

CITY COUNCIL AGENDA

Brainerd, Minnesota

March 19, 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. Special Meeting Held on March 12, 2018

Documents:

[20180312_CC draft.pdf](#)

B. **Approval Of Licenses**

1. Contractor Licenses - 1 - New; 1 - Renewal

Documents:

[2018-03-19 License RPT.pdf](#)

C. **Department Activity Reports**

1. Police Chief
2. Finance Director

Documents:

Police Dept Report.pdf

- D. Extension Of Premises - Submitted By Steven Shepherd For An Event To Be Held On August 24th And August 25th, 2018 At Shep's On 6th, 315 S 6th Street, Brainerd
- E. Minnesota Lawful Gambling Application For Exempt Permit - Submitted By Smiles For Jake, 15594 Sunset Way, Brainerd For An Event To Be Held May 4th, 2018 At The Essentia Health Sports Center, 502 Jackson St., Brainerd
- F. Minnesota Lawful Gambling Application To Conduct Excluded Bingo - Submitted By Lumberjacks And Jills Club, 324 Washington St. NE, Brainerd. Bingo Events To Be Held At The American Legion Post 255, 708 Front St. Brainerd On April 11, 2018 And November 28, 2018
- G. Second Hand Automobile License Application - Submitted By B&B Boat & Rec Inc. Dba Brainerd Sports & Marine, 13377 State Hwy 25, Brainerd - Contingent Upon Fire Inspection
- H. Temporary Beer License - Submitted By Mid-Minnesota Builders Association For An Event To Be Held March 23rd - March 25th, 2018 At The Essentia Health Sports Center, 502 Jackson St., Brainerd - Contingent Upon Background Investigation
- I. Temporary On-Sale Liquor License Application - Submitted By The Elks Governing Body For An Event To Be Held On May 9th, 2018 At The Brainerd National Guard Armory, 1115 Wright Street, Brainerd

6. **Presentations**

- A. Brainerd Community Action Annual Report
- B. Crow Wing County Update - Sheriff Todd Dahl
 - 1. Additional Page - Presentations
Distributed at the meeting

Documents:

Additional Pages - Presentations.pdf

- C. Sanitary And Storm Sewer Cost Of Service Analysis Presentation

Documents:

Rate Study.pdf

7. **Council Committee Reports**

A. Safety And Public Works Committee

Documents:

20180319_SPW.pdf

1. Minnesota Department Of Transportation (MnDOT) And Minnesota Public Transit Association (MPTA) 5-Year Capital And Operational Transit Plan

Documents:

Res - Creation of 5-Year Capital and Operational Transit Plan.pdf

2. Transit Grant Opportunity - NJPA Innovation Funding

Documents:

Transit Grant Opportunity - NJPA Innovation Funding.pdf

3. Transit Policy Updates

Documents:

Transit Policy Updates.pdf

4. Tax Forfeit Non-Conservation Parcels

Documents:

Tax Forfeit Non-Conservation Parcels.pdf

5. Administrative Citation Fees And Maximums

Documents:

Administrative Citation Fees and Maximums.pdf

- a. Additional Page - Administrative Citations

Documents:

Additional Page - Admin Citations.pdf

B. Personnel And Finance Committee

Documents:

20180319_PF.pdf

1. Approval Of Bills

2. Classification And Compensation Study Update

Documents:

Classification and Compensation Study Update.pdf

3. 2018 Legislative Agenda

Documents:

2018 Legislative Agenda.pdf

4. Adverse Weather Policy

Documents:

Adverse Weather Policy.pdf

5. ClearGov Civic Insights Website

Documents:

ClearGov.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. **Municipal Separate Storm Sewer System (MS4) Presentation And
Public Hearing**

Documents:

MS4 Presentation and Public Hearing.pdf

- B. **Public Hearing - Improvement 17-13 - Brook Street And SE 10th
Street Resurfacing**

Documents:

PH - Improvement 17-13 - Brook Street and SE 10th Street.pdf

1. Additional Page - Brook Street Improvements
Distributed at the meeting

Documents:

Additional Page - Brook Street.pdf

10. Planning Commission

- A. **Final Reading Of Proposed Ordinance No. 1478 - An Ordinance Amending Zoning Ordinance Section 515-60-6 To Consider Adding Parking Lots As A Conditional Use In B-1 Districts**
 - a. Hold Final Reading of Ordinance (Voice Vote)
 - b. Adopt Ordinance (Roll Call)

Documents:

Final Reading Proposed Ordinance 1478 Parking Lots .pdf

- B. **Final Reading Of Proposed Ordinance No. 1479 - An Ordinance To Rezone Property At 15947 Beaver Dam Rd., Brainerd From An R-A (Rural Agriculture) To An R-1A (Single Family Residential) District**
 - a. Hold Final Reading of Ordinance (Voice Vote)
 - b. Adopt Ordinance (Roll Call)

Documents:

Final Reading Proposed Ordinance 1479 - Rezone15947 Beaver Dam Rd.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

NJPA Open House Invitation

(Verbal: Any Updates since Packet)

Documents:

NJPA.pdf

13. Council Member Reports

14. **Adjourn To South 6th Street Reconstruction Open House - March 20, 2018 At 5:00 P.m. At Trinity Lutheran Church, 1420 S. 6th St.**

NOTE: Safety and Public Works Committee will meet at 7:00 P.M.
Personnel and Finance Committee will meet at 6:45 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
March 12, 2018

Due to adverse weather conditions, the March 5, 2018 City Council Meeting was cancelled. Pursuant to due call and notice thereof, the special 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: Badeaux, Johnson, Hilgart, Lambert, Bevans and Pritschet. Mayor Menk was also noted as present. Member Stunek 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.

Mayor Menk announced the Crow Wing County Farm Family of the Year was awarded to Kris Schubert, HR Coordinator and her family for excellence in farming. Congratulations was expressed to Kris and her family.

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

- A. Approval of the Minutes of the Regular Meeting held on February 20, 2018 - Approved**
- B. Approval of Licenses – Approved**

Contractor Licenses – 3 - New; 4 - Renewals
- C. Department Activity Reports - Approved**

1. Fire Chief
2. Parks Director
- 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 – Adopted by Resolution No. 13:18**
- 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 - Approved**

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

Presentations

The Center Annual Report

The Chair welcomed Ms. DeAnn Barry, executive director of The Center, 803 Kingwood Street, who distributed a brochure about The Center. She introduced Mr. Dale Parks, who is the president of the board for 2018. Ms. Barry gave a brief overview of some of the new events taking place at The Center, which include a theater group, choir and bluegrass band and encouraged everyone to visit. The Center will also be hosting a Job Fair for the first time this month.

Brainerd High School Traffic Study Final Presentation

The Chair welcomed Mr. Tim Houle, civil engineer at Widseth Smith Nolting who presented information regarding the Brainerd High School Traffic Study. Mr. Houle explained the top three options from the study and the possible impacts on traffic flow with each scenario. The presentation was based on a traffic study and no planning details have yet been determined as proceeding will depend on the result of the referendum in April.

Council Committee Reports

Safety and Public Works Committee Report

Improvement 18-02 – 2018 Seal Coat Project Authorization to Bid – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE ADVERTISEMENTS FOR BIDS FOR IMPROVEMENT 18-02 – 2018 SEAL COAT PROJECT WITH THE BID OPENING DATE OF APRIL 11, 2018 AT 10:00 AM CDT.

Improvement 18-03 – 2018 Crack Seal Project Authorization to Bid - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO AUTHORIZE SOLICITATION OF QUOTES FOR IMPROVEMENT 18-03 – 2018 CRACK SEAL PROJECT WITH THE BID OPENING DATE OF APRIL 11, 2018 AT 2:00 PM CDT.

Resolution of Support – Corridors of Commerce Trunk Highway 210 Expansion – Adopted by Resolution No. 14:18

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 14:18 IN SUPPORT OF THE HIGHWAY 210 TWO-LANE TO FOUR-LANE EXPANSION PROJECT AS PART OF THE CORRIDORS OF COMMERCE PROGRAM THROUGH MNDOT.

RESOLUTION NO. 14:18

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

Discussion of River to Rail Initiative Trail Connection - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO CONTINUE TO SUPPORT THE COMPLETION OF THE CONNECTION OF THE CUYUNA TRAIL WITHIN BRAINERD TRAVELING EAST.

Council Member Badeaux explained one of the concepts he supports is the connection of the Northern Pacific Center and Downtown. The main objective is to start the discussion with the appropriate people in order to move forward with the Cuyuna Trail.

Mississippi Riverfront Committee – Steamboat Plaza Property Ownership Research Request for Proposals - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO AUTHORIZE STAFF TO PROCEED WITH SEEKING PLAZA SITE EVALUATION PROPOSALS.

Personnel and Finance Committee Report

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

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

Authorization to Submit Grant Applications to Department of Natural Resources (DNR) - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE STAFF TO SUBMIT THE GRANT APPLICATION TO THE OUTDOOR RECREATION GRANT PROGRAM FOR 2018 FOR A KAYAK AND CANOE LANDING AND TO START WORKING ON POSSIBLE GRANT IDEAS FOR 2019.

Committee Chair Johnson explained that it is the preliminary estimate the grant application for the landing will be approximately \$30K - \$40K.

Council Member Hilgart stated we will be exploring match opportunities with organizations such as Kiwanis and Rotary as well.

Leave of Absence for Fire Department - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT JOSHUA MAILHOT'S LEAVE OF ABSENCE REQUEST FOR UP TO ONE YEAR EFFECTIVE MARCH 5, 2018.

Paid On-Call Firefighter Hiring - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE TO ESTABLISH A PAID ON-CALL FIREFIGHTER HIRING LIST AND APPROVED HIRING FOUR PAID ON CALL FIREFIGHTERS.

Identification Badge Policy - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE IDENTIFICATION BADGE POLICY AS PRESENTED.

Request Authorization for Out-of-State Travel for Human Resource Coordinator Kris Schubert to Attend National Conference - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE HUMAN RESOURCE COORDINATOR KRIS SCHUBERT TO ATTEND THE 2018 NATIONAL PELRA CONFERENCE WITH THE CITY PAYING FOR THE APPROPRIATE HOTEL, FLIGHT AND MEAL EXPENSES.

Fire Contract Formula for 2019 - Informational

Finance Director Hillman explained the calculation was presented to the Fire Advisory Board at their meeting on February 26, 2018. The Townships that contract with Brainerd for fire services need this information for their annual meeting in March to set their levies for 2019.

Unfinished Business

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

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

New Business

Legislative Authorization

City Administrator Torstenson stated throughout legislative sessions, bills are introduced that may positively or negatively affect our City. Often a response of support or opposition is needed quickly and there may not be the time to present to council. A Legislative Agenda would allow city staff to write letters of support or opposition for legislation that would best protect our residents. A draft legislative agenda is being created and will be presented at the next council meeting for discussion.

Planning Commission

Conditional Use Permit Request – 303 West Washington Street – To Allow an Automobile Repair and Service Business - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT FOR AUTOMOTIVE REPAIR AND SERVICES AT 303 WEST WASHINGTON STREET BASED ON THE FINDINGS OF FACT AND WITH THE CONDITIONS OF 1) DUMPSTER SCREENING IN PLACE BY MAY 1ST, 2018 2) VEHICLES CANNOT BE PARKED WITHIN THE TRAFFIC VISIBILITY SETBACK AREA AT THE CORNER OF WASHINGTON STREET AND NW 3RD STREET.

First Reading – Proposed Ordinance No. 1479 to Rezone Property at 15947 Beaver Dam Road, Brainerd – From an R-A (Rural Agriculture) to an R-1A (Single Family Residential) - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE FIRST READING OF PROPOSED ORDINANCE NO. 1479 TO REZONE PROPERTY AT 15947 BEAVER DAM ROAD, BRAINERD FROM AN R-A (RURAL AGRICULTURE) TO AN R-1A (SINGLE FAMILY RESIDENTIAL) DISTRICT ZONING.

First Reading – Proposed Ordinance No. 1478 – Amending Brainerd Zoning Ordinance to Consider Adding Parking Lots as a Conditional Use in B-1 Districts - Approved

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART TO APPROVE THE FIRST READING OF PROPOSED ORDINANCE NO. 1478 TO AMEND ZONING ORDINANCE SECTION 515-60-6 G. CONDITIONAL USES TO PERMIT OFF STREET PARKING LOTS IN B-1 (RESIDENTIAL OFFICE) DISTRICTS.

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

Public Forum

The Chair opened the Public Forum at 8:39 p.m.

No one came forward.

The Chair closed the Public Forum at 8:39 p.m.

Staff Reports

City Engineer Sandy and Assistant City Engineer Fladung attended the Bridges Career Day at Central Lakes College March 9, 2018. There were approximately 2,400 students who visited the booth promoting the engineering field.

City Engineer Sandy announced the public open house for the South 6th Street Construction will be held at 5:00 p.m. on Tuesday, March 20, 2018 at Trinity Lutheran Church.

City Planner Ostgarden stated the dates have been scheduled for the four Ward meetings to discuss the Comprehensive Plan update, which are as follows: March 27th, March 29th, April 3rd and April 5th, 2018. The times and locations have not yet been finalized but should be this week.

City Planner Ostgarden indicated Matt Kallroos, Planning Intern completed the evaluation of the vacancy rate in rentals in our community. According to the calculations, there currently is a 2.4% vacancy rate.

City Planner Ostgarden stated tonight was the Artist's Design Party for the deTOUR Downtown project at the Koop Building with approximately 50 different artists attending. Region Five is doing a good job with the progression of the project.

City Administrator Torstenson has drafted an adverse weather policy which will be presented for consideration at the next council meeting.

City Administrator Torstenson attended the Bridges Career Day at Central Lakes College last week as well, was very impressed with the college and is thankful to be a part of this community.

Council Member Reports

Council Member Johnson indicated the HRA meeting agreed to manage the revolving loan fund for the City. The next step is for the recommendation to go to the Economic Development Authority (EDA).

Council Member Johnson announced the Governor has designated two zones in the City of Brainerd as Opportunity Zones; one in northeast Brainerd and the other is Downtown. This fund allows investors to pool their resources in projects located in Opportunity Zones, which will be invested in rebuilding low-income areas.

Council Member Hilgart was also present at the Bridges Career Day and appreciate the enthusiasm from all who attended. She attended the MnDOT meeting tonight at the Chamber of Commerce and encouraged anyone affected by the road construction to attend the next open house.

Council Member Pritschet attended the March 1st meeting that took place with the downtown business owners for the deTOUR Downtown project. The project is well received and there was a lot of interest and enthusiasm for this project.

Mayor Menk stated the St. Patrick's Day parade downtown will be on Saturday, March 17th at 11:30 a.m. Mayor Menk will be handing out candy if anyone would like to volunteer to participate with him.

Adjourn

The Chair adjourned the meeting at 8:46 p.m.

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
 LICENSED CONTRACTORS
CITY COUNCIL MEETING
March 19, 2018
 (1 New, 1 Renewal)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
API GARAGE DOOR STORE, INC. 25188 HAZELWOOD DRIVE NISSWA, MN 56468 18-0152	(320) 251-7000	OVRD	12/31/2018	12/31/2018	
BLUE STAR PLUMBING INC. 1222 7TH AVENUE N ST. CLOUD, MN 56303 18-0153 (new)	(320) 251-0138	MECH	5/7/2019	1/1/2020	MB646226 PC644073

**BRAINERD POLICE DEPARTMENT
MEMORANDUM**

TO: Brainerd City Council
FROM: Police Chief Corky McQuiston
DATE: 03-09-18
RE: Monthly Report



Records Management Technician Miranda Lambert attended the two-day, BCA MNJIS Operators Certification Course at the BCA in St. Paul on February 27th & 28th. The training covers the Criminal Justice Data communications Network(CJDN) policies and procedures related to access and the dissemination of data. This also went over Criminal History access and data, and how to utilize the system related to Hot Files(Stolen Property) and Missing/Wanted Person entries. Students got hands on experience working in a training environment making entries, reading/understanding responses, and clearing entered records.



In February, all officers completed the annual OSHA mandated hearing test. In conjunction with this, all officers also complete one-hour annually of on-line training on Hearing Conservation. This covers OSHA mandates for occupational noise exposure and

is specifically tailored towards police officers and the impact noise associated with firearms training. The training reviews the different types of hearing protection devices and their appropriate use, along with familiarization with the loudness/sound levels associated with gun-fire.



On February 22nd, I attended the Region 5 Police Chief's Meeting hosted by NJPA at their facility in Staples. The first session of the meeting was an overview from the BCA Superintendent Drew Evans. Superintendent Evans went over updates that are planned for Predatory Offender Registry and talked about the goal of nationwide consistency for registered sex offenders who move from state to state. Evans also talked about staffing changes at the BCA that included 2 additional Homicide Investigators and discussed how Officer Involved Shootings(OIS) have required an extraordinary amount of resources from the BCA in recent years, hence requiring that addition of the Homicide Investigators.

Evans also reported that they have added additional Narcotics Agents in St. Cloud and Duluth, and a new drug scientist to help combat the backlog of drug analysis the laboratory is experiencing. This combined with the promotion of a new process, microcrystal drug testing, will help speed up drug test laboratory results. The BCA is working on meeting with regional judicial groups(Judges, Prosecutors, and Defense Attorneys) to have them agree to accepting this new testing process.

Evans also talked about the upcoming NIBRS conversion mandate by 2021 and commented that the BCA would like to see earlier transitions made, as the BCA does not have staffing and resources available to facilitate all the conversions if many agencies wait until closer to the deadline to make the change. We should be in a good position with the grant funding and our conversion underway. We anticipate our NIBRS reporting to be operational by late 2019.

Present also with the Superintendent was Project Manager Carla Duellman and she covered the new Criminal History System Access that will launch on March 19th. This is a long over-due improvement to make the system easier to read, with realtime updates from court records to the system, easier navigation throughout the system, and photos associated with Criminal Histories to help confirm matches to records.

A BCA agent gave an overview of the murder case from Little Falls involving Byron Smith, giving good insight on the forensic aspects of the cases and services the BCA agents can utilize at major homicide investigations.



The afternoon session was a presentation from Greg Gust of the National Weather Services. Gust covered High Impact Weather and Public Safety. This included discussions on the Storm Prediction Center feature of the NWS, and how notifications can be made to help manage large outdoor events safer.

Body Worn Camera Data Report



Month	Number of Videos	Hours of Videos	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
January	1201	249 Hours	469 GB	390 MB	12.43 Minutes	39
February	1263	265 Hours	503 GB	398 MB	12.58 Minutes	45

Conduct on Premises Activity Report for February

ICR	Date Reported	Title	Address	Summary
18001530	02/01/18	Conduct on Premises	1204 West Campus Drive	Conduct on Premises—Written Management Plan Requested.
18001751	02/06/18	Conduct on Premises	1204 West Campus Drive	See related case 18001530.
18002065	02/13/18	Conduct on Premises	1823 Oak Street	Conduct on Premises—Written Management Plan Requested.
18002143	02/15/18	Conduct on Premises	418 North 7 th Street	Conduct on Premises.
18002447	02/22/18	Conduct on Premises	400 Buffalo Hills Lane	Conduct on Premises.

Monthly Police Activity

February	2018	2017
Calls	1350	1467
Citations (Inc. Parking)	277	306
Part I and Part II Crimes Reported	176 **	249

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

168 parking tickets were issued in the month of February with the following dispositions:

5	Dismissed
2	Business Validations
72	Paid in Full
2	Partial Payments Received
87	No Payment Received

Revenue Recapture Receipts:

To Date: \$ 35,349.69

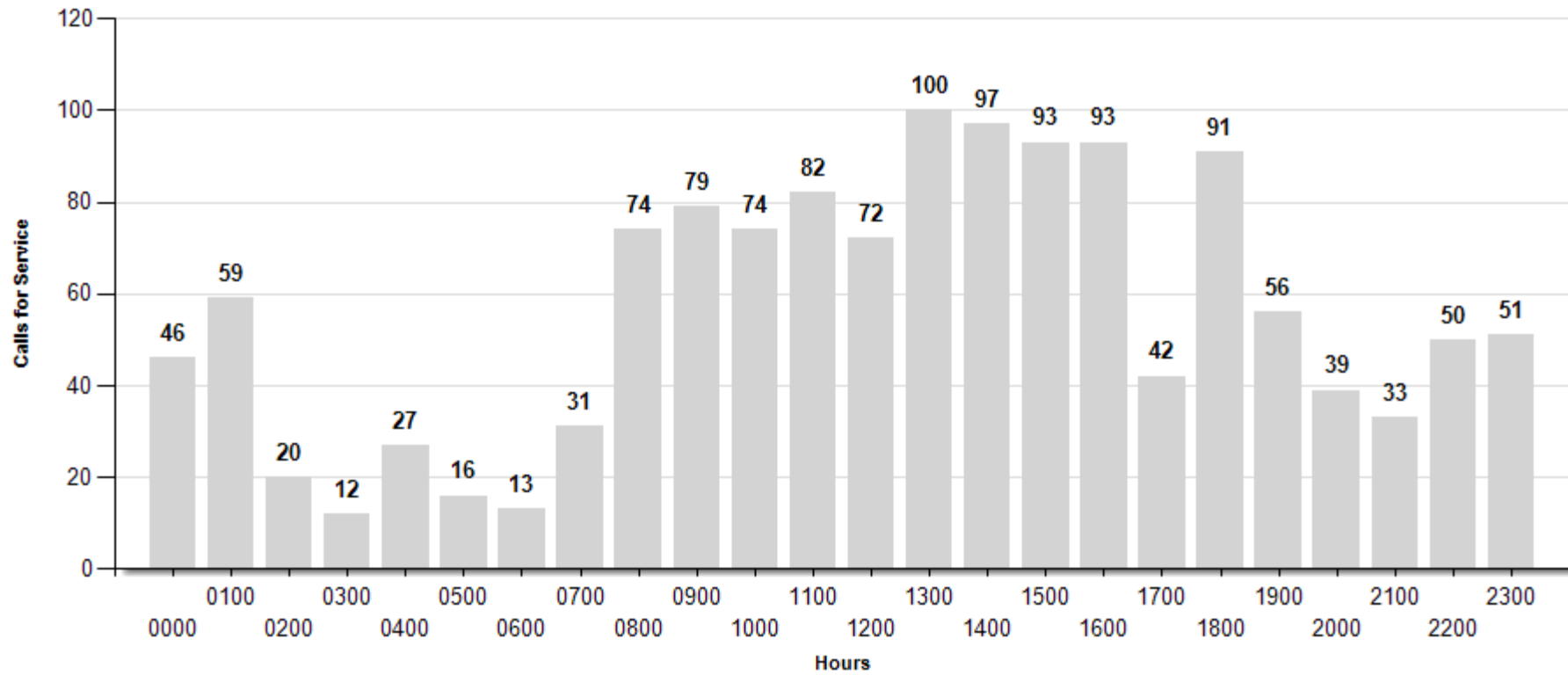
In 2018: \$ 1,561.00



Calls for Service Hourly

2/1/2018 to 2/28/2018

Total Calls: 1407



Brainerd Community Action 2018 Board Member List



Member Name	Position	Phone	E-Mail Address
Clem Belcher	Chairman of the Board	330-7340	
Chris Ford		829-3501	chris@brainerdscpas.com
Becky Borash	President	825-2688	borash@cwpower.com
Kathy Williams	Vice-President	218-831-2760	kathwill@brainerd.net
Bill Musel		228-851-6789	billmusel@gmail.com
Eryk Haapajoki		454-1212	eryk@connectctc.com
Jim Hanson		218-821-8772	jamdalan@yahoo.com
Mike Bestul	Treasurer	330-0998	mike.bestul@ci.brainerd.mn.us
Kevin Stunek	Alderman, P & F	839-1815	kstunek@ci.brainerd.mn.us
Sarah Smith		218-537-0294	sarah@campconfidence.com
Kim Rollins	Secretary	612-916-2116	krollins@mmfcu.org

This BOD consists of up to 13, but not less than 7 members.



