CITY COUNCIL AGENDA

Brainerd, Minnesota
March 4, 2019
7:30 P.M.
Brainerd City Hall
Council Chambers

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

2. **Roll Call**
   ___ K. Bevans ___ D. Badeaux ___ S. Hilgart ____ J. Lambert

   ___ K. Stunek ____ D. Pritschet ___ G. Johnson ___ Mayor Menk

3. **Pledge Of Allegiance**

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

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

   A. **Approval Of Minutes**
      1. Regular Meeting Held on February 19, 2019

      Documents:

      20190219_CC draft.pdf

   B. **Approval Of Licenses**
      Contractor Licenses - 4 Renewals

      Documents:

      2019-03-04 License RPT.pdf

   C. **Department Activity Reports**
      1. Fire Chief
      2. Parks Director

      Documents:

      Fire Chief Report.pdf
      Park Director report.pdf

   D. **Minnesota Lawful Gambling Application To Conduct Excluded Bingo - Submitted By St. Andrews Church, 1108 Willow St., Brainerd. Bingo Events To Be Held On April 7, 2019 And November**

23, 2019

E. **Temporary Beer License - Submitted By Mid-Minnesota Builders Association For An Event To Be Held March 22 - 24, 2019 At The Essentia Health Sports Center, 502 Jackson St., Brainerd - Contingent Upon Police And Fire Chief Approval**

6. **Council Committee Reports**

A. **Safety And Public Works Committee - 7:00 P.M.**

Documents:

20190304_SPW.pdf

1. Event/Street Closure Application - Annual Elbow Convention

Documents:

Event Application - Annual Elbow Convention.pdf

2. Event/Street Closure Application - Corpus Christi Procession

Documents:

Event Application - Corpus Christi Procession.pdf

3. Resolution - Consolidating Certain Improvement Projects

Documents:

Res - Consolidating Certain Improvement Projects.pdf

4. Resolution - Declaring Sufficiency Of Petition And Setting A Public Hearing - Request To Vacate A Portion Of 16th Street SE From Oak Street To Norwood Street

Documents:

Res - Sufficiency of Petition and Set Public Hearing - Proposed Street Vacation - 16th Street SE from Oak Street to Norwood Street.pdf

5. Resolution - Declaring Sufficiency Of Petition And Setting A Public Hearing - Request To Vacate A Portion Of The Alley Between Oak Street And Norwood Street From 16th Street SE To 17th Street SE

Documents:

Resolution - Petition to Vacate Alley - 16th to 17th, Oak to Norwood Street.pdf

6. Resolution - Declaring The Sufficiency Of Petition And Setting A Public Hearing - Request To Vacate A Portion Of Pine Street Between S 5th

Street And S 6th Street

Documents:

Resolution - Petition to Vacate Street - Pine St. from S 5th St. to S 6th St..pdf

B. **Personnel And Finance Committee - 7:00 P.M.**

Documents:

20190304_PF.pdf

1. Approval Of Bills
2. Resignation Of Paid On Call Firefighter Mailhot

   Documents:

   2019 Agenda Request Joshua Mailhot.pdf

3. Establish New Police Officer Eligibility List

   Documents:

   Request to Establish New Police Officer Eligibility List.pdf

4. Police Lieutenant Promotion Request

   Documents:

   Lieutenant Promotion.pdf

5. Promotion Of Chuck Arvidson To City Building Official

   Documents:

   City Building Official Appointment.pdf

6. Approval Of Final Pay Equity Points And Appeals

   Documents:

   Pay Equity Points and Appeals.pdf

7. Consultant For Performance Evaluation And Culture Training

   Documents:

   SCI SOW City of Brainerd 20190215.pdf

8. Fire Contract Formula For 2020 - Informational

   Documents:

Fire Contract Formula for 2020.pdf

7. **Unfinished Business**

   A. **Call For Applicants - Informational**

      (Applications Available in Council Chambers, at City Hall or at the City's Website)(*http://www.ci.brainerd.mn.us/*)

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

      Cable TV Advisory Committee - 2 terms (Expire 2021)
      Charter Commission - 1 term (Expire 2021) - 1 term (Expire 2022)
      Transportation Advisory Committee - 1 term (Expire 2019) 1 term (Expire 2020)
      Rental Dwelling Board of Appeals - 2 terms (see below) - (Expire 2020)
      1. *Tenant Representative (1)*
      2. *General Public Representative (1)*

      Council President Recommended: (all terms expire 12/31 of said year)

      Planning Commission - 2 terms (Expire 2021)

8. **New Business**

   A. **Public Hearing And Resolution - Ordering Improvements, Approving Plans And Specifications, And Ordering Advertisement For Bids - Improvement 17-06 And 17-07**

      Documents:

      PH and Res - Ordering Improvements, Approving Plans and Specifications, and Ordering Advertisement for Bids - Improvement 17-06 and 17-07.pdf

   B. **First Reading - Proposed Ordinance No. 1492 - An Ordinance Amending City Code Sections 1010, 1015, 425 And 421 - City Administrator Torstenson Recommends To Dispense With The Actual Reading**

      - Section 1010 - License Fees
      - Section 1015 - Permit Procedures and Fees
      - Section 425 - Rental Housing Maintenance Code
        - (Administered by RES 45:10
      - Section 421 - Uniform Fire Code

      Documents:

      ORD 1492 - First Reading City Fees.pdf

9. **Planning Commission**

   A. **Variance Request - 2910 Oak Street, Brainerd - To Construct A 24'x24' Accessory Structure With A 13' Setback**

      Documents:

      Variance Request 2910 Oak Street Accessory Structure.pdf

10. **Public Forum**
    Time allocated for citizens to bring matters not on the agenda to the attention of the Council - Time limits may be imposed

11. **Staff Reports**

    (Verbal: Any Updates since Packet)

12. **Council Member Reports**

13. **Motion To Joint City Council/BPU Commission Closed Session Pursuant To M.S. 13D.03 To Discuss Negotiation Strategy**

14. **Motion To Closed Session Pursuant To M.S. 13D.03 To Discuss Negotiation Strategy**

15. **Closed Session Pursuant To M.S. 13D.05, Subd. 3(B), For Attorney-Client Privilege**

16. **Adjourn**

Note: Safety and Public Works Committee will meet at 7:00 p.m.
Personnel and Finance Committee will meet at 7:00 p.m.

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

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

Brainerd, MN
February 19, 2019

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 Johnson.

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

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AMEND THE AGENDA BY ADDING TRAINING ROOM RENTAL 4 TO 8 HOURS RECOMMENDED FEE INCREASE UNDER DISCUSSION OF CITY CODE SECTION 1010 – LICENSING FEES.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ADOPT THE AGENDA AS AMENDED.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO AMEND THE CONSENT CALENDAR BY ADDING ON-SALE BEER LICENSE FOR BRICK HOUSE PIZZA AND MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT FOR BRAINERD LAKES CHAPTER MN DARKHOUSE & ANGLING ASSOCIATION.

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

A. Approval of the Minutes of the Regular Meeting held on February 4, 2019 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 6 – Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Minnesota Lawful Gambling Premises Permit Application – Adopt Resolution to Allow Lawful Gambling by the VFW Post 1647 at Yesterday's Gone, 219 S 9th St., Brainerd, MN – Adopted by Resolution No. 08:19

E. *(Added Item)* On-Sale Beer License – Submitted by Brick House Pizza, 302 Washington St. Brainerd – Due to Ownership Change from Mr. Nicholas O'Reilly to Mr. Robert Sullivan Contingent Upon Fire Inspection and Background Check - Approved

F. *(Added Item)* Minnesota Lawful Gambling Application for Exempt Permit – Submitted by the Brainerd Lakes Chapter MN Darkhouse & Angling

Association, 225 1st St., Randall, MN for an Event to be Held March 30, 2019 at the Brainerd American Legion, 708 Front St., Brainerd - Approved

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

Presentations

The Chair welcomed Ms. Amy Wyant and Mr. Tom Gonzalez, project coordinators for Bridges of Hope who presented updates of the Self-Healing Communities project. Ms. Wyant shared the greatest needs identified and messages of hope and education. Bridges of Hope partners with Crow Wing County Community Services and recently received data on the chemical related child protection reports. She stated the focus has been on the out of home placement data points which are high in Crow Wing County. Ms. Wyant reviewed some of the specific areas that they are working on in building healthy families. Mr. Gonzalez presented statistics from the origination of the Self-Healing Communities model based in the state of Washington that focus on Adverse Childhood Experiences (ACEs). The Chair thanked them for the presentation.

The Chair welcomed Mr. Tyler Glynn, economic development officer for Brainerd Lakes Area Economic Development Corporation (BLAEDC) who stated he will be presenting updates every other month to the Council in conjunction with the Economic Development Authority (EDA) meetings. He is working with City Administrator Torstenson on improving communication with the City regarding updates of the various projects. The BLAEDC Annual Meeting is taking place on February 25, 2019 at Arrowhead Lodge at 11:30 a.m. with former Duluth Mayor Don Ness as the featured speaker. He indicated that there will be other presentations from individuals throughout Crow Wing County regarding different projects and invited the Council to attend. He reviewed the functions of BLAEDC and summarized what BLAEDC does for the community. Mr. Glynn also briefly explained Opportunity Zones, the potential financial impact they have and the BLAEDC Annual Financial Report. Questions were answered and the Chair thanked him for the presentation.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

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

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

Building Official – Request Authorization to Post the Position Internally - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO AUTHORIZE AN INTERNAL-ONLY JOB POSTING FOR THE BUILDING OFFICIAL POSITION AS REQUIRED BY THE EMPLOYEE POLICY MANUAL.

Approval of 2019 - 2021 Teamsters (Police Supervisors) Union Contract – Adopted by Resolution 09:19

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO APPROVE THE 2019 - 2021 TENTATIVE AGREEMENT SUMMARY BETWEEN THE CITY AND TEAMSTERS GENERAL LOCAL UNION NO. 346.

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX TO ADOPT A RESOLUTION SETTING THE TEAMSTERS (POLICE SUPERVISORS) WAGES FOR 2019 – 2021.

RESOLUTION NO. 09:19

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

Discussion of City Code Section 1010 - Licensing Fees – Informational

Committee Chair Hilgart stated discussion took place at committee level on the recommended changes to city fees. It was determined that the recommended changes to the rental housing fee be referred to the Rental Housing Review Committee for input. The recommended liquor license fees for bars and restaurants will be discussed further and formal ordinance procedures will be at a later date.

Resolution to Close Out Bond Fund 314 and 322 – Adopted by Resolution No 10:19

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK TO ADOPT A RESOLUTION TRANSFERRING CERTAIN FUNDS TO AND FROM SINKING FUNDS.

RESOLUTION 10:19

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

Safety and Public Works Committee Report

Improvement 19-01 – NW 4th Street Improvements Cost Share Agreement with Crow Wing County - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE AND EXECUTE THE CONSTRUCTION COST SHARE AGREEMENT FOR IMPROVEMENT 19-01 – NW 4TH STREET IMPROVEMENTS WITH CROW WING COUNTY.

Improvement 19-01 – NW 4th Street Improvements Geotechnical Exploration Proposal - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE SCOPE OF SERVICES FROM BRAUN INTERTEC FOR GEOTECHNICAL EVALUATION AS IT RELATES TO IMPROVEMENT 19-01 – NW 4TH STREET IMPROVEMENTS.

Improvement 19-02 – Cuyuna Lakes State Trail Brainerd Segment – Professional Services Proposal - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE AND EXECUTE THE PROPOSAL FROM SEH AS PRESENTED AT AN ESTIMATED COST OF $278,600.

Improvement 19-05 – 2019 Pavement Marking Cost Share Agreement with Crow Wing County - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE AND EXECUTE THE COST SHARE AGREEMENT WITH CROW WING COUNTY FOR PAVEMENT MARKING SERVICES IN CONSTRUCTION YEAR 2019 IN THE TOTAL ESTIMATED AMOUNT OF $15,521.

Notice of Hearing – Annual Municipal Separate Storm Sewer System (MS4) Stormwater Presentation and Public Hearing - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND SET THE ANNUAL MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) STORMWATER PUBLIC HEARING FOR MARCH 18, 2019 AT 7:30 P.M. DURING THE CITY COUNCIL MEETING.

***(Added Item)* Update on Options for Buffalo Hills Lane Improvements - Informational**

Committee Chair Bevans stated at a previous council meeting, staff was directed to research the alternatives the City has regarding Buffalo Hills Lane if the improvement project does not occur. The information is not yet available and will be part of an agenda item at a future meeting.

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)
Cable TV Advisory Committee – 2 terms (Expire 2021)
Charter Commission –1 term (Expire 2021) – 1 term (Expire 2022)
Transportation Advisory Committee – 1 term (Expire 2019) – 1 term (Expire 2021)
Rental Dwelling Board of Appeals – 2 terms (see below) (Expire 2020)

1. *Tenant Representative (1)*
2. *General Public Representative (1)*

Council President Recommended: (all terms expire 12/31 of said year)
Planning Commission – 2 terms (Expire 2021)

New Business

Legislative Agenda – Approved

City Administrator Torstenson explained when bills move through the legislature, there is often not enough time to bring topics to the Council for approval to send letters in support or opposition of the bill. A proposed legislative agenda for 2019 has been drafted for consideration by the Council.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE LETTERS TO BE SENT TO THE LEGISLATORS REGARDING THE SIX CITY PRIORITIES AS PRESENTED.

Council President Johnson indicated Council will review the additional topics listed and advise at a later meeting. He highlighted the bonding request for funding for the Riverfront Trail and Trailhead along the Mississippi River listed and asked Council if there were any other possible items to consider.

City Administrator Torstenson stated the Children's Museum has expressed interest in potentially locating on the Region 5 area, but it is premature to request bonding since they have not yet chosen a location.

Public Forum

The Chair opened the Public Forum at 8:25 p.m.

No one came forward.

The Chair closed the Public Forum at 8:25 p.m.

Staff Reports

City Engineer Sandy reported the application was submitted for Transportation Alternatives funding related to trail construction on Trunk Hwy 25 from 28th Street SE and 5th Ave NE and was presented to the Region 5 Transportation Advisory Council. The scoring is based on points received from the presentation to the Area Transportation Partnership (ATP) and the City did not receive the regional significance points to be awarded the funding. However, this is the smallest project from Region 5 and if there are funds leftover, it may still be able to be funded.

Community Development Director Chanski stated the Planning Commission held a retreat last week that was very beneficial to him and the commission. There were a lot of great ideas, goals and objectives for the commission to work on in 2019.

Finance Director Hillman stated the Coalition of Greater Minnesota Cities sent a message that Governor Walz has proposed LGA funding return to the 2002 levels. They are requesting the City send emails of support to the Governor which will be done.

Council Member Reports

Council member Lambert stated the Planning retreat was very informative. She indicated that the Rental Housing Ordinance Review Committee is progressing in the review of the ordinance and Conduct on Premises.

Council member Badeaux thanked the Brainerd Basketball Association for the great work with the boy's and girl's tournaments recently.

Mayor Menk thanked Community Development Director Chanski for leading the planning retreat and the great ideas that have come out of it. He also thanked City Engineer Sandy and the Streets Department for the advanced notices on snow removal throughout the City.

Motion to Closed Session Pursuant to MN Statutes 13D.03 to Discuss Labor Negotiation Strategy – 8:30 p.m.

The Chair reconvened into open session 9:06 p.m.

Adjourn to Council Retreat, Saturday, March 2, 2019 from 12:00 – 4:00 P.M.

The Chair adjourned the meeting at 9:06 p.m.

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS

CITY COUNCIL MEETING
March 4, 2019

(4 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
ABE LLC 1140 122ND STREET SW BRAINERD, MN 56401 19-0156	(218) 838-7173	GENC	12/29/2019	12/31/2019	BC636682
LITTLE PINE MECHANICAL LLC 1575 VOYAGER LANE SW BRAINERD, MN 56401 19-0157	(218) 821-2789	PLUM	3/20/2019	12/31/2019	PC680802
BRYAN'S PLUMBING AND HEATING LLC 8218 COUNTY ROAD 144 BRAINERD, MN 56401 19-0158	(218) 537-7462	PLUM	6/4/2019	12/31/2019	PC743426
G&S EXCAVATING, LLC 4334 ROY LAKE DRIVE NISSWA, MN 56468 19-0159	(218) 820-3927	EXCA SSTS	4/1/2019	12/31/2019	L2450

Brainerd Fire Department

To: Mayor and City Council

From: Tim Holmes, Brainerd Fire Chief

Date: February 28, 2019

Re: February 2019 Activity Report

We strongly encourage residents who have fire hydrants in their neighborhoods to make sure they are clear of snow. This will insure a quick response to a fire if we don't have to also work at clearing the fire hydrant.

Brainerd Fire Department was honored this month to be part of two escorts out of town to the state tournaments for the Warrior Cheer Team and the Warrior Dance Team. It is great to be part of the community pride. Several firefighters also read at Garfield School for "Love to Read" month. We also had several station tours and fire safety talks.

Brainerd Fire Department, along with the MN State Fire Marshal's Office hosted a NFPA 3000 (Standard for an Active Shooter/Hostile Event) training. The class was well attended by both Fire, Law Enforcement, EMS, and school district staff. Other training in February included: MN Firefighter Initiative Awareness training for Cardiac/Cancer/Emotional Wellness, Pump Operations, Aerial Operations, Water Supply, Fitness and Team Building. We also completed our annual physicals and hearing test.

Chief Holmes assisted the MN State Fire Marshal's Office with interviews for the State Fire Investigator that will be assigned to this area. Interviews were conducted at the fire station and it was an honor to be asked to participate in this process.

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

Structure Fire	3
Cooking Fire	1
Vehicle Fire	2
Medical Assist	1
Extrication	1
Assist Person in Distress	2
Smoke Scare, Odor	3
Assist Other Governmental Agency	3
Mutual Aid	2
Good Intent Call	1
Canceled Enroute	4
Alarm System Activation	10
Carbon Monoxide Alarm Activation	5
Total	**38**

City of Brainerd Incident Report

Structure Fire	3
Vehicle Fire	1
Medical Assist	1
Assist Person in Distress	1
Smoke Scare, Odor	2
Canceled Enroute	2
Alarm System Activation	5
Carbon Monoxide Alarm Activation	3
Total	**18**

Parks and Recreation Report

March 2019

Submitted by Tony Sailer, Director

- Ski Loons president Chris Dens met with the Park Board to discuss the organization's plans to provide opportunities to its members and being respectful of Rice Lake and its residents. After last season residents expressed concerns regarding the Ski Loons practices, how close the boats were to their docks and frequency of practices.

  Dr. Dens explained the patterns needed to be used for takeoffs and approaches to the dock. He said the Ski Loons will now approach from the beach (west) side rather than from the east where residents live along the lake. He said this should cut the boat traffic on the resident's side by about half. He said boats go to different parts of the lake to practice tricks such as swivels and barefoot skiing.

  Dr. Dens said there are 30-to-50 skiers in the club and practices are Mondays through Thursdays this summer. The Learn to Ski program is on Tuesdays and Thursdays. Team training and special tricks practices are on Mondays and Wednesdays.

