PLANNING COMMISSION

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Wednesday, November 17, 2021 @ 6:00pm

The public is invited to attend this meeting in person
Attend by phone: 1-844-992-4726 Meeting Access Code: 2483 768 8542
Meeting is also streamed live on YouTube: www.youtube.com/CityOfBrainerdMN

1. Call To Order
2. Roll Call
3. Pledge Of Allegiance
4. Approval/Amendment Of Agenda
5. Approval Of Minutes
    1. Regular Meeting Held on October 20, 2021
    2. Special Meeting Held on October 26, 2021

    Documents:

    2021-10-20 DRAFT.PDF
    2021-10-26 SPECIAL MEETING DRAFT.PDF

6. Old Business
7. New Business

7.a. Interim Use Permit - 1919 S. 6th St.

Documents:

INTERIM USE PERMIT - 1919 S. 6TH ST.PDF

8. Public Forum
    Time allocated for citizens to bring matters not on the agenda to the attention of the Planning Commission - time limits may be imposed
9. Community Development Director's Report
10. Commissioner Questions/Comments
11. Adjourn

PLANNING COMMISSION
Wednesday, October 20, 2021

#1 Call to Order

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

#2 Roll Call

Noted present were Commissioners Woodward, Erickson, Gorham, and Duval. Commissioners Yeager, Kallroos, and Foley were noted as absent. Community Development Director Chanski, City Engineer Sandy, and Assistant Planner Kramvik were also noted as present.

#3 Pledge of Allegiance

Commissioner Duval opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval/Change of Agenda

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND ERICKSON, DULY CARRIED, TO AMEND THE AGENDA AND MOVE NEW BUSINESS BEFORE OLD BUSINESS.

#5 Approval of Minutes

MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODARD, DULY CARRIED, TO APPROVE THE MINUTES FROM THE SEPTEMBER 15, 2021 MEETING, AND THE SEPTEMBER 22nd AND OCTOBER 13th, 2021 WORKSHOPS.

#6 New Business

6a. Warming Shelter Ordinance Amendment Request

Community Development Director Chanski explained a group of partners in the community are interested in the concept of starting a warming shelter for the homeless. Currently, this use is not identified in any district within the Zoning Code. He indicated the request has been made to consider amending the Zoning Code to allow for such a use.

He introduced Ms. Jana Shogren, executive director of Bridges of Hope, who explained the history and the details of the project that includes a collaboration of fifteen community partners. She described the potential facility as an overnight warming house that will be secure, professionally staffed, and operated between the hours of 8:00 pm to 8:00 am for those needing a place to sleep. The building at 1919 South 6th Street has been identified as a possible location. She said they have contacted a similar shelter in Bemidji to get input on the operations of their facility.

Ms. Shogren introduced Ms. Ann Hunnicutt, who has been hired to operate the facility. Ms. Hunnicutt indicated with her background in law enforcement and mental health, she will be able to provide the leadership that is needed in this type of facility.

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Commissioners asked questions of the applicants.

The Chair stated there is no public hearing scheduled but invited those who have a comment to approach the podium and speak.

Ms. Heidi Kane, no address but a longtime resident of Brainerd, said she is recently experiencing homelessness. She spoke highly of the program and the dire need for a resource such as this in the area.

Mr. Doug Arndt, 22830 Old Government Trail, Nisswa is the CEO of Quinstar Investment Partners. Quinstar Investment Partners owns the building that houses the Common Goods Thrift store. He stated Common Goods is very well operated and believes the proposed warming house would be also.

Mr. Troy Macfarland, 416 12th St. SE Brainerd, urged the Commission to implement this program as soon as possible for those in need.

Community Development Director Chanski explained the timeline options of proposing the ordinance to the Council. He will send a doodle poll to the Commission of available dates for a meeting to draft ordinance language.

Mr. Chuck Marohn, 616 N 4th St. Brainerd, asked the Commission about possibly defining the use as a *"hotel"* in this situation, as hotels are a permitted use in the zoning code.

Commission discussion took place.

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO DIRECT STAFF TO DRAFT AN INTERIM USE ORDINANCE AMENDMENT AND SCHEDULE A PLANNING COMMISSION SPECIAL MEETING TO REVIEW THE DRAFT ORDINANCE PRIOR TO THE CITY COUNCIL MEETING PACKET DEADLINE OF OCTOBER 28TH.

6b. <u>Request to Amend Tiny Home Regulations to Accommodate Supportive Housing Village</u>

Community Development Director Chanski gave a brief update of the request from My Neighbor to Love Coalition (MNTLC) to consider amending the Zoning Code to allow for tiny homes. Currently, the City Code restricts dwelling units to a minimum of 750 square feet, with some smaller homes allowed by Conditional Use Permit on nonconforming lots that existed prior to 1989.

He introduced Ms. Vicky Kinney, representative of the non-profit, who explained the proposed project. She indicated MNTLC is wanting to develop a supportive housing village of homes that are 400 square feet or less and may find appropriate property in the City of Brainerd.

Commissioners asked questions, which were answered.

Community Development Director Chanski indicated the regulations of tiny homes will be addressed as a separate topic from the idea of a supportive housing village.

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MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO DIRECT STAFF TO WORK WITH SWANSON HASKAMP ON DRAFT LANGUAGE FOR TINY HOMES THAT COULD BE IMPLEMENTED INTO THE NEW ZONING CODE REVISION PROCESS.

#7 Old Business

7a. Hwy 210 Discussion with MnDOT

Community Development Director Chanski indicated the Commission requested a representative from MnDOT attend a meeting to address various concerns regarding the Highway 210 project. He introduced Mr. Luke Wehseler, project manager for MnDOT, who attended the meeting virtually.

Community Development Director Chanski indicated one high concern is the Mill Avenue, Highway 210, and Highway 25 intersection. There needs to be a balance of pedestrian safety with traffic flows in crossing that intersection with the potential trail system being implemented along that route.

