

CITY COUNCIL AGENDA

Brainerd, Minnesota

August 6, 2018

7:30 P.M.

Brainerd City Hall

Council Chambers

6:30 p.m.

**Joint City Council and Brainerd Public Utilities Commission meeting to
discuss Compensation/Pay Philosophy**

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

2. **Roll Call**

___ S. Hilgart ___ J. Lambert ___ K. Stunek ___ K. Bevans

___ D. Badeaux ___ G. Johnson ___ D. Pritschet ___ Mayor Menk

3. **Pledge Of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval Of Minutes**

1. Regular Meeting Held on July 16, 2018

Documents:

20180716_CC draft.pdf

B. **Approval Of Licenses**

1. Contractor Licenses - 4 - New; 7 - Renewals

Documents:

2018-08-06 License RPT.pdf

C. Department Activity Reports

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf
Park Director report.pdf

- D. Extension Of Premises - Submitted By Sage On Laurel, 606 Laurel St., Brainerd For An Event To Be Held On August 10, 2018 In The Adjacent City Parking Lot
- E. Temporary Beer License - Submitted By The Brainerd Eagles Club For An Event To Be Held On August 8, 2018 At Memorial Park, 1700 Mill Ave., Brainerd

6. Presentations

- A. Brainerd History Week Presentation - Mr. Dave Borash Committee Chair

Documents:

History Week Presentation.pdf

- B. Facility Study - Optional Plan - Mr. Mike Angland WSN

Documents:

Facility Study.pdf

7. Council Committee Reports

- A. Safety And Public Works Committee

Documents:

20180806_SPW.pdf

1. Street And Sewer Assessment Policy

Documents:

Assessment Policy.pdf

2. 414 N 10th Street Petition For Improvement And Assessment

Documents:

414 N 10th Street Petition for Improvement and Assessment.pdf

3. Event/Street Closure Application - 21st Bataan Memorial Death March

Documents:

Event App - 21st Bataan Memorial Death March.pdf

4. Ground Lease With Productive Alternatives

Documents:

Ground Lease with Productive Alternatives.pdf

5. Improvement 18-11 - Joint City Of Brainerd And Crow Wing County Storm Manhole Rehabilitation Project Authorization To Quote

Documents:

Improvement 18-11 - Storm Manhole Rehabilitation Project Auth. to Quote.pdf

6. Improvement 17-13 - Change Order 1

Documents:

Improvement 17-13 Change Order 1.pdf

7. Improvement 18-02 - Pay Estimate 1 - FINAL

Documents:

Improvement 18-02 - Pay Estimate 1 - FINAL.pdf

8. Improvement 18-04 - 2018 Patching Project Approval Of Quote

Documents:

Improvement 18-04 Quote Approval.pdf

B. Personnel And Finance Committee

Documents:

20180806_PF.pdf

1. Approval Of Bills & Payments To Contractors

<u>Contractor</u>	<u>Imp #</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
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Asphalt Preservation Co	IMP-18-02	Chip Seal-FINAL	\$131,997	\$0
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2. Fire Department Relief Association - Annual Report

Documents:

FD Relief Association Annual Report.pdf

3. Leave Of Absence From Fire Department

Documents:

2018 Agenda Request Teckemeyer.pdf

4. Police Department FY 2019 Towards Zero Deaths (TZD) Grant

Documents:

Resolution for TZD Traffic Safety Enforcement Grant.pdf

5. Police Department Out-Of-State Travel/Training Request

Documents:

2018-08-06AgndRQFriisTrng.pdf

6. Police Department Out-Of-State Travel/Training Request

Documents:

Staff Out of State Travel Training.pdf

7. Police Request To Sell Retired Squad Cars

Documents:

Authorization to sell retired Police Vehicles.pdf

8. Gregory Park Archway

Documents:

Gregory Park Archway to Council.pdf

9. Parks And Recreation Facility Priority

Documents:

Capital Improvement priority.pdf

10. Temporary Trainee Building Inspector - Request Authorization To Hire

Documents:

Temporary Trainee Building Inspector Position.pdf

11. Community Development Director Position - Review Job Description, 2019 Wage For Job Posting, And DDA Recruitment Proposal

Documents:

Community Development Director Job Description and Recruitment Proposal.pdf

12. 2017 Tax Increment Financing (TIF) Report Summary

Documents:

Annual TIF Report Summary.pdf

8. **Unfinished Business**

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

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

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

Library Board - 1 term (Expire 2021)

Transportation Advisory Committee - 1 term (Expire 2018) - 1 term (Expire 2019)

B. **Final Reading - Public Hearing - Proposed Ordinance No. 1485 - Amending City Code Section 900 Animals And 1010 Licensing Fees To Permit Miniature Pigs Within The City Of Brainerd**

- a. Hold Public Hearing
- b. Consider Testimony and Alternatives
- c. Hold Final Reading (Voice Vote)
- c. Adopt Ordinance (Roll Call)

Documents:

PH - Final Reading Proposed ORD 1485.pdf

C. **Historic Water Tower Discussion**

Documents:

Historic Water Tower Discussion Follow-Up.pdf

9. New Business

- A. **Public Hearing For Discussion On The Implementation And Progress Of The Small Cities Development Program (SCDP) Grant CDAP-15-0038-O-FY16 (Downtown Grant)**

Documents:

Public Hearing - Downtown Grant.pdf

10. Planning Commission

- A. **First Ordinance Reading - Proposed Ordinance No. 1486 To Rezone 1110 Pine Street And All Other Properties On Block 9, 2nd Addition To Brainerd As Listed Below From An R-1 (Single-Family Residential) District To An R-2 (Medium-Density Residential) District**

- Donna Pearson - 1106 Pine Street
- Dianna Lorimor - 1114 Pine Street; 1107 and 1109 Quince Street
- B.A.Doer - 1120 Pine Street
- Jeffrey Kollars - 1124 Pine Street
- Jan Walters - 1103 Quince Street
- HRA - 1113 and 1115 Quince Street; 714 and 716 12th Street SE

Documents:

1st Ordinance Reading Rezone Block 9 2nd Add. to Brainerd from R-1 to R-2.pdf

- B. **First Ordinance Reading - Proposed Ordinance No. 1487 To Rezone 1210 And 1202-13th Street SE From An R-3 (High Density Residential) District To An R-2 (Medium Density Residential) District**

Documents:

1st Ord. Reading - Rezone 1202 and 1210 3th Street SE from R-3 to R-2.pdf

- C. **First Ordinance Reading - Proposed Ordinance No. 1488 To Rezone 1015 Walnut Street And Three Other Properties On Walnut Street As Listed Below From An R-3 (High Density Residential) District To An R-1 (Single-Family Residential) District**

- Annamarie Denti - 1014 Walnut Street
- Michael and Lynn Jannetta - 1016 Walnut Street
- Cyris and Kathleen Poorwell - 1018 Walnut Street

Documents:

1st Ordinance Reading - Rezone 1014,15,16,18 Walnut Street R-3 to R-1.pdf

11. **Public Forum**

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

12. **Staff Reports**

(Verbal: Any Updates since Packet)

13. **Council Member Reports**

14. **Adjourn Into Closed Session Pursuant To MN Statutes 13D.05, Subd. 3(A), To Conduct The City Administrator Performance Review**

Note: Safety and Public Works Committee will meet at 5:45 P.M.
Personnel and Finance Committee will meet at 5:45 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
July 16, 2018**

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

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

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

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED BY MOVING THE HISTORICAL WATER TOWER DISCUSSION TO PRESENTATIONS DIRECTLY AFTER THE LAKES AREA MUSIC FESTIVAL PRESENTATION AND ELIMINATE ADJOURNING TO CLOSED SESSION PURSUANT TO MN STATE STATUTE 13D.05, SUBD. 3, TO CONDUCT THE CITY ADMINISTRATOR PERFORMANCE REVIEW.

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

A. Approval of the Minutes of the Regular Meeting held on July 2, 2018 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 3 – New; 3 – Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Adopt Resolution Accepting Donations & Contributions for the 2nd Quarter 2018 – Adopted by Resolution No. 41:18

E. Minnesota Lawful Gambling – Adopt a Resolution Authorizing the Brainerd American Legion Post 255 to Conduct Off-Site Gambling July 27 and 28, 2018 at the Front Street/Lively Parking Lot – Adopted by Resolution No. 42:18

F. Minnesota Lawful Gambling Application For Exempt Permit – Submitted by the Brainerd Fire Department Relief Association for an Event to be Held December 3, 2018 at the Brainerd Fire Department, 23 Laurel Street, Brainerd - Approved

G. Minnesota Lawful Gambling Application to Conduct Excluded Bingo – Submitted by Lower South Long Lake Improvement Association. Bingo Events to be Held at Jack's House, 300 Hwy 25 S., Brainerd on September 2, 2018 - Approved

- H. Second Hand Goods Dealer License Application – Submitted by Stafford Simmons Kaplan dba JAK Antiques & Collectibles to Conduct Business at the American Legion Post 255, 708 Front Street, Brainerd – Contingent Upon and Subject to Police and Fire Chief’s Approval - Approved**
- I. Temporary On-Sale Liquor License Application – Submitted by Brainerd American Legion Post 255 for an Event to be Held August 11, 2018 at the NP Event Center, 210 Blacksmith Cir., Brainerd - Approved**
- J. Temporary On-Sale Liquor License Application – Submitted by The Crossing Arts Alliance, 711 Laurel Street, Brainerd for an Event to be Held August 10, 2018 - Approved**

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

Presentations

Lakes Area Music Festival Presentation

The Chair welcomed Mr. Scott Lykins and Mr. John Taylor Ward, founding Artistic Directors for the Lakes Area Music Festival (LAMF). Mr. Lykins and Mr. Ward indicated they are especially excited to present live concerts in downtown Brainerd in August and are celebrating their 10 Year Anniversary this season. He explained the musicians come from around the world to perform chamber music, orchestra, opera and ballet with most concerts being free of charge. This year’s season is opening to a one of a kind outdoor gala consisting of a 60-person orchestra playing film scores by John Williams. An outline of other upcoming activities was discussed along with an event schedule that was offered to the council and audience. Questions were answered regarding performances, education and outreach programs throughout the area. The Chair thanked them for their presentation.

Historic Water Tower Discussion

City Engineer Sandy explained the historic water tower has experienced more delamination and falling stucco, which could be a danger to the public. The water tower was listed on the National Register for Historic Buildings in 1974 and is subject to the National Historic Preservation Act of 1966 that is intended to preserve historical and archaeological sites in the United States. The water tower condition assessment was completed by Preservation Design Works in 2017 and is provided to aid in the discussion and help to direct staff on the next steps.

City Engineer Sandy stated Phase 1 of the repair work would be to install a new lightweight roof within the existing concrete bowl, which would stop all active water intrusion and would not be visible from the street. The next phase of the project would be the repair and rehabilitation of the stucco and concrete on the exterior of the tower, steel staircase and windows, which would be required to seal the outside of the structure. Phase three of the project would be at the discretion of the council for some cosmetic work, relocation of light poles and upgrading light fixtures. City Engineer Sandy stated there are remedial options by replacing the netting to prevent falling material, hiring a company to scrape loose material, or a complete demolition of the structure.

City Planner Ostgarden explained a grant from the Minnesota Historical Society was requested and received, based on the recommendation of the Planning Department and the City Engineer, to fund the assessment report in 2017. The 165-page document was compiled for the opportunity to apply for grant assistance in the preservation project. Without the report, it would not be possible to submit the application for historical society grant funding. As with any grant opportunity, the higher the match increases the potential for approval.

City Planner Ostgarden also asked how important it is to the council to retain the water towers' status on the national registry. There may be less expensive methods for repairing the tower that may not meet the standards of the Secretary of the Interior.

Finance Director Hillman explained for insurance reasons, something needs to be done about the falling stucco to avoid liability issues.

City Administrator Torstenson stated she contacted Congressman Nolan's office for information on federal grant opportunities, but the amounts will not fund the entire project.

Mayor Menk indicated the concrete used in 1919 is a much lower quality than what is available today. There is a minimum of work needed to be done to assure safety of the surrounding area due to the spalling stucco.

The Chair opened the Public Forum.

Ms. Sharon Prindle, 22038 County Road 3, Merrifield – Ms. Prindle stated the water tower is an icon to the city and many across the country know it is here. She said it is worth the money to spend to have it repaired because once it is gone, it is gone for good. The City has lost many old buildings already and she said we don't need to lose any more. She indicated it should not just be a Brainerd problem; it can include Crow Wing County and possibly surrounding counties.

Ms. Ann Nelson, 9 Kingwood Street, Brainerd – Ms. Nelson asked if the national registration would prevent it from being demolished, which was confirmed as no. The City is the owner of the structure and it is at the will of the owner to do what they choose. Ms. Nelson stated everything should be done to save the tower and the City needs to quit dragging their feet and act. There has not been much maintenance done since 2014. Ms. Nelson indicated she does not understand why maintenance has not been done on the tower for many years to prevent the complete deterioration of the structure. She suggested a referendum to allow the residents to choose the outcome.

Mr. Gerald Prindle, 22038 County Road 3, Merrifield – Mr. Prindle stated he has been viewing the tower for 72 years and people from all over the state know Brainerd by the historic water tower. He indicated too many historic old buildings have been removed and it is sentimental to him.

Ms. Susan Edwards, 16263 Mile Circle, Brainerd – Ms. Edwards stated she moved back to Brainerd in 2013 and was surprised to see all the changes done in the City where buildings were removed and replaced by parking lots. Ms. Edwards and her sister took a trip to Sydney, Australia in 2011 and a gentleman knew of the Brainerd water tower. The tower is part of our culture, our city and logos, and needs to be saved. Ms. Edwards suggested looking elsewhere for funding or grant opportunities.

Ms. Katie Badgerow, Excelsior Drive, Baxter – Ms. Badgerow moved to the City 32 years ago from Illinois and loves the water tower. Ms. Badgerow asked if in the future the state widens the highway at that intersection if they could they demand the water tower is removed. It was determined that they could not make that decision.

Ms. Dana Moen, 1024 7th Ave NE, Brainerd – Ms. Moen was a past volunteer at the Crow Wing County Historical Society and through her services she had the opportunity to view many old documents. Ms. Moen indicated they did fundraising efforts in the 1970's to restore the water tower. She stated that when faced with a dilemma or problem, the residents in the City of Brainerd come together and help each other. It should be a community effort as there are plenty of people who would donate to help fund or create fundraising programs for the repairs. Ms. Moen commended Council Member Badeaux for the water tower presentation he gave at the library recently.

Ms. Doris Aasen, 12690 Little Pine Road, Brainerd – Ms. Aasen indicated she has friends that live out of state and when they visit Brainerd, they want to see the water tower. She feels there are a lot of fundraising opportunities and suggested a booth be set up at the Crow Wing County Fair to collect donations.

Mr. Mike Higgins, Brainerd Industrial Center, 1801 Mill Avenue, Brainerd – Mr. Higgins purchased the property at 1801 Mill Avenue for the Brainerd Industrial Center. He stated he has encountered problems when restoring his old buildings and there are unforeseen expenses that will occur. Mr. Higgins wants the council to be agreeable on the decision and does not want diversity among the members. He stated the council is doing a great job and wants it to continue and suggested sending the topic to a referendum for the residents to decide.

Mr. Joe Ling, 7118 Marconi Ct., Naples, FL – Mr. Ling has not been a resident of Brainerd since the 1970's but considers himself a son of Brainerd. He wanted to express that there are people interested in the water tower outside of the Brainerd area. He stated leadership from the council is needed to choose an option and adhere to that decision.

Ms. Carla Staffon, 1918 Graydon Avenue, Brainerd – Ms. Staffon inquired with the historic designation that the tower has if concrete is the only material that can be used in the restoration. It was determined that other materials are available, as in the lightweight replacement roof and this would not alter the historic designation. She added all the ideas that have been voiced are wonderful and there should be no reason not to try all of them.

Mr. Curtis Lundebj Jr., 523 F Street NE, Brainerd – Mr. Lundebj would like to see the water tower saved and encouraged applying for the grants that may be available.

Mr. Clyde Campbell, 11085 Devon Trail, Brainerd – Mr. Campbell thanks Mayor Menk for reminding everyone the concrete that was used to build the tower back in 1919 is definitely not the same as it is today. He feels personally attached to the water tower because his grandfather was the City Engineer when the water tower was constructed. Mr. Campbell indicated there is a similar water tower in Pipestone, MN and asked if staff has consulted with leadership in Pipestone. City Planner Ostgarden stated that the City of Pipestone applied for a grant from the historical society in 2016 to complete an assessment of their tower as well. Their city council has been discussing similar issues, but the outcome is unknown. City Planner Ostgarden will research and obtain specific details for a future meeting.

Mr. Jeff Ledin, 23288 Rebel Road, Merrifield – Mr. Ledin is a drinking water engineer who designs new water towers in the state of Minnesota. Mr. Ledin is neutral in the decision and wants to bring it into perspective. He was involved in contributing to the water tower report in 2014 and wanted to mention that \$2.4 million would build a brand-new functioning water tower. In relative terms of grant sources, usually those funds are rather modest amounts and would probably not fulfill the amount needed.

The Chair closed the Public Forum.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO OBTAIN CONTRACTOR BIDS FOR RESOLVING THE IMMEDIATE SAFETY CONCERNS, RESEARCH THE FUNDING OPTIONS AVAILABLE AND TO DRAFT A REFERENDUM QUESTION FOR DISCUSSION.

Break

The Council took a break from 9:05 – 9:10 p.m.

2017 Audit Presentation

The Chair recognized Ms. Mary Reedy of the City's accounting firm, CliftonLarsonAllen, who reviewed the City of Brainerd 2017 Audit Results along with Finance Director Hillman.

Items discussed:

- BPU Audit Report Results
- BPU Financial Report Results
- City's Required Communications
- City's Audit Results
- City's Financial Results
- Discussion Topics Insights and Observations

Ms. Reedy and Finance Director Hillman answered questions of the Council. The Chair thanked them for the presentation.

Council Committee Reports

Safety and Public Works Committee Report

Event/Street Closure Application – Brainerd Dispatch Customer Appreciation - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR THE BRAINERD DISPATCH CUSTOMER APPRECIATION EVENT AND THE APPLICANT WORK WITH THE ENGINEERING STAFF FOR TRAFFIC CONTROL IF NEEDED.

Improvement 18-01 Testing Services – Brainerd Salt/Sand Storage Facility - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE PRE-AUTHORIZED TESTING SERVICES FROM NORTHERN TECHNOLOGIES WITH AN ANTICIPATED TOTAL TESTING COST OF APPROXIMATELY \$2,000.

Improvement 18-03 – Change Order 1 - Approved

City Engineer Sandy explained there was a total amount of 57,350 linear feet of cracks to seal based on last year's data. The identified streets totaled 37,747 feet, which is 34% under the contracted amount. Due to a contract clause that protects the contractor and the City for overruns or underruns greater than 30% a price adjustment was requested. The contractor was directed to continue to seal cracks until the material that was already purchased was depleted, which completed a total of 60,092 feet of cracks.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE CHANGE ORDER 1 AS PRESENTED IN THE TOTAL CHANGE ORDER AMOUNT OF \$2,128.

Improvement 18-03 – Final Pay Application 1 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE PAY APPLICATION #1 FINAL PAYMENT FOR IMPROVEMENT 18-03: 2018 CRACK SEALING PROJECT AS PRESENTED.

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO APPROVE THE PAYMENT OF BILLS & PAYMENTS TO CONTRACTORS CONTINGENT UPON THE APPROVAL OF SAFETY AND PUBLIC WORKS AUTHORIZING THE CRACK SEALING AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE.

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

2019 Budget Timeline Discussion - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE BUDGET WORKSHOP BE HELD ON MONDAY, AUGUST 27, 2018 AT 6:00 P.M.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO INVITE THE PUBLIC UTILITIES COMMISSION TO MEET WITH COUNCIL ON AUGUST 6, 2018 AT 6:30 P.M. TO DISCUSS COMPENSATION PHILOSOPHY FOR UNION NEGOTIATIONS.

Brainerd and Crow Wing County Public Transit Space Lease - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE THE LEASE AGREEMENT FOR BRAINERD AND CROW WING COUNTY PUBLIC TRANSIT OFFICE SPACE IN CITY HALL AT A MONTHLY RENTAL RATE OF \$615 EFFECTIVE 1/1/19.

Community Development Director Position – Reorganization Opportunity - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO DIRECT STAFF TO UPDATE THE POSITION DESCRIPTION FROM CITY PLANNER TO COMMUNITY DEVELOPMENT DIRECTOR, TO PRESENT WAGE RANGE AT THE NEXT COUNCIL MEETING; AND REORGANIZE THE BUILDING DEPARTMENT TO FALL UNDER THE COMMUNITY DEVELOPMENT DIRECTOR RATHER THAN THE CITY ENGINEER.

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)
Transportation Advisory Committee – 1 term (Expire 2018) – 1 term (Expire 2019)

First Reading – Proposed Ordinance No. 1485 – Amending City Code Section 900 Animals and 1010 Licensing Fees to Permit Miniature Pigs within The City of Brainerd - Approved

City Planner Ostgarden indicated the draft ordinance was reviewed by the City Attorney and emailed to the Council today for review. This ordinance amendment was initiated at the request of a resident who desires to have a miniature pig as a pet.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1485 – AMENDING CITY CODE SECTION 900 ANIMALS AND 1010 LICENSING FEES TO PERMIT MINIATURE PIGS WITHIN THE CITY OF BRAINERD.

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

New Business

Call for Public Hearing for Discussion on the Implementation and Progress of the Small Cities Development Program (SCDP) Grant CDAP-15-0038-O-FY16 (Downtown Grant) – Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO SET THE PUBLIC HEARING FOR MONDAY, AUGUST 6, 2018 AT 7:30 P.M. DURING THE REGULAR CITY COUNCIL MEETING.

Planning Commission

Public Hearing and Final Reading – Proposed Ordinance No. 1484 – Amending Brainerd Zoning Ordinance Sections 515-63-2 (B-4 District) and 515-65-2 (B-6 District) to Add Funeral Homes / Mortuaries and Crematoriums as Permitted Uses – Adopted by Ordinance No. 1484

The Chair opened the Public Hearing at 9:40 p.m.

No one came forward.

The Chair closed the Public Hearing at 9:40 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1484 – AMENDING BRAINERD ZONING ORDINANCE SECTIONS 515-63-2 (B-4 DISTRICT) AND 515-65-2 (B-6 DISTRICT) TO ADD FUNERAL HOMES / MORTUARIES AND CREMATORIALS AS PERMITTED USES.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT ORDINANCE NO. 1484 – AMENDING BRAINERD ZONING ORDINANCE SECTIONS 515-63-2 (B-4 DISTRICT) AND 515-65-2 (B-6 DISTRICT) TO ADD FUNERAL HOMES / MORTUARIES AND CREMATORIALS AS PERMITTED USES.

ORDINANCE NO. 1484

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

Public Forum

The Chair opened the Public Forum at 9:41 p.m.

No one came forward.

The Chair closed the Public Forum at 9:41 p.m.

Staff Reports

City Engineer Sandy announced the crews have started paving the first phase of the South 6th Street construction. He also stated work has started on the salt and sand storage building at the Streets Department.

City Attorney Langel stated an order has been received from the court allowing for the demolition of the motel on South 6th Street on or after September 1, 2018 which allows the owner time to obtain the permit and demolish the structures. If this does not take place by September 1, 2018, the City can proceed with the demolition.

City Administrator Torstenson announced the first Placemaking Event took place over the weekend which was “Hearing Canvas; Seeing Music” and the artwork is on display in the downtown businesses.

July 16, 2018 - **DRAFT**

Council Member Reports

Council Member Johnson attended the Placemaking Event and thought it was a great performance. He also visited the Barnstormers Event at the airport that is currently taking place and recommends everyone attend.

Council Member Hilgart stated Brainerd Community Action did a great job with the 4th of July celebration.

Council Member Stunek also enjoyed the Barnstormers Event at the airport and it is an excellent opportunity to see the planes. He also attended the "This One's for Hop" softball tournament played this weekend. Another special game was the Wounded Warriors Softball Team with an event at the Miracle Field last weekend.

Council Member Pritschet encouraged everyone to attend an event performed by Lakes Area Music Festival and enjoy the establishments in the downtown area.

Council Member Badeaux stated he attended the softball tournaments and they were very impressive to watch.

Adjourn

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

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
August 6, 2018
(4 New, 7 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
MECHANICAL BROTHERS, LLC 508 1ST STREET SE AVON, MN 56310 18-0184	(320) 356-1700	PLUM	5/1/2019	3/30/2020	MB004799 PC643833
EXPERT INSULATION OF BRAINERD, INC. 7775 BRIANS WAY BRAINERD, MN 56401 18-0185	(877) 888-2780	INSU	5/1/2019	12/31/2018	
LAKESHORE GLASS & DOOR LLC 8276 INTERLACHEN ROAD LAKE SHORE, MN 56468 18-0186 (new)	(218) 232-1216	CARP	7/11/2019	12/31/2018	
HESS CONSTRUCTION LLC 8913 83RD AVE SW STAPLES, MN 56479 18-0187 (new)	(218) 639-5014	GENL	3/10/2019	12/31/2018	
GEORGE HELLER CONCRETE 20410 CO RD 7 VERDALE, MN 56481 18-0188 (new)	(218) 371-6547	MASO	10/9/2018	12/31/2018	
CLASSIC SIDING, INC. 4687 PINE BEACH ROAD BRAINERD, MN 56401 18-0189	(218) 828-1757	SIDE	4/6/2019	12/31/2018	
ABE LLC 22801 COUNTY ROAD 3 MERRIFIELD, MN 56465 18-0190	(218) 765-4344	GENL	4/3/2019	12/31/2018	BC636682
BARRIE REMPEL BUILDER 15381 DEMERY ROAD BRAINERD, MN 56401 18-0191	(218) 838-4888	GENL	5/21/2019	12/31/2018	BC631941
WENZEL HEATING & AIR CONDITIONING 4145 OLD SIBLEY HWY EAGAN, MN 55122 18-0192 (new)	(651) 894-9898	MECH	4/1/2019	8/19/2018	MB003896
CLARK EXCAVATING, LLC 1515 120TH STREET SW BRAINERD, MN 56401 18-0193	(218) 820-8892	EXCA	1/20/2019	12/31/2018	
DANO MASONRY LLC 16718 COUNTY RD 24 BRAINERD, MN 56401 18-0194	(218) 831-1015	MASO	3/1/2019	12/31/2018	

Brainerd Fire Department

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

July has been another busy month for emergency calls and activities at Brainerd Fire.

Crow Wing County Unmanned Aircraft Systems (UAS) members from Brainerd Fire assisted with several incidents; including two searches for drowning victims, a search of the river for a possible missing person, and photographing a fatal crash. The UAS continues to be a very useful tool for all public safety.



Brainerd Fire participated in the Brainerd and Nisswa parades in July. We were honored to be part of the Wounded Warriors event as we displayed our large flag at Memorial Field for the softball game. We also participated in the Baxter and Brainerd Cub birthday party events, the First Baptist Church summer event, the Journey North family event and the Brainerd Jaycees Street Fest.



We had the opportunity to view a demo aerial apparatus. It was a good chance for us to look at options as we start to plan for the replacement of our aerial apparatus within the next year.



Chief Holmes had the honor of accepting a plaque from Brainerd Area Amateur Radio Club Past-President Al Doree for their appreciation of the use of the station as their venue to promote and participate in Amateur Radio Service for the Crow Wing County area.



Firefighters trained in auto extrication with patient care in July. We finished the month with a great live burn training in a structure on the south side of North Long Lake. Live burn training is close to real-life training for fire fighting operations. We appreciate the opportunity when we can do this type of training.



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

Structure Fire	1
Vehicle/Recreational Vehicle Fire	2
Grass/Tree Fire	1
Motor Vehicle Crash with Injuries	4
Search/Rescue	1
Gas Leak/Spill	1
Arcing Electrical Equipment	2
Assist Other Governmental Agency	10
Unauthorized Burning	2
Mutual Aid	1
Good Intent Call	5
Canceled Enroute	7
Alarm System Activation	13
Sprinkler Activation	1
Total	51

City of Brainerd Incident Report

Structure Fire	1
Motor Vehicle Crash with Injuries	2
Assist Other Governmental Agency	10
Unauthorized Burning	1
Good Intent Call	1
Canceled Enroute	3
Alarm System Activation	5
Total	23

Parks and Recreation Report

August 2018

Submitted by Tony Sailer, Director

- As of July 16, there have been 10 campground sites reserved where the party did not show up. Of those, eight were individuals who reserved a single night on a weekend. This results in a loss of revenue because people wanting to stay two or more nights often cannot book a site because it is blocked by a one-night reservation. The Park Board approved instituting a minimum two-night stay on weekends – Friday/Saturday or Saturday/Sunday – beginning in 2019. It is hoped that persons reserving a site for two or more nights will tend to show up.
- Staff is finding it more difficult to find umpires to work youth baseball tournaments as Brainerd pays the lowest game rate in the area. The Park Board approved the team registration fee be raised from \$350 to \$375 and increase the umpire rate by \$5 per game beginning in 2019. Tournament umpires will be paid \$35 per game for 10 and 11 & Under tournaments, and \$40 per game for 12-to-14 & Under games. The \$375 rate is in line with what most tournament hosts charge throughout the state.

A 12-team tournament has 24 games. In this case, the revenue from the registration fee increase would be \$300 and the expenditure for the increased umpire rate would be \$120. The price for baseballs and trophies, and hourly rates for tournament staff, have also increased over the past few years.

- Twenty-eight teams participated in the Gopher State 15 & Under state baseball tournament July 20-22. Games were played at Stewart C. Mills, Don Adamson, Central Lakes College, Forestview Middle School and Pierz fields.
- Ninety-three teams participated in the five youth baseball state qualifiers and the state tournament. According to Cragun's Resort and Conference Center, on average each team reserves 12 rooms for two nights. Using a nightly rate of \$120, that mean the tournaments generated \$267,840 in revenue for the area. Adding to revenue generated by tournaments is food, entertainment and shopping.
- The state VFW tournament will take place at Mills and Adamson fields Aug. 9-12. Twelve teams will participate. The Brainerd VFW will host the tournament and rents Mills Field on a per game basis. The Parks and Recreation Department will provide field maintenance workers, scoreboard operators and announcers. Brainerd will also host the VFW state tournament in 2019.
- The adult softball co-rec state softball tournament will take place Aug. 18 at Memorial Park.
- The Gregory Park re-dedication will take place at 1 p.m. on Aug. 10 as part of Brainerd History Week. This will include a history tour of the park by local historian Carl Faust.

- Approximately 2,000 people attended the Wounded Warriors softball game at Mills Field on July 13 and less than 1,000 attended the concert at Mills Field on July 14.
- Paws In The Park, a new event to raise funds for Buster Park, will take place Aug. 25. Plans for the event are still being formulated. The idea is to raise funds to purchase equipment for dogs to play on at the park.
- The Lum Park disc course was redesigned following the sewer/water construction. Staff installed metal hole markers at each hole, with new distance markers.
- New alumi-core park signs will be installed at Kiwanis, Bane, Jaycees and Memorial parks. The park sign at Memorial Park was recently destroyed in a road rage incident.



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Brainerd History Week Presentation - Mr. Dave Borash

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Cassandra Torstenson	Department: Administration
Presenter (Name & Title): Mr. Dave Borash - Committee Chair	Estimated Time Needed: 10 Minutes
Summary of Issue: Mr. Dave Borash, Committee Chair for Brainerd History Week, will be at the council meeting to present information on the activities planned for 2018 Brainerd History Week that will take place August 9-12.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Informational	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Facility Study - Optional Plan

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Cassandra Torstenson	Department: Administration
Presenter (Name & Title): Mr. Mike Angland, WSN	Estimated Time Needed: 20 Minutes
Summary of Issue: At the June 18th council meeting as well as the June 25th council retreat, the Council was presented and discussed the results of the facility study. At the meetings, the deficiencies and potential projects of each building was discussed to increase the efficiency and effectiveness of City operations. One of the concerns is the Annex and how the space can be better utilities. Mr. Angland will be at the council meeting to discuss potential use of the Annex space.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: This agenda item is informational and for continued council discussion of the City's facilities.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

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

August 6, 2018
City Council Chambers
5:45 PM

1. Street and Sewer Assessment Policy
2. 414 N 10th Street Petition for Improvement and Assessment
3. Event/Street Closure Application – 21st Bataan Memorial Death March
4. Ground Lease with Productive Alternatives
5. Improvement 18-11 – Joint City of Brainerd and Crow Wing County Storm Manhole Rehabilitation Project Authorization to Quote
6. Improvement 17-13 Change Order 1
7. Improvement 18-02 Pay Estimate 1 - FINAL
8. Improvement 18-04 2018 Patching Project Approval of Quote



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Assessment Policy

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 10 Minutes
Summary of Issue: Attached to this request is a draft version of an assessment policy for Committee and Council's review.	
Alternatives, Options, Effects on Others/Comments: The policy indicates what an assessment is, what are considered assessable improvements by the City, how much of the project cost is being assessed, how assessments are initiated either by petition or council action, assessment proceeds per statute 429, deferments, and other frequently asked questions including how improvements affect property taxes and why in certain circumstances the assessable footage is different than the front footage on the assessment role (side yard deduction). Staff can certainly dive into the detail of the policy at the meeting and answer any questions the Committee of Council may deem fit.	
Recommended Action/Motion: Staff recommends adoption of the attached assessment policy.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

City of Brainerd, Minnesota

Street and Sewer Assessment Policy

1. Introduction

Special assessments are a charge imposed on properties for an improvement that benefits the owners of that selected property. The authority to use special assessments originates in the state constitution which allows the state legislature to give cities and other local government units the authority “to levy and collect assessments for local improvements upon property benefitted hereby.” The legislature provides that authority to cities in Minnesota Statutes chapter 429.

