

CITY COUNCIL AGENDA

Brainerd, Minnesota

March 5, 2018

7:30 P.M.

Brainerd City Hall

Council Chambers

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

2. **Roll Call**

___ D. Badeaux ___ G. Johnson ___ S. Hilgart ___ J. Lambert

___ K. Stunek ___ K. Bevans ___ 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 February 20, 2018

Documents:

[20180220_CC draft.pdf](#)

B. **Approval Of Licenses**

1. Contractor Licenses - 3 - New; 4 - Renewals

Documents:

[2018-03-05 License RPT.pdf](#)

C. **Department Activity Reports**

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf
Park Director Report.pdf

- D. **Minnesota Lawful Gambling Premises Permit Application - Adopt Resolution To Allow Lawful Gambling By Baxter Snowmobile Club At SE'z LLC, 707 Laurel Street Basement, Brainerd, MN**
- E. **Approval Of Memorandum Of Agreement Between City Of Brainerd, LELS Union, And Paul Rosier To Establish Overtime Rate Of Pay For Rosier's Paid On-Call Firefighter Duties**

Documents:

MOA to Establish OT Rate of Pay - Rosier.pdf

6. **Presentations**

- A. **The Center Annual Report - DeAnn Barry**
- B. **Brainerd High School Traffic Study Final Presentation**

Documents:

Brainerd High School Area Study Final Presentation.pdf

7. **Council Committee Reports**

- A. **Safety And Public Works Committee**

Documents:

20180305_SPW.pdf

- 1. **Improvement 18-02 - 2018 Seal Coat Project Authorization To Bid**

Documents:

Improvement 18-02 - 2018 Seal Coat Project Authorization to Bid.pdf

- 2. **Improvement 18-03 - 2018 Crack Seal Project Authorization To Bid**

Documents:

Improvement 18-03 - 2018 Crack Sealing Project Authorization to Bid.pdf

- 3. **Resolution Of Support - Corridors Of Commerce Trunk Highway 210 Expansion**

Documents:

*RES - Support of Corridors of Commerce TH 210
Expansion.pdf*

4. Discussion Of River To Rail Initiative Trail Connection

Documents:

Discussion of River to Rail Initiative Trail Connection.pdf

5. Mississippi Riverfront Committee - Steamboat Plaza Property
Ownership Research Request For Proposals

Documents:

Mississippi Riverfront Request for Proposals.pdf

B. Personnel And Finance Committee

Documents:

20180305_PF.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>
Baratto Brothers		City Hall Annex Remodel- FINAL	\$22,980	\$0
Patnodes		City Hall Annex Desk- FINAL	\$2,500	\$0
S.E.H.	14-15	Airport Util Ext thru 01/31	\$1,380	\$0
S.E.H.	17-08	2019 SRTS Sidewalks thru 01/31	\$1,840	\$0
Tom's Backhoe		DT Snow Removal 02/23 & 02/25	\$24,423	\$0
WSN		Brainerd Facility Study thru 02/17	\$305	\$0

2. Authorization To Submit Grant Applications To Department Of Natural
Resources (DNR)

Documents:

DNR Grant Opportunities.pdf

3. Leave Of Absence From Fire Department

Documents:

Leave of Absence FD.pdf

4. Paid On Call Firefighter Hiring

Documents:

Paid on Call Firefighter Hiring.pdf

5. Identification Badge Policy

Documents:

ID Badge Policy.pdf

6. Request Authorization For Out-Of-State Travel For HR Coordinator Kris Schubert To Attend National Conference

Documents:

Request for Out of State Travel - HR Coordinator.pdf

7. Fire Contract Formula For 2019

Documents:

Fire Contract Formula for 2019.pdf

8. **Unfinished Business**

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

PLEASE NOTE: THIS INCLUDES ANY EXPIRING TERMS UP FOR REAPPOINTMENT - ALL CURRENT MEMBERS ARE REQUIRED TO REAPPLY

Mayor Recommended: (all terms expire on 12/31 of said year)
Charter Commission - 1 term (Expire 2020) - 1 term (Expire 2021)
Housing & Redevelopment Authority - 1 term (Expire 2022)

9. **New Business**

- A. **Legislative Authorization**

Documents:

Legislative Authorization .pdf

10. **Planning Commission**

- A. **Conditional Use Permit Request - 303 West Washington Street - To Allow An Automobile Repair And Service Business**

Documents:

Conditional Use Permit (CUP) - Automotive Repair and Service at 303 W. Washington Street.pdf

- B. **First Reading - Proposed Ordinance No. 1479 Rezone Property At 15947 Beaver Dam Rd., Brainerd From An R-A (Rural Agriculture) To An R-1A (Single Family Residential)**

Documents:

1st Ordinance Reading, Rezoning - 5947 Beaver Dam Road.pdf

- C. **First Reading - Proposed Ordinance No. 1478 - Amending Brainerd Zoning Ordinance To Consider Adding Parking Lots As A Conditional Use In B-1 Districts**

Documents:

1st Ordinance Reading, Zoning Ordinance Text Amendment - Off Street Parking Lots in B-1 (Residential Office) Districts.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. **Adjourn**

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

ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS,
PLEASE CALL 828-2307
Visit the [City's Website](http://ci.brainerd.mn.us) (ci.brainerd.mn.us)

MISSION

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

Brainerd, MN
February 20, 2018

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

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

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

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

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO ADOPT THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on February 5, 2018 - Approved

B. Approval of Licenses – Approved

Contractor Licenses – 9 – Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by Council 11679, Saint Mathias, 1844 S. Oakridge Ln, Fort Ripley, MN 56449 for an Event to be Held on April 15, 2018 at St. Francis of the Lakes Catholic School, 817 Juniper St., Brainerd - Approved

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

General Obligation Improvement, Utility Revenue, and Equipment Certificates of Indebtedness – Adopted by Resolution No. 11:18

The Chair recognized Mr. Paul Steinman from Springsted, Inc. Mr. Steinman presented an overview of the City’s bond rating as well as the tabulation of the bid results.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 11:18 PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2018A, IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$5,295,000.

RESOLUTION NO. 11:18

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

Presentations

Brainerd Public Schools – Blueprint 181 Informational Presentation - Informational

The Chair recognized Ms. Laine Larson, Brainerd School Superintendent along with Cori Reynolds, Communications Director. Ms. Larson presented information regarding the upcoming school referendum for the Blueprint 181 project. There are many listening sessions scheduled throughout the area regarding the project which included information on how residents may be affected. Mr. Larson urged the community to attend one of the sessions and all information can be accessed at www.blueprint181.org. The Chair thanked her for the presentation.

Conduct on Premises Update – Presentation by Police Department - Informational

The Chair recognized Police Chief McQuiston who gave an update to the Brainerd Police Department's Conduct on Premises Community Policing Project. The program has been in place since 2015 and refers to the City Ordinance 425.2020 which outlines the definition of conduct on premises. A brief overview was explained on what prompts calls to a premises and what action is taken by the police department. The City is divided into seven grids in which two officers are assigned to each grid to oversee rental properties. Since the inception of the program, there has been a significant decrease in the number of conduct on premises reports and the crimes have been less severe. The Police Department will continue with the program which has proven to enhance communication between property owners and tenants. The Chair thanked him for the presentation.

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	14-03	Jackson St MnDOT Testing thru 1/27/18	\$650	\$0
Braun Intertec	16-13	Buffalo Hills Lane Resurfacing MnDOT Testing thru 1/27/18	\$650	\$0
Braun Intertec	14-01	Oak St Mill & Overlay MnDOT Testing thru 1/27/18	\$500	\$0
CWC Highway Dept	17-01	2017 Street Striping	\$11,759	\$0
Millsop Assoc.	17-05	LSI Foundry Site 9/16/17 – 12/18/17	\$5,653	\$0

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

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

2018 Workers' Compensation Renewal - Informational

Committee Chair Johnson indicated the renewal included a drop in the experience modification rating from 1.10 to 1.00. The budgeted work compensation expense will be approximately \$21,000 less than anticipated.

Authorization to Dispose of Technology Equipment - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO USE A PUBLIC SURPLUS WEBSITE TO AUCTION ITEMS THAT MAY HAVE VALUE, TO USE PROCEEDS TO OFFSET COSTS TO DESTROY HARD DRIVES AND DONATE REMAINING USABLE ITEMS TO PC'S FOR PEOPLE.

Safety and Public Works Committee Report

Authorization to Solicit Bids – Street Department Salt/Sand Storage Building - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO AUTHORIZE STAFF TO SOLICIT BIDS FOR THE SALT / SAND STORAGE BUILDING ONCE THE GEOTECHNICAL REPORT IS COMPLETED.

Notice of Hearing – Petition to Vacate a Portion of Vine Street in Harrison and White's Addition - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO SET THE PUBLIC HEARING TO HEAR TESTIMONY FOR OR AGAINST THIS PROPOSED VACATION OF A PORTION OF VINE STREET IN HARRISON AND WHITE'S ADDITION TO THE CITY OF BRAINERD FOR MONDAY, MAY 7, 2018 AT 7:30 P.M.

Proposal for Soil Borings and Geotechnical Evaluation - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE SCOPE OF SERVICES AT THE COST OF \$3,450 FROM NORTHERN TECHNOLOGIES LLC. AND AUTHORIZE PROPER SIGNATURES ON THE SCOPE FOR SERVICES FOR THE BRAINERD STREET DEPARTMENT SALT/SAND BUILDING SITE.

Improvement 17-13 Feasibility Report and Setting the Improvement Hearing – Adopted by Resolution No. 12:18

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 12:18 RECEIVING THE FEASIBILITY REPORT AND SETTING THE IMPROVEMENT HEARING FOR 7:30 P.M. ON MARCH 19, 2018.

RESOLUTION NO. 12:18

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

Unfinished Business

None

New Business

New On-Sale Liquor/Sunday Licenses – Submitted by Barboza's Inc. dba Senior Patron Mexican Cuisine, 314 South 7th Street, Brainerd - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE ON-SALE LIQUOR / SUNDAY LICENSE FOR BARBOZA'S INC., DBA SENIOR PATRON MEXICAN CUISINE, 314 SOUTH 7TH STREET CONTINGENT UPON THE APPROVAL FROM THE FIRE CHIEF.

Downtown Creative Placemaking Initiatives Presentation and Support Request - Approved

City Planner Ostgarden indicated the upcoming construction of South 6th Street will affect our downtown businesses. Creative Placemaking is the collaboration of a coalition of people working to establish an initiative to bring arts and events to the downtown area during the construction and the City wants to try something new. The idea of Creative Placemaking is to attract people to the downtown area with activities and social gathering spaces in hopes of supporting the downtown area businesses and property owners. There are many activities and events that can take place such as sculptures, mobile art carts, chalk and sidewalk painting along with music events and farmers markets. City Planner Ostgarden is requesting the support of the City Council in this project.

The Chair recognized Ms. Cheryal Hill, Region Five Director who explained the Crowd Funding process, the grants received to assist in the initiative and the role of Region Five in the project.

The Chair recognized Mr. Jamie Bieser, Brainerd Restoration board member who spoke on behalf of Michael Angland, President of Brainerd Restoration. The goal of Brainerd Restoration is to aid in the revitalization and the redevelopment of the historic downtown area. Mr. Bieser reviewed the input they have towards the project and their plans to go forward with the initiative.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO DONATE \$3,000 TO SUPPORT THE DOWNTOWN CREATIVE PLACEMAKING INITIATIVE.

Planning Commission

Final Reading of Proposed Ordinance No. 1477 – An Ordinance Amending Section 17-8 C. Accessory Buildings, Uses and Equipment – Adopted by Ordinance No. 1477

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO AMEND THE PROPOSED ORDINANCE NO. 1477 APPROVED AT THE FEBRUARY 5, 2018 MEETING BY OMITTING THE COMMERCIAL DISTRICT FROM THE PROPOSED DRAFT ORDINANCE.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO HOLD THE FINAL READING OF THE AMENDED PROPOSED ORDINANCE NO. 1477 – AN ORDINANCE TO AMEND ZONING ORDINANCE SECTION 17-8 C. ACCESSORY BUILDINGS, USES AND EQUIPMENT TO PERMIT FABRIC CONSTRUCTION MATERIAL FOR INDUSTRIAL OR PUBLIC/SEMI-PUBLIC ACCESSORY BUILDINGS.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO ADOPT ORDINANCE NO. 1477 – AN ORDINANCE TO AMEND ZONING ORDINANCE SECTION 17-8 C. ACCESSORY BUILDINGS, USES AND EQUIPMENT TO PERMIT FABRIC CONSTRUCTION MATERIAL FOR INDUSTRIAL OR PUBLIC/SEMI-PUBLIC ACCESSORY BUILDINGS.

ORDINANCE NO. 1477

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

Public Forum

The Chair opened the Public Forum at 9:35 p.m.

No one came forward.

The Chair closed the Public Forum at 9:35 p.m.

Staff Reports

City Engineer Sandy announced the two open house events coming up for the South 6th Street Reconstruction project. The first one will be a business owner Meet and Greet at The Chamber of Commerce on March 5, 2018 at 5:30 p.m. The second open house is for the public to attend and will take place at Trinity Lutheran Church on March 20, 2018 at 5:00.

City Administrator Torstenson stated the Mayor sends his regrets tonight for his absence as he is attending a chamber event with legislatures in St. Paul. He is discussing the activities taking place in the City with the revitalization efforts downtown.

City Administrator Torstenson indicated Lakes Media Collaborative to make some adjustments to the sound system in council chambers to improve the quality for the viewing public.

City Administrator Torstenson attended a summit regarding Revitalizing Downtowns and Economic Development which was very informative and learned many great ideas. The Creative Placemaking Initiative was the number one suggestion at the summit in the revitalization of downtowns spaces.

Council Announcement – CoRE Program Opportunity – Informational

City Administrator Torstenson explained this was an informational mailing we received regarding pipeline safety as there is a proposed pipeline going through the northern part of Crow Wing County. There will be a free informational session coming up March 13th in Walker.

Council Member Reports

Council Members Hilgart and Lambert attended the BLAEDC meeting recently and had an opportunity to meet with other elected members in the area. There was a very interesting presentation from the Federal Reserve.

Council Member Bevans met recently with Tad Erickson from Region Five and discussed the Comprehensive Plan.

Call for Applicants – Informational:

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

PLEASE NOTE: THIS INCLUDES ANY EXPIRING TERMS UP FOR REAPPOINTMENT – ALL CURRENT MEMBERS ARE REQUIRED TO REAPPLY

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

Charter Commission – 1 term (Expire 2020) – 1 term (Expire 2021)

Housing & Redevelopment Authority – 1 term (Expire 2022)

Adjourn to:

River to Rail Event at The Luminary Fern, 1561 Northern Pacific Road at 5:00 p.m. on Monday, February 26, 2018

Business Meet and Greet Open House Regarding South 6th Street Reconstruction on Monday, March 5, 2018 at 5:30 p.m. at the Chamber of Commerce, 224 West Washington Street

The Chair adjourned the meeting at 9:45 p.m.

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
March 5, 2018
(3 New, 4 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
MN TOTAL REFRIGERATION & HVAC SYST* 949 CONCORD STREET S ST. PAUL, MN 55075 18-0145 (new)	(651) 457-7804	MECH	6/19/2018	1/12/2020	MB736383
SCHRUPP EXCAVATING, LLC 3003 36TH STREET SW PINE RIVER, MN 56474 18-0146	(218) 587-4038	EXCA	3/31/2019	12/31/2018	L-747
LAKES AREA ROOFING & GENERAL CONTR* 10300 CROW WING HEIGHTS DR BRAINERD, MN 56401 18-0147	(218) 828-3577	GENL	9/8/2018	12/31/2018	
RURAL RENEWABLE ENERGY ALLIANCE 3963 8TH ST SW BACKUS, MN 56435 18-0148	(218) 947-3779	GENL	2/15/2019	12/31/2018	BC629837
DIVERSIFIED INFRASTRUCTURE SERVICES 46 S ROLLING MEADOWS DRIVE FOND DU LAC, WI 54937 18-0149 (new)	(920) 924-3690	UTIL	2/1/2019	12/31/2018	
JOHN HALEY ONE ROOFER LLC 7204 W 27TH ST STE 104 ST LOUIS PARK, MN 55426 18-0150 (new)	(218) 828-2067	GENL	7/13/2018	12/31/2018	BC126880
LUNDBERG PLUMBING & HEATING, INC. 1075 2ND STREET NW AITKIN, MN 56431 18-0151	(218) 927-3248	MECH	10/1/2018	7/1/2018	MB003381 PC644439

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: March 1, 2018
Re: February 2018 Activity Report

In early February, we took delivery of our new Tender. This is a 2018 Custom fire truck, on a Freightliner chassis and holds 2100 gallons of water. There are dump chutes on both sides of the truck and on the rear; it also has a small pump and hose reel. On February 9th, we followed the tradition of "Pushing In" the truck.



In February, we had several different training opportunities with the focus on leadership and developing current and new leaders in our department. Again this year, our command staff attended the Minnesota State Fire Chiefs Association Fire Officer School in Alexandria. The school offers a great opportunity for our command staff to learn and work on their skills related to on-scene fire ground operations and leadership. Other training included Critical Incident Stress Management, Decision Making and Problem Solving, and Effective Communication.

Chief Holmes assisted the State Fire Marshal's Division with the review and award of the State Fire Service Planning Grants. The grants were awarded to several different departments in MN to help them be more efficient and cost effective for their communities.

We have been working with the State Fire Marshal's Division on several large construction projects.

The fire department was also honored this month to be part of two escorts out of town to the state tournaments for the Kixters and the Girls Hockey team. It is so great to be part of the community pride.

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

Structure Fire	1
Cooking Fire	1
Chimney Fire	1
Vehicle Fire	2
Motor Vehicle Crash	2
Rescue	2
Carbon Monoxide Incident	1
Wiring/Equipment Failure	4
Good Intent Call	2
Canceled Enroute	5
Authorized Controlled Burning	1
Smoke Scare	1
Alarm System Activation	4
Carbon Monoxide Detector Activation	4
Total	31

City of Brainerd Incident Report

Structure Fire	1
Vehicle Fire	1
Motor Vehicle Crash	1
Rescue	1
Wiring/Equipment Failure	2
Good Intent Call	2
Canceled Enroute	2
Smoke Scare	1
Alarm System Activation	1
Carbon Monoxide Detector Activation	1
Total	13

Parks and Recreation Report

March 2018

Submitted by Tony Sailer, Director

- The light poles and lights were installed on Field 3 at Memorial Park. The Musco crew arrived the morning of Feb. 12 and the work was completed by noon on Feb. 13. The lights on Fields 1 & 2 were realigned on Feb. 14 and the Musco crew noted many of the lights were not aligned properly. With the lights realigned, there should be no more dark spots on the fields. The electric work will be done by Holden Electric once the ground thaws. There has been considerable positive feedback from the adult softball community.

Staff also asked Musco to look at the hockey rink lights at Mill Avenue Park in the event a long-term agreement can be made with Brainerd Industrial Center regarding the property the City currently leases.

Staff received three estimates, with different options, for the hockey rink lights and is also seeking an estimate from Hy-Tec Construction on the cost of a new warming house/restrooms/storage building at Mill Avenue Park.

The City's lease with BIC expires in January 2019, staff has met, and plans for future meetings with the City Administrator and BIC owner Mike Higgins regarding a long-term agreement on the property and upgrading facilities at the park.



- Brainerd Rotary Club member John Forrest gave a presentation on improvements the Brainerd Rotary Club would like to make at Rotary Riverside Park. The projects include a proposed boardwalk, a gathering area and a wildlife observation platform. The Park Board approved the proposed improvements.
- A parks master plan was distributed to the Park Board. Included in the packet is each city park, its facilities and amenities, projects completed in the last 10 years, and future project plans.

- Three individuals met with the Parks and Recreation director to begin discussions regarding a Brainerd Baseball Association. The association would work in conjunction with the Parks and Recreation Department, but would be a separate entity. The plan is to form a non-profit association that would be a platform to develop travel baseball teams and, by doing so, it is hoped more youths would be inclined to join the department's youth leagues. The next meeting will be at 4 p.m. on March 8, at City Hall. Information was provided on the department's Facebook page and numerous individuals have shown interest.
- The ASA co-ed state tournament will take place Aug. 8 at Memorial and Mill Avenue parks.
- The Minnesota Twins youth baseball/softball clinic will take place June 2 at Bane Park. The event, for boys and girls, will take place at 9:30 a.m. for 6- to 9-year olds, and at 10:30 a.m. for 10 to 13-year olds.
- The annual Valentine's Day skating party took place Feb. 10 at Gregory Park with 150 persons attending.
- The season-ending youth Pond Hockey jamboree took place Feb. 24 at the Essentia Health Sports Center. The adult Pond Hockey playoffs concluded Feb. 27.
- The new office carpet will be installed March 6-7.
- The annual Easter Egg Hunt will take place at 10 a.m. on March 31 at Gregory Park.



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: MOA to Establish OT Rate of Pay for Rosier's POC Firefighter Duties

☐ 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: Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: n/a
Summary of Issue: Last month the Council approved a Policy and a draft Memorandum of Agreement (MOA) regarding full-time employees being hired as Paid on-call (POC) Firefighters. City representatives met with the LELS Union Local #65 on February 20, 2018, to discuss Paul Rosier's overtime rate for POC duties. Both the LELS Union and the employee agreed to the MOA without any changes. The MOA, as executed by the Union and the employee, is attached.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Council approval of the MOA is included on the Consent Calendar; therefore, no additional action is needed.	
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>	

MEMORANDUM OF AGREEMENT

This Memorandum of Agreement ("MOA") is entered into by and between the City of Brainerd ("City"), Paul Rosier ("Employee") and the LELS Local #65 Union ("Union"). The City, the Employee, and the Union are hereinafter referred to collectively as the "Parties," and individually as a "Party."

