



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, December 15, 2025 @ 7:30 PM

The public is invited to attend these meetings in person

Attend by phone: 1-844-992-4726

City Council - Meeting Access Code: 2497 658 5145

Personnel and Finance Committee held: 2nd Floor Conference Room at 7:00 PM

Safety and Public Works Committee held: Council Chambers at 7:15 PM

Per MN Statutes 13D.02 Subd 1 Council Members may participate by interactive technology.

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and Amazon FireTV

1. **Call To Order**

2. **Roll Call**

___ K. Yeager ___ T. Erickson ___ K. Bevans ___ J. Czeczok ___ G. Johnson ___ K.
Stunek ___ M. O'Day ___ Mayor Badeaux

3. **Pledge of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval of Bills**

(Available upon request in the City Administrator's Office)

B. **Approval of Licenses**

C. **Approval of Minutes**

D. **Department Activity Reports**

E. **Hire Paid on-call Firefighters Tyler Borg, Garret Davis, Tanner Miles, and Keaton Walkowiak effective January 1, 2026, at \$12.43 per hour**

F. **Special Event/Parking Closure: Great River Greening**

6. **Public Forum**

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

7. **Presentations**

A. **Annual Charter Presentation: Community Action**

B. **Update: Visit Brainerd**

8. **Council Committee Reports**

A. **Safety & Public Works Committee**

1. Final Pay Request: 2025 Chip Seal Project
2. Change Order #3: Improvement 23-13

B. **Personnel & Finance Committee**

1. Leasing of Lakes Area Drug Investigation Division (LADID) Vehicle in 2026
2. IUOE Parks Union Downtown Snow Removal Compensation Request
3. Temporary Transit Operations Specialist Position
4. Revised Contribution to City Policy 2003-01: Payment in Lieu of Taxes (PILOT) Contribution
5. Temporary Service Agreement: Technology for the City of Baxter

9. **Unfinished Business**

A. **Call for Applicants**

Mayor Recommended: (terms to expire on 12/31 of said year)
Charter Commission – **2 terms** (Expire 2025) **2 terms** (Expire 2026)
Economic Development Authority-- **1 term** (Expire 2028)
Housing Redevelopment Authority-- **2 terms** (Expire 2030)
Library Board-- **5 terms** (Expire 2031)
Park Board-- **1 term** (Expire 2028) 1 term (Expire 2029)
Public Utilities Commission—**1 term** (Expire 2028) 1 term (Expire 2030)
Transportation Advisory Committee- **1 term** (Expire 2026) **2 terms** (Expire 2027)
Council President Recommended: (terms expire on 12/31 of said year)
Planning Commission-- **2 terms** (Expire 2028)
Water Tower Committee—**2 terms**

B. **Resolution: Voyageur Heights EAW**

- C. **Final Reading: Proposed Ordinance 1599 (fee schedule)**
- D. **Final Reading: Proposed Ordinance 1600 (rezoning from CN-2 to GC)**
- 10. **New Business**
 - A. **Brokerage Agreement Extension: Kamp Realty**
 - B. **Shared Services Agreement: EDA**
 - C. **Council Member Representation: Oak Street Reconstruction PMT**
 - D. **Resolution: 2026 Levy for the City and HRA**
 - E. **2026 Budgets**
- 11. **Staff Reports**
(Verbal: Any Updates since Packet)
- 12. **Mayor's Report**
- 13. **Council Member Reports**
- 14. **Adjourn**
- 15. **Council Communications**
 - A. **Transit Responses: Crow Wing County & City of Baxter**

Visit the City's Website at www.ci.brainerd.mn.us

MISSION

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

REMAINING 2026 LICENSE RENEWALS FOR APPROVAL - CONTIGENT UPON INSPECTION
FOR APPROVAL AT THE DECEMBER 15TH COUNCIL MEETING

TOBACCO LICENSES - 1 RENEWAL

Cashwise Liquor
513 B Street NE
Brainerd, MN 56401

TAXI CAB LICENSES - 2 RENEWAL

Brainerd Area Taxi	Grab-A-Cab
301 Washington St	422 Charles Street
Brainerd MN, 56401	Brainerd, MN 56401

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:30 P.M. by Council President O'Day.