- Emily Noble informed the Park Board that $75,000 has been raised for the splashpad project, but with her job and family, has found it difficult to work on fundraising. The Park Board suggested she seek a committee to assist in fundraising events and grant writing.

- Many Buster Park users have expressed a desire for lighting at the dog park, especially during the winter months when it gets dark by 5 p.m. There are no street lights in the vicinity of Buster Park. Staff believes three lights would suffice – one at the gate, one along the west fence and another on the northeast side.

  Staff received two quotes for lighting – one from Illumient, a Chicago based solar company, and the other from Brainerd Public Utilities for electrical lighting. The price per light structure from Illumient was $4,032.90 for a total of $12,098.70. The quote for the three light structures and hookup from BPU is $6,941.66. The BPU proposal includes three fiberglass poles and LED lights. BPU superintendent Scott Magnuson said the higher cost is because crews would have to drill underneath Jenny Street to install an electric line.

  The Park Board tabled the issue until the July meeting since staff requested the use of Park Dedication funds for the project. Currently there is $27,084.98 in the Park Dedication fund, of which $15,000 is earmarked for the Meadows Park playground project and the Park Board approved an additional $2,000 for playground borders and wood chips. The Park Board directed staff to do fundraising to help alleviate the cost of the lights.

- Designs and bids were received from St. Croix Recreation, Flagship Recreation and Minnesota/Wisconsin Playground for a playground at Meadows Park in the Northtown Addition. The City Council approved $15,000 in CIP funds and the Park Board has approved $15,000 in Park Dedication funds for the project. Each company provided two designs.

  The Park Board chose a design by St. Croix Recreation at a cost of $30,000 (see attached), which includes a trained installer to assist in the Parks staff in installing the playground. The Park Board approved an additional $2,000 in Park Dedication funds for wood chips and a wood border. The Brainerd Street Department will assist in leveling the playground area prior to installation. Plans are to have the playground installed by the end of June.

- Carolyn Wolf, senior project manager at McGough Construction in the Twin Cities, has volunteered to assist in planning the redesign of Memorial Park. Ms. Wolf is working on how to phase in the development of the four-field softball complex with the least amount of interference with the adult softball season, and the placement of the hockey rinks, warming house and World War II memorial. Ms. Wolf, while working with Mortensen Construction, was project manager for such projects as Target Field, US Bank Stadium and the DECC in Duluth.

- Approximately 170 individuals attended the annual Valentine's Day skating party Feb. 16 at Gregory Park. Donations were received from Viking Coca-Cola and Wendy's, and individuals also provided goodies to share.
- The Pond Hockey season concluded with the On Golden Pond Jamboree at the Gold Medal Arena on Feb. 24.
- Show dates for the Brainerd Ski Loons will be July 14, Aug. 4, Aug. 11 and Aug. 14. The first three shows begin at 5 p.m. and the last show will begin at 6:30 p.m.
- The Early Bird adult softball tournament will be April 27, the Co-Rec state softball tournament will be Aug. 24 and the Masters state tournament will be Aug. 25. All games will be played at Memorial and Mill Avenue parks.

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PROPOSAL: 100-115681-1

BRAINERD PARK IMPROVEMENTS

ST. CROIX RECREATION
FunPlaygrounds.com

CITY OF BRAINERD
SAFETY AND PUBLIC WORKS COMMITTEE
AGENDA

March 4, 2019
City Council Chambers
7:00 PM

1. Event/Street Closure Application – Annual Elbow Convention

2. Event/Street Closure Application – Corpus Christi Procession

3. Resolution – Consolidating Certain Improvement Projects

4. Resolution - Declaring Sufficiency of Petition and Setting a Public Hearing - Request to Vacate a Portion of 16th Street SE from Oak Street to Norwood Street

5. Resolution - Declaring Sufficiency of Petition and Setting a Public Hearing - Request to Vacate a Portion of the Alley between Oak Street and Norwood Street from 16th Street SE to 17th Street SE

6. Resolution - Declaring the Sufficiency of Petition and Setting a Public Hearing - Request to Vacate a Portion of Pine Street between S 5th Street and S 6th Street

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Event/Street Closure Application - Annual Elbow Convention

☐ 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:

Attached to this request is an event/street closure application for the Annual Elbow Convention to be held from August 23 from 12:00 PM - 1:00 AM and August 24 from 5:00 PM - 1:00 AM. This event is held at Shep's on 6th in the alley to the north of the building between the VFW and Shep's.

Alternatives, Options, Effects on Others/Comments:

The event has been held for numerous years, and contains a street dance from 8:30 PM - 12:30 PM both days. Sound amplification is a part of this event, as a band typically plays during the street dance. The applicant provides fencing on both sides of the event to contain the crowd. The police department has been notified and asked to comment on the event, with the Police Chief recommending approval and, based on the size of the area blocked off and the access control points, does not recommend requesting the applicant to pay for an officer to staff the event. It is evident that the applicant is handling traffic control for the event.

Recommended Action/Motion:

Staff recommends approval of the attached event/street closure application.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

RECEIVED
FEB 21 2019
CITY OF BRAINERD
ADMINISTRATION

SPECIAL EVENT APPLICATION

Date of Application: _____

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 with Street Closure
- ☐ Event – City Park
- ☒ Other EVENT WITH Alley Closure

Name of event: SHEP'S ON 6TH ELBOW CONVENTION

Organizer Information

Organizer's Name: STEVEN SHEPHERD

Organizer's Address: 315 S 6th St

Event Contact Person: STEVEN SHEPHERD

Event Contact Daytime Phone: 218-839-5837

Event Contact E-mail Address: MIXN14V@GMAIL.COM

Contact Name/Number Day of Event: Shep - TWO

For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name: _____

Applicant Address: SAME

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
AUG 23	NOON	1:00AM	
AUG 24	5PM	1:00AM	

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)

Alley Between VFW & SHEPS ON 6TH

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:

Street DANCE 8:30-12:29AM BOTH DAYS

Site Information

Electrical usage ☒ Yes ☐ No

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

Electrical PANEL Provided FROM Shops ON 6th

Amplified Sound ☒ Yes ☐ No

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

Stage & Lighting & Sound By Silent Partner Production (CHRIS DOBSON)

Restrooms provided ☒ Yes ☐ No

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

Company contracted for restrooms: TLG SEPtic

(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:

Some will Be on Security FENCING Also Some ON Property Around town - with property owners okay

Trash Receptacle Disposal ☒ Yes ☐ No

Company contracted for trash receptacle disposal: WASte Partners

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):

Alley Between VFW - 5th & 6th

Date and time for beginning of street closures: Aug 23rd - 10 AM

Date and time for reopening of streets: Aug 25 - 3 AM

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.

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.

* MAP ON BACK PAGE

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

STEVEN C SHEPHERD

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				Contact the Parks & Recreation Department for information/procedure.
Fire/EMS/Police support				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				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				All food vendors must apply for a temporary food permit through the Minnesota Health Department (MDH).
Insurance Certificate				May be required before issuing a permit.
Sign/banner Permits				Contact the Planning Department for information/procedure.
Parade Permit				Issued by the Police Department after complete submission of application.
Alcohol Use Permit				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	NONE	
City Administration	NONE	
Engineering Department		TRAFFIC CONTROL REQUESTS - CALL 218-454-3410
Fire Department	NONE	
Fire Support/EMS	NONE	
Parks Department	NONE	
Planning Department	NONE	
Police Department	NONE	CHIEF MCQUISTON COMMENTED THAT NO NEED FOR STAFFED OFFICER @ EVENT.

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

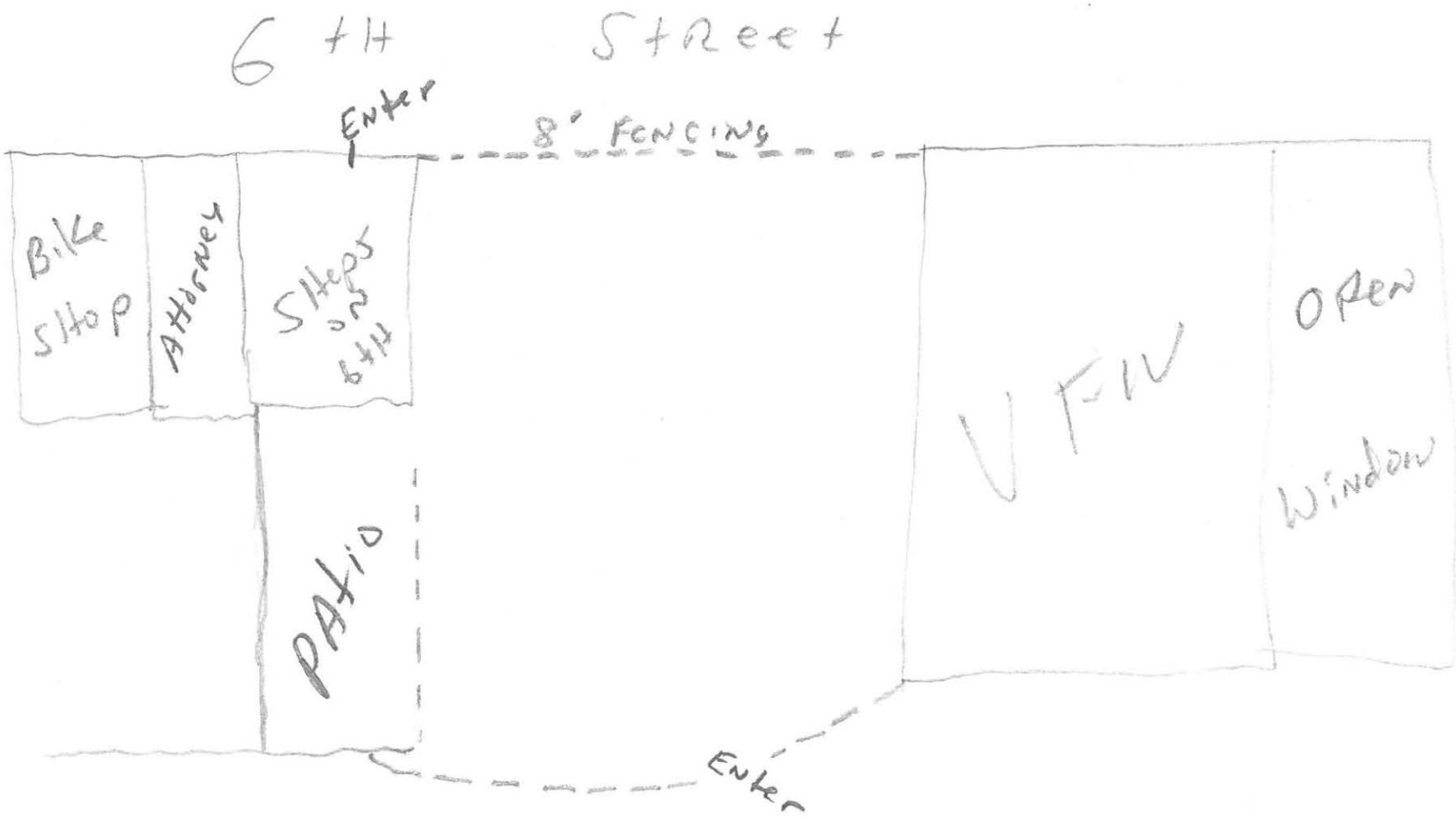
The street closure request as described herein was approved by the City Council at their _____, 20__ meeting. Approval is subject to the following condition(s):

_____

_____

_____

_____


6th Street
Enter
8' FENCING
Bike Stop
Attorney
Steps on 6th
PATIO
VFW
Open Window
Enter

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Event/Street Closure - Corpus Christ Procession

☐ 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:

Attached to this request is an event/street closure application for the Corpus Christi Procession to be held on June 23, 2019 from 12:00 PM - 1:30 PM. This event is held by the Lakes Area Catholic Churches.

Alternatives, Options, Effects on Others/Comments:

The event consists of a procession between St. Francis Catholic Church and St. Andrew's Catholic Church. It will involve a number of people moving as a group through town. There will be low amplified sound and singing of hymn music. The route will utilize Juniper Street, North 8th Street, South 8th Street, South 9th Street, and Willow Street. There will be 3-4 stops for prayers. There will be flyers and information distributed to property owners prior to the event taking place.

Recommended Action/Motion:

Staff recommends approval of the attached event application under the conditions that the applicant, prior to the event, request any need for assistance at busy street crossings with the Police Department.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

RECEIVED
FEB 14 2019
CITY OF BRAINERD
ADMINISTRATION

Street Closure, Special Event And Festival Application

Brainerd, Minnesota

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

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

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

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

Application for a Street Closure, Special Event and Festival Permit

PART I: GENERAL INFORMATION

Name of the event: Corpus Christi Procession

Date(s) of the event: June 23, 2019

Time of event (setup to breakdown): 12:00 PM - 1:30 PM

Location: Route b/w St. Francis Catholic Church & St. Andrew's Catholic Church on Juniper to N 8th to Willow St.

Estimated number of attendees: 400

Organizer Information

Organizer's name (Please print): Lakes Area Catholic Churches

Organizer's address: 1108 Willow St. Brainerd, MN 56401

Event contact person: Dan O'Reilly

Event contact daytime phone number: (h)_____(w)_____(c) 218-831-3197

Event contact persons e-mail address: dan@oreillystavern.com

Contact name and phone number to be used on the day of the event:

(h)_____(w)_____(c) 218-831-3197

For Profit/Nonprofit status (type): Nonprofit

Applicant Information, if different from the event organizer:

Applicant name (Please print):_____

Applicant address: _____

Applicant's telephone number (h)_____(w)_____(c)_____

Event contact e-mail address: _____

Description of Activities

Brief description of the activities planned during the event: Procession of people praying. The procession will take place between St. Francis Catholic Church & St. Andrew's Catholic church. It will involve a number of people moving as a group through town. There will be some low amplified sound and singing of hymn music.

If a parade, please describe the proposed route with the assembly and dispersal locations and attach a map: The route will begin at St. Francis Church at 404 N 9th St. and proceed West on Juniper St to North 8th St. At N 8th St. the procession will turn South and proceed down 8th St. Until it becomes S. 9th St. The procession will make 3-4 stops for prayers at North 8th & Juniper, between front and Norwood st. 214 S 8th St , between oak and quince & 1205 S 9th St along the way and ending at St. Andrew's Church 1108 Willow St.

Site Information

Electrical usage? *Yes* ☐ *No* ☑

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

Amplified sound? *Yes* ☑ *No* ☐

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

Some sound amplification will be used to allow the procession group to follow along with prayers said during the procession. This will consist of a small set of speakers on the back of a vehicle.

Restrooms provided? *Yes* ☐ No ☑ How many? _____

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

Company contracted for restrooms: _____

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

Sign, banners, and posters/flyers? *Yes* ☑ *No* ☐

Locations and descriptions: Only carried with the group during the procession.

Trash Disposal? *Yes* ☐ *No* ☑

Company contracted for trash disposal: _____

Event Layout and Street Site Map *Yes* ☑ *No* ☐

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

Area Notification

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

Flyers/Information distributed to property owners prior to the event.

PART II: STREET CLOSURE REQUEST

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

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

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

We would request an escorted crossing of major intersections such as 8th and Washington St. As well as through the downtown area.

Time and date for beginning of street closures: June 23rd, 2019 Starting at 12:15 PM

Time and date for reopening of streets: June 23rd, 2019 once the procession has passed

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

Flyer and information will be handed out to property owners prior to the event.

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

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

PART III: CONTACTS, PERMITS, AND FEES CHECKLIST

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

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

Contact Information:

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

PART VI: FOR OFFICIAL USE ONLY

Departmental Sign-Offs Required

	Approval Date/Initials	Comments
Brainerd Public Utilities	2/15	NONE
City Administration	2/14	NONE
Engineering Depart.	2/14	REQUESTS FOR TRAFFIC CONTROL FOR EVENT? CALL 218-828-2307.
Fire Department	2/15	NONE
Fire Support/EMS	2/15	NONE
Parks and Recreation	2/14	NONE
Planning Department	2/14	NONE
Police Department	2/19	CALL BRAINERD PD IF ANY REQUESTS FOR POLICE ASSISTANCE AT BUSY ROAD CROSSINGS.

Certification of Street Closure Approval

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

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

_____

Special Event/Festival Application and Permit Approval

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

_____

City Administrator

_____

Date

PART IV: HOLD HARMLESS AGREEMENT AND INSURANCE INFORMATION

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

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

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

PART V: SIGNATURE OF EVENT APPLICANT

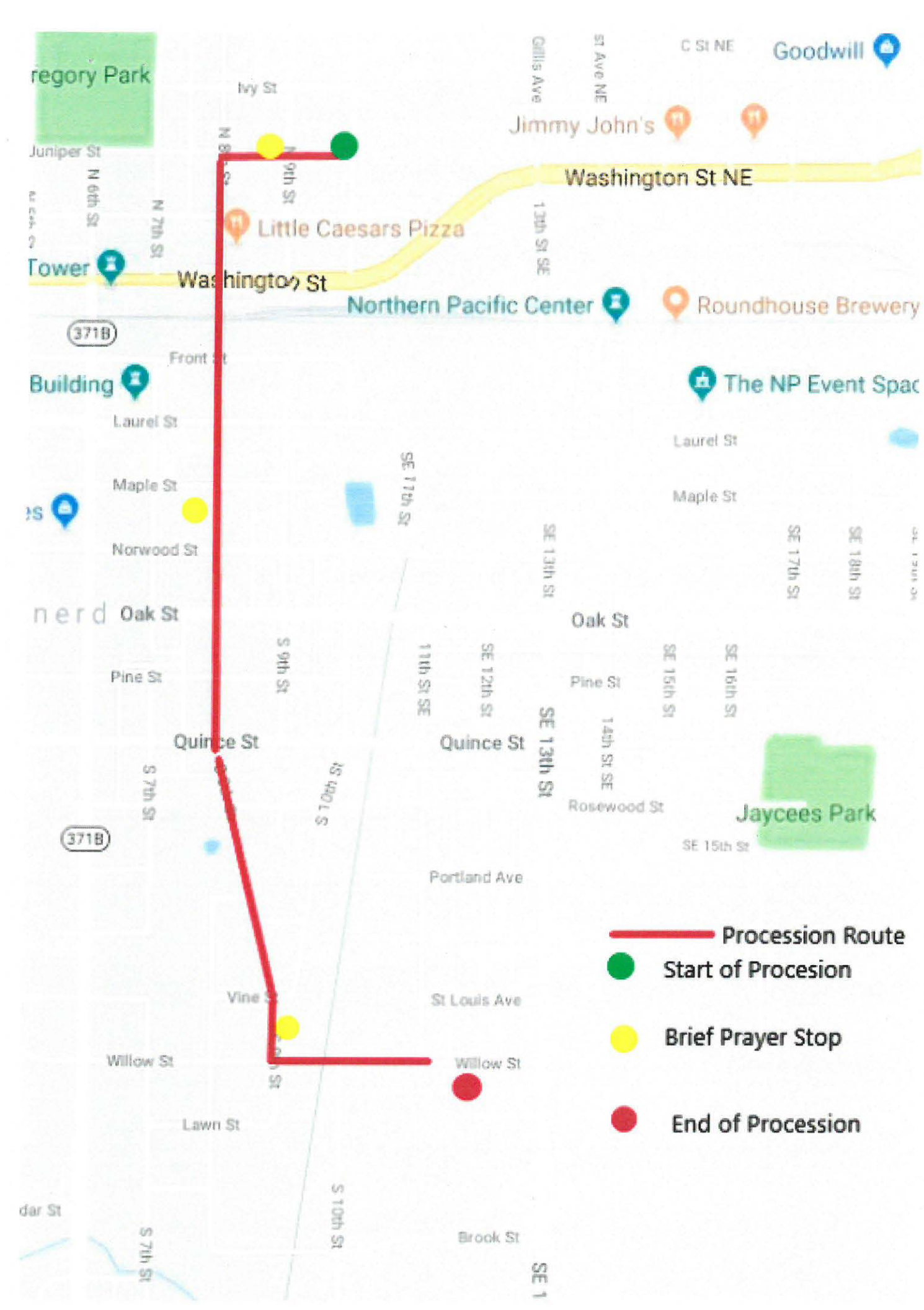
I attest that the above information is true and accurate and I have signed this application on behalf of the Applicant. I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.