Whereas, the City and the Union are parties to a 2017-2018 collective bargaining agreement ("CBA"), which governs the terms and conditions of employment of the Employer's Police Officer employees; and

Whereas, the Employee wishes to obtain a position with the City as a paid-on-call firefighter; and

Whereas, the CBA does not govern the terms and conditions of employment of the City's paid-on-call firefighters; and

Whereas, the Parties wish to eliminate ambiguity that may arise in the event that the Employee is called on to perform paid-on-call firefighter duties during the Employee's scheduled duties; and

Whereas, the Parties wish to agree on the rate of overtime pay that may become due to the Employee as a result of the Employee's performance of paid-on-call firefighter duties.

NOW, THEREFORE, IN CONSIDERATION OF the mutual covenants and agreements contained in this MOA and other good and valuable consideration, the sufficiency and receipt of which are hereby acknowledged, the Parties agree as follows:

1. Separation of Paid-on-Call Firefighter Duties: The Employee and the Union acknowledge and agree that the Employee's position as a paid-on-call firefighter is not subject to the CBA, that the Employee does not acquire any right to continued employment or seniority with respect to the paid-on-call firefighter position by virtue of the CBA, and that, except as expressly provided herein, no provision of the CBA is applicable to the Employee's position as a paid-on-call firefighter or firefighter duties.
2. Leave to Perform Service as a Firefighter: The Parties agree that, at the City's sole discretion, the Employee may be granted an unpaid leave from the Employee's duties as a Police Officer to perform service as a firefighter. Subject to the terms of the CBA regarding scheduling and use of leave, the Employee may also use accrued vacation or floating holiday leave or comp time to be excused from the Employee's duties as a Police Officer to perform service as a firefighter.

3. Overtime for Service as a Firefighter: In accordance with the Fair Labor Standards Act (as amended) and 29 C.F.R. § 778.419 (as amended), the Parties agree that the City will pay the Employee overtime at a rate equal to one and one half (1 ½) the hourly non-overtime rate for paid-on-call firefighter duties, for all firefighting duties performed during overtime hours, and a rate equal to one and one half (1 ½) times the Employee's regular hourly rate of pay, as described in the CBA, for all duties performed as a Police Officer during overtime hours. To the extent that this provision is found to be inconsistent with the Fair Labor Standards Act or other applicable law, the City shall pay the Employee overtime in accordance with such law.
4. Non-Precedential/No Legal Claims: This Memorandum of Agreement is non-precedential and will not be used by the City or Union to support or detract from any future grievance or complaint of any kind. This Memorandum of Agreement shall not constitute a binding precedent or past practice or be used in any way to interpret the CBA or seek similar benefits for any other employee in any manner to require the City to take similar action in the future. This Memorandum of Agreement shall not be used as evidence in any proceeding, other than with respect to the payment of these particular benefits to this Employee.
5. Complete Agreement: The Parties acknowledge that this Memorandum of Agreement constitutes the entire agreement between the parties relating to the Employee's entitlement to leave or overtime with respect to the Employee's provision of paid-on-call firefighting services. No Party has relied upon any oral statements or promises that are not set forth in this Memorandum of Agreement. No changes to this Memorandum of Agreement will be valid unless they are in writing and signed by all of the Parties.

Employer:
City Administrator

Date: _____

Employee:

Paul Rosin

Date: 2-22-18

For the Exclusive Representative:
Union Representative

Date: 02/20/2018



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Brainerd High School Traffic Study Final Presentation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): Tim Houle, Widseth Smith Nolting	Estimated Time Needed: 45 Minutes
Summary of Issue: Tim Houle will be present at the SPW committee to present the final findings of the Brainerd High School (BHS) Area Traffic Study.	
Alternatives, Options, Effects on Others/Comments: This is a presentation. Enough time will be left for questions and answers after the presentation. Mr. Houle volunteered to give the short version of the presentation at the full council level and answer any other questions at that time.	
Recommended Action/Motion: No action requested. We plan on a 30 minute presentation and 15 minutes of questions and answers.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

1. Reminder of Scope
2. Existing Conditions
3. Future Growth
4. Analyze Options
5. Narrow Down The Options
6. Layouts of The Top 3 Options
7. Impacts of The Top 3 Options
8. Conclusion

!!! The Traffic Study shows that the School – the community – has options. !!!

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

1. Reminder of Scope

Improvements around Brainerd High School (BHS) are being considered.

These possible improvements could specifically impact
5th Street from Oak Street to Quince Street
and Pine Street from 6th Street to 5th Street,
as well as streets leading into and away from this area.

To provide engineering data and analysis
of the impact to the transportation network
due to possible changes to the above street,
the School Board initiated a Traffic Study

Preliminary and final design will occur later.

!!! The Traffic Study shows that the School – the community – has options. !!!

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

2. Existing Conditions

The Study started out with collecting video at intersections and some parking lot accesses adjacent to BHS as well as at key intersections several blocks away that area a part of the area's transportation network (18 locations in all).

The Study included traffic counting (and pedestrians, buses, etc.) as well as a review of historical data (e.g. crash data) on existing conditions.

A traffic computer model was then prepared.

This model indicated
the existing transportation network around BHS operates well.

This finding was confirmed from a review by a group of representatives from MnDOT, the City, the School, and our engineering team.

!!! The Traffic Study shows that the School – the community – has options. !!!

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

3. Future Growth

The Study included 20-year future traffic increases.
Numbers for both school traffic increases and
overall general public traffic increases shaded towards the high side.

!!! The Traffic Study shows that the School – the community – has options. !!!

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

4. Analyze Options

The Study then looked at 5th Street and Pine Street and preliminarily analyzed 16 combinations of street closures and layouts (e.g. two-ways and one-ways).

The 622 page Traffic Study has information on all of this.

!!! The Traffic Study shows that the School – the community – has options. !!!

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

5. Narrow Down The Options

The review group of
representatives from MnDOT, the City, the School, and our engineering team
then narrowed down these alternatives to 3 possible arrangements.

!!! The Traffic Study shows that the School – the community – has options. !!!

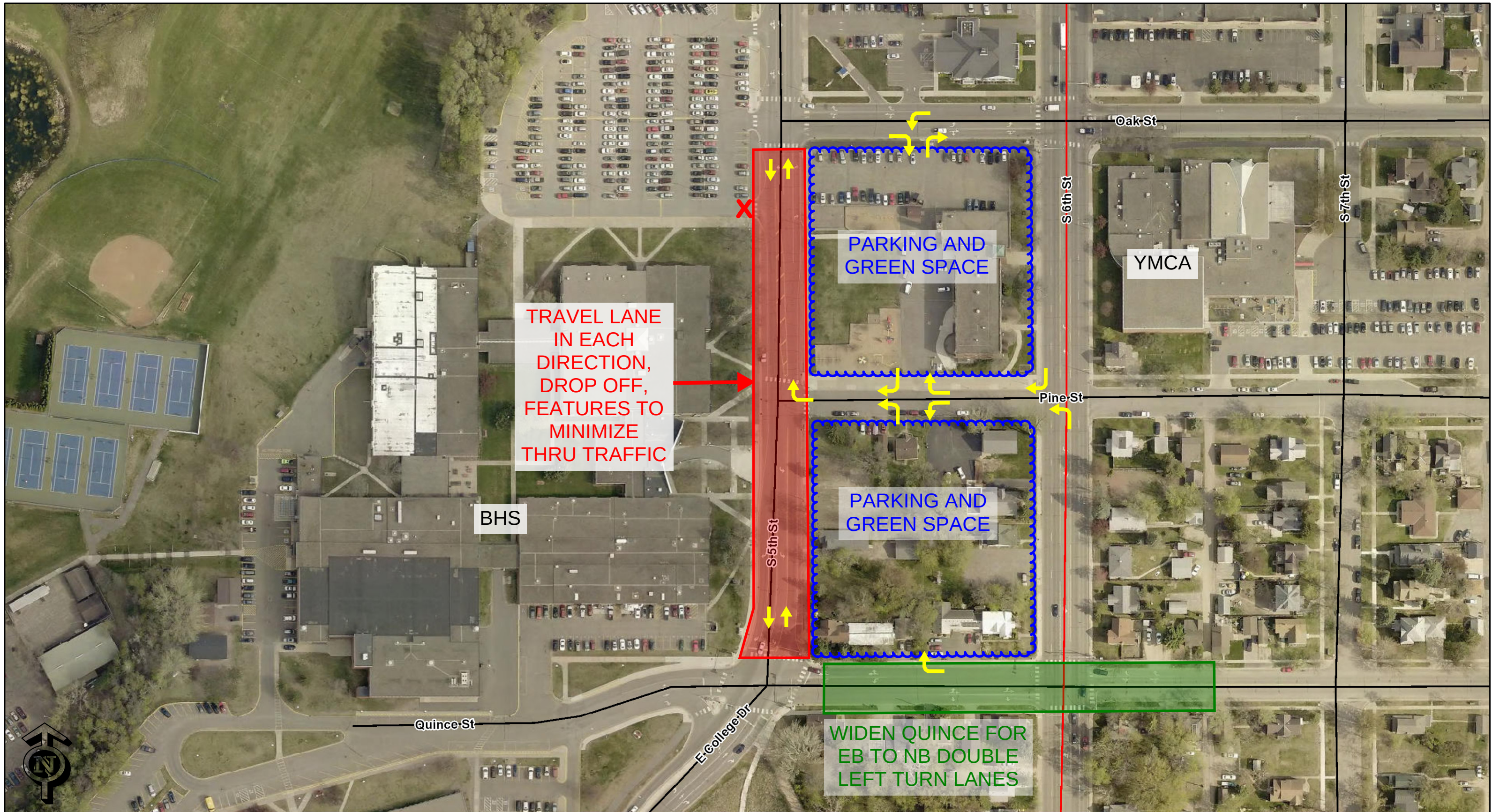
Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

6. Layouts of The Top 3 Options

After the next slide, we will show the three options there were further analyzed.

The analysis of each option included varied layouts of parking and buses on the north and south sides of the present High School. These did not significantly change the impacts to the overall traffic network.

!!! The Traffic Study shows that the School – the community – has options. !!!



BHS Area Traffic Study

Option 1

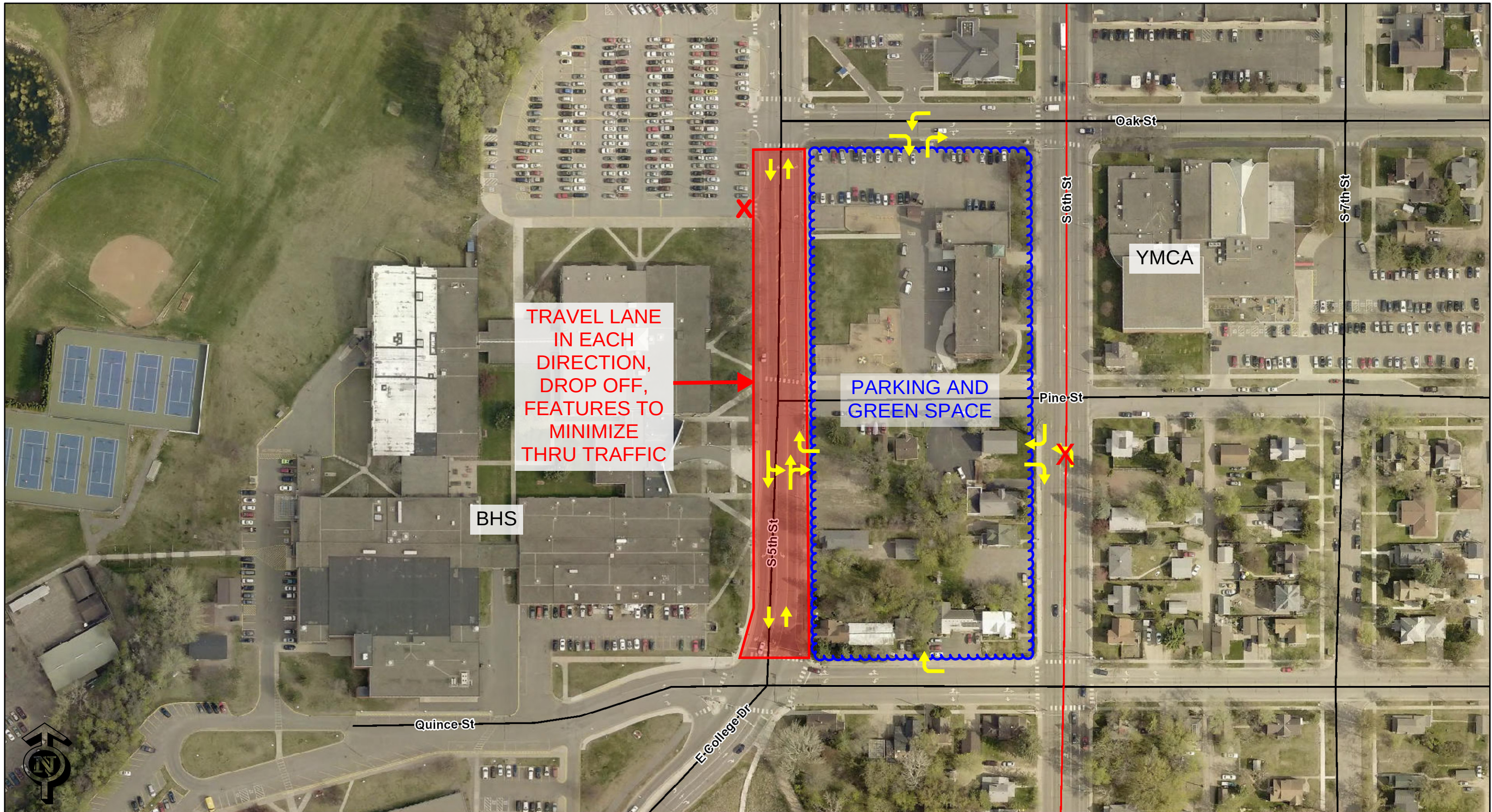
Keep Pine St. Open

Keep 5th St. Open with Features to Minimize Thru-Traffic

February 26, 2018 School Board Meeting

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.





BHS Area Traffic Study

Option 2

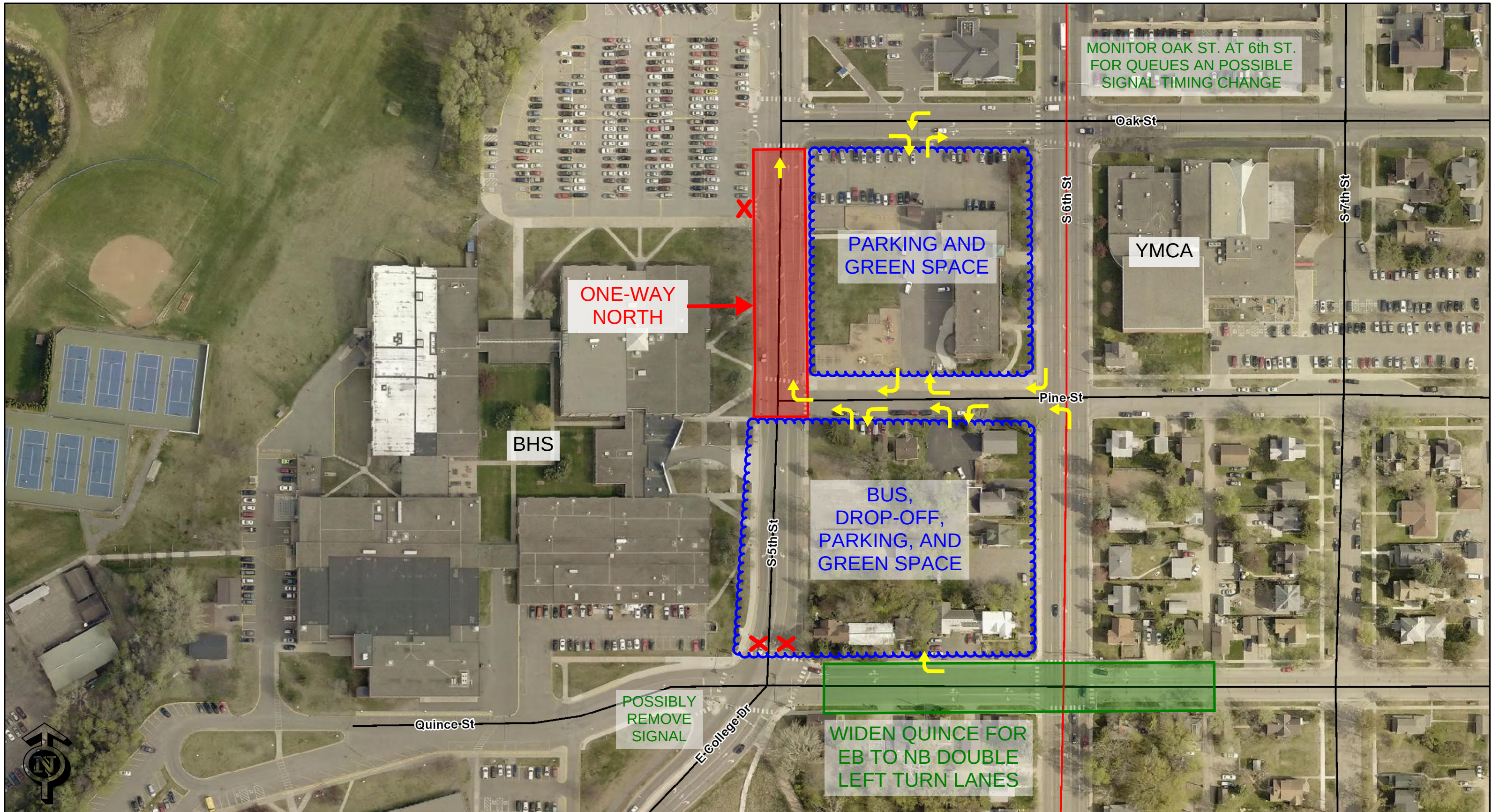
Close / Vacate Pine St. Open

Keep 5th St. Open with Features to Minimize Thru-Traffic

February 26, 2018 School Board Meeting

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.





BHS Area Traffic Study

Option 3

Keep Pine St. Open

Close South Half of 5th St. - North Half of 5th Street One-Way North

February 26, 2018 School Board Meeting

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.



Examples of One Set of Traffic Calming Methods

Traffic-control methods

Traffic-control devices are installed on public roads and in private developments. They are not used on main roads such as U.S. 1 and Military Trail.

1 Speed bump

Used mostly in private residential developments and shopping centers.

X

4 to 6 inches

Speed bump

1 to 3 feet



2 Speed hump

Used mostly on residential streets with speed limits up to 25 mph.

X

3 to 4 inches

Speed hump

10 to 12 feet



3 Speed table

Used on more traveled residential streets with speed limits up to 30 mph.