A charter city such as Brainerd may choose to use either Chapter 429 or provisions of the charter to assess for local improvements. State law, however, preempts the Charter with respect to certain procedural requirements.

Special Assessments have three distinct characteristics:

- They are a levy the City uses to finance, or partially finance, a public improvement program.
- The city levies the charge only against those parcels of property that receive some special benefit from the program.
- The amount of the charge bears a direct relationship to value of the benefits the property receives.

The City finds it beneficial to fund portions or all of the 5-year street and sewer capital plan using special assessments. Special assessment proceedings will follow the procedures as outlined in Minnesota Statutes chapter 429 and any modifications thereto.

2. Assessable Improvements

How Much is Being Assessed?

Developer New Construction

On projects where utilities and roadways are being constructed for the first time, the developer is responsible for installing the watermain, sanitary sewer, grading, road surface, including curb and gutter, storm sewers, and any other incidental features consistent with City Code. The City requires developers to construct all facilities to city standards. While it is ultimately up to the developer to decide how the development costs incurred are recouped, the developer will typically divide these costs amongst the parcels developed and recoup those costs through the sale price of the lots.

City Petitioned New Construction

On projects where the city is petitioned to install the new improvements, the entire project cost being constructed is assessed to the abutting properties, on either a per lot basis or a front-foot basis.

Petitioned Reconstruction of Resurfacing

Whether the city acts upon its own authority to make an improvement or it is petitioned by property owners, the city assesses one-half (1/2) of the cost of the reconstruction or resurfacing improvement including construction and engineering of the said improvement on a front-foot or per lot basis. The other one-half (1/2) of the resurfacing or reconstruction cost is paid by the city. If utilities such as sanitary sewer, water mains, or storm sewers are being reconstructed along with the project, the cost of this work is not assessed, but rather is covered through user fees and rates set by council or public utilities commission. If a project consisting of overlaying a street is proposed, the entire project cost is assessed to abutting properties. The City does not typically assess for new sidewalks, but may from time to time, assess for the entire costs of repairs thereto.

Pursuant to Petition – Properties Abutting the City but outside City Corporate Boundaries

The City does not construct municipal utilities outside its corporate boundaries unless and until the properties are annexed. Once annexation is completed, the utilities are installed and the entire cost of installation is assessed to abutting property owners.

Pursuant to Council Action – Properties not Abutting the City

The City does not construct municipal utilities outside of its corporate boundaries until the properties are annexed to the City. Once annexation is completed, the utilities are installed and the entire cost of installation of said utilities are assessed to abutting property owners.

In prior years, the City Council authorized the construction of utility improvements outside its corporate boundaries and not abutting the city. To pay for such costs, the council established a Water Connection Charge (WCC) and Sewer Connection Charge (SCC). These charges, as initially set by council resolution, represent the average costs of constructing such utility improvements and is payable immediately upon connection to the system. If these charges were deferred, they become payable if the property owner elects to divide the property. If a lot is split and the owner elects to connect to sewer and water to one of the new parcels, the WCC and SCC are charged to the property owner for that parcel, with the balance of the deferred assessment remaining on the other parcel.

The WCC and SCC set by Council resolution will remain in effect until repealed by the Council. Said resolution may be adjusted periodically by the City Council.

3. Initiation of an Improvement

By Petition from Property Owners

Per Minnesota Statute 429, if the council chooses to proceed with an improvement based on a petition, it must have the signatures of at least 35 percent in frontage of the property bordering the proposed improvements. If the council relies upon a petition as its basis for proceeding, it cannot make substantial changes the improvement from what is asked for in the petition. The council must pass a resolution determining whether the petition is legally sufficient.

By Council Action

The council may act on its own initiative in proposing a local improvement and ordering a feasibility report. This consists of a simple majority vote from the council.

4. Proceedings

Minnesota Statute 429

The City elected to utilize Minnesota Statutes chapter 429 for its assessment proceedings, as amended.

Interest Rates

The Council determines the interest rate on the special assessments, along with any other repayment provisions. The interest rate is typically set by ensuring a reasonable relationship between the assessments interest rate and the bond interest rate if the City issued bonds for the project. If the City finances the project with funds on hand, the Council will look at the interest rate the City would otherwise have earned on the funds.

5. Deferments

The City Council allows for assessment deferments for the elderly and all other people who fall within the economic hardship criteria. A deferred assessment is not forgiven but is postponed until such time that the property owner either elects to resume making the annual installments as certified, no longer meets the economic hardship criteria, or sells the property. Persons interested in deferring assessments must apply each year to have the following year's assessment installment deferred. After 10 years, no further applications are necessary, and the deferred installments will remain permanently deferred without accrual of additional interest, until such time that the deferred assessment is voluntarily paid if the property is sold. The most current deferment criteria passed by Council resolution can be requested from the City Clerk.

6. Other Frequently Asked Questions

Will Improvements Affect my Property Taxes?

While it is well documented within the real estate industry that streets and utilities that are in poor condition decrease the marketability and sale prices of homes, improvements to the streets and utilities do not automatically increase the taxes on the property. Property market valuations, as determined by the County Assessor, are based on the recent sale prices of comparable properties within the neighborhood. Following improvements to streets and utilities, the marketability of properties tends to increase, and the properties can demand a higher sale price. As years pass and the history of sale prices in the neighborhood show increases, the County Assessor will adjust the market valuation of properties to more closely reflect the price the property would sell for. If the market valuations in the neighborhood are increasing at a faster rate than the City, County, and School District averages, the property taxes will tend to increase over time.

Why is There a Difference Between my Front Footage and Assessable Footage?

If you live on a corner lot, your property is subject to assessments for improvements on both streets. The City Council adopted a side-yard deduction assessment policy to help reduce the burden for the owners of corner lots on reconstruction or resurfacing projects. The side-yard is defined as the side of the lot with the most street frontage. When improvements are made to a side-yard street, the City pays for the cost of one-half of the side-yard footage and the property owner is assessed for the remaining one-half. The most common assessment notices for side-yard street improvements will list the front-footage as 140 feet and the assessable front-footage as 70 feet.



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: 414 N 10th Street Petition for Improvement and Assessment

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading *provide copy of published hearing notice
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Staff has received a petition from the owner of 414 N 10th Street to have the City finance a replacement of the sewer service serving the property and have it assessed over 10 years to the property tax roles.	
Alternatives, Options, Effects on Others/Comments: We get a few of these requests a year to do this same type of thing. Typically, it is for replacement of sewer services or repairs made to sidewalks. The petitioner has petitioned for the improvement, signed a waiver of assessment, hearing, and irregularity, and met certain income limits as set by the State of Minnesota. All of the documents that go along with this request can be seen attached. The estimated and quoted cost for the repair is \$4,400. Staff is recommending an interest rate of 3.5% to be charged along with the principal on the assessment. This interest rate was used on the 2017 adopted assessments.	
Recommended Action/Motion: Staff recommends approval of the request by the petitioner	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>4,400</u> Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u> Costs are anticipated to come from Sanitary Sewer Fund 237, with the collected assessments to be reimbursed into that same fund.	

PETITION FOR LOCAL IMPROVEMENT

Brainerd, Minnesota

July 18, 2018

To the City Council of Brainerd, Minnesota:

We, all owners of real property located at 414 N 10th Street, Brainerd, MN 56401 hereby petition that the sanitary sewer service be improved by replacement of the entire service from the dwelling to the mainline sewer pursuant to Minnesota Statute, Sections 429.011 to 429.111 and that the City assess the cost of the improvement pursuant to city policy against our property described below.

Signature of Owner(s) Description of Property(s)

William M. Rude

Block 96, Lot 17 and 18, First Addition to the Town of Brainerd.

Examined, checked, and found to be in proper form and to be signed by the required number of owners of property affected by the making of the improvement petitioned for.

Cassandra Torstenson
Cassandra Torstenson
City Administrator

7/18/18
Date

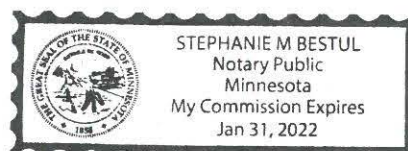
Rebecca Manning-Rude

, being duly sworn on oath, deposes and says that he/she is the property owner in regard to the above entitled petition; that he/she has read the foregoing petition which includes the signatures of abutting property owners and knows the contents and signatures thereof; and that the same are true of his own knowledge, save and except as to those matters therein stated on information and belief, and to such matters, he/she believes it to be true.

Stephanie M. Bestul

Subscribed and sworn to before me

this 18th day of July, 20 18



AGREEMENT OF ASSESSMENT AND WAIVER OF
NOTICE OF HEARING, HEARING, IRREGULARITY AND APPEAL

THIS AGREEMENT is made this 18 day of July, 2018,
between the City of Brainerd, State of Minnesota, hereinafter referred to as the City and
Rebecca Ruud, the owner of the parcel of property described as Lots 17 and 18, Block 96
Town of Brainerd and First Addition to Brainerd; 414 N 10th Street, Brainerd, MN 56401;
PID # 09196096017Y009 hereinafter referred to as the owner.

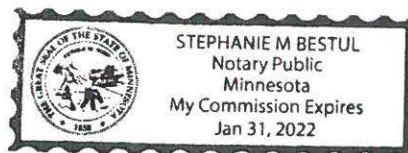
In consideration of the action of the City Council, at the owner's request, to cause
the replacement of the sanitary sewer service from the sewer main to the dwelling at the
property located at 414 N 10th Street, Brainerd, MN 56401 and to assess One Hundred
(100%) percent of the actual cost of such project which is estimated to be four-thousand
four-hundred dollars and zero cents (\$4,400.00) to the owner, owner agrees to pay the
actual cost, over a period of ten (10) years together with an interest rate established by the
Council. Owners expressly waive notice of the hearing, a hearing and any objections to
any irregularity with regard to the said improvement assessments and any claim that the
amount thereof levied against owner's property is excessive, together with all rights to
appeal in the courts.

Dated this 18 day of July, 2018

Rebecca M. Ruud
Rebecca ~~Ruud~~ Marling - Ruud nmr

Subscribed and sworn to before me
this 18th day of July, 2018

Stephanie M Bestul
Notary Public



534858

BID

Statement

DATE

7/13/18

TERMS

TO

Rebecca Rydd
414 N 10th Street
Bainard

IN ACCOUNT WITH

Tim Thompson Plumbing
16675 Jacksonville Dr
Bainard

Sleeve Sewer Line
Hook TO PLASTIC Sewer NEAR Curb

EXCAVATING

Permits

4" 3034 PLASTIC

Remove concrete, Jackhammer

HAUL AWAY concrete

LABOR

BID

\$

4400

00

EXTRA replace concrete

LANDSCAPING

CURRENT

OVER 30 DAYS

OVER 60 DAYS

TOTAL AMOUNT

STATE: MINNESOTA

		1 PERSON	2 PERSON	3 PERSON	4 PERSON	5 PERSON	6 PERSON	7 PERSON	8 PERSON
Crow Wing County U.S. DEPT OF HUD 2017	LOW-INCOME	36,600.00	41,800.00	47,050.00	52,250.00	56,450.00	60,650.00	64,800.00	69,000.00



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Event/Street Closure Application - 21st Bataan Memorial Death March

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is an event and street closure application for the 21st Bataan Memorial Death March to be held on September 18, 2018 from 8:00 AM - 4:30 PM.	
Alternatives, Options, Effects on Others/Comments: The event is a half and full-marathon event that will start at the armory on Wright Street and travel west on Wright Street and down the Spur line trail to a route out of the City, and finishing at the armory. The applicant states they will have road guards on the corners of Wright Street to control traffic on the local city streets.	
Recommended Action/Motion: Staff recommends approval of the Event/Street Closure Application for the 21st Bataan Memorial Death March.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



SPECIAL EVENT APPLICATION

Date of Application: 17JUL18

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

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

Name of event: 21st Bataan Memorial Death March

Organizer Information

Organizer's Name: Brainerd MN National Guard
Organizer's Address: 1115 Wright ST Brainerd MN
Event Contact Person: SGT Sara Kostek
Event Contact Daytime Phone: 763-232-4306
Event Contact E-mail Address: sara.j.kostek.mil@mail.mil
Contact Name/Number Day of Event: Sara Kostek/763-232-4306
For Profit/Nonprofit Status (type): nonprofit

Applicant information (if different from the event organizer):

Applicant Name: _____
Applicant Address: _____
Applicant Phone: _____
Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
8SEP18	8:00AM	4:30PM	Wright St

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

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

Description of Activities

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

Half marathon and full marathon run/walk event. Starting on Wright ST.

Site Information

Electrical usage

☒

Yes

☐

No

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

Amplified Sound

☐

Yes

☐

No

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

Restrooms provided

☐

Yes

☒

No

If yes, how many 6 (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: Blakeman

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

Signs, banners, and/or posters/flyers

☐

Yes

☐

No

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

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: _____

Additional Event Information

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

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

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

Street Closure Request Information

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

Wright ST from South 6th and 13th ST.

Date and time for beginning of street closures: 8SEP18 8:00AM-4:00PM

Date and time for reopening of streets: 8SEP18 4:00PM

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

We will have road guards on the corners of the street controlling traffic.

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

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

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

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

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

Signature of Applicant

Sara Kostek

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	Ok	None
City Administration	Ok	None
Engineering Department	Ok	Any traffic control requests to be coordinated through the Engineering Department.
Fire Department	Ok	None
Fire Support/EMS	Ok	None
Parks Department	Ok	None
Planning Department	Ok	None
Police Department	Ok	Any request for police presence during the event to be coordinated through police staff.

Event Application Approval

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

City Administrator or Parks & Recreation Director

Date

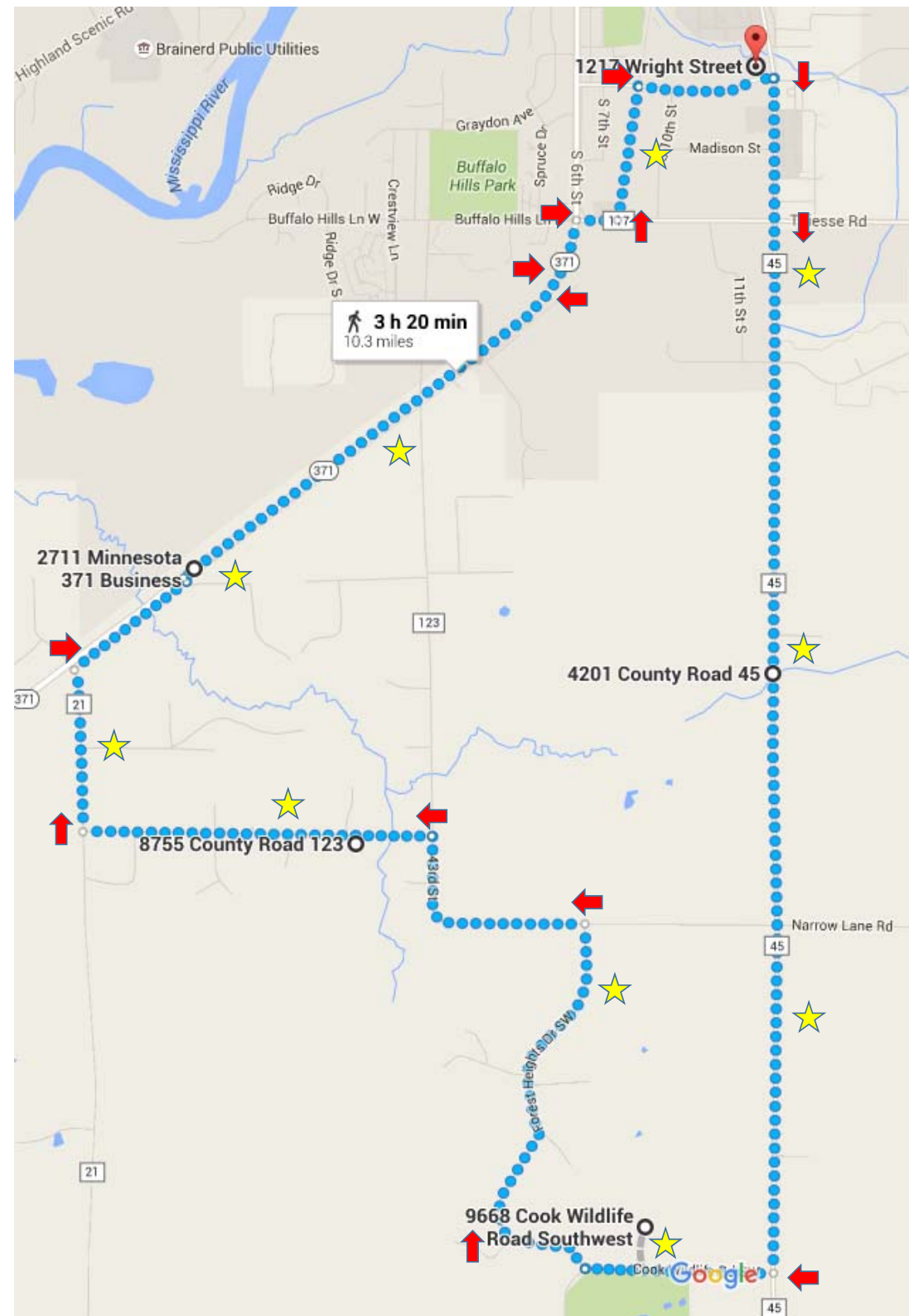
Approval Conditions

Certification of Street Closure Approval

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

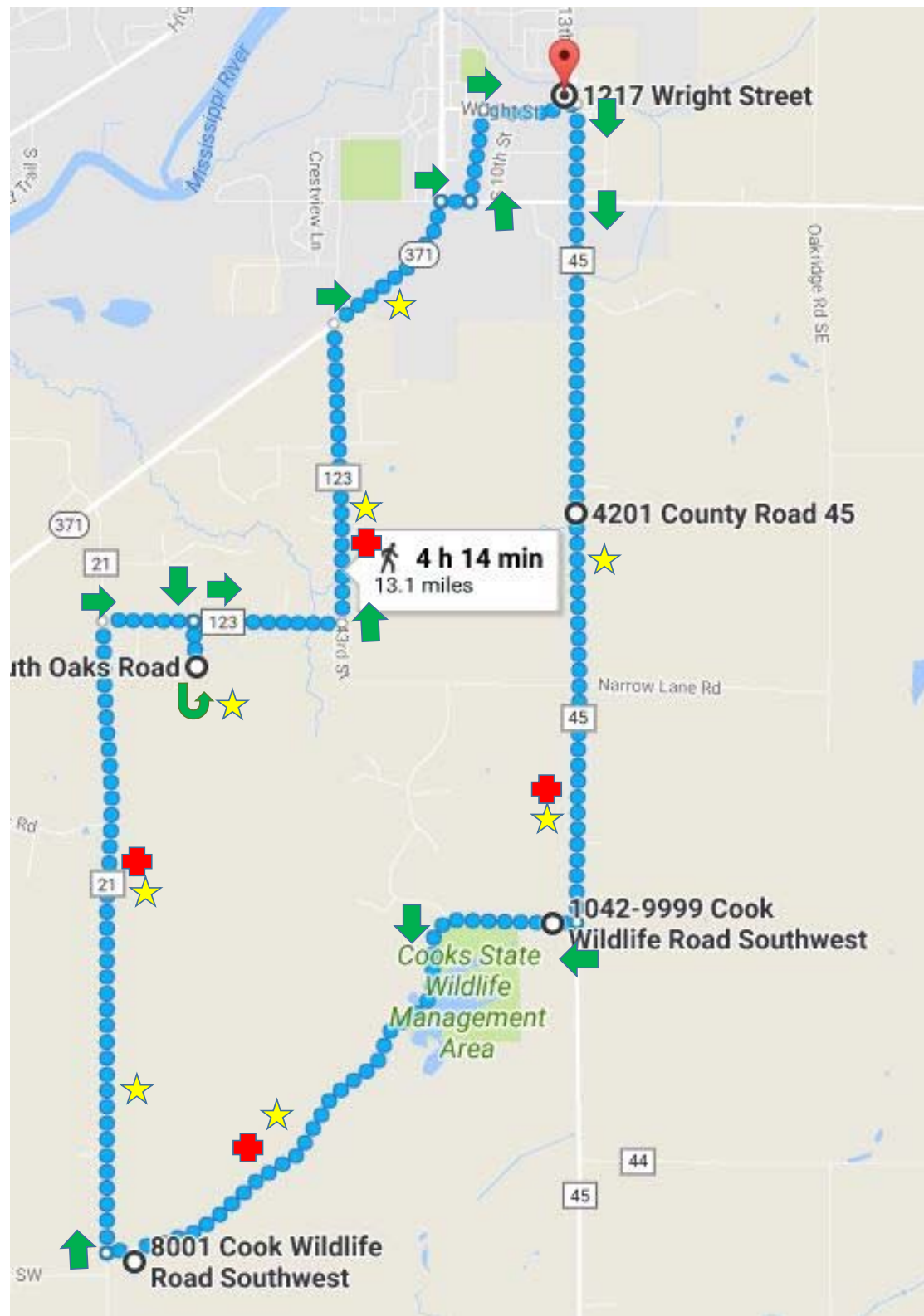
2016 Bataan March Route Signs

- 4 Rest stops marked by waypoints on the map.
- 8 Right turn arrow signs
- 4 left turn arrow signs
- 1 Straight arrow sign
- 8 Informational signs marked by stars



2017 Bataan March Route Signs

- 4 Rest stops marked by  on the map
- 9 Right turn arrow signs
- 3 left turn arrow signs
- 1 Straight arrow sign
- 8 Inform signs marked by  on the map





Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Ground Lease with Productive Alternatives

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a draft ground lease between the City of Brainerd and Productive Alternatives for the temporary storage of the Brainerd and Crow Wing County Public Transit bus fleet.	
Alternatives, Options, Effects on Others/Comments: While Productive Alternatives continues to search for leased space to store the transit fleet, City staff have agreed to allow storage of the bus fleet behind locked gate at the street department facility at 724 Thiesse Drive. Because the contract between the City of Brainerd and Productive Alternatives outlines the need for the 3rd Party Contractor to provide storage for the fleet, they have agreed to lease space from the City at a cost of \$0.20/SF at the City Street Garage. The 6,000 square foot area at the street garage shown in Exhibit A equates to a month by month lease amount of \$1,200, with all other provisions of a standard ground lease covered in the lease agreement.	
Recommended Action/Motion: Staff recommends approval of the attached lease agreement between Productive Alternatives and the City of Brainerd on a month-to-month basis until such time Productive Alternatives secures leased space for storage or their entire operation.	
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> Proceeds from the lease agreement will be placed into Street Fund 235.	

CITY OF BRAINERD
LAND LEASE WITH
PRODUCTIVE ALTERNATIVES INC.

THIS LEASE AGREEMENT is executed in duplicate and effective, regardless of the date of execution, on the __ day _____, 20____, by and between the City of Brainerd, Minnesota, hereinafter referred to as "Lessor" and Productive Alternatives, Inc, hereinafter referred to as "Lessee".

RECITALS

WHEREAS, an agreement between the City of Brainerd and Productive Alternatives, Inc. was executed on June 28, 2018 in which Productive Alternatives became the third-party contractor to the City of Brainerd to operate the Brainerd and Crow Wing County Public Transit System as of July 1, 2018, and:

WHEREAS, at the time of execution of said agreement, Lessee had not entered into an agreement for storage of the Lessor's transit bus fleet, and;

WHEREAS, the Lessee continues to scope out locations for potential storage of Lessor's transit bus fleet so that an agreement may be made with a potential lease space holder, and;

WHEREAS, Lessor and Lessee find it mutually beneficial to enter into a Ground Lease Agreement for a set price per square foot until such time Lessee secures other opportunities for lease space.

AGREEMENT

NOW, THEREFORE, it is mutually agreed between the parties as follows:

1. Premises. Lessor, in consideration of the rents to be paid by the Lessee as hereinafter set forth, and of the covenants and agreements hereinafter stipulated to be mutually kept and performed by the parties hereto, does hereby lease unto the Lessee the following-described land situated at the City of Brainerd Street and Sewer Maintenance Facility located at 724 Thiesse Drive, Brainerd, Crow Wing County, Minnesota, to-wit: a 40' x 150' parking area as illustrated in Exhibit A, together with the right of ingress and egress to the leased area through the Facility's front gate. The leased parking area is not separately fenced or delineated. In addition, Lessor grants a license to Lessee to utilize as necessary the existing parking area along the east side of the building for Lessee's employees to park their personal vehicles while working.

2. Term. The Lessee shall have and hold said land on a month-to-month basis unless sooner terminated, extended or modified as hereinafter provided. Lessee shall have the right to an extension of the Lease each month upon the same terms and conditions, except the rent shall be increased after 12 months as provided below.

3. Rent. The Lessee shall pay the Lessor as rent for square footage of leased land at 724 Thiesse Drive, Brainerd, MN 56401 as follows:

Monthly rent for the 6,000 square feet of land shall be charged a rate of \$0.20 per square foot per annum resulting in a total monthly rent of \$1,200.00 payable in advance to the first day of each month, commencing in the month of July 2018 unless terminated, extended or modified as hereinafter provided.

On July 1, 2019, the monthly rent due hereunder shall be increased or decreased based on the previous calendar year's United States Consumer Price Index (all items). Thereafter, on the annual anniversary of this Lease, the monthly rent due hereunder shall be increased or decreased by an amount equal to the previous calendar year's United States Consumer Price Index (all items). The Lessor shall notify Lessee of new rental rates no later than thirty (30) days prior to the anniversary date of the Lease.

4. Payments. All rentals due under this Lease shall be paid to the Lessor without notice to the Lessee, on the first day of the month. A late fee charge of \$15.00 shall be assessed for payments received after the tenth day of the month and shall be added to the following month's payment. Such charge shall not accrue upon any item about which there exists a bona fide dispute.

5. Use of Premises. This Lease is for surface use only. Surface improvements to, and maintenance of, the premises shall be at sole discretion of Lessor, except as otherwise provided in this Agreement.

6. Indemnification. The Lessee agrees to hold the Lessor harmless from any claim of damage or injury to any person or to the goods, wares and merchandise of any person arising from the use of the land by the Lessee or from failure of the Lessee to keep the land in good condition and repair, as herein provided.

In addition to the above indemnification, the Lessee shall name the Lessor as an additional insured for liability coverage on the premises in an amount not less than \$1,000,000.

7. Snow Removal. Snow removal on the premises shall be the responsibility of the Lessor.

8. Ordinances and Statutes. The Lessee shall, in the use of the land, comply with all applicable requirements of all municipal, State and federal authorities now in force, or which may

hereafter be in force, and shall observe all applicable municipal ordinances and State and federal statutes now in force or hereafter to be in force, and Lessee and its tenants, employees, agents and servants shall obey such reasonable rules and regulations as may from time to time be promulgated by the Lessor, or its authorized agents in charge of the premises, to insure the safe or orderly conduct and operation of the premises and the traffic flow to, from and upon the demised land.

9. Assignment. The Lessee shall not assign this Lease, or any interest therein, and shall not sublet the land in whole or in part without the prior written consent of the Lessor. Any such attempted assignment or subletting without prior Lessor's consent shall be void and shall at the option of the Lessor to terminate this Lease.
10. .
11. Expiration/Termination. Upon expiration or termination of this Lease, the Lessee agrees to return the premises to the Lessor at no cost to the Lessor in its original condition, reasonable wear and tear excepted.

Lessor may elect to terminate all of the rights of the Lessee hereunder by giving Thirty (30) days advance written notice of termination to the Lessee.

12. Notices. All notices to be given pursuant to this Lease shall be addressed to the City Engineer, Brainerd City Hall, 501 Laurel Street, Brainerd, MN 56401. Notices to Lessee shall be addressed to 213 NW 4th Street, Brainerd, MN 56401. Notice shall be deemed to have been fully given if and when enclosed in a properly sealed envelope as aforesaid addressed and deposited, postage prepaid, in a post office regularly maintained by the United States Government.

IN WITNESS WHEREOF, the parties have duly executed this Lease as of the day and year first above-written.

LESSOR

Witness:

CITY OF BRAINERD

By: Edwin L. Menk
Its: Mayor

By: Cassandra Torstenson
Its: City Administrator

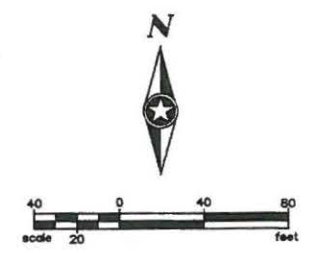
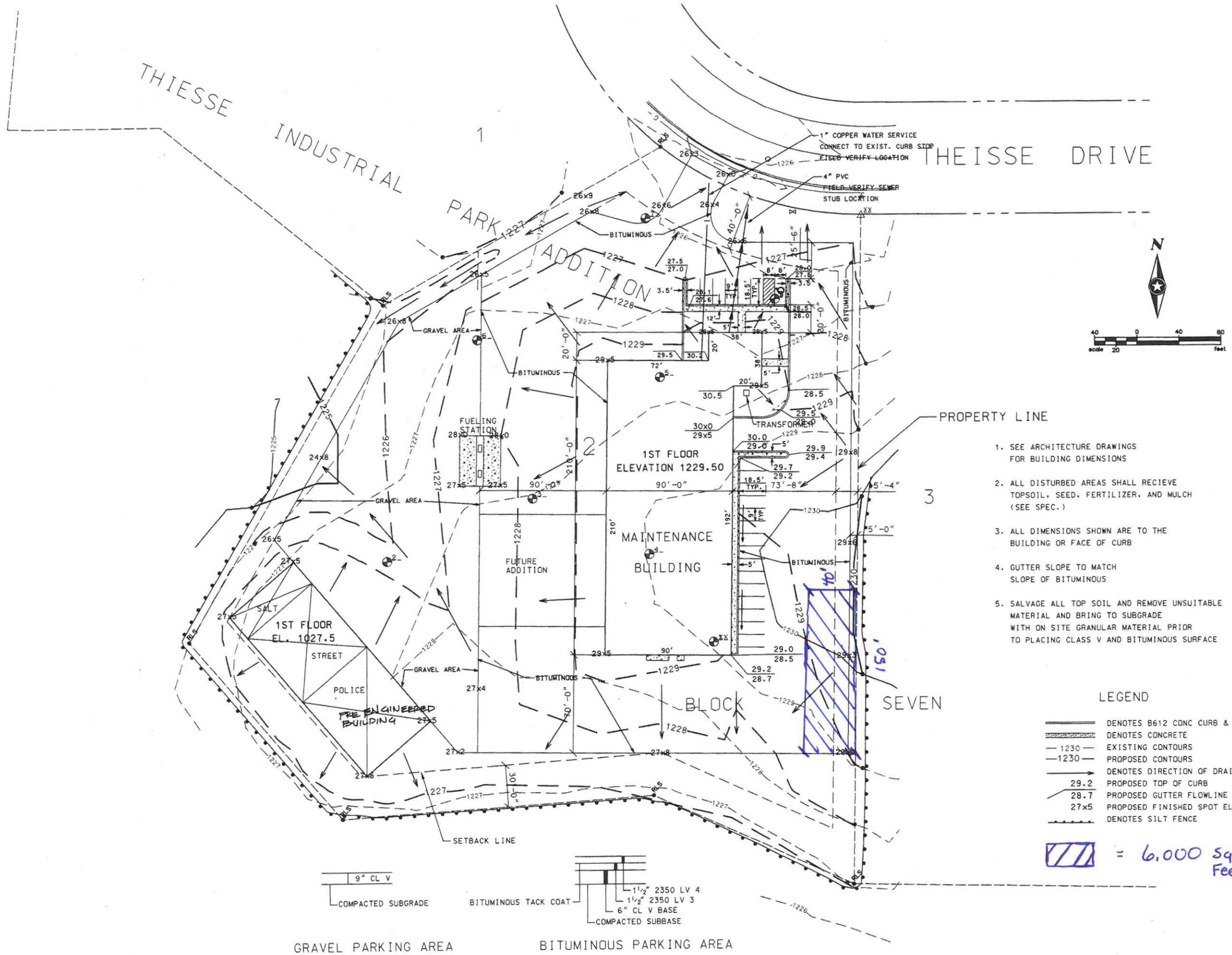
LESSEE

Witness

PRODUCTIVE ALTERNITIVES INC.

