

CITY COUNCIL AGENDA

Brainerd, Minnesota

October 21, 2019

7:30 P.M.

Brainerd City Hall

Council Chambers

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

2. **Roll Call**

___ J. Lambert ___ K. Stunek ___ D. Pritschet ___ K. Bevans

___ D. Badeaux ___ T. Erickson ___ 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 October 7, 2019

Documents:

20191007_CC draft .pdf

B. **Approval Of Licenses**

Contractor Licenses - 2 - New

Documents:

Contractor Licenses.pdf

C. **Department Activity Reports**

1. Police Chief
2. Finance Director

Documents:

Police Chief Report.pdf

D. Adopt Resolution Accepting Donations & Contributions For The 3rd Quarter 2019

Documents:

Resolution 3rd Qtr Donations Parks.pdf

E. Temporary On-Sale Liquor License Application - Submitted By The Crossing Arts Alliance For An Event To Be Held November 8, 2019 At 711 Laurel Street, Brainerd - Approval Of

F. New Tobacco License And Fill Station License Application - Submitted By Mid-Town Depot, 321 Washington Street, Brainerd - Contingent Upon Background Check And Fire Inspection - Approval Of

6. Community Member Of The Month

- Mike Padgett

7. Presentations

A. Brainerd Lakes Area Economic Development Corporation (BLAEDC) Presentation - Tyler Gylmn

B. Memorial Park Design Presentation

Documents:

Memorial Park .pdf

8. Council Committee Reports

A. Personnel And Finance Committee - 7:00 P.M.

Documents:

20191021_PF.pdf

1. Approval Of Bills & Payments To Contractors

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Contract Amount</u>
Visu-Sewer	18-11	Joint Manhole Rehab Project	\$12,387	\$13,312

2. Ratify The Hiring Of Police Officer Bailey Boelter

Documents:

Ratify the Hiring of Police Officer Bailey Boelter.pdf

3. Training On New Employee Policy Manual

Documents:

Training on New Employee Policy.pdf

4. Small Cities Development Program (SCDP) Grant CDAP-15-0038-O-FY16 (Downtown Grant) - Informational

Documents:

SCDP Downtown Grant.pdf

5. Tower Awards - Discussion Of

Documents:

Tower Awards.pdf

6. Memorial Park Parking Lot - Informational

Documents:

Memorial Park Parking Lot.pdf

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

Documents:

20191021_SPW.pdf

1. 2019-2020 Downtown Snow Removal - Consideration Of Bids And Award Recommendation

Documents:

2019-2020 Downtown Snow Removal Bids.pdf

2. Improvement 18-11 - Joint City Of Brainerd And Crow Wing County Manhole Rehabilitation Project - Final Pay Estimate Number 1

Documents:

Improvement 18-11 - Final Pay Estimate 1.pdf

3. Resolution - Directing That Costs Incurred In Removing Hazardous Structure Be Reported To Court - 507 South 6th Street

Documents:

Res - Directing Costs Incurred in Removing Hazardous Structure be Reported to Court.pdf

4. Transportation Alternatives - Authorization To Submit Letter Of Intent To Apply For Funds For 28th Street Trail Connection

Documents:

Transportation Alternatives - Consideration to Submit Letter of Intent.pdf

9. **Unfinished Business**

- A. **Public Hearing - Downtown Special Services, Downtown Snow Removal, And 2019 Nuisance Assessments - Consideration Of Resolution Ordering The Special Assessments**

Documents:

PH and Res - Downtown Special Services, Snow Removal, Nuisances.pdf

- B. **Public Hearing - Improvement 17-06 And 17-07 Assessments - Consideration Of Resolution Ordering The Special Assessments**

Documents:

PH and Res - Adopt Assessments - Improvements 17-06 and 17-07.pdf

1. (Added Item) Letters From Residents Regarding Assessments

Documents:

*Johnson.pdf
Green.pdf
Weiss.pdf*

- C. **City Hall Remodel - Consideration Of Bids And Award Recommendation**

Documents:

City Hall Remodel - Consideration of Bids and Award Recommendation.pdf

- D. **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: (terms to expire on 12/31 of said year)

Cable TV Advisory Committee - 1 term (Expire 2019) - 2 terms (Expire

2021)

Charter Commission - 2 terms (Expire 2020) - 1 term (Expire 2021) - 1 term (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) - 1 term (Expire 2020)

10. **New Business**

A. **Set Meeting Time On November 4th For City Administrator Applicant Review And Select Finalists For Interviews**

Documents:

Set Meeting Time for City Administrator Applicant Review.pdf

B. **(Added Item) City Meetings At The County Courthouse**

Documents:

Added Item.pdf

11. **Planning Commission**

A. **Variance Request - 1853 Graydon Ave - Setbacks For Garage**

Documents:

1853 Graydon Ave - Setback Variance.pdf

B. **First Reading - Proposed Ordinance No. 1500 - Rezone 11349 Easy Street From R-1A To R-1 - Interim City Administrator Thoreen Recommends To Dispense With The Actual Reading**

Documents:

Rezoning 11349 Easy St.pdf

C. **First Reading - Proposed Ordinance No. 1501 - Nonconforming Rentals - Interim City Administrator Thoreen Recommends To Dipense With The Actual Reading**

Documents:

First Reading - Proposed Ordinance No. 1501.pdf

12. **Public Forum**

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

13. **Staff Reports**

(Verbal: Any Updates since Packet)

14. **Council Member Reports**
15. **Closed Session Pursuant Minnesota Statute 13D.05 Subd. 3(C)(3) To Consider Counteroffers For The Purchase Of Property At 304 Washington Street West, 422 4th Street NW, 623 4th Street NW, 502 Jackson Street, 424 3rd Street NW, And 622 4th Street NW All In Brainerd, MN 56401**
16. **Closed Session Pursuant To MN Statutes 13D.05 Subd. 3(B) For Attorney-Client Privilege To Discuss The IAFF V. City Of Brainerd Lawsuit**
17. **Adjourn**

Note: Safety and Public Works Committee will meet at 7:00 p.m.
Personnel and Finance Committee will meet at 6:45 p.m.

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

MISSION

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

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.

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

Administer Oath of Office

Interim City Administrator Thoreen administered the Oath of Office to Tad Erickson, Alderman, At-Large.

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

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

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

A. Approval of the Minutes of the Regular Meeting held on September 16, 2019 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 1 – New; 1 - Renewal

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director

D. Adopt Resolution Accepting Donations & Contributions for the 3rd Quarter 2019 – Adopted by Resolution No. 52:19

E. Resolution to Renew Memorandum of Understanding with Central Lakes College – Adopted by Resolution 53:19

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

Community Member of the Month

Mayor Menk presented Mr. Rick Fargo with the Community of the Month award. Mayor Menk stated Rick has done a great job over the years in the community with his rental properties, volunteering for several boards and commissions, and the comprehensive plan update. Mayor Menk thanked Rick for his service and dedication to the City of Brainerd.

Presentations

PulsePoint

The Chair welcomed Fire Chief Holmes, who presented the details for a new phone app that the department has been working on implementing called PulsePoint. He stated the app would allow everyday citizens to act in the event of a sudden cardiac arrest where CPR is needed. He indicated all costs were specifically donated for this project and will continue to provide Council with information. He said the City will be the host for all of Crow Wing County and has funding for three years. He indicated they will continue to work at obtaining donations for future years.

Police Department Facility Project

City Engineer Sandy explained the facility project for the police department is ready to go into the bidding process phase of the project.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO PROCEED INTO THE BIDDING PHASE OF THE POLICE DEPARTMENT PROJECT.

Comprehensive Plan Adoption

Community Development Director Chanski stated the City initiated a revision of the Comprehensive Plan back in 2017. He said the plan has now been completed and is ready to be adopted. He showed a video that was created with residents talking about life in the Brainerd Lakes area.

The Chair recognized Ashley Kaisershot, one of the project leaders from Sourcewell, who reviewed the process that got to the point we are today which is the adoption of the Comprehensive Plan. She said there was a lot of work put into community input, steering committee meetings and surveys in order to form the focus areas and important strategies for the future.

Community Development Director Chanski explained the implementation process that is defined in the back of the plan and the next steps that staff will be taking towards making this a living document for the future.

Council Member Erickson stated he will be abstaining from the vote, as his employer was the main consultant on the plan. He said he had the opportunity to be a part of the steering committee and thanked the team for the hard work that everyone put in to make this possible.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET TO ADOPT A RESOLUTION TO ADOPT THE COMPREHENSIVE PLAN AS PRESENTED.

RESOLUTION NO. 54:19

Upon roll call, members Lambert, Pritschet, Bevans, Badeaux, and Johnson voted "aye". No member voted "nay". Member Erickson abstained from voting. The Chair declared the motion carried.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

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

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Contract Amount</u>
ASTECH	19-03	2019 Seal Coating	\$167,845	\$168,017
Anderson Brothers	18-09	College Drive Overlay	\$454,223	\$484,029
Anderson Brothers	18-08	South 4 th St Overlay	\$138,634	\$141,164
Tom's Backhoe	17-10	SE Alley Sanitary Sewer	\$448,910	\$462,288

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

2019 DNR Grant Award - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT THE GRANT AWARD AND EXECUTE THE GRANT CONTRACT WITH THE APPROPRIATE SIGNATURES.

Committee Chair Badeaux indicated the grant award is a 50:50 match which allows the department to upgrade the water tank and pump on the wildland fire truck.

MN Fire Department Turnout Gear Dryer Award Program – Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE A LETTER FROM THE CITY INDICATING THE INTENT AND APPROVAL TO PURCHASE A TURNOUT GEAR DRYER, IF FUNDS ARE AWARDED TO THE BRAINERD FIRE DEPARTMENT THROUGH THE MN FIRE MARSHAL'S GRANT PROGRAM.

Sale of Ladder #2 in 2020 - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE FIRE CHIEF HOLMES TO WORK WITH CROSBY FIRE DEPARTMENT ON THE DIRECT SALE OF LADDER #2, 2007 CENTRAL STATES 75' AERIAL APPARATUS AT A PRICE OF \$165,000.

Riverfront Trail Feasibility Study Proposal – Approved

Community Development Director Chanski stated the original feasibility study outlined four in-depth tasks that had an estimate of \$98,772. He said after reviewing the proposal, it was staff's recommendation to focus on Tasks 1 and 2, which dropped the cost to \$78,983. He stated the Council allocated \$40,000 during the 2019 budget process, but additional efforts to locate sources of funding for the remaining amount were unsuccessful. He indicated staff met with SEH to redefine the scope of the project to fit within the \$40,000 to be paid out of State MIF Funds.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE THE RIVERFRONT TRAIL FEASIBILITY STUDY PROPOSAL BY SEH AT A COST NOT TO EXCEED \$40,000 TO BE PAID OUT OF STATE MIF FUNDS.

Ratify the Hiring of James Kramvik as Zoning Specialist – Permit Technician - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS, DULY CARRIED, TO RATIFY THE HIRING OF JAMES KRAMVIK AS ZONING SPECIALIST-PERMIT TECHNICIAN EFFECTIVE OCTOBER 15, 2019; FURTHER, THAT MR. KRAMVIK BE PLACED ON STEP 1 OF THE ZONING SPECIALIST-PERMIT TECHNICIAN WAGE GRID (\$23.27 PER HOUR).

Ratify the Hiring of Seth Greenwaldt as Street & Sewer Maintenance I - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO RATIFY THE HIRING OF SETH GREENWALDT AS STREET MAINTENANCE I EFFECTIVE OCTOBER 7, 2019; FURTHER, THAT MR. GREENWALDT BE PLACED ON STEP 2 OF THE STREET MAINTENANCE I WAGE GRID (\$21.31 PER HOUR).

Council determined to continue to place all future conditional job offers, hires or ratifications of hiring on the Personnel and Finance agenda for consideration at committee level prior to the Council meeting.

Thoreen Interim City Administrator Agreement - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS, DULY CARRIED, TO APPROVE THE ATTACHED EMPLOYMENT AGREEMENT WITH MR. THOREEN AND TO SET THE LIVING EXPENSE REIMBURSEMENT AT \$200 PER WEEK.

2020 Health Insurance Renewal - Approved

HR Director Schubert explained the health insurance plan options that are offered through Sourcewell for year 2020. She stated there is a different plan offered called Smart Plan, which staff recommends utilizing Alternate #3 to replace our current High Deductible Health Plan. She indicated this plan costs a little less than our current plan and offers additional benefits.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE THE 2020 SOURCEWELL HEALTH INSURANCE PLANS AND RATES AS RECOMMENDED BY THE EMPLOYEE INSURANCE COMMITTEE UTILIZING OUR CURRENT \$1,000 DEDUCTIBLE PLAN AND THE NEW SMART PLAN ALTERNATE #3 TO REPLACE OUR CURRENT HIGH DEDUCTIBLE HEALTH PLAN.

Consulting Agreement with Hildi, Inc. for Actuarial Services to Comply with Government Accounting Standard Board (GASB) 74/75 Relating to Other Post Employment Benefits (OPEBs) - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE AUTHORIZATION SIGNATURES ON THE AGREEMENT FOR CONSULTING SERVICES WITH HILDI, INC. FOR 2020 IN THE AMOUNT OF \$3,100 PLUS \$500 FOR EXHIBITS AND APPROXIMATELY \$800 FOR 2021 SERVICES.

Tower Award Options – Direction Given

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO APPROVE THE TOWER AWARD PURCHASE FROM WINNERS TROPHY USING THE CITY SEAL.

Council Member Bevans stated he would like to stay with the existing tower award which has a gold metal replica of the tower rather than the proposed engraved tower. He indicated the people who receive a tower award from the City has earned the recognition and deserves a nice award.

Council discussion took place.

Council Member Badeaux rescinded the motion.

Council directed staff to obtain a sample of the award from Winner's Trophy to view prior to making a decision.

Safety and Public Works Committee Report

Event/Alley Closure Application – Zion Lutheran Church Trunk-Or-Treat - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR ZION LUTHERAN CHURCH TRUNK-OR-TREAT HELD ON OCTOBER 31, 2019 UNDER THE CONDITION THE APPLICANT SUBMIT A REQUEST FOR TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT.

Event/Street Closure Application – St. Francis School Marathon - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE ST FRANCIS SCHOOL MARATHON ON OCTOBER 16, 2019 UNDER THE CONDITIONS THAT THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT AND THAT ALL SIGNS AND BANNERS ARE REMOVED UPON THE EVENT COMPLETION.

Improvement 17-10 – Sanitary Sewer Project – Alley Oak to Pine from SE 11th Street to SE 19th Street – Final Pay Estimate Number 4 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL PAYMENTS TO TOM'S BACKHOE SERVICE AND ANDERSON BROTHERS CONSTRUCTION IN THE AMOUNT OF \$55,951 TO TOM'S BACKHOE AND \$21,190 TO ANDERSON BROTHERS CONSTRUCTION FROM SANITARY SEWER FUND 237.

Improvement 18-08 and 18-09 – College Drive and South 4th Street Mill and Overlay Project – Final Pay Estimate Number 2 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL PAYMENT TO ANDERSON BROTHERS IN THE AMOUNT OF \$31,075 AND A TOTAL CONTRACT

CONSTRUCTION COST OF \$592,857 FROM CONSTRUCTION FUND 401 AND REIMBURSED THROUGH THE STATE AID ACCOUNT.

Improvement 19-03 – 2019 Seal Coat Project – Final Pay Estimate Number 1 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE ATTACHED PAY ESTIMATE FOR IMPROVEMENT 19-03 – 2019 SEAL COAT PROJECT TO ASPHALT SURFACE TECHNOLOGIES CORPORATION IN THE FINAL CONTRACT AMOUNT OF \$167,845 FROM CONSTRUCTION FUND 401.

City-Wide Hydrologic and Hydraulic Modeling – Consideration of Proposal for Services – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE ATTACHED PROPOSAL AND SCOPE OF SERVICES AND BUDGETING FOR THE EXPENSE IN 2020 OUT OF STORM SEWER FUND 238 IN THE AMOUNT OF APPROXIMATELY \$57,750-\$68,250.

City Engineer Sandy explained the details of the hydrologic and hydraulic modeling proposal, which will assess the capacity of the current system. He said this is an additional part to the City-Wide Stormwater Retrofit Analysis.

Jackson Street and NW 3rd Street Improvement – Request to Authorize Letter Report - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE QUOTE FROM NAGELL APPRAISAL AND CONSULTING TO PERFORM A LETTER REPORT FOR JACKSON STREET AND NW 3RD STREET IMPROVEMENTS AT THE COST OF \$1,200.

Council Member Johnson was opposed to the motion, as he did not feel that an appraisal is necessary. He stated the City has an assessment policy in place.

Members Lambert, Pritschet, Bevans, Badeaux, and Erickson voted "aye". Member Johnson voted "nay". The Chair declared the motion carried.

Transit Package Policy - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE AMENDMENT TO POLICY 2.3.5 PACKAGES IN THE TRANSIT POLICY TO READ *"ABUSERS OF THIS POLICY WILL RECEIVE ONE WRITTEN WARNING AND THEN ARE SUBJECT TO SUSPENSION OF TRANSIT SERVICES FOR 30 DAYS."*

Unfinished Business

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

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

Cable TV Advisory Committee – 1 term (Expire 2019) - 2 terms (Expire 2021)

Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2020)

City Hall Annex Roof Evaluation and Drivers License Office Lease - Approved

City Engineer Sandy explained the initial report received from WSN was based on information provided to them that the roof of the annex and the parking garage were replaced in 2005. He said it was discovered only the parking garage roof was replaced at that time and the annex roof was replaced in 1989. He reviewed the options available for repairing the roof of the annex based on an inspection from WSN and Thelen Heating and Roofing.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO SELECT OPTION #3 TO REPLACE THE ROOF AT A BID OF \$39,800 FROM THELEN HEATING AND ROOFING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ADOPT THE LEASE RENEWAL OF THE DRIVERS LICENSE OFFICE THROUGH OCTOBER 31, 2022.

Public Hearing – 5 Year Street and Sewer Capital Plan and Adoption Consideration - Approved

The Chair opened the public hearing at 8:50 p.m.

No one came forward.

The Chair closed the public hearing at 8:51 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ADOPT THE FIVE-YEAR STREET AND SEWER CAPITAL PLAN AS PRESENTED.

Public Hearing and Resolution – Petition and Consideration to Vacate Northern Pacific Road and Blacksmith Circle in SE Brainerd – Adopted by Resolution No. 55:19

The Chair opened the public hearing at 8:53 p.m.

No one came forward.

The Chair closed the public hearing at 8:53 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT A RESOLUTION TO VACATE NORTHERN PACIFIC ROAD AND BLACKSMITH CIRCLE WITHIN THE NORTHERN PACIFIC CENTER PROPERTY.

Discussion took place regarding access to the property by police and fire in emergency situations.

RESOLUTION NO. 55:19

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

New Business

Memorial Park Parking Lot – Mike Higgins Interest Selling to the City

Council Member Badeaux stated Mike Higgins, owner of the Brainerd Industrial Center approached the Council with interest in selling the Memorial Park parking lot to the City.

The Chair recognized Mike Higgins who gave a brief history on the parking lot and the offer he has put forth for the City to purchase the Memorial Park parking lot at the cost of \$300,000. He stated he is looking toward development projects in the future and would like to know if he is to utilize that lot in his plans, or if a purchase agreement can be discussed with the City.

Council discussion took place regarding the proposed Memorial Park project.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, ADD THIS TOPIC TO THE OCTOBER 21, 2019 PERSONNEL AND FINANCE COMMITTEE AGENDA AND COUNCIL MEETING AGENDA.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO OBTAIN AN APPRAISAL FOR THE MEMORIAL PARK PARKING LOT PROPERTY, NOT TO EXCEED \$3,500.

Public Forum

The Chair opened the public forum at 9:10 p.m.

No one came forward.

The Chair closed the public forum at 9:10 p.m.

Staff Reports

Fire Chief Holmes reminded everyone of the Fire Department Open House taking place on October 10, 2019 at 5:00 p.m. for Fire Prevention Week.

Council Member Reports

Council Member Bevans announced the Great Pumpkin Fest in Gregory Park is scheduled for Saturday, October 12th, but may be delayed due to the weather forecast. He said the ribbon cutting for the Gregory Park warming house is taking place Saturday as well. He stated the windows on the store front of Bob and Fran's downtown look great and encouraged everyone stop by.

Mayor Menk announced the Knotty Pine Bakery will be opening tomorrow downtown.

Council Member Johnson stated the final judging for the Destination Downtown contest is Tuesday, October 8th and results of the three finalists should be announced the week of October 31st.

Council Member Erickson thanked everyone for the warm welcome, and stated he was very pleased to see the approval of the Comprehensive Plan.

Council Member Badeaux welcomed Council Member Erickson to the Council and is looking forward to working with him on the Personnel & Finance Committee.

Adjourn to IDI Assessment Celebration on October 15, 2019 from 5:30 p.m. to 7:30 p.m. at the Luminary Fern, 1561 Northern Pacific Road – 9:15 p.m.

James M. Thoreen
Interim City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
October 21, 2019

(2 New)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
DOUGLAS A CARLSON DEVELOPMENT INC. 104 FAIRWAY AVE. COLD SPRING, MN 56320 19-0222 (new)	(320)292-5277	GENC	11/17/2019	12/31/2020	
SCHEIDER BROTHERS CONSTRUCTION LLC 623 1 ST AVE NE BRAINERD, MN 56401 19-0223 (new)	(218) 330-0304	GENC	4/2/2020	12/31/2020	

**BRAINERD POLICE DEPARTMENT
MEMORANDUM**

TO: Brainerd City Council
FROM: Police Chief Corky McQuiston
DATE: 10-16-19
RE: Monthly Report



September School Starting



With school starting in September, this is always a busy time as the Patrol Officers alter their uncommitted patrol time, dedicating mornings and afternoons to the areas we refer to as the “school grids.” Above, Officer Derek Pallansch is on scene greeting students that are exiting a bus at Harrison School. The construction projects at the schools involved have created changes in traffic patterns that the officers have adjusted for in attempts to make things as safe as possible around our neighborhood schools.

Postvention Training



On September 26th, several staff members attended a suicide awareness training hosted by the Minnesota Department of Health and the local Crisis Line at the Chamber of Commerce meeting room.

Postvention is:

An organized response in the aftermath of suicide to

- ***Facilitate the healing of the grief, trauma and distress resulting from a suicide death***
- ***Mitigate other negative effects of exposure to suicide***
- ***Prevent suicide among people who are at high risk after exposure to suicide***
- ***Help organizations (workplace, schools) respond more effectively after a suicide has occurred***

The training provided information on:

- Recognizing Risk & Impact on Survivors of Suicide Loss
- Understanding Grief in Individuals and Communities
- Promoting Healing & Reducing Risk in Communities
- Discipline Specific Preparedness
- Promoting Postvention as Prevention

SAVE is an excellent resource and a very intuitive website among resources available for anyone with questions involving suicides.

<https://save.org/>



New Police Officers



You will probably recognize these fine shiny new police officers. Officers Zach Gowens and Elizabeth Anderson were both Community Service Officers for us. Elizabeth's first day of training was September 15th, and Zach's first day was September 16th.

We are excited to have both starting in the Field Training Program. During September, they completed all the mandates needed and have each been assigned to their Step One Field Training Officer.

Both are local residents, graduating from Brainerd High School and the Central Lakes College Law Enforcement Program.

September Police Activity

At about 1:48 am, on Monday, September 23rd, an officer was attempting to stop a vehicle on suspicion of illegal drug activity. Just prior to this, the officer had observed the vehicle driving north at the 1100 block of South 6th Street. When the officer turned around to follow the vehicle, it immediately increased speed and turned east onto Quince Street.

The vehicle turned north on South 7th Street, then east on Pine. The officer attempted to stop the vehicle, but it continued east at a very high rate of speed. When the vehicle attempted to turn north on to South 10th Street, the driver lost control and ran off the road at the northeast corner of that intersection and collided with a house.

The driver immediately exited the vehicle and began running away. The officer gave chase and apprehended the driver after a short foot chase. The vehicle and the home that was struck both suffered extensive damage.

The driver was identified as 28-year-old Zachary Lee Schneider of Harris, MN. Schneider was taken to the Crow Wing County Jail and booked on charges of Fleeing a Peace Officer in Motor Vehicle, 5th Degree Possession of a Controlled Substance, Driving with a Revoked License, Operating an Uninsured Vehicle, and Fleeing on Foot. At the time of the incident, Schneider had a warrant for his arrest for Theft and is on probation for Violating Predatory Offender Registration requirements.

Body Worn Camera Data Report



Month	Number of Videos	Hours of Videos	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
August	2096	398 Hours	766 GB	365 MB	11.53 Minutes	67
September	1938	353 Hours	665 GB	343 MB	10.91 Minutes	64

Conduct on Premises Activity Report for August

ICR	Date Reported	Title	Address	Summary
19011852	09/04/19	Conduct on Premises	503 SE 13 th Street	Subsequent disorderly use. Written Management Plan requested & received.
19012206	09/10/19	Conduct on Premises	823 Kingwood Street	Conduct on Premises
19012769	09/19/19	Conduct on Premises	423 C Street NE	Conduct on premises.
19012816	09/19/19	Conduct on Premises	1012 Fir Street	Conduct on premises.

Monthly Police Activity

September	2019	2018
Calls	1797	1511
Citations (Inc. Parking)	299	231
Part I and Part II Crimes Reported	268 **	259

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

96 parking tickets were issued in the month of May with the following dispositions:

Revenue Recapture Receipts:

To Date: \$ 47,390.08

In 2019: \$ 6,743.95

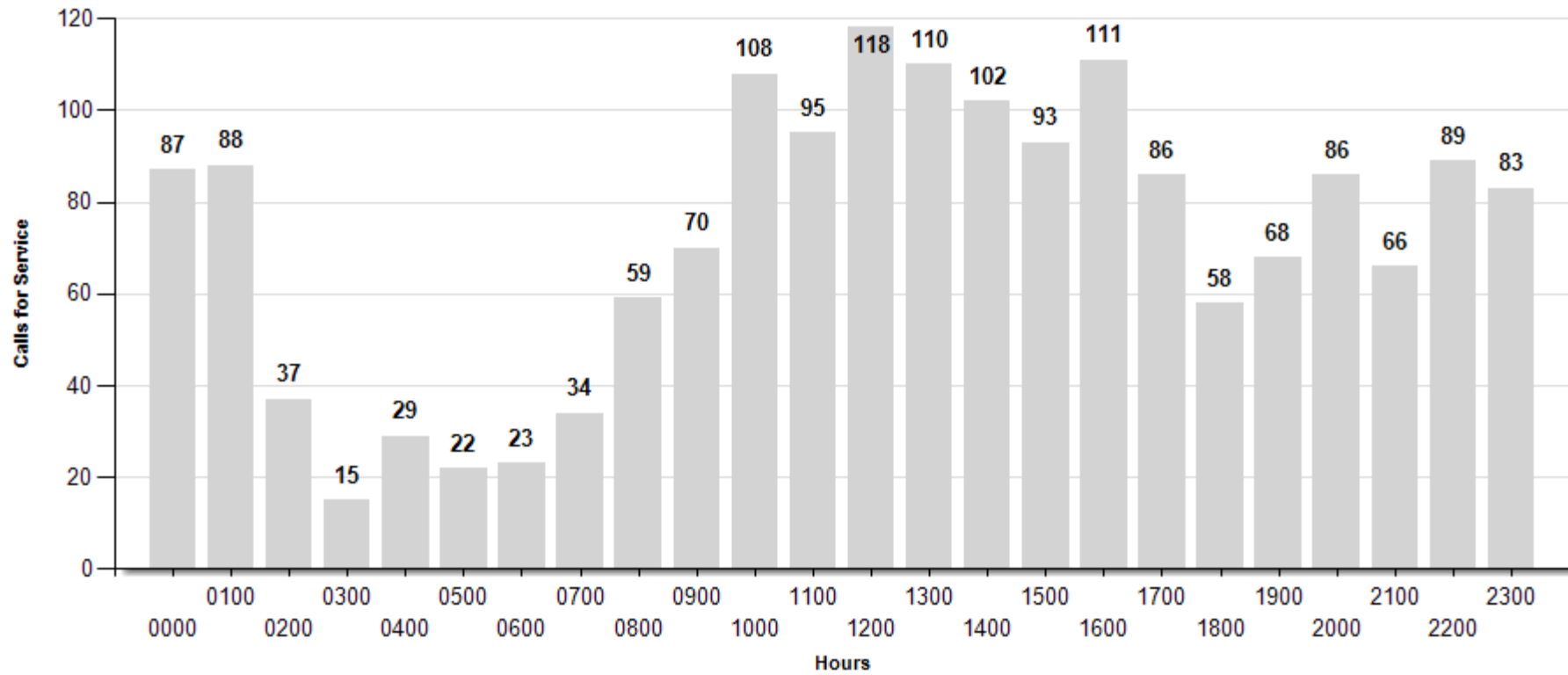
4	Dismissed
7	Business Validations
50	Paid in Full
0	Partial Payments Received
35	No Payment Received



Calls for Service Hourly

9/1/2019 to 9/30/2019

Total Calls: 1797



M E M O

TO: Mayor and Council

FROM: City Administrator James Thoreen

DATE: October 8, 2019

RE: Resolution Accepting Donations & Contributions for 3rd Quarter 2019

Attached is a resolution accepting donations and contributions that have been made to the City of Brainerd for the period of July 1 through September 30, 2019. The City is very appreciative to all who have made these contributions. The funds from the donations and contributions will be used as requested by the donor.

A resolution needs to be adopted with a two-thirds vote of the Council. The item appears on the October 21st, 2019 agenda.

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

\pz

**RESOLUTION
NO. xx:19**

**RESOLUTION ACCEPTING DONATIONS AND/OR CONTRIBUTIONS
FROM JULY 1, 2019 THROUGH SEPTEMBER 30, 2019**

WHEREAS, the City of Brainerd is generally authorized to accept donations of real and personal property pursuant to Minnesota Statutes Sections 465.03 for the benefit of its citizens and is specifically authorized to accept gifts and bequests for the benefit of recreational service pursuant to Minnesota Statutes Section 471:17; and

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

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

SEE ATTACHED LIST OF DONORS

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

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

Adopted this ____ day of October, 2019

GABE JOHNSON
President of the Council

Approved this ____ day of October, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator

Brainerd Parks and Recreation

Contributions and Donations July-September 2019

Received From	Receipt Date	Type of Donation	Amount Received
Adam Rohlik	07/01/19	Designated-Youth Softball Army All-Star games sponsor	650.00
Community Charities of Minnesota	07/08/19	Designated-YSB, BB and Miracle League bowling at Jack's House	1,700.00
VFW Post 1647	09/04/19	WWII Memorial monument	4,793.67
Crow Wing Energized	09/12/19	Grant for trail signage and benches	2,500.00
Jennifer Simmons	09/23/19	Great Pumpkin Festival vendor fee	50.00
Picture Day Pro	09/30/19	Youth team sponsor-Soccer	175.00
Picture Day Pro	09/30/19	Sports photo commissions-2018 and 2019	2,382.00
TOTAL			\$12,250.67

Brainerd Parks and Recreation

Contributions and Donations 2019

Special Events

Received From	Date	Receipt Number	General Ledger	Event	Amount	
Brainerd Rotary Foundation	01/25/19	1031189	230-34711	Easter Egg Hunt	\$600.00	JAN bal.
Brainerd Lakes Chapter Muskies Inc	06/21/19	1032026	230-34711	Fishing Clinic	100.00	JUN bal
Jennifer Simmons	09/23/19	1032591	230-34711	Great Pumpkin Festival vendor fee	50.00	
Viking Coca-Cola Bottling Company	02/01/19			Skating Party-beverages-vendor contract	in-kind	
Wendy's	02/16/19			Skating Party-chili donated	in-kind	
Sullivan Candy & Supply	04/11/19			Easter Egg Hunt-candy donated	in-kind	
Sullivan Candy & Supply	05/21/19			Kids Fishing Clinic-hot dogs and chips	in-kind	
Viking Coca-Cola Bottling Company	05/21/19			Kids Fishing Clinic-beverages-vendor contract	in-kind	
Pan-O-Gold Baking	05/21/19			Kids Fishing Clinic-buns	in-kind	
Walmart	10/08/19			Great Pumpkin Festival-event supplies	in-kind	
Outback Trail Rides	10/08/19			Great Pumpkin Festival-pumpkins	in-kind	
					\$750.00	

Team Sponsorships

Received From	Date	Receipt Number	General Ledger	League	Amount
Waste Partners Inc	02/05/19	1031200	230-34703	Shetland T-Ball	\$175.00
McDonald's	02/06/19	1031208	230-34726	Pony Baseball	275.00
Paul Bunyan Land	02/06/19	1031209	230-34708	Junior Softball	200.00
Paul Bunyan Land	02/06/19	1031209	230-34705	Pinto Baseball	175.00
Brainerd Jaycees	02/07/19	1031216	230-34726	Mustang Baseball	225.00
E L Menk Jeweler	02/07/19	1031217	230-34708	Petite Softball	200.00
Associates in Eyecare	02/11/19	1031228	230-34705	Pinto Baseball	175.00
Hy-Tec Construction	02/11/19	1031229	230-34705	Pinto Baseball	175.00
Mill Avenue Holiday	02/11/19	1031230	230-34708	Senior Softball	200.00
Schroeder's Appliance Center	02/11/19	1031231	230-34726	Pony Baseball	275.00
Gull Lake Glass Inc	02/14/19	1031235	230-34726	Pony Baseball	275.00
Gull Lake Glass Inc	02/14/19	1031235	230-34702	Little Kicks Soccer	175.00
Mattson Lumber Company	02/14/19	1031236	230-34703	Shetland T-Ball	175.00
Laurie Hall State Farm Insurance	02/19/19	1031242	230-34708	Junior Softball	200.00
Northland Construction	02/19/19	1031243	230-34708	Petite Softball	200.00
Lexington Manufacturing Inc	02/19/19	1031244	230-34726	Mustang Baseball	225.00
Arrowwood Lodge Brainerd	02/22/19	1031262	230-34708	Petite Softball	200.00
Dondelinger Chevrolet	02/25/19	1031268	230-34705	Pinto Baseball	175.00
Dondelinger Chevrolet	02/25/19	1031268	230-34712	Kickball	175.00
American National Bank	02/25/19	1031269	230-34703	Shetland T-Ball	175.00
MidMinnesota Federal Credit Union	02/25/19	1031270	230-34726	Bronco Baseball	225.00
VFW Auxiliary #1647	02/25/19	1031271	230-34726	Bronco Baseball	225.00
B Johnson & Assoc LTD	02/25/19	1031273	230-34726	Pony Baseball	275.00
Widseth Smith Nolting	02/27/19	1031280	230-34708	Petite Softball	200.00
Minnesota T's Inc.	03/01/19	1031290	230-34708	Junior Softball	200.00
CTC	03/04/19	1031296	230-34703	Shetland T-Ball	175.00
Kiwanis Club of Brainerd	03/06/19	1031307	230-34726	Mustang Baseball	225.00
Kiwanis Club of Brainerd	03/06/19	1031307	230-34712	Kickball	175.00
Eagles Club	03/07/19	1031314	230-34728	Miracle League	225.00
Elks Lodge #615	03/08/19	1031333	230-34708	Senior Softball	200.00
Tom Hofius Agency-Farmers Insurance	03/08/19	1031334	230-34708	Junior Softball	200.00
Neighborhood National Bank	03/11/19	1031343	230-34703	Shetland T-Ball	175.00
Hy-Tec Construction	03/11/19	1031344	230-34726	Mustang Baseball	225.00
McDermott Orthodontics	03/11/19	1031345	230-34708	Petite Softball	200.00
Clow Stamping Company	03/11/19	1031346	230-34708	Junior Softball	200.00
Sather Concrete	03/13/19	1031355	230-34705	Pinto Baseball	175.00
Alexander Electric	03/25/19	1031379	230-34727	Lil' Buckaroos T-Ball	275.00
Alexander Electric	03/25/19	1031379	230-34726	Mustang Baseball / Bronco Baseball	450.00
Alexander Electric	03/25/19	1031379	230-34708	Senior Softball	200.00
Taco John's (Pencore Holdings Inc)	03/25/19	1031380	230-34703	Shetland T-Ball	175.00
Vigilant Guardians Veterans Motorcycle Club	03/26/19	1031383	230-34708	Junior Softball	200.00
Viking Coca-Cola Bottling Company	04/01/19	1031401	230-34727	Lil' Buckaroos T-Ball	275.00
Brainerd Lakes Area Women of Today	04/01/19	1031402	230-34708	Petite Softball	200.00
Mills Automotive Group	04/03/19	1031415	230-34726	Pony Baseball	375.00
Mills Automotive Group	04/03/19	1031415	230-34702	Little Kicks Soccer	175.00
Mills Automotive Group	04/03/19	1031415	230-34703	Shetland T-Ball	175.00
Mills Automotive Group	04/03/19	1031415	230-34708	Senior Softball	200.00
Country Inn & Suites	04/08/19	1031447	230-34705	Pinto Baseball	175.00
Lakeland Floor Covering LLC	04/09/19	1031459	230-34726	Pony Baseball	275.00
Bremer Bank	04/10/19	1031468	230-34726	Bronco Baseball	225.00
Riddle's Jewelry	04/15/19	1031494	230-34726	Mustang Baseball	225.00
Amer Family Ins-Shannon Finnegan	04/18/19	1031518	230-34708	Senior Softball	200.00
Ernie's on Gull Lake	05/10/19	1031677	230-34726	Pony Baseball	275.00
East Side Auto & Muffler	05/30/19	1031811	230-34708	Junior Softball	200.00
Marr Sales Group	06/04/19	1031885	230-34705	Pinto Baseball	175.00
Picture Day Pro	09/30/19	1032605	230-34702	Little Kicks Soccer	175.00
					\$11,975.00

Donations/Grants/Special Revenue

Received From	Date	Receipt Number	General Ledger	Description	Amount	Notes
Buffalo Wild Wings	01/02/19	1031127	230-36230	Donation from fundraiser for youth programs	\$250.17	Baseball and softball helmets
Disabled American Veterans	01/18/19	1031182	405-36230	Donation for WWII Monument	1,000.00	Memorial Park
Anonymous-various	02/13/19	1031233	230-36230	Designated for GGP Skating Party	64.00	Gregory Park
Mill Avenue Holiday	02/22/19	1031263	405-36230	Designated for MMP field improvements	250.00	Memorial Park
Crow Wing Energized	02/25/19	1031264	230-36230	Grant for "Parks on the Go" program	500.00	Operation Sandwich sites
Hasskamp Bros Well Drilling	03/01/19	1031291	405-36230	Designated for MMP field improvements	325.00	Memorial Park
Anonymous	03/05/19	1031300	230-36230	Designated for GGP skate sharpening	87.00	Gregory Park
Little Caesars #3	03/06/19	1031303	405-36230	Designated for MMP field improvements	975.00	Memorial Park
Sibbert Drywall LLC	03/08/19	1031328	405-36230	Designated for MMP field improvements	150.00	Memorial Park
LU 242 IBEW/Twin Ports NECA LLMCC	03/15/19	1031365	405-36230	Designated for MMP field improvements	325.00	Memorial Park
Party World	03/27/19	1031395	405-36230	Designated for MMP field improvements	150.00	Memorial Park
Viking Coca-Cola Bottling Company	04/01/19	1031399	405-36230	Designated for MMP field improvements	475.00	Memorial Park
Viking Coca-Cola Bottling Company	04/01/19	1031400	405-36230	Designated for scoreboard purchase	2,500.00	Buffalo Hills-Lions Park
C & L Distributing	04/04/19	1031419	405-36230	Designated for MMP field improvements	150.00	Memorial Park
Holden Electric Company Inc	04/08/19	1031446	405-36230	Designated for MMP field improvements	325.00	Memorial Park
KLN Enterprises Inc	04/08/19	1031450	405-36230	Designated for Buster Park lighting project	500.00	Kiwanis Park
Elks Lodge #615	04/10/19	1031461	405-36230	Donation for WWII Monument	1,000.00	Memorial Park
Aurora Lodge No. 100	04/10/19	1031467	405-36230	Donation for WWII Monument	1,000.00	Memorial Park
Anonymous	04/22/19	1031547	230-36230	Designated for GGP skate sharpening	5.00	Gregory Park
Greg Fagereng	05/09/19	1031669	230-36230	Designated for Lum Park Disc Golf Course	400.00	Lum Park
Brainerd Eagles Club	05/15/19	1031696	405-36230	Designated for MMP field improvements	587.00	Memorial Park
Erin Tate	05/31/19	1031835	230-36230	Memorial tree plaque	30.00	Gregory Park
Stewart C Mills Jr	06/03/19	1031876	230-36230	Designated for Mills Field maintenance and upkeep	5,000.00	Mills Field-Memorial Park
Marr Sales Group	06/04/19	1031885	230-36230	Designated for youth baseball programs	25.00	Youth baseball
Miscellaneous	06/24/19	1032048	230-36230	Undesignated-rec'd at Jaycees concessions	17.00	Weekend tournament
Tachia Armstrong	06/24/19	1032049	230-36230	Memorial tree plaque	30.00	Gregory Park
Adam Rohlik	07/01/19	1032100	230-36230	Designated for Youth Softball All-Star games	650.00	Youth Softball
Community Charities of Minnesota	07/08/19	1032143	230-36230	Designated for YSB, BB and Miracle League	1,700.00	Bowling at Jack's House
VFW Post 1647	09/04/19	1032521	405-36230	Donation for WWII Monument	4,793.67	Memorial Park
Crow Wing Energized	09/12/19	1032549	230-33600	Grant for trail signage and benches	2,500.00	Healthy Communities Gran
Picture Day Pro	09/30/19	1032606	230-36299	Sports photo commissions 2018 and 2019	2,382.00	Youth programs
Transfer unused Park Fund donations to Park Dedication Fund, per Park Board action 12/17/19.			230-49300-7720	Year-end xfer to Park Dedication Fund		Xfer to 405-39200