Holly Holm
Executive Director

213 S. 5th Street
Brainerd, MN 56401

p 218.829.5278
f 218.829.4872
c 218.821.3271

holly@brainerdcommunityaction.org



FIREWORKS FUNDRAISERS!

Help us raise funds!

Brainerd Community Action needs to raise \$45,000 for the 4th of July celebration. You're probably thinking, WOW! That's a lot of cash! Yep! It sure is! These funds help defray the cost of fireworks (\$18,000), temporary power, entertainment, porta-potty's, trash receptacles, advertising, and lots of other stuff that goes into planning this event.

We appreciate your generous donation!



Pints for a Purpose

May 16 | 4-10 pm

Jack Pine Brewery

Northland Kart

Kountry

June 3 | 5-8 pm

Northland Kart

Kountry

Second Thursday -

Happy Hour

for a Cause

June 14 | 5-7 pm

Prairie Bay

Show & Shine

June 29 | 5-9 pm

The Bodyworks

Raffle Ticket Sales

On going

BRAINERD COMMUNITY ACTION

213 S. 5th Street
Brainerd, MN 56401
218-829-5278

BrainerdCommunityAction.org

Community 4th of July Celebration 2018 Sponsorship Information

Old Glory Sponsor: up to \$99

- ~ Recognition on event website

Sparkler Sponsor: \$100-\$249

- ~ Recognition on event website
- ~ Recognition on event Facebook page

Bottle Rocket Sponsor: \$250-\$499

- ~ Recognition on event website
- ~ Recognition on event Facebook page
- ~ VIP Parking Spot (1)

Pow Sponsor: \$500-\$999

- ~ Recognition on event website
- ~ Recognition on event Facebook page
- ~ Waived fee for parade unit
- ~ VIP Parking Spot (2)
- ~ Verbal Recognition on Main Stage
- ~ Logo/Name mentioned on all event marketing materials (posters, fliers, etc.)

Ohh Ahh Sponsor: \$1000-\$4999

- ~ Recognition on event website - including link to sponsors website
- ~ Recognition on event Facebook page
- ~ Waived fee for parade unit
- ~ VIP Parking Spot (3)
- ~ Verbal Recognition on Main Stage
- ~ Logo/Name mentioned on all event marketing materials (posters, fliers, etc.)
- ~ Recognition on banners displayed at Don Adamson Field



Ka-BOOM Sponsor: \$5000 & up

- ~ Recognition on event website - including link to sponsors website
- ~ Recognition on event Facebook page
- ~ Waived fee for parade unit
- ~ VIP Parking Spot (4)
- ~ Verbal Recognition on Main Stage
- ~ Logo/Name mentioned on all event marketing materials (posters, fliers, etc.)
- ~ Banner on Main Stage
- ~ Participate in on-stage advertisement presentation by a member of your company.
- ~ Invitation to join Brainerd Community Action on all television and radio spots.

Contact Information:

Holly Holm

Brainerd Community Action

213 S. 5th Street | Brainerd, MN 56401

o: 218.829.5278

email: holly@brainerdcommunityaction.org





SCOTT GODDARD
Captain
Badge #123
scott.goddard@crowwing.us

Crow Wing County Sheriff's Office
304 Laurel Street
Brainerd, MN 56401

Emergency 911
Non-Emergency (218) 829-4749
Fax (218) 829-9459

TEXT-TO-911

CALL if you can

Text if you CAN'T

- Text-to-911 is now available throughout Minnesota. The service was deployed in December 2017.
- Text-to-911 can be the first contact option for individuals who are deaf, deafblind, hard of hearing or those with speech impairments.
- Text-to-911 should only be used when a person can't safely make a voice call.

Examples:

- When someone must stay quiet to remain safe.
 - If peer pressure is strong.
- Text-to-911 is a discreet way to report domestic violence, home invasions, human trafficking, and suicidal individuals.



HOW TO TEXT 911

1. Enter the numbers 911 in the "To" field.
2. Text your exact location and type of emergency.
3. Send the message.
4. Promptly answer questions and follow instructions.

TIPS: Use simple words. Do not use abbreviations, emoji's, pictures or slang (BRB, IDK, THX, 2day and BTW). Do not text and drive!

Texting 911 with a false report is a crime. If you accidentally send a text to 911, send another text, or call 911 to let the dispatcher know that there is no emergency.

DID YOU KNOW?

Emergency response may be lengthened due to the time it takes for a text to 911 to be typed and sent. Delivery speed is not guaranteed.

- Dispatchers prefer calls so they can get cues from background noise and voice inflections.
- If you text to 911, dispatchers will ask if they can call you.
- Location is not as accurate with text as it is with a call. Be sure to text your exact address.
- A text or data plan is required to use Text-to-911.
- Texts to 911 will get a bounce back message if you are roaming.
- Texts to 911 have a 160 character limit, can get out of order, or may not be received.
- There is no language translation service for texts to 911.





Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



SEWER & STORM WATER COST OF SERVICE ANALYSIS

MARCH 19, 2018



DISCUSSION

Financial Projection (2018 through 2022)

Cost of Service Results (from 2017 COS)

Discuss Recommendations

Proposed Rates and Bill Impacts

REV. C



CITY OF BRAINERD **STORM WATER** COST OF SERVICE ANALYSIS



Projection Summary (Storm water)

Without adjustments (note: 4.9% approved in Dec. 2016)

Fiscal Year	Projected Rate Adjustments	Dollar per REU	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Projected Capital Improvements	Debt Coverage Ratio
2018	4.9%	\$ 3.30	\$ 374,338	\$ 309,683	\$ 64,655	\$ (147,706)	\$ 325,000	3.53
2019	0.0%	\$ 3.30	374,338	315,629	58,709	(35,126)	111,000	3.61
2020	0.0%	\$ 3.30	374,338	319,245	55,093	96,154	88,000	3.48
2021	0.0%	\$ 3.30	374,338	325,281	49,056	(31,679)	349,000	3.57
2022	0.0%	\$ 3.30	374,338	332,309	42,028	6,027	183,000	3.64
Recommended Target in 2018					\$ 342,784			1.20
Recommended Target in 2022					\$ 374,420			1.20
Recommended MINIMUM Target in 2018						\$ 414,933		
Recommended MINIMUM Target in 2022						\$ 420,930		

Note: Operating income adjusted to move interest expense out of operating expenses

- 1) Debt Coverage meets requirement
- 2) Cash is negative in 2018, 2019 and 2021 with current CIP
- 3) Operating loss grows

Detailed 2018 Financials (Storm Water)

With 4.9% rate adjustment

	Projected 2018
Total Revenues	\$ 374,338
Salaries	\$ 54,510
Prof Services	2,900
Insurance and Other	2,872
Depreciation	246,237
Supplies	615
Miscellaneous	2,549
Total Expenses	\$ 309,683
Operating Income (Loss)	\$ 64,655
LESS Interest (Expense)	(12,975)
Net Income	\$ 51,680

	Projected 2018
ADD Net Income	\$ 51,680
ADD Depreciation Expense	246,237
ADD Bond Proceeds	0
LESS Debt Principal	(75,000)
LESS Capital Plan	(325,000)
Net Change in Cash	\$ (102,083)
Beginning Cash Balance	\$ (21,784)
Ending Cash Balance	\$ (123,867)

Projection Summary–Option A

(Storm water)

With proposed adjustments

Fiscal Year	Projected Rate Adjustments	Dollar per REU	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Projected Capital Improvements	Debt Coverage Ratio
2018	4.9%	\$ 3.30	\$ 374,338	\$ 309,683	\$ 64,655	\$ (147,706)	\$ 325,000	3.53
2019	5.9%	\$ 3.50	396,424	315,629	80,795	(13,040)	111,000	3.87
2020	5.9%	\$ 3.71	419,813	319,245	100,568	163,715	88,000	3.99
2021	5.9%	\$ 3.92	444,582	325,281	119,300	106,937	349,000	4.40
2022	5.9%	\$ 4.16	470,812	332,309	138,503	242,400	183,000	4.81
Recommended Target in 2018					\$ 342,784			1.20
Recommended Target in 2022					\$ 374,420			1.20
Recommended MINIMUM Target in 2018						\$ 414,933		
Recommended MINIMUM Target in 2022						\$ 420,930		

Note: Operating income adjusted to move interest expense out of operating expenses

- 1) Debt Coverage meets requirement
- 2) Minimum cash turns positive in 2020 (need 9.4% in 2019 to be positive)
- 3) Operating income positive & moving toward target

Projection Summary–Option B

(Storm water)

With proposed adjustments

Fiscal Year	Projected Rate Adjustments	Dollar per REU	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Projected Capital Improvements	Debt Coverage Ratio
2018	4.9%	\$ 3.30	\$ 374,338	\$ 309,683	\$ 64,655	\$ (147,706)	\$ 325,000	3.53
2019	21.0%	\$ 4.00	452,949	315,629	137,320	43,485	111,000	4.53
2020	3.5%	\$ 4.14	468,802	319,245	149,557	269,751	88,000	4.56
2021	3.5%	\$ 4.28	485,210	325,281	159,929	254,874	349,000	4.89
2022	3.5%	\$ 4.43	502,192	332,309	169,883	423,492	183,000	5.21
Recommended Target in 2018					\$ 342,784			1.20
Recommended Target in 2022					\$ 374,420			1.20
Recommended MINIMUM Target in 2018						\$ 414,933		
Recommended MINIMUM Target in 2022						\$ 420,930		

Note: Operating income adjusted to move interest expense out of operating expenses

Option to move to \$4.00/REU, meeting minimum cash target in 5 years

Financial Target One

(Minimum Cash)

With no rate adjustments

Minimum Cash Reserve

	Projected 2018	Projected 2019	Projected 2020	Projected 2021	Projected 2022
Operation & Maintenance (<i>Less Depreciation Expense</i>)	\$ 63,446	\$ 65,032	\$ 66,658	\$ 68,324	\$ 70,032
Historical Rate Base	11,018,629	11,129,629	11,217,629	11,566,629	11,749,629
Current Portion of Debt Service	85,725	88,400	86,000	83,600	83,600
Five Year Capital Improvements - Net of bond proceeds	1,056,000	1,056,000	1,056,000	1,056,000	1,056,000

	Percent Allocated	Projected 2018	Projected 2019	Projected 2020	Projected 2021	Projected 2022
Operation & Maintenance (<i>Less Depreciation Expense</i>)	12.3%	\$ 7,822	\$ 8,018	\$ 8,218	\$ 8,424	\$ 8,634
Historical Rate Base	1.0%	110,186	111,296	112,176	115,666	117,496
Current Portion of Debt Service	100%	85,725	88,400	86,000	83,600	83,600
Five Year Capital Improvements - Net of bond proceeds	20%	211,200	211,200	211,200	211,200	211,200
Recommended Minimum Cash Reserves		\$ 414,933	\$ 418,914	\$ 417,594	\$ 418,890	\$ 420,930
Projected Cash Reserves		\$ (147,706)	\$ (35,126)	\$ 96,154	\$ (31,679)	\$ 6,027

Financial Target Two

(Target Operating Income)

With no rate adjustments

Target Operating Income

System Net Book Value	\$ 6,112,023	\$ 5,972,426	\$ 5,807,839	\$ 5,899,882	\$ 5,820,605
Outstanding Principal on Debt	395,000	320,000	240,000	160,000	80,000
System Equity	\$ 5,717,023	\$ 5,652,426	\$ 5,567,839	\$ 5,739,882	\$ 5,740,605

	Percent Allocated	Projected 2018	Projected 2019	Projected 2020	Projected 2021	Projected 2022
Interest Expense on Debt	2.5%	\$ 12,975	\$ 10,725	\$ 8,400	\$ 6,000	\$ 3,600
System Equity	5.8%	329,809	337,066	344,130	360,094	370,820
Target Operating Income		\$ 342,784	\$ 347,791	\$ 352,530	\$ 366,094	\$ 374,420
Projected Adjusted Operating Inco		\$ 64,655	\$ 58,709	\$ 55,093	\$ 49,056	\$ 42,028
Rate of Return in %		5.6%	5.8%	6.1%	6.2%	6.4%

Storm Water Recommendations

- ▶ Option-A Rate adjustment of 5.9% in 2019 to \$3.50
- ▶ Option-B Rate adjustment of 21% in 2019 to \$4.00

Residential Customer

Year	Current Charge \$/REU		Proposed Charge \$/REU		Monthly Bill Increase per REU		Annual Bill Increase per REU	
2018	\$	3.30	\$	3.30	\$	-	\$	-
2019	\$	3.30	\$	3.50	\$	0.20	\$	2.40
<i>2019 Option</i>	\$	3.30	\$	4.00	\$	0.70	\$	8.40



CITY OF BRAINERD **SEWER** COST OF SERVICE & RATE DESIGN



Assumptions (Sewer)

- 1) 2018 Bond issue of \$997,500:
 - \$350k Vactor truck
 - \$600k 6th Street City Sewer Reconstruction
- 2) CIP includes \$400k annually in 2019 to 2023
 - 20 year infrastructure replacement
- 3) Airport annual revenue of \$2,000 added in 2018 for sewer collection utility

Projection Summary (Sewer)

Without adjustments

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Capital Improvements	Bond Issues ^[1]	Debt Coverage Ratio
2018	0.0%	\$ 760,269	\$ 585,007	\$ 175,262	\$ 9,706	\$ 957,534	\$997,500	1.57
2019	0.0%	760,269	608,788	151,481	361,646	406,000	800,000	0.92
2020	0.0%	760,269	626,437	133,832	(178,196)	453,500	-	0.85
2021	0.0%	760,269	644,546	115,723	(125,183)	429,000	600,000	0.80
2022	0.0%	760,269	662,820	97,449	(731,866)	452,500	-	0.75
Recommended Target in 2018				\$ 407,843		1.20		
Recommended Target in 2022				\$ 570,437		1.20		
Recommended MINIMUM Target in 2018					\$ 796,778	Note: Debt Coverage Ratio Target set at 1.2 based on G.O. minimum of 1.0		
Recommended MINIMUM Target in 2022					\$ 908,406			

- 1) Debt Coverage below requirement
- 2) Cash is negative in 2020 through 2022
- 3) Operating income falling

Detailed 2018 Financials (Sewer)

Without rate adjustments

	Projected 2018
Revenue from rates	\$ 575,269
Baxter sales tax for AP project	185,000
Revenue from rates	\$ 760,269
Personal Services	\$ 194,513
Supplies	33,800
Services	39,244
Miscellaneous	1,916
Depreciation	315,534
Total Expenses	\$ 585,007
Operating Income (Loss)	\$ 175,262
Interest Expense (Bond Int. Exp)	(130,207)
Sales of asset	70,000
Net Income	\$ 115,055

	Projected 2018
Cash Flow	
Add Net Income	\$ 115,055
Add back Depreciation	315,534
Less Debt Principal	(226,200)
Add Bond Funds	997,500
LESS Capital Plan	(957,534)
Net Cash from Operations	\$ 244,354
Beginning Cash	\$(234,648)
Ending Cash	\$ 9,706

Projection Summary (Sewer)

Proposed Adjustments

Fiscal Year	Projected Rate Adjustments	Projected Revenues	Projected Expenses	Operating Income (Loss)	Projected Cash Balances	Capital Improvements	Bond Issues ^[1]	Debt Coverage Ratio
2018	20.0%	\$ 875,323	\$ 585,007	\$ 290,316	\$ 124,760	\$ 957,534	\$997,500	1.90
2019	20.0%	1,013,387	608,788	404,599	731,198	406,000	800,000	1.40
2020	10.0%	1,096,226	626,437	469,789	531,749	453,500	-	1.45
2021	10.0%	1,187,349	644,546	542,803	1,018,223	429,000	600,000	1.54
2022	10.0%	1,287,584	662,820	624,764	951,073	452,500	-	1.62
Recommended Target in 2018				\$ 407,843				1.20
Recommended Target in 2022				\$ 570,437				1.20
Recommended MINIMUM Target in 2018					\$ 796,778	Note: Debt Coverage Ratio Target set at 1.2 based on G.O. minimum of 1.0		
Recommended MINIMUM Target in 2022					\$ 908,406			

Average Impact of 20% Increase combined with BPU WWTP bill

Average Wastewater Bill for 3/4" Meter			
	Current	Proposed	Difference
BPU	30.90	31.47	
City	7.17	8.97	
Total	\$ 38.07	\$ 40.44	\$ 2.37
Average bill impact---->			6.2%

Cost of Service Summary

Sewer results from 2017 COS

- Sewer Collection costs are primarily fixed and don't vary on flows
- Infrastructure is designed to handle capacity
- COS moves current commodity cost recovery to a fixed monthly cost recovery based on meter size

Customer Meter Size	COS Readiness to Serve Charge	Number of Meters	Readiness to Serve COS Revenue	Projected 2017 Revenue	Variance to COS
3/4 meter	\$ 15.54	4,224	\$ 787,591	\$ 229,976	242%
1" meter	20.72	159	39,463	29,845	32%
1.5" meter	31.07	87	32,440	29,008	12%
2" meter	41.43	93	46,195	80,064	-42%
3" meter	62.15	20	14,729	29,904	-51%
4" meter	82.86	9	8,452	36,844	-77%
6" meter	124.29	3	4,475	17,422	-74%
Total			\$ 933,344	\$ 453,065	106%

Sewer Recommendations

- ▶ Overall 2018 & 2019 Rate Adjustment of 20.0%
 - Correct negative cash balance
 - Bond Covenant Requirements – Coverage Ratio
 - Repair/replacement of aging infrastructure
- ▶ Consider 2018 & 2019 Rate adjustments in following slides

Example 2018 Rate Adjustment +20%

Meter Size	Annual Usage	Number of Meters	Average Monthly Usage	Current Rates			Proposed Rates			Percent Change in Rates	Average Monthly Bill Increase
				Current Monthly Customer Charge	Current Usage Charge	2018 Revenue with no Adjustments	Proposed Monthly Customer Charge	Proposed Usage Charge	2018 Revenue with Adjustments		
3/4"	164,857	4,224	4	\$ 1.80	\$ 1.45	\$ 306,863	\$ 3.65	\$ 1.43	\$ 391,996	27.7%	\$ 1.80
1"	21,394	159	11	\$ 4.10	1.45	36,074	\$ 8.25	1.43	43,156	19.6%	\$ 4.00
1.5"	20,795	87	20	\$ 6.60	1.45	34,411	\$ 12.60	1.43	39,973	16.2%	\$ 5.73
2"	57,356	93	51	\$ 15.00	1.45	92,792	\$ 25.00	1.43	102,436	10.4%	\$ 9.30
3"	21,437	20	90	\$ 25.00	1.45	34,378	\$ 40.00	1.43	37,413	8.8%	\$ 13.77
4"	25,670	9	252	\$ 60.00	1.45	40,260	\$ 80.00	1.43	41,832	3.9%	\$ 16.58
6"	12,489	3	347	\$ 85.00	1.45	19,664	\$ 110.00	1.43	20,343	3.5%	\$ 20.28
Outside City											
2"	19	1	3	\$ 30.00	3.00	220	\$ 50.00	2.90	330	49.8%	\$ 19.68
4"	371	1	62	\$ 120.00	3.00	1,705	\$ 160.00	2.90	1,893	11.1%	\$ 33.82
Total				\$ 566,367			\$ 679,373			20.0%	

¾" Meter Rate Adjustment for 2018

<u>Wastewater Meter ¾"</u>	Current Rates	Proposed Rates	
Ready to Serve	\$ 1.80	\$ 3.65	
Commodity Rate	\$ 1.45	\$ 1.43	
Usage Level in 1000 Gallons	Current Revenue	Proposed Revenue	Dollar Impact
2	\$ 4.27	\$ 6.10	\$ 1.83
3	\$ 5.72	\$ 7.53	1.81
4	\$ 7.17	\$ 8.97	1.80
5	\$ 8.62	\$ 10.40	1.79
6	\$ 10.06	\$ 11.84	1.77

Note: 4,224 Meters in this ¾" class

Average Wastewater Bill for ¾" Meter			
	Current	Proposed	Difference
BPU	30.90	31.47	
City	7.17	8.97	
Total	\$ 38.07	\$ 40.44	\$ 2.37
Average bill impact---->			6.2%

