JENDRO, PE, LEED® AP

MECHANICAL ENGINEER | VICE PRESIDENT

Eric joined WSN in 2002 and now serves as the firm's director of mechanical engineering. Eric is responsible for the design of HVAC and plumbing systems, energy analysis of new and existing systems, performing load designs to determine buildings' heating and cooling requirements, reviewing shop drawings and prior approval requests, field observations, and coordinating mechanical engineering work with other disciplines to ensure quality control. He is also responsible for client relations, budgets, and schedules. Eric is a LEED® Accredited Professional, demonstrating his keen understanding of sustainable design, green building practices and principles, and LEED® requirements, resources, and processes.

PROJECT EXPERIENCE

- Crow Wing County
 - » Land Services Interior Remodel
 - » Community Services Interior Remodel
 - » Law Enforcement Center Exterior Remodel
 - » Law Enforcement Center Interior Remodel
 - » Law Enforcement Center Shooting Range Restroom Addition
 - » Law Enforcement Center Cold Storage Building
 - » Historic Courthouse Preservation Project
 - » Judicial Building Interior Remodel
- » Historical Museum Preservation Project
- » Highway Department Mezzanine Storage Project
- Brainerd Area Civic Center Addition & Remodel—Brainerd, MN
- St. Francis of Assisi Catholic Church, Facility Assessment—Brainerd, MN



Licenses/Certifications

Professional Engineer: MN (45426), ND (PE-8437)

LEED® Accredited Professional

NCEES Record Holder

Education

Bachelor of Science, Mechanical Engineering | Minnesota State University—Mankato, 2002

JIM SZUSTEK, PE

ELECTRICAL ENGINEER

With more than 35 years of electrical engineering experience, Jim is a licensed professional engineer in Minnesota. He has experience with lighting design, power distribution, motor control centers (MCC), generators, equipment sizing, and programmable logic controllers (PLC) and distributed control systems (DCS) for industrial, educational, and commercial building types. As the Director of Electrical Engineering at WSN, Jim is responsible for overseeing the work of WSN's team of electrical engineers, designers, and engineering technicians. He works with the project team to incorporate safe and economical building electrical systems.

Commercial, Corporate

- Farmers Union Industries New Facility—Redwood Falls, MN
- Northern Dental Access Center—Bemidji, MN

Government

- Le Sueur County Highway Maintenance Building—Le Center, MN
- Lake City Police/Ambulance Building—Lake City, MN
- City of Greenbush / Roseau County Highway Department Joint Office and Maintenance Facility—Greenbush, MN
- Isle Fire Station—Isle, MN



License/Certifications

Professional Engineer: MN (25395)

Education

Bachelor of Science in Electrical Engineering | University of Minnesota



contegritygroup

Construction Management

We are ...

Contegrity Group since their 2006 inception has worked on building projects ranging from \$10 thousand to \$50 million dollars.

Our philosophy is much more than a statement; it is the total embodiment of our being, our culture and way of life. We work diligently to positively impact others and the world around us.

Contegrity Group's Project Managers and Project Superintendents have an individual average of 23 years of experience insuring that the project is staffed with the knowledge base for success. The utilization of the multi-bid packaging approach has an excellent track record of soliciting and awarding the construction work to the local county based contractors.



Your
Benefit

PROJECT EXPERIENCE

- Education
- Healthcare
- Government
- Historical Renovations
- Commercial

delivering *clear value*

... whatever the project, it's always with the end in mind.

CGI will earn each client's confidence each and every day by understanding their goals, honoring our commitments, protecting their investment and operating with their best interests in mind.

... value in every decision.

Each CGI team member finds satisfaction in solving difficult problems and delivering high-quality work to keep your project within the time and budget guidelines.

*... efficiency you care about
performance you need.*

- Reducing change order requests from the contractor.
- Facilitating collaboration between architects, engineers, and contractors to solve complex issues.
- Carefully managing scheduling issues to ensure the project is finished on or before the desired completion date.

320.632.1940

101 1st St. SE
Little Falls, MN 56345

ContegrityGroup.com

cgi



Cost Estimating...

Our cost estimating process is that all cost estimating is done in-house for all areas of work. Our in-house process reinforces the notion that the cost estimating will be done with the utmost of consideration. As construction managers we will ultimately be responsible for its' content and accuracy. We take pride in our estimates and the detail which accompanies them. It is essential the construction budget is established and maintained early on. Continually monitoring the budget throughout design phase to ensure the plans and specifications do not exceed the construction estimate is essential. Our ability to prepare detailed estimates stems from having retained historical cost data, as well as having an extensive background in commercial building. As an added benefit to our estimating procedures, we have hands on knowledge of virtually every discipline of construction.

Our initial methods and techniques for construction cost control begins with the bidding phase by packaging all of the various work scopes into a bid category so there remains no construction cost portions unknown or not covered by a contract. Covering each and every component of construction work with a trade contract insures the budget is established at the onset. With the early established budget, the only cost change that can then occur is with a construction change order. Our experience suggests that with our thorough review of construction documents during preconstruction phases and prior to bidding will minimize change orders.

Another cost control during construction has to do with conservatively managing general conditions cost items. In our scheduling of various construction tasks, we also take into consideration how the scheduled tasks may impact a corresponding cost to the general conditions budget [i.e. temporary enclosure, temporary heating , et.]. Obviously to control cost during construction, we must strive to stay on schedule and minimize the variably cost associated with the construction duration.

We keep and maintain up to date accounting records of all trade contractors, contracts, change orders, payments, lien waivers, performance and payment bonds, insurance certificates, safety policies and any other essentials. Budgets are updated monthly and provided with each month's payment composite which contains all items concerning cost and budget.

Division 08 - Doors & Windows									
	SD Qty	DD Qty	U/M	SD Unit Cost	DD Unit Cost	SD Amount	DD Amount		
Aluminum Windows/Doors									
Exterior Aluminum Punched Windows - Office Windows	6	6	ea	1,890.00	2,015.00	10,140.00	12,090.00		
Exterior Aluminum Punched Windows - Large Reception	20	1	ea	3.00	10,530.00	60.00	10,530.00		
Aluminum Entrance - Main Entry	370	200	sf	75.00	75.00	28,500.00	20,400.00		
Stairwell - Upper Window	125	0	sf	65.00	0.00	8,125.00	0.00		
Reception Window Frame-Sliding Trans Window	1	1	ls	2,500.00	2,500.00	2,500.00	2,500.00		
Alum Window-Walking Area	300	130	sf	65.00	65.00	19,500.00	8,450.00		
Alum Entrance Frame	200	200	sf	65.00	65.00	13,000.00	13,000.00		
Aluminum Doors	10	13	ea	1,800.00	1,800.00	18,000.00	23,400.00		
Handicap Operators	2	2	ea	4,200.00	4,200.00	8,400.00	8,400.00		
Aluminum Door Hardware	10	13	ea	1,200.00	1,200.00	12,000.00	15,600.00		
Glass and Glazing									
Interior door/sideglazing - allowance	100	100	sf	35.00	35.00	3,500.00	3,500.00		
STD Doors/Frames/Hardware									
Interior wood doors-Push	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior wood doors-Narrow Lite	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior wood doors-Full Glass	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior H&M Frame 3' 0"	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior H&M Frame 3' 6"	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior H&M Frame 4' 0"	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior H&M Frame 4' 6"	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior H&M Frame 5' 0"	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Interior H&M Frame 5' 6"	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Exterior Steel Doors - glazed	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Exterior Steel Doors - glazed	5	5	ea	500.00	500.00	2,500.00	2,500.00		
Hardware package	13	12	ea	500.00	500.00	6,500.00	6,000.00		
Division 8 Total						142,265.00	146,275.00		
Division 09 - Finishes									
	SD Qty	DD Qty	U/M	SD Unit Cost	DD Unit Cost	SD Amount	DD Amount		
Cyp bid steel stud 2-5/8" w/50" gyp both sides @ 15'	4,044	1,001	sf	7.00	7.00	28,308.00	10,007.00		
Cyp bid steel stud 2-5/8" w/50" gyp one side	0	238	sf	0.00	6.00	0.00	1,428.00		
Cyp bid steel stud 2-5/8" w/50" gyp both sides @ 2' 4"	0	200	sf	0.00	5.50	0.00	1,100.00		
Ext Cyp bid steel stud 2" w/50" gyp both sides @ 15'	1,348	2,000	sf	9.00	9.00	12,132.00	18,000.00		
Ext Cyp bid steel stud 2" w/50" sheetrock on sides	2,198	1,004	sf	14.50	14.50	31,871.00	14,558.00		
Finish Allowance	0	1	ls	0.00	50,000.00	0.00	50,000.00		
Cypsum Soffit	5	412	sf	0.00	18.00	0.00	7,416.00		
Cypsum Ceiling	0	81	sf	0.00	7.25	0.00	588.25		
Cypsum Bulkheads	0	24	sf	0.00	18.00	0.00	432.00		
Ceramic Tile - walls at 4' high	120	0	sf	17.50	0.00	2,100.00	0.00		
Porcelain Tile - walls at 4' high	0	130	sf	0.00	19.75	0.00	2,567.50		
Porcelain Tile Floors	94	91	sf	15.00	15.00	1,410.00	1,365.00		
Acoustical ceiling	3,631	3,600	sf	3.25	3.25	11,800.75	11,662.50		
Acoustical Ceiling Insulation	3,631	3,600	sf	1.00	1.00	3,631.00	3,600.00		
Carpet Tile & vinyl base	251	268	sf	45.00	45.00	11,295.00	12,060.00		
Walk-off Carpet	308	595	sf	33.00	33.00	10,164.00	19,545.00		
VCT & vinyl base	741	117	sf	4.00	4.00	2,964.00	468.00		
Slip Resistant VCT - Ramp	330	207	sf	4.95	4.95	1,633.50	1,023.15		
Terrazzo	630	972	sf	45.00	45.00	28,350.00	43,740.00		
Terrazzo Steps	108	108	sf	100.00	100.00	10,800.00	10,800.00		
Painting - Allowance	3,631	4,120	sf	3.00	3.00	10,993.00	12,360.00		
Division 9 Total						148,247.45	236,253.15		

delivering clear value



government project experience



project listing

Aitkin County Courthouse
Chisago Co Emergency Communications Center
Chisago County Jail & LEC
City of Flensburg Municipal Liquor Store
City of Lakeville Fire Station #4
City of Lakeville Heritage Center
City of Mora Municipal Liquor Store
Crow Wing County Land Services
Douglas County Courts
Douglas County Courts Holding
Douglas County Jail
Douglas County Public Works
Douglas County Health & Human Services
Douglas County Law Enforcement Center
Hubbard County Courthouse
Hubbard County Social Services
Itasca County Dispatch Center
Jackson Maintenance Facility
Jackson County Government Center
Kanabec County Jail
Lyon County Courthouse
Lyon County Jail
McLeod County Jail
Mille Lacs County Courts
Mille Lacs County Health & Human Services
Mille Lacs Historic Courthouse
Morrison County Historic Courthouse
Morrison County Public Works
Nicollet County Health & Human Services Building
Pennington County Justice Center
Pope County Government Center
Pope County Historic Courthouse
Pope County HRA Housing
Renville County Jail and Government Center
Renville County Health & Human Services
Renville County Historic Courthouse
Stevens County Government Center
Stevens County Law Enforcement Center
Todd County Health and Human Services
Todd County Historic Courthouse
Yellow Medicine County Government Center
Yellow Medicine County Justice Center
Winona County Health & Human Services



CGI ESTIMATING TEAM

Pete Filippi

Project Manager / Owner



Pete is a graduate of St. Cloud State University with a Bachelor of Science in Industrial Technology / Education. Pete has completed many government projects in the project manager capacity. Overall Pete has twenty years of experience in agency construction management, initially as on-site Project Supervisor and the past twenty years as a Project Manager. Prior to his career in construction management, Pete taught school and operated his own construction company for 5 years; it is here that he gained extensive hands-on construction trades experience that benefits each project he's associated. As a project manager and officer of the firm, Pete is currently handling the Pennington County Justice Center and Chisago County Jail and LEC.

Travis Fuechtmann

Project Manager / Owner



Having grown up in the construction business, Travis is a graduate of North Dakota State University with a Bachelor of Science in Construction Management, Construction Engineering, and Business Administration. Travis joined Contegrity Group, Inc. in 2008, as a Project Superintendent. Prior to this career move Travis was employed as a Field Engineer by a large multi-national global firm constructing very large commercial construction projects, and hospital/healthcare facilities. Travis's advancement to Project Manager at CGI was made in 2013. Currently handling the Mercer County Courthouse and Jail Addition in North Dakota and Heritage Living Center in Park Rapids, MN.

Larry Filippi

Project Manager / Owner



Larry is a graduate of Bemidji State University with a Bachelor of Science in Industrial Technology / Construction Management. Larry's construction career includes twenty-four (24) years' experience in agency construction management. His management experience has been in capacities ranging from on-site Project Supervisor, Project Manager and Contract Administrator and he has an in-depth knowledge in all areas of construction management. Currently, Larry is the Project Manager for the McLeod County Secure Entry and Jail Expansion project in Glencoe, MN and the Lyon County Courthouse Addition project in Marshall, MN.

ATTACHMENT "A"

EXAMPLE: LONG-TERM FACILITY PLAN

Baxter Elementary School
Facilities Evaluation

12

		Priority			
		<u>Cost</u>	<u>Imm.</u>	<u>5 Yr.</u>	<u>10 Yr.</u>
(26)	Site access/drop-off is improved, however concrete barriers are unsightly. (Paint or eventually remove)	N/A			

Building Interior

General Items:

Upgrades to power and technology requirements are needed (See Electrical Comments).

Improvements to air circulation are needed (See Mechanical Comments).

Gym cannot meet the needed requirements of space for the school (See Educational Comments).

Classrooms and support spaces undersized.

Storage space has been turned into instructional space, making storage very limited.

Add window shades to north side of building, already done on south side.

Specific Comments: () indicates drawing reference

			Priority			
			<u>Cost</u>	<u>Imm.</u>	<u>5 Yr.</u>	<u>10 Yr.</u>
(27)	Review possible roof leak in vestibule, repair.	\$2,000	x	--	--	--
(28)	Build gypsum board chase around 8" pipe in vestibule.	\$2,000	--	x	--	--
(29)	Acoustics and air circulation are very poor in this area, very low ceilings, replace ceiling, add windows/skylights.	\$15,000	--	x	--	--
(30)	Repair vinyl base in gymnasium.	\$2,000	x	--	--	--
(31)	Replace vinyl asbestos floor tile in west classroom corridor.	\$10,000	--	x	--	--
(32)	Replace toilet partitions.	\$6,000	x	--	--	--
(33)	Corridors need upgrading; new ceilings, soffits to enclose utilities, painting, etc.	\$25,000	--	x	--	--
(34)	Update finishes in kitchen.	\$10,000	--	x	--	--
(35)	Cafeteria is loud, add acoustic panels.	\$5,000	x	--	--	--

Mechanical Report

Mechanical Systems

Plumbing:

		Priority			
		<u>Cost</u>	<u>Imm.</u>	<u>5 Yr.</u>	<u>10 Yr.</u>
(1)	Galvanized domestic water piping is scaled, causing reduced flow and pressure in 1955 and 1957 additions.	\$60,000	--	x	--
(2)	Auto-flush valves are needed on the urinals of boys' restrooms.	\$3,000	x	--	--
(3)	Lavatories and faucets need replacement and upgrade.	\$15,000	--	x	--
(4)	The 750 gallon hot water storage tank needs replacement with a smaller tank.	\$3,000	--	x	--

Fire Protection:

Since the facility is fully sprinkled with an independent service from the City main, there are no improvement items to prioritize.

Heating:

Two (2) 1955 Kewanee steam boilers operating at 3-5 psi steam.

		<u>Priority</u>			
		<u>Cost</u>	<u>Imm.</u>	<u>5 Yr.</u>	<u>10 Yr</u>
(1)	Burners have been upgraded in 1995 and are in good operating condition. One (1) 1,620 MBH gas or oil. One (1) 1,970 MBH gas only.	\$10,000	--	--	x
(2)	Steam and condensate serves all of the facility, except the 1989 Addition, which is hot water. All steam and condensate piping is original threaded pipe with cast iron fittings. (1955)	\$520,000	--	x	--



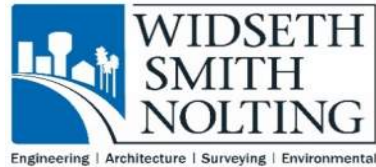
ATTACHMENT "B" **EXAMPLE: BUILDING MAINTENANCE SCHEDULE**

Facility Evaluation Studies Pillager School District #116					3/16/16		
Exterior	Item	Area of Review	Required Maintenance	Frequency for review	Notes:		
Windows & Curtain Wall(s)							
	Caulking	check for proper bond & cracking	recaulk small areas	annually - Fall	large areas accumulating over an extended period of time should be recaulked by a caulking contractor		
	Glazing gaskets	check for leaking	notify qualified glass company for repair				
		check for broken thermal seal on glazing units	notify qualified glass company for repair				
		other...					
Doors & Frames							
	Caulking	check for proper bond & cracking	recaulk small areas	annually - Fall	large areas accumulating over an extended period of time should be recaulked by a caulking contractor		
	Weatherstripping	check for wear and/or displacement	notify qualified glass company for repair				
	Glazing gaskets	check for broken seal on glazing units	notify qualified glass company for repair				
	Hardware	proper latching, functioning, loose fasteners					
		other...					
Masonry							
	Brick	cracking/spalling		annually - Spring	repairs should be completed by competent contractor		
	Concrete block	cracked block					
	Control joints	check for proper bond & cracking					
	Mortar joints	eroded, cracking					
		other...					
Roofing							
	Edges	look at seams for tears, bond breaks		Spring & Fall	repairs should be completed by competent contractor		
	Main field	look for debris, blocked roof drains	clear blocked drains				
	Mechanical units	check curbs for secured flashing					
	Roof edge flashing	look for loose areas, missing splice caps					
		other...					

ATTACHMENT "C"

FACILITIES ASSESSMENT FOR THE CITY OF BRAINERD - RFP

WORK PLAN
10/11/2017



BRAINERD
MINNESOTA

[illegible]

Scope of Work Analysis
10/11/2017



BRAINERD
MINNESOTA

BUILDING		SITE VISIT					LONG-TERM FACILITY STUDY					TOTAL	WSN		TOTAL	CGI		
		WSN DISCIPLINES					BUILDING MAINTENANCE SCHEDULE					WSN	STAFF		CGI	STAFF		
		STAFF HOURS					STAFF HOURS					STAFF	HOURLY	SUB	STAFF	HOURLY	SUB	
		A	S	C	M	E	A	S	C	M	E	HOURS	RATE	TOTAL	HOURS	HOURLY	TOTAL	TOTAL
CITY HALL		8	4	1	8	4	16	4	2	12	8	67	\$120.00	\$8,040.00	8	\$80.00	\$640.00	\$8,680.00
CITY HALL ANNEX		2	2	1	2	2	12	2	2	2	2	29	\$120.00	\$3,480.00	6	\$80.00	\$480.00	\$3,960.00
MAIN FIRE STATION		3	2	1	3	2	12	2	2	4	2	33	\$120.00	\$3,960.00	4	\$80.00	\$320.00	\$4,280.00
NORTH FIRE STATION		3	2	1	2	2	12	2	2	4	2	32	\$120.00	\$3,840.00	4	\$80.00	\$320.00	\$4,160.00
STREET & SEWER DEPARTMENT		4	3	2	4	2	16	2	4	8	8	53	\$120.00	\$6,360.00	4	\$80.00	\$320.00	\$6,680.00
LIBRARY		3	2	2	3	2	16	2	2	6	6	44	\$120.00	\$5,280.00	6	\$80.00	\$480.00	\$5,760.00
POLICE STATION		4	2	2	4	2	16	2	2	12	8	54	\$120.00	\$6,480.00	8	\$80.00	\$640.00	\$7,120.00
PARKS DEPARTMENT		3	2	2	2	2	12	2	2	4	4	35	\$120.00	\$4,200.00	8	\$80.00	\$640.00	\$4,840.00
PARKS																		
	GREGORY PARK	2	1	1	1	1	6	2	2	2	2	20	\$120.00	\$2,400.00	4	\$80.00	\$320.00	\$2,720.00
	LUM	3	2	2	2	2	8	2	2	2	2	27	\$120.00	\$3,240.00	6	\$80.00	\$480.00	\$3,720.00
	BANE	1	1	1	1	1	4	2	2	2	2	17	\$120.00	\$2,040.00	4	\$80.00	\$320.00	\$2,360.00
	BUFFALO HILLS	1	1	1	1	1	4	2	2	2	2	17	\$120.00	\$2,040.00	4	\$80.00	\$320.00	\$2,360.00
	JAYCEES	1	1	1	1	1	4	2	2	2	2	17	\$120.00	\$2,040.00	3	\$80.00	\$240.00	\$2,280.00
	KIWANIS	1	1	1	1	1	6	2	2	2	2	19	\$120.00	\$2,280.00	3	\$80.00	\$240.00	\$2,520.00
	MEMORIAL	1	1	1	1	1	4	2	2	2	2	17	\$120.00	\$2,040.00	3	\$80.00	\$240.00	\$2,280.00
	MILL	3	2	2	2	2	6	2	2	2	2	25	\$120.00	\$3,000.00	3	\$80.00	\$240.00	\$3,240.00
	GUSTUFSAN	1	1	1	1	1	4	2	2	2	2	17	\$120.00	\$2,040.00	3	\$80.00	\$240.00	\$2,280.00
	BUSTER DOG PARK	0	0	1	0	0	1	0	1	0	0	3	\$120.00	\$360.00	3	\$80.00	\$240.00	\$600.00
TOTAL		44	30	24	39	29	159	36	37	70	58	526		\$63,120.00	84		\$6,720.00	\$69,840.00

MEETINGS	TOTAL	TOTAL	TOTAL	WSN		TOTAL	CGI		
	NUMBER	WSN	WSN	STAFF		CGI	STAFF		
	OF	HOURS/	STAFF	HOURLY	SUB	STAFF	HOURLY	SUB	
	MEETINGS	MEETING	HOURS	RATE	TOTAL	HOURS	HOURLY	TOTAL	TOTAL
QUARTERLY CITY COUNCIL REPORTS	4	2	8	\$120.00	\$960.00	8	\$80.00	\$640.00	\$1,600.00
PRELIMINARY LONG-TERM FACILITY STUDY REVIEW WITH CITY COUNCIL COMMITTEE	1	2	2	\$120.00	\$240.00	2	\$80.00	\$160.00	\$400.00
PRELIMINARY BUILDING MAINTENANCE SCHEDULE REVIEW WITH CITY COUNCIL COMMITTEE	1	2	2	\$120.00	\$240.00	0	\$80.00	\$0.00	\$240.00
PRELIMINARY PROBABLE COSTS MEETING WITH CITY COUNCIL COMMITTEE	1	2	2	\$120.00	\$240.00	2	\$80.00	\$160.00	\$400.00
CITY ADMINISTRATION MEETINGS	4	2	8	\$120.00	\$960.00	8	\$80.00	\$640.00	\$1,600.00
CITY STAFF MEETING	2	2	4	\$120.00	\$480.00	0	\$80.00	\$0.00	\$480.00
DEPARTMENT HEAD MEETINGS	12	2	24	\$120.00	\$2,880.00	0	\$80.00	\$0.00	\$2,880.00
FINAL PRESENTATION TO CITY COUNCIL	1	1	1	\$120.00	\$120.00	1	\$80.00	\$80.00	\$200.00
TOTAL	26	15	51		\$6,120.00	21		\$1,680.00	\$7,800.00

TOTAL PROJECT	\$77,640.00
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**Baxter/Brainerd Office**

7804 Industrial Park Road
PO Box 2720
Baxter, MN 56425-2720

Mike Angland, AIA

Architect/Project Manager
218.316.3608
Mike.Angland@wsn.us.com

WSN Office Locations

Alexandria
Bemidji
Brainerd
Crookston
East Grand Forks
Grand Forks
Red Wing
Rochester

WidsethSmithNolting.com

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

October 16, 2017
City Council Chambers
7:00 PM

1. Downtown Snow Removal Bids
2. Event/Street Closure Application – St. Francis School Marathon
3. Local Road Improvement Program Grant Opportunity – Authorization to Apply for Grant
4. Tax Forfeit Non-Conservation Parcels



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Downtown Snow Removal Bids

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy, City Engineer	Department: Engineering
Presenter (Name & Title): Paul Sandy, City Engineer	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is the bids that were received for the 2017-2018 Downtown Snow Removal	
Alternatives, Options, Effects on Others/Comments: The bids we solicit are based upon a base 4" snowfall on the streets and sidewalks an a price for each additional inch after that 4". We base our weather data off of NOAA so that accurate snow amounts can be obtained and agreed to. I have also attached previous years bids, which were also submitted by Tom's Backhoe Service. As you can see from previous years bids, the base 4" snowfall from 14'/15' compared to 15'/16' raised approximately 10%, with 15'/16' compared to 16'/17' raised approximately 2.5%. The base 4" snowfall costs for the 16'/17' bids compared to the 17'/18' bids received correlates to approximately a 5.0% increase. It is still concerning that the City is only receiving one bid for this service. However, staff still feels this is an important service to the downtown business owners and is a service that could not be accomplished by City forces after a large snow event.	
Recommended Action/Motion: Staff recommends accepting the bids for the 17'/18' downtown snow removal and awarding the contract to Tom's Backhoe Service. Staff will be pursue researching the issue of not receiving more bids for this service by sending out a simple questionnaire for the contractors to complete before next year's bids are solicited.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>There is an expense of \$30,000 in the budget for 2017.</i> <i>Please Explain:</i>	



Brainerd City Council Agenda Request

SPW #3
Agenda Item #

Requested Meeting Date: November 16, 2015

Title of Item: 2015-2016 Downtown Snow Removal Bids

☐ 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: Jeff Hulsether	Department: Engineering
Presenter (Name & Title): Jeff Hulsether	Estimated Time Needed: 5 minutes
Summary of Issue: Bids were requested for the 2015-2016 downtown snow removal from 6 local contractors and were returnable by 10:00 a.m., Tuesday, November 10th. Only one bid was received, that being from Tom's Backhoe Service. The bid sheet is attached.	
Alternatives, Options, Effects on Others/Comments: The unit prices bid represent an increase over last year's unit prices of about 10%. The base bid for 4 inches of snow is \$5,555.00 compared to \$5,050.00 last year and price for each additional inch of snow is \$1,485.00 compared to \$1,350.00 last year.	
Recommended Action/Motion: Staff is disappointed that a competing bid was not received and that the single bid represents a 10% increase in unit prices over last year's price, but staff is recommending that the bid from Tom's Backhoe Service be accepted based on the importance of the service to downtown.	
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> There is an expense of \$30,000 in the proposed budget for 2016	

CITY OF BRAINERD
15-16 DOWNTOWN SNOW REMOVAL
FORM OF PROPOSAL

DESCRIPTION	UNIT	UNIT PRICE
STREETS, ALLEYS, PARKING LOTS (4" BASE)	LUMP SUM	4510.00
STREETS, ALLEYS, PARKING LOTS (EACH ADDITIONAL INCH)	INCH	1265.00
SIDEWALKS (4" BASE)	LUMP SUM	1045.00
SIDEWALKS (EACH ADDITIONAL INCH)	INCH	220.00

This proposal dated this 9 day of November, 2015

Signed Kathy Hays

Tom's Backhoe Service, Inc
323 Woodland Hills Ln
Brainerd MN 56401

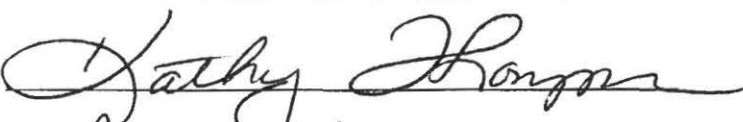
218-828-4232

CITY OF BRAINERD
16-17 DOWNTOWN SNOW REMOVAL
FORM OF PROPOSAL

DESCRIPTION	UNIT	UNIT PRICE
STREETS, ALLEYS, PARKING LOTS (4" BASE)	LUMP SUM	4,622.75
STREETS, ALLEYS, PARKING LOTS (EACH ADDITIONAL INCH)	INCH	1,296.62
SIDEWALKS (4" BASE)	LUMP SUM	1,071.12
SIDEWALKS (EACH ADDITIONAL INCH)	INCH	225.50

This proposal dated this 1st day of NOV, 2016

Signed


President

Tom's Backhoe Service, Inc
323 Woodland Hills Ln
Brainerd MN 56401

218-828-4232

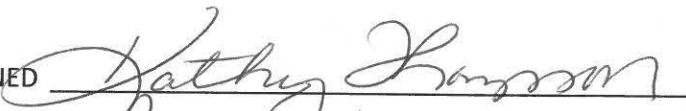
CITY OF BRAINERD

2017 - 2018 DOWNTOWN SNOW REMOVAL

FORM OF PROPOSAL

DESCRIPTION	UNIT	UNIT PRICE
STREETS, ALLEYS, PARKING LOTS (4" BASE)	LUMP SUM	4,853.88
STREETS, ALLEYS, PARKING LOTS (EACH ADDITIONAL INCH)	INCH	1,361.45
SIDEWALKS (4" BASE)	LUMP SUM	1,124.67
SIDEWALKS (EACH ADDITIONAL INCH)	INCH	236.77

THIS PROPOSAL DATED THIS ^{6th} October DAY OF October, 2017.

SIGNED 
TITLE President

Tom's BACKhoe Service, Inc
323 Woodland Hills Ln
Brainerd MN 56401
218-828-4232



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Event/Street Closure Application - St. Francis School Marathon

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy, City Engineer	Department: Engineering
Presenter (Name & Title): Paul Sandy, City Engineer	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is an event/street closure application for the St. Francis School Marathon, to be held on Wednesday, October 18, 2017 from 9:30 am to 12:30 pm.	
Alternatives, Options, Effects on Others/Comments: The applicant proposes to use Juniper Street, N 10th Street, Kingwood Street, and N 9th Street. During the time of the event, preschool - 4th graders will bike, walk, and run in the marathon. This is an annual fundraiser for St. Francis School.	
Recommended Action/Motion: Staff would recommend authorization of the street closure with the conditions that the applicant organize the traffic control needed with street department personnel and engineering staff.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Street Closure, Special Event And Festival Application

Brainerd, Minnesota

Thank you for your interest in organizing a special event in Brainerd. The City is home to numerous cultural, community, and recreational events. These events are integral to our sense of community, and they play an important economic role by increasing tourism, generating downtown foot traffic, and fostering a festive atmosphere within the City. We look forward to working with you to help make your event a success.

All special events and festivals that require significant logistics planning between City departments or are requesting a street closure must submit this application to the City Administrator's Office at least thirty (30) days prior to the event. Event planners are encouraged to submit their applications as early as possible. City Council must approve all street closure requests, and additional licenses and permits may also be required, as outlined in part III of this application.

For questions, please contact the City of Brainerd Engineering Office at:

501 Laurel Street
Brainerd, MN 56401
Phone: (219) 828-2309
Email: engineering@ci.brainerd.mn.us

Application for a Street Closure, Special Event and Festival Permit

PART I: GENERAL INFORMATION

Name of the event: Saint Francis School Marathon
Date(s) of the event: Wednesday - October 18, 2017
Time of event (setup to breakdown): 9:30 a.m. - 12:30 p.m.
Location: Saint Francis School
Estimated number of attendees: 225

Organizer Information

Organizer's name (Please print): Deb Euteneuer
Organizer's address: 817 Juniper Street
Event contact person: Deb Euteneuer
Event contact daytime phone number: (h) _____ (w) ²¹⁸⁻⁸²⁹⁻²³⁴⁴ _____ (c) ²¹⁸⁻⁸²⁰⁻³⁵⁵⁷ _____
Event contact persons e-mail address: Deb.Euteneuer@sf-school.org
Contact name and phone number to be used on the day of the event:
(h) _____ (w) ²¹⁸⁻⁸²⁹⁻²³⁴⁴ _____ (c) ²¹⁸⁻⁸²⁰⁻³⁵⁵⁷ _____
For Profit/Nonprofit status (type): non profit - school

Applicant Information, if different from the event organizer:

Applicant name (Please print): Maria Prozinski
Applicant address: 817 Juniper Street - Brainerd, MN 56401
Applicant's telephone number (h) _____ (w) ²¹⁸⁻⁸²²⁻⁴⁰⁴⁰ _____ (c) ⁷²⁷⁻⁴²²⁻⁶⁶¹⁹ _____
Event contact e-mail address: mprozinski@blccnorth.org

Description of Activities

Brief description of the activities planned during the event: _____

preschool through 4th grade students will bike, walk and run during the Marathon. It is an annual fundraiser for the school.