\$28,145.84

Special Events 230-34711 \$750.00 Team Sponsorships \$11,975.00

Contributions & Donations-Park Dedication \$9,712.00 Contributions & Donations-Park Fund \$6,361.17

Total Received in 2019 - does not include in-kind donations \$40,870.84

Mills Field - 2019 Expenditures

Vendor	Date	Invoice Number	General Ledger	Description	Amount	Balance
2019 budget for 45207-2220						\$4,000.00
Stewart C Mills Jr	06/03/19	Receipt 1031876.002	230-36230	Donation-maintenance and upkeep-Mills Field	5,000.00	9,000.00
Bryan Rock Products Inc	05/15/19	33990	45207-2220	Field aggregate	-1,027.62	7,972.38
Total expenditures-Mills Field					3,972.38	
Donation-Stewart C. Mills Jr.			230-36230	Designated for maint/upkeep of Mills Field		
Admin xfer-Park Fund to Park Dedication	December	Park Board request	230-49300-7720	Balance of anonymous donation		\$0.00



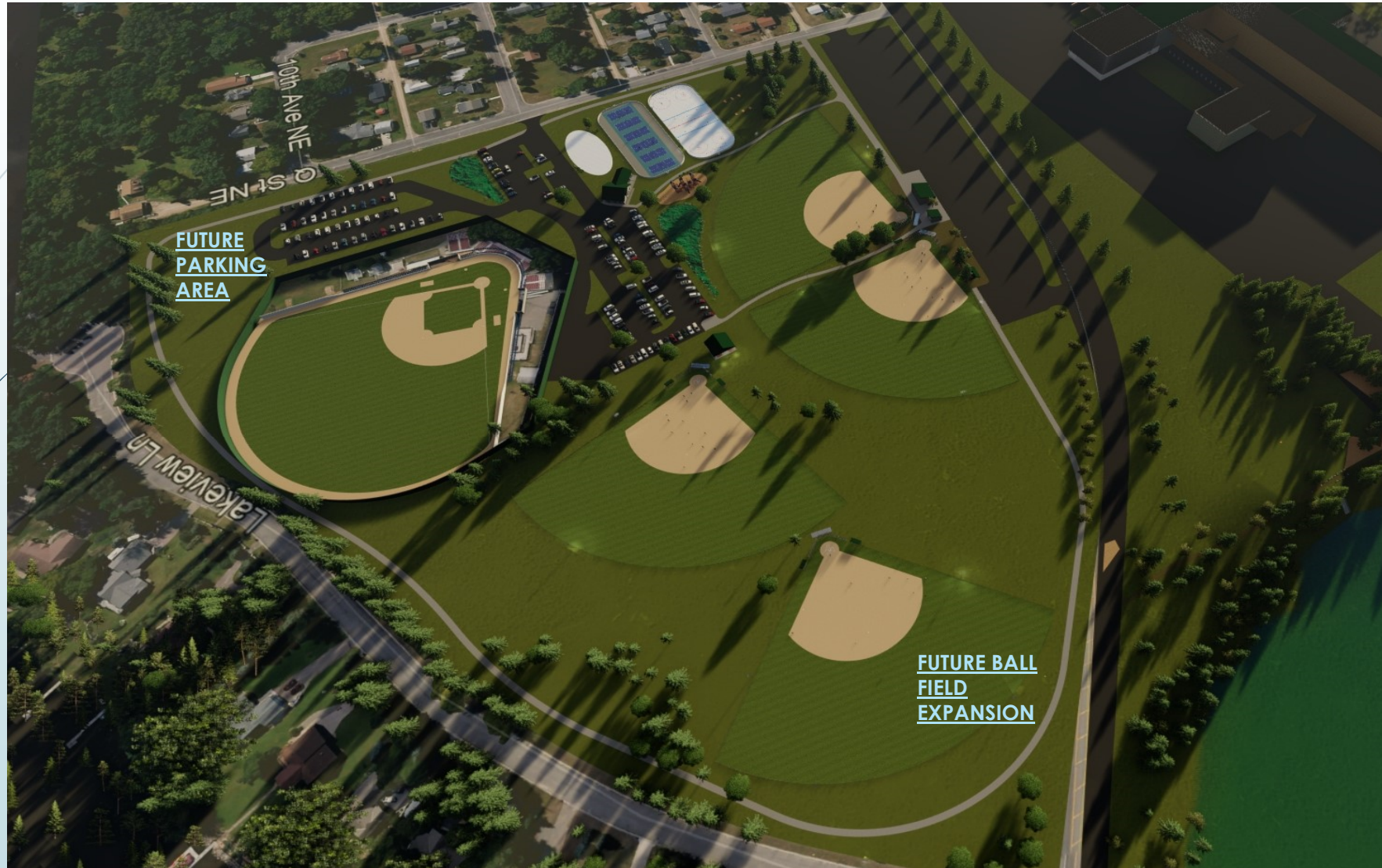
Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Memorial Park Design Presentation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☒ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Tony Sailer	Department: Parks and Recreation
Presenter (Name & Title): Tony Sailer, Parks and Recreation Director	Estimated Time Needed: 15 minutes
Summary of Issue: The lease on Mill Ave. Park and the Memorial Park parking lot expires March 1, 2021. The City Council directed staff and the Park Board to work with Widseth Smith and Nolting to formulate a design plan. The Park Board met with WSN four times and unanimously approved the attached design. The proposed design does not include the purchase of the BIC parking lot, however the design could be amended should the Council come to an agreement with BIC owner Mike Higgins. At the Oct. 7 Council meeting, Mr. Higgins presented an asking price of \$300,000 for the Memorial Park parking lot. Council directed staff to have the property appraised. The results of the appraisal will not be available for about a month from now. WSN will give a power-point presentation of the proposed design, which includes plans for future development, at the Council meeting. Staff is requesting the use of general obligation bonds to pay for the project.	
Alternatives, Options, Effects on Others/Comments: - A base plan, and two additional proposals (1-park pathway loop, 2-additional parking), will be presented. Costs range from \$1,268,000 (base plan) to \$1,554,000 (including the two additional proposals). If accepted staff would like to begin construction of the warming house/pavilion/kitchen, skating rinks, pickle ball courts, a shelter, two trails, and horseshoe pits in 2020 and, if approved, the park pathway loop and additional parking lot. - Staff is seeking input from the Council on whether it wishes to approve and fund the proposal with or without the purchase of the BIC parking lot, or wait until the appraisal is completed. - Staff feels three adult softball fields will suffice for the time being. Not having the use of Field 6 (at Mill Ave. Park) would result in two fewer adult softball teams being able to play, starting with the 2021 summer season. Future plans for Memorial Park includes the addition of a fourth adult softball field and rearranging the existing three fields.	
Recommended Action/Motion: Staff would like to have direction on what funds may be available to move forward with the Memorial Park redesign project.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>1.2 million to \$1.5 million</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> Staff suggests using general obligation bonds to fund the project.	

MEMORIAL PARK CONCEPT PLAN



MILL AVENUE LEASE EXPIRES MARCH 1, 2021

LOSS OF RECREATIONAL FACILITIES:

- 2 SOFTBALL FIELDS
- 2 HOCKEY RINKS
- PLEASURE RINK
- WARMING HOUSE



BIC PARKING LOT LEASE EXPIRES MARCH 1, 2021

- ▶ LEASE OF EXISTING PARKING LOT ALONG MILL AVENUE WILL EXPIRE
- ▶ COMMITTEE DECIDED TO MOVE FORWARD WITHOUT THE BIC PARKING AREA
- ▶ OVERFLOW PARKING FOR SPECIAL EVENTS MAY BE HANDLED ALONG ADJACENT CITY STREETS
- ▶ ADDITIONAL AREA FOR FUTURE PARKING IF NEEDED

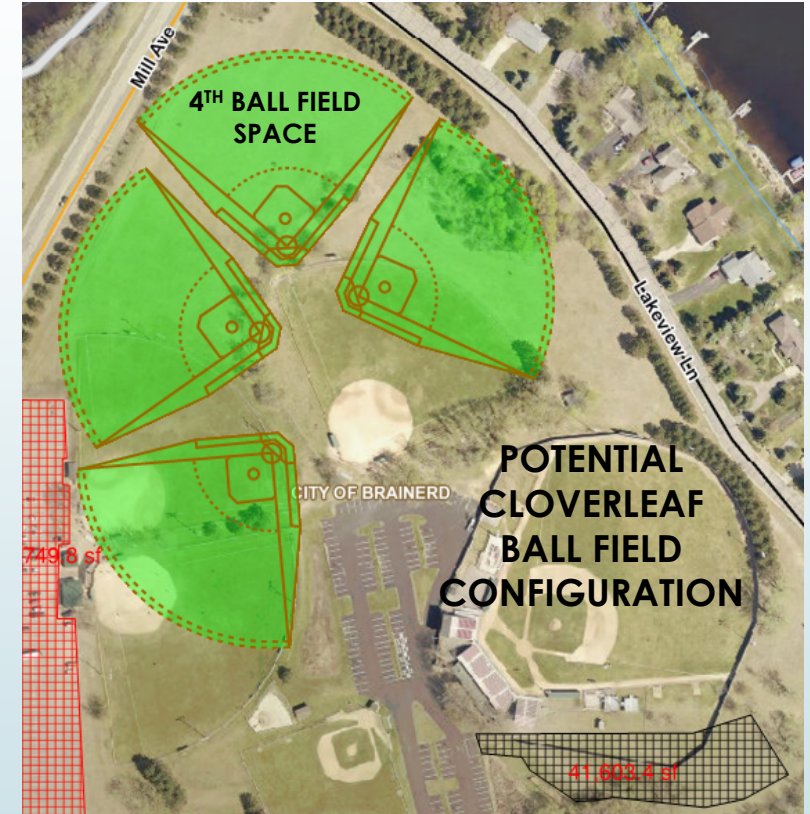


ADDITIONAL 67 PARKING SPACES COULD BE PLACED SOUTH OF MILLS FIELD ADJACENT TO Q STREET



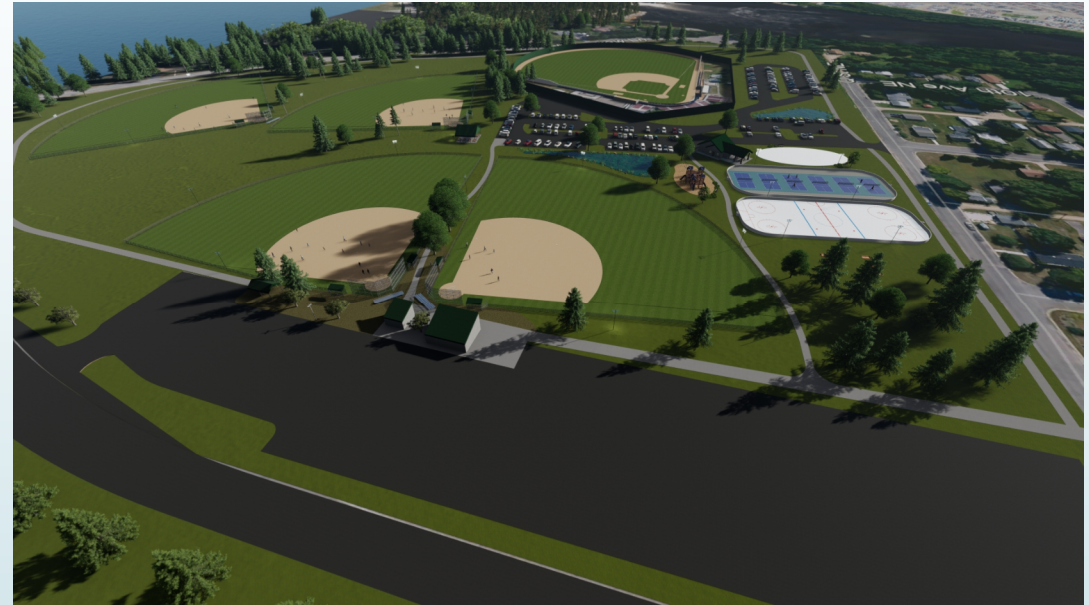
BALL FIELD DISCUSSIONS

- ADEQUACY OF 3 FIELDS
- SET ASIDE SPACE FOR FUTURE 4TH BALL FIELD
- DESIGN OPTIONS THAT COULD STILL PROVIDE SPACE FOR FUTURE “CLOVERLEAF” LAYOUT
- YOUTH BASEBALL FIELD – RARELY USED
- FINANCIAL CONSIDERATIONS

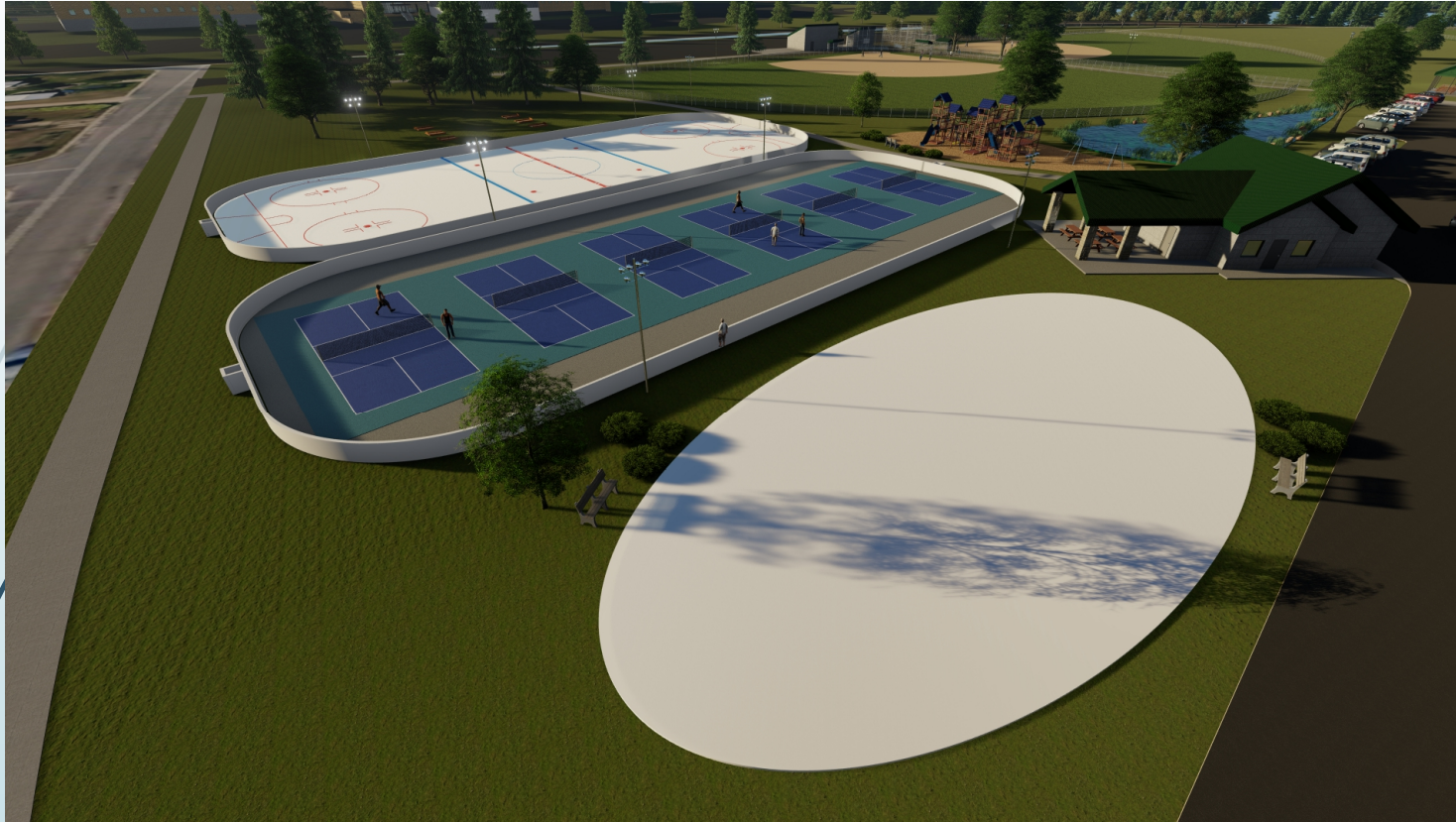


MEMORIAL PARK PROPOSED IMPROVEMENTS

- HOCKEY RINKS
- PLEASURE RINK
- FOUR SEASON WARMING HOUSE
- SHELTER
- PLAY GROUND EXPANSION
- VEHICLE ACCESS
- TWO PATHWAYS
- WALKABLE/BIKEABLE PATHWAY
- HORSE SHOE AREA
- BALL FIELD LIGHT UPGRADE
- CONCESSION AREA UPGRADES

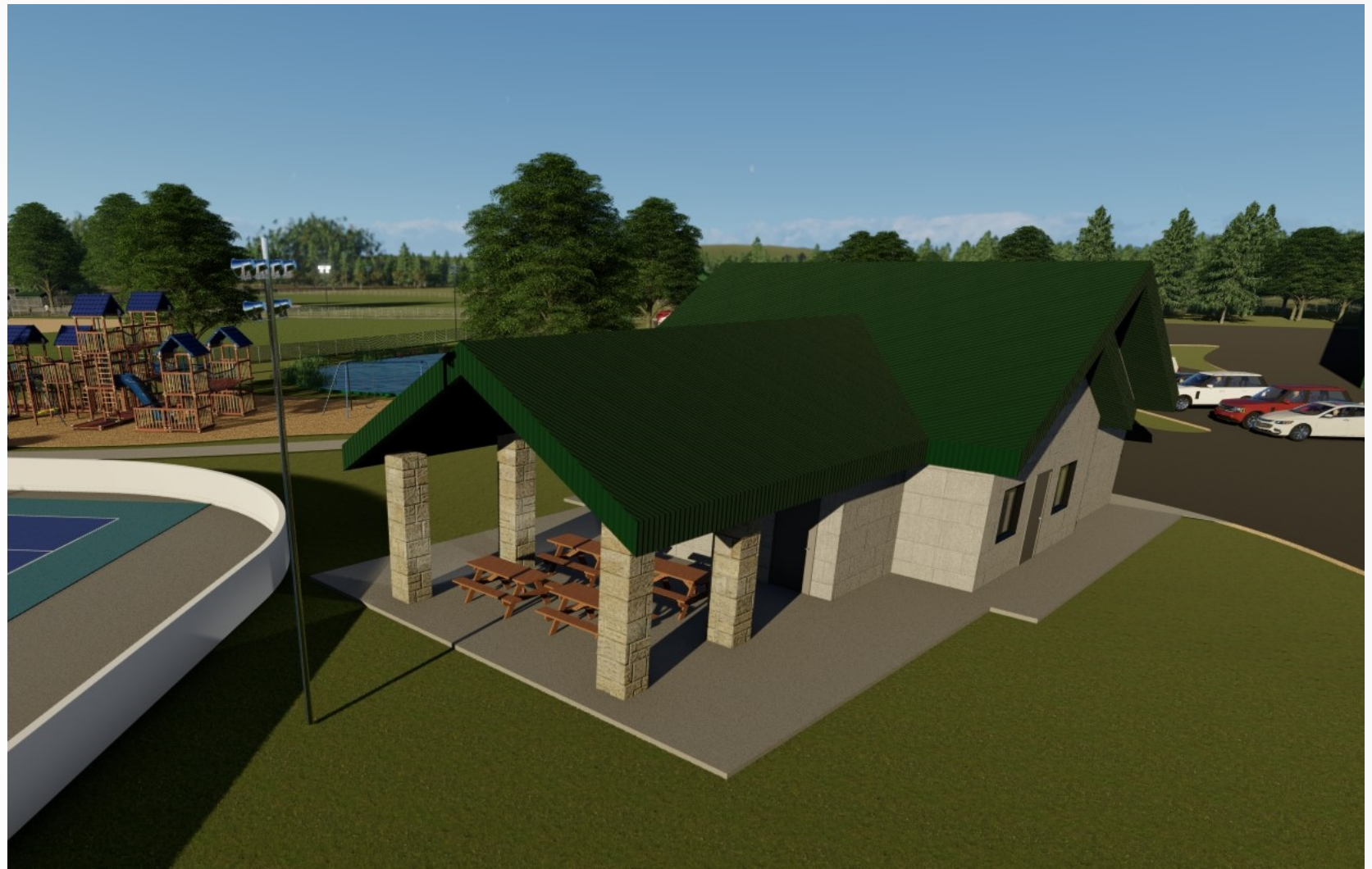


2 HOCKEY RINKS PICKLE BALL COURTS



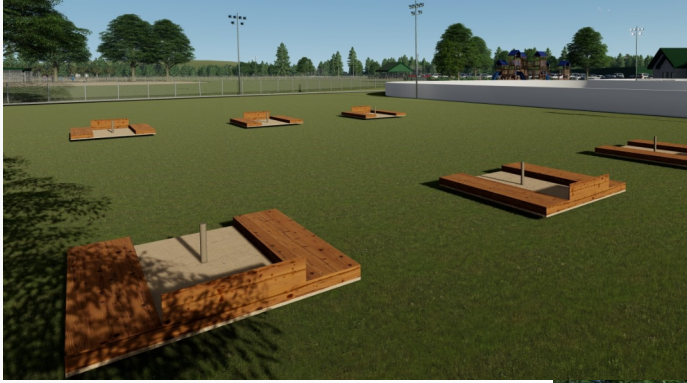
- ▶ CONCRETE SLABS FOR SUMMER PICKLE BALL COURTS
- ▶ COMPOSITE HOCKEY BOARDS
- ▶ PLEASURE RINK
- ▶ LIGHTING
- ▶ CLOSE TO PARKING AND WARMING HOUSE

FOUR SEASON WARMING HOUSE



- FOUR SEASON WITH KITCHEN
- SIMILAR TO GREGORY PARK
- LOCATED NEAR PARKING AND PROPOSED RINKS

PLAY GROUND & HORSESHOES



- NEW PLAYGROUND
- POSSIBLE RELOCATION OF EXISTING PLAYGROUND
- LESS SECLUDED, MORE OPEN SPACE
- CLOSER TO PARKING
- HORSESHOE PITS TO ENHANCE RECREATIONAL FACILITIES

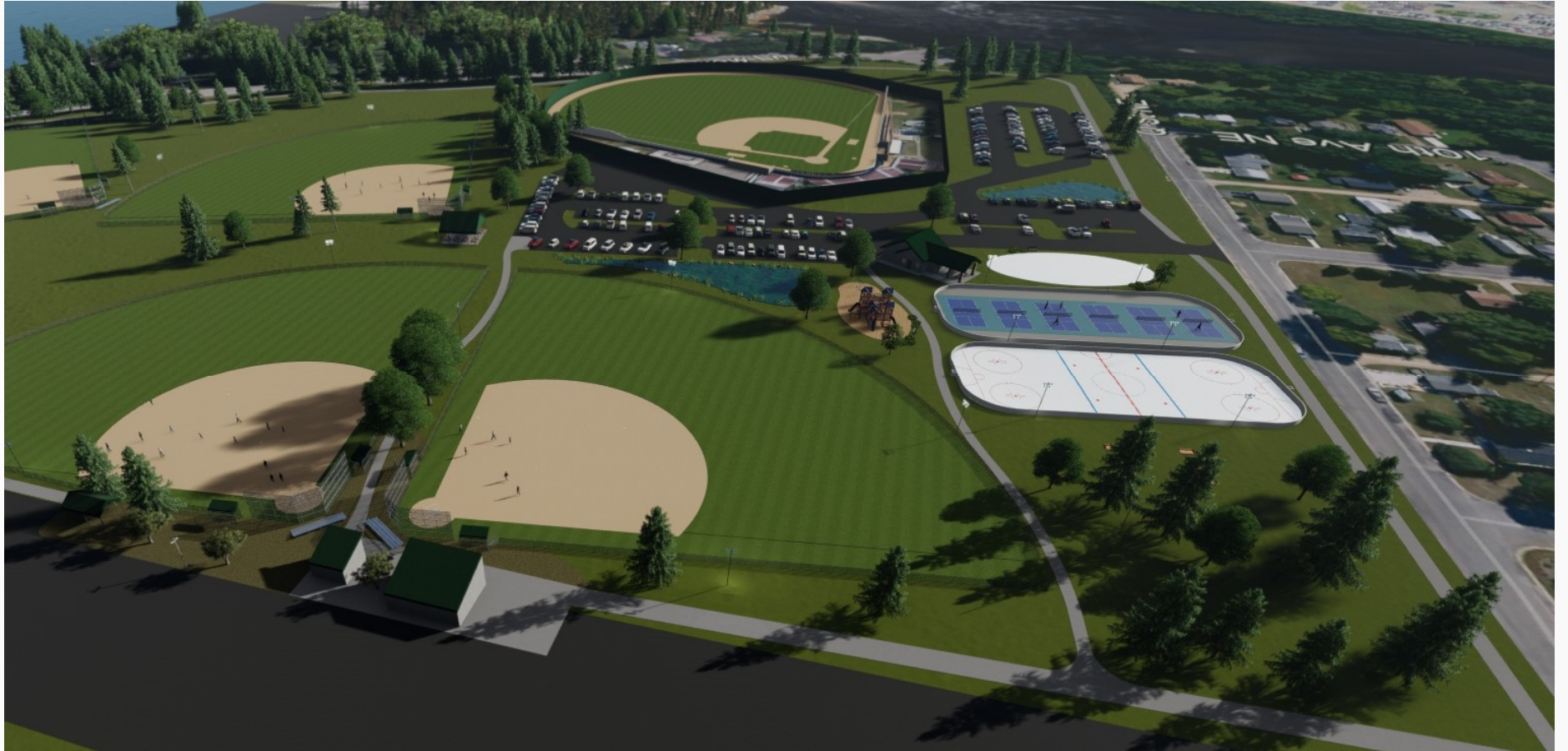
SHELTER – SOUTHWEST OF FIELD #3



- CONCRETE FLOOR
- PICNIC TABLES
- LIGHTING
- BARBEQUE

BITUMINOUS PATHS

- VEHICLE ACCESS - DELIVERIES
- CONNECTIONS
 - CONCESSIONS
 - PLAY GROUND
 - HORSESHOE PITS
 - BALL FIELDS
 - SHELTER
 - 4-SEASON WARMING HOUSE



CONCESSION AREA UPGRADES

- PATHWAY
CONNECTION
- VEHICLE PATHWAY
CONNECTION
- CONCESSION AREA
PAVED



TOTAL ESTIMATED CONSTRUCTION \$1,383,000

MEMORIAL PARK IMPROVEMENTS COST ESTIMATE

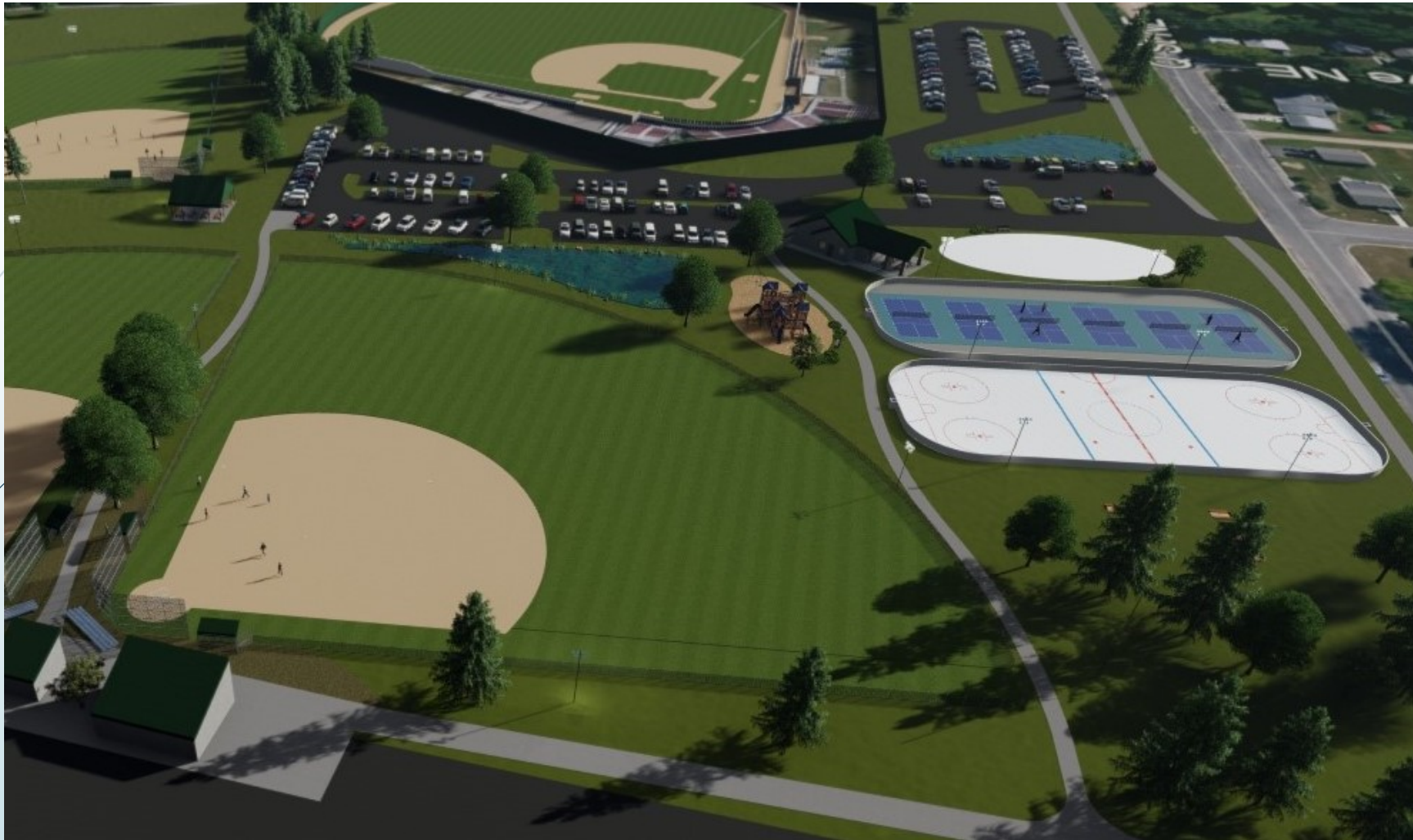
HOCKEY RINK - COMPOSITE BOARD MATERIAL	\$90,000
HOCKEY RINK SETUP	\$30,000
HOCKEY RINK CONCRETE BASE	\$142,000
HOCKEY RINK DRAINAGE	\$20,000
HOCKEY RINK LIGHTS	\$150,000
PICKLEBALL LAYOUT - NETS ETC.	\$20,000
FIELD LIGHTS UPGRADE (auto soft start)	\$10,000
BALL FIELD NETTING (300' FIELD LENGTH)	\$15,000
WARMING LIGHTS AND SHELTER POWER	\$10,000
SHELTER STRUCTURE 32' X 36'	\$92,000
SHELTER CONCRETE FLOOR	\$5,000
SHELTER LIGHTING	\$4,000
SHELTER TABLES	\$5,000
PATHWAY PAVEMENT (8' wide)	\$22,000
VEHICLE ACCESS ROAD (10" wide Q St. NE)	\$31,000
CONCESSION AREA PAVEMENT	\$10,000
PLAYGROUND UPGRADES/RELOCATION	\$80,000
HORSESHOE AREA (3 courts)	\$3,000
WARMING HOUSE (4-SEASON/KITCHEN-BATHROOMS)	\$450,000
SEWER UTILITIES (WARMING HOUSE)	\$20,000
WATER UTILITIES (WARMING HOUSE)	\$20,000
HEATING & AIR-CONDITIONING (WARMING HOUSE)	\$20,000
EXCAVATION	\$19,000
	\$1,268,000

TOTAL COST



MEMORIAL PARK PATHWAY LOOP

8-FOOT BITUMINOUS PATHWAY	\$107,000
EXCAVATION	\$8,000
	\$115,000



MEMORIAL PARK CONCEPT PLAN

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

October 21, 2019
City Hall Conference Room
7:00 PM

1. Approval of Bills & Payments to Contractors

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
Visu-Sewer	18-11	Joint Manhole Rehabilitation Project	\$12,387	\$13,312

2. Ratify the Hiring of Police Officer Bailey Boelter
3. Training on New Employee Policy Manual
4. Small Cities Development Program (SCDP) Grant CDAP-15-0038-O-FY16
(Downtown Grant) – Informational
5. Tower Awards – Discussion Of
6. Memorial Park Parking Lot - Informational



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Ratify the Hiring of Police Officer Bailey Boelter

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Corky McQuiston & Kris Schubert	Department: Police/HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 2 minutes
Summary of Issue: The Police Department's 2019 budget included 26 sworn police officers. Due to a couple resignations and training availability for new officers, we are still trying to reach that threshold. On August 19, 2019, the Council authorized a conditional job offer for the next available officer candidate on the 2019 Police Officer Eligibility List subject to the candidate successfully completing their pre-employment testing. Bailey Boelter has successfully completed his pre-employment testing and will be starting employment on November 4, 2019. Staff recommends that the Council ratify Mr. Boelter's hiring.	
Alternatives, Options, Effects on Others/Comments: In the past, the Council has approved conditional job offers for the next available officer on the Police Officer Eligibility List noting tentative starting dates subject to the successful completion of their pre-employment testing. We utilized those motions as their official hiring. With our new wage grid, Staff is realizing that it would be more convenient for payroll and budgetary tracking purposes if the Council would also ratify the employee's hiring with their actual date of hire and initial step placement noted. We plan to follow that going forward. With that said, we hired two officers in September. It doesn't seem timely to ratify their hiring now, but we wanted to note their hiring in an agenda packet for future documentation. Please note that Officer Elizabeth Anderson was hired on September 15, 2019 and Officer Zachariah Gowens was hired on September 16, 2019. Both Officers were placed on Step 1 of the Police Officer wage grid.	
Recommended Action/Motion: Motion to ratify the hiring of Bailey Boelter as a Police Officer effective November 4, 2019; further, that Mr. Boelter be placed on Step 1 of the Police Officer Wage Grid (\$26.90 per hour).	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>budgeted position</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Training on New Employee Policy Manual

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) <i>*provide copy of published hearing notice</i> ☒ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: City Administrator	Department: Administration
Presenter (Name & Title): Jim Thoreen	Estimated Time Needed:
Summary of Issue: On September 3, 2019, the Council adopted the revised City Employee Policy Manual. It was the intention at the time that employees and managers would receive training soon thereafter in order to understand primarily the changes which had been adopted, as well as an overall review of the document. We are well past the adoption date, but the need to train remains. I recommend that our labor law attorney, Christian Shafer, be retained. He is already in the area on Friday, October 25th for an unrelated function, thus could save us some travel time expense. The estimated cost for three session of training would up to \$1,300; we will seek a lower amount. Two sessions for employees and one session for the Department Heads.	
Alternatives, Options, Effects on Others/Comments: The option to provide training in-house, with HR Director Schubert taking the lead, cannot be met in the near future, as her schedule combined with the need for her to prepare pushes out that option many weeks. It is advisable to proceed as promptly as we can since the document has not yet been placed into employee or manager hands and we are 45 days into administration of the policy.	
Recommended Action/Motion: Recommendation to retain Christian Shafer for training on our new Employee Policy.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>as outlined above</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: SCDP Downtown Grant - 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 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Jennifer Bergman & Connie Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: In 2016, the City was awarded a \$650,105 grant for rental and commercial rehab for the downtown area. The HRA administered the grant for the City. The grant was effective from 8/3/16 to 9/30/19. The goals were to complete 17 rental and 8 commercial units of rehabilitation. The City filed the final report for the grant on October 15th. Part of the closeout includes making the Council aware if all of the grant funds were not used.	
Alternatives, Options, Effects on Others/Comments: The City did not use \$22,921.99 of the \$650,105 grant award (\$19,650 of rental rehab; \$326.31 of commercial rehab; and \$2,945.68 of general administration). As mentioned above the goals were 17 rental and 8 commercial units. The City exceeded the goals and completed 44 units of rental and 10 units of commercial rehab. DEED is more concerned that the City meets its unit goals than used all of the grant dollars. The City was required to use the program income it had on the books prior to 2016 and the program income generated during the grant period before drawing down grant dollars. The program income totaled \$218,421, of which \$23,000 was used in SE Brainerd and the remaining \$194,421 was used in the downtown area. The grand total invested in the downtown as a result of the grant was \$1,122,894, which includes over \$300,000 of owner's match.	
Recommended Action/Motion: No action needed.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Tower Awards - Discussion of

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) <i>*provide copy of published hearing notice</i> ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: To recap, the City is out of the tower awards it last ordered in 2004. We contacted the company and we received a quote of \$93.17 each for a quantity of 50 plus shipping. The price per award was \$58.23 in 2004. Staff received a quote from Winners Trophy and Engraving for \$45.00 each plus shipping. The product is similar to what we had, with the exception that the water tower would be laser engraved rather than a gold medallion. Staff also explored other options for changing the award, and shared glass options that would be around the same price as Winners Trophy as each one would have to be ordered individually to be customized.	
Alternatives, Options, Effects on Others/Comments: At the October 7, 2019 council meeting, Council opted to have the city seal rather than the logo. The seal has historically been on the award. Council also requested Staff to order a sample from Winners Trophy and Engraving with the laser printed water tower to compare with the award that had the medallion. Staff ordered the award on October 8th, and was told it could take 7-10 days. We should have it before the meeting.	
Recommended Action/Motion: Authorize Staff to either purchase the awards from Winners Trophy and Engraving (water tower laser engraved) or Bruce Fox (gold medallion tower); or provide direction on what the Council would like to see the tower award to look like to get additional quotes.	
Financial Impact: <i>Is there a cost associated with this request:</i> <i>What is the total cost, with tax and shipping</i> <i>Is this budgeted?</i> <u>Please Explain:</u> ☒ Yes ☐ No \$ <u>approx \$2,500-\$4,900 +or-</u> There was \$10,000 budgeted in the general funds, unallocated miscellaneous account. It is believed that the budget could absorb this cost at this time.	

Pre-Production Art Submitted for Approval

Customer Service Contact: Tonya

This art has been submitted for your approval. Please note that your order will *NOT* enter into our production schedule until this form has been returned with written approval to begin production.

Date Sent: 9/13/2019
Order #: 745600
Customer #: 27213
Prepared By: 73
Production Type: DIRECT PRINT
Finished Size: 8X10
Imprint Color: BLACK
Substrate: GRA810
Substrate Colors: GEN RED ALDER
Quantity: 1

-\$45.00 each
-Laser engraved into
the alder wood

*****Please review the PDF file carefully to make sure all content is correct.**

**It is your responsibility to look over this proof for any errors
including content, spelling, layout, graphic elements and colors .**

If you have any questions or problems please let us know as soon as possible.

NOTE: The finished product may vary slightly from the proof supplied. Actual color, fine details and overall definition are determined by the production process. Also please acknowledge colors vary between monitors and printers and there can be some variance. Colors will be color matched to a Pantone Swatch book, if precise color matching is critical please supply Pantone number(s) or request for a production sample. Otherwise we cannot guarantee colors will be accurate.

☐ Provide Production
Sample

☐ Approved
Proceed with order.

☐ Make Changes As Noted
Proceed with order.

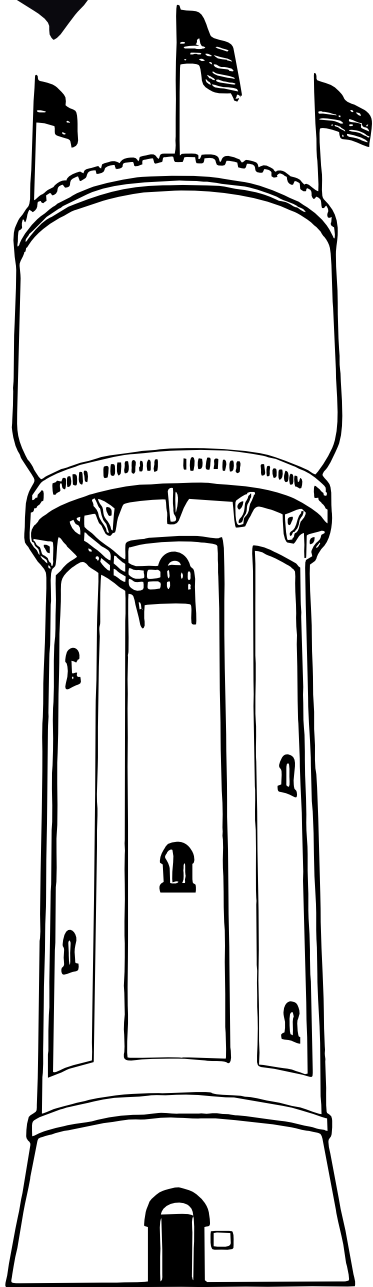
☐ Make Changes As Noted
Re-Submit Art for Approval.

Date Returned: _____

Customer Signature: _____

By authorizing us to proceed into production, you acknowledge that you have read and understood this Customer is fully responsible for final proof and layout prior to production.

TOWER AWARD

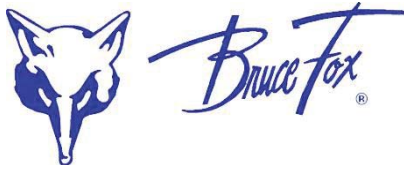


Presented to

For placement on proof
only. Will not print



For placement on proof
only. Will not print



PRODUCT QUOTATION

TO: Stephanie Bestul

COMPANY: City of Brainerd

DATE: July 29, 2019

Dear Stephanie ,

Please find below our updated pricing for the City of Brainerd Tower Awards.