By: _____

Its: _____



1. SEE ARCHITECTURE DRAWINGS FOR BUILDING DIMENSIONS
2. ALL DISTURBED AREAS SHALL RECEIVE TOPSOIL, SEED, FERTILIZER, AND MULCH (SEE SPEC.)
3. ALL DIMENSIONS SHOWN ARE TO THE BUILDING OR FACE OF CURB
4. GUTTER SLOPE TO MATCH SLOPE OF BITUMINOUS
5. SALVAGE ALL TOP SOIL AND REMOVE UNSUITABLE MATERIAL AND BRING TO SUBGRADE WITH ON SITE GRANULAR MATERIAL PRIOR TO PLACING CLASS V AND BITUMINOUS SURFACE

- LEGEND**
- DENOTES B612 CONC CURB & GUTTER
 - DENOTES CONCRETE
 - 1230 — EXISTING CONTOURS
 - 1230 — PROPOSED CONTOURS
 - DENOTES DIRECTION OF DRAINAGE
 - 29.2 PROPOSED TOP OF CURB
 - 28.7 PROPOSED GUTTER FLOWLINE
 - 27x5 PROPOSED FINISHED SPOT ELEVATION
 - DENOTES SILT FENCE

= 6,000 Square Feet

STREET DEPARTMENT FACILITIES

PROJECT TITLE
 Facility Improvements for the
 Police, Fire, and Street Department
 Brainerd, Minnesota

I HEREBY CERTIFY THAT THIS PLAN WAS
 PREPARED BY ME OR UNDER MY DIRECT
 SUPERVISION AND THAT I AM A
 LICENSED PROFESSIONAL ENGINEER UNDER
 THE LAWS OF THE STATE OF MINNESOTA
 JEFFREY R. LEVIN REG. NO. 20222

200201
 ASTG0201.01
 JOB NO.
 DATE 5 AUGUST 2002
 DRAWN BY SEM/SPA

HSE
 1452 DESIGN DRIVE NORTH
 SUITE 300
 PHONE: (218) 828-3300
 FAX: (218) 828-3377
 INTERNET: WWW.HSE-INC.COM

STEGNER & PHELPS ARCHITECTS, P.A.
 411 Front Street, Brainerd, Minnesota 56401
 (218) 829-2255 Fax (218) 829-2267

SHEET TITLE
 SITE PLAN

SHEET NO.
CS1



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Improvement 18-11 - Storm Manhole Rehabilitation Project Auth. to Quote

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Plans and specifications have been completed for a joint project with Crow Wing County to rehabilitate a few storm sewer manholes in the vicinity of S 10th Street and SE 13th Street (CSAH 45).	
Alternatives, Options, Effects on Others/Comments: The lining of the storm sewer on S 10th Street has been completed as part of Improvement 17-13 earlier this summer. Crow Wing County also has numerous manholes in which they would like to get rehabilitated on CSAH 45, in which the street was completed back in 2016 on a joint project with the City. This would complete the rehabilitation of the storm sewer in this area by sealing up the manholes from active water intrusion in this area with a cementitious material, adding extra strength to the manhole, and re-establishing the bench and invert of the manholes. Staff would also like to take this opportunity to do a pilot project to ensure the product and specifications we are getting meet our standards before we get into larger scale lining and manhole rehabilitation projects, as outlined in the 5-year capital improvement plan. In total, the City will be rehabilitating 5 manholes (65.4 vertical feet) and the county has identified 6 manholes (49.2 vertical feet). Total estimated cost for the City portion is \$29,100 and total estimated cost for the county portion is \$21,900.	
Recommended Action/Motion: Staff would recommend authorizing solicitation of quotes to perform this work from qualified manhole rehabilitation contractors as outlined in the special provisions.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>Estimated \$29,100</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> This work was included in the original estimates for Brook Street and S 10th Street construction, but was split out after consultation and interest from the County to do a joint project.	

 PROJECT LOCATION



S 6TH ST / HWY 371B

WILLOW ST

SE 10TH ST

BROOK ST

SE 13TH ST / CR 45

WRIGHT ST



I HEREBY CERTIFY THAT THIS PLAN SHEET WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

Paul Sawley

License No. 53635

City of Brainerd	STRUCTURE ID	REPAIR DEPTH (FT)
	MH 1	9.9
	MH 2	8.2
	MH 3	11.3
	MH 4	17.1
	MH 5	18.9
	TOTAL	65.4
Crow Wing County	STRUCTURE ID	REPAIR DEPTH (FT)
	ST 56	7.5
	ST 59	8.3
	ST 62	6.4
	ST 65	7.2
	ST 72	10.0
	ST 73	9.8
	TOTAL	49.2

STATEMENT OF ESTIMATED QUANTITIES			
SPEC NO.	ITEM	UNIT	ESTIMATED QUANTITY
2021.501	MOBILIZATION	LS	1
2506.603	REPAIR MANHOLE OR CATCH BASIN DESIGN SPECIAL (CITY)	LF	65.4
2506.603	REPAIR MANHOLE OR CATCH BASIN DESIGN SPECIAL (COUNTY)	LF	49.2
2563.601	TRAFFIC CONTROL	LS	1



I HEREBY CERTIFY THAT THIS PLAN SHEET WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

Paul Sadley

License No. 53635

STORM MANHOLE REHABILITATION WITH CROW WING COUNTY

IMP 18-11

SHEET 3 of 4 SHEETS





Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Improvement 17-13 Change Order 1

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a change order for Improvement 17-13 - Brook Street and S 10th Street resurfacing project. This change order is for corrective work performed by Veit and Anderson Brothers after TDS Telecom was in to fix an issue with the city storm sewer and a telecommunications line drilled through the pipe.	
Alternatives, Options, Effects on Others/Comments: When Veit was in to line the storm sewer pipe on 10th Street, they televised before the lining to identify any potential issues. When televising, they found a telecommunications line drilled through the center of the pipe, in which they could not line the pipe because of this telecommunications line. TDS Telecom was notified of the situation and came out on August 20 to dig down and pull the line out and repair the storm pipe. When the repair was complete, TDS backfilled the area. The area that was disturbed by the excavation was not compacted at all, as TDS did not have the proper equipment to do a majority of the work that was done that day. Anderson Brothers was notified of the issue, and was directed to fix the excavation by subcutting, bringing in clean backfill (city supplied), placing fabric, and compacting in layers back up to road grade. Veit also had extra expense involved with this work, as they had to re-clean the entire pipe before the liner could be installed because of the amount of mud that entered into the pipe during the repair. All of these costs will be invoiced to TDS Telecom, as the original issue originated from their telecommunications line being drilled through the City storm sewer, therefore extra costs were accrued by the City, Anderson Brothers, and Veit. They will also be billed for City expenses related to staff time to organize both the repair work, use of the city vector truck during the repair to keep the groundwater and mud off of their personnel, and providing some material to assist TDS Telecom in the repair of the pipe. Total cost of the change order for Veit and Anderson Brothers is \$2,108, in which will be billed to TDS Telecom upon payment to Anderson Brothers.	
Recommended Action/Motion: Staff recommends approval of the change order as presented, and also directing staff to invoice for all time and materials spent on assisting in this repair to TDS Telecom.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$2,108</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> This is an unexpected expense in which will be invoiced to TDS Telecom upon payment to Anderson Brothers.	

STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

City/County of City of Brainerd

Change Order No. 1

FEDERAL PROJECT NO.	STATE PROJECT NO.	LOCAL PROJECT NO. 17-13	CONTRACT NO. 2018-4
CONTRACTOR NAME AND ADDRESS Anderson Brothers Construction 11325 State Hwy 210 Brainerd, MN 56401		LOCATION OF WORK Brook Street & S 10th Street	
		TOTAL CHANGE ORDER AMOUNT \$2,108.00	

Extra work completed for re-cleaning the storm sewer line and doing a subcut/soil correction above the area excavated while TDS/Telcom removed a fiber line from the storm sewer pipe that was to be lined.

COST BREAKDOWN

Item No.	Item	Unit	Unit Price	Quantity	Amount
Funding Category No. 000					
2105.507	SUBGRADE EXCAVATION	LS	\$1,008.00	1	\$1,008.00
2503.603	CLEAN PIPE SEWER	LS	\$1,100.00	1	\$1,100.00
Funding Category No. 000 Total:					\$2,108.00
Change Order No. 1 Total:					\$2,108.00

* Funding category is required for federal projects.

CHANGE IN CONTRACT TIME (check one)

Due to this change the Contract Time:

- a. ☐ Is Increased by ____ Working Days b. ☒ Is Not Changed
☐ Is Decreased ____ Working Days
by ____ Calendar c. ☐ May be revised if work affected the controlling
☐ Is Increased by Days operation
☐ Is Decreased ____ Calendar
by Days

Approved By Project Engineer: Sandy, Paul G	Approved By Contractor: Anderson Brothers Construction
Signed 4419f6d831d8b0a02d207d7ad73e52f3 514d0707f3a9ab6c88ef8324f693b6aa	Signed _____
Date: 07/30/2018 Phone: 0	Date: _____ Phone: (218) 829-1768

The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for FUNDING PURPOSES ONLY and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

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

District State Aid Engineer: _____ Date: _____

N/A



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Improvement 18-02 Pay Estimate 1 - FINAL

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is the final pay estimate for Improvement 18-02 - 2018 Seal Coat Project.	
Alternatives, Options, Effects on Others/Comments: Original contract price for the project was \$159,852.94. The final cost of the contract is \$131,996.57. This was due to staff removing two streets from the seal coat contract including Willow Street and S 7th Street near the S 6th Street reconstruction due to the amount of traffic in the area of these streets. Staff did, however, add a fog seal to the Laurel Street parking lot as part of this contract to modify the striping layout of the parking lot and seal the pavement. The final cost represents about 82.57% of the original contract amount, or about 17.43% under original contract.	
Recommended Action/Motion: Staff would recommend approval of Improvement 18-02 - Pay Estimate 1 Final in the total sum of \$131,996.57.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>\$131,996.57</u> Is this budgeted? ☒ Yes ☐ No We budget for \$150,000 in seal coating every year. <u>Please Explain:</u>	

CITY OF BRAINERD ENGINEERING

2500 W Cty Rd B
Roseville, MN 55113
Project 18-02 - 2018 CHIP SEAL PROJECT
Final Pay Request No. 1

Contractor: Asphalt Preservation Company Inc.
22923 N Pearl Lake Rd
Detroit Lakes, MN 56501

Contract No. 2018-3
Vendor No. N/A
For Period: 7/5/2018 - 7/13/2018
Warrant # _____ Date _____

Contract Amounts

Original Contract	\$159,852.94
Contract Changes	\$0.00
Revised Contract	\$159,852.94

Work Certified To Date

Base Bid Items	\$131,996.57
Backsheet	\$0.00
Change Order	\$0.00
Supplemental Agreement	\$0.00
Work Order	\$0.00
Material On Hand	\$0.00
Total	\$131,996.57

Funds Encumbered

Original	\$159,852.94
Additional	N/A
Total	\$159,852.94

	Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
18-02	\$131,996.57	\$131,996.57	\$0.00	\$0.00	\$131,996.57	\$131,996.57
Percent Retained: 0.0000%						
Amount Paid This Final Pay Request					\$131,996.57	

I hereby certify that a Final Examination has been made of the noted Contract, that the Contract has been completed, that the entire amount of Work Shown in this Final Voucher has been performed and the Total Value of the Work Performed in accordance with, and pursuant to, the terms of the Contract is as shown in this Final Voucher.

Approved By Sandy, Paul G
8e054e2250b8ed7f422c4273436fb16b
e464e931f0a38fd734c55f3835f60d4a

County/City/Project Engineer
07/18/2018

Date

Approved By
Marquis, Averde
a5427b6faa6021a40e11838538955717
301a7333b5a8af111e69769b45c3160e

Contractor
07/18/2018

Date

CITY OF BRAINERD ENGINEERING

2500 W Cty Rd B

Roseville, MN 55113

Project No. 18-02

Final Pay Request No. 1

18-02 Payment Summary

No.	From Date	To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	07/05/2018	07/13/2018	\$131,996.57	\$0.00	\$131,996.57
Totals:			\$131,996.57	\$0.00	\$131,996.57

18-02 Funding Category Report

Funding Category No.	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
000	131,996.57	0.00	0.00	131,996.57	131,996.57
Totals:		\$131,996.57	\$0.00	\$0.00	\$131,996.57

18-02 Funding Source Report

Accounting No.	Funding Source	Amount Paid This Request	Revised Contract Amount	Funds Encumbered To Date	Paid To Contractor To Date
401-41802-5530	Local-City of Brainerd	131,996.57	159,852.94	159,852.94	131,996.57
Totals:		\$131,996.57	\$159,852.94	\$159,852.94	\$131,996.57

CITY OF BRAINERD ENGINEERING
 2500 W Cty Rd B
 Roseville, MN 55113
 Project No. 18-02
 Final Pay Request No. 1

18-02 Project Item Status									
Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
2018 SEAL COAT IMPROVEMENTS									
1	2021.501	MOBILIZATION	LS	\$7,000.00	1	1	\$7,000.00	1	\$7,000.00
2	2355.502	BITUMINOUS MATERIAL FOR FOG SEAL	GAL	\$1.22	11495	10351.7704918033	\$12,629.16	10351.7704918033	\$12,629.16
3	2356.505	BITUMINOUS MATERIAL FOR SEAL COAT	GAL	\$1.91	33498	25723	\$49,130.93	25723	\$49,130.93
4	2356.506	BITUMINOUS SEAL COAT	S Y	\$0.73	95682	79776	\$58,236.48	79776	\$58,236.48
5	2563.601	TRAFFIC CONTROL	LS	\$5,000.00	1	1	\$5,000.00	1	\$5,000.00
Totals For 2018 SEAL COAT IMPROVEMENTS:							\$131,996.57		\$131,996.57
Project Totals:							\$131,996.57		\$131,996.57



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Improvement 18-04 - 2018 Patching Quote Approval

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Quotes were solicited to Anderson Brothers and Knife River for Improvement 18-04 - 2018 patching project. One response was received from Anderson Brothers Construction.	
Alternatives, Options, Effects on Others/Comments: Quotes were for large patches, which we typically do in areas that are not on the 5-year capital improvement plan and large quantities of pothole patch have been used in recent years. Staff identified 5 patches for the City of Brainerd (301 square yards) for a total quoted cost of \$9,733 and 5 patches for Brainerd Public Utilities (123 square yards) for a quoted cost of \$5,460.	
Recommended Action/Motion: Staff recommends approval of the quote from Anderson Brothers for a total City of Brainerd cost of \$9,733 and a total BPU cost of \$5,460.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>\$9,733</u> Is this budgeted? ☒ Yes ☐ No <u>Please Explain:</u> We budget \$10,000 for this improvement every year in the 5-Year Capital Improvement Plan.	



Proposal

Anderson Brothers Construction Company
11325 Hwy 210 E.
Brainerd, Minnesota 56401
(218) 829-1768 / (218) 829-7607 Fax

Proposal Submitted To City of Brainerd		Phone 218-454-3410	Date July 23, 2018
Street		Job Name Brainerd Patches	
City, State and Zip Brainerd, Mn.		Job Location	
Attn:	Job Phone	Mail To 501 Laurel Street, Brainerd, Mn. 56401	

We hereby submit specifications and estimates for:

Notes. As provided by James with the city of Brainerd 5 patches, 301 Square Yards a prices of \$9,733 and the 5 patches for BPU's 123 Square Yards, price \$5,460

Total Price \$15,193

**All materials and workmanship shall conform to the Department of Transportation Specifications for Highway Construction.*

**A land use or alteration permit may be required through your local County or Municipal Planning and Zoning office. All required permits and associated fee's are the sole responsibility of the private property owner.*

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

We Propose hereby to furnish material and labor — complete in accordance with above specifications, for the sum of:

Fifteen Thousand One Hundred Ninty Three Dollars

dollars (\$ 15,193).

Payment due upon completion. Subject to credit approval.

Past due accounts are subject to a service charge of 1-1/2% per month (18% per annum.)

All material is guaranteed to be as specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. All agreements contingent upon strikes, accidents or delays beyond our control. Owner to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workmen's Compensation Insurance.

Authorized
Signature

Doug Tulenchik, Project Manager

Acceptance of Proposal — The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature

Date of Acceptance: X

Signature

Note: This proposal may be withdrawn by us if not accepted within 30 days

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

August 6, 2018
City Hall Conference Room
5:45 PM

1. Approval of Bills & Payments to Contractors

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
Asphalt Preservation Company	IMP 18-02	Chip Seal – FINAL	\$131,997	\$0

2. Fire Department Relief Association – Annual Report
3. Leave of Absence from Fire Department
4. Police Department FY 2019 TZD Grant
5. Police Department Out-of-State Travel/Training Request – Tim Friis
6. Police Department Out-of-State Travel/Training Request – Julie McCullough
7. Police Request to Sell Retired Squad Cars
8. Gregory Park Archway
9. Parks and Recreation Facility Priority
10. Temporary Trainee Building Inspector – Request Authorization to Hire
11. Community Development Director Position – Review Job Description, 2019 Wage for Job Posting and DDA Recruitment Proposal
12. 2017 Tax Increment Financing (TIF) Report Summary



Brainerd City Council Agenda Request

Requested Meeting Date: August 6th, 2018

Title of Item: Fire Department Relief Association -- Annual Report

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Fire Chief Holmes	Department: Fire
Presenter (Name & Title): POC Representatives	Estimated Time Needed: 10 minutes
Summary of Issue: See attached memo and reports from the Brainerd Fire Department Relief Association.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Authorize staff to sign the annual reports.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

Brainerd Fire Department
Relief Association
23 Laurel St
Brainerd MN 56401
(218) 828-2312

July 24, 2018

TO: City Council City of Brainerd

FR: Brainerd Fire Department Relief Association

Pursuant to Minnesota State Statute 424A.093, subdivision 5(c), the Brainerd Fire Department Relief Association must certify to the municipality the annual financial requirements for the association by August 1, 2018. The financial requirements for the association are calculated on the Form SC-18, which is provided to the relief association by the Office of the State Auditor. This form is used to determine the current year end plan liabilities, any surplus or deficit, and the future year (2019) required municipal contribution.

Based upon the financial projections on the Form SC-18, the Brainerd Fire Department Relief Association is requesting an increase to our benefit level. We are currently at \$9,500 per year of service and are requesting an increase to \$10,000 per year of service. Based on the performance of our fund in the past year and several other variables we feel that an increase would be acceptable and in the funds best interest. As a result of this decision we will be leaving our plan funded to 16 %. Thank you for your consideration of this matter.

The form SC-18 is attached for your review and certification.

Sincerely,



Matt Holmstrom
Secretary

**BRAINERD FIRE DEPARTMENT
RELIEF ASSOCIATION**

**FINANCIAL STATEMENTS AND
SUPPLEMENTARY INFORMATION**

DECEMBER 31, 2017

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION

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BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
OFFICERS AND BOARD OF TRUSTEES

OFFICERS

Joseph Enge - President

Nicholas Haglin - Vice President

Matthew Holmstrom - Secretary

Jonathan LeMieur - Treasurer

TRUSTEES

Edwin L. Menk - Mayor

Cassandra Torstenson - City Administrator

Timothy Holmes - Fire Chief

Joseph Rubado

Jeremy Powell



Richard L. Kummet, CPA

Michael A. Sands, CPA

Laura J. Richter, CPA

Michael J. Youngquist, CPA

INDEPENDENT AUDITOR'S REPORT

Board of Trustees
Brainerd Fire Department Relief Association
Brainerd, Minnesota

We have audited the accompanying financial statements of Brainerd Fire Department Relief Association as of and for the year ended December 31, 2017, and the related notes to the financial statements, which collectively comprise the Association's basic financial statements as listed in the table of contents.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with accounting principles generally accepted in the United States of America; this includes the design, implementation, and maintenance of internal control relevant to the preparation of and fair presentation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with auditing standards generally accepted in the United States of America. Those standards require that we plan and perform the audit to obtain reasonable assurance about whether the financial statements are free of material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the Association's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the organization's internal control. Accordingly, we express no such opinion. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of significant accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Board of Trustees
Brainerd Fire Department Relief Association

Opinion

In our opinion, the financial statements referred to above present fairly, in all material respects, the fiduciary net position of Brainerd Fire Department Relief Association as of December 31, 2017, and the changes in fiduciary net position for the year then ended, in accordance with accounting principles generally accepted in the United States of America.

Other Matters

Required Supplementary Information

Accounting principles generally accepted in the United States of America require that the schedule of changes in the Association's net pension liability, schedule of contributions from employer and other entities, and schedule of investment returns as listed in the table of contents be presented to supplement the basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board, who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historic context. We have applied certain limited procedures to the required supplementary information in accordance with auditing standards generally accepted in the United States of America, which consisted of inquiries of management about the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We do not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance.

Management has omitted the management discussion and analysis that accounting principles generally accepted in the United States of America require to be presented to supplement the basic financial statements. Such missing information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of the financial reporting for placing the basic financial statements in an appropriate operational, economic, or historic context. Our opinion on the basic financial statements is not affected by this missing information.

Kummet Larson Bluth & Co., P.A.

KUMMET LARSON BLUTH & CO., P.A.
Brainerd, Minnesota
July 12, 2018

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
STATEMENT OF FIDUCIARY NET POSITION

DECEMBER 31, 2017

	Special Pension Trust Fund	General Fund	Total
ASSETS			
CASH AND CASH EQUIVALENTS	\$ 97,617	\$ 75,045	\$ 172,662
ACCOUNTS RECEIVABLE	10,367	558	10,925
INVESTMENTS	3,301,776	-	3,301,776
PROPERTY AND EQUIPMENT			
Furniture and equipment	-	13,753	13,753
Less: Accumulated depreciation	-	(6,569)	(6,569)
Net property and equipment	-	7,184	7,184
Total assets	<u>\$ 3,409,760</u>	<u>\$ 82,787</u>	<u>\$ 3,492,547</u>
LIABILITIES			
Payroll and sales taxes	\$ 581	\$ 3,642	\$ 4,223
Total liabilities	<u>581</u>	<u>3,642</u>	<u>4,223</u>
NET POSITION			
Net position restricted for pension benefits	3,409,179	-	3,409,179
Net position restricted for general account	-	79,145	79,145
Total net position	<u>\$ 3,409,179</u>	<u>\$ 79,145</u>	<u>\$ 3,488,324</u>

See accompanying notes to financial statements.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
SPECIAL PENSION TRUST FUND

YEAR ENDED DECEMBER 31, 2017

ADDITIONS

Contributions and Support	
State of Minnesota	\$ 196,198
City of Brainerd	58,095
State 10% supplemental reimbursement	1,000
Total contributions	<u>255,293</u>
Investment income	
Interest and dividends	179,193
Net appreciation in fair value of investments	274,336
Total investment income	<u>453,529</u>
Less: direct investment expenses	(19,257)
Net investment income	<u>434,272</u>
Total additions	<u>689,565</u>

DEDUCTIONS

Pension benefit payments	192,583
Wages and payroll taxes	4,113
Professional fees	9,321
Actuarial fees	3,200
Other	495
Total deductions	<u>209,712</u>

INCREASE IN NET POSITION	479,853
Net position - beginning of year	<u>2,929,326</u>
NET POSITION - END OF YEAR	<u><u>\$ 3,409,179</u></u>

See accompanying notes to financial statements.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
STATEMENT OF CHANGES IN FIDUCIARY NET POSITION
GENERAL FUND

YEAR ENDED DECEMBER 31, 2017

ADDITIONS

Investment income	
Interest	\$ 22
Other income	
Special events and fundraisers (net)	31,277
Total additions	<u>31,299</u>

DEDUCTIONS

Convention and meeting expenses	738
Annual meeting	4,490
Donations, memorials and public relations	6,267
Professional fees	1,225
Office supplies and postage	1,284
Repairs, maintenance and supplies	2,917
Insurance	372
Depreciation	607
Total deductions	<u>17,900</u>

INCREASE IN NET POSITION	13,399
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Net position - beginning of year	<u>65,746</u>
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NET POSITION - END OF YEAR	<u><u>\$ 79,145</u></u>
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See accompanying notes to financial statements.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2017

NOTE 1 PLAN DESCRIPTION AND ORGANIZATION STRUCTURE

A. General Information

The Brainerd Fire Department Relief Association was incorporated on April 18, 1921. The Association is the administrator of a single employer defined benefit pension plan available for firefighters of the City of Brainerd. The plan operates under the provisions of Minnesota Statute Secs. 69 and 424A and is exempt from income taxes under Minnesota Statute Section 290.05, Subdivision 1 and Internal Revenue Code Section 501(c)(4). The Association is governed by a board of six members elected by the members of the Association for three-year terms, and three members representing the City of Brainerd including one elected official, one elected or appointed official, and the fire chief who serve as ex-officio voting members. The Association is not a component unit of the city.

B. Plan Membership

As of December 31, 2017 membership data related to the Relief Association was:

Terminated members entitled to benefits but have not received them	7
Active members:	
Vested	3
Partially vested	9
Non-vested	<u>19</u>
Total	<u>38</u>

C. Pension Benefits

Authority for payment of pension benefits is established in Minnesota Statute Sec. 424A and the Association's bylaws. Pension benefits are earned by each member of the Association as follows:

1. Each member who is at least 50 years of age, has retired from the Fire Department of the City of Brainerd, has served at least twenty (20) years of active service with such department before retirement and has been a member of the Association in good standing at least 20 years prior to such retirement shall be entitled to a lump sum service pension in the amount of \$9,500 for each year of service (including each year over 20) but not exceeding the maximum amount per year of service allowed by law for the minimum average amount of available financing per firefighter as prescribed by law.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2017

NOTE 1 PLAN DESCRIPTION AND ORGANIZATION STRUCTURE (CONTINUED)

C. Pension Benefits (Continued)

2. According to the bylaws of the Association and pursuant to Minn. Stat. Sec. 424A.02, subd.2, members who retire with less than 20 years of service and have reached the age of 50 years and have completed at least ten years of active membership are entitled to a reduced lump sum service pension not to exceed the amount calculated by multiplying the member's service pension for the completed years of service by the applicable non-forfeitable percentage of pension as follows:

<u>Completed Years of Service</u>	<u>Non-forfeitable Percentage of Pension Amount</u>
10	60
11	64
12	68
13	72
14	76
15	80
16	84
17	88
18	92
19	96
20 and thereafter	100

3. To be eligible to receive a permanent disability benefit, the member must be totally and permanently disabled, to the extent that a physician shall certify that such disability will prevent the member from performing firefighting duties. When a member is disabled to the extent that it is substantially certain that they will never again be able to return to active duty as a firefighter, then the member shall be paid a disability benefit out of the Special Fund in the amount equivalent to the accrued retirement liability at the time of disability.
4. Upon the death of an active or deferred member, the surviving spouse and surviving children of the deceased member, and if no surviving spouse, the estate of the deceased member shall be paid a benefit out of the Special Fund in an amount equivalent to the accrued retirement liability at the time of death.

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES

A. Fund Accounting

The resources of the Association are accounted for in two funds:

The Special Pension Trust Fund is a pension trust fund for the accumulation of resources to be used for retirement, dependency, death and disability payments of appropriate amounts and at appropriate times in the future. Resources are contributed by the City of Brainerd at amounts determined by law; and from the two-percent insurance premium tax and amortization aid from the State of Minnesota.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2017

NOTE 2 SUMMARY OF SIGNIFICANT ACCOUNTING POLICIES (CONTINUED)

A. Fund Accounting (Continued)

The General Fund is a governmental fund which accounts for the resources other than those in the Special Pension Trust Fund. It is used for the good and benefit of the Association as determined by Association bylaws. Its resources consist of membership dues, fundraiser proceeds, investment earnings and miscellaneous sources.

B. Basis of Presentation and Accounting

The accompanying financial statements have been prepared in conformity with accounting principles generally accepted in the United States of America, as set forth by the Governmental Accounting Standards Board (GASB). GASB is the accepted standard setting body for establishing governmental accounting and financial reporting principles.

C. Investments

The Association's investment policy is established and may be amended by its Board with a majority vote of its members. There were no changes to the investment policy during 2017.

Investments are reported at fair value. Short-term investments are reported at cost, which approximates fair value. Securities traded on an exchange are valued at last reported sales price at the current exchange rates. Investments that do not have an established market are reported at estimated fair value.

Net appreciation (depreciation) in fair value of investments includes net unrealized and realized gains and losses. Purchases and sales of securities are recorded on a trade-date basis. Interest and dividend income is recognized as earned.

D. Property and Equipment

Property and equipment are stated at cost. Expenditures for major renewals and betterments that extend the useful lives of property and equipment are capitalized. Expenditures for maintenance and repairs are charged to expense as incurred. Depreciation is computed using the straight-line method and amounted to \$607 in 2017.

E. Use of Estimates

The Association uses estimates and assumptions in preparing financial statements. Those estimates and assumptions affect the reported amounts of assets and liabilities, the disclosure of contingent assets and liabilities, and the reported revenues and expenses. Actual results could differ from those estimates.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2017

NOTE 3 DEPOSITS AND INVESTMENTS

A. Deposits

The Association is authorized by Minnesota Statutes § 356A.06 to deposit its cash in financial institutions designated by the Board of Trustees.

Custodial Credit Risk

The custodial credit risk for deposits is the risk that, in the event of a bank failure, the Association's deposits may not be recovered. The Association's policy for custodial credit risk is to maintain compliance with Minnesota statutes that require all the Association's deposits be protected by insurance, surety bond, or pledged collateral.

B. Investments

The types of securities available to the Association for investment are authorized and defined by Minnesota Statutes §§424A.095 and 356A.06. Permissible investments include, but are not limited to: government and corporate obligations, United States and Canadian common stock, mutual funds and exchange traded funds. The Association invests primarily in government and corporate obligations, and mutual funds.

Custodial Credit Risk

Custodial credit risk for investments is the risk that, in the event of a failure of the issuer of an investment, the Association will not be able to recover the value of the investment or the collateral securities in the possession of an outside party. All investments purchased by the Association are held by a third-party agent as custodian.

Interest Rate Risk

Interest rate risk is the risk that changes in market interest rates of debt investments will adversely affect the fair value of an investment. The Association manages its exposure to fair value of loss arising from changing interest rates by having fixed income investments with varying maturity dates.

Credit Risk

Credit risk is the risk that an issuer or other counterparty to an investment will not fulfill its obligations. Minnesota statutes provide for the types of fixed income investments that a pension plan can make. In addition, the Association establishes other restrictions that are set forth in the investment guidelines for the management of the Association's fixed assets.

Concentration of Credit Risk

The Association's investment policy limits investments in any one issuer to not more than five percent unless the increase is a result of market price increase. U.S. Treasuries and agencies along with commingled investment pools are exempted. The Association's investments as of December 31, 2017, were below these limits.

Rate of Return

The money-weighted rate of return expresses investment performance, net of investment expense, adjusted for the changing amounts actually invested. For the year ended December 31, 2017 the annual money-weighted rate of return on pension plan investments, net of pension plan investment expense, was 14.75%.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2017

NOTE 3 DEPOSITS AND INVESTMENTS (CONTINUED)

The following is a summary of investments and deposits as of December 31, 2017:

SPECIAL PENSION TRUST FUND	CARRYING VALUE
Cash	\$ <u>97,617</u>
Corporate obligations	\$ 690,096
Government obligations	20,006
Mutual funds	<u>2,591,674</u>
Total investments	\$ <u>3,301,776</u>
GENERAL FUND	
Cash	\$ <u>75,045</u>

NOTE 4 CONTRIBUTIONS REQUIRED AND CONTRIBUTIONS MADE

Minnesota Statutes § 424A.092 specifies minimum support rates required on an annual basis. The minimum support rates from the municipality and from state aid are determined as the amount required to meet the normal cost plus amortizing any existing prior service costs over a 10-year period. The significant actuarial assumptions used to compute the municipal support are the same as those used to compute the accrued pension liability. The Association is comprised of volunteers; therefore, there are no payroll expenditures (i.e. there are no covered payroll percentage calculations).

Contributions totaling \$196,198 consisted of the 2% insurance premium tax from the State of Minnesota and were made in accordance with state statute requirements for the year ended December 31, 2017. The City of Brainerd made voluntary contributions in the amount of \$58,095.

NOTE 5 ACCOUNTS RECEIVABLE

Special Fund accounts receivable represents the amount due for reimbursement of supplemental benefit payments, and from the City of Brainerd for their municipal contribution. General Fund accounts receivable represents the amount due from a fundraising activity.

NOTE 6 RISK MANAGEMENT

The Association is exposed to various risks of loss related to torts, theft of assets, errors, and omissions. The Association manages its risk of loss through the purchase of commercial insurance. There were no reductions in insurance coverage from the previous year, and there have been no claims resulting from these risks in any of the past three years.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2017

NOTE 7 NET PENSION ASSET

The components of the net pension asset at December 31, 2017, are as follows:

Net Pension Asset			
(a)	(b)	(a-b)	(b/a)
Actuarial Total Pension Liability	Plan Fiduciary Net Position	Net Pension Asset	Plan Fiduciary Net Position as a Percentage of the Total Pension Liability
\$ 2,573,794	\$ 3,409,179	\$ (835,385)	132.46%

A. Actuarial Assumptions

The total pension liability was determined by an actuarial valuation as of January 1, 2018, based on the measurement date of December 31, 2017, and using the following actuarial assumptions.

- Investment Rate of Return 5.25%
- Discount Rate 5.25%
- 20-Year Municipal Bond Yield 3.50%
- Salary Increases 2.50%
- Inflation Rate built into other rate assumptions
- Cost of Living Adjustment 5.00% annual increase to eligible deferred pension amounts
- Age of Service Retirement 50

B. Long-Term Expected Rate of Return

The long-term expected rate of return on pension plan investments was determined using best-estimate ranges of expected future real rates of return (expected returns, net of pension plan investment expense and inflation) for each major asset class. These ranges are combined to produce the long-term expected rate of return by weighting the expected future real rates of return by the target asset allocation percentage and by adding expected inflation.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
NOTES TO FINANCIAL STATEMENTS
DECEMBER 31, 2017

NOTE 7 NET PENSION ASSET (CONTINUED)

B. Long-Term Expected Rate of Return (Continued)

Best estimates of arithmetic real rates of return for each major asset class included in the pension plan's target asset allocation as of December 31, 2017 are summarized in the following table:

<u>Asset Class</u>	<u>Portfolio Weight</u>	<u>Expected Class Return</u>
Cash	15.0%	2.00%
Fixed Income	28.0%	3.50%
Equities	56.0%	7.00%
Other	<u>1.0%</u>	<u>6.00%</u>
Total Portfolio	<u>100.0%</u>	<u>5.25%</u>

C. Discount Rate

The discount rate used to measure the total pension liability was 5.25%. Assets were projected using expected benefit payments and expected asset returns. Expected benefit payments were discounted by year using expected assets return assumption for years in which the assets were sufficient to pay all benefit payments. Any remaining benefit payments after the trust fund is exhausted are discounted at the municipal bond rate of return. The equivalent single rate is the discount rate. Based on those assumptions, the pension plan's fiduciary net position was projected to be available to make all projected future benefit payments of current plan members.