Example 2019 Rate Adjustment +20%

Meter Size	Annual Usage	Number of Meters	Average Monthly Usage	Current Rates			Proposed Rates			Percent Change in Rates	Average Monthly Bill Increase
				Current Monthly Customer Charge	Current Usage Charge	2019 Revenue with no Adjustments	Proposed Monthly Customer Charge	Proposed Usage Charge	2019 Revenue with Adjustments		
3/4"	164,857	4,224	4	\$ 3.65	\$ 1.43	\$ 391,996	\$ 6.05	\$ 1.40	\$ 500,481	27.7%	\$ 2.29
1"	21,394	159	11	8.25	1.43	43,156	\$ 13.00	1.40	50,967	18.1%	\$ 4.41
1.5"	20,795	87	20	12.60	1.43	39,973	\$ 18.60	1.40	45,211	13.1%	\$ 5.39
2"	57,356	93	51	25.00	1.43	102,436	\$ 35.00	1.40	111,184	8.5%	\$ 8.44
3"	21,437	20	90	40.00	1.43	37,413	\$ 55.00	1.40	40,113	7.2%	\$ 12.25
4"	25,670	9	252	80.00	1.43	41,832	\$ 105.00	1.40	43,478	3.9%	\$ 17.35
6"	12,489	3	347	110.00	1.43	20,343	\$ 140.00	1.40	20,994	3.2%	\$ 19.45
Outside City											
2"	19	1	3	\$ 50.00	\$ 2.90	\$ 330.24	\$ 70.00	\$ 2.80	\$ 440.08	33.3%	\$ 19.68
4"	371	1	62	160.00	2.90	1,893	210.00	2.80	2,138	12.9%	\$ 43.82
Total				\$ 679,373			\$ 815,006			20.0%	

¾" Meter Rate Adjustment for 2019

<u>Wastewater Meter ¾"</u>	Current Rates	Proposed Rates	
Ready to Serve	\$ 3.65	\$ 6.05	
Commodity Rate	\$ 1.43	\$ 1.40	
Usage Level in 1000 Gallons	Current Revenue	Proposed Revenue	Dollar Impact
2	\$ 6.10	\$ 8.45	\$ 2.35
3	\$ 7.53	\$ 9.85	2.32
4	\$ 8.97	\$ 11.26	2.29
5	\$ 10.40	\$ 12.66	2.26
6	\$ 11.84	\$ 14.06	2.23

Note: 4,224 Meters in this ¾" class

Average Wastewater Bill for ¾" Meter				
	Current	Proposed	Difference	
BPU	31.47	31.47		
City	8.97	11.26		
Total	\$ 40.44	\$ 42.72	\$	2.29
Average bill impact---->				5.7%

Storm Water Recommendations

- ▶ Overall Rate Adjustment of 21.0% for 2019

Sewer Collection System

- ▶ Overall Rate Adjustment of 20% for 2018 & 2019

Dan Kasbohm

Rate Analyst

Utility Financial Solutions

Grand Haven, Michigan

P: 616-846-6464

E: dkasbohm@ufsweb.com

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

March 19, 2018
City Council Chambers
7:00 PM

1. Minnesota Department of Transportation (MnDOT) and Minnesota Public Transit Association (MPTA) 5-Year Capital and Operational Transit Plan
2. Transit Grant Opportunity – NJPA Innovation Funding
3. Transit Policy Updates
4. Tax Forfeit Non-Conservation Parcels
5. Administrative Citations Fees and Maximums



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

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

**RESOLUTION AUTHORIZING THE CREATION OF A BRAINERD AND CROW WING
COUNTY PUBLIC TRANSIT SYSTEM 5-YEAR CAPITAL AND OPERATIONAL PLAN FOR A
FEE OF \$0 FOR THE PERIOD OF JUNE 2018 TO SEPTEMBER 30, 2019**

WHEREAS, the Minnesota Department of Transportation completed a Greater Minnesota Transit Improvement Plan and identified the need to have local transit plans to guide transit systems; and

WHEREAS, the Minnesota Department of Transportation and the Minnesota Public Transit Association are coordinating and collaborating with each Greater Minnesota Transit agency to complete the Plan; and

WHEREAS, the Minnesota Department of Transportation is funding the consultant services to develop for thirty Greater Minnesota 5311 funded transit agencies; and

WHEREAS, the Brainerd and Crow Wing County Public Transit system is supporting the development of the plan for our system; and

WHEREAS, the five-year system plan will provide a vision and a road map for how to expand and improve transit service in our communities; and

WHEREAS, the Minnesota Department of Transportation, Minnesota Public Transit Association and Brainerd and Crow Wing County Public Transit acknowledge the significance of transit services for Greater Minnesota and the need to illustrate the value of transit to the community and regions; and

WHEREAS, the system plan will be a guide to illustrate the needs for the Brainerd and Crow Wing County Public Transit System and will be updated annually; and

WHEREAS, the completion of the thirty plans will assist in statewide transit capital and operational transit messaging, needs and associated funding gaps;

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

That the City of Brainerd supports the development of a Five-Year Capital and Operational plan at no cost to the agency other than resource support to review, comment and facilitate the development of the final plan.

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

That the President of the Council, Mayor and City Administrator are authorized to take all necessary administrative actions to implement this resolution.

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:

Title of Item:

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

Statewide/Regional Solutions

City & County Solutions

Planning & Zoning Services

P & Z Communities

Consultants

Family Child Care Licensing

Cooperative Purchasing

Emergency Services

Health & Safety

IT Support

Professional Development

Innovation Funding

Small Project Partnerships

Newsletter

Education Solutions

Risk Management

Minnesota's Region 5

Collaborative Service Workers

Early Childhood

Low Incidence

School Health & Safety

Student Recognition Banquet

Technology Solutions

R5 Summit

Innovation Funding



City & County Innovation Funding

Another resource NJPA is committed to providing is our *Innovation Funding*. 2018 will be the fifth annual Innovation Funding cycle. Innovation Funding is a project partnership opportunity for Region 5 cities and counties. NJPA will work alongside regional initiatives and financially support them to ensure successful regional impact. NJPA created Innovation Funding in 2014 to help public agencies in Cass, Crow Wing, Morrison, Todd, and Wadena Counties (Region 5) fund initiatives aimed at creating collaboration and improving the region. The program promotes outside-the-box teamwork on projects that might not otherwise get off the ground. This is an annual funding opportunity, with \$307,670 awarded for the first round in 2014, \$411,933 awarded for the second round in 2015, and \$420,235 awarded for the third round in 2016. In 2017, NJPA awarded \$464,600 for the fourth round.

If your agency is interested in submitting an application for 2018 Innovation Funding, please review the application materials below. **APPLICATIONS MUST MEET THE FOLLOWING MINIMUM REQUIREMENTS:**

- Must have a member city or county entity from Region 5 as a fiscal host and project manager.
- Must submit a resolution from the governing body of all cities or counties participating in a project.
- Must be complete and on time.
- Must be innovative. *Innovation is a changed process, approach, product, or service that is new to you or your organization and produces better results that are valued. Innovation is most powerful when it is adopted by others.*
- No multi-year requests.
- Project application has not been funded by Innovation Funding previously for two years.
- No mandated work can be included in application budget.
- Funding cannot be used to financially benefit for-profit individuals, organizations, or communities or for lobbying activities, religious activities, or discriminatory or illegal activities
- Equipment requests must include the following: Resolution of Commitment from the board of every sharing entity; liability and sharing plan (costs, repairs, maintenance, rental costs, etc.). Entities making purchases are encouraged to use NJPA's [Cooperative Purchasing/Contract Directory](#).
- Projects must align with City & County Solutions' Purpose:

NJPA's City & County Solutions aims to increase the quality of life of residents in Region 5 by building and promoting shared economies and professionals through changed processes, approaches, and services.

NJPA will pre-review all applications and remove any applications that do not meet the above minimum requirements. Applications that meet minimum requirements will be invited to the Innovation Funding Review Day and will be required to attend to provide a brief presentation about their project proposal.



[Public Purpose Checklist](#)



[Innovation Funding Application](#)

2018 Deadline is May 9th, 2018 at 11:00 am

2018 Innovation Funding Review Day is June 13th

2017 City & County Innovation Funding Results

1st - The Crow Wing County Sheriff's Office, Baxter Police Department, Brainerd Police Department, Brainerd Fire Department, and Crosslake Fire Department - \$80,000 - This request is to fund the purchase and implementation of an Unmanned Aerial System, or drone, to be shared within Region 5 and deployed in emergency situations to help save lives. Examples include missing persons, search/rescue/recovery operations on bodies of water, delivering a personal flotation device to a victim waiting to be rescued, determination of dangerous obstructions at a scene, hot spot detection at a fire scene, an aerial view of incidents such as a train derailment or structural collapse, and more. Funding would allow the purchase of equipment, as well as completion of training and federal regulatory requirements.

2nd - The Morrison County Sheriff's Office \$100,000 - The Morrison County Sheriff's Office will use its Innovation Funding to purchase a Mobile Command Trailer to be shared by the sheriff's departments in Cass, Crow Wing, Morrison, Todd, and Wadena counties. A Mobile Command Trailer (MCT) provides a portable emergency and disaster communications unit that can be deployed anywhere quickly, allowing for a controlled, effective response. Response personnel, along with dispatchers, are located at the site to increase the effectiveness and timeliness of sharing information. The MCT will also be used as a mobile learning station for citizen outreach and education.

3rd - The City of Little Falls \$85,000 - Little Falls plans to purchase a closed-circuit television system to be used for sewer inspections. The camera would be loaned out to other cities and counties to observe the condition of pipes and enable the prioritization of replacement. According to the application, the project is due to the shortfall in funding to replace aging infrastructure; and, if awarded, the city would purchase the equipment and keep a calendar so other agencies (cities and counties) could reserve the equipment for a one-to-two week period.

4th - The City of Eagle Bend \$90,000 - Hilltop Regional Kitchen will use its awarded funding to support the current construction of the facility, primarily adding on a new entrance, parking lot reconstruction, and other external necessities. The current facility, built in 1906 and purchased by seniors in 1970, is the hub for Meals on Wheels, Bundled Services, and congregate meals for Todd and Wadena counties. On average, the kitchen produces 5,000 meals per month to the communities of Long Prairie, Browerville, Clarissa, Eagle Bend, Bertha, Hewitt, Motley, Staples, Wadena, and Verndale. A new kitchen facility in Eagle Bend will ensure residents have the necessary nutrition and services they need to stay independent and in their homes. The facility will increase effectiveness of meal production, safer space for kitchen staff and volunteers, additional storage for ingredients, provide a dining area for congregate meals, and also provide space for the Senior Center to be relocated.

5th - The Regional Food Co-op Coalition \$49,600 - Led by the city of Crosslake, the Regional Food Co-op Coalition will use its funds to launch an educational campaign, emphasizing the value of food co-op membership/ownership and purchasing. Supported by six food cooperatives and communities from Region 5, the proposal allows for all regional food co-ops to work together on a campaign that relays the economic value of purchasing from local food retailers, who in turn purchase from local growers and providers - creating and retaining our regional wealth. The campaign will also focus on the personal benefits of purchasing healthy foods and further advise how neighbors and coworkers can help each other become food co-op members/owners.

6th - Wadena County Friendly Rider \$99,000 requested, recommended funding of \$45,400 - The Friendly Rider is recommended to receive partial funding for the installation of WiFi on eight of its transit buses, 12 school buses in four school districts within Wadena and Todd counties, as well as one to three buses for Tri-Cap Public Transit in Little Falls and Rainbow Rider in Long Prairie. According to its application, access to WiFi on public transit and school buses will allow residents and students to access their electronic documents, answer emails, search for a job, start homework assignments, and more during their commutes. Friendly Rider is working to create a partnership between Todd and Wadena counties, four school districts in Wadena County, and Central Lakes College, as all have identified the need to expand WiFi services for business, school, and personal purposes.

2016 City & County Innovation Funding Results

Wadena County Veterans \$50,000 - The Veteran Service Officers of the following counties: Cass, Crow Wing, Morrison, Todd, and Wadena, are requesting \$50,000. The request is to enhance veterans' projects and improve initiatives in our areas. Providing improved services, fiscal abilities, community appearance and overall well-being of areas within our counties. Requesting \$5,000 for Veteran Grave upkeep and head stone repair located in Cass County. Crow Wing County is requesting \$15,000 towards paying for a replacement van for our disabled veterans in the central Minnesota area. Requesting \$5,000 for the Randall Minnesota Veterans of Foreign Wars, Curtis-Olson Post #9073 project. Service organizations and veterans wish to move a Veterans Memorial from its current location by the Randall water tower where it is hidden and invisible to the community. Requesting \$10,000 for Todd County's Grand Army of the Republic or United States Civil War Grave Yards. The Veterans Grave stones and monuments in these grave yards are in need of repair and upkeep. Requesting \$15,000 for the Wadena Veterans Park Committee to build a Veteran's Park. The committee is in the process of building a Veterans Park for Wadena County and surrounding area Veterans.

City of Royalton Police Equip \$100,000 - City of Royalton proposed a Laser Shot simulator that would benefit 32 Region 5 law enforcement agencies. The purpose is to train, educate, and improve the skills and knowledge of

law enforcement officers that serve the approximately 162,000 people that live within Region 5. Without assistance, purchasing this system would not be possible due to funding not being available within the city nor are there currently any federal or state grants that would assist the Royalton Police Department to cover the cost of the training system. The law enforcement agencies within Region 5 are in need of this training system because, unlike other professions, it is very difficult to provide "real life" and "high risk" training scenarios for law enforcement. This is due to the fact that many of these situations are life-threatening for both the officers and the public. They requested funding of \$100,000.

Cass County Regional Marketing \$100,000 (tie for 3rd) - **Cass County** presented their project for region and city branding, termed Placebranding. The Cass County Economic Development Corporation would manage it. This would help the region highlight its assets, individual communities could maximize their impact, and build a culture of community collaboration. The overarching goals of the proposed project are to (1) attract potential workforce - primarily millennials; (2) attract businesses - either startups, or relocations; and (3) build a culture of collaboration among the municipalities of the region. The proposed project will result in a brand that will build a favorable internal and external image of the region and its small cities - one that builds social capital within the region, is owned by its communities, and which is attractive to those external to the region. The process of creating the regional brand will align individual entities around common themes and build a culture of collaboration. CCEDC is requesting \$100,000 in Innovation Funding for their Regional Marketing Plan.

Todd/Wadena Corrections \$70,235 (tie for 3rd) - **Todd and Wadena County Corrections** presented The Community Concern for Youth Program that is designed for early prevention, intervention and diversion of youth ages 10-17 (approximately), who are experiencing personal problems as well as problems with the law. The purpose of this program is to prevent youth from entering the court system, by working with the youth and their families to hold the youth accountable and provide opportunities for change. The Community Concern for Youth Program also provides education and assistance in helping youth resolve conflicts at home, school or in their personal lives. There is no other agency in the area that provides diversion services which keep youth from going to court and having a criminal record. On average, the Community Concern for Youth Program serves approximately 70 youth per year and requested funding for \$70,235.

Eagle Bend Kitchen \$100,000 - **City of Eagle Bend and Todd County Health & Human Services** presented the Hilltop Regional Kitchen project which cooks, serves, and delivers meals for Wheels, Bundled Services, and congregate dining meals for Todd and Wadena Counties. The kitchen is currently producing over 50,000 meals per year. While senior meal production has consistently increased, there is no availability for expansion within the current kitchen facility. As the senior population continues to grow, the need for a new kitchen facility will become increasingly necessary. A new kitchen facility in Eagle Bend will ensure that Todd and Wadena county residents have the necessary nutrition and services they need to stay independent and in their homes. The new, larger Hilltop Regional Kitchen will increase effectiveness of meal production, and in turn, increase the meal counts to produce greater profits to support the growing nutrition program. Additionally, the facility will provide space for regional classes, education opportunities and community events. They requested \$100,000 for the project, but would receive \$29,765 in partial funding from NJPA.

2015 City & County Projects:

Morrison County Food Hub – submitted by Morrison County Community Development **NJPA funding: \$100,000**

Region 5's Resilient Region Plan recommends strong support of local foods. Local farmers sell their produce to SPROUT MN who aggregates, packages, resells and delivers locally-grown commodities to five school districts, hospitals, community colleges, several restaurants, and over 100 CSAs (Community Supported Agriculture) in Region 5. There will also be a year round farmers market in the facility that allows growers to sell directly to consumers during the non-growing season. SPROUT also intends to partner with U of M Extension Food Educators, County Public Health professionals, and hospital nutritionists to teach the nutritional value of locally grown foods.

Dental Clinic – submitted by Morrison County **NJPA funding: \$100,000**

Apple Tree is a nonprofit community clinic and critical access provider founded to address the unmet dental needs of individuals in MN. Through the NJPA funding and a partnership with Morrison County, community organizations and Apple Tree Dental, dental access will be available to residents in Region 5 (especially those who use public insurance for dental care). Apple Tree will serve low-income children and families in rural areas, adults with disabilities, mental health patients, minorities, and elderly in communities in all Region 5 counties, as well as neighboring counties. Funding will cover staffing Apple Tree through a dental professional loan reimbursement program to recruit and retain dentists and related staff. "Dental care access for the low-income and disabled population on medical assistance is extremely limited, or they have to drive an hour for services, so by partnering with Apple Tree Dental, we are bringing this critical service closer to our residents," stated Brad Vold, Morrison County Social Services Director.

Drug Task Force Agent – submitted by Wadena County **NJPA funding: \$81,383**

A Wadena County Drug Task Force Agent's salary, training and promotional materials will be funded for one year. This project leverages the resources of other counties, each city in Wadena County, and Wadena County to provide a Drug and Violent Crime Task Force which has intensive training and specialty skills to more effectively combat major crime for over 13,000 residents. The position was also funded in 2014-2015 and proved to be successful. The agent worked on over 48 cases and was instrumental in eleven arrests in Wadena County in the first quarter of 2015 alone – that's more drug-related arrests than were made in the last three quarters of 2014 in

the Wadena area. It is expected that this will continue to result in an increased number of arrests and convictions in the arena of drug distribution and/or violent crimes. "We are very grateful for money received from NJPA through the Innovation Funding Program. It is making a huge difference in Wadena County and the surrounding area," reported Sheriff Carr.

Speed Sign Awareness – submitted by City of Pierz

NJPA funding: \$76,250

Twenty-five portable radar signs will be purchased to add to the five purchased last year through NJPA's Innovation Funding Program. Each Region 5 county will be allocated 6 signs for use. These signs decrease driver speeds in key areas and increase safety for children and pedestrians. Eric Hanneken, Pierz Police Chief, said, "Speed continues to be one of the major killers, contributing to numerous crashes involving serious injury. Studies show that compliance continues even after the radar speed sign has been moved..."

Aquatic Invasive Species Awareness – submitted by Crow Wing County, facilitated by Mississippi

Headwaters Board (a joint powers board of Aitkin, Beltrami, Cass, Clearwater, Crow Wing, Hubbard, Itasca, and Morrison Counties)

NJPA funding: \$54,300

Funding from NJPA will be used to create and implement a regional campaign aimed at recreational boaters and lake users to increase awareness of aquatic invasive species. AIS media awareness tools will be distributed through infomercials in PSAs in the following markets: Minneapolis, MN, Fargo, ND, Duluth, MN, and Sioux Falls, SD.

2014 City & County Projects:

City of Pierz – Speed Awareness Signage - The goal of this long term project named SPEED AWARENESS is to purchase 5 TC-400 portable radar signs to be implemented when needed throughout all communities of Region 5. The total funded for this project was \$16,124.99. The equipment is stored at city hall in Pierz or at a neutral location, allowing easy access to all Law Enforcement Agencies within our Region.

Todd County – Public Health Mental Health Initiative - The Morrison-Todd-Wadena Community Health Board has identified through its 2013-2014 Community Health Needs Assessment that mental illness is a significant community health issue and concern. To improve mental health and emotional well-being at the population level, effective mental health treatment is necessary but is not sufficient. Similarly public health approaches alone are also not enough. Regional partnerships are needed to address the root causes to maximize impact and improve health outcomes and mental well-being for all residents. This proposal will include three strategies to address mental health awareness, prevention, and available treatment. The first strategy will develop a promotional campaign to increase awareness of the mental health services already available in Region Five and provide information on the early signs and symptoms of mental health concerns. The second strategy will provide training on early childhood mental health research and evidence-based practices to providers and community stakeholders in Region Five, specifically focusing on childhood protective factors and adverse childhood experiences. The third strategy will identify current chronic disease prevention programs and referrals that incorporate components of mental wellness. The total funded was \$68,000 for salaries, promotional materials, meetings, and trainings.

Wadena County – Drug Task Force Agent - This project is intended to cooperatively address the need for additional specialty law enforcement capabilities for the residents of 5 cities and Wadena County. This project leverages the resources of other counties, each city in Wadena County, and Wadena County to provide a Drug and Violent Crime Task Force which has intensive training and specialty skills to more effectively combat major crime for over 13,000 residents. Once funding is received, the identified Agent would be formally assigned to the Task Force. Approximately 6 months of training prior to the Agent being actively deployed in the field. Expect to hire one additional law enforcement officer. Potential Agent has already been identified. Having an Agent from Wadena County participating on the Task Force gives the County direct access to all of the skills and resources of the Task Force. We expect that this will result in an increased number of arrests and convictions in the arena of drug distribution and/or violent crimes. Total Funded: \$72,544.88 for salaries and promotional materials.

Morrison County – Food Hub - The Region developed the Resilient Region Plan (*HUD/DOTIEPA Sustainable Communities planning 2011 grantee*) which recommends strong support of local foods. Morrison County and Community Development, along with SPROUT MN, an existing food hub network of 40+ low-income growers (Including Amish, Latino & Tribal), have partnered together to develop a food processing facility and Marketplace in Little Falls, Minnesota as part of the regional local food hub. The food processing facility allows for growers to transform their fresh commodities to a processed (frozen, dried, canned, baked) product that expands the seasonal markets. The Resilient Region plan and this proposal serve the same 5 counties as NJPA: Cass, Crow Wing, Morrison, Todd and Wadena. The population of the region is 162,000 and this project has the potential to impact every single household. SPROUT MN, managed by Arlene Jones, aggregates/delivers locally-grown commodities to 5-school districts/hospitals/community college/ several restaurants and over 100 CSA's (many-of-which-are prescribed-by-Local-physicians-through-a-hunger-Prevention-program). SPROUT MN will manage the food hub and Marketplace, which will serve organizations and farmers in the counties of Morrison, Todd, Crow Wing, Cass and Wadena counties. Local farmers will be able to sell their produce to SPROUT MN who will aggregate, package and resell those commodities to institutional customers through the area. There will also be a year round farmers market in the facility that allows growers to sell directly to consumers during the non-growing season. By increasing grower incomes through value-added markets, we add value to our agricultural industry which is the largest industry cluster in central Minnesota. The strategy stabilizes incomes which in turn stabilizes local tax base and enrollment of our children to our schools. In addition to the food processing facility and the indoor Marketplace, SPROUT intends to partner with U of M Extension Food Educators, County Public Health professionals, and hospital nutritionists to teach the nutritional value of locally grown foods and will

additionally partner with local prime chefs to give cooking demonstrations of underutilized fresh commodities, such as a rutabaga, at the Little Falls Marketplace facility. Total Funded: **\$100,000** for the building costs for the marketplace.