Sincerely,

Angela Neuman

aneuman@brucefoxinc.com

City of Brainerd Tower Award

1. NET UNIT PRICING

50 @ \$ 93.17 each net

2. TOOLING/SET-UP COSTS

N/A, existing

3. ESTIMATED PRODUCTION & DELIVERY SCHEDULE

6-8 weeks

4. METHOD OF PERSONALIZATION

N/A , shipped with blank plates and/or laser engraved.

5. SPECIFICATIONS

VERTICAL HANGING PLAQUE; SOLID WALNUT LASER ENGRAVED PANEL 8-1/2 X 11 X 3/4; HAS SPIN CAST TOWER 1-3/4 X 6-3/4 BRASS PLATED, LIGHT ANTIQUE; (1) ENGRAVED PLATE 3 X 3/4 X .032 YB WITH CONSECUTIVE NUMBERS FROM 151-200

(2) BLANK PLATES

(1) 4-1/32 X 1-3/32 AND

(1) 4-1/32 X 1-3/8

BOTH .032 YB, SATIN FINISH LONG DIRECTION, CLEAR LACQUER

6. DROP-SHIPMENT QUOTATION

- Drop-shipment distribution costs do not include personalization
- Applicable when the customer requires simultaneous shipment of product to individual destinations
- Drop-shipments are made as soon as the product is fully manufactured
- Add the costs for the required services to the accompanying Product Quotation
- These costs will be invoiced separately, following shipment, along with applicable personalization and freight charges

NET PRICE: \$4.75 per location

7. STOCK & RELEASE QUOTATION

- Does not include personalization
- An effective system for maintaining an inventory of product and shipping to individual destinations according to customer call-outs
- Add applicable costs corresponding to the available listed services to the Product Quotation
- These costs will be invoiced separately following shipment, along with applicable personalization and freight charges
- One year after original shipment to inventory area, Bruce Fox will conduct a physical inventory, identify inventory value and contact customer
- The customer can maintain inventory for an additional year for a fee of 10% of inventory value, or excess inventory will be shipped to the customer, with release charges applied
- Based on average number of units per destination; round down to the nearest quantity break

NET PRICE PER UNIT:

1 unit average per destination @ \$14.50
2 units average per destination @ \$11.25
5 units average per destination @ \$ 8.85
10 units average per destination @ \$ 8.25
25 units average per destination @ \$ 6.55

8. OTHER TERMS & CONDITIONS

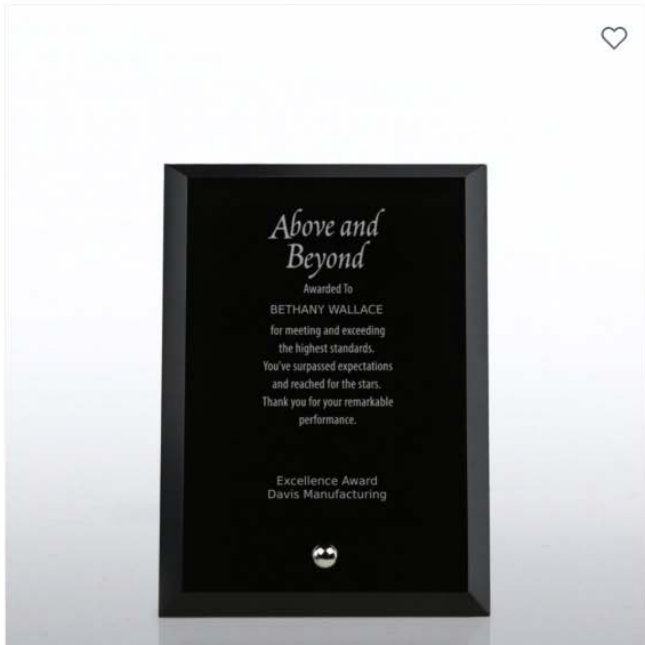
- Minimum billing \$ 50.00
- Unit cost based on quantity ordered, manufactured, and bulk shipped to a single location upon completion of manufacturing are included; add appropriate costs for selected/optional distribution method and personalization
- Freight costs not included
- Prices are net FOB New Albany, Indiana
- All prices valid for 30 days from date of quotation
- Variation in quantity or lead time will require new quotation; rush charges may apply
- Terms with approved account: Net 30 days
- Net orders totaling \$10,000 or more may require a deposit payment and/or installment payment schedule
- Foreign shipments @ \$40.00 each net
- Incorrect address charge @ \$25.00 each net

- Call tag issue @ \$7.50 each net
- Unauthorized consignee billing charge @ \$30.00 each net
- Return shipments will be subject to applicable freight charges
- Third party freight service is available at an additional cost of \$2.50 net per shipment plus \$0.40 net per product unit
- Third party freight service is not available for international shipments
- Shipment tracking, damage/loss claims, and replacement costs for shipments made via third party service are the responsibility of the bearer of the third party account
- Data file manipulation; per record charge for correction, addition or deletion to customer-supplied recipient/address data @ \$0.75 net per record
- All amounts presented on this quotation are due and payable in US Dollars

NOTICE

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Bruce Fox, Inc. | 1909 McDonald Lane | New Albany | Indiana | 47150 | www.brucefox.com | 800.289.3699



Trophy - Black Beveled Edge Glass Plaque

#71617

\$39.95

★★★★★ (3)

Available Options



6" x 8"

Includes engraving

Qty	1	20	50
Each	\$39.95	\$37.95	\$35.95

Qty

PERSONALIZE IT

Most personalized items ship same-day!



Limitless Collection: Glass Award Character Plaque - Clear

#71806

\$49.95

[Write a Review](#)

Available Options



6" x 8"

Includes engraving

Qty	1	6	12	24
Each	\$49.95	\$47.95	\$45.95	\$43.95

Qty

PERSONALIZE IT

Most personalized items ship same-day!





Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Memorial Park Parking Lot - 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 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: At the October 7, 2019 council meeting, Council made a motion to put the Memorial Park parking lot discussion on the next P&F and council agenda. Mr. Higgins, the owner of the parking lot, presented a purchase price of \$300,000 for the lot to the council at the meeting. Council also authorized staff to obtain an appraisal for the parking lot property not to exceed \$3,500.	
Alternatives, Options, Effects on Others/Comments: Staff has secured an appraisal for the lot from Ludenia Appraisal not to exceed \$3,500. The appraisal should be done within 45 days of October 10th. The City will probably need to bond for the expenditure of the parking lot and park improvements. The City could issue GO tax abatement bonds for this project as park facilities and associated public parking are generally authorized expenditures for the purposes of these bonds, per our bond attorney and municipal advisors.	
Recommended Action/Motion: No action needed at this time.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

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

October 21, 2019
City Council Chambers
7:00 PM

1. 2019-2020 Downtown Snow Removal – Consideration of Bids and Award Recommendation
2. Improvement 18-11 – Joint City of Brainerd and Crow Wing County Manhole Rehabilitation Project – Final Pay Estimate Number 1
3. Resolution – Directing that costs Incurred in Removing Hazardous Structure be Reported to Court – 507 South 6th Street
4. Transportation Alternatives – Authorization to Submit Letter of Intent to Apply for Funds for 28th Street Trail Connection



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: 2019-2020 Downtown Snow Removal Bids

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Bids were solicited for the 2019-2020 downtown snow removal and sent to 5 local qualified firms along with being published in the local Brainerd Dispatch.	
Alternatives, Options, Effects on Others/Comments: In total, one contractor responded being Tom's Backhoe Service. The last 3 quotes for the service can be seen attached for reference. You can see from the 2016/2017 and 2017/2018 bids, there was a 5% contract increase in the service. You can see from the 2017/2018 and 2018/2019 bids, there is a 2.5 % in increase in each of the line items services as per the bid specifications. From 2018/2019 to 2019/2020, there is a 5% increase in the bid items per the specifications. This is similar to the increase seen from 2016/2017 to 2017/2018.	
Recommended Action/Motion: Staff recommends accepting the bids for the 2019-2020 downtown snow removal and awarding the contract to Tom's Backhoe Service.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$30,000</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> There is an expense of \$40,000 in the budget for 2019, and a proposed \$75,000 for 2020 due to the increased snow amounts over the past few years.	

NOTICE OF BID
BIDS CLOSE OCTOBER 11, 2019 @ 10:00 A.M.
BRainerd, MINNESOTA

DOWNTOWN SNOW REMOVAL

Notice is hereby given that bids will be received, opened, and read aloud in the presence of the City Administrator and the City Engineer in the Council Chambers, City Hall, in the City of Brainerd, Minnesota, on Friday, October 11, 2019, at 10:00 A.M. for the 2019 – 2020 Downtown Snow Removal in accordance with the Plans and Specifications for the same which are on file in the office of the City Engineer of said City.

Copies of the Plans and Specifications may be obtained at the office of the City Engineer, City Hall, Brainerd, Minnesota.

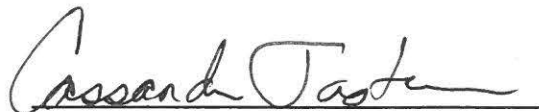
All bids will be referred to the City Engineer for tabulation and then referred to the City Council for action at a Council meeting to be held on Monday, October 21, 2019.

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

All proposals must be sealed and addressed to the City Administrator, Brainerd, Minnesota. Bids will be delivered to the City Administrator prior to the bid opening time. The envelope shall be plainly marked "Bid for Downtown Snow Removal, October 11, 2019, 10:00 A.M, Brainerd, Minnesota".

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

Dated September 16, 2019



Cassandra Torstenson
City Administrator

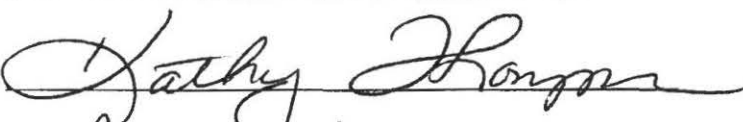
Publish September 20 and September 27, 2018

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

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

This proposal dated this 1st day of NOV, 2016

Signed


President

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

218-828-4232

CITY OF BRAINERD

2017 - 2018 DOWNTOWN SNOW REMOVAL

FORM OF PROPOSAL

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

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

SIGNED Kathy Hanson
TITLE President

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

CITY OF BRAINERD

2018 - 2019 DOWNTOWN SNOW REMOVAL

FORM OF PROPOSAL

DESCRIPTION	UNIT	UNIT PRICE
STREETS, ALLEYS, PARKING LOTS (4" BASE)	LUMP SUM	4,975.23
STREETS, ALLEYS, PARKING LOTS (EACH ADDITIONAL INCH)	INCH	1,395.49
SIDEWALKS (4" BASE)	LUMP SUM	1,152.79
SIDEWALKS (EACH ADDITIONAL INCH)	INCH	242.69

THIS PROPOSAL DATED THIS 15th DAY OF October, 2018.

SIGNED Kathy Thompson
TITLE CFO

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

218-828-4232

CITY OF BRAINERD

2019 - 2020 DOWNTOWN SNOW REMOVAL

FORM OF PROPOSAL

DESCRIPTION	UNIT	UNIT PRICE
STREETS, ALLEYS, PARKING LOTS (4" BASE)	LUMP SUM	5,224.00
STREETS, ALLEYS, PARKING LOTS (EACH ADDITIONAL INCH)	INCH	1,465.27
SIDEWALKS (4" BASE)	LUMP SUM	1,210.43
SIDEWALKS (EACH ADDITIONAL INCH)	INCH	254.83

THIS PROPOSAL DATED THIS 30th DAY OF September, 2019.

SIGNED

Thomas L. Thompson

TITLE

President

Tom's Backhoe Service, Inc.

323 Woodland Hills LN
Brainerd, MN 56401



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Imp. 18-11 - Joint Manhole Rehab Project - Final Pay Estimate No.1

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is the final pay estimate for Improvement 18-11 - Joint City of Brainerd and Crow Wing County Manhole Rehabilitation Project.	
Alternatives, Options, Effects on Others/Comments: As you may recall, the City and County performed a joint project which consisted of rehabilitating manholes with cement material to extend the life of the manholes on Brook Street and SE 10th Street (which was resurfaced last year) and on County Road 45 (County project). The total awarded contract amount to Visu-Sewer was \$23,325.80, in which it was estimated at the time that \$13,311.58 would be a City cost and \$10,014.22 would be the County cost. Per the attached final invoice and breakdown, the final invoiced amount for the project is \$18,620.20, in which \$12,387.11 is a City cost and \$6,233.09 is the County cost and will be invoiced accordingly. This represents \$924.47 under the original approved amount, or 93.06% of the original contract cost.	
Recommended Action/Motion: Staff recommends final payment to Visu-Sewer in the amount of \$18,620.20, of which \$12,387.11 is the City cost and \$6,233.09 is the County cost and will be invoiced accordingly.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$12,387.11</u> <i>Is this budgeted?</i> ☒ Yes ☐ No Funds to come from Storm Sewer Fund 238. <i>Please Explain:</i>	



www.visu-sewer.com

CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401-3595

INVOICE NUMBER: 30618
INVOICE DATE: 9/13/2019

ATTN: PAUL SANDY
RE: CITY IMPROVEMENTS #18-11
MANHOLE REHAB

CUSTOMER NO. 4564
JOB NO. 18413M

ITEM	DESCRIPTION	EST. QTY	U/M	PRICE	COMPLETED		AMOUNT
					THIS PERIOD	TO DATE	
	MOBILIZATION		LS	3,000.00	1.00	1.00	3,000.00
	STRONG SEALING OF MANHOLES		VF	173.00	87.41	87.40	15,120.20
	TRAFFIC CONTROL		LS	500.00	1.00	1.00	500.00

RECEIVED

SEP 23 2019

CITY OF BRAINERD
ADMINISTRATION

PLEASE REMIT TO:

**VISU-SEWER, INC.
P.O. BOX 804
PEWAUKEE, WI 53072-0804**

TOTAL WORK COMPLETED	18,620.20
LESS 0% RETAINAGE	
LESS PREVIOUS PAYMENT	
TOTAL AMOUNT DUE	18,620.20

DUE UPON RECEIPT OF INVOICE.
A SERVICE CHARGE OF 1 1/2 % PER MONTH MAY
BE CHARGED ON ALL PAST DUE ACCOUNTS.

Visu-Sewer, Inc.

W230 N4855 Betker Dr, Pewaukee, WI 53072 (P) 800-876-8478 / 262-695-2340 (F) 262-695-2359

Equal Employment Opportunity/Affirmative Action Employer

STRONG - SEAL

PROJECT: Brainerd, MN

JOB NO: 18413M-09

MANHOLE NO: 1 DEPTH: 117 DATE: 05/15/2019 MAP:
LOCATION: Willow St & SE 10th St BAGS: 9
COMMENT:

MANHOLE NO: 2 DEPTH: 80 DATE: 09/10/2019 MAP:
LOCATION: 1403 SE 10th St BAGS: 4
COMMENT: Bottom 3' leaking all around, using grout to stop. 5hrs and 3 groout cans to st

MANHOLE NO: 3 DEPTH: 113 DATE: 09/10/2019 MAP:
LOCATION: 1503 SE 10th St BAGS: 6
COMMENT: Bottom half leaking, using grout to stop. 6hrs and 4grout cans with 3 buckets

MANHOLE NO: 4 DEPTH: 186 DATE: 09/10/2019 MAP:
LOCATION: Brook St & 10th St BAGS: 2
COMMENT: 4 leaks that tool 60 gallons of grout and 1 bucket of waterplug.

MANHOLE NO: 5 DEPTH: 225 DATE: 05/15/2019 MAP:
LOCATION: SE 10th St BAGS: 16
COMMENT: Fixed leaks bottom area 5/16/19

MANHOLE NO: 56 DEPTH: 89 DATE: 05/16/2019 MAP:
LOCATION: SE 13th St BAGS: 7
COMMENT:

MANHOLE NO: 72 DEPTH: 123 DATE: 05/15/2019 MAP:
LOCATION: SE 13th St BAGS: 10
COMMENT:

PROJECT: Brainerd, MN

JOB NO: 18413M-09

MANHOLE NO: 73

DEPTH: 116

DATE: 05/15/2019

MAP:

LOCATION: SE 13th St

BAGS: 9

COMMENT:

Improvement 18-11 Cost Share with Crow Wing County				
	Mobilization (LS)	Manhole Seal (LF)	Traffic Control (LS)	
City	0.57	60.07	0.57	
County	0.43	27.33	0.43	
Total	1	87.40	1	
				Total
City Cost	\$ 1,710.00	\$ 10,392.11	\$ 285.00	\$ 12,387.11
County Cost	\$ 1,290.00	\$ 4,728.09	\$ 215.00	\$ 6,233.09
Total Cost	\$ 3,000.00	\$ 15,120.20	\$ 500.00	\$ 18,620.20

Total Estimated LF of Manholes = 114.6
 City Share of Mob./TC = 0.57
 County Share of Mob./TC = 0.43



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Res - Enforcement Costs to Court for 507 South 6th Street Demolition

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a resolution in which outlines the costs incurred in demolition of the hazardous structure at 507 South 6th Street in 2018. This resolution authorizes submission of the costs to the court.	
Alternatives, Options, Effects on Others/Comments: The resolution speaks to how the enforcement action took place and has the documentation of the costs incurred included.	
Recommended Action/Motion: Staff recommends adoption of the attached resolution and attachment as presented.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

**R E S O L U T I O N
N O .**

CITY OF BRAINERD

**RESOLUTION DIRECTING THAT COSTS INCURRED IN REMOVING HAZARDOUS
STRUCTURE BE REPORTED TO COURT**

WHEREAS, on April 18, 2017, the City issued an Order requiring the repair or removal of two hazardous buildings on the property located at 507 6th Street South; and

WHEREAS, the owner of the property served an answer to the Order and indicated a desire to repair or remove the building without involvement of the City; and

WHEREAS, on July 11, 2018, the City obtained an Order of the Court affirming and permitting enforcement of the City's Order requiring repair or removal of two structures on the property; and

WHEREAS, following the Court's Order affirming the City's Order and permitting enforcement, no action was taken by the owner of the property to comply with the Order; and

WHEREAS, the City incurred attorney's fees and costs while attempting to negotiate a resolution to this matter and in preparation for a trial precipitated by proceeding as a contested case; and

WHEREAS, the City incurred costs and expenses as part of the removal of the motel building, removal of the office building, and repair of the common wall that had been shared by the office building and a structure on the neighboring property; and

WHEREAS, no salvage or valuable materials were obtained from the structures during the course of the removal process; and

WHEREAS, pursuant to Minn. Stat. § 463.22, the city council has kept an accurate account of the expenses incurred in carrying out and enforcing the hazardous building proceeding against the property; and

WHEREAS, documentation of these expenses and costs is attached to this Resolution as Exhibit A.

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

1. From the time of the April 18, 2017, Order, the City incurred the following costs and expenses:

Cost Type	Amount
Attorney's fees and costs	\$8,730.58
Filing fees (Court and County Recorder)	\$348.00
Demolition fees (includes utility disconnection, permits, fill)	\$21,000.00
Reconstruction of common wall	\$13,100.00
Sewer Rock	\$564.20
TOTAL:	\$43,742.78

2. The City did not receive any funds as a result of the sale of salvage or other valuable materials obtained from the removed structures.
3. The City shall seek to have these costs certified by the Court for collection, either through a personal judgment against the owner of the property or by certifying the amount of the costs as a special charge against the property.

Adopted this ____ day of October 2019

GABE JOHNSON
President of the Council

Approved this ____ day of October 2019

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
City Administrator



READY MIX & CONSTRUCTION, INC.
12883 Upper Sylvan Road S.W.
PILLAGER, MINNESOTA 56473
(218) 746-3355

CUSTOMER'S ORDER NO.		PHONE	DATE
			6/26/19
NAME City of Brainerd			
ADDRESS Downtown Motel Demolition			
Demolition of Motel and Office. Sewer/water disconnect. Black dirt/seed.			
City permits			\$ 21,000.00
Wall rebuild with brick and stucco			\$ 13,100.00
CLOSURE FEE			.10/YD
WASTE ASSESSMENT FEE			.60/YD
			TAX
SOLD BY	RECEIVED BY	TOTAL	
		34,100.00	

When inside lot line delivery is made damage in any manner to sidewalks, buildings, shrubbery, etc. are made at the customer's risk. Customer is responsible for truck damage and, or, loss of product if he directs driver into impassable places.

171839



READY MIX & CONSTRUCTION, INC.

12883 Upper Sylvan Road S.W.
PILLAGER, MINNESOTA 56473
(218) 746-3355

CUSTOMER'S ORDER NO.		PHONE	DATE
107			6/7/19
NAME			
City of Brainerd			
ADDRESS			
30420			
10.00	for Sewer Rock	20/1	50420
10.15	for Sewer Rock		
20.15			
RECEIVED			
JUL 03 2019			
CITY OF BRAINERD ADMINISTRATION			
CLOSURE FEE		.10/YD	
WASTE ASSESSMENT FEE		.60/YD	
		TAX	
SOLD BY	RECEIVED BY	TOTAL	
		50420	

When inside lot line delivery is made damage in any manner to sidewalks, buildings, shrubbery, etc. are made at the customer's risk. Customer is responsible for truck damage and, or, loss of product if he directs driver into impassable places.

168496

EXHIBIT A TO RESOLUTION



READY MIX & CONSTRUCTION, INC.

12883 Upper Sylvan Road S.W.

PILLAGER, MINNESOTA 56473

(218) 746-3355

CUSTOMER'S ORDER NO.		PHONE	DATE 6/26/19
NAME CITY OF BRAINERD			
ADDRESS			
Demolition as proposed			
RECEIVED			
JUL 05 2019			
CITY OF BRAINERD ADMINISTRATION			
CLOSURE FEE		.10/YD	5
WASTE ASSESSMENT FEE		.60/YD	
		TAX	
SOLD BY	RECEIVED BY	TOTAL 34,100.00	

When inside lot line delivery is made damage in any manner to sidewalks, buildings, shrubbery, etc. are made at the customer's risk. Customer is responsible for truck damage and, or, loss of product if he directs driver into impassable places.

159367

EXHIBIT A TO RESOLUTION



Your Solid Choice!

Hengel Ready Mix and Construction, Inc.

PHONE (218) 746-3355 FAX (218) 746-3199

12883 Upper Sylvan Road SW

Pillager, MN 56473

STATEMENT OF ACCOUNT

STATEMENT DATE	ACCOUNT NO.
06/30/19	CITYBRAINERD

RECEIVED

City of Brainerd

501 Laurel St.

Brainerd, MN 56401

JUL 05 2019

CITY OF BRAINERD
ADMINISTRATION

DATE PAID _____ CHECK NO. _____

TRANSACTION DATE	INVOICE NO.	DESCRIPTION	AMOUNT	BALANCE
06/07/19	168496	20.15 Yds Sewer Rock	564.20	564.20
06/26/19	159367	Demo as Proposed	34100.00	34664.20
209-49045-5520				
PAID				
CMA				
Current	1 to 30	31 to 90	91 to 180	Over 180
34664.20	0.00	0.00	0.00	0.00
TOTAL				34664.20

01-0202 HENGEL CONSTRUCTION

083925 07/17/2019

DATE	I.D.	PO #	DESCRIPTION	AMOUNT
06/30/2019	159367		DEMO AS PROPOSED	34,100.00
		209-49045-5520	DEMO AS PROPOSED	34,100.00
06/30/2019	168496		20.15 YDS SEWER ROCK	564.20
		209-49045-5520	20.15 YDS SEWER ROCK	564.20

HENGEL CONSTRUCTION
12883 UPPER SYLVANA RD SW
PILLAGER, MN 56473

CHECK TOTAL 34,664.20

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

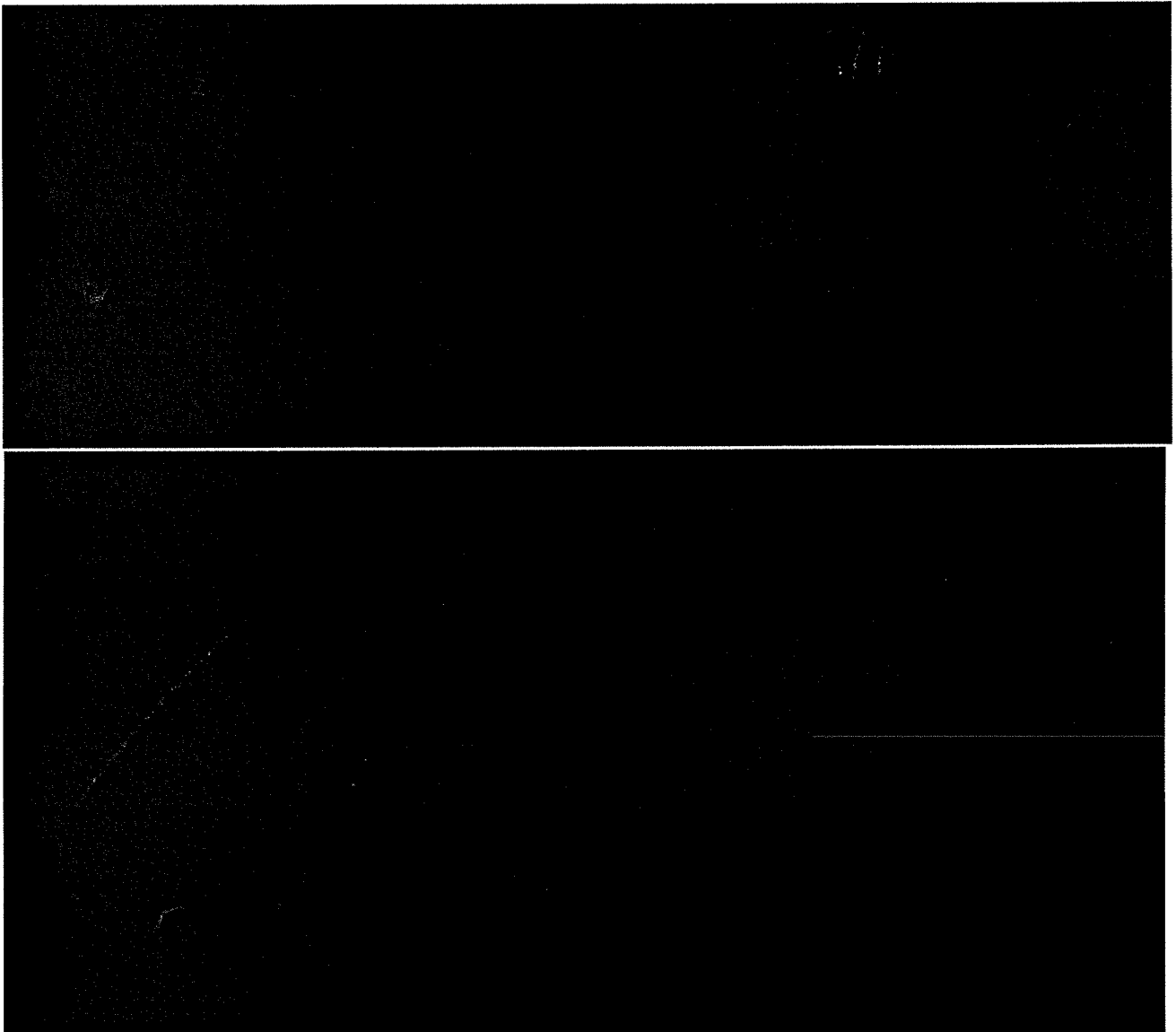
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

June 1, 2017

Statement as of: May 31, 2017
Statement Number: 60679



4034-0091: Code Enforcement - 507 6th Street S.**Professional Services**

			<u>Hours</u>
5/15/2017	JJL	Receive and review e-mail from Jim Thoreen regarding status of hazardous building process; Review file; Leave message for Mr. Thoreen; Receive e-mail and Answer from Mr. Thoreen; Review statutory procedure for contested cases.	0.90
5/16/2017	JJL	Receive and review e-mail from Mark Ostgarden regarding non-conforming nature of the motel; Analyze arguments for non-conforming use under state law; Draft e-mail to Mr. Ostgarden.	1.60
Sub-total Fees:			362.50

Rate Summary

Joseph J. Langel

2.50 hours at \$ 145.00 / hr.

Total Hours: 2.50

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

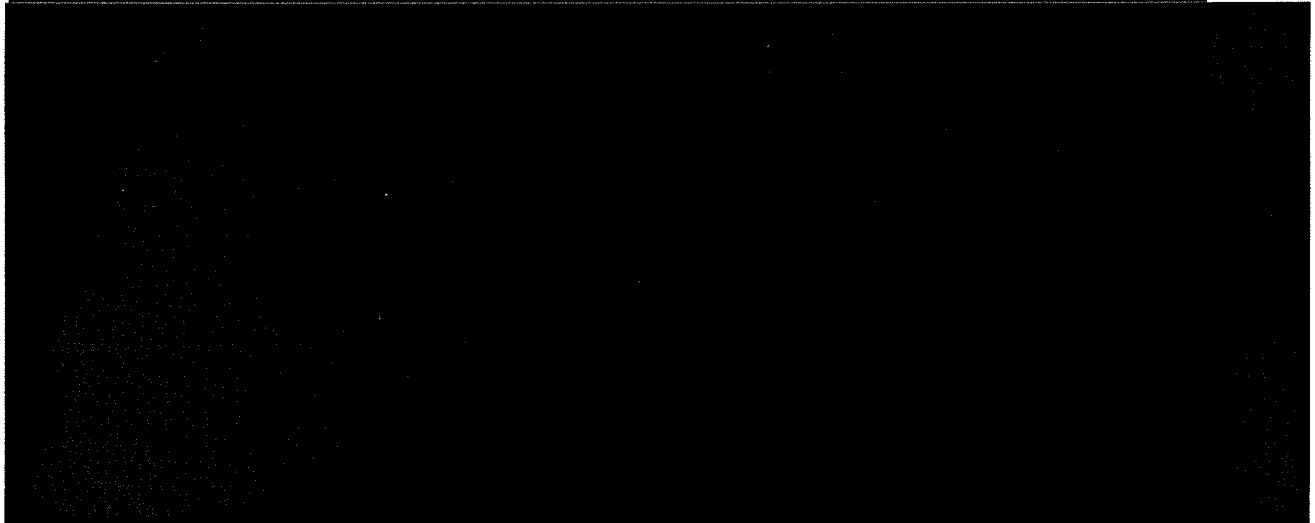
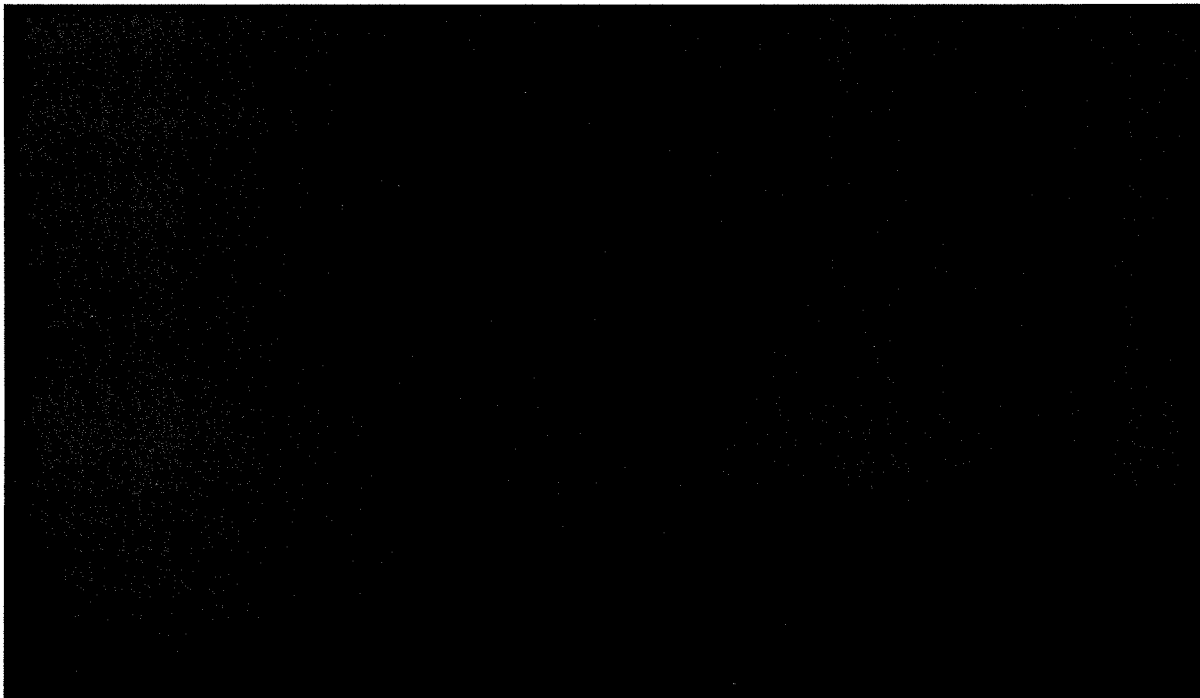
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

July 1, 2017

Statement as of: June 30, 2017
Statement Number: 60793

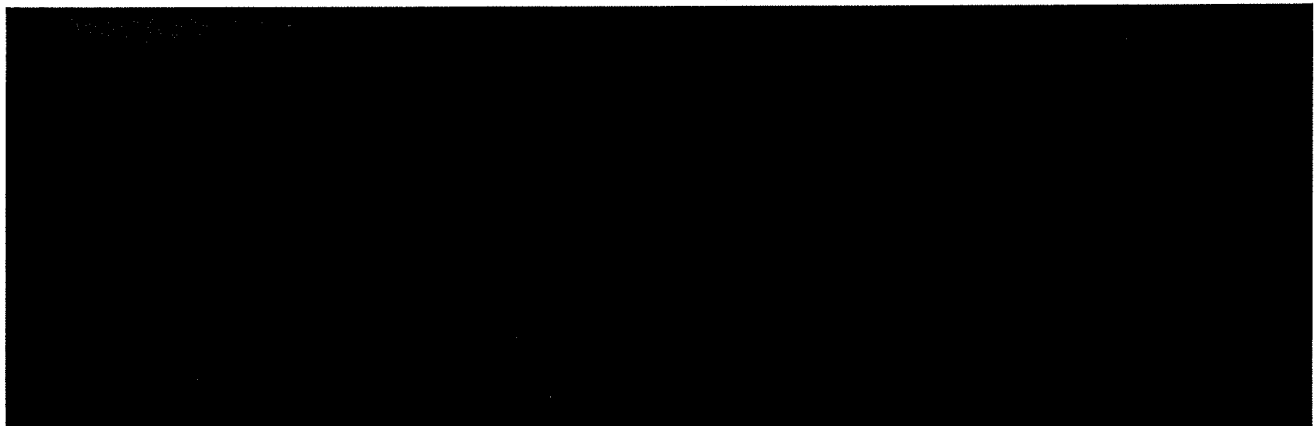


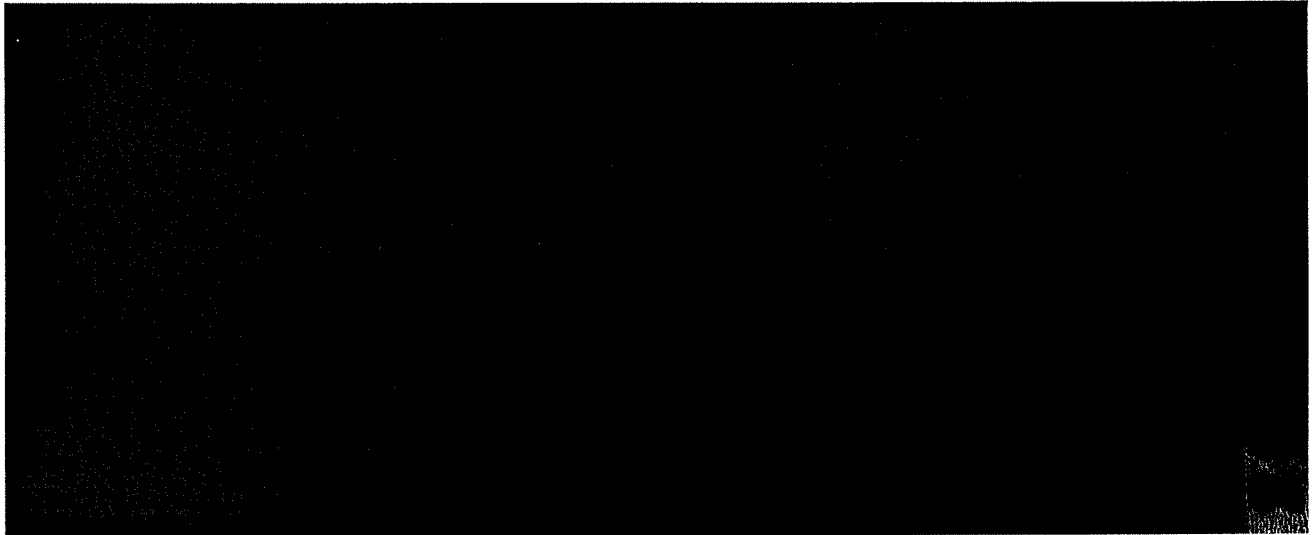
**4034-0091: Code Enforcement - 507 6th Street S.****Professional Services**

			<u>Hours</u>
6/27/2017	JJL	Office conference with Nathan Shepherd regarding procedural status; Review file regarding service; Draft e-mail to Mr. Thoreen regarding same.	0.70
6/27/2017	NBS	Review documents from client for use in hazardous building enforcement proceedings, research chapter 463 proceeding requirements, strategize information needed to proceed with court action, fact research regarding ownership of building.	1.90
6/28/2017	JJL	Receive e-mail and attached documents from Jim Thoreen regarding Council resolution.	0.10
6/28/2017	NBS	Review additional documents provided by client related to order and resolution, brief review of rules of civil procedure and corporation statutes for service requirements, draft letter to agent of owner corporation regarding service, prepare documents for service on agent of corporation, initial preparation of filing letters and notice of lis pendens to be filed upon service.	2.00
Sub-total Fees:			681.50

Rate Summary

Joseph J. Langel	0.80 hours at \$	145.00 / hr.
Nathan B. Shepherd	3.90 hours at \$	145.00 / hr.

Total Hours: 4.70



Disbursements

Delivery Fees	53.50
Postage	3.64



If you have questions regarding your bill, please call us at (612) 339-0060.

INVOICE

Excel Legal Courier

ACCOUNT	INVOICE NO.	CURRENT CHARGES	INVOICE DATE	AMOUNT DUE	QUESTIONS 612-781-5840
RATWIK	29677		07/07/17		PLACE ORDER 612-781-5840

MAIL PAYMENT TO:

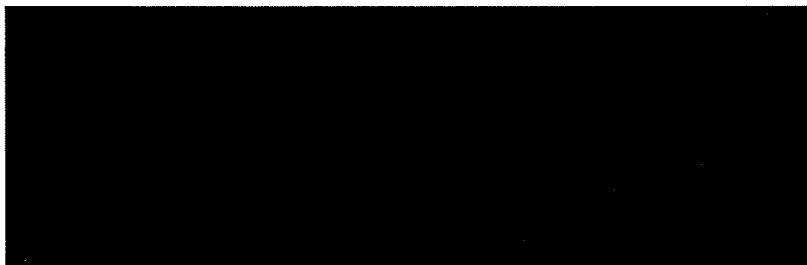
Ratwik Roszak & Maloney PA
730 Second Avenue South Suite #300
Minneapolis, Minnesota 55402

Excel Legal Courier
P.O. Box 23036
Minneapolis, Minnesota 55423

SUMMARY OF CHARGES

BILLING PERIOD

06/01/17-06/30/17



Send your next service to order@excellegalcourier.net and
take the paper out of paperwork!! We'll print it in house
and take care of the rest. (Restrictions do apply).

Excel Accepts all Credit Cards!!