Upon roll call the following Members were noted as present: Yeager, Erickson, Bevans, Czczok, Johnson, and O'Day. Mayor Badeaux was also noted as present. Member Stunek was noted as absent.

Chair O'Day led the Pledge of Allegiance to the flag.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE THE AGENDA.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS TO APPROVE THE CONSENT CALENDAR.

- A. Approval of Bills**
- B. Approval of Minutes**
- C. Approval of Licenses**
- D. Department Activity Reports**
- E. Approval of Transfers of Funds**
- F. Special Event/Parking Application- Indoor Farmers Market**
- G. Authorization to Enter into Agreement with CliftonLarsonAllen (CLA) for 2025 Audit Services**

Upon roll call, Council Members Yeager, Erickson, Bevans, Czczok, Johnson, and O'Day voted "aye". No member voted "nay". The Chair declared the motion carried.

Public Forum

The Chair opened the public forum at 7:32 p.m.

No one came forward.

The chair closed the public forum at 7:32 p.m.

Presentations

Annual Charter Presentation- The Center

Darcy Walkowiak, Executive Director, The Center, gave an overview of 2025 for The Center.

Member Czczok thanked Ms. Walkowiak for all that The Center does for the community.

Annual Charter Presentation- The Northland Arboretum

Trevor Pumnea, Executive Director, The Northland Arboretum, gave an overview of 2025 at The Northland Arboretum.

Member Czczok asked whether any other municipalities provide direct tax dollars to the Arb.

Mr. Pumnea stated that the City of Baxter has provided significant in-kind contributions. Crow Wing County is also looking toward logging as a way to generate funds for the arboretum.

Member Johnson stated that he likes to see everything that is going on. The hockey families are very excited for the forest ice skating trail.

Chair O'Day asked for clarification about "asking" to leverage the funds from the City of Brainerd.

Mr. Pumnea stated that he had missed an opportunity to ask for support from the City to leverage funds for a grant that the Arboretum would like to apply for to create more ADA facilities.

Brainerd Public Utilities Operating and Capital Budget Presentation

Public Utilities Director Sandy gave an overview of the utilities 2026-2030 capital program. There are significant investments in infrastructure planned for the next five years.

Public Utilities Finance Manager Loch gave an overview of the utilities operating budget. There are a number of staffing positions that are included in the 2026 operating budget that staff will be working to fill. The purchase power expense is stabilizing, and electric fund includes the PILOT cost of 3%. At the next City Council meeting the amended policy will be included and the Commission will review the 4% and 5% increases for 2026 and 2027 once a cost-of-service rate study is complete.

Chair O'Day asked about the cost-of-service rate study.

Manager Loch stated that a cost-of-service rate study has not been completed since 2017. Typically, a rate study is done once every five years. With the request from Council for increase in the PILOT this prompted the Commission to request a full cost-of-service study.

Member Czczok asked about the purchase power expense. He also stated that there was a 20% increase to the water rate. If the water rates had not been increased there would have been a significant loss in the water fund. It was great to see that the deficit was addressed.

Manager Loch stated that the purchase power expense is the cost to purchase power from AEP and includes the offset for hydro-generation.

Member Yeager asked about the 2040 Carbon Free Policy.

Member Johnson asked whether the initiative applies to municipalities.

Public Utilities Director Sandy stated that the Carbon Free Policy is a State policy. The State funding is currently set at zero and does apply to municipalities.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO APPROVE THE 2026 BRAINERD PUBLIC UTILITIES OPERATING AND CAPITAL BUDGETS.

Council Committee Reports

Safety and Public Works Committee

Direction Requested for Bollig Complaint on Stormwater Easement adjacent to CSAH 48

Committee Chair Erickson stated that the committee did not have a recommendation. There was a motion that failed for lack of a second. He gave an overview of the issue.