Daniel O'Reilly
Signature of the Event Applicant

2/14/2019
Date submitted to the City

Daniel O'Reilly
PRINT NAME

Procession Coordinator
Event Applicant Title


Procession Route
Start of Procesion
Brief Prayer Stop
End of Procession
Ivy St
Juniper St
N 6th St
N 7th St
N 9th St
Washington St NE
Little Caesars Pizza
Washington St
Northern Pacific Center
Roundhouse Brewery
Front St
Laurel St
Maple St
Norwood St
Oak St
Pine St
Quince St
S 9th St
S 7th St
S 10th St
Vine St
Willow St
Lawn St
St Louis Ave
Portland Ave
Brook St
Gillis Ave
1st Ave NE
C St NE
Goodwill
Jimmy John's
13th St SE
SE 11th St
SE 13th St
11th St SE
SE 12th St
14th St SE
SE 15th St
SE 16th St
SE 17th St
SE 18th St
Rosewood St
Jaycees Park
The NP Event Spac
371B

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Resolution - Combining Certain Improvement Projects

☐ 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:

Attached to this request is a resolution in which combines Improvement 17-06 and 17-07 which consist of the NE H Street Reconstruction and 10th Avenue NE Reconstruction.

Alternatives, Options, Effects on Others/Comments:

The reason for combining improvement projects has many advantages. Better bid prices for larger projects are usually expected. As the committee knows, we let two larger contracts this year. One consisted of our State Aid projects and the other our locally funded projects. By consolidating these projects by resolution, all assessment proceedings can be conducted as one proceeding. This also ensures that we meet the 20% assessed cost for bonding purposes per Minnesota Statute 429.

Recommended Action/Motion:

Staff recommends adopting both resolutions attached to this request so that our locally funded projects and state aid projects will be officially combined.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

R E S O L U T I O N

NO _____

RESOLUTION CONSOLIDATING
CERTAIN IMPROVEMENT PROJECTS

WHEREAS, the City of Brainerd (the "City") previously instituted proceedings for the following public improvements:

City Improvement 17-06 (the "First Project") and City Improvement 17-07 (the "Second Project")

WHEREAS, the City Council set an improvement hearing for both the First Project and the Second Project for March 4, 2019; and

WHEREAS, the City Council will consider ordering the improvements described as the First Project and the Second Project immediately following the public hearing therefor; and

WHEREAS, the proceedings for the above projects were set on substantially the same dates; and

WHEREAS, the City Council has determined that the various components of the First Project and the Second Project may be more economically completed if consolidated and joined as one project, as authorized under Minnesota Statutes, Section 435.56.

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

1. The Council hereby consolidates and joins the First Project and the Second Project as a single consolidated improvement project for all purposes under Minnesota Statutes, Section 435.56 and Chapter 429.

2. All proceedings in connection with each component of the above-named projects shall be deemed instituted and conducted as one proceeding.

3. The consolidated project is designated as "NE H Street and 10th Avenue NE Reconstruction Project".

Adopted this _____ day of _____, 2019

_____
GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

_____
EDWIN L. MENK
Mayor

ATTEST:_____
CASSANDRA TORSTENSON
City Administrator

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Resolution - Petition to Vacate Street - 16th St. from Oak St. to Norwood St.

☐ 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:

Attached to this agenda request is a copy of a petition to 16th Street SE from Oak Street to Norwood Street. Also attached is a resolution in which declares the sufficiency of the attached petition and sets a public hearing on a vacation commenced by a petition of a majority of abutting property owners. This petition was submitted by ISD 181 as part of the renovations and additions being planned at Harrison Elementary.

Alternatives, Options, Effects on Others/Comments:

Minnesota Statute 412.851 regulates streets vacations my municipalities. When a majority of abutting owners petition to vacate a street, the City must pass a resolution in which declares the petition sufficient and set a public hearing on the proposed vacation. A majority of abutting property owners is considered individuals having property interests in the land abutting the street or alley being vacated. This is not determined by front footage. For example, if there are four abutting properties, three must sign the petition, even if one of the four owners who didn't sign owned 90% of the abutting property. In this circumstance, a majority of the property owners have signed the attached petition initiated by the district, who also owns property abutting the proposed vacation. Once this resolution is adopted, published and mailed notice is sent to affected parties. Published notice will run once a week for two weeks. Mailed notice will be sent to affected parties at least 10 days before the hearing. It is a little gray on what constitutes affected parties, however, staff recommends sending the notice to all properties within a 300 foot radius of the proposed vacation.

Recommended Action/Motion:

Staff recommends adoption and execution of the attached resolution in which declares the sufficiency of the attached petition and sets the public hearing on the proposed vacation on April 1, 2019 at the regularly scheduled council meeting.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

PETITION FOR STREET OR ALLEY VACATION

Date Feb. 21, 2019

Brainerd, Minnesota

To the City Council of Brainerd, Minnesota:

We, the undersigned, owners of real estate abutting on the following described street or alley hereby petition that such street be vacated as follows:

16th Street SE between Norwood Street and Oak Street (properties that abut 16th Street SE in this location include all or portions of Lots 5, 6, and 7, Block 16 of Sleepers Addition to Brainerd and Block 17 of Sleepers Addition to Brainerd). Please refer to attached map.

in accordance with the provisions of Brainerd City Code Section 810.

all on attached sheet

	NAME	ADDRESS	LEGAL DESCRIPTION
1.	Marci Ford	1515 Oak Street, Brainerd, MN	
2.	[illegible]	1601 Oak Street, Brainerd, MN	
3.	[illegible]	515 SE 16th Street, Brainerd, MN	
4.		509 SE 16th Street Brainerd, MN.	
5.		505 SE 16th Street Brainerd, MN.	
6.	[illegible]	501 SE 16th Street, Brainerd, MN.	

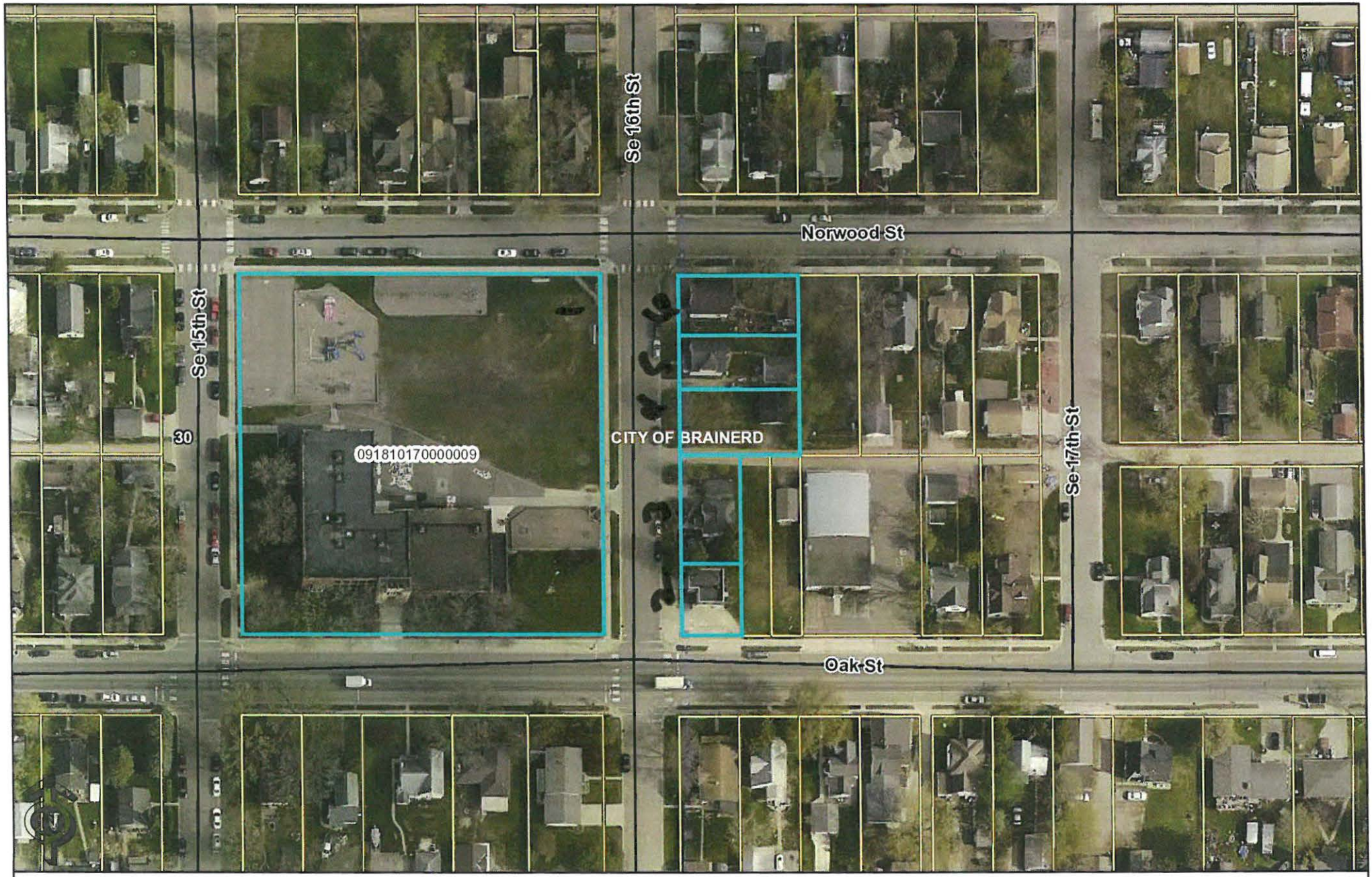
STATE OF MINNESOTA }
} ss
COUNTY OF CROW WING }

JEFF FLATEN, 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.

Subscribed and sworn to before me

this 21st day of February, 2019

LISA K. WINTEROWD
Notary Public
State of Minnesota
My Commission Expires
January 31, 2024



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

16th Street SE

Street Vacation Petition

Date: 2/4/2019 Time: 5:54:15 PM

CROW WING COUNTY MINNESOTA

16th Street Vacation Legal Descriptions

1. Brainerd School District, 1515 Oak Street, Block 17, Sleepers Addition to Brainerd
2. Milton (Tony) Sarff, 1601 Oak Street, South 60 FT of Lot 7, Block 16, Sleepers Addition to Brainerd
3. Richard VanwynGeeren, 515 SE 16th Street, all of Lot 7 Block 16 except SOUTH 60 FT thereof, Sleepers Addition to Brainerd
4. Cluever Construction, 509 SE 16th Street, South 55 FT of South 100 FT of lots 5&6, Block 16, Sleepers Addition to Brainerd
5. Richard McKay, 505 SE 16th Street, North 45 FT of South 100 FT of Lots 5&6, Block 16, Sleepers Addition to Brainerd
6. Carole Paschelke, 501 SE 16th Street, North 50 FT of Lots 5&6, Block 16, Sleepers Addition to Brainerd

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

A RESOLUTION DECLARING SUFFICIENCY OF PETITION AND SETTING A PUBLIC HEARING ON A VACATION COMMENCED BY A PETITION OF A MAJORITY OF ABUTTING LANDOWNERS

WHEREAS, a petition signed by the majority of property owners abutting a portion of 16th Street Southeast in the City of Brainerd and was received by the City Clerk on the 21st day of February 2019; and

WHEREAS, the petition requested that the City Council pursuant to Minnesota Statute §412.851 vacate a portion of 16th Street Southeast between Oak Street and Norwood Street legally described as:

That portion of 16th Street Southeast lying between the north right-of-way line of Oak Street and the south right-of way line of Norwood Street adjacent to all or portions of Lots 5, 6, and 7, Block 16 of Sleeper's Addition to the City of Brainerd and Block 17 of Sleeper's Addition to the City of Brainerd.

WHEREAS, the City Clerk has reviewed and examined the signatures on said petition and determined that such signatures constitute a majority of the landowners abutting upon the portion of each street to be vacated; and

WHEREAS, a copy of said petition is attached hereto.

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

The Council will consider the vacation of such street and a public hearing shall be held on such proposed vacation on the 1st day of April 2019, before the City Council in the City Hall located at 501 Laurel Street, Brainerd, MN 56401 at 7:30 p.m. and;

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Adopted this _____ day of _____, 2019

_____
GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

_____
EDWIN L. MENK
Mayor

ATTEST:_____
CASSANDRA TORSTENSON
City Administrator

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City of Brainerd has received 3 petitions from Independent School District 181 for the vacation of all or portions of 16th Street Southeast between Oak Street and Norwood Street, the east/west alley between Oak Street and Norwood Street between 16th Street SE and 17th Street Southeast, and Pine Street between South 5th Street and South 6th Street legally described below for each respective portion:

16th Street Southeast – Oak Street to Norwood Street
That portion of 16th Street Southeast lying between the north right-of-way line of Oak Street and the south right-of way line of Norwood Street adjacent to all or portions of Lots 5, 6, and 7, Block 16 of Sleeper's Addition to the City of Brainerd and Block 17 of Sleeper's Addition to the City of Brainerd.

East/West Alley – 16th Street Southeast to 17th Street Southeast between Oak Street and Norwood Street
That portion of the east west alley between Oak Street and Norwood Street between 16th Street Southeast and 17th Street Southeast adjacent to Lots 3, 4, 5, 6, 7, 8, 9, and 10 of Sleeper's Addition to the City of Brainerd. This constitutes the westerly 2/3 of said alley way.

Pine Street – South 5th Street to South 6th Street
That portion of Pine Street lying between the east right-of-way line of S 5th Street and the west right-of-way line of S 6th Street and lying adjacent to all or portions of Lots 11 and 13, Block 185 in the First Addition to Brainerd and Block 161 in the First Addition to Brainerd.

Notice is further given that the City Council of Brainerd will meet in the Council Chambers of the City Hall at Brainerd, Minnesota, at 7:30 p.m. on Monday, April 1, 2019 to conduct a Public Hearing to consider said Vacation.

Such persons as desire to be heard with reference to the proposed vacation of said street will be heard at this meeting.

Dated this 5th day of March 2019

_____
Cassandra Torstenson
City Administrator

Publish - 2 times on
March 8, 2019 and March 15, 2019

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Resolution - Petition to Vacate Alley - 16th to 17th, Oak to Norwood Street

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☑ SPW COMMITTEE ☐ MAIN AGENDA	**Action Requested:** ☐ Approve/Deny Motion ☑ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 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:

Attached to this agenda request is a copy of a petition to vacate the east/west alley from Oak Street to Norwood Street between 16th Street SE and 17th Street SE. Also attached is a resolution in which declares the sufficiency of the attached petition and sets a public hearing on a vacation commenced by a petition of a majority of abutting property owners. This petition was submitted by ISD 181 as part of the renovations and additions being planned at Harrison Elementary.

Alternatives, Options, Effects on Others/Comments:

Minnesota Statute 412.851 regulates streets vacations by municipalities. When a majority of abutting owners petition to vacate a street, the City must pass a resolution in which declares the petition sufficient and set a public hearing on the proposed vacation. A majority of abutting property owners are considered individuals having property interests in the land abutting the street or alley being vacated. This is not determined by front footage. For example, if there are four abutting properties, three must sign the petition, even if one of the four owners who didn't sign owned 90% of the abutting property. In this circumstance, a majority of the property owners have signed the attached petition initiated by the district, who also owns property abutting the proposed vacation. Once this resolution is adopted, published and mailed notice is sent to affected parties. Published notice will run once a week for two weeks. Mailed notice will be sent to affected parties at least 10 days before the hearing. It is a little gray on what constitutes affected parties, however, staff recommends sending the notice to all properties within a 300 foot radius of the proposed vacation.

Recommended Action/Motion:

Staff recommends adoption and execution of the attached resolution in which declares the sufficiency of the attached petition and sets the public hearing on the proposed vacation on April 1, 2019 at the regularly scheduled council meeting.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

PETITION FOR STREET OR ALLEY VACATION

Date Feb 21, 2019

Brainerd, Minnesota

To the City Council of Brainerd, Minnesota:

We, the undersigned, owners of real estate abutting on the following described street or alley hereby petition that such street be vacated as follows:

Westerly 2/3 of the alley between 16th Street SE and 17th Street SE (properties that abut this portion of the alley include all or portions of Lots 3, 4, 5, 6, 7, 8, 9, and 10, Block 16 of Sleepers Addition to Brainerd). Please refer to attached map.

in accordance with the provisions of Brainerd City Code Section 810.

