

City of Brainerd
Economic Development Authority
Meeting Agenda

June 4, 2020
6:00 PM

In accordance with the requirements of Minn. Stat. Section 13D.021, Jennifer Bergman, the City Administrator, has determined that an in-person meeting is not practical or prudent because of a health pandemic declared under Chapter 12 of the Minnesota Statutes.

Members of the public may monitor the meeting via phone.

Meeting Number: 844-992-4726

Access Code: 969 527 916

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|---|-------------------|
| I. Call to Order | _____ E. Menk |
| II. Roll Call | _____ K. Bevans |
| III. Approval/Amendment of Agenda | _____ J. Sinner |
| IV. Approval of Minutes from May 7, 2020 and May 19, 2020 | _____ W. Erickson |
| V. Financial Report | _____ G. Johnson |
| VI. Updates | _____ Y. Campbell |
| a. Executive Director | _____ Vacant |
| b. HRA | |
| i. Revolving Loan Fund (RLF) | |
| ii. Small Cities Development Program (SCDP) | |
| iii. Housing Updates | |
| iv. Other | |
| c. BLAEDC | |
| i. Unified Fund | |
| ii. Other | |
| VII. Old Business | |
| a. Call for Applicants | |

Next Meeting:| AUGUST 6, 2020

- b. Small Business Relief Grant
- VIII. Informational
 - a. COVID-19 Temporary Extensions of Premises
- IX. Commissioner's Comments/Questions
- X. Adjournment

BRAINERD ECONOMIC DEVELOPMENT AUTHORITY

Thursday, May 7, 2020 6:00 P.M.

WebEx Teleconference Meeting

Official Minutes

Pursuant to the call and notice thereof, President Sinner called the meeting of the Brainerd Economic Development Authority to order at 6:05 p.m.

Present were Commissioners Ed Menk, Kelly Bevans, Jerry Sinner, Wayne Erickson, Yvette Campbell, and Gabe Johnson. Also present were City Administrator Bergman, Finance Director Hillman, Community Development Director Chanski, John Schommer, HRA rehab director, and Tyler Glynn, BLAEDC executive director.

Due to conducting the meeting electronically, all motions will be voted on by a roll call vote for accuracy.

Approval/Amendment of the Agenda

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND ERICKSON TO APPROVE THE AGENDA.

Upon roll call, Commissioners Menk, Bevans, Sinner, Erickson, Campbell, and Johnson voted "aye". No member voted "nay".

Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND JOHNSON TO APPROVE THE MINUTES FROM THE FEBRUARY 13, 2020 MEETING AS PRESENTED.

Upon roll call, Commissioners Menk, Bevans, Sinner, Erickson, Campbell, and Johnson voted "aye". No member voted "nay".

Approval of Financial Report

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND ERICKSON TO APPROVE THE FINANCIAL REPORT AS PRESENTED.

Upon roll call, Commissioners Menk, Bevans, Sinner, Erickson, Campbell, and Johnson voted "aye". No member voted "nay".

Updates

Executive Director

City Administrator Bergman gave a brief update to the actions being taken by city staff in response to the COVID-19 pandemic. She indicated almost 100% of staff continue to work with many working from home with no change to the services being provided.

HRA Update

John Schommer indicated they are continuing the process to fill the executive director position with interviews scheduled for May 27, 2020.

Mr. Schommer stated the Destination Downtown contest resulted in three businesses receiving prizes from the Brainerd HRA in the form of lease subsidy. He gave an update to the businesses due to locate downtown.

Mr. Schommer indicated the Workforce Housing Study has been completed and updates will be given as they occur. He gave a brief update of the newly developed Housing Trust Fund Ordinance that will go before the HRA Board next week. He said the CWC Tax Forfeited Property Policy will go hand in hand with the Housing Trust Fund Ordinance .

Small Cities Development Program (SCDP)

Mr. Schommer explained the program continues with rehab being completed on the Knotty Pine Bakery and two owner occupied homes. He said they are currently working on eight units of multi-family rentals and nine units of mixed-use rental are in the bidding process.

Housing Updates

Mr. Schommer indicated the developer of Brainerd Oaks will be closing on five lots with another five pending. He explained the developer has not experienced a loss in activity or interest in construction during the pandemic.