City of Long Prairie – Jacob Bower Trail - We see new trails being built all around Minnesota. Sherburne County, Benton County, and Stearns County all have advanced trail systems being connected. One of Stearns County greatest trail you can hike from St. Joseph to Fergus Falls on the Lake Wobegon Trail it's over 103 miles long. This is just one of many trails that have been constructed in Central Minnesota. Our group, we have the City of Long Prairie, City of Swanville, City of Grey Eagle, City of Browerville, and City of Clarissa, City of Eagle Bend, City of Bertha, City of Hewitt, City of Wadena, Wadena County, and Todd County that would like to connect our trail the Jacob Brower Trail to the Lake Wobegon Trail on the south end and on the North end to Wadena. The trail will be approximately 57 miles long and will run along the railroad right -of-way and/or TH 71. Total Funded: **\$51,000** for a feasibility study for the trail.

Paul Sandy

From: Kevin Corkery <Kevin.Corkery@routematch.com>
Sent: Wednesday, February 28, 2018 11:13 AM
To: Andy Stone
Cc: Paul Sandy
Subject: Pricing Options

Hi Andy,
Thanks for the call today. Below is the pricing breakdown for the two rider engagement technology modules. I have provided both the capital vs the pay-as-you-go options. I have updated the quantities to reflect 11 vehicles. Please let me know if you have any questions.
Thanks,
Kevin

Payment Type	Mobile App & Web Portal	Notifications	App, Web Portal & Notification
Capital	\$25,750 - Software \$6,160 - Services \$5,160 - Support \$37,060 - Total Year 2: \$5,418 Year 3: \$5,689	\$16,500 - Software \$6,160 - Services \$1,500 - IVR Fees \$3,300 - Support \$26,580 - Total Year 2: \$3,465 Year 3: \$3,638	N/A
Pay As You Go	\$99 month/vehicle Year 1: \$13,068 Year 2: \$13,068 Year 3: \$13,068	\$79 month/vehicle Year 1: \$10,428 Year 2: \$10,428 Year 3: \$10,428	\$158 month/vehicle Year 1: \$20,856 Year 2: \$20,856 Year 3: \$20,856

Kevin Corkery
Regional Sales Consultant
C: 404.772.5860
kevin.corkery@routematch.com

User Conference
Connecting with Purpose

Register Today! →

March 26–29, 2018 | Atlanta, GA

Routematch |    

RESOLUTION
NO. _____

**RESOLUTION FOR CITY OF BRAINERD TO BE LEAD AND FISCAL AGENT FOR
NATIONAL JOINT POWERS ALLIANCE (NJPA) INNOVATION GRANT REQUEST**

WHEREAS, the City of Brainerd and Brainerd and Crow Wing County Public Transit embrace technology and access to technology; and,

WHEREAS, the City of Brainerd plans to submit a grant request for Innovation Funding for up to \$100,000 through NJPA for RouteMatch's Mobility Application and Notifications as Brainerd and Crow Wing County's next innovation opportunity; and,

WHEREAS, the enhanced connectivity between the transit dispatch center and the transit system riders will allow for numerous advantages and efficiencies including estimated time of arrival, reduced dispatch calls, trip requests made through the application, and providing trip histories and booking confirmations to the passengers; and,

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

That the City of Brainerd authorizes Anders Stone, Transit Coordinator, to lead the grant submittal and project in collaboration with engineering staff; and,

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

That the City of Brainerd agrees to be the fiscal agent for this project.

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:

Title of Item:

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

Paul Sandy

From: Andy Stone
Sent: Tuesday, March 6, 2018 3:26 PM
To: Paul Sandy
Subject: policy updates

Here are the 2 policy updates from my TAC minutes (Service hours and Dispatch hours):

Action: Motion by Koep second by Lambert to have policy 2.1.1 reflect current service hours passed (note for visually impaired: @ captures insert and * captures deletion).

2.1.1 Service Availability: Passenger pick-ups will occur between the hours of 8:00 a.m. and 4:30 p.m. There will be limited service for passenger pickups **@from 6:00 to 8:00 am and 4:30 to 6:00 pm.@** ~~*as early as 7:00 a.m. for prearranged and subscription service.*~~ There shall be no service on Saturdays, Sundays, New Year's Day, Memorial Day, July 4th, Labor Day, Thanksgiving Day, Thanksgiving Friday and Christmas Day.

Action: Motion by Koep second by Lambert to have policy 2.2.3 reflect current dispatch hours passed (note for visually impaired: @ captures insert and * captures deletion).

2.2.3 Dispatch Hours: All trip reservations and changes must be placed with the dispatcher who will take reservation calls between the hours of ~~*7:00 a.m. and 4:30 p.m.*~~ **@6:30 a.m. and 5:30 p.m.@**, Monday through Friday. No appointments will be taken on Saturdays, Sundays or Holidays.

I will get to the grants shortly

Andy Stone

Transit Coordinator
City of Brainerd
501 Laurel St | Brainerd, MN 56401-3595
Phone: 218.454.3413 | www.ci.brainerd.mn.us/transit

If you wish to receive special alerts from the Transit Department, simply sign up at this link <http://www.ci.brainerd.mn.us/list.aspx> for push notifications to your cell phone via text message or email! Thanks for choosing Public Transit!



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



March 1, 2018

Ms. Cassandra Torstenson, Clerk
City Of Brainerd
501 Laurel St
Brainerd, MN 56401

RECEIVED

MAR 05 2018

CITY OF BRAINERD
ADMINISTRATION

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

Dear Ms. Torstenson:

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

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

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

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

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

Maps have been enclosed to aid in your review.

If you have any questions concerning this process, please advise.

Sincerely,

Heather Becker
Assessment Specialist

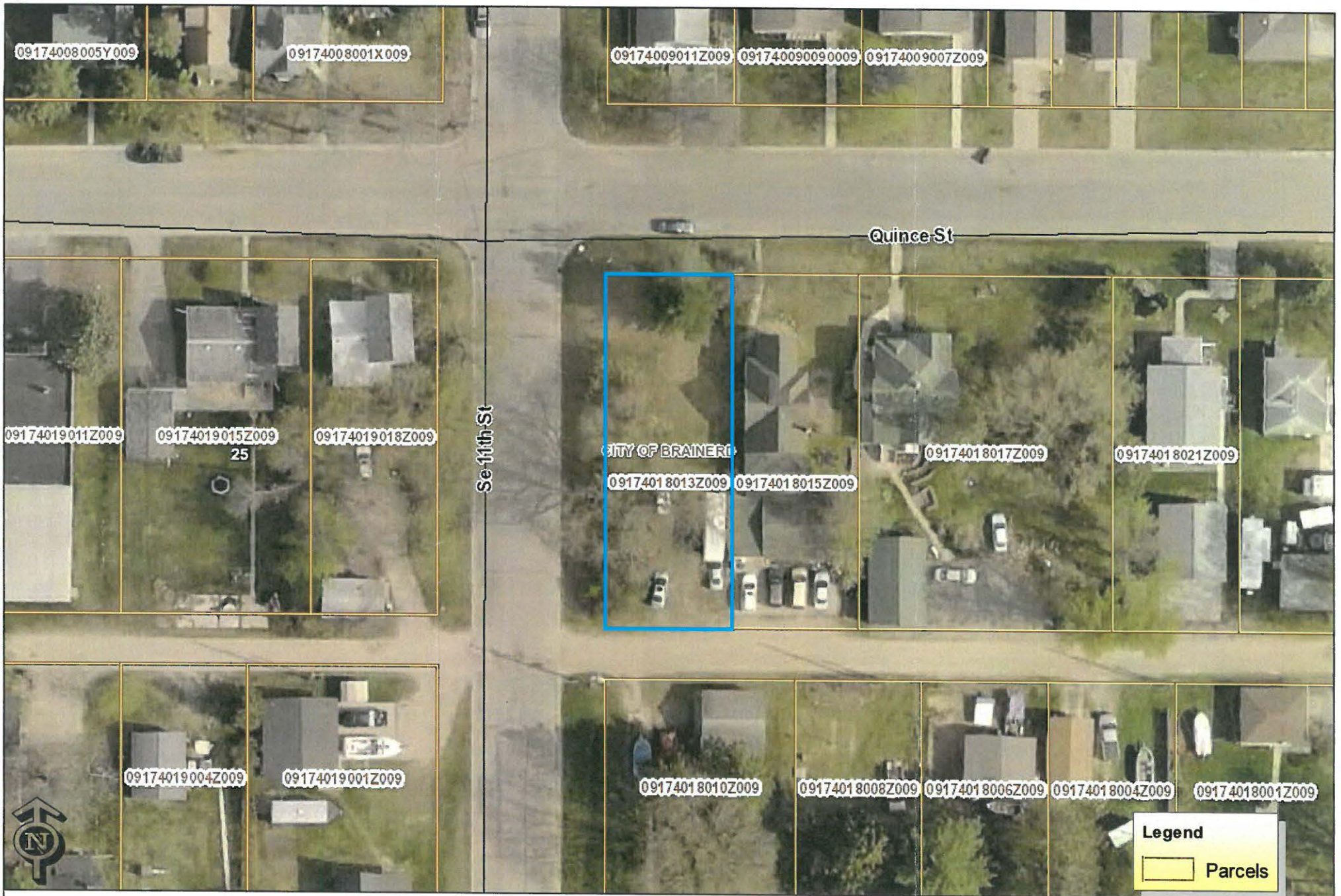
Enc.

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

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

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

Tract #	Description	Lot(s)	Block	Approx. Lot Size	Re Code(s):	Notes	Appraised Land Value	Remarks	Specials	Judge-ment Year	Forfeited	Zoning
City of Brainerd Township 45, Ranges 30 & 31												
	Second Addition to Brainerd	13 & 14	18	0.16 Acre	09174018013Z009	has specials		neighbor using lot for parking vehicles, swingset, table/chairs		2013	9/19/2017	R-1
	St. Paul Addition to the City of Brainerd	4 & N 1/2 of Lot 5	16	0.22 Acre	09188016004Z009				\$0.00	2013	9/19/2017	R-1



09174018013Z009

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.



Date: 3/2/2018

Time: 9:06:07 AM



Legend

 **Parcels**

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.

09188016004Z009



Date: 3/2/2018

Time: 9:06:43 AM

<u>PID</u>	<u>ADDRESS</u>	<u>ASSESSMENT TYPE</u>	<u>YEAR</u>	<u>PRINCIPAL</u>	<u>INTEREST</u>	<u>TOTAL OWED</u>	<u>NOTES</u>	<u>RECORDED DOC #</u>	<u>DATE RECORDED</u>
09188016004Z009	1112 14TH AVE NE	IMP 89-2	1993	102.00	65.28	THESE ARE DEFERRED ASSESSMENTS		443989	11/20/92
			1994	102.00	65.28			456966	09/27/93
			1995	102.00	65.28			473915	10/21/94
			1996	102.00	65.28			485648	09/07/95
			1997	102.00	65.28			505039	11/26/96
			1998	102.00	65.28			520075	11/18/97
			1999	102.00	65.28			0540206	12/07/98
			2000	102.00	65.28			0559469	11/24/99
		IMP 92-1	1993	161.25	135.45	THESE ARE DEFERRED ASSESSMENTS		443989	11/20/92
			1994	161.25	112.88			456966	09/27/93
			1995	161.25	112.88			473915	10/21/94
			1996	161.25	112.88			485648	09/07/95
			1997	161.25	112.88			505039	11/26/96
			1998	161.25	112.88			520075	11/18/97
			1999	161.25	112.88			0540206	12/07/98
			2000	161.25	112.88			0559469	11/24/99
			2001	161.25	112.88			0580381	01/25/01
			2002	161.25	112.88			0596671	10/29/01
						\$ 4,102.11			
09174018013Z009	1104 QUINCE ST	IMP 12-03	2013	110.00	46.62	NO PAYMENTS RECEIVED			
			2014	110.00	34.65				
			2015	110.00	30.80				
			2016	110.00	26.95				
			2017	110.00	23.10				
			2018	110.00	19.25				
			2019	110.00					
			2020	110.00					
			2021	110.00					
			2022	110.00					
						\$ 1,281.37			



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



This citation charges you with one or more violations of the
Property Maintenance Code, Ordinance No. 1338.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE

Administrative Citation

Department of Building Safety – 218/828-2309

«CASENUMBER»

Date of Violation: «ACTION_DATE»

Parcel ID: «PIN»

Violator(s): «PO_NAME»
«PO_STRNO» «PO_STREET»
«PO_CITY», «PO_STATE» «PO_ZIP»

Location/Address of Violation: «GEO_STREETNO» «GEO_STREET»

VIOLATION

Section	Subdivision, Chapter or Article	Complaint	Fine
«ORDINANCE_NUMBER1»	«VIOLATION1»	«COMPLAINT»	\$100.00

If the owner fails to correct the nuisance within the timeframe stipulated in the first notice, the City of Brainerd shall cause such action to correct such nuisance by means of, but not limited to, cutting grass or collecting garbage or junk. The expense thereof shall be billed to the property owner and shall constitute a lien upon such realty. An Administrative Citation is separate and in no way defrays the expense of correcting the nuisance.

Citation Amount Due: \$100.00

Payment Due By: «ACTION_DUE_DATE»

Payment may be presented in person or by way of First Class Mail in the form of cash, check or money order, **payable to: City of Brainerd, submitted to the Department of Building Safety, City Hall - 501 Laurel Street; Brainerd, MN 56401.** Failure to pay the fine will result in it being assessed against the property as provided in Minnesota Statute 429. Unpaid fines, including an administrative charge of \$25.00 plus interest of the total balance, will be assessed against the property of the owner charged with the violation. For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so. An additional citation will be issued if the violation is not corrected by the re-inspection date.

When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed. If you request a hearing and the citation stands, you will be responsible for the hearing costs and fines as determined by the hearing officer as well as correction of the violation. If the citation is contested and a hearing is scheduled, a notice will be mailed to you with the date/time/location of the hearing. If you cannot attend on the scheduled date or wish to request the Hearing Officer be removed from the case, you must do so no later than 15 days prior to the date of the hearing. A new hearing date will be set and another notification will be sent to the party contesting the citation.

Representative: Tim Caughey, City Building Official

Date: _____

Representative's Signature: _____

(served via first class mail)

02/03/2017

COPY



ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

The City of Brainerd has embarked on a program of concentrated code enforcement. The program is a positive effort to improve property values and quality of life in our neighborhoods. It has been noted that a City Code violation has occurred on the property located at:

[Faint, illegible text, likely the address]

Violation: Disposition of Motor Vehicles
Ordinance: 2011
Description: 2011.03 Storing, parking or leaving dismantled or other such motor vehicles declared nuisance exceptions. The presence of an abandoned, wrecked, **dismantled, inoperative, unlicensed, junked**, or partially dismantled motor vehicle or a motor vehicle lacking vital component parts or parts of a motor vehicle on private or public property is a public nuisance.

Corrective action is required; 14 days are allowed from the date of this letter.

To review City Codes on the web, go to www.ci.brainerd.mn.us Administration/Documents/City Codes.

Action must be taken on or before 02/17/2017

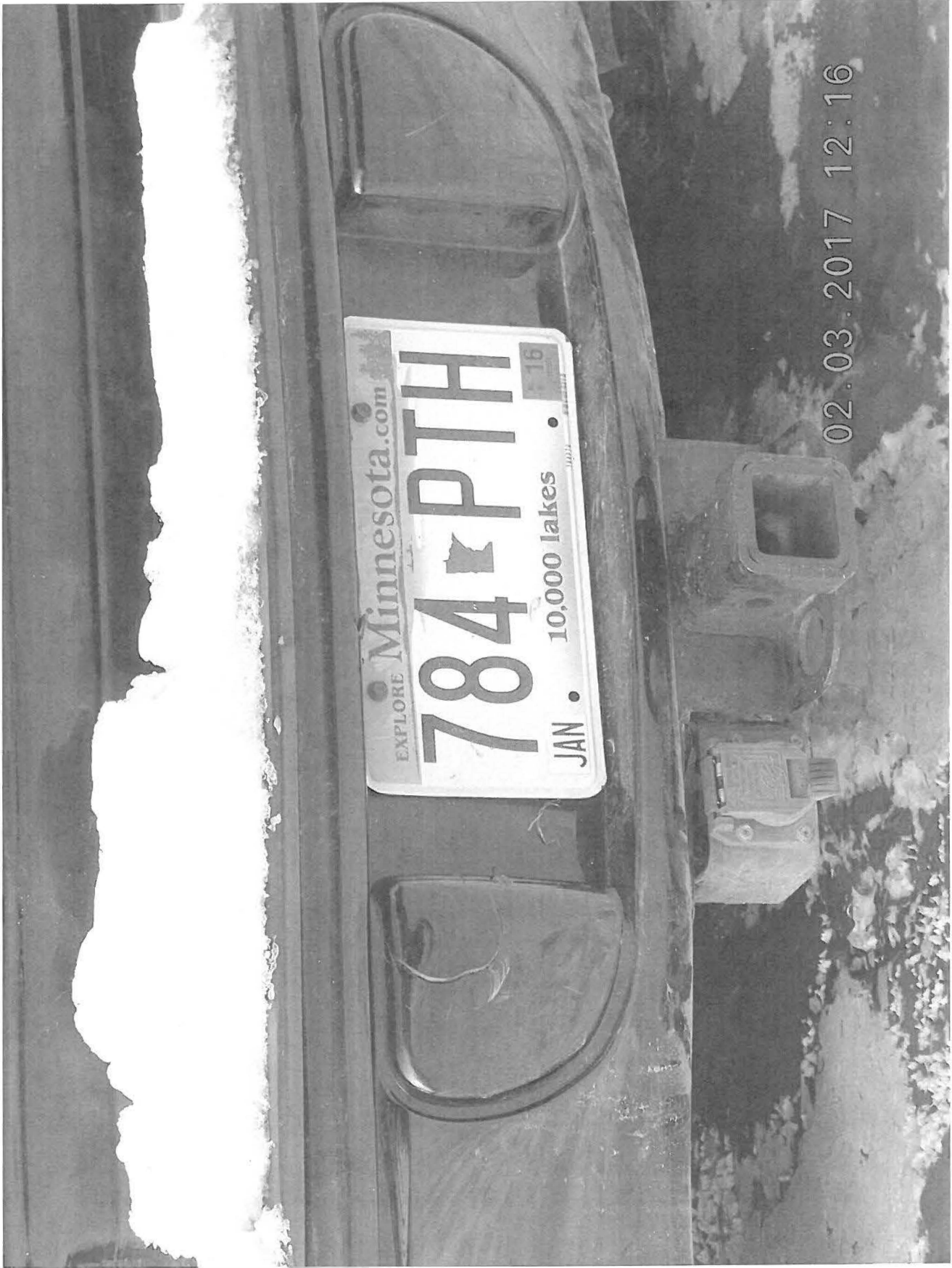
Failure to make the corrections can result in a citation with a fine of \$100. Per above-mentioned code section, failure to comply with this ordinance will result in a citation and corrective action by the City to abate the nuisance at the expense of the owner.

If you are unable to make the corrections in the required time or believe this violation is in error, you will need to call this office to make other arrangements. Office hours are 7:30 to 4:30, Monday through Friday. Please contact Jason at 218/454-3416 if you have questions.

Respectfully,

By Order of:

THE CITY OF BRAINERD



08/30/2017

COPY



ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

The City of Brainerd has embarked on a program of concentrated code enforcement. The program is a positive effort to improve property values and quality of life in our neighborhoods. It has been noted that a City Code violation has occurred on the property located at:

Violation: Nuisances/Junk/Blight
Ordinance: 2010
Description: 2010.09 Junk. No person, firm, or corporation of any kind shall permit the accumulation of junk that includes but is not limited to any of the following: waste material, trash, rubbish, refuse, or litter of any kind upon any land or inside or under any building or structure which may provide harborage or breeding places for mosquitoes, vermin, or rats.

No person, firm, or corporation of any kind shall permit on a property the accumulation of: batteries; paper; lumber or salvaged wood; boxes or containers; bottles; cans; discarded chemicals; bricks; stones; old or scrap copper, brass, iron, steel, or other metals; old and/or **inoperable appliances**; tanks; barrels; cages; clothing; pallets; wire/cable; dismantled, abandoned or inoperable vehicles, farm equipment, construction equipment, campers, recreation vehicles, boats, or parts thereof; rope; rags; glass; rubber; construction debris; plumbing fixtures; furniture; brush piles; cut down trees and branches; pulled stumps; leaf piles not in a composting container; or other similar objects and materials which may provide harborage or breeding places for mosquitoes, vermin, or rats. Useful items such as firewood and building materials may be stored in compliance with Section 24 of the Zoning Ordinance provided they are stored in a manner that will not create any danger or threat to public health.

Corrective action is required; 14 days are allowed from the date of this letter.

To review City Codes on the web, go to [www.ci.brainerd.mn.us/Administration/Documents/City Codes](http://www.ci.brainerd.mn.us/Administration/Documents/City%20Codes).

Action must be taken on or before 09/13/2017

Failure to make the corrections can result in a citation with a fine of \$100. Per above-mentioned code section, failure to comply with this ordinance will result in a citation and corrective action by the City to abate the nuisance at the expense of the owner.

If you are unable to make the corrections in the required time or believe this violation is in error, you will need to call this office to make other arrangements. Office hours are 7:30 to 4:30, Monday through Friday. Please contact Jason at 218/454-3416 if you have questions.

Respectfully,

By Order of:

THE CITY OF BRAINERD



04/03/2017

COPY

FROM: BETH KUNSTIGER
TO: PROPERTY OWNER
DATE: 04/03/2017

ORDER TO CORRECT ADMINISTRATIVE VIOLATION

Dear Property Owner(s),

The City of Brainerd has embarked on a program of concentrated code enforcement. The program is a positive effort to improve property values and quality of life in our neighborhoods. It has been noted that a City Code violation has occurred on the property located at:

PROPERTY ADDRESS: 1000 1ST AVE N
CITY: BRAINERD, MN 56601

Violation: Damaged Roof
Ordinance: 450.31
Description: The roof and flashing shall be sound, tight and not have defects that admit rain. Roof drainage shall be adequate to prevent dampness or deterioration in the walls or interior portion of the structure. Roof drains, gutters and downspouts shall be maintained in good repair and free from obstructions. Roof water shall not be discharged in a manner that creates a public nuisance.

Corrective action is required; thirty (30) days are allowed from the date of this letter.