	NAME	ADDRESS	LEGAL DESCRIPTION
1.	Marci Ford	1609 Oak Street, Brainerd	
2.	Marci Ford	1609 Oak Street (lot next - Address unknown)	vacant lot next to. Address unknown.
3.		1601 Oak Street, Brainerd, MN	
4.		~~515~~ SE. 16th Street, Brainerd, MN.	
5.		509 SE. 16th Street, Brainerd, MN.	
6.	Christian Hankel	1616 Norwood Street, Brainerd MN	
7.	Christian Hankel	1614 Norwood Street, Brainerd, MN. (extra lot tied to ↑ address)	

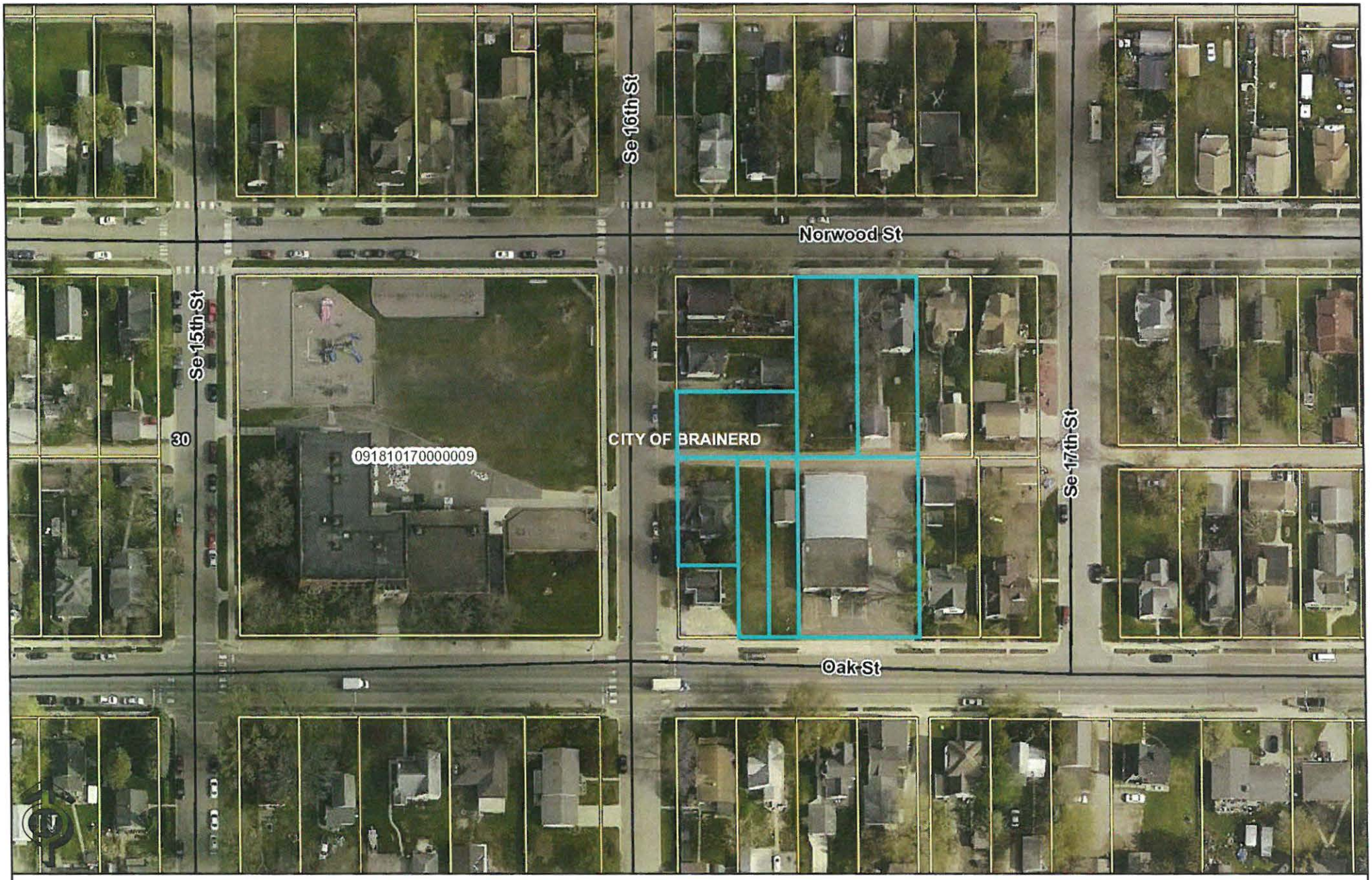
STATE OF MINNESOTA }
} ss
COUNTY OF CROW WING }

JEFF FLATEN, 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.

Subscribed and sworn to before me

this 21st day of February, 2019

Notary Public
State of Minnesota
My Commission Expires
January 31, 2024



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

Alley Between 16th Street SE and 17th Street SE

Alley Vacation Petition

Date: 2/4/2019 Time: 5:57:17 PM

CROW WING COUNTY MINNESOTA

Alley Vacation Paperwork – Legal Descriptions

1. Brainerd School District: 1609 Oak Street, Lots 9 and 10 Block 16, Sleepers Addition to Brainerd
2. Brainerd School District: Unknown address, vacant lot, See above.
3. Milton (Tony) Sarff, Unknown address, West 25 FT of lot 8, Block Bock 16, Sleepers Addition to Brainerd
4. Richard Van Wygeeren, 515 SE 16th Street, All of Lot 7 Block 16, except the S60 Ft thereof, Sleepers Addition to Brainerd
5. Cluever Construction, 509 SE 16th Street, S 55 Ft of S 100 Ft of Lots 5 & 6, Block 16, Sleepers Addition to Brainerd
6. Christian Hankel, 1616 Norwood Street, Lot 3, Block 16, Sleepers Addition to Brainerd
7. Christian Hankel, Unknown address, vacant lot, XXX Norwood Street, Lot 4, Block 16, Sleepers Addition to Brainerd

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

A RESOLUTION DECLARING SUFFICIENCY OF PETITION AND SETTING A PUBLIC HEARING ON A VACATION COMMENCED BY A PETITION OF A MAJORITY OF ABUTTING LANDOWNERS

WHEREAS, a petition signed by the majority of property owners abutting a portion of the east/west alley between Oak Street and Norwoord Street between 16th Street Southeast and 17th Street Southeast in the City of Brainerd and was received by the City Clerk on the 21st day of February 2019; and

WHEREAS, the petition requested that the City Council pursuant to Minnesota Statute §412.851 vacate a portion of the east/west alley way between Oak Street and Norwood Street between 16th Street Southeast and 17th Street Southeast legally described as:

That portion of the east west alley between Oak Street and Norwood Street between 16th Street Southeast and 17th Street Southeast adjacent to Lots 3, 4, 5, 6, 7, 8, 9, and 10 of Sleeper's Addition to the City of Brainerd. This constitutes the westerly 2/3 of said alley way.

WHEREAS, the City Clerk has reviewed and examined the signatures on said petition and determined that such signatures constitute a majority of the landowners abutting upon the portion of each street to be vacated; and

WHEREAS, a copy of said petition is attached hereto.

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

The Council will consider the vacation of such street and a public hearing shall be held on such proposed vacation on the 1st day of April 2019, before the City Council in the City Hall located at 501 Laurel Street, Brainerd, MN 56401 at 7:30 p.m. and;

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Adopted this _____ day of _____, 2019

_____
GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

_____
EDWIN L. MENK
Mayor

ATTEST:_____
CASSANDRA TORSTENSON
City Administrator

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City of Brainerd has received 3 petitions from Independent School District 181 for the vacation of all or portions of 16th Street Southeast between Oak Street and Norwood Street, the east/west alley between Oak Street and Norwood Street between 16th Street SE and 17th Street Southeast, and Pine Street between South 5th Street and South 6th Street legally described below for each respective portion:

16th Street Southeast – Oak Street to Norwood Street
That portion of 16th Street Southeast lying between the north right-of-way line of Oak Street and the south right-of way line of Norwood Street adjacent to all or portions of Lots 5, 6, and 7, Block 16 of Sleeper's Addition to the City of Brainerd and Block 17 of Sleeper's Addition to the City of Brainerd.

East/West Alley – 16th Street Southeast to 17th Street Southeast between Oak Street and Norwood Street
That portion of the east west alley between Oak Street and Norwood Street between 16th Street Southeast and 17th Street Southeast adjacent to Lots 3, 4, 5, 6, 7, 8, 9, and 10 of Sleeper's Addition to the City of Brainerd. This constitutes the westerly 2/3 of said alley way.

Pine Street – South 5th Street to South 6th Street
That portion of Pine Street lying between the east right-of-way line of S 5th Street and the west right-of-way line of S 6th Street and lying adjacent to all or portions of Lots 11 and 13, Block 185 in the First Addition to Brainerd and Block 161 in the First Addition to Brainerd.

Notice is further given that the City Council of Brainerd will meet in the Council Chambers of the City Hall at Brainerd, Minnesota, at 7:30 p.m. on Monday, April 1, 2019 to conduct a Public Hearing to consider said Vacation.

Such persons as desire to be heard with reference to the proposed vacation of said street will be heard at this meeting.

Dated this 5th day of March 2019

_____
Cassandra Torstenson
City Administrator

Publish - 2 times on
March 8, 2019 and March 15, 2019

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Resolution - Petition to Vacate Street - Pine St. from S 5th St. to S 6th St.

☐ 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:

Attached to this agenda request is a copy of a petition to vacate Pine Street from the east line of South 5th Street to the west line of South 6th Street. Also attached is a resolution in which declares the sufficiency of the attached petition and sets a public hearing on a vacation commenced by a petition of a majority of abutting property owners. This petition was submitted by ISD 181 as part of the renovations and additions being planned at Harrison Elementary.

Alternatives, Options, Effects on Others/Comments:

Minnesota Statute 412.851 regulates streets vacations by municipalities. When a majority of abutting owners petition to vacate a street, the City must pass a resolution in which declares the petition sufficient and set a public hearing on the proposed vacation. A majority of abutting property owners are considered individuals having property interests in the land abutting the street or alley being vacated. This is not determined by front footage. For example, if there are four abutting properties, three must sign the petition, even if one of the four owners who didn't sign owned 90% of the abutting property. In this circumstance, a majority of the property owners have signed the attached petition initiated by the district, who also owns property abutting the proposed vacation. Once this resolution is adopted, published and mailed notice is sent to affected parties. Published notice will run once a week for two weeks. Mailed notice will be sent to affected parties at least 10 days before the hearing. It is a little gray on what constitutes affected parties, however, staff recommends sending the notice to all properties within a 300 foot radius of the proposed vacation.

Recommended Action/Motion:

Staff recommends adoption and execution of the attached resolution in which declares the sufficiency of the attached petition and sets the public hearing on the proposed vacation on April 1, 2019 at the regularly scheduled council meeting.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

PETITION FOR STREET OR ALLEY VACATION

Date Feb 21, 2019

Brainerd, Minnesota

To the City Council of Brainerd, Minnesota:

We, the undersigned, owners of real estate abutting on the following described street or alley hereby petition that such street be vacated as follows:

Pine Street between S. 5th Street and S. 6th Street (properties that abut Pine Street in this location include all or portions of Lots 11, 12, 13, 14, and 15 Block 185 of Plat No. 9196 and Block 161 of Plat No. 9196). Please refer to attached map.

in accordance with the provisions of Brainerd City Code Section 810.

see attached for legal descriptions

NAME	ADDRESS	LEGAL DESCRIPTION
1. Marci Ford	604 South 6th Street	Brainerd, MN.
2. Marci Ford	510 Pine Street	Brainerd, MN.
3. Marci Ford	705 S. 5th Street	Brainerd, MN.
4.	704 South 6th Street	Brainerd, MN.

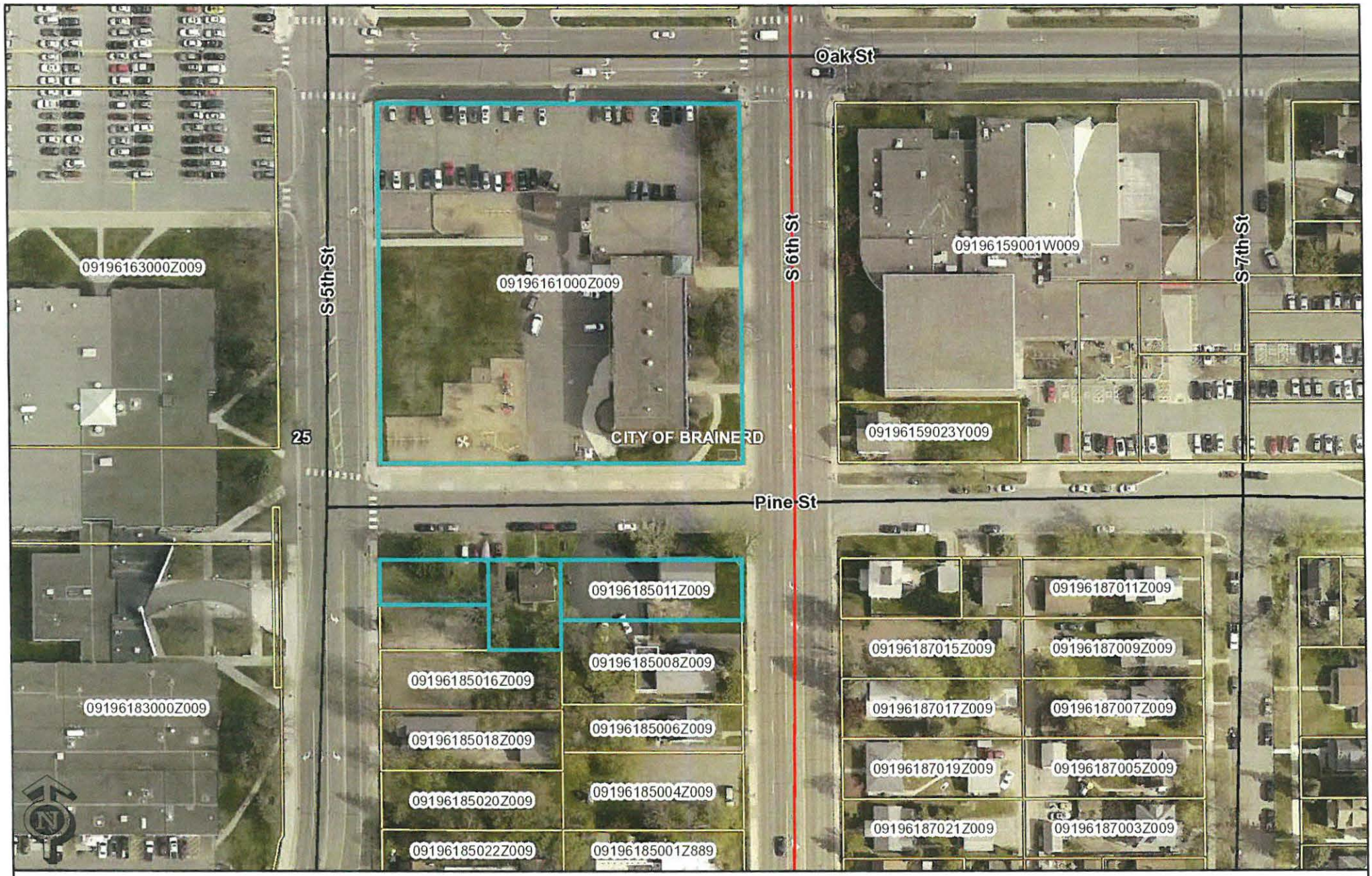
STATE OF MINNESOTA }
} ss
COUNTY OF CROW WING }

JEFF FLATEN, 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.

Subscribed and sworn to before me

this 21st day of February, 2019

LISA K. WINTEROWD
Notary Public
State of Minnesota
My Commission Expires
January 31, 2024



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

Pine Street

Street Vacation Petition

Date: 2/4/2019 Time: 6:13:24 PM

CROW WING COUNTY MINNESOTA

Pine Street Vacations – Legal Descriptions

1. Brainerd School District, 604 South 6th Street, All of Block 161 Subject to Rec Esmt Granted to City of Brainerd, Town of Brainerd & First Addition to Brainerd
2. Brainerd School District, 510 Pine Street, East 60 FT of Lots 13 thru 15 inclusive, Block 185, Town of Brainerd & First Addition to Brainerd
3. Brainerd School District, 705 S. 5th Street, W 90 FT of South ½ of Lot 14 Block 185 & West 90 FT of Lot 15 Block 185, Town of Brainerd & First Addition to Brainerd
4. Felske Properties, LLC, 704 South 6th Street, Lots 11&12 Block 185, Town of Brainerd & First Addition to Brainerd

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

A RESOLUTION DECLARING SUFFICIENCY OF PETITION AND SETTING A PUBLIC HEARING ON A VACATION COMMENCED BY A PETITION OF A MAJORITY OF ABUTTING LANDOWNERS

WHEREAS, a petition signed by the majority of property owners abutting a portion of Pine Street in the City of Brainerd and was received by the City Clerk on the 21st day of February 2019; and

WHEREAS, the petition requested that the City Council pursuant to Minnesota Statute §412.851 vacate a portion of the Pine Street between South 5th Street and South 6th Street legally described as:

That portion of Pine Street lying between the east right-of-way line of S 5th Street and the west right-of-way line of S 6th Street and lying adjacent to all or portions of Lots 11 and 13, Block 185 in the First Addition to Brainerd and Block 161 in the First Addition to Brainerd.

WHEREAS, the City Clerk has reviewed and examined the signatures on said petition and determined that such signatures constitute a majority of the landowners abutting upon the portion of each street to be vacated; and

WHEREAS, a copy of said petition is attached hereto.

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

The Council will consider the vacation of such street and a public hearing shall be held on such proposed vacation on the 1st day of April 2019, before the City Council in the City Hall located at 501 Laurel Street, Brainerd, MN 56401 at 7:30 p.m. and;

BE IT FURTHER RESOLVED that the City Clerk is hereby directed to give published, posted and mailed notice of such hearing as required by law.

Adopted this _____ day of _____, 2019

_____
GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

_____
EDWIN L. MENK
Mayor

ATTEST:_____
CASSANDRA TORSTENSON
City Administrator

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City of Brainerd has received 3 petitions from Independent School District 181 for the vacation of all or portions of 16th Street Southeast between Oak Street and Norwood Street, the east/west alley between Oak Street and Norwood Street between 16th Street SE and 17th Street Southeast, and Pine Street between South 5th Street and South 6th Street legally described below for each respective portion:

16th Street Southeast – Oak Street to Norwood Street
That portion of 16th Street Southeast lying between the north right-of-way line of Oak Street and the south right-of way line of Norwood Street adjacent to all or portions of Lots 5, 6, and 7, Block 16 of Sleeper's Addition to the City of Brainerd and Block 17 of Sleeper's Addition to the City of Brainerd.

East/West Alley – 16th Street Southeast to 17th Street Southeast between Oak Street and Norwood Street
That portion of the east west alley between Oak Street and Norwood Street between 16th Street Southeast and 17th Street Southeast adjacent to Lots 3, 4, 5, 6, 7, 8, 9, and 10 of Sleeper's Addition to the City of Brainerd. This constitutes the westerly 2/3 of said alley way.

Pine Street – South 5th Street to South 6th Street
That portion of Pine Street lying between the east right-of-way line of S 5th Street and the west right-of-way line of S 6th Street and lying adjacent to all or portions of Lots 11 and 13, Block 185 in the First Addition to Brainerd and Block 161 in the First Addition to Brainerd.

Notice is further given that the City Council of Brainerd will meet in the Council Chambers of the City Hall at Brainerd, Minnesota, at 7:30 p.m. on Monday, April 1, 2019 to conduct a Public Hearing to consider said Vacation.

Such persons as desire to be heard with reference to the proposed vacation of said street will be heard at this meeting.

Dated this 5th day of March 2019

_____
Cassandra Torstenson
City Administrator

Publish - 2 times on
March 8, 2019 and March 15, 2019

CITY OF BRAINERD
PERSONNEL AND FINANCE COMMITTEE
AGENDA

March 4, 2019
City Hall Conference Room
7:00 PM

1. Approval of Bills

2. Resignation of Paid on Call Firefighter Mailhot

3. Establish New Police Officer Eligibility List

4. Police Lieutenant Promotion Request

5. Promotion of Chuck Arvidson to City Building Official

6. Approval of Pay Equity Points and Appeals for City Classifications

7. Consultant for Performance Evaluation and Culture Training

8. Fire Contract Formula for 2020

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4th, 2019

Title of Item: Resignation of Paid on Call Firefighter Mailhot

☐ 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: Fire Chief Tim Holmes	**Department:** Fire
Presenter (Name & Title): Fire Chief Tim Holmes	**Estimated Time Needed:** 5 minutes

Summary of Issue:

Paid on Call Firefighter Mailhot has submitted a letter of resignation. Mailhot has been on a 1 year LOA, but unfortunately will not be returning to the fire department. Mailhot is pursuing his education endeavors as a principal in northern MN. Mailhot will be greatly missed and we wish him the best.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Accept, with regret, the resignation of Joshua Mailhot from the Brainerd Fire Department effective February 25th, 2019.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☐ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☐ No

Please Explain:

BRAINERD FIRE DEPARTMENT

FEB 13 2019

RECEIVED

February 25, 2019

Dear Chief Holmes and President Enge,

It is with deepest regret that I formally resign my position as a Firefighter on the Brainerd Fire Department! What started out as something to get me out of the house 24 years ago, as a Brainerd Fire Department Explorer, it turned into an amazing love for the fire service. Back then, 1994, Fire Fighters Dunemann, Rubbelke, Rubado, Williams, Forbord, Johnson, and others showed us the meaning of a brotherhood that was truly forged by fire! These individuals, who have become my brothers and sisters, worked tirelessly so that a group of wannabe kids could see what it was like to be something so great as a firefighter!