BLAEDC Update

Unified Fund

Mr. Tyler Glynn stated the board approved two new loans; one in Pequot Lakes and the other one was for the Mid-Town Depot and Kelly's Service Station building. He indicated a pending project is in development and further details will be provided once available. Mr. Glynn gave a brief update to the pending Unified Fund loan activity.

Mr. Glynn indicated the Key Recruitment Program had a great start the first three months of 2020 but has understandably decreased significantly due to COVID-19.

Old Business

Call for Applicants

President Sinner announced there is one vacancy on the commission and encouraged anyone interested to apply.

New Business

Brainerd Economic Recovery Program

Community Development Director Chanski stated staff has been involved in many conversations on what the City can do to assist small businesses economically during the pandemic. He gave a brief update on the programs offered by the federal and state government. He reviewed the available funds and programs that are shown in the packet, such as MN Investment Funds (MIF) and Small Cities Development Program.

Tyler Glynn explained the state is allowing each city to determine the use of MIF dollars at their discretion as funds can be used due to the COVID pandemic. He said it is also at the discretion of the City to determine how those funds are used whether it be a grant or a loan to be repaid.

Commission discussion took place regarding the details of the Small Cities Development Program.

Community Development Director Chanski explained the actions that have been taken by the City in response to the COVID pandemic to help relieve some of the burden on businesses.

Community Development Director Chanski gave a brief outline of the potential requirements of a grant or loan program and directed Tyler Glynn to give more detailed information.

Tyler Glynn explained some of the actions and programs that other Minnesota cities are doing regarding economic incentives for businesses. He also gave some ideas and benefits regarding offering a grant versus a loan.

Community Development Director Chanski stated in either case of using city funds, the request would be from the EDA to the City Council in efforts to help the businesses. He indicated this would be available to businesses to all businesses located in the city limits, not just downtown.

Commissioner Campbell stated there are other loan programs available elsewhere and her opinion is to offer these funds as grants. She said she has heard from businesses that are concerned with the requirements that may come forth in order to open.

Commissioner Menk indicated there are many variables to consider in the details of an application and prefers the grant option. He also stated local businesses need help with marketing and informing customers they are open for business, such as curbside, or by appointment.

City Administrator Bergman asked Mr. Schommer if DEED would allow the Small Cities Development Program income to be used for the COVID-19 necessary improvements. Mr. Schommer indicated commercial rehab is defined as exterior work, but he will reach out to them to inquire.

Commissioner Johnson stated when the City returned the 20% of the MIF funds, the guidelines were removed, which was confirmed by Tyler Glynn and Finance Director Hillman.

Commission discussion took place regarding offering a grant with the option of applying for more funds as a loan.

Commissioner Menk suggested a marketing campaign to announce that businesses are open and urged action be taken for the May 18, 2020 City Council meeting.

City Administrator Bergman stated the City has hired a communications intern that can work on this immediately.

MOVED AND SECONDED BY COMMISSIONERS MENK AND JOHNSON TO RECOMMEND THE CITY COUNCIL ALLOCATE \$50,000 FROM THE \$140,000 MIF FOR A CITYWIDE MARKETING CAMPAIGN.

Upon roll call, Commissioners Menk, Bevans, Sinner, Erickson, Campbell, and Johnson voted "aye". No member voted "nay".

Commissioner Menk stated he will be a member of a subcommittee to organize the details of the grant and/or loan program.

MOVED AND SECONDED BY COMMISSIONERS MENK AND BEVANS TO DIRECT THE SUBCOMMITTEE TO FINALIZE AN APPLICATION AND DETAILS FOR A \$3,000 PER BUSINESS GRANT PROGRAM WITH AN ADDITIONAL LOAN FUNDING OPTION OF UP TO \$4,000 AT A 2% RATE TO BRING TO THE MAY 18, 2020 CITY COUNCIL MEETING.

Commissioner Campbell indicated that using \$90,000 at a maximum of \$7,000 per application, that would only allow approximately 12 businesses to take advantage of the grant/loan program.