To review City Codes on the web, go to [www.ci.brainerd.mn.us/Administration/Documents/City Codes](http://www.ci.brainerd.mn.us/Administration/Documents/City%20Codes).

Action must be taken on or before 05/03/2017

Failure to make the corrections can result in a citation with a fine of \$100. Per above-mentioned code section, failure to comply with this ordinance will result in a citation and corrective action by the City to abate the nuisance at the expense of the owner.

If you are unable to make the corrections in the required time or believe this violation is in error, you will need to call this office to make other arrangements. Office hours are 7:30 to 4:30, Monday through Friday. Please contact Jason at 218/454-3416 if you have questions.

Respectfully,

By Order of:

THE CITY OF BRAINERD





This citation charges you with one or more violations of the
Property Maintenance Code, Ordinance No. 1338.

THIS IS THE ONLY NOTICE YOU WILL RECEIVE.

Administrative Citation

Department of Building Safety – 218/828-2309

PM2017-00008

Date of Violation: 07/21/2017

Parcel ID: 0919805501xxxxx

Violator(s):

JOHN & JANE DOE
1234 E. MAIN ST.
BRAINERD, MN 56401
BRAINERD, MN 56401

VIOLATION

Section	Subdivision, Chapter or Article	Complaint	Fine
450.31	Damaged Roof	Property Maintenance Violation	\$100.00

If the owner fails to correct the nuisance within the timeframe stipulated in the first notice, the City of Brainerd shall cause such action to correct such nuisance by means of, but not limited to, cutting grass or collecting garbage or junk. The expense thereof shall be billed to the property owner and shall constitute a lien upon such realty. An Administrative Citation is separate and in no way defrays the expense of correcting the nuisance.

Citation Amount Due: \$100.00

Payment Due By: 08/20/2017

Payment may be presented in person or by way of First Class Mail in the form of cash, check or money order, payable to: City of Brainerd, submitted to the Department of Building Safety, City Hall - 501 Laurel Street; Brainerd, MN 56401. Failure to pay the fine will result in it being assessed against the property as provided in Minnesota Statute 429. Unpaid fines, including an administrative charge of \$25.00 plus interest of the total balance, will be assessed against the property of the owner charged with the violation. For uncorrected or continued violations, the City may correct the violation and assess the charges for doing so. An additional citation will be issued if the violation is not corrected by the re-inspection date.

When a citation is issued, you must correct the violation and pay the fine. If you decide to contest the violation, you may request a hearing, responding within 10 days from the date of the citation issuance. The purpose of a hearing is to determine whether or not a violation(s) of the city code existed. If you request a hearing and the citation stands, you will be responsible for the hearing costs and fines as determined by the hearing officer as well as correction of the violation. If the citation is contested and a hearing is scheduled, a notice will be mailed to you with the date/time/location of the hearing. If you cannot attend on the scheduled date or wish to request the Hearing Officer be removed from the case, you must do so no later than 15 days prior to the date of the hearing. A new hearing date will be set and another notification will be sent to the party contesting the citation.

Representative: Tim Caughey, City Building Official

Date: 7-21-17

Representative's Signature:

Sam McDaniel
C/O Tim Caughey

(served via first class mail)

Section 320 – Administrative Citations

Section 320.01 Purpose. The City Council determines that there is a need for alternative methods of enforcing the City Codes. While criminal fines and penalties have been the most frequent enforcement mechanism, there are certain negative consequences for both the City and the accused. The delay inherent in that system does not ensure prompt resolution. Citizens resent being labeled as criminals for violations of administrative regulations. The higher burden of proof and the potential of incarceration do not appear appropriate for most administrative violations. The criminal process does not always regard City Code violations as being important. Accordingly, the City Council finds the use of administrative citations and the imposition of civil penalties is a legitimate and necessary alternative method of enforcement. This method of enforcement is in addition to any other legal remedy that may be pursued for City Code violations.

Section 320.03 Alternative Methods of Enforcement. This administrative enforcement procedure seeks to gain compliance with certain provisions of the City Code prior to any formal criminal or civil court action. The administrative hearing process provided for in this Section shall be in addition to any other legal or equitable remedy available to the City for City code violations, except that if a determination is made by the hearing officer pursuant to the hearing process detailed in Section 320.19 that a violation did not occur, the City may not then proceed with criminal prosecution of the same act or conduct.

Section 320.05 Authority to Issue Order to Correct Letters and Administrative Citations. The following City employees and agents are authorized to issue compliance letters and administrative citations for violations of the City Codes:

- 1) Licensed peace officers, the Crime Prevention Specialist, and Community Service Officers of the Brainerd Police Department;
- 2) City Building Official;
- 3) Building Inspectors;
- 4) Housing Inspector;
- 5) Animal Control Officer;
- 6) City Engineer;
- 7) City Planner;
- 8) Fire Chief, or Fire Inspector of the Brainerd Fire Department

Section 320.07 Administrative Offenses; Schedules of Fines and Fees.

Subd. 1 A violation of any provision of the City Code is an administrative offense which may be subject to an administrative citation and civil penalties pursuant to this ordinance. Each day a violation exists constitutes a separate offense.

Subd. 2 An administrative offense may be subject to a civil penalty not exceeding \$2,000.

Subd. 3 The City Council shall adopt by resolution a schedule of recommended fines for offenses initiated by administrative citation. The City Council is not bound by that schedule when a matter is appealed for administrative review.

Subd. 4 The City Council may adopt a schedule of fees to be paid to administrative hearing officers.

Subd. 5 The City Council shall adopt written procedures for administering the administrative citation program.

Section 320.09 Order to Correct; Administrative Citations. Upon the reasonable belief that an administrative offense has occurred, the City officials listed in Section 320.05 shall serve on the violator an order to correct the violation. If compliance is not achieved within the timeline prescribed in the order to correct the violation, the official is authorized to issue an administrative citation. An administrative citation shall be presented in person or by first class mail to the person responsible for the violation. Service shall be deemed complete upon depositing the citation in the U.S. Mail, properly addressed to last known address of the person to be served and postage prepaid. The citation shall state the following: date, time and nature of the offense, citing the relevant portion of the City Code that was allegedly violated, the amount of the scheduled civil fine, and the manner for paying the fine, a statement that the City Code violation and the amount of the administrative civil penalty may be contested to be heard before an independent hearing officer by notifying the City Administrator or designated representative in writing within 10 days of the date of the citation, and a statement that failure to pay the administrative civil penalty may result in it being assessed against the property as provided in Minnesota Statutes Chapter 429.

Section 320.11 Exceptions to Issuance of Order to Correct Letter. For violations of the following sections, the City shall not be required to issue a compliance letter and may proceed directly to the issuance of an administrative citation as provided in Section 320.09.

- 1) Repeat Offender. If the same owner commits a subsequent violation within 12 months after a compliance letter has been issued for the same or similar offense.
- 2) License Violations. For any license violations, including not having a license.
- 3) Traffic or Parking Violations. For traffic or parking violations issued under Sections 1300, 1305, 1310 and 1315 including obstruction of fire hydrants or fire lanes.
- 4) Animal Violations. For any violations of City Code Section 900.03 (Running at Large) or City Code 900.21 (Dangerous Dogs).
- 5) Noise Violations. For any violation of City Code Section 2014 (Noise Related Issues).

Section 320.13 Reasonable Extensions. Following service of the compliance letter, the City shall attempt to work with the owner to resolve the violation, including but not limited to responding to reasonable extensions for compliance.

Section 320.15 Payment of Penalty and Correction of Violation. If the owner pays the administrative civil penalty and corrects the City Code violation, no further action will be taken against the owner or the owner's real property for that same violation. If payment is made but correction is not accomplished, a subsequent administrative citation may be issued, criminal proceedings may be initiated, or any other proceedings or remedies available in order to enforce correction of the violation. If no payment is made and no correction of the violation is made, the City may assess the administrative civil penalty against the property owner pursuant to Minnesota Statutes Chapter 429, issue a subsequent administrative citation and commence a new administrative process, initiate criminal proceedings, or initiate other enforcement action authorized by law, or a combination hereof.

Section 320.17 Request for Hearing. An owner or occupant may contest the administrative citation and the amount of the fine by requesting a hearing, in writing, within 10 days of the date of the citation, to the City Administrator or designated representative.

Section 320.19 Administrative Hearing Procedures.

Subd 1. Hearing Officers. The City Council will periodically approve a list of lawyers, from which the City Administrator will select a Hearing Officer to hear and determine a matter for which the hearing is requested. The person who has requested the hearing has the right to request, no later than 15 days before the date of the hearing, that the assigned Hearing Officer be removed from the case. One such request for each case will be granted by the City Administrator. A subsequent request must be directed to the assigned Hearing Officer who will decide whether the Hearing Officer can fairly and objectively review the case. If such a finding is made, the Hearing Officer shall remove himself or herself from the case, and the City Administrator shall assign another Hearing Officer. The Hearing Officer is not a judicial officer, but is a public officer as defined by Minnesota Statutes, Section 609.415. The Hearing Officer shall not be a current or former employee of the City of Brainerd.

Subd 2. Notice of Hearing. Notice of the hearing must be served in person or by first class mail to the person responsible for the violation no less than 20 days in advance of the scheduled hearing, unless a shorter time is accepted by both parties. Service shall be deemed complete upon depositing the Notice of Hearing in the U.S. Mail, properly addressed to last known address of the person to be served and postage prepaid.

Subd 3. Payment for Cost of Hearing. The cost of the hearing shall be borne solely by the non-prevailing party. The City shall provide an estimate of the cost of the hearing at the time of the request for hearing. The City Council has the authority to reduce the non-prevailing party's costs where that party can demonstrate indigency by clear and convincing evidence.

Proof of indigency can be demonstrated by the party's receipt of means tested governmental benefits or a demonstrated lack of assets or current income. Such proof shall be presented to the City Council for determination subsequent to the hearing. However, the Hearing Officer at the time of the hearing shall make specific findings as to whether or not the party is indigent with said findings presented to the City Council. In all cases, where the party requesting the hearing is unable to attend and fails to request a continuance of the hearing at least 48 hours in advance of the scheduled hearing, all costs incurred by the City attributable to the hearing shall be charged to the requesting party.

Subd 4. Hearing Procedures. At the hearing, the parties shall have the opportunity to present testimony and question any witnesses, but strict rules of evidence shall not apply. The Hearing Officer shall record the hearing and receive testimony and exhibits and the full record of the hearing shall be kept. The Hearing Officer shall receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent people in the conduct of their affairs.

Subd 5. Authority of Hearing Officer. The Hearing Officer has the authority to determine that a violation did or did not occur, to dismiss a citation or impose the scheduled fine or to reduce, stay or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions. When imposing a penalty for a violation, the hearing officer may consider any or all of the following:

- 1) The duration of the violation;
- 2) The frequency or recurrence of the violation;
- 3) The seriousness of the violation;
- 4) The history of the violation;
- 5) The violator's conduct after issuance of the notice of hearing;
- 6) The good faith effort of the violator to comply;
- 7) The economic impact of the penalty on the violator;
- 8) The impact of the violation upon the community;
- 9) Any other factors appropriate to a just result.

Subd 6. Fines for Continuing Violations. The Hearing Officer may exercise discretion to impose a fine for more than one day of a continuing violation but only on a finding that the violation caused a serious threat of harm to the public health, safety, or welfare, or the accused intentionally and unreasonably refused to comply with the Code requirement. The Hearing Officer's decision and supporting reasons for continuing violations must be in writing.

Subd 7. Decision of the Hearing Officer. The Hearing Officer shall issue a decision in writing to both parties within 10 days of the hearing. Any fines or penalties imposed must be paid no later than 30 days of the date of the Hearing Officer's order. If the fine is not paid, the City may assess the civil penalty against the owner's property pursuant to Minnesota Statutes Chapter 429. If the Hearing Officer determines that no violation occurred, the City may not proceed with criminal prosecution for the same act or conduct. The decision of the Hearing Officer is final and may only be appealed to the Minnesota Court of Appeals by petitioning for a writ of certiorari pursuant to Minnesota Statute Section 606.01.

Section 320.21 Payment of fines. Prior to any assessment for unpaid fines, the City shall seek payment of the fines by notifying the owner of the property in writing of the fine imposed.

Section 320.23 Assessment Procedure. Unpaid fines including an administrative charge of \$25.00 plus interest of the total balance will be assessed pursuant to Minnesota Statutes, Chapter 429, against the property of the owner charged with the violation. For uncorrected or continued violations, the City will correct the violation and assess the charges for doing so.

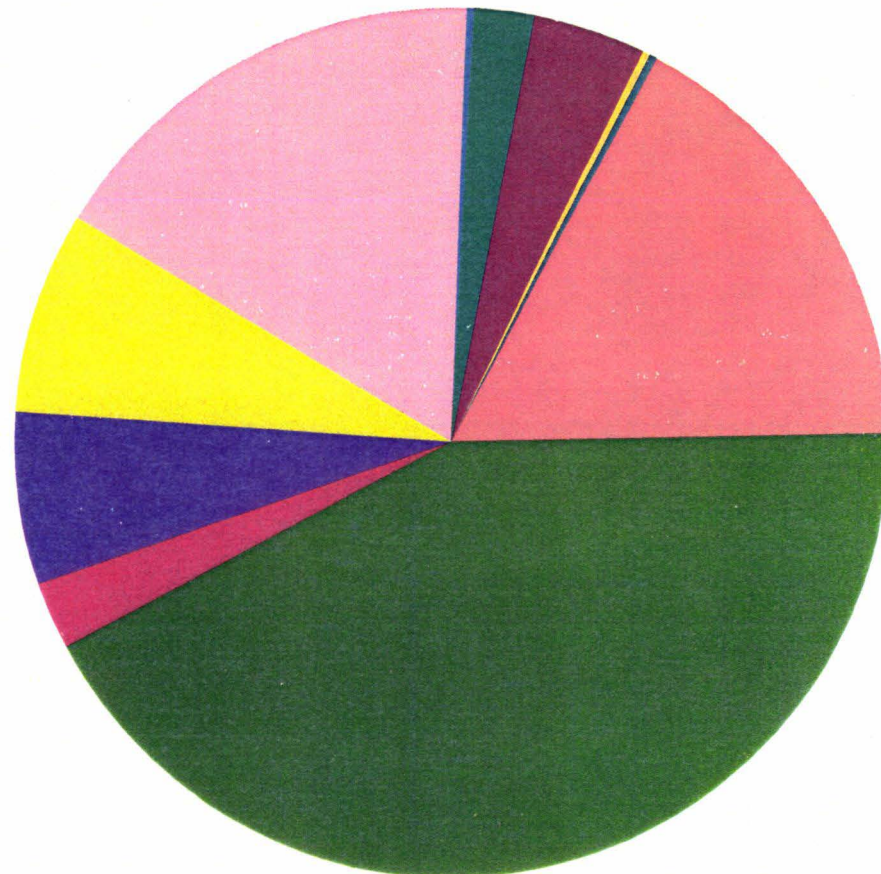
(Added Ord. 1191 – 2003, Ord. 1356 - 2010)



City of Brainerd
Enforcement Summary
Case Date From: 1/1/2017 To: 12/31/2017
Complaint Type: All Staff: All Property Type: All

Enforcement Actions

Animal Feces	2
Brush Overgrowth	1
Brush Pile	26
Fence Maintenance	1
Garbage	46
Graffiti	6
Grass Overgrowth on Sidewalks	2
Junk and Debris	195
Long Grass and Weeds	493
Premises Identification	30
Property Maintenance Violation	72
Snow Removal	87
Unlicensed/Inoperable Vehicle	197
Total:	1,158



2017

543 Citations Issued

121 Waived-Compliance

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

March 19, 2018
City Hall Conference Room
6:45 PM

1. Approval of Bills
2. Classification and Compensation Study Update
3. 2018 Legislative Agenda
4. Adverse Weather Policy
5. ClearGov Civic Insights Website



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



DDA

Human Resources, Inc.

a David Drown Associates Company

TO: BRAINERD CITY COUNCIL

FROM: TESSIA MELVIN, DDA MANAGEMENT CONSULTANT

CC: CASSANDRA TOSTENSON, CITY ADMINISTRATOR AND KRIS SCHUBERT, HUMAN RESOURCE COORDINATOR

SUBJECT: UPDATE ON CLASSIFICATION AND COMPENSATION STUDY

PROJECT UPDATE

The Council/Commission received an update in January regarding the Classification and Compensation Study. The following items are completed:

- Initial Project Team Meeting
- Department Head Kick Off Meeting
- Employee Kick Off Meetings
- Evaluation and feedback from employees
- Job Description Appeal Process
- Working on Survey for BPU

The Job Description Appeal Process took longer than anticipated to allow the newly-hired City Administrator some time to become acquainted with the organization and for an opportunity to make more knowledgeable recommendations regarding the job descriptions. Administrator Torstenson was added to the Project Team and reviewed job descriptions, met with department heads and helped update job descriptions.

ACTION NEEDED

1. Approve Job Descriptions
2. Review and Approve Job Description Appeals
3. Review and approve Benchmark Jobs
4. Review and approve Benchmark Communities

JOB DESCRIPTIONS

This study did not originally include the review or updating of job descriptions; however, it was felt this was vital to ensure success of the project so we were able to compare apples to apples during the market analysis. After review, it was determined that a few job descriptions had not been modified for decades and that only about one half of the job

descriptions were updated in the last five years. It was also recommended, and the Council approved, an appeals process. This component was added because the last Classification Study conducted in 2013 did not include a transparent process for review of the pay equity point assignment. Our appeals process encouraged employee and supervisor participation with an appeal option to the consultant if any disagreements occurred. Therefore, as an added part of this study, HR reviewed all 80+ job descriptions with managers for any changes. Then all employees received their updated job descriptions and an appeal form. The appeal form was completed by the employee and supervisor if any changes were requested on the job description (deletions, additions, or any other clarifications). Below is a summary of the job description appeals and the recommended action:

JOB DESCRIPTIONS APPEALED OR ASKED TO REVIEW

City Job Description	Reason for Appeal	Recommendations by Consultant and Project Team
Transit Coordinator	No appeal on job description Requested review of job title and possible title change	We will benchmark this position and provide market data to make a recommendation to Council
Parks Maintenance Worker	Under essential duties, add: Supervisors seasonal workers.	Recommend Changes – add: Directs and oversees seasonal workers.
Recreation Coordinator	The employee and Department Head requested updated job descriptions for both the Recreation Coordinator and Recreation Specialist positions with a possible job title change/ advancement for the current Recreation Specialist	We will benchmark this position and provide market data to make a recommendation to Council Please note this position has been vacant for four years.
Recreation Specialist	The employee and Department Head requested updated job descriptions for both the Recreation Coordinator and Recreation Specialist positions with a possible title change /advancement for the current Recreation Specialist	We will benchmark this position and provide market data to make a recommendation to Council This is considered an entry level supervisory position for Recreation Staff.
City Planner	Requested wording changes, additional job duties be included and title change to Director of Planning and Community Development	No changes were made yet, as we want to benchmark this position to gather market data on how other organizations handle similar job positions. Any changes after market analysis will be reviewed by the employee for an appeal and then approved by City Council.

City Job Description (Cont.)	Reason for Appeal	Recommendations by Consultant and Project Team
Police Records Management Technician	Requested following changes: 1. Change clerical reference to administrative assistant. 2. Include handling of confidential information 3. Add copying and conveyance of digital media to squad video and body worn camera	Included the following recommend changes: 1. Changed clerical references to perform “support services” and requires “related” experience as determined by management. The Project Team felt the other items were already/properly addressed in the job description.
Accounts Payable/Administrative Specialist	Requested title change to better reflect position and to add the following: 1. Physical requirements to be increased to 50 lbs for paper boxes. 2. Maintains records retention schedule and documents for department 3. Files sales and use tax reports monthly and deals with tax refunds 4. Oversees motor vehicle tax and lodging tax 5. Completes transit requests for funds to MnDOT 6. Performs bank reconciliation 7. Maintains, verifies and certifies special assessment for each parcel located within City limits	Included the following recommended changes: 1. Files sales and use tax reports monthly and files tax refunds. 2. Assists with monthly bank reconciliation. The Project Team felt the other items were already/properly addressed in the updated job description. We will benchmark this position and provide market data to make a recommendation to Council
*Global Position: Administrative Specialist	Multiple changes were submitted by employees and managers.	No changes were made yet, as we want to benchmark this position to gather market data on how other organizations handle similar job positions. Any changes after market analysis will be reviewed by employee for an appeal and then approved by City Council.

*The Global Administrative Specialist position is unique as it covers five employees in four different departments with similar core requirements, but each department has an addendum with additional essential job functions. Currently this global position has some core skills, knowledge and behavior requirements. However, with unique addendums added for each department, it is important to ensure that this is the best approach to meet the needs of the City and the departments. Further market data will look at similar jobs, department size, job titles, education and experience needed and job functions to complete a more comprehensive assessment on this job position.

BPU Job Description	Reason for Appeal	Recommendations by Consultant and Project Team
Billing Representative	Requested to list all utility services that the position is responsible for billing and some additional responsibilities	Included applicable utility services and modified responsibilities. We will benchmark this position and provide market data to make a recommendation to BPU
Credit/Collections Representative	Clarified that missing parts of job description were recently added Requested consideration for dealing with irate people, high stress and more than 40 people per week	Additional responsibilities were already added. We will benchmark this position and provide market data to make a recommendation to BPU

The Brainerd Public Utilities Commission, at their meeting held February 27, 2018, officially approved all BPU job descriptions and appeals, selected their benchmark jobs and benchmark Utilities.

PROPOSED BENCHMARK COMMUNITIES

All employees were asked to submit their suggestions for benchmark communities to their department heads. Department Heads were asked to submit their suggested benchmark communities to Human Resources. These communities are generally communities that border the City, have similar service levels or geographic trends, tax capacity, population and general budgets. In addition, benchmark communities may be those communities to where the City is losing employees to.

We are proposing to benchmark the following communities and jobs. All jobs will be analyzed for a wage analysis, but benchmark jobs allow us to look at similar job in communities and ask additional questions regard required education and experience needed of for the job, job tenure, minimum pay range, maximum pay range, supervisory duties, department size and if there are any additional benefits (on-call pay, call-back pay, uniform policy, longevity pay, etc.).