Here we are in 2019 and a few of those people who showed me this love for firefighting have retired! I hoped that I too could join the wall of retirees and be looked upon as those new recruits came into the training room; however, Fire Fighter of the year 2016 will have to suffice!

Chief Rubbelke, there are no words to explain how much I have appreciated you through the years! Even after I annoyed the crap out of you as a youngster and dreamed of being just like you, you still believed in me and are a huge part of me being the firefighter I am today! Thank you sir!

Chief Rubado, I was going to send some socks with this letter, but I was not sure if you missed me that much! From the first time I heard you say, "livin the dream!" I knew I had to steal your saying and make a part of my daily life because it is you whom one day I hoped to become! Your smile that turns the worst day better and your amazing attitude about everything have been truly inspirational. Each time we arrived back to the station from a call, I gleamed when you stated, "good stop boys!" I just wanted to say thank you for being such an amazing part of my life and career at Brainerd Fire!

Pumpkin, where do I begin! There are stories upon stories, but this is not the time for those my friend. We have had a hell of a ride together! You have been a great friend over the years and I have given you a lot of crap sir, but I respect you greatly! You have a wealth of knowledge far greater than mine. All that crap was in good clean fun. Now you have a story to tell 😉

Todd, from the first time I pumped the truck up until the end you always said how glad you were that I was there running the engine! I appreciate your trust and confidence you have in my abilities sir. I will never forget the early morning, "Good morning Brainerd Fire" announcements. You are such a great person whom helped mold my confidence in pumping! Thank you sir.

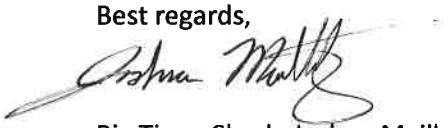
To the rest of y'all, you too have played an important role in who I have become; however, the person reading this letter probably wishes I would shut up and end it! I truly just do not want to let it all go! It has been an amazing time at the BFD and I am truly sincere when I say nothing can top the time I have been with you guys and gal.

To the new bees, you have chosen an amazing passion to be a part of! Train, train, train and never forget your basics as they will save your ass! Have a great time and enjoy it, whether you are here 2 years, 5 years such as me, or a lifetime such as Rubbelke and Rubado there is NO GREATER LOVE and nothing more rewarding than this!!!!

Thank you again for an amazing journey! You will all be deeply missed as I continue to pursue my educational endeavors as principal in Fisher, Minnesota. Don't be a stranger, if you are ever in the great Northern part of Minnesota give me a shout and we can catch a drink.

Be safe!

Best regards,



Big Time, Shrek, Joshua Mailhot

1097

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Request to Establish New Police Officer Eligibility List

☐ 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: CHIEF MCQUISTON	**Department:** POLICE
Presenter (Name & Title): CHIEF MCQUISTON	**Estimated Time Needed:** 5 MINUTES

Summary of Issue:

We are requesting to establish a new Police Officer Eligibility List for the purpose of filling the four current vacancies we have. The last three candidates from the existing eligibility list did not successfully complete the pre-employment screening process. The Civil Service Commission met on March 1st and approved creating a new eligibility list.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Authorize the Police & Fire Civil Service Commission to establish a new Police Officer Eligibility List.

Financial Impact:

Is there a cost associated with this request: ☑ Yes ☐ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☑ Yes ☐ No

Please Explain:

The positions and costs associated with the process are with in the department's current budget.

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Police Lieutenant Promotion Request

☐ 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: CHIEF MCQUISTON	**Department:** POLICE
Presenter (Name & Title): CHIEF MCQUISTON	**Estimated Time Needed:** 5 MINUTES

Summary of Issue:

On Friday, March 1st, the Civil Service Commission met and certified the Police Lieutenant eligibility list upon the completion of our recent promotional testing process. The list certification was not available at the time of submitting this agenda request. The name of the top candidate will be provided at the time of the meeting on March 4th. Two staff members applied for the position; Sergeant Michael Kulzer and Investigator Chad Kleffman. Both of these staff members are excellent candidates.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Approve a motion promoting _____ to Lieutenant, effective March 5, 2019, with the appropriate wage/benefit changes made pursuant to the current labor agreement in place.

Financial Impact:

Is there a cost associated with this request: ☑ Yes ☐ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☑ Yes ☐ No

Please Explain:

The police department budget for 2019 includes this new position.

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Promotion of Chuck Arvidson to City Building Official

☐ 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: Community Development Director	**Department:** Department of Building and Safety
Presenter (Name & Title): David Chanski, CDD	**Estimated Time Needed:** 2 minutes

Summary of Issue:

Chuck Arvidson was appointed as the City's Interim Building Official effective November 6, 2018. The City also entered into a Memorandum of Agreement with the IBEW Administrative Support Union that this assignment was effective until the City appointed Arvidson or another individual to the position or until 5 pm on February 28, 2019. This was requested to allow me an opportunity to review Mr. Arvidson's performance and qualifications for the position. I approve of Mr. Arvidson's performance, and it is my opinion that he should be considered for regular appointment to the position.

Alternatives, Options, Effects on Others/Comments:

Per the City of Brainerd's Employee Policy Manual, a job posting for the Building Official position was posted with the approval from the City Council internally for a three working days. Mr. Arvidson completed a Posting Response Form. No other response forms were received. I'm requesting that the City Council appoint Chuck Arvidson as the Building Official for the City of Brainerd.

Please note that the wage grid for this position was established per the Department Head and Non-Union Supervisor Wage Resolution adopted on 1/7/19. Also, this information has be shared with the union so they are aware of our intent.

Recommended Action/Motion:

Motion to appoint Chuck Arvidson as the Building Official at Step 4 ($33.40 per hour) of the Building Official wage schedule effective March 5, 2019.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☑ Yes ☐ No

Please Explain: The Building Official position was included in the 2019 budget.

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Pay Equity Points and Appeals

☐ 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: Kris Schubert	**Department:** Administration
Presenter (Name & Title): HR Coordinator Kris Schubert	**Estimated Time Needed:** 2 minutes

Summary of Issue:

As required by State Law, the City of Brainerd must assign pay equity points for our job classifications. In late 2017, the City hired a consultant, David Drown Associates Company (DDA), to help us review our points and to complete a market study. Since that time, we updated all City and BPU job descriptions. The consultant, with our Management Team, also reviewed and updated the pay equity points based on those updated job descriptions. We have now officially completed the points appeals process; therefore, the final points are being presented to the City Council for review and consideration. Attached are summaries listing the final points assigned for all City and BPU classifications.

Alternatives, Options, Effects on Others/Comments:

Attached are letters from David Drown Associates Company (DDA) verifying the changes made to the pay equity points for both City and BPU classifications as a result of the appeals process. On September 14, 2018, Staff were informed of the preliminary points for all classifications and were given an opportunity to appeal the points. At this time, I have only included the points assigned for one new position proposed for 2019 (Police Lieutenant) as the wages for that position have been officially approved by the City and the Union. I will present the points for BPU classifications to the BPU Commission for review and consideration at their March monthly meeting.

Recommended Action/Motion:

Motion to approve the final pay equity points for each job classification as presented.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☑ Yes ☐ No

Please Explain:

City of Brainerd
Summary of Job Scores
(Prepared using Springsted SAFE System Scoring Methodology)

2/27/2019

City Job Title	2014 Springsted Points	DDA Assigned Points as of 9/14/18	Adjusted Points after Appeals Process
ADMINISTRATIVE SPECIALIST (GLOBAL)	158	177.5	
AP/ADMINISTRATIVE SPECIALIST	181	222.5	
ASSISTANT CITY ENGINEER	425	398.75	
BUILDING INSPECTOR	255	235	
BUILDING OFFICIAL	383	382.5	
CITY ADMINISTRATOR	720	740	
CITY ENGINEER	610	610	650
CITY PLANNER	450	480	
COMMUNITY DEVELOPMENT DIRECTOR (NEW)	N/A	540	
COMMUNITY SERVICE OFFICER	113	115	
DEPUTY POLICE CHIEF	515	472.5	495.5
ENGINEERING TECH	203	245	
FINANCE DIRECTOR	560	615	
FIRE CHIEF	590	590	
FIRE MARSHAL/DEPUTY CHIEF	300	440	
HOUSING INSPECTOR	203	207.5	
HUMAN RESOURCE COORDINATOR	412.5	430	
IT SPECIALIST	250	295	
IT/GIS COORDINATOR	365	445	
PARK DIRECTOR	500	465	
PARK MAINTENANCE FOREMAN	213	270	285
PARK MAINTENANCE	138	147.5	
POLICE CHIEF	620	603	653
POLICE OFFICER	281	343	
POLICE LIEUTENANT	N/A - NEW POSITION		435.5
POLICE RECORDS MGMT TECH	158	160	180
POLICE RECORDS MANAGEMENT LEAD	233	240	230
POLICE SERGEANT	352.5	433	
POLICE ADMINISTRATIVE SUPERVISOR	290	292.5	322.5
RECREATION COORDINATOR (VACANT)	298.5	282.5	387.5
RECREATION SPECIALIST	278.5	240	317.5
SENIOR ENG TECH/PROJECT COORD	286.5	290	
ST & SWR FOREMAN	300.5	360	
ST & SWR MAINTENANCE I	145	195	
ST & SWR MAINTENANCE II	178	240	
ST & SWR MAINTENANCE III - 3 types	213	272.5	
TRANSIT COORDINATOR	288	447.5	

Brainerd Public Utilities
Summary of Job Scores
(Prepared using Springsted SAFE System Scoring Methodology)

2/27/2019

BPU Job Title	2014 Springsted Points	DDA Assigned Points as of 9/14/18	Adjusted Points after Appeals Process
ACCOUNTANT 1	193	190	
ACCOUNTING SUPERVISOR	345	412.5	
ACCOUNTS RECEIVABLE REP	140	150	
ADMINISTRATIVE ASSISTANT	160	187.5	
BILLING REPRESENTATIVE	160	187.5	
CASHIER/POSTAL SPECIALIST	136	157.5	
CREDIT/COLLECTION REPRESENTATIVE	173	197.5	
CUSTODIAN/GRDKEEPER/STORE CLERK	178	182.5	
UTILITIES ENGINEERING TECHNICIAN	203	255	
FINANCE DIRECTOR	655	720	680
HYDRO LEAD/RELIEF OPERATOR	253	390	
HYDRO OPERATOR	200	220	
HYDRO OPERATOR/MECHANIC	200	245	
LAB TECH	275	285	
LABORER	85	115	
LINE SUPERVISOR	500	572.5	
LINEWORKER	308	295	
LINEWORKER CREW CHIEF	346	371	
LINEWORKER/APPRENTICE	NA	280	
LOCATOR/LABORER	188	195	
MAINTENANCE ELECTRICIAN	308	305	
MAINTENANCE MECHANIC	243	245	
MATERIALS CONTROL	165	197.5	
METER READER	145	130	
METER SERVICEWORKER	208	235	
METER TECH/LOCATOR	195	195	
PAYABLES/PAYROLL SPECIALIST	185	192.5	
SUPERINTENDENT	660	700	665
TECHNOLOGY SUPERVISOR	385	425	
WASTEWATER CREW CHIEF	326	325	
WASTEWATER OPERATOR	213	245	
WASTEWATER SUPERVISOR	487.5	495	
WATER CREW CHIEF	316	335	360
WATER PLANT CHIEF OPERATOR	253	400	
WATER PLANT OPERATOR	200	245	
WATER SERVICEWORKER	193	280	290

DDA
Human Resources, Inc.
a David Drown Associates Company

Minneapolis Office:
5029 Upton Avenue South
Minneapolis, MN 55410
(612)920-3320 xtn 101 | fax (612) 605-2375
www.ddahumanresources.com

February 25, 2019

Transmitted via Fax to kschubert@ci.brainerd.mn.us

Kristy Schubert
HR Coordinator
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

RE: Confirmation of Point Appeal Results

Dear Kris:

The points assigned for several City positions were reviewed per the Job Classification Appeals process. Based on our review, and assuming the appropriate job descriptions changes were made, we concur the final point totals as shown below:

City Engineer	650
Parks Maintenance Foreman	285
Police Adm. Supervisor	322.5
Police Rec. Mgmt. Lead	230
Police Rec. Mgmt. Tech.	180
Recreation Coordinator	387.5
Recreation Specialist	317.5
Police Lieutenant	435.5
Deputy Police Chief	495.5
Police Chief	653

Sincerely,

Tessia Melvin

Tessia Melvin, Consultant
DDA Human Resources, Inc.
tessia@daviddrown.com

DDA
Human Resources, Inc.
a David Drown Associates Company

Minneapolis Office:
5029 Upton Avenue South
Minneapolis, MN 55410
(612)920-3320 xtn 101 | fax (612) 605-2375
www.ddahumanresources.com

February 25, 2019

Transmitted via Fax to kschubert@ci.brainerd.mn.us

Kristy Schubert
HR Coordinator
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

RE: Confirmation of Point Appeal Results

Dear Kris:

The points assigned for several BPU positions were reviewed per the Job Classification Appeals process. Based on our review, and assuming the appropriate job description changes were made, we concur the final point totals as shown below:

BPU Superintendent	665
BPU Finance Director	680
Water Crew Chief	360
Water Service Worker	290

Sincerely,

David P. Drown, President
DDA Human Resources, Inc.
david@daviddrown.com

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Performance Evaluation & Performance-Based Culture 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 1st Reading **provide copy of published hearing notice*
Submitted by: Cassandra Torstenson & Kris Schubert	**Department:** Administration
Presenter (Name & Title): Cassandra Torstenson & Kris Schubert	**Estimated Time Needed:** 5 minutes

Summary of Issue:

Last fall, the City Council and BPU Commission approved a new pay and performance management philosophy. We shared this information with Staff during our 2019 wage negotiations including a new performance evaluation form. We also mentioned that all Staff would be trained on this form to ensure consistency and fairness during the evaluation process. Staff solicited input from our HR and Administrator networks and contacted a couple of recommended trainers. Staff is recommending to utilize the services of Dr. Robert Sicora of Sicora Consulting with training to occur the end of April and/or early May. Dr. Sicora will focus on creating a performance-based culture for our team and to help us better understand our performance evaluation process and expectations.

Alternatives, Options, Effects on Others/Comments:

Attached is a tentative proposal received from Dr. Sicora for these services. This quote includes training for BPU employees and we will ask the Commission to authorize paying their portion of the cost at the March Commission meeting. Dr. Sicora has provided an initial client discount and Staff has also contacted Sourcewell requesting 2 Small Project Partnership Fund grants in the amount to $2,500 each to help offset our costs. Final financial details will be provided after BPU's March meeting.

Staff realizes that this training is expensive. With that said, Dr. Sicora is highly recommended and we feel it is important to invest in our evaluation process and program to help ensure its success.

Recommended Action/Motion:

Motion to conceptually approve retaining Dr. Robert Sicora to conduct our 2019 Performance Evaluation and Performance Based Culture Training.

Financial Impact:

Is there a cost associated with this request: ☑ Yes ☐ No

What is the total cost, with tax and shipping $ estimated=$15,000

Is this budgeted? ☐ Yes ☑ No

Please Explain: Staff recommends to utilize General Unallocated Miscellaneous funds for the City's portion of the cost.

Program: Creating a Performance Based Culture

Dates: Q2 - 2019

Deliverables/Cost:

Activity	Duration/Item	Cost
Design To include March 25/26	2.0 days @ $3,000 a day	$6,000
Training Delivery Scheduled for the week of April 22 – 26 With the option of April 29 – May 3 Estimating for: • Two 0.75 day sessions • Two 0.25 day session • Sworn Staff TBD	TBD days @ $4,000 a day Estimate 4 days	$16,000
Travel to be paid by the client		
Subtotal Estimate		$22,000
Initial Client Program Discount	40%	($8,800)
Total Estimate (travel not included)		$13,200

_____

Printed Name Title

_____

Signature Date

SICORA CONSULTING
LeaderShip at the Helm

APPLICATION PROCESS INSTRUCTIONS

Thank you for your interest in the Small Project Partnership funding offered through Sourcewell. We want to make this application process as easy and seamless as possible, so we have a few recommendations before you begin:

- Please download a copy of the application document and open in Adobe Acrobat Reader. This is standard software on most machines; however, if you don't already have this installed on your computer, you can obtain it for free at https://get.adobe.com/reader/. This is very important because if you don't use Adobe Reader, but instead use an internet browser (i.e.: Internet Explorer, Firefox, Chrome, etc.) to complete the application, you won't be able to digitally sign the form and submit electronically.
- Once you have opened the application in Acrobat Reader, immediately do a 'Save As' from the 'File' menu on the upper left-hand corner; then, remember to save often as you work through the document.
- Review your application to ensure everything has been completed. When ready, submit your application via email to scott.saehr@sourcewell-mn.gov or postal mail to:

  Sourcewell CCOGA Solutions
  Small Project Partnership Program
  Attn: Scott Saehr
  202 12th St. NE, P.O. Box 219
  Staples, MN 56479

Please take your time as you complete this application and don't hesitate to reach out if you have questions or concerns. We look forward to working with you!

2019-2020

CITY, COUNTY, AND OTHER GOVERNMENT ASSOCIATIONS – SMALL PROJECT PARTNERSHIPS

Sourcewell is pleased to continue offering Small Project Partnership opportunities to Region 5 cities, counties, and other government associations.

Small Project Partnerships are awarded on a first come, first served basis while funds exist and are intended to support smaller projects that may not qualify for Innovation Funding. A city, county, or other government association may apply for one (1) Small Project award up to $2,500 per fiscal year. Award recipients may pool their awards to fund joint projects. [1]

If you are not already a Sourcewell member, go to: www.sourcewell-mn.gov/become-member. Membership is free and offers many benefits and opportunities!

ELIGIBILITY REQUIREMENTS

To be eligible for a Sourcewell Small Project Partnership:

- The applicant organization must:
  - Be a Sourcewell member;
  - Be a city, county, or other government association located in Region 5, which includes Cass, Crow Wing, Morrison, Todd, and Wadena counties;
  - Apply for no more than one (1) Small Project Partnership award per fiscal year; and
  - Be willing and able to financially match the award amount. (In-kind support does not constitute a financial match.)