Member Czczok asked for discussion on the topic. He feels Mr. Bollig has a valid reason for requesting the City repair his stormwater easement. The City repairs other issues on homeowners properties. He doesn't see much difference in the situations. Mr. Bollig pays for storm sewer service and does not have storm sewer on his property. He gave examples of recent history that the City has discussed or participated in cost sharing for similar projects. Mr. Bollig needs representation, it is the elected officials duty to provide that. He would like to see a study done on the property. He stated that resting laurels on a hold harmless agreement that is thirty to forty years old isn't appropriate.

Member Johnson stated that he agrees that the City should look into how much a study would cost as opposed to relying on staff's estimate. He would like to see a proposal for engineering services.

Chair O'Day stated there is a hold harmless agreement in place. The garage was built on the property with permission given that there is no cost to the County. The City has an agreement with the County regarding the storm retention structure. He would prefer the solution to come from the one who is being held at harm instead of the City.

Member Czczok stated that the garage is not the issue. The issue rose after the 2001 southeast construction project. A resolution has never come to be made even after the Council directed staff to do so.

Member Johnson stated that this is not permission to conduct the study.

Member Bevans stated that the City may be able to figure out the issue internally now that the City has two engineers on staff.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO DIRECT STAFF TO REQUEST PROPOSALS FOR ENGINEERING SERVICES FOR STORMWATER ENGINEERING STUDY.

Upon roll call Members Erickson, Bevans, Czczok, Johnson, O'Day voted "aye". Member Yeager voted "nay". The Chair declared the motion carried.

Member Czczok thanked the Members for the motion.

Approve Design/Construction Engineering Proposal - Imp 25-05 Southeast Brainerd Reconstruction Project

Committee Chair Erickson gave an overview of the proposal for design and construction engineering services. Brainerd Public Utilities has received PFA funding for lead service line replacement. Bolton and Menk is also the engineering firm that is conducting this work and would create efficiencies.

Member Czczok clarified that the funds include funding for residential properties to replace their service lines.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZCZOK, DULY CARRIED, TO AWARD THE CONTRACT TO BOLTON & MENK FOR DESIGN AND CONSTRUCTION ENGINEERING SERVICES FOR THE SOUTHEAST BRAINERD RECONSTRUCTION PROJECT IN THE AMOUNT OF \$430,186.

Approve Amendment Request - SRF Consulting - TH 210/Washington Reconstruction

Committee Chair Erickson stated that the amendment request was due to additional hours being needed outside of the original scope of work. He added that the lighting portion of the engineering is state aid eligible.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE REQUESTED CONTRACT AMENDMENT FROM SRF CONSULTING IN THE AMOUNT OF \$65,210.

Update on 2025 Construction Projects

Committee Chair Erickson stated that the update was given as information only. The committee took no action.

Member Czeczok stated that he still has concerns regarding the projects. He understands that the meetings had with some Council Members and Staff were not designed to get direction. There are numerous documents that show that the 10th Street portion of the Wright Street reconstruction has been suspended until Spring. He asked what changes would need to be made to the contract.

City Engineer Dehn stated that depending on Council direction no contract changes need to be made to the construction contracts. The contract deadline is the only portion of the contract that has been changed. After the 15 additional days the liquidated damages apply. Changes to contract language would require consulting with the contractor. The original contract end date for completion was October 3rd. With the additional 15 working days provided on Change Order #2, this extends the project end date to October 24th (not counting Saturdays and Sundays). Effective after this date, the contract includes provisions that damages may be imposed at the rate of \$1,500 per day.

Member Czeczok stated that on October 6th, it was stated by Attorney Langel changing the time of a contract would require Council action.

Member Johnson stated that the time has not been changed.

Member Czeczok stated that on every update regarding construction received it states that the project has been suspended until Spring 2026. He asked whether there was direction given to the contractor to hold off on 10th Street until 2026.