Past Cities Used	Action for Current Study
Albert Lea	Remove due to population and close proximity to Rochester
Bemidji	Keep
Cloquet	Keep
Elk River	Remove due to population and close proximity to Metro
Fairmont	Keep
Fergus Falls	Keep
Hibbing	Keep
Hutchinson	Keep
Marshall	Keep
New Ulm	Keep
North Mankato	Keep

Northfield	Remove due to population and close proximity to Metro
Red Wing	Keep
Willmar	Keep
Alexandra	Add for this study due to similar size, structure and vacation destination brand
Grand Rapids	Add for this study due to similar size, structure and vacation destination brand
Baxter	Add for this study due to regional location
Crow Wing County	Add for this study as City loses employees to County

PROPOSED BENCHMARK JOB POSITIONS

All jobs will have a complete market analysis for wage comparisons. Benchmark jobs may be those that are hard to recruit for, those that are specialized and unique to the market or those that provided a specific level of service that may differ from the market. Benchmark jobs allow the consultant to compare jobs that require more detail. The consultant will ask benchmark communities to identify education/experience needed for the position, size of the department, current wage, and other items that allow for a more “apples-to-apples” comparison.

The Project Team is recommending the following benchmark job positions:

- Transit Coordinator
- Recreation Coordinator
- Recreation Specialist
- City Planner
- Building Official
- Police Records Management Technician
- Global Administrative Specialists
- Accounts Payable/Administrative Specialist
- HR Coordinator
- Police Officer
- Engineering Technician
- Street Maintenance I
- Street Maintenance III
- City Administrator
- Park Maintenance
- Police Sergeants

NEXT STEPS OF THE PROJECT

- Market Analysis
- Calibrate Wage Scale
- Evaluation of Each Job Position
- Provide Budget Analysis
- Final Report with Recommendations and Implementation



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



MEMO

TO: City Council
DATE: March 12, 2018
FROM: Cassandra L Torstenson, City Administrator
ITEM: 2018 Legislative Agenda

BACKGROUND INFORMATION

The Legislative Agenda provides the framework for legislative priorities and topic areas, established and approved by the City Council, for city staff to use when communicating with community stakeholders, state legislators, and testifying on legislative bills.

LEGISLATIVE AGENDA

FINANCE

1. The City opposes any decreases to Local Government Aid (LGA). Since intergovernmental revenues, in particular Local Government Aid (LGA), plays a significant part of the City's finances, any legislation to change the formula, increase or decrease the level of funding should be closely followed/reviewed and acted upon by the City.
 - a. The City supports strong communication between the state and local entities and state budget stability for City officials to plan for the future fiscal needs of their City.
2. The City opposes levy limits. Legislation that imposes a levy limit should be followed/reviewed and acted upon by the City. Levy limits could unfavorably affect the City. As an example, for the 2018 budget, personnel services (wages and benefits for the working funds only) increased by 3.84%, over \$234K over the 2017 budget. To get this type of increase in the levy, we would have needed a 4.35% increase in the levy over 2017, just to pay for the increase in personnel services.
 - a. The City supports maintaining the authority for local elected officials to establish local budgets. Part of the 2015 House omnibus tax bill included a reverse referendum provision that would allow a small percentage of voters at the last general election to

petition for a referendum on a general city property tax levy increase. The result of the referendum could reverse the local elected officials decision on the property levy months after planning and public hearings.

3. The City supports the consideration of review/elimination of the state reporting mandates that result in either double reporting or increased cost to the City for reporting. Example, many cities have expanded the availability of information on their web sites but incur an additional cost to publish the budget per state statute 471.6965.
4. The City supports tax-forfeited properties and local special assessments review and amendment. Currently per state statute 282.07, special assessments are cancelled when property goes into tax forfeiture. When tax-forfeited property returns to private ownership for which the city canceled the special assessment because of the forfeiture, cities must go through the same notice and hearing procedures in order to re-attach the assessment. The City would support eliminating the cancellation of local special assessment from state law.
 - a. The City also supports review and amendment to tax forfeiture statutes to ensure that the needs of city and county taxpayers are properly balanced when it comes to the distribution of proceeds from the sale of tax forfeited properties.
5. The City supports review and amendment to the state-certified levels of library support aka maintenance of effort (MOE) as described in state statute 134.34. The City supports equitable funding for local libraries. Libraries serve not only city residents but also people outside the city limits. Counties do contribute support to libraries but the contribution is often below the per capita amounts contributed by city residents. The City would also support allowing libraries to charge non-residents a membership without the loss of any state or federal aids.
6. The City supports applying the sales tax exemption on local government purchases for all activities. As an example, the City's camp ground purchases are excluded from the exemption. In addition, currently the City pays motor vehicle sales tax on all vehicles with the exception for marked police and firefighter vehicles. The City supports applying the exemption for the motor vehicle sales tax to all City vehicles.
7. Other State and Federal Items to watch:
 - i. Health Care Reform – May result in increased/decreased costs to the City.
 - ii. Changes to Municipal Bonds – Changes to municipal bond could result in municipal bonds being less attractive to investors which could result in less demand and increased cost for the City.

HUMAN RESOURCES

Suggested topics relative to employment law, labor relations, data practices, open meeting law, personnel and pension items:

1. The City opposes any new legislation and changes to existing legislation for unfunded personnel mandates. If any legislation should be introduced, that it provides funding that pays the full cost of any mandated employment-related expenditures.
2. The City opposes legislation that hinders local decision-making authority by local elected officials with regards to terms and conditions of employment as local elected officials should determine employee compensation, employee recognition, and to make employee benefit decisions. An example of this would be State-required mandatory sick leave for all employees including temporary and seasonal employees.
3. The City supports changing the definition of a “public employee” under Minn. Stat. Ch. 179A (PELRA), excluding temporary or seasonal employees, as well as unpaid volunteers from the PELRA definition of a public employee.
4. The City supports changing the definition of a “public employee” under Minn. Stat. Ch. 179A (PELRA), by removing the existing 14-hour per week or 67 working day requirement and replacing it with a definition in which employees must work more than an annual average of 20 hours per week.
5. The City supports legislation that modifies the current Local Government Pay Equity Act to update and improve the current system so that cities can more efficiently and effectively fulfill the mandated reporting requirements.
6. The City supports legislation that supports the structure and process to address unfair labor practices (ULPs) that was utilized before the reestablishment of the Public Employment Relations Board (PERB) in 2014.
7. The City supports legislation that would allow cities (as reimbursing employers) to enter into agreements with employees to not contest a determination of eligibility for unemployment benefits where the employer and employee mutually agree to this as a term of separation.
8. The City supports legislation allowing a comprehensive review of Public Employee Retirement Association (PERA) exclusions from pension participation with the goal of simplifying current eligibility guidelines.
9. The City opposes any legislation for PERA retirement benefit improvements for retirees or active until the financial health of the General Plan and Police and Fire Plan is restored. If employer contribution increases are considered, consideration should include an increase in employee contributions so that employees and employers bear the same responsibility to the bring pension plans to full funding.
10. The City supports legislation that addresses the funding deficiency created by Minn. Stat. 299A.465 which requires public employers to continue health insurance benefits for firefighters and peace officers injured in the line of duty.

NOTE: This law was enacted in 1997 requiring the Department of Public Safety (DPS) to reimburse employers for the full amount of administering this benefit. By 2002, the

fund created to provide this benefit became deficient and instead of increasing the fund, the 2003 Legislature amended the law to pro-rate reimbursements to cities based on the amount available and the number of eligible applicants. This law change triggered significant and unanticipated cost to cities. In 2015, the Legislature expanded the health insurance benefit to include survivors of volunteer firefighters who die in the line of duty – without increasing funding for the reimbursement account.

11. The City supports legislation to change Minn. Stat. 471.6161, subd. 5, clarifying the intent of the requirement to bargain over changes in “aggregate value” of benefits (e.g. changes in provider networks, changes in benefits levels required by an incumbent insurance carrier, changes required for compliance with state and federal laws, including those needed to avoid incurring the federal excise tax known as the “Cadillac Tax”).
12. The City supports legislation changing Minn. Stat. 62A.21 to place reasonable limits on health care continuation for former spouses, similar to the Federal COBRA law.
13. The City recognizes the important contributions veterans have made and supports giving veterans limited preference in employment. With that said, the City supports legislation that would allow to place veterans on probationary periods upon promotion as they do with other employees; further, to restore the language in Minn. Stat. 197.46 requiring a hearing to be held before a local civil service commission where one exists.
14. The City supports legislation that would allow political subdivisions to charge for the staff time that is required to comply with wide-ranging data requests regardless of whether copies of data are requested.
15. The City supports legislation that would provide a mechanism that would permit cities to challenge whether a data request is reasonable and made in good faith.
16. The City opposes any change to the open meeting law that would expand the award of attorney’s fees for unintentional violations.
17. The City supports allowing the governing body or a committee created by a governing body to close a meeting to interview candidates for management-level positions such as city administrator, superintendent, or department head, and to close a meeting to evaluate and discuss salary and benefit negotiations.

TRANSPORTATION

1. Statewide Balanced Investment and Increased Transportation Funding

The City of Brainerd supports adequate increases in transportation funding and supports a balanced and equitable approach for the needs of the entire state.

The City opposes any effort to provide increased investment for transit in the metro without an increased investment in highways/roads/bridges/transit in Great Minnesota.

The City supports increased funding or bonding appropriations for the Local Road and Local Bridge Improvement Program.

The City supports any constitutional dedications of money from the General Fund to the Highway User Tax Distribution Fund but insists that a share of the revenue in that dedication be dedicated to funding non-MSAS streets.

The City supports any surpluses from the General Fund to be used on Transportation and the funding of city streets outside of the constitutionally dedicated system.

The City supports dedicated state funding for city streets outside of the constitutional formula.

The City supports the 50/50 split between the 7-county metro area and Greater Minnesota for the Corridors of Commerce program and at least \$200 million in annual funding.

The City supports the efforts of the legislature to implement street improvement districts, much like current laws around sidewalk improvement districts.

The City supports changes in cost participation policies that would allow more local dollars to go towards City projects, rather than cost shares.

The City supports bicycle and pedestrian friendly infrastructure and supports safety and mobility investments in Greater Minnesota.

The City supports effort by MnDOT to encourage private sector contributions to state and local transportation projects, however, not at the expense of other highway, road, and bridge projects either already programmed for construction or designated as safety risks.

The City supports streamlining of transportation funding permitting procedures and improving the regulatory and administrative processes when developing transportation projects within the community.

The City supports a project selection process within MnDOT that is transparent, fair, and criteria driven. If the legislature chooses to designate specific projects, it must be done on a regionally balanced basis.

The City supports authorization to create, as a local option, additional utilities such as transportation or sidewalk utilities, that ensure funding and maintenance of these utilities and public amenities.

Additionally, the City supports the ability to impose service charges against private property to ensure the maintenance and safety of the right-of-way without having to prove a fair-

market value increase or having to determine whether those contributing to the utility fund are taxable or tax-exempt.

The City supports amending chapter 429 of Minnesota statute to include retaining walls to facilitate public improvements.

2. Transit

To address the increasing demand for regional rural transit systems in Greater Minnesota, the City of Brainerd supports allocation of bonding dollars for transit and transportation alternatives and supports bonding for Greater Minnesota Transit Facilities in the capital investment bill. The City supports dedication of Motor Vehicle Lease Tax revenues to Greater Minnesota transit.

3. Economic Development

The City of Brainerd supports funding of the MnDOT/DEED collaborative TED program which allows for competitive grant opportunities for highway improvement and public infrastructure projects that will create jobs and support economic growth.

The City supports the use of eminent domain for economic development and redevelopment projects that advance a greater public good that benefits the community, empowers local elected officials to determine whether a taking of property serves a public purpose, and creates incentives for private owners to willingly sell their property to the public for development or redevelopment.

4. Public Utilities

The City supports not being required to locate private service laterals in the public right-of-way and on private property. The City supports local regulations around private well drilling within municipal water service boundaries to protect aquifer conservation efforts and maintain stable economic vitality of municipal water utilities.

5. Environmental Standards

The City supports cleaning up of polluted waters and preventing further impairment but recognizes limited financial resources must be spent wisely on those projects leading to the most environmental benefit.

The City supports the need for townships to be held to the same environmental protection and regulatory standards as cities.

The City supports sufficient state and federal financial assistance provided to local governments when complying with state and federal infrastructure requirements, particularly regarding waste water, storm water, and drinking water facilities.

The City supports legislation that requires state agencies to establish permit requirements only when the criteria being used is developed through a rule-making process.

The City supports the use of science based and peer-reviewed standards and ensuring the standards are scientifically and economically viable.

The City supports the design and implementation of Minnesota's impaired water program but wants to ensure equitable funding solutions are found such as state or federal bonding that broadly collect revenue to address this statewide problem. The City also supports appropriation of constitutionally dedicated clean water revenues that will supplement traditional funding sources for these purposes and the fund not being used for covering budget cuts, backfilling program reductions, or supplant normal state spending on water programs.

The City supports any increased funding into impaired waters programs to help fund waste water and storm water related projects and other programs needed for municipal waste water and storm water permitting and technical support.

The City of Brainerd supports crediting the work underway and already completed by local units of government to limit point source and non-point source pollutant discharges, recognizes the diversity of efforts that needs and exists across the state, supports ensuring the best science available is used to accurately determine the sources of pollutant load in order to maximize positive environmental outcomes and minimize unnecessary regulatory and financial burdens, and supports the MPCA to retain control of the TMDL development process and that all scientific research related to TMDLs is conducted by the MPCA.

The City supports legislation targeted at slowing the spread of aquatic invasive species including dedicating funding from the Legacy Amendment and other sources to address this issue.

6. Public Right-of-Way Control

The City opposes any attempt by utility companies, wireless providers, or otherwise to limit a municipalities ability to control and manage its right-of-way or city owned infrastructure such as utility poles.

The City supports upholding local authority to manage and protect its public rights-of-way including reasonable zoning and subdivision regulation and the exercise of local police powers and recognizing that cities have a paramount role in developing, locating, siting, and enforcing utility construction and safety standards within right-of-way or upon and City owned property.

The City also supports local authority to require reimbursement and compensation from service providers for managing use of public rights-of-way and maintaining City authority to franchise gas, electric, cable, telecommunications, broadband, open video, and all other wire programming platforms and services.

The City supports removal of abandoned equipment and accompanying support infrastructure by the service providers from the public right-of-way. The City also supports broader authority to require underground placement of new or existing services at the cost of the utility or telecommunications provider.

The City supports not placing any further restrictions on City authority to manage siting or wireless facilities in the public right-of-way nor enact compensation restrictions that would result in local government subsidization of wireless providers.

The City supports either reimbursing City's for labor, supplies, and equipment necessary to maintain state rights-of-way to meet city standards and minimize public safety hazards so long that the legislature provides MnDOT with adequate funds to do so.

7. Railroads

The City opposes any attempt that disproportionally shifts the authority, costs, and or liability from the railroad onto other entities while recognizing that most railroads did exist prior to incorporation of cities and fairness and equity should be used when determining the costs of upgrades and elimination of safety hazards within corporate limits.

8. Tax-Exempt Property

To avoid immediate, large tax burdens when an existing taxable property is acquired by an entity qualifying for a Minnesota property tax exemption, the City supports a state law that requires the new owner to continue to pay the property taxes with a 5-year phase-out of taxable value with the caveat that when State, counties, and cities purchase property for public purposes that local unit of government would be responsible for the payment of property taxes to the local taxing authority during that phase out period.

9. Sales Tax

The City supports the local government sales tax exemption applying to all purchases made by local units of government and the process to receive the exemption for construction materials should be simplified or converted into a refund process.

10. Special Assessments and Proceeds from the Sale of Tax Forfeit Properties

The City supports the removal of cancellation of local special assessments from state law and allowing cities to receive funding validly assessed and counted on to fund local infrastructure improvements. The City also supports a change in the distribution of proceeds from the sale of tax-forfeited property to elevate the priority for repayment of unpaid charges for electricity, water, and sewer charges and any unpaid fees prescribed pursuant 462.253 subd, 4(a) and to require those fees be paid immediately after unpaid special assessments.

AIRPORT

The City of Brainerd supports the proposed changes to Minnesota's Airport safety zoning laws as summarized by MnDOT.

Fire

City supports the positions taken by the MN State Fire Chief's Association Legislative Committee.

Police

The City generally supports the positions taken by the Minnesota Chiefs of Police Association.

Position Statements: <https://www.mnchiefs.org/legislation> and currently proposed legislation: <https://www.mnchiefs.org/2018-house-bills>

HRA

The HRA generally supports the positions taken by Minnesota NAHRO's (National Association of Housing and Redevelopment Officials) and EDAM's (Economic Development Association of Minnesota) Legislative Agendas.

RECOMMENDED CITY COUNCIL ACTION

Consider discussion and approval of the 2018 Legislative Agenda.

STAFF CONTACT INFORMATION

Cassandra L Torstenson, ctorstenson@ci.brainerd.mn.us, 218-828-2307

Summary of Proposed Changes

to Minnesota's Airport Safety Zoning Laws

Integration of airport zoning with local planning and zoning

Current Statute

No reference to airport safety zoning currently exists in municipal or county planning and zoning laws (MS 394 & 462), which has caused MN Supreme Court to view airport zoning different from other, more routine types of zoning

Proposal

Comprehensive plans required to consider the location and dimensions of airport safety zones

Encourages uses in airport safety zones that are compatible with the airport

Airport safety zones required on maps depicting official controls at next update

Flexibility to enact airport zoning

Current Statute

The Joint Airport Zoning Board (JAZB) adopts airport zoning regulations that conform to the standards prescribed by the commissioner

Funding must be withheld if zoning effort is not initiated

Loosely defined social and economic cost arguments required in lieu of the Commissioner's Standard

Proposal

Expands authority of Joint Airport Zoning Board (JAZB) allowing for creation and adoption of a Custom standard

Projects to maintain existing infrastructure are eligible for funding regardless of zoning effort

Certain criteria must be evaluated by the JAZB and resulting ordinance must provide a reasonable level of safety (applies to Custom zoning only)

Replace social and economic cost argument provision with criteria for Custom Airport Zoning Standards

Alignment with municipal and county process requirements

Current Statute

Requires a minimum of two public hearings

Notice of hearing published at least 3 times between 15 and 5 days in two newspapers

No timeline for MnDOT review

Proposal

One public hearing required unless changes are made after the initial public hearing

Notice of hearing published once at least 10 days before in one newspaper and the municipality, county or JAZBs' websites

90 day MnDOT review period established

Airport's role

Current Statute

The importance of airports to the general public is not explicitly stated

Proposal

The maintenance and operation of airports is deemed an essential public service

Clarification of "planning" project eligibility

Current Statute

Planning is not specifically identified as allowable for funding with State Airport Fund dollars

Proposal

Insertion of "planning" in two separate sections as eligible for funding (allowing for potential funding of Custom ordinances and related analysis)

Existing land uses

Current Statute

Established Residential Neighborhoods designation exempts existing neighborhoods built before January 1, 1978 from airport zoning restrictions

Proposal

The term "Existing Land Use" replaces Established Residential Neighborhood allowing for broader exemptions from Commissioner's Standard zoning restrictions

January 1, 1978 threshold eliminated

Future rulemaking envisioned to define "Existing Land Use"

Federal no hazard determination

Current Statute

Variance must be obtained for object to penetrate height restrictions

Proposal

Allows the flexibility to approve obstruction without variance, if FAA analyzes proposed construction, alteration, or growth and deems it non-hazardous

Boundary limitations

Current Statute

The municipality may regulate via land use zoning only up to two miles from the airport boundary under approach zones, and up to 1 and ½ miles elsewhere

Proposal

Conflicting boundary limitations on zoning removed and left to the JAZB to determine limitations, if any

Circumstances of updating zoning

Current Statute

Loosely defined statutory guidance on when a zoning update is required

Proposal

Clarification of when zoning must be updated, stating that changes to runway lengths or configurations are the trigger or if existing zoning was noncompliant

MnFAC

Session convenes February 20, 2018 This is the 2nd year of the biennium.

This is a short session and considered the bonding and policy year.

Fire Service Day at Capitol – March 1

Proposed 2018 Legislative Issues

Initiatives/Priorities



Statutory authorization for local governments to create Fire Protection Districts.

(local government action will still be required)

Provide a path for fire departments and local governments to create Fire Protection Districts to encourage more collaborative and sustainable models of service to the communities served without special legislation. It is an unnecessary burden on fire departments and local governments when they are forced to seek statutory authority one by one both for initial authorizing legislation and then for amendments as may be deemed necessary. The intent is to provide statutory authorization and guidelines which allow local governments to create fire protection districts with local agreements. The Fire Protection District Governing Boards will consist of local elected officials from the local communities choosing to participate in the Fire Protection District.



Railroad and Hazardous Substance Safety

In the interest of public safety, the fire service and the emergency managers worked together to secure the following information for emergency planning and response.

- * Detailed and local railroad planning information that will assist emergency managers in assessing rail hazards, finding local vulnerabilities, gauging response capabilities, and identifying specific gaps;
- * Railroad response capability disclosure;
- * Information provided to emergency managers under this legislation will be local, complete, clear and without any redaction or restriction by a non-disclosure agreement;
- * Information that is on-scene response-oriented (i.e. identity and quantity of HAZMAT carried aboard rail cars involved in an incident) be provided in a format useable by responders at the scene in web based format as well as the Ask Rail phone app.
- * Ongoing railroad training including emergency responders, emergency planners and railroad personnel.

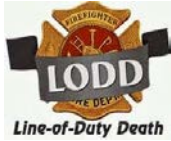


Support bonding request to build a new State Emergency Operations Center (EOC)

The goal is to fully fund the SEOC at \$32 million. The argument against the project is the high cost; yet every year the project is delayed the cost goes up. The investment will benefit local communities across the state by coordination with the state for emergency response. The current location of downtown Saint Paul is inadequate.



MSFCA and MSFDA will participate on the PERA work group to discuss 2% fund and distribution with the growth of combination fire departments. There may be legislation to support in 2018.



Hometown Heroes – Complete the PERA Provision of 2016.

Pass provision in the pension bill which would have conformed PERA to the Commissioner of public safety's definition did not pass since this was included in the vetoed omnibus pension bill.