Mr. Wehseler gave a brief update to the status of the project. He stated the second round of engagement has been closed out, and the results are being reviewed as the project develops. He indicated the third round of engagement will include more details and is tentatively aimed for January 2022. He said all comments are being considered and reviewed for the best possible results. There has been preliminary discussion regarding a pedestrian crossing be routed under the Washington Street bridge. Community Development Director Chanski indicated there was an updated bridge concept discussed using barrier walls and asked Mr. Wehseler to give a brief update.

City Engineer Sandy stated the importance of the layout is a large portion of the project; pedestrian movements, traffic flow and how they interact. He said there's also the visual aesthetics of traveling along Washington Street through the City, which could be significantly improved to make it more inviting. Commissioner Woodward suggested reaching out to the local art community for aesthetics that could withstand harsh weather and road salts that green space would not, such as sculptures.

Commission discussion took place with Mr. Wehseler and Engineer Sandy.

#8 Public Forum

The Chair opened the public forum at 8:13 p.m.

The Chair recognized Mr. Chuck Marohn, who stated the definition of hotel in the City code is no different than what the applicant is requesting for the warming house.

The Chair closed the public forum at 8:15 p.m.

#9 Community Development Director's Report

Community Development Director Chanski made the following announcements:

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- The City Council adopted the Commissions' recommendations for Sober Homes
- The City Council reviewed the residential standards for the Zoning Code rewrite
- The commercial standards will be considered at the November 8, 2021 Council meeting
- The City Council is holding a workshop on Monday, October 25, 2021 to discuss the Parking Commission recommendations
- A doodle poll will go out to the Commission regarding a potential special meeting date to consider the warming house ordinance language
- The City Council will be invited to attend the December 15, 2021 Planning Commission meeting to discuss the "other" district standards and overall design standards
- He will be taking paternity leave once his new baby is born, and Assistant Planner Kramvik will be handling daily tasks

#10 Commissioner's Questions/Comments

Commissioner Duval spoke about the Sober Home topic and thanked everyone for the detailed and in-depth work that was done.

#11 Adjourned at 8:23 p.m.

MOVED AND SECONDED BY COMMISSIONERS WOODWARD AND GORHAM, DULY CARRIED, TO ADJORN TO THE CITY COUNCIL WORKSHOP ON OCTOBER 25, 2021 AT 6:00 PM.

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Michael Duval, Planning Commission Chair

PLANNING COMMISSION SPECIAL MEETING
Tuesday, October 26, 2021
7:00 p.m.

#1 Call to Order

Planning Commission Chair Duval called the Planning Commission Special Meeting to order at 7:00 p.m.

#2 Roll Call

Noted present were Commissioners Gorham, Woodward, Kallroos, Erickson, and Duval. Commissioners Yeager, and Foley were noted as absent. Community Development Director Chanski, and Assistant Planner Kramvik were also noted as present.

#3 Pledge of Allegiance

Commissioner Duval opened the meeting with the Pledge of Allegiance to the flag.

#4 Approval/Amendment of Agenda

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND WOODWARD, DULY CARRIED, TO APPROVE THE AGENDA.

#5 Warming Shelter Ordinance Language Discussion

Community Development Director Chanski explained the Commission voted unanimously on October 20th to pursue amending the current zoning code to allow for warming shelters as an interim use. He indicated draft language was created for amending Section 515-63: B-4 General Business District, which is currently the only district being recommended for this amendment due to the proposed location. He stated Bridges of Hope is looking at the building at 1919 S. 6th Street as an immediate location for services. He read through the draft ordinance that was provided to the Commissioners, along with the scheduled timeline as follows:

- October 26 – PC approves ordinance language
- November 1 – CC conducts first reading of proposed Ordinance No. 1521
- November 15 – CC conducts second reading of and public hearing for proposed Ordinance No. 1521 and will vote to adopt said ordinance
- November 17 – PC considers warming shelter Interim Use Permit application for 1919 S. 6th Street
- December 6 – CC considers PC recommendation on Interim Use Permit

Discussion took place and it was suggested to reword #5 to state a bicycle rack would be excluded from the outdoor storage restriction. Community Development Director Chanski indicated Police Chief Bestul commented that there should be a condition added to the Interim Use Permit that would allow revocation of the permit if the facility has reoccurring calls to law enforcement or continued troublesome activity taking place.

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MOVED AND SECONDED BY COMMISSIONERS GORHAM AND WOODWARD, DULY CARRIED, TO AFFIRM THE LANGUAGE OF THE ORDINANCE AND RECOMMEND ADOPTION TO THE CITY COUNCIL.

#6 Adjourn

MOVED AND SECONDED BY COMMISSIONERS ERICKSON AND GORHAM, DULY CARRIED, TO ADJOURN AT 7:26 P.M.

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Michael Duval, Planning Commission Chair

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M E M O

TO: Planning Commission

FROM: James Kramvik, Assistant Planner

DATE: November 17, 2021

RE: Interim Use – 1919 6th St S

Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate a warming shelter for the homeless in the Brainerd Lakes Area at 1919 6th Street South.

Findings of Fact

1. 1919 6th Street South is located in a B-4 (General Business) District.
2. The Interim Use Permit request is contingent upon Brainerd City Council adopting Ordinance No. 1521 on November 15, 2021. The proposed ordinance No. 1521 would allow for the operation of a warming shelter in a B-4 District as an interim use per Section 515-63-5.A of the Code of Ordinances.
3. The warming shelter for the purpose of temporarily sheltering homeless persons must meet the following criteria as required by the aforementioned section of the Code:
    a. Operation shall not exceed sixteen (16) continuous hours.
        i. Guest may enter the building at 8:00 p.m. and must be off the premises by 8:00 a.m. This leaves for a maximum of a 12 hour stay each night. All guests must arrive by 11:00 p.m. nightly as no more intakes will be allowed after. Lingering on the premises before the Shelter opens or after it closes is not permitted.
    b. Facility occupancy shall not exceed 30 beds or total occupancy of facility as set by the Fire Marshall, whichever is less.
        i. The Shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. The Shelter will have 10 overflow mats. They will not exceed 30 guests in any given night. The final occupancy number will be set by the Fire Marshall and Building Official.
    c. Facility shall be staffed during all hours of operation.
        i. There will always be 2 staff working unless the Director is working and sends staff home due to a limited amount of Guests. Volunteers will always be accompanied by at least one paid staff member.

d. 24-hour contact information shall be provided to the City of Brainerd Police Department and Crow Wing County Community Services Department.

i. The shelter will provide all appropriate contact information before operation.

e. Except for bicycle racks, outdoor storage of equipment, furniture, personal items, or other such possessions of those using the facility is not permitted.

i. Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff in the secured guest closet indicated on the floor plan.

f. Facility shall meet all applicable building, safety, fire and health code requirements.

i. The Director for the warming shelter has met on site with the Fire Marshal and Building Official. She is aware of the building and fire code requirements before occupation. The director is currently working on submitting a commercial remodel permit that will be reviewed by the Fire Marshal and Building Official.