City Engineer Dehn advised that the project was phased for Wright and 10th Streets. Based on their schedule, for purposes to maintain reasonable access for businesses in the project area, it was unadvisable to allow the contractor to begin work on 10th Street prior to completion of Wright Street as originally intended.

Member Czeczok asked about Ronald/Joseph Streets.

City Engineer Dehn stated that the contract for Ronald and Joseph Streets specifically included allowance to complete those streets in 2026 due to the detour for the Willow Street roundabout.

Member Czeczok asked about damages and potential litigation. He asked whether the Council could receive a confidential e-mail as to what has been occurring.

Attorney Langel stated that any time that there is discussion about damages and potential litigation would merit a closed session. He stated that he can discuss the underlying facts with Staff and come up with a confidential communication for Council.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO DIRECT STAFF TO INFORM THE COUNCIL OF THE ISSUES SURROUNDING EXPLORING LIQUIDATING DAMAGES OR CONTRACT RECOURSE OPTIONS FOR THE 10TH STREET PORTION OF THE WRIGHT STREET RECONSTRUCTION.

Member Johnson asked for clarification as to whether the contract was updated just because Staff told the contractor not to dig up 10th Street.

City Engineer Dehn stated that staff direction to the contractor does not constitute a contract change.

Member Johnson stated that knowing that information, liquidated damages still apply because the contract has not been amended.

Consider Enacting an Ordinance Regulating Massage Therapy Businesses

Committee Chair Erickson gave an overview of the item.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO DRAFT AND ORDINANCE TO REGULATE LICENSING AND BUSINESS PRACTICES FOR MASSAGE THERAPY.

Personnel and Finance Committee

Approve Updated Animal Control Contract

Committee Chair Johnson stated that the animal control services have been satisfactory. The financial change is reasonable for service rendered.

Member Czeczok asked what happens if Animal Control is not responsive or unsatisfactory.

Police Chief Davis stated that these calls are generally fielded through Crow Wing County Dispatch, if the Animal Control Officer is not available generally a Police Officer or Community Service Officer handles the issue. He stated that Administrator Broyles would be the person to receive complaints about the Officer's service.

Committee Chair Johnson also stated that there is a public forum at every meeting, the Citizens should be coming forward to the Council to inform them.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE THREE-YEAR ANIMAL CONTROL AGREEMENT WITH LAKES AREA ANIMAL CONTROL.

Approve Updated Misdemeanor Prosecution Services Agreement with Severson Porter

Committee Chair Johnson stated that the cost of the service is reasonable. The agreement is contingent upon signed agreements with Nisswa and Baxter, which will be considered at a future meeting.

Member Bevans stated that the committee asked staff to report back on court fine revenues.

Member Czczok asked for clarification on the software that was requested.

Administrator Broyles stated that the volume of service has increased. Severson Porter would like the cities to discuss software for storage of the files. The costs associated would need to be agreed upon and effective software needs to be determined.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE AGREEMENT WITH SEVERSON PORTER LAW FOR MISDEMEANOR PROSECUTION SERVICES FOR CALENDAR YEARS 2026 AND 2027 CONTINGENT ON APPROVAL OF A JOINT POWERS AGREEMENT WITH THE CITIES OF BAXTER AND NISSWA FOR THEIR LIKE SERVICES, AND DIRECT STAFF TO EXPLORE CASE MANAGEMENT SOFTWARE OPTIONS WITH SEVERSON PORTER TO AID IN THESE FUNCTIONS.

Discussion of 2026 Non-Working Funds Budgets

Committee Chair Johnson stated that the budgets are attached. The EDA and Library budgets will be approved by their boards at a later date. The budgets will be adopted at the same time as the rest of the budgets at the end of December.

Discussion of 2026 Operating Budget and Levy

Member Johnson stated that when he and Chair O'Day met with Administrator Broyles and Finance Director Hillman. Finance Director Hillman had already gotten more information to reduce the proposed levy. They also looked at the capital budget, and Chair O'Day and himself proposed removing the capital improvements to the Public Works Building until the organization of the Public Works department is determined.