Pass 2017 Omnibus Pension bill containing the Volunteer Fire Relief Association Working group recommendations from the past couple years; including:

Certification of Service Credit which added a requirement in law that service credit is to be certified annually by the fire chief, and it also requires the service credit record be made available for inspection by the individual firefighter whose record it is. Limitation of relief association service credit to volunteer service which clarified state law to prohibit the receipt of concurrent service credit. Expanding relief association pension eligibility to emergency medical personnel. If a city/relief wants to include volunteer firefighters who only perform EMS/first responder type duties into the relief association, the local government has to adopt a resolution and the relief association needs to change their bylaws. For those entities experiencing lots of EMS calls, they can now use this provision to recruit and retain volunteer "fire" EMS responders. Combined service pensions and benefit trust fund establishment; allowing a volunteer firefighter with credit for service as an active firefighter in more than one volunteer firefighters relief association are able to a prorated service pension from each relief association if the articles of incorporation or bylaws of the relief associations provide and the volunteer firefighter is qualified. Benefit Trust Fund Establishment which amended state law to include fire departments under a joint powers entity to be treated in same manner as municipal fire departments with regard to legal and financial liability of pension assets, ensuring appropriate distribution of assets in the event of a dissolution of the joint powers entity. In addition, the bill contains several local fire department provisions.



Support emotional wellness, cancer and cardiac policy initiatives to support firefighters.



Monitor Fire safety account

Appropriations were made last year, no new appropriations are requested.

Oppose



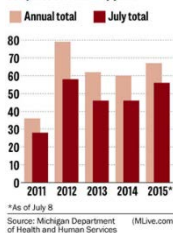
Oppose statutory prohibition on residential fire sprinklers

Background: Oppose efforts that would prohibit the adoption of the residential fire code that may require the installation of a fire suppression systems. The Appellate Court struck down the Department of Labor and Industry's (DLI) adoption of the latest International Residential Code (IRC). The IRC is for building new single-family and duplex homes, which had a provision for residential fire sprinklers in newly constructed one- and two-family homes that were 4,500 sq. feet and larger. The sprinkler provision was challenged as whether it was done legally and appropriately. **The requirement to build these homes safer is no longer in effect.** The sobering reality is that, in terms of fire safety, the most dangerous place to be is at home. And most often the victims of fire are the younger and older among us, who have a more difficult time getting out in an emergency situation.

The facts are clear: Residential fire sprinklers save lives. Fire sprinklers are cost-effective. In Minnesota recent studies show the cost of installing residential fire sprinkler systems averages \$1.15 per sprinklered square foot, or approximately 1% of new home construction.

INJURIES UP

In 2012, Michigan law changed to allow more types of fireworks to be legally sold and used. Here's a look at injuries statewide by year:



Oppose expansion of legal fireworks.

Background:

Oppose the expansion of legal fireworks in Minnesota to include "aerial and audible" (HF1089/SF465). The bill also prohibits cities from banning the sale of fireworks, but it allows cities to pass ordinances banning people from using fireworks. Exploding fireworks would be available for purchase from June 1 to July 7, the use is not restricted.

There is an inherent danger in aerial fireworks which cause a number of injuries and pose a serious fire risk. Fireworks injuries in 2015 were the highest they have been in the last 10 years. 43% of the fireworks injuries in the past ten years happen to people 0-19 years of age (children, teens, and young adults). Fire damage due to fireworks in 2014 was \$1.75 Million.

Reports of interest released and pending:

- Recruitment and Retention Pilot Project – Report release January 2018

Contact information:

- BJ Jungmann, MnFAC Chair and Minnesota State Fire Chiefs Association, BJ.Jungmann@burnsvillemn.gov
- Mark Rosenblum, Minnesota State Fire Departments Association valleyfire25@yahoo.com
- Sherry Munyon, Legislative Advocate: smunyon@capitolaccess.us

2018

FIRE SERVICE DAY

FIREFIGHTER ISSUES BOOK



March 1, 2017

March 1st, 2018

Dear Member of the Minnesota Legislature,

On behalf of the over 20,000 men and women of the Minnesota Fire Service, we are pleased to provide you with a copy of our 2018 Firefighter Issues Book. Our firefighters face tremendous challenges that are directly impacted by the decisions made at the Legislature. This booklet will provide you with an understanding of some of issues we now face and the challenges ahead. We look forward to continuing to work with you on making the Minnesota Fire Service an effective force in keeping the citizens and visitors to our state safe.

For more information please contact our offices and/or Governmental Affairs representatives at the following numbers:

MPFF President Chris Parsons- 763-545-8100. Email: cparsons@mpff.org

MPFF Governmental Affairs Brian Rice- 612-676-2303. Email: brice@ricemichels.com

MSFCA Legislative Liaison BJ Jungmann- 952-292-9016. Email: bj.jungmann@ci.burnsville.mn.us

MSFDA President Mark Rosenblum- 612-597-2096. Email: valleyfire25@yahoo.com

MSFCA & MSFDA Governmental Affairs Sherry Munyon- 612-723-4245. Email: smunyon@capitolaccess.us

First-Responder PTSD Presumption

Firefighters give decades of their lives to serving their neighbors and their communities. Often we respond to help people on what could be deemed the worst day of their lives such as a horrific vehicle crash, a young life cut short from opioids, or a fire death. The scenarios unfortunately are endless and for some firefighters these horrible events can have negative psychological consequences.

Studies show that firefighters and police officers suffer from much higher rates of suicide, binge drinking, substance abuse, and divorce when compared to the population as a whole.

In 2013, Minnesota law deemed PTSD to be an injury covered under workers compensation for public safety officers. We SUPPORT legislation that would make PTSD a “presumptive” illness for public safety officers similar to cancer and heart conditions currently deemed “presumptive”.

- A PTSD diagnosis in first-responders would be presumed to be a job-related injury for disability and workman’s compensation claims. Burden of proof on employers to prove otherwise. A medical diagnosis of PTSD is required to qualify.
- Suicide rates for police and firefighters are over 2 times higher than the national average (Centers for Disease Control July 2016)
- Recent Florida State University study of 1,027 firefighters found that the suicide attempt rate is up to 6 times higher than the general population. Firefighters in volunteer departments were twice as likely to plan or attempt suicide than those in career departments.
- A FEMA-funded study revealed that firefighters engage in binge drinking at twice the rate of the general public.

Current Status: **HF 327 (Zerwas) is in Commerce & Regulatory Reform Committee. SF 125 (Frentz) is in Jobs & Economic Growth Committee.**

Protecting PERA Police & Fire Plan & Vol. Retirement Plans

Minnesota's retirement plans covering career and Volunteer, paid on-call, and part-time firefighters are essential for recruitment and retainment of quality firefighters. Firefighting requires a substantial commitment of time and energy, and the reward of a more dignified retirement helps to keep firefighters engaged with the Fire Service.

We SUPPORT the Omnibus Pension bill overwhelmingly passed in 2017 by the Legislature.

Unfortunately the 2017 Omnibus Pension bill was not allowed to stand on its own and was vetoed by Governor Dayton during the Special Session. This bill included provisions approved by plan stakeholders:

PERA Police and Fire Plan

- Increased contribution rates of 1% for employees & 1.5% employers
- Elimination of the 2.5% COLA trigger for retirees
- Lowering the annual return assumption rate from 8% to 7.5%
- Eliminates the two-tiered LODD Survivor benefit, leaving in place the higher benefit.

Volunteer Retirement Plans

Adopted 2015-2016 Volunteer Fire Relief Association Working Group recommendations

Adopted 2016-2017 PERA State Aid Plan Provisions

Current Status: **Omnibus Pension Bill is being drafted in Legislative Commission on Pension & Retirement.**

Fire-Protection Districts

Fire departments across the state and our nation continue to face severe staffing shortages. The combination of demographic and socio-economic issues impacting firefighters coupled with increasing costs associated with fire and emergency services are challenging to our current model and not sustainable.

EMS Taxing Districts have served as a model to solutions for solutions to similar problems. Cloquet Area Fire District and Moose Lake Fire sought and received special legislation to operate as Statutory Fire Districts with both operating successfully.

This solution provides for representation of taxed communities, transparency in budgeting and the potential to improve service delivery, reduce administrative and capital costs, and mitigate staffing challenges.

Currently, groups of communities must seek approval from the Legislature to create a Taxing District. We SUPPORT legislation that would allow two or more communities, sharing a border, to create a Fire Department Taxing District without prior Legislative approval.

- Fire Department Taxing Districts allow communities to share the costs of fire department operations and capital costs.

- Governance of the Fire Department Taxing District is by elected officials representing the participating entities. (Continued on next page.)
- Boards comprised of elected officials will annually determine the amount of the levy.

Current Status: ***HF 2120 (Davids) is in Tax Committee. SF 1918 (Chamberlain) is in Tax Committee.***

Fire Safety Account

The Fire Safety Account (FSA) funds the State Fire Marshal Division, MN Board of Fire Training and Education, and Regional Response Teams per MN Statute 299F.012. Funding these programs is crucial to enable the continuation of the highly efficient fire and emergency response services in the state. According to the Center for Fiscal Excellence, **Minnesota ranks 45th in total investment in the fire service.** If we are to continue to provide high quality services to our communities policymakers will need to improve this ranking.

In the 2017 Legislative Session, the 12-member Fire Service Advisory Committee (FSAC) advised the Commissioner of Public Safety regarding expenditures from the FSA totaling \$13 million for FY 2018/2019 to fund:

- State Fire Marshal Division
- MN Board of Firefighter Training and Education
- Chemical Assessment/Emergency Response Teams (CAT/ERT)
- Task Force 1 Special Rescue
- MN Air Rescue Team (MART)

The 2017 Legislature approved this funding and an additional \$675,000 from the FSA to fund the Moorhead, Saint Cloud, and Duluth CAT/ERTs and increased funding for Saint Paul's CAT/ERT.

Too often, the Legislature has looked to divert funds away from the Fire Safety Account for purposes other than the fire service within the State's budget. We strongly request that the Legislature leave the FSA intact and instead explore methods to address Minnesota's anemic standing in fire service investment.

Current Status: Ongoing.

2018 State Legislative Priorities **PROPOSED**

GO Bonds for Public Housing Rehabilitation

Minnesota NAHRO seeks **\$30 million in general obligation bonds** to finance public housing rehabilitation projects. This proposal will help create jobs in the residential construction sector by funding rehabilitation projects for the state's aging public housing system. Public housing in Minnesota provides safe and affordable housing to:

- 21,000 low income households including 64% which are headed by seniors or those with disabilities. One third of public housing residents are children, many of whom are at high risk of homelessness or recently homeless
- GO bonds proceeds will be used to address health and safety issues, replace and repair major systems and for energy conservation measures to reduce operating costs of public housing units owned and operated by the 121 local housing authorities across the state.

Housing Infrastructure Bonds Including Affordable Senior Housing

Minnesota NAHRO seeks **\$110 million in housing infrastructure bonds (HIB)** to finance affordable housing with a new eligible use to serve seniors at or below 50% AMI. The demand for affordable housing for seniors is significant and likely to reach critical proportions unless Minnesota has the tools to address their needs. This proposal will help finance affordable housing developments that serve households with at least one adult age 62 or older and with a household income that does not exceed 50% of the state's annual median income (approximately \$30,000 per year or less). Dedicated resources are needed because:

- Every county across the state, especially in greater Minnesota, lacks sufficient affordable housing to serve the growing number of seniors. Minnesota Housing is required to balance funds awarded to the seven-county metro and Greater Minnesota with particular attention directed to projects in communities with population under 25,000.
- Minnesota's fastest growing group of homeless individuals is age 55 or older, according to the Wilder Foundation Statewide Homeless Report.
- By the year 2020, Minnesota will have 220,000 households over the age of 65+ that would qualify by income for affordable housing but for whom no assistance will be available.

Ensure Funding Mechanisms for Affordable Housing & Community Redevelopment

Communities need resources to invest in their local economies, support affordable housing construction and attract redevelopment. Minnesota NAHRO supports these innovative approaches to help communities improve their local economies, create jobs and stabilize neighborhoods including \$10 million in appropriations to (* indicates items endorsed by Homes For All):

- Incentivize the creation of Local Housing Trust Funds with a \$2.1 million matching fund*
- Support homeless students and highly mobile families through Homework Starts at Home*
- Prevent homelessness by investing in Bridges, Housing with Supportive Services, and Group Residential Housing rental assistance programs*
- Reinstate the renters credit to manufactured homeowners in resident-owned communities*
- Expand workforce homeownership opportunities through the Workforce Homeownership Program*
- Support proposed consensus changes to the tax exempt bond allocation in order to use this limited resource more efficiently*
- Restore funding for Redevelopment Grant Program (DEED)

EDAM 2018 **LEGISLATIVE** POLICY

LEGISLATIVE PRIORITIES



MINNESOTA INVESTMENT FUND

MIF is a proven financing program that has resulted in projects in both Greater Minnesota and the Metropolitan Areas. This program has a strong history of using state loan dollars to leverage private sector investment to fuel job creation, business expansion and the creation of new tax base by Minnesota businesses. Since FY15 (July 1, 2014), DEED has made 58 MIF awards valued at more than \$36.4 million touching all corners of the state (with 29 awards in Greater MN). MIF is a unique financing tool as repayments of the loan seed local revolving loan funds which are then used to leverage additional private financing and more economic growth. Minnesota communities rely on this program to remain competitive with neighboring states in their effort to bring jobs and tax base to Minnesota. MIF awards are expected to leverage more than \$1 billion and create nearly 4,500 jobs. EDAM supports the continued funding of MIF annually at stable and sustainable levels.

JOB CREATION FUND

JCF is a performance-based program that has proven to be a solid complementary program to MIF. JCF encourages business investment and job creation by providing awards after the business meets performance commitments related to capital expenditures and full-time job creation. Without this program we are putting Minnesota at a competitive disadvantage compared

to our neighboring states. Since FY15, the program has made 60 JCF awards valued at more than \$25 million. This is a valuable program for the entire state as more than 50% of the projects (32) are in Greater Minnesota. The JCF awards are expected to leverage nearly \$800 million and create more than 3,800 jobs. The program will leverage \$227 million helping create 1,200 full-time jobs in Greater Minnesota ensuring that all areas of the state benefit from business investment. Since the program is performance-based, no funds are provided until the business meets minimum program capital expenditures and job creation requirements. EDAM supports the continued funding of JCF as an important tool that enhances accountability and transparency of business financing in the state.

REDEVELOPMENT GRANT PROGRAM/ DEMOLITION LOAN PROGRAM

DEED funds redevelopment projects through the Redevelopment Grant Program and Demolition Loan Programs. These funding mechanisms are vital to the growth and sustainability of communities as they remove financial barriers that exist on blighted sites. Funds are used to demolish blighted buildings and to prepare dilapidated sites so that business expansions, new business development, and redevelopment can occur. The measurable results of these projects include creating quality jobs, removing blight and increasing the tax base. EDAM supports the continued funding of these programs annually at stable and sustainable levels.

ANGEL INVESTMENT TAX CREDIT

Originally authorized in 2010, the Angel Investment Tax Credit program expired in 2017. The program lured capital from out-of-state investors to Minnesota start-up companies. In 2016, 340 non-Minnesota residents participated, funneling over \$25 million into Minnesota companies. Reauthorization of the program is critical to increasing innovation and encourage startups in Minnesota.

EDAM 2018 LEGISLATIVE POLICY

WHO IS EDAM?

The Economic Development Association of Minnesota (EDAM) is a statewide association representing more than 500 public and private sector professionals involved with implementing state, regional, or local economic development initiatives. Our legislative policies are shaped by members' unique experience and understanding of the tools and tactics that are most effective in positioning and marketing Minnesota as a location for corporate, small business, housing and community investment.

Economic developers generally focus on financing, marketing and implementation for:

- Developing public infrastructure;
- Facilitating business expansion and job creation and retention;
- Undertaking redevelopment;
- Marketing our communities' benefits as a great place to locate a business and live;
- Attracting, training and mobilizing a skilled local workforce;
- Addressing local housing needs.



EDAM'S VISION

Economic development creates and retains jobs and increases incomes. This is done through supporting business expansion and entrepreneurship, promoting business development and retention, developing infrastructure, marketing to targeted industries and enhancing human capital. EDAM members support continued investment in economic development programs so that Minnesota remains competitive with other jurisdictions, both nationally and internationally.

INTRODUCTION

Economic Development creates and retains jobs and increases incomes. This is done through supporting business expansion and entrepreneurship, promoting business development and retention, developing infrastructure, marketing to targeted industries, and enhancing human capital. EDAM's legislative policies are established through surveying our members and consulting with our partners. EDAM members support continued investment in economic development programs so that Minnesota remains competitive with other jurisdictions, both nationally and internationally.



ECONOMIC DEVELOPMENT ASSOCIATION OF MINNESOTA

4248 Park Glen Road, Minneapolis, MN 55416

Tel 952-928-4640 | Fax 952-929-1318

www.edam.org | info@edam.org





Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

DRAFT - Adverse Weather Conditions

City Staff

City facilities shall be open for business on all regular business days including during adverse weather. The City is prepared to continue operations in the event of an emergency including but not limited to weather related emergencies, flood and fire related events, hazardous material incidents, pandemic events and other disasters. Employees will be expected to report to work as assigned. In the case of a disaster where a facility is inhabitable, employees may be deployed to alternate worksites and/or assigned duties that are different than the employee's primary work assignment. Employees who are relieved from duty due to the closure of their office will be paid through the end of their regular shift for that day. In the event of an extended closure, employees not assigned to fulfill priority service functions will not be paid for days not worked unless PTO or compensatory time is utilized. If city facilities are closed for the morning or entire day, notification to all employees will be made before 6:00 am.

Due to individual circumstances, each employee will have to evaluate the weather and road conditions in deciding to report to work (or leave early). Employees not reporting to work for reasons of personal safety will be allowed to use accrued vacation time or compensatory time with supervisor approval.

Essential services such as sworn police officers, fire department, and public works maintenance employees will generally be required to report to work regardless of conditions.

Decisions to cancel departmental programs (special events, recreation programs, etc.) will be made by the respective supervisor or the city administrator.

The Mayor or City Council President shall make the decision relating to office closings and/or changes to a City Council meeting.

City Council Meeting Options:

- **Hold the Meeting:** If there is a quorum. Agenda items can be postponed if needed by amending the agenda at the beginning of the meeting.
- **Postpone the Meeting:** If a meeting is postponed, someone needs to be present at the start of each meeting (P&F, S&PW, and council) publicly announcing that a quorum is not present, and the meeting is therefore postponed to a certain date.
- **Cancel the Meeting:** Post the cancelation on the door, website and call or e-mail anyone who receives notices of council meetings. Notify the radio as well.
- **Call a Special Meeting:** Special meetings must be posted at least 3 days in advance.

Brainerd Parks and Recreation Weather Policy

Weather announcements

For weather cancellation announcements, please call our cancellation line at 218-454-2900, extension 3350, or 1-800-547-2909, extension 3350; view our website at www.ci.brainerd.mn.us/parks; or listen to WJJY or KLZ radio stations. The safety of our patrons is important to us, and we will make every effort to keep you informed of program cancellations or facility closures due to weather.

Summer programs

Cancellations (games, practices and programs)

Scheduled youth and adult games, and youth programs, may be cancelled due to wet field conditions or hazardous weather conditions. Because weather and field conditions continually change, staff will wait to make cancellation decisions. Morning and afternoon youth program cancellations will be made no later than 30 minutes prior to the program start. Evening youth and adult games will be cancelled on or about 4 p.m. Since staff does not schedule youth or adult practices, cancellations will be determined by the team coach or manager.

High temperatures

Programs will not be cancelled due to hot and/or humid weather conditions. Coaches and recreational aides are expected to use appropriate judgment in determining the length and type of activity. Each parent knows their child's health condition and should discuss their concerns with the child's coach or the recreational aide. For non-competitive programs, recreational aides will be instructed to consider the temperature and to make sure children are not over exerted and have plenty of fluids. If water fountains are not available at certain fields, parents should make sure their child brings cold fluids and make sure the child stays hydrated. Parents have the option to withhold their child from any activity for safety reasons.

Lightning

Upon the first sighting of lightning all in attendance at an outdoor activity should immediately go to their cars or enter a building. Lightning can strike up to 6 miles away from the base of the thunderstorm. No one will be allowed to resume play until 10 minutes after the last sighting of lightning. Recreation aides, volunteer coaches, umpires or full-time staff must follow this policy.

Winter programs

Outdoor rinks and Pond Hockey

During extreme cold weather, outdoor activities are not recommended. Therefore, warming houses will be closed and Pond Hockey programs will be cancelled when the air temperature is -10 degrees or lower, or when the wind chill is -25 degrees or lower. For the protection of your children, please keep them home on those days. Warming houses may be closed and Pond Hockey may be cancelled due to rinks covered in snow. The Parks and Recreation website will be updated from 8 a.m. to 5 p.m. Monday through Friday. After 5 p.m. or on weekends call the cancellation line for updates.



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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

RESOLUTION

NO. _____

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

WHEREAS, a motion by the City Council passed on the 20th day of February 2018, fixed a date for a Council hearing on the proposed improvement listed below; and

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

IMPROVEMENT 17-13

Street Resurfacing

Brook Street and SE 10th Street Resurfacing Project
Brook Street from South 8th Street to Southeast 13th Street
Southeast 10th Street from Willow Street to the Dead End

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

WHEREAS, ten days' mailed and two weeks' published notice of the hearing was given and the hearing was held thereon on the 19th day of March, 2018, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

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

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

1. Said improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Said improvement is hereby ordered as proposed in the Council motion on the 19th day of March 2018.
3. City Engineer Sandy is hereby designated as the engineer for this improvement. He shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse itself for costs of the project from proceeds of bonds, which are expected to be issued in the maximum principal amount of \$835,400.

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

1. Such plans and specifications, a copy of which is on file at the offices of the City Administrator and the City Engineer, are hereby approved.
2. The City Administrator shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published, shall specify the work to be done, shall state that bids will be received by the City Administrator until 10:00 a.m. on April 20, 2018, at which time they will be publicly opened in the Council Chambers of the City Hall by the City Administrator and City Engineer, will then be tabulated, and will be considered by the Council at 7:30 p.m. on May 7, 2018, in the Council Chambers of the City Hall, Brainerd, Minnesota. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit,

cashier's check, bid bond or certified check payable to the City Administrator for five (5) percent of the amount of such bid.

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

Adopted this ____ day of _____, 201__

Approved this _____ day of _____, 201__

DAVID J. PRITSCHET
President of the Council

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

EXHIBIT A
IMPACT OF ASSESSMENTS
CITY OF BRAINERD
IMPROVEMENT NO. 17-13

Available at Hearing Held March 19, 2018

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

A reasonable estimate of the total amount assessed is \$213,687. This estimate is approximately 50% of the street resurfacing costs. The City reserves the right when actually levying assessments to assess up to the full costs of the improvement, which may exceed estimates available at the time of the hearing on the improvement.