D. Sensitivity Analysis

The following presents the net pension asset calculated using the discount rate of 5.25%, as well as what the net pension (asset)/liability would be if it were calculated using a discount that is one-percentage-point lower (4.25%) or one-percentage-point higher (6.25%) than the current rate:

	<u>1% Decrease (4.25%)</u>	<u>Selected Discount Rate (5.25%)</u>	<u>1% Increase (6.25%)</u>
Net Pension (Asset)/Liability	\$ (761,337)	\$ (835,385)	\$ (907,116)

REQUIRED SUPPLEMENTARY INFORMATION

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION
SCHEDULE OF CHANGES IN THE ASSOCIATION'S NET PENSION LIABILITY
(UNAUDITED)

	2017	2016	2015	2014
Total Pension Liability				
Service Cost	\$ 138,165	\$ 155,063	\$ 155,042	\$ 151,260
Interest Cost	124,317	141,169	133,392	135,543
Assumption Changes	-	18,154	-	-
Plan Changes	177,823	-	64,528	-
Gain or Loss	-	(219,298)	-	-
Benefit Payments	(192,583)	(361,338)	(371,914)	(201)
Other Changes	-	-	-	-
Net Change in Total Pension Liability	<u>247,722</u>	<u>(266,250)</u>	<u>(18,952)</u>	<u>286,602</u>
Total Pension Liability - Beginning	<u>2,326,072</u>	<u>2,592,322</u>	<u>2,611,274</u>	<u>2,324,672</u>
Total Pension Liability - Ending (a)	<u>2,573,794</u>	<u>2,326,072</u>	<u>2,592,322</u>	<u>2,611,274</u>
Fiduciary Net Position				
Municipal Contributions	58,095	60,768	57,324	46,833
State Contributions	197,198	196,646	209,218	203,105
Net Investment Income	434,272	216,918	(67,607)	129,037
Benefit Payments	(192,583)	(361,338)	(371,914)	(201)
Administrative Expenses	(17,129)	(15,586)	(18,356)	(14,697)
Net Change in Fiduciary Net Position	<u>479,853</u>	<u>97,408</u>	<u>(191,335)</u>	<u>364,077</u>
Fiduciary Net Position - Beginning	<u>2,929,326</u>	<u>2,831,918</u>	<u>3,023,253</u>	<u>2,659,176</u>
Fiduciary Net Position - Ending (b)	<u>3,409,179</u>	<u>2,929,326</u>	<u>2,831,918</u>	<u>3,023,253</u>
Association's Net Position Liability/(Asset) - Ending (a) - (b)	<u>\$ (835,385)</u>	<u>\$ (603,254)</u>	<u>\$ (239,596)</u>	<u>\$ (411,979)</u>
Fiduciary Net Position as a Percentage of the Total Pension Liability	132.46%	125.93%	109.24%	115.78%

Note:

This schedule is prepared prospectively until it contains ten years of data.

BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION

SCHEDULE OF CONTRIBUTIONS FROM EMPLOYER AND OTHER ENTITIES (UNAUDITED)

Year Ended December 31	City of Brainerd			State of Minnesota		
	Annual Required Contribution	Actual Contribution	(Excess) Deficiency	Annual Required Contribution	Actual Contribution	(Excess) Deficiency
2017	\$ -	\$ 58,095	\$(58,095)	\$ 196,198	\$ 196,198	\$ -
2016	-	60,768	(60,768)	194,646	194,646	-
2015	-	57,324	(57,324)	206,218	206,218	-
2014	-	46,833	(46,833)	203,105	203,105	-
2013	-	41,983	(41,983)	207,334	207,334	-
2012	41,431	44,285	(2,854)	147,237	147,237	-
2011	65,993	65,993	-	145,914	145,914	-
2010	51,064	56,416	(5,352)	142,236	142,236	-
2009	-	46,402	(46,402)	133,596	133,596	-
2008	-	54,423	(54,423)	154,394	154,394	-

SCHEDULE OF INVESTMENT RETURNS (UNAUDITED)

Annual Money-Weighted Rate of Return - Net of Investment Expenses

<u>Fiscal Year</u>	<u>Annual Return</u>
2017	14.75 %
2016	7.92 %
2015	(2.37) %
2014	4.74 %

Note:

This schedule is prepared prospectively until it contains ten years of data.

OTHER REQUIRED REPORTS



Richard L. Kummet, CPA

Michael A. Sands, CPA

Laura J. Richter, CPA

Michael J. Youngquist, CPA

INDEPENDENT AUDITOR'S REPORT ON MINNESOTA LEGAL COMPLIANCE

Board of Trustees
Brainerd Fire Department Relief Association
Brainerd, Minnesota

We have audited, in accordance with auditing standards generally accepted in the United States of America, the financial statements of Brainerd Fire Department Relief Association as of and for the year ended December 31, 2017, and the related notes to the financial statements, which collectively comprise the Association's basic financial statements, and have issued our report thereon dated July 12, 2018.

The *Minnesota Legal Compliance Audit Guide for Relief Associations*, promulgated by the State Auditor pursuant to Minn. Stat. § 6.65, contains two categories of compliance to be tested in connection with audits of relief associations: deposits and investments, and relief associations. Our audit considered both of the listed categories.

In connection with our audit, nothing came to our attention that caused us to believe that Brainerd Fire Department Relief Association failed to comply with the provisions of the *Minnesota Legal Compliance Audit Guide for Relief Associations*. However, our audit was not directed primarily toward obtaining knowledge of such noncompliance. Accordingly, had we performed additional procedures, other matters may have come to our attention regarding the Association's noncompliance with the above referenced provisions.

This report is intended solely for the information and use of those charged with governance and management of Brainerd Fire Department Relief Association, and the State Auditor, and is not intended to be, and should not be, used by anyone other than these specified parties.

Kummet Larson Bluth & Co., P.A.

KUMMET LARSON BLUTH & CO., P.A.
Brainerd, Minnesota
July 12, 2018

OFFICE OF THE STATE AUDITOR

Financial Projections

	2018	2019	
Total Active Member Liabilities	2,337,400	2,643,600	
Total Deferred Member Liabilities	916,190	962,000	
Total Unpaid Installments	0	0	
Grand Total Special Fund Liability	A. 3,253,590	B. 3,605,600	
Normal Cost (Cell B minus Cell A)			C. 352,010

Projection of Net Assets for Year Ending December 31, 2018

Special Fund Assets at December 31, 2017 (FIRE-17 Form ending assets) 1 3,409,179

Projected Income for 2018

Fire State Aid (2017 fire state aid of \$157,973 may be increased by up to 3.5%)	D.	157,973	
Supplemental State Aid (actual 2017 supplemental state aid)	E.	38,225	
Municipal / Independent Fire Dept. Contributions	F.	0	
Interest / Dividends	G.	100,000	
Appreciation / (Depreciation)	H.	104,000	
Member Dues	I.	0	
Other Revenues	J.	1,000	
Total Projected Income for 2018 (Add Lines D through J)			2 401,198

Projected Expenses for 2018

Service Pensions (fill in individual pension amounts below)	K.	0	
Names:	\$ Amounts:		
Other Benefits	L.		
Administrative Expenses	M.	21,129	
Total Projected Expenses for 2018 (Add Lines K through M)			3 21,129
Projected Net Assets at December 31, 2018 (Add Lines 1 and 2, subtract Line 3)			4 3,789,248

Projection of Surplus or (Deficit) as of December 31, 2018

Projected Assets (Line 4)	5	3,789,248
2018 Accrued Liability (Page 4, cell A)	6	3,253,590
Surplus or (Deficit) (Line 5 minus Line 6)	7	535,658

OFFICE OF THE STATE AUDITOR
2018 Schedule Form for Lump-Sum Pension Plans (SC-18)

The 2018 Schedule Form (SC-18) must be completed and certified to the affiliated municipality or independent nonprofit firefighting corporation by August 1, 2018. The SC-18 is due to the Office of the State Auditor on March 31, 2019 for plans with assets less than \$500,000 and liabilities less than \$500,000. The SC-18 is due on June 30, 2019 for plans with assets or liabilities of at least \$500,000.

Please become familiar with the form and review each line for accuracy.

Important Information for Completing SAFES Form

The OSA has become aware of an issue affecting some reporting forms that are downloaded from the State Auditor's Form Entry System (SAFES), which could include this form.

Please press the Ctrl, Alt, and F9 keys at the same time to ensure that all calculations on your form are correct. Pressing these keys at the same time forces the form to recalculate and will resolve the issue. Please do this when you first open the form and again just before submitting the form, at a minimum.

Please feel free to contact us at safes@osa.state.mn.us with any questions.

Version

2018B

What do the red messages in the form indicate?

The red messages in the right margin indicate that data must be entered or corrected before the reporting form can be submitted. Once the data has been entered or corrected, the red message will no longer be displayed.

Tab Name	Red Messages Remaining
Active	0
Deferred	0
Installments	0
Financial Projections	0
Required Contribution	0
MBW	1
TOTAL COUNT	1

When this SC form is complete and ready to submit, please log into SAFES and choose the "Submit Forms/Documents" tab. Follow the onscreen directions to upload the form. You will receive a confirmation number when the form is successfully uploaded. After the SC form is submitted, a PDF version of the submitted form will be generated and posted in SAFES. The PDF version of the form contains the form's signature pages. The SC form submission is not complete until it has been fully signed. The form can be signed electronically in SAFES, or on paper using the PDF signature pages.

Have you read the instructions?

Detailed instructions on how to complete the form are available by clicking the link below. If you have any problems or questions after reviewing these materials, you may email pension@osa.state.mn.us or call (651) 262-6110.
[CLICK HERE for detailed reporting instructions](#)

Have you saved your files?

Use the SAVE AS command and choose the location to save your files on your computer. Otherwise, they will be saved to a temporary location, making them difficult to locate when you are ready to upload.

OFFICE OF THE STATE AUDITOR

Active Member Information

Enter Annual Benefit Level in effect for 2018: \$10,000

(If you change your benefit level before 12/31/2018, the SC must be recalculated and recertified at the new level.)

							2018		2019	
Total Active Member Liabilities							2,337,400		2,643,600	
	Name	Status	Date of Birth	Fire Department Entry Date	Leaves of Absence and Breaks in Service (months)	Return to Service Member ?	To end of 2018		To end of 2019	
							Years of Service	Accrued Liability	Years of Service	Accrued Liability
1	Rubbelke, Daryl A	Active		7/21/1992	6		26	260,000	27	270,000
2	Martin, Randy C	Deferred		8/3/1995	3		23	0	24	0
3	Anderson, Robert A	Paid		11/1/1996	6		22	0	23	0
4	Rubado, Joseph J	Active		11/1/1996	14		21	210,000	22	220,000
5	Schellin, Jeffrey J	Active		10/1/2001	0		17	156,000	18	169,800
6	Sell, Barry L	Active		10/1/2002	6		16	142,800	17	156,000
7	Smith, Joshua R	Active		10/1/2002	3		16	142,800	17	156,000
8	Johnson, Todd M	Active		11/1/2003	0		15	130,400	16	142,800
9	Mann, Lawayne R	Active		3/8/2005	3		14	118,400	15	130,400
10	Howard, Dennis J	Active		6/7/2005	34		11	85,800	12	96,200
11	Zeien, Cory J	Active		6/7/2005	13		12	96,200	13	107,000
12	Holmstrom, Matthew D	Active		8/7/2006	16		11	85,800	12	96,200
13	Bautch, James P	Active		10/3/2006	3		12	96,200	13	107,000
14	Enge, Joseph	Active		10/20/2008	0		10	76,000	11	85,800
15	Jacobson, Joel L	Active		10/20/2008	15		9	66,600	10	76,000
16	Read, David T	Active		10/20/2008	0		10	76,000	11	85,800
17	Marohn, Samuel	Active		12/9/2009	0		9	66,600	10	76,000
18	Powell, Jeremy	Active		12/9/2009	6		9	66,600	10	76,000
19	Amundson, Greg	Active		2/4/2011	3		8	57,600	9	66,600
20	Groenwold, Christopher	Active		2/4/2011	0		8	57,600	9	66,600
21	Lemieur, Jonathan	Active		2/4/2011	0		8	57,600	9	66,600
22	Findlay, Rahn D	Active		8/1/2013	0		5	33,400	6	41,000
23	Kargel, Brian T	Active		8/1/2013	0		5	33,400	6	41,000
24	Mailhot, Joshua	Active		8/1/2013	0		5	33,400	6	41,000
25	Norwood, James	Active		8/1/2013	0		5	33,400	6	41,000
26	Teckemeyer, Mark	Active		8/1/2013	0		5	33,400	6	41,000
27	White, Darin A	Active		8/1/2013	20		4	26,000	5	33,400
28	Bickel, Andrew J	Active		10/21/2013	9		4	26,000	5	33,400
29	Stangel, Josh	Active		10/1/2015	3		3	19,000	4	26,000
30	Flowers, Eric	Active		7/1/2016	0		3	19,000	4	26,000
31	Haglin, Nicholas	Active		7/1/2016	0		3	19,000	4	26,000
32	Isle, Steven	Active		7/1/2016	3		2	12,400	3	19,000
33	Gawboy, Robert D	Active		8/1/2018	0		0	0	1	6,000
34	Grimsby, Kathleen M	Active		8/1/2018	0		0	0	1	6,000
35	Vork, Tyler J	Active		8/1/2018	0		0	0	1	6,000
36	Wallace, Christopher A	Active		8/1/2018	0		0	0	1	6,000

OFFICE OF THE STATE AUDITOR

Deferred Member Information

(fully or partially vested)

Total Deferred Member Liabilities 2018 916,190

Total Deferred Member Liabilities 2019 962,000

1

Enter all information as it pertains to this member.

Member Name:	<u>Forbord, Ramona R</u>	Benefit Level at Separation:	<u>6,825</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:	<u>Deferred Interest Paid</u>		
Service Dates: Entry:	<u>8/1/1991</u>	Separation:	<u>4/1/2012</u>	(Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months):	<u>46</u>	Vesting %:	<u>84</u>	If Interest is Paid, Choose Type:	
Return to Service Member ?	(Select "Yes" if applicable.)		Straight 5%		
Total Service: Years:	<u>16</u>	Months (if paid):	<u>10</u>	Period Interest is Paid:	
2018 Estimated Liability:	<u>134,187</u>	Status: Deferred	Full Period		
2019 Estimated Liability:	<u>140,896</u>				

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1987: <u> </u> %	1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2013: <u> </u> %
1988: <u> </u> %	1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2014: <u> </u> %
1989: <u> </u> %	1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2015: <u> </u> %
1990: <u> </u> %	1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2016: <u> </u> %
1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: <u> </u> %	2018: <u> </u> % +

2

Enter all information as it pertains to this member.

Member Name:	<u>Turner, Mark</u>	Benefit Level at Separation:	<u>7,400</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:	<u>Deferred Interest Paid</u>		
Service Dates: Entry:	<u>11/1/1996</u>	Separation:	<u>7/31/2009</u>	(Select "Yes" if offered.) <u>Yes</u>	
LOAs and BIS (in months):	<u>23</u>	Vesting %:	<u>60</u>	If Interest is Paid, Choose Type:	
Return to Service Member ?	(Select "Yes" if applicable.)		Straight 5%		
Total Service: Years:	<u>10</u>	Months (if paid):	<u>10</u>	Period Interest is Paid:	
2018 Estimated Liability:	<u>76,192</u>	Status: Deferred	Full Period		
2019 Estimated Liability:	<u>80,002</u>				

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1987: <u> </u> %	1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2013: <u> </u> %
1988: <u> </u> %	1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2014: <u> </u> %
1989: <u> </u> %	1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2015: <u> </u> %
1990: <u> </u> %	1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2016: <u> </u> %
1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: <u> </u> %	2018: <u> </u> % +

3

Enter all information as it pertains to this member.

Member Name:	<u>Cox, David J</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>1/1/1998</u>	Separation:	<u>2/1/2017</u>		
LOAs and BIS (in months):	<u>12</u>	Vesting %:	<u>92</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>18</u>	Months (if paid):	<u>1</u>		
2018 Estimated Liability:	<u>159,824</u>				
2019 Estimated Liability:	<u>167,815</u>	Status:	<u>Deferred</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1987: <u> </u> %	1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2013: <u> </u> %
1988: <u> </u> %	1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2014: <u> </u> %
1989: <u> </u> %	1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2015: <u> </u> %
1990: <u> </u> %	1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2016: <u> </u> %
1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: <u> </u> %	2018: <u> </u> % +

4

Enter all information as it pertains to this member.

Member Name:	<u>Johnson, Richard C</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:			
Service Dates:	Entry: <u>1/26/1998</u>	Separation:	<u>11/3/2016</u>		
LOAs and BIS (in months):	<u>61</u>	Vesting %:	<u>72</u>		
Return to Service Member ?	(Select "Yes" if applicable.)				
Total Service:	Years: <u>13</u>	Months (if paid):	<u>8</u>		
2018 Estimated Liability:	<u>95,691</u>				
2019 Estimated Liability:	<u>100,476</u>	Status:	<u>Deferred</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1987: <u> </u> %	1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2013: <u> </u> %
1988: <u> </u> %	1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2014: <u> </u> %
1989: <u> </u> %	1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2015: <u> </u> %
1990: <u> </u> %	1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2016: <u> </u> %
1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: <u> </u> %	2018: <u> </u> % +

5	Enter all information as it pertains to this member.						
Member Name: <u>Logelin, Dennis J</u>			Benefit Level at Separation: <u>8,750</u>		Months of Service Are Paid <u>Yes</u>		
Minimum Years Required to Vest: <u>10</u> DOB: _____			Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u> If Interest is Paid, Choose Type: Straight 5% Period Interest is Paid: Full Period				
Service Dates: Entry: <u>7/1/2001</u> Separation: <u>7/26/2016</u>							
LOAs and BIS (in months): <u>36</u> Vesting %: <u>64</u>							
Return to Service Member ? _____ (Select "Yes" if applicable.)							
Total Service: Years: <u>12</u> Months (if paid): <u>0</u>							
2018 Estimated Liability: <u>75,698</u>							
2019 Estimated Liability: <u>79,483</u> Status: Deferred							
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.							
1987: _____ %		1992: _____ %		1997: _____ %		2002: _____ %	
1988: _____ %		1993: _____ %		1998: _____ %		2003: _____ %	
1989: _____ %		1994: _____ %		1999: _____ %		2004: _____ %	
1990: _____ %		1995: _____ %		2000: _____ %		2005: _____ %	
1991: _____ %		1996: _____ %		2001: _____ %		2006: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.						2012: _____ % 2018: _____ % +	

6	Enter all information as it pertains to this member.						
Member Name: <u>Davis, Lance M</u>			Benefit Level at Separation: <u>8,750</u>		Months of Service Are Paid <u>Yes</u>		
Minimum Years Required to Vest: <u>10</u> DOB: _____			Deferred Interest Paid (Select "Yes" if offered.) <u>Yes</u> If Interest is Paid, Choose Type: Straight 5% Period Interest is Paid: Full Period				
Service Dates: Entry: <u>11/1/2003</u> Separation: <u>11/9/2015</u>							
LOAs and BIS (in months): <u>0</u> Vesting %: <u>68</u>							
Return to Service Member ? _____ (Select "Yes" if applicable.)							
Total Service: Years: <u>12</u> Months (if paid): <u>0</u>							
2018 Estimated Liability: <u>83,253</u>							
2019 Estimated Liability: <u>87,416</u> Status: Deferred							
For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.							
1987: _____ %		1992: _____ %		1997: _____ %		2002: _____ %	
1988: _____ %		1993: _____ %		1998: _____ %		2003: _____ %	
1989: _____ %		1994: _____ %		1999: _____ %		2004: _____ %	
1990: _____ %		1995: _____ %		2000: _____ %		2005: _____ %	
1991: _____ %		1996: _____ %		2001: _____ %		2006: _____ %	
+Rate of return is calculated using the earnings projected on Page 4 of this form.						2012: _____ % 2018: _____ % +	

7

Enter all information as it pertains to this member.

Member Name:	<u>Doree, Kurt A</u>	Benefit Level at Separation:	<u>8,750</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:	<u> </u>		
Service Dates:	Entry: <u>10/1/2004</u>	Separation:	<u>4/30/2016</u>		
LOAs and BIS (in months):	<u>5</u>	Vesting %:	<u>64</u>		
Return to Service Member ?	<u> </u> (Select "Yes" if applicable.)				
Total Service:	Years: <u>11</u>	Months (if paid):	<u>2</u>		
2018 Estimated Liability:	<u>71,259</u>				
2019 Estimated Liability:	<u>74,822</u>	Status:	<u>Deferred</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1987: <u> </u> %	1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2013: <u> </u> %
1988: <u> </u> %	1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2014: <u> </u> %
1989: <u> </u> %	1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2015: <u> </u> %
1990: <u> </u> %	1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2016: <u> </u> %
1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: <u> </u> %	2018: <u> </u> % +

8

Enter all information as it pertains to this member.

Member Name:	<u>Martin, Randy C</u>	Benefit Level at Separation:	<u>9,500</u>	Months of Service Are Paid	<u>Yes</u>
Minimum Years Required to Vest:	<u>10</u>	DOB:	<u> </u>		
Service Dates:	Entry: <u>8/3/1995</u>	Separation:	<u>5/1/2018</u>		
LOAs and BIS (in months):	<u>3</u>	Vesting %:	<u>100</u>		
Return to Service Member ?	<u> </u> (Select "Yes" if applicable.)				
Total Service:	Years: <u>22</u>	Months (if paid):	<u>5</u>		
2018 Estimated Liability:	<u>220,086</u>				
2019 Estimated Liability:	<u>231,090</u>	Status:	<u>Deferred</u>		

Deferred Interest Paid
 (Select "Yes" if offered.) Yes

 If Interest is Paid, Choose Type:
 Straight 5%
 Period Interest is Paid:
 Full Period

For Relief ROR up to 5%, OSA ROR up to 5% or Board Set ROR up to 5% enter interest rates below.

1987: <u> </u> %	1992: <u> </u> %	1997: <u> </u> %	2002: <u> </u> %	2007: <u> </u> %	2013: <u> </u> %
1988: <u> </u> %	1993: <u> </u> %	1998: <u> </u> %	2003: <u> </u> %	2008: <u> </u> %	2014: <u> </u> %
1989: <u> </u> %	1994: <u> </u> %	1999: <u> </u> %	2004: <u> </u> %	2009: <u> </u> %	2015: <u> </u> %
1990: <u> </u> %	1995: <u> </u> %	2000: <u> </u> %	2005: <u> </u> %	2010: <u> </u> %	2016: <u> </u> %
1991: <u> </u> %	1996: <u> </u> %	2001: <u> </u> %	2006: <u> </u> %	2011: <u> </u> %	2017: <u> </u> %
+Rate of return is calculated using the earnings projected on Page 4 of this form.				2012: <u> </u> %	2018: <u> </u> % +

OFFICE OF THE STATE AUDITOR**Unpaid Installment Information**

Enter here the name of each member who has been paid portions of a pension benefit and who still has outstanding liabilities.

Name	Status	Birth Date	Entry Date	Separation Date	Amount Previously Paid	2018 Estimated Liability	2019 Estimated Liability
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						
	Unpaid Installment						

Totals

0	0
---	---

OFFICE OF THE STATE AUDITOR

Calculation of Required Contribution

Deficit Information - Original			Deficit Information - Adjusted		
Year Incurred	Original Amount	Amount Retired as of 12/31/2017	Original Amount	Amount Retired as of 12/31/2018	Amount Left to Retire 1/1/2019
2009	0	0			
2010	0	0			
2011	0	0			
2012	0	0			
2013	0	0			
2014	0	0			
2015	0	0			
2016	0	0			
2017	0	0			
2018					
Totals			0		0

Normal Cost	8	352,010
Projected Administrative Expense	9	17,729
Amortization of Deficit (Total of Original Amount column x 0.10)	10	0
10% of Surplus	11	53,566
Fire and Supplemental State Aid	12	196,198
Member Dues	13	0
5% of Projected Assets at December 31, 2018	14	189,462
Required Contribution (Add Lines 8, 9 and 10, subtract Lines 11, 12, 13 and 14. If negative, zero is displayed.)	15	0
No required contribution due in 2019.		

OFFICE OF THE STATE AUDITOR**2018 Maximum Benefit Worksheet**

	A	B	C	D	E
	Fire State Aid and Supplemental State Aid	Municipal Contribution	10% of Surplus *	Active Members in Relief Association	Per Year Average [(A + B + C) / D]
	(From FIRE-17)	(From FIRE-17)	(From SC-17)	(From FIRE-17)	
2017					
	(From FIRE-16)	(From FIRE-16)	(From SC-16)	(From FIRE-16)	
2016	194,645	60,678	22,838	34	8,181
	(From RF-15)	(From RF-15)	(From SC-15)	(From RF-15)	
2015	206,219	57,324	20,294	35	8,110

* If deficit for the year, leave blank.

Average available financing per active member for the most recent 3-year period:
(sum of column E divided by 3)

Maximum Lump Sum Benefit Level under Minn. Stat. § 424A.02, subd. 3

OFFICE OF THE STATE AUDITOR

Plan Information

Fire Department Affiliation & Member Counts

The Fire Relief Association is associated with:

A municipality which has a fire department.

Enter the appropriate number:

31	Active members in the <u>Relief Association</u>
7	Inactive members who are deferred
0	Other inactive members (medical and other leave)
38	Total Active + Inactive with Relief Association

1	Lump sum service distributions
0	Lump sum survivor distributions
0	Lump sum disability distributions
0	Monthly benefit recipients (retired, disabled and survivor)

Plan Type & Benefit Information

Plan Type: Defined Benefit Lump Sum Benefit payable for each year of service \$ 9,500

Vesting & Ancillary Benefits (must be stated in bylaws)

Years required for full vesting in: Partial Vesting in Bylaws? Years required for partial vesting in:

20	Fire Department	<u>Yes</u>	10	Fire Department
20	Relief Association		10	Relief Association

50 Minimum age to receive retirement benefits

	Amount	Per
Short-term Disability		
Long-term Disability	9,500.00	year of service
Survivor Benefit	9,500.00	year of service

Bonding, Bylaws & Resolutions

Yes	Is the <u>Treasurer</u> bonded for at least 10% of assets? (Amount of bond need not exceed \$500,000)
	\$ <u>500,000</u> Amount
Yes	Is the <u>Secretary</u> bonded?
	\$ <u>500,000</u> Amount
No	Did you amend your bylaws for 2017?
Yes	Did you modify your benefits for 2017?
Yes	Has your association completed its Annual Renewal as a Nonprofit Corporation with the Secretary of State?

OFFICE OF THE STATE AUDITOR

Plan Information

Investment Forms & Information

Has the Relief Association collected and retained the following information:

(Please retain and be able to submit individual account or portfolio data to the Office of the State Auditor on request.)

- | | |
|-----|--|
| Yes | Signed Broker Certification form(s) (BC-1)? |
| Yes | Signed Statements of Economic Interest? |
| Yes | Signed Investment Business Recipient Disclosure Form? |
| Yes | The market value of each investment account and investment portfolio at the beginning of the calendar year and for each quarter pursuant to Minn. Stat. § 356.219, subd. 3(g)? |
| Yes | The date and amount of each injection and withdrawal to each investment account and investment portfolio pursuant to Minn. Stat. §356.219, subd. 3(g)? |
| No | Did the Relief Associations amend its investment policy statement in 2017? |

OFFICE OF THE STATE AUDITOR

Investments

	Special Fund	General Fund	Special Fund Accrued Interest
Cash (including all non-interest bearing accounts at banks, credit unions or thrift institutions)		4,198	
Certificates of Deposit (time deposits)			
Other interest bearing accounts (at banks, credit unions or thrifts, including Money Market Accounts)	97,617	70,847	
Treasury Bills			
Treasury Bonds & Notes			
Domestic Stock			
International Stock			
Corporate Bonds (domestic) - Investment Grade	690,096		
Corporate Bonds (domestic) - Unrated and Below Investment Grade			
Government Bonds (domestic) - Investment Grade	20,006		
Was the Relief Association invested in any government bonds that were below investment grade or unrated?	No		
Corporate and Government Bonds (international)			
Venture Capital, Resource or Real Estate Limited Partnerships			
State Board of Investment (SBI) - Bond Fund			
State Board of Investment (SBI) - U.S. Stock Index Fund			
State Board of Investment (SBI) - U.S. Stock Actively Managed Fund			
State Board of Investment (SBI) - Balanced Fund			
State Board of Investment (SBI) - Broad International Stock Fund			
State Board of Investment (SBI) - Money Market Fund			
Mutual Funds and Exchange Traded Funds: List mutual funds (including Money Market mutual funds) and exchange traded funds held at 12/31/2017 in the next tab.	2,591,674	0	0
Description			
Other			
Other			
Other			
Other			
Other			
Total Investments at 12/31/2017	3,399,393	75,045	0

OFFICE OF THE STATE AUDITOR

Financial Information

	Special Fund	General Fund
A. Total Net Assets as of December 31, 2016	2,929,326	65,746

Revenues - 2017

Fire State Aid (<i>regular fire state aid and supplemental state aid</i>)	196,198	
State 10% Supplemental Reimbursement	1,000	
Municipal/Independent Fire Department Contributions	58,095	
Member Contributions/Dues		
Interest & Dividends	179,193	22
Appreciation/(Depreciation) in Fair Market Value (<i>Realized or Unrealized</i>)	274,336	
LESS: Investment Management Fees	(19,257)	
Fundraising Revenue		119,716
Outside Donations	Click here to enter Outside Donations	0
Other Income	Click here to enter Other Income	0

B. Total Revenues	689,565	119,738
--------------------------	---------	---------

Benefit Expenditures - 2017

Service Pensions - Retirees	192,583
Service Pensions - Monthly (<i>including monthly survivor and disability benefits</i>)	
Service Pensions - Survivors	
Service Pensions - Disabled	
Illness or Short-term Disability	
1. Total Benefit Expenditures	192,583

Administrative Expenditures - 2017

Salary	4,113	
Conventions & Meetings		5,228
Dues	495	
Training		
Professional Fees (Actuarial, Audit and Legal)	12,521	1,225
Bond		
Investment Performance Evaluation		
Fundraising Expenses		88,439
Other Expenditures	Click here to enter Other Expenditures	11,447
2. Total Administrative Expenditures	17,129	106,339

C. Total Expenditures (1 + 2)	209,712	106,339
--------------------------------------	---------	---------

D. Transfers (<i>Can be made from General Fund to Special Fund only</i>)		
---	--	--

E. Total Net Assets at December 31, 2017 (A + B - C +/- D)	3,409,179	79,145
---	-----------	--------

OFFICE OF THE STATE AUDITOR

Financial Information

F. Selected Assets and Liabilities

	Special Fund	General Fund
Accounts Receivable (Other than interest income receivable)	10,367	558
Other Assets		7,184
Accounts Payable or Other Liabilities	581	3,642
Accrued Liability - 2017		

Pension Payments

Totals:Page 1 of 3

[illegible]

[illegible]

Calculation Notes

OFFICE OF THE STATE AUDITOR

Total market value of Special Fund assets at the SBI (12/31/17) 0

Cash equivalent assets not invested through the SBI (12/31/17) 97,617

Expected expenses for first six months of 2018:

Administrative 10,000

Benefits 0

Total expected expenses for first six months of 2018 10,000

Are Market Values and Cash Flows required to be completed?

Yes

Market Values:

First Quarter *Beginning* Value 2,922,750 (December 31, 2016/January 1, 2017)

First Quarter *Ending* Value 3,057,664 (March 31, 2017)

Second Quarter Ending Value 3,155,427 (June 30, 2017)

Third Quarter Ending Value 3,261,213 (September 30, 2017)

Fourth Quarter Ending Value 3,399,393 (December 31, 2017)

Cash Flows:

Type	Description, if needed.	Date	Amount
Administrative Expense (Out)		1/2/2017	495
Investment Fees (Out)		1/12/2017	4,597
Salary (Out)		1/31/2017	23
Municipal Contribution (In)		3/10/2017	5,154
Municipal Contribution (In)		3/10/2017	6,097
Administrative Expense (Out)		4/3/2017	544
Investment Fees (Out)		4/13/2017	4,755
Supplemental Reimbursement (In)		4/25/2017	2,000
Municipal Contribution (In)		4/25/2017	6,395
Municipal Contribution (In)		4/25/2017	4,336
Municipal Contribution (In)		7/10/2017	5,678
Municipal Contribution (In)		7/10/2017	5,874
Investment Fees (Out)		7/13/2017	4,854
Administrative Expense (Out)		8/2/2017	3,200
Municipal Contribution (In)		8/7/2017	3,478
Administrative Expense (Out)		8/28/2017	8,777
Municipal Contribution (In)		9/7/2017	3,477

[illegible]



Brainerd City Council Agenda Request

Requested Meeting Date: August 6th, 2018

Title of Item: Leave of Absence from Fire Department

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Fire Chief Holmes	Department: Fire
Presenter (Name & Title): Fire Chief Holmes	Estimated Time Needed: 5 minutes
Summary of Issue: On 07/25/2018 Firefighter Mark Teckemeyer requested a one year leave of absence from the fire department effective August 1st, 2018.	
Alternatives, Options, Effects on Others/Comments: Teckemeyer has moved outside of the 10 minute required response time and requests a leave of absence to make sure his new location is good and to see if there are any changes, in the next year, for the required response time before he considers resigning from the department.	
Recommended Action/Motion: Motion to accept Teckemeyer's leave of absence request up to one year effective August 1st, 2018.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

BRainerd FIRE DEPARTMENT

JUL 25 2018

RECEIVED

Mark Teckemeyer
9671 Leisure Lane,
Brainerd, MN 56401
218-252-1026
teckemeyer@hotmail.com

07-25-2018

Dear Chief Tim Holmes, Members of Brainerd Fire Department, and Brainerd City Council:

I write to you requesting a one year leave of absence.