Member Czczok asked what would happen to the levy if the garage stayed in the capital plan.

Member Johnson stated that removing the garage does not change the 2026 levy. The capital levy is a stable \$1.1 million dollars each year, but the money isn't always spent. Depending on what is in the plan some years the City spends \$3 million and others only \$500,000. Over the long term, not spending the \$784,000 will eventually benefit the levy in keeping it stable.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO MOVE \$784,000 FOR THE PUBLIC WORKS BUILDING IN THE CAPITAL PLAN TO 2028 AND DIRECT STAFF TO USE \$4,735,323, A 4.75% INCREASE, FOR THE 2026 LEVY PUBLIC HEARING.

Unfinished Business

Call for Applicants – Informational:

(Includes vacancies for expiring terms on 12/31/2025 to be appointed on or after the December 15th meeting)

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

Charter Commission – 2 terms (Expire 2025) 2 terms (Expire 2026)

Economic Development Authority-- 1 term (Expire 2028)

Housing Redevelopment Authority-- 2 terms (Expire 2030)

Library Board-- 5 terms (Expire 2031)

Park Board-- 1 term (Expire 2028) 1 term (Expire 2029)
Public Utilities Commission—1 term (Expire 2028) 1 term (Expire 2030)
Transportation Advisory Committee- 1 term (Expire 2026) 2 terms (Expire 2027)
Council President Recommended: (terms expire on 12/31 of said year)
Planning Commission-- 2 terms (Expire 2028)
Water Tower Committee—2 terms

Final Reading- Proposed Ordinance 1598- Snow Removal

Public Works Director Habighorst gave an overview of the ordinance.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO CONDUCT THE FINAL READING OF ORDINANCE 1598 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS TO ADOPT ORDINANCE 1598.

ORDINANCE 1598

Upon roll call, Council Members Yeager, Erickson, Bevans, Czczok, and O'Day voted "aye". Member Johnson voted "nay". The Chair declared the motion carried.

Approval of Updated Solar Development Agreement at Rotary Park

Public Works Director Habighorst gave an overview of the updated agreement. The updated agreement includes the maintenance and removal of the panels be done by the Public Utilities department. The Public Utilities Commission and Park Board recommended approval.

Member Czczok stated that he has concerns to discuss. He stated that the Public Utilities Commission's recommendation was incorrect. The Public Utilities department has already spent about \$11,000 for this project. He voted for the agreement initially as the Rotarians were assuming costs for damages. The Rotary pavilion's threat to vandalism is extremely high, the updated agreement would place burden on the rate payers. He believes that the solar panels are an ideological project and will not click the meter in the big picture of our carbon free initiative.

Member Johnson stated that he agrees with everything Council Member Czczok stated. He was going to go along with the project. However, he doesn't like the idea of what is happening at Rotary Park. The City accepted the land as natural habitat to be the City's one natural park, now all of these structures are being added as a vanity project.

Member Bevans stated that he will support denying the amendment even though he does not think the Council should make motions to not do something.

Chair O'Day stated that this is an updated agreement to what has already been approved by three bodies. On principal he does not support updating an agreement that was already approved.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND YEAGER, DULY CARRIED, TO NOT APPROVE THE UPDATED SOLAR AGREEMENT WITH BRAINERD ROTARY.

New Business

Consider Interim Use Permit Renewal for a Short-Term Rental - 1005 S. 6th St

Community Development Director Kramvik gave an overview of the request.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND JOHNSON, DULY CARRIED, TO APPROVE THE INTERIM USE PERMIT RENEWAL WITH THE FOLLOWING CONDITIONS: THE INTERIM USE PERMIT FOR TWO SHORT-TERM RENTALS AT 1005 S. 6TH STREET SHALL TERMINATE ON 12/31/2027, UPON SALE OR TRANSFER OF THE PROPERTY, THE INTERIM USE PERMIT FOR THE SHORT-TERM RENTALS AT 1005 S. 6TH ST. ARE NO LONGER VALID, SUBMITTAL OF THE CITY OF BRAINERD LODGING TAX FORM BY THE 10TH OF EACH AND EVERY MONTH, REGARDLESS OF RENTAL ACTIVITY, AND UNITS CANNOT EXCEED OCCUPANCY LIMITS OF THE PROPERTY MAINTENANCE CODE, AND NO MORE THAN TWO UNITS MAY BE RENTED AT ANY ONE TIME.