If a parade, please describe the proposed route with the assembly and dispersal locations and attach a map: _____

Site Information

Electrical usage?

Yes ☐ No ☐

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

Amplified sound?

Yes ☐ No ☐

Description of any recording and sound amplification equipment to be used in your event and the times: _____

Restrooms provided?

Yes ☒ No ☐ How many? _____

A ratio of 1 restroom for every 100-150 people is recommended.

Company contracted for restrooms: _____

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

Sign, banners, and posters/flyers?

Yes ☐ No ☐

Locations and descriptions: _____

Trash Disposal?

Yes ☐ No ☒

Company contracted for trash disposal: _____

Event Layout and Street Site Map

Yes ☐ No ☐

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

Area Notification

Please describe your plans to notify property owners, tenants, and/or businesses within 300 feet of the event or festival site prior to City Council meeting.

We plan to notify neighbors by distributing flyers before the event.

PART II: STREET CLOSURE REQUEST

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

Throughout all events, businesses should be reasonably accessible to the general public. If a business’s entrance is blocked by the event layout, then accommodations such as signage, handbills, or similar methods should be made available to mitigate the impact on customer access. If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the road of the proposed closure. All street closures must be approved by City Council.

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

Around the block consisting of 9th and Juniper to 10th and Juniper, down to 10th and Kingwood

to 9th and Kingwood, back up to 9th and Juniper

Time and date for beginning of street closures: 9:30 a.m.

Time and date for reopening of streets: 12:30 p.m.

Please describe your plans to notify property owners, tenants, and/or businesses along the affected route of the proposed street closure within 300 feet prior to City Council meeting. The City will supply you with a Notice of Hearing flyer to use in notification that lists the necessary information.

We will distribute flyers to residents and businesses in the area.

Failure to notify property owners and tenants in street closure areas will result in revocation of street closure permit.

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

PART III: CONTACTS, PERMITS, AND FEES CHECKLIST

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

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

Contact Information:

Administrator's Office:	(218) 828-2307 E-MAIL admin@ci.brainerd.mn.us
Engineering Department:	(218) 828-2309 E-MAIL engineer@ci.brainerd.mn.us
Commissioner of Revenue:	(651) 282-5225 E-MAIL www.taxes.state.mn.us
Parks and Rec. Department:	(218) 828-2320 E-MAIL parks@ci.brainerd.mn.us
Planning Department:	(218) 828-2309 E-MAIL planning@ci.brainerd.mn.us
Police Department:	(218) 829-2805 E-MAIL police@ci.brainerd.mn.us
MN Department of Health	(320) 223-7300 E-Mail www.health.state.mn.us
MNDOT – Baxter Office	(218) 828-5700 E-Mail www.dot.state.mn.us

PART IV: HOLD HARMLESS AGREEMENT AND INSURANCE INFORMATION

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

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

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

PART V: SIGNATURE OF EVENT APPLICANT

I attest that the above information is true and accurate and I have signed this application on behalf of the Applicant. I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.

Signature of the Event Applicant

Maria Prozinski

PRINT NAME

Development Director

Event Applicant Title

October 4, 2017

Date submitted to the City

PART VI: FOR OFFICIAL USE ONLY

Departmental Sign-Offs Required

	Approval Date/Initials	Comments
Brainerd Public Utilities	Ok - 10/9	None
City Administration	Ok - 10/9	None
Engineering Depart.	Ok - 10/9	Organize Traffic Control with Street Department
Fire Department	Ok - 10/9	None
Fire Support/EMS	Ok - 10/9	None
Parks and Recreation	Ok - 10/9	None
Planning Department	Ok - 10/10	None
Police Department	Ok - 10/9	None

Certification of Street Closure Approval

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

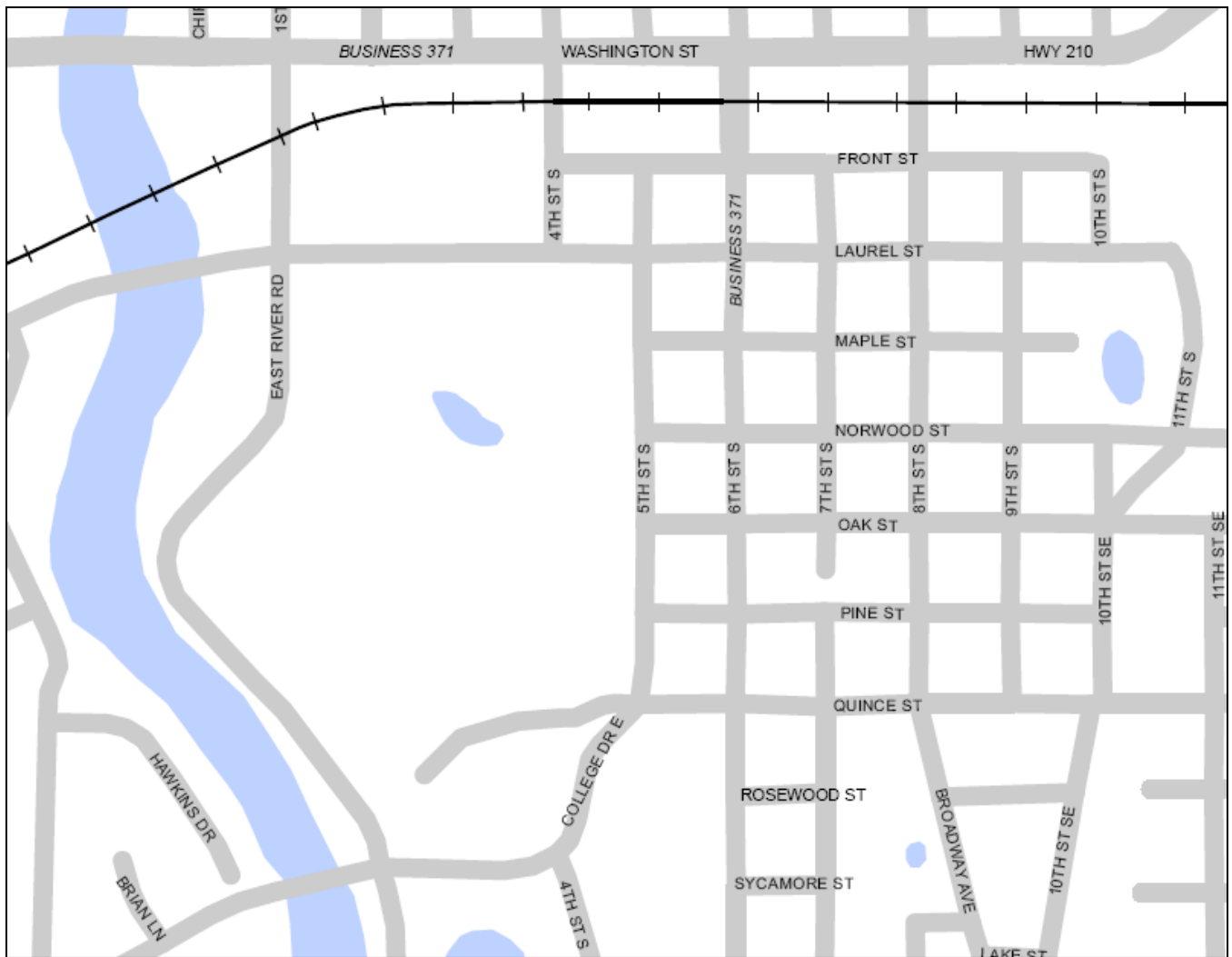
Special Event/Festival Application and Permit Approval

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

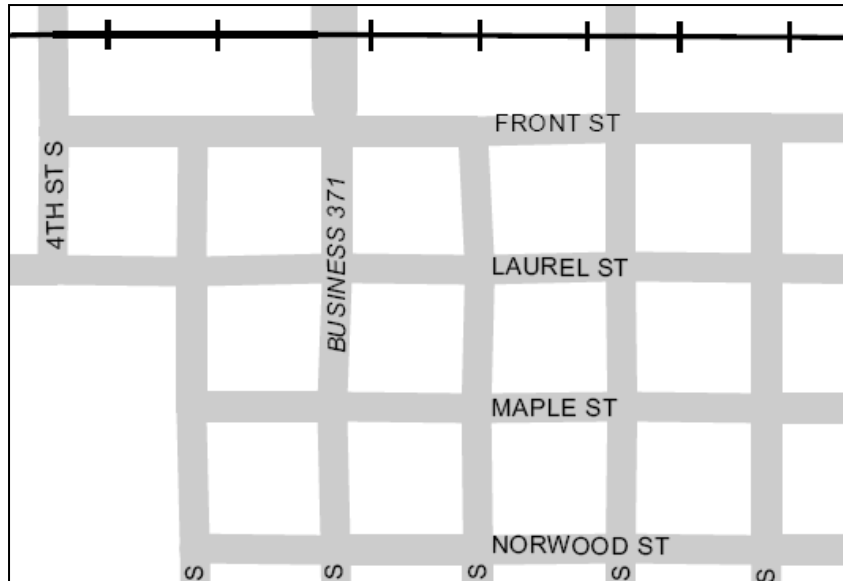
City Administrator

Date

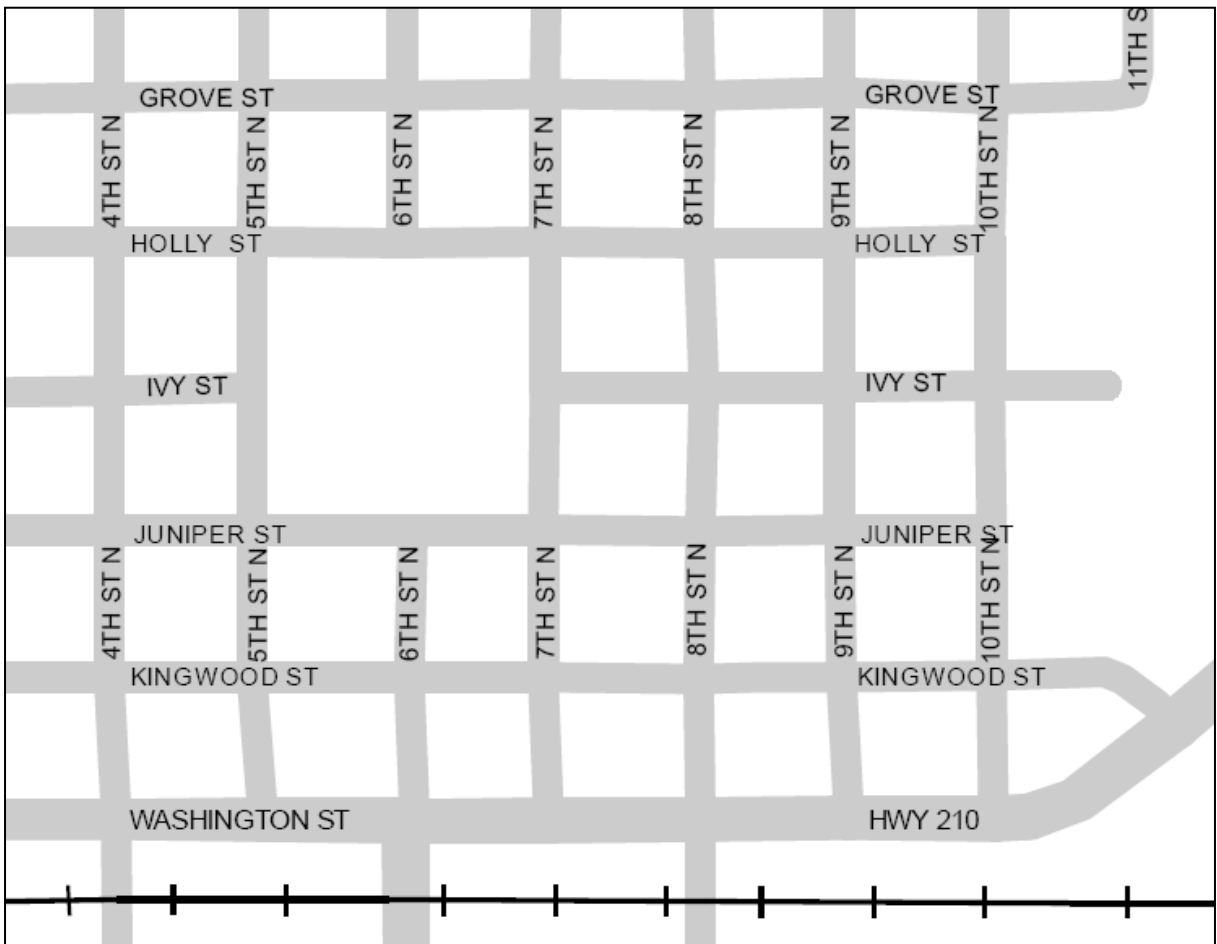
Commonly Used Maps



Historic Downtown



Gregory Park





Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Request for Authorization to Apply for LRIP Funds

- ☐ INFORMATION ONLY
☐ CONSENT AGENDA
☐ P&F COMMITTEE
☐ SPW COMMITTEE
☒ MAIN AGENDA

Action Requested:



Approve/Deny
Motion



Adopt
Resolution
(attach draft)



Direction Requested



Discussion Item



Hold Public Hearing*



Ordinance 1st Reading

**provide copy of published hearing notice*

Submitted by:

Paul Sandy, City Engineer

Department:

Engineering

Presenter (Name & Title):

Paul Sandy, City Engineer

Estimated Time Needed:

5 Minutes

Summary of Issue:

Please see the attached memo, resolution, and solicitation packet for the 2017 solicitation and application for Local Road Improvement Program funding.

Alternatives, Options, Effects on Others/Comments:

See the attached memo.

Recommended Action/Motion:

Staff would recommend authorizing staff to submit an LRIP application to the State of Minnesota for the NW 4th Street (CSAH 20) Corridor Improvements for construction year 2020 and adopting the attached resolution supporting the pursuit of LRIP funds and Crow Wing County acting as the project sponsor.

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:



MEMO

TO: Safety and Public Works Committee

FROM: Paul Sandy, City Engineer

DATE: October 11, 2017

SUBJECT: Request to Apply for Grant from the State of Minnesota, Local Road Improvement Program

As the committee is aware, City staff with the help of Crow Wing County staff have been working with Bolton and Menk to complete a traffic study on the NW 4th Street (CSAH 20) corridor to evaluate traffic patterns, future traffic growth and document crash histories at the James Street and Jackson Street intersections. The study will also be determining what the best alternatives to solve the safety issues that currently exist within the corridor along with ways to fix the queueing that occurs in the southbound lanes on NW 4th Street at the intersection of TH 210.

Preliminary findings from the study have provided some insight on what the corridor may look like if successful safety modifications were made. The findings have suggested that both the Jackson Street and James Street intersections are above the statewide accepted averages for crash rates, with James Street being the higher crash rate of the two. Bolton and Menk will be finishing up the traffic study sometime in the next few weeks, and with the study will come recommended typical section improvements between TH 210 and Jackson Street, cost estimates, crash reduction analysis from the improvements and improved access to businesses and the undeveloped land to the east of NW 4th Street.

With this information, staff has been in contact with Crow Wing County about applying for a Local Road Improvement Program Grant administered by the Minnesota Department of Transportation. LRIP makes available up to \$1,000,000 to apply towards a project on local roads that are regionally significant, result in safety improvements, address transportation deficiencies, and spurs economic development in the region. There is approximately \$25.3 million available for the state-wide solicitation to fund projects. Staff believes that this project fits the mold of LRIP perfectly. In this specific scenario, the City of Brainerd would be the applicant with approval from the roadway authority, that being Crow Wing County. The resolution attached authorizes staff to apply for the grant and seeks for a resolution of support from the Crow Wing County Board to act as Sponsor for the City of Brainerd's LRIP funding application. The resolution provides assurance to the State of Minnesota, that is funding for the project is

provided, the City will pay all costs exceeding the grant amount for the project with participation from Crow Wing County. On a staff level, we have spoken the staff at Crow Wing County about funding splits, and we feel that if the project was awarded LRIP funding, the rest of the project expenses would follow very closely to other projects we have done with our partners and there would be a cost share agreement involved.

Preliminary costs for the project will be made available to City staff by Bolton and Menk on Friday after the packet is constructed. These costs would include the preferred alternative of installing a roundabout at Jackson Street, extending a median from the TH 210 intersection down to the roundabout to provide only right-in/right-out access to NW 4th Street from James Street, the change to one northbound receiving lane on NW 4th Street, the addition of one southbound left turn lane to assist with queueing at the intersection of TH 210, and a minor signal revision to the TH 210 light to cover the additional left turn lane. The estimate also includes a separated trail on the east side of NW 4th down to Jackson Street to connect the TH 210 corridor. This connection is also a part of the Walkable/Bikeable Plan. Staff has a meeting on Friday with Bolton and Menk staff to discuss preliminary costs of the project. Staff will inform council of the costs at the meeting. Staff has discussed with Crow Wing County on when both jurisdictions could fit a project into their CIP, and agreed that 2020 would be a good year to try to complete the project. LRIP allows the funding to be used in 2018, 2019, or 2020. It is not anticipated that much ROW acquisition would need to occur, but Bolton and Menk is actively trying to put the concepts together to minimize the impacts. It is likely that staff would pursue the use of RFP and consultants for a project like this, if it was to get funded and with County approval.

Staff feels this is a great opportunity to get a large portion of a project funded in 2020. The safety improvements and improvements to queueing length will be a great benefit to the public travelling this corridor daily. If we continue to work with our partners at the County, I think that this project could be a great improvement to a very important and regionally significant route.

If the committee and council agree about this opportunity, I have attached a resolution to submit the grant application by the November 3rd deadline. I have also attached the LRIP solicitation guide to review if members of the committee or council are interested.

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

**A RESOLUTION SUPPORTING PURSUIT OF 2017 LOCAL ROAD IMPROVEMENT PROGRAM
FUNDING FROM MNDOT FOR THE NW 4TH STREET (CSAH 20) CORRIDOR IMPROVEMENTS
PROJECT**

WHEREAS, the NW 4th Street (CSAH 20) Corridor Improvements Project includes the existing NW 4th Street (CSAH 20) corridor from TH 210 (W Washington Street) to Jackson Street within the City of Brainerd, and

WHEREAS, the existing NW 4th Street (CSAH 20) road segment was constructed in 2003 and is now in poor structural condition due to consistent heavy use as it serves as a regional connection to TH 210 (Washington Street) and the adjacent business and commercial area, and

WHEREAS, the existing geometry and signal timing at the intersection of NW 4th Street (CSAH 20) and TH 210 (Washington Street) results in southbound traffic queues on NW 4th Street (CSAH 20) backing through James Street, and

WHEREAS, the NW 4th Street (CSAH 20) Corridor Improvements Project will modify the existing typical section by altering lane assignments and improving signal operations at the intersection with TH 210 (Washington Street), and

WHEREAS, the NW 4th Street (CSAH 20) Corridor Improvements Project provides the opportunity to construct trail adjacent to the roadway and provide pedestrian, bicycle, and streetscape amenities where none exist today, while connecting into the existing pedestrian system along TH 210 (Washington Street) and south along NW 4th Street to the Paul Bunyan State Trail, and

WHEREAS, current geometry and traffic congestion result in the crash rates at the intersections of NW 4th Street (CSAH 20) with James Street and Jackson Street that exceed the statewide averages, and this project will improve the safety of these intersection with proven geometric crash reductions measures, and

WHEREAS, the NW 4th Street (CSAH 20) Corridor Improvements Project will provide improved access at Jackson Street, supporting planned commercial and business development areas east of NW 4th Street (CSAH 20), and

WHEREAS, the Local Road Improvement Program (LRIP) administered by the Minnesota Department of Transportation makes available up to \$1,000,000 to apply towards projects on local roads that are regionally significant, result in safety improvements, and address transportation deficiencies, and

WHEREAS, the Local Road Improvement Program (LRIP) requires a State Aid city, such as Brainerd, to be the applicant with approval from the entity holding jurisdiction of the roadway, Crow Wing County.

WHEREAS, the proposed year for said project construction is 2020.

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

1. The City Council hereby supports the reconstruction and upgrade of the existing NW 4th Street (CSAH 20) corridor from TH 210 (W Washington Street) to Jackson Street within the City of Brainerd, and
2. The City Council hereby supports the City's pursuit of Local Road Improvement Program (LRIP) funding and authorizes staff to prepare and submit such application, and
3. The City Council hereby seeks the support by resolution of Crow Wing County to act as Sponsor for the City of Brainerd's Local Road Improvement Program funding application and the associated project for the reconstruction of NW 4th Street (CSAH 20), and furthermore the City Council hereby provides assurance that the City of Brainerd will pay all costs associated with the project (with participation from Crow Wing County) and that city staff will ensure that all aspects of LRIP funding requirements are met and the project's schedule is adhered to.

Adopted this _____ day of _____, 201__

DAVID J. PRITSCHET
President of the Council

Approved this _____ day of _____, 201__

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator

Local Road Improvement Program Solicitation Guide

August 2017



Prepared by

The Minnesota Department of Transportation
395 John Ireland Boulevard
Saint Paul, Minnesota 55155-1899

Phone: 651-296-3000

Toll-Free: 1-800-657-3774

TTY, Voice or ASCII: 1-800-627-3529

To request this document in an alternative format

Please call 651-366-4718 or 1-800-657-3774 (Greater Minnesota). You may also send an email to ADArequest.dot@state.mn.us.

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Local Road Improvement Program Solicitation Overview

In 2017, the Minnesota Legislature appropriated bond funds to The Local Roads Improvement Program established in [Minnesota Statute 174.52](#). Approximately \$25.3 million is available for a statewide solicitation to fund projects in the Routes of Regional Significance Account, the Rural Road Safety Account or Trunk Highway Account.

The Trunk Highway Corridor Account provide funds to assist in paying the local share of trunk highway projects with local costs related to the trunk highway improvement. For consideration under this account, a trunk highway project must be identified.

The Routes of Regional Significance Account provides funds for the costs of constructing or reconstructing city streets, county highways, or town roads with statewide or regional significance.

The Rural Road Safety Account funds capital improvement projects on County State Aid Highways (CSAH) that are intended primarily to reduce traffic crashes, deaths, injuries, and property damages.

The Minnesota Department of Transportation State Aid for Local Transportation Office administers the Local Roads Improvement Program with guidance from the [Local Road Improvement Program Advisory Committee](#). The process and criteria for prioritizing projects for the solicitation are established in the statute and recommended by the LRIP Advisory Committee.

In an effort to streamline the review process and announce awards earlier for communities this solicitation, there will be two separate deadlines. An earlier November 3rd deadline for the county and state aid city applicants and a later December 1st deadline for small cities and townships.

Projects selected from this solicitation will be constructed and reimbursed with state bond funds. For successful implementation and reimbursement of the awarded funds, applicants are required to follow the state aid project development process for bond projects. These steps include plan approval by their respective District State Aid Engineer and execution of a grant agreement with the state.

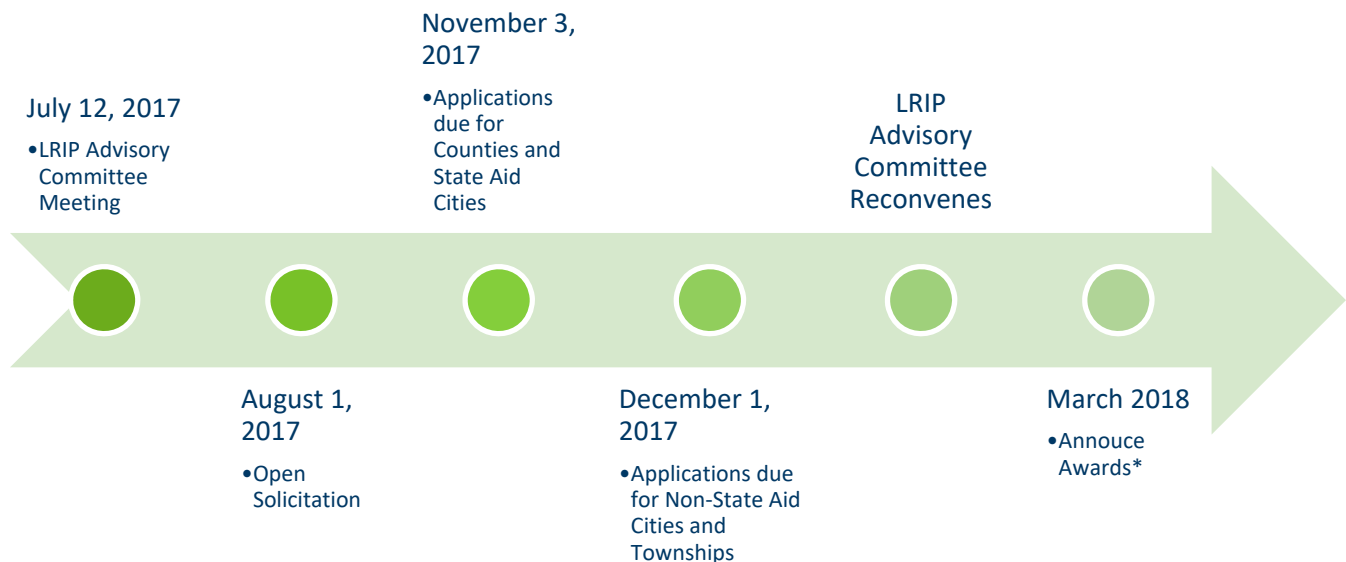
Funding

There is no minimum amount set but the maximum amount that may be requested vary depending on the road authority.

Road Authority	Minimum Request	Maximum Request
County	--	\$1,000,000
State Aid City (> 5,000)	--	\$1,000,000
Non State Aid City (< 5,000)	--	\$750,000
Township	--	\$750,000

The LRIP funds may be requested for the full construction cost of a project, up the maximum amount, or be leveraged with other funding sources on a project.

Solicitation Schedule



*Subject to change depending on the number of applications submitted and review time needed.

Project Selection

Project selection will consider geographical distribution and distribution among jurisdictions along with the following criteria:

- 1) Eligibility. The project must be a local road (street or highway) construction, reconstruction, or reconditioning project under one of the three accounts established in the LRIP.
Note: LRIP bond funds may not be used for stand-alone right-of-way acquisition, engineering, or enhancement projects (landscaping, trails, sidewalks, ADA improvements, etc.).
- 2) Safety. Address a transportation deficiency or improve safety on local roads.
- 3) Regionally Significant. Demonstrate the regional significance of the route by being classified as a minor collector or higher unless it meets one of the following criteria; a) identified in a regional plan as a farm-market artery, b) part of a 10-ton route system, c) part of an economic development plan, d) serves as a regional tourist destination, e) provides capacity or congestion relief to a parallel trunk highway or county road, and f) is a connection to the IRC system, trunk highway, or a county road.
- 4) Be supported by agency board or council and other local agencies impacted by the project.

Note: Cities that are not a State Aid city (populations less than 5,000) and townships must have County sponsor. The sponsor must have the support of the County Board. A city or township resolution in support of the project and a county board resolution for support and willingness to sponsor the project must be included in the application package. The sponsor's task could include but are not limited to:

- Be the fiscal agent on behalf of the community

- *Ensure the project meets milestones and dates*
- *Assist local agency in execution of a grant agreement*
- *Develop, review and approve the plan*
- *Submit plan, engineers estimate, and proposal to the DSAE*
- *Let the project*
- *Submit pay requests*
- *Communicate progress and updates with the DSAEs and State Aid Programs Engineer*
- *Assist with project close out*

5) Consider availability of other funding sources.

6) Be non-controversial.

Note: Projects should have minimum problems or issues that could delay the letting and construction such as right-of-way acquisition, railroad, and historical impacts.

7) Expected useful life. Have a minimum expected life of the project of 10 years.

8) High Impact. Provide letters of support from other local agencies or public/private parties impacted by the improvement. For example, letters of support from area businesses regarding the impact and benefit of constructing a road to a 10-ton design standard.

9) Projects must be approved for construction letting by **June 2020**. Preference will be given to projects in 2018 and 2019.

Application Overview

A copy of the application is attached in Appendix A for your reference. Use the guide below to for assistance in filling out the application. Please keep the descriptions clear and concise.

A. Applicant Information

1. Title. Use the drop box to select the appropriate prefix for the applicant. Options listed: Mr., Ms., or Mrs.
2. First Name. Provide the first name of the contact person at the agency applying for the funds. This person should be the project manager or sponsor for the project.
3. Last Name. The last name of the person at the agency applying for the funds.
4. Phone Number. The work phone number of the person at the agency applying for the funds.
5. E-mail. The work e-mail address of the person at the agency applying for the funds.
6. Agency. The name of the agency applying for the Local Road Improvement Program funds.
7. Agency Position. The position title or job title of the applicant.
8. Street Address. The number and street name of agency
9. Additional Address line.
10. City. The city where the agency is located.
11. State. The State where the agency is located.

12. Zip Code. The zip code where the agency is located.

13. County Sponsor (if applicable): Check yes if the applicant is a sponsor for a township or for a city with a population of 5,000 or less.

B. Project Location

1. MnDOT District. Select the [MnDOT District](#) that the project is within.

2. County. The County that the project is located within.

3. City. Provide the name of the city if a portion or the entire project is within the city limits.

4. Township. Provide the name of the township if a portion or the entire project is within the township borders.

Note: Cities that are not a State Aid city (populations less than 5,000) and townships must have a County sponsor.

5. Name of Road. Route number or name of the road (County State Aid Highway 5, Main Street S, etc.)

6. Type of Road. Select the type of street the project is on (County State Aid Highway, County Road, Municipal State Aid Street, Local Street, and Township Road)

7. Road Authority. If the road authority is not the agency applying for the fund, identify the agency with jurisdiction of the road the project is on.

8. Road Authority Name. If the road authority is not the applicant and agency applying, provide the name for the contact person from the road authority agency.

9. Project Termini -From. Provide a short description of the beginning location of the project.

10. Project Termini -To. Provide a short description of the ending location of the project.

C. Project Description

1. Type of Project. Select the type of work on this project. For consistency in use with State Aid Programs the definition of reconstruction and reconditioning are taken from the Local State-Aid Route Standards, Chapter 8820, for road projects.

Reconstruction – the replacement of an existing roadway on a similar alignment

Reconditioning – includes resurfacing, replacement, or rehabilitation of the pavement structure to extend the life of the roadway and effectively address critical safety and operation needs through minor improvements to the existing facility.

2. Project Description. Provide a detailed description of the proposed project. Explain what will be removed, put back in or changed. Including and referencing typical sections, layouts, or maps would be helpful to reviewers.

- i. For Trunk Highway Corridor projects, reference the trunk highway project number, route, and year that local funds are being requested for.

D. Eligibility

1. LRIP Account. Use the dropdown box to select one of the three LRIP accounts your project is eligible for. If the project is eligible for more than account, select the account that best explain why the project is being implemented. Options listed are:

- Trunk Highway Corridor
Select this option if funds will be used for local costs that are directly or partially related to the trunk highway improvement. Identify the MnDOT project in the project description.
- Routes of Regional Significance
- Rural Road Safety

2. Routes of Regional Significance Criteria. Check all criteria that apply to your project. At least one must be identified to be considered a regionally significant route.

3. Economic Development. Describe the project contribution to the local, regional or state economic development or redevelopment efforts. Be specific and reference plans, letters of support, business impacts, community impacts, that this project would have in the region.

E. Project Readiness

1. Construction Year. Use the drop-down box to select the construction year that the project is scheduled for construction. Projects should be ready for construction in 2018, 2019, or 2020.