As of this writing, one party has contacted the Community Development Department in the form of an information request about the project.

<u>Staff Opinion</u>
Staff recommends approval of the Interim Use Permit contingent upon the following conditions:

1) Interim Use Permit shall expire on June 1, 2022.

2) If the Brainerd Police Department determines that the facility has been used in a disorderly manner and upon the recommendation of the Police Chief, the Interim Use Permit shall be brought before the City Council for review and consideration for suspending or revoking the permit at the next available City Council meeting.

City of Brainerd

Community Development Department

501 Laurel St

Brainerd, MN 56401

RE: Proposed Warming Shelter Interim Use Permit

Please see the attached documents for the Interim Use Permit for the proposed overnight warming shelter to be located at 1919 S. 6th St. in Brainerd. This shelter would be staffed on a nightly basis with the hours of operation proposed to be 8pm to 8am nightly. The site currently offers 42 parking spaces on the East side of the building nearest to the entrance as well as 2 handicapped spaces. The parking lot is lighted as well as lighting on the exterior of the building. The proposed site is in the SE corner of the building and occupies approximately 3,400 sq ft of space. The proposed site plan indicates the sleeping spaces along with restrooms, laundry, storage and secured storage areas for the guests. Also included is the draft of the Policy and Procedures for the warming shelter along with the proposed guest agreement that will be signed by the individual guests of the shelter. We are excited to move this proposal forward and we look forward to answering any questions that you or the Council may have regarding this facility.

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

Receipt # _____
Check # _____
Date paid: _____

INTERIM USE PERMIT

Application Form (residential - $250.00 / commercial - $500.00 +$500.00 escrow deposit)
(This form must be filled out completely before your application will be accepted)

Property Address for this *Interim Use Permit*: 1926 ~~1926~~ 1919 S 6th St, Brainerd, MN 56401

I (We) the undersigned, do hereby respectfully request the Brainerd City Council to grant an Interim Use Permit to allow a staffed overnight warming shelter on site to be operated from 8pm until 8am

at the property address listed above until the date of 6/30/2022

Legal Description (attach, if lengthy): Lot 4 & 5 Block 3 Addition Holiday Inn Addition to Brainerd
Section 36 Township 45 Range 031

Property Owner: Edgewood Homes Inc, Ronald Madison

Address: 1927 Woodcrest Rd, Brainerd, MN 56401
(Street) (City) (State) (Zip)

Contact Information #: 218-829-9103 (Home) 218-829-9103 (Business)

(Fax) (E-mail)

Applicant: (if different than Property Owner) Brdiges of Hope, Jana Shogren

Address: 2011 S 6th St, Brainerd, MN 56401
(Street) (City) (State) (Zip)

Contact Information #: (Home) 2180825-7682 (Business)

(Fax) jana@bridgesofhopemn.org (E-mail)

Contact Person: (if different than Property Owner) Jana Shogren or Ann Hunnicutt

Address: 2011 S 6th St, Brainerd, MN 56401
(Street) (City) (State) (Zip)

Contact Information #: (Home) 218-825-7682 (Business)

(Fax) (E-mail)

This Interim Use Permit may be approved if sufficient facts are presented at the Planning Commission and City Council meetings to support a finding that <u>all</u> of the attached criteria for granting an Interim Use Permit have been met.

Obtaining this *Interim Use Permit* does not absolve the applicant from obtaining all other applicable permits, such as Building Permits, MnDOT access permits, etc.

I (We) certify that I (we) have submitted <u>all</u> the required information to apply for an Interim Use Permit and that the information is factual.

Signed by: Ronald R Madison President **Date:** Nov 10 2021
(Property Owner)

Ronald Madison - Edgewood Homes Inc
(Property Owner-Please print Name)

Jana M. Shogren **Date:** 11/10/21
(Applicant-If different than owner)

Jana Shogren - Bridges of Hope
(Applicant - Please print name)