Consider Interim Use Permit for a Short-Term Rental - 712 6th St N

Community Development Director Kramvik gave an overview of the request.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND JOHNSON, DULY CARRIED, TO APPROVE THE INTERIM USE PERMIT FOR A SHORT-TERM RENTAL WITH THE FOLLOWING CONDITIONS: THE INTERIM USE PERMIT FOR A SHORT-TERM RENTAL AT 712 6TH STREET N SHALL TERMINATE ON 12/31/2027, UPON SALE OR TRANSFER OF THE PROPERTY, THE INTERIM USE PERMIT FOR THE SHORT-TERM RENTAL AT 712 6TH ST N IS NO LONGER VALID, SUBMITTAL OF THE CITY OF BRAINERD LODGING TAX FORM BY THE 10TH OF EACH AND EVERY MONTH, REGARDLESS OF RENTAL ACTIVITY, AND THE MAXIMUM OCCUPANCY IN ACCORDANCE WITH THE PROPERTY MAINTENANCE CODE.

Consider Interim Use Permit for a Short-Term Rental - 9995 Island Drive

Community Development Director Kramvik gave an overview of the request.

Member Johnson asked for clarification on the expiration of these short-term rentals.

Community Development Director Kramvik stated that the expiration is unique to each property depending on when they initially applied for a short-term rental.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND JOHNSON, DULY CARRIED, TO APPROVE THE INTERIM USE PERMIT FOR A SHORT-TERM RENTAL WITH THE FOLLOWING CONDITIONS: THE INTERIM USE PERMIT FOR A SHORT-TERM RENTAL AT 9995 ISLAND DRIVE SHALL TERMINATE ON 12/31/2027, UPON SALE OR TRANSFER OF THE PROPERTY, THE INTERIM USE PERMIT FOR THE SHORT-TERM RENTAL AT 9995 ISLAND DR IS NO LONGER VALID, AND SUBMITTAL OF THE CITY OF BRAINERD LODGING TAX FORM BY THE 10TH OF EACH AND EVERY MONTH, REGARDLESS OF RENTAL ACTIVITY.

First Reading — Proposed Ordinance 1599 - Fee Schedule

Community Development Director Kramvik gave an overview of the recommended fee schedule.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND JOHNSON, DULY CARRIED, TO CONDUCT THE FIRST READING OF ORDINANCE 1599 AND DISPENSE WITH THE ACTUAL READING.

Consider CUP, Future Land Use Map Amendment and Proposed Ordinance 1600, a rezoning from CN-2 (Contemporary Neighborhood 2) to GC (General Commercial), to allow for an Animal Clinic on Parcel 41290683 (NE Corner of Oak Street and 28th St E)

Community Development Director Kramvik gave an overview of the CUP, Land Use Map amendment, and rezoning. The Planning Commission voted 4-1 to not recommend the CUP, map amendment, and rezoning as they believe changing the rezoning would be considered spot zoning.

Member Czczok asked for clarification on the number of votes needed to approve the land use amendment and of the denial process.

Community Development Director Kramvik stated that 2/3 of the present Members would need to vote in the affirmative. He later amended his statement that 2/3 of the Council Members, therefore five members would need to approve the rezoning. He also stated that a denial reason would need to be given for each item which a number of reasons were provided by the Planning Commission.

Chair O'Day stated that these lots are on a busy corridor that have been empty most of his life. Most of the other properties along Oak Street are zoned General Commercial east of these parcels. He believes corridors entering the City should provide for business. He would lean against the recommendation from the Planning Commission to allow this change.

Member Johnson stated that he also supports changing the zoning of this property to General Commercial citing examples.