2. Historical/Archeological Impacts. Indicate if the project will affect any historic properties. Historic properties are properties that are eligible for or listed on the National Register of Historic Places: buildings, structures, objects, sites (including archeological), districts, and properties of traditional religious and cultural importance to an Indian tribe. Use the dropdown box to select the statement that best describe the historical/archeological impacts on the project. Choices listed are:

- No. There are no historical/archeological impacts
- Yes. There are historical/archeological impacts
- Not known at this time

3. Railroad Impacts: Indicate if your project has railroad crossings or is adjacent to railroad tracks which may require additional coordination and agreements. Use the dropdown box to select the statement that best fit with the status of the railroad review on your project. Choices listed are:

- No RR crossings or RR tracks within 600'
- Yes. Necessary RR permit(s)/agreement(s) obtained
- Yes. Will obtain RR permit(s)/agreement(s) as needed

4. Project Status. Indicate the status of the design work on the project. Design includes any site surveying or study, developing plan sheets, specifications, and engineering estimates. Use the dropdown box to select the appropriate statement that best reflect the status of the design work on the project. Choices listed are:

- Design work has not started
Select this option if no site survey has been done, project not yet planned/programmed in a CIP or approved by the local jurisdiction.
- Design in progress
Select this option if site survey has been done, project is approved by local jurisdiction to proceed and plans are being developed.

- Design completed (plan completed)
Select this option if your project is approved by the local jurisdiction and the plan is approved by the responsible engineer. The plan is ready to be reviewed and approved by the state.

5. Right-of-Way. Indicate the status of the Right-of-Way (R/W) on this project. Use the dropdown box to select the statement that best reflect the Right-of-Way status.

- No R/W is needed or all work is within owner R/W
- Additional R/W is needed and is not yet acquired
- R/W needed has been acquired and documented

F. Safety

1. County Safety Plan. Many counties have completed county safety plans in which priority safety projects were identified through a data driven process. These projects on rural county roads may be eligible under the Rural Safety Account or Routes of Regional Significance Account. For this question, indicate if the project or components of the project is identified in a county safety plan. Use the dropdown box to select yes, no, or not applicable.

2. Minnesota Strategic Highway Safety Plan. This is an effort to align local safety projects with safety priorities identified in the [Minnesota Strategic Highway Safety Plan](#). The plan was completed with a thorough analysis of statewide crash data and trends affecting transporting with various stakeholders. It identified seven primary focus areas to help establish safety priorities. Three of the seven focus areas, lane departure, intersections, and speed include engineering strategies for partners to consider when championing safety projects. Use the dropdown box to select a focus area that your project or safety components of your project align with. The three choices listed are:

- Intersections
Select if your projects makes improvement to an intersection for approaches to an intersection. Sample engineering strategies from this focus area include: improve visibility of signs/signals, pedestrian countdown timers, clear sight triangle on stop or yield controlled approaches, reduced conflict intersections, or roundabouts. See the full list of strategies from plans and partners in the [Minnesota Strategic Highway Safety Plan](#).
- Lane departures (run-of-road, head-on, sideswipes)
Select this choice if your project will make improvements to address lane departure crashes or minimize damage associated with these crashes. Sample strategies from focus area include: curve speed warning systems, shoulder/centerline rumble strips, improve horizontal curves, guardrails, or remove/relocate objects in the hazardous locations. See the full list from plans and partners in the [Minnesota Strategic Highway Safety Plan](#).
- Speeding (over posted speed, too fast for conditions)
Select this choice if your project or components of your projects will look to address speeding. Sample engineering strategies from this focus area includes: dynamic speed display signs, automated speed enforcement, or traffic calming measures. See the full list from plans and partners in the [Minnesota Strategic Highway Safety Plan](#).

3. **Transportation Deficiency.** Describe the issues or problems on your local road that you are attempting to address. Transportation deficiency could include substandard roadway structure, conditions related to certain types of crashes, capacity, and other conditions that negatively impact the public. Be specific on how the problem or issues were identified and what harm it presents to the traveling public. Answer this question even if your project is identified in a county safety plan or the Minnesota Strategic Highway Safety Plan.

4. **Improvement.** Describe how the project address the transportation deficiencies, improves safety, reduce traffic fatalities, injuries and/or property damage. Be specific as possible in explaining why the project and safety strategy chosen is the most effective and provides the most benefit. Answer this question even if your project is identified in a county safety plan or the Minnesota Strategic Highway Safety Plan.

Multimodal/Complete Street

1. **Multimodal Improvements.** Depending on where and how local roads are improved both vehicle traffic and non-motorized traffic may benefit. Identify other users of the roadway and describe non-motorized improvements included on the project.

Cost Section:

Provide source of funding, amount from each source, and the total estimated cost for the project. LRIP finds will be capped at \$750,000 for non-state aid cities and townships and \$1,000,000 for counties and state aid cities. Any projects less than the capped amount is not required to provide a match.

Application Submittal

Your agency may submit more than one project for funding support. Complete an application form for each project and attach the following documents:

- ☐ At least one project location map with routes and project termini labeled
- ☐ Engineer's Estimate with an itemized breakdown
- ☐ Project schedule
- ☐ Local agency resolution
- ☐ Sponsor agency resolution (if applicable)
- ☐ Letters of concurrence or support

The application form is available for download on the State Aid Local Road Improvement Program website, <http://www.dot.state.mn.us/stateaid/lrip.html>. To get started download the 2017 application form and save it on a local drive or server.

When you are ready to submit the application, save the application form with LRIP, agency and road in the name of the document; e.g. LRIP_RamseyCounty_CSAH30.docx.

The application and attachments are due November 3, 2017 for county and state aid city applicants and December 1, 2017 for township and non-state aid city applicants. Applications and attachments should be submitted electronically to saltirhelp.dot@state.mn.us.

More information on the program is available on the Local Road Improvement Program website, <http://www.dot.state.mn.us/stateaid/lrip.html>. If you have questions regarding this solicitation, contact Patti Loken at 651-366-3803 or Patti.Loken@state.mn.us.

Appendix A

A. Applicant Information		
1. Title: Please Select	2. First Name: Click here to enter text	3. Last Name: Click here to enter text
4. Phone Number: Click here to enter number		5. E-mail: Click here to enter text
6. Agency: Click here to enter text		7. Agency Position: Click here to enter text
8. Street Address: Click here to enter text		
9. Additional Address Line: Click here to enter text		
10. City: Click here to enter text	11. State: MN	12. Zip Code: Click here to enter number
13. Is the applicant a sponsor on this project? Please Select		

B. Project Location	
1. MnDOT District: Please Select	2. County: Click here to enter text
3. City: Click here to enter text	4. Township: Click here to enter text
5. Name of Road: Click here to enter text	6. Type of Road: Please Select
7. Road Authority*: Please Select	8. Road Authority Name*: Click here to enter text
9. Project Termini: From Click here to enter text	10. To: Click here to enter text

*Complete if road authority is not the applicant.

C. Project Description	
1. Select type of project. Please Select	
2. Provide a detailed description of the proposed project (2,000 character limit).	

C. Project Description

[Click here to enter text](#)

D. Eligibility

1. Select the LRIP Account your project is eligible under.

[Please Select](#)

2. Does your project meet one or more of the Routes of Regional Significance Criteria (select all that apply)?

☐ Farm to Market route

☐ Part of an economic development plan

☐ Provides capacity or congestion relief to a parallel trunk highway system or county road

☐ Part of a 10-ton route network

☐ Connect to regional tourist destination

☐ Is a connection to the IRC system, trunk highway or a county road

3. Describe the project contribution to the local, regional or state economic development or redevelopment efforts (1,500 character limit).

[Click here to enter text](#)

E. Project Readiness

1. Construction Year: [Please Select](#)

2. Does the project have any historical/archeological impacts? [Please Select](#)

3. Are there railroad impacts (railroad crossings or railroad tracks within 600' of the project)?

[Please Select](#)

4. What is the status of the engineering and design work on the project?

[Please Select](#)

5. What is the Right-of-Way (R/W) status of the project?

[Please Select](#)

F. Safety

1. Is this project or components of this project identified in a County Safety Plan? [Please Select](#)

2. If applicable, select the appropriate focus area your project/safety strategy align with in the [Minnesota Strategic Highway Safety Plan](#).

[Please Select](#)

F. Safety

3. Identify the transportation deficiency, type of crash, or safety hazard this project is trying to address (1,000 character limit). Complete even if project is in a county safety plan or a strategy in the Minnesota Strategic Highway Safety Plan.

[Click here to enter text](#)

4. Describe how this project improves safety, reduce traffic crashes, fatalities, injuries, and property damages (1,000 character limit). Complete even if project is in a county safety plan or a strategy in the Minnesota Strategic Highway Safety Plan.

[Click here to enter text](#)

G. Multimodal/Complete Street

Identify infrastructure improvements for non-motorized users on this project (1,500 character limit).

[Click here to enter text](#)

H. Estimated Project Cost

Source of Funding

- | | |
|------------------------|---------|
| 1. LRIP Request: | 750,000 |
| 2. Federal Funds: | 0 |
| 3. State Aid Funds: | 0 |
| 4. Local/Other Funds: | 0 |
| 5. Total Project Cost: | 750,000 |

I. Attachments

- ☐ At least one project location map with routes labeled
- ☐ Engineer's Estimate with an itemized breakdown
- ☐ Project schedule
- ☐ Local agency resolution
- ☐ Sponsor agency resolution (if applicable)
- ☐ Letters of concurrence or support



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Tax Forfeit Non-Conservation Parcels

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy, City Engineer	Department: Engineering
Presenter (Name & Title): Paul Sandy, City Engineer	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached is a notification from Crow Wing County notifying the City that they are interested in classifying some parcels of tax forfeit property as non-conservation and offering the tracts of land for sale to the public. These parcels all lie within the city limits of Brainerd, and therefore, Crow Wing County is required to notify the jurisdiction.	
Alternatives, Options, Effects on Others/Comments: Of the 5 parcels that are shown, 3 are vacant lots and 2 have structures on them. The first parcel is a vacant 25' lot on S 7th just south of Quince Street. The 2nd parcel is a vacant parcel on the corner of SE 28th Street and Division Street. The 3rd parcel is located on a 25' lot on 2nd Ave NE just south of C Street and contains a condemned structure. The 4th parcel is a vacant parcel on a 25' lot on Oak Street between SE 14th Street and SE 15th Street. The 5th and last parcel is located on a 50' lot on the corner of Pine Street and 12th Street SE and contains a condemned structure. Engineering and building safety staff have notified the county that the structures on parcels 3 and 5 are condemned, and will need to be removed by the future owner, if held in the non-conservation status. Typically, we evaluate the need to pick up some of these parcels for future storm water retention areas or possible trail connections. When we looked at these areas and where they are located on a staff level, staff was in agreement that the parcels serve no future use for these functions. If the non-conservation classification is held on these parcels, the building official will be sending letters to the County regarding the condemned structures and the removal of the structures after the sale. Per MS 282.01 Subd. 7a, the governing body of the city or town may recommend the county board conditions to be imposed on the sale. In this case, the Building Official would be recommending removal of the condemned structures from the parcels 3 and 5.	
Recommended Action/Motion: Staff is recommending that the council agree with the non-conservation classification of all these parcels to allow Crow Wing County to offer the sale of the parcels to the public. As stated previously, if the council authorizes the non-conservation status, the Building Official will send letters with the letter on non-conservation concurrence, thereby notifying the county of the conditions to remove condemned structures on parcels 3 and 5.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



September 20, 2017

Mr. Jim Thoreen, Administrator/Clerk
City Of Brainerd
501 Laurel St
Brainerd, MN 56401

RECEIVED

SEP 25 2017

CITY OF BRAINERD
ADMINISTRATION

Re: Classification to "Non-Conservation" and Future Sale of Tax Forfeited Lands

Dear Mr. Jim Thoreen:

In the near future, the Crow Wing County Board of Commissioners will classify the tax forfeited tracts, attached, as "Non-Conservation" which is required prior to sale pursuant to MS 282.01

Before, however, Crow Wing County can proceed with its plans to offer these tracts for sale, the city or township wherein these tracts lie, ***"must first approve the classification and intended sale"*** by the County Board. The city or township ***"is considered to have approved the classification and sale if the county board is not notified of the disapproval.....within 60 days of the date"*** of this letter.

If you respond within 60 days and do not support the County Board's action, ***"the County Board must follow the procedures in paragraphs (c) and (d) per MS Statute 282.01, with regard to the parcel, and must additionally cause to be published in a newspaper a notice of the date, time, location, and purpose of the required meeting."***

Please review the list of tax forfeited tracts, attached, and inform this office of your approval or disapproval of the County Board's future action to classify said tracts to a "non-conservation" status with intentions to sell at a future public auction.

Please include the zoning information for each tax forfeited tract along with any special assessments that are or will be attached to each tract.

Maps have been enclosed to aid in your review.

If you have any questions concerning this process, please advise

Sincerely,


Heather Becker
Assessment Specialist

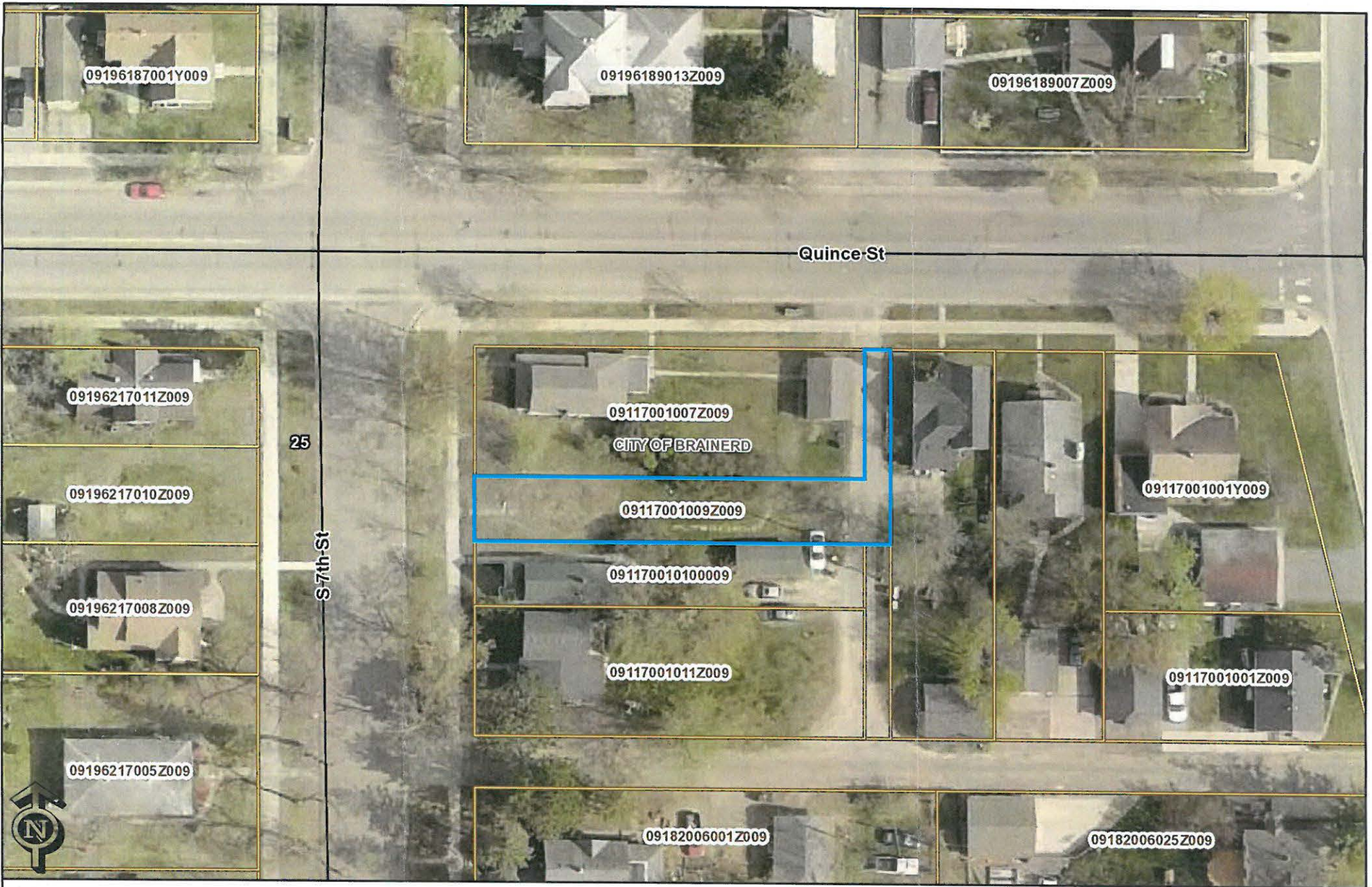
Enc.

Gary Griffin, Director
Land Services Department
322 Laurel Street, Suite 15
Brainerd, MN 56401

Our Vision: Being Minnesota's favorite place.
Our Mission: Serve well. Deliver value. Drive results.
Our Values: Be responsible. Treat people right. Build a better future.

Office: (218) 824-1010
Fax: (218) 824-1126
www.crowwing.us

Tract #	Description	Lot(s)	Block	Approx. Lot Size	Re Code(s):	Notes	Appraised Land Value	Remarks	Specials	Judge-ment Year	Forfeited	Zoning
City of Brainerd Township 45, Range 30 & 31												
	Chippawa Addition to the City of Brainerd	9 & West 10 feet of North Half of Lot 6	1	0.10 Acre	09117001009Z009	Address is 805 7th St S			yes	2012	6/28/2016	R-2
	Cuyuna Range Addition to Brainerd	1 & 2	28	0.16 Acre	09119028001Z009					2012	6/28/2016	R-1A
	East Brainerd	South Half of Lot 10	6	0.08 Acre	09122006010B009	Address is 212 2nd Ave NE		Small house with detached single garage	yes	2010	6/28/2016	R-2
	Second Addition to Brainerd	18	4	0.08 Acre	091740040180009	Address is 1412 Oak St				2012	6/28/2016	R-2
	Second Addition to Brainerd	11 & 12	6	0.16 Acre	09174006011Z009	Address is 1201 Pine St		House with 2 car detached garage	yes	2010	6/28/2016	R-2

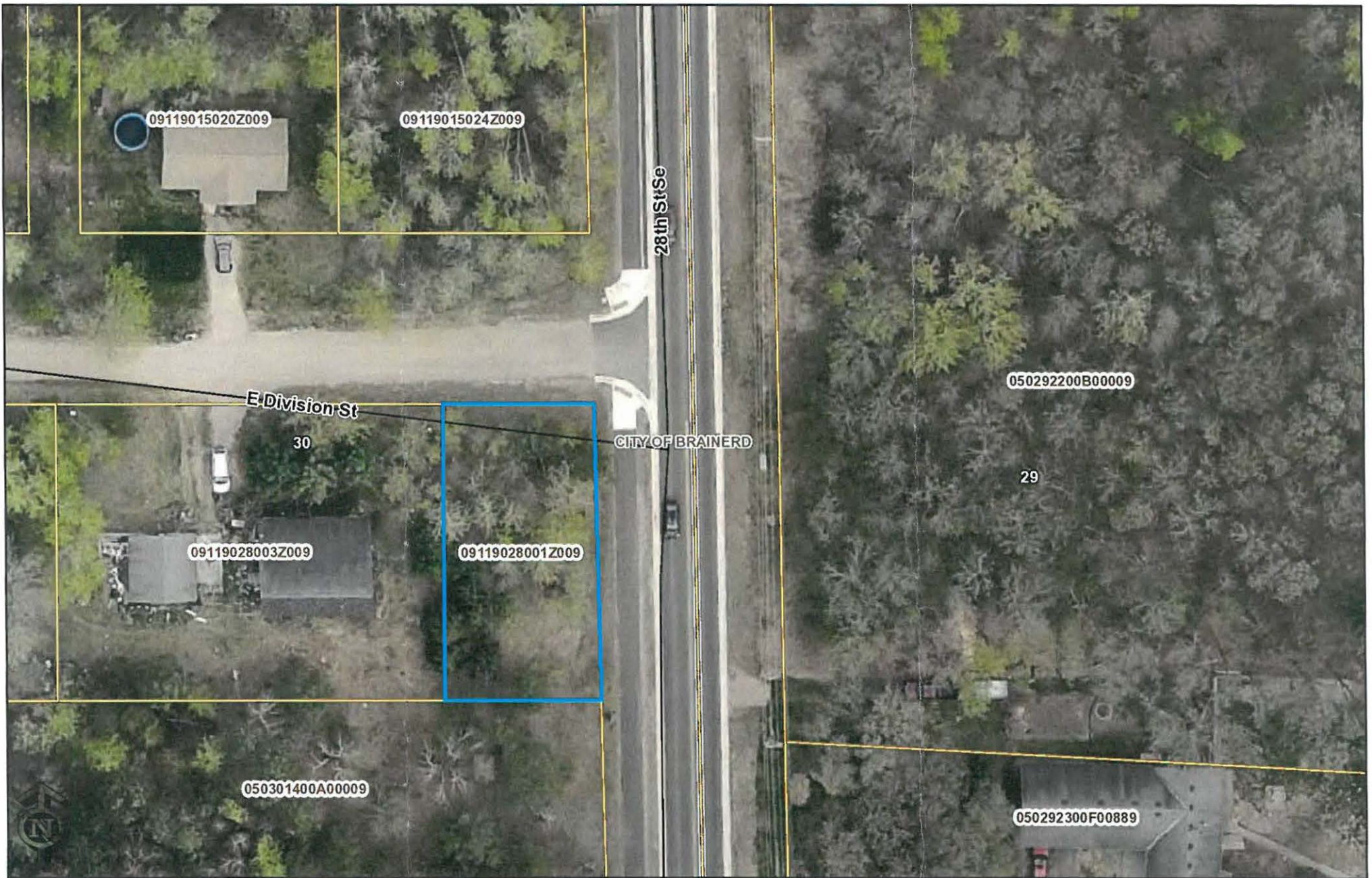


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

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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.

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Date: 9/21/2017 Time: 10:50:52 AM



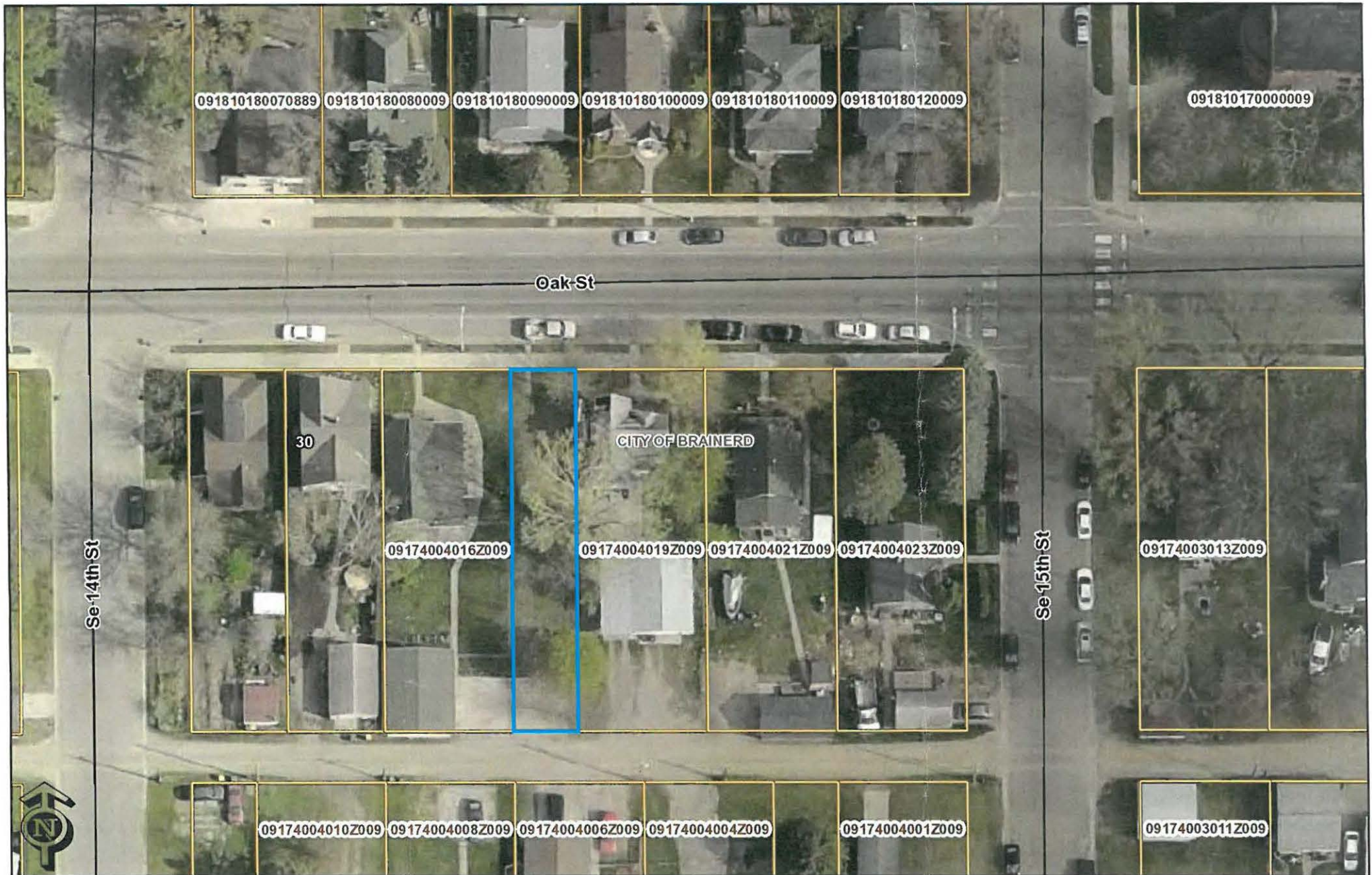


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

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Date: 9/21/2017 Time: 10:52:02 AM



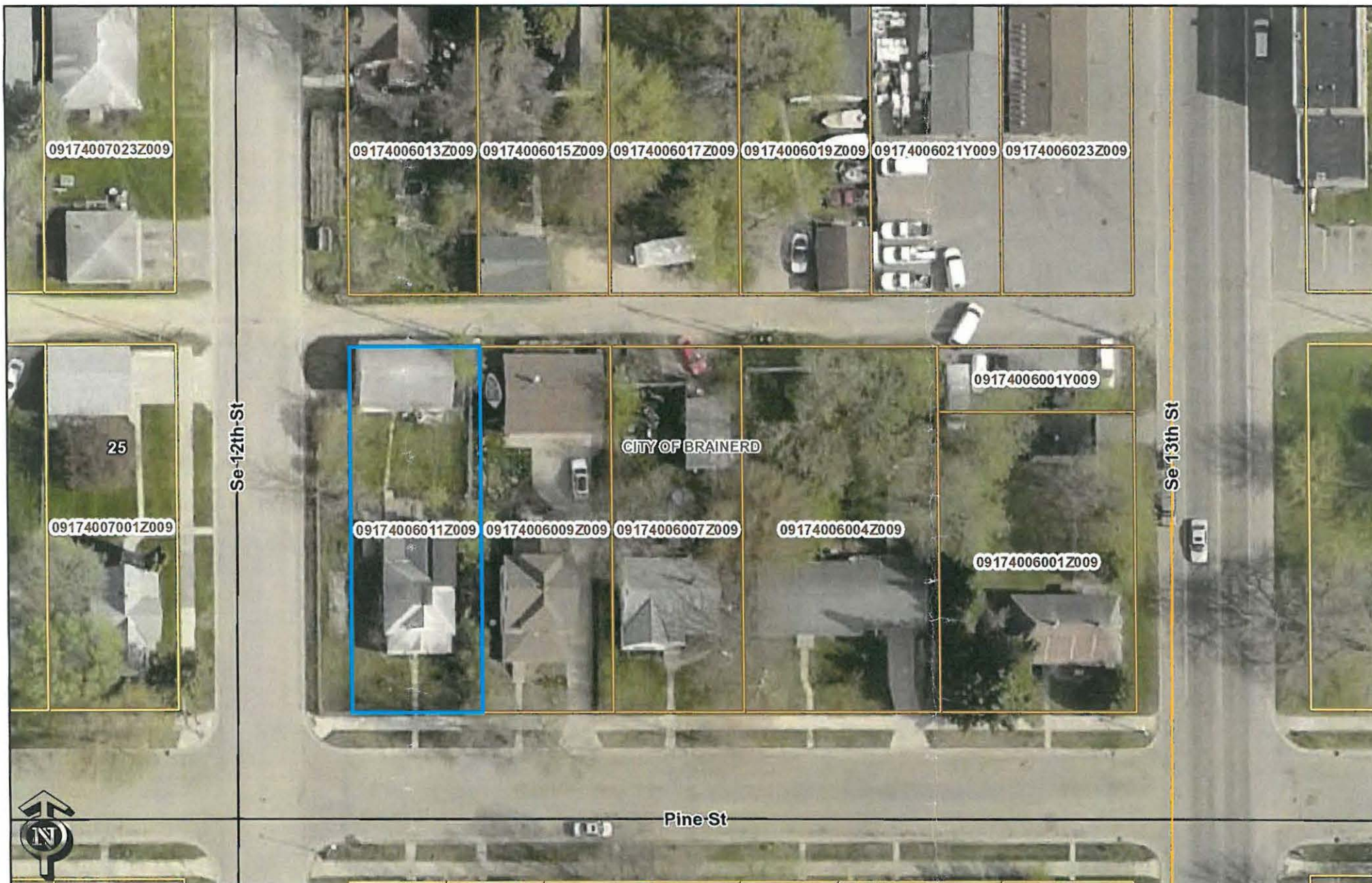


These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

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Date: 9/21/2017 Time: 10:53:05 AM





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Date: 9/21/2017 Time: 10:54:00 AM





Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Public Hearing - Designation of BLAEDC as the City's LDO

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 15 Minutes
Summary of Issue: Please see the attached memo.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: The required action is to hold the public hearing regarding the City designating Brainerd Lakes Area Economic Development Corporation (BLAEDC) as the City's Local Development Organization (LDO). Please see the memo for additional action if desired by council.	
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> Cost of publishing the public hearing notice.	

NOTICE OF PUBLIC HEARING

Notice is hereby given that on October 16, 2017 at 7:30 p.m. the City of Brainerd will hold a public hearing concerning the proposed Brainerd Lakes Area Economic Development Corporation (BLAEDC) as the Local Development Organization (LDO) Unified Fund.

All interested parties are invited to attend the public hearing at which time you will be given the opportunity to express comments on the issue.

Any individual needing special accommodations please call (218) 828-2309.

Dated this 4th day of October, 2017

Publication Date: October 6, 2017



James Thoreen
City Administrator

MEMO



TO: Personnel & Finance Committee
FROM: Finance Director Connie Hillman
DATE: October 12, 2017
RE: BLAEDC Unified Fund (BUF)

A public hearing will be held during the October 16, 2017 council meeting to allow for public comment regarding the City designating BLAEDC as the City's Local Development Organization (LDO). This is the first step needed for the City to allocate any of the City's Minnesota Investment Funds (MIF) to the Unified Fund.

BLAEDC Unified Fund

There are various funding pools with several entities throughout Crow Wing County to encourage economic growth. Each pool has certain eligibility requirements and each entity has their own policies. BLAEDC's vision is to:

"Assemble the resources into a "BLAEDC Unified Fund" aka "BUF" that will coordinate marketing and management processes, in order to streamline customer-friendly access to financing for businesses, and result in the funds being invested in development projects in Crow Wing County."

Brainerd's Eligible Funds

The City of Brainerd could contribute to BUF the City's economic development revolving loan funds – Funds 210 and 296. The funds were generated by grants from both State and Federal legislation and were granted to the City, with BLAEDC's assistance, for a specific project. The goal of the MIF dollars is to provide gap financing to companies to create economic growth and job creation in the community.