3 to 4 inches

Speed table

22 feet



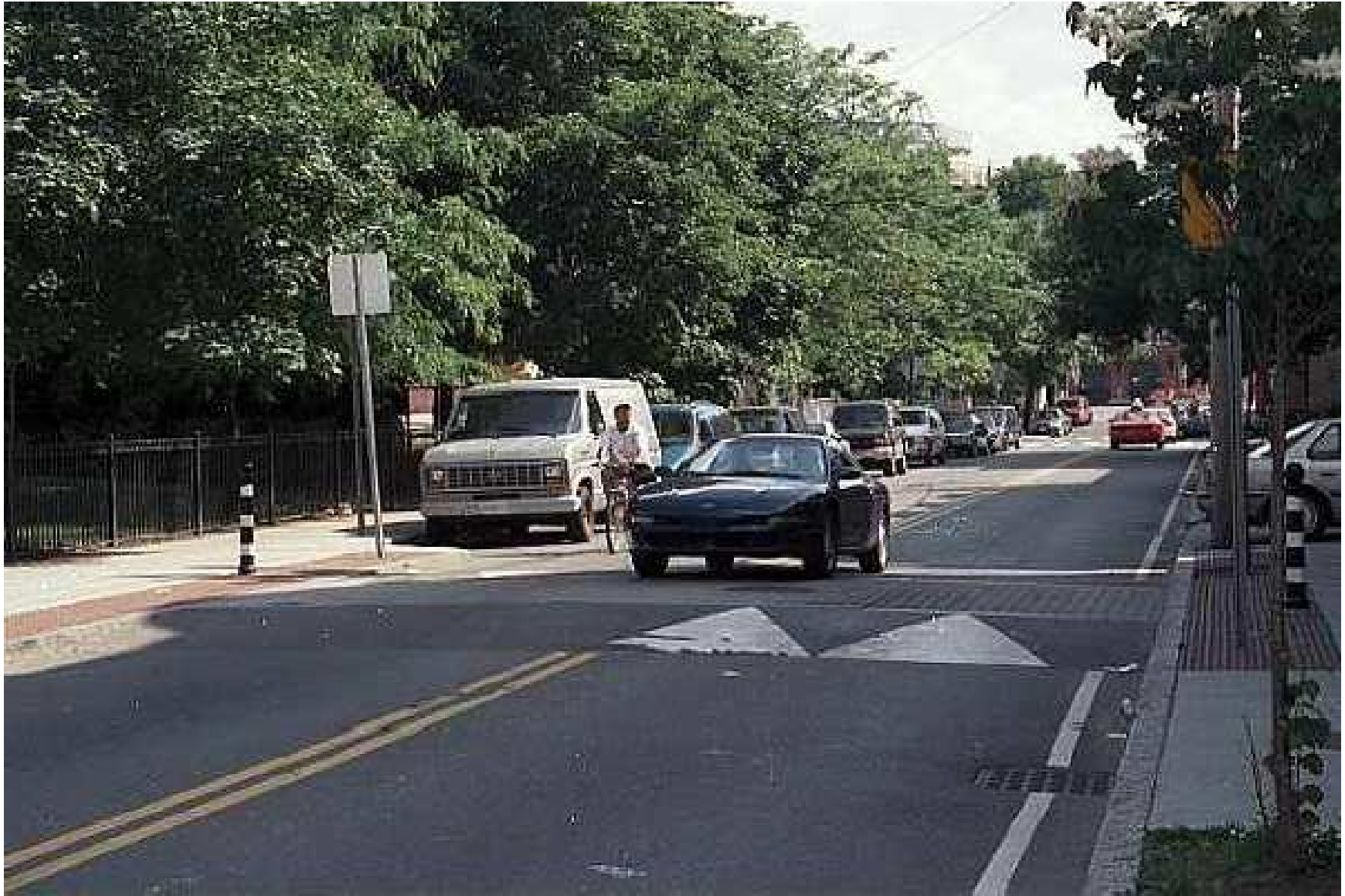
Note: Drawings not to scale

Sources: Palm Beach County and local communities

Steve Lopez/The Palm Beach Post



Speed Table at Pedestrian Crossing and Center Median



Speed Table at Pedestrian Crossing - Note Angle of Car



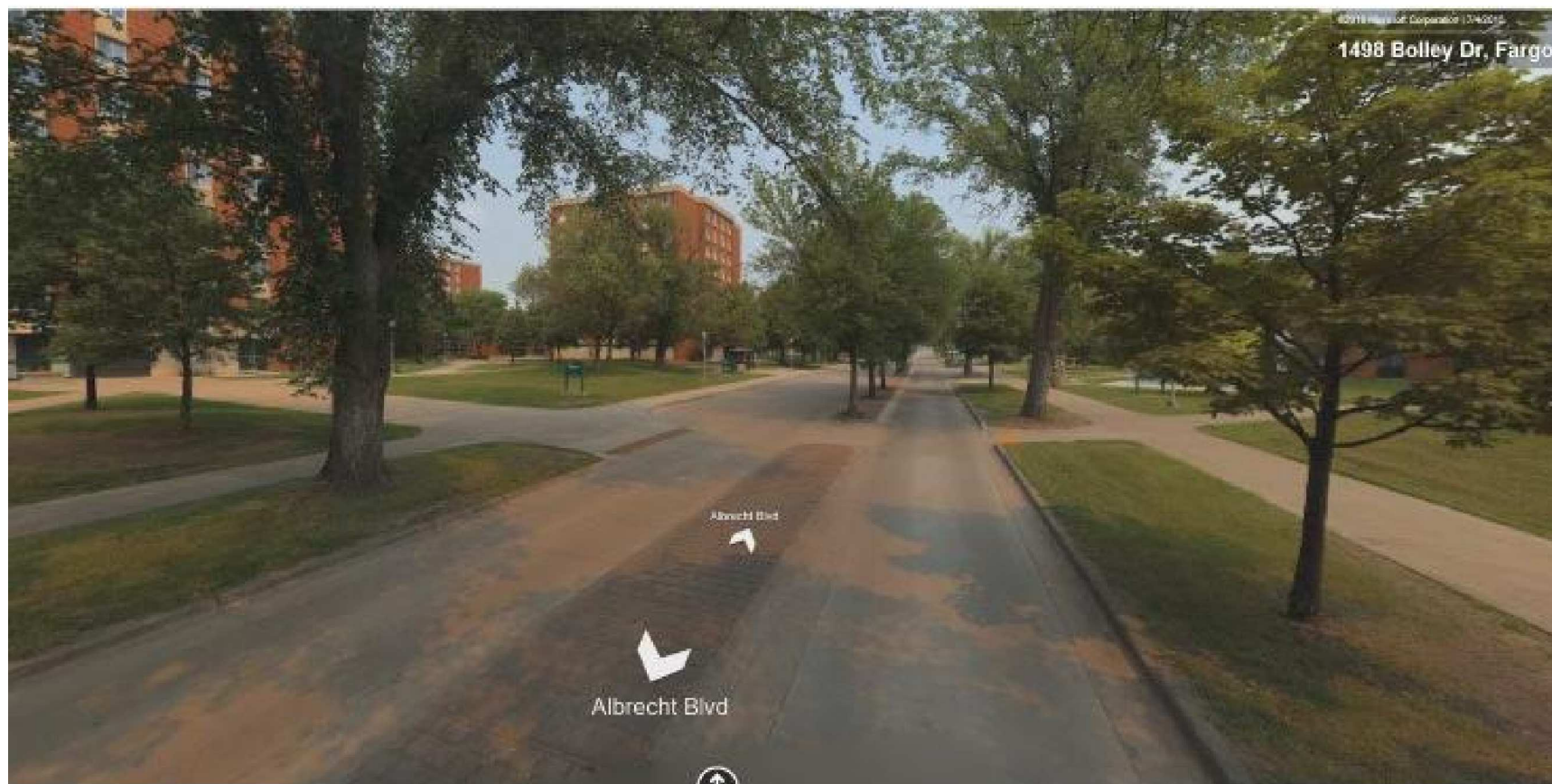
Center Median with Drop-Off / Parking Lanes
(not sure I would encourage bikes this close)



Side Bump Outs (Curvy Street) and Center Median
(appears to be a modification of an existing wider street)



Bump Outs at Intersection
(Narrow Pedestrian Crossing)
("Narrow" / Slow Vehicles)



Narrower Lanes
Center Median
Drop-Off / Parking Lanes

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

7. Impacts of The Top 3 Options

As some traffic is re-directed and traffic increases over time, as expected, some street segments / intersections would see longer queues or stacking.

However, the traffic network would not breakdown and would still perform.

5th Street is on the City's Municipal State Aid System (MSAS).

With any proposed future improvements to 5th Street, we would need to meet the criteria for a State Aid Street.

The preliminary concepts and ideas being discussed for 5th Street could work as is or might need to be adjusted a bit. Determining details that would work this would be a task for a design phase.

If all or part of 5th Street were vacated, the School District would first need to show the City what the public benefit would be for the entire area.

The initial reaction is that the threshold for doing this is attainable for Pine Street, but would be challenging for 5th Street.

The second thing to address if all or part of 5th Street were vacated is there would probably be some previously invested MSAS funds corresponding to the remaining life of improvements made on 5th Street that would have to be paid back.

Again, if this option were pursued, details on this would be worked out at the beginning of the design phase.

!!! The Traffic Study shows that the School – the community – has options. !!!

Brainerd Public Schools
ISD No. 181
Brainerd High School Area Traffic Study
Final Summary to School Board
February 26, 2018
WESB – Board Room

8. Conclusion

The review group of representatives from MnDOT, the City, the School, and our engineering team reviewed the impacts of the top 3 options (no major objections noted).

Overall, the Traffic Study shows that the School, the City, MnDOT – the community – has options on implementing a number of possible street rearrangements.

Traffic-wise, nothing is going to totally breakdown with any of these options.

!!! The Traffic Study shows that the School – the community – has options. !!!

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

March 5, 2018
City Council Chambers
6:45 PM

1. Improvement 18-02 – 2018 Seal Coat Project Authorization to Bid
2. Improvement 18-03 – 2018 Crack Seal Project Authorization to Bid
3. Resolution of Support – Corridors of Commerce Trunk Highway 210 Expansion
4. Discussion of River to Rail Initiative Trail Connection
5. Mississippi Riverfront Committee Request – Steamboat Plaza Property Ownership Research Request for Proposals



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Improvement 18-02 - 2018 Seal Coat Project Authorization to Bid

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Staff has finished final design and quantities along with a cost estimate for the 2018 Seal Coat Project.	
Alternatives, Options, Effects on Others/Comments: Staff has identified streets that were constructed in the 2000's as good candidates for seal coating. The streets identified include: 3rd, 8th, 10th, 12th, 13th, and 14th Avenues NE; K, L, and M Streets; Brainerd Oaks; SE 28th Street; Willow Street; South 7th Street, Quince Street, East River Road; and SW 4th Street. I have attached the cover sheet of the plans to identify streets and termini. Also attached to this request is the estimate of project costs. The total estimated project construction costs for the project are \$151,004.25. Staff would like to bid the entire project as presented to see where unit prices come in and potentially remove a couple of blocks of streets if the project comes in over our budgeted \$150,000 for seal coating. Numerous studies have been performed that prove the effectiveness of seal coats on newer pavements, and more studies are currently underway to lock down that exact age of the pavement when seal coats are the most effective. The seal coat program in the City continues to evolve and studies performed by other agencies such as the Local Road Research Board and MnDOT will continue to provide staff with valuable information regarding the most effective times to apply seal coats or other alternatives to seal coating.	
Recommended Action/Motion: Staff recommends authorizing advertisement for bids for Improvement 18-02 - 2018 Seal Coat Project with the bid opening date of April 11, 2018 at 10:00 AM CDT. As you recall, the City recently moved to all online bidding, so we typically do not have any bidders that actually attend our bid openings anymore. However, we will be opening bids in the council chambers as we have done in the past.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$151,004.25 Estimated</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> The 5-year CIP has \$150,000 included for seal coating as part of our pavement preservation program.	

NOTICE OF BID
BIDS CLOSE FRIDAY, APRIL 11, 2018 AT 10:00 A.M. CDT
BRAINERD, MINNESOTA

CITY IMPROVEMENT NO. 18-02
2018 CHIP SEAL PROJECT

Notice is hereby given that bids will be received, opened, and read aloud in the presence of the City Administrator and the City Engineer in the Council Chambers, City Hall, in the City of Brainerd, Minnesota, on Friday, April 11, 2018 at 10:00 A.M. CDT for the construction of the following described local improvement in accordance with the Plans and Specifications for the same which on file in the office of the City Engineer of said City.

City Improvement No. 18-02
2018 Chip Seal Project

All bids shall be submitted electronically through the City of Brainerd's BidVAULT website, and accompanied by a cash deposit, cashier's check, bid bond or certified check of at least five (5) percent of the amount of bid made payable to the City of Brainerd, which amount will be forfeited to the City of Brainerd as liquidated damages if the bidder, upon letting the contract to him, shall fail to enter into the contract let so.

Plans and specifications may be examined at the Office of the City Engineer, 501 Laurel Street, Brainerd, MN 56401 or at <https://egram.ci.brainerd.mn.us>.

All proposals must be submitted electronically through the City of Brainerd's BidVAULT website. Bidding on the project costs \$25.00 plus applicable taxes and fees.

Go to the project page in eGram to obtain the Plan and Proposal online.

Approximate major quantities are as follows:

<u>Item Name</u>	<u>Quantity Unit</u>
MOBILIZATION	1 LUMP SUM
BITUMINOUS MATERIAL FOR FOG SEAL	11,495 GALLONS
BITUMINOUS MATERIAL FOR SEAL COAT	33,498 GALLONS
BITUMINOUS SEAL COAT	95,682 SQUARE YARDS
TRAFFIC CONTROL	1 LUMP SUM

All bids will be referred to the City Engineer for tabulation and then referred to the City Council for action at a Council meeting to be held on Monday, April 16, 2018.

The City of Brainerd reserves the right to reject any and all bids and to waive minor irregularities and informalities therein and further reserves the right to award the contract in the best interest of the City.

No bidder may withdraw their bid within 30 days after the actual date of the opening thereof.

By Order of the City Council

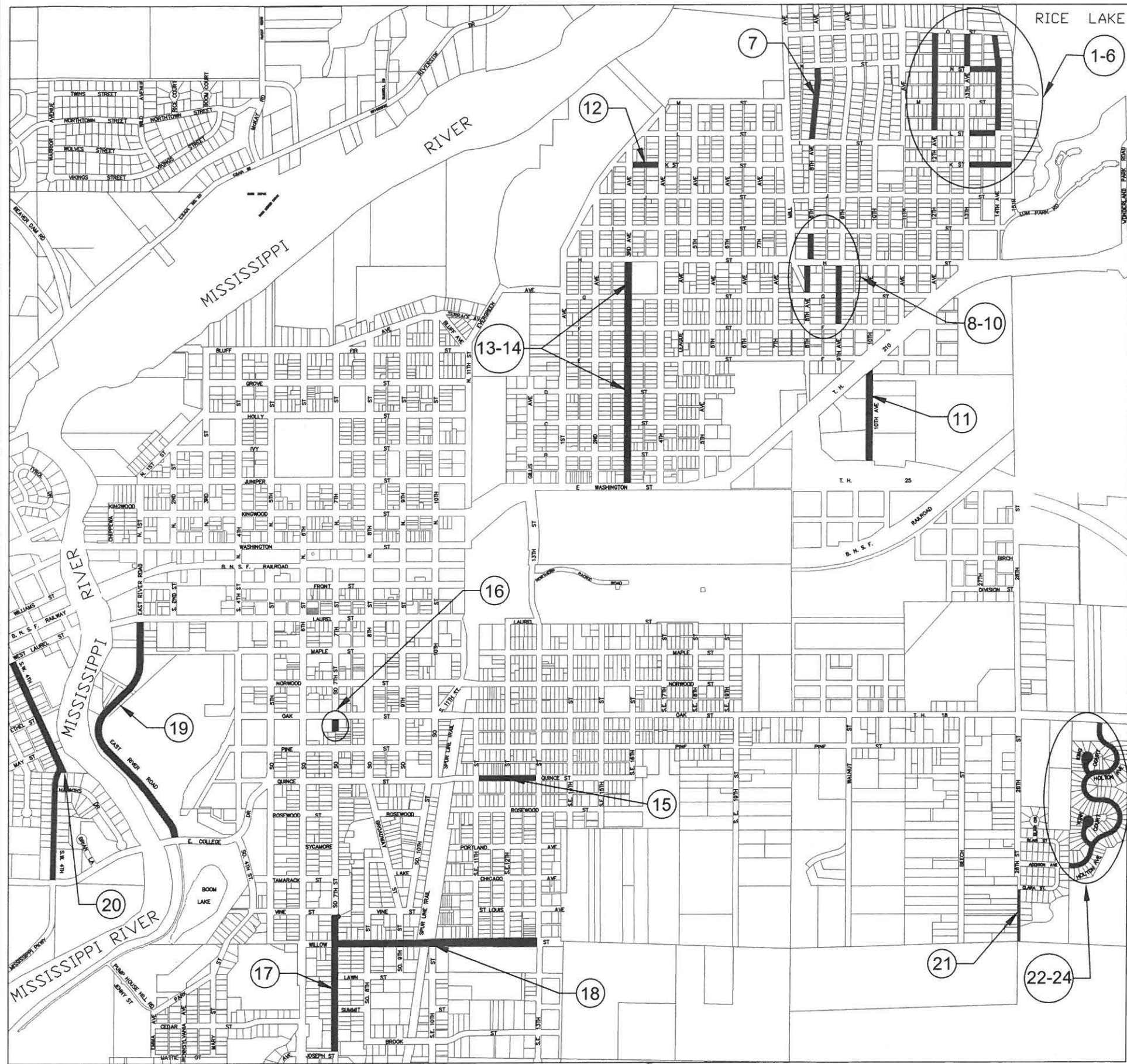
March 5, 2017

Cassandra Torstenson
City Administrator

Brainerd Dispatch Publish March 9, 2018, March 16, 2018, and March 23, 2018.

City of Brainerd Website March 9, 2018 – April 11, 2018

MnDOT E-Advert Website March 10, 2018 – April 11, 2018.



CITY OF BRAINERD, MINNESOTA

DEPARTMENT OF ENGINEERING

CONSTRUCTION PLAN FOR: IMPROVEMENT PROJECT 18-02 2018 CHIP SEAL PROJECT

PROJECT LOCATION AREAS

- 1: K Street - (NE 13th Avenue to NE 15th Avenue)
- 2: L Street - (NE 13th Avenue to NE 14th Avenue)
- 3: NE 14th Avenue - (L Street to O Street)
- 4: N Street - (NE 13th Avenue to NE 14th Avenue)
- 5: NE 13th Avenue - (N Street to O Street)
- 6: NE 12th Avenue - (L Street to O Street)
- 7: NE 8th Avenue - (L Street to N Street)
- 8: NE 8th Avenue - (H Street to I Street)
- 9: NE 8th Avenue - (Mill Avenue to H Street)
- 10: NE 9th Avenue - (F Street to H Street)
- 11: NE 10th Avenue - (TH 25 to TH 18)
- 12: K Street - (NE 3rd Avenue to NE 4th Avenue)
- 13: NE 3rd Avenue - (G Street to H Street)
- 14: NE 3rd Avenue - (Washington Street to G Street)
- 15: Quince Street - (SE 11th Street to SE 13th Street)
- 16: S 7th Street - (Oak Street to YMCA Entrance)
- 17: S 7th Street - (Joseph Street to Vine Street)
- 18: Willow Street - (S 7th Street to SE 13th Street)
- 19: East River Road - (Laurel Street to College Drive)
- 20: SW 4th Street - (Laurel Street to College Drive)
- 21: 28th Street SE - (Oakridge Road SE to Clara Street)
- 22: Holton Avenue - (135' East of Blair Street to TH 18)
- 23: York Court - (Holton Avenue to End of Cul de Sac)
- 24: King Court - (Holton Avenue to End of Cul de Sac)

*ALL APPLICABLE FEDERAL, STATE AND LOCAL LAWS AND ORDINANCES
WILL BE COMPLIED WITH IN THE CONSTRUCTION OF THIS PROJECT.

NOTE: MATERIALS STORAGE IS AVAILABLE ON CITY PROPERTY.



REV.	DATE	DESCRIPTION	SHEETS REVISED



City of Brainerd
Engineering Department
501 Laurel Street
Brainerd, MN 56401

I hereby certify that this plan, specification, or report was prepared by me
or under my direct supervision and that I am a duly licensed professional
engineer under the laws of the state of Minnesota.

Paul Sandy Date 02/21/18
Paul Sandy, P.E. License No. 53635

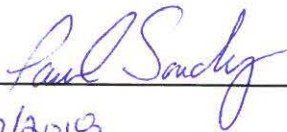
NOT TO SCALE

NO.	SHEET INDEX
1	TITLE SHEET
2	ESTIMATED QUANTITIES

SHEET
1 OF 2

**City of Brainerd
Engineer's Estimate**

Project Number: 18-02 Project Title or Road Number: 2018 CHIP SEAL PROJECT Work Type: Seal Coat						
Item No.	Description	Units	Base Bid / Alternate	Quantity	Unit Price	Total Price
2018 SEAL COAT IMPROVEMENTS						
2021.501	MOBILIZATION	LS	Base Bid	1.00	\$7,000.00	\$7,000.00
2355.502	BITUMINOUS MATERIAL FOR FOG SEAL	GAL	Base Bid	11,495.00	\$0.75	\$8,621.25
2356.505	BITUMINOUS MATERIAL FOR SEAL COAT	GAL	Base Bid	33,498.00	\$1.75	\$58,621.50
2356.506	BITUMINOUS SEAL COAT	S Y	Base Bid	95,682.00	\$0.75	\$71,761.50
2563.601	TRAFFIC CONTROL	LS	Base Bid	1.00	\$5,000.00	\$5,000.00
Total 2018 SEAL COAT IMPROVEMENTS						\$151,004.25
Total						\$151,004.25

Certified By:  License No. 53635
 Date: 02/27/2018



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Improvement 18-03 - 2018 Crack Sealing Project Authorization to Bid

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Staff has finished final design and quantities for Improvement 18-03 - 2018 Crack Sealing Project.	
Alternatives, Options, Effects on Others/Comments: The streets selected for the project include most of the same streets as Improvement 18-02 - 2018 Seal Coat Project. It is good practice to ensure that the cracks in the pavement are sealed with mastic sealant prior to seal coating. Some streets listed on the seal coat plan have been crack sealed prior to 2018, but new cracks in different locations have formed along with the cracks that were sealed showing signs of separation and in need of new crack sealant being applied. As you may recall, we typically order our own material from the State contract for this project and supply it to the Contractor to use. In 2017, we ordered 11,250 pounds of sealant at a cost of \$0.446/pound. Staff anticipates ordering the same amount this year and programming close to the same amount of footage of cracking that was completed last year. Attached to this request is the list of street segments, the crack sealant purchase order, the engineer's estimate for the installation of the material, and the notice of bids. Total estimated project cost is \$5,017.50 for the 11,250 pounds of crack sealing material and \$18,058 for the installation of the material for a total estimated project cost of \$23,075.50.	
Recommended Action/Motion: Staff recommends authorizing solicitation of quotes for Improvement 18-03 - 2018 Crack Seal Project with the quote opening date of April 11, 2018 at 2:00 PM CDT.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$23,075.50</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> The 5-year CIP has \$25,000 included for crack sealing as part of our pavement preservation program.	

REQUEST FOR QUOTES
QUOTES DUE WEDNESDAY, April 11th, 2018 AT 2:00 PM
BRAINERD, MINNESOTA

CITY IMPROVEMENT NO. 18-03
2018 CRACK SEALING

Notice is hereby given that the City of Brainerd is requesting quotes for the crack sealing of numerous roads in accordance with the Specifications for the same which on file in the office of the City Engineer of said City.

Plans and specifications are available for download off of the City's eGram website for no fee at <https://egram.ci.brainerd.mn.us>.

Approximate quantities are as follows: Crack Sealing – 57,350 LF
Mobilization – 1 LSUM
Traffic Control – 1 LSUM

Crack filling material has been purchased by the City and is available for use by the selected contractor.

All quotes must be received in the City Engineer's Office at 501 Laurel St, Brainerd, Minnesota by 2:00 PM on Wednesday, April 11th, 2018. Quotes will be compared and then referred to the City Council for action at a Council meeting to be held on Monday, April 16th, 2018.

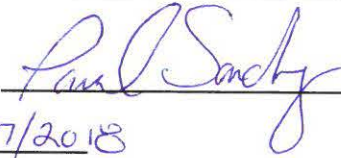
The City of Brainerd reserves the right to reject any and all quotes and to waive minor irregularities and informalities therein and further reserves the right to award the contract in the best interest of the City.

All quotes will be delivered to the City Engineer prior to the quote opening time.