The above motion has been revised to the following:

MOVED AND SECONDED BY COMMISSIONERS MENK AND BEVANS TO DIRECT THE SUBCOMMITTEE TO FINALIZE AN APPLICATION AND DETAILS FOR A \$3,000 PER BUSINESS GRANT PROGRAM TO BRING TO THE MAY 18, 2020 CITY COUNCIL MEETING.

Upon roll call, Commissioners Menk, Bevans, Sinner, Erickson, Campbell, and Johnson voted "aye". No member voted "nay".

MOVED AND SECONDED BY COMMISSIONERS MENK AND JOHNSON TO FORM A SUBCOMMITTEE WITH THE FOLLOWING MEMBERS: CITY ADMINISTRATOR BERGMAN, COMMUNITY DEVELOPMENT DIRECTOR CHANSKI, BLAEDC DIRECTOR GLYNN, AND EDA COMMISSIONERS MENK, CAMPBELL AND ERICKSON.

Upon roll call, Commissioners Menk, Bevans, Sinner, Erickson, Campbell, and Johnson voted "aye". No member voted "nay".

Region 5 Children's Museum

Community Development Director Chanski explained a task force is being compiled to work on the Region 5 Children's Museum in Lum Park and a member if the EDA is requested.

MOVED AND SECONDED BY COMMISSIONERS MENK AND ERICKSON TO APPOINT COMMISSIONER CAMPBELL TO SERVE ON THE REGION 5 CHILDREN'S MUSEUM TASK FORCE.

Upon roll call, Commissioners Menk, Bevans, Sinner, Erickson, Campbell, and Johnson voted "aye". No member voted "nay".

Informational

City Administrator Bergman explained with the resignation of Ed Menk as Mayor, the City appointed Dave Badeaux as Mayor. She indicated that had left a vacancy on the City Council to which Wayne Erickson was appointed to fill that position.

She said that discussion continues regarding the 2020 Farmer's Market and more information will be available at the May 18th Council meeting.

Comments/Questions

Community Development Director Chanski will be in contact with the members regarding the subcommittee meeting schedule. He indicated the next regular EDA meeting is scheduled for June 4, 2020.

Adjournment

The Authority adjourned at 7:40 p.m.

Wayne Erickson, Secretary/Treasurer

BRAINERD ECONOMIC DEVELOPMENT AUTHORITY

Tuesday, May 19, 2020 6:00 p.m.

WebEx Teleconference Meeting

Official Minutes

Pursuant to the call and notice thereof, President Sinner called the meeting of the Brainerd Economic Development Authority to order at 6:00 p.m.

Present were Commissioners Ed Menk, Kelly Bevans, Jerry Sinner, Wayne Erickson, Yvette Campbell, and Gabe Johnson. Also present were City Administrator Bergman, Finance Director Hillman, Community Development Director Chanski and Tyler Glynn, BLAEDC executive director.

Approval of Agenda

MOVED AND SECONDED BY COMMISSIONERS BEVANS AND ERICKSON TO APPROVE THE AGENDA.

Upon roll call, Commissioners Menk, Bevans, Johnson, Sinner, Campbell, and Erickson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Small Business Relief Grant

Community Development Director Chanski gave a brief update of the City Council direction to the EDA regarding the request for \$90,000 that was approved at the May 18, 2020 City Council meeting. He explained the details and the requirements of the grant application that was discussed by the Council.

Commissioner Johnson questioned what determined the amount of \$3,000 for each grant application. Community Development Director Chanski stated it was an EDA motion to omit the loan process and proceed with the grant application allowing \$3,000 per business.

Commission discussion took place regarding the requirements shown in the application and the \$3,000 amount.

City Administrator Bergman stated the document being brought to the EDA this evening is a draft created by the subcommittee, and there is an opportunity to make amendments.

Community Development Director Chanski reviewed each requirement listed in the draft application and made adjustments as Commissioners discussed each item.

City Administrator Bergman indicated the application will be reviewed by legal counsel prior to inception of the program.

Community Development Director Chanski requested clarification of the approval process once applications are submitted.

MOVED AND SECONDED BY COMMISSIONERS MENK AND BEVANS TO APPROVE THE GRANT APPLICATION AND GUIDELINES WITH THE AMENDMENTS AS DISCUSSED TO BE COMPLETED BY CITY STAFF, SUBJECT TO LEGAL REVIEW AND FINAL REVIEW BY THE EDA SUBCOMMITTEE BY MAY 25TH, 2020.

