

ORDINANCE
No. 1520

AN ORDINANCE AMENDING THE CITY CHARTER

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Chapter Two is amended and renumbered as follows, with underlined language added and deleted language struck out.

CHAPTER TWO

OFFICERS AND ELECTIONS

31. The Council of the City of Brainerd shall be authorized to exceed its overall levy limitations ~~pursuant to Minnesota Statutes, Sections 275.50 to 275.58, as amended, for the levy year 1987,~~ by an amount not to exceed 3% of its previous years' total levy ~~an amount equal to a sum producible from a one mill levy on the dollar of the taxable property of the City of Brainerd prior to the time of such levy, which may be levied on the taxable property within its boundaries in addition to all other taxes voted by it. The value of the mill levy shall be converted to a tax rate percentage by using a formula as established by the Minnesota Department of Revenue and calculated by the County Auditor. It shall be exempt from statutory~~ the penalty provisions of ~~Minnesota Statutes, Section 275.51, Subdivision 4, as well as any other penalty provisions,~~ and shall also be over and above any limitations in the Charter of the City of Brainerd prior to the time of such levy. Such additional levies shall be used for the purpose of establishing and maintaining a public bus or transit facility or subsidizing a private bus or transit facility. In the next succeeding levy year and thereafter, such amounts shall become a permanent adjustment to the levy base per capita of the City of Brainerd.

SECTION TWO: Chapter Three is amended and renumbered as follows, with underlined language added and deleted language struck out.

CHAPTER THREE

FINANCES

3. The City Council shall annually levy taxes to provide for the following specifically designated fund:
- a. A PERMANENT IMPROVEMENT FUND, for paying such portion of the cost of improving streets and alleys as shall devolve upon the City, under the provisions of Subdivision (11) of this Section 46. For the support of this fund the City Council shall annually levy on taxable property of the City taxes to an amount not to exceed 9% of the City's previous year's total levy. ~~an amount~~

that eighty (80) per cent of the estimated tax collections, year by year, will pay such certificates in each and every year thereafter. Neither the City Council nor any officer of the City shall in any year appropriate, expend or disburse any part of this fund, or do any other act therewith, at such time or in such manner as to render the available balance thereof insufficient to pay, when due, the certificates maturing in that particular year. The City Council shall, at the proper time, and from time to time, prepare for every issue and sale of such re-paving certificates of indebtedness by appropriate resolution setting forth in sufficient detail the date of issuance, number or quantity, specific denominations, and various dates of maturity thereof, the rate of interest thereon, and the nature or character, location, extent, and approximate total cost of the particular improvement on which the same are founded. The sale of such certificates of indebtedness shall be made, conducted, and carried on in the manner provided for sales of bonds under the certain provisions of section 49 of the City Charter, as herewith amended; provided, further, that no certificate shall be sold for less than par and accrued interest.

4. That annual amount to be levied for general taxation in any year for all said funds, shall not exceed the amounts as established by state statute. There shall be a levy of 1.5% of the previous year's total City levy one-half mill on the assessed valuation of City taxable property over and above any Charter limitations and total levy limitations set forth in state statute, commencing for the levy year 1976 and continuing each levy year thereafter for an entity within the city limits of Brainerd to provide community action programs and events. ~~Community Action Program. The value of the levy shall be converted to a tax rate percentage by using a formula as established by the Minnesota Department of Revenue and calculated by the County Auditor.~~
7. There shall be a levy of 1.5% of the previous year's total City levy one-half mill on the assessed valuation of City taxable property over and above any Charter limitations and total levy limitations set forth in state statute, for the 1982 levy collectible in 1983 and continuing each levy year thereafter for the establishment and maintenance of a program for the benefit of senior citizens or to subsidized non-profit senior citizens organization within the city limits of Brainerd. ~~The value of the mill levy shall be converted to a tax rate percentage by using a formula as established by the Minnesota Department of Revenue and calculated by the County Auditor.~~
8. There shall be a levy of 1.5% of the previous year's total City levy ½ mill on the assessed valuation of taxable property in the City commencing at the earliest levy year after adoption of this amendment and continuing each levy year thereafter for the Northland Arboretum and Paul Bunyan Conservation Area an arboretum or green space organization within the city limits of Brainerd. Before funding from the City is transmitted, an annual financial statement for the prior fiscal year shall be provided by the Northland Arboretum and Paul Bunyan Conservation Area to the City Council showing revenues and expenditures to

~~ensure proper use of funds. The value of the mill levy shall be converted to a tax rate percentage by using a formula as established by the Minnesota Department of Revenue and calculated by the County Auditor.~~

SECTION THREE: Chapter Seven is amended and renumbered as follows, with underlined language added and deleted language struck out.