Excel Legal Courier

Excel Legal Courier

Reference Total 06/01/17 - 06/30/17

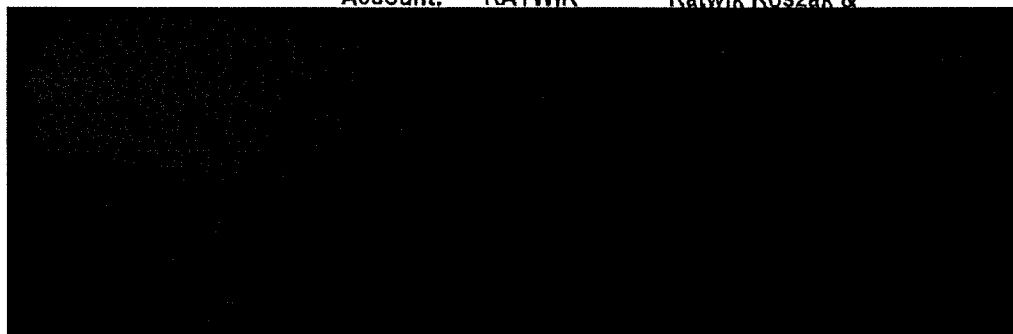
Reference

Jobs

Total

Account: RATWIK

Ratwik Roszak &



4034-0091

1

53.50



7/7/2017 11:51:20 AM

1

Excel Legal Courier

DETAIL OF DELIVERIES 06/01/17 - 06/30/17

Account: RATWIK / Ratwik Roszak & Maloney

Date/Time	Ticket/Ref	From	To	Extra	Total
-----------	------------	------	----	-------	-------

06/28/17	264336	Ratwik Roszak & Maloney	DBM II Partnership	32.50	53.50
14:31	Christophe	730 Second Ave	8845 Medly Lane		
1HR	4034-0091	Minneapolis	Golden Valley		
			Miles: 7.00		
		Process Se	Attempts	20.00	

7/7/2017 11:51:20 AM

2

EXHIBIT A TO RESOLUTION

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

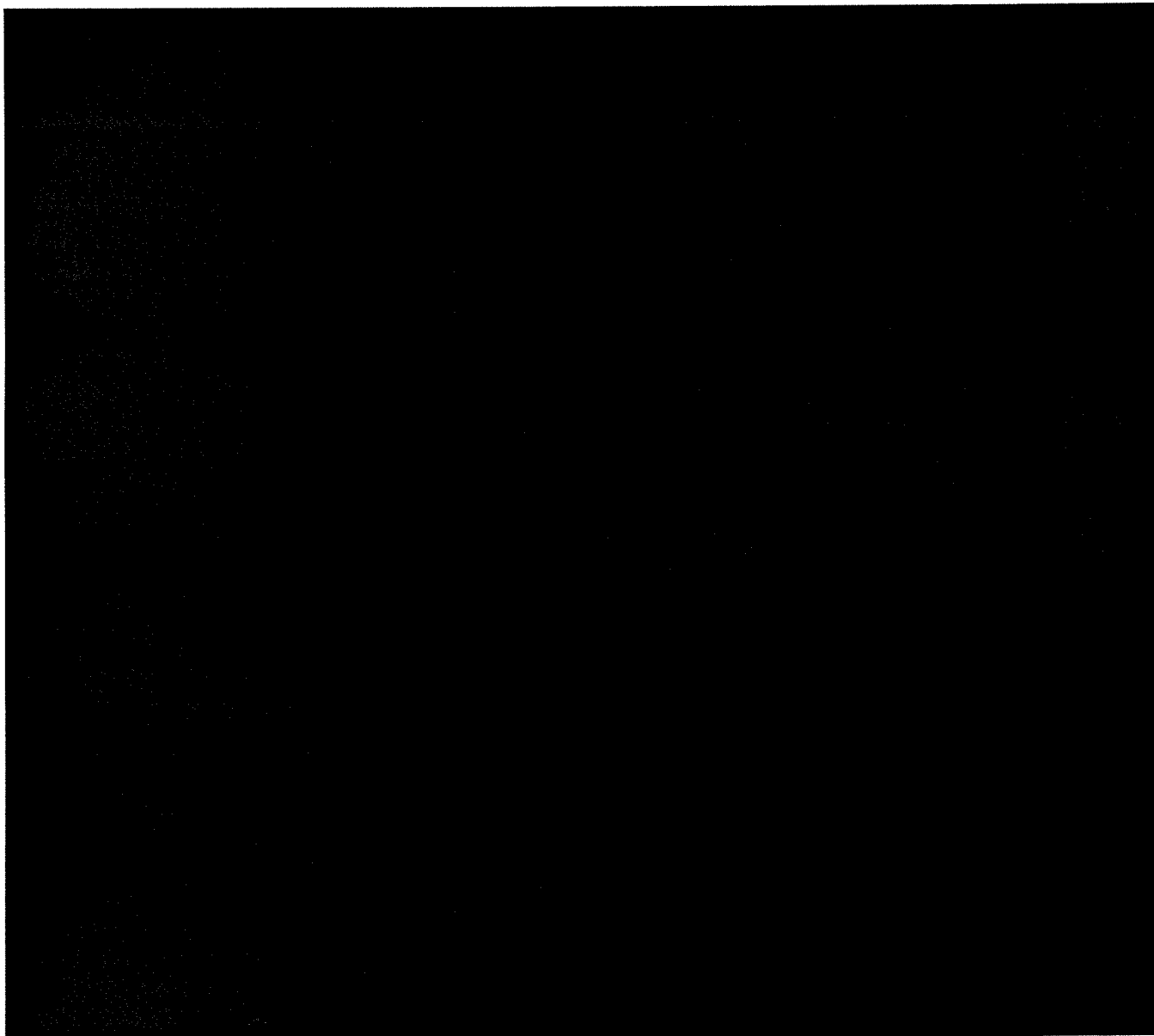
Federal Tax ID# - 41-1605983

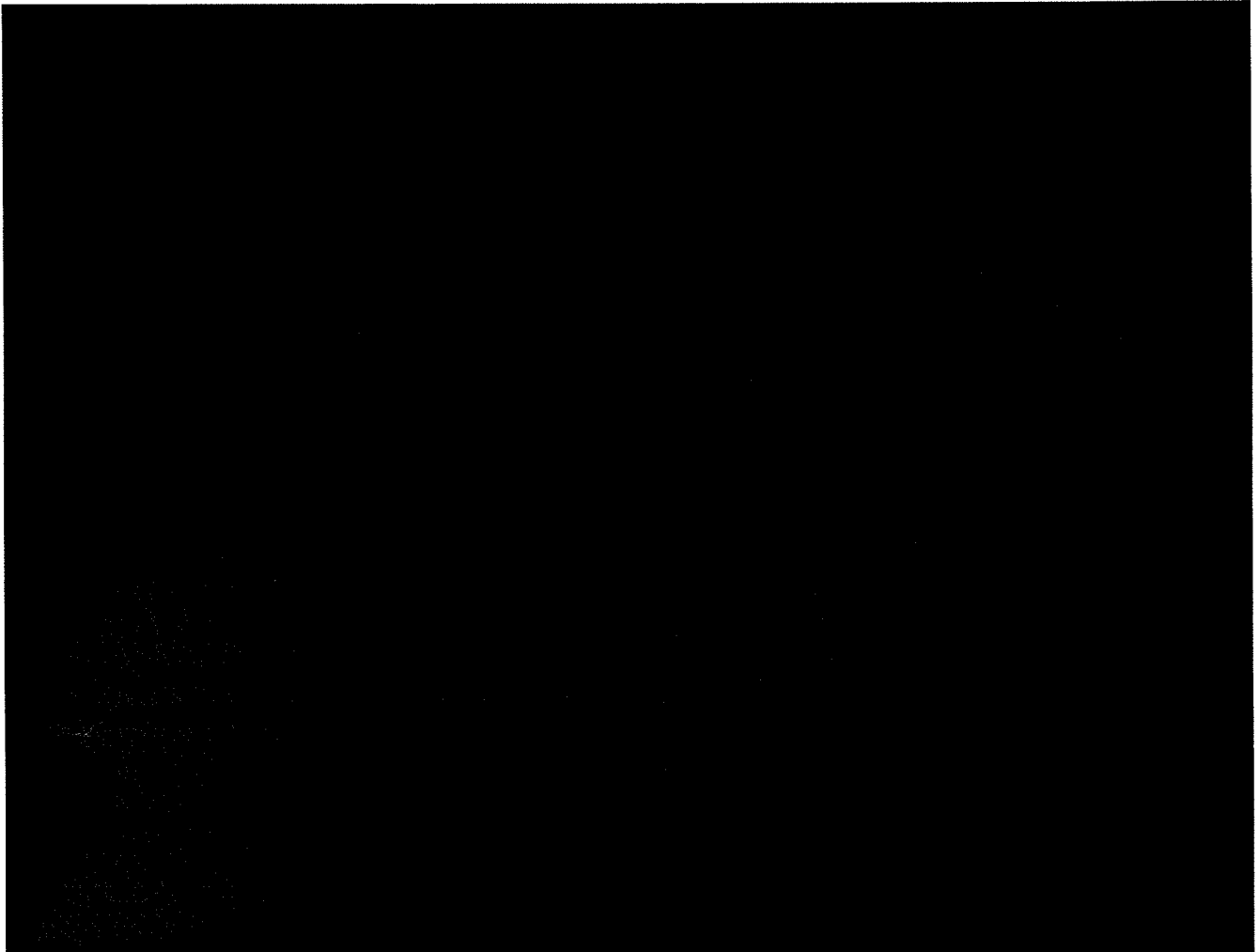
Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

August 1, 2017

Statement as of: July 31, 2017
Statement Number: 60995



**4034-0091: Code Enforcement - 507 6th Street S.**

Professional Services			<u>Hours</u>
7/5/2017	NBS	Review return of service from process server; Begin drafting documents to be filed with court for enforcement of code action.	0.60
7/6/2017	NBS	Draft filing letter to court, draft notice of lis pendens, draft filing letter for notice of lis pendens, research civil rule requirement for civil cover sheet; Revise filing letter to court and prepare documents for filing with court to enforce order.	1.90
7/10/2017	NBS	Revise notice of lis pendens and prepare documents for filing.	0.20
Sub-total Fees:			391.50

Rate Summary

Nathan B. Shepherd

2.70 hours at \$ 145.00 / hr.

Total Hours: 2.70

Filing Fee	302.00
Postage	2.95
Printing/Photocopies	1.20
██████ Filing Fee ██████	46.00

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

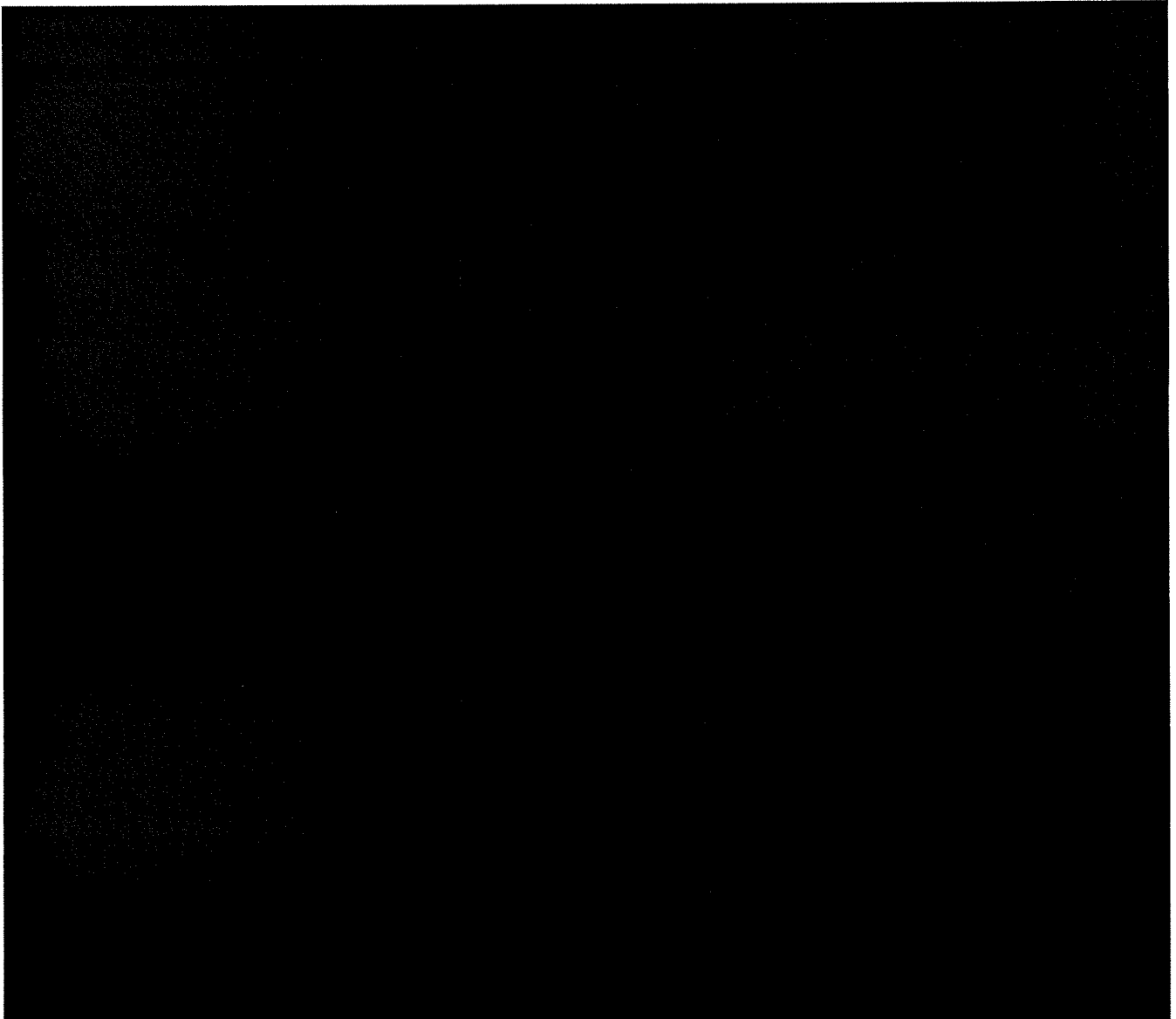
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

September 1, 2017

Statement as of: August 31, 2017
Statement Number: 61138



**4034-0091: Code Enforcement - 507 6th Street S.**

Professional Services			<u>Hours</u>
8/3/2017	JJL	Receive e-mail from demolition contractor and respond to same - NO CHARGE.	0.10
8/4/2017	JJL	Telephone conference with Mick Conlan, attorney, regarding hazardous structure issue; Draft e-mail to city staff regarding same; Receive e-mail from Mr. Thoreen.	0.50
8/9/2017	JJL	Receive and review Notice of Appearance filed with District Court; Receive and review correspondence from counsel for property owner.	0.80
8/9/2017	NBS	Review order of the Court regarding scheduling; Analyze potential requirements under civil rules for responses to Court's Order; Review notice of appearance; Strategize potential for settlement or resolution outside of litigation with property owner; Review correspondence from opposing counsel regarding option to repair; Research potential for court modification of order.	0.90
8/22/2017	NBS	Draft certificate of representation and scheduling information required by Court; Initial research regarding scheduling provisions for statutory action.	0.90
8/23/2017	JJL	Confer with Nathan Shepherd regarding litigation schedule; Receive and review e-mail from counsel for property owner; Draft e-mail to City staff regarding repair issues; Exchange e-mails with Mark Ostgarden regarding same.	0.70
8/24/2017	NBS	Revise civil cover sheet; Draft cover letter to court regarding nature of action; Strategize immediate proceedings in court; Begin drafting letter to opposing counsel.	1.80
8/25/2017	JJL	Review correspondence from Mick Conlan regarding needed repairs and draft e-mail in response; Review letter to the Court; Confer with Nathan Shepherd regarding discovery process.	1.00
Sub-total Fees:			957.00

Rate Summary

Joseph J. Langel	0.10 hours at \$	0.00 / hr.
Joseph J. Langel	3.00 hours at \$	145.00 / hr.
Nathan B. Shepherd	3.60 hours at \$	145.00 / hr.

Total Hours: 6.70

Disbursements

Online Legal Research

84.28 *



*** \$38.45 billed to 4034-0091.**

If you have questions regarding your bill, please call us at (612) 339-0060.

Account: RATWIK ROSZAK & MALONEY PA, MINNEAPOLIS MN (1000129474)

Date Range: August 01, 2017 - August 31, 2017

Report Format: Summary-Account by Client by User by Day

Products: Westlaw, WestlawNext

Content Families: All Content Families

Client 4034-0091

User Name SHEPHERD,NATHAN B
(12262824)

Day 08/09/2017

Totals for Included	9	198.00 USD	38.45 USD	0.00 USD	38.45 USD
Totals for Day 08/09/2017	9	198.00 USD	38.45 USD	0.00 USD	38.45 USD
Totals for User Name SHEPHERD,NATHAN B (12262824)	9	198.00 USD	38.45 USD	0.00 USD	38.45 USD
Totals for Client 4034-0091	9	198.00 USD	38.45 USD	0.00 USD	38.45 USD

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

November 1, 2017

Statement as of: October 31, 2017
Statement Number: 61417

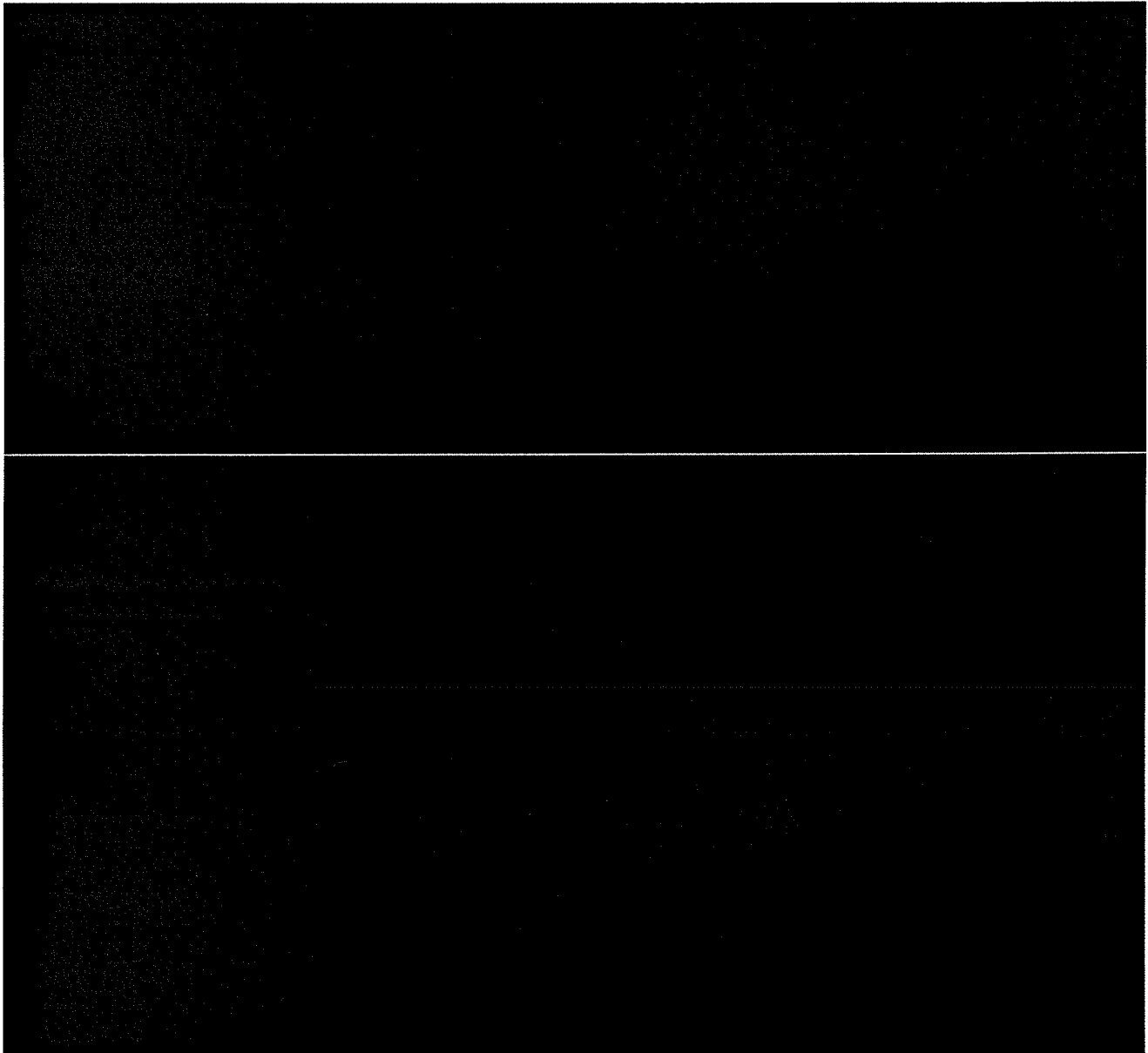


EXHIBIT A TO RESOLUTION

4034-0091: Code Enforcement - 507 6th Street S.**Professional Services**

			<u>Hours</u>
10/10/2017	JJL	Confer with Nathan Shepherd regarding District Court scheduling conference.	0.10
10/18/2017	JJL	Telephone conference with Mick Conlan, attorney for property owner, regarding possible settlement of issue; Confer with Nathan Shepherd regarding same; Receive and review e-mail from Chief McQuiston regarding police calls; Receive and respond to e-mails from Mark Ostgarden.	1.00
10/18/2017	JJL	Telephone conference with Mick Conlan, counsel for property owner, regarding possible agreement to demolish; Review file; Draft e-mail to City staff regarding same.	0.80
10/24/2017	JJL	Review file in preparation for scheduling conference; Telephone conference with opposing counsel, Mick Conlan, regarding possible settlement; Telephone conference with Judge Askegaard and Mr. Conlan regarding schedule; Draft e-mail to City regarding same; Draft e-mail to Connie Hillman regarding TIF issue and receive response.	0.90
10/24/2017	NBS	Review deadlines from scheduling conference.	0.10
10/30/2017	JJL	Receive e-mail from Attorney Mick Conlan; Draft e-mail to City staff; Receive and review e-mails from Jim Thoreen, Mark Ostgarden and Tim Caughey.	0.50
10/31/2017	JJL	Receive and review e-mails from Connie Hillman and Mark Ostgarden.	0.30
Sub-total Fees:			536.50

Rate Summary

Joseph J. Langel	3.60 hours at \$	145.00 / hr.
Nathan B. Shepherd	0.10 hours at \$	145.00 / hr.

Total Hours: 3.70

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

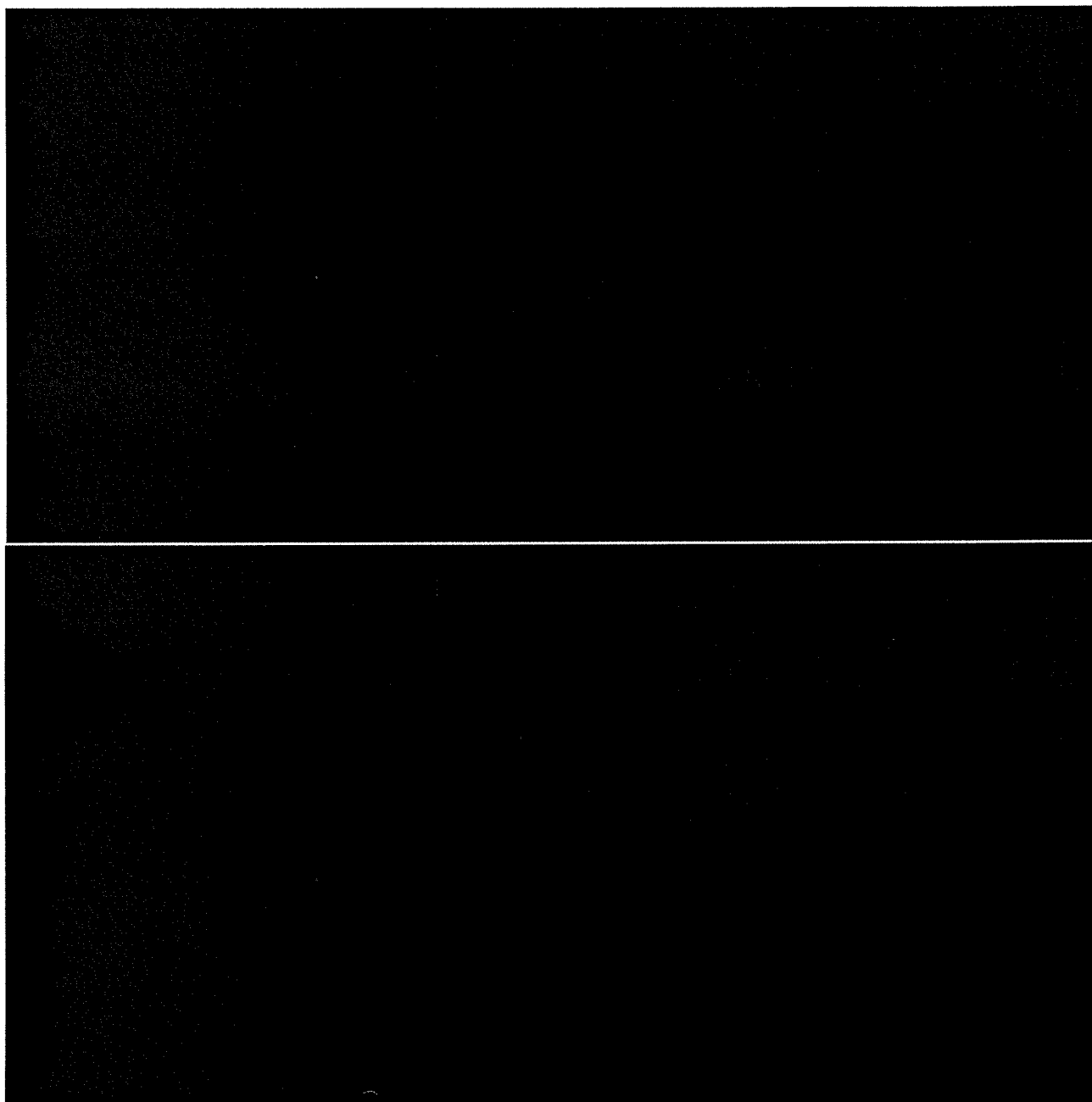
Tel - (612) 339-0060

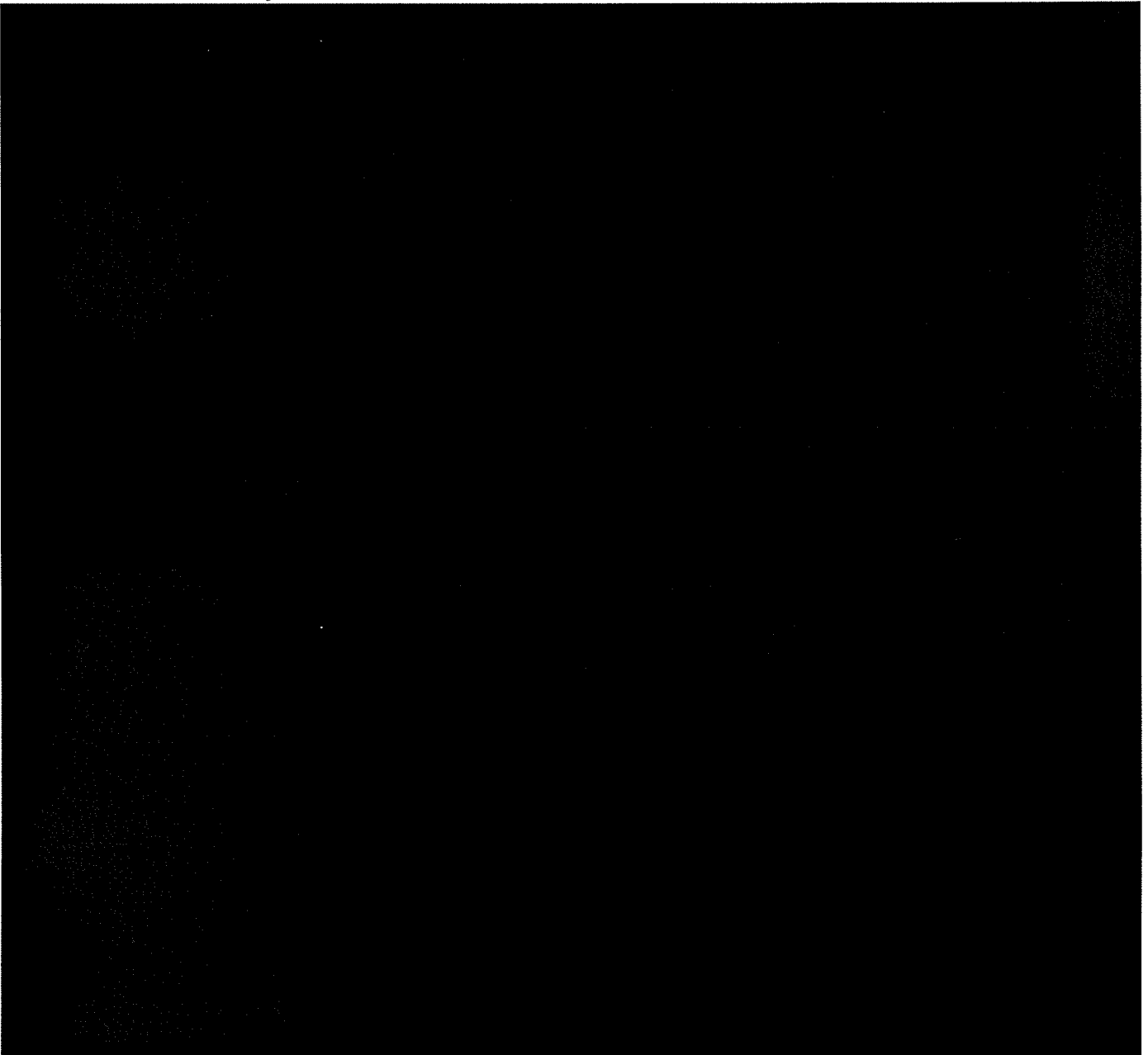
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

December 1, 2017



**4034-0091: Code Enforcement - 507 6th Street S.****Professional Services**

			<u>Hours</u>
11/1/2017	JJL	Review e-mail and draft agenda request from Connie Hillman and respond to same.	0.40
11/2/2017	JJL	Receive and respond to e-mails from Tim Caughey and Connie Hillman regarding resolution for Council.	0.30
11/8/2017	JJL	Receive and respond to e-mail from counsel from property owner.	0.20
11/9/2017	JJL	Confer with Nathan Shepherd regarding Settlement Agreement; Receive and review e-mail from Attorney Mick Conlan and respond to same; Review e-mail from Mr. Conlan regarding the garage issue.	0.40

11/9/2017	NBS	Office conference with Joe Langel regarding settlement agreement.	0.20
11/10/2017	JJL	Receive and review e-mail from Mick Conlan regarding demolition of the garage; Confer with Nathan Shepherd regarding same.	0.20
11/14/2017	NBS	Draft Settlement Agreement for demolition of structures on property.	2.10
11/15/2017	JJL	Confer with Nathan Shepherd regarding terms and conditions of settlement agreement.	0.30
11/15/2017	NBS	Revise Settlement Agreement.	0.50
11/16/2017	JJL	Draft and revise settlement agreement; Draft e-mail to City staff regarding same.	1.00
11/17/2017	JJL	Exchange e-mails with counsel for property owner regarding settlement agreement.	0.10
11/20/2017	JJL	Receive voice mail message from Tim Caughey regarding demolition requirements.	0.20
11/28/2017	JJL	Review file; Draft e-mail to staff regarding removal of asphalt and concrete; Receive and respond to e-mail from Mark Ostgarden.	0.40
11/29/2017	JJL	Review e-mail from Tim Caughey; Revise proposed Settlement Agreement; Draft e-mail to counsel for property owner.	0.30
Sub-total Fees:			957.00

Rate Summary

Joseph J. Langel	3.80 hours at \$	145.00 / hr.
Nathan B. Shepherd	2.80 hours at \$	145.00 / hr.

Total Hours: 6.60

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

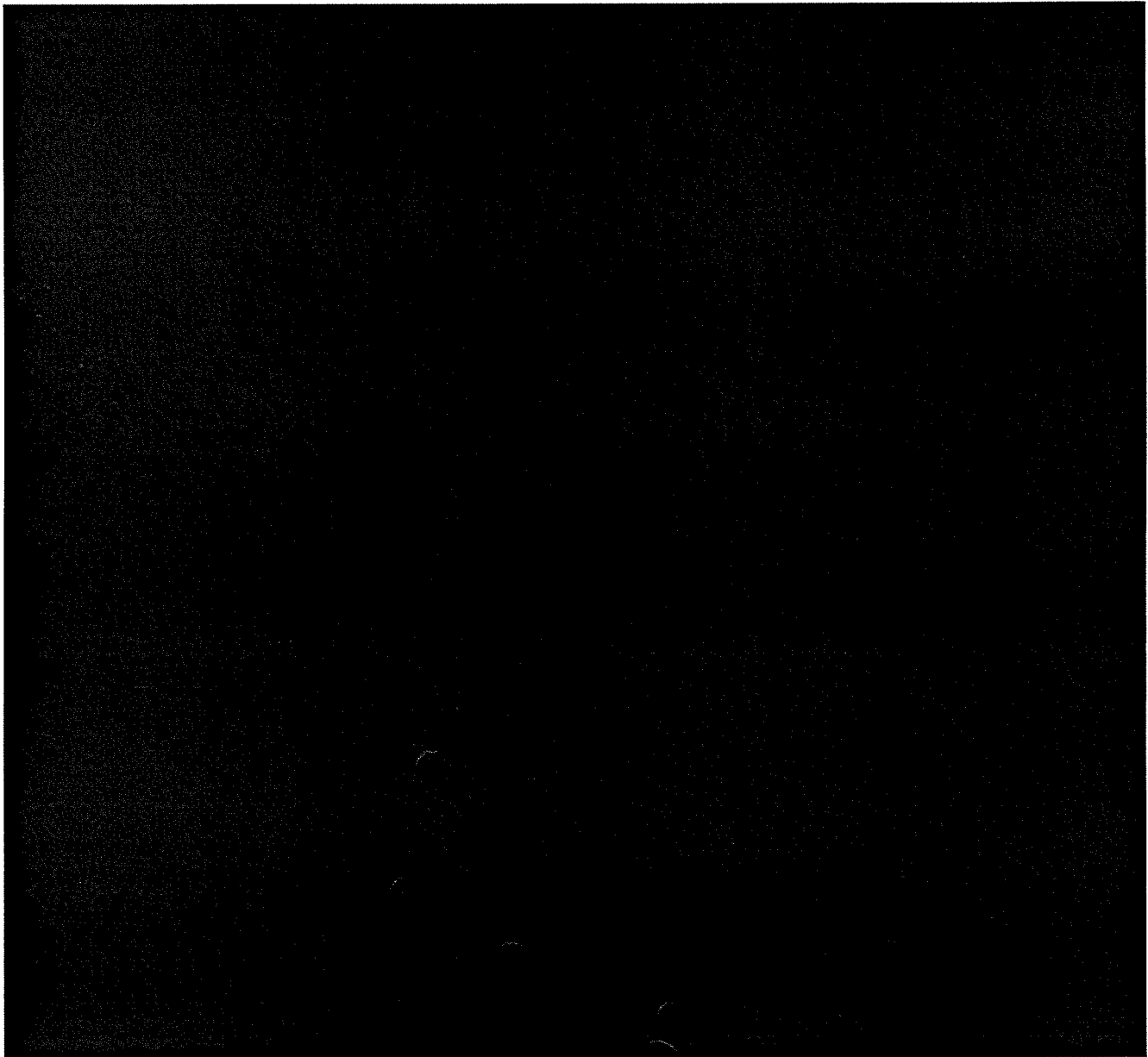
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

January 1, 2018

Statement as of: December 31, 2017
Statement Number: 61667



4034-0091: Code Enforcement - 507 6th Street S.

Professional Services

			<u>Hours</u>
12/13/2017	JJL	Receive e-mail from Attorney Mick Conlan regarding revised agreement; Review revised agreement; Draft e-mail to City; Draft e-mail to Mr. Conlan; Receive e-mail from Mr. Conlan and forward same to City.	0.70
12/21/2017	JJL	Receive and review e-mail from counsel for property owner; Revise settlement agreement and e-mail same to counsel.	0.60
12/27/2017	JJL	Receive and review e-mail from Attorney Conlan regarding execution of agreement.	0.10
12/28/2017	JJL	Confer with Nathan Shepherd regarding pre-trial deadlines and notice to the Court of settlement.	0.20
12/28/2017	NBS	Draft letter to court regarding settlement and removing trial from court calendar.	0.20
Sub-total Fees:			261.00

Rate Summary

Joseph J. Langel	1.60 hours at \$	145.00 / hr.
Nathan B. Shepherd	0.20 hours at \$	145.00 / hr.

Total Hours: 1.80

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

February 1, 2018

Statement as of: January 31, 2018
Statement Number: 61836

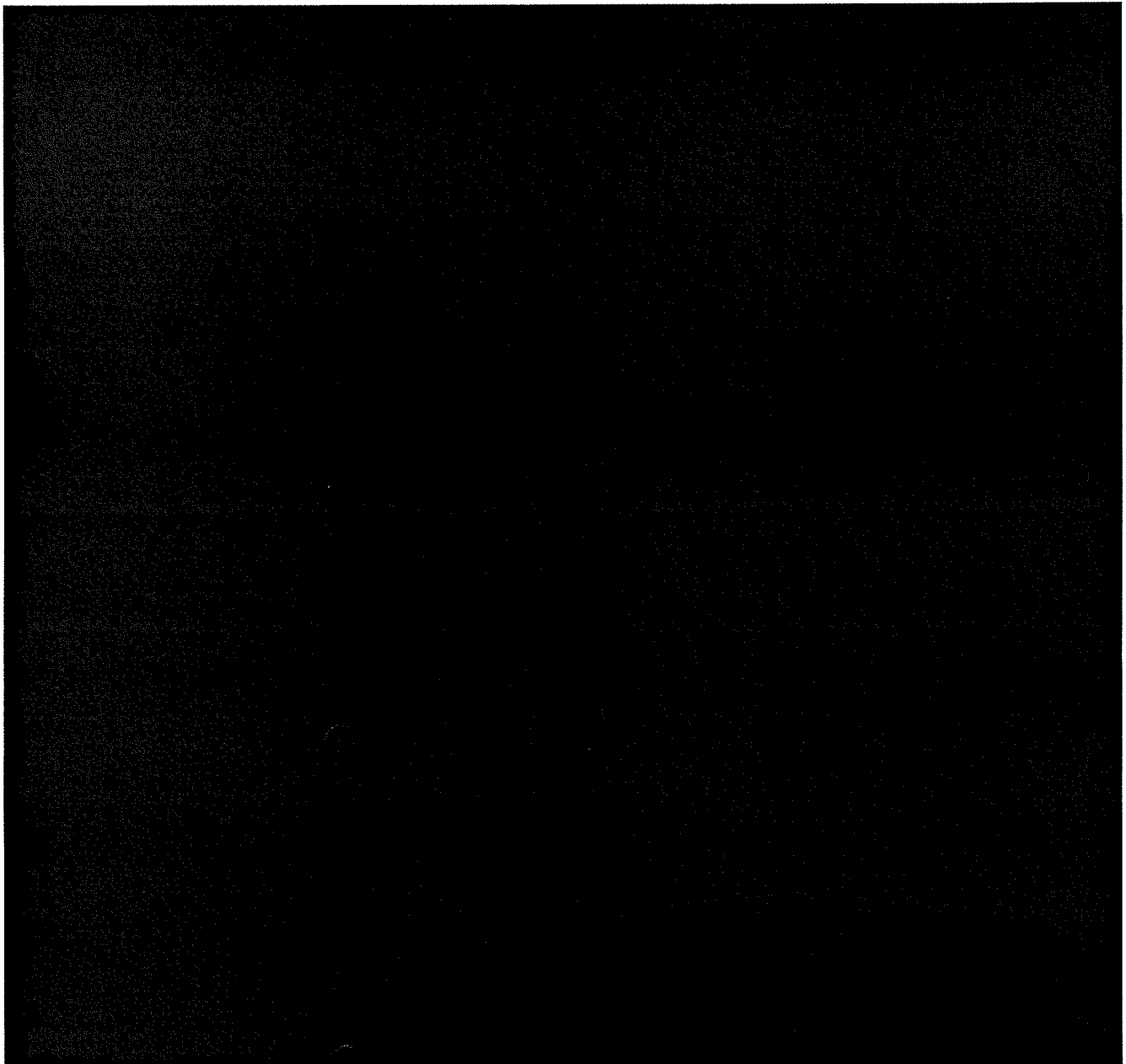


EXHIBIT A TO RESOLUTION

4034-0091: Code Enforcement - 507 6th Street S.**Professional Services**

			<u>Hours</u>
1/12/2018	JJL	Receive and review e-mail from counsel for property owner regarding status of agreement.	0.10
1/25/2018	JJL	Receive and review e-mail from counsel for property owner regarding asbestos issue; Draft e-mail to City regarding same.	0.30
1/25/2018	NBS	Review communication regarding hazardous building.	0.20
Sub-total Fees:			87.00

Rate Summary

Joseph J. Langel	0.40 hours at \$	145.00 / hr.
Nathan B. Shepherd	0.20 hours at \$	145.00 / hr.