Commissioner Johnson indicated he believes the dollar amount is not enough and this process is being determined too soon to predict what the outcome of COVID-19 will be.

Upon roll call, Commissioners Menk, Bevans, Sinner, Campbell, and Erickson voted “aye”. Commissioner Johnson voted “nay”. The Chair declared the motion carried.

Adjournment

The Authority adjourned at 7:33 p.m.

Wayne Erickson, Secretary/Treasurer

Fund 295 EDA FUND

GL Number	Description	Balance
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*** Assets ***

295-0000-10100	CASH	123,927.72
295-0000-10700	DELINQUENT TAX RECEIVABLE	7,330.90
295-0000-16160	FA-LAND HELD FOR RESALE	488,252.22

Total Assets		619,510.84
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*** Liabilities ***

295-0000-22200	DEFERRED REVENUE	488,252.22
295-0000-22210	DEFERRED TAXES RECEIVABLE	5,521.89

Total Liabilities		493,774.11
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*** Fund Balance ***

295-0000-28900	FUND BALANCE/EQUITY ACCT	33,987.52
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Total Fund Balance		33,987.52
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Beginning Fund Balance - 2019		33,987.52
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Net of Revenues VS Expenditures - 2019		5,614.87
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*2019 End FB/2020 Beg FB		39,602.39
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Net of Revenues VS Expenditures - Current Year		86,134.34
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Ending Fund Balance		125,736.73
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Total Liabilities And Fund Balance		619,510.84
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* Year Not Closed

PERIOD ENDING 05/31/2020

GL NUMBER	DESCRIPTION	2020		ACTIVITY FOR	YTD BALANCE	AVAILABLE	% BDGT USED
		AMENDED	BUDGET	MONTH 05/31/2020 INCREASE (DECREASE)	05/31/2020 NORMAL (ABNORMAL)	BALANCE NORMAL (ABNORMAL)	
Fund 295 - EDA FUND							
Revenues							
Dept 0000							
TAXES & PENALTIES							
295-0000-31010	CURRENT AD VALOREM	127,817.00		0.00	1,621.12	126,195.88	1.27
295-0000-31020	DELINQUENT AD VALOREM	0.00		0.00	187.89	(187.89)	100.00
TAXES & PENALTIES		127,817.00		0.00	1,809.01	126,007.99	1.42
OTHER REVENUE							
295-0000-36210	INTEREST INCOME	250.00		0.00	0.00	250.00	0.00
OTHER REVENUE		250.00		0.00	0.00	250.00	0.00
OTHER FINANCING SOURCES							
295-0000-39200	TRANSFERS IN	0.00		90,000.00	90,000.00	(90,000.00)	100.00
OTHER FINANCING SOURCES		0.00		90,000.00	90,000.00	(90,000.00)	100.00
Total Dept 0000		128,067.00		90,000.00	91,809.01	36,257.99	71.69
TOTAL REVENUES		128,067.00		90,000.00	91,809.01	36,257.99	71.69
Expenditures							
Dept 6510 - ECONOMIC DEVELOPMENT AUTH							
SERVICES							
295-6510-43300	PROFESSIONAL SERVICES	116,000.00		0.00	300.00	115,700.00	0.26
295-6510-43361	INS - GENERAL LIABILITY	100.00		0.00	24.67	75.33	24.67
295-6510-43430	MISCELLANEOUS	5,500.00		0.00	0.00	5,500.00	0.00
295-6510-43435	BOOKS/PAMPHLETS/DUES	5,350.00		0.00	5,350.00	0.00	100.00
SERVICES		126,950.00		0.00	5,674.67	121,275.33	4.47
Total Dept 6510 - ECONOMIC DEVELOPMENT AUTH		126,950.00		0.00	5,674.67	121,275.33	4.47
TOTAL EXPENDITURES		126,950.00		0.00	5,674.67	121,275.33	4.47
Fund 295 - EDA FUND:							
TOTAL REVENUES		128,067.00		90,000.00	91,809.01	36,257.99	71.69
TOTAL EXPENDITURES		126,950.00		0.00	5,674.67	121,275.33	4.47
NET OF REVENUES & EXPENDITURES		1,117.00		90,000.00	86,134.34	(85,017.34)	7,711.22

To: EDA Board Members
From: John Schommer, Rehab Coordinator
Date: June 1, 2020
Re: Brainerd HRA Update

Executive Director Search

Interviews were held May 27th and the Brainerd HRA board has decided to consider Eric Charpentier as Brainerd HRA's next executive director contingent upon HUD approval.