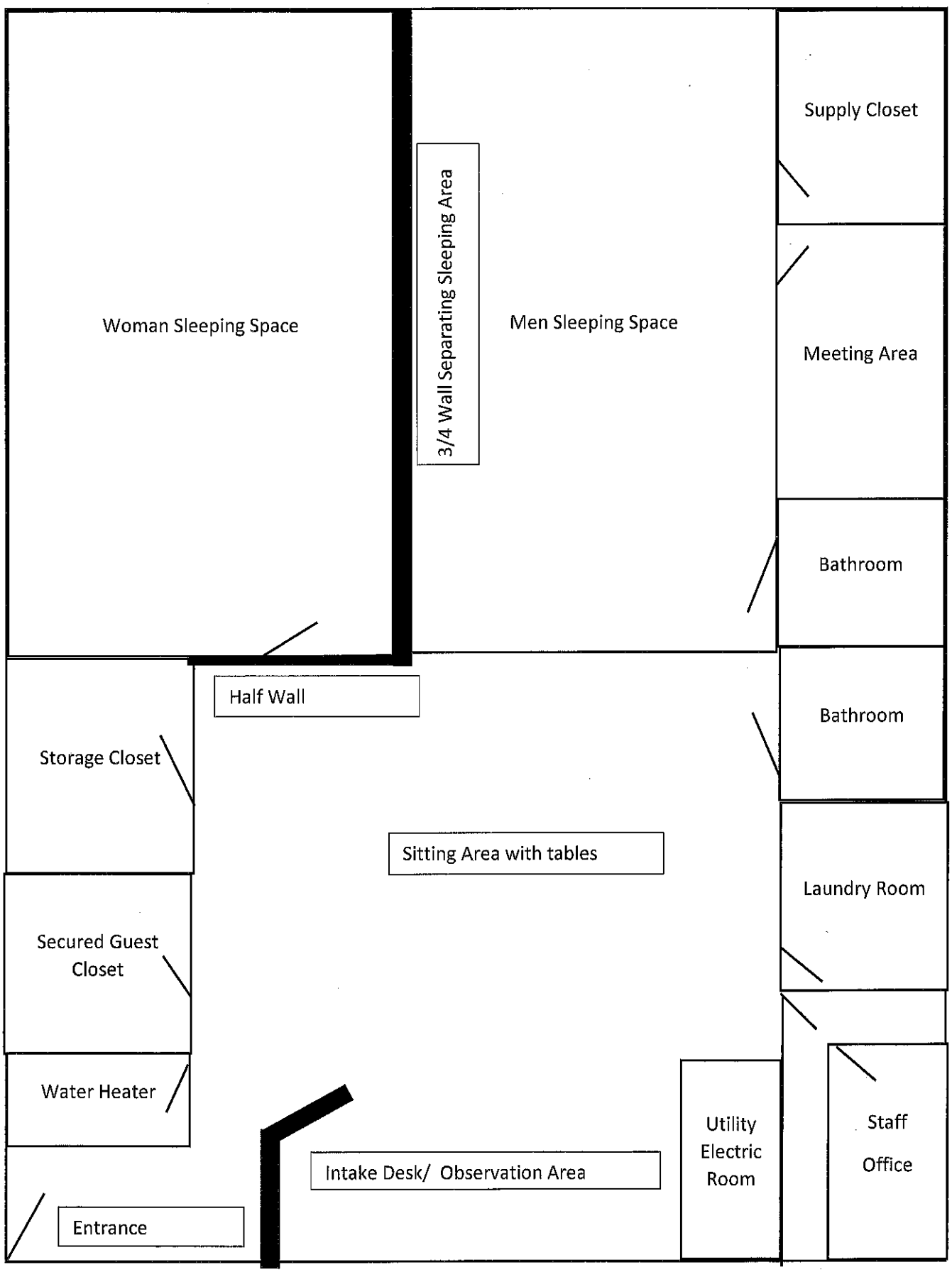
Interim Use Permit

Supporting Information

The City Council may approve an Interim Use Permit if all of the "Criteria for Review of Interim Use Permits" are met. In order to facilitate review of this application for an *Interim Use Permit,* the applicant must address each of the *"Criteria"*, referred to in Section 515-6-1 of the Zoning Ordinance.

1. **Public Health/Safety/Welfare**. The *Planning Commission* and the *City Council* shall review each application for the purpose of determining that each proposed use meets the following criteria referenced to in Section 6-14 and in addition, shall find adequate evidence that each use in its proposed location will address the following:
   (a) The proposed use conforms to the district and conditional use provisions and all general regulations of this Ordinance.
   (b) The proposed use meets all special standards which may apply to its class of conditional uses as set forth in this section.
   (c) The proposed use shall not involve any element or cause any condition that may be dangerous, injurious, or noxious to any other property or persons.
   (d) The proposed use shall be sited, oriented and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
   (e) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
   (f) The proposed use shall organize vehicular access and parking to minimize traffic congestion in the neighborhood.
   (g) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.

(con't)


Supply Closet
3/4 Wall Separating Sleeping Area
Woman Sleeping Space
Men Sleeping Space
Meeting Area
Bathroom
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Bathroom
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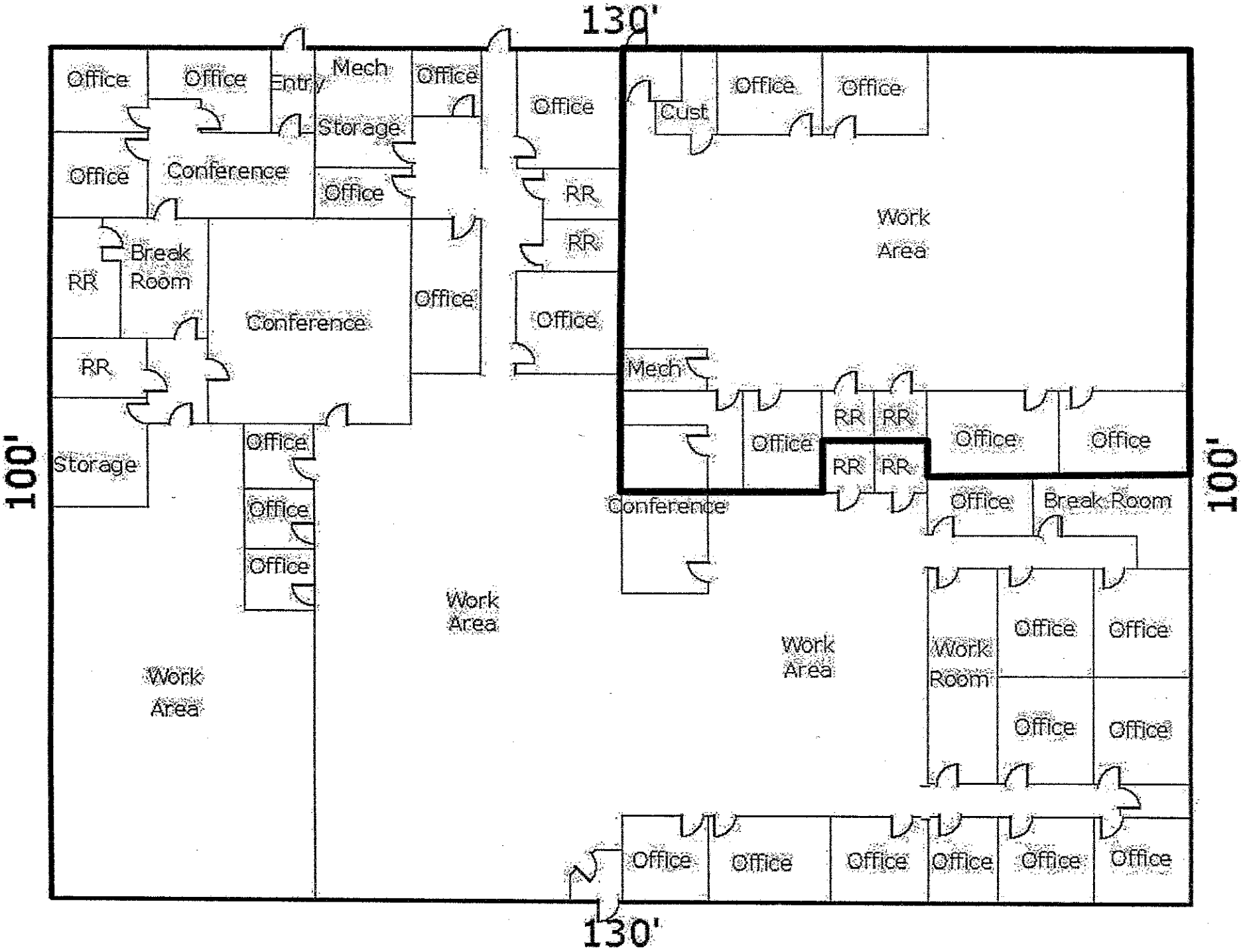
Sitting Area with tables
Laundry Room
Secured Guest Closet
Water Heater
Utility Electric Room
Staff Office
Intake Desk/ Observation Area
Entrance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1919 SOUTH 6TH STREET