The status of the eligible funds as of **October 10, 2017** are listed below:

	Cash	Active Loan Balances (City Receives Monthly Payments)	Other Loan Balances	Explanation of Other Loan Balances
State MIF (Fund 210)	\$158,053	\$63,368	\$646,427	Amount borrowed to pay for Industrial Lots.
Federal MIF (Fund 296)	\$463,207	\$16,362	\$0	
Total	\$621,260	\$79,730		Total Receivable = \$726,157

State MIF Dollars

Part of the 2017 legislation is a one-time exception for the State MIF dollars. The exception is for the **cash balance** only and staff has verified with our City Attorney and DEED that it is the cash balance as of the date the City applies for the one-time exception. To take advantage of the exception, the City would need to submit a request form prior to **June 1, 2018**. 20% of the cash balance would be returned to DEED, and the City can use the 80% as it would like.

The City modified its revolving loan guidelines to include public economic development investment costs as an eligible use in April 2008. The amount transferred from the State MIF Revolving loan fund, as shared previously with the council, was thought to be \$694,427. Upon further examination, this amount included \$48,000 that would have been transferred in December 2007, before the guidelines were revised. Cash flow statements were prepared for the State MIF Revolving Loan fund and the EDA fund from 2007-2012. The amount transferred out of the revolving loan fund, to the EDA fund, to pay on the loans to purchase the industrial park land, appears to be only **\$646,427**.

Staff has also confirmed with DEED, that the City could convert the \$646,427 "loan" to cash and therefore would be allowed to include the amount for the one-time exception.

Council's discussion so far has shown interest in utilizing the one-time exception. A couple of options that have been proposed for using 80% of the balance include setting the funds aside for the historic water tower repairs, supporting initiatives like Rail to River, 3 Bridges Trial, Downtown Destination etc. Staff has confirmed with the City Attorney and with DEED that documenting that the funds have been set aside for a specific purpose would satisfy the reporting requirement that goes along with utilizing the one-time exception.

Staff is also hearing that if the council decides to take advantage of the one-time exception, the 80% would not be used to purchase a piece of equipment or to balance the 2018 budget. It has also been proposed to convert the \$646,427 loan to cash. Since it is council's desire not to use the funds to balance the 2018 budget, council has until May 2018 to discuss, and we do not need to rush into a decision. Staff is very cautious about the effect on fund balance if the \$646,427 would be converted to cash now, or what it would mean in the future if the sale of the industrial park land didn't yield enough proceeds for whatever reason (i.e. council sells the lots for \$1 to encourage development).

Action Needed

The following action is needed by the City Council:

- A. If the Council decides not to participate in BUF, a motion as such would be recommended.
- B. If the Council decides to participate in BUF:

- The Council would need to pass a resolution calling for a public hearing regarding designating BLAEDC as the City's Local Development Organization (LDO).
 - **The resolution was adopted at the October 2, 2017 meeting.**
- The Council would need to determine its level of participation.
 - The City doesn't have to do all or none. The City can contribute just the Federal MIF funds, or just the State MIF funds, contribute a percentage of each, only the cash balances but not the receivable balances, etc.
 - The City can start out small, see how the fund works, and modify the agreement with BLAEDC later. On the other hand, whatever funds the City does allocate to BLAEDC as the LDO cannot be returned to the City unless the LDO fails to carry out its obligations to administer the loan funds and/or the LDO ceases to exist.
- Hold a public hearing regarding designating BLAEDC as the City's LDO at a council meeting within 10 to 30 days of the notice calling for the public hearing.
 - **Public hearing will be held at the October 16, 2017 meeting.**
- Appoint a representative(s) to the BUF Board.
 - The City will have one representative on the BUF Board for the State MIF dollars and one representative for the Federal MIF dollars if the City chooses to enter into the agreements for both pools of money.
- After the Public Hearing, the Council would need to adopt a resolution approving the agreements participating in BUF and sign the agreements. Draft resolutions and agreements are attached to this agenda request.

Conclusion:

Holding the public hearing designating BLAEDC as the City's LDO is the only action required at the October 16, 2017 council meeting.

CITY OF BRAINERD, MINNESOTA

RESOLUTION NO. _____

RESOLUTION APPROVING AGREEMENTS CONCERNING PARTICIPATION IN THE BLADC UNIFIED FUND BETWEEN THE CITY OF BRAINERD AND THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION, AND DESIGNATING THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION AS THE CITY'S LOCAL DEVELOPMENT ORGANIZATION

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

Section 1. Recitals.

1.01. The City is the recipient of federal and state Minnesota Investment Fund ("MIF") grants from the Minnesota Department of Employment and Economic Development ("DEED"), and has recouped payments of principal and interest to utilize as revolving loan funds (the "Loan Funds").

1.02. The City and the Brainerd Lakes Area Development Corporation ("BLADC") have proposed to enter into an LDO and BLADC Unified Fund Participation Agreement in connection with both the federal and state Loan Funds (the "Agreements"), setting forth the terms and conditions of participation by the City in a pooled revolving loan fund to be known as the BLADC Unified Fund (the "BUF") to be administered by BLADC on behalf of local governments and other entities in the greater Brainerd Lakes and Cuyuna Lakes area (the "Region"), including the City. The Agreements, along with the BLADC Unified Fund Governance Guidelines and Policies governing the BUF (the "Guidelines"), are on file in the offices of the City and available for public inspection.

1.03. Pursuant to the Agreement related to the federal Loan Funds, the City also proposes to rescind its prior designation of the Brainerd Economic Development Authority ("EDA") as the City's LDO for the federal portion of the Loan Funds, to designate BLADC as the City's local development organization ("LDO") and to appropriate both its federal and state Loan Funds to BLADC. BLADC will utilize such funds, along with funds contributed by other local entities, to create the BUF and to offer economic development loans to local and regional businesses, subject to the terms of the Agreements and Guidelines.

1.04. Also pursuant to the Agreements and Guidelines, the City will designate an authorized representative to serve as a member of the BUF Board and BUF Loan Committee.

1.05. The Council has reviewed the Agreements and Guidelines and finds that the execution of the Agreements and performance of the City's obligations thereunder are in the public interest and will further the objectives of its general plan of economic development, because it will facilitate marketing and closing of business loans that foster economic development goals for the City and Region.

Section 2. City Approval; Further Proceedings.

2.01. The Council hereby rescinds and terminates its designation of the EDA as its LDO in connection with the federal Loan Funds.

2.01. BLADC is hereby designated as the LDO for the City. The Agreements as presented to the Council are hereby in all respects approved, subject to approval by DEED and further subject to modifications that do not alter the substance of the transaction and that are approved by the Mayor and City Administrator, provided that execution of the documents by such officials shall be conclusive evidence of approval.

2.02. The Mayor and City Administrator are hereby authorized to execute on behalf of the City the Agreements and any documents referenced therein requiring execution by the City, and to carry out, on behalf of the City, its obligations thereunder, including without limitation the transfer of the Loan Funds to BLADC as the City's designated LDO.

2.03. The Council hereby designates _____ as the City's authorized representative to serve on the BUF Board and BUF Loan Committee, as appropriate, on behalf of the City.

2.04. City staff are authorized and directed to take all actions necessary to implement the Agreements.

Approved by the City Council of the City of Brainerd this ___ day of _____, 2017.

Mayor

ATTEST:

Clerk

**LDO AND BLADC UNIFIED FUND PARTICIPATION AGREEMENT BETWEEN
CITY OF BRAINERD
AND THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION
(State MIF)**

THIS AGREEMENT is entered into this ____ of _____, 2017, by City of Brainerd (the "City") and the Brainerd Lakes Area Development Corporation ("BLADC"), a nonprofit corporation serving the economic development needs of the Brainerd Lakes and Cuyuna Lakes region.

WHEREAS, BLADC's mission is to expand business, build community, and grow jobs, and thereby foster economic development and redevelopment throughout the Brainerd Lakes and Cuyuna Lakes area (the "Area") and provide streamlined services to potential developers and employers throughout the Area; and

WHEREAS, the City is the recipient of state Minnesota Investment Fund ("MIF") grants from the Minnesota Department of Employment and Economic Development ("DEED"), and has recouped payments of principal and interest to utilize as revolving loan funds (the "Loan Funds"); and

WHEREAS, BLADC has proposed the establishment of a consolidated revolving loan fund to be known as the BLADC Unified Fund (the "BUF"), made up of multiple revolving loan funds currently administered by individual governmental and utility entities within the Area; and

WHEREAS, BLADC has submitted proposed BLAEDC Unified Fund Governance Guidelines and Policies (the "Guidelines") for review by the City, in the form attached to this Agreement as Exhibit A and incorporated herein by reference, and has requested that the City become a member of the BUF subject to the terms of such Guidelines and this Agreement and designate BLADC as its local development organization ("LDO"); and

WHEREAS, the City desires to designate BLADC as its LDO pursuant to DEED guidelines and grant the Loan Funds to the LDO, and to engage the LDO to administer the Loan Funds as part of the BUF; and

WHEREAS, BLADC is qualified as a public or private nonprofit organization serving the development needs of the communities of nonentitlement areas as defined by §105 (a) (15) of Title I of the Housing and Community Development Act; and

WHEREAS, BLADC's use of the Loan Funds must adhere to all state program and reporting requirements; and

WHEREAS, BLADC will be subject to audit by the local unit of government and must provide access to all Loan Funds records to the City upon request.

NOW, THEREFORE, BE IT RESOLVED as follows:

1. All capitalized terms, if not otherwise defined in this Agreement, shall have the meanings provided in the Guidelines.
2. The City designates BLADC as its LDO for purposes of the Loan Funds.
3. With the Loan Funds and all repayments of any outstanding loans from the Loan Funds, BLADC will establish and retain the BUF for the benefit of all eligible businesses located within the Brainerd Lakes and Cuyuna Lakes region, and will use repayments of all loans made from the BUF to offer additional loans meeting the requirements of the Guidelines and this Agreement.
4. BLADC will administer the full \$ _____ of the Loan Funds as part of the BUF. BLADC will administer all moneys in the BUF, and subject to the Guidelines and this Agreement, will review applications, make recommendations to the BUF Board and/or BUF Loan Committee (as applicable), make and administer loans to qualifying businesses, and account for all repayments of loans made under the BUF.
5. The City will appoint an authorized representative (the "City Representative") to the BUF Board and BUF Loan Committee, and the City Representative will participate in the loan application review and approval process. The term of service of the City Representative will be as provided in the Guidelines.
6. The parties expressly agree and acknowledge that the BUF Loan Committee or BUF Board, as applicable, shall have the final authority for making decisions regarding the approval or denial of loan applications for loans using the account, except as otherwise provided in the Guidelines.
7. BLADC will provide all staff required to perform services under this Agreement. BLADC will appoint BLADC's Executive Director, who will be responsible for communication with the City, as liaison to the City.
8. BLADC will retain in its possession the principal and interest from the repayment of all loans made from the Loan Funds, and will utilize such funds solely for additional BUF loans as described in Exhibit B; provided that BLADC will not use any of the Loan Funds to pay administrative costs.
9. The City may not recall the Loan Funds from the LDO unless:
 - a. The LDO fails to carry out its obligations to administer the Loan Funds, and/or
 - b. The LDO ceases to exist.
10. The City will remain responsible for compliance reporting for the Loan Funds.
11. The City and BLADC have approved this Agreement by action of their respective governing bodies.

IN WITNESS THEREOF, the parties have caused this Agreement to be executed as of the date first written above.

CITY OF BRAINERD

BRAINERD LAKES AREA
DEVELOPMENT CORPORATION

Chair

President

Administrator

Executive Director

Date

Date

EXHIBIT A

Brainerd Lakes Area Economic Development Corporation Unified Fund (BUF)

BLAEDC's vision is to assemble existing revolving loan fund resources into a "BLAEDC Unified Fund" that will coordinate marketing and management processes in order to streamline customer-friendly access to financing for businesses and result in the funds being invested in development projects in the greater Brainerd Lakes and Cuyuna Lakes area.

Current Issue – Local revolving loan funds are frequently not tapped by companies for a variety of reasons, including the relatively low balances in each fund, relatively small maximum loan amounts by each entity, complicated and confusing public processes, lack of marketing, and unknown outcomes.

The Unified Fund offers several benefits for business including:

- An enhanced understanding and knowledge of available local resources
- A streamlined approach to securing financial resources at a local level (Identical process to tap into all the pools of funds, limited public meetings)
- BLAEDC staff support
(Initial contact with companies, vetting financing probability, interaction with decision makers and ability to direct financing process through to completion.)

The Unified Fund offers several benefits for partners including:

- Promotion and marketing of funding pool
- Project vetting, loan management, streamlined process
- Investment diversification opportunities
- Greater likelihood of funds being invested in private sector business projects
- Enhanced ability to secure additional resources for economic development

BLAEDC Unified Fund Governance Guidelines and Policies

The primary purpose of the BLAEDC Unified Fund (the "BUF") is to offer economic development financing for business to enhance the economic base and vitality of the greater Brainerd Lakes and Cuyuna Lakes area (the "Region").

Authority

BLAEDC Board of Directors is the governing entity of the BUF program. It has the oversight of the program development, operating guidelines and procedures, loan policies, committee structure, fund management, contractual agreements, insurance and accounting requirements, reporting, compliance with original funding sources, and all aspects of the program.

Partner Organizations – Partner organizations and entities are being asked to consider partnering with BLAEDC and the BUF program. They will utilize the BUF program for marketing, vetting, loan packaging, committee review and approval of loans, and loan documentation, collections, and workout.

Note: Consolidated Telephone Communications (CTC) and Crow Wing (CW Power) have revolving loan funds that were capitalized in part by USDA Rural Utility Service (RUS) funds, which require that the revolving loan funds must remain under the control of CTC and CW Power, and which subject the funds to certain federal law requirements, which are available upon request. Once these organizations commit to BUF, they will utilize the BUF program for marketing, vetting, loan packaging, committee review, approval recommendations, and loan documentation, collections, and workout. However, CTC and CW Power will have final approval authority for loans made with RUS funds.

Similarly, the Housing and Redevelopment Authority in and for the County of Crow Wing (the Crow Wing HRA) administers a revolving loan fund comprised of tax increment from a decertified City of Brainerd tax increment financing district. State law requires that the Crow Wing HRA retain final approval and state reporting responsibilities with regard to this fund, but like CTC and CW Power, the Crow Wing HRA will utilize the BUF program for marketing, vetting, loan packaging, committee review, approval recommendations, and loan documentation, collections and workout.

Operating Guidelines and Procedures – See Exhibit A.

Loan Policies – See Exhibit A.

Structure/Organizational Chart

BUF Board Members – A standing BUF Board of Directors exists to implement the BUF operating guidelines and procedures and loan policies. The BUF Board members include:

- 2 BLAEDC Board Members
- 1 Cuyuna Range Economic Development Inc. (CREDI) Board Member
- One designated representative of each entity that has allocated its funds to the BUF pool, or in the case of RUS- or TIF-funded revolving loan funds, has committed to participate in and utilize the BUF process. The City of Crosslake will also participate as a member of the BUF Board in recognition of its transfer of RUS funds from the former Crosslake Telecommunications Company to the Crow Wing Cooperative Power and Light Company.

Each entity will appoint a designated representative to serve on the BUF Board upon approval of entry into the BUF. The designated representative will serve until the earlier of such representative's resignation or termination of such representative by the member entity. A new designated representative will be appointed by such entity in a timely manner.

BUF Board Decision-Making Process and Oversight – The BUF Board's responsibilities include:

- Implementing the operating guidelines, procedures and loan policies.
- Periodically reviewing the operating guidelines, procedures, and loan policies and approving necessary changes.
- Holding 2 standing meetings per year
- Holding meetings as needed to review and approve loan applications (or to recommend approval to CTC and CW Power if RUS funds are proposed, or to Crow Wing HRA if TIF funds are proposed as part of the overall BUF financing structure for a given loan). In the case of loan applications that have been reviewed by the BUF Loan Committee, but for which the BUF Loan Committee has been unable to reach a consensus, the BUF Board shall have final authority to approve or deny such loan applications.
- Supporting the BUF program including fundraising activities and promotion and marketing initiatives.

BUF Loan Committee Members – An ad hoc loan committee will be established to make loan decisions as authorized in the operating guidelines and procedures and loan policies. The loan committee members include:

- One BLAEDC Board Member
- One representative from each proposed loan pool and/or geographic location of the proposed project, if represented on the BUF Board.
- Additional BUF Board members if required to reach a minimum of five BUF Loan Committee members in connection with consideration of any loan. Additional BUF Board members will be selected on a rotating basis from the membership of the BUF Board.

BUF Loan Committee Decision Making Process and Oversight – The BUF Loan Committee's responsibilities include:

- Holding meetings as needed to review and approve or deny loan applications (or to recommend approval to CTC and CW Power if RUS funds are proposed, or to Crow Wing HRA if TIF funds are proposed as part of the overall BUF financing structure for a given loan).
- Supporting the BUF program including fundraising activities and promotion and marketing initiatives.
- In the event that the BUF Loan Committee fails to reach a consensus as to approval or denial of a loan application, the application will be presented to the BUF Board as a whole for final determination of approval or denial.

The BLAEDC Board of Director's governance of the BUF program will include:

Fund Management - As a prudent management practice, BLAEDC will invest funds in risk-free financial instruments such as Certificates of Deposit in City of Brainerd FDIC-insured financial institutions. The economic development opportunities that result from funds being available to our local lenders outweigh the potential of additional interest income that may result from alternative risk investment strategies.

Contractual Agreements – BLAEDC will enter into contractual relationships to support the management and operational efficiencies of the program.

Insurance – The BUF program will be incorporated into BLAEDC's insurance policies.

Accounting – BLAEDC has an outside accounting firm and will have all financial records included in year-end reporting.

Reporting and Compliance – All reporting and compliance reports will be conducted by BLAEDC staff and consultants, with the exception of RUS and TIF reporting.

Legal – Legal services will be provided by BLAEDC legal counsel as needed.

Notice as to loans made with RUS funds:

This institution is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

EXHIBIT A to Guidelines

General Operating Guidelines & Procedures and Loan Policies

Eligible Applicants and Costs

Eligible Applicants – The BUF program is open to considering all applicants regardless of size or business type, assuming they meet the overall public purpose of private sector investment, job creation and/or retention, and economic growth in the greater Brainerd Lakes and Cuyuna Lakes area (the "Region").

Project Costs – All capital project costs are potentially eligible, assuming they meet the overall public purpose to encourage private sector investment, job creation and/or retention, and economic growth and/or redevelopment in the Region. Loans for working capital are not eligible.

"Funding Pool Specific" Eligible Projects, Costs and Other Items

The BUF program is a consortium of many funding pools that were originally capitalized from a variety of sources including TIF funds, Minnesota Investment Fund (MIF) funds (both federal and state), RUS funds, and others. Specific rules and limitations apply to loans made from some of these sources. BUF staff and consultants will identify and match appropriate sources of funds based on the specifics of a project.

Type of Financing

The BUF Board and BUF Loan Committee will consider loans, loan guarantees, and other financing needs a business may have, in order to encourage private sector investment, job creation or retention, and economic growth in the Region. Incentive financing may also be considered under special circumstances.

Requirements and Terms

The BUF program has significant flexibility. BLAEDC desires to partner with private sector banking institutions to have a positive financial impact on high-quality economic development or redevelopment projects. In general, projects should include local bank financing, equity contributions, and livable-wage job creation, and have a positive reception in our community.

Financing Terms

Minimum Loan Size – \$25,000

Maximum Loan Size – \$500,000

Loan Origination Fee – 1% or minimum of \$1,500

Loan Application and Processing/Closing Fees – Paid by borrower.

Loan Terms – Loans will typically be amortized over 3-15 years, to match the useful life of the capital asset that is being financed. Balloon payments will frequently be structured.

Interest Rates, Including Loan Servicing Fees – Varies but typically market rate.

Collateral Requirements – All loans must be collateralized. Personal guarantees will be required.

Application and Approval Process

Loan applications will be accepted as long as funds are available and will be processed on an ongoing basis. Following staff review and vetting, financing applications for assistance of \$100,000 or more will be presented to the BUF Board, and applications for assistance of less than \$100,000 will be presented to the BUF Loan Committee. The BUF Board and BUF Loan Committee are authorized to approve loans from any funding source other than RUS and TIF dollars. In the case of loans funded by RUS or TIF funds, the BUF Board or BUF Loan Committee, as appropriate, will make recommendations to the entity that administers the RUS or TIF funds in question, but the governing body of the entity controlling these funds will make the final determination to approve or deny the loan. The BLAEDC board of directors must also approve loans if more than \$300,000.

Loan Documentation, Closing, Servicing Arrangements

BLAEDC will support these components of the BUF loan program, either through internal management or through a contractual relationship with an existing loan servicing entity.

Conflict of Interest Provisions

Any conflicts of interest by BLAEDC board, BUF Board members, BUF Loan Committee members, BLAEDC staff or others, should be noted immediately, and the member disclosing the conflict shall not participate in the consideration or approval of any loan request related to such conflict.

EXHIBIT B

Administrative Fees

As provided in the BUF Management Services Agreement between BLADC and the Initiative Foundation ("IF"), the administrative duties connected to the BUF are called "Management Services," and consist of the following:

- a. Marketing the BUF;
- b. Prescreening BUF Loan applicants;
- c. Review of proposed terms;
- d. Write-up and presentation of proposed terms to BUF Loan Committee and/or BUF Board;
- e. BUF Loan documentation;
- f. BUF Loan closing;
- g. BUF Loan servicing and administration;
- h. BUF Loan workouts.

Pursuant to the Management Services Agreement, Management Services to be performed by IF consist of items c, d, f, g, and h, provided that IF shall perform item h solely upon authorization by BLADC and BLADC coverage of third-party expenses. Items a and b will be performed by BLADC or its legal counsel. Item e may be performed by either IF or BLADC, depending on the circumstances.

The Management Services Agreement further provides that the compensation for performance of the Management Services shall consist solely of the following:

- A BUF Loan origination fee equal to the greater of \$1,500.00 or 1% of the total principal amount of the BUF Loan will be charged to the borrower at the time of closing on any BUF Loan. This origination fee will be allocated equally between BLADC and IF.
- A servicing fee equal to an annualized rate of two percent (2%) of the principal balance of all outstanding BUF Loans shall be retained upon receipt of monthly loan payments by each BUF Loan borrower. This servicing fee will be allocated equally between BLADC and IF.
- Borrowers will be required to pay all reasonable legal and other loan closing costs, including those costs that may be incurred by or attributable to IF.

Illustration of the compensation for Management Services:

Borrower applies for BUF Loan of \$100,000 at 4% annual interest, and the BUF Loan is approved. At closing, the borrower pays \$1,500 as an origination fee. This fee will be divided equally between BLADC and IF. The Borrower also pays the costs necessary to close the loan.

On a monthly basis, the Borrower pays principal and interest payments. Principal payments are deposited into the BUF. Interest payments are split such that on an annualized basis, the BUF will retain an amount equal to payment of 2% interest on the outstanding principal balance, which will be added to BUF funds available for further loans,* and 2% will be retained for Management Services. Under the proposed Management Services Agreement, this Management Services fee will be allocated equally between BLADC and IF.

*For BUF Loans made from RD Loan Funds, the BUF will retain an amount equal to payment of 2% interest on the outstanding principal balance, which may be added to RD Loan Funds available for other BUF Loans or expended for other permissible uses under federal regulations, at the sole option of the RD Loan grantor.

**LDO AND BLADC UNIFIED FUND PARTICIPATION AGREEMENT BETWEEN
CITY OF BRAINERD
AND THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION
(Federal MIF)**

THIS AGREEMENT is entered into this ____ of ____, 2017, by the City of Brainerd, Minnesota (the "City") and the Brainerd Lakes Area Development Corporation, a nonprofit development organization serving the economic development needs of the community ("BLADC").

WHEREAS, BLADC's mission is to expand business, build community, and grow jobs, and thereby foster economic development and redevelopment throughout the Brainerd Lakes and Cuyuna Lakes area (the "Area") and provide streamlined services to potential developers and employers throughout the Area; and

WHEREAS, the City was the recipient of a grant funded through a Community Development Block Grant – Economic Development Set Aside by the Minnesota Department of Employment and Economic Development (hereafter, "DEED"), and has recouped payments of principal and interest to utilize as revolving loan funds (hereafter, "the Account"); and

WHEREAS, by Resolution No. 09:03, adopted February 3, 2003, the City designated the Brainerd Economic Development Authority (the "EDA") as its local development organization ("LDO") for purposes of administering the Account; and

WHEREAS, BLADC has proposed the establishment of a consolidated revolving loan fund to be known as the BLADC Unified Fund (the "BUF"), made up of multiple revolving loan funds currently administered by individual governmental and utility entities within the Area; and

WHEREAS, BLADC has submitted proposed BLAEDC Unified Fund Governance Guidelines and Policies (the "Guidelines") for review by the City, in the form attached to this Agreement as Exhibit A and incorporated herein by reference, and has requested that the City become a member of the BUF subject to the terms of such Guidelines and this Agreement, rescind and terminate its designation of the EDA as LDO for the Account, and designate BLADC as its LDO; and

WHEREAS, the City desires to grant the funds in the Account and any outstanding payments of principal and interest to BLADC and engage BLADC as its LDO to administer the Account as a participant in the BUF; and

WHEREAS, BLADC is qualified as a public or private nonprofit organization serving the development needs of the communities of nonentitlement areas as defined by §105 (a) (15) of Title I of the Housing and Community Development Act (the "Act"), and is therefore a qualified LDO; and

WHEREAS, the funds from the Account have been loaned and paid back to the EDA as the City's original LDO, and therefore, are considered miscellaneous revenue and are not subject to federal program income or reporting requirements.

NOW, THEREFORE, BE IT RESOLVED, in consideration of the foregoing and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereto represent, warrant and agree as follows:

1. All capitalized terms, if not otherwise defined in this Agreement, shall have the meanings provided in the Guidelines.
2. The City hereby rescinds and terminates its designation of the EDA as its LDO, and designates BLADC as its LDO.
3. BLADC will administer the Account [and all outstanding loan repayments of (\$ _____)], to be used as a funding source of BUF loans to prospective borrowers.
4. BLADC will establish and maintain the BUF for the benefit of all eligible businesses located within the Area, and will use repayments of all loans made from the BUF to offer additional loans meeting the requirements of the Guidelines and this Agreement.
5. BLADC will administer all moneys in the BUF, and subject to the Guidelines and this Agreement, will review applications, make recommendations to the BUF Board and/or BUF Loan Committee (as applicable), make and administer loans to qualifying businesses, and account for all repayments of loans made under the BUF.
6. The City will appoint an authorized representative (the "City Representative") to the BUF Board and BUF Loan Committee, and the City Representative will participate in the loan application review and approval process. The term of service of the City Representative will be as provided in the Guidelines.
7. The parties expressly agree and acknowledge that the BUF Loan Committee or BUF Board shall have the final authority for making decisions regarding the approval or denial of loan applications for loans using the Account, as provided in the Guidelines, and that neither the City or BLADC individually shall have such authority.
8. BLADC will provide all staff required to perform services under this Agreement. BLADC will appoint a liaison who will be responsible for communication with the City Representative and with the governing body of the City when warranted.
9. BLADC will retain in its possession the principal and interest from the repayment of all loans made from the Account, and will utilize such funds solely for additional BUF loans and reasonable administrative fees as described in Exhibit B.
10. The City may not recall the Account funds from BLADC unless:
 - a. BLADC fails to carry out its obligations to administer the BUF, and/or

CITY OF BRAINERD, MINNESOTA

Mayor

Clerk

EXHIBIT A

Brainerd Lakes Area Economic Development Corporation Unified Fund (BUF)

BLAEDC's vision is to assemble existing revolving loan fund resources into a "BLAEDC Unified Fund" that will coordinate marketing and management processes in order to streamline customer-friendly access to financing for businesses and result in the funds being invested in development projects in the greater Brainerd Lakes and Cuyuna Lakes area.

Current Issue – Local revolving loan funds are frequently not tapped by companies for a variety of reasons, including the relatively low balances in each fund, relatively small maximum loan amounts by each entity, complicated and confusing public processes, lack of marketing, and unknown outcomes.

The Unified Fund offers several benefits for business including:

- An enhanced understanding and knowledge of available local resources
- A streamlined approach to securing financial resources at a local level (Identical process to tap into all the pools of funds, limited public meetings)
- BLAEDC staff support
(Initial contact with companies, vetting financing probability, interaction with decision makers and ability to direct financing process through to completion.)

The Unified Fund offers several benefits for partners including:

- Promotion and marketing of funding pool
- Project vetting, loan management, streamlined process
- Investment diversification opportunities
- Greater likelihood of funds being invested in private sector business projects
- Enhanced ability to secure additional resources for economic development

BLAEDC Unified Fund Governance Guidelines and Policies

The primary purpose of the BLAEDC Unified Fund (the "BUF") is to offer economic development financing for business to enhance the economic base and vitality of the greater Brainerd Lakes and Cuyuna Lakes area (the "Region").

Authority

BLAEDC Board of Directors is the governing entity of the BUF program. It has the oversight of the program development, operating guidelines and procedures, loan policies, committee structure, fund management, contractual agreements, insurance and accounting requirements, reporting, compliance with original funding sources, and all aspects of the program.

Partner Organizations – Partner organizations and entities are being asked to consider partnering with BLAEDC and the BUF program. They will utilize the BUF program for marketing, vetting, loan packaging, committee review and approval of loans, and loan documentation, collections, and workout.

Note: Consolidated Telephone Communications (CTC) and Crow Wing (CW Power) have revolving loan funds that were capitalized in part by USDA Rural Utility Service (RUS) funds, which require that the revolving loan funds must remain under the control of CTC and CW Power, and which subject the funds to certain federal law requirements, which are available upon request. Once these organizations commit to BUF, they will utilize the BUF program for marketing, vetting, loan packaging, committee review, approval recommendations, and loan documentation, collections, and workout. However, CTC and CW Power will have final approval authority for loans made with RUS funds.

Similarly, the Housing and Redevelopment Authority in and for the County of Crow Wing (the Crow Wing HRA) administers a revolving loan fund comprised of tax increment from a decertified Crow Wing County tax increment financing district. State law requires that the Crow Wing HRA retain final approval and state reporting responsibilities with regard to this fund, but like CTC and CW Power, the Crow Wing HRA will utilize the BUF program for marketing, vetting, loan packaging, committee review, approval recommendations, and loan documentation, collections and workout.

Operating Guidelines and Procedures – See Exhibit A.

Loan Policies – See Exhibit A.

Structure/Organizational Chart

BUF Board Members – A standing BUF Board of Directors exists to implement the BUF operating guidelines and procedures and loan policies. The BUF Board members include:

- 2 BLAEDC Board Members
- 1 Cuyuna Range Economic Development Inc. (CREDI) Board Member
- One designated representative of each entity that has allocated its funds to the BUF pool, or in the case of RUS- or TIF-funded revolving loan funds, has committed to participate in and utilize the BUF process. The City of Crosslake will also participate as a member of the BUF Board in recognition of its transfer of RUS funds from the former Crosslake Telecommunications Company to the Crow Wing Cooperative Power and Light Company.

Each entity will appoint a designated representative to serve on the BUF Board upon approval of entry into the BUF. The designated representative will serve until the earlier of such representative's resignation or termination of such representative by the member entity. A new designated representative will be appointed by such entity in a timely manner.

The BLAEDC Board of Director's governance of the BUF program will include:

Fund Management - As a prudent management practice, BLAEDC will invest funds in risk-free financial instruments such as Certificates of Deposit in Crow Wing County FDIC-insured financial institutions. The economic development opportunities that result from funds being available to our local lenders outweigh the potential of additional interest income that may result from alternative risk investment strategies.

Contractual Agreements – BLAEDC will enter into contractual relationships to support the management and operational efficiencies of the program.

Insurance – The BUF program will be incorporated into BLAEDC's insurance policies.

Accounting – BLAEDC has an outside accounting firm and will have all financial records included in year-end reporting.

Reporting and Compliance – All reporting and compliance reports will be conducted by BLAEDC staff and consultants, with the exception of RUS and TIF reporting.

Legal – Legal services will be provided by BLAEDC legal counsel as needed.

Notice as to loans made with RUS funds:

This institution is an equal opportunity provider and employer.