- The proposed project must:
  - Serve a public purpose as defined on the attached Public Purpose Checklist;
  - Be completed in the fiscal year in which Small Project funds are awarded; and
  - Not involve:
    - Payment for capital expenses or expenses incurred prior to receipt of the award;
    - Loans or reimbursement to individuals or businesses;
    - Political or religious activities; or
    - Discriminatory or illegal activities.

- A Small Project Partnership application must:
  - Be submitted in the same fiscal year in which the project will be completed; [2]
  - Include all required information and attachments, including:
    - Proof of the organization's willingness and ability to match the amount awarded; and
    - A completed Public Purpose Checklist (see attached); and
  - Request no more than $2,500.

[1] Each organization must submit a separate application; comply with the organization, project, and application requirements; and notify Sourcewell of their intent to pool funds.

[2] For example, funds awarded after July 1, 2019 must be used by June 30, 2020.

FUNDING PROCESS

Step 1: Sourcewell staff will review each application to ensure the criteria outlined above have been met. Applications that do not meet the criteria will not be eligible for Small Project funding.

Step 2: Applicant organizations that pass the initial review process will be awarded funds on a first come, first served basis while funds remain available.

Step 3: Sourcewell staff will notify award recipients and provide further instructions.

CONTACT INFORMATION

For more information about Sourcewell, Small Project Partnerships, or this application, please contact Scott Saehr at 218-895-4174 or scott.saehr@sourcewell-mn.gov.

Completed applications can be submitted by email to: scott.saehr@sourcewell-mn.gov or by U.S. Mail to:

Sourcewell CCOGA Solutions
Small Project Partnership Program
Attn: Scott Saehr
202 12th St. NE, P.O. Box 219
Staples, MN 56479

SMALL PROJECT PARTNERSHIP APPLICATION – CCOGA

Organization Information

1. Please provide the following information:

   Organization Name:

   Tax ID Number:

   Physical Address:

   Mailing Address:

   Website:

   Administrator's Name, Email Address, and Telephone Number:

   Project Point of Contact Name, Email Address, and Telephone Number

2. Is your organization a city, county, or other government association located in Region 5? ☐ Yes ☐ No

3. Please state whether you plan to pool your award to fund a joint project with another Small Project applicant and, of so, provide the name and contact information for the other applicant:

Project Information

Please provide the following information specific to the proposed project:

4. Project title and general description.

5. An overview of action steps and proposed timeline.

6. A description of the public purpose the project will serve and how.

7. A description of how your project will build and promote shared economies and/or professionals.

Attach a completed Public Purpose Checklist to support the statements above.

8. The amount requested from Sourcewell:

Attach proof of the organization's willingness and ability to financially match any amount that may be awarded.

9. How, specifically, will a Small Project award be used to support the project?

10. List other funding, not including in-kind donations, and the amounts received from each.

11. Complete the table below to explain, in detail, project costs and funding sources. Insert additional lines as needed.

	Small Project Funding	Other Sources	TOTAL
Wages and Benefits			
Equipment and supplies			
Meeting Expenses			
Travel			
Training and Seminars			
In-kind Donations	N/A		
Other			
Other			
TOTAL COSTS			

Certification

I certify that the information contained in this application, and any attachments, is true and correct to the best of my knowledge, and that I have the authority to apply for Small Project funding in the amount requested. I further certify that if Small Project funds are awarded pursuant to this application, my organization will financially match the award.

Finally, I certify that Small Project funds will not be used as payment for capital expenses, costs incurred prior to receipt of the award, or loans or reimbursement to individuals or businesses; or to fund political, religious activities, discriminatory, or illegal activities.

_____

Signature

_____

Printed Name

_____

Title

_____

Organization

_____

Date

PUBLIC PURPOSE CHECKLIST

1. Will the proposed project promote public health, safety, general welfare, security, prosperity, or the contentment of a community as a body?

   ☐ If No, **STOP**. Public expenditure is not authorized for projects that do not further a public purpose.

   ☐ If Yes, identify which of these purposes will be furthered by the project and how, and continue to Step 2.

2. Will the proposed project primarily benefit the public and not private individuals or entities?

   ☐ If No, **STOP**. Public expenditure is not authorized for projects that primarily benefit private individuals or entities unless that benefit is only incidental to the project.

   ☐ If Yes, identify the population that will benefit from the proposed project, and continue to Step 3.

3. Will the proposed project involve any of the programs and services Sourcewell may provide by is enabling statute, including, but not limited to: (1) administrative services; (2) curriculum development; (3) data processing; (4) distance learning and other telecommunication services; (5) evaluation and research; (6) staff development; (7) media and technology centers; (8) publication and dissemination of materials; (9) pupil personnel services; (10) planning; (11) secondary, postsecondary, community, adult, and adult vocational education; (12) teaching and learning services, including services for students with special talents and special needs; (13) employee personnel services; (14) vocational rehabilitation; (15) health, diagnostic, and child development services and centers; (16) leadership or direction in early childhood and family education; (17) community services; (18) shared time programs; (19) fiscal services and risk management programs, including health insurance programs providing reinsurance or stop loss coverage; (20) technology planning, training, and support services; (21) health and safety services; (22) student academic challenges; and (23) cooperative purchasing services.

   ☐ If No, **STOP.** Small Project funding cannot be awarded for projects that do not involve the programs and services outlined in the enabling statute.

   ☐ If Yes, identify the programs and services the proposed project will involve, and continue to Step 4.

4. Can the proposed project be implemented in a manner that ensures no conflicts of interest exist or any existing conflicts may be resolved?

   ☐ If No, **STOP**. Public expenditure is not authorized for any project that may involve conflicts of interest.

   ☐ If Yes, identify any conflicts of interest that have been resolved and how, and continue to Step 5.

5. Will the proposed project serve the best interests of Sourcewell and Region 5?

   ☐ If No, **STOP**. Public expenditure not authorized when it may conflict with the best interests of the public entities involved.

   ☐ If Yes, describe how and continue to Step 6.

6. Is the proposed project permitted under the laws, rules, or board policies that govern the collaborating nonprofit organizations and Sourcewell?

   ☐ If No, **STOP**. Public expenditure is not authorized when it may conflict with the laws, rules, or policies that govern the public entities involved.

   ☐ If Yes, continue to Step 7.

7. Will Sourcewell and the collaborating organizations be able to satisfy all terms, conditions, policies, procedures, and other requirements associated with the proposed project?

   ☐ If No, **STOP**. Public expenditure is not authorized for any project that will prevent the public entities involved from complying with any associated requirements.

   ☐ If Yes, continue to Step 8.

8. Will the proposed project be implemented in a manner that ensures no public funds will be used to purchase or make a gift, donation, prize, or payment for dues to participate in a private organization?

   ☐ If No, **STOP**. Public expenditure is not authorized for these activities.

   ☐ If Yes, the proposed project serves a public purpose.

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Fire Contract Formula for 2020 - Informational

☐ 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: Connie Hillman	**Department:** Finance
Presenter (Name & Title): Finance Director Hillman	**Estimated Time Needed:** 5 Minutes

Summary of Issue:

Each year at this time, staff prepares the proposed fire contract calculation for the following year. This information is used by the Townships that contract with Brainerd for fire service at their annual meetings in March, at which time they set their levy for 2020. This data will also be used by the City of Baxter and the City of Brainerd when we set our 2020 levy and budgets this fall.

Alternatives, Options, Effects on Others/Comments:

The attached calculation was provided and explained at the February 19, 2019 FAB meeting and follows the same formula as previous years. The factors used to allocate the costs payable in 2020 are: the 5 year average runs from 2014-2018; population is based on 2017 estimates, the most recent information available per the state demographer's website; 2018 estimated taxable market value payable in 2019; 2016 value of exempt buildings (updated by the County every 6 years). The City of Brainerd's overall funding share went from 44.18% to 43.64% and a cost of $522,428 to $574,651. The overall costs to be allocated went from $1,182,556 to $1,316,780.

Recommended Action/Motion:

Informational, no action needed.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☑ Yes ☐ No

Please Explain: It will be part of the 2020 budget and levy process.

CITY OF BRAINERD FIRE SERVICE DISTRICTS - PAYMENT CALCULATION FOR 2020 ASSESSMENT

2019 FIRE DEPT BUDGET, INCLUDING PAID ON-CALL AND PENSION	$887,900
CAPITAL EQUIPMENT FUND - is a 5% increase over 2019 Assessment	$103,947
BUILDINGS ONLY DEPRECIATION	$63,405
DEBT SERVICE FOR FIRE ENGINE - Year 4 of 5	$92,240
DEBT SERVICE FOR FIRE TENDER - Year 2 of 5	$38,288
DEBT SERVICE FOR LADDER TRUCK - Year 1 of 7	$131,000
TOTAL AMOUNT USED FOR CALCULATION	**$1,316,780**

	5 YR AV # OF RUNS ('14 -'18)	30% % OF # OF RUNS	2017 POPULATION	30% % OF POP	(Asst '18 pay '19) VALUE OF BUILDINGS	30% % OF VALUE OF BLDGS	(Assessment '16) VALUE OF TAX EXEMPT BLDGS	10% % OF VALUE TAX EX BLDGS	% OF BUDGET	FUNDING SHARE
BRAINERD	241.40	56.30%	13,719	40.22%	448,108,682	24.61%	$407,251,800	73.03%	43.640637%	$574,651.18
BAXTER	99.60	23.23%	8,360	24.51%	621,872,540	34.16%	$128,580,500	23.06%	26.872944%	$353,857.55
CROW WING	14.60	3.40%	2,070	6.07%	100,393,850	5.51%	$454,900	0.08%	4.504232%	$59,310.82
LONG LAKE	8.60	2.01%	1,065	3.12%	73,205,571	4.02%	$446,200	0.08%	2.752500%	$36,244.37
NOKAY LAKE	5.40	1.26%	855	2.51%	47,124,432	2.59%	$1,133,600	0.20%	1.926517%	$25,367.99
OAK LAWN	15.20	3.54%	1,805	5.29%	92,760,848	5.09%	$10,209,000	1.83%	4.362316%	$57,442.10
ST. MATHIAS	4.60	1.07%	622	1.82%	26,706,168	1.47%	$1,609,300	0.29%	1.337732%	$17,614.99
UNORGANIZED	39.40	9.19%	5,618	16.47%	410,479,237	22.55%	$7,939,400	1.42%	14.603123%	$192,291.00
TOTAL	**428.80**	**100.00%**	**34,114**	**100.00%**	**1,820,651,328**	**100.00%**	**$557,624,700**	**100.00%**	**100.000000%**	**$1,316,780.00**
Last Year's Information	**414.60**		**33,915**		**1,722,532,480**		**$557,624,700**			**$1,182,555.86**
% Change	**3.42%**		**0.59%**		**5.70%**		**0.00%**			**11.35%**

	2020 ASSESSMENT	2019 ASSESSMENT	DIFFERENCE	% incr
BRAINERD	$574,651.18	$522,428.27	$52,222.91	10.00%
BAXTER	$353,857.55	$316,598.32	$37,259.23	11.77%
CROW WING	$59,310.82	$52,342.22	$6,968.60	13.31%
LONG LAKE	$36,244.37	$32,159.03	$4,085.34	12.70%
NOKAY LAKE	$25,367.99	$22,647.83	$2,720.16	12.01%
OAK LAWN	$57,442.10	$51,417.59	$6,024.51	11.72%
ST. MATHIAS	$17,614.99	$14,851.26	$2,763.73	18.61%
UNORGANIZED	$192,291.00	$170,111.34	$22,179.66	13.04%
TOTAL	$1,316,780.00	$1,182,555.86	$134,224.14	11.35%

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Public Hearing - Improvements 17-06 and 17-07 - H St. and 10th Ave Recon

☐ 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:** 10 Minutes

Summary of Issue:

Pursuant the notice of hearing and to continue with the assessment proceedings, the council must hold a public hearing to consider the improvement and hear testimony for or against the said improvements.

Alternatives, Options, Effects on Others/Comments:

Improvement 17-06 is for the reconstruction of NE H Street from Mill Avenue to 13th Avenue NE along with a sidewalk construction from 1st Avenue NE to 3rd Avenue NE. Improvement 17-07 is for the reconstruction of 10th Avenue NE between Washington Street and NE J Street. Total estimated project costs for these combined improvements including engineering and construction is $979,000. Of that cost, $715,000 is due to the reconstruction of the street and $320,000 of that $715,000 is planned to be assessed. $111,000 of the $979,000 is estimated for storm sewer work, $10,000 is estimated for sanitary sewer work, and $143,000 is estimated for BPU watermain work. The attached feasibility report was received at the February 4, 2019 council meeting and should provide any other information on the proposed improvements.

Recommended Action/Motion:

Hold the improvement hearing to hear testimony for or against the said improvements. Staff recommends adopting the attached resolution ordering the improvement, approving plans and specifications, and ordering advertisement of bids to be opened on April 26, 2019 at 10:00 am CDT.

Financial Impact:

Is there a cost associated with this request: ☑ Yes ☐ No

What is the total cost, with tax and shipping $ 979,000

Is this budgeted? ☑ Yes ☐ No

Please Explain: These projects are part of the 5-year street and sewer capital improvement plan and are being constructed in conjunction with the federally funded Garfield Safe Routes to School project.

January 28, 2019

Mayor Menk
and Brainerd City Council Members

www.ci.brainerd.mn.us

RE: City Improvement 17-06, 17-07, and 18-05 – NE H Street Reconstruction and Sidewalk Construction Project, 10th Avenue NE Reconstruction Project, and 1st Avenue NE Sidewalk Construction Feasibility Report, respectively.

Dear Mayor Menk and City Council Members,

I am pleased to present this report for improvements to both NE H Street from Mill Avenue (CSAH 3) to 13th Avenue NE, a sidewalk on NE H Street from 1st Avenue NE to 3rd Avenue NE, the reconstruction of 10th Avenue NE from Washington Street to NE J Street, and the addition of a sidewalk on 1st Avenue NE from Evergreen Avenue to NE H Street. (the "Improvements"). These Improvements have been a part of the City's 5-year Street and Sewer Capital Improvement Plan and are being proposed to be done in conjunction with the federally funded Safe Routes to School project in 2019, which includes the additions of sidewalks on both NE H Street and 10th Avenue NE in Northeast Brainerd.

NE H Street – Mill Avenue (CSAH 3) to 13th Avenue NE and Sidewalk from 1st Avenue NE to 3rd Avenue NE– Improvement 17-06 – SAP 108-119-006
NE H Street from Mill Avenue to 13th Avenue NE was last reconstructed in 1968 as part of MSAP (Minnesota State Aid Project) 09-119-03. The surface on NE H Street was constructed to a 44-foot face-of-curb to face-of-curb section at this time. The surfacing included 5 inches of Aggregate Base Course Class 5, a prime coat (bituminous oil), 1 inch of plant mix bituminous base course, 1 ½ inches of plant mix bituminous binder course, and 1 ½ inches of plant mix bituminous wearing course. This equates to a gravel section of 5 inches and a bituminous section of 4 inches. The street was also constructed to a wider standard than our typical street standard today, which consists of a 35-foot face-of-curb to face-of-curb section. This section accommodates on-street parking on both sides, as currently exists today. Pedestrians were not accommodated with the 1968 improvements. The surfacing on NE H Street has served its effective life cycle, which can be seen through the severe cracking and potholing. Below is a list of deficiencies that were noted in the pavement during the design process:

- While the pavement section is sufficient to current standards, the street is showing its age with multiple deficiencies such as localized potholing at intersections and severe longitudinal and transverse cracks.
- Longitudinal and perpendicular thermal cracks have developed and spread and have cupped out, making for excessive potholing and alligator cracking.
- High maintenance costs for pothole patching. Inefficient to pothole patch, as the patch does not last more than a year.

- The curb sections, most notably around stormwater catch basins, have began to sink and heave throughout the project area.
- The street, due to it being wider than necessary, generally promotes higher vehicles speeds.
- Current pavement score on NE H Street between Mill Avenue and 13th Avenue NE is 2.33/4.0.

10th Avenue NE – Washington Street (TH 210) to NE J Street – Improvement 17-07
10th Avenue NE between Washington Street (TH 210 and J Street was constructed and since improved in two sections. The first section consists of the segment from Washington Street (TH 210) and NE H Street (segment 1) and the second section consists of the segment from NE H Street to NE J Street (segment 2). Segment 1 was last reconstructed in 1950 and was subsequently overlaid in 1992. Segment 2 was last reconstructed in 1955 and was subsequently overlaid in 1988. Both segment 1 and segment 2 currently consist of a 36-foot face-of-curb to face-of-curb travel way with 2 ½ inches if aggregate base and 2 inches of bituminous. The surfacing on both segments of 10th Avenue NE have served their effective and useful life, which can be seen through the numerous deficiencies listed below as identified throughout the plan development process:

- The combination of insufficient pavement section and poor soils (high groundwater) in this area of Northeast Brainerd is causing numerous potholes to develop in the street that have been patched and re-patched by maintenance crews in recent years.
- There is scaling occurring in the top lift of pavement, most notably in the first two blocks north of Washington Street.
- Longitudinal and perpendicular thermal cracks have developed and spread and have cupped out, making for excessive potholing and alligator cracking.
- Street has begun to alligator crack, which is an indicator that the street surface has reached its useful life.
- The pavement scores range from a 1.72/4.00 on the south end nearest Washington Street to 2.50/4.00 measured on the north end near J Street. The curb ratings are between 2.00/4.00 and 2.50/4.00.
- The curb and gutter on the street are the old V Style square curb, which is original to the street from the 1950's. The street does, however, have good drainage due to the slopes seen on the street.

Proposed Conditions
Both NE H Street and 10th Avenue NE are proposed to be built to the same street cross section, with different sections of gravel and pavement involved on each respective street.

NE H Street – Mill Avenue (CSAH 3) to 13th Avenue NE and Sidewalk from 1st Avenue NE to 3rd Avenue NE– Improvement 17-06 – SAP 108-119-006
When evaluating this section of NE H Street, staff considered two options:

1. A simple resurfacing of the existing street with spot replacement of the curb and gutter, removal of the existing gravel and bituminous section, and 5 inches of gravel and 3 ½ inches of bituminous, which is designed as a 9-ton roadway.
2. A full reconstruction of the street, which would consist of narrowing the street to our standard 35-foot face-of-curb to face-of-curb section. The section would be built to our state aid standard of 5 inches of gravel and 3 ½ inches of bituminous, which is designed as a 9-ton roadway.

Through the evaluation process, and with the Safe Routes to School projects in the direct vicinity of NE H Street, staff concluded that the best and most cost-effective option for the repair of the street would be to narrow the street and perform a full reconstruction of NE H Street. With the full reconstruction, it allows for the sidewalk to be placed on the north side of the street, where the north curb line will be moved in approximately 10 feet. There are a lot of grade challenges on H Street due to yards being much higher than the street. By effectively moving this curb line, staff has eliminated the need for retaining walls due to the sidewalk project, and thus reducing the overall cost of the safe routes to school project. The full reconstruction also allows for storm sewer modifications that are needed for the moving of the north curb line, along with important watermain work that BPU has coordinated with the City to get done as part of the project, which includes looping in the system on NE H Street to 13th Avenue NE and replacing some old galvanized services within the project area. The narrowing on the street will also reduce traffic speeds due to the excessively wide current street, and thus make the street much more pedestrian friendly, both with the incorporation of the new sidewalk and the narrower crosswalk distances present.