My family has relocated to 9671 Leisure Lane in Brainerd after purchasing a new home. We are very excited for this new chapter in our life.

With the new location of our home, I am unfortunately outside the required 10 minute response time. Our new residence has a 15 minute response time.

I am requesting a one year leave of absence affective August 1st, 2018. My request is given for any chance that there is a change in policies, such as, an increase response time to the station, a structure change (example: duty shifts that meet minimum requests).

I hope you will strongly entertain my request for a one year leave of absence. Regardless of the decisions made, I cannot express enough gratitude for the privilege I have had to be a member of Brainerd Fire Department. In my 19 years in the fire service, five of them being with Brainerd Fire Department, I was part of an unmatched brotherhood with the best Chief's a person could ask for. Thank you Brothers!! Keep doing the great work you all do.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Teckemeyer', with a long horizontal line extending to the right.

Mark Teckemeyer

Brainerd FD #1099



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: August 6th, 2018

Title of Item: Resolution for TZD Traffic Safety Enforcement Grant

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 5 MINUTES
Summary of Issue: The Police Department is requesting authorization and a resolution to apply for the FY 2019 TZD Traffic Safety Enforcement Grant, from the State Office of Traffic Safety (OTS). This period begins October 1st, 2018 and ends September 30, 2019. The resolution needs to be approved and signed so it can be uploaded into the E-grants system to complete the application. OTS has approved our application and we will be informed when the final contracts are issued what amount we have been awarded in September.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve the attached Resolution authorizing the Police Department to enter into a cooperative agreement with the State of Minnesota Office of Traffic Safety for the FY 2019 TZD Traffic Safety Enforcement Grant.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

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

**RESOLUTION AUTHORIZING EXECUTION OF
THE TZD ENFORCEMENT GRANT CONTRACT**

BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA, that the Brainerd Police Department is hereby authorized to enter into a cooperative agreement with the State of Minnesota Department of Public Safety, for traffic safety enforcement projects as specified in the Grant Contract during the period from October 1, 2018, through September 30, 2019, or until all obligations have been satisfactorily fulfilled, whichever occurs first.

BE IT FURTHER RESOLVED, that Police Chief Corky McQuiston of the Police Department of the City of Brainerd is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Brainerd Police Department and to be the fiscal agent and administer the grant.

Adopted this 6th day of August, 2018.

DAVID J. PRITSCHET
President of the Council

Approved this 6th day of August, 2018.

EDWIN L. MENK
Mayor

ATTEST: _____
CASANDRA TORSTENSON
City Administrator



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: August 6th, 2018

Title of Item: Staff Out of State Travel & Training

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 5 MINUTES
Summary of Issue: Officer Tim Friis is the department bomb technician assigned to the Brainerd-Crow Wing County Bomb Team. We are requesting authorization for out of state travel for Officer Friis to attend Explosives and Pyrotechnics Chemistry Training in Tulsa, Oklahoma, from August 13th to August 18th. Other than Officer Friis's wages, all expenses for this, travel, lodging, and meals are paid by the Bureau of Alcohol, Tobacco, Firearms, & Explosives (ATF).	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Authorize out-of-state travel for Police Officer Tim Friis to attend the Explosives Training in Tulsa, Oklahoma, from August 13th to August 18th.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>Officer's wages</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: August 6th, 2018

Title of Item: Staff Out of State Travel & Training

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: CHIEF MCQUISTON	Department: POLICE
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 5 MINUTES
Summary of Issue: We are requesting authorization for out of state travel for Police Administrative Supervisor Julie McCullough to attend the annual Zuercher One User Conference in Sioux Falls, South Dakota, from September 12th to September 13th, 2018. This is the annual user conference put on by the parent company of our Records Management System Software LETG. Our agency is allowed two free registrations (\$250), consequently our cost would be, travel, lodging, and meals outside of what the conference provides.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Authorize out-of-state travel for Police Administrative Supervisor Julie McCullough to attend the Zuercher One Conference in Sioux Falls, South Dakota from September 12th to September 13th. The costs of travel, lodging, and some meals associated with the conference will be covered under the police department's professional development funds.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>lodging, travel, meals</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> Police Department Professional Development Funds.	



Brainerd City Council Agenda Request

Agenda Item #

Requested Meeting Date: August 6th, 2018

Title of Item: Authorization to Sell Retired Police Vehicles

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>									
Submitted by: CHIEF MCQUISTON	Department: POLICE									
Presenter (Name & Title): CHIEF MCQUISTON	Estimated Time Needed: 5 MINUTES									
Summary of Issue: We are requesting authorization to sell the following retired police vehicles that have been replaced this year. We would like to use Mid-State Auto Auction in New York Mills: <table><tr><td>1. 2006 Jeep Grand Cherokee</td><td>VIN 1J8HR48N66C190709</td><td>Unit #924</td></tr><tr><td>2. 2013 Chevrolet Tahoe</td><td>VIN 1GNSK230XDR309023</td><td>Unit #415</td></tr><tr><td>3. 2014 Ford Police Interceptor Sedan</td><td>VIN 1FAHP2MK3EG175160</td><td>Unit #418</td></tr></table>		1. 2006 Jeep Grand Cherokee	VIN 1J8HR48N66C190709	Unit #924	2. 2013 Chevrolet Tahoe	VIN 1GNSK230XDR309023	Unit #415	3. 2014 Ford Police Interceptor Sedan	VIN 1FAHP2MK3EG175160	Unit #418
1. 2006 Jeep Grand Cherokee	VIN 1J8HR48N66C190709	Unit #924								
2. 2013 Chevrolet Tahoe	VIN 1GNSK230XDR309023	Unit #415								
3. 2014 Ford Police Interceptor Sedan	VIN 1FAHP2MK3EG175160	Unit #418								
Alternatives, Options, Effects on Others/Comments:										
Recommended Action/Motion: Authorize the sale of retired police vehicles Units # 924, #415, and #418 utilizing Mid-State Auto Auction in New York Mills.										
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: August 6, 2018

Title of Item: Gregory Park Archway

☐ 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: Tony Sailer	Department: Parks and Recreation
Presenter (Name & Title): Tony Sailer, Parks and Recreation Director	Estimated Time Needed: Less than 5 minutes
Summary of Issue: The Gregory Park stone archway is in need of repair. Two of the stones have fallen out and many areas are in need of tuck point work. Staff received an estimate of \$6,770 from Hy-Tec Construction to repair the archway. This amount is dependent upon the final defined work scope. Hy-Tec indicated that some areas of the structure are in considerably better condition than others and would not require any work.	
Alternatives, Options, Effects on Others/Comments: 1. If Capital Project funds are approved, staff will meet with Hy-Tec to agree on the defined scope of work on the structure. The estimate could increase or decrease somewhat depending on the defined scope of work. 2. Staff believes the stone archway will soon start crumbling if not repaired.	
Recommended Action/Motion: The Park Board approved the request for Capital Improvement funds to the City Council.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>See below</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> The estimated cost is \$6,770, but this figure could increase or decrease depending on the agreed upon scope of the work.	



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Parks and Recreation Facility Priority

☒ 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: Tony Sailer	Department: Parks and Recreation
Presenter (Name & Title): Tony Sailer, Parks and Recreation Director	Estimated Time Needed: Less than 5 minutes
Summary of Issue: The City Council had requested the Park Board indicate its facilities priorities. The Park Board indicated that replacing the Gregory Park warming house is its top priority. Also high on its list is the Mill Avenue Park warming house, however this structure is on property leased from Brainerd Industrial Center. The lease expires Jan. 19, 2019. Future development of Mill Avenue Park depends on an agreement between the City and BIC.	
Alternatives, Options, Effects on Others/Comments: 1. The Gregory Park warming house was constructed in 1950. 2. With funds being raised for a Splashpad at Gregory Park, in addition to the concerts, tennis and general use by the public, the Park Board believes a new warming house is its No. 1 priority as this is a heavily used park. 3. The warming house would have ADA compliant restrooms. 4. An idea was to make the warming house a place which could be rented for gatherings, thus becoming a multi-use facility which would generate revenue.	
Recommended Action/Motion: A request for funding will be in the Parks and Recreation Department's 2019 Capital Improvement request.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>See below</u> <i>Is this budgeted?</i> ☐ Yes ☒ No The estimated cost is \$187,000. <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Temporary Trainee Building Inspector - Request Authorization to Hire

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Kris Schubert & Paul Sandy	Department: Administration & Engineering
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 3 minutes
Summary of Issue: We budgeted for two temporary positions in 2018 to assist our Building Safety Department. In the past, we have hired temporary Code Compliance Inspectors whose focus was on nuisance inspections i.e. long grass and paint notices. As we prepare to hire our fall temporary position, we would like to create a new temporary Trainee Building Inspector position instead to help with our increased building inspection workload. To help clarify, we doubled our new housing permit applications in 2018 and we substantially exceeded our projected building permit revenue in 2017 and are projected to in 2018. We are also aware of multiple school renovations planned in the near future with the recent passage of the ISD 181 school referendum. A draft job posting for the temporary Trainee Building Inspector position is attached. We are proposing a wage of \$18 - \$20 per hour DOQ. Since this is a temporary position, the individual will not be eligible for benefits and the employment duration will be subject to MN law allowing up to either 67 or 100 working days depending on age and student status.	
Alternatives, Options, Effects on Others/Comments: Staff requests that the fall 2018 temporary Trainee Building Inspector position only be posted internally. We have a rare opportunity since the individual hired as our summer Code Compliance Inspector completed his Building Inspection Technology education program this spring and recently achieved his Building Official Limited certification. This individual has done a great job for us and also has an extensive construction background. He is a master plumber with over 20 years of mechanical, plumbing and carpentry experience. This opportunity is a win-win for both the City and the individual. By creating this new position, he would be able to obtain building inspection and plan review experience. The City will get assistance for a department that is currently short-staffed due to increased workload.	
Recommended Action/Motion: Motion to authorize Staff to hire a temporary Trainee Building Inspector as proposed; further, that the position only be posted internally.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$18-\$20/hr + payroll taxes</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> Two temporary positions were budgeted in 2018 for this department. Even with the proposed increased wage, we will still be within budget since NJPA reimbursed the City \$12 per hour for the summer position as part of its Internship Program.	



Trainee Building Inspector/Plan Reviewer (Temporary)

NATURE OF WORK:

The City of Brainerd is seeking applicants for a temporary trainee Building Inspector/Plan Reviewer in the City's Department of Building Safety.

EXAMPLES OF WORK:

- Assists Building Safety Department conducting plan review and building inspections including mechanical, plumbing, and/or combination inspections for code compliance of new and existing structures and properties.
- Inspects all phases of public and private construction to ensure the construction and improvements comply with the plans, specifications, codes and local regulations.
- Assists and advises contractors, property owners, and others regarding pertinent codes and regulations; consults with supervisor on procedures to be followed in cases that are not clearly covered in the codes.
- Assists inspectors and city staff with investigations and special projects.
- Works with individuals in the community to achieve compliance with required codes while fostering a sense of community.
- Responsible for maintaining records, filing, and other duties as assigned.

MINIMUM REQUIREMENTS:

- Must have a valid and unrestricted Minnesota Driver's License.
- Must have working knowledge of computers, including Microsoft Office.
- Two (2) years of education and/or experience in a skilled construction trade, construction design, construction supervision, or building and/or housing inspection.

DESIRABLE QUALIFICATIONS:

- Post-secondary education in building technology and/or construction related field.
- MN Building Official-Limited Certification.
- Municipal inspection or plans examiner experience.
- Experience providing customer service or handling complaints.

TERMS OF EMPLOYMENT*: Salary is \$18 - \$20 per hour DOQ. Work hours will be Monday through Friday, 7:30 a.m. – 4:30 p.m., 40 hours per week (no overtime) from August/September - November. As a temporary position, this is a non-benefit earning position.

APPLICATIONS: We encourage applicants to submit applications online at the City of Brainerd website. Applications will be accepted until the position is filled with the first review of applications to occur August 13, 2018.

Applications are available on the City website: www.ci.brainerd.mn.us

Or contact: Kris Schubert, HR Coordinator

City of Brainerd, 501 Laurel Street, Brainerd MN 56401

Phone: (218) 828-2307 Fax: (218) 828-2316

Email: employment@ci.brainerd.mn.us

THE CITY OF BRAINERD IS AN EQUAL OPPORTUNITY EMPLOYER

**Pursuant to MN Statute, seasonal assignments are limited to 67 working days per calendar year or 100 working days per calendar year if the employees are under the age of 22, are full-time students enrolled in a nonprofit or public educational institution prior to being hired by the employer, and have indicated, either in an application for employment or by being enrolled at an educational institution for the next academic year or term, an intention to continue as students during or after their temporary employment.*



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Community Development Director Job Description & Recruitment Proposal

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: HR Coordinator Kris Schubert	Department: Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: In July the City Council accepted City Planner Mark Ostgarden's retirement, allowed the current City Planner job description be revised as a Community Development Director, and reorganized so the Building Safety Department will report to the Community Development Director instead of City Engineer. Attached is a draft Community Development Director job description for your review. Our Compensation Study Consultant Tessia Melvin is recommending a 2019 wage range of \$33.51 - \$44.52 per hour for the position/job posting. The City Planner's base (top) wage without longevity is \$37.92 per hour. The City Planner's current actual wage with longevity is \$39.06 per hour.	
Alternatives, Options, Effects on Others/Comments: As discussed at the last meeting, Staff is recommending utilizing the services of Gary Weiers, DDA Human Resources, Inc., to oversee the recruitment efforts. DDA is the firm we utilized for our recent City Administrator search; further, Sourcewell (formerly NJPA), covers 50% of DDA services, up to \$7,500. DDA's quote includes a \$2,000 cost savings if we utilize an updated version of the profile created for our City Administrator position. Items to consider if utilizing DDA's services: 1. Who will select finalists - City review team or full Council. If review team, who will serve as the Council's representative? 2. The quote currently includes a two-year guarantee that if the newly-hired Community Development Director leaves the organization within the first 24 months of employment, DDA will complete another search without professional service fees and only actual expenses would be billed to the City. DDA's fee without a two-year guarantee would be reduced by \$2,000 for a new total of \$13,000 to be split evenly between the City and Sourcewell.	
Recommended Action/Motion: Motion to: 1. Approve the Community Development Director job description. 2. Approve the recommended 2019 wage range of \$33.51- \$44.52 per hour for the job posting. 3. Utilize the services of Gary Weiers, DDA, for the recruitment. If so, clarify: a. Who will select the finalists for interviews (City team consisting of City Administrator, HR Coordinator and Council Liaison OR full Council); and b. Determine if a two-year employment guarantee should be utilized.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>City Share=Up to \$7,500</u> Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u> The cost reflects the recruitment search and it is an unexpected expense. There may be cost savings or additional expense in 2019 depending on the Community Development Director's starting wage. The 2019 proposed wage range and 2018 actual Planner wage is noted above.	



Community Development Director

Department: Community Development

FLSA Status: Exempt

General Definition of Work

Performs complex supervisory, administrative, and professional work planning, organizing, directing and supervising the Community Development Department. Oversees planning, zoning, community and economic development, natural resources and environment, as well as matters related building and housing code administration projects and programs ensuring technical competence and compliance with all current codes and criteria; performs related duties as required or apparent. Works under the administrative oversight of the City Administrator. Exercises general, technical and administrative supervision over all Community Development Department employees either directly or through supervisory staff.

Qualification Requirements

To perform this job successfully, an individual must be able to perform each essential function satisfactorily. The requirements listed below are representative of the knowledge, skills, and/or abilities required. The omission of specific statements of duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

Essential Functions

- Oversees the operation of the department in all areas of responsibility including planning, zoning, building and housing code enforcement, and economic development.
- Supervises all Community Development Department staff directly or indirectly through department supervisors including identifying staffing, training and structure needs; oversees and/or participates in the selection of employees; inspects and assigns work; conducts performance evaluations; motivates, coaches and counsels; imposes and/or recommends discipline when needed.
- Develops and implements new department programs, policies, and procedures as necessary to achieve compliance with laws, codes and new mandates; Proactively monitors the efficiency and effectiveness of the department while identifying opportunities for improvement.
- Provides information and assistance to existing and potential business and industries to promote locating, relocating, or expanding within the City; Is proactive on issues and programs which result in orderly development; protect the public health, welfare, and safety; and protect and enhance the environment.
- Collaboratively and cooperatively works with the City Administrator, city representatives and external customers; Fosters external partnerships (locally, regionally and internationally) to further the City's economic development goals.
- Develops annual budget proposal and controls budgeted expenses for the department and all divisions.
- Oversees review of project development plans for compliance with codes, regulations and standards, adequacy of applications for permits, and compliance with approved plans.
- Prepares short and long-range work plans for the Department; Keeps the City Administrator informed of department services, activities, issues and problems.
- Oversees the preparation, maintenance and implementation of the city's Comprehensive Plan; Coordinates and supervises the activities of planning consultants when needed.
- Seeks resource opportunities to support city operations, services and facilities through collaborations, grants, and other available programs.
- Prepares and reviews operational and administrative reports for the department; Supervises maintenance of records and materials associated with department activities or administration.
- Evaluates potential projects, programs, and services to determine feasibility and impact on the City as well as department operations and makes recommendations to Council.
- Researches and prepares technical advice and information for the City Council, Planning Commission and other boards and committees as necessary; Attends meetings as required.

Community Development Director

Page 2

Essential Functions (Continued)

- Responds to concerns, issues, complaints, and questions from the public and employees; mediates disputes and resolves issues as appropriate.
- Maintains regular contact with developers, contractors, and consulting engineers; City, County, State and Federal agencies; professional and technical groups; and the general public regarding departmental activities and services.
- Performs other duties as assigned or apparent.

Knowledge, Skills and Abilities

- Complete knowledge of state and federal laws related to community planning and development regulation.
- Knowledge of real estate development and laws, including acquisition and disposition.
- Knowledge of all City ordinances, policies and procedures as they relate land use planning and development regulations.
- Possess a working knowledge of computer hardware and software including Microsoft Office, GIS, PowerPoint and other applicable software programs.
- Ability to organize meetings, develop agendas and achieve the directed outcomes of commissions, committees, and City Council.
- Ability to conduct necessary research, compile and present comprehensive reports; Stay current on trends in community planning and development.
- Ability to organize and delegate responsibility, evaluate performance and conduct through administrative review and control procedures;
- Ability to communicate effectively and tactfully, both orally and in writing, with employees, consultants, other governmental agency representatives, City officials and the general public;
- Ability to demonstrate a commitment to provide and require excellent customer service through cooperative team and individual efforts.

Education, Experience and Special Requirements

Minimum Qualifications:

- Bachelor's Degree in Urban Planning, Public Administration or related field.
- Five (5) years' experience with municipal or urban planning.
- One (1) year supervisory experience.
- Demonstrated ability to work with property owners, developers and community groups.
- Possession of a valid Driver's License with driving privileges.
- Successful completion of a pre-employment physical, drug screen and background check.

Desired Qualifications:

- Graduate degree in Urban Planning, Public Administration or related field.
- Certification from the American Institute of Certified Planners (AICP).
- Three (3) years supervisory experience.

Physical Requirements

This work requires the regular exertion of up to 10 pounds and force and the occasional exertion of up to 25 pounds of force; work regularly requires speaking or hearing and using hands to finger, handle or feel, frequently requires sitting, reaching with hands and arms and repetitive motions and occasionally requires standing, walking, climbing or balancing, stooping, kneeling, crouching or crawling, pushing or pulling and lifting; work requires close vision, distance vision, ability to adjust focus, depth perception and color perception; vocal communication is required for expressing or exchanging ideas by means of the spoken word and conveying detailed or important instructions to others accurately, loudly or quickly; hearing is required to perceive information at normal spoken word levels and to receive detailed information through oral communications and/or to make fine distinctions in sound; work requires preparing and analyzing written or computer data, using of measuring devices, operating machines, operating motor vehicles or equipment and observing general surroundings and activities; work occasionally requires exposure to outdoor weather conditions; work is generally in a moderately noisy location (e.g. business office, light traffic).

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer, as the needs of the employer and requirements of the job change.

Last Revised: August 1, 2018

July 12, 2018

Sent via email only

Ms. Kris Schubert
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Dear Ms. Schubert,

Thank you for the opportunity to submit a proposal to assist the City of Brainerd with a search for your Community Development Director.

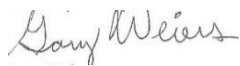
The attached proposal includes several elements that set us apart in our approach to providing this service. Highlights include:

- Knowledge: Our firm comprehensively understands local governments and, since we have provided services to Brainerd in the past, we have a solid foundation from which to build the process.
- Communication: We will be on site multiple times throughout the search process and will provide weekly email updates to the City Council throughout the process.
- Brochure/Profile: We will update the previously developed profile.
- Adherence to deadlines: When a deadline is established, we will meet it.
- Video Interview: DDA uses video interviews in the screening process to get quality data that may not be apparent on resumes. These videos are made available to the City prior to selecting candidates for final interviews.
- Work Personality Index: Prior to deciding on final candidates, the Council will also receive a personality index report on each person being considered for an interview.
- Background check process: Instead of doing a comprehensive background check on a single finalist, we do a comprehensive background and reference check on all finalists interviewed by the City Council. This is all included in the price.
- Intellectual Profile: Each finalist will complete an intellectual profile measuring verbal reasoning, mathematical and logical reasoning, and overall mental aptitude.
- Assurance: We guarantee our work for a two-year period.

The timeline included in the proposal can be modified as needed by the City. The posting of the position is delayed a bit to maintain continuity in the process. If advertising commenced immediately, there might be time lags during the search and this is not advisable.

Thank you for your consideration.

Sincerely,



Gary Weiers
DDA Human Resources, Inc.

Enclosures

DDA HUMAN RESOURCES, INC.



PROPOSAL FOR THE CITY OF BRAINERD

COMMUNITY DEVELOPMENT DIRECTOR SEARCH

JULY 12, 2018



CONTENTS OF THE PROPOSAL

♦ Description of the Firm	♦ Process Details
♦ Approach to the Process	♦ Fees
♦ Service Team	♦ Assurance
♦ Timeline	♦ References

DESCRIPTION OF THE FIRM

David Drown Associates (DDA) is a full-service consulting firm with more than 20 years working with local governments providing a full range of fiscal and economic development services, along with compensation and classification services and executive searches, to over 450 government clients throughout Minnesota. Over these years, we have gotten to know local government well, and we have worked hard to keep our services up-to-date to meet the ever-changing needs of our clients.

In 2013, we expanded our scope to provide human resources services — we started with executive recruitment and organizational studies and more recently added classification and compensation studies. In 2017, because of growth in our human resource service area, a new Human Resource affiliate company was created. DDA Human Resources Inc. currently employs seven individuals serving cities, counties, and special districts throughout Minnesota. The vast majority of our consultants are recent practitioners having served as Administrators or Human Resource Managers. In addition, the scope and breadth of experience levels we bring to this project is second to none.

We take great pride in providing the best service at a fair and equitable price. We think you will find that our small company is nimble, efficient, and personable. We know and understand local government, and that will always guide our work.

APPROACH TO THE PROCESS

Our approach to this search will be to focus on finding the best fit for the City of Brainerd. This is accomplished, first and foremost, by listening to what you are saying, understanding your goals and objectives, and building the search process off of that foundation.

After gathering background information, we comprehensively advertise the position and make sure that the posting gets into the hands of prospective candidates. In some cases, those persons are not active job seekers, so we will make every effort to find those folks through direct outreach efforts. After the posting closes, an analysis of candidates will be completed so that, when the semifinalists are presented to the City Council, you will be confident that these people are the best matches from the submitted applications.

After the Council selects the finalists, these candidates will be fully researched, and all necessary hiring information will be available prior to the Council making a decision.

Communication with the City Council is a high priority. In addition to our Consultant Gary Weiers being on site regularly, the City Council will receive weekly email updates, and he will always be available for questions.

SERVICE TEAM

Gary Weiers

Gary joined DDA in 2013 and has conducted nearly 50 executive searches and numerous organizational studies. The vast majority of this work has been done in greater Minnesota. This is by design in that we are passionate about meeting the needs of communities in all parts of the state. Prior to joining DDA, Gary had over 20 years of county government management experience, the last 11 years as County Administrator in Rice County. Prior to becoming Administrator, Gary served as the Social Service Department Director in Rice County and worked as a Social Service Supervisor in Mower County and Sherburne County. Gary received his bachelor's degree from the University of St. Thomas and has honed his skills by working his way up from an entry level social worker position to be the head of a \$50 million organization with over 350 employees.

In addition to conducting executive searches, Gary has done work with communities on sharing services, organizational analysis, strategic planning, and other management related work.

Gary will be the lead Consultant on this project.

Liza Donabauer

Liza came to DDA with both private and public-sector experience. With a background in construction and finance administration, her passion for public sector work led her to Wright County where she provided support to the HR Department, County Coordinator, and Commissioners. While pursuing her MBA, Liza entered city management for Clearwater, Kansas, and then later moved to Arlington, Minnesota.

During her four years in Arlington as a City Administrator, she completed a reorganization of the administration department, developed an orientation and capital planning process for two new councils, conducted compensation studies for several departments, engaged in a strategic planning session, and took part in developing a leadership curriculum for up and coming leaders in Sibley County. Her work has centered on human resource management, strong community participation, and leadership development.

Since joining DDA, Liza has assisted with several Administrator searches as well as assisting with Compensation and Classification Studies.

Ms. Donabauer will assist with reference checking.

Liz Foster

Liz is an Assistant Consultant that provides support and assistance within our Human Resources Division. Since joining DDA in 2015, Liz has been involved in numerous executive searches and other HR projects.

Some of Liz's duties include community research, creating position profiles, assembling interview materials for our clients, and providing general administrative support to our consultants.

TENTATIVE TIMELINE

This timeline is tentative. The final timeline will be set after the City Council's decision to proceed.

ITEM	TASK	COMPLETION DATE
Decision by City Council to proceed		July 16, 2018
Information gathering	◆ Gather all pertinent background information ◆ Meet individually with each member of the City Council ◆ Meet individually with Administrator, HR Coordinator, and others	August 17, 2018
Professional profile	◆ Update position profile and advertisement	August 17, 2018
Approve position profile	◆ City Council or City staff approves profile and process	August 27, 2018
Candidate recruitment	◆ Post position immediately upon approval of profile ◆ Comprehensively advertise ◆ Email and phone calls to prospective candidates	August 28, 2018-September 18, 2018
Screening of applicants	DDA will review and rank applicants based on job related criteria and select semifinalists	September 19, 2018
Video Interview	Each semifinalist will complete a video interview	September 27, 2018
Personality Index	DDA will administer a work-related personality index to all semifinalists.	September 27, 2018
Selection of finalists	◆ City team of Administrator, HR Coordinator, and Council liaison (or full Council) selects finalists for interviews ◆ DDA will notify candidates not selected as finalists	October 8, 2018
Background check of all finalists selected for interviews	◆ Includes: • Criminal background: county, state, national • Sex offender registry • Social Security number verification • Employment and education verification • Credit Check	October 18, 2018
Reference check on all finalists	DDA will conduct reference checks with current and former employers on all finalists	October 18, 2018
Intellectual profile	DDA will administer an intellectual profile measuring verbal reasoning, mathematical and logical reasoning, and overall mental aptitude	October 18, 2018
Finalist Packet	DDA will provide the Council information including: • Summary of references • Results of background checks • Intellectual profile and personality index reports • Video interview • Resumes, etc.	October 18, 2018
Interviews	DDA will prepare all interview materials and be present at all interviews and other functions. It is recommended that interviews be at a special meeting	October 24, 2018
Decision	City Council will select candidate for offer	October 24, 2018
Offer and agreement	DDA will negotiate agreement with selected person	October 25, 2018
Projected start date	New Community Development Director begins	January 7, 2018
Follow up	DDA will follow up periodically with the new Director	November 2019

PROCESS DETAILS

Step 1: Information Gathering

DDA will gather and assemble background information pertaining to the City and position. In addition, Gary will meet individually with all Councilors to discuss candidate attributes, experience, and other important qualifications. Individual meetings with the City Administrator, HR Coordinator and others as determined by the City will also take place. We will quickly enhance our already comprehensive understanding of the organization, community, and position.

Step 2: Development of Position Profile

DDA will utilize a updated version of the profile used for the City Administrator position. This will result in cost savings to the City as only minimal modifications will be necessary. The City Council or City staff will approve the updated profile in advance of advertisement.

Step 3: Advertisement and Recruitment

DDA will comprehensively advertise the position and make direct contact with possible candidates who are not active job seekers. Some of the places the position will be advertised include: Association of Minnesota Counties, League of Minnesota Cities, International City/County Management Association, Minnesota Association of City/County Managers, and municipal associations in Iowa, Wisconsin, North Dakota, and South Dakota. In addition, the posting will be shared with professional networks through Minnesota State University Mankato, Hamline University, St. Cloud State University, and the University of Minnesota. Other local advertising will be done as per direction from the City. Regular communication with candidates will occur throughout the process.

The simple DDA online application process will be used unless the City prefers to use an existing City methodology.

Step 4: Initial Screening and Review

DDA will complete a comprehensive analysis of every application received and determine approximately 10-12 semifinalists based on job related criteria. Each semifinalist will complete a video interview and a work related personality index. About one week prior to the selecting finalists for interviews, the video interview, personality index, cover letter, and resume from each of the 10-12 semifinalists will be made available to the hiring team (Administrator, HR Coordinator and Council liaison) or City Council for viewing. This will allow the City ample time to comprehensively review candidates prior to determining who to bring in the for the final interviews. After finalists are selected, those not selected as finalists will be notified by DDA.

Step 5: Selection

After the City selects finalists, DDA will complete comprehensive background screenings including criminal history, civil court history, verification of recent employment, verification of education, driver's license review, credit check, and other items. Along with background checking all finalists, DDA will check employment references on each person.

In addition, DDA will administer an intellectual profile measuring verbal reasoning, mathematical and logical reasoning, and overall mental aptitude.

About a week prior to the final interview process, the City Council will have access to each candidate's application materials, video interview, background check results, reference information, a work personality report, and an intellectual profile on each person.

Early in the search process, Gary will discuss interview possibilities including department head participation options and possibilities for community involvement through a meet and greet event, interview or other functions.

Prior to interviews, Gary will prepare questions and then facilitate all interviews and other activities the City Council determines appropriate. Our goal is to make the process smooth and painless so the City Council can focus all its energy on finding the right person for the job.

Step 6: Offer

After interviews are complete, we will assist the City Council with deliberations and facilitate the offer to the selected candidate. We will negotiate the terms with the candidate based on the parameters established by the City Council.

Step 7: Follow Up

DDA will make periodic contact with the new Community Development Director for at least the first year of employment.

LIST OF SEARCH CLIENTS FROM THE PAST TWO YEARS

Entity	Type of Search	Entity	Type of Search
City of Waseca, MN	Manager	Crow Wing County, MN	Human Resource Director
City of Hector, MN	Administrator	City of Wadena, MN	Administrator
City of Mountain Lake, MN	Administrator	City of Lake City, MN	Administrator
Wadena County, MN	Coordinator	City of Breezy Point, MN	Administrator/Clerk/Treasurer
Rice County, MN	Chief Financial Officer	City of Plainview, MN	Administrator
City of Redwood Falls, MN	Chief of Police	City of Faribault, MN	Administrator
City of Brainerd, MN	Administrator	City of Fairfax, MN	Clerk/Treasurer/Administrator
City of Amery, WI	Administrator	City of Marshall, MN	Administrator
City of Arlington, MN	Administrator	City of Staples, MN	Clerk/Finance Director
City of Warroad, MN	Public Works/Utility Director	City of Mayer, MN	Administrator/Clerk
City of Nisswa, MN	Administrator/Clerk	City of Granite Falls, MN	Finance Director
City of Lake City, MN	Ambulance Director	Goodhue County, MN	Finance Controller
Pope County, MN	Coordinator	City of Isanti, MN	Finance Director
City of Baxter, MN	Administrator	City of Willmar, MN	Administrator
City of St. James, MN	Administrator	Three Rivers Community Action	Executive Director
City of Isanti, MN	Finance Director	City of Motley, MN	Clerk/Treasurer
Willmar Municipal Utilities	General Manager	City of Lake City, MN	Finance Director/Treasurer
Dodge County, MN	Administrator	City of Olivia, MN	Finance Director

In addition to the specific references listed on the following page, the City of Brainerd is encouraged to speak with any of the entities listed above.

DDA is currently conducting searches for the Cities of Winsted, Springfield, and Sleepy Eye, Minnesota, as well as Todd, Houston, and Yellow Medicine Counties.

FEES

The fee for the search process is \$15,000. This all-inclusive fee covers professional services and all expenses including travel, advertising, personality index, intellectual profile, background checks on all finalists, etc. The fee is discounted by \$2,000 because the profile will not need to be completely redone.

Because of the exclusive partnership between DDA and Sourcewell, Sourcewell will cover \$7,500 of the cost of the search. The City of Brainerd's share would be \$7,500.

The fee for the service without a 2 year guarantee would be \$13,000 split evenly between the City and Sourcewell.

ASSURANCE

If the newly hired Community Development Director leaves the organization within the first 24 months of employment, DDA will complete another search without professional service fees. Only actual expenses will be billed to the City. This guarantee only applies to the full fee option as previously stated in the proposal.