If you wish to file a Civil Rights program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, found online at http://www.ascr.usda.gov/complaint_filing_cust.html, or at any USDA office, or call (866) 632-9992 to request the form. You may also write a letter containing all of the information requested in the form. Send your completed complaint form or letter to us by mail at U.S. Department of Agriculture, Director, Office of Adjudication, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410, by fax (202) 690-7442 or email at program.intake@usda.gov.

EXHIBIT A to Guidelines

General Operating Guidelines & Procedures and Loan Policies

Eligible Applicants and Costs

Eligible Applicants – The BUF program is open to considering all applicants regardless of size or business type, assuming they meet the overall public purpose of private sector investment, job creation and/or retention, and economic growth in the greater Brainerd Lakes and Cuyuna Lakes area (the “Region”).

Project Costs – All capital project costs are potentially eligible, assuming they meet the overall public purpose to encourage private sector investment, job creation and/or retention, and economic growth and/or redevelopment in the Region. Loans for working capital are not eligible.

“Funding Pool Specific” Eligible Projects, Costs and Other Items

The BUF program is a consortium of many funding pools that were originally capitalized from a variety of sources including TIF funds, Minnesota Investment Fund (MIF) funds (both federal and state), RUS funds, and others. Specific rules and limitations apply to loans made from some of these sources. BUF staff and consultants will identify and match appropriate sources of funds based on the specifics of a project.

Type of Financing

The BUF Board and BUF Loan Committee will consider loans, loan guarantees, and other financing needs a business may have, in order to encourage private sector investment, job creation or retention, and economic growth in the Region. Incentive financing may also be considered under special circumstances.

Requirements and Terms

The BUF program has significant flexibility. BLAEDC desires to partner with private sector banking institutions to have a positive financial impact on high-quality economic development or redevelopment projects. In general, projects should include local bank financing, equity contributions, and livable-wage job creation, and have a positive reception in our community.

Financing Terms

Minimum Loan Size – \$25,000

Maximum Loan Size – \$500,000

Loan Origination Fee – 1% or minimum of \$1,500

Loan Application and Processing/Closing Fees – Paid by borrower.

Loan Terms – Loans will typically be amortized over 3-15 years, to match the useful life of the capital asset that is being financed. Balloon payments will frequently be structured.

Interest Rates, Including Loan Servicing Fees – Varies but typically market rate.

Collateral Requirements – All loans must be collateralized. Personal guarantees will be required.

Application and Approval Process

Loan applications will be accepted as long as funds are available and will be processed on an ongoing basis. Following staff review and vetting, financing applications for assistance of \$100,000 or more will be presented to the BUF Board, and applications for assistance of less than \$100,000 will be presented to the BUF Loan Committee. The BUF Board and BUF Loan Committee are authorized to approve loans from any funding source other than RUS and TIF dollars. In the case of loans funded by RUS or TIF funds, the BUF Board or BUF Loan Committee, as appropriate, will make recommendations to the entity that administers the RUS or TIF funds in question, but the governing body of the entity controlling these funds will make the final determination to approve or deny the loan. The BLAEDC board of directors must also approve loans if more than \$300,000.

Loan Documentation, Closing, Servicing Arrangements

BLAEDC will support these components of the BUF loan program, either through internal management or through a contractual relationship with an existing loan servicing entity.

Conflict of Interest Provisions

Any conflicts of interest by BLAEDC board, BUF Board members, BUF Loan Committee members, BLAEDC staff or others, should be noted immediately, and the member disclosing the conflict shall not participate in the consideration or approval of any loan request related to such conflict.

EXHIBIT B

Administrative Fees

As provided in the BUF Management Services Agreement currently in final stages of negotiation between BLADC and the Initiative Foundation ("IF"), the administrative duties connected to the BUF are called "Management Services," and consist of the following:

- a. Marketing the BUF;
- b. Prescreening BUF Loan applicants;
- c. Review of proposed terms;
- d. Write-up and presentation of proposed terms to BUF Loan Committee and/or BUF Board;
- e. BUF Loan documentation;
- f. BUF Loan closing;
- g. BUF Loan servicing and administration;
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Pursuant to the Management Services Agreement, Management Services to be performed by IF consist of items c, d, f, g, and h. Items a, b, and e will be performed by BLADC or its legal counsel.

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Borrower applies for BUF Loan of \$100,000 at 4% annual interest, and the BUF Loan is approved. At closing, the borrower pays \$1,500 as an origination fee. This fee will be divided equally between BLADC and IF. The Borrower also pays the costs necessary to close the loan.

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Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Public Hearing - Downtown Special Services, Snow Removal, Nuisances

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy, City Engineer	Department: Engineering
Presenter (Name & Title): Paul Sandy, City Engineer	Estimated Time Needed: 10 Minutes
Summary of Issue: Attached to this request is a copy of the Notice of Assessment Hearing and the Proposed Assessment Roles for the Downtown Special Services District, Downtown Snow Removal, and Nuisance Abatement for 2017 (2016-2017 snow removal).	
Alternatives, Options, Effects on Others/Comments: At the public hearing, if there are questions or comments about the proposed assessments, staff will be available to respond. At the conclusion of the hearing, the Council would typically adopt a resolution Adopting the Assessments. If there are contested assessment amounts, staff would ask that the Council still adopt the assessments to start the 30-day payment clock. Contested assessments would be brought back to the next meeting for discussion.	
Recommended Action/Motion: Staff would recommend holding the public hearing to hear testimony for or against the proposed assessments and also adopt the attached resolution adopting the assessments as proposed for the Downtown Special Services District, Downtown Snow Removal, and Nuisance Abatement for 2017 (2016-2017 snow removal).	
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>	

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 16, 2017, to pass upon the proposed assessment for the following improvements:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Miscellaneous properties around the City

The areas proposed to be assessed for these improvements are the properties abutting and/or benefitting from the above described projects.

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost of Downtown Special Services District is \$46,981.36 of which \$25,763.20 is proposed to be assessed.

The total cost of Nuisance Abatement is \$65,554.57 of which \$65,554.57 is proposed to be assessed.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply three and one-half (3.5%) percent per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might

qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of one (1) year.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.
5. The entire hearing will be tape-recorded.
6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this 18th day of September, 2017



James M. Thoreen
City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 29, 2017

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

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	LOCATION	FOOTAGE AREA	RATE FOR AREA	ASSESSABLE
LIVELY AUTO BUILDINGS REAL ESTATE HOLDINGS	512 LAUREL STREET	BRAINERD, MN 56401	060252100F00009	SEC 25 TWP 45 RNG 31	-	225.00	5.0660	1139.85
DANNY E. KUHN	24549 COUNTY RD 3	MERRIFIELD, MN 56465	09196041001X889	EAST 50' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	721 LAUREL ST	50.00	5.0660	253.30
CHARLES ROBERTS	9544 NORTHGATE LANE	BRAINERD, MN 56401	09196041001Y009	CENTER 26.5' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	719 LAUREL ST	26.50	5.0660	134.25
NJMS PHELPS BLOCK LLC	2200 PRINCETON AVE	ST. PAUL, MN 55105	09196041001Z889	WEST 63.5' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	715 LAUREL ST	63.50	5.0660	321.69
NLLJ JENSEN, LLC	204 S 8TH ST	BRAINERD, MN 56401	09196041007Z009	LOTS 7 THRU 9 INCLUSIVE BLOCK 41	208 S 8TH ST	75.00	5.0660	379.95
C & L MIDWEST LLC	P.O. BOX 341	BRAINERD, MN 56401	091960410100009	LOT 10 BLOCK 41	718 FRONT ST	25.00	5.0660	126.65
C & L MIDWEST LLC	P.O. BOX 341	BRAINERD, MN 56401	09196041011Z009	LOTS 11 THRU 13 INCLUSIVE	-	75.00	5.0660	379.95
AMERICAN LEGION POST #255	708 FRONT STREET	BRAINERD, MN 56401	09196041014Z009	ALL OF LOT 14 BLOCK 41 AND E 4 FT. OF LOT 16 BLOCK 41 AND E 2FT OF W 21	708 FRONT ST	56.00	5.0660	283.70
VANDEPUTTE INVESTMENT PROPERTIES LLC	8194 FAIRVIEW ROAD	BAXTER, MN 56425	09196041016Z889	PART OF LOTS 16 THRU 18 INCLUSIVE BLOCK 41 DESC.	704 FRONT ST	46.58	5.0660	235.97
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041017Z889	S. 50 FT. OF LOTS 17 AND 18, AND S 50 FT OF THE W 20 FT OF LOT 16 BLOCK 4	209 S 7TH ST	50.00	5.0660	253.30
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041018A889	W 22FT 5 INCHES OF N 80 FT OF LOT 18 BLOCK 41	205 S 7TH ST	102.42	5.0660	518.86
DAVID F. PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041019Z009	LOTS 19 AND 20 BLOCK 41	215 S 7TH ST	50.00	5.0660	253.30
DAVID F. PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041021Z009	LOTS 21 AND 22 BLOCK 41	217 S 7TH ST	50.00	5.0660	253.30
WALSTEAD CORPORATION	22376 CAMP LINCOLN ROAD	NISSWA, MN 56468	09196041023Z889	LOTS 23 AND 24 BLOCK 41	707 LAUREL ST	190.00	5.0660	962.54
EDWIN L. & SUSAN MENK	623 LAUREL STREET	BRAINERD, MN 56401	09196043002Z009	LOTS 1 AND 2 BLOCK 43	623 LAUREL ST	190.00	5.0660	962.54
RICK BJORK	222 S 7TH STREET	BRAINERD, MN 56401	09196043003Z889	LOTS 3 AND 4 BLOCK 43	222 S 7TH ST	50.00	5.0660	253.30
JON AND DEBRA LUHRS	1524 S 7TH ST	BRAINERD, MN 56401	091960430050009	LOT 5 BLOCK 43	216 S 7TH ST	25.00	5.0660	126.65
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	091960430060889	LOT 6 BLOCK 43	214 S 7TH ST	25.00	5.0660	126.65
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196043010Z889	LOTS 10 THRU 12 INCLUSIVE BLOCK 43	614 FRONT ST	75.00	5.0660	379.95
612 STATION LLC	612 FRONT ST	BRAINERD, MN 56401	091960430130889	LOT 13 BLOCK 43	612 FRONT ST	25.00	5.0660	126.65
TODD & LAURA BISTED	608 FRONT ST	BRAINERD, MN 56401	09196043014Z889	LOTS 14 AND 15 BLOCK 43	608 FRONT ST	50.00	5.0660	253.30
NORTHERN PINES MENTAL HEALTH CENTER	P.O. BOX 367	LITTLE FALLS, MN 56345	09196043016Y009	N 80 FT OF LOT 16 BLOCK 43 AND E 1/2 OF S 50 FT OF LOT 16 BLOCK 43	606 FRONT ST	25.00	5.0660	126.65
MASONIC TEMPLE ASSN. OF BRAINERD	PO BOX 81	BRAINERD, MN 56401	09196043016Z889	W 1/2 OF THE S 50 FT OF LOT 16 BLOCK 43 AND ALL OF LOTS 17 AND 18 BLOC	205 S 6TH ST	50.00	5.0660	253.30
BATRA RENTALS LLC	793 S STACY BOULEVARD UNIT 165	TRACY, CA 95376	09196069001Z009	LOTS 1 AND 2 BLOCK 69	619 MAPLE ST	50.00	5.0660	253.30
THOMAS J & MELISSA A LAKE	102 BELLE RAE CIRCLE	BRAINERD, MN 56401	09196069003Z009	LOTS 3 THRU 5 INCLUSIVE BLOCK 69	314 S 7TH ST	75.00	5.0660	379.95
BRIAN L & RHONDA SMITH	PO BOX 391	BRAINERD, MN 56401	09196069008W889	LOTS 1 & 2 C A WALKERS SUBD. OF LOTS 8, 9, 10, 11, 12 BLOCK 69 EXCEPT TH	624 LAUREL ST	174.00	5.0660	881.48
EDWARD R & SARAH HAYDEN-SHAW	521 N 9TH ST	BRAINERD, MN 56401	09196069013W889	E 50 FT OF LOTS 13 THRU 17 INCLUSIVE BLOCK 69	612 LAUREL ST	50.00	5.0660	253.30
EDWARD R & SARAH HAYDEN-SHAW	521 N 9TH ST	BRAINERD, MN 56401	09196069013X009	CENTER 50 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 69	606 LAUREL ST	50.00	5.0660	253.30
MAJIK PROPERTIES LLC	12890 MOUNTAIN ASH DR	BAXTER, MN 56425	09196069013Z889	W 50 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 69	602 LAUREL ST	50.00	5.0660	253.30
DAVID F PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071008X009	E 50 FT OF LOTS 8 THRU 12 INCLUSIVE BLOCK 71	722 LAUREL ST	50.00	5.0660	253.30
DAVID F PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071008Y889	LOTS 8 THRU 12 INCLUSIVE EXCEPT E 50 FT THEREOF AND EXCEPT W 45 FT OF	718 LAUREL ST	45.00	5.0660	227.97
BRAINERD LAKES PROPERTIES LLC	718 LAUREL ST	BRAINERD, MN 56401	09196071010Z889	W 45 FT OF LOTS 10 THRU 12 INCLUSIVE BLOCK 71	714 LAUREL ST	45.00	5.0660	227.97
NILA M PATRICK	710 LAUREL ST	BRAINERD, MN 56401	09196071013Y889	LOTS 13 THRU 15 INCLUSIVE BLOCK 71 EX. THE W'LY 81 1/6 FT THEREOF	710 LAUREL ST	58.83	5.0660	298.03
DAVID F PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071013Z889	W'LY 81 1/6 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 71	301 S 7TH ST	156.17	5.0660	791.16
RICHARD & DENISE RATHMAN	305 S 7TH ST	BRAINERD, MN 56401	09196071016Z009	W'LY 79 1/2 FT OF LOTS 16 AND 17 BLOCK 71	305 S 7TH ST	50.00	5.0660	253.30
BREMER BANK OF BRAINERD	321 S 7TH ST	BRAINERD, MN 56401	09196071020Y009	LOTS 19 THRU 24, BLOCK 71	321 S 7TH ST	150.00	5.0660	759.90
MOORES PROPERTIES, INC.	605 LAUREL STREET	BRAINERD, MN 56401	096010000010009	LAUREL CONDOMINIUMS	-	140.00	5.0660	709.24

TOTAL 2744.00 \$ 13,901.10

Dated this 30th day of November, 2017

David J. Pritschet
President of Council

Attest: _____

James M. Thoreen
City Administrator
Interest Rate - 3.5%
Years Certified - 1 Year

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

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	LOCATION	FOOTAGE AREA	RATE FOR AREA	ASSESSABLE
LIVELY AUTO BUILDINGS REAL ESTATE HOLDINGS	512 LAUREL STREET	BRAINERD, MN 56401	060252100F00009	SEC 25 TWP 45 RNG 31	-	225.00	4.3229	972.65
DANNY E. KUHN	24549 COUNTY RD 3	MERRIFIELD, MN 56465	09196041001X889	EAST 50' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	721 LAUREL ST	50.00	4.3229	216.15
CHARLES ROBERTS	9544 NORTHGATE LANE	BRAINERD, MN 56401	09196041001Y009	CENTER 26.5' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	719 LAUREL ST	26.50	4.3229	114.56
NJMS PHELPS BLOCK LLC	2200 PRINCETON AVE	ST. PAUL, MN 55105	09196041001Z889	WEST 63.5' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	715 LAUREL ST	63.50	4.3229	274.50
NLLJ JENSEN, LLC	204 S 8TH ST	BRAINERD, MN 56401	09196041007Z009	LOTS 7 THRU 9 INCLUSIVE BLOCK 41	208 S 8TH ST	75.00	4.3229	324.22
C & L MIDWEST LLC	P.O. BOX 341	BRAINERD, MN 56401	091960410100009	LOT 10 BLOCK 41	718 FRONT ST	25.00	4.3229	108.07
C & L MIDWEST LLC	P.O. BOX 341	BRAINERD, MN 56401	09196041011Z009	LOTS 11 THRU 13 INCLUSIVE	-	75.00	4.3229	324.22
AMERICAN LEGION POST #255	708 FRONT STREET	BRAINERD, MN 56401	09196041014Z009	ALL OF LOT 14 BLOCK 41 AND E 4 FT. OF LOT 16 BLOCK 41 AND	708 FRONT ST	56.00	4.3229	242.08
VANDEPUTTE INVESTMENT PROPERTIES LLC	8194 FAIRVIEW ROAD	BAXTER, MN 56425	09196041016Z889	PART OF LOTS 16 THRU 18 INCLUSIVE BLOCK 41 DESC.	704 FRONT ST	46.58	4.3229	201.36
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041017Z889	S. 50 FT. OF LOTS 17 AND 18, AND S 50 FT OF THE W 20 FT OF	209 S 7TH ST	50.00	4.3229	216.15
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041018A889	W 22FT 5 INCHES OF N 80 FT OF LOT 18 BLOCK 41	205 S 7TH ST	102.42	4.3229	442.75
DAVID F. PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041019Z009	LOTS 19 AND 20 BLOCK 41	215 S 7TH ST	50.00	4.3229	216.15
DAVID F. PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041021Z009	LOTS 21 AND 22 BLOCK 41	217 S 7TH ST	50.00	4.3229	216.15
WALSTEAD CORPORATION	22376 CAMP LINCOLN ROAD	NISSWA, MN 56468	09196041023Z889	LOTS 23 AND 24 BLOCK 41	707 LAUREL ST	190.00	4.3229	821.35
EDWIN L. & SUSAN MENK	623 LAUREL STREET	BRAINERD, MN 56401	09196043002Z009	LOTS 1 AND 2 BLOCK 43	623 LAUREL ST	190.00	4.3229	821.35
RICK BJORK	222 S 7TH STREET	BRAINERD, MN 56401	09196043003Z889	LOTS 3 AND 4 BLOCK 43	222 S 7TH ST	50.00	4.3229	216.15
JON AND DEBRA LUHRS	1524 S 7TH ST	BRAINERD, MN 56401	091960430050009	LOT 5 BLOCK 43	216 S 7TH ST	25.00	4.3229	108.07
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	091960430060889	LOT 6 BLOCK 43	214 S 7TH ST	25.00	4.3229	108.07
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196043010Z889	LOTS 10 THRU 12 INCLUSIVE BLOCK 43	614 FRONT ST	75.00	4.3229	324.22
612 STATION LLC	612 FRONT ST	BRAINERD, MN 56401	091960430130889	LOT 13 BLOCK 43	612 FRONT ST	25.00	4.3229	108.07
TODD & LAURA BISTED	608 FRONT ST	BRAINERD, MN 56401	09196043014Z889	LOTS 14 AND 15 BLOCK 43	608 FRONT ST	50.00	4.3229	216.15
NORTHERN PINES MENTAL HEALTH CENTER	P.O. BOX 367	LITTLE FALLS, MN 56345	09196043016Y009	N 80 FT OF LOT 16 BLOCK 43 AND E 1/2 OF S 50 FT OF LOT 16	606 FRONT ST	25.00	4.3229	108.07
MASONIC TEMPLE ASSN. OF BRAINERD	PO BOX 81	BRAINERD, MN 56401	09196043016Z889	W 1/2 OF THE S 50 FT OF LOT 16 BLOCK 43 AND ALL OF LOTS	205 S 6TH ST	50.00	4.3229	216.15
BATRA RENTALS LLC	793 S STACY BOULEVARD UNIT 165	TRACY, CA 95376	09196069001Z009	LOTS 1 AND 2 BLOCK 69	619 MAPLE ST	50.00	4.3229	216.15
THOMAS J & MELISSA A LAKE	102 BELLE RAE CIRCLE	BRAINERD, MN 56401	09196069003Z009	LOTS 3 THRU 5 INCLUSIVE BLOCK 69	314 S 7TH ST	75.00	4.3229	324.22
BRIAN L & RHONDA SMITH	PO BOX 391	BRAINERD, MN 56401	09196069008W889	LOTS 1 & 2 C A WALKERS SUBD. OF LOTS 8, 9, 10, 11, 12 BLOCK	624 LAUREL ST	174.00	4.3229	752.18
EDWARD R & SARAH HAYDEN-SHAW	521 N 9TH ST	BRAINERD, MN 56401	09196069013W889	E 50 FT OF LOTS 13 THRU 17 INCLUSIVE BLOCK 69	612 LAUREL ST	50.00	4.3229	216.15
EDWARD R & SARAH HAYDEN-SHAW	521 N 9TH ST	BRAINERD, MN 56401	09196069013X009	CENTER 50 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 69	606 LAUREL ST	50.00	4.3229	216.15
MAJIK PROPERTIES LLC	12890 MOUNTAIN ASH DR	BAXTER, MN 56425	09196069013Z889	W 50 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 69	602 LAUREL ST	50.00	4.3229	216.15
DAVID F PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071008X009	E 50 FT OF LOTS 8 THRU 12 INCLUSIVE BLOCK 71	722 LAUREL ST	50.00	4.3229	216.15
DAVID F PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071008Y889	LOTS 8 THRU 12 INCLUSIVE EXCEPT E 50 FT THEREOF AND E	718 LAUREL ST	45.00	4.3229	194.53
BRAINERD LAKES PROPERTIES LLC	718 LAUREL ST	BRAINERD, MN 56401	09196071010Z889	W 45 FT OF LOTS 10 THRU 12 INCLUSIVE BLOCK 71	714 LAUREL ST	45.00	4.3229	194.53
NILA M PATRICK	710 LAUREL ST	BRAINERD, MN 56401	09196071013Y889	LOTS 13 THRU 15 INCLUSIVE BLOCK 71 EX. THE W'LY 81 1/6 F	710 LAUREL ST	58.83	4.3229	254.32
DAVID F PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071013Z889	W'LY 81 1/6 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 71	301 S 7TH ST	156.17	4.3229	675.11
RICHARD & DENISE RATHMAN	305 S 7TH ST	BRAINERD, MN 56401	09196071016Z009	W'LY 79 1/2 FT OF LOTS 16 AND 17 BLOCK 71	305 S 7TH ST	50.00	4.3229	216.15
BREMER BANK OF BRAINERD	321 S 7TH ST	BRAINERD, MN 56401	09196071020Y009	LOTS 19 THRU 24, BLOCK 71	321 S 7TH ST	150.00	4.3229	648.44
MOORES PROPERTIES, INC.	605 LAUREL STREET	BRAINERD, MN 56401	096010000010009	LAUREL CONDOMINIUMS	-	140.00	4.3229	605.21
TOTAL						2744.00		\$ 11,862.10