40 0 40 80

1" = 40'-0"

SCALE FEET

ROUGH DRAFT ONLY

Policy and Procedures

Warming Shelter

1. Mission Statement

Our mission is to build bridges of support, anchored in Christ's love, between families in the Brainerd Lakes area and our community partners that can help them thrive and grow with hope.

Description of Services

The Community Warming Shelter will provide a safe, warm, overnight facility for individuals 18 years of age or older from November through March. Services may be extended beyond those dates if deemed necessary.

The Warming Shelter is being operated by Bridges of Hope a non-profit organization and will welcome people of all beliefs and religions. All guests will be respected with no imposition of individual beliefs by staff or volunteers. The Shelter is a Community Shelter and not a Bridges of Hope Shelter.

Information on referrals and resources for community services will be provided to interested guests.

Contacts:

ALL EMERGENCIES; DIAL 911

Ann Hunnicutt

Warming Shelter Director

(218) 825-7682 (Office daytime) **Will replace with Shelter # once known**

(218) 839-1845 (Cell phone)

Brainerd Police Department

225 East River Rd

Brainerd, MN 56401

(218) 829-2805 (non-emergency daytime)

(218) 829-4749 (non-emergency after hours)

Brainerd Fire Department

23 West Laurel St

(218) 828-2312 (non-emergency daytime)

Crow Wing County Sheriff's Office

304 Laurel Street

Brainerd, MN 56401

(218) 829-4749

Crow Wing County Social Services

204 Laurel Street

Brainerd, MN 56401

(218) 824-1140

(218) 829-4749 (After hours for on call staff)

Essential Health St. Joseph's Hospital

523 North 3rd St

Brainerd, MN 56401

(218) 829-2861

2. Rules and Regulations

(A) Guest Eligibility: Guest must be at least 18 years of age.

(B) Guest Behavior: Guest must remain calm and respectful. Any threats or aggression, physical or verbal or damage to property, or violation of Shelter rules may be cause for immediate expulsion. Behavior that results in police being called with be exited from the shelter immediately, for the remained of that night. Incident reports will be filled out for behavior concerns and reviewed daily by director who will make final decision on expulsion.

(C) Prohibited Substances and Items: Alcohol, illegal drugs/substances or weapons are not allowed at the Shelter. Any weapons will be confiscated. Pocket knifes may be turned in for safe keeping and returned upon exiting the shelter. The shelter will not tolerate any weapons, smoking, using alcohol or illegal drugs/substances in the Shelter and it may be grounds for immediate expulsion.

(D) Guest Property: Guest bags, outer clothing (coats, snow pants), and property will be locked up upon arrival at the shelter by staff. Medication (unless requiring refrigeration) and all items will remain locked up while the guest is at the Shelter, and the guest will not have access to them until 6:00 a.m. If guest leave prior to 6:00 a.m. they will not have access to their belonging and may come back for them between 6:00 a.m.-8:00 a.m. but will not be allowed in the shelter until the next business day.

(E) Guest Responsibility: Guests are expected to clean up after themselves. Guests are expected to comply with appropriate staff requests and directions.

(F) Guests, Staff and Volunteers: Staff and volunteers are not permitted to offer rides to guests, give or loan money or any other items of monetary value to guests. Guest may not ask staff/volunteers for such items and must understand that staff/volunteers are here to help with supervision and provide company.

(G) Center Hours of Operation: Guest are invited to stay in the warming Shelter starting at 8:00 p.m. until 8:00 a.m. the following morning. All guests must arrive by

11:00 p.m. nightly as no more intakes will be allowed. After 11:00 p.m. the only intakes the shelter will allow is those referred by police, hospital staff or approved referral source. Guests that leave the premises at any time during the night will not be allowed back until the following night. Lingering on the premises before the Shelter opens or after it closes is not permitted. Guests MUST take all items when they leave and not leave anything behind in a storage bin. If a guest leaves any belongings behind, they can only be retrieved when the Shelter next opens (usually the following evening). If a guest leaves unclaimed belongings at the Shelter, they may be disposed of or donated after 30 days. The Shelter and all volunteers/staff are not responsible for any lost items.