REFERENCES

Rich Nagel

Mayor, City of Arlington

Administrator Search

Phone Number: 507-964-5141

Email: rnagel@frontiernet.net

Jeff Docken

Commissioner, Rice County

Administrator and CFO Searches

Phone Number: 507-339-9711

Email: jdocken@co.rice.mn.us

Mike Dodge

Mayor, City of Mayer

Administrator Search

Phone Number: 952-215-2639

Email: mdodge.ci.mayer@frontier.com

Roger Ziebell

Mayor, City of Plainview

Administrator Search

Phone Number: 507-534-2681

Email: r.ziebell@plainviewmn.com

Royal Ross

Council Member, City of Faribault

Administrator Search

Phone Number: 507-456-2932

Email: rross@ci.faribault.mn.us



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: 2017 Tax Increment Financing (TIF) Report Summary

☒ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 2 Minutes
Summary of Issue: Annually before August 1st, the City needs to file annual TIF reports. The reports were filed before the deadline and attached is the 2017 required TIF disclosure that was published in the Dispatch on August 3, 2018.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Informational, no action required.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u>	

City of Brainerd, Minnesota

Annual Disclosure of Tax Increment Districts for the Year Ended December 31, 2017

TIF District Name:	TIF 4-3 ASI Apartments	TIF 4-11 East Brainerd Mall	TIF 4-13 Timberland Townhomes	TIF 4-15 Artspace	TIF 4-16 Taco John's	TIF 4-17 Jimmy John's	TIF 4-18 Royal Tire
Current net tax capacity	\$6,706	\$251,250	\$14,330	\$25,770	\$11,130	\$5,764	\$10,376
Original net tax capacity	\$418	\$50,184	\$258	\$22,158	\$7,346	\$2,848	\$6,578
Captured net tax capacity	\$6,288	\$201,066	\$14,072	\$3,612	\$3,784	\$2,916	\$3,798
Principal and interest payments due in 2018	\$2,867	\$187,885	\$11,092	\$9,807	\$3,052	\$2,347	\$4,125
Tax increment received in 2017	\$5,720	\$191,224	\$11,705	\$3,391	\$3,539	\$2,674	\$5,037
Tax increment expended in 2017	\$8,571	\$187,986	\$11,176	\$7,563	\$3,489	\$2,543	\$2,479
Month and year of first tax increment receipt	7 / 1994	7 / 2004	7 / 2003	7 / 2009	7 / 2009	7 / 2010	7 / 2017
Date of required decertification	12/31/2019	12/31/2029	12/31/2028	12/31/2034	12/31/2034	12/31/2035	12/31/2042

Additional information regarding each district may be obtained from-

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



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Public Hearing & 2nd Reading Proposed Ord. 1485 - Amend City Codes Sects. 900 & 1010 - Permit Miniature Pigs & License Fee

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☒ Hold Public Hearing* ☒ Ordinance 2nd Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 10 minutes
Summary of Issue: Public hearing and ordinance second reading to consider allowing miniature pigs in the city and if so, consider an annual \$15 pig licensing fee. Attached is the memo that was part of the first reading information and a memo about public concern raised since the first reading.	
Alternatives, Options, Effects on Others/Comments: Should the City Council amend Section 900 - Animals to permit miniature pigs, City Code Section 1010 - Licensing Fees should also be amended to require a Miniature Pig license fee.	
Recommended Action/Motion: A motion by _____ and seconded by _____ to approve/deny the second reading of proposed Ordinance No. 1485 amending City Code 900 - Animals to permit Miniature Pigs within the City of Brainerd and to amend City Code Section 1010 Licensing Fees to establish a \$15 Miniature Pig license fee.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ 0 _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

MEMO

TO: Mayor and City Council

CC: Cassandra Torstenson, City Administrator

FROM: Mark Ostgarden, City Planner

DATE: August 2, 2018

RE: Second Ordinance Reading – Amend City Code 900 Animals to Permit Miniature Pigs and to Amend City Code 1010 Licensing Fees

Following the July 23rd City Council meeting at which the first Ordinance reading occurred, concerns about permitting miniature pigs have been raised.

1. The need for abutting property owner approval.

The responsibilities of owning a miniature pig is being compared to owning a dog. It is argued that a pig has some qualities of a dog and does not bark. So why isn't the approval of abutting owners needed to own a dog?

2. Odors.

The odor issue has been raised, however, those concerns are most likely based on odors from a commercial hog operation. There is the owner responsibility of maintaining a clean pig enclosure, just like there is an owner responsibility to maintain a clean area used by a dog.

The Planning Department has contacted the following cities about licenses and complaints:

Shoreview – 1 license, no complaints

St. Paul – 6 licenses, no complaints

Eagan – 4 licenses, no complaints

3. Is a rabies vaccination needed for a miniature pig?

According to www.minipiginfo.com, although rare, pigs CAN and have contracted rabies. About 50% of veterinarians do recommend rabies vaccines to protect your pet pig in case they should bite a person.

MEMO

TO: Mayor and City Council

CC: Cassandra Torstenson, City Administrator

FROM: Mark Ostgarden, City Planner

DATE: June 27, 2018 UPDATED July 11, 2018

RE: First Ordinance Reading – Amend City Code 900 Animals to Permit Miniature Pigs and to Amend City Code 1010 Licensing Fees

Attached are ordinance amendments to City Code Section 900 Animals that if approved, will allow small or miniature pigs in the community. The amendments are submitted for First ordinance reading consideration. Following is additional information about small pigs.

Other Cities

The following table lists eight Minnesota cities that permit small pigs as of January 2018.

City	Pigs allowed on residential property?	Permit Required	Permit Fee	Number of Pigs allowed	Notes
Bloomington	Yes	No	N/A	1 per acre	Not allowed in dwellings or garages; owner occupied properties only; no breeding allowed
Maple Grove	Yes – R-1 and R-A Districts only	No	N/A	1.5 acres minimum; 4 pigs per acre	
Minnetonka	Yes – 1 acre minimum if over 100 pounds; 0.5 acre minimum if under 100 pounds	No	N/A	1 per acre if over 100 pounds; 5 per acre if under 100 pounds	Must be contained by a fence; acreage calculation does not include wetlands and land not suitable for pasture; animals kept outside must have a structure; structure setback is at least 10 feet; raising for a commercial activity is prohibited
New Hope	Yes	No	N/A	1 per property; additional require public hearing and council approval	
Shoreview	Yes	Yes	\$10	3 per property	Two-year license; males must be neutered; may not weigh more than 100 pounds; must be less than 22 inches; requires blood test
St. Paul	Yes	Yes	\$72	Number deemed acceptable by environmental health authority	Required by written consent of 75% of nearby property owners; conditions for each permit are issued by the environmental health authority
West St. Paul	Yes	Yes	\$200	Number deemed appropriate by City Council	Council sets all requirements for permit approval; annual permit; inspection every odd-numbered year

The Planning Department contacted the highlighted communities and learned there have been no issues reported about miniature pigs.

Additional Policy Considerations for Miniature Pigs

Pigs are intelligent and social animals. Some pig experts strongly discourage owning only one pig, as it can become bored and lonely. Because of their intelligence, pigs are notorious for escaping from their enclosures if they become bored or hungry.

Urban pigs kept as pets can live between 12 and 15 years. Pigs can be litterbox trained and can live inside a house but should have outdoor access for exercise and stimulation. Like dogs, a pig should receive regular walks on a leash.

Pigs can be kept outside in shelters called arks. Proper fencing is important as pigs are inquisitive animals. Pigs are generally clean. In warmer weather, they must be supplied with a way to cool themselves as pigs do not sweat. Pigs on a farm use mud wallows to keep cool. A small wading pool can be used to keep a pig cool in an urban area.

While miniature pigs and dogs can be kept in similar manners, there are differences between the two species that could require additional regulations for miniature pigs. The City Council may want to consider the following additional regulations for keeping miniature pigs:

- 1. Should the City require spaying/neutering of miniature pigs?**

Unneutered male pigs are aggressive and give off a strong odor. Intact female pigs go into estrus every 21 days, during which time they also become more aggressive and moody. The American Mini Pig Association and the Pig Placement Network (a rescue organization) both recommend neutering/spaying pigs kept for noncommercial purposes.

The Planning Department recommends this action.

- 2. Should the City prohibit slaughter on residential properties?**

Some residents may choose to raise miniature pigs as a source of fresh pork. The City Council may want to prohibit the slaughter of pigs on residential properties.

The Planning Department recommends this action.

- 3. Should the City require a fenced area for miniature pigs?**

Experts agree that pigs are inquisitive creatures with a tendency to roam. Fencing is the preferred method for securing pigs. It is not recommended to tether miniature pigs in a yard unattended. Electric fencing does not appear to

be an option for miniature pigs. If left outside without a fenced yard, a miniature pig is likely to roam into neighboring property. At this time, it is unknown whether the city animal control officer is trained in equipped for capturing at-large miniature pigs. H.A.R.T has been contacted at it said should it be required, it is capable of impounding a pig.

See #4

4. Should the City limit miniature pig licenses to single-family residential properties?

Miniature pigs need outdoor space, which may not be available within multifamily homes. Additionally, miniature pigs living within multifamily housing complexes will be in closer proximity to neighbors, potentially becoming a nuisance. Beekeeping and chickens are limited to single-family residential properties for these reasons.

See #4.

5. Minimum Requirements for keeping pigs:

- a. A pig shall not exceed 200 pounds.
- b. The property at which a pig can be kept is a parcel or lot zoned for and developed with a single family detached dwelling.
- c. One pig is permitted on a parcel or lot and counted with the number of cats, dogs and chickens allowed per parcel or lot.
- d. A license and fee will be required.
- e. A pig shall be spayed, neutered and have been rabies vaccinated with verification provided by a duly licensed veterinarian at the time of an application.
- f. The property has and will maintain a fence no less than 4 feet in height with an enclosed area of 250 square feet in a rear yard only, within proximity to a water source constructed and located in accord with all zoning regulations. When not attended outdoors, the pig shall be kept in the enclosed area.
- g. Slaughtering is not permitted on a property zoned for single family detached dwellings.
- h. An application for license shall be made on a city supplied form.
- i. An application shall include the approval signatures of all abutting property owners.

The Planning Department recommends these requirements.

6. Fee

The Planning Department recommendations an annual \$15 license the same as a spayed or neutered dog license.

Other Information

The City Attorney has been reviewed the ordinance draft

Attached is some public input communication from Eagan, MN during the time it was considering miniature pig approval.

The Planning Department thanks the City of Eagan for sharing information it had for the review and consideration of allowing miniature pigs.

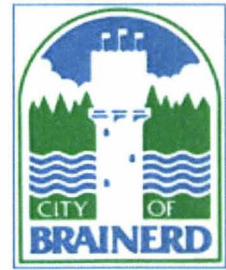


Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: Historic Water Tower Discussion Follow-Up

☐ 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: Administration, Finance, Engineering and Planning	Department: Same
Presenter (Name & Title):	Estimated Time Needed: 10-20 minutes
Summary of Issue: At the July 16, 2018 the City Council took the following action: MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO OBTAIN CONTRACTOR BIDS FOR RESOLVING THE IMMEDIATE SAFETY CONCERNS, RESEARCH THE FUNDING OPTIONS AVAILABLE AND TO DRAFT A REFERENDUM QUESTION FOR DISCUSSION.	
Alternatives, Options, Effects on Others/Comments: The attached memo has information about the bids to address the safety concerns, research on funding, Pipestone, MN water tower status and our responsibility with the State Historic Preservation Office should demolition be the fate of the water tower. Also attached is draft referendum ballot language.	
Recommended Action/Motion: Continued discussion on the alternatives with costs, funding options, fundraising opportunities and other information.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u>	



MEMO

TO: Mayor and City Council

FROM: City Administrator Torstenson, City Engineer Sandy, City Finance Director Hillman, City Planner Ostgarden

DATE: July 20, 2018

SUBJECT: Historic Water Tower Discussion Follow-Up: Alternatives with Costs, Funding Options, Fundraising Opportunities and Other Information

This memo is a follow-up from the discussion held at the July 16, 2018 Council Meeting. In this memo, staff will outline the information presented at the last meeting, follow-up activities that have taken place, alternatives for rehabilitation with associated costs, financial and fundraising opportunities including potential draft referendum questions, and other information we have compiled since the last meeting.

Existing Conditions

City Engineer Sandy and Building Official Caughey did some recon with a survey instrument to again evaluate the condition of the entire tower and to see if there are any visible loose pieces that may cause for more falling pieces. Through

Solving the Immediate Public Safety Issue

Upon directive from the Council on July 16, 2018, City Administrator Torstenson and City Engineer Sandy met with Brad Person at Breen and Person Ltd. To discuss the immediate public safety issues at his property directly underneath the historic water tower. Upon consultation with the City Attorney, he felt that an easement was not necessary to install a permanent fenced in area around the tower to address the public safety issue. With concurrence from Mr. Person, City staff consulted with Hytec Construction to install an 8-foot chain link fence around the perimeter of the tower to protect the public from any kind of falling debris. Along with the chain link fence, staff also directed Hytec to provide a protected walkway into the front door at Breen and person to allow his staff safe ingress and egress into the office. Total cost for the work not yet completed is quoted at \$10,400. This addresses the immediate public safety concerns while the Council is deliberating about the future of the historic structure. In

the meantime, street department staff installed an orange snow fence around the perimeter of the tower until Hytec can perform the more permanent fence at this location. Staff also recommended to Mr. Person that City staff handle the maintenance of the lawn at his location while these issues are being resolved. This will include Parks staff mowing the area and a designated spotter to identify any hazards that may fall off the building. Parks staff will also be directed to wear hard hats while mowing this area.

Alternatives for Rehabilitation

As discussed at the July 16, 2018 meeting, staff identified the options from the historical structure report. Staff did also reach out to Jeff Ledin at SEH to do some more evaluation of the original report completed in 2014 by SEH and Braun Intertec. An outline of what staff feels are the options to consider are below:

Option 1: Preserve the Historic Water Tower Per Secretary of the Interior Standards to Preserve Historical Register Status

This option, as outlined at the previous meeting, includes the installation of a light-weight roof (Option 1A or 1B) to solve the immediate active water intrusion, rehabilitate the exterior of the building including the repair of the existing stucco and concrete, steel stair rehabilitation, and window rehabilitation including masonry around windows, sills, jams, and arched headers. The total cost of this option is \$2,443,238 per the report, with a few years of inflation included, staff anticipates the cost to be estimated at \$2,600,000.

Option 2: Preserve the Historic Water Tower with Other Means (removes structure from Historic Register Status)

Per the report completed by SEH and Braun Intertec in 2014, this would include removal of damaged concrete and stucco, providing anchorage and shotcrete, a roof system, removal of the bowl brick liner, coatings on the shotcrete areas, and coatings on the non-shotcrete areas. The total cost of this option per the report is \$846,000. With a few years of inflation included, staff anticipates this work would cost around \$1,000,000. The overlying question in this circumstance is "what is the value of the historic status of the water tower?" The cost difference between option 1 and option 2 is approximately \$1,600,000.

Option 3: Remove the Existing Water Tower Structure and Build a Replica with Modern Materials

This option would include demolition of the existing structure and building a replica structure with modern material, much like modern water towers are constructed. Through conversations at a staff level, to determine a project cost, consultant services would be needed, as there is not case-studies of building replica water towers such as this. Consultant services would include manufacturer renderings of the structure and costs associated with specialized construction such as this. The up-front known cost is the demolition of the existing structure, which is estimated at \$150,000 - \$300,000.

Option 4: Demolition of the Tower

Per the SEH and Braun Intertec report from 2014, the estimated cost of demolition of \$150,000 - \$300,000. There is significant cost and work effort in removing property from the historic register including an environmental assessment worksheet and historical documentation to document the effects of the removal of the property, the special nature of water tower demolition (there are close to zero similar projects to reference in this regard for cost), and disposal costs of nearly 2,000 tons of concrete. The large price range is due to all of these factors and could be locked down more if either option 3 or 4 is chosen.

Summary

Staff feels these are the 4 most viable options and will get into potential funding option including draft referendum questions, funding options such as bonds or fundraising, and other information further in this memo. We have solved the immediate safety issues with the tower so that the council may decide going forward.

Financing Alternatives

Staff has discussed financing options with the City's bond counsel and financial advisors. Since the water tower is non-functional it is deemed to be a nonessential part of the City's infrastructure, and as a result, limits the types of bonds that could be issued to finance its rehabilitation. The type of bonds a City can issue, depends how the proceeds will be used.

The City's options are basically limited to:

- General Obligation (G.O.) Tax Abatement Bonds: Bond Counsel is still researching the criteria for this type of debt, but feels that it may be a stretch to use tax abatement bonds for the water tower rehabilitation.
- Lease Revenue Bonds: This type of financing is not able to be general obligation backed and would result in an estimated higher interest rate than G.O. debt. It is estimated that the interest rate would be about 35 basis points or a .4% higher than G.O. backed debt.
- G.O. Referendum Bonds: This type of debt is the most natural fit for the water tower rehabilitation. In order for the City to issue referendum bonds, the voters need to approve the issuance during an election. A sample of the potential referendum questions that could be on the November 6th ballot are attached. If the Council desires to go this route, the question(s) need to be finalized by August 24th to be on the November 2018 ballot.

There are many pros and cons of the water tower and the options for funding. It is also worth mentioning that BPU just received an estimate to build a brand new, functioning, 500,000 gallon water tower for \$1.8-\$1.9 million.

Currently, we are not aware of a nonprofit that will be actively fundraising for the water tower. Based on discussion with the auditors, it is recommended that dollars received via fundraising be held by an outside entity. Therefore, Community Action will be the fiscal agent for the funds.

Pipestone, MN Water Tower

The Planning Department has communicated with Pipestone City Administrator, Jeff Jones about its water tower. Its tower also needs significant repairs and it too received a grant from Minnesota Historical Society (MHS) to assess the repairs. It hired LHB, a Minnesota architectural/engineering/planning/design company to do the assessment and it estimated \$1.9 in repairs are needed.

We asked whether it has considered a water tower replica. It has not, however it is going to reach out to LHB to discuss the option.

If Pipestone decides to repair its water tower, it intends to apply for an MHS grant to finance part of the work. Rather than competing with Pipestone for the dollars, perhaps there is an opportunity to work together with the MHS to position both communities to receive funding. When our communities decide the fate of the water towers and should it include work common to both, perhaps there can be cost savings by working with the same contractor(s).

Our Responsibilities with the State Historic Preservation Office (SHPO)

The Planning Department contacted SHPO to inquire about our responsibilities with it should the water tower be demolished. Minnesota Statute 138.665, referred to the Minnesota Historic Sites Act and Administrative Rule 4410.300 Mandatory EAW Categories shall be followed.

State Statute 138.665 DUTIES OF STATE IN REGARD TO HISTORIC PROPERTIES reads:

Subd. 1. Notice.

The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, are by sections 138.661 to 138.664 and by this section notified of the existence of the state historic site network, state register of historic places, and the National Register of Historic Places.

Subd. 2. Mediation.

The state, state departments, agencies, and political subdivisions, including the Board of Regents of the University of Minnesota, have a responsibility to protect the physical features and historic character of properties designated in sections 138.662 and 138.664 or listed on the National Register of Historic Places created by Public Law 89-665. Before carrying out any undertaking that will affect designated or listed properties, or funding or licensing an undertaking by other parties, the state department or agency shall consult with the State Historic Preservation Office pursuant to the society's established procedures to determine appropriate

treatments and to seek ways to avoid and mitigate any adverse effects on designated or listed properties. If the state department or agency and the State Historic Preservation Office agree in writing on a suitable course of action, the project may proceed. If the parties cannot agree, any one of the parties may request that the governor appoint and convene a mediation task force consisting of five members, two appointed by the governor, the chair of the State Review Board of the State Historic Preservation Office, the commissioner of administration or the commissioner's designee, and one member who is not an employee of the Minnesota Historical Society appointed by the director of the society. The two appointees of the governor and the one of the director of the society shall be qualified by training or experience in one or more of the following disciplines: (1) history; (2) archaeology; and (3) architectural history. The mediation task force is not subject to the conditions of section 15.059. This subdivision does not apply to section 138.662, subdivision 24, and section 138.664, subdivisions 8 and 111.

Although the statute refers to a mediation task force, SHPO affirmed that at “the end of the day” demolition is a local decision should that be the chosen option.

Minnesota Rule 4410.4300 MANDATORY EAW CATEGORIES Subp. 31. Historical Places reads:

“For the destruction, in whole or part, or the moving of a property that is listed on the National Register of Historic Places or State Register of Historic Places...” an EAW is required.

CITY QUESTION BALLOT

CITY OF BRAINERD STATE OF MINNESOTA SPECIAL ELECTION

November 6, 2018

To vote for a question, fill in the oval next to the word "YES" for that question.
To vote against a question, fill in the oval next to the word "NO" for that question.

CITY BALLOT QUESTION 1

ISSUANCE OF BONDS TO FINANCE WATER TOWER RESTORATION

Shall the City of Brainerd be authorized to issue its general obligation bonds in an amount not to exceed \$1,100,000 to preserve the historic water tower to a degree not meeting Historic Register status, including without limitation removal of damaged concrete and stucco, removal of the bowl brick liner, construction of anchorage and application of shotcrete, construction of a roof system, and application of coatings on the shotcrete and non-shotcrete, which would result in removal of the water tower from the Historic Register?

☐ YES

☐ NO

**BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A
PROPERTY TAX INCREASE.**

CITY BALLOT QUESTION 2

ISSUANCE OF ADDITIONAL BONDS TO RETAIN HISTORIC DESIGNATION

If City Ballot Question 1 is approved, shall the City of Brainerd be authorized to issue additional general obligation bonds in an amount not to exceed \$1,600,000 to preserve the historic water tower per Secretary of the Interior Standards to preserve Historic Register status, including without limitation installation of a light-weight roof, exterior rehabilitation including repair of the existing stucco and concrete, steel stair rehabilitation, and window rehabilitation including masonry around windows, sills, jambs, and arched headers?

☐ YES

☐ NO

**BY VOTING "YES" ON THIS BALLOT QUESTION, YOU ARE VOTING FOR A
PROPERTY TAX INCREASE.**



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: PH - Implementation/Progress SCDP Grant CDAP-15-0038-O-FY16

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): John Schommer, HRA Rehabilitation Coordinator	Estimated Time Needed: 10 Minutes
Summary of Issue: As part of the Small Cities Development Program Grant (SCDP) that the City was awarded in 2016 for the downtown area, the City Council needs to hold a public hearing during the grant period to allow for public discussion on the implementation and progress of the grant. Mr. Schommer will be at the council meeting to provide a summary of the grant.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Hold a public hearing to allow for public discussion on the implementation and progress of the Downtown SCDP grant awarded in 2016.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ 38.10 Is this budgeted? ☒ Yes ☐ No Please Explain: The City budgeted \$2,500 for required publications in 2018.	

Client:

CITY OF BRAINERD

Account # 316123 Ad # 2655473

Phone: (218) 828-2307

Fax:

Address: 501 LAUREL STREET
BRAINERD, MN 56401

Sales Rep.:

3804 Ann Windorski

Phone: (218) 855-5804

Fax:

Email: ann.windorski@brainerddispatch.com

Class.: 9960 MINNESOTA LEGALS

Requested By:

Start Date: 07/20/2018

End Date: 07/20/2018

Nb. of Inserts: 2

Dimensions: 1 col. x 3.00 Inches

Publications: Brainerd Dispatch
brainerddispatch.com

Total Price: \$38.10

Paid Amount: \$0.00

Balance: \$38.10

Page 1 of 1

(Published in the Brainerd Dispatch,
July 20, 2018, 1t.)

NOTICE OF HEARING

Notice is hereby given that on Monday, August 6, 2018 at 7:30 p.m. the City of Brainerd, will hold a Public Hearing to discuss the implementation and progress of the grant of the \$650,105 Small Cities Development Program grant (CDAP-15-0038-O-FY16) that for rental and commercial rehabilitation in the designated Downtown Area.

All interested parties are invited to attend the public hearing in the Brainerd City Hall Council Chambers, 501 Laurel Street at which time you will be given the opportunity to express comments on the issue. Written testimony will also be accepted at the public hearing.

Any Individual needing special accommodations please call (218) 828-2307.

Dated this 17th of July, 2018
Cassandra Torstenson
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: First Ord. Reading No. 1486- Rezone Block 9, 2nd Add. to Brainerd from R-1 to R-2

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 10 minutes
Summary of Issue: John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd: Donna Pearson – 1106 Pine Street; Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street; B.A. Doer – 1120 Pine Street; Jeffrey Kollars – 1124 Pine Street; Jan Walters – 1103 Quince Street and the HRA – 1113 and 1115 Quince Street, 714 and 716 12th Street SE to rezone the block from an R-1 (Single-Family Residential) District to an R-2 (Medium-Density Residential) District. See attached Staff Report, Findings of Fact and the July 18, 2018 Planning Commission meeting minutes.	
Alternatives, Options, Effects on Others/Comments: Approving the ordinance will rezone the entire block to R-2. A denial will mean the R-1 zone will remain.	
Recommended Action/Motion: The Planning Commission voted 5-0 to recommend approval of the amendment. A motion by _____ and seconded by _____ to approve/deny the first reading of proposed Ordinance No. _____ to rezone Block 9 of the 2nd Addition to Brainerd from an R-1 (Single Family Residential) District to R-2 (Medium Density Residential) District zoning.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ 0 _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1486**

**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 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-1 (Single-Family Residential) District to an R-2 (Medium Density Residential) District for the following:

LOTS 1 THRU 24 BLOCK 9 OF SECOND ADDITION TO BRAINERD
TWP 45 RNG 31 SECT 25

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

Adopted this ____ day of August, 2018

DAVID J. PRITSCHET
President of the Council

Approved this _____ day of August, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2018

STAFF REPORT TO THE PLANNING COMMISSION

July 11, 2018

APPLICANT/LOCATION: John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:

- Donna Pearson – 1106 Pine Street
- Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street
- B.A. Doer – 1120 Pine Street
- Jeffrey Kollars – 1124 Pine Street
- Jan Walters – 1103 Quince Street
- HRA – 1113 Quince Street, 1115 Quince Street, 714 12th Street SE, 716 12th Street SE

REQUESTED ACTION: Rezone the block from an R-1 (Single-Family Residential) District, which permits only single-family dwellings to an R-2 (Medium-Family Residential) District, which permits single-family dwellings and two-family (duplexes) dwellings.

AREA: Approximately 2 Acres

ADJACENT USES

North: Generally Single-family dwellings with some two-family dwellings

East: Generally Single-family dwellings with some two-family dwellings

South: Generally Single-family dwellings with some two-family dwellings

West: Generally Single-family dwellings with some two-family dwellings

AREA ZONING:

North: R-1 (Single-Family Residential) District

East: R-2 (Low to Medium Density Residential) District

South: R-1 (Single-Family Residential) District

West: R-1 (Single-Family Residential) District

PETITION EVALUATION

Mr. Groenwold purchased 1110 Pine Street with plans to re-establish the building as a two-family dwelling that existed many years ago. The property is located in an R-1 (Single Family Residential) District and although it was once a two-family dwelling, it lost its right to be reused in that manner. He asked if rezoning is an option and it was explained that zoning one lot at a time is not a preferred method of zoning. It was further explained his best option would be to include all the property owners on the block. Mr. Groenwold sent a letter to the property owners and each responded, stating their desire to be included on the application (See attached letters).

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.

The Comprehensive Plan Land Use Goals and Strategies applicable to this request are included in the Findings of Fact.

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

The Comprehensive Plan specifies:

Low to medium density residential development as portions of Brainerd hat 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.

The overall density of these areas should be maintained at or between three and five units per acre.

The attached section of the Comprehensive Plan Future Land Use Map identifies this property as Low to Medium Residential land use. Single-family (R-1) and two-family (R-2) zoning is consistent with the Future Land Use Map.

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

There would be 16 dwelling units (currently 15) should the block be rezoned. The block is approximately two acres which means this a density of 8 units per acre. This density is at the lower end of the Medium to High Density described as 5 to 20+ units per acre in the Comprehensive Plan.

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

The block currently has 10 units in 5 two-family dwellings and 5 single-family dwellings totaling 15 units. Should the block be rezoned that would increase to 12 units in 6 two-family dwellings and 4 single-family dwellings.

Should the remaining four single-family dwellings have the potential for two-family dwelling use, that would create four additional units increasing the total to 20 units increasing the density to 10 units/ acre.

The neighborhood streets are capable of handling the additional traffic.

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.

Should the rezoning occur, public services and facilities in the area are capable of handling the impact of the additional units.

PLANNING DEPARTMENT REVIEW

During the City-wide Zoning Map review and update in 2011, the Planning Commission and City Council changed a significant area of the R-2 zoning and rezoned it to R-1. This area was one of the areas affected by that change. The thought being that the R-1 zoning may slow the increase in rental property. A copy of the current Zoning Map and the map prior to 2011 are attached.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission may consider a recommendation on this request at its July 18, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on August 6th, 2018 and an Ordinance Second/Final Reading on August 20, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:

- Donna Pearson – 1106 Pine Street
- Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street
- B.A. Doer – 1120 Pine Street
- Jeffrey Kollars – 1124 Pine Street
- Jan Walters – 1103 Quince Street
- HRA – 1113 Quince Street, 1115 Quince Street, 714 12th Street SE, 716 12th Street SE

To rezone a block bounded by Pine Street, 11th St. SE, Quince Street and 12th St. SE property from an R-1 (Single Family Residential) District to an R-2 (Low to Medium Density Residential) District.

2. All the property owners on the block have submitted letters to be part the rezoning application.
3. The area is generally single-family units with some two-family units in the area.
4. Zoning to the north is an R-1 (Single Family Residential) District; to the east is an R-2 (Low to Medium Density Residential) District; to the south is an R-1 (Single Family Residential) District and the west is an R-1 (Single Family Residential) District.
5. The block has 5 – two-family dwellings and 5 – single-family dwellings. The rezoning will change that to 6 – two-family dwellings and 4 – single-family dwellings.
6. The block is approximately two acres. There are currently 16 dwelling units on the block, which equates to 8 units/acre. If rezoned, there is a density potential of 10 units/acre. The densities are at the low end of the 5 to 20+ units/acre medium to high density Comprehensive Plan Future Land Use Designations.
7. City sewer and water are available and capable of providing for additional density.
8. During the 2011 City-wide Zoning Map review and update, a significant area of R-2 zoning was change to R-1 zoning. This is one of the areas affected.
9. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

GENERAL GOAL #1: *Maximize Brainerd's potential as a thriving center for business, health care, industry, education and recreation, while maintaining and enhancing its livability.*

Strategy

Protect both the general welfare and the individual choices of Brainerd residents. Insure that decisions that are made by the community reflect the needs of current residents and business owners.

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

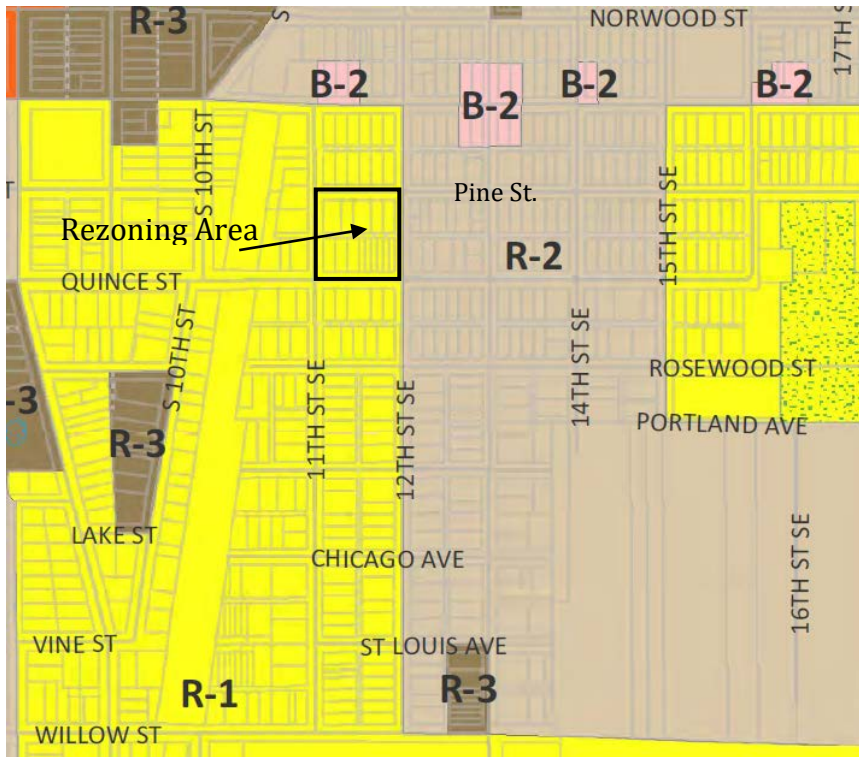
Strategies

1. Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.
2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.
3. Encourage housing rehabilitation and redevelopment in appropriate areas.