Dated this 30th day of November, 2017

Attest: _____

y Administrator

James M. Thoreen

City

Interest Rate - 3.5%

Years Certified - 1 Year

David J. Pritschet
President of Council

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land below described, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of lot cleaning, grass mowing, garbage removal, and administrative citations in the City of Brainerd on various parcels.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	NUISANCE TYPE	ASSESSABLE
EGGLESTON, THOMAS MICHAEL	1123 S 10TH ST	BRAINERD, MN 56401	09117008001Z009	LOTS 2 AND 3 & N 15 FT OF LOT 1 BLOCK 8	CHIPPAWA ADDITION TO THE CITY OF BRAINERD	1123 10TH ST S	GRASS CITATION	125.00
TRUSTONE FINANCIAL FEDERAL CREDIT	14601 27TH AVE N STE 103	PLYMOUTH, MN 55447	09120003004Z009	LOTS 4 & 5 BLOCK 3	DAVIS' ADDN TO THE CITY OF BRAINERD	918 12TH ST S	ABATEMENT - GRASS	90.00
HATCH, DOLORES L & ROBERT BC/O PROGRESSIVE PROPERTY MGMT	1511 NORTHERN PACIFIC RD, STE 101	BRAINERD, MN 56401	09120006003Z009	LOTS 3 AND 4 BLOCK 6	DAVIS' ADDITION TO THE CITY OF BRAINERD	1016 12TH ST S	JUNK	125.00
COMMUNITY DEVELOPMENT BANK FSB	PO BOX 38	OGEMA, MN 56569	09120007019Z009	LOTS 19 THRU 21 BLOCK 7 INCLUSIVE	DAVIS' ADDN TO THE CITY OF BRAINERD	1013 12TH ST S	GRASS, PROP MAINT, AND ABATEMENT	710.00
ADAM & CHARLOTTE WHEELER	1013 WILLOW ST	BRAINERD, MN 56401	09120013009Z009	LOTS 9 & 10 BLOCK 13 ETC.	DAVIS' ADDN TO THE CITY OF BRAINERD	1013 WILLOW	ABATEMENT - GRASS	245.00
DOUCETTE, DORIS D	214 4TH AVE NE	BRAINERD, MN 56401	09122008004Y889	CNT 50 FT OF LOT 4 BLOCK 8 & N 20 FT OF W 50 FT	EAST BRAINERD	405 B ST NE	PROPERTY MAINT	375.00
O'DAY, JAMES T	316 1ST AVE NE	BRAINERD MN 56401	091220120100009	LOT 10 BLOCK 12	EAST BRAINERD	316 1ST AVE NE	PROPERTY MAINT	1,125.00
LANGSETH, JOEL	1009 G ST NE	BRAINERD, MN 56401	09123001013Z009	LOTS 13 AND 14 BLOCK 1	EAST SIDE ADDN TO THE CITY OF BRAINERD	1009 G ST NE	PROPERTY MAINT	1,250.00
BLOOD, SCOTT T & DENISE R	14875 LYNNWOOD DR	BAXTER, MN 56425	09123004002X009	LOTS 2 THRU 7 BLK 4 LYING E OF MN HWY 25 AS S	EAST SIDE ADDITION TO THE CITY OF BRAINERD	714 MILL AVE	GRASS CITATION	125.00
HENDRICKSON, TYLER J	23595 BUTTERCUP LN	AITKIN MN 56431	09123007011Z009	S. 5 FT OF LOT 11 BLOCK 7 AND ALL OF LOT 12 BLO	EAST SIDE ADDITION TO THE CITY OF BRAINERD	602 9TH AVE NE	UNLICENSED VEHICLE	125.00
SNOOK, HAROLD	602 10TH AVE NE	BRAINERD, MN 56401	091230080120009	LOT 12 BLOCK 8	EAST SIDE ADDN TO THE CITY OF BRAINERD	602 10TH AVE NE	UNLICENSED VEHICLE & GRASS CITATIONS	1,500.00
CONNELLY, JOHN T	PO BOX 102	BRAINERD, MN 56401	091230110070009	LOT 7 BLOCK 11	EAST SIDE ADDITION TO THE CITY OF BRAINERD	522 8TH AVE NE	GRASS CITATION	125.00
MORGAN, JOSEPH P	1841 GRAYDON AVE	BRAINERD, MN 56401	091240020060009	LOT 6 BLOCK 2	EDGEWOOD ROAD ADDN TO THE CITY OF BRAINERD	1841 GRAYDON AVE	PREMISE IDENTIFICATION	125.00
VEITH, STEVEN H	9797 LEGIONVILLE RD	BRAINERD, MN 56401	091280140080009	LOT 8 BLOCK 14	FARRAR AND FORSYTH'S 1ST ADDN TO BRAINERD	408 2ND AVE NE	POSSIBLE RENTAL, GRASS AND ABATEMENT	1,210.00
PETERSON, SHIRLEY L V	504 1ST AVE NE	BRAINERD, MN 56401	091280200070009	LOT 7 BLOCK 20	FARRAR AND FORSYTH'S FIRST ADDITION TO BRD	504 1ST AVE NE	PROPERTY MAINT	125.00
GLUMAC, MICHAEL P & SAMANTHA	602 1ST AVENUE NE	BRAINERD, MN 56401	09128021007Z009	W1/2 OF LOTS 7 THRU 9 BLOCK 21 INCLUSIVE	FARRAR AND FORSYTH'S FIRST ADDITION TO BRD	602 1ST AVE NE	GRASS CITATION	125.00
BOCK, THOMAS C	623 3RD AVE NE	BRAINERD, MN 56401	091280220010009	LOT 1 BLOCK 22	FARRAR AND FORSYTH'S 1ST ADDN TO BRAINERD	623 3RD AVE NE	GRASS CITATION & ABATEMENT	465.00
ENGHOLM, ISLA M TRUST AGR 8-21-06	14656 JEWELWOOD DR	BAXTER, MN 56425-8746	09128025005Z009	LOT 6 AND LOT 11 BLOCK 25	FARRAR AND FORSYTH'S FIRST ADDITION TO BRD	712 4TH AVE NE	JUNK	500.00
PATRICK, GRETCHEN L	12629 30TH ST	BRAINERD, MN 56401	091280280040009	LOT 4 BLOCK 28	FARRAR AND FORSYTH'S FIRST ADDITION TO BRD	717 2ND AVE NE	GARBAGE, GRASS & UNLICENSED VEHICLE CITATIONS	375.00
ELLSTROM, AUSTEN B	708 NE 1ST AVE	BRAINERD, MN 56401	091280280100009	LOT 10 BLOCK 28	FARRAR AND FORSYTH'S 1ST ADDN TO BRAINERD	708 1ST AVE NE	BUILDING CODE CITATION	125.00
BARQUERO, AMANDA	1238 MILL AVE	BRAINERD, MN 56401	091360010050009	LOT 5 BLOCK 1	GUSTAFSON'S ADDN TO THE CITY OF BRAINERD	1238 MILL AVE	POSSIBLE RENTAL CITATIONS	750.00
TAYLOR, MATTHEW J	720 H ST	BRAINERD, MN 56401	09138002001Y009	THE W 50 FT OF THE E 100 FT OF LOTS 1 & 2, BLOCK	HAINE'S ADDN TO THE TOWN OF EAST BRAINERD	720 H ST NE	GRASS CITATION	125.00
SHANKS, ROBERT M	617 7TH STREET N	BRAINERD, MN 56401	09138003010A009	LOT 10 BLOCK 3 EXC S 5 FT THEREOF	HAINE'S ADDN TO THE TOWN OF EAST BRAINERD	712 5TH AVE NE	JUNK CITATION	125.00
WALKER, RICHARD & ANITA	8581 ALZALEA RD	PILLAGER, MN 56473	091380060120009	LOT 12 BLOCK 6	HAINE'S ADDN TO THE TOWN OF EAST BRAINERD	623 F ST NE	GRASS CITATION	125.00
B & K RENTALS 1001 LLC	13955 OLIVEWOOD DR	BAXTER, MN 56425	09138010007Z009	S 75 FT OF LOTS 7 THRU 9 BLK 10 INCL.	HAINE'S ADDITION TO THE TOWN OF EAST BRAINERD	502 6TH AVE NE	JUNK CITATION	125.00
GOTTWALT, MATT	6571 160TH AVE	ROYALTON, MN 56373	09138010010X009	N. 50 FT. OF LOTS 10 THRU 12 BLK 10 INCLUSIVE	HAINE'S ADDN TO THE TOWN OF EAST BRAINERD	505 7TH AVE NE	UNLICENSED VEHICLE AND PROPERTY MAINT CITATIONS	625.00
ROGERS, DUSTIN C	843 S QUAIL WAY	LAKEWOOD, CO 80226-3873	09145000001A009	TRACT 1, EXCEPT THE W 66 1/2 FT AND EXCEPT TH	HOLLAND'S 3RD ADDN TO THE CITY OF BRAINERD	2010 OAK ST	GRASS CITATION	125.00
WINDORSKI, ASHLEY	2011 PINE ST	BRAINERD, MN 56401	09145000001D009	N 150 FT OF S 183 FT OF TRACT 1 EX W 66.5 FT THE	HOLLAND'S 3RD ADDN TO THE CITY OF BRAINERD	2011 PINE ST	PREMISE IDENTIFICATION	1,750.00
RIEDKHSING, COREY	5941 CLARK LAKE RD	NISSWA, MN 56468-2296	09145000005D009	W 140 FT OF S 60 FT OF TRACT 5	HOLLAND'S 3RD ADDN TO THE CITY OF BRAINERD	705 19TH ST S	PREMISE IDENTIFICATION	125.00
WEILAND, JACOB L	704 19TH ST SE	BRAINERD, MN 56401	091450000024B009	S 70 FT OF N 100 FT OF E 150 FT OF LOT 24.	HOLLAND'S 3RD ADDN TO THE CITY OF BRAINERD	704 19TH ST S	PREMISE IDENTIFICATION	1,250.00
SCHMIDT, ANDREW J & ROBYN M	604 SE 19TH ST	BRAINERD, MN 56401	091450000025A009	E 56.5 FT OF N 140 FT OF TRACT 25	HOLLAND'S THIRID ADDITION TO THE CITY OF BRAIN	604 19TH ST S	GRASS CITATION	125.00
GOODE, KEVIN R	1505 S 7TH ST	BRAINERD, MN 56401	09146011003Z009	LOTS 3 AND 4 BLOCK 11 AND N. 10 FT OF LOT 5 BLO	HOWES AND SPALDINGS ADDN TO BRAINERD	1505 7TH ST S	PREMISE IDENTIFICATION	125.00
EUE, JENNIFER M	1524 8TH ST S	BRAINERD, MN 56401	09146011013Y009	LOTS 13 THRU 15 INCL BLOCK 11 & ALSO N1/2 OF AL	HOWES AND SPALDINGS ADDITION TO THE CITY OF	1524 8TH ST S	UNLICENSED VEHICLE	250.00
HOLMES, JAYME	1523 8TH ST S	BRAINERD, MN 56401	09146012007Z009	W. 50 FT OF LOTS 7 THRU 12 INCLUSIVE BLOCK 12	HOWES AND SPALDINGS ADDITION TO THE CITY OF	1523 8TH ST S	UNLICENSED VEHICLE	375.00
JPMORGAN CHASE BANK NA	3415 VISION DR	COLUMBUS, OH 43219	091480030060009	LOT 6 BLOCK 3	KOOP & WALKER'S ADDN TO THE CITY OF BRAINERD	1602 9TH AVE NE	GRASS CITATION	125.00
FA LI, SHU & GONZALEZ-QUEVEDO, HEID	1713 OAK ST	BRAINERD, MN 56401	091640030060009	LOT 6 BLOCK 3	PARKER'S ADDITION TO BRAINERD	1713 OAK ST	POSSIBLE RENTAL, GRASS AND PROPERTY MAINT CITATION	750.00
CLOUGH, CANDYCE	425 C ST NE	BRAINERD, MN 56401	091690020090009	LOT 9 BLOCK 2	SCHMELZ'S ADDITION TO EAST BRAINERD	425 C ST NE	JUNK CITATION	750.00
GOTTWALT, MATT	6571 160TH AVE	ROYALTON, MN 56373	091690030010009	LOT 1 BLOCK 3	SCHMELZ'S ADDITION TO EAST BRAINERD	430 C ST NE	JUNK CITATION	500.00
PAULSON, MATTHEW J & LISA A	414 C ST NE	BRAINERD, MN 56401	091690030050009	LOT 5 BLOCK 3	SCHMELZ'S ADDITION TO EAST BRAINERD	414 C ST NE	UNLICENSED VEHICLE	1,250.00
SUMMY, KATHLEEN S	812 10TH AVE NE	BRAINERD, MN 56401	091710010100009	LOT 10 BLOCK 1	SCHMELZ'S SECOND ADDITION TO BRAINERD	812 10TH AVE NE	PROPERTY MAINT, GRASS AND ABATEMENT	340.00
WITSCHENSUDE LLC	3755 COUNTY ROAD 2	FORT RIPLEY, MN 56449	091710040040009	LOT 4 BLK 4 EX. HWY.	SCHMELZ'S SECOND ADDITION TO THE CITY OF BRD	808 MILL AVE	GRASS CITATION	125.00
PEDERSON, SCOTT C	902 10TH AVE NE	BRAINERD, MN 56401	091710080120009	LOT 12 BLOCK 8	SCHMELZ'S SECOND ADDITION TO BRAINERD	902 10TH AVE NE	UNLICENSED VEHICLE	250.00
GRANHOLM, TERRANCE	511 L STREET NE	BRAINERD, MN 56401	09172003011Y009	E. 60 FT. OF LOTS 11 AND 12 BLK 3	SCHWARTZ'S ADDN TO THE CITY OF BRAINERD	511 L ST NE	GRASS CITATION	125.00
HOPE RESOURCE SOLUTIONS LLC	12610 CAMWOOD TRAIL	BAXTER MN 56425	09172009007Y009	E. 60 FT. OF LOTS 7 AND 8 BLK 9	SCHWARTZ'S ADDN TO THE CITY OF BRAINERD	510 L ST NE	UNLICENSED VEHICLE	500.00
KELSEY, DAMON D & MIKAILA	810 7TH AVE NE	BRAINERD, MN 56401	09172025009Z009	S. 1/2 OF LOT 9 BLOCK 25 AND ALL OF LOT 10 BLK 25	SCHWARTZ'S ADDN TO THE CITY OF BRAINERD	810 7TH AVE NE	UNLICENSED RENTAL	750.00
PRIBBENOW, DENA DENTI	801 3RD AVE NE	BRAINERD, MN 56401	091720300010009	LOT 1 BLOCK 30	SCHWARTZ'S ADDN TO THE CITY OF BRAINERD	801 3RD AVE NE	UNLICENSED VEHICLE	125.00
RIESE, ROBERT & JODI C/O COLIN & AMY MCCLAIN	2331 DANCING WIND RD SW	PINE RIVER, MN 56474	09172030009Z009	LOTS 9 AND 10 BLK 30	SCHWARTZ'S ADDN TO THE CITY OF BRAINERD	816 2ND AVE NE	PROPERTY MAINT AND GRASS CITATIONS	750.00
STEVENS, ELIZABETH & TIMOTHY D STEVENS	18627 COUNTY ROAD 1	EMILY, MN 56447	091720310060009	LOT 6 BLOCK 31	SCHWARTZ'S ADDN TO THE CITY OF BRAINERD	823 2ND AVE NE	PROPERTY MAINT AND GRASS CITATIONS	1,000.00
LARSON, KEITH	1605 PINE ST	BRAINERD, MN 56401	09174002004Z009	LOT 4 BLOCK 2 AND E. 1/2 OF LOT 5 BLOCK 2	2ND ADDITION TO BRAINERD	1605 PINE ST	PREMISE IDENTIFICATION	875.00
VYONNE ERICKSON			09174007015Z009	LOTS 15 & 16 BLOCK 7	2ND ADDITION TO BRAINERD	1108 OAK STREET	ABATEMENT - GRASS	335.00
ANTONSEN, JUSTIN D & THOMAS L	1315 QUINCE ST	BRAINERD, MN 56401	09174011005Z009	LOTS 5 AND 6 BLOCK 11	2ND ADDITION TO BRAINERD	1315 QUINCE ST	BUILDING CODE CITATION	250.00
DRIVER, BRIAN LESTER	1307 ROSEWOOD ST	BRAINERD, MN 56401	09174016009Z009	LOTS 9 AND 10 BLOCK 16	2ND ADDITION TO BRAINERD	1307 ROSEWOOD ST	PREMISE IDENTIFICATION, GRASS AND JUNK CITATIONS	2,125.00
HUNTER, ERIN	1219 ROSEWOOD ST	BRAINERD, MN 56401	09174017003Z009	LOTS 3 AND 4 BLOCK 17	2ND ADDITION TO BRAINERD	1219 ROSEWOOD ST	PREMISE IDENTIFICATION AND PROPERTY MAINT CITATIONS	375.00
AMES, LINNEA	1017 ROSEWOOD ST	BRAINERD, MN 56401	09174019004Z009	LOTS 4 AND 5 BLOCK 19	2ND ADDITION TO BRAINERD	1017 ROSEWOOD ST	PROPERTY MAINT	125.00
PARKHILL, MATT	12965 243RD AVE	ZIMMERMAN, MN 55398	091810010050009	LOT 5 BLOCK 1, TOGETHER WITH AND SUBJ TO AN	SLEEPERS ADDITION TO BRAINERD	1705 MAPLE ST	GRASS CITATION	125.00
CK PROPERTIES OF BRAINERD LLC	12610 CAMWOOD TRAIL	BAXTER MN 56425	09181009005A009	N. 100 FT. OF LOT 5 BLOCK 9	SLEEPERS ADDITION TO BRAINERD	1208 MAPLE ST	GRASS CITATION	250.00
CAMUS, CHRISTOPHER JAMES	24875 FAYARD RD	SPRINGFIELD, LA 70462-8786	091810130110009	LOT 11 BLOCK 13	SLEEPERS ADDITION TO BRAINERD	1619 NORWOOD ST	UNLICENSED RENTAL	750.00
PASCHKELE, JAMES & CAROLE A	501 SE 16TH ST	BRAINERD, MN 56401	09181016005X009	N 50 FT LOTS 5 & 6 BLOCK 16	SLEEPERS ADDITION TO BRAINERD	501 16TH ST SE	GARBAGE CITATION	125.00
NELSON, MATT	2027 E FAIRBANKS ST	TACOMA, WA 98404-4850	091810160120009	LOT 12 BLOCK 16	SLEEPERS ADDITION TO BRAINERD	1623 OAK ST	GRASS CITATION	250.00
KING, JENNIFER A	1421 OAK ST	BRAINERD, MN 56401	091810180110009	LOT 11 BLOCK 18	SLEEPERS ADDITION TO BRAINERD	1421 OAK ST	GRASS, GARBAGE AND ABATEMENT	1,130.00
FEDERAL NATIONAL MORTGAGE ASSOC	14221 DALLAS PKWY SUITE 11201	DALLAS, TX 75254-2916	091810190040009	LOT 4 BLOCK 19	SLEEPERS ADDITION TO BRAINERD	1314 NORWOOD ST	GRASS CITATION	250.00
NORWOOD STREET LLC	11171 TOWN HALL ST	BRAINERD, MN 56401	091810190050009	LOT 5 BLOCK 19	SLEEPERS ADDITION TO BRAINERD	1306 NORWOOD ST	GRASS CITATION	125.00
JOBE, PRESTON & AIMEE	1323 OAK ST	BRAINERD, MN 56401	091810190120889	LOT 12 BLK 19 EX THE N 9 FT THEREOF.	SLEEPERS ADDITION TO BRAINERD	1323 OAK ST	PROPERTY MAINT	125.00
KETTURAH & KENNETH HOFFMAN	1209 7TH ST S	BRAINERD, MN 56401	09182001027Z009	LOTS 27 & 28 BLOCK 1	SLEEPER'S PARK ADDITION TO THE CITY OF BRAINE	1209 7TH ST S	ABATEMENT - GRASS	245.00
WOOD, MICHAEL JAMES	525 TOWER POND CT	ANOKA, MN 55303	09188006011Z009	LOT 11 BLOCK 6 & ALSO THE N. 7 FT OF THE ADJAC	ST. PAUL ADDN TO THE CITY OF BRAINERD	1317 M ST NE	GRASS CITATION AND ABATEMENT	215.00
JAMES, TERRY E & MARVIN G	812 12TH AVE NE	BRAINERD, MN 56401	091880120100009	LOT 10 BLOCK 12	ST. PAUL ADDITION TO THE CITY OF BRAINERD	1213 L ST NE	GRASS CITATION	125.00
WEIR, JOHN & MAURINEC/O BRAINERD LAKES PROPERTIES LLC	718 LAUREL ST	BRAINERD, MN 56401	09188013001X009	LOTS 1 & 2 BLK 13 EXC N 70 FT & ALSO INCL W 7 FT	ST. PAUL ADDITION TO THE CITY OF BRAINERD	1115 12TH AVE NE	GRASS CITATION	125.00
MATTSEN, TODD	1022 13TH AVE NE	BRAINERD, MN 56401	09188018011Z009	LOTS 11 AND 12 BLOCK 18	ST. PAUL ADDN TO THE CITY OF BRAINERD	1022 13TH AVE NE	PROPERTY MAINT, JUNK, UNLICENSED VEHICLES	3,875.00
ANDRESEN, JOSEPH A & LULA	1024 - 12TH AVE NE	BRAINERD, MN 56401	09188019012Z009	L 12 BLK 19 & ALSO E 7 FT OF ADJ VAC 12TH AVE NE	ST. PAUL ADDITION TO THE CITY OF BRAINERD	1024 12TH AVE NE	JUNK CITATION	250.00
LINDQUIST, TANNER M	1202 J ST NE	BRAINERD, MN 56401	091880210120009	LOT 12 BLOCK 21	ST. PAUL ADDN TO THE CITY OF BRAINERD	1202 J ST NE	UNLICENSED VEHICLE AND GRASS CITATION	1,125.00
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	09188029001Y009	LOTS 1 AND 2 BLOCK 29 & ALSO THE W. 7 FT OF TH	ST. PAUL ADDN TO THE CITY OF BRAINERD	723 12TH AVE NE	UNLICENSED VEHICLE	250.00
ANDREWS, DARREN R &CHRISTINE MADSEN-ANDREWS	720 11TH AVE NE	BRAINERD, MN 56401	09188029010Z009	LOTS 10 THRU 12 BLOCK 29 INCLUSIVE	ST. PAUL ADDN TO THE CITY OF BRAINERD	720 11TH AVE NE	UNLICENSED VEHICLE AND JUNK CITATION	1,625.00
YOUNG, EDWARD N & REBECCA R	1001 TERRACE AVE	BRAINERD, MN 56401	09193002019Z009	LOTS 19 AND 20 BLOCK 2 AND E. 40 FT OF THE VAC	TERRACE PARK ADDN TO THE CITY OF BRAINERD	1001 TERRACE AVE	UNLICENSED VEHICLE	125.00
GOTTWALT, MATT	6571 160TH AVE	ROYALTON, MN 56373	09196038002Z009	LOT 2 BLOCK 38 EXCEPT THE N 3 FT THEREOF AND	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	219 10TH ST N	GRASS AND JUNK CITATION	500.00
CLUEVER, CHARLES E	7 ISLAND HEIGHTS CT NE	PINE ISLAND, MN 55963-9739	09196042005Z009	LOTS 5 AND 6 BLOCK 42	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	215 8TH ST N	PROPERTY MAINT	375.00
KRAMER, KENNETH & ROSEMARY	10865 COUNTY RD 44	BRAINERD, MN 56401	09196068008Z009	N1/2 OF LOT 8 BLOCK 68 & LOT 9 BLOCK 68 & S 1/2 C	TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD	317 4TH ST N	RECREATIONAL FIRE CITATION	125.00
HALL, EDWARD M & JUDITH C	9303 MEADOW BROOK LN	BRAINERD, MN 56401	09196072020Z009	W. 100 FT OF LOTS 19 AND 20 BLOCK 72	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	310 5TH ST N	PROPERTY MAINT	125.00
NORDENSON, DANIEL J & ELIZABETH S	601 KINGWOOD ST	BRAINERD, MN 56401	09196074021Z009	W. 100 FT OF LOTS 21 THRU 24 INCLUSIVE BLOCK 74	TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD	601 KINGWOOD ST	GRASS CITATION	125.00
SWAITHES, ADWINA F	315 S 9TH ST	BRAINERD, MN 56401	09196075020Z009	S. 10 FT OF W. 100 FT OF LOT 20 BLOCK 75 & THE W	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	315 9TH ST S	GARBAGE, GRASS AND ABATEMENT	1,000.00
GORTON, JAY J	P O BOX 29	PEQUOT LAKES, MN 56472	09196076003Z009	LOTS 3 THRU 5 BLOCK 76	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	307 8TH ST N	PROPERTY MAINT	1,125.00

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land below described, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of lot cleaning, grass mowing, garbage removal, and administrative citations in the City of Brainerd on various parcels.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	NUISANCE TYPE	ASSESSABLE
RIVERS, CULLEN J	713 KINGWOOD ST	BRainerd, MN 56401	09196076022Z009	E. 40 FT OF LOTS 22 THRU 24 INCLUSIVE BLOCK 76	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	713 KINGWOOD ST	PREMISE IDENTIFICATION	250.00
WEISS, RICHARD A	319 9TH ST N	BRainerd, MN 56401	09196078009Z009	N1/2 OF LOT 9 BLOCK 78 AND ALL OF LOT 10 BLOCK	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	319 9TH ST N	PROPERTY MAINT	1,500.00
VOSS, TIMOTHY J SR & LAUREL M	911 KINGWOOD ST #1	BRainerd, MN 56401	09196080001Z009	W. 50 FT OF LOTS 1 THRU 3 INCLUSIVE BLOCK 80	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	911 KINGWOOD ST	UNLICENSED VEHICLE	2,375.00
STEVENS, ELIZABETH J	18627 COUNTY ROAD 1	EMILY, MN 56447	09196093021Z009	LOTS 21 AND 22 BLOCK 93	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	421 9TH ST S	JUNK CITATION	375.00
OLANDER, KEVIN M	P O BOX 2055	LA HABRA, CA 90632	09196102000A009	S 50 FT OF E 140 FT OF BLOCK 102	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	401 8TH ST N	PROPERTY MAINT	625.00
DBM TWO PARTNERSHIP LLC	8845 MEDLEY LN	GOLDEN VALLEY, MN 55427-32	09196129016Z889	LOT 16 BLK 129 EX W 25FT THEREOF & ALL OF LOTS	TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD	507 6TH ST S	GRASS, ABATEMENT, AND BUILDING CITATIONS	790.57
MEYER, DAVID W & BRIANNA S HESS	501 8TH ST S	BRainerd, MN 56401	09196133013Z009	LOTS 13 AND 14 BLOCK 133	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	501 8TH ST S	UNLICENSED VEHICLE	2,625.00
WELSAND, LOREN	1018 PINE COVE DR	LEHIGH ACRES, FL 33974-0577	09196133019Z009	TS 19 AND 20 BLOCK 133	TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD	513 8TH ST S	PROPERTY MAINT	125.00
BERENT, KELSEY & JUSTIN KNIPPEL	PO BOX 2634	BAXTER, MN 56425	09196135021Z009	S 1/2 OF LOT 21 BLOCK 135 AND ALL OF LOT 22 BLO	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	519 9TH ST S	PROPERTY MAINT	250.00
WETHERELL, RICHARD B	915 LAUREL ST	BRainerd, MN 56401	09196137004Z009	LOTS 4 THRU 6 INCLUSIVE BLOCK 137	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	504 11TH ST S	PROPERTY MAINT AND UNLICENSED VEHICLE	2,375.00
PARKHILL, MATTHEW P & CHRISTINE A	12965 243RD AVE	ZIMMERMAN, MN 55398	09196153019Z009	LOTS 19 AND 20 BLOCK 153	TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD	613 9TH ST S	GRASS CITATION	125.00
CAMERON, RICHARD B JR	607 3RD AVE NE	BRainerd, MN 56401	09196160013Z009	W. 100 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 14	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	624 9TH ST N	GRASS CITATION	250.00
BETCHER, PATRICK W	13569 N SYLVAN DAM RD	PILLAGER, MN 56473	09196162022Y009	E. 40 FT OF LOTS 22 THRU 24 INCLUSIVE BLOCK 162	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	811 HOLLY ST	PROPERTY MAINT	250.00
ABEAR ENTERPRISES	7217 EXCELSIOR RD STE 100	BAXTER MN 56425	091962040060009	LOT 6 BLOCK 204	TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD	1014 FIR ST	JUNK CITATION	125.00
RICH, RALPH	801 6TH ST S	BRainerd, MN 56401	09196217013Z009	W. 115 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 2	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	801 6TH ST S	PROPERTY MAINT	250.00
VANHERCKE, RAYMOND J III & TRACY A	403 15TH ST SW	LITTLE FALLS, MN 56345	09196218008Z009	LOT 8 BLOCK 218 EX. S'LY 10 FT THEREOF, AND ALL	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	816 10TH ST N	PROPERTY MAINT	125.00
ROCK, RODNEY L & SUSAN	PO BOX 432	BEMIDJI, MN 56619	0919800Q007Z009	LOT 7 THRU 12 BLOCK Q & ADJ N'LY 1/2 OF VACATE	WEST BRAINERD	602 JAMES ST - LOT 9	GARBAGE CITATION	125.00
ROSENKRANZ, FLORENCE J	323 5TH ST SW	BRainerd, MN 56401	091980410120009	LOT 12 BLOCK 41	WEST BRAINERD	323 5TH ST SW	PROPERTY MAINT & JUNK CITATIONS	250.00
BOTELLO, ROGER A	323 6TH ST SW	BRainerd, MN 56401	09198043010Z009	W. 70 FT OF LOTS 10 THRU 12 INCLUSIVE BLOCK 43	WEST BRAINERD	323 6TH ST SW	GRASS CITATION AND ABATEMENT	215.00
KUNSTLEBEN, ERIC M & BETH	12291 RUTHIE CT	BRainerd, MN 56401	09198055011Z009	S 10FT OF L 11 B 55 & ALL OF L 12 B 55	WEST BRAINERD	423 5TH ST SW	PROPERTY MAINT	1,250.00
BAKKILA, ROBERT LEE & DENISE MARIE	510 SW 4TH ST	BRainerd, MN 56401	091980630030009	LOT 3 BLOCK 63	WEST BRAINERD	510 4TH ST SW	GRASS CITATION	125.00
SELLERS, JACOB S & AMBER J	1504 8TH AVE NE	BRainerd, MN 56401	09201002001A009	W 60 FT OF LOTS 1 2 & 3 BLOCK 2 WILLIS ADDN & AL	WILLIS' ADDITION TO THE CITY OF BRAINERD	1504 8TH AVE NE	GRASS CITATION AND BUILDING CODE	500.00
PELICAN PLACE LLC	5906 PINE BEACH RD	BRainerd, MN 56401	092030010090009	LOT 9 BLOCK 1	KRIHA ADDITION TO BRAINERD	133 CAROL LN	PROPERTY MAINT	125.00
PRASKA, HENRY D. & KARA T	402 BUFFALO HILLS LANE	BRainerd, MN 56401	092100020010009	LOT 1 BLOCK 2	BUFFALO HILLS	402 BUFFALO HILLS LN	GRASS CITATION	125.00
SCHUCKER, CHRISTOPHER J	915 BLAIR CIRCLE	BRainerd, MN 56401	092510010080009	LOT 8 BLOCK 1	WILLOWS (THE)	915 BLAIR CIR	GRASS CITATION	125.00
BECKETT, MICHELE L	30637 OLSON ST APT 304	PEQUOT LAKES, MN 56472-308	092510010110009	LOT 11 BLOCK 1	WILLOWS (THE)	2813 BLAIR ST	GRASS CITATION	125.00
CHURCHILL, LOYD D & KAREN	3014 OAK ST	BRainerd, MN 56401	092710060240009	LOT 24 BLOCK 6	BRAINERD OAKS	3014 OAK ST	SIDEWALK AND GRASS CITATION	250.00
BECKMAN, NATHAN	9050 NORTHTOWN ST	BRainerd, MN 56401	092720030120009	LOT 12 BLOCK 3	NORTHTOWN	9050 NORTHTOWN ST	SIDEWALK CITATION	125.00
ERLACHER, ANDREA	707 5TH STREET N	BRainerd, MN 56401	092720030220009	LOT 22 BLOCK 3	TOWN OF BRAINERD & 1ST ADDN TO BRAINERD	707 5TH ST N	UNLICENSED VEHICLE	250.00
FA LI, SHU & GONZALEZ-QUEVEDO, HEIDI	1713 OAK ST	BRainerd, MN 56401	91640030060009	LOT 6 BLOCK 3	PARKERS ADDITION TO BRAINERD	1713 OAK ST	POSSIBLE RENTAL CITATIONS	250.00
PEDERSON, SCOTT C	902 10TH AVE NE	BRainerd, MN 56401	91710080120009	LOT 12 BLOCK 8	SCHMELZ'S SECOND ADDITION TO BRAINERD	902 10TH AVE NE	UNLICENSED VEHICLE	375.00
TOTAL						TOTAL		57,490.57

Dated this 30th day of November, 2017

Attest: _____
Jim Throeen
City Administrator

Interest Rate - 3.5%
Years Certified - 1 year

David J. Pritschet
President of Council

RESOLUTION
NO. _____

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for 2016-2017 snow removal and special services and nuisance abatement concerning the properties abutting on the following:

DOWNTOWN SNOW REMOVAL AND SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

Laurel Street from South 6th Street to South 8th Street
Front Street from South 6th Street to South 8th Street
South 7th Street from Maple Street to Front Street

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Misc properties around the City

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and City Engineer, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.

2. Such assessment shall be payable in full within 30 days from the adoption of this Resolution without interest at the office of the City Administrator. Thereafter, the entire amount of the assessment shall be payable to the Crow Wing County Auditor with interest at the rate of three and one-half (3.5%) percent.

3. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted this ____ day of _____, 201__

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of _____, 201__

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Public Hearing - Improvements 14-03 and 16-13 - Adopt Assessments

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy, City Engineer	Department: Engineering
Presenter (Name & Title): Paul Sandy, City Engineer	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a copy of the Notice of Assessment Hearing and the Proposed Assessment Rolls for Improvements 14-03 (Jackson Street) and 16-13 (Buffalo Hills Lane).	
Alternatives, Options, Effects on Others/Comments: At the public hearing, if there are questions or comments about the proposed assessments, staff will be available to respond. At the conclusion of the hearing, the Council would typically adopt a resolution Adopting the Assessments. If there are contested assessment amounts, staff would ask that the Council still adopt the assessments to start the 30-day payment clock. Contested assessments would be brought back to the next meeting for discussion.	
Recommended Action/Motion: Staff would recommend holding the public hearing to hear testimony for or against the proposed assessments and also adopt the attached resolution adopting the assessments as proposed for Improvements 14-03 and 16-13.	
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>	

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 16, 2017, to pass upon the proposed assessment for the following improvements:

IMPROVEMENT 14-03

Street Resurfacing – Aggregate Base, Bituminous, Concrete Curb and Gutter, and Concrete Walk

Jackson Street between NW 4th Street (Riverside Drive) to Brainerd City Limits

IMPROVEMENT 16-13

Street Resurfacing – Aggregate Base, Bituminous, Concrete Curb and Gutter, and Concrete Walk

Buffalo Hills Lane between S 6th Street (TH 371B) and Graydon Avenue

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost for Improvement 14-03 is estimated at \$326,397.59 and Improvement 16-13 is estimated at \$342,111.91 of which \$37,223.55 and \$62,783.23 is proposed to be assessed respectively.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply is three and one-half (3.5%) percent per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might

qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of ten (10) years.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.
5. The entire hearing will be tape-recorded.
6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this 18th day of September, 2017



James M. Thoreen
City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 29, 2017

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land described below, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of Improvement 14-03.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	ASSESSMENT
BRAINERD AMATEUR HOCKEY FOUNDATION	PO BOX 38	BRAINERD, MN 56401	091020020020009	LOT 2 BLOCK 2 EXC S 40 FT OF N 185 FT OF E	ARENA ADDN TO THE CITY OF BRAINERD		\$ 8,550.36
WESTGATE MALL REALTY GROUP LLC	911 E COUNTY LINE RD STE 203	LAKESWOOD, NJ 08701	0919800J000Y009	ALL OF BLOCK K, BLOCK J, AND BLOCK R, AL	WEST BRAINERD		\$ 6,412.77
TJV LLC	623 4TH ST NW	BRAINERD, MN 56401	0919800O003Z009	LOTS 3 THRU 6 INCLUSIVE BLOCK O	WEST BRAINERD		\$ 3,439.80
S&K CAPITAL INVESTMENTS LLC	5350 PINE BEACH RD	BRAINERD, MN 56401	0919800O0070009	LOT 7 BLOCK O	WEST BRAINERD	624 5TH ST NW	\$ 1,719.90
FROMM, JOLENE & DANIEL	1251 MAYO RD	FORT RIPLEY MN 56449	0919800P0060009	LOT 6 BLOCK P	WEST BRAINERD	623 5TH ST NW	\$ 1,719.90
PROFESSIONAL AUTO, LEASING INC	703 WEST WASHINGTON ST	BRAINERD MN 56401	0919800P007Z009	LOTS 7 & 8 BLOCK P	WEST BRAINERD		\$ 1,719.90
ROCK, RODNEY L & SUSAN	PO BOX 432	BEMIDJI, MN 56619	0919800Q004Z009	LOT 4 THRU 6 INCL BLOCK Q	WEST BRAINERD		\$ 3,439.80
ROCK, RODNEY L & SUSAN	PO BOX 432	BEMIDJI, MN 56619	0919800Q007Z009	LOT 7 THRU 12 BLOCK Q & ADJ N'LY 1/2 OF V	WEST BRAINERD	602 JAMES ST	\$ 3,439.80
HAGLIN, TIMOTHY M & LADONNA A	13754 TWO MILE RD	BRAINERD MN 56401	0919800T0010009	LOT 1 BLOCK T	WEST BRAINERD		\$ 1,719.90
HAGLIN, TIMOTHY M & LADONNA A	13754 TWO MILE RD	BRAINERD MN 56401	0919800T0120009	LOT 12 BLOCK T	WEST BRAINERD		\$ 1,719.90
TEAGAR, LORRAINE D	701 7TH ST NW	BRAINERD MN 56401	0919800U0010009	LOT 1 BLOCK U	WEST BRAINERD	701 7TH ST NW	\$ 1,719.90
PAUL BUNYAN, ARBORETUM INC	P O BOX 375	BRAINERD MN 56401	0919800U007Z009	LOT 7 BLOCK U AND ALSO THE S. 1/2 OF THE	WEST BRAINERD		\$ 1,621.62
TOTAL							\$ 37,223.55

Dated this 30th day of November, 2017

David J. Pritschet
President of Council

Attest: _____
James M. Thoreen
City Administrator

Interest Rate - 3.5%
Years Certified - 10 Year

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land described below, the respective sums of money set opposite each lot or parcel.
This assessment is levied to defray the expense of Improvement 16-13.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	ASSESSMENT	
DK INVESTMENTS LLC	1107 6TH ST S	BRAINERD, MN 56401	040012100C00009	N 208 FT. OF W 208 FT. OF NE1/4 OF NW1/4 1 44 31		400 BUFFALO HILLS LN E	\$ 4,719.52	
REITHER, RANDALL LEE & KAREN L	2131 GRAYDON AVE	BRAINERD MN 56401	091550000130009	LOT 13	MADISON HEIGHTS	2131 GRAYDON AVE	\$ 1,588.30	
EDMUNDS, MICHAEL A & KATHLEEN	517 BUFFALO HILLS LN E	BRAINERD, MN 56401	09185003012D009	PT OF LOT 12 BLOCK 3 DESC: BEG AT NE CO		SOUTH EDGEWOOD ADDITION	\$ 3,131.22	
BYE, CONRAD & CAROL	P O BOX 565	BRAINERD, MN 56401	09185003012G009	THE W 150 FT OF LOT 12 BLOCK 3, EXCEPT T		SOUTH EDGEWOOD ADDITION	\$ 1,701.75	
LDS CHURCH, REAL ESTATE DIV RE: 520	50 E NORTH TEMPLE	SALT LAKE CITY UT 84150	092130010010009	LOT 1 BLOCK 1	MORMON ADDITION	2006 BUFFALO HILLS LN	\$ 7,306.18	
EVANGELICAL LUTHERAN GOOD SAMARITAN	100 BUFFALO HILLS LN	BRAINERD, MN 56401	092140010010009	LOT 1 BLOCK 1 SUBJECT TO AN UTILITY EASE		BRAINERD WOODLAND ACRES	BUFFALO HILLS LN	\$ 12,297.98
EVANGELICAL LUTHERAN GOOD SAMARITAN	100 BUFFALO HILLS LN	BRAINERD, MN 56401	092140010020009	LOT 2 BLOCK 1	BRAINERD WOODLAND ACRES	1933 BUFFALO HILLS LN	\$ 8,849.10	
EVANGELICAL LUTHERAN GOOD SAMARITAN	100 BUFFALO HILLS LN	BRAINERD, MN 56401	092140010030009	LOT 3 BLOCK 1	BRAINERD WOODLAND ACRES	BUFFALO HILLS LN	\$ 8,781.03	
SIMON, JOSEPH J & JOYCE M	502 BUFFALO HILLS LN E	BRAINERD, MN 56401	092240010010009	LOT 1 BLOCK 1, EXCEPT THAT PART LYING E		BUFFALO HILLS BUSINESS PA	502 BUFFALO HILLS LN E	\$ 1,588.30
MANION, MICHAEL & SHARON	504 E BUFFALO HILLS LN	BRAINERD, MN 56401	09224001001A009	THAT PART OF LOT 1 BLOCK 1, LYING E'LY O		BUFFALO HILLS BUSINESS PA	504 E BUFFALO HILLS LN	\$ 1,588.30
CAUGHEY, RUSSELL L JR & KATHRYN	3234 COUNTY ROAD 121	FORT RIPLEY MN 56449	092240010110009	LOT 11 BLOCK 1	BUFFALO HILLS BUSINESS PARK		\$ 3,970.75	
BUFFALO HILLS TOWNHOMES OWNERS ASSC C/O KATHY	8782 GOLDEN POND DR	BRAINERD MN 56401	092370010060009	(ASSESSED ELSEWHERE/COMMON ELEMENT		BUFFALO HILLS TOWNHOMES	\$ 3,176.60	
VOELLER, GLADYS B & CAROL J MILLER	2244 SPRUCE DR	BRAINERD MN 56401	096000010220889	LOT 22 BLOCK 1	EDGEWOOD TOWNHOUSES	2244 SPRUCE DR	\$ 1,247.95	
WORMS, BARBARA R	2232 SPRUCE DR	BRAINERD, MN 56401	096000010230889	LOT 23 BLOCK 1	EDGEWOOD TOWNHOUSES	2248 SPRUCE DR	\$ 1,134.50	
WORMS, BARBARA R	2232 SPRUCE DR	BRAINERD, MN 56401	09602001008B009	LOT 8 BLOCK 1, EXCEPT THE N. 23 FT THERE		REARRANGEMENT OF EDGEW	2232 SPRUCE DR	\$ 2,495.90
SVIR, LARRY E & MARY L	2240 SPRUCE DR	BRAINERD, MN 56401	09602001009A009	LOT 9 BLOCK 1, EXCEPT THE W. 55 FT THERE		REARRANGEMENT OF EDGEWOOD TOWNHOUSES		\$ 1,247.95
BACKSTROM, JEROLD H & MARGEE L	2234 SPRUCE DR	BRAINERD, MN 56401	09602001009Y009	THE W 55 FT OF LOT 9 BLK 1 & LOT 11 BLK 1		REARRANGEMENT OF EDGEW	2234 SPRUCE DR	\$ 1,247.95
CITY OF BRAINERD	501 LAUREL ST	BRAINERD MN 56401	060354100A00009	E. 50 FT OF E. 1/2 OF SE1/4 EX. A STRIP 66 FT WIDE TO CITY.				\$ 1,134.50
CITY OF BRAINERD	501 LAUREL ST	BRAINERD MN 56401	060363300B00009	S. 1/2 OF SW1/4 OF SW1/4				\$ 29,905.42
CITY OF BRAINERD	501 LAUREL ST	BRAINERD MN 56401	09185003012F009	LOT 12 BLOCK 3, EXCEPT THE W 150 FT THE		SOUTH EDGEWOOD ADDITION		\$ 3,448.88