**City of Brainerd
Engineer's Estimate**

Project Number: 18-03						
Project Title or Road Number: 2018 CRACK SEALING						
Work Type: Crack Sealing						
Item No.	Description	Units	Base Bid / Alternate	Quantity	Unit Price	Total Price
2018 CRACK SEAL IMPROVEMENTS						
2021.501	MOBILIZATION	LS	Base Bid	1.00	\$1,000.00	\$1,000.00
2331.603	CRACK SEALING	L F	Base Bid	57,350.00	\$0.28	\$16,058.00
2563.601	TRAFFIC CONTROL	LS	Base Bid	1.00	\$1,000.00	\$1,000.00
Total 2018 CRACK SEAL IMPROVEMENTS						\$18,058.00
Total						\$18,058.00

Certified By:



License No.

53635

Date:

02/27/2018

VENDOR	Name Brock White Co.	SHIP TO	Name City of Brainerd	STATE OF MINNESOTA Department Purchase Order			
	Address 818 E 50th St N		Address 724 Thiesse Drive				
	City, State, ZIP Code Sioux Falls, SD 57104		City, State, ZIP Code Brainerd, MN 56401				
REMIT TO	Name (if different from Vendor)	BILL TO	Name (if different from Ship To) City of Brainerd	Purchase Order Number 18-03		Vendor	
	Address		Address 501 Laurel St	Fund	Fin DeptID	AppropID	Account
	City, State, ZIP Code		City, State, ZIP Code Brainerd, MN 56401	Bill To		Ship To	
This DPO is issued and accepted with the understanding that the authorized agency shall call for bids and otherwise proceed as required in Minn. Stat. § 16C.		Price Contract Number <u>46779</u>		Occ Date		Invoice Number	
Is the vendor's federal employer tax ID number or Social Security Number and Minnesota tax ID number on file? ☐ Yes ☐ No You must provide your federal employer tax ID or Social Security number and your Minnesota tax ID number as required by Minn. Stat. § 270.66. This information may be used in the enforcement of federal and state tax laws. Supplying these numbers could result in action to collect delinquent tax returns and delinquent uncontested tax liabilities from you. Failure to supply these numbers could preclude you from being paid for products/services purchased. These numbers will be available to federal and state tax authorities and personnel involved in payment of state obligations.							
Line #	Category Code	Units Ordered	Description	Unit	Unit Price	Disc %	Total Price
		11,250	MnDot Spec 3723 - Road Saver 515MN (Crafco Inc)	Lbs	\$0.446		5,017.50
Ordered by _____		Date _____		Instructions to Vendor - Submit invoice to the "Bill To" shown on the order. - Show the purchase order number on invoice and all tags, packages and correspondence. - Invoicing must match line items on the DPO. - DO NOT CHARGE SALES TAX. The State of Minnesota holds a Direct Pay Permit issued July 1, 1995, and pays tax directly to the Dept. of Revenue. - Discount time commences upon acceptance of the product/service. Vendor Notice - This purchase order incorporates by reference all terms, conditions and specifications of the contract, the RFP/RFB and vendor's response. In event of a conflict in terms, the order of precedence shall be: first, this DPO; second, the contract; third, the RFP/RFB; and fourth, the vendor's response. - All deliveries hereunder shall comply with all applicable State of Minnesota and Federal laws.		I certify that sufficient funds are encumbered in the appropriation from which this purchase is to be made. _____ _____ Dept Authorized Signature Date	
Received by _____		Date _____					

2018 Crack Sealing Street Segment List					
Improvement 18-03: 2018 Crack Sealing					
Street Name	From	To	Length (ft)	Street Width (Weighted Average)(ft)	Estimated at Crack Every 15'
					Estimated LF Blow & Go
K Street	NE 13th Avenue	NE 15th Avenue	546	32	1165
L Street	NE 13th Avenue	NE 14th Avenue	366	32	781
NE 14th Avenue	L Street	O Street	1160	32	2475
N Street	NE 13th Avenue	NE 14th Avenue	365	32	779
NE 13th Avenue	N Street	O Street	425	27	765
NE 12th Avenue	L Street	O Street	1184	32	2526
NE 8th Avenue	L Street	N Street	898	32	1916
NE 8th Avenue	H Street	I Street	200	35	467
NE 8th Avenue	Mill Avenue	H Street	333	21	466
NE 9th Avenue	F Street	H Street	747	32	1594
NE 10th Avenue	TH 25	TH 210	1330	40	3547
K Street	NE 3rd Avenue	NE 4th Avenue	380	32	811
NE 3rd Avenue	G Street	H Street	440	36	1056
NE 3rd Avenue	Washington Street	G Street	2225	32	4747
Quince Street	SE 11th Street	SE 13th Street	732	32	1562
S 7th Street	Oak Street	YMCA Entrance	283	40	755
S 7th Street	Joseph Street	Vine Street	1520	32	3243
Willow Street	S 7th Street	SE 13th Street	2363	40	6301
East River Road	Laurel Street	College Drive	3068	32	6545
SW 4th Street	Laurel Street	College Drive	3255	40	8680
SE 28th Street	Oakridge Road	Clara Street	650	29	1257
Holton Avenue	135' East of Blair Street	TH 18	2686	29	5193
York Court	Holton Avenue	End of Cul de Sac	400	16	427
King Court	Holton Avenue	End of Cul de Sac	270	16	288
				Total	57346

*Note: The City reserves the right to add or remove 30% of the planned quantity without the need for a price adjustment. Any deviation in the quantity above or below 30% can be subject to a price change by either party.



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Resolution of Support - Corridors of Commerce TH 210 Expansion

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a draft resolution supporting a specific recommended Corridors of Commerce Project in which staff has received from the Minnesota Department of Transportation.	
Alternatives, Options, Effects on Others/Comments: The 2013 Minnesota Legislature created the Corridors of Commerce program which authorized the sale of up to \$300 million in new trunk highway bonds for construction, reconstruction and improvement of trunk highways for projects not in the State Transportation Improvement Program. The two major goals of the program are to provide additional highway capacity on segments where there are current bottlenecks in the system and to improve movement of freight and reduce barriers to commerce. MnDOT decided to select \$400 million in this round of Corridors of Commerce, which is split 50/50 between outstate and metro cities. As a part of the process, MnDOT solicits recommendations for projects to stakeholders and the public. After the solicitation, the projects are screened and sent to the governing bodies in which these projects would affect if funded. The scoring of the applications is based upon numerous factors as determined by the legislature. There is a total of 700 points available. 45 of these points are given out as part of what the legislature calls "Community Consensus" points. These points are awarded to projects that receive resolutions of support from all cities and counties in which they touch. You can see a resolution of support attached, which is for a 2-lane to 4-lane expansion of TH 210 from 1/2 mile west of County Road 1 in Pillager to 1/2 mile east County Road 12 near Ironston (excluding the Brainerd/Baxter City limits). The most recent funded Corridors of Commerce project in our region was the 2-lane to 4-lane expansion of TH 371 from Nisswa to Jenkins completed in 2017.	
Recommended Action/Motion: Approve or deny the adoption of the attached resolution in support of the Highway 210 2-lane to 4-lane expansion project as part of the Corridors of Commerce program through MnDOT.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



February 16, 2018

City of Brainerd/Brainerd City Hall
501 Laurel Street
Brainerd, MN 56401

RECEIVED

FEB 20 2018

CITY OF BRAINERD
ADMINISTRATION

Attention Local Government:

Recently the Minnesota Department of Transportation received recommendations from stakeholders and the public for projects to be considered for its 2018 Corridors of Commerce program. From among those recommended projects, MnDOT will award \$400 million to selected projects across the State. You are receiving this letter because you have been identified as a local government that would be impacted by one or more of the recommended projects.

As a part of the scoring criteria for the Corridors of Commerce program, all cities and counties which would be touched by the suggested project need to have a resolution of support for the project in order for that project to receive 45points in the "Community Consensus" category. Projects which do not receive a resolution of support from all governments are not disqualified from the program, but they will not receive 45points out of total of 700 from this criteria, which will put them at a distinct disadvantage in the scoring.

Enclosed with this letter is a list of regionally submitted projects for the program. Projects highlighted in yellow have been identified as impacting your government specifically. MnDOT will need to receive a resolution of support for those highlighted projects from you by April 16, 2018 in order for the project to be eligible to receive the 45-points in the Community Consensus category. A resolution of support for the project/s will not replace any needed future municipal consent requirements, should the project be selected for the program. MnDOT is not requesting any specific language in the resolution and you are free to reference multiple projects in a single resolution. MnDOT's goal is to minimize the amount of administrative effort on your part. However, the resolution of support needs to reference the specific project/s attached and cannot be generic support for transportation improvements.

Once you have completed a resolution of support for the projects, you can either send it or e-mail it to me at one of the addresses below;

Patrick Weidemann
MnDOT Office of Transportation System Management
395 John Ireland Blvd., MS 440
St. Paul, MN 55155

Or

E-mail: pat.weidemann@state.mn.us

You are welcome to submit the resolution of support at any time, but it must be in our office by the 4:30 p.m. on April 16 for it to count towards receiving the 45-points. If you have already submitted a resolution of support for the project/s, you can disregard this letter. If you choose to not support a project/s on the list, you do not need to take any action on that project/s. If we do not have a resolution in support of a listed project/s by the deadline date, the project will not be receiving the 45-points.

MnDOT appreciates your assistance with this process. If you have any questions or concerns, please do not hesitate to give me a call.

Sincerely,

Patrick J. Weidemann
Director of Capital Planning and Programming
MnDOT Office of Transportation System Management
(651) 366-3758
pat.weidemann@state.mn.us

District 3 Corridor of Commerce Projects

District	Name (First)	Name (Last)	State Highway	Location Description	Project Type
3	Andrew	Witter	10	TH 10 and CSAH 11 in Sherburne County.	Other: Convert the current split phased signal to a safer, more efficient intersection control.
3	Nick	Klisch	10	Replace signal in Royalton with an interchange or by-pass.	Convert a signalized intersection on the roadway into an interchange.
3	Ryan	Odden	10	3rd Ave NW in Wadena and from CSAH 4 in Wadena to the four lane near Oink Joint Road.	Expand the roadway from two lanes to four lanes.
3	Eric	Maturi	23	Interchange and frontage roads to make the road fully controll accessed between the Mississippi river bridge and what I call lake George bridge.	Convert a section of roadway into freeway design with interchange accesses (instead of signals or stop signs).
3	Darrick	Anderson	210	Where the current 4 lane section ends west of Baxter to TH 64 in Motley.	Expand the roadway from two lanes to four lanes.
3	Robert	Morgan	210	1/2 mile west of CR # 1 in Pinnager to 1/2 mile east of CR # 12 near Ironton [excluding the Baxter and Brainerd city limits] Highway 210 Upgrade -[to 4 lane capacity east and west of Brainerd, Baxter]	Expand the roadway from two lanes to four lanes.
3	Cyndi	LaMoure	371	Jenkins to Cass Lake - with priority on Jenkins to the South Y	Expand the roadway from two lanes to four lanes.
3	Darrick	Anderson	371	End of the current 4 lane in Jenkins to just north of Pine River.	Expand the roadway from two lanes to four lanes.
3	James	Labo	1-94	Hasty to Monticello	Other: Replace concrete pavement and expand to 6 lanes (urban freeway design with center concrete barrier).
3	Nick	Klisch	10/I-94	Expressway connecting I-94 and US-10 somewhere between Monticello and Clearwater.	Other: New Mississippi River Crossing.
3	Justin	Femrite	101/169	Full project - TH 101 at the Mississippi River north on TH 169 through 197th Avenue	Convert a section of roadway into freeway design with interchange accesses (instead of signals or stop signs).
3	Charles	Griffith	23/I-94	Intersection	The interchange should be converted to a CLOVERLEAF interchange.

District	Name (First)	Name (Last)	State Highway	Location Description	Project Type
3	Timothy	Bray	371/210	The intersection of TH 210 and TH 371 in Baxter.	Expand the roadway from two lanes to four lanes.
3	James	Labo	I-94	Clearwater to Monticello	Additional lane
3	Adam	Flaherty	I-94	TH 241 through CSAH 19	Add auxiliary lane
3	Adam	Flaherty	I-94	TH 241 up to CSAH 37/19	Add auxiliary lane
3	Steve	Bot	I-94	TH 241 through CSAH 19	Other: 4 to 6 Lane Expansion with Reconstruction of TH 241 Interchange, CSAH 37/19 CD Road Interchange Completion, and CSAH 19 Bridge Expansion
3	Steve	Bot	I-94	TH 241 to CSAH 37/19	Other: 4 to 6 Lane Expansion with Reconstruction of TH 241 Interchange and CSAH 37/19 CD Road Interchange Completion
3	James	Labo	I-94	Clearwater to Albertville	Other: Replace concrete pavement and expand to 6 lanes (urban freeway design with center concrete barrier).

RESOLUTION
NO. _____

**RESOLUTION OF SUPPORT FOR THE
2018 CORRIDORS OF COMMERCE SUBMITTAL
FOR TRUNK HIGHWAY 210 EXPANSION**

WHEREAS, the Minnesota Department of Transportation (MnDOT) received recommendations from stakeholders and the public for projects to be considered for its 2018 Corridors of Commerce Program; and

WHEREAS, from the recommended projects, MnDOT will award \$400 million to selected projects across the State of Minnesota; and

WHEREAS, the City of Brainerd has received a letter from MnDOT because one of the recommended projects identified would impact the City of Brainerd; and

WHEREAS, the aforementioned recommended project is for an expansion from 2-lanes to 4-lanes on Trunk Highway 210 from ½ mile west of County Road 1 in Pillager to 1/2 mile east of County Road 12 near Ironton (excluding the Brainerd and Baxter City Limits):

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

That the City of Brainerd supports the aforementioned project to be included in the 2018 Corridors of Commerce program because of the direct benefit a project of this magnitude would have on the regions' economic competitiveness, the improvement this project would provide to freight efficiency in the region, the large improvements to safety along the corridor that come with a 4-lane expansion, and the significant regional connections that Trunk Highway 210 provides.

Adopted this ____ day of _____, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of _____, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



Brainerd City Council Agenda Request

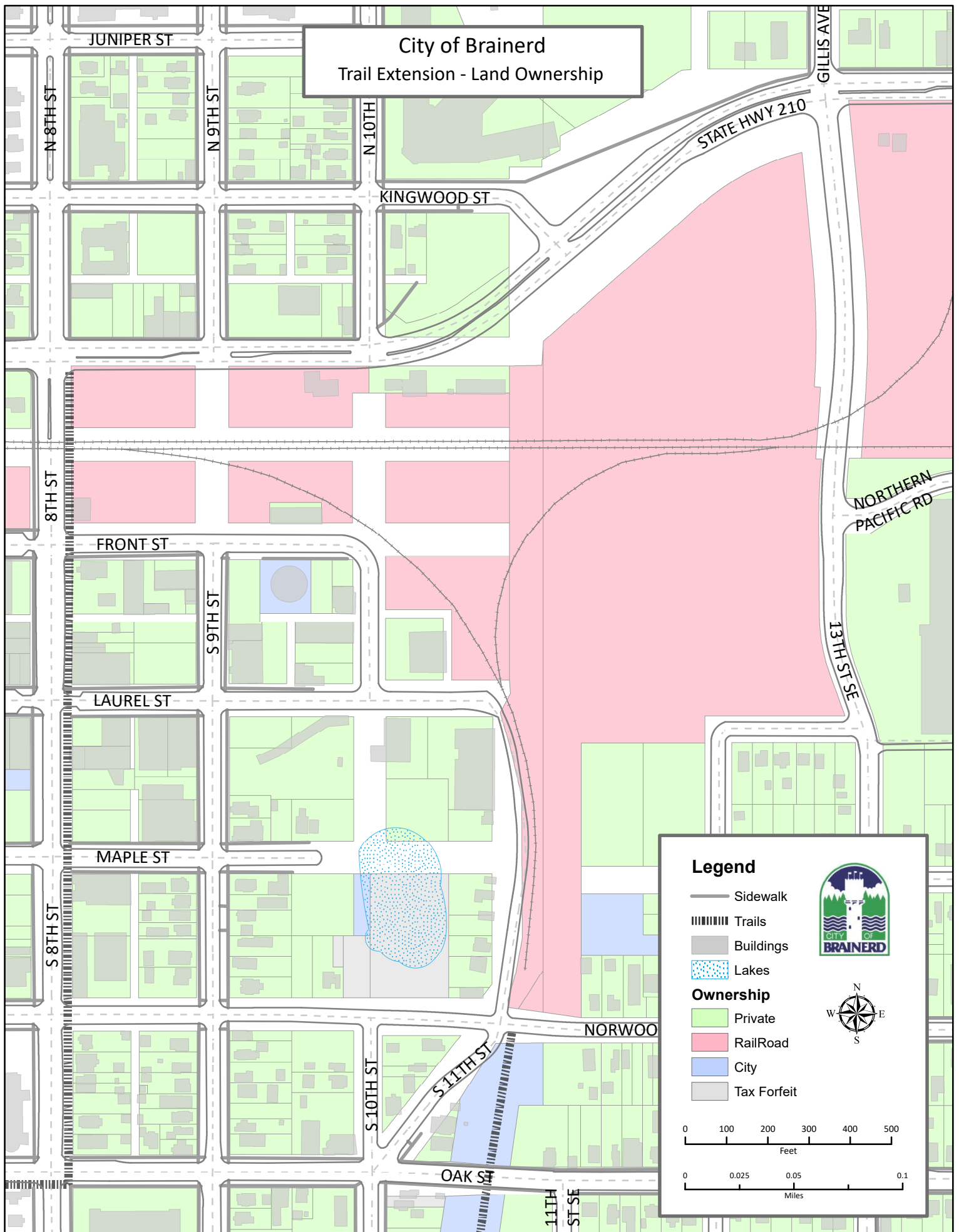
Requested Meeting Date: March 5, 2018

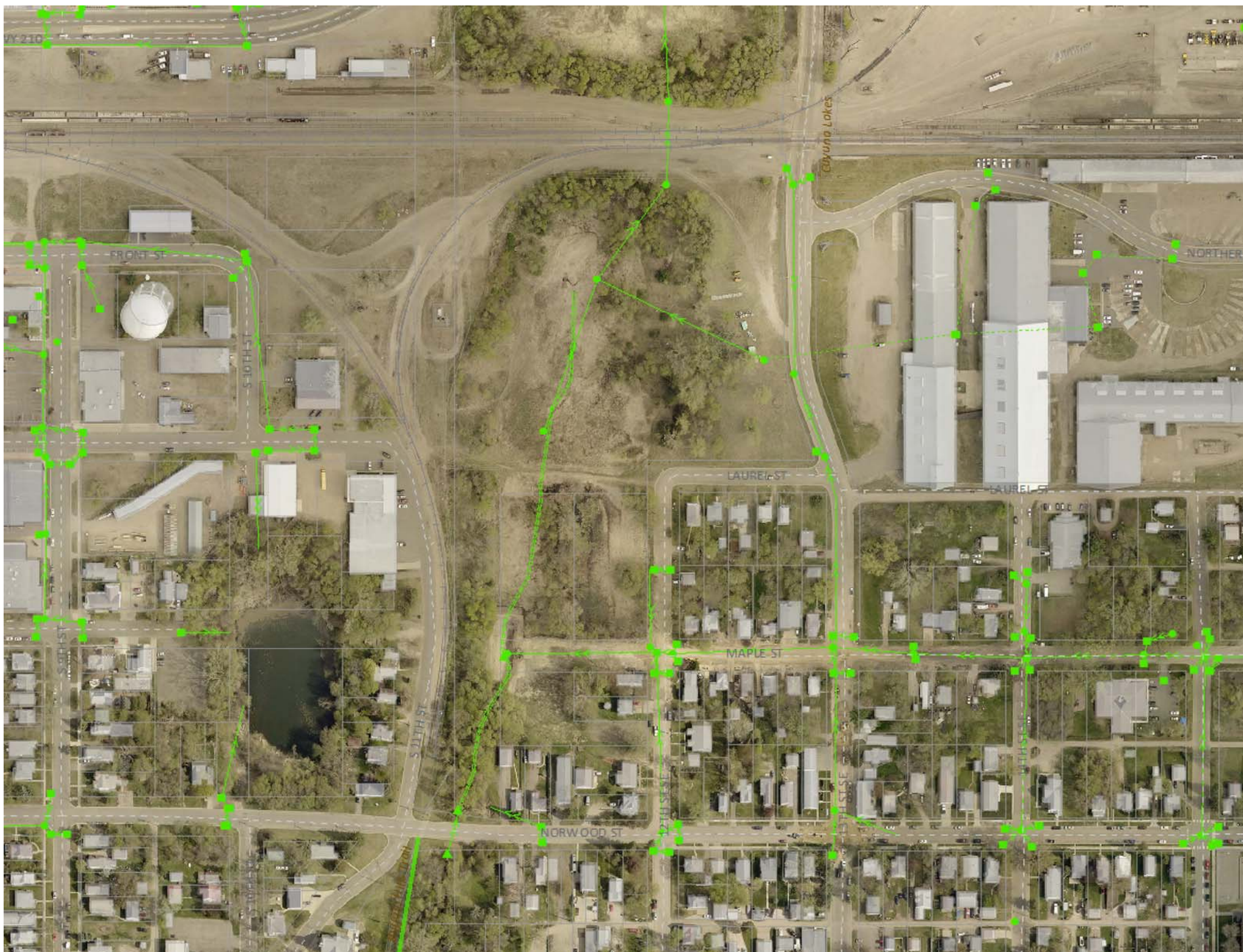
Title of Item: Discussion of River to Rail Initiative Trail Connection