(H) Number of Guests: The Shelter will have 20 twin beds and will have two separate sleeping areas: male side and a female side. At all times Guest will have full supervision for safety. The Shelter will have 10 overflow mats. We will not exceed 30 Guest in any given night, and no exceptions for this rule. If we are presented with over 30 Guest's, we will contact Crow Wing County Social Services to see about Emergency Placement options.

(I) Lights Out: Lights are out at 11:00 p.m. If a guest chooses to stay in the common area after lights out, they are expected to be quiet and respectful of others when going to bed.

(J) After Hour Admission: Guest will not be allowed to enter the Shelter after 11:00 p.m. unless they are accompanied by a police officer, or an approved referral source has contacted the Shelter and made arrangement, on the guest's behalf.

3. Supporting Volunteers.

The Community Warming Shelter volunteer opportunities.

The Community Warming Shelter will use volunteers to assist with gathering supplies, repairs and maintenance, additional cleaning, and meals on Holiday's. Volunteers will also be available to assist with intake process and checking out process but will always be accompanied by at least one paid staff member. Volunteers will be used to build rapport with guests and be a support person for the guest.

To Volunteer; Please contact Ann Hunnicutt via email at ann@bridgesofhopemn.org or by phone number located on the Bridges of Hope website. In email include name and phone number and someone will get you the volunteer paperwork to fill out.

4. Shift Volunteers

Shift Volunteer Requirements

To assure the health and safety of the Shelter all guests will be required to fill out a volunteer application and complete a background check. Every volunteer will complete an orientation training for serving guest at the Shelter. All Shelter volunteers must comply with the Shelter's policies and procedures.

Requirements:

a) Must be at least 18 years of age.
b) Be responsible, compassionate, and friendly.
c) Understand that the Shelter is not a place of judgment-no questions should be asked about drugs or alcohol habits. Treatment resources are only discussed with those participants who ask for help and resources. Volunteer may not impose their individual beliefs on guests.
d) Treat all individuals with dignity and respect.
e) Complete the Shelter's volunteer orientation training.
f) Successfully complete a background check.
g) Be willing to work and stay alert during shift.
h) Able to work with people of many backgrounds and beliefs.
i) Able to maintain confidentiality of guests while inside and/or outside of the Shelter.

5. Procedures

Routine Maintenance/Emergency Procedures

Routine Maintenance

a) Periodically check the first aid supplies to ensure we have enough, nothing has expired, and everything is still in working order. (See list attached to first aid kit)

b) Check the flashlights to make sure they are working properly.

c) If anything needs to be replenished, please email the director of the shelter; ann@bridgesofhopemn.org. Please record request on log sheet during each shift.

What is an emergency?

An emergency is any immediate threat to life and/or property that requires an immediate response from police, fire or ambulance personnel. If in doubt, err on the side of safety.

When reporting an emergency:

a) Use Shelter's landline and/or cell phone and dial 911.
b) Stay on the line with the dispatcher, if at all possible.
c) Provide the address (1926 South 6th Street, Brainerd, Rear entrance off of South 7th Street) and description of emergency.
d) Provide the phone number at your location.
e) Provide a thorough description to ensure the appropriate resources are dispatched.
f) Make sure someone is available to open the door to the outside and stays there, if possible, to brief the emergency personnel.

Evacuation/Escape Procedure:

a) Have everyone move calmly to the nearest exit.
   There are two exits out of the Shelter; use the main entrance first is possible, all exits have signage. See Evacuation maps on walls for details in case of a fire and/or tornado.
b) Once outside, move clear of the building allowing others to exit; do not return to an evacuated building until advised by emergency personnel.
c) Do a headcount once you have gathered everyone away from the building.
d) If unable to go back in to building or a long time outside go to address below. Lobby is open and we have permission to use lobby area until we have a better understanding of situation:

Econo Lodge
2115 South 6th Street
Brainerd, MN 56401
(218) 270-5001

Severely intoxicated, high, or incapacitated persons:

Call 911 if the situation seems an emergency or call the Brainerd Police Department non-emergency number (218) 829-4749 if it is not an emergency. Ask the police to come and decide the best manner of dealing with someone who is incapacitated due to drugs, alcohol, or other reasons. They must also be contacted if someone appears to be a danger to themselves or others.

Self-harming/suicidal guests:

In the case that a guest is caught in an act of self-harm or is threatening suicide, call 911 using the center's landline. If safety permits, someone should stay with the guest until help has arrived.

Injury:

There are first aid materials available for minor injuries. It is necessary to wear glove before attending to any blood injuries and to follow procedures on blood borne pathogens. For serious injuries or illness, call 911.

Inclement Weather:

If an ice storm or blizzard occurs during the evening hours, use caution when leaving the Shelter and good sense in releasing guests in the morning hours. There will be shovels for snow removal of the side walks prior to guest exiting and salt if needed for ice.

Damage to Property:

If something breaks or is damage during the evening, complete an Incident/Injury/Accident Report and turn in to director.

6. Policies

The community Warming Shelter has the following policies for closure due to lack of guests.

If there are no guests during the intake period from 8:00 p.m. until 11:00 p.m., then the Shelter will be closed.

The Director will then call the non-emergency police number (218) 829-4749 and Essentia Health (218) 829-2861 to let them know we are closing. In the event of a closure one staff will remain on call for referral services. If closure occurs staff will notify 2nd shift of closure.

The Shelter Director shall be called in event of the shelter closing, (218) 839-1845.

Smoking Policy:

The Shelter will allow guests to leave the building to smoke cigarettes prior to lights out at 11:00 p.m. The guest must stay in the designated area ONLY, or they may be considered to have left the Shelter and may not be able to re-enter. Guest must stay in view of the surveillance cameras and stay with in the yellow marked areas by the entrance door of the Shelter. Guest can resume going out to smoke at 6:00 a.m., again staying in the designated area ONLY.

There is no smoking cigarettes or any substances inside the building. You may be banned from the Shelter if you violate this policy.