The following is a description of the methodology the City intends to use to calculate individual assessments for affected parcels on Improvement 17-13: front footage. The City reserves the right when actually levying assessments to modify or depart from this methodology to the extent the City deems appropriate.

Paul Sandy

From: James Fladung
Sent: Monday, March 12, 2018 1:38 PM
To: Paul Sandy
Subject: FW: Brook Street Project



-----Original Message-----

From: John Ward <jsward@charter.net>
Sent: Monday, March 12, 2018 1:13 PM
To: James Fladung <jfladung@ci.brainerd.mn.us>
Cc: sward@charter.net
Subject: Brook Street Project

James,
Here are my comments for the upcoming meeting on this project:

As stated during our telephone conversation today, the letter is misleading regarding " a side yard deduction for corner lots of....." The letter made it sound like all corner lots will get a side yard deduction. You explained that is not true. I feel the city should make a correction and new letters sent to corner lot folks explaining the correct statement.

Also, I would ask for the city to consider this project being assessed at interest free due to so many folks in that area being economically strapped. Along the same line, the project could be spread over 20 years for the same reason as above.

I assume you will share my comments and suggestions at the March 19th meeting. Please let me know if you have any questions.

Respectfully,
John Ward
218-838-7335

Sent from my iPhone



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 2nd Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <u>Please Explain:</u>	

**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



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) <i>*provide copy of published hearing notice</i> ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 2nd Reading
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**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

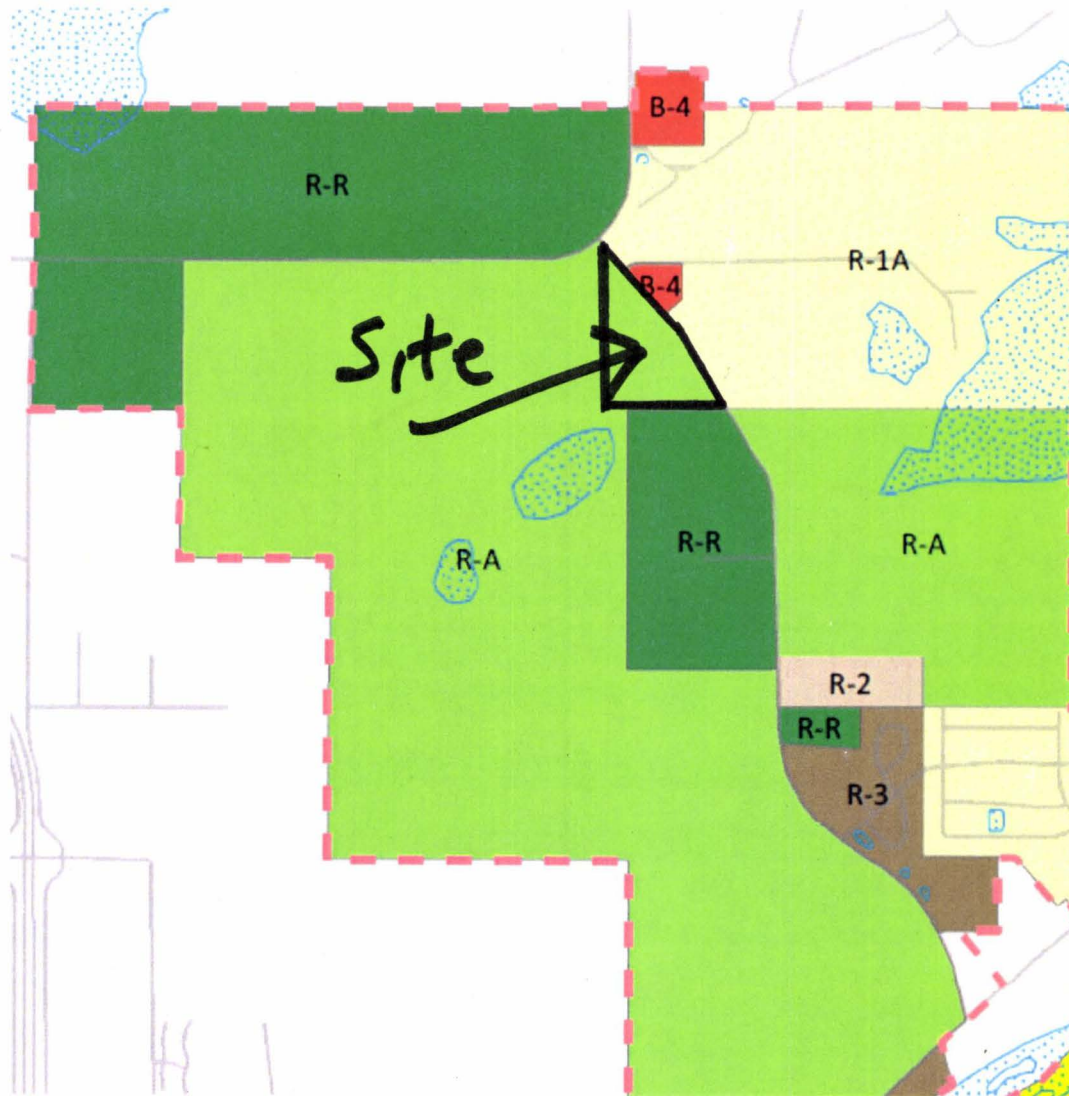
PLANNING COMMISSION AND CITY COUNCIL ACTION

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

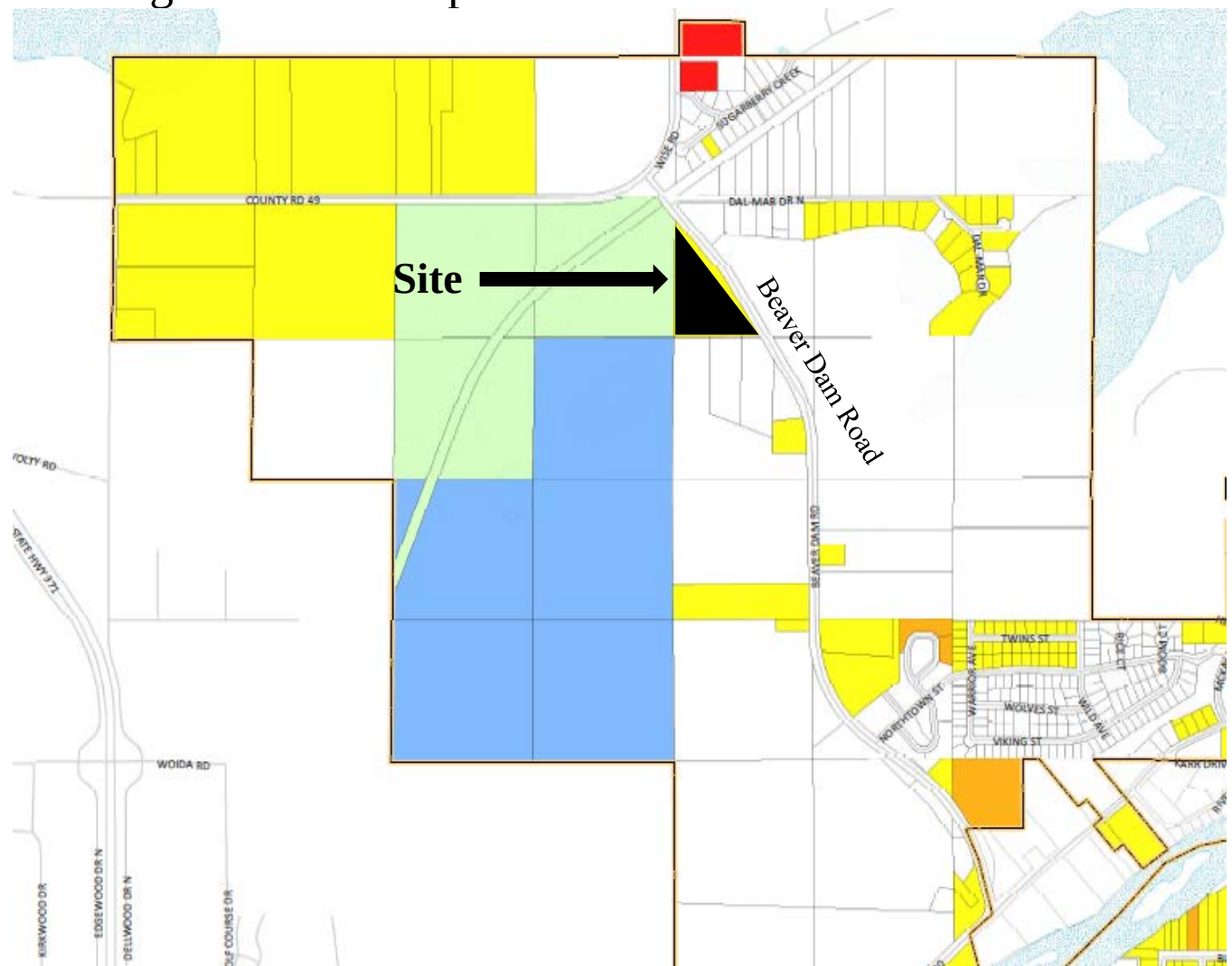
Zoning Map



Legend

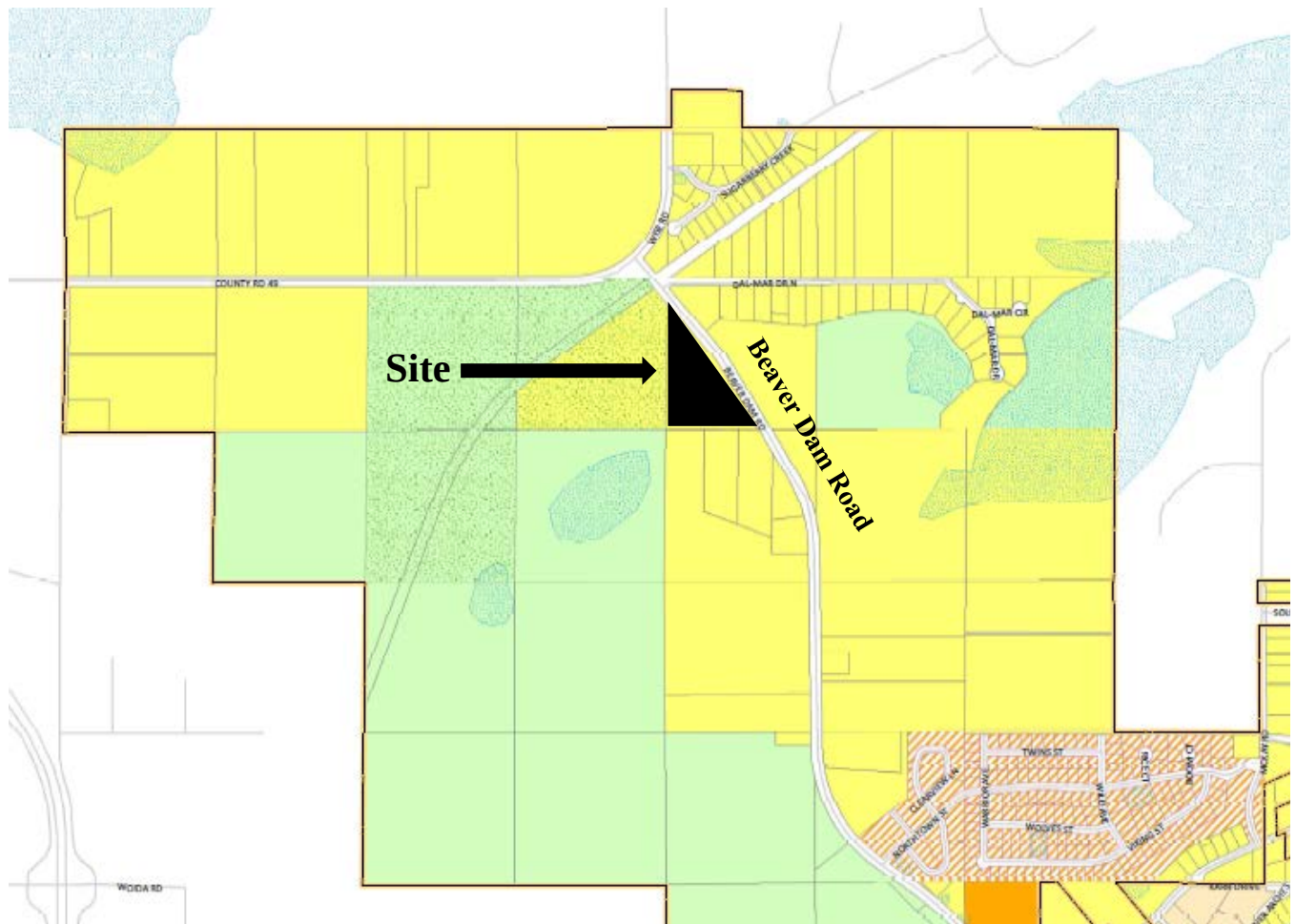
- R-A Rural Agncultural
- R-R Rural Residential
- R-E Rural Estate
- R-1A Single Family Residential
- R-1 Single Family Residential
- R-2 Medium Density Residential
- R-3 High Density Residential
- R-MH Manufactured Housing
- B-1 Residential Office
- B-2 Neighborhood Business
- B-3 Central Business District
- 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

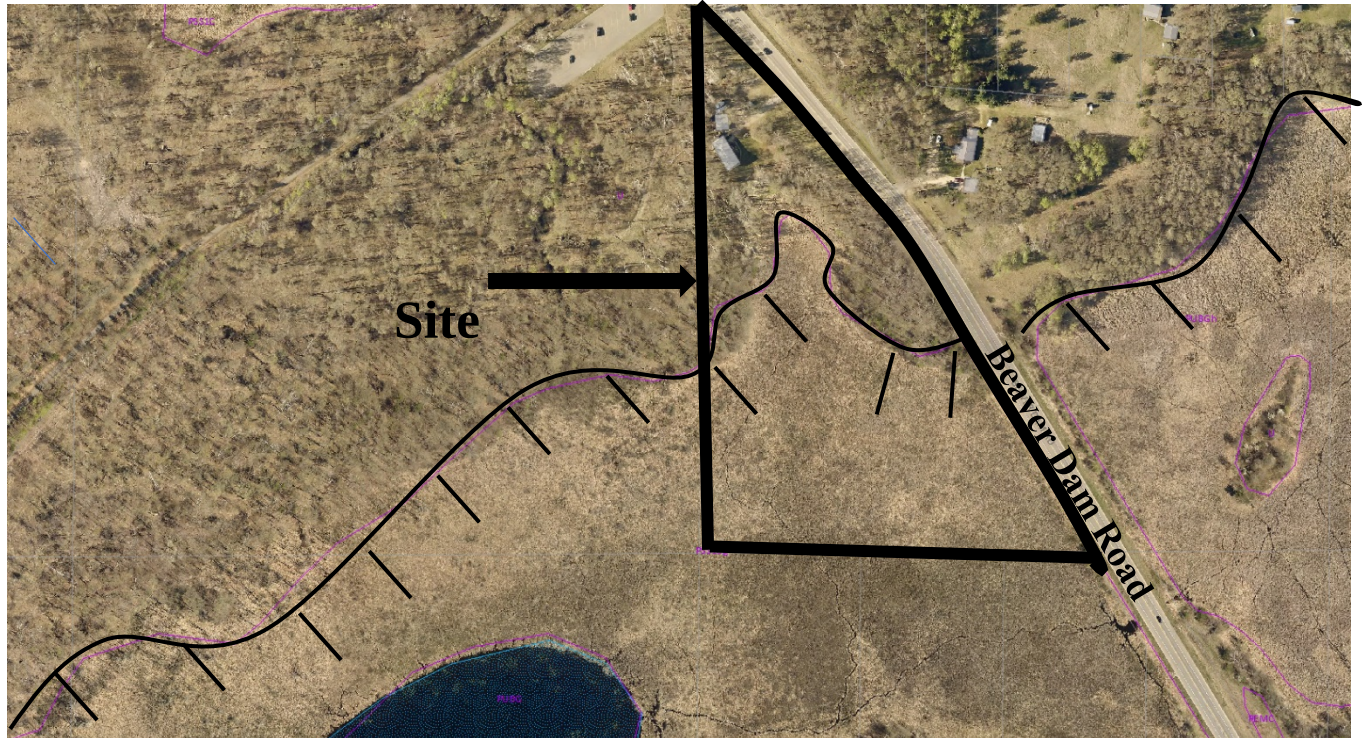
 Industrial

 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...

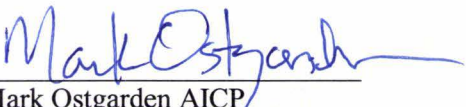
Uses by Administrative Permit in the R-1A District include:

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.

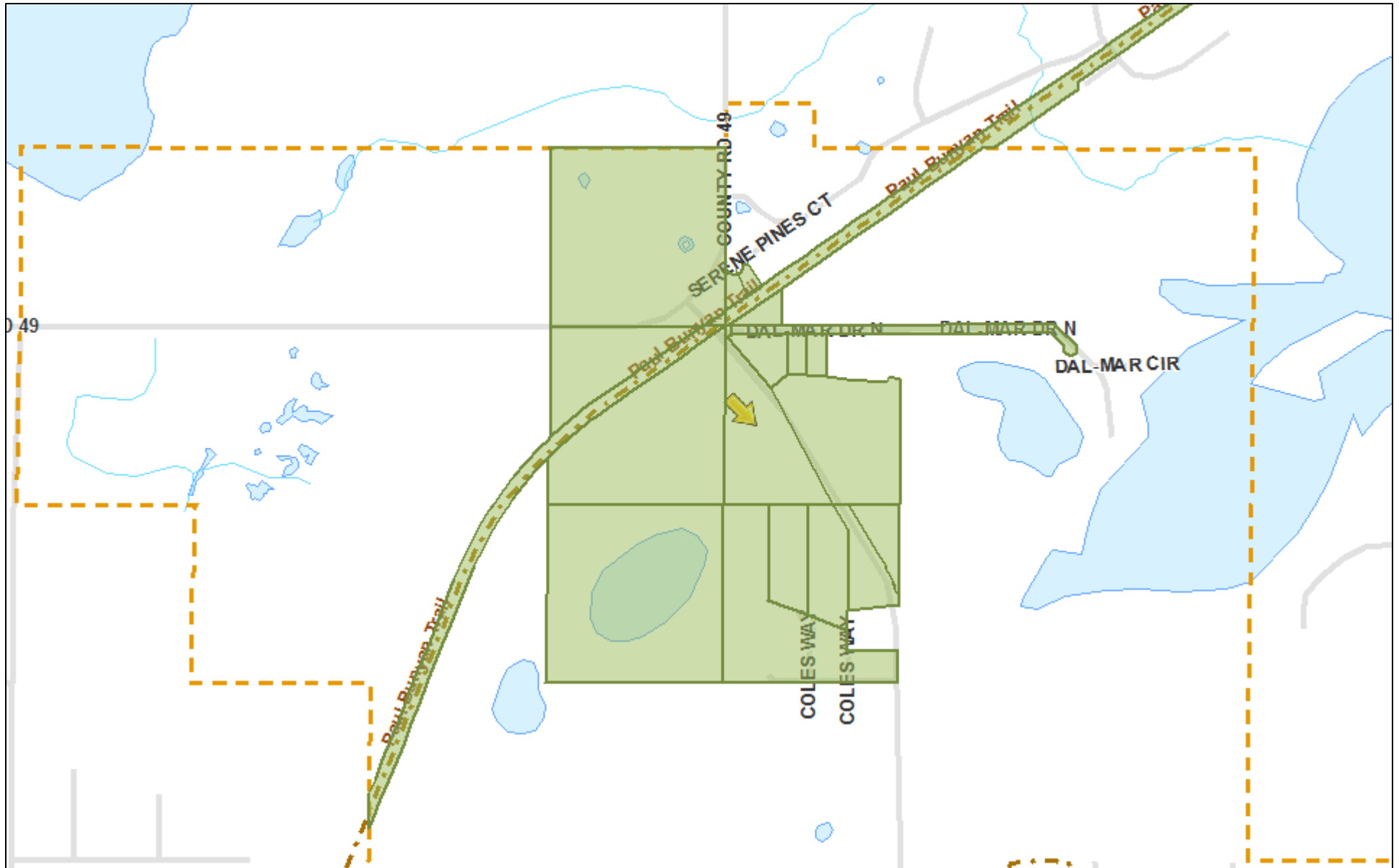
Dated this 8th day of February 2018.


Mark Ostgarden AICP
City Planner



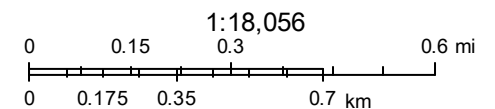
Tax Name	Tax Address	Tax Address 2
EIDE, BRUCE & SHELLEY M	8669 COLES WAY	BRAINERD MN 56401
NICHOLS, TREVOR W & CAITLIN M	8627 COLES WAY	BRAINERD, MN 56401
BOCHE, GREGG & MARY JO	8626 COLES WAY	BRAINERD, MN 56401
CROW WING COUNTY HIGHWAY DEPARTMENT	16589 COUNTY ROAD 142	BRAINERD MN 56401
CARTER, DALE 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

[Signature]
Property Owner Signature

01/24/2018
Date

Jon William Carter
(Please print name)

Applicant Signature

01/24/2018
Date

(Please print name)

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

YOU ARE INVITED



OPEN HOUSE

CELEBRATING 40 YEARS OF SHARED REGIONAL SUCCESS

TUESDAY :: MARCH 20, 2018

3:30-5:30 P.M. :: PROGRAM @ 4:30 P.M.

202 12TH ST NE :: STAPLES, MN





JOIN US FOR OUR

Anniversary Celebration & Special Announcement!

We can't think of anyone else we would rather celebrate with than YOU, our schools and communities, who have helped shape who we are today.

Join us for refreshments, a brief program, and a special announcement!

TUESDAY :: MARCH 20, 2018

3:30-5:30 P.M. :: PROGRAM @ 4:30 P.M.

202 12TH ST NE :: STAPLES, MN

RECEIVED

FEB 28 2018

CITY OF BRAINERD
ADMINISTRATION



*****AUTO**ALL FOR AADC 553

BRAINERD CITY COUNCIL
CITY OF BRAINERD
501 LAUREL ST
BRAINERD MN 56401-3595

t1
p1

cc: City Council
Mayor
City Administrator

PRESORTED
FIRST-CLASS MAIL
U.S. POSTAGE
PAID
BRAINERD, MN
PERMIT NO. 698