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☒ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Alderman Badeaux	Department: Engineering/Planning
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 10 Minutes
Summary of Issue: Alderman Badeaux requested a discussion of one of the River to Rail Initiatives, which includes a trail connection from Downtown to the Northern Pacific Center. The connections he would like to explore include running a multi-use trail off of the end of Laurel Street or Front Street and traverse directly east to the entrance of the Northern Pacific Center.	
Alternatives, Options, Effects on Others/Comments: Some of the issues that come to mind immediately through discussions with Alderman Badeaux and at a staff level are: 1. This trail connection would run directly across railroad property. To explore the feasibility of this trail, staff would need to secure the right-of-way or property from the railroad before continuing into design or construction. This has proven, in the past, to be a difficult venture for other trails such as the Cuyuna Lakes State Trail Connection. 2. Drainage in this area is of concern. More analysis would need to be completed during design to determine the effect of a fill section through this area and the natural drainage of this area. When large rain events occur, this area has a tendency to flood when the large box culvert that crosses under the railroad becomes overwhelmed. 3. The Cuyuna Trail Connection in which the City has a State bonding request in for will ultimately connect the downtown to the NP Center, albeit, a little more roundabout way. 4. What are the options to fund a trail connection through this area? Benefits of this connection are but not limited to: 1. A direct pedestrian connection between downtown and the NP Center. 2. Access for people using the event space to access restaurants or other events downtown or visa-versa. 3. Opportunity, if property is secured from railroad, to include other amenities such as parks adjacent to downtown or other public spaces that would serve both downtown and the NP Center well.	
Recommended Action/Motion: Discussion item. Direction requested on where the council would like staff to take this idea.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

City of Brainerd
Trail Extension - Land Ownership









Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Mississippi Riverfront Committee - Plaza Property Ownership Research Request for Proposals

☐ 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: Ashely Kaisershot, Riverfront Coordinator	Department: Administration
Presenter (Name & Title): Ashley Kaisershot, City of Brainerd and Rod Osterloh, Brainerd Riverfront Committee Chair	Estimated Time Needed: 10 minutes
Summary of Issue: The Partnership Plan calls for a plaza and site ownership needs to be resolved. The City, ISD 181 and an "unknown" have site ownership. Steps forward are a) evaluate the site and ownership and, b) reach agreement with ISD 181 on how best to proceed. The first step is to determine the cost for surveying, title work etc., which will require requests for proposals. An \$3-\$4k estimate has been given for the work. ISD 181 has been involved in the plaza discussions and is willing to share in the site evaluation costs.	
Alternatives, Options, Effects on Others/Comments: This request is to authorize staff to seek proposals to evaluate site ownership. Once known, funding can be discussed. A site aerial depicting the site parcels is attached. An alternative would be to use bonding funds for the site evaluation, if funded available late summer 2018. Another alternative would be to not fund the evaluation which will delay plaza planning.	
Recommended Action/Motion: Motion by _____, 2nd by _____ to authorize staff to proceed with seeking plaza site evaluation proposals.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>Unknown</u> Is this budgeted? ☐ Yes ☒ No This will determine the cost for the evaluation. <u>Please Explain:</u>	



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

March 5, 2018
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>
Baratto Brothers		City Hall Annex Remodel – FINAL	\$22,980	\$0
Patnodes		City Hall Annex Desk – FINAL	\$2,500	\$0
S.E.H.	14-15	Airport Util. Ext. thru 01/31	\$1,380	\$0
S.E.H.	17-08	2019 SRTS Sidewalks thru 01/31	\$1,840	\$0
Tom's Backhoe		DT Snow Removal 02/23 & 02/25	\$24,423	\$0
WSN		Brainerd Facility Study thru 02/17	\$305	\$0

2. Authorization to Submit Outdoor Recreation Grant Application to Department of Natural Resources (DNR)
3. Leave of Absence from Fire Department
4. Paid On-Call Firefighter Hiring
5. ID Badge Policy
6. Request Authorization for Out-of-State Travel for HR Coordinator Kris Schubert to Attend National Conference
7. Fire Contract Formula for 2019



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Authorization to Submit Grant Applications to DNR

☐ 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: Ashley Kaisershot	Department: Administration
Presenter (Name & Title): Kaisershot/Tortsenson	Estimated Time Needed: 10 Minutes
Summary of Issue: Attached are four different grant opportunities through the Department of Natural Resources (DNR), that could be used for the Riverfront project. The applications are due March 30, 2018 or earlier and may require a match, either in kind or in cash from the City, if we are awarded the grants.	
Alternatives, Options, Effects on Others/Comments: The City's policy is to notify the council when intending to apply for a grant of \$5,000 or more. The grants vary in amount as well as the required match. There is \$20,000 in the 2018 budget for initiatives and grant match requirements. It is unclear from the information attached when the grant dollars have to be spent. The City could budget for the match in future years, or use capital funds if needed in 2018.	
Recommended Action/Motion: Assist staff in prioritizing the grant application opportunities, and grant staff the authorization to submit applications.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>See above</u> <i>Is this budgeted?</i> ☐ Yes ☐ No <u>See above</u> <i>Please Explain:</i>	

OUTDOOR RECREATION GRANT PROGRAM

Program purpose	To increase and enhance outdoor recreation facilities in local and community parks throughout the state.
How it works	Provides <u>matching grants up to 50%</u> of the cost of acquisition, development and/or redevelopment of local parks and recreation areas.
Eligible applicants	Cities, counties, and townships.

Eligible projects: Park acquisition and/or development/redevelop including: internal park trails, picnic shelters, playground, athletic facilities, boat accesses, fishing piers, swimming beaches and campgrounds.

Commented [AK1]: Kayak launches/site improvements?

****All park projects must meet requirements for perpetual outdoor recreation use.**

Minimum requirements	Must include at least 1 eligible primary outdoor recreation facility and have a cost of at least \$10,000.
Level of assistance	Reimbursed based up to 50% of total eligible costs. Maximum grant award is \$150,000.
Due	March 30, 2018.

Note: The remaining 50% local share can consist of cash or the value of materials, labor and equipment usage provided by the local sponsor or by local donations or any combination thereof. See program manual for volunteer labor requirements.

Eligible recreation facilities	▪ Boat/canoe access sites ▪ Campgrounds ▪ Fishing piers/shore fishing areas ▪ Skating rinks/parks ▪ Nature study/observation areas ▪ Picnic shelters ▪ Playgrounds ▪ Sports fields and courts ▪ Swimming beaches and outdoor pools ▪ Splash parks ▪ Trails (non-motorized internal park trails)
Eligible recreation support facilities	**secondary ask and eligible in partner with list able ▪ Change houses, restrooms, shower building and warming houses ▪ Fencing, lighting and signs ▪ Landscaping and natural area restoration ▪ Parks roads and parking areas (may not exceed 40% of total project cost) ▪ Fixing park furnishing such as seats, drinking fountains, grills, picnic tables, trash receptables and fire pits, walkways

****Taken from grant program manual.**

ELIGIBLE PROJECTS TAKE FROM PROGRAM MANUAL:
• Acquisition of land for future development of outdoor recreation facilities. Public access, including parking, must be provided within 1 year. Recreation facilities must be developed within three years from the date of acquisition. • Development, redevelopment or rehabilitation of outdoor recreation facilities on land owned by the applicant. • A combination of land acquisition and development, redevelopment or rehabilitation of outdoor recreation facilities.

Note: *selection criteria is based on the SCORP Plan (60%)*

Possible projects: boat/canoe access sites, more specifically, kayak launch sites, fishing pier

Peer Cities: City of Otsego, Norin Landing. Project descriptions: replace and update Mississippi River boat access, picnic pavilion, trails, fishing platform, parks, and roads. Total ask, \$150,000.

NATURAL AND SCENIC AREA PROGRAM

Program purpose	To increase, protect and enhance natural and scenic areas.
How it works	Provides <u>matching grants up to 50%</u> of the cost of acquisition of natural and scenic areas.
Eligible applicants	Cities, counties, townships and school districts.

Eligible projects: fee title acquisition and permanent easement acquisition. Additionally, efforts near Rotary Riverside Park.

Minimum requirements	Must have a total project cost of at least \$10,000. Applicant must be the intent owner and manager of the property to be acquired.
Level of assistance	Reimbursed up to 75% of eligible costs, and must provide a non-state cash match of at least 25%. **See grants that cannot be matches Minimum request of \$5,000 and max of \$250,000.
Due	March 30, 2018.

****Note:** City of Brainerd received funding in 2012 (grant # NS11-003) for Rotary Riverside Park. Project Summary: acquire 37 acres along the Mississippi River within the City of Brainerd to provide opportunities for low impact outdoor recreation such as cross-country skiing, snow shoeing, boating, walking and nature study. Total ask: \$35,000. Grant Amount: \$17,500.

ELIGIBLE PROJECTS TAKEN FROM PROGRAM MANUAL:

- Fee title acquisition of natural or scenic areas.
- Permanent easement acquisition of natural or scenic areas.
- Minimal betterment activities are eligible as part of an acquisition project including site surveying, boundary signing, and immediate measures needed to stabilize the site and ensure the safety of users.
- **Active restoration efforts are eligible as part of an acquisition project that would significantly improve the site's natural resource values.**

*Bold text indicates possible projects for Brainerd.

REGIONAL TRAIL GRANT PROGRAM

Program Purpose	Promote the development of regionally significant trails.
Eligible applicants	Cities, counties, and townships *that are considered regional or statewide significance.

Commented [AK2]: I believe this opportunity must be tied to regional significant status/process.

Need more information/guidance.

Brainerd may not be eligible.

Note: Must promote the development of regionally significant trails.

Eligible projects	Include acquisition and development of trail facilities outside the 7-county metro that are considered of regional or statewide significance.
Level of assistance	Reimbursed up to 75% and must provide a non-state cash match. Min grant request is \$5,000 with a max request of \$250,000.
Due	March 30, 2018.

Possible projects: Cuyuna Lakes State Trail expansion and infill connection.

ELIGIBLE PROJECTS: ELIGIBLE PROJECTS MAY INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO THE FOLLOWING EXAMPLES:

- Land acquisition from willing sellers, where value is established by a licensed and certified appraiser, whose conclusions of value are certified by the State, and only if perpetual easement for recreation trail purposes is conveyed to the state. See the land acquisition requirements section of this manual for more information.
- **Construction of trails on public or private lands where a twenty-year easement for the purpose of the project can be obtained.**
- **Development of trail linkages near homes and workplaces.**
- Development of permanent trailside improvements and trailhead facilities (e.g., drainage, crossings, stabilization, parking, signage, controls, open-sided shelters, water, and sanitary facilities).
- **Provision of features that facilitate access and use of trails by persons with disabilities.**
- Restoration of existing trail facilities, such as resurfacing, repair, or rehabilitation of trails or trailhead facilities.
- Contracted maintenance of existing recreational trails.
- Construction or restoration of trail bridges.

*Bold text indicates possible projects for Brainerd.

LOCAL TRAIL CONNECTIONS GRANT PROGRAM

Program purpose	To promote relatively short trail connections between where people live and desirable locations, not to develop significant new trails.
Eligible projects	Acquisition and develop of trail facilities. - Projects must result in a trail linkage that is immediately available for use by the general public. - Trail linkages include connecting where people live (ex. Residential areas within cities, entire communities) and significant public resources (ex. Historical areas, open space, parks and/or other trails). - Acquisition of trail right-of-way is only eligible when proposed in conjunction with trail development. -Excerpts from grant manual - Development of permanent trailside improvements and trailhead facilities.
Eligible applicants	Counties, cities, and townships.
Level of assistance	Reimbursed up to 75% of total eligible project costs. Recipients must provide a non-state cash match of at least 25%. *Other state grants cannot match these grants. Minimum grant request is \$5,000. Maximum grant award is \$150,000.
Due	March 30, 2018

Possible projects: Cuyuna Lakes State Trail expansion and infill connections. Riverside Plaza and trailhead facility.

ELIGIBLE PROJECTS: ELIGIBLE PROJECTS MAY INCLUDE, BUT ARE NOT NECESSARILY LIMITED TO THE FOLLOWING EXAMPLES:

- Land acquisition from willing sellers, where value is established by a licensed and certified appraiser, whose conclusions of value are certified by the State, and only if perpetual easement for recreation trail purposes is conveyed to the state. See the land acquisition requirements section of this manual for more information.
- Construction of trails on public or private lands where a twenty-year easement for the purpose of the project can be obtained.
- Development of trail linkages near homes and workplaces.
- Development of permanent trailside improvements and trailhead facilities (e.g., drainage, crossings, stabilization, parking, signage, controls, open-sided shelters, water, and sanitary facilities).
- Provision of features that facilitate access and use of trails by persons with disabilities.
- Restoration of existing trail facilities, such as resurfacing, repair, or rehabilitation of trails or trailhead facilities.
- Contracted maintenance of existing recreational trails.
- Construction or restoration of trail bridges.

*Bold text indicates possible projects for Brainerd.

MINNESOTA'S ENVIRONMENT AND NATURAL RESOURCES TRUST FUND

Category H. Small Projects

- A diverse group that can apply
- Projects that can quickly and efficiently provide environment and natural resource benefits
- Low cost, high impact projects

Amt: new this year, \$200,000 or less projects

*All proposals will be evaluated equally.

Make sure you meet each priority under the category.

- Foundational natural resource data and information
 - Water resources
 - Environmental protection
 - Aquatic and terrestrial invasive species
 - Air quality, climate change, and renewable energy
 - Methods to protect or restore land, water, and habitat
 - Land acquisition, habitat and recreation
- **Attachment D is required for acquisition or restoration project.**

DRAFT SUBMISSION NEEDED BY MARCH 14

PROPOSAL SUBMISSION BY APRIL 11

SELECTED PROJECTS MAY-JULY

April 11 Deadline

****They have funded trail projects before.**



Brainerd City Council Agenda Request

Requested Meeting Date: March 5th, 2018

Title of Item: Leave of Absence from Fire Department

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Fire Chief Holmes	Department: Fire
Presenter (Name & Title): Fire Chief Holmes	Estimated Time Needed: 5 minutes
Summary of Issue: On 02/26/2018 Firefighter Joshua Mailhot requested a one year leave of absence from the fire department effective March 5th, 2018.	
Alternatives, Options, Effects on Others/Comments: Mailhot has accepted a job outside the area and wants to make sure his new job is secure before he considers resigning from the department.	
Recommended Action/Motion: Motion to accept Mailhot's leave of absence request up to one year effective March 5th, 2018.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date: March 5th, 2018

Title of Item: Paid on Call Firefighter Hiring

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Fire Chief Holmes	Department: Fire
Presenter (Name & Title): Fire Chief Holmes	Estimated Time Needed: 10 minutes
Summary of Issue: Request to establish a Paid on Call Firefighter hiring list and hire 4 Paid on Call Firefighters.	
Alternatives, Options, Effects on Others/Comments: The fire department is down to 30 paid-on-call firefighters. Historically, the department has tried to maintain a POC staffing of 35-40 firefighters. Conduct testing at the end of April or early May. Present a hiring list to council in June. Conditional offers following council approval.	
Recommended Action/Motion: Motion to approve the fire department to establish a Paid on Call Firefighter hiring list. Motion to approve hiring 4 Paid on Call Firefighters.	
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> Estimated \$1200 per firefighter for all pre-employment testing.	



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Identification Badge Policy

☐ 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: Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 2 minutes
Summary of Issue: City Administrator Torstenson requested that an ID Badge Policy be drafted for Council consideration to assist with building security and staff identification while in the public. Attached is an ID Badge Policy that was prepared by our City Attorney's Office. Also attached is the required consent form that is referenced in the policy.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: If Council feels the draft policy is acceptable, the recommended action would be a motion to approve the ID Badge Policy as presented.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u> The City already has an ID badge printer and ID cards on hand.	

CITY OF BRAINERD ID BADGE POLICY

This policy is intended to establish a means of uniformly identifying City of Brainerd employees.

All City of Brainerd employees with secured entry access to City buildings and facilities will abide by the following procedures:

1. The Identification Badge and Photo Request form (attached) must be completed. If an employee does not consent to a photograph as part of the ID badge, the employee will not be allowed to have secured entry access and will be required to present a State issued photo ID upon entering into any secured areas.
2. New employees will be issued an ID Badge as part of their new employee orientation. A copy of the executed form will be kept in the employee's personnel file.
3. Temporary employees, interns, student workers, persons with secured entry access to City buildings and facilities are issued an ID Badge upon assignment. A copy of the executed form will be kept in the Human Resources office. If an employee, intern, or other person does not consent to a photograph as part of the ID badge, the individual will not be allowed to have secured entry access and will be required to present a State issued photo ID upon entering into any secured areas.
4. ID cards are considered property of the City. Upon separation of employment and/or services provided to the City, the ID Badge is to be collected and returned to the HR Coordinator or designee for deactivation and/or destruction.

The ID Badge will display the City name and logo, employee's first and last name, department name, employee photograph, and return information on the back side. Information will be printed vertically. A break-away lanyard and sleeve will be provided with each ID Badge. The ID Badge is to be worn separately from any security means used to access facilities.

An employee's ID Badge will be reviewed at the time of an employee's annual performance evaluation to check for accuracy and condition.

A replacement ID Badge will be provided (no charge) when an employee changes any of the required information listed on the ID Badge or for normal wear and tear. The ID Badge to be replaced will be collected and disposed of properly upon creation of the new ID Badge by the Human Resources Coordinator or designee.

A lost, misplaced, or damaged ID Badge is to be reported to the department head and/or immediate supervisor. Multiple instances of lost, misplaced, or damaged ID badges may result in corrective action.

Each employee is responsible for the proper care, safekeeping, and use of his or her ID Badge. Any employee who alters or intentionally mutilates his or her ID Badge, who uses the ID Badge of another, or who allows his or her ID Badge to be used by another may be subject to disciplinary action.

**City of Brainerd ID Badge and Photo
Data Practices Notice
Request and Consent Form**

ID Badges: The City of Brainerd has informed me that my photograph is being taken for identification and for use on a City ID badge. I am not legally required to have a photograph taken. If I do not provide the photo, my access to certain City buildings, facilities or offices may be denied or restricted. The photo may be released within the City to those individuals whose job duties reasonably require access and may be released to individuals outside the entity as authorized by law or for my protection or the protection of others to law enforcement.

Consent for Photograph for ID Badge: I understand and agree that my photograph may be displayed on an ID Badge along with my name and the department in which I work. I understand and agree that members of the public as well as other employees, vendors and contractors may view the photograph and information on the name badge at any time that I am displaying it. I have reviewed the City of Brainerd's policy on Identification Badges and understand the circumstances under which the information on the ID badge may be released. I also agree that if my identification badge is lost or stolen I will promptly report that fact to my supervisor.

Dated: _____

By: _____
Employee Signature

Other Photographs: The City of Brainerd has informed me that my photograph may be taken by other City employees, elected officials, or volunteers at work and during various City events and activities that are not generally open to the public, as well as during public events such as City Council meetings and public ceremonies. These photographs are gathered and maintained by the City for the purpose of commemorating these occasions and for display in City buildings, newsletters, websites, social media pages, and other City publications. To the extent these photographs are taken in a nonpublic forum, such as a City office or workplace, the photograph may constitute private personnel data and I am not required by law to submit to having my photograph taken or displayed for the above-stated reasons. If I do not allow myself to be photographed, my photograph will not be included in such publications or will not be publicly displayed. I understand that if I do consent to having my photograph taken in the non-public forums for the reasons described above, the photograph may be released to individuals outside of the City with my permission, and to any person or entity as authorized by law.

Consent for Other Photographs: I understand and agree that my photograph may be taken by other City employees, elected officials, or volunteers at work and during various city events and activities that are not generally open to the public, as well as during public events such as City Council meetings and public ceremonies. I understand and agree that photographs of me taken at work and at the types of events described above may be displayed in City buildings, newsletters, websites, social media pages, and other City publications.

Dated: _____

By: _____
Employee Signature



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Request Authorization for Out-of-State Travel for HR Coordinator

☐ 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: Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 1 minute
Summary of Issue: I am a member of the MN and National Public Employer Labor Relations Association (PELRA). Each year at the MN PELRA conference, the association awards a complimentary registration to the National PELRA Annual Training Conference. I was selected as the lucky winner of the 2018 complimentary registration for the National Conference to be held April 15 - 19, 2018 in Charleston, SC. The value of this award is \$659.	
Alternatives, Options, Effects on Others/Comments: I'm honored to represent Brainerd at this conference. I feel it will be a great opportunity to learn, to share experiences with peers from around the country, and to get new perspectives. I also realize the importance of trying to minimize the cost as much as possible; therefore, I will be sharing a hotel room with the Moorhead HR Director. The estimated costs are flight = \$500; shared hotel room with conference discount = \$500; and meals = \$200.	
Recommended Action/Motion: Motion to authorize HR Coordinator Kris Schubert to attend the 2018 National PELRA Conference with the city paying for the appropriate hotel, flight, and meal expenses.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ 1,200 <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i> The cost may be absorbed as part of the 2018 Administration Professional Development Budget; however, we may be over budget for that line item depending on the department's training needs for the year.	



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Fire Contract Formula for 2019

☐ 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: Each year at this time, staff prepares the proposed fire contract calculation for the following year. This information is used by the Townships that contract with Brainerd for fire service at their annual meetings in March, at which time they set their levy for 2019. This data will also be used by the City of Baxter and the City of Brainerd when we set our 2019 levy and budgets this fall.	
Alternatives, Options, Effects on Others/Comments: The attached calculation was provided and explained at the February 26, 2018 FAB meeting and follows the same formula as previous years. The factors used to allocate the costs payable in 2019 are: the 5 year average runs from 2013-2017; population is based on 2016 estimates, the most recent information available per the state demographer's website; 2017 estimated taxable market value payable in 2018; 2016 value of exempt buildings (updated by the County every 6 years). The City of Brainerd's overall funding share went from 44.58% to 44.18% and a cost of \$505,872 to \$522,428. The overall costs to be allocated went from \$1,134,659 to \$1,182,556.	
Recommended Action/Motion: Informational, no action needed.	
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: It will be part of the 2019 budget and levy process.	