TOTAL \$ 100,562.08

Dated this 30th day of November, 2017

David J. Pritschet
President of Council

Attest: _____
James M. Thoreen
City Administrator

Interest Rate - 3.5%
Years Certified - 10 Year

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

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessments for the improvements of the following described streets, alleys, and utilities in the City of Brainerd:

IMPROVEMENT 14-03

Street Resurfacing

Jackson Street between NW 4th Street (Riverside Drive) and Brainerd City Limits

IMPROVEMENT 16-13

Street Resurfacing

Buffalo Hills Lane between S 6th Street (TH 371B) and Graydon Avenue

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and City Engineer, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday in January 2018, and shall bear interest at the rate of three and one-half (3.5%) percent per annum from the date of the adoption of this resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2017. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Crow Wing County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this Resolution; and he or she may, at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid with interest accrued to December 31, of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31, of the next succeeding year.
4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted this _____ day of _____, 2017

DAVID J. PRITSCHET
President of the Council

Approved this _____ day of _____, 2017

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Public Hearing - Improvements 15-12 an 16-10 - Adopt Assessments

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy, City Engineer	Department: Engineering
Presenter (Name & Title): Paul Sandy, City Engineer	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a copy of the Notice of Assessment Hearing and the Proposed Assessment Rolls for Improvements 15-12 (S 6th Street East Frontage Road) and 16-10 (NW Brainerd Resurfacing).	
Alternatives, Options, Effects on Others/Comments: At the public hearing, if there are questions or comments about the proposed assessments, staff will be available to respond. At the conclusion of the hearing, the Council would typically adopt a resolution Adopting the Assessments. If there are contested assessment amounts, staff would ask that the Council still adopt the assessments to start the 30-day payment clock. Contested assessments would be brought back to the next meeting for discussion.	
Recommended Action/Motion: Staff would recommend holding the public hearing to hear testimony for or against the proposed assessments and also adopt the attached resolution adopting the assessments as proposed for Improvements 15-12 and 16-10.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 16, 2017, to pass upon the proposed assessment for the following improvements:

IMPROVEMENT 16-10

Street Resurfacing – Aggregate Base, Bituminous, Concrete Curb and Gutter

NW Brainerd Resurfacing

Williams Street between NW 5th Street to NW 4th Street

NW 5th Street between Williams Street to Washington Street

NW 7th Street between Charles Street and Washington Street

NW 8th Street between Charles Street and James Street

James Street between NW 2nd Street and NW 4th Street and NW 6th Street and NW 8th Street

NW 3rd Street between Washington Street and James Street

IMPROVEMENT 15-12

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

S 6th Street East Frontage Road between Wright Street and County Road 117 (Industrial Park Road)

The proposed assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The total cost for Improvement 16-10 is estimated at \$522,531.08 and Improvement 15-12 is estimated at \$350,401.61 of which \$131,587.40 and \$79,135.46 is proposed to be assessed respectively.

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to pre-pay the assessment before the date given above, the

rate of interest that will apply is three and one-half (3.5%) percent per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of ten (10) years.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.
5. The entire hearing will be tape-recorded.
6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this 18th day of September, 2017



James M. Thoreen
City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 29, 2017

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land described below, the respective sums of money set opposite each lot or parcel.
This assessment is levied to defray the expense of Improvement 15-12.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	ASSESSMENT
COVENANT HOSPITALITY LLC	PO BOX 636	MENOMONIE WI 54751-0636	060363400A00009	N. 325 FT OF THE S. 660 FT OF THAT PART OF SW1/4 OF SE1/4 LYING W'LY OF THE W'LY ROW LINE FOR THE N			\$ 14,667.25
COVENANT HOSPITALITY LLC	PO BOX 636	MENOMONIE WI 54751-0636	060363400B00009	NORTH 50 FT OF THE S. 335 FT OF THE SE1/4 OF SW1/4 AND THE SW1/4 OF SE1/4 36 45 31 WHICH LIES E'LY OF			\$ 2,256.50
HEARTLAND PROFESSIONAL ASSOC, LLP	1903 SOUTH 6TH ST	BRAINERD, MN 56401	09142003001Z009	LOTS 1 THRU 3 INCLUSIVE BLOCK 3	HOLIDAY INN ADDITION TO BRAINERD	1903 6TH ST S	\$ 10,831.20
EDGEWOOD HOMES INC	P O BOX 492	BRAINERD MN 56401	091420030040889	LOT 4 BLOCK 3	HOLIDAY INN ADDITION TO BRAINERD		\$ 4,513.00
EDGEWOOD HOMES INC	P O BOX 492	BRAINERD MN 56401	091420030050889	LOT 5 BLOCK 3	HOLIDAY INN ADDITION TO BRAINERD		\$ 4,513.00
MADISON, RONALD R & JULIE M	1927 WOODCREST	BRAINERD MN 56401	091420030060889	LOT 6 BLOCK 3	HOLIDAY INN ADDITION TO BRAINERD		\$ 4,513.00
EVANGELICAL LUTHERAN GOOD SAMARITAN	804 WRIGHT ST	BRAINERD, MN 56401	091420030070889	LOT 7 BLOCK 3	HOLIDAY INN ADDITION TO BRAINERD		\$ 4,513.00
TIGGELAAR, JACOB P & CHERYL A	35174 COMMONS CIR	PEQUOT LAKES, MN 56472	091420030080889	LOT 8 BLOCK 3	HOLIDAY INN ADDITION TO BRAINERD	2011 6TH ST S	\$ 4,513.00
LAKES AREA RESOURCES, LLC	2019 S 6TH ST	BRAINERD, MN 56401	091420030090889	LOT 9 BLOCK 3, TOGETHER WITH AN ESMNT OF	HOLIDAY INN ADDITION TO BRAINERD	2019 6TH ST S	\$ 4,513.00
POTTS PROPERTIES LLC	27643 N 113TH PL	SCOTTSDALE, AZ 85262	091420030100009	LOT 10 BLOCK 3, SUBJ TO AN ESMNT OF RECO	HOLIDAY INN ADDITION TO BRAINERD	2029 6TH ST S	\$ 4,513.00
RENNEKE, DEAN	6151 PARIS RD	BAXTER MN 56425	091420030110009	LOT 11 BLOCK 3	HOLIDAY INN ADDITION TO BRAINERD	601 MADISON ST	\$ 6,137.68
COVENANT HOSPITALITY LLC	PO BOX 636	MENOMONIE WI 54751-0636	091420040030889	LOT 3 BLOCK 4	HOLIDAY INN ADDITION TO BRAINERD		\$ 6,769.50
COVENANT HOSPITALITY LLC	PO BOX 636	MENOMONIE WI 54751-0636	091780010010009	LOT 1 BLOCK 1	2ND HOLIDAY INN ADDITION TO BRAINERD		\$ 3,384.75
MADISON, STEVE	1914 S 7TH ST	BRAINERD, MN 56401	09216001001A009	LOT 1 BLOCK 1, EXCEPT THAT PT DESC AS FOI	POCKET (THE)	2215 6TH ST S	\$ 3,497.58

TOTAL \$ 79,135.46

Dated this 30th day of November, 2017

David J. Pritschet
President of Council

Attest: _____
James M. Thoreen
City Administrator

Interest Rate - 3.5%
Years Certified - 10 Year

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land described below, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of Improvement 16-10.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	ASSESSMENT
TANNER, JOHN T	P O BOX 484	BRAINERD MN 56401	0919800A005Z009	LOTS 5 & 6 BLOCK A	WEST BRAINERD	423 7TH ST NW	\$ 1,891.40
RANDALL STATE BANK	PO BOX 99	RANDALL, MN 56475	0919800A007Z009	LOTS 7 AND 8 BLOCK A	WEST BRAINERD		\$ 2,702.00
RANDALL STATE BANK	PO BOX 99	RANDALL, MN 56475	0919800A007Z009	LOTS 7 AND 8 BLOCK A	WEST BRAINERD		\$ 1,891.40
RANDALL STATE BANK	PO BOX 99	RANDALL, MN 56475	0919800A009Z009	LOTS 9 AND 10 BLOCK A	WEST BRAINERD		\$ 2,702.00
RANDALL STATE BANK	PO BOX 99	RANDALL, MN 56475	0919800A011Z009	LOT 11 & 12 BLOCK A, EXCEPT THAT PART OF	WEST BRAINERD	724 WASHINGTON S	\$ 2,026.50
BRAINERD ENTERPRISES LLP	2820 15TH AVE SW	ROCHESTER, MN 55902	0919800B000Y009	TRACT E, BEING ALL THAT PART OF BLK B, A	WEST BRAINERD	808 WASHINGTON S	\$ 4,053.00
WESTGATE MALL REALTY GROUP LLC	911 E COUNTY LINE RD STE 203	LAKEWOOD NJ 08701	0919800B000Z009	TRACT G, BEING THAT PART OF BLOCK B AC	WEST BRAINERD		\$ 1,486.10
GUSTAFSON PROPERTIES OF BRD LLC	304 EAST RIVER RD SUITE 2	BRAINERD, MN 56401	0919800E001Z009	LOTS 1 AND 2 BLOCK E	WEST BRAINERD	501 2ND ST NW	\$ 1,891.40
GUSTAFSON PROPERTIES OF BRD LLC	304 EAST RIVER RD SUITE 2	BRAINERD, MN 56401	0919800E0120009	LOT 12 BLOCK E	WEST BRAINERD	214 JAMES ST	\$ 1,891.40
MATTSON, FRANK	P O BOX 137	BRAINERD, MN 56401	0919800F001Z009	LOTS 1 THRU 3 INCL BLOCK F	WEST BRAINERD		\$ 3,782.80
E2 INVESTMENTS, LLC	12970 BLUEBIRD ST NW	COON RAPIDS MN 55448	0919800F009Z889	LOT 9 BLOCK F, EXCEPT THE N 10 FT THERE	WEST BRAINERD	510 4TH ST NW	\$ 4,053.00
ROCK, RODNEY L & SUSAN	PO BOX 432	BEMIDJI, MN 56619	0919800I001Z009	LOT 1 THRU 9 INCL BLOCK I & ADJ W'LY 1/2 O	WEST BRAINERD	523 6TH ST NW	\$ 4,053.00
ROCK, RODNEY L & SUSAN	PO BOX 432	BEMIDJI, MN 56619	0919800I011Z009	LOT 11 & 12 BLOCK I	WEST BRAINERD	508 NW 7TH ST	\$ 2,026.50
WESTGATE MALL REALTY GROUP LLC	911 E COUNTY LINE RD STE 203	LAKEWOOD NJ 08701	0919800J000Y009	ALL OF BLOCK K, BLOCK J, AND BLOCK R, AL	WEST BRAINERD		\$ 11,348.40
NOVOTNY, LARRY L	2400 BRADFORD BAY	ALEXANDRIA, MN 56308	09198024001Z009	LOTS 1 THRU 4 INCLUSIVE BLOCK 24 AND TH	WEST BRAINERD	213 4TH ST NW	\$ 4,053.00
NOVOTNY, LARRY L	2400 BRADFORD BAY	ALEXANDRIA, MN 56308	09198024007Z009	LOTS 7 AND 8 BLOCK 24 AND THE ADJACENT	WEST BRAINERD		\$ 2,702.00
NORTH MEMORIAL HEALTH CARE	3300 OAKDALE AVE N	ROBBINSDALE MN 55422	09198024009Z009	LOTS 9 AND 10 BLOCK 24 AND THE ADJACEN	WEST BRAINERD	210 5TH ST NW	\$ 2,702.00
NORTH MEMORIAL HEALTH CARE	210 NORTHWEST 5TH ST	BRAINERD, MN 56401	09198024011Z009	LOTS 11 AND 12 BLK 24 & ADJ VAC N-S ALLEY	WEST BRAINERD	206 5TH ST NW	\$ 2,702.00
NORTH MEMORIAL HEALTH CARE	210 NORTHWEST 5TH ST	BRAINERD, MN 56401	09198024011Z009	LOTS 11 AND 12 BLK 24 & ADJ VAC N-S ALLEY	WEST BRAINERD	206 5TH ST NW	\$ 2,026.50
CORNISH, WESLEY W	PO BOX 502	NISSWA MN 56468	09198026001Z009	LOTS 1 THRU 3 INCLUSIVE BLOCK 26 & ALSO	WEST BRAINERD		\$ 2,026.50
CORNISH, WESLEY W	PO BOX 502	NISSWA MN 56468	09198026004Z009	LOTS 4 THRU 6 INCLUSIVE BLOCK 26	WEST BRAINERD	223 5TH ST NW	\$ 2,026.50
CARTER, SHAWN W & CAROLYN	5991 B PLACITA DE LA OLEADS	TUCSON, AZ 85750	09198042007Z009	LOT 7 BLOCK 42 EX. HWY AND ALL OF LOTS 8	WEST BRAINERD	421 W WASHINGTO	\$ 3,512.60
JC ENTERPRISES OF MINNESOTA, LLC	34013 NORTH OAK DR	JENKINS, MN 56472	09198042010Z009	LOTS 10 THRU 12 INCLUSIVE BLOCK 42	WEST BRAINERD	312 5TH ST NW	\$ 2,026.50
HEARTLAND PROPERTIES OF BLAINE LLC	3149 120TH COURT	BLAINE, MN 55449	09198044001Y009	E. 100 FT OF LOTS 1 AND 2 BLOCK 44	WEST BRAINERD	307 5TH ST NW	\$ 1,351.00
HEARTLAND PROPERTIES OF BLAINE LLC	3149 120TH COURT	BLAINE, MN 55449	09198044003Z009	LOT 3 BLOCK 44 EXCEPT A PORTION OF SE 1	WEST BRAINERD	501 W WASHINGTO	\$ 2,431.80
SCF RC FUNDING I LLC	47 HULFISH ST STE 210	PRINCETON NJ 08542	09198046001P009	W. 25 FT OF LOTS 1 THRU 6 INCLUSIVE BLOC	WEST BRAINERD	623 W WASHINGTO	\$ 3,782.80

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	ASSESSMENT
TANNER, JOHN T	P O BOX 484	BRAINERD MN 56401	091980480010009	LOT 1 BLOCK 48	WEST BRAINERD	301 7TH ST NW	\$ 1,351.00
TANNER, JOHN T	P O BOX 484	BRAINERD MN 56401	091980480020009	LOT 2 BLOCK 48	WEST BRAINERD	305 7TH ST NW	\$ 1,351.00
TANNER, JOHN T	P O BOX 484	BRAINERD MN 56401	091980480030009	LOT 3 BLOCK 48	WEST BRAINERD		\$ 1,351.00
TANNER, JOHN T	P O BOX 484	BRAINERD MN 56401	09198048004Z009	LOTS 4 THRU 6 INCL BLOCK 48	WEST BRAINERD	703 W WASHINGTON	\$ 3,647.70
STOHR, STEVEN H & BONAE N	721 WASHINGTON ST W	BRAINERD MN 56401	09198048007Z009	LOTS 7 THRU 9 INCLUSIVE BLOCK 48	WEST BRAINERD	721 W WASHINGTON	\$ 2,026.50
TANNER, JOHN T	P O BOX 484	BRAINERD MN 56401	09198048010Z009	LOTS 10 THRU 12 INCL BLOCK 48	WEST BRAINERD	308 8TH ST NW	\$ 2,026.50
SMITH, ALICE T	22609 HOLE IN THE DAY DR	NISSWA, MN 56468	09198050001Y009	LOTS 1 THRU 3 INCL BLOCK 50 & E'LY 1/2 OF	WEST BRAINERD	307 8TH ST NW	\$ 2,026.50
AUTOZONE PARTS INC	PO BOX 2198	MEMPHIS TN 38101	09198050004Y009	LOTS 4 THRU 10 INCLUSIVE BLOCK 50 & ADJA	WEST BRAINERD	801 W WASHINGTON	\$ 4,053.00
GUSTAFSON PROPERTIES OF BRD LLC	304 EAST RIVER RD SUITE 2	BRAINERD, MN 56401	09198056001Y009	LOTS 1 THRU 12 INCLUSIVE BLOCK 56, & THE	WEST BRAINERD	TYROL DR	\$ 8,106.00
GUSTAFSON PROPERTIES OF BRD LLC	304 EAST RIVER RD SUITE 2	BRAINERD, MN 56401	09198056001Y009	LOTS 1 THRU 12 INCLUSIVE BLOCK 56, & THE	WEST BRAINERD	TYROL DR	\$ 4,188.10
WALLGREENS COMPANY	PO BOX 1159	DEERFIELD, IL 60015	09198058001Z009	LOTS 1 THRU 6 AND LOTS 8 THRU 12, TOGET	WEST BRAINERD	324 WASHINGTON S	\$ 4,053.00
WALLGREENS COMPANY	PO BOX 1159	DEERFIELD, IL 60015	09198058001Z009	LOTS 1 THRU 6 AND LOTS 8 THRU 12, TOGET	WEST BRAINERD	324 WASHINGTON S	\$ 8,106.00
TANNER, JOHN T	P O BOX 484	BRAINERD MN 56401	09198064005Z009	LOTS 5 THRU 8 INCL BLOCK 64	WEST BRAINERD		\$ 4,053.00
BNSF PROPERTY TAX DEPARTMENT	PO BOX 961089	FORT WORTH, TX 76161-0089					\$ 8,106.00

TOTAL \$ 131,587.40

Dated this 30th day of November, 2017

David J. Pritschet
President of Council

Attest: _____
James M. Thoreen
City Administrator

Interest Rate - 3.5%
Years Certified - 10 Year

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

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessments for the improvements of the following described streets, alleys, and utilities in the City of Brainerd:

IMPROVEMENT 15-12

Street Reconstruction

South 6th Street East Frontage Road between Wright Street and County Road 117 (Industrial Park Road)

IMPROVEMENT 16-10

Street Resurfacing

NW Brainerd Resurfacing

Williams Street between NW 5th Street to NW 4th Street

NW 5th Street between Williams Street to Washington Street

NW 7th Street between Charles Street and Washington Street

NW 8th Street between Charles Street and James Street

James Street between NW 2nd Street and NW 4th Street and NW 6th Street and NW 8th Street

NW 3rd Street between Washington Street and James Street

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and City Engineer, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday in January 2018, and shall bear interest at the rate of three and one-half (3.5%) percent per annum from the date of the adoption of this resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2017. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Crow Wing County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this Resolution; and he or she may, at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid with interest accrued to December 31, of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31, of the next succeeding year.
4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted this ____ day of _____, 2017

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of _____, 2017

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Public Hearing - Supplemental Assessments - Adopt Assessments

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Paul Sandy, City Engineer	Department: Engineering
Presenter (Name & Title): Paul Sandy, City Engineer	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a copy of the Notice of Assessment Hearing and the Proposed Assessment Roles for the Supplemental Assessments, as explained when the assessments were declared at the September 18, 2017 Council Meeting.	
Alternatives, Options, Effects on Others/Comments: At the public hearing, if there are questions or comments about the proposed assessments, staff will be available to respond. At the conclusion of the hearing, the Council would typically adopt a resolution adopting the assessments. If there are contested assessment amounts, staff would ask that the Council still adopt the assessments to start the 30-day payment clock. Contested assessments would be brought back to the next meeting for discussion.	
Recommended Action/Motion: Staff would recommend holding the public hearing to hear testimony for or against the proposed supplemental assessments and also adopt the attached resolution adopting the supplemental assessments as proposed.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

NOTICE OF HEARING ON PROPOSED SUPPLEMENTAL ASSESSMENTS

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 16, 2017, to pass upon the proposed supplemental assessments to certain identified parcels for the following improvements:

IMPROVEMENT 05-28

PID 09196041023Z889

IMPROVEMENT 09-02

PID 09188015007Z009

PID 09188015009Z009

The proposed supplemental assessment role is on file for public inspection at the City Administrator's Office and the City Engineer's Office.

The portion of the cost of such improvement to be assessed against benefited property owners is declared to be

PID 09196041023Z889 - \$10,460.70

PID 09188015007Z009 - \$343.75

PID 09188015009Z009 - \$343.75

Written or oral objections will be considered at the meeting. No appeal may be taken as to the amount of any assessment unless a signed, written objection is filed with the City Administrator prior to the hearing or presented to the presiding officer at the hearing. The Council may upon such notice consider any objection to the amount of a proposed individual assessment at an adjourned meeting upon such further notice to the affected property owners as it deems advisable.

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. Such payment must be made before November 15 or interest will be charged through December 31 of the succeeding year. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply is five (5%) percent per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

The assessments will be spread over a period of ten (10) years.

If an assessment is contested or there is an adjourned hearing, the following procedure will be followed:

1. The City will present its case first by calling witnesses who may testify by narrative or by examination and by the introduction of exhibits. After each witness has testified, the contesting party will be allowed to ask questions. This procedure will be repeated with each witness until neither side has further questions.
2. After the City has presented all its evidence, the objector may call witnesses or present such testimony as the objector desires. The same procedure for the questioning of the City's witnesses will be followed with the objector's witnesses.
3. The objector may be represented by counsel.
4. Minnesota Rules of Evidence will not be strictly applied; however they may be considered and argued to the Council as to the weight of the items of evidence or testimony presented to the Council.
5. The entire hearing will be tape-recorded.
6. At the close of the presentation of evidence, the objector and the City may make final presentations to the council based on the evidence and the law. No new evidence may be presented at this point.
7. The Council may adopt the proposed assessment at the hearing.

An owner may appeal an assessment to the District Court pursuant to Minnesota Statutes Section 429.081 by serving notice of the appeal upon the Mayor or Administrator of the City within thirty (30) days after the adoption of the assessment, and by filing such notice with the District Court within ten (10) days after the service upon the Mayor or City Administrator.

Dated this 18th day of September, 2017



James M. Thoreen
City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 29, 2017

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land described below, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of Improvement 05-28.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	ASSESSMENT
WALSTEAD CORPORATION	18446 SMITH RD	BRAINERD, MN 56401	09196041023Z889	LOTS 23 AND 24 BLOCK 41	TOWN OF BRAINERD & 1ST ADDN	707 LAUREL ST	\$ 10,460.70
TOTAL							\$ 10,460.70

Dated this 30th day of November, 2017

David J. Pritschet
President of Council

Attest: _____
James M. Thoreen
City Administrator

Interest Rate - 5%
Years Certified - 10 Year

The City Council of the City of Brainerd doth hereby assess and levy upon and against the lots and parcels of land described below, the respective sums of money set opposite each lot or parcel. This assessment is levied to defray the expense of Improvement 09-02.

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	FOOTAGE AREA	RATE FOR AREA	ASSESSMENT
Ignatius Fairbanks	1102 13th Ave NE	Brainerd, MN 56401	09188015007Z009	S 1/2 of Lots 7-8 Blk 15	St Paul Addn	1102 13th Ave NE	50.00	\$13.75	\$ 343.75
Ignatius Fairbanks	1102 13th Ave NE	Brainerd, MN 56401	09188015009Z009	S 1/2 of Lot 9 Blk 15	St Paul Addn		50.00	\$13.75	\$ 343.75
TOTAL							100.00		\$ 687.50

Dated this 30th day of November, 2017

David J. Pritschet

President of Council

Attest:

James M. Thoreen

City Administrator

Interest Rate - 5%

Years Certified - 10 Year

RESOLUTION
NO. _____

RESOLUTION ADOPTING SUPPLEMENTAL ASSESSMENT

WHEREAS, the City Council originally adopted special assessments in relation to Improvement 05-28 and Improvement 09-02 by Resolution No. 63:09, and

WHEREAS, partial payments on the special assessments levied upon certain parcels in relation to such Improvements were made by the property owner, and

WHEREAS, an error resulted in the remaining assessment amount levied upon certain parcels to be completely deleted from tax rolls, and

WHEREAS, the City Council wishes to correct the error by levying supplemental special assessments upon the parcels impacted by the error pursuant to Minn. Stat. § 429.071, subd. 1, and

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed supplemental assessments for the street improvements abutting the following parcels in the City of Brainerd:

IMPROVEMENT 05-28

PID 09196041023Z889

IMPROVEMENT 09-02

PID 09188015007Z009

PID 09188015009Z009

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and City Engineer, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday in January 2018, and shall bear interest at the rate of three and five (5.0%) percent per annum from the date of the adoption of this resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2017. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Crow Wing County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this Resolution; and he or she may, at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid with interest accrued to December 31, of the year in which such payment is made. Such payment must be made before November 15 or interest will be charged through December 31, of the next

succeeding year.

4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted this ____ day of _____, 2017

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of _____, 2017

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Comprehensive Plan Steering Committee Appointments

☐ 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: 10 minutes
Summary of Issue: Continuing the appointment process for the Comprehensive Plan Steering Committee. Attached is the current Steering Committee Sector List.	
Alternatives, Options, Effects on Others/Comments: None	
Recommended Action/Motion: None	
Final 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:	

Comprehensive Plan Steering Committee

		Sector	Name	E-mail	Phone
1.		School District Member			
2.	Councilwoman Lambert	Healthcare Representative	Mike Larson - Essentia		
3.	Mayor Menk	Local Industry Representative			
4.	Councilman Bevans	Small Business Owner			
5.	Councilman Pritschet	Resident (with topic expertise)	Staci Headley		
6.	Councilman Badeaux	Park Board Member			
7.		City Council	Jan Lambert		
8.		Planning Commission	Chuck Marohn		
9.	Councilman Johnson	Real Estate			
10.	Councilwoman Hilgart	BLAEDC Board member			
11.	Councilman Stunek	Resident			



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: October 16, 2017

Title of Item: Variance - Accessory Building Setbacks, Bruce and Cynthia Thompson, 113 Carol Lane

☐ 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: Mark Ostgarden, City Planner	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 5 -15 minutes
Summary of Issue: Mr. Thompson desires to construct a 28' x 24' accessory building (garage) in the southwest corner of his property where a creek with a ravine is located. To construct the garage in a location that should not impact the ravine, a 5' encroachment into the 20' street side yard setback is proposed and a 3' encroachment in the 10' rear yard setback is proposed. Attached please find the City Planner Staff Report which provides the issue summary, photos, PowerPoint slides from the petitioner, recommendations from the CWC Soil and Water Conservation District and the October 11, 2017 Special Meeting minutes which include the Findings of Fact.	
Alternatives, Options, Effects on Others/Comments: 1. Approve the variances permitting the accessory building to be constructed within the required setback areas. 2. Deny the variances requiring the accessory building to meet setback requirements.	
Recommended Action/Motion: The Planning Commission recommends denial. Moved and 2nd by _____ and _____ to approve/deny the Variance submitted by Bruce and Cynthia Thompson, 113 Carol Lane to construct an accessory building within the requires street side yard setback and rear yard setback.	
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>	

VARIANCE

STAFF REPORT TO THE PLANNING COMMISSION

September 12, 2017

APPLICANT/LOCATION: Bruce and Cynthia Thompson, 113 Carol Lane; Brainerd, MN 56401

PROPOSED USE: Street side yard and rear yard accessory building encroachments

LOT AREA: 22,400 sf – 140' on Carol Lane and 160' on Buffalo Hills Lane. For building setback purposes, Carol Lane is considered the front yard and Buffalo Hills Lane the street side yard.

CURRENT ZONING: R-1A (Single Family Residential) District

ADJACENT USES: East: Residential
South: Residential
West: Residential
North: Residential

ADJACENT ZONING: North: R-1A (Single Family Residential) District
East: R-1A (Single Family Residential) District
South: R-1A (Single Family Residential) District
West: R-1A (Single Family Residential) District

REPORT

Mr. Thompson desires to construct a 28' x 24' accessory building (garage) in the southwest corner of his property where a creek with a significant ravine runs northwest/southeast across the property. There isn't sufficient room to construct the garage in the southwest corner of the lot to construct the proposed garage, meet minimum setbacks and not have a concern about encroaching on the ravine stability. To construct the garage in a location that should not impact the ravine, 5' encroachment into the 20' street side yard setback is proposed and a 3' encroachment in the 10' rear yard setback is proposed.

Criteria for Granting Variances

A. Variances shall only be permitted:

When they are in harmony with the general purposes and intent of the Ordinance. Following is the Intent and Purpose section of the Zoning Ordinance:

A. Protect the public health, safety, and general welfare of the community and its people through the establishment of minimum regulations governing development and use.

- B. *This Ordinance shall divide the City into use districts and establish regulations regarding location, erection, construction, reconstruction, alteration and use of structures and land.*
- C. *Protect neighborhoods.*
- D. *Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational and public areas.*
- E. *Provide adequate light, air, and convenience of access to property.*
- F. *Prevent congestion in the public right-of-way.*
- G. *Prevent overcrowding of land and undue concentration of structures by regulating land, buildings, yards, and density of population.*
- H. *Protect and preserve the natural environment of the City.*
- I. *Encourage the protection of historic and aesthetic resources in the City.*
- J. *Conserve energy using alternative energy systems and conservation through the encouragement of energy efficient structures for commercial, industrial and residential uses.*
- K. *Provide for compatibility of different land uses.*
- L. *Provide for administration of this Ordinance.*
- M. *Provide for amendments.*
- N. *Prescribe penalties for violation of such regulations.*
- O. *To define powers and duties of the City staff, the Planning Commission, the City Council and the Board of Zoning Appeals in relation to the Zoning Ordinance.*

Is the variance in harmony with the general purposes and intent of the Ordinance?