Existing Land Use Map

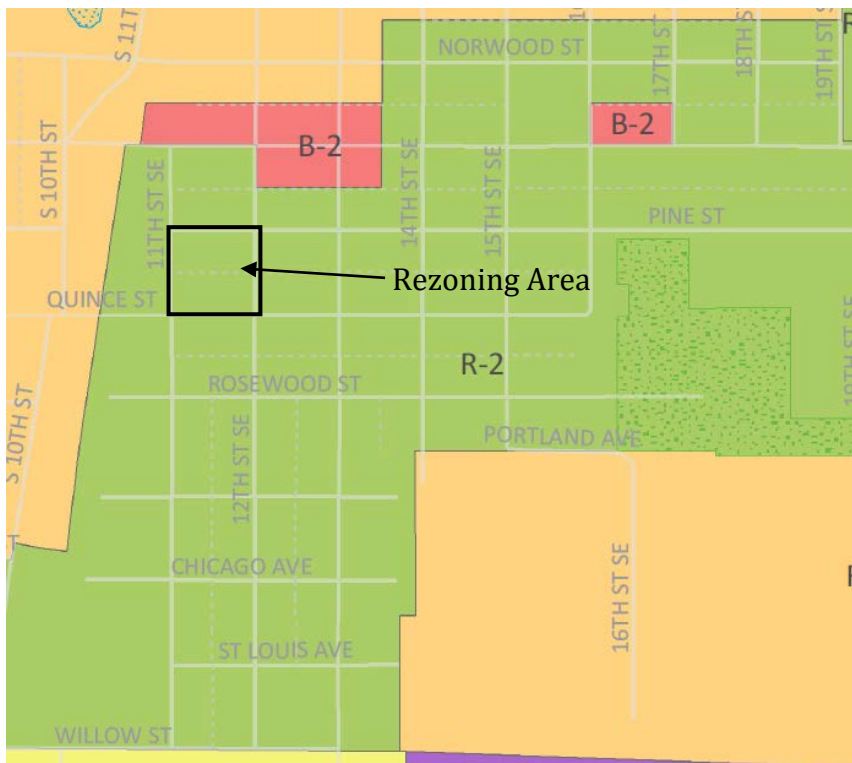


Current Zoning Map

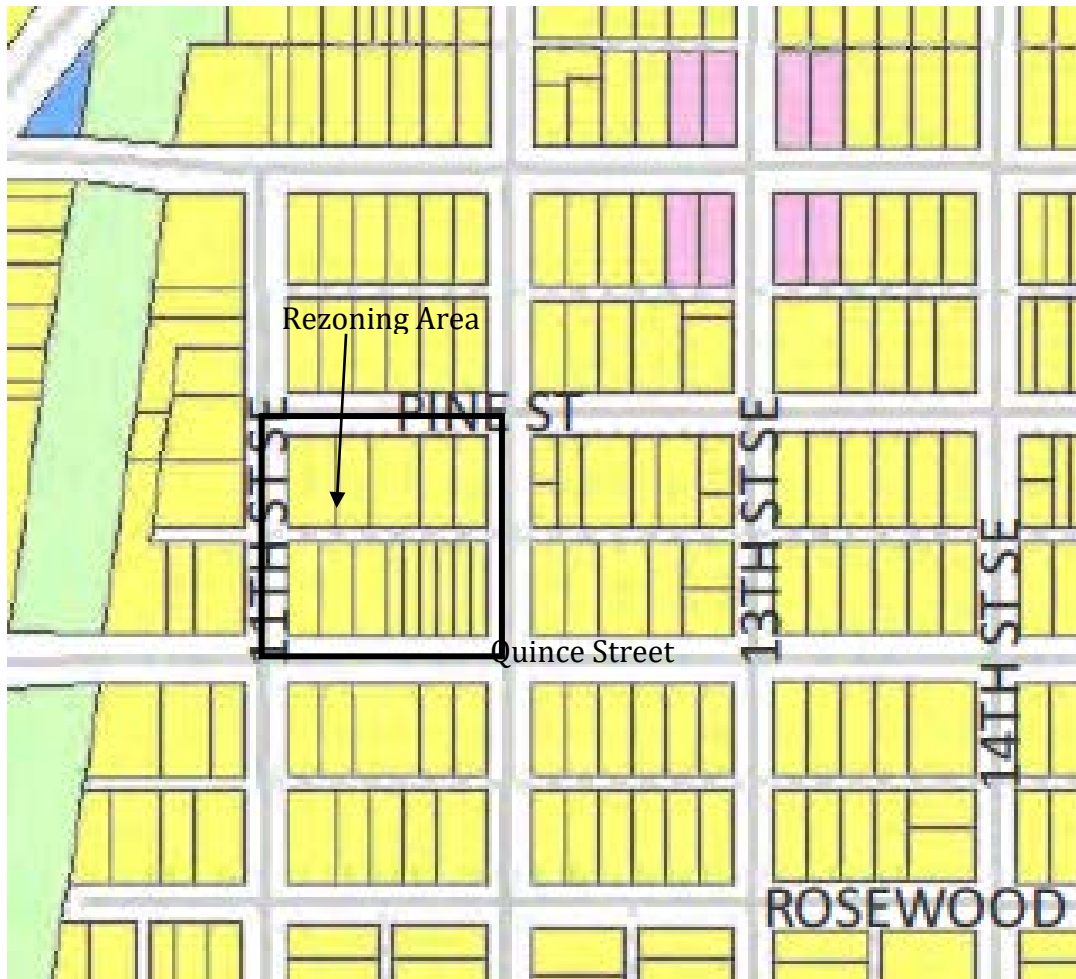


Legend	
	R-A Rural Agricultural
	R-R Rural Residential
	R-E Rural Estate
	R-1A Single Family Residential
	R-1 Single Family Residential
	R-2 Medium Density Residential
	R-3 High Density Residential
	R-MH Manufactured Housing
	B-1 Residential Office
	B-2 Neighborhood Business
	B-3 Central Business District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

Zoning Map Prior to 2011



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

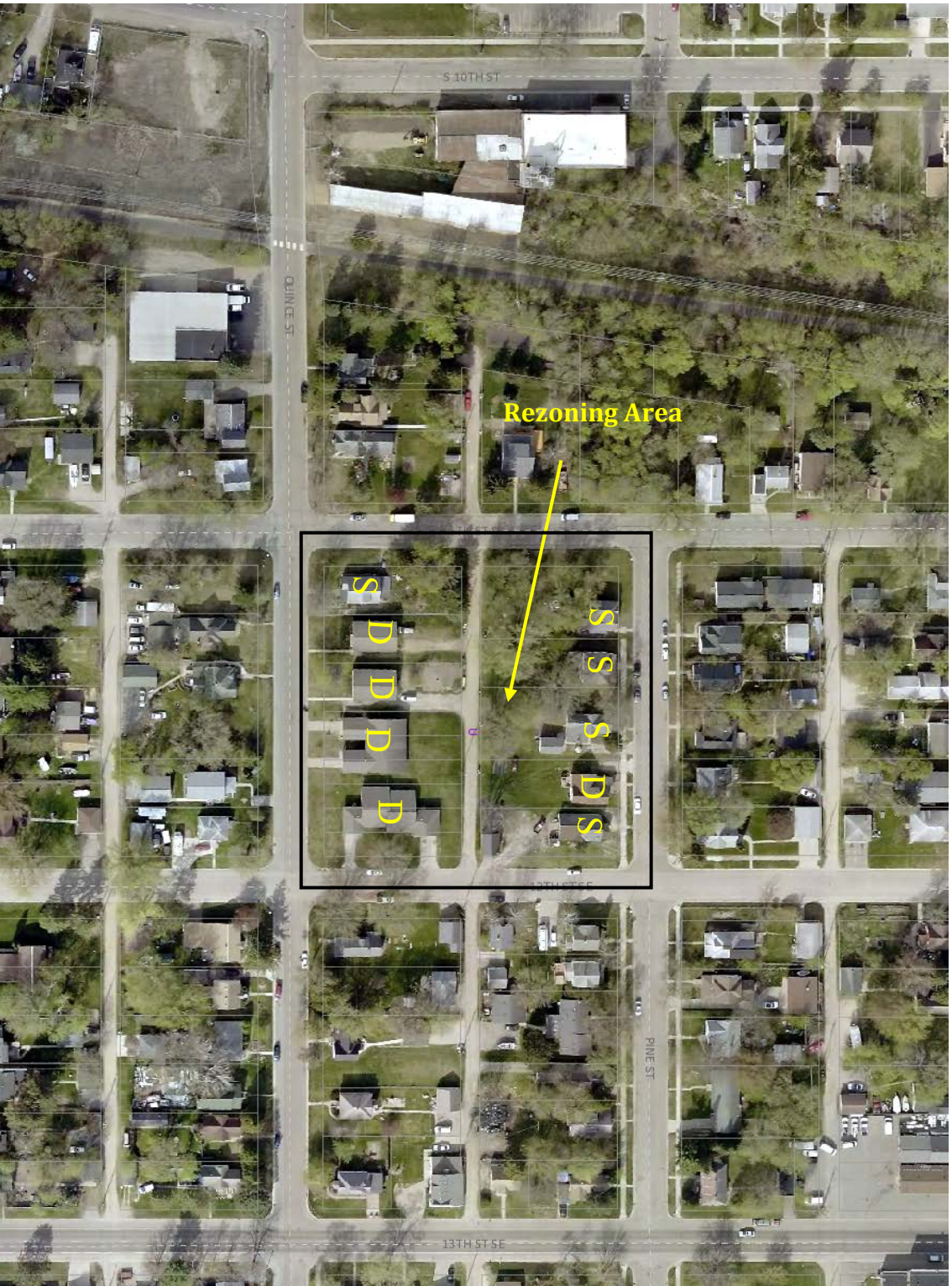
 Industrial

 Public / Semi Public

 Park / Open Space

 Mixed Residential

Site Aerial



June 4, 2018

Sample 6 Letter Sign by all property owners on the block

Dear Neighbor,

I am seeking your support to rezone the block on which we own property. I recently purchased 1110 Pine Street on the block where you also own property. The house I purchased was designed for and used as a duplex. Our block is currently zoned to permit only one dwelling unit on a lot. I would like to use the house as a duplex again. However, due to the rental license lapsing for more than 1 year and the current zoning of the block does not allow it to be returned to a duplex.

The only option I have to be able to return the house to a duplex is to rezone the property. I have discussed this with the City of Brainerd and was informed that rezoning a single lot would not be feasible. The only possible way (which also is not a guarantee) is to rezone the entire block.

Attached is a map that depicts the 10 houses on our block, all which are not owner occupied. I have identified that 6 are designed as a duplex and 4 are used as family single dwellings. The City explained the zone that is needed is one that permits one and two units on a lot. The City has also explained that the required zoning will have no negative impacts on your property but may benefit you in the following ways:

1. For those that own a duplex, the zoning would bring the property back into zoning compliance and eliminate for you the problem I encountered should a rental license on your property lapse for more than 1 year, and
2. If you own a building used as a single family dwelling the rezoning gives you the opportunity, if feasible, to have another unit on your property.

The City requires a \$300 processing fee to rezone property, which I am willing to pay.

I need to provide proof that all the property owners on the block support rezoning the block. Below is a signature area for you to sign. I am enclosing 2 copies of this letter, one for you to keep and one for you to sign and return to me. I have enclosed a self-addressed stamped return envelope for your convenience.

I am happy to talk with about this request in person or over the phone. Please call me at 218-851-8182 any time if you would like to discuss.

Thank you for considering my inquiry!

John Groenwold

I support rezoning my property located at 1120 Pine St. Brainerd, MN. 56401

B.A. Doer Nathan Hanson 6/5/18
Printed Name/ Date
[Signature]
Your Signature

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that John Groenwald 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:

Donna Pearson – 1106 Pine Street
Dianna Lorimor – 1114 Pine Street
B.A. Doer – 1120 Pine Street
Jeffrey Kollars – 1124 Pine Street
Jan Walters – 1103 Quince Street
Dianna Lorimor – 1107 Quince Street
Dianna Lorimor – 1109 Quince Street
HRA – 1113 Quince Street
HRA – 1115 Quince Street
HRA – 714 12th Street SE
HRA – 716 12th Street SE

to rezone the block from an R-1 (Single-Family Residential) District which permits only single-family residential dwellings to an R-2 (Medium-Family Residential) District which permits single-family dwellings and two-family (duplexes) dwellings.

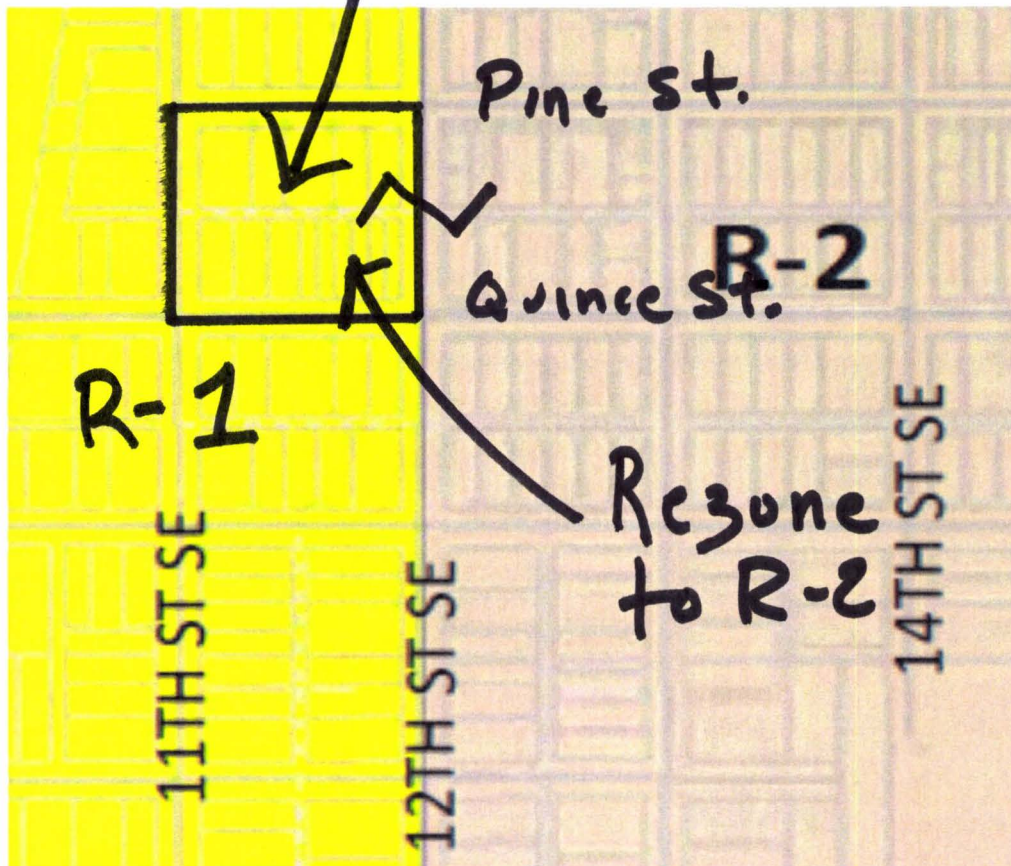
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 18, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

Dated this 5th day of July 2018.

Mark Ostgarden AICP
City Planner

See reverse side for maps.



PLANNING COMMISSION

Wednesday, July 18, 2018

#1 Call to Order

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

Noted present were Commissioners Burslie, Gorham, Headley, and Marohn; and Council Liaison Lambert. Noted absent were Commissioners Antolak and Wussow. Also present was City Planner Ostgarden, Administrative Specialist Bestul and Planning Intern Jared Boom.

#2 Approval of Agenda

MOTION BY COMMISSIONER LAMBERT AND GORHAM, DULY CARRIED, TO APPROVE THE AGENDA.

#3 Approval of Minutes of the Regular Meeting held on June 20, 2018

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURSLIE, DULY CARRIED, TO APPROVE THE MINUTES OF THE REGULAR MEETING HELD ON JUNE 20, 2018.

#4 New Business

A. Public Hearing – Rezoning Request to Rezone Property from an R-1 (Single-Family Residential) District to an R-2 (Medium Density Residential) District – 1110 Pine Street and all other property owners on Block 9, 2nd Addition

Mr. John Groenwold, 13713 Olivewood Drive, Baxter has applied on behalf of himself, for his property at 1110 Pine Street and all the other property owners shown below on Block 9, 2nd Addition to Brainerd. The request is to rezone the block from an R-1 (Single-Family Residential) District which permits only single-family dwellings to an R-2 (Medium Density Residential) District which permits single-family and two-family (duplexes) dwellings.

- Donna Pearson, 1106 Pine Street
- Dianna Lorimor, 1114 Pine Street; 1107 and 1109 Quince Street
- B.A. Doer, 1120 Pine Street
- Jeffery Kollars, 1126 Pine Street
- Jan Walters, 1103 Quince Street
- Brainerd Housing & Redevelopment Authority (HRA), 1113 and 1115 Quince; 714 and 716 - 12th Street SE

City Planner Ostgarden had suggested to Mr. Groenwold that he obtain the permission from all the property owners to possibly rezone the entire block rather than try to rezone just his parcel. Mr. Groenwold did so and received letters of support from the property owners and they are also applicants on the request.

City Planner Ostgarden reviewed an overhead map that specifies which properties are single family dwellings and which ones are duplexes as follows:

1106 Pine Street -	Single Family	1110 Pine Street -	Single Family
1114 Pine Street -	Single Family	1120 Pine Street -	Duplex
1126 Pine Street -	Single Family	1103 Quince Street -	Single Family
1107 Quince Street -	Duplex	1109 Quince Street -	Duplex
1113 Quince Street -	Duplex	1115 Quince Street -	Duplex
714 12 th Street SE -	Duplex	716 12 th Street SE -	Duplex

City Planner Ostgarden stated the property is adjacent to an existing R-2 zoning classification. In 2011, the Planning Commission changed some of the R-2 zoning to R-1 on that block due to the predominate single family dwellings in the area and to encourage more home ownership.

City Planner Ostgarden reviewed the findings of fact and comprehensive plan goals and strategies.

Commissioner Gorham inquired if the efforts of 2011 in changing the zoning made an impact in home ownership. City Planner Ostgarden replied that currently, he did not have those results.

Commissioner Marohn questioned if the differences in the R-1 and R-2 districts permitted uses are basically single-family versus multi-family housing. City Planner Ostgarden stated the R-2 district allows single-family and four unit or less buildings.

Commissioner Burslie asked if there are density standards, which City Planner Ostgarden confirmed there are standards per lot size.

The Chair opened the public hearing at 6:15 p.m.

The Chair recognized Mr. John Groenwold, 13713 Olivewood Drive, Baxter who is the property owner of 1110 Pine Street, Brainerd. He stated this property is already set up as a duplex and can not be used as a single-family home in its current state. He said the previous owner sold it due to this reason and it would cost more money to convert it to a single-family home than to remodel it.

The Chair closed the public hearing at 6:17 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND GORHAM, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING REQUEST AT 1110 PINE STREET AND THE OTHER PARCELS LISTED ON BLOCK 9, 2ND ADDITION TO BRAINERD FROM AN R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT BASED ON THE FINDINGS OF FACT AND GOALS AND STRATEGIES SHOWN BELOW.

1. John Groenwold, 13713 Olivewood Drive, Baxter, MN 56425 has submitted a request on behalf of himself, for his property at 1110 Pine Street and all the other property owners on Block 9, 2nd Addition to Brainerd:
 - Donna Pearson – 1106 Pine Street
 - Dianna Lorimor – 1114 Pine Street; 1107 and 1109 Quince Street
 - B.A. Doer – 1120 Pine Street
 - Jeffrey Kollars – 1124 Pine Street
 - Jan Walters – 1103 Quince Street
 - HRA – 1113 Quince Street, 1115 Quince Street, 714 12th Street SE, 716 12th Street SE

To rezone a block bounded by Pine Street, 11th St. SE, Quince Street and 12th St. SE property from an R-1 (Single Family Residential) District to an R-2 (Low to Medium Density Residential) District.

2. All the property owners on the block have submitted letters to be part the rezoning application.
3. The area is generally single-family units with some two-family units in the area.
4. Zoning to the north is an R-1 (Single Family Residential) District; to the east is an R-2 (Low to Medium Density Residential) District; to the south is an R-1 (Single Family Residential) District and the west is an R-1 (Single Family Residential) District.

5. The block has 5 – two-family dwellings and 5 – single-family dwellings. The rezoning will change that to 6 – two-family dwellings and 4 – single-family dwellings.
6. The block is approximately two acres. There are currently 16 dwelling units on the block, which equates to 8 units/acre. If rezoned, there is a density potential of 10 units/acre. The densities are at the low end of the 5 to 20+ units/acre medium to high density Comprehensive Plan Future Land Use Designations.
7. City sewer and water are available and capable of providing for additional density.
8. During the 2011 City-wide Zoning Map review and update, a significant area of R-2 zoning was changed to R-1 zoning. This is one of the areas affected.
9. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

GENERAL GOAL #1: *Maximize Brainerd's potential as a thriving center for business, health care, industry, education and recreation, while maintaining and enhancing its livability.*

Strategy

Protect both the general welfare and the individual choices of Brainerd residents. Insure that decisions that are made by the community reflect the needs of current residents and business owners.

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

Strategies

1. Continue to guide residential growth in an orderly and compact manner so that new developments can be effectively served by public improvements and that the character and quality of the city's existing neighborhoods can be maintained and enhanced.
2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.
3. Encourage housing rehabilitation and redevelopment in appropriate areas.

B. Public Hearing – Rezoning Request to Rezone Property from an R-3 (High Density Residential) District to an R-2 (Medium Density Residential) District – 1202 13th Street SE and 1210 13th Street SE

City Planner Ostgarden explained that all three of the requests on tonight's agenda are situations where the neighbors came together to propose a rezoning.

City Planner Ostgarden stated the applicant purchased the property with the intentions of remodeling the structure into a single-family home. It currently has a vacant windowless building that has been empty for many years. The property is located in an R-3 zoning district which prohibits a single-family dwelling. It was suggested the applicant seek the permission of the property owner to the north in rezoning both parcels.

City Planner Ostgarden indicated there are two apartment buildings at the corner of Willow Street and 13th Street SE and the structure at the northeast corner was constructed as a three unit building. It is currently being used as a group home. The zoning map was displayed showing the area along 13th Street to the north, south and west are currently zoned R-2. By rezoning these two properties from R-3 to R-2, it would be constituent to the area.

City Planner Ostgarden reviewed the findings of fact and comprehensive plan goals and strategies.

Commissioners Marohn and Burslie suggested re-examining all the residential districts in the City to possibly make amendments.

The Chair opened the public hearing at 6:29 p.m.

The Chair recognized Mr. Chase Vreeland, 1507 S 6th Street, Brainerd who is the property owner of 1210 13th Street SE, Brainerd. He thanked the commission for the opportunity to present the information for consideration. He indicated the building was used as a furniture storage unit by the previous owner who owned a furniture store but has been vacant for several years. Mr. Vreeland wishes to remodel the building into a single-family home.

The Chair closed the public hearing at 6:31 p.m.

MOTION AND SECONDED BY COMMISSIONERS LAMBERT AND BURLIE, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING REQUEST OF 1202 13TH STREET SE AND 1210 13TH ST SE FROM AN R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO AN R-2 (MEDIUM DENSITY RESIDENTIAL) DISTRICT BASED ON THE FINDINGS OF FACT AND THE GOALS AND STRATEGIES SHOWN BELOW.

1. Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE submitted an application to rezone the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.
2. Lands to the north are developed with single-family dwellings, land to the east are developed with a single-family dwelling, land to the south is developed with a two multi-family buildings and lands to the west are developed almost entirely as single-family dwellings.
3. Zoning to the east is an R-1 (Single-family Residential) District, zoning to the north and west is R-2 (Low and Medium Residential) District and zoning to the south is an R-3 (High Density Residential) District.
4. The rezoning area totals 22,500 sq. ft. with a building on each parcel. The north parcel has a group home in a building designed as a three-family dwelling, the south parcel has a vacant building that has never been occupied, however it can be remodeling for that purpose.
5. 13th Street SE capable of supporting additional traffic from development of the parcels.
6. City sewer and water is available to the site.
7. The parcels are identified as Medium to High Density Residential on the Comprehensive Plan Future Land Use Map. Density is 6 units/acre which is considered Medium to High Density Residential density in the Comprehensive Plan.
8. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

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

Strategies

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

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

LAND USE GOAL #4: *Plan land uses and implement standards to minimize land use conflicts.*

Strategies

1. Require adequate transitions between different land uses through appropriate land use planning and zoning standards.

C. Public Hearing – Rezoning Request to Rezone Property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District – 1015 Walnut Street and 1014, 1016 and 1018 Walnut Street properties

City Planner Ostgarden explained the applicant owns a parcel at the south end of Walnut Street on which they would like to construct a single-family home. The current zoning of R-3 does not allow single-family dwellings. A large portion of land in this area is wetland and undevelopable property. It was suggested that the applicant reach out to the other property owners to rezone the entire area rather than just his parcel. The property owners of 1014, 1016 and 1018 Walnut Street have signed the rezoning application and are in support of the change.

- Annamarie Denti, 1014 Walnut Street
- Michael and Lynn Jannetta, 1016 Walnut Street
- Cyris and Kathleen Poorwell, 1018 Walnut Street

City Planner Ostgarden reviewed the overhead maps, findings of fact and comprehensive goals and strategies. He stated the significant impact of this area is the large amount of wetland and it is very limited to future development. There currently is no city sewer or water service in this area.

Commissioner Marohn asked if the road is gravel or paved. City Planner Ostgarden indicated the private section is a gravel surface.

The Chair opened the public hearing at 6:44 p.m.

The Chair recognized Mr. Bruce Isebrand, 815 SE 19th Street, Brainerd who is the property owner of 1015 Walnut Street and would like to build a home on the parcel. Mr. Isebrand constructed the road which is a dead end private drive off Walnut Street and consists of gravel which the three current property owners maintain themselves. Mr. Isebrand will be the fourth property owner to assist in the road maintenance if the rezoning is approved. He thanked the commission for their consideration.

The Chair closed the public hearing at 6:46 p.m.

City Planner Ostgarden indicated it would be impossible for Walnut Street to continue through due to the wetlands.

MOTION AND SECONDED BY COMMISSIONERS BURLIE AND LAMBERT, DULY CARRIED, TO RECOMMEND APPROVAL OF THE REZONING REQUEST OF 1015 WALNUT STREET AND THE PROPERTY AT 1014, 1016 AND 1018 WALNUT STREET FROM AN R-3 (HIGH DENSITY RESIDENTIAL) DISTRICT TO AN R-1 (SINGLE-FAMILY RESIDENTIAL) DISTRICT BASED ON THE FINDINGS OF FACT AND GOALS AND STRATEGIES SHOWN BELOW.

1. Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell, 1018 Walnut Street

to rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District.

2. Land use to the north is condominiums, with remaining area wetland with some wooded area.
3. R-3 (High Density Residential) District zoning surrounds the rezoning area.
4. Access to the area is via a private drive off Walnut Street.
5. Over 6 acres of the 9.5-acre area is wetland.
6. The public portion of Walnut Street is capable of supporting the additional traffic from an additional single-family dwelling.
7. City sewer and water is not available to the area.
8. The area is identified as Low to Medium Density Residential on the Comprehensive Plan Future Land Use Map. The area density is less than 1 units/acre which is considered Low to Medium Density Residential density in the Comprehensive Plan.
9. The vacant parcel has the potential for multi-family development. The R-1 zoning removes the potential multifamily use density which should be beneficial to the area wetlands.
10. The existing single-family dwellings are non-conforming uses limiting the potential for expansion on the parcels. They will become conforming uses with R-1 zoning.
11. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

LAND USE GOAL #1: *Support the efficient and orderly growth of all urban development, including residential, commercial and industrial areas. Strengthen the distinction between the urban city and the rural countryside with well-planned and carefully coordinated services appropriate to the distinct needs of each*

Strategy

Identify areas of significant natural resource benefit and protect these areas from premature or incompatible development.

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

Strategies

1. Encourage development of low density and high-density family housing units in those areas designated on the adopted Land Use Plan.
2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.

LAND USE GOAL #4: *Plan land uses and implement standards to minimize land use conflicts.*

Strategy

Require adequate transitions between different land uses through appropriate land use planning and zoning standards.

#5 Public Forum

The Chair opened the public forum at 6:47 p.m.

No one came forward.

The Chair closed the public forum at 6:48 p.m.

#6 Old Business

A. Comprehensive Plan Update Report – Ms. Ashley Kaisershot, ASLA Sourcewell Planning & Zoning Specialist

The Chair welcomed Ms. Ashley Kaisershot, Planning & Zoning Specialist at Sourcewell previously NJPA. Ms. Kaisershot distributed handouts to the commission and discussed the progress of the Comprehensive Plan Update. The Steering Committee has met four times with the fifth scheduled for next week at The Shop. The dialog has been fantastic and there have been many good conversations. The committee was very interested in hearing from the youth in the community. At this point in time, they are at the community involvement and information gathering stage of the process with public outreach efforts taking place. There is a live community survey available online until September 16, 2018. It was discovered that Brainerd is a young community with the average age being 32 years. She stated it is very important to be proactive in reaching the younger residents.

Ms. Kaisershot stated there have been three larger groups heard from to date which are as follows:

- The Community Survey Panel – started in 2016 with approximately 300 people participating
- Four Ward Meetings - spring of 2018
- Focus Groups

Ms. Kaisershot reviewed some of the questions and responses from the community survey panel, the results from the ward meetings and details and findings from the focus groups. She asked the commission to participate in and share the online survey on the website www.imaginebrainerd.org. The survey is posted on the city website and on social media. The following steps will be taking place in the project:

- Survey will close on September 16, 2018
- Internal work to study, evaluate and identify the leading themes
- Open House to be held to meet with residents to share what we have heard
- Draft the Goals and Policies

Commission discussion took place and questions answered. Ms. Kaisershot will present another update to the commission this fall.

#7 Commissioners' Questions/Comments

Commissioner Marohn indicated it appears there are some ordinance amendments needed and suggests a public hearing regarding the residential zoning districts. The commissioners discussed combining districts with consistent requirements. City Planner Ostgarden will draft an amendment to review at the next planning meeting.

Commissioner Marohn stated he is working on a letter to send to the Kingwood Street residents regarding parking.

#8 City Planner's Report

City Planner Ostgarden indicated the City Council meeting held on Monday, July 16, 2018 had a large public turnout regarding the future of the historic water tower and the need for funding resources if it is to be restored.

#9 Adjourn

The Chair adjourned at 7:10 p.m.

Respectfully submitted,

City Planner



Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: First Ord. Reading No. 1487 - Rezone 1202 and 1210 13th Street SE from R-3 to R-2

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 10 minutes
Summary of Issue: Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE have requested rezoning the two 13th Street SE properties from an R-3 (High Density Residential) District and multi-family dwellings to an R-2 (Medium Density Residential) District. See attached Staff Report, Findings of Fact and the July 18, 2018 Planning Commission meeting minutes.	
Alternatives, Options, Effects on Others/Comments: Approving the ordinance will rezone the two properties to an R-2. A denial will mean the R-3 zone will remain.	
Recommended Action/Motion: The Planning Commission voted 5-0 to recommend approval of the amendment. A motion by _____ and seconded by _____ to approve/deny the first reading of proposed Ordinance No. _____ to rezone 1202 and 1210 13th Street SE from an R-3 (High Density Residential) District to an R-2 (Medium Density Residential) District zoning.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ 0 _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1487**

**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 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-3 (High Density Residential) District to an R-2 (Medium Density Residential) District for the following:

LOTS 7 THRU 12 BLOCK 15 INCLUSIVE & THAT PT OF ADJ VAC ALLEY AS SHOWN ON DOC #349971 TWP 45 RNG 31 SECT 25 DAVIS' ADDITION TO THE CITY OF BRAINERD

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

Adopted this ____ day of August, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of August, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2018

STAFF REPORT TO THE PLANNING COMMISSION

July 10, 2018

APPLICANT/LOCATION: Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE

REQUESTED ACTION: Rezoning the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.

AREA: Each parcel is 150' x 75' = totaling 22, 500 sq. ft. = .5 acres

ADJACENT USES:
North: Group home
East: Single-family dwellings
South: Two multi-family dwellings
West: Single-family and two-family dwellings

AREA ZONING:
North: R-2 (Low to Medium Density) Residential
East: R-2 (Low to Medium Density) Residential
South: R-3 (Multi-Family Residential) District
West: R-2 (Low to Medium Density) Residential

PETITION EVALUATION

Chase Vreeland purchased the property at 1210 13th St SE. The property has had a vacant windowless building on it for decades that has never been used as a dwelling. Mr. Vreeland's plan is to remodel the building for use as a single-family dwelling. The Building Department became aware of the work and had to ask the owner to stop work because a building permit had not been issued. The parcel is part of an R-3 (Multi-Family Residential) District along the west side of 13th Street SE from St. Louis Street to Willow Street as zoning district that does not permit single-family dwellings.

Tim Caughey, Building Official and I met with Mr. Vreeland to explain that because of the building's nonconforming status, work could not continue. It was explained that rezoning is needed, however rezoning one parcel at a time is not typically a preferred method. Based on the area zoning, it was suggested that if he could get the approval of the property owner to the north to be part of the rezoning application, a stronger rezoning case might be made. Mr. Vreeland sought and received the signature on the application from the owner to the north.

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.

The Comprehensive Plan Land Use Goals and Strategies that apply to this request are included in the Findings of Fact by which this proposal should be reviewed.

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

The Comprehensive Plan specifies:

The purpose of this category is to identify portions of Brainerd that should contain higher density housing units. Medium to High Density Residential is intended to accommodate primarily manufactured home parks, apartments, rooming houses and other multi-family development. The overall density of these areas should generally be maintained at 5 to 20+ units per acre.

The attached section of the Comprehensive Plan Future Land Use Map identifies this property as Medium to High Density Residential land use. The north parcel has a three-family dwelling currently used as a group home. The Vreeland parcel would be one unit and the north parcel would have two additional units (the group home being considered a unit, so the net increase is two). The area is .5 acres which equals a density of 6 units/acre.

Should the owner of the north property no longer desire to use it for a group home, the R-2 zoning will permit the building to be reused as a three-family dwelling.