Brainerd HRA Tax Forfeited Property Policy

The Brainerd HRA Board recently revised their Tax Forfeited Property Policy (TFPP) to better reflect how the process is currently carried out and also incorporate the recommendation from the Workforce Housing Study of offering properties at \$0 plus costs. The revisions will

Rehab

The current Brainerd SCDP (Small Cities Development Program) grant continues to move forward with rehab complete on one commercial unit which is the Knotty Pine Bakery and two Owner Occupied homes. We are currently working on eight units of multi-family rental rehab and have nine units of mixed use rental rehab in construction. The MHFA (Minnesota Housing Finance Agency) program has recently completed five home rehabs and has two homes in construction with another in work write-up.

Brainerd Oaks/Serene Pines/Dalmar Estates

Development	Total	# Sold to Developer	# Sold to End Buyer	For Sale	In Construction
Brainerd Oaks	81*	35	33	0	3
Serene Pines	23	11	11	0	3
Dalmar Estates	7	1	1	0	1

Originally 83 lots, 2 have been merged/combined into a single parcel

MEMO



TO: EDA Board of Commissioners

FROM: David Chanski, Community Development Director

DATE: June 4, 2020

RE: Small Business Relief Grant

On Wednesday, May 27, the Small Business Relief Grant went live. When staff began to review applications at 10:00a.m. on Monday, June 1, 49 applications had been submitted. Staff (Jennifer Bergman, David Chanski, and Tyler Glynn) reviewed applications in the order in which they had been received. Applications were reviewed against the guidelines preliminarily approved by the full EDA Board and finalized by the EDA Subcommittee.

Upon review, staff is recommending that the EDA Board approve the following 32 applications (requested amount listed):

- Minnesota Makerspace: \$3,000
- O'Neary's Irish Pub: \$3,000
- 612: \$3,000
- Purple Fern: \$1,500
- Open City Thrift: \$3,000
- Music General: \$3,000
- 9th Street Social: \$3,000
- Knotty Pine: \$3,000
- Cat Tales: \$3,000
- Pampered Pets: \$3,000
- Sage on Laurel: \$3,000
- Elysium Hair Studio: \$3,000
- Lakes Vape 7 Rec Supply: \$985
- Belle Creations: \$3,000
- Front St. Café: \$3,000
- Bargains on 7th: \$3,000
- Bridge of Harmony: \$3,000
- Northwind Grille: \$3,000
- The Fold: \$2,055
- Vapor North: \$3,000
- SE'z Bar: \$3,000
- The Gallery: \$3,000
- Hair It Is: \$3,000
- The Parlor: \$3,000
- The Barn: \$3,000
- Creative Corner: \$3,000
- Parlor Hair Salon: \$1,500
- Etherial Threads: \$3,000
- North Country Floral: \$3,000
- ISMS: \$3,000
- Mickey's Subs: \$3,000
- Strengths Studio: \$2,960

There were 8 applications that staff determined were ineligible for the grant. These applications were:

- Travelers Fare Inc. (professional service)
- Dragon Forge Games (Brainerd location not open as of March 1, 2020)
- The Therapist PLC (professional service)
- Lakes Area Pregnancy Support Center (not-for-profit organization)
- Premier Party Entertainment LLC (business not located within city limits)
- Jr's Junction Inc. (business not located within city limits)
- Kampmann Sash & Door (business exempt for Executive Orders 20-04 and 20-08)
- L@L Logistics dba Grab a Cab Taxi Service (business exempt for Executive Orders 20-04 and 20-08)

Upon conducting our review, staff made the decision that, since the EDA had an upcoming meeting, it would be prudent for the EDA Board to ratify the 32 aforementioned applications prior to issuance of grant funds.