CITY OF BRAINERD FIRE SERVICE DISTRICTS - PAYMENT CALCULATION FOR 2019 ASSESSMENT

2018 FIRE DEPT BUDGET, INCLUDING PAID ON-CALL AND PENSION	\$884,066
CAPITAL EQUIPMENT FUND - is a 5% increase over 2018 Assessment	\$98,997
BUILDINGS ONLY DEPRECIATION	\$63,405
DEBT SERVICE FOR FIRE ENGINE - Year 3 of 5	\$94,054
DEBT SERVICE FOR FIRE TENDER - Year 1 of 5	\$42,034
TOTAL AMOUNT USED FOR CALCULATION	\$1,182,556

	5 YR AV # OF RUNS ('13-'17)	30% % OF # OF RUNS	2016 POPULATION	30% % OF POP	(Asst '17 pay '18) VALUE OF BUILDINGS	30% % OF VALUE OF BLDGS	(Assessment '16) VALUE OF TAX EXEMPT BLDGS	10% % OF VALUE TAX EX BLDGS	% OF BUDGET	FUNDING SHARE
BRAINERD	239.00	57.65%	13,679	40.33%	429,532,353	24.94%	\$407,251,800	73.03%	44.177893%	\$522,428.27
BAXTER	92.00	22.19%	8,318	24.53%	600,112,613	34.84%	\$128,580,500	23.06%	26.772378%	\$316,598.32
CROW WING	14.60	3.52%	2,043	6.02%	89,251,944	5.18%	\$454,900	0.08%	4.426194%	\$52,342.22
LONG LAKE	8.80	2.12%	1,051	3.10%	65,744,146	3.82%	\$446,200	0.08%	2.719452%	\$32,159.03
NOKAY LAKE	5.40	1.30%	850	2.51%	43,190,350	2.51%	\$1,133,600	0.20%	1.915159%	\$22,647.83
OAK LAWN	15.20	3.67%	1,796	5.30%	84,771,137	4.92%	\$10,209,000	1.83%	4.348006%	\$51,417.59
ST. MATHIAS	3.20	0.77%	617	1.82%	25,819,418	1.50%	\$1,609,300	0.29%	1.255861%	\$14,851.26
UNORGANIZED	36.40	8.78%	5,561	16.40%	384,110,519	22.30%	\$7,939,400	1.42%	14.385058%	\$170,111.34
TOTAL	414.60	100.00%	33,915	100.00%	1,722,532,480	100.00%	\$557,624,700	100.00%	100.000000%	\$1,182,555.86
Last Year's Information	411.00		33,572		1,673,999,759		\$557,624,700			\$1,134,658.89
% Change	0.88%		1.02%		2.90%		0.00%			4.22%

	2019 ASSESSMENT	2018 ASSESSMENT	DIFFERENCE	% incr
BRAINERD	\$522,428.27	\$505,871.70	\$16,556.57	3.27%
BAXTER	\$316,598.32	\$303,341.55	\$13,256.77	4.37%
CROW WING	\$52,342.22	\$50,602.47	\$1,739.75	3.44%
LONG LAKE	\$32,159.03	\$29,559.95	\$2,599.08	8.79%
NOKAY LAKE	\$22,647.83	\$20,474.41	\$2,173.42	10.62%
OAK LAWN	\$51,417.59	\$49,939.55	\$1,478.04	2.96%
ST. MATHIAS	\$14,851.26	\$13,529.22	\$1,322.04	9.77%
UNORGANIZED	\$170,111.34	\$161,340.04	\$8,771.30	5.44%
TOTAL	\$1,182,555.86	\$1,134,658.89	\$47,896.97	4.22%



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Legislative Authorization

☐ 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: Cassandra Tortsenson	Department: Administration
Presenter (Name & Title): City Administrator Tortsenson	Estimated Time Needed: 5 Minutes
Summary of Issue: Throughout the legislative session bills are introduced that may positively or negatively affect the City. I can tell you from experience that too often cities do NOT respond or send in letters of support or opposition. The less voices that a legislator hears, the less likely they will vote for what is in the best interest of all cities in Minnesota, but rather, will vote in favor of the entity pushing the legislation because that is the loudest, largest, and sometimes even the only voice they are hearing. The City belongs to both the LMC and the Coalition and receives e-mails such as attached.	
Alternatives, Options, Effects on Others/Comments: Often a response of support or opposition is needed quickly and the City may not have two weeks between when we learn about pending legislation and when the City needs to respond to be sure our voice is included in the submitted and considered testimony. We are in the process of gathering information on the processes that other cities use and will share the information at the meeting.	
Recommended Action/Motion: This item is on the agenda to seek council's guidance and discussion on whether the council would like to take an active or passive approach to legislation this session, and how to approach legislation that may be introduced that the City should respond to immediately.	
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>	

Connie Hillman

From: CGMC Communications <CGMC_Communications@flaherty-hood.com>
Sent: Wednesday, February 28, 2018 10:27 AM
Subject: Action Alert - Urge your legislators to oppose SF 1749!



Dedicated to a Strong Greater Minnesota

Action Alert – Urge your legislators to oppose SF 1749!

We thought this bill was dead last session, but now the townships are pushing it once again and we need to stop this effort before it gains momentum.

[SF 1749](#) prohibits a city from pursuing an annexation if the potential annexation area is covered by an orderly annexation agreement with another city. On paper this may sound reasonable, but what happens in practice is that a township will often pit two cities against each other to get the best deal for the township, rather than what is best for the region's development.

Take action now!

Contact Sen. Dan Hall, chair of Senate Local Government Committee, and tell him that your city opposes SF 1749. In addition, **contact your legislators** and ask them to reach out to Sen. Hall to let him know that their local cities oppose this harmful legislation.

Tell them that **SF 1749 is harmful** because:

- It stifles economic development, particularly in Greater Minnesota.
- It prevents cities from having a say in how they develop, and instead gives townships disproportionate leverage in negotiating orderly annexation agreements.
- It drives up the cost of local infrastructure and public services.
- It would be a stunning restriction of property owner rights:
 - A landowner could be denied the right to connect with city services when building a home.
 - A business owner could be denied the right to build or expand a business.
 - A city may not be able to include property purchased for public purposes—such as for wastewater treatment, water supply or an industrial park—in its own boundaries.

Contact info

- Visit [Who Represents Me?](#) to find contact information for your legislators.

- Call Sen. Hall at 651-296-5975 or [send him an email using this email form](#).

Questions?

If you have any questions, please contact CGMC annexation lobbyist Elizabeth Wefel at eawefel@flaherty-hood.com or 651-259-1924.



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: Conditional Use Permit (CUP) - Automotive Repair and Service at 303 W. Washington Street

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 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 minutes
Summary of Issue: Joseph LaRoue has been leasing property at 217 Washington Street for his automotive repair and service business. The property is being sold and he has been asked to vacate. Mr. LaRoue desires to relocate to the 303 Washington Street site where automotive repair and service has occurred in the past.	
Alternatives, Options, Effects on Others/Comments: 1. Approve the request which will permit the automotive repair and services 2. Deny the request. If the request is denied, findings will be required to support the decision. Attached is the Staff Report, draft February 21, 2018 meeting minutes and Finding of Facts.	
Recommended Action/Motion: The Planning Commission voted 5-0 to recommend approval of the amendment. A motion by _____ and 2nd by _____ to approve/deny the Conditional Use Permit with conditions automotive repair and services at 303 W. Washington Street based on the Findings of Facts.	
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>	

STAFF REPORT TO THE PLANNING COMMISSION

February 21, 2018

CONDITIONAL USE PERMIT

APPLICANT/LOCATION: Land and Lease Development LLC, 24226 Lone Pine Road, Hinckley, MN 55037, has applied on behalf of Joseph LaRoue, 5832 Barbeau Road Brainerd, MN 56401, for a Conditional Use Permit for automobile repair business at 303 W. Washington Street, Brainerd, MN 56401.

PROPOSED USE: Automotive Repair and Service

CURRENT ZONING: B-4 (General Commercial) District

ADJACENT USES: East: River/Elementary School
South: Commercial
West: Commercial
North: Commercial

ADJACENT ZONING: North: B-4 (General Commercial) District
East: R-3 (High Density Residential) District
South: B-4 (General Commercial) District
West: B-4 (General Commercial) District

REPORT

Joseph LaRoue has been leasing property at 217 Washington Street for his automotive repair and service business. The property is being sold and he has been asked to vacate. Mr. LaRoue desires to relocate to the 303 Washington Street site where automotive repair and service has occurred in the past.

- A. Criteria for Granting Conditional Use Permits. In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.**

1. *The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.*

The site is an existing developed property. Should the site not meet current zoning requirements the nonconformance would be considered legal in nature.

2. *The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.*

Zoning Ordinance Section 515-63-6: Conditional Uses specifies:

Automobile and truck repair - major and minor (including body shops) provided that:

1. *The entire area other than occupied by buildings or structures or planting shall be surfaced with bituminous or concrete which will control dust and drainage. The entire area shall have a perimeter curb barrier, a storm water drainage system and is subject to the approval of the City Engineer.*

The site has a concrete surface and it has been a repair business in the past. Because of the property's automotive related history, the requirement for curbing can be considered not required and a legal nonconforming situation.

2. *All painting shall be conducted in an approved paint booth. All paint booths and all other activities of the operation shall thoroughly control the emission of fumes, dust or other particulated matter so that the use shall be in compliance with the State of Minnesota Pollution Control Standards, Minnesota Regulation APC 1-15, as amended.*

There will be no painting at the site.

3. *The emission of odor by a use shall be in compliance with and regulated by the State of Minnesota Pollution Control Standards, Minnesota regulations APC, as amended.*

Odor emissions should not be an issue.

4. *All flammable materials, including liquids and rags, shall conform with the applicable provisions of the Minnesota Uniform Fire Code.*

5. *All outside storage shall be prohibited except for customer automobiles and trucks awaiting repair.*

This requirement will be monitored.

3. *The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.*

See Fire, Police and Building Department comments.

4. *The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.*

The site is an existing fully developed site. There are currently no planned changes nor are any needed to conform to this requirement.

5. *The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.*

The site has existed in this condition for decades. There are currently no planned changes nor are any needed to conform to this requirement.

6. *The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.*

Existing curb cuts on Washington Street and NW 3rd Street will be used. No changes are proposed.

The parcel is adjacent to a platted alley from Washington Street to Charles Street. The alley cannot be used for vehicle parking and must remain passable.

7. *The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.*

The objectives of the Zoning Ordinance are:

515-1-2: *Intent and Purpose.*

- 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 in regard to 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 through the use of 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.*

The use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan as follows.

D. Promote orderly development and redevelopment of land for residential, commercial, industrial, recreational and public areas.

Orderly development is occurring by infill should not have adverse effects on the neighborhood.

Comprehensive Plan

The following Comprehensive Plan Goals and Strategies support the proposal:

COMMERCIAL/INDUSTRIAL LAND USE

Goal: PLAN FOR THE ORDERLY, EFFICIENT AND FISCALLY RESPONSIBLE GROWTH OF COMMERCIAL AND INDUSTRIAL DEVELOPMENT IN BRAINERD.

Strategy

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

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

Strategy

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

B. Requirements for Granting Conditional Use Permits. In permitting a new conditional use or the alteration of an existing conditional use, the following requirements shall be met where applicable:

1. *Fire Protection. Fire prevention and firefighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive materials is carried on.*
See Fire Department comments.
2. *Electrical Disturbance. No activity shall cause electrical disturbance adversely affecting radio or other equipment in the vicinity.*
3. *Noise. Noise which is determined to be objectionable because of volume, frequency, or beat shall be muffled or otherwise controlled subject to MPCA standards. Fire sirens and related apparatus used solely for public purpose shall be exempt from this requirement.*
4. *Vibrations. Vibrations detectable without instruments on neighboring property in any district shall be prohibited.*
5. *Odors. No odorous gas or matter shall be permitted which is discernible on any adjoining lot or property.*
6. *Air Pollution. No pollution of air by flying ash, dust, smoke, vapors, or other substance shall be permitted which is harmful to health, animals, vegetation or other property.*
7. *Glare. Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.*

8. *Erosion. No erosion by wind or water shall be permitted which will carry objectionable substances onto neighboring properties.*
9. *Water Pollution. Water pollution shall be subject to the standards established by the Minnesota Pollution Control Agency.*

DEPARTMENT INFORMATION

Engineering

No vehicles should be in the right of way or blocking the 20' x 20' clear vision corner.

Utilities

No issues.

Fire

No issues.

Police

No issues.

Building

The floor drain will need inspection to verify if it is a flammable waste trap.

Planning Department Review

Trash Receptacle

Should a dumpster be used at the property it will need to be screened on all sides.

Site Design

Attached is a property site plan. I have identified on the plan where it appears employee and visitor parking could be provided.

It is suggested that a date be specified by which the dumpster screening be completed if one is going to be used.

The Planning Commission can consider a recommendation on this request at its February 21, 2018 meeting. City Council consideration can occur at its March 5, 2018 meeting.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

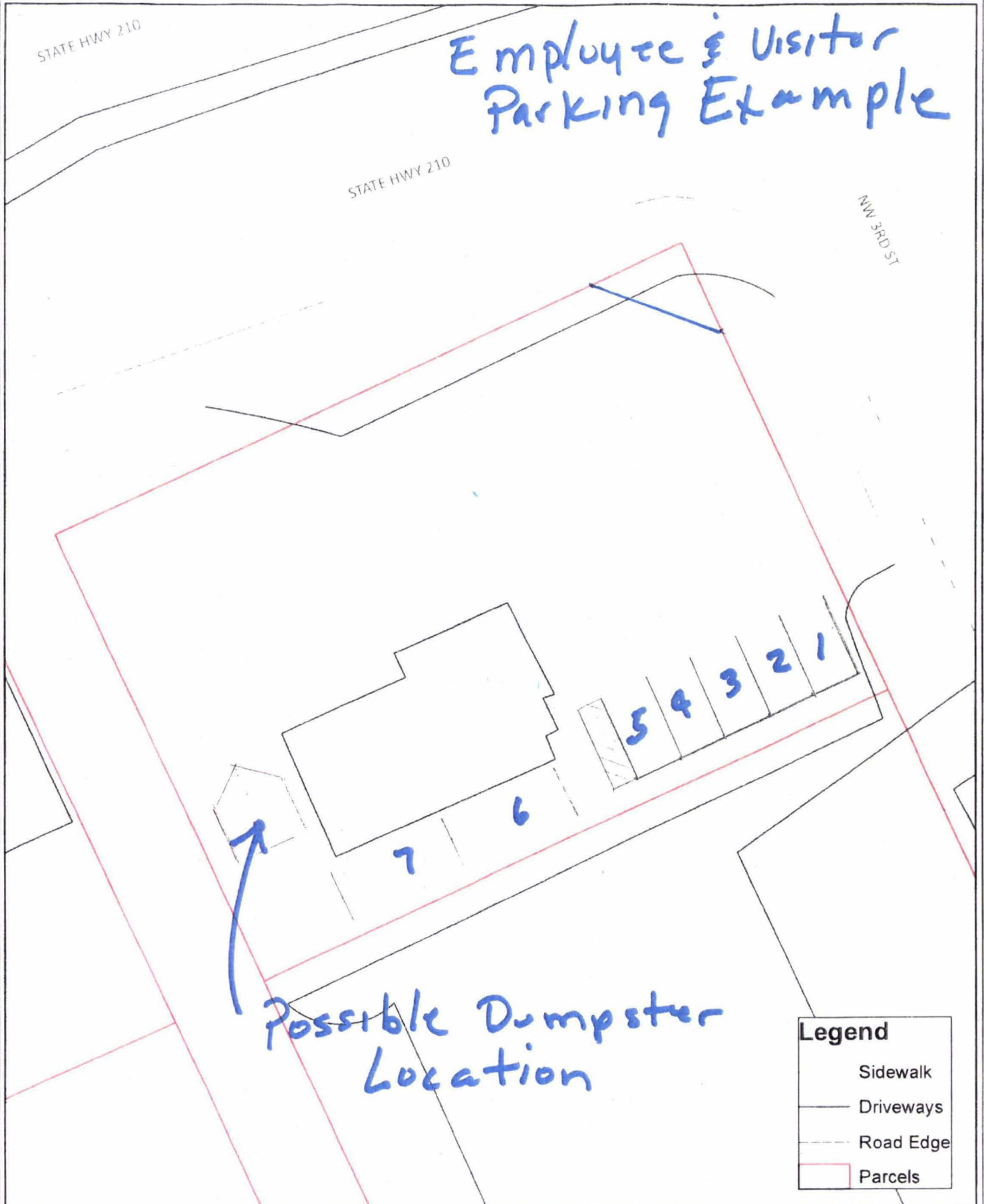
Land and Lease Development LLC, 24226 Lone Pine Road, Hinckley, MN 55037
Joseph LaRoue, 5832 Barbeau Road Brainerd, MN 56401
303 W. Washington Street, Brainerd, MN 56401
Conditional Use Permit - Automobile Repair and Service

1. The property is zoned B-4 (General Commercial) District and auto sales and vehicle repair are uses allowed by Conditional Use Permit.
2. The parcel size is 140' x 100' (14, 000 sq. ft.).
3. The site has a history of auto related uses. The building on the site has two service stalls for auto repair.
4. The site is completely paved.
5. The area is commercially developed.
6. There will be no painting or body work on the premises.
7. Washington Street is the major east/ west arterial through the City.
8. Building, Fire, BPU, have no issues with the uses.
9. The Engineering Department stated no vehicles should be in the right of way or blocking the 20' x 20' clear vision corner.
10. The Planning Department cited the need for off street parking that includes a handicapped stall and an enclosure if a dumpster is used.
11. Using the property in this manner will be in harmony with the following Zoning Ordinance purposes:
Provide for compatibility of different land uses.
12. The use is consistent with the following Comprehensive Plan Land Use goals and Strategies:
LAND USE GOAL #5: *Support development that enhances community character and identity.*
Strategy
Support the redevelopment of vacant and abandoned sites...

Conditions:

1. Should a dumpster become necessary it shall be screened by _____.
2. Based on visibility concerns with the lot being on a corner, no vehicle shall be parked within the traffic visibility setback area at the corner of Washington St and NW 3rd St.

Employee & Visitor Parking Example



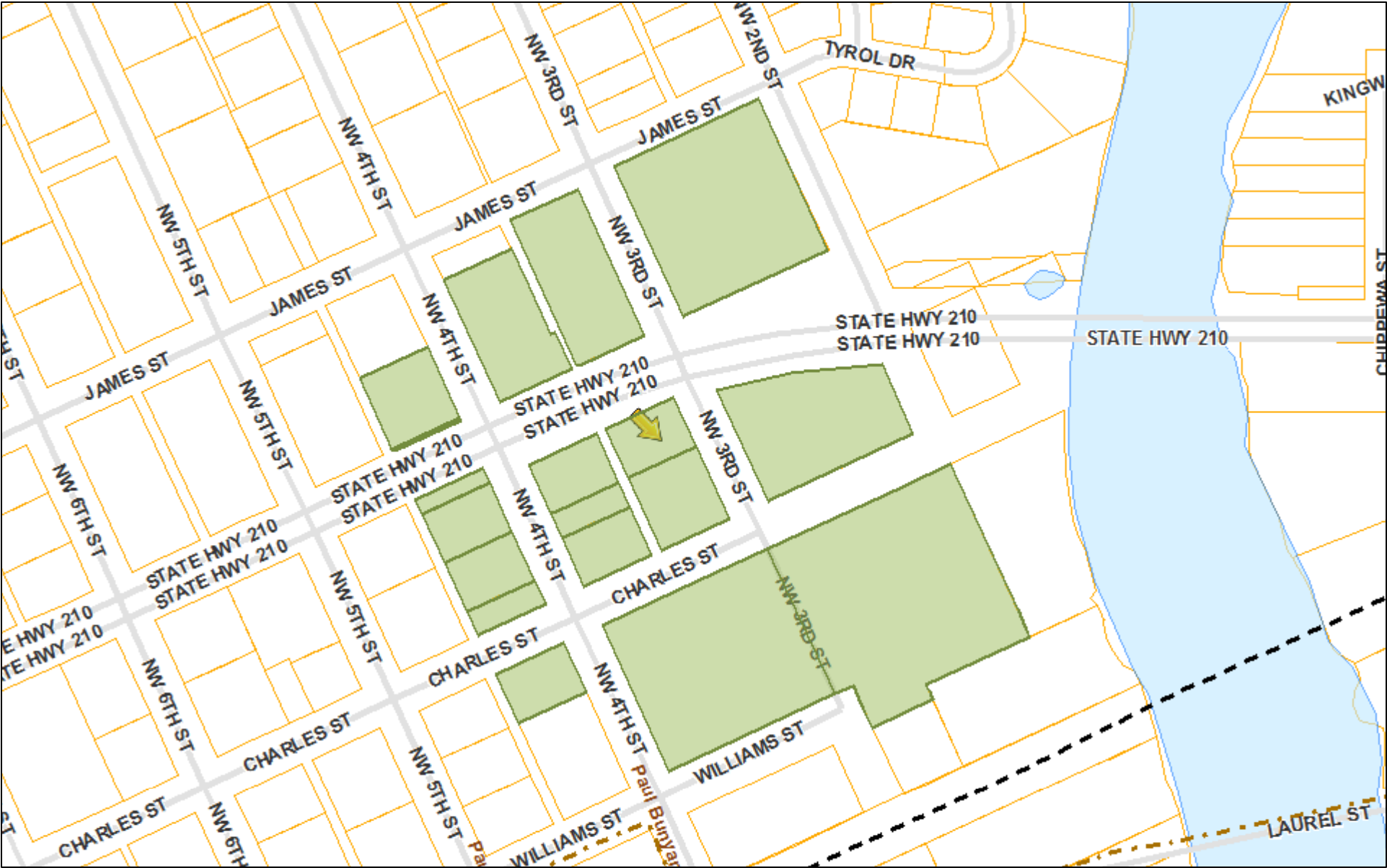
0 12.5 25 50
Feet

Print Date
6/23/2016

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



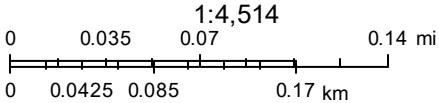
Rezoning 303 W Washington



2/8/2018, 9:06:52 AM

- Select Parcels _Query result
- City Limits
- Railroad
- Trails
- Roads
- Water

Parcels Crow Wing



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community

Tax Name	Tax Address	Tax Address 2	Tax Address 3
NOVOTNY, LARRY L	2400 BRADFORD BAY	ALEXANDRIA, MN 56308	
HARMON PLACE PROPERTIES LLC	2959 CLEARWATER RD	ST CLOUD, MN 56301	
IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	
HARMON PLACE PROPERTIES LLC	2959 CLEARWATER RD	ST CLOUD, MN 56301	
LAVALLE, DENNIS W & JULIE A	12096 SCENIC RIVER DR	BAXTER, MN 56425	
TMJ LLC	20980 SNOWSHOE TRL	BRAINERD, MN 56401	
TT OF BRAINERD LLC	13754 TWO MILE RD	BRAINERD, MN 56401	
TAX FORFEITED	CROW WING COUNTY LAND SERVICES	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590
KUMMET, LLOYD G 2009 LIVING TRUST	C/O RICHARD KUMMET	1820 S 8TH ST	BRAINERD, MN 56401
TT OF BRAINERD LLC	13754 TWO MILE RD	BRAINERD, MN 56401	
DONCO MN BRD WASHINGTON 1 LLC	24226 LONE PINE RD	HINCKLEY, MN 55037	
IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	
SMITH, ALICE T	22609 HOLE IN THE DAY DR	NISSWA, MN 56468	
BRAINERD WASHINGTON ST LLC	C/O MELISSA MONCADA	2730 SW 3RD AVE STE 600	MIAMI, FL 33129
BRAINERD WASHINGTON ST LLC	C/O MELISSA MONCADA	2730 SW 3RD AVE STE 600	MIAMI, FL 33129
GUSTAFSON PROPERTIES OF BRD LLC	304 EAST RIVER RD SUITE 2	BRAINERD, MN 56401	
IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Land and Lease Development LLC, 24226 Lone Pine Road, Hinckley, MN 55037, has applied on behalf of Joseph LaRoue, 5832 Barbeau Road Brainerd, MN 56401, for a Conditional Use Permit for automobile repair business at 303 W. Washington Street, Brainerd, MN 56401. The property is Zoned B-4 (General Commercial) District and City of Brainerd Zoning Ordinance Section 515-63-6 B: Conditional Uses, automobile repair is allowed by Conditional Use Permit in a B-4 District.