Total Hours: 0.60

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

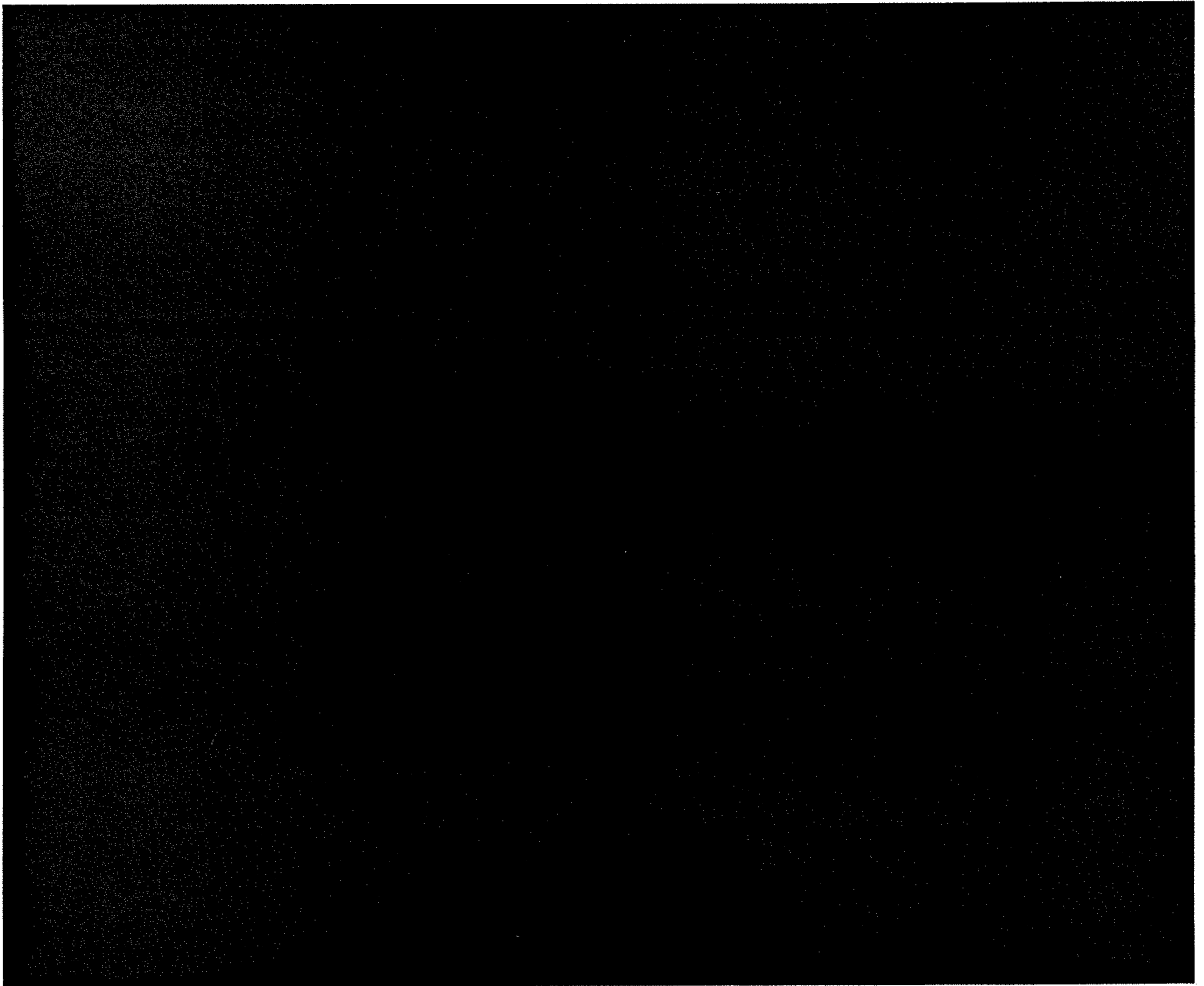
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

March 1, 2018

Statement as of: February 28, 2018
Statement Number: 61904



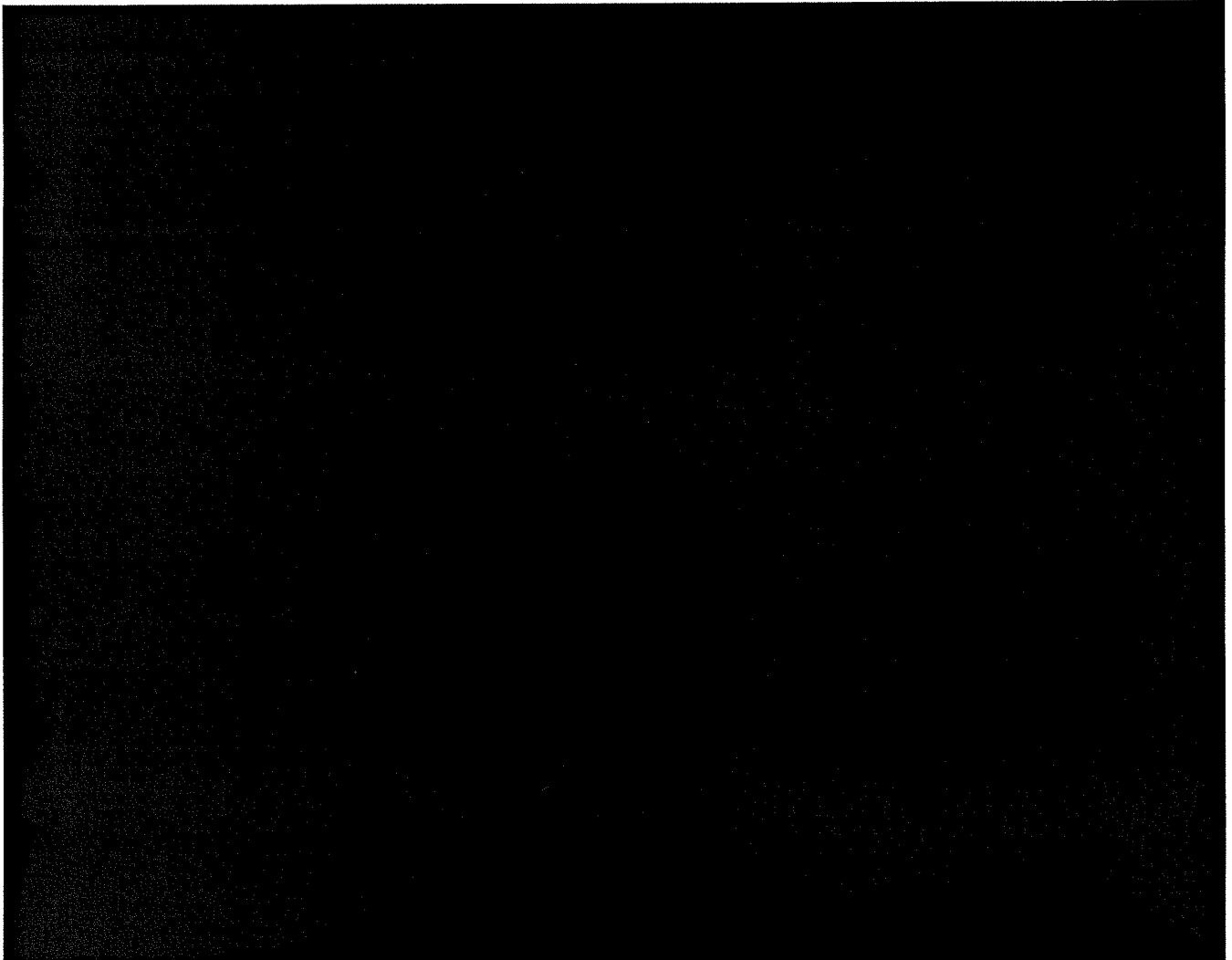
4034-0091: Code Enforcement - 507 6th Street S.

Professional Services			<u>Hours</u>
2/9/2018	JJL	Review file; Draft e-mail to Mick Conlan, counsel for the owner on the asbestos issue.	0.30
2/13/2018	JJL	Review e-mail from counsel for property owner; Draft e-mail to City staff; Receive and respond to e-mail from Paul Sandy; Receive e-mail from Mr. Sandy.	0.30
2/14/2018	JJL	Receive and review e-mail and attached modified settlement agreement from Attorney Mick Conlan; Review agreement; Draft e-mail to Mr. Conlan.	0.60
2/15/2018	JJL	Telephone conference with Paul Sandy and Tim Caughy regarding demolition issues; Draft e-mail to Attorney Mick Conlan regarding same.	0.90
Sub-total Fees:			304.50

Rate Summary

Joseph J. Langel

2.10 hours at \$ 145.00 / hr.

Total Hours: 2.10

Ratwik, Roszak & Maloney, P.A.

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Minneapolis, MN 55402

Tel - (612) 339-0060

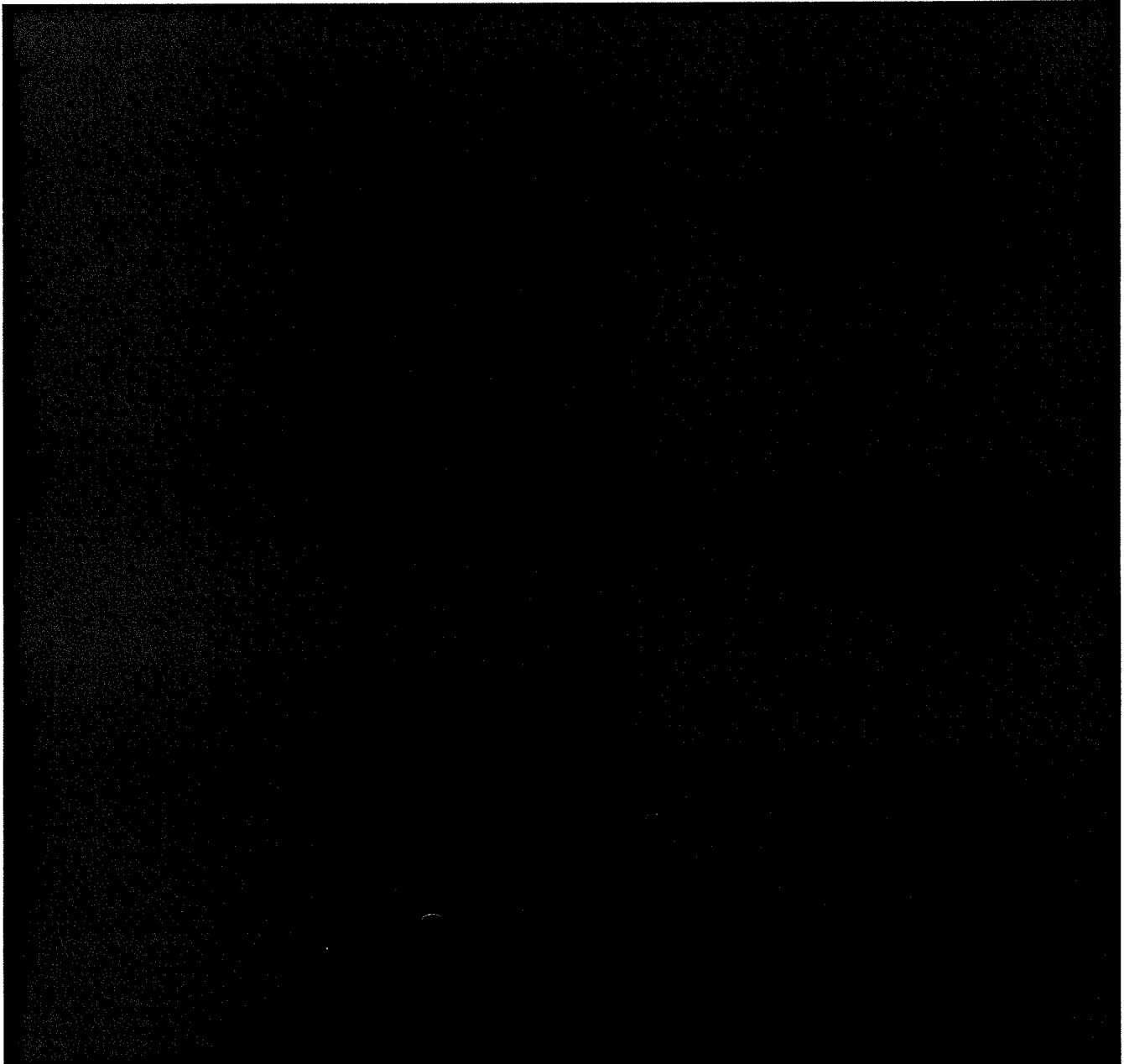
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

April 1, 2018

Statement as of: March 31, 2018
Statement Number: 62117



4034-0091: Code Enforcement - 507 6th Street S.

Professional Services

			<u>Hours</u>
3/12/2018	JJL	Draft e-mail to Attorney Conlan regarding status of agreement.	0.10
3/22/2018	JJL	Telephone conference with Mick Conlan, former attorney for property owner, regarding withdrawal; Review e-mail from Cassandra Torstenson regarding status and respond to same.	0.30
3/27/2018	JJL	Review file; Draft letter to the Court regarding establishing a trial date.	0.40
Sub-total Fees:			116.00

Rate Summary

Joseph J. Langel

0.80 hours at \$ 145.00 / hr.

Total Hours: 0.80

Postage

0.47



If you have questions regarding your bill, please call us at (612) 339-0060.

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Minneapolis, MN 55402

Tel - (612) 339-0060

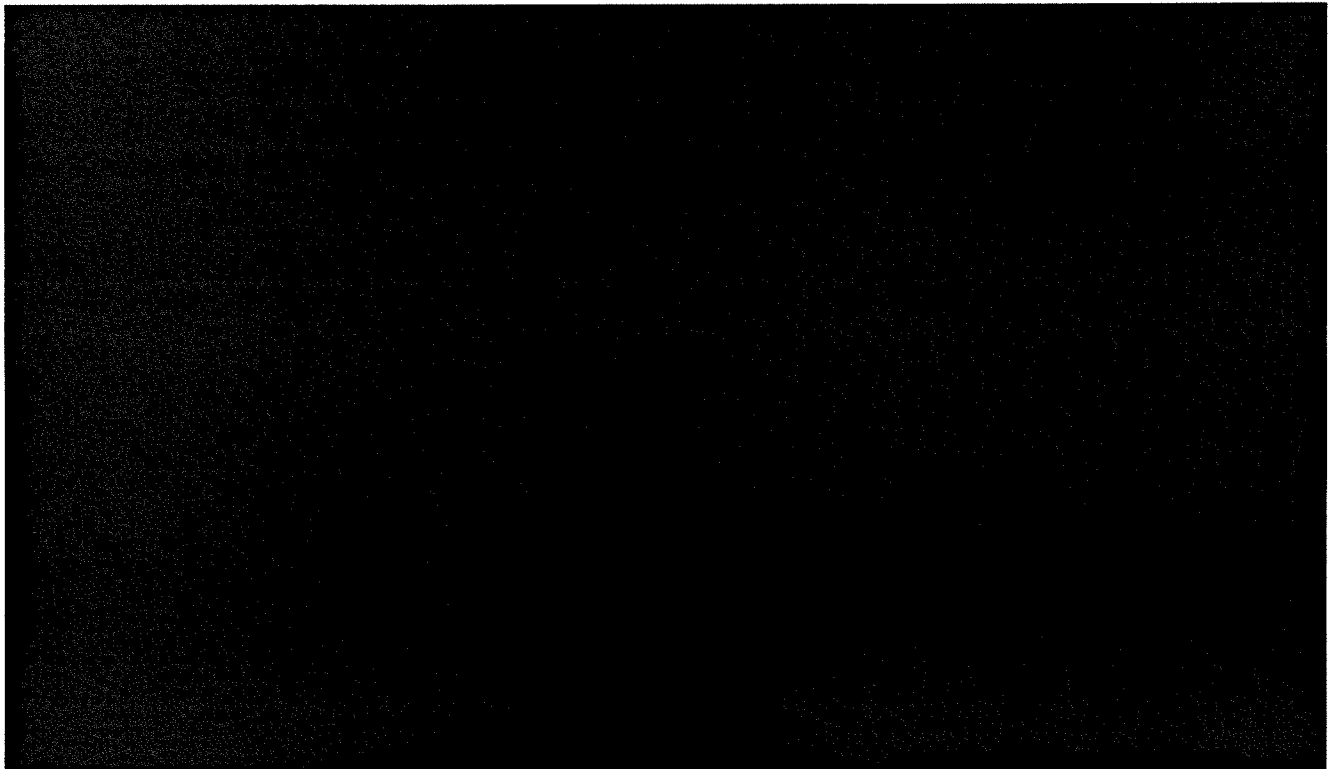
Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

May 1, 2018

Statement as of: April 30, 2018
Statement Number: 62296



4034-0091: Code Enforcement - 507 6th Street S.

Professional Services

			<u>Hours</u>
4/23/2018	JJL	Telephone conference with Tim Caughey, Cassandra Torstenson and Paul Sandy regarding status.	0.30
4/24/2018	JJL	Confer with Nathan Shepherd regarding moving up court schedule.	0.20
4/25/2018	JJL	Confer with Nathan Shepherd regarding conversation with property owner and regarding possible trial schedule; Draft e-mail to City staff regarding communication with property owner.	0.50
4/25/2018	NBS	Leave message for opposing party regarding scheduling and outcome; Telephone conference with court regarding possible scheduling conference rescheduling.	0.80

EXHIBIT A TO RESOLUTION

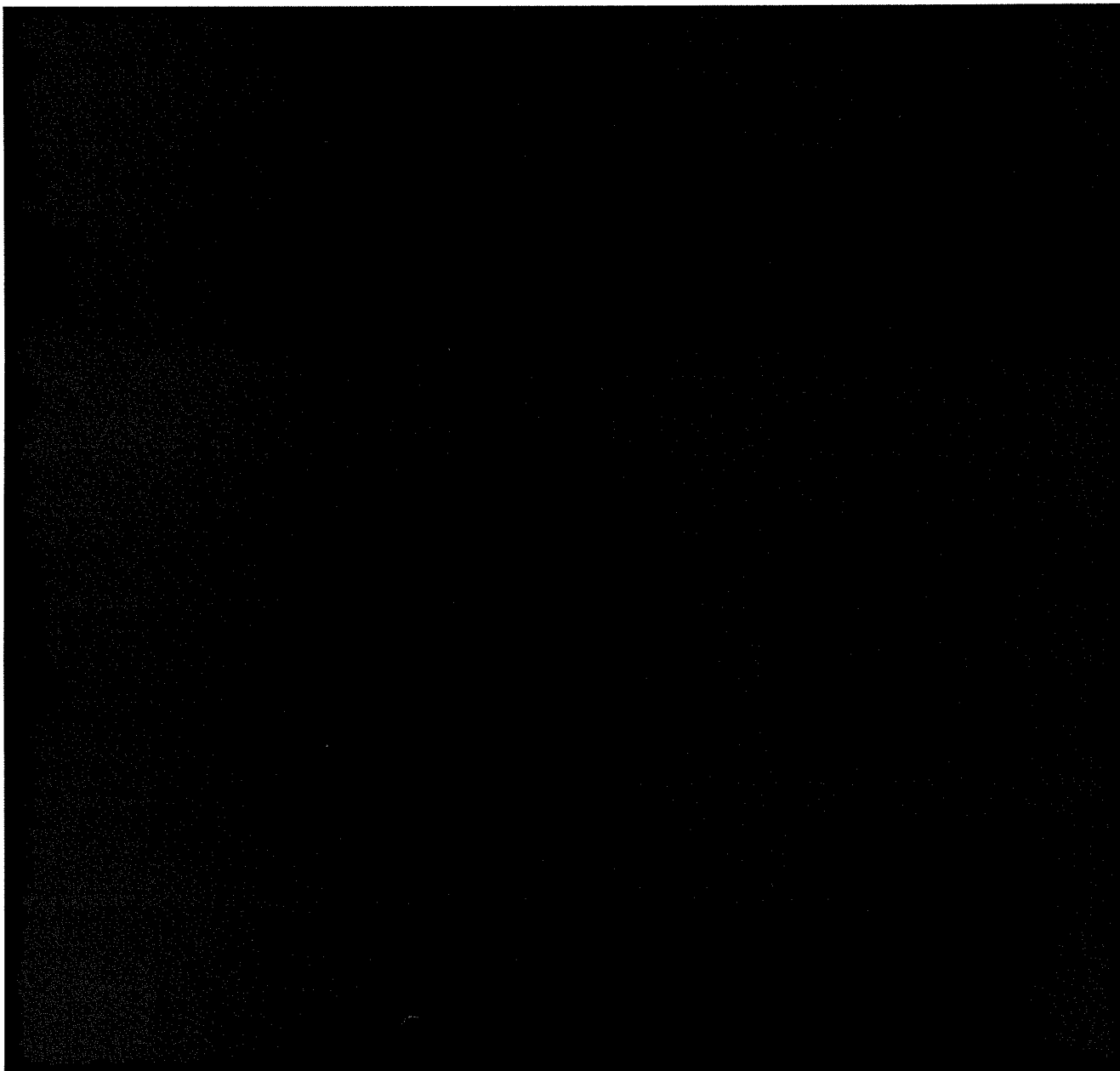
4/30/2018	JJL	Office conference with Nathan Shepherd regarding conversation with property owner; Draft e-mail to City staff regarding conversation and status.	0.40
4/30/2018	NBS	Telephone conference with opposing party regarding potential settlement agreement and option for unilateral demolition of structures subject to order; Office conference with Joe Langel regarding ongoing discussions and strategy for case.	0.40

Sub-total Fees: 377.00

Rate Summary

Joseph J. Langel	1.40 hours at \$	145.00 / hr.
Nathan B. Shepherd	1.20 hours at \$	145.00 / hr.

Total Hours: 2.60



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City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

June 1, 2018

Statement as of: May 31, 2018

Statement Number: 62499

4034-0091: Code Enforcement - 507 6th Street S.

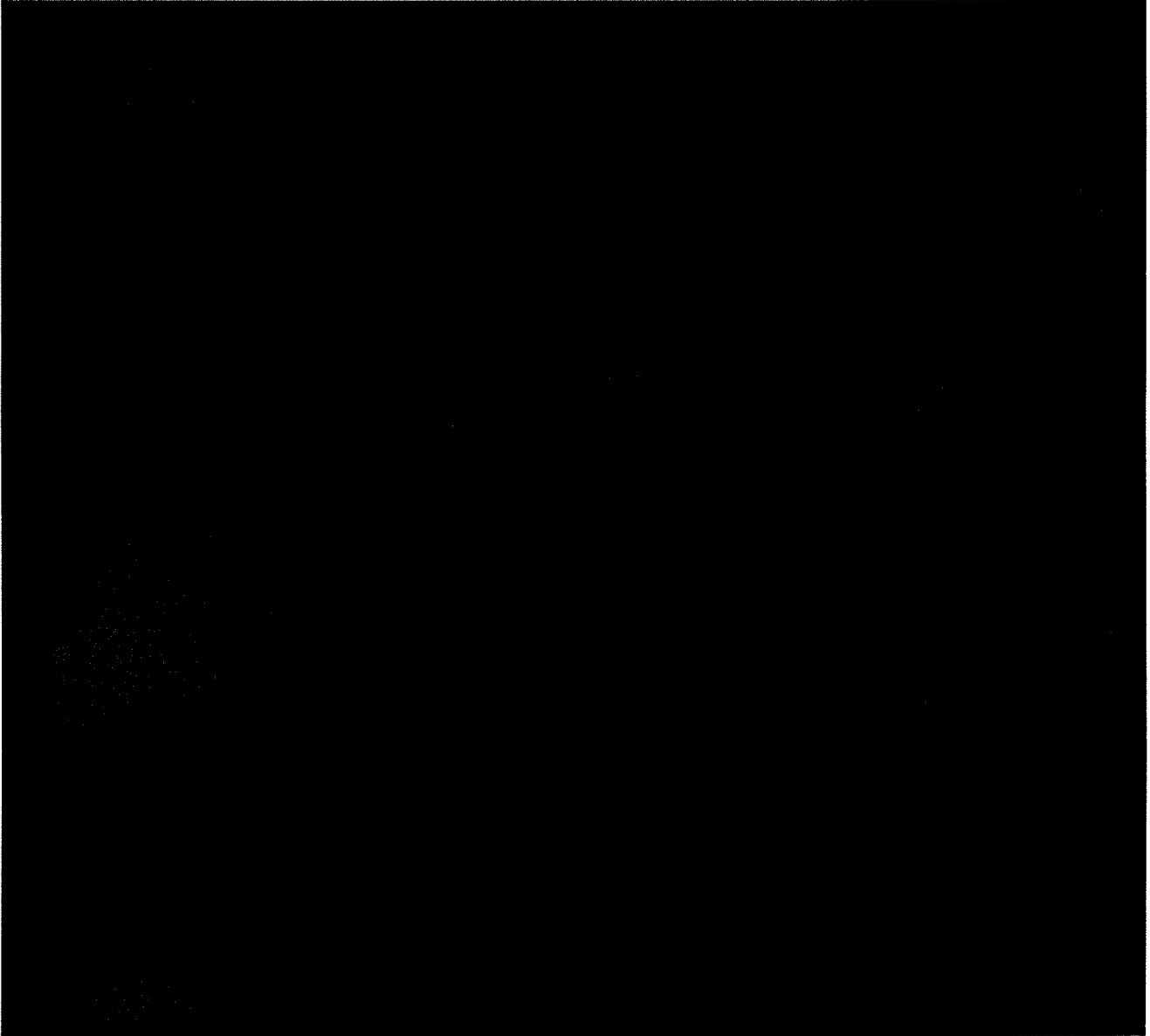
Professional Services

			<u>Hours</u>
5/22/2018	JJL	Confer with Nathan Shepherd regarding scheduling conference.	0.20
5/22/2018	NBS	Draft letter to the court requesting to appear by phone.	0.20
5/29/2018	JJL	Review file in preparation for scheduling conference; Exchange e-mails with Tim Caughey regarding demolition applications; Telephone conference with Judge Askegaard regarding scheduling; Draft e-mail to City staff regarding same.	1.00
5/29/2018	NBS	Telephone conference with court regarding scheduling conference appearance by phone.	0.30
Sub-total Fees:			246.50

Rate Summary

Joseph J. Langel	1.20 hours at \$	145.00 / hr.
Nathan B. Shepherd	0.50 hours at \$	145.00 / hr.

Total Hours: 1.70



Disbursements

[Redacted line of text]

Postage

0.47

[Redacted line of text]

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

July 1, 2018

Statement as of: June 30, 2018
Statement Number: 62616



4034-0091: Code Enforcement - 507 6th Street S.

Professional Services

			<u>Hours</u>
6/4/2018	JJL	Review e-mail from Cassandra Torstenson regarding closed meeting and respond to same.	0.10

Sub-total Fees: 14.50

Rate Summary

Joseph J. Langel

0.10 hours at \$ 145.00 / hr.

Total Hours: 0.10

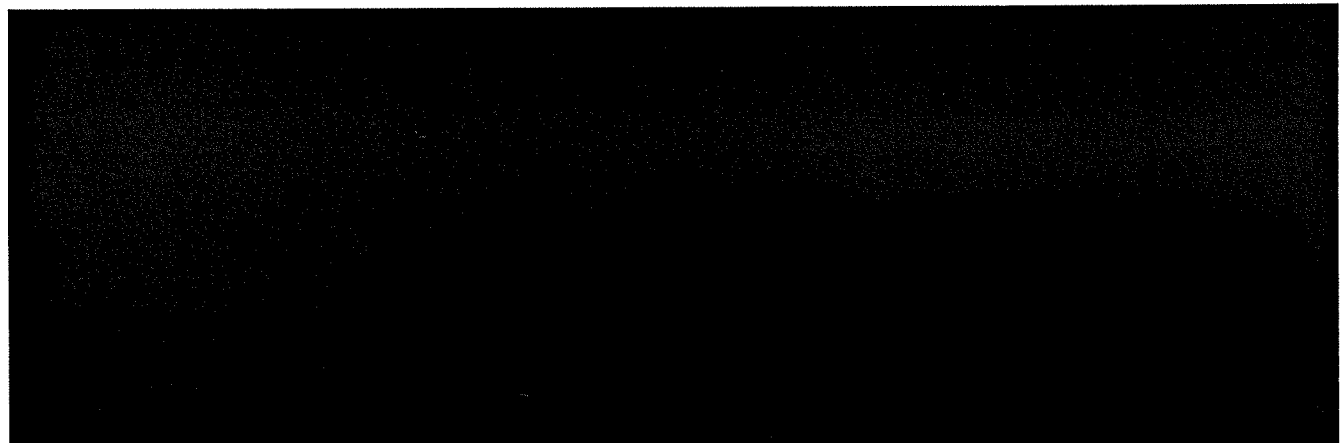


EXHIBIT A TO RESOLUTION

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

August 1, 2018

Statement as of: July 31, 2018

Statement Number: 62748

4034-0091: Code Enforcement - 507 6th Street S.

Professional Services

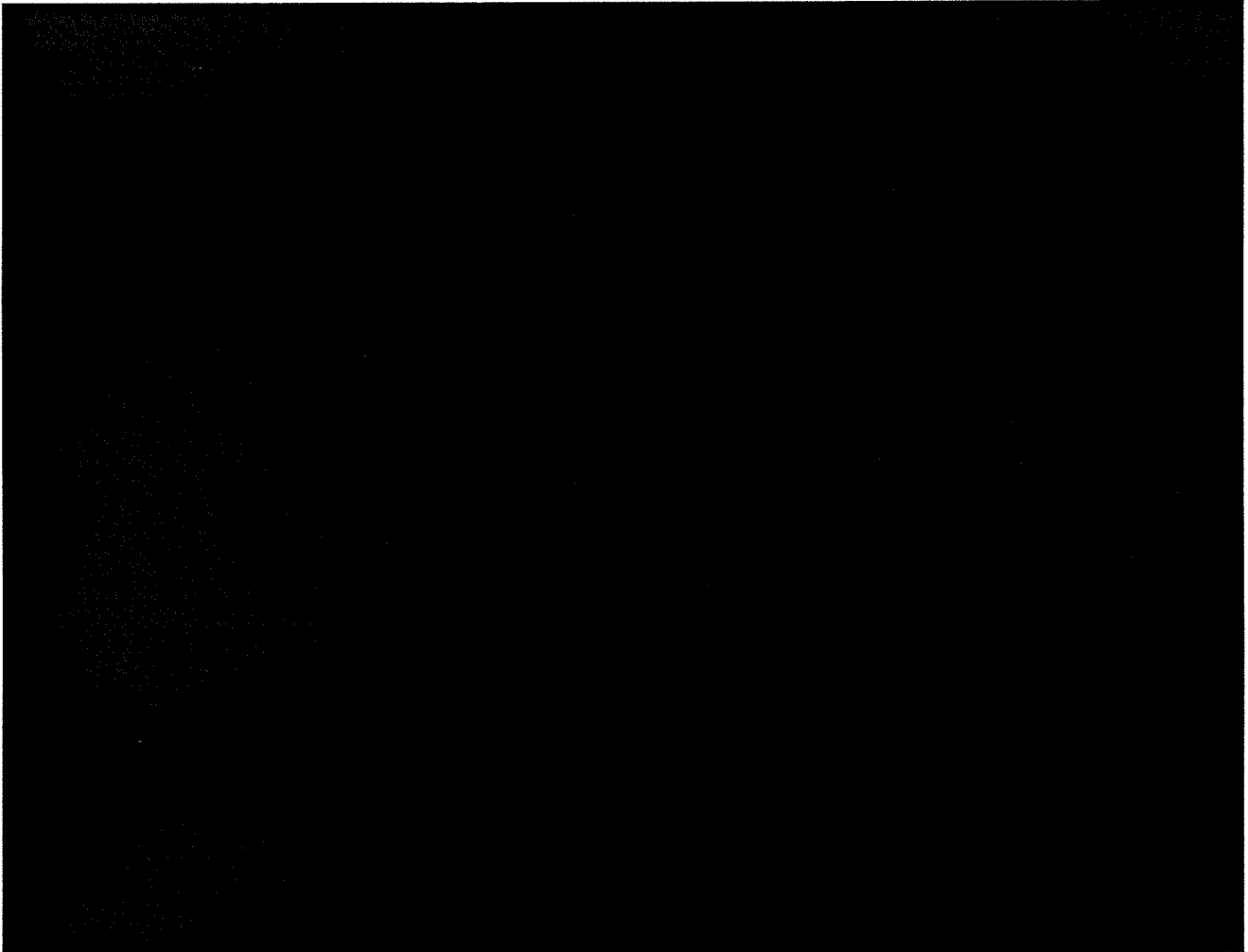
			Hours
7/3/2018	NBS	Review available information for presentation as evidence in hearing.	0.30
7/5/2018	NBS	Telephone conference with city building official regarding hearing preparation; Telephone conference with Police Chief regarding hearing; Draft e-mails to building official and Police Chief regarding hearing and documents.	0.70
7/6/2018	NBS	Telephone conference with court administration regarding use of technology; Draft letter to judge regarding technology during trial.	0.50
7/9/2018	JJL	Telephone conference with Julian Jayasuria regarding trial and demolition permit; Telephone conference with Paul Sandy; Telephone conference with Mr. Jayasuria.	0.60
7/9/2018	NBS	Telephone conference with opposing party regarding status of permit; Telephone conference with City Engineer regarding same; Telephone conference with building official regarding presentation of evidence, Telephone conference with police chief regarding same.	0.90
7/10/2018	JJL	Review e-mails from Tim Caughey, Paul Sandy and Corky McQuiston; Telephone conference with Mr. Sandy regarding demolition permit; Telephone conference with property owner regarding demolition, trial, permit, etc; Draft e-mail to property owner.	1.30
7/10/2018	NBS	Review e-mail communication between City and opposing party; Telephone conference with city staff regarding receipt of permit; Telephone conference with opposing party regarding permit and trial;	5.00

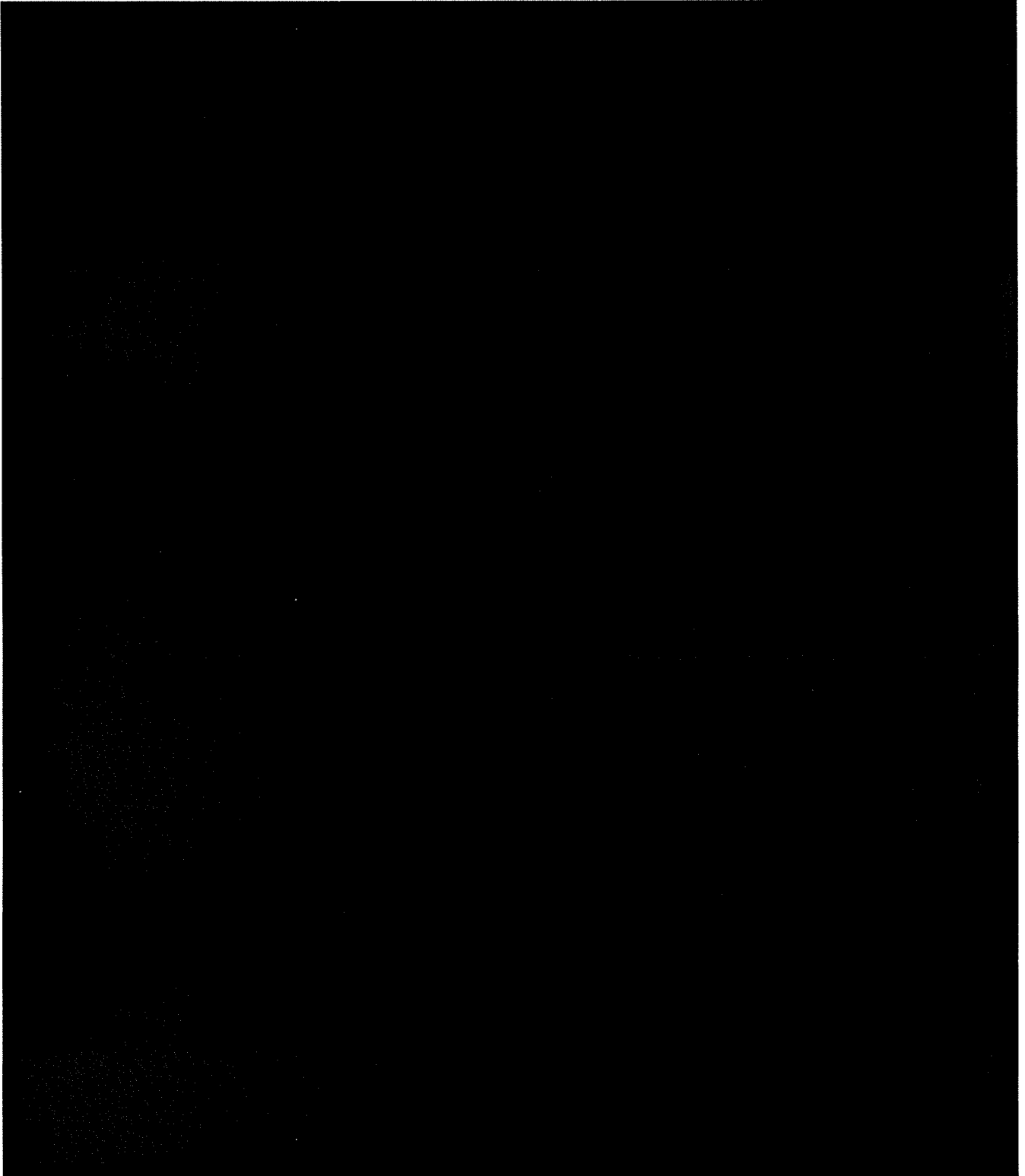
		Draft proposed order for trial.	
7/11/2018	JJL	Review proposed court order; Telephone conference with Nathan Shepherd regarding default hearing.	0.20
7/11/2018	NBS	Drive to and from Brainerd; Meet with building official and police chief; Additional preparation of testimony and evidence; View property; Attend court trial; Present default motion to judge; Revise proposed order; E-mail proposed order to district court clerk.	10.20
7/12/2018	JJL	Confer with Nathan Shepherd regarding status of case.	0.10
7/16/2018	JJL	Receive and review Order from Crow Wing County District Court and confer with Nathan Shepherd regarding same.	0.30
7/16/2018	NBS	Review order from court regarding abatement; Draft e-mail to clients with order.	0.70
7/30/2018	NBS	E-mail communication regarding demo permit.	0.20
Sub-total Fees:			3,045.00

Rate Summary

Joseph J. Langel 2.50 hours at \$ 145.00 / hr.

Nathan B. Shepherd 18.50 hours at \$ 145.00 / hr.

Total Hours: 21.00



Disbursements

Mileage

144.43



Postage

0.94 *



*** .47 billed to 4034-0091.**

If you have questions regarding your bill, please call us at (612) 339-0060.

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

Federal Tax ID# - 41-1605983

Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

September 1, 2018

Statement as of: August 31, 2018

Statement Number: 62936

4034-0091: Code Enforcement - 507 6th Street S.

Professional Services

			<u>Hours</u>
8/16/2018	JJL	Review e-mail from Tim Caughey regarding city demolition of structures and respond to same.	0.30

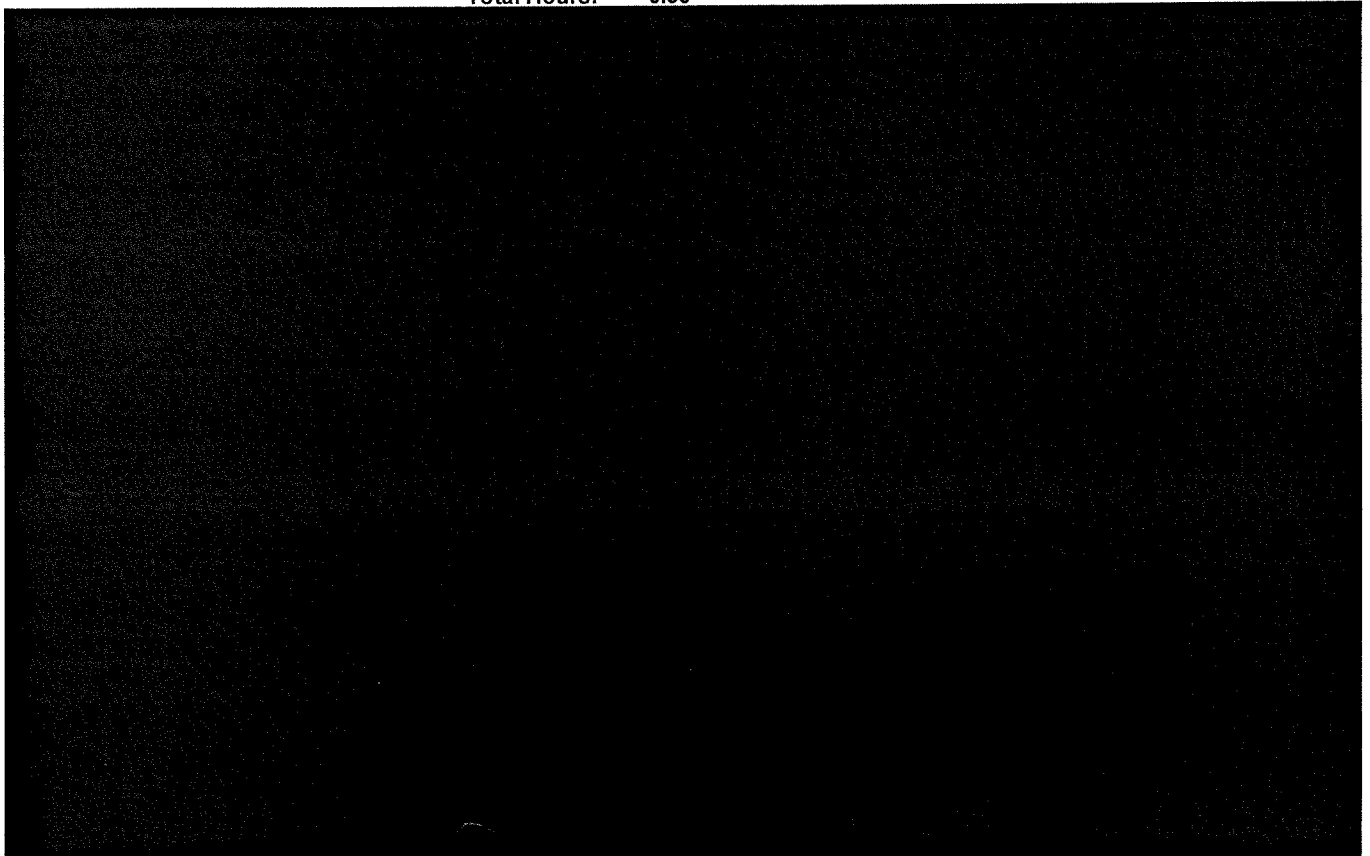
Sub-total Fees: 43.50

Rate Summary

Joseph J. Langel

0.30 hours at \$ 145.00 / hr.

Total Hours: 0.30



Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402

Tel - (612) 339-0060

Federal Tax ID# - 41-1605983

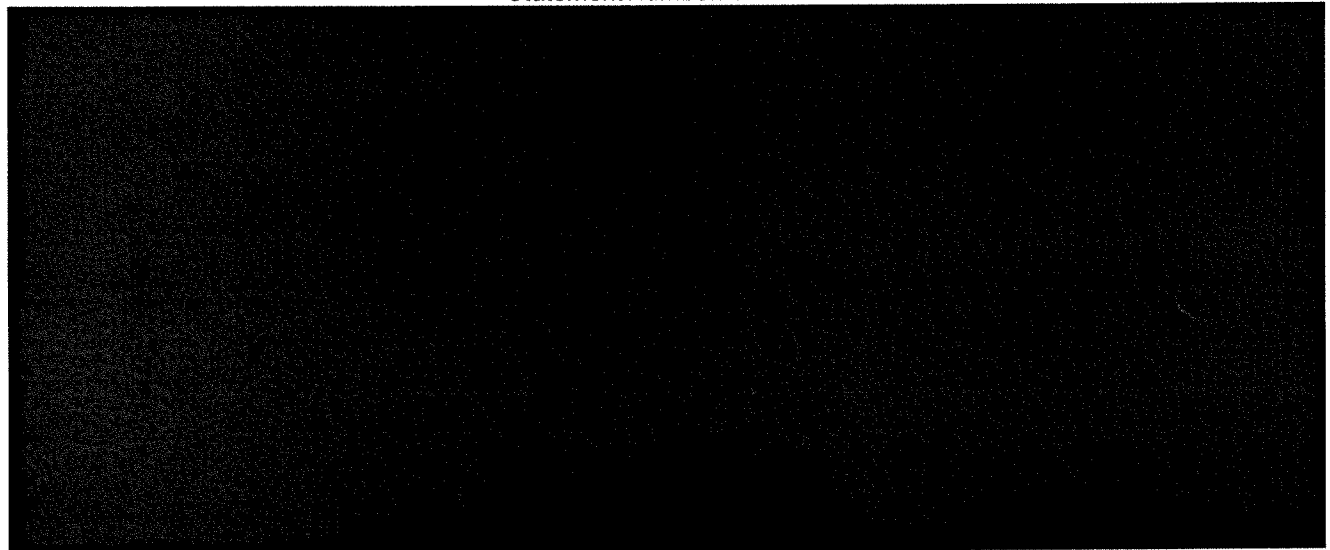
Fax - (612) 339-0038

City of Brainerd
Mr. Jim Thoreen, City Administrator
501 Laurel St.
Brainerd, MN 56401

October 1, 2018

Statement as of: September 30, 2018

Statement Number: 62955



4034-0091: Code Enforcement - 507 6th Street S.