MEMO



TO: EDA Board of Commissioners

FROM: David Chanski, Community Development Director

DATE: June 4, 2020

RE: (Informational) COVID-19 Temporary Extensions of Premises

On Wednesday, May 20, Governor Walz announced the State's guidelines for the reopening of dine-in service for restaurants and bars. While the Department of Employment and Economic Development (DEED) has issued an 8-page guide for safely reopening restaurants and bars, two primary restrictions have been put into place:

1. All indoor restaurant service remains closed. Outdoor seating only is allowed at this time.
2. Businesses must limit the number of customers and clients necessary to allow for the required social distancing and not exceed required percentage of occupancy where required.
 - a. Number of customers at any one time is limited to the number for whom physical distancing of 6 feet can be maintained between tables, not to exceed 50.
 - b. A limit of two customers may be seated together at the counter for service at any one time.
 - c. A limit of four customers may be seated together at a table at any one time, unless the customers are a household, then the limit is six customers.

Additionally, establishments that serve alcohol are still required to adhere to the standards set forth in Minnesota State Statute Section 340A, which requires retail alcoholic beverage licensed premises to be compact and contiguous. Unfortunately, many of our bars and restaurants do not currently have dedicated patios, and the physical location of many of these establishments precludes the construction of a patio.

Upon recommendation by staff, the City Council approved a resolution to temporarily lift the restrictions on patios and outdoor dining areas as outlined in the City's zoning code and empower the Community Development Department to issue, manage, and revoke COVID-19 Temporary Extension of Premises Permits in accordance to guidelines also approved by the Council. Please see the attached COVID-19 Temporary Extension of Premises Permit application.

As of Monday, June 1, six establishments had applied for extensions of premises.

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Checklist

- _____ City application for “Temporary Extension of Premise” permit
- _____ Diagram of the Temporary Extended Premises to be created including measurements, entrance/exit, table layout, and in relation to the current premises/property
- _____ Copy of Certificate of Insurance with Extension of Liquor Liability Insurance (if establishment holds a liquor license)

Applicant will be notified upon approval.

SPECIAL NOTES

- All indoor restaurant services remain closed – only outdoor seating is allowed.
- The number of customers at any one time is limited to the number for whom physical distancing of 6 feet can be maintained between tables, NOT to exceed 50 or the maximum number determined by the Fire Marshall, whichever is less..
- A limit of two (2) customers may be seated together at the counter for service at any one time.
- A limit of four (4) customers may be seated together at a table at any one time unless the customers reside in the same household, in which case six (6) are allowed.
- The entire perimeter of the temporary extended premises must be attached to the original licensed premises (or in immediate vicinity if public right-of-way is being used) and enclosed (roped or chained off or fenced in) to control access
- The approved temporary extension of premises is valid through October 31, 2020 or until further occupancy guidelines permitting indoor occupancy are issued by the State of Minnesota
- All aspects of the Executive Orders of Governor Walz, as well as CDC and MN Department of Health guidelines must be complied with at all times.
- The Community Development Department has the right to revoke or alter any permit for violation of these guidelines or by recommendation of the City of Brainerd Police Department or Fire Department.