B. When the Variance is consistent with the Comprehensive Plan.

The Comprehensive Plan Goal and Strategy that may apply is:

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

Strategy

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.

C. Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the Zoning Ordinance.

Subdivision 4. "Practical Difficulties", as used about the granting of a variance means that:

- I. *The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.*

If the ravine was not there, the petitioner would be able to construct the garage at the southwest corner of the lot.

Is it reasonable to permit the garage to be 5' closer to the Buffalo Hills Lane property line and 3' closer to the rear property line?

The petitioner has submitted several Power Point slides for the request. Slide 7 depicts 5 areas where they do not think construction is practical. While areas 1, 4, 5 may not be practical construction areas, more explanation why there are practical construction difficulties are with areas 2, 3 and the area east of 3.

II. The plight of the landowner is due to circumstances unique to the property not created by the landowner.

The creek and ravine are circumstances unique to the property. When the size of the lot and building locations are considered, does the unique circumstance limit the garage placement to require encroachment into required setbacks?

Slide 5 depicts the garage footprint and it lists the garage would encroach 16" – 20" into the ravine. While it may not be the petitioner's desire, is it possible to reduce the width by 2' to not encroach into the ravine?

III. The variance, if granted, will not alter the essential character of the locality.

Will a garage 5' closer to Buffalo Hills Lane property line and 3' closer to the rear property line for a 28' x 24' garage affect the neighborhood's character?

Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems.

The Planning Department has received the attached letter from the Soil and Water Conservation District and from the property owner to the west relating to this request.

A draft copy of Findings of Fact is attached.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission may consider a recommendation at its meeting on September 20, 2017 and the City Council may consider the Planning Commission's recommendation at its October 2, 2017 meeting.

Respectfully submitted,

Mark Ostgarden AICP
City Planner





113 Carol Lane Looking West



113 Carol Lane Looking North



Received
9/11/17
Planning Dept.

To: Mark Ostgarden, City Planner

RE: Variance request by Bruce and Cindy Thompson

113 Carol Lane

Brainerd, MN 56401

I am unable to attend the September 20th meeting but want to be considered as one who opposes this variance.

Brainerd Zoning Ordinance Section 515-55-7 requires a 20" setback from the street and a 10" setback from neighboring property. Rules have not changed and the Thompson's need to adhere to this. He has enough property for other options. Also because of this location for his purposed garage, it would not enhance the value of my property.

Therefore, I am completely opposed to his request.

Thank you.

Sincerely,



Faye Abrahamson

308 Buffalo Hills Lane W.

Brainerd, MN 56401



Crow Wing Soil and Water Conservation District
322 Laurel St. Suite 22 • Brainerd, MN 56401

September 12, 2017

Mark Ostgarden

City Planner

501 Laurel Street

Brainerd, MN 56401

Dear Mr. Ostgarden,

I am writing in regard to the Bruce & Cynthia Thompson variance application for the purpose of constructing a 28 ft x 24 ft accessory structure. The address is 113 Carol Lane, Brainerd, MN. It is in Section 35, T.45N, R.31W, Crow Wing County, Minnesota. The RE # is 092030010110009.

The property is located on a ravine that drains into a wetland complex connected to Little Buffalo Creek and the Mississippi. Increased runoff from the structure has the potential to increase erosion in the ravine with a negative effect to ecosystem health. To minimize impacts, if the variance is granted, I recommend it be on the condition that soil and water resources are protected.

- Install stormwater landscaping practices
- Locate at least 20 feet away from the crest of the ravine and 10 ft from foundations
- Basin less than 9" deep
- Size for a minimum 1.1" rain event.

I can be contacted at 828-6197 if you have additional questions.

Sincerely,

Beth Hippert

Beth Hippert

WCA Administrator

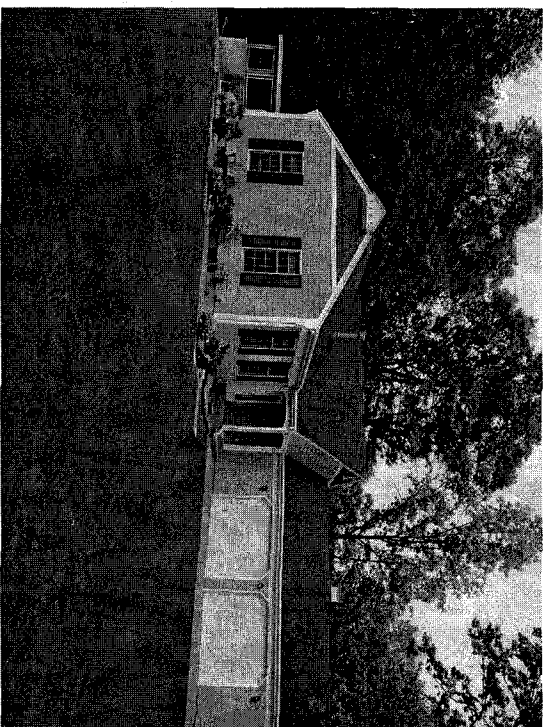
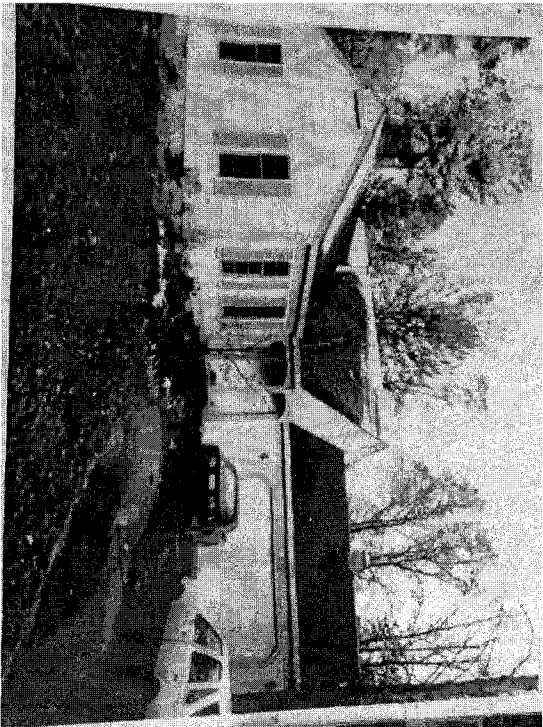
Crow Wing Soil and Water Conservation District

Phone: 218-828-6197

website: www.crowwingswcd.org

CITY OF BRAINERD, MN 2017 VARIANCE APPLICATION

Bruce & Cyndy Thompson
113 Carol Lane
Brainerd, MN



THE PROPERTY (1987 AND TODAY)

Many improvements have been made to this property over the years.

Many permits have been pulled to improve the exterior and interior features of this property.

DESCRIPTION OF REQUEST

GARAGE STRUCTURE PROPOSAL: Garage Size 28'w 24'D

Requesting a variance:

- **On the front set back from 20' to 15'** – the ravine being the unique circumstance to the property
- **On the west property line from 10' to 7'** – the storm sewer runs diagonally underground under the property to the ravine
- This is significant to future road or sewer storm water repairs on Buffalo Hills Lane

STORM WATER IN BUFFALO HILLS CREEK

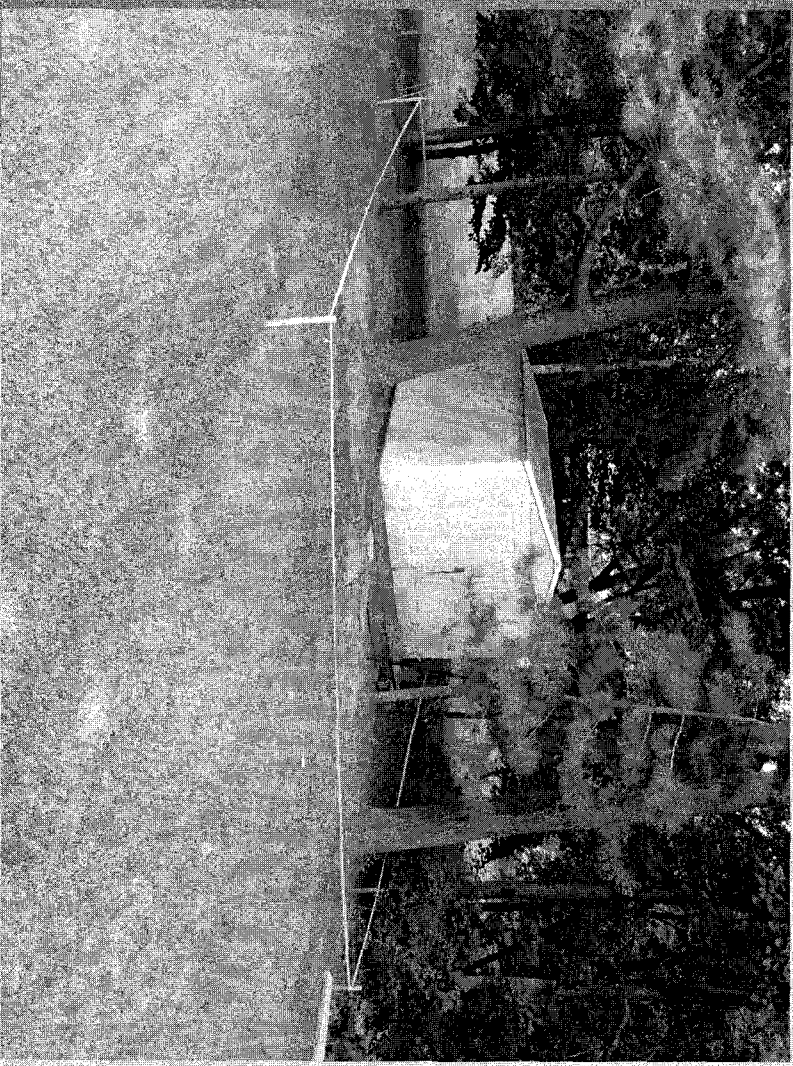


WEST LOT STAKE
WITH YELLOW TAPE
OF GARAGE
PERIMETER

This photo indicates where the garage would be built provided by the city code.

The rear edge of the the garage would be 16"-20 inches into the edge of the ravine.

The soil structure around the edge of the ravine is unstable and often deteriorates.



LEGAL DESCRIPTION:

113 Carol Lane, Brainerd
Lot 11, Block 1, Kriha Addition

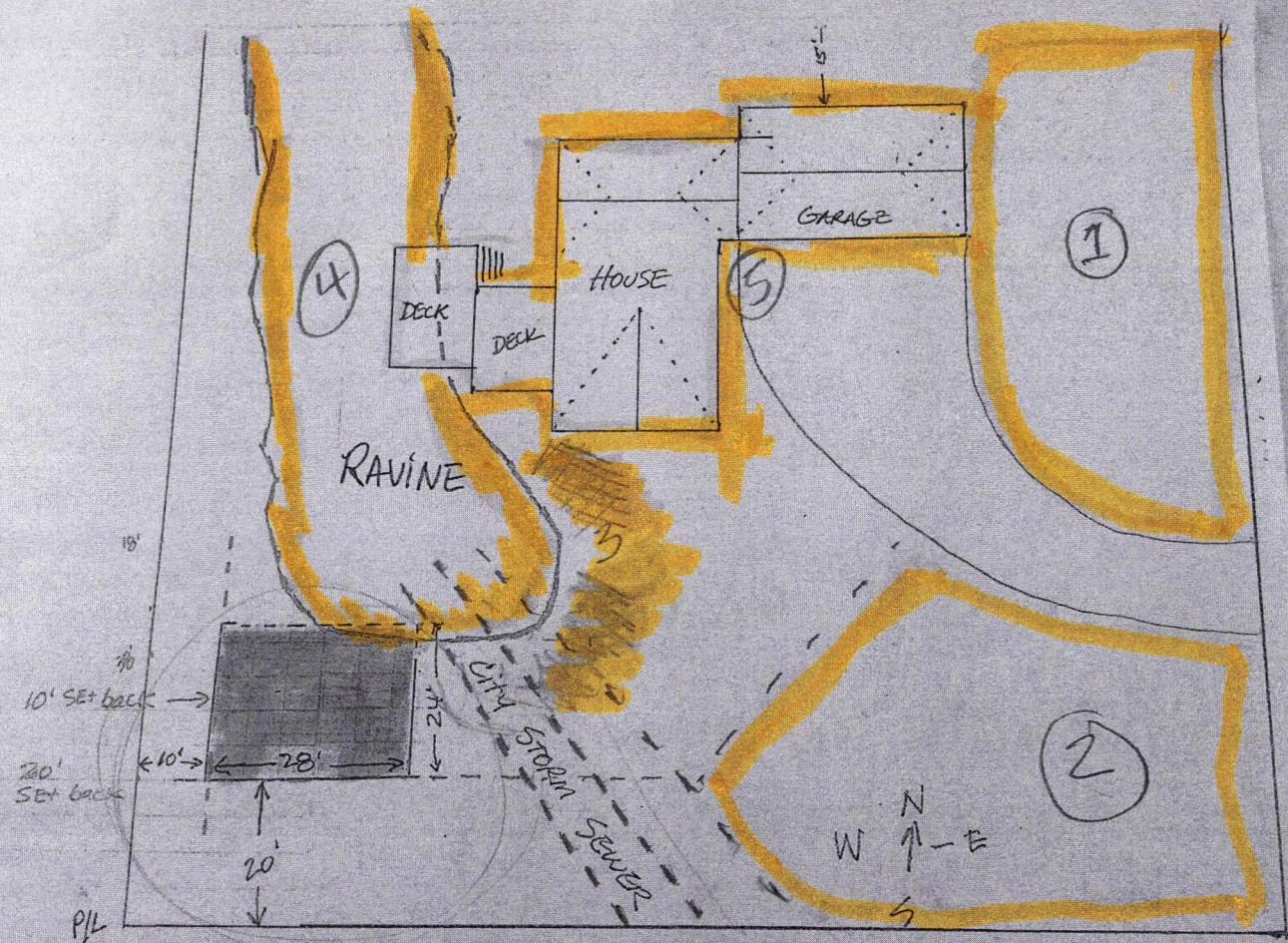
Lot Size: 140' x 160' (22,400 sq. ft. – 0.55 Acres)

Non-usable land on Lot 11 (See next slide for reference)

1. East lot area 3,100 sq. ft.
2. South lot area 3,400 sq. ft.
3. Ravine block retaining wall 200 sq. ft.
4. Ravine 96' x 45'w – 3,800 sq. ft.
5. House area 6,100 sq. ft.

THIS DIAGRAM
INDICATES GREEN YARD
SPACE LOCATED ON
THIS PROPERTY

- Much of this property space can not be used for a garage structure as the ravine dictated much of the development on this property. **If this property was a usable square 1/2 acre I would not be submitting this variance application.**
- The selected location for this proposed garage structure is the optimal space with a fairly undisturbed solid base soil composition.
- The ravine was filled in with soil from the construction of the LDS Church as it crossed from south to north
- Looking at an aerial view of both sides of Buffalo Hills Lane, you will get an idea that much of this lot is "fill" from the LDS construction site.
- **Subdivision 4 indicates "Practical Difficulties" was used in connection with the granting of a variance, that is the purpose of this variance proposal.**



PROPOSED GARAGE: 28' W X 24' Depth

43 CAROL LN.

DRAFT Findings-of-Fact

Bruce and Cynthia Thompson, 113 Carol Lane, Brainerd, MN 56401
Accessory building (garage) street side yard and rear yard encroachments

1. The property is in an R-1A (Single Family Residential) District and the owner desires to construct a 28' x 24' garage in the required street side yard and required rear yard setback areas.
2. The property is 140' x 160' with the narrow frontage on Carol Lane.
3. For zoning setback purposes, the narrower street frontage on a corner lot is considered the front yard, establishing the other frontage of the street side yard for setback purposes.
4. The required street side yard setback is 20' and a 5' encroachment is proposed. The required rear yard setback is 10' and a 3' encroachment is proposed.
5. There is an attached garage located 30' from the front property line. R1-A zoning requires a 30' front yard setback leaving 10' to add onto the attached garage.
6. The site has a ravine and a creek that limits the setback from the side street property line and in the southwest corner of the lot.
7. The Crow Wing Soil and Water Conservation District has submitted a letter with recommendations on how to protect the ravine should the garage be constructed.
8. A letter has been received from the property owner to the west opposed to the variance.
9. The request is/is not consistent with the following Comprehensive Plan Goals and Strategies:
- 10.
- 11.
- 12.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Bruce and Cynthia Thompson, 113 Carol Lane, Brainerd, MN 56401, have submitted a variance request to construct an accessory building (garage) 5' within the required street side yard setback and a variance to construct the accessory building 3' within the required rear yard setback. By *Zoning Ordinance* definition and for accessory building setback purposes, the Buffalo Hills Lane lot frontage is the street side yard and the Carol Lane lot frontage is the front yard.

The property is located in an R-1A (Single Family Residential) District and *Brainerd Zoning Ordinance Section 515-55-7: Minimum Lot Area and Setback Requirements* specifies that accessory building required street side yard setback on a corner lot is 20' and 15' is proposed and it specifies that an accessory building rear yard setback is 10' and 7' is proposed.

The City of Brainerd Planning Commission will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., Wednesday, September 20, 2017 to consider the variance request.

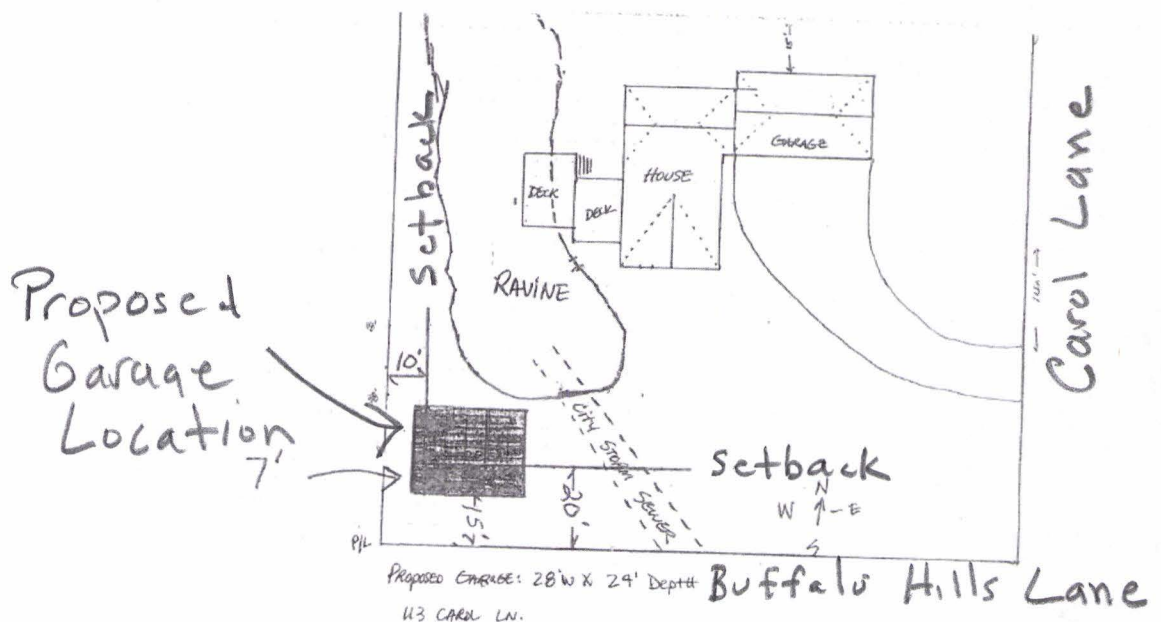
The proposed garage location is depicted in the site plan below and a copy of the application is on file for review at the City Planning Department, 501 Laurel Street.

Any individual needing special accommodations please call (218) 828-2309.

Dated this 6th day of September 2017

Mark Ostgarden AICP
City Planner

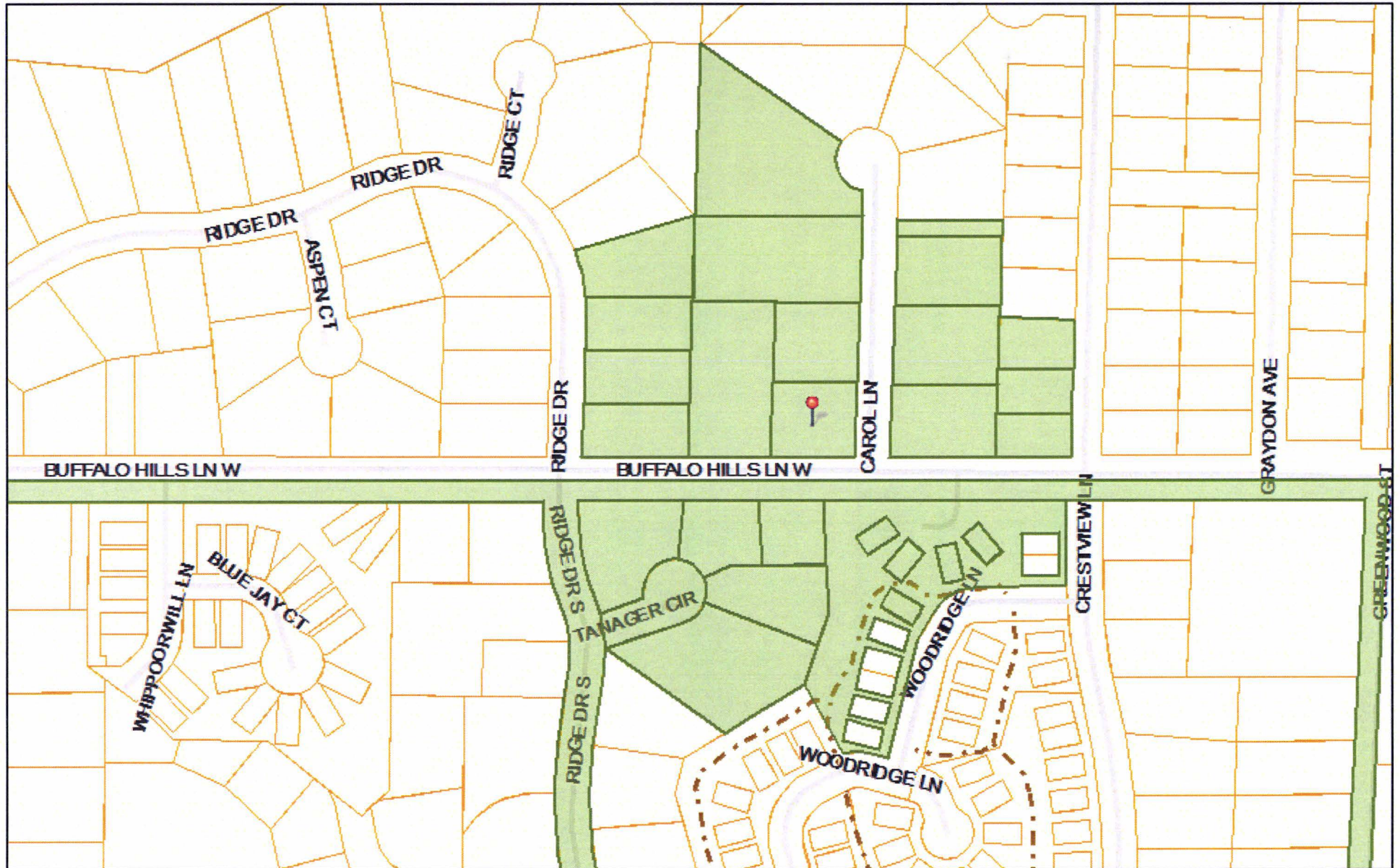
Publication date: September 9, 2017



PIN	TXNAME	TXADR1	TXADR2	Physical Address
091730030150009	UNSER, BRADLEY J & JYNELL D	2120 CRESTVIEW LN	BRAINERD, MN 56401	2120 CRESTVIEW LN
091730030160009	BYE CABLES INC	PO BOX 565	BRAINERD MN 56401	
091730030170009	NELSON, DARREN	2134 CRESTVIEW LN	BRAINERD, MN 56401	2134 CRESTVIEW LN
092030010012009	KRUEGER, PATRICK M & HELEN J	114 CAROL LN	BRAINERD MN 56401	114 CAROL LN
092030010030009	STEINHAUSER, SCOTT & JULIE	124 CAROL LN	BRAINERD, MN 56401	124 CAROL LN
09203001004A009	BRUSSEAU, MICHAEL A & KARI L	144 CAROL LN	BRAINERD MN 56401	
09203001004B009	STEINHAUSER, SCOTT & JULIE	124 CAROL LN	BRAINERD, MN 56401	
092030010080009	LUNDEEN, BENJAMIN J & MELISSA A	143 CAROL LN	BRAINERD MN 56401	143 CAROL LN
092030010090009	PELICAN PLACE LLC	5906 PINE BEACH RD	BRAINERD, MN 56401	133 CAROL LN
092030010100009	COOK, VINCE	123 CAROL LN	BRAINERD, MN 56401	123 CAROL LN
092030010110009	THOMPSON, BRUCE C & CYNTHIA	113 CAROL LN	BRAINERD MN 56401	113 CAROL LN
092030010120009	ABRAHAMSON, FAYE A	308 BUFFALO HILLS LN W	BRAINERD, MN 56401	308 BUFFALO HILLS LN
092100010010009	BERGER, TERRY W & KATHLEEN P	102 RIDGE DR	BRAINERD, MN 56401	
092100010020009	DEHNING, KURT & KELLY	106 RIDGE DR	BRAINERD, MN 56401	106 RIDGE DR
92100010030009	EATON, BRYCE R & MARY JEAN	110 RIDGE DR	BRAINERD MN 56401	110 RIDGE DR
092100010040009	EMBRETSON, LORRAINE E	114 RIDGE DR	BRAINERD, MN 56401	114 RIDGE DR
092360010010009	HAYES, RICHARD L & BETTY J	322 TANAGER CIR	BRAINERD, MN 5640133	322 TANAGER CRT
092360010020009	HUBERT, SCOTT	302 TANAGER CIRCLE	BRAINERD, MN 56401	302 TANAGER CIR
09236001002A009	DITON, ALEXIS	321 BUFFALO HILLS LN	BRAINERD, MN 56401	321 BUFFALO HILLS LN
092360010030009	BREZINKA, CAROLINE M & DAVID BIORN	301 TANAGER CIR	BRAINERD, MN 56401	301 TANAGER CRT
092360010040009	LANGE, GREGORY J & MARY	323 TANAGER CIR	BRAINERD MN 56401	323 TANAGER CIR
092420020030009	OLSEN, WALFRED A IND TRUST 9-27-93	205 BUFFALO HILLS LN W	BRAINERD, MN 56401	205 BUFFALO HILLS LN W
092420020040009	STRAKA, WALTER B	209 BUFFALO HILLS LN W	BRAINERD, MN 56401	209 BUFFALO HILLS LN
092420020050009	EASTMAN, BRUCE C & DONNA A SALLI	215 BUFFALO HILLS LN W	BRAINERD, MN 56401	215 BUFFALO HILLS LN W
092420020060009	PATRICK, JANE	219 BUFFALO HILLS LN W	BRAINERD, MN 56401	219 BUFFALO HILLS LN W
092420020070009	DOLS, LAWRENCE D & DONNA M	2404 WOODRIDGE LN	BRAINERD MN 56401	2404 WOODRIDGE LN
092420020130009	SOUTHVIEW COURT, PATIO HOME ASSN	1511 NORTHERN PACIFIC RD #101	BRAINERD, MN 56401	

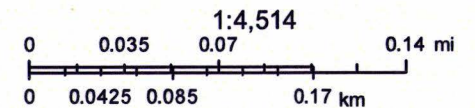
Mailed
9/7/17

Variance 113 Carol Ln



September 6, 2017

- Select Parcels _Query result
- Roads
- City Limits
- Parcels Crow Wing
- Trails



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PROPERTY OWNERS -

Bruce & Cynthia Thompson
113 CAROL lane
BRainerd, MN 56401

Requesting A VARIANCE to ADD A

GARAGE Structure to the proposed

Site on the west side of this lot.

Proposed GARAGE Structure is 28' wide -

24' in Depth. A 2 GARAGE DOOR

Structure - Design; to MATCH

Current Residence -



City Planning Department

City Hall – 501 Laurel Street

Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

Receipt # 2017-00058

Check # 14476

Date Paid: 8-4-17 *g*

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

RESIDENTIAL

COMMERCIAL

CONDITIONAL USE PERMIT

☐

(\$250.00)

REZONING

☐

(\$300.00)

VARIANCE

☒

(\$250.00)

☐

(\$400.00 + \$500.00 escrow deposit)

☐

(\$500.00)

☐

(\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 113 CAROL LN, BRAINERD, MN 56401

LEGAL DESCRIPTION: Lot(s): 1 Block: 1 Addition: KRITA ADDITION
(attach description if lengthy)

Property Owner Name: Bruce & Cynthia Thompson

Street Address: 113 CAROL LN City: BRAINERD State: MN Zip Code 56401

Phone Number: 218.330.8128 Fax: _____ E-mail: bthompson2977@charter.net

Applicant Name: (If different than Property Owner) _____

Street Address: _____ City: _____ State: _____ Zip Code: _____

Phone Number: _____ Fax: _____ E-mail: _____

Description of Request: REQUESTING a variance on the Front Set back
From 20' to 15', requesting A variance on the west property
line set back From 10' to 7'. (GARAGE PROPOSAL)
the Ravine, (city storm water Creek) runs thru this
property causing need for variance. VARIANCE REQUEST
is to ADD A GARAGE ON the west side of this Lot

Bruce C. Thompson

Property Owner Signature

BRUCE C. THOMPSON

(Please print name)

8/3/17

Date

Applicant Signature

Date

(Please print name)

(OVER)

PLANNING COMMISSION
Special Meeting – Wednesday, October 11, 2017
City Hall Council Chambers

Committee Chair Headley called the meeting of the Brainerd Planning Commission to order at 5:00 p.m. in the City Hall Council Chambers.

Noted present were Commissioners Headley, Wussow, Antolak, and Gorham. Also present were City Planner Ostgarden and Council Liaison Lambert.

Public Hearing – Request from Bruce and Cynthia Thompson for a variance to construct an accessory building (garage) at 113 Carol Lane, Brainerd

The Meeting Minutes are currently being transcribed. They will be emailed to council on Friday October 13, 2017 once completed.

DRAFT Findings-of-Fact

Bruce and Cynthia Thompson, 113 Carol Lane, Brainerd, MN 56401

Accessory building (garage) street side yard and rear yard encroachments

1. The property is in an R-1A (Single Family Residential) District and the owner desires to construct a 28' x 24' garage in the required street side yard and required rear yard setback areas.
2. The property is 140' x 160' with the narrow frontage on Carol Lane.
3. For zoning setback purposes, the narrower street frontage on a corner lot is considered the front yard.
4. The required street side yard setback is 20' and a 5' encroachment is proposed. The required rear yard setback is 10' and a 3' encroachment is proposed.
5. There is an attached garage located 30' from the front property line. R1-A zoning requires a 30' front yard setback leaving no room to add onto the attached garage.
6. The area of the existing garage and proposed garage will not exceed the maximum area permitted for accessory buildings on the lot.
7. The property is permitted 1 detached accessory building in addition to the attached garage. The garage is permitted, it's the location that is the issue.
8. The site has a ravine and a creek that limits the setback from the side street property line and in the southwest corner of the lot.
9. The Crow Wing Soil and Water Conservation District has submitted a letter with recommendations on how to protect the ravine should the garage be constructed.
10. Letters have been received from the property owners to the west and to the south opposed to the variance.
11. The storm water pipe location identified on the petitioner's diagram, is not accurate. The City Engineering Department has identified it runs directly north and south 10' east of the proposed garage.
12. The existing soils can support the proposed garage.
13. The City Engineer has stated that the pipe is approximately 15' deep, so from an engineering judgement standpoint, placement of a garage in this location would make it extremely difficult to replace the storm sewer pipe.
14. The request is not consistent with the following Comprehensive Plan Goals and Strategy:
LAND USE GOAL #4: *Plan land uses and implement standards to minimize land use conflicts.*
Strategies
Prepare and adopt a land use plan that designates land use areas and guides development to appropriate areas to ensure desirable land use patterns and minimize conflicts.