Pet Policy

There shall be no pets or animals inside the Shelter or on the property where the Shelter is located. There shall be no animals left in a vehicle in the parking lot of the Shelter. The Shelter will adhere to the Laws pertaining to Service Animals and Emotional Support Animals. See Below.

https://mn.gov/mdhr/yourrights/service-animals/

A **service animal is a dog -- or, in rare cases, a miniature horse** -- that is specially trained to perform specific tasks for a person with a disability. A service animal might guide an individual with vision impairment, detect seizures, or keep individuals calm during a panic attack.

A business is not required to allow an emotional support animal onto its premises. However, a business or government office can choose to allow emotional support animal access.

A landlord can insist that tenants with assistance animals **comply with local ordinances requiring that animals be licensed or immunized.**

Similarly, all tenants must comply with laws or ordinances forbidding certain wild or exotic animals (such as wolves or lemurs) on the basis of legitimate public health and safety concerns.

https://disability.state.mn.us/information-and-assistance/service-animals/

Under the ADA, State and local governments, businesses, and nonprofit organizations that serve the public generally must allow **service animals** to accompany people with disabilities in all areas of the facility where the public is normally allowed to go. For example, in a hospital it would be inappropriate to exclude a service animal from areas such as patient rooms, clinics, cafeterias, or examination rooms. However, it may be appropriate to exclude a service animal from operating rooms or burn units where the animal's presence may compromise a sterile environment.

Service animal: As defined in the Americans with Disabilities Act (ADA) may be a dog, or in some cases a miniature horse, individually trained to do work or perform tasks for an individual with a disability. The task(s) performed by the animal must be directly related to the person's disability. The ADA allows these animals to go anywhere that the public is allowed to go.

Emotional support, therapy, comfort, or companion animals are not considered service animals under the ADA. These terms are used to describe animals that provide comfort just by being with a person. Because they have not been trained to perform a specific job or task, ***they do not qualify as service animals under the ADA***.

Staff/businesses cannot ask about the person's disability, require medical documentation, require a special identification card or training documentation for the dog, or ask that the dog demonstrate its ability to perform the work or task. Service animals do not have to wear a vest or patch or special harness identifying them as service animal. Two questions may be asked of the owner of a service animal:

Is the service animal required because of a disability?

What work or task has the animal been trained to perform

Under the ADA, **service animals must be harnessed, leashed, or tethered, unless these devices interfere with the service animal's work or the individual's disability prevents using these devices.** In that case, the individual must maintain control of the animal through voice, signal, or other effective controls. Generally, the animal must stay on the floor, or the person must carry the animal. Service animals should not be placed in shopping carts.

Service animal users must be afforded the same opportunity as any other guest in any establishment. People with disabilities who use service animals cannot be isolated from other patrons, treated less favorably than other patrons, or charged fees that are not charged to other patrons without animals. In addition, if a business requires a deposit or fee to be paid by patrons with pets, it must waive the charge for service animals.

Service animals must be under handler control and housebroken. Misbehaving, out of control, or lunging service animals may be asked to leave the premises. A business may charge for any damages that the animal causes. Staff are not required to provide care or food for a service animal.

Brainerd City Ordinance;

900.03 Subd. 2. License Required . A) All dogs over the age of four (4) months kept, harbored, or maintained by their owners in the City, **shall be licensed and registered with the City**. Dog licenses shall be issued by the City upon payment of the annual license fee on or before the first day of January of each year, or within thirty (30) days of acquiring ownership or possession of any unlicensed dog. The annual license fee shall be set by Chapter X of the Brainerd City Code. The owner shall state, at the time application is made for the license and upon forms provided for such purpose, his or her name and address and the name, breed, and sex of each dog owned or kept by him or her. **No license shall be granted for a dog which has not been**

vaccinated against rabies, as provided in this Section. Vaccination shall be performed only by a doctor qualified to practice veterinary medicine in the State in which the dog is vaccinated. A veterinarian who vaccinates a dog to be licensed in the City shall complete a certificate of vaccination. A copy of the current rabies vaccination shall be shown at the time of licensing. B) It shall be the duty of each owner of a dog subject to this Section to pay to the City of Brainerd the license fee as imposed by City Code. C) Upon payment of the license fee, the City shall issue to the owner a license certificate and metallic tag for each dog licensed. The tag shall have stamped on it the year for which it is issued and the number corresponding with the number on the certificate. **Every owner shall be required to provide each dog with a collar to which the license tag must be affixed and shall see that the collar and tag are constantly worn.** In case a dog tag is lost or destroyed, a duplicate shall be issued by the City upon the presentation of a receipt showing the payment of the license fee for the then current license year and after payment by the applicant of the fee fixed by Chapter X of the Brainerd City Code for issuance of the duplicate license. Dog tags shall not be Brainerd City Code 900.03 Subd. 2 (C) cont. transferable from one dog to another and no refunds shall be made on any dog license fee or tag because of death of a dog or the owner's leaving the City before the expiration of the license period. It is unlawful to counterfeit or attempt to counterfeit tags provided for herein, or to take from any dog a tag legally placed upon it by its owner with the intention of placing it upon another dog. D) The licensing provisions of this Subdivision shall not apply to dogs whose owners are non-residents temporarily within the City (not more than (30) days), nor to dogs brought into the City for the purpose of participating in any dog show. Further, this provision shall not apply to "seeing eye" dogs properly trained for the purpose of providing service to persons with disabilities to aid them in going from place to place provided that a Certification of Assistance Training from a recognized school or program is submitted with the license application. E) The funds received by the City from all dog licenses and metallic tags shall first be used to defray any costs incidental to the enforcement of this Section; including, but not restricted to, the costs of licenses, metallic tags, and impounding and maintenance of the dogs. F) **Any dogs brought into the City of Brainerd must be properly licensed within thirty (30) days of having been moved into the City.**

Cell Phone Policy

Cell phones will be allowed to accompany guests while in the Shelter. Guests are to use cell phones in designated area only (quiet area). While in the sleeping area the phones should not used for any purpose.

Cell phones should not be used for photos due to confidentiality of Guests. If photos are taken of Guests while in the Shelter or on the property of the Shelter, you may be asked to place your phone in your bin for safety and/or you may be banned from the Shelter.