The property is legally described as Lots 4 and 5, West Brainerd Addition.

The Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., Wednesday, February 21, 2018 at 6 p.m. to consider the request for the Conditional Use Permit.

A copy of the application is on file for review at the City Planning Department, 501 Laurel Street.

The public is invited to attend the hearing to offer input regarding the proposed rezoning.

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

Dated this 8th day of February 2017.



Mark Ostgarden AICP
City Planner



Subject
Property

RECEIVED**City Planning Department**

City Hall – 501 Laurel Street
 Brainerd, MN 56401
 218-828-2309/Fax 218-828-2316
 www.ci.brainerd.mn.us

JAN 29 2018**CITY OF BRAINERD
ADMINISTRATION**

Receipt # 2018-00003
 Check # 5186
 Date Paid: 1/29/18

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☒ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☐ (\$500.00)
VARIANCE	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 303 W. Washington St.

LEGAL DESCRIPTION: Lot(s): 4&5 Block: 40 Addition: West Brainerd
 (attach description if lengthy)

Property Owner Name: Brian Weidendorf (Land & Lease Development, LLC)Street Address: 24226 Lone Pine Road City: Hinckley State: MN Zip Code: 55037Phone Number: 218-370-9704 Fax: _____ E-mail: brianw@lldllc.comApplicant Name: (If different than Property Owner) Joseph B. LaRoueStreet Address: 5832 Barbeau Rd. City: Brainerd State: MN Zip Code: 56401Phone Number: 218-330-5042 Fax: _____ E-mail: corralauto@yahoo.comDescription of Request: For use as auto repair shop

Authentisign

Brian Weidendorf

1/25/2018 11:13:13 AM CST

Property Owner Signature

Date

(Please print name)

Applicant Signature

JOSEPH B. LAROUÉ

(Please print name)

1-25-2018

Date

(OVER)

AGENCY REVIEW CHECKLIST

Your request may require review by one or more of the agencies listed below. The City of Brainerd will determine which agencies will need to review your application and provide that agency with the notice of public hearing regarding your application:

☒ **BRAINERD FIRE DEPARTMENT**

Attn: Fire Chief; 23 Laurel St; Brainerd, MN 56401; 218-828-2312; fire@ci.brainerd.mn.us

☒ **BRAINERD POLICE DEPARTMENT**

Attn: Corky McQuiston, 225 East River Road; Brainerd, MN 56401; 218-829-2805; corky.mcquiston@ci.brainerd.mn.us

☒ **BRAINERD PUBLIC UTILITIES**

Attn: Scott Magnuson, Supt.; P.O. Box 373; Brainerd, MN 56401; 218-829-8726; smagnuson@bpu.org

☐ **BWSR (MN Board of Water and Soil Resources)**

Attn: John Overland; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383; john.overland@state.mn.us

☐ **CROW WING COUNTY HIGHWAY DEPARTMENT**

Attn: Tim Bray, County Engineer; 16589 County Rd 142; Brainerd, MN 56401; 218-824-1110/FAX 218-824-1111 tim.bray@crowwing.us

☐ **CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT**

Attn: Melissa Barrick; 322 Laurel St-Ste. 13; Brainerd, MN 56401; 218-828-6197/FAX 828-6095 melissa.barrick@crowwingswcd.us org

☐ **CROW WING COUNTY SURVEYOR'S OFFICE**

Attn: Mark Liedl; 322 Laurel St Ste 14.; Brainerd, MN 56401; 218-824-1124/FAX 824-1126; mark.liedl@crowwing.us

☐ **HRA**

Attn: Jennifer Bergman; 324 E. River Rd.; Brainerd, MN 56401; 218-828-3705/FAX 828-8817; jennifer@brainerdhra.org

☐ **MISSISSIPPI HEADWATERS BOARD**

322 Laurel Street Ste 5; Brainerd, MN 56401; 218-824-1307/FAX 824-1104 mhb@mississippiheadwaters.org

☒ **MINNESOTA DEPARTMENT OF TRANSPORTATION**

Attn: Mary Safgren; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5700; mary.safgren@state.mn.us

☐ **MINNESOTA DEPARTMENT OF NATURAL RESOURCES**

Attn: Wade Miller; 1601 Minnesota Dr.; Brainerd, MN 56401; 218-828-2605/FAX 828-6043; wade.miller@state.mn.us

☒ **MINNESOTA POLLUTION CONTROL AGENCY**

Attn: Reed Larson; 7678 College Rd-Ste. 105; Baxter, MN 56425; 218-828-2492/FAX 828-2594 Reed.Larson@state.mn.us

☐ **U.S. ARMY CORPS OF ENGINEERS: robert.q.maroney@usace.army.mil**

Attn: Rob Maroney, 8896 E. Gull Lake Dr.; Brainerd, MN 56401; 651-290-5766

Emailed
5



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: 1st Ordinance Reading Rezoning - 15947 Beaver Dam Road - From an R-A to an R-1A

☐ 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	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 10 minutes
Summary of Issue: Jon William Carter desires to split off a parcel of the 13 acres he owns along Beaver Dam Road. The R-A (Rural Agricultural) District has a 20-acre minimum lot size. To split the parcel, a zoning district that permits a smaller minimum lot size is needed. In addition to permitting the lot split, the R-1A (Single Family Residential) zoning will permit the Beaver Dam Road frontage to be platted for single family lot development.	
Alternatives, Options, Effects on Others/Comments: Approving the ordinance will rezone the property and denial will mean the R-A zone will remain. Attached is the Staff Report, draft of the February 21, 2018 meeting minutes and Finding of Facts. Mr. Carter lives and works in Hibbing and his shift schedule makes it difficult for him to get to Brainerd. I said I would explain that his absence does not mean a lack of interest in the request.	
Recommended Action/Motion: The Planning Commission voted 5-0 to recommend approval of the amendment. A motion by _____ and seconded by _____ to approve/deny the first reading of proposed Ordinance No.1479 to rezone property at 15947 Beaver Dam Road; Brainerd, MN 56401 from an R-A (Rural Agricultural) District to an R-1A (Single family Residential) District zoning.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ 0 _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

**ORDINANCE
NO. 1479**

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

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-2 of the Brainerd City Code is hereby amended by changing the zoning designation of the property description below from an R-A (Rural Agriculture) District to an R-1A (Single Family Residential) District for the following:

PART OF NW1/4 OF NW1/4 SEC. 33 LYING W. OF THE W'LY ROW OF BEAVER DAM ROAD,
AKA CO. RD HWY 303.

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

Adopted this ___ day of ___, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ___ day of ___, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, ___, 2018

STAFF REPORT TO THE PLANNING COMMISSION

February 8, 2018

APPLICANT/LOCATION:	Jon William Carter, 15947 Beaver Dam Road; Brainerd, MN 56401
REQUESTED ACTION:	Rezone property from an R-A (Rural Agricultural) District to an R-1A (Single Family) Residential District
AREA:	Approximately 13 Acres
ADJACENT USES:	North: Trail parking East: A single family dwelling site, however it is primarily wetland South: Wetland West: Vacant/Wooded
AREA ZONING:	Zoning Across Beaver Dam Road is B-4 (General Commercial) District and R-1A (Single Family Residential) District; zoning to the west and south is R-A (Rural Agriculture) District.

Mr. Carter desires to split off a parcel of the 13 acres he owns along Beaver Dam Road. The R-A (Rural Agricultural) District has a 20-acre minimum lot size. To split the parcel, a zoning district that permits a smaller minimum lot size is needed. In addition to permitting the lot split, the R-1A zoning will permit the Beaver Dam Road frontage to be platted for single family lot development.

PETITION EVALUATION

In compliance with Section 515.09 of the Brainerd Zoning Ordinance, the Planning Commission shall conduct a Public Hearing regarding this request. To assist the Planning Commission in evaluating the suitability of this requested change, the following are guidelines and a staff review of issues associated with the application to consider in the review process.

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

Attached are the Comprehensive Plan Land Use Goals and Strategies by which this proposal should be reviewed.

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

The attached section of the Comprehensive Plan Future Land Use Map identifies this property as low to medium residential land use. Single family and two-family zoning is consistent with the Future Land Use Map.

The Comprehensive Plan specifies:

Low to medium density residential development as portions of Brainerd that should contain one and two-family dwellings such as duplexes and town homes. Low to Medium Density Residential could include both the older, smaller lot, single-family subdivisions found within the city as well as the newer, larger lot subdivisions within the city and its planned growth areas.

515-55-7: Minimum Lot Area and Setback Requirements.

Lot Area Requirements:

*Lot size: Ten thousand (10,000) square feet
Lot Width: Seventy-five (75) feet
Lot Depth: Lot depth shall not exceed three (3) times the width for the buildable area of the lot*

Principal Building Setbacks

*Front Yard: Thirty (30) feet
Side Yard: Ten (10) feet, five (5) feet for attached garage
Side Yard (corner): Twenty (20) feet
Rear Yard: Thirty (30) feet*

Accessory building and structure setbacks:

*Front Yard: Thirty (30) feet
Side Yard: Ten (10) feet
Side Yard (corner): Twenty (20) feet
Rear Yard: Ten (10) feet*

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

More than half of the 13-acre Parcel is wetland. There is sufficient depth for single family lot development that would front on Beaver Dam Road.

The exact amount of Beaver Dam Road frontage Mr. Carter plans to retain is not yet know. However, based on a sketch of the split, it appears approximately 600' feet of frontage that is not part of the split parcel, will remain and would be developed with single family lots.

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

Beaver Dam Road is a well-traveled road and traffic will increase in the future. The additional single-family driveways will mean more turning movements and the high speed of travel on Beaver Dam Road will create additional safety concerns. However, Beaver Dam Road is capable of additional development on this parcel and other parcels along the corridor.

There is currently no non-motorized transportation infrastructure along Beaver Dam Road. It is planned to have a trail from Riverside Drive to the Paul Bunyan Trail that is not yet included in a capital budgeting.

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

City sewer and water is available to the site. Because of the significant wetland area, the 13 acres will support very few lots. The development will not have a negative impact on schools, parks and streets.

PLANNING DEPARTMENT REVIEW

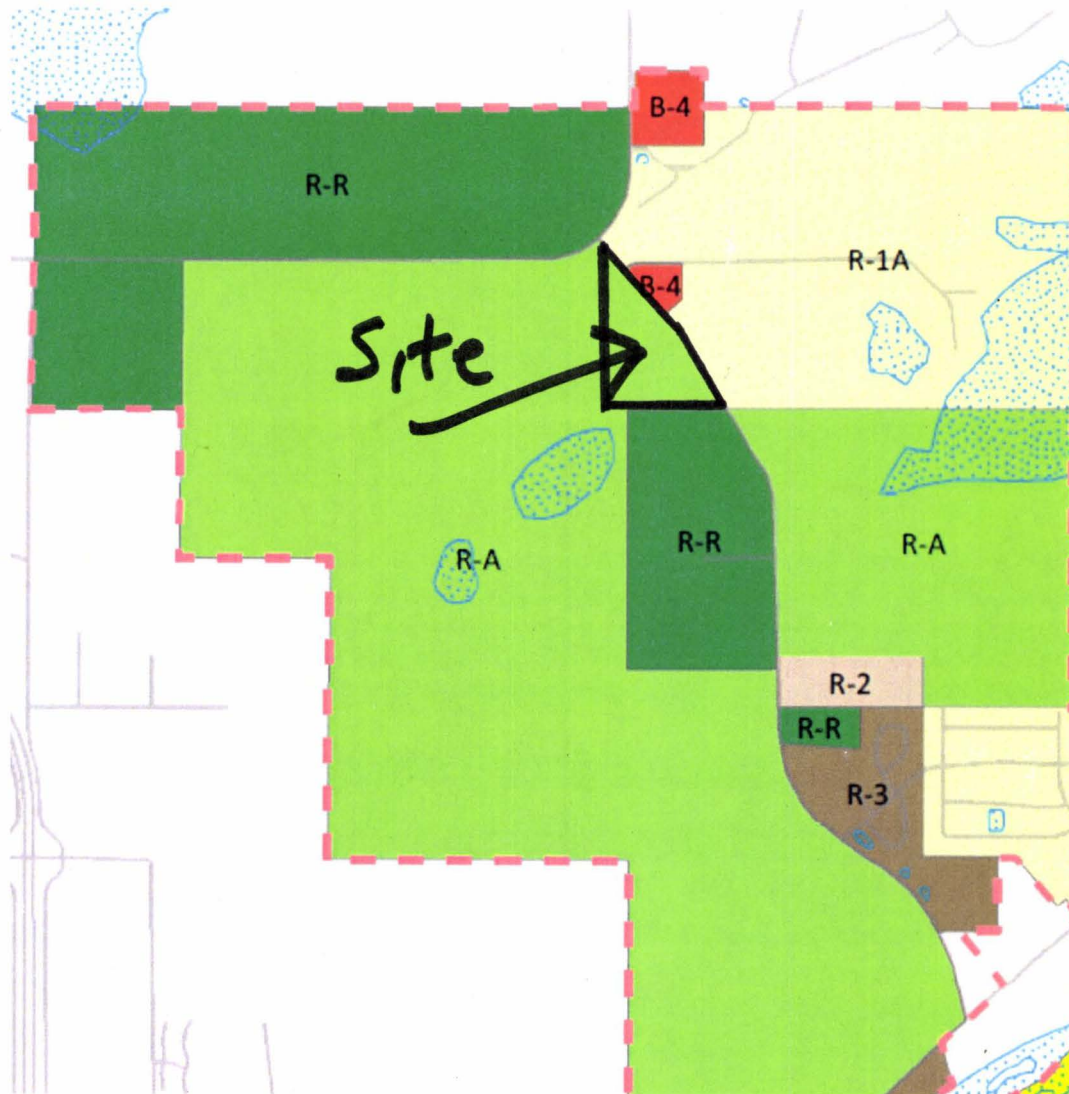
PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its February 21, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on March 5, 2018 and an Ordinance Second/Final Reading on March 19, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

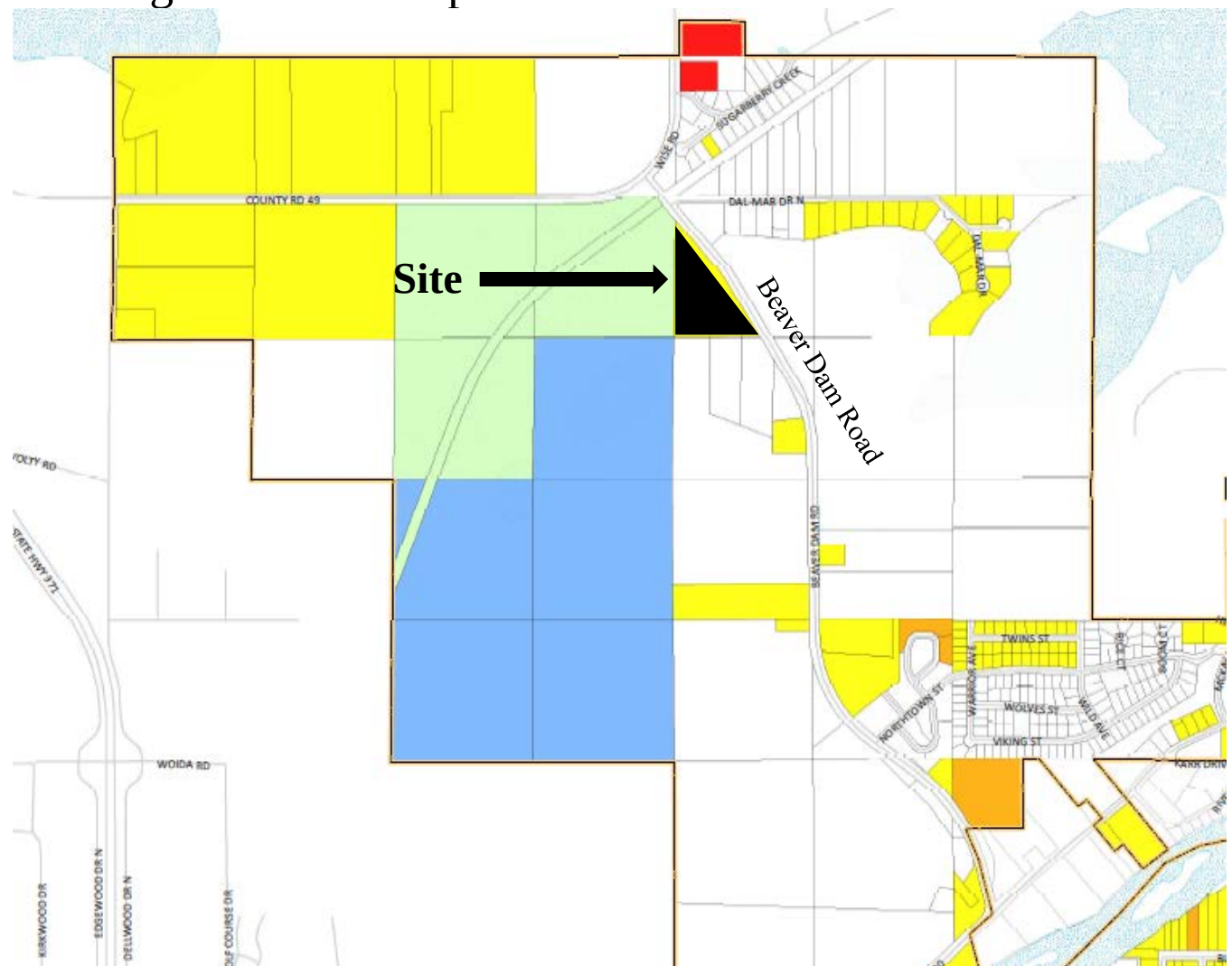
Zoning Map



Legend

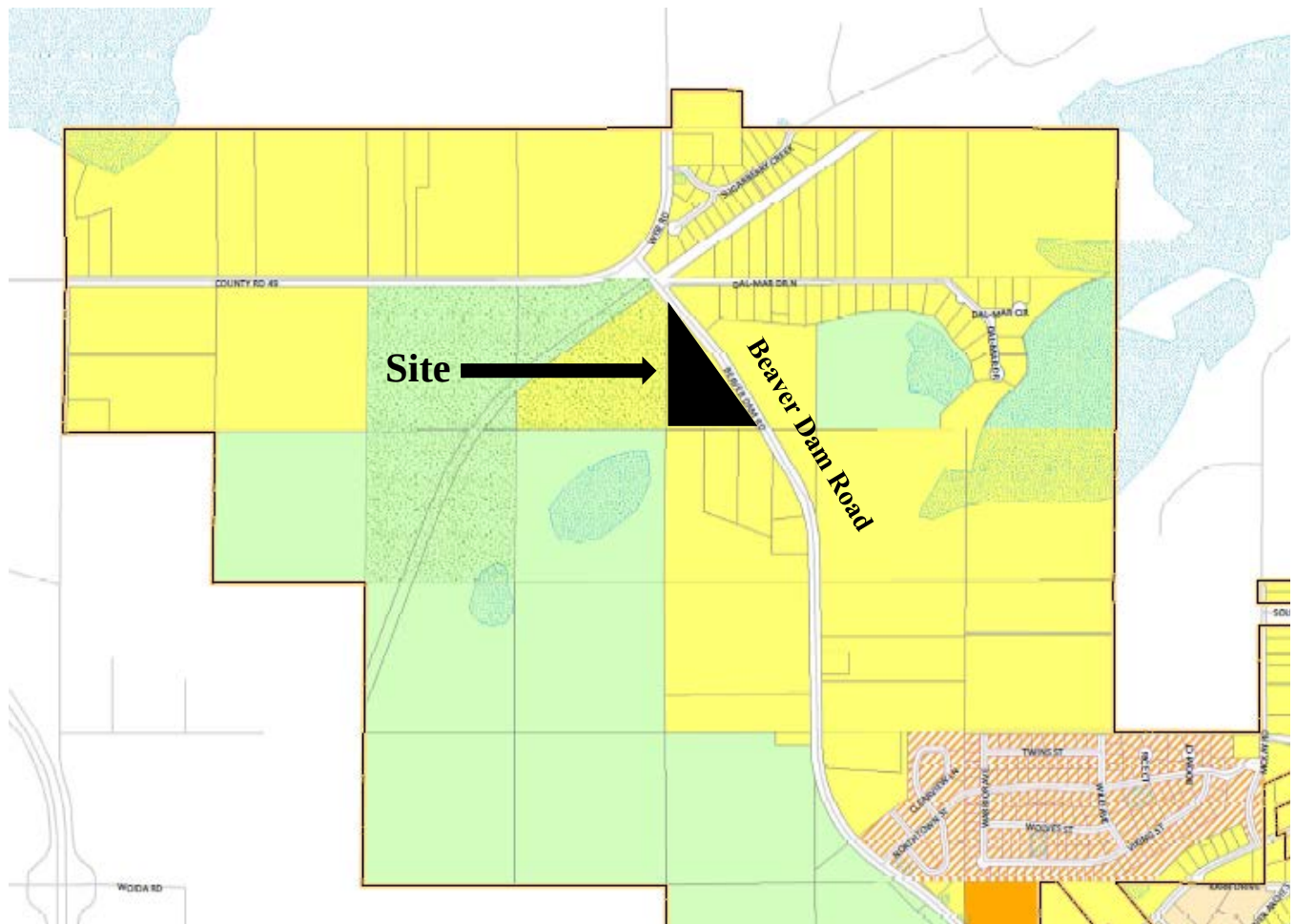
- R-A Rural Agncultural
- R-R Rural Residential
- R-E Rural Estate
- R-1A Single Family Residential
- R-1 Single Family Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-MH Manufactured Housing
- B-1 Residential Office
- B-2 Neighborhood Business
- B-3 Central Business District
- B-4 General Commercial
- B-5 Commercial Amusement
- B-6 Washington Street Commercial
- I-1 Light Industrial
- I-2 General Industrial
- MU Mixed Use
- PUD Planned Urban Dev