Because of the vicinity of the project, staff also included a sidewalk connection on NE H Street from 1st Avenue NE to 3rd Avenue NE as part of the State Aid project, per the Walkable Bikeable City Committee recommendation in the Non-Motorized Transportation Plan. Staff felt it was in the best interest of the City to include this sidewalk connection with the State Aid project on the same state aid route, and thus, the costs in the upcoming sections include this 2 block sidewalk segment, and will be constructed concurrently with Improvement 18-05, which is a sidewalk project on 1st Avenue NE from Evergreen Avenue to H Street, which will complete the connection. Improvement 18-05 is proposed to be paid with local funds, and the estimates can be seen in the upcoming section.

10th Avenue NE – Washington Street (TH 210) to NE J Street – Improvement 17-07
Staff considered 2 options on this section of 10th Avenue NE. They include:

1. A simple resurfacing of the existing street with spot replacement of the curb and gutter, removal of the existing gravel and bituminous section, and 4 inches of gravel and 2 inches of bituminous, which is designed to our residential street standard as a 7-ton roadway.
2. A full reconstruction of the street, which would consist of narrowing the street to our standard 35-foot face-of-curb to face-of-curb section. The section would be

built to our residential standard of 4 inches of gravel and 2 inches of bituminous, which is designed to our residential street standard as a 7-ton roadway.

The curb on 10th Avenue NE has served its effective life, and therefore, the most cost effective and feasible option for 10th Avenue NE is to replace the curb in its entirety. With the replacement of the curb, it will also assist the federal Safe Routes to School project adjacent to the roadway, in which the curb and roadway design has been coordinated with project so that new driveways and sidewalk crossings will match the new curb profile and make for an easier time of matching grades than matching existing curb where the old V-style curb is in place.

Sidewalk – 1st Avenue NE from Evergreen Avenue to H Street – Improvement 18-05

This sidewalk project is to connect the newly constructed sidewalk on NE H Street from 1st Avenue NE to 3rd Avenue NE to Evergreen Avenue along 1st Avenue NE. It is about a ¾ block long sidewalk and will also connect the federal Safe Routes to School sidewalk being constructed on J Street from 1st Avenue NE to 3rd Avenue NE near Lowell School.

Cost Estimates

Staff has estimated costs for both improvements as proposed in this feasibility study, and the information of each project cost can be seen below:

NE H Street – Mill Avenue (CSAH 3) to 13th Avenue NE and Sidewalk from 1st Avenue NE to 3rd Avenue NE– Improvement 17-06 – SAP 108-119-006

The total estimated project costs for the reconstruction of NE H Street to the City standard residential width and a 9-ton road design is $638,000. Below is a breakdown of the estimated costs of the proposed build alternative for the street including construction and engineering:

Total Project Estimated Cost (Engineering and Construction):	$638,000
Breakdown	
Reconstruction Cost Estimate (Fund 401)	$430,000
Total Project Estimated Assessable Cost*	$186,000*
Storm Sewer (Fund 238)	$107,000
Sanitary Sewer (Fund 237)	$7,000
BPU Watermain	$94,000
*Not included in total project costs	
State Aid Reimbursement Estimate	$537,000

10th Avenue NE – Washington Street (TH 210) to NE J Street – Improvement 17-07

The total estimated project costs for the reconstruction of 10th Avenue NE to the City standard residential width and a 7-ton road design is $322,000. Below is a breakdown of the estimated costs of the proposed build alternative for the street including construction and engineering:

Total Project Estimated Cost (Engineering and Construction):	$322,000
Breakdown	
Reconstruction Cost Estimate (Fund 401)	$267,000
Total Project Estimated Assessable Cost*	$134,000*
Storm Sewer (Fund 238)	$4,000
Sanitary Sewer (Fund 237)	$3,000
BPU Watermain	$48,000

*Not included in total project costs

Sidewalk – 1st Avenue NE from Evergreen Avenue to H Street – Improvement 18-05

The total estimated project costs for the construction of a sidewalk on 1st Avenue NE from Evergreen Avenue to NE H Street is $19,000. Below is a breakdown of the estimated costs of the proposed build alternative for the street including construction and engineering:

Total Project Estimated Cost (Engineering and Construction)	$19,000
Breakdown	
Construction Cost Estimate (Fund 401)	$18,000
Total Project Estimated Assessable Cost*	$0*
BPU Adjustments	$1,000

*Not included in total project costs

Cost Totals

This project is planned to be bid as one plan, with 3 separate projects. Total project costs equate to approximately $979,000. Estimated breakdowns for the total project are as follows:

Total Project Estimated Cost (Engineering and Construction):	$979,000
Breakdown	
Reconstruction and Construction Cost Estimate (Fund 401)	$715,000
Total Project Estimated Assessable Cost*	$320,000*
Storm Sewer (Fund 238)	$111,000
Sanitary Sewer (Fund 237)	$10,000
BPU Watermain	$143,000

*Not included in total project costs

State Aid Reimbursements**	$537,000**

**Split accordingly to Construction Fund 401 and Storm Sewer Fund 238

The project is feasible to construct, and the improvements are necessary due to the condition of the existing roadway and the current deficiencies that exist with the pavement section, the condition of the curb and gutter, and to accommodate the addition of the new sidewalks on NE H Street and 10th Avenue NE

A preliminary assessment role has been prepared and staff is recommending that the Council adopt a resolution receiving this report and calling for the improvement hearing to be held March 19, 2019 at 7:30 P.M. during the regularly scheduled City Council meeting.

Respectfully submitted,

Paul G. Sandy, P.E.
City Engineer
City of Brainerd

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

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

WHEREAS, a motion by the City Council passed on the 4th day of February 2019, fixed a date for a Council hearing on the proposed improvement listed below; and

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

IMPROVEMENT 17-06

Street Reconstruction
NE H Street from Mill Avenue to 13th Avenue NE
Sidewalk Construction
NE H Street from 1st Avenue NE to 3rd Avenue NE

IMPROVEMENT 17-07

Street Reconstruction
10th Avenue NE from Washington Street (TH 210) to NE J Street

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

WHEREAS, ten days' mailed and two weeks' published notice of the hearing was given and the hearing was held thereon on the 4th day of March, 2019, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

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

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

1. Said improvement is necessary, cost-effective, and feasible as detailed in the feasibility report.
2. Said improvement is hereby ordered as proposed in the Council motion on the 4th day of March 2019.
3. City Engineer Sandy is hereby designated as the engineer for this improvement. He shall prepare plans and specifications for the making of such improvement.
4. The City Council declares its official intent to reimburse itself for costs of the project from proceeds of bonds, which are expected to be issued in the maximum principal amount of $979,000.

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

1. Such plans and specifications, a copy of which is on file at the offices of the City Administrator and the City Engineer, are hereby approved.

2. The City Administrator shall prepare and cause to be inserted in the official paper an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published, shall specify the work to be done, shall state that bids will be received by the City Administrator until 10:00 a.m. on April 26, 2019, at which time they will be publicly opened in the Council Chambers of the City Hall by the City Administrator and City Engineer, will then be tabulated, and will be considered by the Council

at 7:30 p.m. on May 6, 2019, in the Council Chambers of the City Hall, Brainerd, Minnesota. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the Council on the issue of responsibility. No bids will be considered unless sealed and filed with the City Administrator and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the City Administrator for five (5) percent of the amount of such bid.

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

Adopted this ____ day of _____, 2019

_____
GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

_____
EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

EXHIBIT A

IMPACT OF ASSESSMENTS
CITY OF BRAINERD
IMPROVEMENT NO. 17-06
NE H STREET RECONSTRUCTION AND SIDEWALK IMPROVEMENTS

Available at Hearing Held March 4, 2019

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

A reasonable estimate of the total amount assessed is $186,000. This estimate is approximately 50% of the street reconstruction costs. The City reserves the right when actually levying assessments to assess up to the full costs of the improvement, which may exceed estimates available at the time of the hearing on the improvement.

The following is a description of the methodology the City intends to use to calculate individual assessments for affected parcels on Improvement 17-06: front footage. The City reserves the right when actually levying assessments to modify or depart from this methodology to the extent the City deems appropriate.

EXHIBIT B

IMPACT OF ASSESSMENTS
CITY OF BRAINERD
IMPROVEMENT NO. 17-07
10TH AVENUE NE RECONSTRUCTION

Available at Hearing Held March 4, 2019

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

A reasonable estimate of the total amount assessed is $134,000. This estimate is approximately 50% of the street reconstruction costs. The City reserves the right when actually levying assessments to assess up to the full costs of the improvement, which may exceed estimates available at the time of the hearing on the improvement.

The following is a description of the methodology the City intends to use to calculate individual assessments for affected parcels on Improvement 17-07: front footage. The City reserves the right when actually levying assessments to modify or depart from this methodology to the extent the City deems appropriate.

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: First Reading - Proposed Ordinance No. 1492 - City Fees

☐ 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: Cassandra Torstenson	**Department:** Administration/Finance
Presenter (Name & Title): Same	**Estimated Time Needed:** 10 minutes

Summary of Issue:

Staff has been working on a review of the current licensing fees. Attached is the draft ordinance with the current fees, and the recommended changes to the following Sections of the City Code; Section 1010 Licensing Fees, Section 1015 Permit Procedures and Fees, Section 425 Rental Housing Maintenance Code (fees adopted through Resolution 45:10) and Section 421 Uniform Fire Code. Many of our fees are appropriate and in line with other communities, but a few are being recommended for change.

Alternatives, Options, Effects on Others/Comments:

Recommended Action/Motion:

Approve the recommended changes to the fees as presented and hold the first reading of Ordinance No. 1492.

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☑ No

Please Explain:

O R D I N A N C E
No. 1492

AN ORDINANCE AMENDING BRAINERD CITY CODE SECTION 1010 LICENSE FEES, SECTION 1015 PERMIT PROCEDURES AND FEES, SECTION 425 RENTAL HOUSING MAINTENANCE CODE, SECTION 421 UNIFORM FIRE CODE AND OTHER FEES

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Section 1010.01 Fees Set. Shall be amended as follows:

Subdivision 2. Amusement and Entertainments.

Type of License	Section Requiring License	Current Fee	Recommended Fee
Bowling	1100	$20 per alley	Remove-obsolete
Pool Tables	1100	$25	Remove-obsolete

Subdivision 3. Building, Planning and Zoning.

Type of License	Section Requiring License	Current Fee	Recommended Fee
Food Trucks	515-66	$500 annual	Needs discussion

Subdivision 5. Liquor and Cigarettes.

Type of License	Section Requiring License	Current Fee	Recommended Fee
On-Sale Liquor Bars, Pubs, Taverns	1200	$3,000	$5,000
On-Sale Liquor Restaurants	1200	$3,000	$2,000
On-Sale Liquor Bowling Centers, Hotels	1200	$3,000	$2,000
Sunday On-Sale Liquor	1200	$100	$150
On-Sale Liquor Club Membership	1200	$500	$300; 200 or less $500; 201-500 $650; 501-1,000 $800; 1,001-2,000 $1,000; 2,001-4,000 $2,000; 4,001-6,000 $3,000; 6,000 or more

Subdivision 7. Miscellaneous. **To Be Added**

Type of License	Section Requiring License	Current Fee	Recommended Fee
Assessment Search Fee	Police Adopted July 1995	$5	$10
NSF Check Fee	-	$9	$20
E911 Addressing Fee	Adopted in 2010	$50	$75 (sign $25 + 1 hour staff time)

Subdivision 8. Fire Sprinkler System Installation and Remodeling

Type of License	Section Requiring License	Current Fee	Recommended Fee
New Construction	1010.01	$25 + $1 for each sprinkler head	$100 + $1 for each sprinkler head

SECTION TWO: That Section 1015 – Permit Procedures and Fees be amended as follows:

Type of License	Section Requiring License	Current Fee	Recommended Fee
Decks	1015.11	Based on Valuation	Discuss a Set Fee
Mobile Home Installation	1015.13	$150 + $1 State Surcharge	$250
Street Vacation	1015.13	$50	$150 (recording fee is $46 + 2 hours staff time)
Digital Mapping	1015.13	$25 per acre - $200 minimum	Remove-obsolete

SECTION THREE: That Section 425 – Rental Housing Maintenance Code

Type of License	Section Requiring License	Current Fee	Recommended Fee
Rental License Fee	425.1880	$32 per unit	Referred to the Rental Housing Review Committee
Rental License Re-Instatement Fee	425-1945	$15 per unit	$32 per unit

SECTION FOUR: That Section 421 – Uniform Fire Code be amended as follows:

Type of License	Section Requiring License	Current Fee	Recommended Fee
Fire Extinguisher Training	421	$5 per person up to $100	$5 per person up to $250
Natural Gas Hits (if proper procedures are not followed)	421	$100	$175 per hour – Billed in full hours
Emergency Services per Accident per Vehicle	421	$200	$0
Rescue Extrication per Vehicle per Incident	421	$500	$0
Training Room Rental 4 hours or less	421	$35	$75

Training Room Rental 4-8 hours	421	$60	$125

Miscellaneous Fees **to be Added** to Section 1010.01 Fees Set Subdivision 7. Miscellaneous

Type of License	Section Requiring License	Current Fee	Recommended Fee
Assessment Search Fee	Policy adopted July 1995	$5	$10
NSF Check Fee	-	$9	$20
E911 Addressing Fee	Adopted in 2010	$50	$75 (Sign $25 + 1 hr staff time)

SECTION FIVE: All other provisions of Sections 1010.01, 1015, 425, and 421 shall remain in full force and effect.

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

Adopted this ____day of ____, 2019

_____
GABE JOHNSON
President of the Council

Approved this____ day of ____, 2019

_____
EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One time, ____, 2019

Brainerd City Council
Agenda Request

Requested Meeting Date: March 4, 2019

Title of Item: Variance Request - 2910 Oak Street - To Construct Accessory Structure

☐ 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: Community Development Director	**Department:** Community Development
Presenter (Name & Title): David Chanski, CDD	**Estimated Time Needed:** 5 minutes

Summary of Issue:

The Planning Commission voted in a 3-2 vote to recommend approval of a variance to construct a 24'x24' accessory structure (garage) with only a 13-foot setback on the property of Brainerd Seventh Day Adventist Church located at 2910 Oak St., Brainerd, MN 56401. In his motion to recommend approval, Commissioner Marohn added a 9th finding of fact stating, "The unique character of the site, and the topography on the adjacent property, mitigates the necessity of a strict adherence to the setback."

Alternatives, Options, Effects on Others/Comments:

Findings of Fact:
1. Setbacks from adjacent residential zoning in a B-1 Office Residential District will be 30 feet from the property line.
2. A proposed setback of 13 feet along the west side of the property is requested.
3. The western wall of the north section of the principle structure currently sits approximately 20 feet from the property line.
4. Per Section 515-17.8.c., the proposed accessory structure does not exceed 30% of the gross floor space of the principle building
5. The proposed accessory structure will be the third accessory structure to the primary structure constructed on the property. However, there is no limit to the number of accessory structures in a B-1 district.
6. The proposed accessory structure will increase the impervious area of the property by approximately 480 square feet. However, there are no lot coverage requirements in a B-1 district.
7. An estimated 2 parking spots would be removed with the construction of this accessory structure, but the minimum required parking per the Code of Ordinances would still be met.
8. The applicant intends to construct the accessory structure some 24 feet to the south of the primary structure.
9. *The unique character of the site, and the topography on the adjacent property, mitigates the necessity of a strict adherence to the setback.

Recommended Action/Motion:

The Planning Commission recommends approval of the variance to construct a 24'x24' accessory structure with a 13-foot setback on the property of Brainerd Seventh Day Adventist Church located at 2910 Oak St. with the finding of fact that "The unique character of the site, and the topography on the adjacent property, mitigates the necessity of a strict adherence to the setback."

Financial Impact:

Is there a cost associated with this request: ☐ Yes ☑ No

What is the total cost, with tax and shipping $ _____

Is this budgeted? ☐ Yes ☑ No

Please Explain:

City of Brainerd
Community Development Department

TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: February 21, 2019

RE: 2910 Oak St. Accessory Structure Variance

Donald Peterson, 2606 Crestview Lane, Brainerd, MN 56401, has submitted a plan to construct a 24' x 24' accessory building (garage) on the property of Brainerd Seventh Day Adventist Church located at 2910 Oak St., Brainerd, MN 56401. The property is in a B-1 (Residential Office) District.

The applicant is requesting a variance from Section 515-17 General Building, Use and Design Provisions. Section 151-17.8.c states in a commercial district an "accessory building shall meet all the required setbacks of the principal building." The applicant is requesting a variance to construct an accessory building with only a 13-foot setback along the west side of the property.

Findings of Fact

1. Setbacks from adjacent residential zoning in a B-1 Office Residential District will be 30 feet from the property line.
2. A proposed setback of 13 feet along the west side of the property is requested.
3. The western wall of the north section of the principle structure currently sits approximately 20 feet from the property line.
4. Per Section 515-17.8.c., the proposed accessory structure does not exceed 30% of the gross floor space of the principle building
5. The proposed accessory structure will be the third accessory structure to the primary structure constructed on the property. However, there is no limit to the number of accessory structures in a B-1 district.
6. The proposed accessory structure will increase the impervious area of the property by approximately 480 square feet. However, there are no lot coverage requirements in a B-1 district.
7. An estimated 2 parking spots would be removed with the construction of this accessory structure, but the minimum required parking per the Code of Ordinances would still be met.
8. The applicant intends to construct the accessory structure some 24 feet to the south of the primary structure.

No concerned parties came before the Planning Commission during the public hearing on February 20, 2019, to express concerns about the requested variance.

Staff Opinion

As the western wall of the north section of the principle structure already sits approximately 10 feet shorter than the required 30 feet from the property line and as the property is well screened by trees and other vegetation from the adjacent residential property and as the proposed accessory structure would sit over an estimated 150 feet from the closest residential property and as the applicant seeks a reduced setback so as to eliminate as little parking as possible while keeping new impervious space to a minimum, it is the opinion of staff that this variance request be approved.

Planning Commission Decision

The Planning Commission, at their regular meeting on February 20, 2019, made the decision in a 3-2 vote to recommend approval of this variance request to the City Council. Commissioners Gorham, Marohn, and Lambert voted in favor with Commissioners Burslie and Duvall voting against.

Commissioner Marohn discussed that he believes the ordinance in and of itself causes undue burden on the applicant as B-1 districts require places of worship to have a side yard setback of 30 feet while other non-residential uses would not require such a setback unless they are adjacent to a residential property. While the property in question is adjacent to residential property, there is 1) a low lying, undevelopable wet land separating the two properties, 2) the closest residential structure is approximately 150 feet from the proposed location of the accessory structure, and 3) there is plentiful natural screening between the two properties. Commissioners Burslie and Duvall stated that they do not believe, however, that the applicant had demonstrated a practical difficulty due to circumstances unique to the property not created by the landowner as stated in Section 515-7-2 Subdivision 4.II of the Code of Ordinances.