Bathroom Use Policy:

Guest have no expectation of privacy while in the Shelter and will have signed a Guest Agreement form stating they are aware of this. They will have full use of the restrooms which will have locking capability.

7. Information of Shelter Operations

a) The first shift staff will arrive at 7:30 p.m. to assure everything is prepared prior to intakes. This staff will also coordinate with volunteers and prep volunteers on their duties.

b) Staff and volunteers will place their own personal valuables in secure area.

c) There will always be 2 staff working unless Director is working and sends staff home due to a limited amount of Guests. Shifts available to work for staff only are as follows:

1st Shift: 7:30 p.m. until 2:00 a.m.

2nd Shift: 2:00 a.m. until 8:30 a.m.

Full Shift: 8:00 p.m. until 8:00 a.m.

d) All shifts will be responsible for laundry of bedding and guest clothing. Each shift will be assigned cleaning duties to ensure a clean environment for staff, volunteers, and guests.

e) Desk Staff: will attend to paperwork for intake, will be responsible for monitoring surveillance system and recognizing concerns within the Shelter or outside the Shelter.

f) Desk Staff will assure that intake paperwork if filled out and any exit paperwork that needs to be done. Desk Staff will assure all paperwork is completed by end of shift.

g) Floor Staff: will attend to assisting guests into the Shelter, will gather belongings while intake paperwork is being completed by the Desk Staff. The floor staff will conduct searches of guest's person if have concerns with drugs or alcohol being brought into the Shelter. The Guest will be assigned a numbered bin and then will be free to enter the Shelter and sleeping area. Floor staff will be trained and make a trained decision if a Guest is not able to enter the Shelter due to behavioral

concerns. The Floor staff will continue to monitor floor area and sleeping area. Floor staff will do perimeter checks on a regular basis of the exterior of the building.

h) Staff and Volunteers on site in the morning will assist Guests with getting their belongings and exiting the building and property. Guests will not be allowed to linger on the property or in the parking lot after Shelter in closed.

i) After Shelter closing; Staff will assure that the cleaning in done for that shift, shut lights off, and secure building. One staff and possible Volunteers should be out of the building by 8:30 a.m. unless extra work is needed.

j) Guest may enter the building at 8:00 p.m. and must be off the premises by 8:00 a.m. This leaves for a maximum of a 12 hour stay each night.

k) Nightly Cleaning; see nightly cleaning check off list.

GUEST AGREEMENT

Name_____**Date**_____

- **I am 18 years of age or older**
- I cannot use illegal substances or alcohol in the shelter, or on the grounds of the shelter.
- I will not be allowed to have any personal belongings, coats, or bags while in the shelter. I agree to have all my bags/belongings reviewed and stored by staff. I must check in my medications, weapons, chemicals, and alcohol. I understand that I cannot get them back until I am ready to check out for the day, between 6:00 a.m. and 8:00 a.m.
- I cannot bring non-prescription or illegal substances into the shelter.
- I understand I must show respect to staff and other guests while on the premises.
- Lights out at 11:00 p.m. I understand that if I choose to stay in the common area after lights are out that I will be quiet and respectful of others when I go to bed.
- I understand there is no fighting, swearing, or property damage allowed on these premises.
- I must consent to staff's request to search my person, personal property and belongings when I am on the "Community Warming Shelter" property.
- I understand that I have no reasonable expectations of privacy on the shelter premises.
- I understand that any illegal contraband, weapons and/or assault on the premises could result in being banned from the premises indefinitely.
- I understand if I am asked to leave the premises, if refusal to leave the police may be called, and/or you may be banned from the shelter.

- **I understand that I will be asked to leave and may be banned from the shelter premises if I do not follow these rules.**

- I agree to comply with the rules and regulations stated above.
- I release the Community Warming Shelter and its volunteers and guests from all liability while acting on my behalf while staying at the shelter.
- I will maintain confidentiality of other guests in the shelter and while outside the shelter.

I have read and understood, and I agree to these rules,

Guest Signature: _____ Date: _____

Staff Signature: _____ Date: _____

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Jana Shogren has submitted a request on behalf of Bridges of Hope for an Interim Use Permit to operate a warming shelter for the homeless in the Brainerd Lakes Area at 1919 S 6th St. The property included in this application is described as:

LOT 4 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD
LOT 5 BLOCK 3 HOLIDAY INN ADDITION TO BRAINERD
P.I.N. 41360878
P.I.N. 41360877
Section 36, Township 45, Range 31

The property is zoned B-4 (General Business District). The Interim Use Permit request is contingent upon Brainerd City Council adopting Ordinance No. 1521 on November 15, 2021. A copy of the proposed site plan is on file for review at the Community Development Department.

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, November 17, 2021 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the Interim Use Permit request.

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

Dated this 3rd day of November 2021

David C. Chanski, MPA
Community Development Director

Publication Date: November 7th, 2021

O R D I N A N C E
NO. 1521

AN ORDINANCE AMENDING SECTION 515-63: B-4, GENERAL BUSINESS DISTRICT

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 515-63-5 of the City Code is hereby amended in the following:

~~**A. None**~~

A. Warming Shelters for the purpose of temporarily sheltering homeless persons.

1. **Operation shall not exceed sixteen (16) continuous hours.**
2. **Facility occupancy shall not exceed 30 beds or total occupancy of facility as set by the Fire Marshall, whichever is less.**
3. **Facility shall be staffed during all hours of operation.**
4. **24-hour contact information shall be provided to the City of Brainerd Police Department and Crow Wing County Community Services Department.**
5. **Except for bicycle racks, outdoor storage of equipment, furniture, personal items, or other such possessions of those using the facility is not permitted.**
6. **Facility shall meet all applicable building, safety, fire and health code requirements.**

SECTION TWO: All other provisions of Section 515-63 shall remain in full force and effect.

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

Adopted this _____day of _____, 2021

_____
KELLY BEVANS
President of the Council

Approved this _____day of _____, 2021

_____
DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Published: One Time – _____