Professional Services

			<u>Hours</u>
9/18/2018	JJL	Receive and review e-mail from Tim Caughey regarding property access; Review Court Order; Draft e-mail to Mr. Caughey.	0.20

Sub-total Fees: 29.00

Rate Summary

Joseph J. Langel

0.20 hours at \$ 145.00 / hr.

Total Hours: 0.20



EXHIBIT A TO RESOLUTION

Ratwik, Roszak & Maloney, P.A.

730 2nd Ave. S., Suite 300
Minneapolis, MN 55402
Phone No.: (612) 339-0060
Fax: (612) 339-0038
Federal Tax ID: 41-1605983

Statement as of 9/1/2019
Statement no 64980

City of Brainerd
Ms. Cassandra Torstenson, City Administrator
501 Laurel Street
Brainerd, MN 56401

4034-0091 / Code Enforcement - 507 6th Street S.

Professional Services		Hours	Rate	Amount
08/15/2019 JJL	Receive e-mail and invoices from Paul Sandy; Exchange e-mails with Mr. Sandy.	0.30	150.00	45.00
08/19/2019 JJL	Review e-mail and attached invoice regarding demolition; Draft e-mail to Paul Sandy.	0.20	150.00	30.00
Sub-total Fees:				\$75.00



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Transportation Alternatives - Consideration to Submit Letter of Intent

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: The solicitation for the 2024 Transportation Alternatives program is now open for submissions of Letters of Intent. These letters must be submitted and approved before the City of Brainerd would be allowed to apply for the funding through the Transportation Alternatives program for funding in 2024.	
Alternatives, Options, Effects on Others/Comments: As you may recall, City staff submitted this application last year, and we ended up right at the cut-off line to be funded in year 2023. The Letter of Intent for the 28th Street Trail Connection from last year can be seen attached to this request, along with an updated cost estimate for the work along State Highway 25. The City of Little Falls was funded last year for Transportation Alternatives, but staff feels that we should be in a very good position to be awarded funding this year for this project as the application scored very high last year in the process. If the City was awarded this funding, the City would be responsible for 20% of the construction costs (estimated \$44,000) and 100% of the engineering costs (estimated \$44,000) for a total local match of \$88,000. The federally funded portion would be the other 80% (approximately \$175,000). As you may recall, the Minnesota Department of Transportation currently has the railroad bridge on State Highway 25 planned for replacement in 2022, with the accommodations for pedestrian infrastructure planned. If the City was awarded this funding, it would have the ability to construct this trail in advance of the construction date of 2024 and get it done in 2022 when the bridge is getting completed by MnDOT. You will also recall that the City of Brainerd has been very successful in being awarded this funding in the past with the 2014 Garfield Safe Routes to School project Phase I, the 2019 Garfield Safe Routes to School projects Phase II and Phase III, and the South 6th Street sidewalk extension currently planned for 2022 (funding awarded to the City, but being designed and constructed by MnDOT).	
Recommended Action/Motion: Staff recommends authorization to submit a Letter of Intent to the Minnesota Department of Transportation for the 28th Street SE Trail Connection as presented.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

Letter of Intent Worksheet

Applicant Information

Name of applicant organization: City of Brainerd

Title of project: Brainerd Trail Connection – TH 25 from 28th Street SE to 5th Avenue NE

Name of contact: Paul Sandy – City Engineer

Address: 501 Laurel Street

City: Brainerd **State:** Minnesota **Zip:** 56401

County: Crow Wing County

Phone: 218-828-2307 **Email:** psandy@ci.brainerd.mn.us

Project Information

1. **One sentence description of the work for which you are seeking support:** Two local trail connections between existing trail segments and the Cuyuna Lakes State Trail to be constructed in 2020.
2. **Amount of funding requested:** \$140,000 Federal, \$35,000 Local Match
3. **Total project budget. Please briefly explain the total estimated amount of funding needed for the project. Include the amount requested through this application and other sources. If interested in being consider for Transportation Alternatives funding, specifically identify how you will obtain the 20 percent match (100 words maximum):** The City of Brainerd is requesting \$140,000 in Federal TA funding for the construction of a local trail connection to the future Cuyuna Lakes State Trail. The City will match the \$140,000 in Federal money through local tax levies at an estimated amount of \$35,000. Engineering costs are anticipated to be 20% of the total construction budget and is estimated at \$30,000. The City and the City Walkable and Bikeable committee have identified this trail connection along Trunk Highway 25 as a major priority, and thus, the trail connection has been programmed into the City's Capital Improvement program and within the Brainerd Non-Motorized Transportation Plan.
4. **Project request type (capital, planning, both):** Capital
5. **Describe the work you want to do for which you are seeking support. Include a description of the project development activities for this project completed to date (250 words maximum):** The trail connection being proposed would utilize the Trunk Highway 25 Corridor from 28th Street SE to 5th Avenue NE. The City of Brainerd has been working closely with the DNR to use funding from the 2014 bonding appropriation for the construction of the CLST between 5th Avenue NE and the Buffalo Hills Trail, in which ends at the intersection of Norwood Street and SE 11th Street. It is the desire of the City of Brainerd to connect the existing trail along TH 210, along with some resurfacing work of the existing trail, and designate the entire trail segment through a Joint Powers Agreement with the DNR as the CLST. Through discussions with MnDOT district 3 staff, in 2022 there is a replacement of bridge #9099,

which crosses the BNSF tracks on TH 25 just west of 28th Street SE, which would connect into the described trail connection along TH 25. Current project development activities consist of preliminary scoping of the preferred routes, some preliminary topographic survey of the area to calculate quantities for estimating, cost estimates for the trail sections, and working with MnDOT to coordinate activities with the bridge replacement in 2022.

6. **Describe how your project meets a transportation purpose (100 words maximum):** This trail connections meet a transportation purpose by providing for a safe pedestrian facility along TH 25 from SE Brainerd to NE Brainerd. Currently, pedestrians and cyclists use the shoulder of TH 25 to traverse from Oak Street and 28th Street area to get to the East Brainerd Mall and other commercial businesses located on the TH 210 corridor. This connection provides pedestrians in southeast Brainerd access to the commercial facilities located on the TH 210 corridor and within the East Brainerd Mall.
7. **List any adopted plans that your project has been identified in (statewide, regional, Safe Routes to School, Scenic Byways, etc.):** 2019-2022 STIP (bridge #9099), City of Brainerd Non-Motorized Transportation Plan.
8. **Is the proposal an initiative of a local Safe Routes to School program?** ☐Yes ☒No
9. **Does the proposal benefit a designated Scenic Byway?** ☐Yes ☒No
10. **If yes, which Scenic Byway?** [Click here to enter text.](#)
11. **Describe your organization and/or the sponsoring agency's history with delivering federally funded projects, focusing on infrastructure projects. If not applicable, identify the key steps and strategies that will be used to deliver the project (250 words maximum):** The City of Brainerd has been very successful in being awarded and constructing Transportation Alternatives and Safe Routes to School projects in the past including Garfield Safe Routes to School Phase I (2014), Phase II (2019), and Phase III (2019) and the TA funded S 6th Street (TH 371B) sidewalk extension project currently programmed with SP 1814-08 (018-090-002) in 2022. We have worked with MnDOT to include the last project that was funded with TA on S 6th Street to be programmed with their full reconstruct of S 6th Street in 2022.
12. **Have you contacted representatives from the sponsoring agency, including elected officials and county engineers? If so, please describe what has resulted from this conversation and if you have written support for the project (50 words maximum):** Transportation Alternatives Funding was discussed at the October 15, 2018 Brainerd City Council meeting with a unanimous vote to submit this LOI and continue project development to submit the full application.



Cost Estimate
15-Oct-19
Cuyuna Lakes State Trail Connection
For TA Funding Application

			Trail - 5th - 28th Highway 25		Totals	
			Length	3400	Length	3400
Item	Unit	Unit Price	Quantity	Amount	Quantity	Amount
Mobilization	LS	\$20,000.00	1.00	\$20,000.00	1	\$20,000.00
Remove Concrete Driveway	SY	\$4.00	0	\$0.00	0	\$0.00
Remove Sidewalk	SF	\$3.50	250	\$875.00	250	\$875.00
Remove Curb	LF	\$3.00	200	\$600.00	200	\$600.00
Remove Bituminous	SY	\$4.00	100	\$400.00	100	\$400.00
Topsoil Borrow	CY	\$30.00	400	\$12,000.00	400	\$12,000.00
Common Borrow	CY	\$25.00	1500	\$37,500.00	1,500	\$37,500.00
Truncated Dome	SF	\$35.00	30	\$1,050.00	30	\$1,050.00
Bituminous Trail (2.5" Bit, 4" CL-V)	SY	\$15.00	3800	\$57,000.00	3,800	\$57,000.00
Curb & Gutter	LF	\$20.00	200	\$4,000.00	200	\$4,000.00
Sidewalk	SF	\$5.00	100	\$500.00	100	\$500.00
Erosion Control	LS	\$25,000.00	1.00	\$25,000.00	1	\$25,000.00
Turf Establishment	LS	\$15,000.00	1	\$15,000.00	1	\$15,000.00
Remove fence	LF	\$5.00	30	\$150.00	30	\$150.00

Construction Total \$174,075.00 \$174,075.00

Contingency (25%) \$43,518.75 \$43,518.75

Engineering (25%) \$43,518.75 \$43,518.75

Total Project Cost \$261,112.50 **\$261,112.50**

Cost/Ft \$76.80 \$76.80

Assumes 10 ft trail

Assumptions

Assumes the City would construct the trail all the way up to the bridge, and MnDOT would construct the on-deck pedestrian facility as part of their 2022 bridge replacement. Assumes that fill up to the bridge would be constructed during the bridge project and as part of the project.

10 Foot Paved Trail w/ pedestrian ramps



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: PH and Res - Downtown Special Services, Snow Removal, Nuisances

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 10 Minutes
Summary of Issue: Attached to this request is a copy of the Notice of Assessment Hearing and the Proposed Assessment Rolls for the Downtown Special Services District, 2018-2019 Downtown Snow Removal, and Nuisance Abatement for 2019, along with a resolution in which adopts the assessments.	
Alternatives, Options, Effects on Others/Comments: At the public hearing, if there are questions or comments about the proposed assessments, staff will be available to respond. At the conclusion of the hearing, the Council would typically adopt a resolution adopting the assessments. If there are contested assessment amounts, staff would ask that the Council still adopt the assessments to start the 30-day payment clock. Contested assessments would be brought back to the next meeting for discussion.	
Recommended Action/Motion: Staff would recommend holding the public hearing to hear testimony for or against the proposed assessments and also adopt the attached resolution adopting the assessments as proposed for the Downtown Special Services District, Downtown Snow Removal, and Nuisance Abatement for 2019 (2018-2019 snow removal).	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 21, 2019, to pass upon the proposed assessment for the following improvements:

DOWNTOWN SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

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

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations

Miscellaneous properties around the City

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

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

The total cost of Downtown Special Services District is \$110,807.43 of which \$51,599.31 is proposed to be assessed.

The total cost of Nuisance Abatement is \$47,690 of which \$47,690 is proposed to be assessed.

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

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply three and twenty-two hundredths percent (3.22%) per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

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

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

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

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

Dated this 23 day of September 2019


Jim Thoreen
Interim City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 27, 2019

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

2019 NUISANCE

OWNER NAME	OWNER ADDRESS	CITY, STATE, ZIP	RE CODE	LOT, BLOCK	SUBDIVISION	LOCATION	NUISANCE TYPE	ASSESSABLE
OSWALD, CHRISTOPHER	1001 11TH ST S	BRAINERD, MN 56401	09120006013Z009	LOTS 13 AND 14 BLOCK	DAVIS' ADDITION TO T	1001 11TH ST S	FENCE/JUNK DEBRIS	500.00
YOUNG, EDWARD N & REBECCA R	1001 TERRACE AVE	BRAINERD, MN 56401	09193002019Z009	LOTS 19 AND 20 BLOCK	TERRACE PARK ADDIT	1001 TERRACE AVE	UNLICENSED VEHICLE	3,000.00
BENSON, GARY & GAILENE NORWOOD	450 18TH AVE S	NAPLES FL 34102	09196271011Z009	LOTS 11 AND 12 BLOCK	TOWN OF BRAINERD &	1002 6TH ST S	SNOW REMOVAL	125.00
SAM, QUINTIN	1002 MILL AVE	BRAINERD, MN 56401	091680050080009	LOT 8 BLOCK 5	SABIN'S ADDITION	1002 MILL AVE	JUNK/DEBRIS	125.00
GOTTWALT, MATTHEW & ERICA	6571 160TH AVE	ROYALTON, MN 56373	09196204011Y009	N. 100 FT OF LOTS 11 A	TOWN OF BRAINERD &	1004 FIR ST	PROPERTY MAINTENA	750.00
O'CONNOR, JESSE	1005 3RD AVE NE	BRAINERD, MN 56401	09172017002Z009	LOT 2 BLK 17 AND S. 1	SCHWARTZ'S ADDN TO	1005 3RD AVE NE	GRASS/UNLICENSED V	250.00
YDE, CLAIRE N	1006 6TH ST S	BRAINERD, MN 56401	09196271009Z009	LOTS 9 & 10 B 271 & S	TOWN OF BRAINERD &	1006 6TH ST S	PROPERTY MAINTENA	750.00
OLSON, TIMOTHY & DEBRA	1008 G ST NE	BRAINERD, MN 56401	09123008007X009	E 1/2 OF LOTS 7 & 8 BL	EAST SIDE ADDITION T	1008 G ST NE	PROPERTY MAINTENA	1,000.00
PAPLOW, DWANA C	2357 31ST ST	FULDA, MN 56131-9591	09174019015Z009	LOTS 15 THRU 17 BLOCK	TOWN OF BRAINERD S	1020 QUINCE ST	GRASS/WEEDS	125.00
REYES, BRENDA S. & ETHAN TODD	1024 6TH ST S	BRAINERD, MN 56401	09196271001Z009	LOTS 1 & 2 BLOCK 271	TOWN OF BRAINERD &	1024 6TH ST S	GRASS/WEEDS	125.00
GOTTWALT, MATTHEW & ERICA	6571 160TH AVE	ROYALTON, MN 56373	09116021020Z009	PT OF BLOCK 21 DESC	CHENEY & MOSHER'S	1027 OAK ST	RENTAL LICENSE	125.00
BANKS, TRAVES E. & TRACY L.	15359 SHELLISA LN	BRAINERD, MN 56401	09122012011X009	E 46 2/3 FT OF LOTSS	EAST BRAINERD	110 D ST NE	JUNK/DEBRIS	125.00
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	091220020080009	LOT 8 BLOCK 2	EAST BRAINERD	118 3RD AVE NE	GRASS/WEEDS	125.00
WESTFALL, ROBERT & EATROS, DEBORAH	91 HART RD	BRAINERD, MN 56401	09181009007B009	S 95 FT OF LOT 7 BLOCK	SLEEPERS ADDITION T	1201 NORWOOD ST	GRASS/SNOW REMOV	225.00
LINDQUIST, TANNER M	1202 J ST NE	BRAINERD, MN 56401	091880210120009	LOT 12 BLOCK 21	ST. PAUL ADDITION TO	1202 J ST NE	JUNK/DEBRIS	500.00
GODEJOHN, JUSTIN & BRIAN KARL	1203 10TH AVE NE	BRAINERD, MN 56401	09136003014Z009	L 14 BLK 3 & L 15 BLK 3	GUSTAFSON'S ADDITIO	1203 10TH AVE NE	SNOW/GRASS/	575.00
CK PROPERTIES OF BRAINERD LLC	12610 CAMWOOD TRAIL	BAXTER MN 56425	09181009005A009	N 100 FT OF LOT 5 BLK	SLEEPERS ADDITION T	1208 MAPLE ST	PROPERTY MAINTENA	2,375.00
WILEY, JEANINE L	1210 5TH AVE NE	BRAINERD, MN 56401	09172003009Z009	LOTS 9 AND 10 BLK 3, E	SCHWARTZ'S ADDITIO	1210 5TH AVE NE	GRASS/ABATEMENT	450.00
HALVORSON, RONALD & JEAN	9919 COVE PT RD	BRAINERD, MN 56401	09174017017Y009	LOTS 17 & 18 INCLUSIV	SECOND ADDITION TO	1212 QUINCE ST	ABATEMENT	100.00
JAMES, TERRY E & MARVIN G	812 12TH AVE NE	BRAINERD, MN 56401	091880120100009	ST. PAUL ADDITION TO	LOT 10 BLOCK 12	1213 L STREET	GRASS/ABATEMENT	350.00
MILLER, JEREMY B & AMYE K	12887 PARKWOOD DR	BAXTER MN 56425	09172004005Z009	LOTS 5 AND 6 BLK 4	SCHWARTZ'S ADDN TO	1223 5TH AVE NE	UNLICENSED VEHICLE	125.00
BARQUERO, AMANDA	811 4TH AVE N	SARTELL MN 56377	091360010050009	LOT 5 BLOCK 1	GUSTAFSON'S ADDITIO	1238 MILL AVE	GRASS/ABATEMENT	350.00
BATCHELOR, JOSHUA & AMANDA HASTAD	1301 10TH AVE NE	BRAINERD, MN 56401	09136003024Z009	N. 25 FT. OF LOT 24 BL	GUSTAFSON'S ADDITIO	1301 10TH AVE NE	UNLICENSED VEHICLE	125.00
NORWOOD STREET LLCC/O BRIAN WHEELER	11171 TOWN HALL ST	BRAINERD, MN 56401	091810190050009	LOT 5 BLOCK 19	SLEEPERS ADDITION T	1306 NORWOOD ST	JUNK/DEBRIS	250.00
JASON J JONES & DAWN COLLINSC/O ROSALIE	3458 SUNFLOWER DR	BULLHEAD CITY, AZ 86429	091810100030009	LOT 3 BLOCK 10	SLEEPERS ADDITION T	1314 MAPLE ST	JUNK/DEBRIS	125.00
FEALY, SCOTT W	PO BOX 94	RICHMOND, MN 56401	091810190110009	LOT 11 BLOCK 19	SLEEPERS ADDITION	1317 OAK ST	UNLICENSED VEHICLE	125.00
BANKS, TRAVIS E & TRACY L	15359 SHELLISA LN	BRAINERD, MN 56401	09146001015Z009	LOTS 15 AND 16 BLOCK	HOWES & SPALDINGS	1318 8TH ST S	HOUSE NUMBERS	375.00
SOMMERS, JESSICA	1319 11TH AVE NE	BRAINERD, MN 56401	09201012006Y009	LOTS 6 & 7 BLOCK 12, J	WILLIS ADDITION	1319 11TH AVE NE	UNLICENSED VEHICLE	1,000.00
LARSON, SARAH T & ROY G BANKS	1323 PINE ST	BRAINERD, MN 56401	09174005001Z009	LOTS 1 AND 2 BLK. 5 A	SECOND ADDITION TO	1323 PINE ST	JUNK/DEBRIS	125.00
DEGEN, MICHAEL S & JULIE L	8595 DOROTHY AVE	BRAINERD, MN 56401	092010070070009	LOT 7 BLOCK 7	WILLIS ADDITION	1402 8TH AVE NE	GRASS/WEEDS	125.00
HANSON, CASPER B	1406 13TH AVE NE	BRAINERD, MN 56401	09121000002Z009	S. 30 FT. OF LOT 2 AND	DORAN'S ADDITION TO	1406 13TH AVE NE	UNLICENSED VEHICLE	250.00
PARKS, DALE A	1415 PINE STREET	BRAINERD, MN 56401	09174004006Z009	LOTS 6 AND 7 BLOCK 4	SECOND ADDITION TO	1415 PINE ST	UNLICENSED VEHICLE	125.00
SCULL, TYLER	1419 MARY ST	BRAINERD, MN 56401	09202001008Z009	S. 25 FT OF LOT 8 BLO	WOODLAND PARK ADI	1419 MARY ST	JUNK/DEBRIS	125.00
KING, JENNIFER A.	1421 OAK ST	BRAINERD, MN 56401	091810180110009	LOT 11 BLOCK 18	SLEEPERS ADDITION T	1421 OAK STREET	GRASS/WEEDS	250.00
LEWIS, KALEEN R	1424 S 8TH ST	BRAINERD, MN 56401	09146010013Z009	LOTS 13 AND 14 BLOCK	HOWES AND SPALDING	1424 8TH ST S	UNLICENSED VEHICLE	500.00
SELLERS, JACOB S & AMBER J	1504 8TH AVE NE	BRAINERD, MN 56401	09201002001A009	W 60 FT OF LOTS 1 2 &	WILLIS' ADDITION TO T	1504 8TH AVE NE	GRASS/ABATEMENT	375.00
BENDSON, KAYLA A	15199 WARRIOR AVE	BRAINERD, MN 56401	092720040040009	LOT 4 BLOCK 4	NORTHTOWN	15199 WARRIOR AVE	HOUSE/VEHICLE	500.00
WETHERELL, RICHARD B	915 LAUREL ST	BRAINERD, MN 56401	091730030010009	LOT 1 BLOCK 3	SECOND ADDITION TO	153 PINEVIEW DR	RENTAL LICENSE	500.00
COOLEY, GARY	PO BOX 272	FOLEY, MN 56329	09148003004Z009	S 40 FT OF LOT 4 BLK 3	KOOP & WALKER'S AD	1610 9TH AVE	ABATEMENT	100.00
JM ANDERSON PROPERTIES LLC	23226 ANDERSON BLVD	MERRIFIELD MN 56465	091810010040009	LOT 4 BLOCK 1, TOGET	SLEEPERS ADDITION T	1701 MAPLE ST	RENTAL INSPECTION	125.00
GOTTWALT, MATTHEW & ERICA	6571 160TH AVE	ROYALTON, MN 56373	09145000026C009	W. 56 1/2 FT. OF N. 140	HOLLAND'S THIRD ADD	1812 OAK ST	PROP MAINT/JUNK DE	875.00
BOKRY, JOSEPH A	1889 GRAYDON AVE	BRAINERD, MN 56401	09124003005X009	PT OF LOT 5 BLOCK 3 E	EDGEWOOD ROAD AD	1889 GRAYDON AVE	UNLICENSED VEHICLE	500.00
DOUCETTE, DORIS D	214 4TH AVE NE	BRAINERD, MN 56401	091220080030009	LOT 3 BLOCK 8	EAST BRAINERD	214 4TH AVE NE	PROP MAINT/UNL. VEH	3,000.00
DEGEN, MICHAEL S & JULIE L	8595 DOROTHY AVE	BRAINERD, MN 56401	091960380040009	LOT 4 BLOCK 38	TOWN OF BRAINERD &	217 10TH ST N	RENTAL INSPECTION	125.00
GOTTWALT, MATT	6571 160TH AVE	ROYALTON, MN 56373	09196038002Z009	LOT 2 BLOCK 38 EXCE	TOWN OF BRAINERD &	219 10TH ST N	RENTAL INSPECTION	125.00
RYAN, ANNE THERESE	223 N 5TH ST	BRAINERD, MN 56401	09196048001Z009	LOTS 1 AND 2 BLOCK 4	TOWN OF BRAINERD &	223 5TH ST N	ABATEMENT	100.00
C/O MEADOWVIEW MANOR LP	1777 JULIET AVE	ST PAUL, MN 55105	050311100A00889	N. 735.38 FT OF NE1/4		2507 KERMIT LN	UNLICENSED VEHICLE	125.00
LEMIRE, LAURA	2604 PINE STREET	BRAINERD, MN 56401	09143000015V009	(PART OF TRACT D) E	HOLLAND'S FIRST ADD	2604 PINE ST	UNLICENSED VEHICLE	125.00
NASH, PATRICK V & REBECCA L	303 5TH ST N	BRAINERD, MN 56401	09196070001Z009	LOT 1 & 2 BLOCK 70	TOWN OF BRAINERD &	303 5TH ST N	RENTAL/JUNK DEBRIS	1,125.00
WINN, BRANDON C & HOLM, ABEGAIL R	313 9TH ST N	BRAINERD, MN 56401	09196078005Z009	LOTS 5 THRU 7 BLOCK	TOWN OF BRAINERD &	313 9TH ST N	GRASS/WEEDS	125.00

O'DAY, JAMES T	316 1ST AVE NE	BRAINERD, MN 56401	091220120100009	LOT 10 BLOCK 12	EAST BRAINERD	316 1ST AVE	GRASS/PROPRTY/VEH	2,315.00
WEISS, RICHARD A	319 9TH ST N	BRAINERD, MN 56401	09196078009Z009	N1/2 OF LOT 9 BLOCK 1	TOWN OF BRAINERD &	319 9TH ST N	PROPERTY MAINTENA	2,250.00
DEGEN, MICHAEL S & JULIE L	8595 DOROTHY AVE	BRAINERD, MN 56401	091220110110009	LOT 11 BLOCK 11	EAST BRAINERD	320 2ND AVE NE	RENTAL INSPECTION	125.00
JM ANDERSON PROPERTIES LLC	23226 ANDERSON BLVD	MERRIFIELD MN 56465	091220100010009	LOT 1 BLOCK 10	EAST BRAINERD	323 4TH AVE NE	RENTAL INSPECTION	125.00
BRAINERD WASHINGTON ST LLCC/O MELISSA	2730 SW 3RD AVE STE 600	MIAMI, FL 33129	09198058001Z009	LOTS 1 THRU 6 AND LO	WEST BRAINERD	340 WASHINGTON ST W (3	SNOW REMOVAL	125.00
TUFVANDER, KEVIN	401 B ST NE	BRAINERD, MN 56401	09122008004Z009	S. 30 FT. OF W. 1/3 OF	EAST BRAINERD	401 B ST NE	ABATEMENT	425.00
WILKINSON, RICHARD P	403 6TH ST SW	BRAINERD, MN 56401	091980570070009	LOT 7 BLOCK 57	WEST BRAINERD	403 6TH ST SW	UNLICENSED VEHICLE	125.00
VEITH, STEVEN H	9797 LEGIONVILLE RD	BRAINERD, MN 56401	091280140080009	LOT 8 BLOCK 14	FARRAR AND FORSYTH	408 2ND AVE N	GRASS/ABATEMENT/JU	1,000.00
421 VINE STREET LLC	11171 TOWN HALL ST	BRAINERD, MN 56401	09140004001Z009	LOTS 1 & 2 BLK 4 & E 5	HARRISON WHITE'S AD	421 VINE ST	PROPERTY MAINTENA	125.00
BRUTSMAN, JAY & MARILYN	611 9TH ST S	BRAINERD, MN 56401	091690020090009	SCHMELZ'S ADDITION	LOT 9 BLOCK 2	425 C ST NE	ABATEMENT	100.00
GOTTWALT, MATTHEW & ERICA	6571 160TH AVE	ROYALTON, MN 56373	091690030010009	LOT 1 BLOCK 3	SCHMELZ'S ADDITION	430 C ST NE	BRUSH/PROP MAINT	625.00
WETHERELL, RICHARD B	915 LAUREL ST	BRAINERD, MN 56401	09196037001Z009	LOTS 4 THRU 6 INCLUS	TOWN OF BRAINERD &	504 11TH ST S	PROPERTY MAINTENA	125.00
PESTELLO, WILLIAM	7574 CHICKASAW CIRCLE	BREEZY POINT, MN 56472	09128017005Z009	W. 33 FT. OF LOT 5 BLK	FARRAR AND FORSYTH	508 4TH AVE NE	RENTAL LICENSE	500.00
BENNETT, COURTNEY	512 QUINCE ST	BRAINERD, MN 56401	0919621900A009	E .50 FT OF NW1/4 OF	TOWN OF BRAINERD &	512 QUINCE ST	GRASS/WEEDS	125.00
WELSAND, LOREN	1018 PINE COVE DRIVE	LEHIGH ACRES, FL 33974-0577	09196133019Z009	LOTS 19 AND 20 BLOC	TOWN OF BRAINERD &	513 8TH ST S	GRASS/MAINT/ABATEM	700.00
MCINNES, RUTH M & CHARLES	7862 LAKEVIEW DRIVE	BRAINERD, MN 56401	091280190020009	LOT 2 BLOCK 19	FARRAR AND FORSYTH	519 3RD AVE NE	GRASS/WEEDS	125.00
523 GROVE STREET LLC	11171 TOWN HALL ST	BRAINERD, MN 56401	09196194001Z009	LOTS 1 & 2 BLK 194	TOWN OF BRAINERD &	523 GROVE ST	SNOW REMOVAL	125.00
KAMPA, DYLAN J	601 E STREET NE	BRAINERD, MN 56401	091380110070009	LOT 7 BLOCK 11	HAINE'S ADDITION TO	601 E ST NE	GRASS/PROPERT MAIN	250.00
SPIGARELLI, JEFFREY S & APRIL J	601 F ST NE	BRAINERD, MN 56401	091380060070009	LOT 7 BLOCK 6	HAINE'S ADDITION TO	601 F ST NE	PROPERTY MAINTENA	125.00
NORDENSON, DANIEL J & ELIZABETH S	601 KINGWOOD ST	BRAINERD MN 56401	09196074021Z009	W. 100 FT OF LOTS 21	TOWN OF BRAINERD &	601 KINGWOOD ST	GRASS/WEEDS	125.00
HENDRICKSON, TYLER J	23595 BUTTERCUP LN	AITKIN MN 56431	09123007011Z009	S. 5 FT OF LOT 11 BLO	EAST SIDE ADDITION	602 9TH AVE NE	PROP MAINT/JUNK DE	250.00
STRANGE, LISA L	7387 RACINE RD	BRAINERD, MN 56401	091380110050009	LOT 5 BLOCK 11	HAINE'S ADDITION TO	606 F ST NE	UNLICENSED VEHICLE	125.00
WETHERELL, RICHARD B	915 LAUREL STREET	BRAINERD, MN 56401	09196129009X889	W 50 FT OF E 115FT OF	TOWN OF BRAINERD &	616 NORWOOD ST	PROPERTY MAINTENA	1,000.00
BOCK, THOMAS C	PO BOX 123	BRAINERD, MN 56401	091280220010009	LOT 1 BLOCK 22	FARRAR AND FORSYTH	623 3RD AVE	UNLICENSED VEHICLE	1,325.00
RONO, JUNE	624 4TH AVE NE	BRAINERD, MN 56401	091280240120009	LOT 12 BLOCK 24	FARRAR & FORSYTH'S	624 4TH AVE NE	GR/AM/UV/J/D	1,975.00
KAMPEN, TREVOR W	624 9TH AVE NE	BRAINERD MN 56401	091230070070009	LOT 7 BLOCK 7	EAST SIDE ADDITION T	624 9TH AVE NE	PROPERTY MAINTENA	125.00
MEYER, SHANE D & CARISSA E	701 9TH ST N	BRAINERD, MN 56401	09196200001Y009	E 80 FT OF LOTS 1 THF	TOWN OF BRAINERD &	701 9TH ST N	GRASS/WEEDS	250.00
LEMIONE, JEREMY	702 2ND AVE NE	BRAINERD, MN 56401	091280270090009	LOT 9 BLOCK 27	FARRAR AND FORSYTH	702 2ND AVE NE	UNLICENSED VEHICLE	375.00
EILERS, DWAYNE R II	2016 BLACKHAWK ST	WATERLOO, IA 50702	09196191001Z009	LOTS 1 AND 2 BLOCK 1	TOWN OF BRAINERD &	702 9TH ST S	RENTAL LICENSE	750.00
BRAINERD LAKES PROPERTIES LLC	6343 PEACE ROAD	BRAINERD, MN 56401	09196071010Z889	W 45FT OF LOTS 10 TH	TOWN OF BRAINERD &	714 LAUREL ST	JUNK/DEBRIS	125.00
GLASER, KENNETH A & REBECCA A	708 7TH ST NE	LITTLE FALLS, MN 56345	09196191013Y009	N 75 FT OF S 100 FT OF	TOWN OF BRAINERD &	719 8TH ST S	PROPERTY MAINTENA	125.00
COCKMAN, BOBBIE G.	721 9TH AVE NE	BRAINERD, MN 56401	091230030060009	LOT 6 BLOCK 3	EAST SIDE ADDITION T	721 9TH AVE NE	JUNK/UNLICENSED VE	250.00
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	09188029001Y009	LOTS 1 AND 2 BLOCK 2	ST. PAUL ADDITION TO	723 12TH AVE NE	UNLICENSED VEHICLE	125.00
STRANGE, MICHAEL & LISA	7387 RACINE RD	BRAINERD, MN 56401	091230030070009	LOT 7 BLOCK 3	EAST SIDE ADDITION T	723 9TH AVE NE	JUNK/DEBRIS	125.00
PRIBBENOW, DENA DENTI	801 3RD AVE NE	BRAINERD, MN 56401	091720300010009	LOT 1 BLOCK 30	SCHWARTZ'S ADDN TO	801 3RD AVE NE	UNLICENSED VEHICLE	1,000.00
JM ANDERSON PROPERTIES LLC	23226 ANDERSON BLVD	MERRIFIELD MN 56465	09117002007Z009	LOTS 7 THRU 10 INCLU	CHIPPAWA ADDITION T	802 10TH ST S	RENTAL INSPECTION	125.00
LUCKSINGER, CAMRYN JANE	808 5TH AVE NE	BRAINERD, MN 56401	091720270110009	LOT 11 BLOCK 27	SCHWARTZ'S ADDN TO	808 5TH AVE NE	UNLICENSED VEHICLE	125.00
OLSON, STEVEN D	14601 LYNNDALE DR	BAXTER, MN 56425	09196200013Z009	LOT 13 BLOCK 200 EX.	TOWN OF BRAINERD &	810 FIR ST	UNLICENSED VEHICLE	125.00
VERKENNES, HENRY L & VICTORIA J	813 I ST NE	BRAINERD, MN 56401	09171006001Y009	W1/2 OF LOTS 1 & 2 BL	SCHMELZ'S SECOND A	813 I ST NE	UNLICENSED VEHICLE	125.00
C/O JOAN BIEGANEK EVERY, SANDRA LORAINE	PO BOX 504	BRAINERD, MN 56401	09196217019Z009	LOTS 19 & 20 BLOCK 2	TOWN OF BRAINERD &	815 6TH ST S	GRASS/WEEDS	125.00
RIESE, ROBERT & JODI (C/O COLIN AND AMY M	2331 DANCING WIND RD SW	PINE RIVER, MN 56474	09172030009Z009	LOTS 9 AND 10 BLK 30	SCHWARTZ'S ADDN TO	816 2ND AVE NE	PROP MAINT/GRASS	875.00
WENDEL PROPERTIES LLC	17122 STATE HWY 371	BRAINERD, MN 56401	09188028003Y009	LOT 3 BLOCK 28 & ALS	SCHMELZ'S SECOND A	817 12TH AVE NE	UNLICENSED VEHICLE	125.00
WARTA, KELSY M	817 MILL AVE	BRAINERD MN 56401	091720250050009	LOT 5 BLOCK 25	SCHWARTZ'S ADDN TO	817 MILL AVE	GRASS/WEEDS	125.00
MATICH, JAMES & JOHN	5809 CLEARWATER ROAD	BAXTER, MN 56425	09146013007Z009	LOTS 7 THRU 12 INCLU	HOWES AND SPALDING	823 BROOK ST	UNLICENSED VEHICLE	500.00
BENEDICT, MICHAEL J & HEIDE A	901 5TH AVE NE	BRAINERD, MN 56401	09172021001Z009	LOTS 1 AND 2 BLK 21	SCHWARTZ'S ADDITIO	901 5TH AVE NE	UNLICENSED VEHICLE	250.00
HALL, JOSHUA	911 8TH ST S	BRAINERD, MN 56401	09117003023Z009	LOTS 23 AND 24 BLOC	CHIPPAWA ADDITION	911 8TH ST S	UNLICENSED VEHICLE	125.00
HARRAH, SAMUEL D & SUSAN E CAIRD	912 10TH ST S	BRAINERD, MN 56401	09117003012Z009	LOTS 12 THRU 14 INCL	CHIPPAWA ADDITION T	912 10TH ST S	UNLICENSED VEHICLE	750.00
BOCK, KARLA	922 7TH STREET S	BRAINERD, MN 56401	09196239001Z009	LOTS 1 & 2 BLOCK 239	TOWN OF BRAINERD &	922 7TH ST S	GRASS/WEEDS	125.00
GOTTWALT, MATTHEW & ERICA	6571 160TH AVE	ROYALTON, MN 56373	091720240070009	LOT 7 BLOCK 24	SCHWARTZ'S ADDN TO	924 7TH AVE NE	BRUSH/JUNK DEBRIS	875.00

45,340.00

Dated this 21st day of October 2019

Gabe Johnson
President of Council

Attest: _____
Jim Thoreen
City Administrator

Interest Rate - 3.22%
Years Certified - 1 year

OWNER NAME	OWNER ADDRESS	CITY STATE ZIP	RE CODE	LEGAL	LOCATION	ASSESSMENT
LIVELY AUTO BLDG REAL EST HOLDING	512 LAUREL STREET	BRAINERD, MN 56401	060252100F00009	SEC 25 TWP 45 RNG 31	-	4230.99
DANNY E. KUHN	24549 COUNTY RD 3	MERRIFIELD, MN 56465	09196041001X889	EAST 50' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	721 LAUREL ST	940.23
NJMS PHELPS BLOCK LLC	2200 PRINCETON AVE	ST. PAUL, MN 55105	09196041001Y009	CENTER 26.5' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	719 LAUREL ST	498.32
NJMS PHELPS BLOCK LLC	2200 PRINCETON AVE	ST. PAUL, MN 55105	09196041001Z889	WEST 63.5' OF LOT 1 THRU 3 INCLUSIVE BLOCK 41	715 LAUREL ST	1194.08
NLLJ JENSEN, LLC	204 S 8TH ST	BRAINERD, MN 56401	09196041007Z009	LOTS 7 THRU 9 INCLUSIVE BLOCK 41	208 S 8TH ST	1410.33
C & L MIDWEST LLC	P.O. BOX 341	BRAINERD, MN 56401	091960410100009	LOT 10 BLOCK 41	718 FRONT ST	470.11
C & L MIDWEST LLC	P.O. BOX 341	BRAINERD, MN 56401	09196041011Z009	LOTS 11 THRU 13 INCLUSIVE	-	1410.33
AMERICAN LEGION POST #255	708 FRONT STREET	BRAINERD, MN 56401	09196041014Z009	ALL OF LOT 14 BLOCK 41 AND E 4 FT. OF LOT 16 BLOCK 41 AND E 2FT OF W 2	708 FRONT ST	1053.05
VANDEPUTTE INVESTMENT PROPERTIE	8194 FAIRVIEW ROAD	BAXTER, MN 56425	09196041016Z889	PART OF LOTS 16 THRU 18 INCLUSIVE BLOCK 41 DESC.	704 FRONT ST	875.91
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041017Z889	S. 50 FT. OF LOTS 17 AND 18, AND S 50 FT OF THE W 20 FT OF LOT 16 BLOCK	209 S 7TH ST	940.23
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041018A889	W 22FT 5 INCHES OF N 80 FT OF LOT 18 BLOCK 41	205 S 7TH ST	1925.94
DAVID F. PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196041019Z009	LOTS 19 AND 22 BLOCK 41	215 S 7TH ST	1880.44
ASH PROPERTIES INC.	722 S 6TH STREET	BRAINERD, MN 56401	09196041023Z889	LOTS 23 AND 24 BLOCK 41	707 LAUREL ST	3572.84
EDWIN L. & SUSAN MENK	623 LAUREL STREET	BRAINERD, MN 56401	09196043002Z009	LOTS 1 AND 2 BLOCK 43	623 LAUREL ST	3572.84
RICK BJORK	222 S 7TH STREET	BRAINERD, MN 56401	09196043003Z889	LOTS 3 AND 4 BLOCK 43	222 S 7TH ST	940.23
JON AND DEBRA LUHRS	1524 S 7TH ST	BRAINERD, MN 56401	091960430050009	LOT 5 BLOCK 43	216 S 7TH ST	470.11
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	091960430060889	LOT 6 BLOCK 43	214 S 7TH ST	470.11
DAVID F. PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196043010Z889	LOTS 10 THRU 12 INCLUSIVE BLOCK 43	614 FRONT ST	1410.33
612 STATION LLC	612 FRONT ST	BRAINERD, MN 56401	091960430130889	LOT 13 BLOCK 43	612 FRONT ST	470.11
TODD & LAURA BISTED	608 FRONT ST	BRAINERD, MN 56401	09196043014Z889	LOTS 14 AND 15 BLOCK 43	608 FRONT ST	940.23
NORTHERN PINES MENTAL HEALTH CE	P.O. BOX 367	LITTLE FALLS, MN 56345	09196043016Y009	N 80 FT OF LOT 16 BLOCK 43 AND E 1/2 OF S 50 FT OF LOT 16 BLOCK 43	606 FRONT ST	470.11
MASONIC TEMPLE ASSN. OF BRAINERD	PO BOX 81	BRAINERD, MN 56401	09196043016Z889	W 1/2 OF THE S 50 FT OF LOT 16 BLOCK 43 AND ALL OF LOTS 17 AND 18 BLO	205 S 6TH ST	940.23
BATRA RENTALS LLC	793 S STACY BOULEVARD UNI	TRACY, CA 95376	09196069001Z009	LOTS 1 AND 2 BLOCK 69	619 MAPLE ST	940.23
JUAN M AND JOANNA I BARBOZA	410 SW 10TH AVENUE	GRAND RAPIDS, MN 55744	09196069003Z009	LOTS 3 THRU 5 INCLUSIVE BLOCK 69	314 S 7TH ST	1410.33
BRIAN L & RHONDA SMITH	PO BOX 391	BRAINERD, MN 56401	09196069008W889	LOTS 1 & 2 C A WALKERS SUBD. OF LOTS 8, 9, 10, 11, 12 BLOCK 69 EXCEPT T	624 LAUREL ST	3271.97
ASH PROPERTIES INC.	722 S 6TH ST	BRAINERD, MN 56401	09196069013W889	E 50 FT OF LOTS 13 THRU 17 INCLUSIVE BLOCK 69	612 LAUREL ST	940.23
ASH PROPERTIES INC.	722 S 6TH ST	BRAINERD, MN 56401	09196069013X009	CENTER 50 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 69	606 LAUREL ST	940.23

MAJIK PROPERTIES LLC	12890 MOUNTAIN ASH DR	BAXTER, MN 56425	09196069013Z889	W 50 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 69	602 LAUREL ST	940.23
DAVID F PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071008X009	E 50 FT OF LOTS 8 THRU 12 INCLUSIVE BLOCK 71	722 LAUREL ST	940.23
DAVID F PUERINGER	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071008Y889	LOTS 8 THRU 12 INCLUSIVE EXCEPT E 50 FT THEREOF AND EXCEPT W 45 FT	718 LAUREL ST	846.2
BRAINERD LAKES PROPERTIES LLC	101600 OVERSEAS HWY 93	KEY LARGO, FL 33037	09196071010Z889	W 45 FT OF LOTS 10 THRU 12 INCLUSIVE BLOCK 71	714 LAUREL ST	846.2
NILA M PATRICK	710 LAUREL ST	BRAINERD, MN 56401	09196071013Y889	LOTS 13 THRU 15 INCLUSIVE BLOCK 71 EX. THE W'LY 81 1/6 FT THEREOF	710 LAUREL ST	1106.26
DAVID F PUERINGER INVESTMENTS	616 1/2 FRONT STREET	BRAINERD, MN 56401	09196071013Z889	W'LY 81 1/6 FT OF LOTS 13 THRU 15 INCLUSIVE BLOCK 71	301 S 7TH ST	2936.69
RICHARD & DENISE RATHMAN	305 S 7TH ST	BRAINERD, MN 56401	09196071016Z009	W'LY 79 1/2 FT OF LOTS 16 AND 17 BLOCK 71	305 S 7TH ST	940.23
BREMER BANK OF BRAINERD	8555 EAGLE POINT BLVD	LAKE ELMO, MN 55042	09196071020Y009	LOTS 19 THRU 24, BLOCK 71	321 S 7TH ST	2820.67
MOORES PROPERTIES, INC.	605 LAUREL STREET	BRAINERD, MN 56401	096010000010009	LAUREL CONDOMINIUMS	-	2632.62

Dated this 21st day of October, 2019

\$51,599.42

Attest: _____
Jim Thoreen
City Administrator

Gabe Johnson
President of Council

Interest Rate - 3.22%
Years Certified - 1 Year

RESOLUTION
NO. _____

RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to proper notice duly given as required by law, the Council has met and heard and passed upon all objections to the proposed assessment for 2018-2019 snow removal and special services and nuisance abatement concerning the properties abutting on the following:

DOWNTOWN SNOW REMOVAL AND SPECIAL SERVICES DISTRICT

Snow Removal, Irrigation Maintenance, Landscaping, Garbage Collection

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

NUISANCE ABATEMENT

Nuisance Abatement and Administrative Citations
Misc properties around the City

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and City Engineer, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in full within 30 days from the adoption of this Resolution without interest at the office of the City Administrator. Thereafter, the entire amount of the assessment shall be payable to the Crow Wing County Auditor with interest at the rate of three and twenty-two hundredths (3.22%) percent.
3. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted this ____ day of October 2019

GABE JOHNSON
President of the Council

Approved this _____ day of October 2019

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
Interim City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: PH and Res - Adopt Assessments - Improvements 17-06 and 17-07

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☒ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☒ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 10-15 Minutes
Summary of Issue: Attached to this request is a copy of the Notice of Assessment Hearing, the Proposed Assessment Rolls for Improvement 17-06 and 17-07 - H Street and 10th Avenue NE Reconstruction Projects, and a resolution in which adopts the assessments.	
Alternatives, Options, Effects on Others/Comments: At the public hearing, if there are questions or comments about the proposed assessments, staff will be available to respond. At the conclusion of the hearing, the Council would typically adopt a resolution adopting the assessments. If there are contested assessment amounts, staff would ask that the Council still adopt the assessments to start the 30-day payment clock. Contested assessments would be brought back to the next meeting for discussion.	
Recommended Action/Motion: Staff would recommend holding the public hearing to hear testimony for or against the proposed assessments and also adopt the attached resolution adopting the assessments as proposed for Improvements 17-06 and 17-07.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

NOTICE OF HEARING ON PROPOSED ASSESSMENT

TO WHOM IT MAY CONCERN:

Notice is hereby given that the City Council of Brainerd, Minnesota will meet in the Council Chambers of the Brainerd City Hall at 7:30 p.m. on October 21, 2019, to pass upon the proposed assessment for the following improvements:

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

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

The total cost for Improvement 17-06 is estimated \$662,379 of which \$173,529 is proposed to be assessed and total cost for Improvement 17-07 is estimated \$390,723 of which \$170,014 is proposed to be assessed.