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Guidelines

1. Restaurants and bars may temporarily extend their premises outside by permit as long as it is compact and contiguous. This would include the expansion of current outside licensed premises areas.
 - a. Establishments who do not have the spatial ability to extend their premises within their property and do not currently have an outdoor dining area, may request to use immediately adjacent right-of-way for an extension of premises.
 - b. No extension of premises within the right-of-way shall be located on a public sidewalk and shall not extend out further than ten (10) feet from the curb.
 - c. No glass products are allowed in extensions of premises within the right-of-way.
2. In order to receive a temporary extension of premises, a proprietor must submit an application for a Temporary Extension of Premises Permit to City of Brainerd Community Development Department and receive approval for their plan.
3. The application must include a diagram of the temporary extended premises to be created. This is to include, at least, measurements in feet showing the perimeter of the temporary extended area, entrance/exit, table layout, and how the area relates to the overall footprint of the original licensed premises/property. Proprietors are required to adhere to all City Codes, including those relating to lighting and noise.
4. Extensions of premises shall be inspected by the City of Brainerd Fire Marshal and Building Official before any service can take place.
5. Applicants shall indicate whether a temporary membrane structures, tents, and/or canopies is intended to be used. If a temporary membrane structure/tent/canopy will be used, its dimensions and location shall be included within the application materials.
6. If the proprietor holds any kind of liquor license, the license holder must also provide the Community Development Department a current Certificate of Liquor Liability showing that the liquor liability insurance coverage will extend to the temporary extended premises (including any public property and size parameters) for the duration of the time allowed.
7. The temporary extended premises must be attached to (or immediately adjacent to if public right-of-way is being used) the original licensed premises and enclosed (roped off, temporally fenced in, or chained off) so access (entering/exiting) is controlled. When possible, it is preferred this be through the original licensed premises.
8. The designated temporary extended premises must remain for the duration of the time allowed (i.e. if a parking lot is temporarily extended premises, the license holder can't change back and forth from parking lot to temporary extended premises).
 - a. Extensions of premises within the downtown right-of-way shall be dismantled no later than 4:30a.m. and reassembled no sooner than 10:00a.m. each Wednesday for street sweeping.
9. Appropriate and Adequate parking to accommodate parking must be maintained at all times.

10. All aspects of Governor Walz's current and future Executive orders, as well as CDC and MN Department of Health requirements must also be complied with as part of the temporary premises extension.
11. The temporary extension of premises will be allowed from the date granted by the Community Development Department through October 31, 2020 or until further occupancy guidelines permitting indoor occupancy are issued by the State of Minnesota. The Brainerd City Council holds the right to alter or rescind these temporary extension of premises guidelines at any time.
12. The Community Development Department has the right to revoke or alter any Temporary Extension of Premises Permit for violation of these guidelines or by recommendation of the City of Brainerd Police Department or Fire Department.
 - a. If a Temporary Extension of Premises Permit is revoked, altered, or suspended, the proprietor may submit an appeal in writing to the City Council. The appeal will be heard at the next available city council meeting.

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Application

Name of Applicant: _____

Business Name: _____

Business Address: _____

Does this establishment currently have a permitted patio/outdoor seating area? Y / N

Does this establishment have a current on-sale liquor license? Y / N

*If yes, a current Certificate of Liquor Liability showing that the liquor liability insurance coverage will extend to the temporary extended premises (including any public property) for the duration of the time allowed must be attached.

Are you requesting use of the public Right-of-Way? Y / N

Do you have a COVID-19 Preparedness Plan in place? Y / N

Do you intend to use a temporary membrane structure/tent/canopy? Y / N

*If yes, include its dimensions and location within the attached site plan.

Site Plan (attach on separate piece of paper) – include, at least, measurements in feet showing the perimeter of the temporary extended area, entrance/exit, table layout, size and location of temporary membrane structures/tents/canopies, and how the area relates to the overall footprint of the original licensed premises/property.

Statement of Understanding

I declare that the information provided in this application and on the accompanying exhibits is true and complete to the best of my knowledge. I acknowledge that I am bound to comply with the COVID-19 Temporary Extension of Premises Permit. I further understand and agree that, in consideration for use of public property (e.g., sidewalk and/or street), if, any, the business on whose behalf I am signing will defend and indemnify the City from and against all claims, damages, liability, and costs (including attorney's fees) arising out of the business's use of the public property pursuant to this permit. I further warrant that I have authority to bind the business to the terms and conditions of this permit. I understand that falsifying information or failing to comply with these guidelines will result in immediate revocation of this permit. The City of Brainerd and its staff have the right to verify any information contained in this application.

Signature: _____ Date: _____

Printed Name: _____

Title: _____

COVID-19 TEMPORARY EXTENSION OF PREMISES PERMIT

Applicable Ordinances

[Section 515-18: Outdoor Lighting](#)

[Section 825: Sidewalks](#)

[Section 1200: Intoxicating Liquor](#)

[Section 1205: Non Intoxicating Malt Liquor](#)

[Section 2010: Nuisances/Junk/Blight](#)

[Section 2014: Noise Related Issues](#)

[Section 2035: Use of Water and Electric Apparatus](#)

[Section 2040: Loitering](#)