It is to be noted that, in his motion to recommend approval to the City Council, which was seconded by Commissioner Lambert, Commissioner Marohn added a 9th finding of fact stating, “The unique character of the site, and the topography on the adjacent property, mitigates the necessity of a strict adherence to the setback.”

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

RECEIVED
JAN 22 2019
CITY OF BRAINERD
ADMINISTRATION

Receipt # 2019-0000
Check # 6858
Date Paid: 1/23/19

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

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

PROPERTY ADDRESS: 2910 Oak St

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

Property Owner Name: Mn Conference ASS

Street Address: 7384 Fairwood Ct **City:** Maple Grove **State:** MN **Zip Code** 55369

Phone Number: 763-424-8923 **Fax:** _____ **E-mail:** _____

Applicant Name: (If different than Property Owner) Donald Peterson

Street Address: 2606 Crestview Lane **City:** Brainerd **State:** MN **Zip Code:** 56401

Phone Number: 218-537-0408 **Fax:** _____ **E-mail:** _____

Description of Request: to build a 24'x24' garage with a 17' side yard setback adjacent to residential zone. A 30' setback is required.

Not requiring a Conditinal Use Permit. MAO 10/25/18

Donald Peterson
Property Owner Signature **Date**

(Please print name)

Applicant Signature **Date**

(Please print name)

(OVER)

CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401-
(218) 828-2309 FAX: (218) 828-2316

2019-00001
ISSUED:

PRINTED WITHOUT ISSUING 1/23/2019

Permit #: 2019-00001

ADDRESS	:	2910 OAK ST
PIN	:	050293200D00889
LEGAL DESC	:	SEC 29 TWN 045 RGE 30
	:	LOT 000 BLOCK 000 PARCEL 0
PERMIT TYPE	:	VARIANCE FEE - COMMERCIAL
PROPERTY TYPE	:	COMMERICAL
CONSTRUCTION TYPE	:	VARIANCE

APPLICANT

MN CONFERENCE ASSOC OF SEVENTH DAY, ADVENTIST
7384 KIRKWOOD COURT
MAPLE GROVE, MN 55369

OWNER

MN CONFERENCE ASSOC OF SEVENTH DAY, ADVENTIST
7384 KIRKWOOD COURT
MAPLE GROVE, MN 55369

AGREEMENT AND SWORN STATEMENT

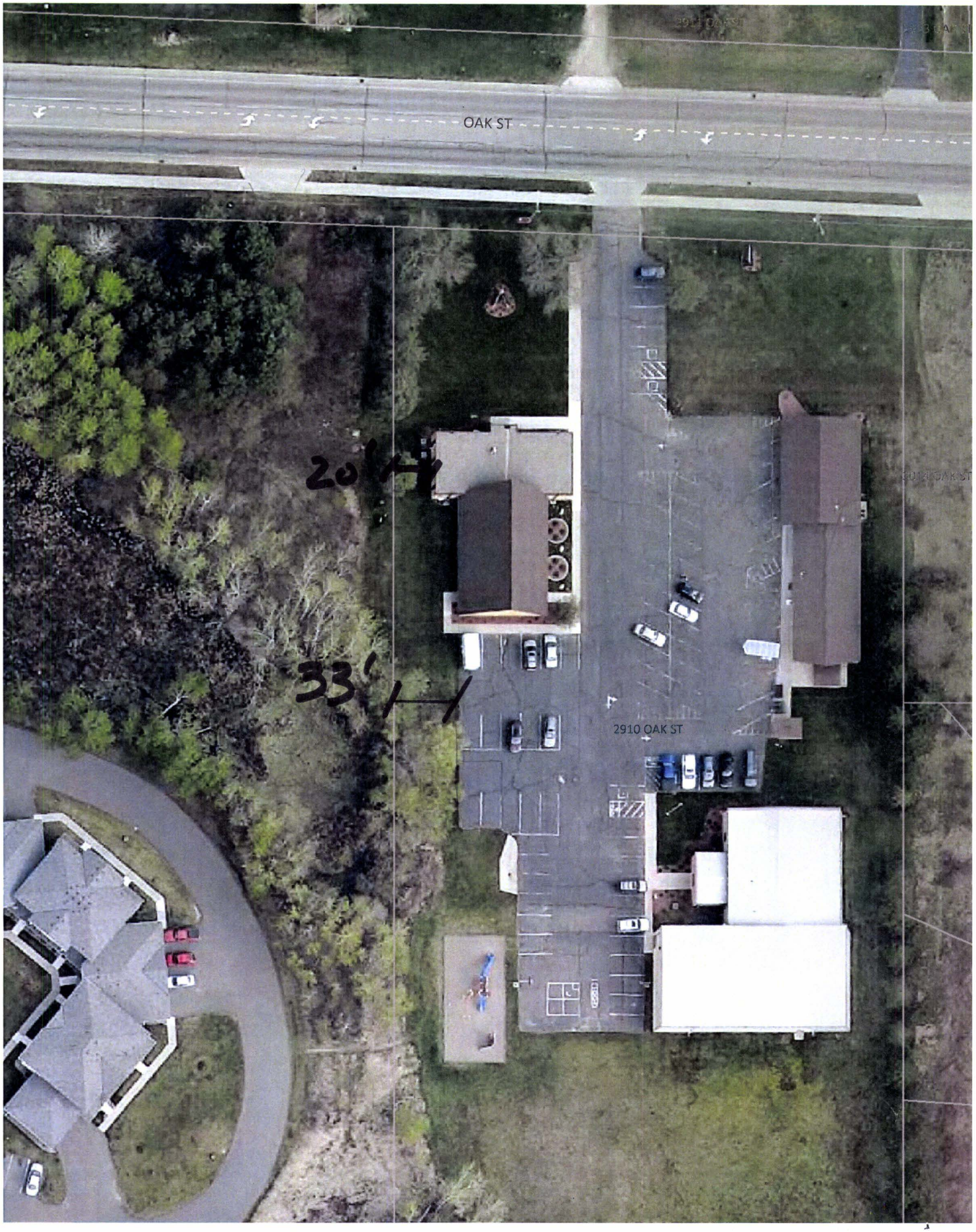
I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

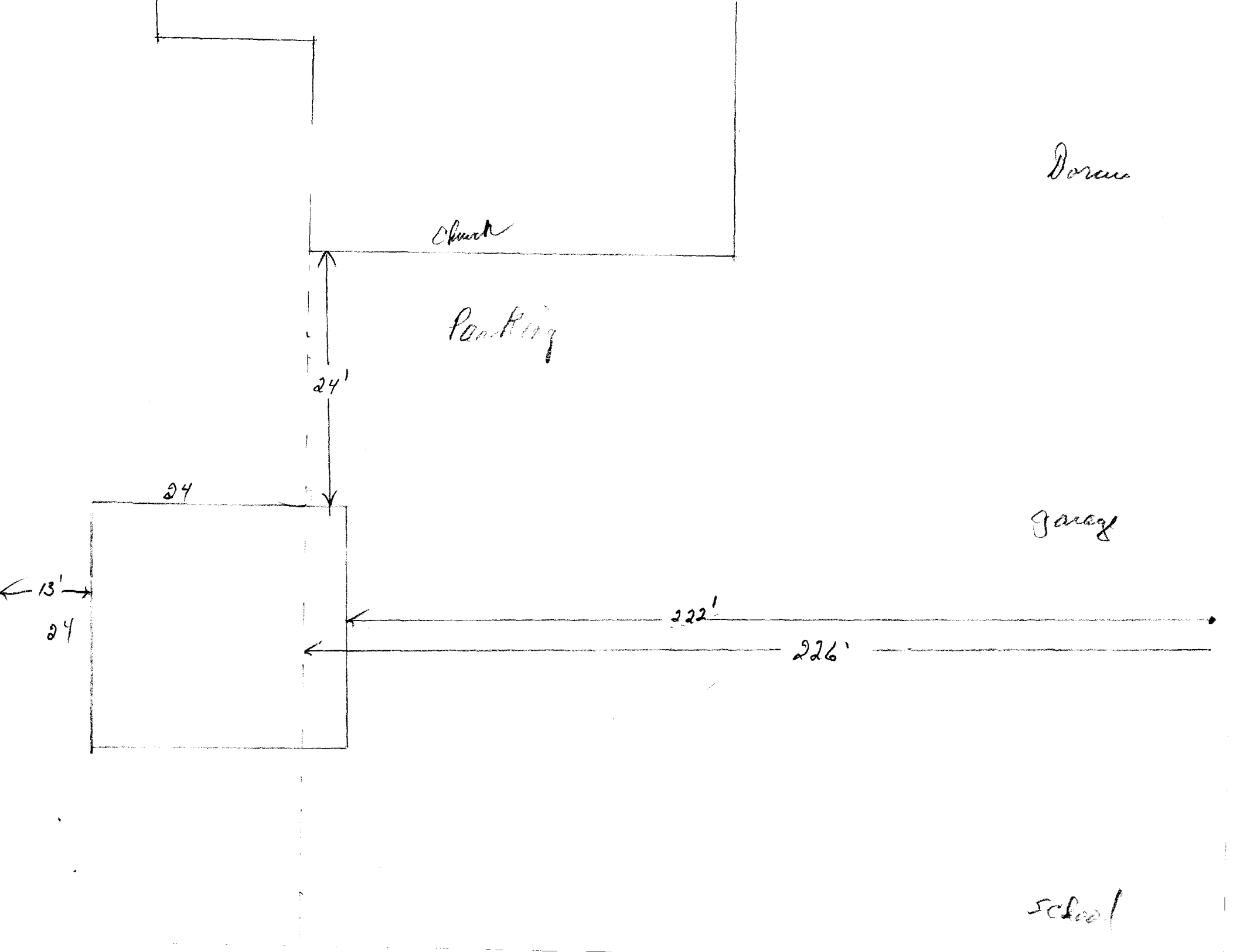
Signature of Applicant Date

This permit becomes null and void if construction authorized is not commenced within 180 days, or if construction is suspended for a period of 180 days at any time after work is commenced.

VARIANCE - COMMERCIAL		400.00
	TOTAL	**400.00**
Payment(s)		
CHECK	*6858*	400.00

SEPARATE PERMITS REQUIRED FOR WORK OTHER THAN DESCRIBED ABOVE.


OAK ST
20 FT
33'
2910 OAK ST


Dorcas
Church
Parking
24'
24
garage
13'
24
222'
226'
School

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Donald Peterson, 2606 Crestview Lane, Brainerd, MN 56401, has submitted a plan to construct a 24' x 24' accessory building (garage) on the property of Brainerd Seventh Day Adventist Church located at 2910 Oak St., Brainerd, MN 56401. The property is in a B-1 (Residential Office) District.

A variance from the following Zoning Ordinance section is requested**:** *SECTION 515-17 GENERAL BUILDING, USE AND DESIGN PROVISIONS*

8.c. Commercial. Accessory building shall meet all the required setbacks of the principal building. Setbacks from adjacent residential zoning in a B-1 Office Residential District will be 30 feet from the property line. An accessory building setback of 13' along the west side of the property is requested.

The property is legally described as follows:

E 8 Acres of W 19 Acres of NW ¼ of SW ¼ & E. 9 FT of E. 10 Acres of W. 11 Acres. Except Hwy. And Also Except That Part Platted As Brainerd Oaks
P.I.N. No. 050293200D00889
Section 29 Township 45 Range 30

Notice is further given that the Planning Commission of the City of Brainerd will meet in the Brainerd City Hall Council Chambers, 501 Laurel Street, at 6:00 p.m., Wednesday, February 20, 2019 to consider the request for the Variance.

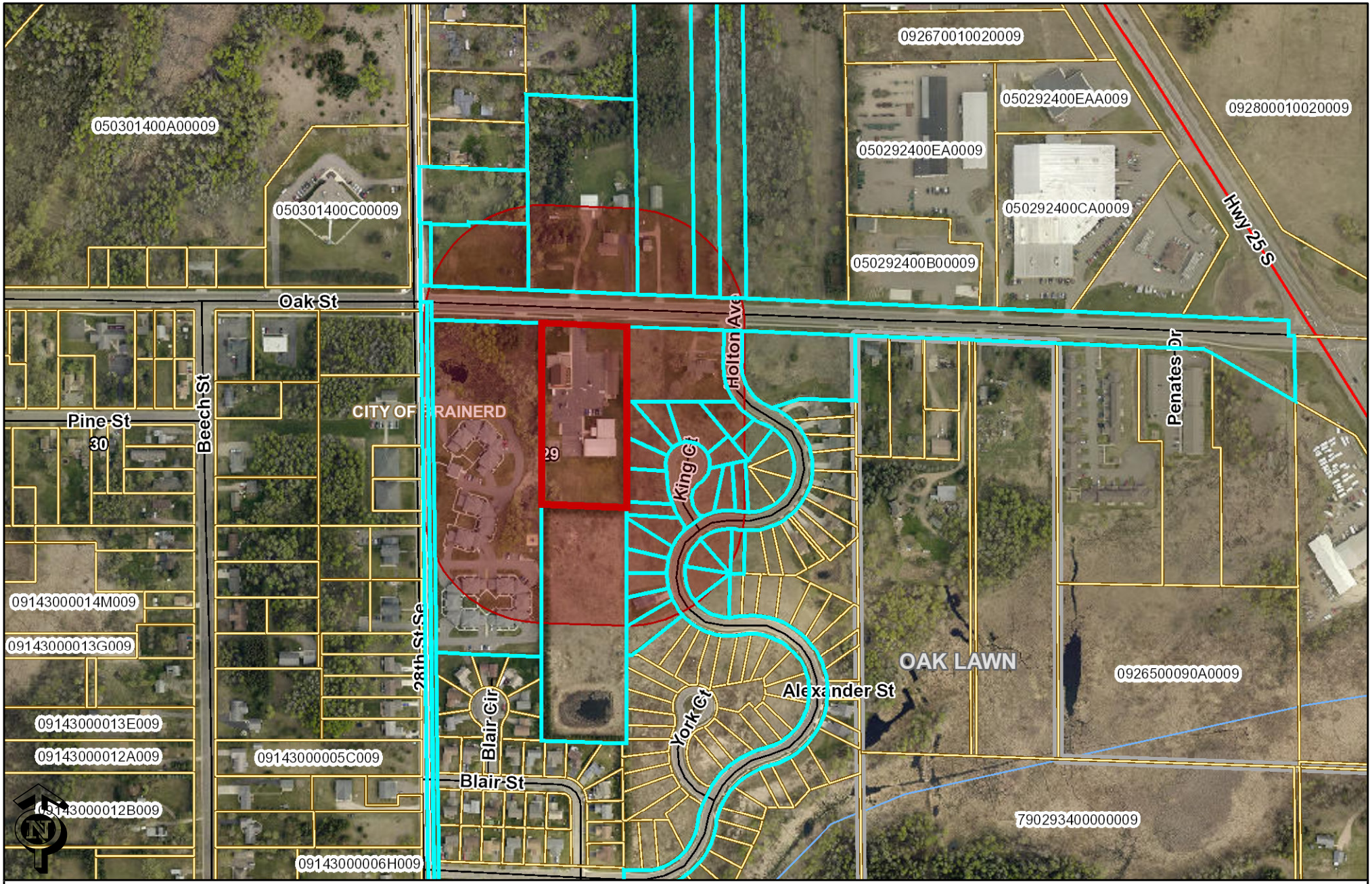
An application is on file for review at the Community Development Department, 501 Laurel Street.

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

Dated this 4th day of February, 2019

_____
David C. Chanski
Community Development Director

Publication date: February 8, 2019



Variance 2910 Oak St

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

Date: 2/1/2019 Time: 1:04:42 PM

CROW WING COUNTY MINNESOTA

Legacy Parcel Number	Owner Name	Owner Address	Owner Address 2	Owner Address 3	Physical Address	Physical City
92710100000000	BOCK, MICHAEL P & DANIELLE S	758 KING CT	BRAINERD MN 56401			
0927100090F0009	BRAINERD HOUSING & REDEVELOPMENT	AUTHORITY	324 EAST RIVER RD	BRAINERD, MN 56401		
92710100000000	CHURCHILL, LOYD D & KAREN	3014 OAK ST	BRAINERD, MN 56401		3014 OAK ST	BRAINERD
92710100000000	CROSS, JEREMY D & SAMI J	700 HOLTON AVE	BRAINERD MN 56401			
92710100000000	FREDRICKSON, BRETT L & KAITLYN C	826 HOLTON AVE	BRAINERD MN 56401		826 HOLTON AVE	BRAINERD
92710100000000	GRAHAM, RANDY J	734 KING CT	BRAINERD MN 56401			
92710000000000	HOUSING & REDEVELOPMENT AUTHORITY	IN AND FOR THE COUNTY OF CROW WING	324 EAST RIVER ROAD	BRAINERD, MN 56401		
92710100000000	JACOBSON, ANGIE & SALEEN, HEATHER	778 KING CT	BRAINERD MN 56401			
92710100000000	JENSEN, DEBORAH S	806 HOLTON AVE	BRAINERD MN 56401			
050292300EC0009	JOHNSON REVOCABLE TRUST 3-20-2011	C/O JAMES D & CHLOE ANN C JOHNSON	2911 OAK ST	BRAINERD, MN 56401	2911 OAK ST	BRAINERD
92710100000000	KOTTKE, DAVID M	818 HOLTON AVE	BRAINERD MN 56401			
790292300B00009	LIBERTY GROUP LLC	C/O BANG PRINTING	3323 OAK ST	BRAINERD, MN 56401	3023 OAK ST	BRAINERD
050292300C00009	LIBERTY GROUP OF BRAINERD LLC	PO BOX 587	BRAINERD, MN 56401			0 BRAINERD
92400000000000	MARSH RUN MN I LLC	3120 GATEWAY RD	BROOKFIELD WI 53045			0 BRAINERD
050293200D00889	MINNESOTA CONFERENCE ASSOC OF	SEVENTH DAY ADVENTISTS	7384 KIRKWOOD COURT	MAPLE GROVE MN 553(	2910 OAK ST	BRAINERD
790293200FA0009	MINNESOTA POWER AND LIGHT	30 W SUPERIOR ST	DULUTH MN 55802			0 BRAINERD
050292300RZ0009	ORTON, JAY D & TERRY J REV TRUST	AGREEMENT DATED 10-15-01	7246 COUNTY ROAD 23	BRAINERD, MN 56401		0 BRAINERD
92710100000000	PAXMAR-BRAINERD LLC	3495 NORTHDALE BLVD NW STE 210	COON RAPIDS, MN 55448			
92710100000000	SCHRAMEL, MICHAEL M & ALYSSA M	740 KING CT	BRAINERD MN 56401			
92710100000000	SCHULZ, JAMES A & CARRIE J	748 KING CT	BRAINERD MN 56401			
92710100000000	SPARROW, ROSS & DOUTHIT, MARY ROSE	812 HOLTON AVE	BRAINERD MN 56401			
92710000000000	SWEET, KENDAHL D	PO BOX 1207	BRAINERD, MN 56401			
927000000000000000	TAX FORFEITED	CROW WING COUNTY LAND SERVICES	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590		
92710100000000	VANG, AN	710 HOLTON AVE	BRAINERD MN 56401			
92710100000000	WILLIAMS, BRIAN & TRACY	730 KING CT	BRAINERD MN 56401			