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

Except for the multi-family use at the NW corner of Willow Street and 13th Street the area is primarily single-family dwellings. The current use of the dwelling on the north parcel is a group home. The south parcel is where the single-family dwelling would be located. The proposed single-family dwelling and group home are consistent with the residential use of the area.

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

Thirteenth Street SE is County Road 45 and Crow Wing County has jurisdictional authority over the street. It is considered a collector street and is a well-traveled north south corridor and traffic can be expected to increase in the future. The parcels do not have alley access; however, the north parcel does have St. Louis Street access and the Vreeland parcel has 13th Street SE access. An additional single-family driveway should have no effect on 13th Street SE's ability to function as a collector street.

There is no non-motorized transportation infrastructure along 13th Street SE. A trail and/or sidewalk is planned for the entire length of 13th Street from Washington Street to the south city limits.

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.

A new single-family dwelling, a group home or a three-family dwelling should not have a negative impact on public services and facilities.

PLANNING DEPARTMENT REVIEW

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its July 18, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on August 6th, 2018 and an Ordinance Second/Final Reading on August 20, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE submitted an application to rezone the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.
2. Lands to the north are developed with single-family dwellings, land to the east are developed with a single-family dwelling, land to the south is developed with a two multi-family buildings and lands to the west are developed almost entirely as single-family dwellings.
3. Zoning to the east is an R-1 (Single-family Residential) District, zoning to the north and west is R-2 (Low and Medium Residential) District and zoning to the south is an R-3 (High Density Residential) District.
4. The rezoning area totals 22,500 sq. ft. with a building on each parcel. The north parcel has a group home in a building designed as a three-family dwelling, the south parcel has a vacant building that has never been occupied, however it can be remodeling for that purpose.
5. 13th Street SE capable of supporting additional traffic from development of the parcels.
6. City sewer and water is available to the site.
7. The parcels are identified as Medium to High Density Residential on the Comprehensive Plan Future Land Use Map. Density is 6 units/acre which is considered Medium to High Density Residential density in the Comprehensive Plan.
8. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

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

Strategies

1. Encourage development of low density and high-density family housing units in those areas designated on the adopted Land Use Plan.
2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.

LAND USE GOAL #4: *Plan land uses and implement standards to minimize land use conflicts.*

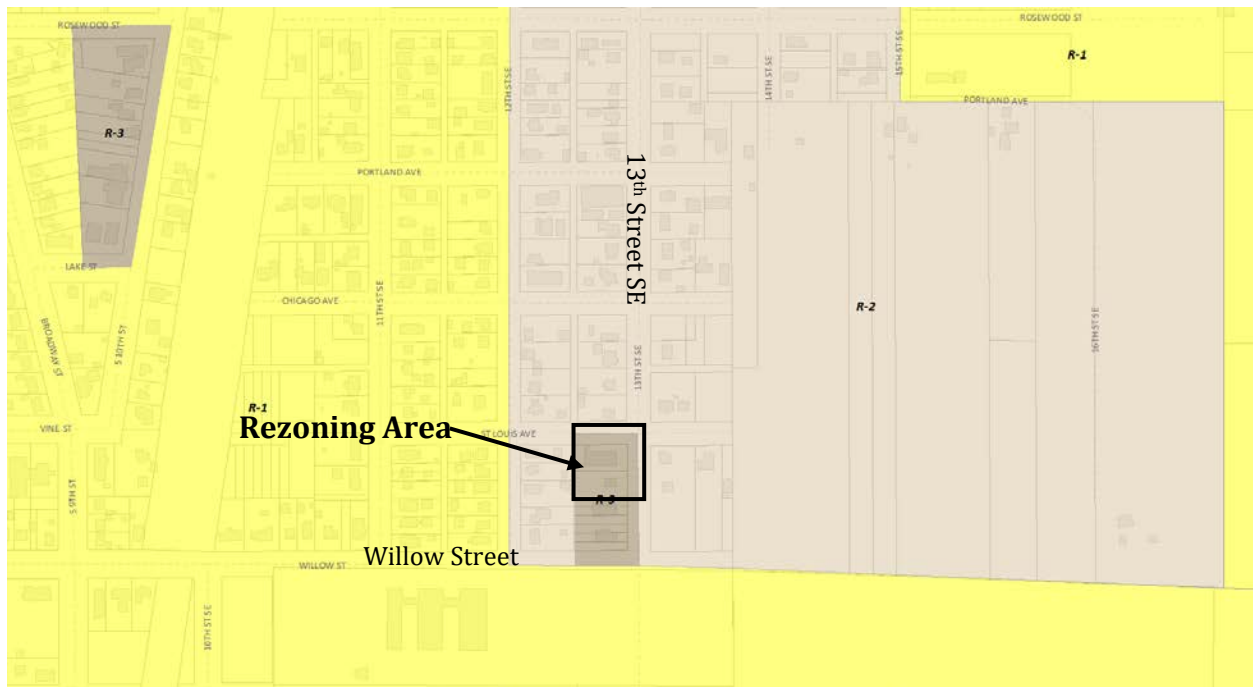
Strategies

1. Require adequate transitions between different land uses through appropriate land use planning and zoning standards.

Existing Land Use Map



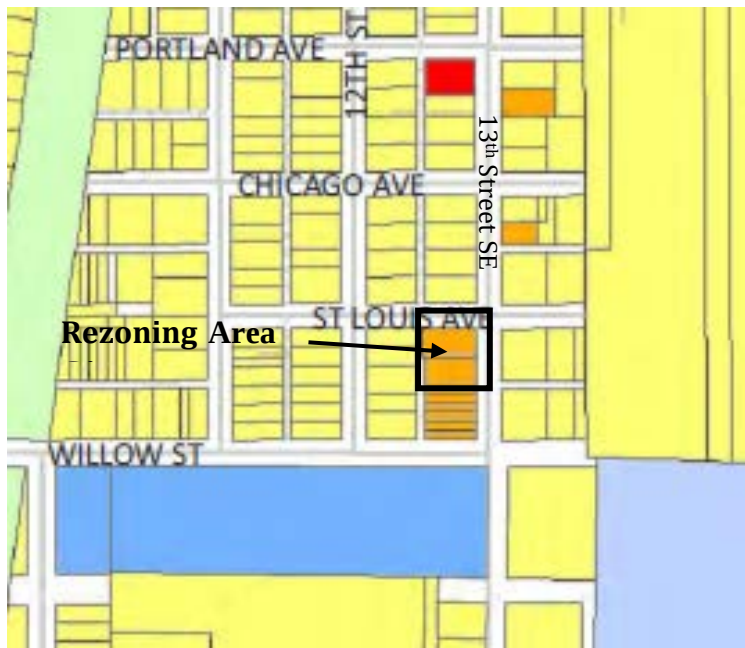
Zoning Map



Legend

	R-A Rural Agricultural
	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

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

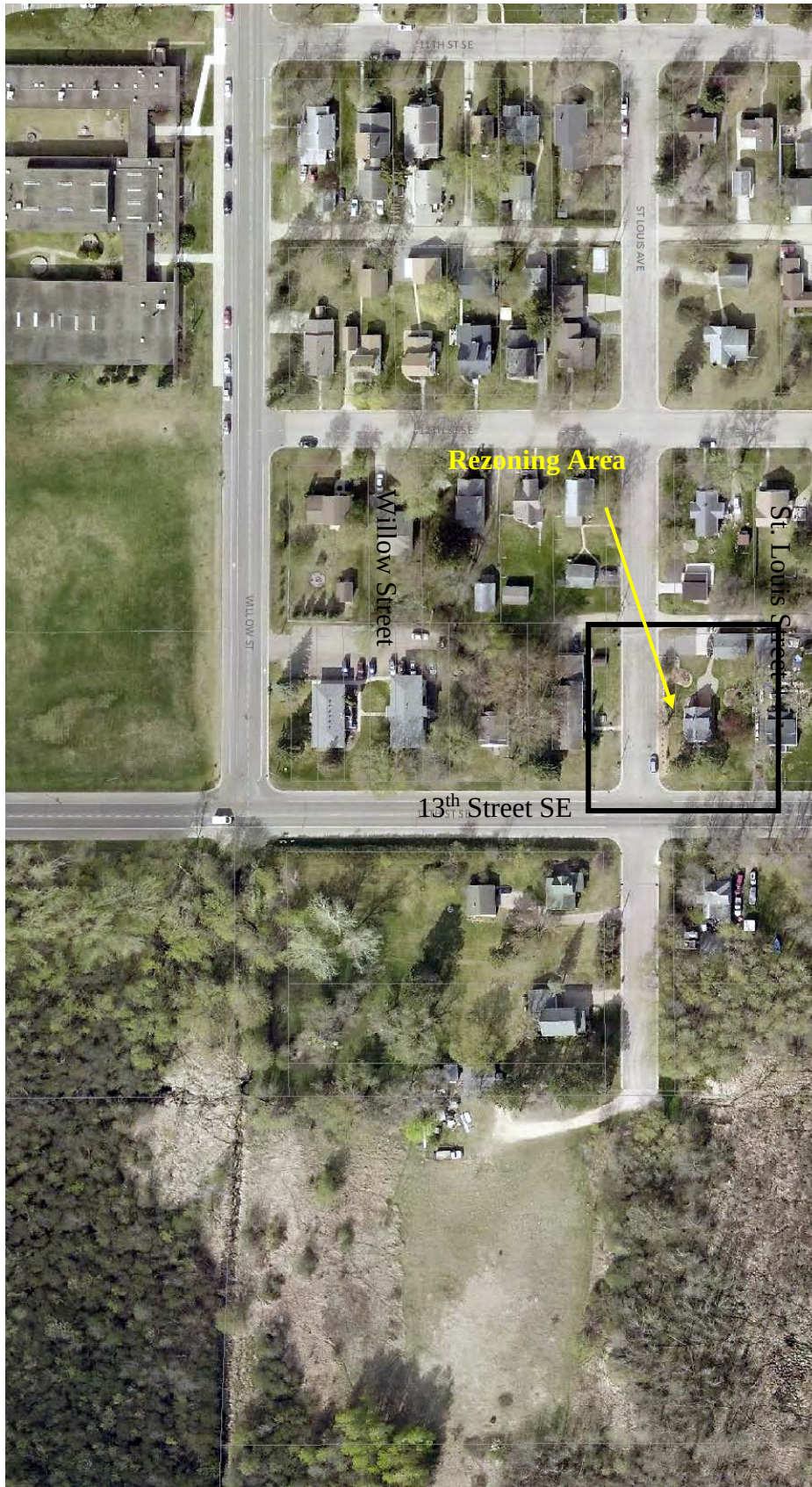
 Development Preserve

 Industrial

 Public / Semi Public

 Park / Open Space

 Mixed Residential



Site Aerial

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Chase Vreeland, 1507 South 6th Street, Brainerd, MN 56401, owner of 1210 13th Street SE and Mustang Sally Investments, 10471 State Highway 25, Brainerd, MN 56401 owner of 1202 13th Street SE, have submitted a request to consider rezoning the two 13th Street SE properties from an R-3 (High Density Residential) District which permits two-family dwellings (duplexes) and multi-family dwellings to an R-2 (Medium Density Residential) District that permits single-family dwellings and two-family dwellings.

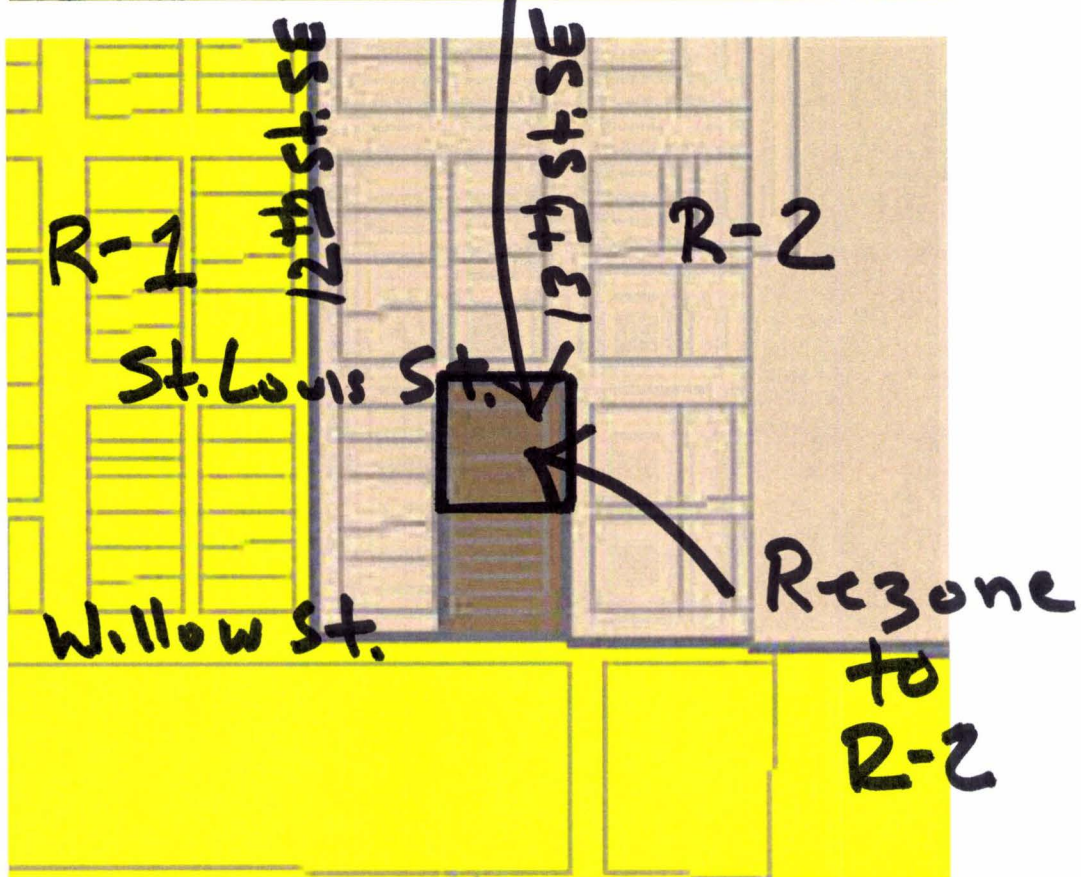
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 18, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

Dated this 5th day of July 2018.

Mark Ostgarden AICP
City Planner

See reverse side for maps.





Brainerd City Council Agenda Request

Requested Meeting Date: August 6, 2018

Title of Item: First Ord. Reading No. 1488 - Rezone 1014, 1015, 1016 & 1018 Walnut St. from R-3 to R-1

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Mark Ostgarden	Department: Planning
Presenter (Name & Title): Same	Estimated Time Needed: 10 minutes
Summary of Issue: Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell, 1018 Walnut Street to rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District. See attached Staff Report, Findings of Fact and the July 18, 2018 Planning Commission meeting minutes.	
Alternatives, Options, Effects on Others/Comments: Approving the ordinance will rezone the four properties to an R-1. A denial will mean the R-3 zone will remain.	
Recommended Action/Motion: The Planning Commission voted 5-0 to recommend approval of the amendment. A motion by _____ and seconded by _____ to approve/deny the first reading of proposed Ordinance No. _____ to rezone 1014, 1015, 1016 & 1018 Walnut Street from an R-3 (High Density Residential) District to an R-1 (Single Family Residential) District.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ 0 _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1488**

**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 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District for the following:

LOTS 1 THRU 3 BLOCK 1 ISEBRAND ADDITION TWP 45 RNG 30 SECT 30

and

TRACTS 27 & 28 LYING N'LY OF THE FOL DESC LINE: COMM AT THE SE COR OF SD TRACT 27 THEN N 02D 44'56" W ASSM BEAR 511.83 FT ALG THE E LINE OF SD TRACTS 27 & 28 TO THE NE COR OF OUTLOT A ISEBRAND ADDN & TO THE POB OF THE LINE TO BE DESC THEN SW'LY 134.06 FT ALG A CURVE NOT TANG TO THE LAST DESC CURVE CONCAVE TO THE NW C/A OF 53D 42'53" RAD OF 143 FT & A CHORD BEAR OF S 45' 16'57" 129.21 FT ALG THE N LINE OF SD OUTLOT A THEN S 72D 08'23" W TANG TO THE LAST DESC CURVE 186.65 ALG THE N LINE OF SD OUTLOT A THEN SW'LY 228.55 FT ALG A TANG CURVE CONCAVE TO THE SE C/A 33D 41'33" & A RAD OF 388.66 FT TO THE NW'LY COR OF SD OUTLOT A THEN SW'LY IN A STRAIGHT LINE TO THE SW COR OF SD TRACT 27 & SD LINE THERE ENDING. HOLLAND'S SECOND ADDITION TO THE CITY OF BRD TWP 45 RNG 30 SECT 30

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

Adopted this ____ day of August, 2018

DAVID J. PRITSCHET
President of the Council

Approved this ____ day of August, 2018

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2018

STAFF REPORT TO THE PLANNING COMMISSION

July 10, 2018

APPLICANTS/LOCATION: Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell, 1018 Walnut Street

REQUESTED ACTION: Rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District

AREA: Approximately 9.5 acres

ADJACENT USES: North: Condominiums
East: Wetland
South: Wetland
West: Generally vacant woodland

AREA ZONING: North: R-3 (High Density Residential) District
East: R-3 (High Density Residential) District
South: R-3 (High Density Residential) District
West: R-3 (High Density Residential) District

PETITION EVALUATION

The Isebrands own a parcel at the south end of Walnut Street on which they desire to construct a single-family dwelling. At the south end, Walnut curves westerly where it becomes a private street. The street dead ends due to a large wetland area extension cannot occur. In addition to the Isebrand parcel there are 3 other lots developed with single-family dwellings (2 lots are developed with a zero-lot line twin home) on this section of Walnut Street. It was explained to the Isebrands that rezoning 1 lot at a time is typically not a preferred method. It was suggested to the Isebrands that a better rezoning case could be made if the other property owners along the private street would be part of the application. They were able to get their consent and they are part of the application.

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.

The Comprehensive Plan Land Use Goals and Strategies that apply to this request are included in the Findings of Fact.

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

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.

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.

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

The 3 other parcels have non-conforming single-family dwellings and the vacant parcel will be a single-family dwelling. There is multi-family development to the north.

The area surrounding the proposed rezoning area is wetland and cannot be developed. The only current access to the buildable Isebrand parcel is from the private portion of Walnut Street and a driveway constructed years ago through the wetland.

An additional single-family dwelling will have no effect on the area.

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

Walnut Street is a dead end public street. The City has no maintenance responsibility for the private portion of the street.

The traffic generated from the single-family dwelling constructed on the vacant lot will have no impact on Walnut Street.

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.

The site is not served by City sewer and water meaning a well and septic system will be required for the vacant lot to be developed.

PLANNING DEPARTMENT REVIEW

The wetland in the area is a natural resource that should have protection from adverse effects of development. Sewer and water is available about 50' north on Walnut Street and perhaps by agreement with the condominium development to the north. The vacant parcel developable area is about 50,000 sq. ft. The parcel size and the R-3 zoning would permit a multi-family use of perhaps 12 to 16 units.

A multifamily development scenario that extends sewer and water from its location on Walnut Street and using the private street to serve the 4 dwellings would be costly and most likely not a practical development scenario. However, as future infill development is encouraged, 19th Street SE located to the west, could provide access to the vacant parcel. The R-1 zoning removes the potential multifamily use density which should be beneficial to the area wetlands.

The Engineering Department and Fire Department have no issues with the rezoning or with the construction of an additional single-family dwelling.

A wetland delineation has not been done for the Isebrand parcel. It would benefit the Isebrands when it comes time to build and would prevent any unintended encroachments that would need to be corrected.

PLANNING COMMISSION AND CITY COUNCIL ACTION

The Planning Commission can consider a recommendation on this request at its July 18th, 2018 meeting. The City Council can receive the Planning Commission recommendation and consider an Ordinance First Reading on August 6th, 2018 and an Ordinance Second/Final Reading on August 20, 2018.

Respectfully submitted,

Mark Ostgarden AICP
City Planner

Findings of Fact

1. Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401 property owners 1015 Walnut Street, have submitted a request on behalf of themselves and Annamarie Denti, 1014 Walnut Street; Michael and Lynn Jannetta, 1016 Walnut Street; and Cyris and Kathleen Poorwell, 1018 Walnut Street to rezone their property from an R-3 (High Density Residential) District to an R-1 (Single-Family Residential) District.
2. Land use to the north is condominiums, with remaining area wetland with some wooded area.
3. R-3 (High Density Residential) District zoning surrounds the rezoning area.
4. Access to the area is via a private drive off Walnut Street.
5. Over 6 acres of the 9.5-acre area is wetland.
6. The public portion of Walnut Street is capable of supporting the additional traffic from an additional single-family dwelling.
7. City sewer and water is not available to the area.
8. The area is identified as Low to Medium Density Residential on the Comprehensive Plan Future Land Use Map. The area density is less than 1 units/acre which is considered Low to Medium Density Residential density in the Comprehensive Plan.
9. The vacant parcel has the potential for multi-family development. The R-1 zoning removes the potential multifamily use density which should be beneficial to the area wetlands.
10. The existing single-family dwellings are non-conforming uses limiting the potential for expansion on the parcels. They will become conforming uses with R-1 zoning.
11. The rezoning is supported by the following Comprehensive Plan Goals and Strategies:

LAND USE GOAL #1: *Support the efficient and orderly growth of all urban development, including residential, commercial and industrial areas. Strengthen the distinction between the urban city and the rural countryside with well-planned and carefully coordinated services appropriate to the distinct needs of each*

Strategy

Identify areas of significant natural resource benefit and protect these areas from premature or incompatible development.

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

Strategies

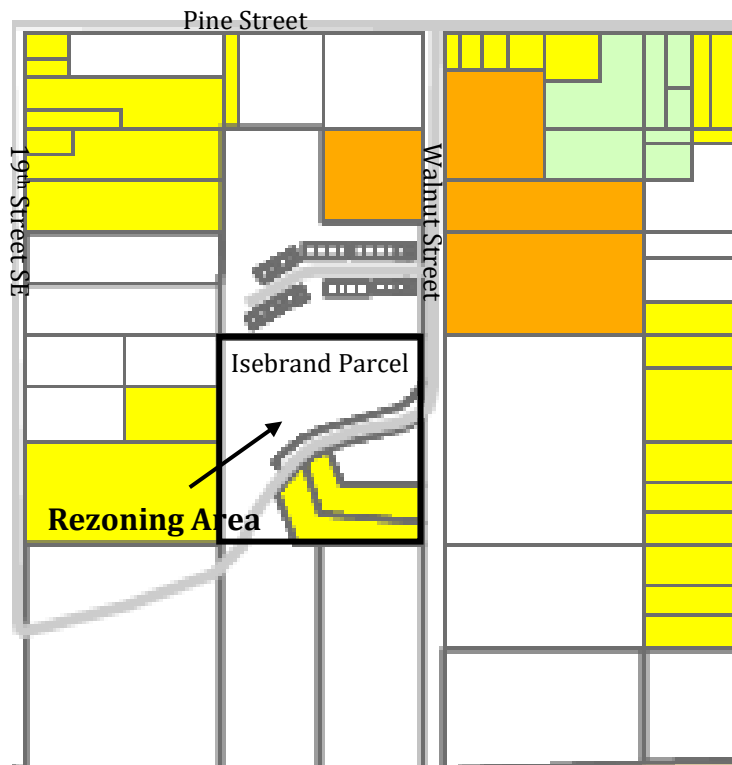
1. Encourage development of low density and high-density family housing units in those areas designated on the adopted Land Use Plan.
2. Encourage compatible infill residential development throughout the developed portions of the city, to encourage the efficient use of land, the establishment of a strong tax base and the cost-effective provision of city services.

LAND USE GOAL #4: *Plan land uses and implement standards to minimize land use conflicts.*

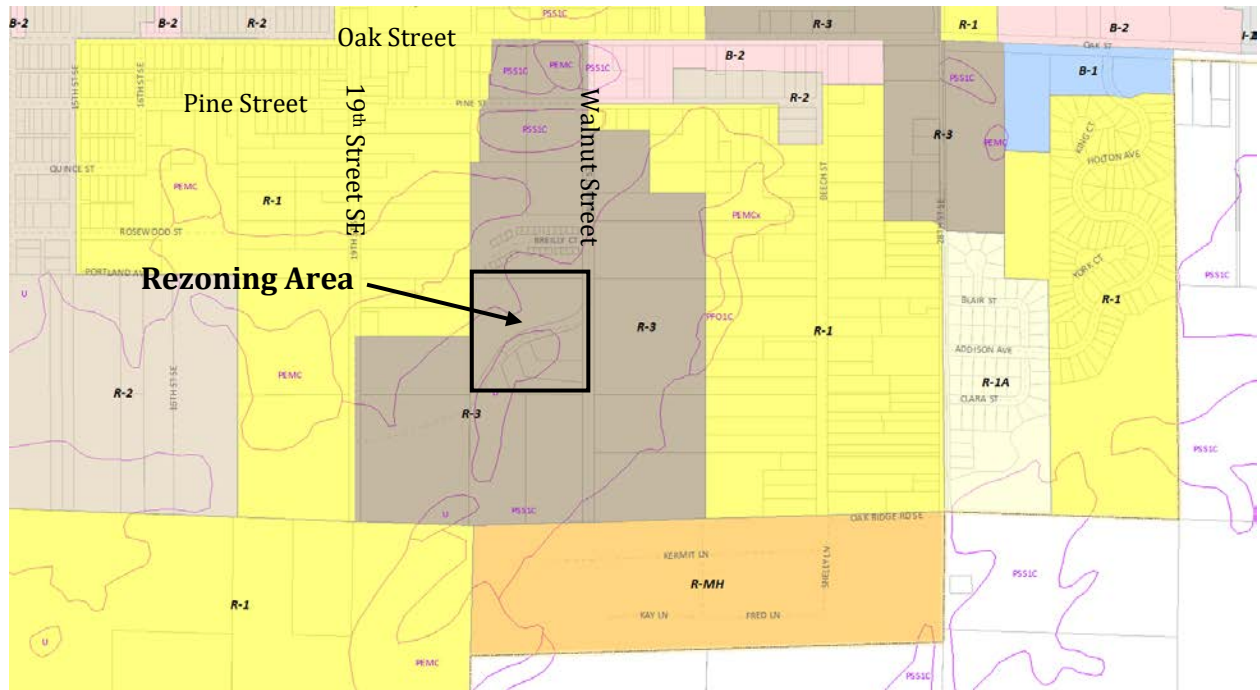
Strategy

Require adequate transitions between different land uses through appropriate land use planning and zoning standards.

Existing Land Use Map



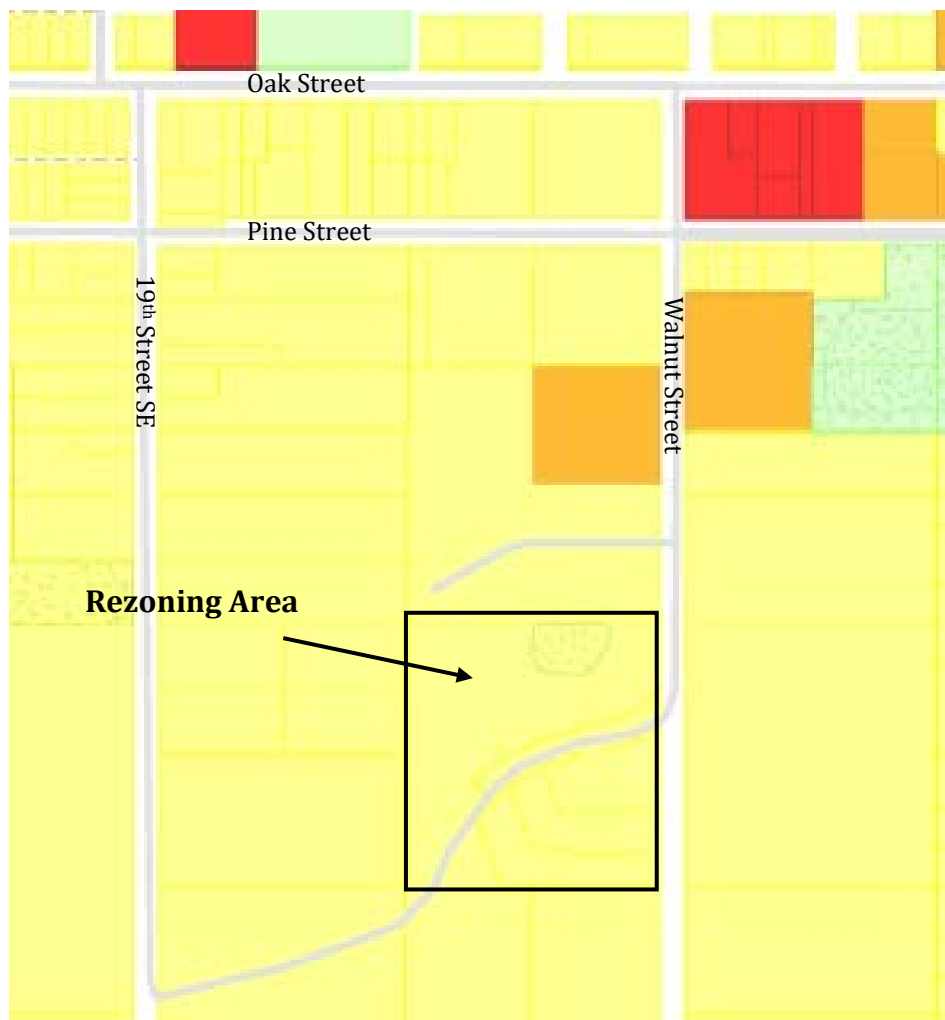
Zoning and Wetland Map



Legend

- R-A Rural Agricultural
- 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

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

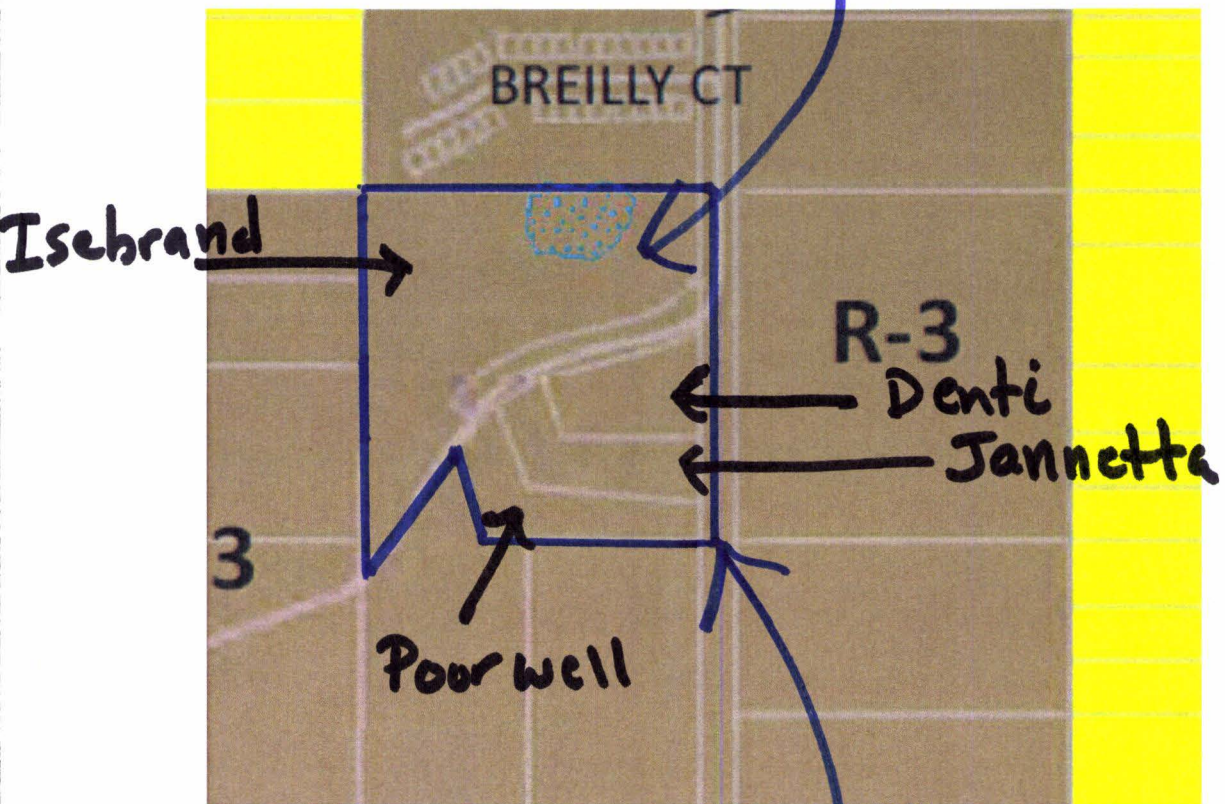
 Development Preserve

 Industrial

 Public / Semi Public

 Park / Open Space

 Mixed Residential



Region area to
R-1

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Bruce and Sharon Isebrand, 815 SE 19th Street, Brainerd, MN 56401, have submitted a request on behalf of themselves for their property at 1015 Walnut Street and on behalf of the following property owners:

Annamarie Denti – 1014 Walnut Street
Michael and Lynn Jannetta – 1016 Walnut Street
Cyrus and Kathleen Poorwell – 1018 Walnut Street

To rezone their properties from an R-3 (High Density Residential) District that permits two-family dwellings (duplexes) and multi-family dwellings to an R-1 (Single-Family Residential) District that permits only single-family dwellings.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, July 18, 2018 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

Dated this 5th day of July 2018.

Mark Ostgarden AICP
City Planner

See reverses side for maps.

Site Aerial