CHAPTER SEVEN

THE PARK AND RECREATION BOARD

2. The said board shall organize by selecting a President and Vice-President from its members, and a Clerk, and the A Clerk shall keep a full record of all proceedings of said board, and a Treasurer who shall keep books showing all monies received and disbursed and the management of the business committed to said board.
3. ~~The said board shall establish the qualification for employment and shall have the authority to employ and determine the compensation of a trained and qualified Director of Parks and Recreation, and such other assistants, supervisors, playleaders, or other employees that may be necessary, in its judgment, for the efficient administration, conduct and development of the public recreation program, within the monies provided for such purposes by the City.~~ Said board shall have the power of coordination of services with other governmental programs, solicit and train volunteers, purchase supplies and equipment, develop and maintain facilities, procure, or lease public or private properties, areas or facilities that may be required for programs, provided, however, that no property shall be procured by lease or otherwise for more than one year without the approval of the City Council. All expenditures shall be within the moneys appropriated by the City for such purposes, together with donations, gifts, bequests of any money, or any funds from earnings. All money received from donations, bequests or earnings shall be deposited in a special account managed by the board.
4. The board shall each year prior to September 1 prepare and present a budget for park and recreation purposes for the ensuing fiscal year; subject to the approval of the eCity Council.
5. The members of said board shall receive no compensation, ~~for their services except that the clerk shall be paid such salary for his/her services as the board shall recommend and the City Council determine.~~

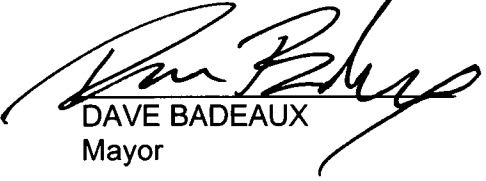
~~producibile from three (3) mills on the dollar of the then latest previous assessed valuation of such taxable property. The value of the mill levy shall be converted to a tax rate percentage by using a formula as established by the Minnesota Department of Revenue and calculated by the County Auditor.~~ No part of this fund shall be used for any other purpose. In anticipation of the collection of such taxes for the then current year and succeeding years, the City Council may at the proper time, and from time to time, issue and dispose of certificates of indebtedness in an aggregate amount equal to eighty (80) per cent of such levy in the then current year and estimated amount for not more than ten succeeding years; provided, that the issuable aggregate of such certificates of indebtedness shall at no time exceed the sum of money then in the permanent improvement revolving fund under the provisions of Section 49 of the City Charter, as herewith amended, together with the additional amount of bonds that may or can be issued thereunder, added to the total of cash payments guaranteed by bonds of owners of real property abutting on such or similar street or alley improvements. These certificates shall be known as Re-paving Certificates of Indebtedness, and on every one shall be stated the particular purpose for which it is issued or describe the specific improvement on which it is based. Such certificates shall be consecutively numbered, with date of issue, date of maturity, bear interest, payable semi-annually, have proper interest coupons attached, be signed by the Mayor, countersigned by the City Administrator, and be attested by the corporate seal; and, so far as practicable, shall be in denominations of not less than \$500.00. Whenever occasion arises for the issuance of such repaying certificates, it shall be the duty of the City Council to make requisite calculations, computations and estimates with respect to the quantity and various times of collection of taxes so levied and to be levied, and thereupon, as the circumstances may require, to issue and sell one or more of such certificates. All such certificates shall be so issued as to mature serially, on proper dates, to the end that eighty (80) per cent of the estimated tax collection for this fund in each and every year will pay the certificates as they mature, and succeeding issues shall appear in regular order following previously issued certificates; and whenever there is an unused or unappropriated margin of such eighty (80) per cent of the estimated tax collection for this fund, over and above the aggregate amount of all such certificates theretofore issued, then and under such circumstances the earliest maturing certificates of the next succeeding issue shall be made to mature at such times and in such manner as to assure payment thereof out of, and at the time of collection of, such prior unused or unappropriated margin of such eighty (80) per cent of such estimated tax collection. If in any year the taxes collected for this fund shall not be sufficient to pay the certificates maturing in that year, the deficit shall be paid from the general fund. The earliest maturing certificates of the first issue hereunder shall mature on the first day of December in the year following the year of their issuance, and the other certificates in such issue, to mature later and serially, shall be distributed in succeeding serials and follow in such order of maturity

Adopted this 15th day of November 2021



KELLY BEVANS
President of the Council

Approved this 16th day of November 2021



DAVE BADEAUX
Mayor

ATTEST: 

JENNIFER BERGMAN
City Administrator

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