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

The amount to be specifically assessed against your particular lot, piece or parcel of land is shown on the attached enclosure. You may at any time prior to certification of the assessment to the County Auditor pay the entire assessment on such property with interest accrued to the date of payment to the City Administrator. No interest shall be charged if the entire assessment is paid within 30 days from the adoption of this assessment. You may at any time thereafter pay to the County Auditor the entire amount of the assessment remaining unpaid with interest accrued to December 31 of the year in which the payment is made. If you decide not to pre-pay the assessment before the date given above, the rate of interest that will apply is three and twenty-two hundredths percent (3.22%) per year. The right to partially prepay the assessment pursuant to Section 315 of the Brainerd City Code is available. Further, pursuant to Ordinance 974 deferred assessments may be granted by the City Council where a financial hardship exists and pursuant to Resolution No. 4988, and any amendments thereto, the City Council may defer a special assessment for needy persons. If you feel that you might qualify for such deferments, please discuss this with the City Administrator at your earliest convenience.

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

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

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

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

Dated this 23 day of September 2019



Jim Thoreen
Interim City Administrator

Any individual needing special accommodations please call 828-2307.

Published September 27, 2019

OWNER NAME	OWNER ADDRESS	CITY STATE ZIP	PID	LEGACY	LEGAL	SUBDIVISION	LOCATION	ASSESSMENT
SCHEUSS, RALPH H & JOYCE C	1024 H ST	BRAINERD MN 56401	41191722	09123001005Z009	LOTS 5 THRU 7 BLOCK 1 INCLUSIVE	EAST SIDE ADDITION TO THE CITY OF BRAINE	1024 H ST NE	\$4,363.10
GREEN, GUY R	1004 H ST NE	BRAINERD, MN 56401	41191721	09123001008Y009	LOTS 8 THRU 10 BLOCK 1 INCLUSIVE.	EAST SIDE ADDITION TO THE CITY OF BRAINE	1004 H ST NE	\$4,363.10
HARTING, SAMANTHA L	924 H ST NE	BRAINERD MN 56401	41191713	09123002006Y009	E1/2 OF LOTS 6 & 7 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE	924 H ST NE	\$4,363.10
NELSON, DIANA M	914 H ST NE	BRAINERD, MN 56401	41191712	09123002006Z009	WEST 1/2 OF LOTS 6 AND 7 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE	914 H ST NE	\$4,363.10
WALBERG, ALICIA M	724 9TH AVE NE	BRAINERD, MN 56401	41191711	09123002008Z009	ALL OF LOT 8 BLOCK 2 & N 1/2 OF LOT 9 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE	724 9TH AVE NE	\$4,363.10
STRANGE, MICHAEL & LISA	7387 RACINE RD	BRAINERD, MN 56401	41191703	091230030070009	LOT 7 BLOCK 3	EAST SIDE ADDITION TO THE CITY OF BRAINE	723 9TH AVE NE	\$4,363.10
HOLZ, DIANE I	810 H STREET NE	BRAINERD, MN 56401	41191702	09123003008Y009	E. 70 FT. OF LOT 8 BLOCK 3 AND E. 70 FT. OF LOT 9 BL	EAST SIDE ADDITION TO THE CITY OF BRAINE	810 H ST NE	\$4,363.10
EXTRAND, RAE ANNE (LIFE ESTATE)	724 8TH AVE NE	BRAINERD MN 56401	41191701	09123003008Z009	W. 70 FT. OF LOT 8 BLOCK 3 AND W. 70 FT. OF LOT 9 B	EAST SIDE ADDITION TO THE CITY OF BRAINE	724 8TH AVE NE	\$4,363.10
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	41191152	09171001001Z009	LOTS 1 AND 2 BLK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	1021 H ST NE	\$4,363.10
LORIMOR, DIANNA C	16380 BIRCHWOOD LN	BRAINERD MN 56401	41191144	09171001011Y889	W. 95 FT. OF LOTS 11 AND 12 BLOCK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	1001 H ST NE	\$5,921.35
WILT, RICHARD E & JOYCE I & DAVID A	5389 PIONEER TRL	BRAINERD MN 56401	41191143	09171001011Z009	E. 45 FT. OF LOTS 11 AND 12 BLK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	1011 H ST NE	\$2,804.85
HICKS, BRADLY B	801 10TH AVE NE	BRAINERD, MN 56401	41191142	091710020010009	LOT 1 BLOCK 2	SCHMELZ'S SECOND ADDITION TO THE CITY OF	801 10TH AVE NE	\$4,363.10
COWELL, BABETTE Y	802 NE 9TH AVE	BRAINERD MN 56401	41191132	09171002011Z009	LOTS 11 AND 12 BLK 2	SCHMELZ'S SECOND ADDITION TO THE CITY OF	802 9TH AVE NE	\$4,363.10
DAVISON, WARREN A & RUSSELL D &	C/O ALICE J FREI	BRAINERD, MN 56401	41191131	09171003001Z009	LOTS 1 AND 2 BLK 3	SCHMELZ'S SECOND ADDITION TO THE CITY OF	817 H ST NE	\$4,363.10
WILCOX, LINDA M	802 8TH AVE NE	BRAINERD MN 56401	41191121	091710030120009	LOT 12 BLOCK 3 EXC PT OF LOT 12 BLOCK 3 DESC; BE	SCHMELZ'S SECOND ADDITION TO THE CITY OF	802 8TH AVE NE	\$4,363.10
CLEMENTS, BROCK & TANIKA	802 12TH AVE NE	BRAINERD MN 56401	41190620	09188027008Z009		ST. PAUL ADDITION TO THE CITY OF BRAINER	802 12TH AVE NE	\$4,363.10
DOMINIQUEZ-JOHNSON, ALEXANDRA	801 12TH AVE NE	BRAINERD MN 56401	41190610	09188028007Z009	LOT 7 BLOCK 28 & ALSO THE W. 7 FT OF THE ADJACEN	ST. PAUL ADDITION TO THE CITY OF BRAINER	801 12TH AVE NE	\$4,581.26
CARTER, SETH W	806 11TH AVE NE	BRAINERD MN 56401	41190609	09188028008Z009	LOTS 8 AND 9 BLOCK 28	ST. PAUL ADDITION TO THE CITY OF BRAINER	806 11TH AVE NE	\$4,363.10
MRDJENOVICH, DEREK J	1104 H ST NE	BRAINERD, MN 56401	41190597	09188029013Z009	LOTS 13 AND 14 BLOCK 29	ST. PAUL ADDITION TO THE CITY OF BRAINER	1104 H ST NE	\$4,363.10
GANGELHOFF, DEAN R & JILL	1212 'H' STR NE	BRAINERD MN 56401	41190596	09188030001Z009	LOTS 1 AND 2 BLOCK 30 (EX. HIGHWAY)	ST. PAUL ADDITION TO THE CITY OF BRAINER		\$2,898.35
GANGELHOFF, DEAN R & JILL	1212 'H' STR NE	BRAINERD MN 56401	41190595	09188030003Y009	ALL OF LOT 3 BLOCK 30, AND THAT PART OF LOT 4 BL	ST. PAUL ADDITION TO THE CITY OF BRAINER	1212 H ST NE	\$4,674.75
MAUCH, KERI	NVA 2015 TAX STMT	BRAINERD, MN 56401	41190594	09188030004Y009	W'LY 25 FT OF LOT 4 AND ALL OF LOT 5 BLOCK 30 & AL	ST. PAUL ADDITION TO THE CITY OF BRAINER	1204 H ST NE	\$5,111.06

Dated this 21st day of October, 2019

TOTAL\$ 110,672.43

Attest:
JIM THOREEN
City Administrator

GABE JOHNSON
President of Council

Interest Rate - 3.22%
Years Certified - 10 Years

OWNER NAME	OWNER ADDRESS	CITY STATE ZIP	PID	LEGACY	LEGAL	SUBDIVISION	LOCATION	ASSESSMENT
GREEN, GUY R	1004 H ST NE	BRAINERD, MN 56401	41191721	09123001008Y009	LOTS 8 THRU 10 BLOCK 1 INCLUSIVE.	EAST SIDE ADDITION TO THE CITY OF BRAINE	1004 H ST NE	\$7,723.35
EIESLAND, FREDRICK P & LINDA	710 10TH AVE NE	BRAINERD MN 56401	41191720	09123001011Z009	LOTS 11 & 12 BLOCK 1.	EAST SIDE ADDITION TO THE CITY OF BRAINE	710 10TH AVE NE	\$5,148.90
LANGSETH, JOEL	1009 G ST NE	BRAINERD, MN 56401	41191719	09123001013Z009	LOTS 13 AND 14 BLOCK 1	EAST SIDE ADDITION TO THE CITY OF BRAINE	1009 G ST NE	\$5,148.90
LORIMOR, DIANNA C	16380 BIRCHWOOD LN	BRAINERD, MN 56401	41191718	091230020010009	LOT 1 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE	701 10TH AVE NE	\$2,574.45
HANSON, BRIAN O & TANYA M	703 10TH AVE NE	BRAINERD, MN 56401	41191717	091230020020009	LOT 2 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE	703 10TH AVE NE	\$2,574.45
WILLIAMS, LETTIE R	711 10TH AVE NE	BRAINERD, MN 56401	41191716	091230020030009	LOT 3 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE		\$2,574.45
WILLIAMS, LETTIE R	711 10TH AVE NE	BRAINERD, MN 56401	41191715	091230020040009	LOT 4 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE	711 10TH AVE NE	\$2,574.45
HARTING, SAMANTHA L	924 H ST NE	BRAINERD, MN 56401	41191714	091230020050009	LOT 5 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE		\$2,574.45
HARTING, SAMANTHA L	924 H ST NE	BRAINERD, MN 56401	41191713	09123002006Y009	E1/2 OF LOTS 6 & 7 BLOCK 2	EAST SIDE ADDITION TO THE CITY OF BRAINE	924 H ST NE	\$2,574.45
BLOCK, JOAN M	605 10TH AVE NE	BRAINERD MN 56401	41191681	09123007001Y009	LOTS 1 & 2 EX THE W 70 FT THEREOF, BLK 7	EAST SIDE ADDITION TO THE CITY OF BRAINE	605 10TH AVE NE	\$2,860.50
BRODAL, DAVID R & KRISTA G	609 10TH AVE NE	BRAINERD MN 56401	41191679	091230070030009	LOT 3 BLOCK 7	EAST SIDE ADDITION TO THE CITY OF BRAINE	609 10TH AVE NE	\$2,860.50
BRODAL, DAVID R & KRISTA G	609 10TH AVE NE	BRAINERD MN 56401	41191678	091230070040009	LOT 4 BLOCK 7	EAST SIDE ADDITION TO THE CITY OF BRAINE	613 10TH AVE NE	\$2,860.50
WILLIAMS, PHYLLIS, GARY & THERESA	619 10TH AVE NE	BRAINERD, MN 56401	41191677	091230070050009	LOT 5 BLOCK 7	EAST SIDE ADDITION TO THE CITY OF BRAINE	619 10TH AVE NE	\$2,860.50
KENYON, CAROL R	623 NE 10TH AVE	BRAINERD MN 56401	41191676	091230070060009	LOT 6 BLOCK 7	EAST SIDE ADDITION TO THE CITY OF BRAINE	623 10TH AVE NE	\$2,860.50
WINGERT, ASHLEY E & MATHEW J	1002 G ST NE	BRAINERD, MN 56401	41191664	09123008007Y009	W 1/2 OF LOTS 7 & 8 BLK 8	EAST SIDE ADDITION TO THE CITY OF BRAINE	1002 G ST NE	\$2,860.50
PROBST, RICHARD W	616 10TH AVE NE	BRAINERD MN 56401	41191663	091230080090009	LOT 9 BLOCK 8	EAST SIDE ADDITION TO THE CITY OF BRAINE	616 10TH AVE NE	\$2,860.50
BANKS, TRAVIS & TRACY	15359 SHELLISA LN	BRAINERD, MN 56401	41191662	09123008010Z009	LOTS 10 AND 11 BLOCK 8	EAST SIDE ADDITION TO THE CITY OF BRAINE	608 10TH AVE NE	\$5,721.00
SNOOK, HAROLD	602 10TH AVE NE	BRAINERD MN 56401	41191661	091230080120009	LOT 12 BLOCK 8	EAST SIDE ADDITION TO THE CITY OF BRAINE	602 10TH AVE NE	\$2,860.50
TAYLOR, ROBERT D & FORD, TERRI	PO BOX 919	BRAINERD, MN 56401	41191658	09123009006Z009	LOTS 3, 4, 5, 6, 7, 8, 9, 10, 11, & 12 EX THAT PT OF LOTS 3, 4, 5	EAST SIDE ADDITION TO THE CITY OF BRAINE	518 10TH AVE NE	\$5,148.90
BETHLEHEM, EVANGELICAL LUTHERAN CHURCH	418 NE 8TH AVE	BRAINERD MN 56401	41191657	09123010001Z009	LOTS 1 THRU 3 BLOCK 10 INCLUSIVE AND ALSO INCLUDING	EAST SIDE ADDITION TO THE CITY OF BRAINE		\$5,148.90
STRONG, AARON H & VIVIAN J	521 10TH AVE NE	BRAINERD MN 56401	41191656	09123010004Z009	LOTS 4 THRU 6 BLOCK 10 INCLUSIVE	EAST SIDE ADDITION TO THE CITY OF BRAINE	521 10TH AVE NE	\$4,290.75
OROURKE, MARGARET	928 10TH AVE NE	BRAINERD, MN 56401	41191220	091680010020009	LOT 2 BLOCK 1	SABIN'S ADDITION TO THE CITY OF BRAINERD	928 10TH AVE NE	\$3,861.68
SABA, STEVE L	16 MOBILE HOME ESTATES	DEERING, ND 58731	41191219	091680020010009	LOT 1 BLOCK 2	SABIN'S ADDITION TO THE CITY OF BRAINERD	927 10TH AVE NE	\$3,775.86
HOLM, OTIS CORBIN	824 10TH AVE NE	BRAINERD, MN 56401	41191148	091710010070009	LOT 7 BLOCK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	824 10TH AVE NE	\$2,860.50
BANKS, TRAVIS E & TRACY L	15359 SHELLISA LN	BRAINERD MN 56401	41191147	091710010080009	LOT 8 BLOCK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	820 10TH AVE NE	\$2,860.50
KOWALCZYK, RONALD A	11524 STATE HIGHWAY 210	BRAINERD, MN 56401	41191146	091710010090009	LOT 9 BLOCK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	816 10TH AVE NE	\$2,860.50
SUMMY, KATHLEEN S	812 10TH AVE NE	BRANERD MN 56401	41191145	091710010100009	LOT 10 BLOCK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	812 10TH AVE NE	\$2,860.50
LORIMOR, DIANNA C	16380 BIRCHWOOD LN	BRAINERD, MN 56401	41191144	09171001011Y889	W. 95 FT. OF LOTS 11 AND 12 BLOCK 1	SCHMELZ'S SECOND ADDITION TO THE CITY OF	1001 H ST NE	\$2,860.50
HICKS, BRADLY B	801 10TH AVE NE	BRAINERD, MN 56401	41191142	091710020010009	LOT 1 BLOCK 2	SCHMELZ'S SECOND ADDITION TO THE CITY OF	801 10TH AVE NE	\$2,860.50
VICE, ASHLEY & KEVIN	805 10TH AVE NE	BRAINERD, MN 56401	41191141	09171002002Y009	ALL OF LOT 2 BLOCK 2 & LOT 3 BLOCK 2 EXC N 15 FT.	SCHMELZ'S SECOND ADDITION TO THE CITY OF	805 10TH AVE NE	\$4,862.85
JOHNSON, JEAN A	815 10TH AVE NE	BRAINERD MN 56401	41191140	09171002003A009	N. 15 FT OF LOT 3 BLOCK 2	SCHMELZ'S SECOND ADDITION TO THE CITY OF		\$858.15
JOHNSON, JEAN A	815 10TH AVE NE	BRAINERD MN 56401	41191139	091710020040009	LOT 4 BLOCK 2	SCHMELZ'S SECOND ADDITION TO THE CITY OF	815 10TH AVE NE	\$2,860.50
WINKELMAN, MILDRED F	819 10TH AVE NE	BRAINERD, MN 56401	41191138	091710020050009	LOT 5 BLOCK 2	SCHMELZ'S SECOND ADDITION TO THE CITY OF	819 10TH AVE NE	\$2,860.50
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	41191137	091710020060009	LOT 6 BLOCK 2	SCHMELZ'S SECOND ADDITION TO THE CITY OF	821 10TH AVE NE	\$2,860.50
KOWALCZYK, RONALD A	11524 STATE HIGHWAY 210	BRAINERD, MN 56401	41191101	09171007001Y889	E. 80 FT. OF LOTS 1 AND 2 BLK 7	SCHMELZ'S SECOND ADDITION TO THE CITY OF	903 10TH AVE NE	\$2,860.50
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	41191099	091710070030009	LOT 3 BLOCK 7	SCHMELZ'S SECOND ADDITION TO THE CITY OF	909 10TH AVE NE	\$2,860.50

BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	41191098	091710070040009	LOT 4 BLOCK 7	SCHMELZ'S SECOND ADDITION TO THE CITY OF	913 10TH AVE NE	\$2,860.50
LARSEN, MICHAEL D & JANE C	17150 DEWES RD	BRAINERD, MN 56401	41191097	091710070050009	LOT 5 BLOCK 7	SCHMELZ'S SECOND ADDITION TO THE CITY OF	919 10TH AVE NE	\$2,860.50
WHITE PINE INVESTMENTS, LLC	4399 UPPER ROY LAKE RD	NISSWA, MN 56468	41191096	091710070060009	LOT 6 BLOCK 7	SCHMELZ'S SECOND ADDITION TO THE CITY OF	921 10TH AVE NE	\$2,517.24
ERICKSON, BRADLEY M	1727 13TH AVE NE	BRAINERD MN 56401	41191086	091710080070009	LOT 7 BLOCK 8	SCHMELZ'S SECOND ADDITION TO THE CITY OF	924 10TH AVE NE	\$2,517.24
HOWARD, RENEE L	918 NE 10TH AVE	BRAINERD MN 56401	41191085	091710080080009	LOT 8 BLOCK 8	SCHMELZ'S SECOND ADDITION TO THE CITY OF	918 10TH AVE NE	\$2,860.50
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401	41191084	091710080090009	LOT 9 BLOCK 8	SCHMELZ'S SECOND ADDITION TO THE CITY OF	914 10TH AVE NE	\$2,860.50
WILT, DAVID	5389 PIONEER TRL	BRAINERD, MN 56401	41191083	091710080100009	LOT 10 BLOCK 8	SCHMELZ'S SECOND ADDITION TO THE CITY OF	912 10TH AVE NE	\$2,860.50
ODETTE, CATHERINE	C/O DAVE ODETTE	301 MAPLE AVE N, THIEF RIVER FALLS, MN 56701-2327	41191082	091710080110009	LOT 11 BLOCK 8	SCHMELZ'S SECOND ADDITION TO THE CITY OF	906 10TH AVE NE	\$2,860.50
PEDERSON, SCOTT C	18049 HARTLEY DR	BRAINERD MN 56401	41191081	091710080120009	LOT 12 BLOCK 8	SCHMELZ'S SECOND ADDITION TO THE CITY OF	902 10TH AVE NE	\$2,860.50

Dated this 21st day of October, 2019

TOTAL\$146,543.42

Attest: _____

JIM THOREEN

City Administrator

GABE JOHNSON

President of Council

Interest Rate - 3.22%

Years Certified - 10 Years

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

RESOLUTION ADOPTING ASSESSMENT

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

IMPROVEMENT 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

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

1. Such proposed assessment, a copy of which is on file in the offices of the City Administrator and City Engineer, is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein included is hereby found to be benefited by the proposed improvement in the amount of the assessment levied against it.
2. Such assessment shall be payable in equal annual installments extending over a period of ten years, the first of the installments to be payable on or before the first Monday in January 2020 and shall bear interest at the rate of three and twenty-two hundredths (3.22%) percent per annum from the date of the adoption of this resolution. To the first installment shall be added interest on the entire assessment from the date of this resolution until December 31, 2019. To each subsequent installment, when due, shall be added interest for one year on all unpaid installments.
3. The owner of any property so assessed may, at any time prior to certification of the assessment to the Crow Wing County Auditor, pay the whole of the assessment on such property, with interest accrued to the date of payment, to the City Administrator, except that no interest shall be charged if the entire assessment is paid within thirty (30) days from the adoption of this Resolution; and he or she may, at any time thereafter, pay to the City Administrator the entire amount of the assessment remaining unpaid with interest accrued to December 31, of the year in which such payment is made.
4. The City Administrator shall forthwith transmit a certified duplicate of this assessment to the Crow Wing County Auditor to be extended on the property tax list of the County. Such assessment shall be collected and paid over in the same manner as other municipal taxes.

Adopted this _____ day of October 2019

GABE JOHNSON
President of the Council

Approved this _____ day of October 2019

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
Interim City Administrator

21 Oct 2019

To: Paul Sandy, P.E. and Brainerd City Council
City Engineer
City of Brainerd

From: Jean Johnson
815-10th Ave NE

Re: Improvement 17-07, proposed assessment rate

I contest/object to the proposed assessment rate of \$57.21/front foot for my two adjacent properties (65 feet total, \$3,718.65) on 10th Ave NE. I do so on the basis of unexpected, unexplained, and disproportionate cost increases relative to prior communications, and discordant increases relative to concurrent work for Improvement 17-06 on the very same street. I contest the assessment also on the basis of inconsistency with the mission statement of the Brainerd City Council/City of Brainerd. ~~From~~^{sorry} my perspective, Improvement 17-07 falls short in quality, cost effectiveness, and leadership in sustainability.

I have talked with you and with SEH Field Representative Paul Bremer on several occasions during the course of the 17-07 project. However, that was before I knew the magnitude of the proposed assessment and the existence of and mechanism for appeal. The ^{previous} conversations were less about cost than quality issues/solutions. I request the opportunity to participate in an "adjourned meeting" (eg Mon 4 Nov 2019) of the City Council to more fully express my objections, (re)present my physical evidence/exhibits, and to suggest a fairer individual assessment than the proposed \$57.21/ft.

Sincerely,
Jean Johnson

October 18, 2019

Dear City Council Members, and City Administrator,

It is a great relief to know that The City Council of the City of Brainerd finds and determines that the deferral of special assessments for certain citizens is in the public interest, and that the City Council does endorse the principle of deferment of special assessments for citizens where the payment of said assessments constitutes hardship.

I have discussed my particular situation with my own Councilman, and one other, and have found them both to be knowledgeable and helpful in assisting me to apply for a deferral, which I feel is just the type of situation the findings and determinations the council has set in place were designed to address. I was also the recipient of very professional and friendly assistance from our City Engineer, Mr. Paul Sandy, PE. I meet three of the four criteria set out. My property, however is over the guidelines of \$110,000, so this will require Council approval.

I might add, that Mr. Sandy, along with the Project Managing officials with SEH, were hands on, and all ears, when dealing with concerns of property owners regarding dearly loved old trees, and other property disruptions that go along with projects of this size and duration. From all I have seen this summer, every concern has been, or is in the process of being, dealt with fairly and appropriately. I lost a beautiful old Butternut tree, but the extra care and concern provided by SEH, their crews, and Paul appears to have been quite successful in saving an even more beautiful old Maple that has been adding beauty to NE Brainerd for a lot longer than I have been alive!

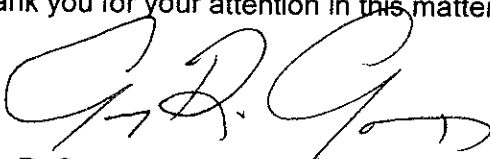
However, I HAVE been alive long enough to be retired, on Social Security and Medicare, and reduced to a lone part-time job by a heart attack and a spine that has been rendered rather balky by about sixty years of the game of golf. I also had a second part time job in 2018, Course hosting and caddying at The Classic Golf Course at Maddens, but that job ended in 2019.

That leaves my current income at \$10,802 from S.S., (after Medicare Plan B deductions), And an additional \$2325 from my summer employment with The Minnesota Golf Association as Senior Tour Director for the Northern Section of the State.

My assessment in this matter is \$12,086.45. Even with stretching the payments out over ten years, this assessment will run my mortgage payment up somewhere around \$100 per month. At that rate, I will be rendered unable to stay afloat for more than a year as a "home owner."

I have no problem with paying taxes, and I appreciate that Councils have to deal with serious infrastructure problems all across the nation, many of which have been kicked down the road for current Councils to handle, by predecessors who might not have been as willing to make necessary, but difficult, choices. At my age, deferring payment until my selling the house, or heading for the Happy Hunting Ground, seems a fair and proper solution for all involved.

Thank you for your attention in this matter,

A handwritten signature in black ink, appearing to read 'G. R. Green', with a stylized flourish at the end.

Guy R. Green
1004 H St. Brainerd, Mn 56401

Richard Weiss
319 N 9th St
Brainerd MN 56401

RECEIVED

OCT 21 2019

CITY OF BRAINERD
ADMINISTRATION

October 21, 2019

Greetings Members of the Council,

I had planned on attending this evening's meeting but due to circumstances beyond my control will prevent this.

The attached shows a proposed assessment of \$2,250 on my home due to its unsightly roof. This is in addition to the files levied of \$400 per month all summer.

Not only are these amounts excessive, they will be impossible for me to pay. I live on Social Security of \$1750 per month and have no other income at this time. Among other expenses, I have a mortgage on the home for \$750/mo.

If all of that is assessed in my taxes it will raise my house payment by about \$300/mo which I will be unable to pay. I can barely scrape by now with what's left after the current house payment. In other words, I would probably have to leave the house. That would be a last resort, of course, as I have nowhere else to live and no relatives that can take me in.

The reason I have not repaired the roof is simple. I do not have the money to have it done and cannot do it myself. In addition to my minimal fixed income, I have no savings to tap nor can I qualify for a loan.

I did ask LSS if they know of any ways that could help but was told that since the roof is not leaking they could not provide assistance for cosmetic-only repairs.

I moved into this house in 1958 with my mother and grandparents and it saddens me deeply to risk losing it now over a cosmetic issue.

If my financial situation were to change, of course I would make home repairs a top priority. Unfortunately, at this time I remain between a rock and a hard place.

Thank you very much for your consideration.

Sincerely,



Richard Weiss

September 24, 2019



www.ci.brainerd.mn.us

WEISS, RICHARD A
319 9TH ST N
BRAINERD, MN 56401

RE: Nuisance Abatement and/or Administrative Citation Assessment

Dear Property Owner(s):

An assessment roll covering the above work has been prepared and filed in the City Administrator's office. The amount assessed against the property recorded in your name described as:

RE CODE: 09196078009Z009

LEGAL DESCRIPTION: N1/2 OF LOT 9 BLOCK 78 AND ALL OF LOT 10 BLOCK 78 AND S1/2 OF LOT 11 BLOCK 78, TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD

PROPERTY ADDRESS: 319 9TH ST N

Is \$2,250.00. This amount or partial payments may be paid in the City Administrator's office without interest through November 20, 2019. After that date, interest will be charged at the annual rate of three and one-third (3.3%) percent. Any unpaid balance will be certified to the Crow Wing County Auditor and collected over a one (1) year period along with property taxes.

Please feel free to call me at 218-828-2307 if you have any questions.

Sincerely,
CITY OF BRAINERD

David Chanski
Community Development Director



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: City Hall Remodel - Consideration of Bids and Award Recommendation

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): WSN and Contegrity Group	Estimated Time Needed: 10 Minutes
Summary of Issue: Attached to this request is the bid tabulation related to the work scoped as Option #3 during the City Council Meeting on 06/17/2019.	
Alternatives, Options, Effects on Others/Comments: WSN and Contegrity Group will be at the meeting to discuss the bids submitted with the Council and answer any questions about overall budget and scope related to all of the facilities planned for improvements over the next few years.	
Recommended Action/Motion: Staff recommends approval of the attached bids as presented and awarding the contracts to the following vendors: Category 1 - General Construction - Haataja Contracting - \$140,900 Category 2 - Masonry/Tuckpointing - Barratto Brothers Construction - \$74,825 Category 3 - Roofing - Thelen Heating & Roofing - \$64,800 Category 5 - Acoustical Ceilings - St. Cloud Acoustics - \$24,730 Category 6 - Flooring - Dorholt Tile and Home Center - \$62,514 Category 7 - Painting - Henkemeyer Coatings - \$33,520 Category 9 - Fire Suppression - Breth-Zenzen Fire Protection - \$23,835 Category 10 - Mechanical/HVAC/Plumbing - NAC Mechanical and Electrical - \$495,000 Category 11 - Testing/Balancing/Adjusting - Premier Test & Balance - \$13,000 Category 12 - Controls - NAC Mechanical and Electrical - \$110,820 Category 13 - Electrical/Communications - Holden Electric Company - \$93,777	
Financial Impact: <i>Is there a cost associated with this request:</i> ☒ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ <u>\$1,137,721</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i> \$1,758,668 is currently in the budget for City Hall remodel expenses including soft costs such as design, construction, contingency, A/E, General Conditions, and Construction Management.	

BRAINERD CITY HALL REMODEL - BID TAB
OCTOBER 3, 2019 2:00 pm

	Bid Sec	Add	BASE BID	ALTERNATE #1 - Exterior Aluminum Window Replacement
CATEGORY 1 - GENERAL CONSTRUCTION				
Haataja Contracting, Inc.	X	1,2	\$140,900.00	\$15,800.00
Baratto Brothers Construction	X	1,2	\$148,500.00	\$22,100.00
BCI Construction, Inc.	X	1,2	\$167,000.00	\$48,000.00
CATEGORY 2 - MASONRY/TUCKPOINTING				
Barratto Brothers Construction	X	1,2	\$74,825.00	
Innovative Masonry Restoration LLC	X	1,2	\$168,000.00	
W. Gohman Construction Co. dba Artistic Stone and Concrete	X	1,2	\$220,390.00	
CATEGORY 3 - ROOFING				
Thelen Heating & Roofing, Inc.	X	1,2	\$64,800.00	
Green Valley Roofing	X	1,2	\$105,600.00	
Herzog Roofing, Inc.	X	1,2	\$161,634.00	
MN Quality Enterprises LLC	X	1,2	\$178,600.00	
CATEGORY 4 - ALUMINUM WINDOW/DOORS & GLAZING				
Heartland Glass Company, Inc.	X	1,2		\$76,058.00
Gull Lake Glass, Inc.	CC	1,2		\$107,814.00
Capital City Glass, Inc.	X	1,2		\$164,000.00
CATEGORY 5 - ACOUSTICAL CEILINGS				
St. Cloud Acoustics, Inc.	X	1,2	\$24,730.00	
Twin City Acoustics, Inc.	X	1,2	\$28,521.00	
Central Suspensions, Inc.	X	1,2	\$32,150.00	
CATEGORY 6 - FLOORING				
Dorholt Tile & Home Center, Inc.	X	1,2	\$62,514.00	
MCI, Inc.	X	1,2	\$83,095.00	
Hudrlik Design Studio	CC	1,2	\$109,400.00	
CATEGORY 7 - PAINTING				
Henkemeyer Coatings, Inc.	X	1,2	\$33,520.00	
Gary's Painting, Inc.	CC	1,2	\$34,850.00	
Gunion Painting LLC	X	1,2	\$39,484.00	
Steinbrecher Painting Company	X	1,2	\$48,600.00	\$8,900.00
Fransen Decorating, Inc.	X	1,2	\$77,452.00	\$5,550.00
CATEGORY 8 - WINDOW TREATMENTS				
MCI, Inc.	X	1,2	\$16,199.00	
CATEGORY 9 - FIRE SUPPRESSION				
Breth-Zenzen Fire Protection	X	1,2	\$23,835.00	
Summit Companies	X	1,2	\$24,700.00	
LVC Companies	X	1,2	\$33,316.00	
CATEGORY 10 - MECHANICAL/PLUMBING/HVAC				
Weidner Plumbing & Heating Company	X	1,2	\$413,000.00	
Northern Air Corporation dba NAC Mechanical and Electrical Services	X	1,2	\$495,000.00	
Peterson Sheet Metal, Inc.	X	1,2	\$499,000.00	
Shannon's, Inc.	X	1,2	\$521,500.00	
Thelen Heating & Roofing, Inc.	X	1,2	\$542,000.00	
Sentra Sota Sheet Metal, Inc.	X	1,2	\$644,000.00	
Muska Plumbing	X	1,2	\$847,150.00	
CATEGORY 11 - TESTING/ADJUSTING & BALANCING				
Premier Test & Balance, Inc.	X	1,2	\$13,000.00	
Marcus Global, Inc. dba SMB of Minnesota	X	1,2	\$13,600.00	
CATEGORY 12 - CONTROLS				
Northern Air Corporation dba NAC Mechanical and Electrical Services	X	1,2	\$110,820.00	
Harris St. Paul, Inc.	X	1,2	\$154,600.00	

BRAINERD CITY HALL REMODEL - BID TAB
OCTOBER 3, 2019 2:00 pm

CATEGORY 13 - ELECTRICAL/COMMUNICATIONS				
Holden Electric Company, Inc.	X	1,2	\$93,777.00	
Rum River Electric, Inc.	X	1,2	\$99,100.00	
Design Electrical, Inc.	X	1,2	\$112,775.00	
Avon Electric Services, Inc.	X	1,2	\$128,500.00	
Lee Davis Electric, Inc. dba Davis Electric	X	1,2	\$138,825.00	
CATEGORY- Combined Bids				
NO COMBINED RECEIVED				

TOTAL = \$1,137,721.00



BRAINERD MINNESOTA

OPTION #1

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

OPTION #2

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPLACE INTERIOR LIGHT FIXTURES WITH LED LIGHT FIXTURES.
- REPAIR EXTERIOR SOUTH STEPS.

OPTION #3

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPLACE INTERIOR LIGHT FIXTURES WITH LED LIGHT FIXTURES.
- REPAIR EXTERIOR SOUTH STEPS.
- INCORPORATE PARKS & REC WITHIN CITY HALL.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

OPTION #4

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- INTERIOR REMODEL.
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

OPTION #5

FIRE DEPARTMENT
- FIRE DEPARTMENT NEEDS STUDY & HVAC CONTROLS UPGRADE.

POLICE DEPARTMENT
- INTERIOR REMODEL & HVAC CONTROLS UPGRADE

CITY HALL
- INTERIOR REMODEL.
- REPLACE EXISTING COOLING TOWER AND HEAT PUMPS WITH NEW VRF SYSTEM.
- UPGRADE HVAC CONTROLS.
- REPAIR EXTERIOR SOUTH STEPS.

STREET & SEWER
- INTERIOR REMODEL & ADDITION TO INCORPORATE PARKS & REC MAINTENANCE FOREMAN

ANNEX
- INTERIOR REMODEL & CONNECTION WITH CITY HALL

FACILITY RECOMMENDATIONS

CITY HALL
- REPLACE BALLASTED ROOF.
- REPLACE GALVANIZED SHEETING WITH EPDM WEATHER BARRIER ON PARAPET WALLS.
- TUCKPOINT EXTERIOR BRICK AND MORTAR.
- REPLACE EXISTING WINDOWS.
- UPGRADE SECURITY SYSTEM.