Existing Land Use Map



- Legend**
- City Limits
 - Parks
 - Lakes
 - Parcels**
 - Existing Land Use**
 - Single Family Residential
 - Two Family (Duplex)
 - Multiple Family Residential
 - Manufactured Homes
 - General Commercial
 - Industrial
 - Public / Semi Public
 - Park / Trail
 - Agriculture
 - Vacant / Undeveloped
 - Not In City

Future Land Use Map



Legend

 City Limits

 Parks

 Lakes

Future Land Use

 Low-Med Density Residential

 Med-High Density Residential

 Downtown Commercial

 Business Park

 General Commercial

 Development Preserve

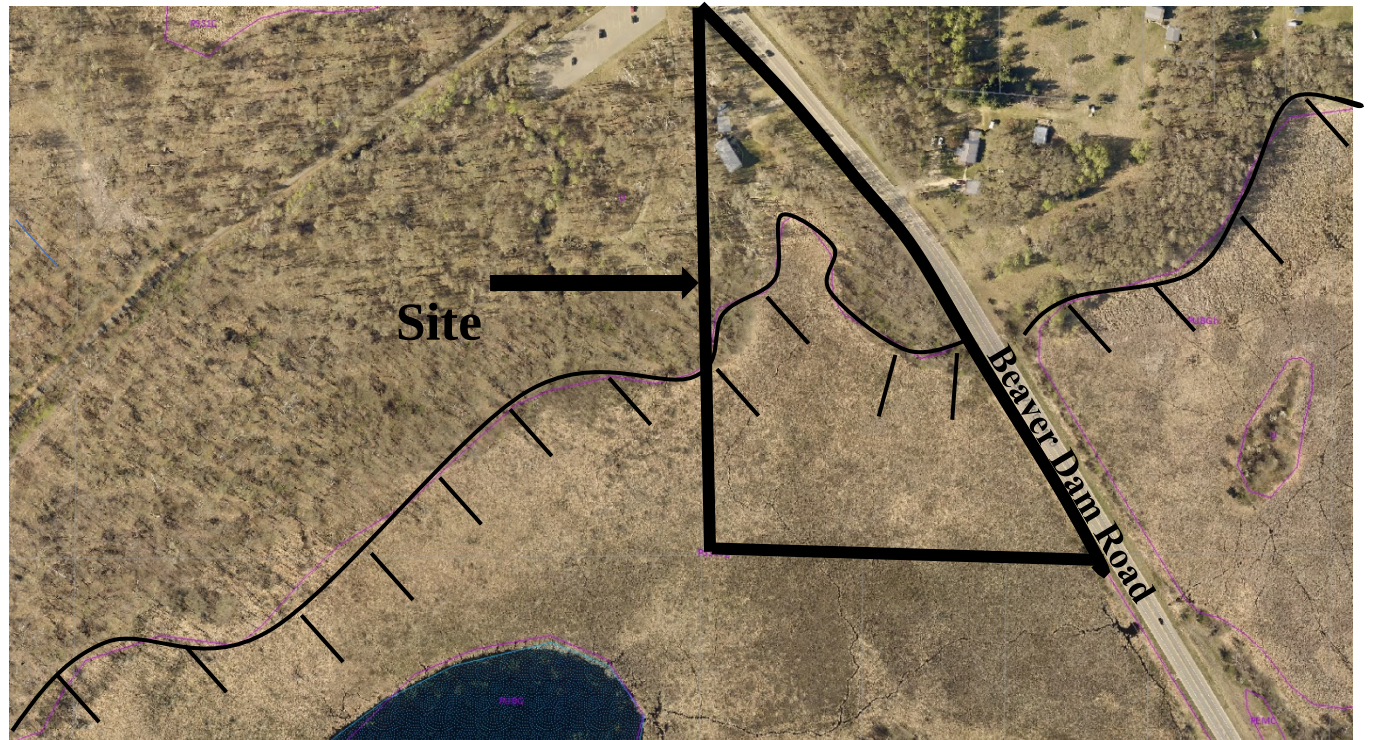
 Industrial

 Public / Semi Public

 Park / Open Space

 Mixed Residential

Site Aerial and Wetlands



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jon William Carter, has applied to rezone property at 15947 Beaver Dam Road; Brainerd, MN 56401, from an R-A (Rural Agriculture) District to an R-1A (Single Family Residential) District. The property is legally described as:

PART OF NW1/4 OF NW1/4 SEC. 33 LYING W. OF THE W'LY ROW OF BEAVER DAM ROAD, AKA CO. RD. HWY 303 (NOW CO. RD. 5). Parcel size is approximately 13 acres.
The PID is 080332200B00009.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, February 21, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider rezoning the property.

Permitted Uses in the R-A District include:

Agricultural uses; Barns, stables, silos, other agricultural buildings; Nurseries, greenhouses for growing only (no retail sales); single family dwellings; Forest and game management areas; Public recreation areas and related accessory buildings and structures; Residential facilities serving six (6) or fewer persons in a single family detached dwelling; Essential services as regulated by Section 36 of this Ordinance.

Minimum lot size - 20 Acres.

Accessory Uses in the R-A District include:

Garages for private use as regulated by Section 515-17-7 of this Ordinance; Fences as regulated by Section 19 of this Ordinance; Recreation facilities and equipment for private use...; Solar energy systems and solar structures; Home Businesses as regulated by Section 26 of this Ordinance.

Buildings for the storage of domestic tools, supplies and equipment...; Storage of recreational vehicles and equipment...; Boarding or renting of rooms to not more than two (2) individuals per dwelling; In home day care serving 14 or fewer persons in a single family detached dwelling; Radio and television receiving antennas, satellite dishes, TV Receive Only (TVRO), ...; Temporary roadside sales of agricultural products produced on site.

Interim Uses in the R-A District include:

Home Extended Businesses as regulated by Section 26 of this Ordinance; Mining or land reclamation as regulated by Section 30 of this Ordinance; WECS (Wind Energy Conversion Systems) as regulated by Section 34 of this Ordinance; Commercial animal kennels.

Conditional Uses in the R-A District include:

Places of worship related buildings provided that...; Cemeteries, subject to the following provisions..., Commercial riding stables provided that...; Governmental and public regulated utility building's and structures...

Uses by Administrative Permit in the R-A District include.

Personal wireless service antennas as regulated by Section 35 of this Ordinance.

Permitted Uses in the R-1A District include:

Detached single family dwellings; Public recreation areas and related accessory buildings and structures; Residential facilities serving six (6) or fewer persons in a single family detached dwelling; Essential services as regulated by Section 36 of this Ordinance.

Minimum lot size - 10,000 square feet.

Over for a map of the property location.

Interim Uses in the R-1A District include:

Home Extended Businesses as regulated by Section 26 of this Ordinance; Temporary buildings associated with a public or private principal school...

Conditional Uses in the R-1A District include:

Off-premise surface parking lots and parking ramps...; Bed and breakfast subject to provisions of Section 31 of this Ordinance.; Non-profit and not-for-profit offices located in buildings owned by the Brainerd Independent School District ...; Planned Unit Developments...; Government and public regulated utility buildings and structures ...; Public and private schools provided that ...; Hospitals provided that ...; Places of worship and related buildings provided that ...; Dwellings greater than five hundred (500) square feet and less than seven hundred fifty (750) square feet...

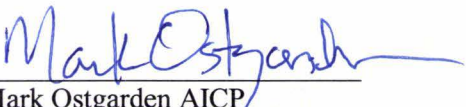
Uses by Administrative Permit in the R-1A District include:

Personal wireless service antennas as regulated by Section 35 of this Ordinance.

The public is invited to attend the hearing to offer input regarding the proposed rezoning.

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

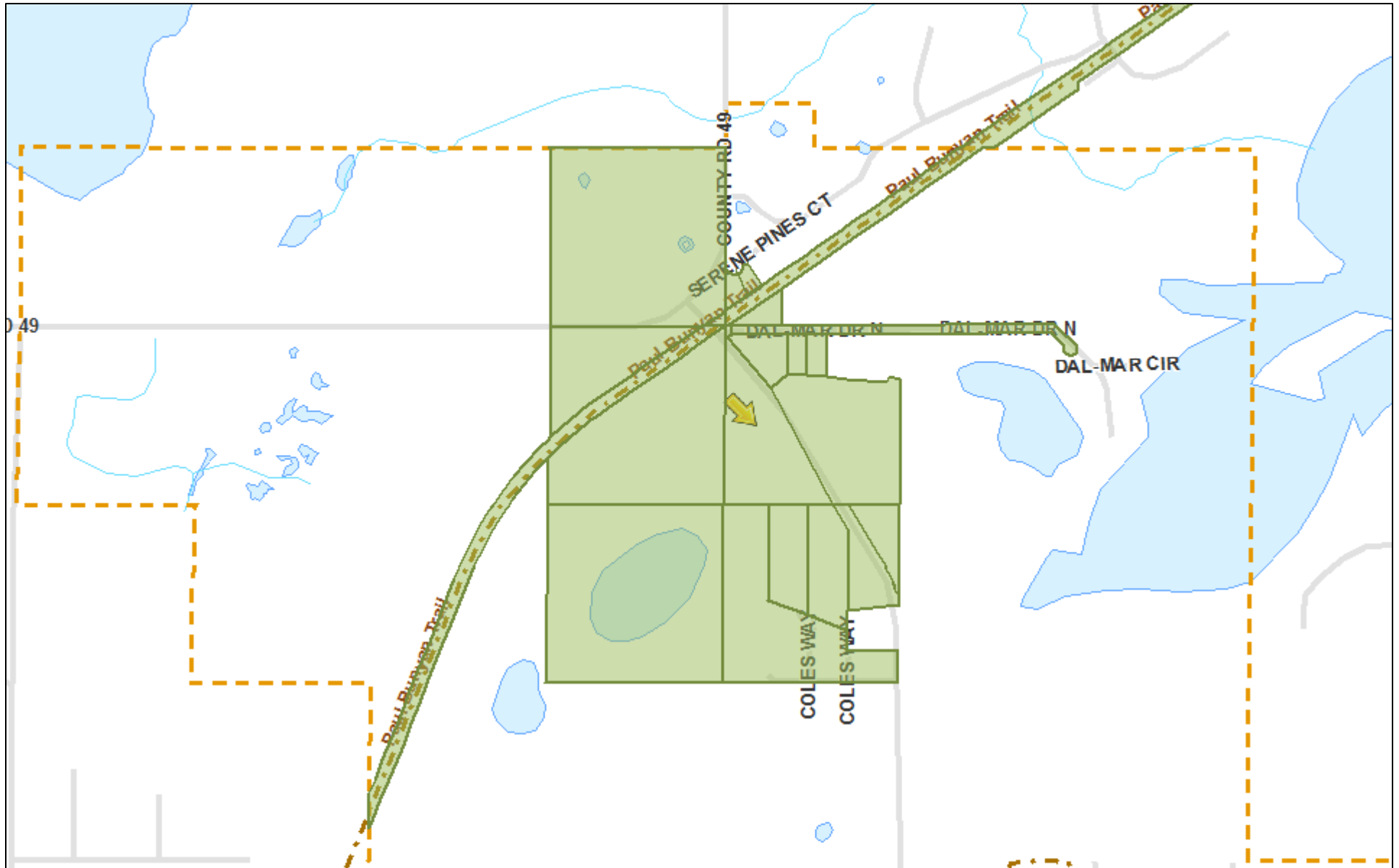
Dated this 8th day of February 2018.


Mark Ostgarden AICP
City Planner



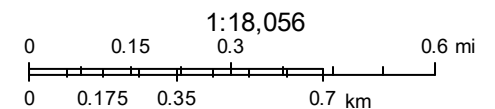
Tax Name	Tax Address	Tax Address 2
EIDE, BRUCE & SHELLEY M	8669 COLES WAY	BRAINERD MN 56401
NICHOLS, TREVOR W & CAITLIN M	8627 COLES WAY	BRAINERD, MN 56401
BOCHE, GREGG & MARY JO	8626 COLES WAY	BRAINERD, MN 56401
CROW WING COUNTY HIGHWAY DEPARTMENT	16589 COUNTY ROAD 142	BRAINERD MN 56401
CARTER, DALE WM & MARION	15888 BEAVER DAM RD	BRAINERD MN 56401
CARTER, JON WILLIAM	15947 BEAVER DAM RD	BRAINERD, MN 56401
STATE OF MINNESOTA DNR-	500 LAFAYETTE ROAD BOX 45	ST PAUL, MN 55155
CROW WING COUNTY HOUSING & REDEVELOPMENT	324 EAST RIVER ROAD	BRAINERD, MN 56401
MINNESOTA NORTH DISTRICT, LCMS	P O BOX 604	BRAINERD, MN 56401

Rezoning 15947 Beaver Dam Rd



2/8/2018, 9:00:55 AM

- Select Parcels _Query result
- City Limits
- Trails
- Roads
- Streams
- Water



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



City Planning Department

City Hall - 501 Laurel Street

Brainerd, MN 56401

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

www.ci.brainerd.mn.us

Receipt # CC12060001

See 2018-00001

Date Paid: 1-24-18

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☒ (\$300.00)	☐ (\$500.00)
VARIANCE	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 15947 Beaver Dam Road

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy)

Property Owner Name: Jon William Carter

Street Address: 15947 Beaver Dam Rd City: Brainerd State: MN Zip Code: 56407

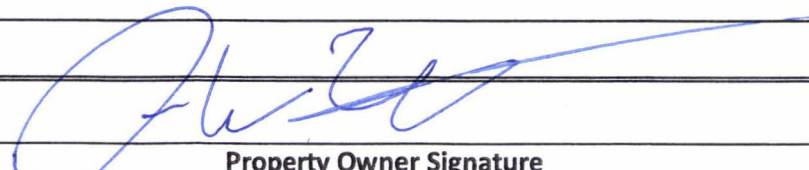
Phone Number: 218-851-8291 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: Rezone from R-A to R-1A



Property Owner Signature

01/24/2018

Date

Jon William Carter

(Please print name)

Applicant Signature

01/24/2018

Date

(Please print name)

(OVER)

AGENCY REVIEW CHECKLIST

Your request may require review by one or more of the agencies listed below. The City of Brainerd will determine which agencies will need to review your application and provide that agency with the notice of public hearing regarding your application:

☒ **BRAINERD FIRE DEPARTMENT**

Attn: Fire Chief; 23 Laurel St; Brainerd, MN 56401; 218-828-2312; fire@ci.brainerd.mn.us

☒ **BRAINERD POLICE DEPARTMENT**

Attn: Corky McQuiston, 225 East River Road; Brainerd, MN 56401; 218-829-2805; corky.mcquiston@ci.brainerd.mn.us

☒ **BRAINERD PUBLIC UTILITIES**

Attn: Scott Magnuson, Supt.; P.O. Box 373; Brainerd, MN 56401; 218-829-8726; smagnuson@bpu.org

☐ **BWSR (MN Board of Water and Soil Resources)**

Attn: John Overland; 1601 Minnesota Dr; Brainerd, MN 56401; 218-828-2383; john.overland@state.mn.us

☒ **CROW WING COUNTY HIGHWAY DEPARTMENT**

Attn: Tim Bray, County Engineer; 16589 County Rd 142; Brainerd, MN 56401; 218-824-1110/FAX 218-824-1111
tim.bray@crowwing.us

☒ **CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT**

Attn: Melissa Barrick; 322 Laurel St Ste. 13; Brainerd, MN 56401; 218-828-6197/FAX 828-6095
melissa.barrick@crowwingswcd.us *us.org*

☐ **CROW WING COUNTY SURVEYOR'S OFFICE**

Attn: Mark Liedl; 322 Laurel St Ste 14.; Brainerd, MN 56401; 218-824-1124/FAX 824-1126;
mark.liedl@crowwing.us

☐ **HRA**

Attn: Jennifer Bergman; 324 E. River Rd.; Brainerd, MN 56401; 218-828-3705/FAX 828-8817;
jennifer@brainerdhra.org

☐ **MISSISSIPPI HEADWATERS BOARD**

322 Laurel Street Ste 5; Brainerd, MN 56401; 218-824-1307/FAX 824-1104
mhb@mississippiheadwaters.org

☒ **MINNESOTA DEPARTMENT OF TRANSPORTATION**

Attn: Mary Safgren; 7694 Industrial Park Rd.; Baxter, MN 56425; 218-828-5700; mary.safgren@state.mn.us

☐ **MINNESOTA DEPARTMENT OF NATURAL RESOURCES**

Attn: Wade Miller; 1601 Minnesota Dr.; Brainerd, MN 56401; 218-828-2605/FAX 828-6043;
wade.miller@state.mn.us

☐ **MINNESOTA POLLUTION CONTROL AGENCY**

Attn: Reed Larson; 7678 College Rd Ste. 105; Baxter, MN 56425; 218-828-2492/FAX 828-2594
Reed.Larson@state.mn.us

☐ **U.S. ARMY CORPS OF ENGINEERS:** robert.q.maroney@usace.army.mil

Attn: Rob Maroney, 8896 E. Gull Lake Dr.; Brainerd, MN 56401; 651-290-5766

Emailed to



Brainerd City Council Agenda Request

Requested Meeting Date: March 5, 2018

Title of Item: 1st Ordinance Reading, Zoning Ordinance Text Amendment - Off Street Parking Lots in B-1 (Residential Office) Districts

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 10 minutes
Summary of Issue: The City of Brainerd has initiated a request to amend the Zoning Ordinance to permit off street parking lots by Conditional Use Permit in B-1 (Residential-Office) Districts. Attached is the proposed Ordinance for consideration. Note there are several minimum standards that would be required of all B-1 parking lots. The City Council has the authority to have additional conditions for a CUP deemed necessary for neighborhood compatibility. See attached February 21, 2018 Planning Commission meeting minutes for more detail.	
Alternatives, Options, Effects on Others/Comments: Although difficult to do, separate this amendment from Thrifty White - this request is not about Thrifty White. It's about a change that affects all B-1 zoning. If the change is appropriate, Thrifty White would most likely be the first to apply for the CUP. I have discussed the minimum standards with the City Attorney and suggestions are recommended by the Planning Commission that clarify the standard requirements. Parking is going to be a redevelopment issue all along Washington Street.	
Recommended Action/Motion: The Planning Commission voted 5-0 to recommend approval of the amendment. Motion by _____, second by _____, approving the Ordinance No. 1478 1st reading - To amend Zoning Ordinance Section 515-60-6 G. Conditional Uses to permit off street parking lots in B-1 (Residential - Office) Districts.	
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> \$ 0 _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1478**

**AN ORDINANCE AMENDING BRAINERD ZONING ORDINANCE
SECTIONS 515-60-6 ADDING PARKING LOTS AS A CONDITIONAL USE**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Section 515-60-6–Conditional Uses shall be amended by adding the following:

G. Parking Lots – Provided That:

1. The parking lot shall be adjacent to or across an alley from an allowed B-6 (Washington Street Commercial) District use.
2. The parking lot parcel(s) shall be no wider than the boundary line of the primary parcel on which the associated B-6 use is located.
3. Overnight parking will be limited to vehicles owned and operated by the business associated with the B-6 site.
4. Alley improvements desired by the adjacent property owner shall be approved by the City of Brainerd and improved at the requesting party's expense.

SECTION TWO: All other provisions of Section 515-60-6 shall remain in full force and effect.

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

Adopted this ____ day of ____, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of ____, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, ____, 2018