FACILITY DISCUSSION PARTICIPANTS:

CITY ADMINISTRATION

- CASSANDRA TORSTENSON
- CONNIE HILLMAN
- PAUL SANDY
- DAVID CHANSKI
- SHAWN STRONG

POLICE DEPARTMENT

- CHIEF MCQUISTON

FIRE DEPARTMENT

- CHIEF HOLMES

PARKS & REC

- TONY SAILER

CONTEGRIGY GROUP

- KEVIN CURRIE
- PETE FILIPIPI

CROW WING COUNTY

- REID THIESSE

WSN

- MIKE ANGLAND
- ERIC JENDRO

BRAINERD FACILITIES PROJECT OPTIONS



FACILITIES ASSESSMENT FOR THE CITY OF BRAINERD

Estimated Budgetary Cost Summary
6/17/2019



BRAINERD
MINNESOTA



OPTION	ITEM	DESCRIPTION	ESTIMATED BUDGETARY COST
OPTION #1			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #1.	\$272,500.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	4	Police Department interior remodel.	\$192,000.00
	5	Police Department HVAC controls upgrade.	\$15,000.00
	6	Fire Department needs study.	\$25,000.00
	7	Fire Department HVAC controls upgrade.	\$15,000.00
SUB-TOTAL			\$571,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$844,234.92
OPTION #2			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.	\$415,000.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	3	Replace City Hall flourescent light fixtures with LED light fixtures.	\$120,000.00
	4	Police Department interior remodel.	\$192,000.00
	5	Police Department HVAC controls upgrade.	\$15,000.00
	6	Fire Department needs study.	\$25,000.00
	7	Fire Department HVAC controls upgrade.	\$15,000.00
SUB-TOTAL			\$833,500.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$1,232,346.42
OPTION #3			
	1	Replace City Hall existing cooling tower and heat pumps - HVAC Replacement Option #2.	\$660,000.00
	2	Upgrade City Hall HVAC controls.	\$26,000.00
	3	Repair City Hall exterior south stairs.	\$25,500.00
	4	Replace City Hall flourescent light fixtures with LED light fixtures.	\$120,000.00
	5	Police Department interior remodel.	\$192,000.00
	6	Police Department HVAC controls upgrade.	\$15,000.00
	7	Fire Department needs study.	\$25,000.00
	8	Fire Department HVAC controls upgrade.	\$15,000.00
	9	Street & Sewer interior remodel and exterior addition.	\$234,500.00
SUB-TOTAL			\$1,313,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$1,941,296.76
OPTION #4			
	1	Interior remodel of entire City Hall building.	\$2,700,000.00
	2	Repair City Hall exterior south stairs.	\$25,500.00
	3	Police Department interior remodel.	\$192,000.00
	4	Police Department HVAC controls upgrade.	\$15,000.00
	5	Fire Department needs study.	\$25,000.00
	6	Fire Department HVAC controls upgrade.	\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.	\$234,500.00
SUB-TOTAL			\$3,207,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$4,741,613.64
OPTION #5			
	1	Interior remodel of entire City Hall building.	\$2,700,000.00
	2	Repair City Hall exterior south stairs.	\$25,500.00
	3	Police Department interior remodel.	\$192,000.00
	4	Police Department HVAC controls upgrade.	\$15,000.00
	5	Fire Department needs study.	\$25,000.00
	6	Fire Department HVAC controls upgrade.	\$15,000.00
	7	Street & Sewer interior remodel and exterior addition.	\$234,500.00
	8	Interior remodel of entire Annex building.	\$987,000.00
SUB-TOTAL			\$4,194,000.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$6,200,912.88
RECOMMENDATIONS			
	1	Replace City Hall existing ballasted roof, parapet walls and roof drains.	\$85,130.00
	2	Tuckpoint City Hall brick, stone and mortar.	\$95,000.00
	3	Install new guardrail and interior finishes for City Hall stair enclosure.	\$28,000.00
	4	Upgrade City Hall security system.	\$45,000.00
	5	Replace City Hall windows.	\$78,000.00
SUB-TOTAL			\$331,130.00
TOTAL (INCLUDES DESIGN/CONSTRUCTION CONTINGENCY, GENERAL CONDITIONS, CM & A/E FEE			\$529,278.19

POTENTIAL COSTS



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Set Meeting Time for City Administrator Applicant Review

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☒ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: HR Director Kris Schubert	Department: HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: Mr. Gary Weiers from DDA Human Resources, Inc., is scheduled to be in Brainerd on Monday, November 4th to assist the Council in selecting the City Administrator finalists and to determine the components of the final interview review process. This review can be held during the regular November 4th Council meeting or a separate meeting could be held earlier in the day. Per Mr. Weiers, this meeting can be as little as 10 minutes and sometimes 45 minutes depending on discussion. Mr. Weiers is available all day.	
Alternatives, Options, Effects on Others/Comments: Per State law, the applicant review must be held during a public meeting of the Council. The candidates will be discussed using a numbering system as their identity is not public at this point in the process. Once finalists are selected for interviews, the finalists names become public.	
Recommended Action/Motion: Staff is requesting Council's direction when the City Administrator applicant review should be held. Options are: 1. During the regular Council meeting on November 4th (no action needed at this time); or 2. Hold a separate meeting earlier in the day on November 4th. If this option is preferred, a special meeting should be called. The Council could either set a time now i.e. Noon or 5:30 pm or wait to schedule the review meeting depending on the Council Committee agendas.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: City Meetings at the County Courthouse

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☒ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Jim Thoreen, City Administrator	Department: Administration
Presenter (Name & Title): Shawn Strong, IT/GIS Director	Estimated Time Needed: 10 minutes
Summary of Issue: As of November 4 the Council will meet in the County Board Room until renovations are complete in City Hall. We have had a strong commitment to openness in government, one feature of which is the televising of our full Council meetings and the two major committees. For a variety of reasons, both technical and financial, it will be possible only to live stream and record City meetings from the Courthouse for distribution through the internet (YouTube). We will be unable to televise (cable channels) any of our meetings from the Courthouse. Shawn Strong will be present tonight to explain in everyday terms the technical challenges. Bare in mind that there is no lawful requirement to telecast, or for that matter, audio record City Council meetings. However, I know the Councils in the past have placed a priority to openness and good communications with our constituents. We believe there is a common sense approach to our commitment to keeping citizens informed, though the choices may not be consistent with past practice.	
Alternatives, Options, Effects on Others/Comments: CWC has authorized use of the Jinx Ferrari room for City Council meeting nights. 1. Hold the committee meetings concurrently -- Personnel & Finance committee in Jinx Ferrari room while Safety & Public Works committee meets in the County Board Room, both meetings we only be audio recorded. 2. Hold both committee meetings in the Board Room back to back and stream/record both to YouTube. In either case, the full council meeting will be live streamed and recorded to YouTube.	
Recommended Action/Motion: Direct staff to implement the outlined meeting line up, locations, and recording/streaming plan. Administration will prepare materials for newspaper and radio outlets to outline what will happen during the coming months when we meet in the County Board room.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: Variance Request - 1853 Graydon Ave - Setbacks for Garage

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: Clinton Headley, 1853 Graydon Ave, Brainerd, MN 56401, has submitted a plan to demolish an existing 12'x20' detached garage and construct a 26' x 28' detached garage in its place. The applicant is requesting a variance from setback requirements set forth in Section 515-17 General Building Use and Design Provisions. Section 8.B.4.B.1 states, "side and rear setbacks shall be as provided for in the respective Zoning District." 1853 Graydon Ave. is zoned R-1A (Single Family Residential) District. The side setback requirement for accessory structures in R-1A zones is ten (10) feet. A reduced setback of 55 inches is requested.	
Alternatives, Options, Effects on Others/Comments: The Planning Commission voted 5-1 to recommend approval of this variance to the City Council, citing staff's findings of fact with special attention to the facts that 1) the property is considered legal nonconforming under the R-1A zoning requirements but would be considered conforming and, therefore, would not require a variance if zoned R-1 (Single Family Residential) District, and 2) the proposed location of the new garage will reduce the encroachment on their neighboring home. Commissioner Duval voted against the motion, stating he did not entirely see the property owner's hardship of moving the garage 5 feet to the north to meet the setback requirement.	
Recommended Action/Motion: Motion to approve the variance request to construct a 26'x28' garage with a 55 inch side setback at 1853 Graydon Ave.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

City of Brainerd

Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: October 11, 2019

RE: 1853 Graydon Ave. Setback Variance

Clinton Headley, 1853 Graydon Ave, Brainerd, MN 56401, has submitted a plan to demolish an existing 16'x20' detached garage and construct a 26' x 28' detached garaged in its place.

The applicant is requesting a variance from setback requirements set forth in [Section 515-17](#) General Building Use and Design Provisions. Section 8.B.4.B.1 states, "side and rear setbacks shall be as provided for in the respective Zoning District." 1853 Graydon Ave. is zoned R-1A (Single Family Residential) District. The side setback requirement for accessory structures in R-1A zones is ten (10) feet. A reduced setback of 55 inches is requested.

Findings of Fact

1. [Section 515-7-2](#), Subdivision 3A – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - i. The purpose of a R-1A (Single Family Residential) District is to allow areas of low density, single family detached dwellings and to preserve the quiet single-family neighborhoods free from other uses except those which are both compatible with residents of such districts.
 - b. When the variances are consistent with the Comprehensive Plan
 - i. The proposed plan is supported by the 2019 Comprehensive Plan.
2. Section 515-7-2, Subdivision 3B & Subdivision 4 – Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.
 - i. Garages and open off-street parking for private residential uses as regulated by Section 17 of the Zoning Code is an accessory use with Section 515-55.
 - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - i. [Section 515-55-7](#) of the Code of Ordinances, requires a minimum lot size of 10,000 square feet with a minimum width of 75 feet.
 1. 1853 Graydon Ave. is a legal nonconforming lot as it is only 60 feet wide and 7,200 square feet.

- c. The variance, if granted, will not alter the essential character of the locality.
 - i. A single-family dwelling with garage currently exists on the property.
- 3. The current garage sits approximately 55 inches from property line, 65 inches less than required by the Code of Ordinances.

At the time of this writing, no parties have come forward to express objections to this variance request.

Staff Opinion

Staff recommends approval of this variance request as staff believes the requested variance meets the requirements as outlined in Section 515-7 of the Code of Ordinances and as the applicant will not be increasing the nonconformity of the side 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

OCT 03 2019

CITY OF BRAINERD
ADMINISTRATIONReceipt # 2019-00055Check # 1745Date Paid: 10/3/19**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: 1853 Graydon AveLEGAL DESCRIPTION: Lot(s): 3 Block: 2 Addition: Edgewood
(attach description if lengthy)Property Owner Name: Clinton HeadleyStreet Address: 1853 Graydon Ave. City: Brainerd State: MN Zip Code 56401Phone Number: 218-831-1891 Fax: _____ E-mail: clinton.headley@gmail.com

Applicant Name: (If different than Property Owner) _____

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

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

Description of Request: As identified in the attached packet. The current 12x20 garage on the property is approx 55" from the southern property line. I would like to demolish the current 240SF garage and yard shed and construct a new 26x28 (728SF) garage. This would utilize the same 55" southern setback as the existing garage and the required 10' setback on the eastern property line. The reason for southern line distance is to accommodate driveway alignment and the south wall will also serve as/tie into the back yard perimeter fence that will be installed.

Property Owner Signature

30OCT2019

Date

Clinton Headley

(Please print name)

Applicant Signature

30OCT2019

Date

Clinton Headley

(Please print name)

(OVER)

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Clinton Headley, 1853 Graydon Ave, Brainerd, MN 56401, has submitted a variance application for reduced setbacks of 55 inches to construct a 26' x 28' garage. The property is in an R-1A (Single Family Residential) District.

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

515-17-8.B.4.B.1 Side and rear setbacks shall be as provided for in the respective Zoning District.

The side setback requirement for accessory structures in R-1A zones is ten (10) feet. A reduced setback of 55 inches is requested.

The property is legally described as follows:

*Lot 3 Block 2, EDGEWOOD ROAD ADDITION TO BRAINERD
P.I.N. 41360969
Section 36 Township 45 Range 31*

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, October 16, 2019 to consider the request for the Variance.

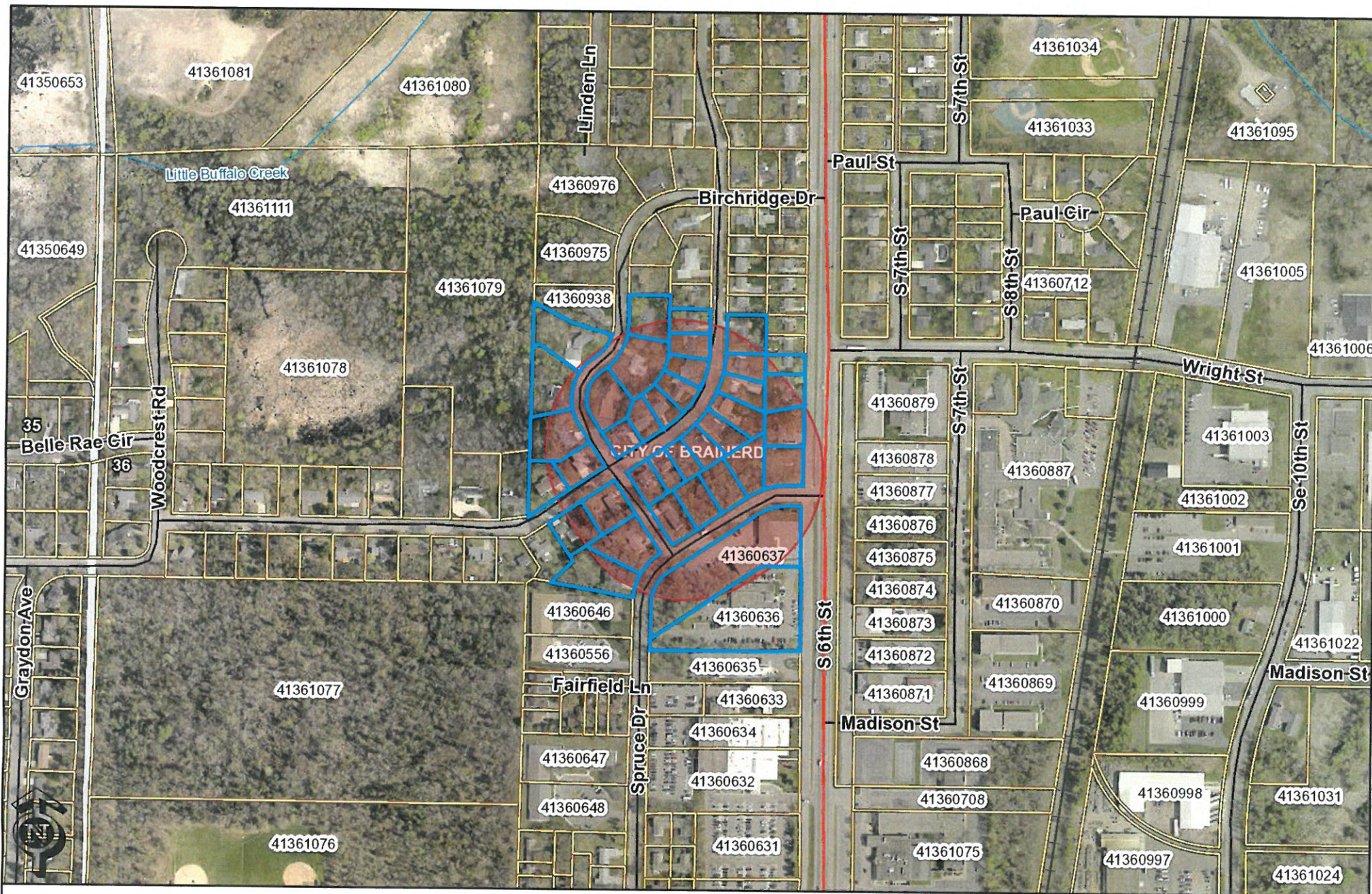
An application is on file for review at the Community Development Department, 501 Laurel Street.

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

Dated this 4th day of October 2019


David C. Chanski
Community Development Director

Parcel Number	Legacy Parcel Number	Municipality	Owner Name	Owner Address	Owner Address 2	Owner Address 3
41360637	09185003001Z009	CITY OF BRAINE	AMERICAN NATIONAL BANK OF MN	PO BOX 427	BRAINERD, MN 56401	
41360966	91240020060009	CITY OF BRAINE	ANDERSON, NICHOLAS R	1841 GRAYDON AVE	BRAINERD MN 56401	
41360925	09124005016Z009	CITY OF BRAINE	BEDARD, SAMUEL E & AMY L	153 BIRCH RIDGE DR	BRAINERD, MN 56401	
41360926	09124005014Z009	CITY OF BRAINE	BLONIGEN, PAULINE	157 BIRCHRIDGE DR	BRAINERD MN 56401	
41360946	09124003003Z009	CITY OF BRAINE	BOWMAN, PETER H & KRISTI A	1883 GRAYDON AVE	BRAINERD MN 56401	
41360636	09185003007A889	CITY OF BRAINE	BRAINERD LAKES INTEGRATED HEALTH	SYSTEM DBA ESSENTIAL HEALTH CE	2024 SOUTH 6TH ST	BRAINERD, MN 56401
41360933	91240050060009	CITY OF BRAINE	CARLSON, BONNIE J	1830 GRAYDON AVE S	BRAINERD MN 56401	
41360638	09185002005B009	CITY OF BRAINE	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401
41360939	09124004006Z009	CITY OF BRAINE	DRAKE, CHERYL A	164 BIRCHRIDGE DR	BRAINERD, MN 56401	
41360642	91850020020009	CITY OF BRAINE	EDGEWOOD HOMES INC	P O BOX 492	BRAINERD MN 56401	
41360947	09124003001Z009	CITY OF BRAINE	ELWOOD, LORI L	204 BIRCHRIDGE DR	BRAINERD MN 56401	
41360965	91240020070009	CITY OF BRAINE	FAGERENG, GREGORY	1837 GRAYDON AVE	BRAINERD, MN 56401	
41360941	09124004003Z009	CITY OF BRAINE	FINEDAY, ANITA P	182 BIRCHRIDGE DR	BRAINERD, MN 56401	
41360942	09124004001Z009	CITY OF BRAINE	FOSTER, ELIZABETH A TRSTUAD 8/10/07	C/O ELIZABETH A FOSTER	1880 GRAYDON AVE	BRAINERD, MN 56401
41360969	91240020030009	CITY OF BRAINE	HEADLEY, CLINTON & STACI SEDAHL	1853 GRAYDON AVE	BRAINERD MN 56401	
41360643	91850020010009	CITY OF BRAINE	HERBST, MONA & KARL R	1919 BIRCHRIDGE DR	BRAINERD MN 56401	
41360943	09124004001Y009	CITY OF BRAINE	IMGRUND, JOHN J & GABRIELLA	1876 GRAYDON AVE	BRAINERD MN 56401	
41360645	09185001007C009	CITY OF BRAINE	JOSH'S PLACE HOMES LLC	470 HIGHWAY 96 W STE 120	SHOREVIEW, MN 55126	
41360644	91850010080009	CITY OF BRAINE	KRAUTKREMER, SCOTT M	208 BIRCHRIDGE DR	BRAINERD MN 56401	
41360932	91240050070009	CITY OF BRAINE	LOVING, NEKIA D	1834 GRAYDON AVE	BRAINERD MN 56401	
41360963	09124002009Z009	CITY OF BRAINE	MACARTHUR, VIRGINIA J	1829 GRAYDON AVE	BRAINERD, MN 56401	
41360928	91240050110009	CITY OF BRAINE	MARTIN, DENNIS J & JEANNE	1860 GRAYDON AVE	BRAINERD MN 56401	
41360931	91240050080009	CITY OF BRAINE	MELBY, MARK E & LEIGH A	1840 GRAYDON AVE	BRAINERD MN 56401	
41360639	09185002005A889	CITY OF BRAINE	MESSERSCHMIDT, MATTHEW & KAITLYN M	1912 S 6TH ST		BRAINERD MN 56401
41360927	09124005012Z009	CITY OF BRAINE	MILLER, ROBERT E JR REV TRUST(1/2)	175 BIRCHRIDGE DR	BRAINERD, MN 56401	
41360971	91240020010009	CITY OF BRAINE	NELSON-WILLIAMS, SHIRLEY & GEOFFREY	1861 GRAYDON AVE SO	BRAINERD MN 56401	
41360968	91240020040009	CITY OF BRAINE	NEUMANN, CARRIE LAGER	1849 GRAYDON AVE		BRAINERD MN 56401
41360930	91240050090009	CITY OF BRAINE	O'REILLY, MATTHEW DAVID	1848 GRAYDON AVE	BRAINERD MN 56401	
41360949	91240020240009	CITY OF BRAINE	ROBERTSON, LARS B & KARA K	1834 6TH ST S	BRAINERD, MN 56401	
41360964	91240020080009	CITY OF BRAINE	ROSTE, CRYSTAL J	1833 GRAYDON AVE	BRAINERD MN 56401	
41360934	91240050050009	CITY OF BRAINE	RUEN, ERICA N	1824 GRAYDON AVE	BRAINERD, MN 56401	
41360967	91240020050009	CITY OF BRAINE	SATHER, DENNIS C & SANDRA L AYDT	1845 GRAYDON AVE	BRAINERD, MN 56401	
41360970	91240020020009	CITY OF BRAINE	STOCK, REBECCA D	1857 GRAYDON AVE	BRAINERD, MN 56401	
41360929	91240050100009	CITY OF BRAINE	THESING, MELINDA R	1854 GRAYDON AVE	BRAINERD, MN 56401	
41360940	09124004004Z009	CITY OF BRAINE	WEBSTER, MARKO J & ERICA N	174 BIRCHRIDGE DR		BRAINERD MN 56401
41360948	09124002025Y009	CITY OF BRAINE	WEEKS, NICHOLAS L	1838 6TH ST S	BRAINERD, MN 56401	



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.

1853 Graydon

Date: 10/4/2019 Time: 1:01:28 PM



corner pin

68.2'

corner pin

Proposed Garage
wall

6' fence

24" PL to fence

4' fence

55"

6' fence

House

Driveway

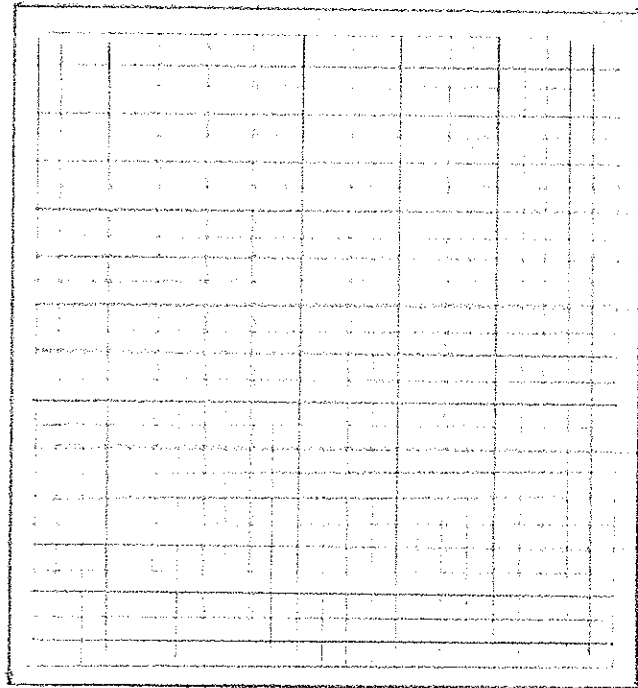
Fence Plan

3' square

corner pin

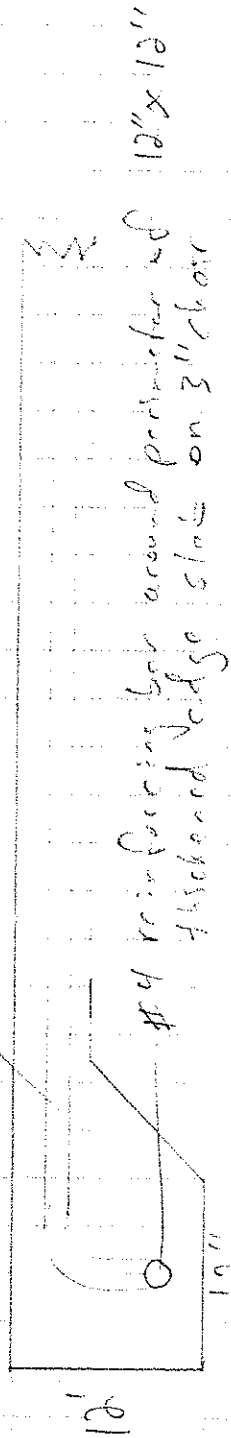
corner pin

Graydon 60' Avenue



slab reinforcement
#4 rebar 12" OC

#4 reinforcing bar 12" OC in either direction on 3' chair



new 6' fence installed

House 35x25

3' square

121.4'

35'6" to PL

60'

68.2'

Proposed Garage 26x28

728 SF

28'

1/4' fence

21 1/2'

25'

Current Garage 8x8

Current Garage 12x20

40'

30' house to PL

Driveway

10'

65" to PL

120'

55" to PL

would move to 12' from neighbors

currently 11' to neighbors

1. New garage 5' wait would maintain the same ft. as existing garage
2. Existing garage and yard shed would be demolished
3. 70 SF of new concrete, driver wait
4. Fence



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: First Reading - Proposed Ordinance No. 1500 - Rezoning 11349 Easy 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 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: Scott Vansteenwyk, 11349 Easy St., Brainerd, MN 56401 has submitted a request on behalf of Gilbert Vansteenwyk for the property at 11349 East St., to rezone said property from R-1A (Single-Family Residential) District to an R-1 (Single-Family Residential) District. The purpose of this rezoning is to reduce the required setbacks for accessory structures from 30 feet (front), 10 feet (side), and 10 feet (rear) to 20 feet (front), 3 feet (side), and 5 feet (rear).	
Alternatives, Options, Effects on Others/Comments: The Planning Commission voted unanimously during their October 16 meeting to recommend approval of this rezoning request to the City Council, citing staff's findings of fact. This is the first reading of Proposed Ordinance No. 1500. Staff recommends dispensing with the actual reading of this ordinance.	
Recommended Action/Motion: 1) Motion to dispense with the actual reading of Proposed Ordinance No. 1500, an ordinance amending Ordinance No. 812 pertaining to the zoning in the City of Brainerd.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

City of Brainerd

Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: October 11, 2019

RE: 11349 Easy St. Rezoning

Scott Vansteenwyk, 11349 Easy St., Brainerd, MN 56401 has submitted a request on behalf of Gilbert Vansteenwyk for the property at 11349 East St., to rezone said property from R-1A (Single-Family Residential) District to an R-1 (Single-Family Residential) District.

The purpose of this rezoning is to reduce the required setbacks for accessory structures from 30 feet (front), 10 feet (side), and 10 feet (rear) to 20 feet (front), 3 feet (side), and 5 feet (rear).

Findings of Fact

1. 11349 Easy St. was annexed into the City of Brainerd in 2002 by Ordinance No. 1149 at which time the property was zoned R-1A (Single Family Residential) District.
2. The properties immediately adjacent to 11349 Easy St. are zoned R-1A.
 - a. However, properties within the City of Brainerd approximately 5 blocks to the east are zoned R-1 (Single Family Residential) District.
3. [Per Section 515-55-7](#) of the Code of Ordinances, the setbacks of accessory structures in R-1A Districts (the current zoning district) are:
 - a. Front yard: thirty (30) feet
 - b. Side yard: ten (10) feet
 - c. Side yard (corner): twenty (20) feet
 - d. Rear yard: thirty (10) feet
4. [Per Section 515-54-7](#) of the Code of Ordinances, the setbacks of accessory structures in R-1 Districts (the proposed zoning district) are:
 - a. Front yard: twenty (20) feet
 - b. Side yard: three (3) feet
 - c. Side yard (corner): fifteen (15) feet, twenty (20) feet if garage faces street
 - d. Rear yard: five (5) feet
5. [Per Section 515-17-8.B.4](#) of the Code of Ordinances, “No detached accessory building shall be located in any front yard or nearer the front lot line than the principal building on that lot. Property within a shore impact zone (as defined by the Brainerd Shoreland Regulations) along the Mississippi River, and lakes classified as General Development or Natural Environment may locate accessory buildings in a front yard provided a twenty-five (25) foot setback is maintained.”

6. [Per Section 515-17-8.B.3.b](#) of the Code of Ordinances, the total number of accessory buildings and garages for 11349 Easy St shall be one (1) attached garage and one (1) detached accessory building.

- a. There is currently no detached accessory structure located on this property.

No parties have come forward to express concern about this rezoning request at the time of this writing.

Staff Opinion

Staff recommends approval of this rezoning request.



City Planning Department

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

Receipt # 2019-00054
Check #
Date Paid: 10/2/19

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: 11349 EASY STREET

LEGAL DESCRIPTION: Lot(s): 839 Block: — Addition: PINE SHORES FIRST SUBDIVISION
(attach description if lengthy)

Property Owner Name: GILBERT VANSTEENWYK

Street Address: 11349 EASY ST. City: BRainerd State: MN Zip Code: 56401

Phone Number: 218-829-5084 Fax: E-mail: svansteenwyk@hotmail.com

Applicant Name: (If different than Property Owner) SCOTT VANSTEENWYK (SON)

Street Address: 11349 EASY ST City: BRainerd State: MN Zip Code: 56401

Phone Number: 612-747-0466 Fax: E-mail: svansteenwyk@hotmail.com

Description of Request: REQUEST PROPERTY TO BE ZONED R1 IN
LIEU OF CURRENT R1A. R1 ZONING WILL ALLOW US
TO CONSTRUCT A DETACHED GARAGE WITH NO SET BACK
VARIANCES. PROPERTY TO THE EAST OF US AND SOUTH ACROSS
LAKE ARE ZONED R1.

Gilbert A. Van Steenwyk
Property Owner Signature

10-2-19
Date

(Please print name)
Scott A. Van Steenwyk
Applicant Signature

9-30-19
Date

(Please print name)

(OVER)





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.

11349 Easy Street

Date: 10/1/2019 Time: 9:38:54 AM



NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Scott Vansteenwyk, 11349 Easy St., Brainerd, MN 56401 has submitted a request on behalf of Gilbert Vansteenwyk for the property at 11349 East St., to rezone said property from R-1A (Single-Family Residential) District to an R-1 (Single-Family Residential) District. The purpose of this rezoning is to reduce the required setbacks for accessory structures from 30 feet (front), 10 feet (side), and 10 feet (rear) to 20 feet (front), 3 feet (side), and 5 feet (rear).

The legal description of the property is as follows:

Lot 9 and vacated Plunge Path, PINE SHORES – FIRST SUBDIVISION (ANNEXED 2002)

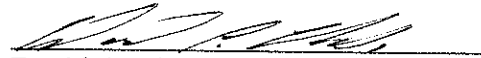
P.I.N. 41170505

Section 17, Township 45, Range 30

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, October 16, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

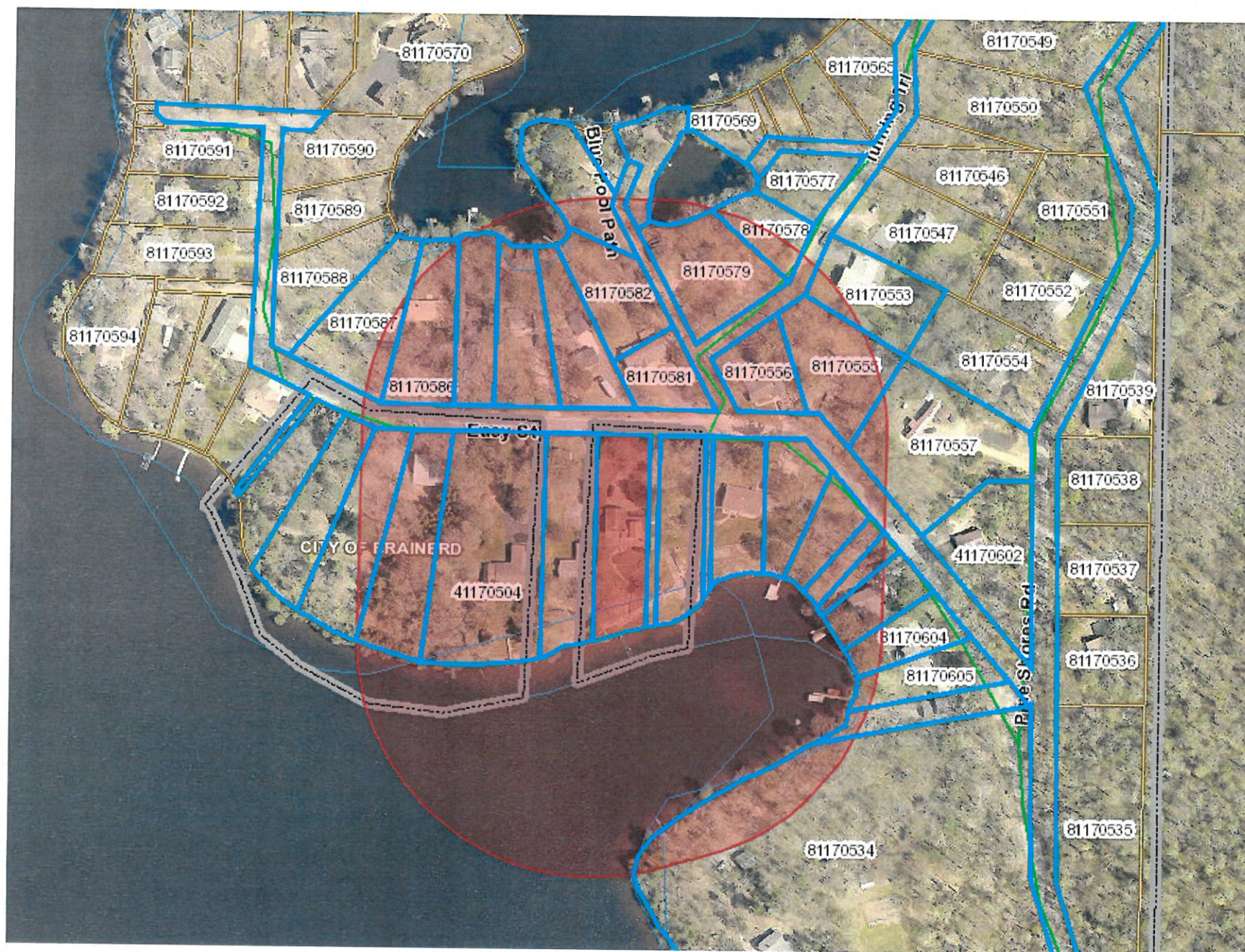
Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

Dated this 4th day of October 2019.


David C. Chanski, MPA
Community Development Director

See reverse side for map.

Parcel Num	Legacy Parcel Num	Municipality	Owner Name	Owner Address	Owner Address 2	Owner Address 3	Owner Adc	Physical Ac	Physical Cit	Physical Zip
81170534	811080009822009	OAK LAWN	CUTKAY, JAMES L & COLLEEN	15359 PINE SHORES RD	BRAINERD MN 56401			15359 PINE	BRAINERD	56401
81170580	811080000342009	OAK LAWN	EDBERG, PENNIE MARIE	6467 WETHERBEE RD	BRAINERD, MN 56401			15547 BLU	BRAINERD	56401
81170598	811080000100889	OAK LAWN	ERICKSON, PHYLLIS S; STEVEN E & END	351 NORTH MERIDIAN LOT 4	APACHE JUNCTION, AZ 85220			11333 EAS'	BRAINERD	56401
81170578	811080000370009	OAK LAWN	HALL LAKE CABIN LLC	C/O LYNN ELIZABETH COLYE	315 BROCKTON LN N	PLYMOUTH MN 55447		0	BRAINERD	56401
81170579	81108000035Y009	OAK LAWN	HOLMES, SHELDON P & DEBRA A	20367 AUBURN ST NW	ELK RIVER MN 55330			15509 TUR	BRAINERD	56401
81170555	811080000620009	OAK LAWN	HUNTER, RENEE K	11394 EAST ST	BRAINERD, MN 56401			11394 EAS'	BRAINERD	56401
81170582	811080000320009	OAK LAWN	JOHNSON, MATTHEW E	11352 EASY ST	BRAINERD, MN 56401			11352 EAS'	BRAINERD	56401
81170576	811080000392009	OAK LAWN	LARSON, THOMAS E	1912 WOODCREST RD	BRAINERD MN 56401			15546 BLU	BRAINERD	56401
81170583	811080000310009	OAK LAWN	LEWIS, TODD & AMY	11344 EASY ST	BRAINERD MN 56401			11344 EAS'	BRAINERD	56401
41170508	92640000030009	CITY OF BR	MAROHN, ROBERT E & ANDREA K	11427 EASY ST	BRAINERD, MN 56401			11427 EAS'	BRAINERD	56401
41170503	92640000130009	CITY OF BR	NOVICK LIVING TRUST DTD 12/14/15	KASMA-NOVICK, DONELLE	1735 ESTATES TRL	BURNSVILLE, MN 55306		11329 EAS'	BRAINERD	56401
41170504	92640000110009	CITY OF BR	NOVICK, JAMES R	11313 EASY ST	BRAINERD, MN 56401			11313 EAS'	BRAINERD	56401
81170556	811080000610009	OAK LAWN	PEDERSON, CHARLES S	11376 EASY ST	BRAINERD, MN 56401			11376 EAS'	BRAINERD	56401
41170501	92640000150009	CITY OF BR	RICE LAKE FAMILY LLC	C/O JOSEPH NOVICK	1735 ESTATES TRL	BURNSVILLE, MN 55306		0	BRAINERD	56401
81170585	811080000290889	OAK LAWN	SEVERNS, ROGER ELTON &	SEVERNS, WENDY GRUSS	1778 ORCHID DR N	MANKATO MN 56003		11300 EAS'	BRAINERD	56401
81170606	81108000000A009	OAK LAWN	SEVERT FAMILY REV LIVING TRUST	11465 EASY ST	BRAINERD, MN 56401			0	BRAINERD	56401
81170603	81108000004A009	OAK LAWN	SIEMERS, ADAM & ELIZABETH	11385 EASY ST	BRAINERD, MN 56401			0	BRAINERD	56401
81170553	811080000640009	OAK LAWN	THOMPSON, JAMES & BERENS, VANE	15526 TURNING TRL	BRAINERD, MN 56401			15526 TUR	BRAINERD	56401
81170587	811080000270009	OAK LAWN	TIFFANY, BRUCE & ANN	32503 327TH ST	REDWOOD FALLS, MN 56283			0	BRAINERD	56401
81170557	811080000600009	OAK LAWN	TOMCZAK, KENNETH G & LAURIE J HEI	5565 COUNTY RD 12	MOOSE LAKE MN 55765			15457 PINE	BRAINERD	56401
41170506	09264000008B009	CITY OF BR	VANSTEENWYK, GILBERT A & DELORE	11349 EASY ST	BRAINERD MN 56401			0	BRAINERD	56401
81170584	811080000300009	OAK LAWN	WILT FAMILY PROPERTIES LLC	5389 PIONEER TRL		BRAINERD MN 56401		11322 EAS'	BRAINERD	56401



11349 Easy Street



Brainerd City Council Agenda Request

Requested Meeting Date: October 21, 2019

Title of Item: First Reading - Proposed Ordinance No. 1501 - Nonconforming Rentals

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☒ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☒ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 5 minutes
Summary of Issue: Section 515-15 of the Zoning Code states, "A nonconforming residential use that had a rental license expire (more than 365 days from date of license expiration) cannot be reestablished as a nonconforming use." Throughout the City of Brainerd, there are numerous legal nonconforming two-family and multi-family in single-family residential districts. For various reasons, an increasing number of these units have had their rental licenses expire more than the 365 days and, therefore, have lost the ability to license them again. The Planning Commission has taken the last few months to look into this issue and is proposing Ordinance No. 1501 to alleviate the issue.	
Alternatives, Options, Effects on Others/Comments: See the attached memo for additional information. Staff recommends dispensing with the actual reading of Proposed Ordinance No. 1501.	
Recommended Action/Motion: 1) Motion to dispense with the actual reading of Proposed Ordinance No. 1501	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i>	

City of Brainerd Community Development Department

TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: October 17, 2019

RE: Proposed Ordinance No. 1501 – Nonconforming Rentals

During the July 21 Planning Commission meeting, discussion was had regarding avenues to address legal nonconforming rentals within the City of Brainerd. Specifically, how do we allow multi-family structures to remain as such within single-family zones while simultaneously not encouraging new multi-family structures. Currently, if a legal nonconforming two-family or multi-family structure were to have a rental license for one or more of its units expire for more than 365 days, it completely loses the ability to license said units.

The purpose of nonconforming ordinances is to allow property uses that existed at the time of an ordinance change that are in contradiction to the new ordinance to remain as long as it is not changed in use, size, manner, etc. with the goal of eventually changing the use of said property into something that conforms with the new zoning. However, in the case of housing, it is very unlikely that a multi-family structure in a single-family district would ever be transitioned back into a single-family structure. As a result, the City of Brainerd has numerous housing units within two-family and multi-family structures that either sit vacant or are illegally used as rentals. Both are results are not favorable for the City of Brainerd, especially when you consider the City's 1% vacancy rate.

Through discussion during Planning Commission meetings since July, it was determined that the simplest way to address this issue would be to revise Section 515-15: Non-Conforming Lots, Buildings, Structures, and Use of the Zoning Code by completely removing [Section 515-15-6.B](#) states that, "A nonconforming residential use that had a rental license expire (more than 365 days from date of license expiration) cannot be reestablished as a nonconforming use."

By removing this section of the Zoning Ordinance, existing legal nonconforming two-family and multi-family structures in single-family districts will be allowed to obtaining rental licenses for their units as long as they comply with the City's rental housing ordinances. However, this amendment would not allow for new two-family or multi-family structures within single-family districts.

The Planning Commission called for a public hearing on September 18 to be held during their regular meeting October 16 to consider revising the ordinance by completely removing Section 515-15-6.B from it. Upon conducting the public hearing, the Planning Commission voted unanimously to send Proposed Ordinance No. 1501 to the City Council for consideration and approval.