Member Erickson stated that he supports the rezoning because Oak Street is a commercial corridor entrance to the City. The junction of two State highways is very near, the City would be remiss not to allow commercial zoning in this area.

Member Yeager stated that he will vote against the rezone, as it is spot zoning. He has spoken against spot zoning in the past, but he is pro-business. Chasing the current project may erode the intent of the change if a future business utilizes this facility for a different use. There are many lots in the City currently that the applicant could develop a clinic tomorrow.

Mayor Badeaux stated that in looking at the zoning, he is surprised that this building does not fit into the uses. Everything along this road has a setback. The idea that moving across the street and down, not being able to have the same kind of building, tells him that the zoning is incorrect. He stated that the corridor should be lively and ripe for development.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO CONDUCT THE FIRST READING OF PROPOSED ORDINANCE 1600 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK TO ADOPT RESOLUTION AMENDING THE FUTURE LAND USE MAP FROM MEDIUM-HIGH DENSITY RESIDENTIAL TO COMMERCIAL CONTINGENT UPON APPROVAL OF PROPOSED ORDINANCE 1600.

RESOLUTION 86:25

Upon roll call, Council Members Yeager, Erickson, Bevans, Czczok, Johnson, and O'Day voted "aye". No member voted "nay". The Chair declared the motion carried.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT TO ALLOW FOR THE

Review Voyageur Heights Environmental Assessment Worksheet (EAW) and Hold Public Meeting

Community Development Director Kramvik gave an overview of the Environmental Assessment Worksheet. He stated that the approval will come to the next meeting this item is to hold a public meeting as is required prior to making a determination on the EAW.

Approval to Seek Grant to Extend Height of Fence Line at Memorial Softball Fields

Public Works Director gave an overview of the proposed projects.

Member Czeczok asked for the amount that the Park Board will be requesting.

Public Works Director Habighorst stated that the amount will be included in the application once a bid amount is known. He stated that the application would not include a local match as the City does not have the funds budgeted.

Member Johnson stated that given that information, he doesn't know how the request fits into the grant policy if an amount is not known.

Member Erickson clarified that the request is to apply for the grant.

Public Works Director Habighorst stated that, yes, this is a request to apply for the grant. If awarded, the item would return to the City Council to accept the grant.

Member Johnson stated that he cannot in good conscience approve of anything he knows nothing about.

Chair O'Day stated that the grant will return if awarded so he is comfortable.

Member Czeczok stated that many times the details are known. In this case, he believes the Council should allow the Park Board to find options and have them return for approval before funds are accepted.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND ERICKSON TO APPROVE APPLICATION FOR A GRANT TO PROVIDE IMPROVEMENTS AT THE MEMORIAL PARK SOFTBALL FIELDS.

Council Members Erickson, Bevans, Czeczok, and O'Day voted "aye". Members Johnson and Yeager voted "nay". The Chair declared the motion carried.

Staff Reports

Public Works Director Habighorst stated that the Christmas Tree Lighting will be on December 5th at 5:00 p.m. in the City Hall parking lot.

Community Development Director Kramvik gave an overview of the December 4th EDA agenda.

Public Utilities Director Sandy stated that Representative and Senator Heintzeman made a visit to the Hydro Dam. He expressed his gratitude for their support of the project.

Administrator Broyles stated that staff has been working towards revised Charter language. The Charter Commission will hold a joint meeting with the Public Utilities Commission on December 17th. The meeting will be noticed once everything is closer to being finalized.

Mayor's Report

Mayor Badeaux stated that Member Yeager asked about funding for projects from the State that they have mandated. He wanted to make sure to state that question is important because the State is burdening local taxpayers with their mandates and making local municipalities look like the bad guys for raising local taxes.

Council Member Reports

Member Czczok stated he enjoyed a \$4 molasses cookie from a nutritional center in Baxter.

Member Yeager stated that the Airport had its first snow event, he thanked the Staff for their efforts in clearing the snow. It is his intent to introduce the new Airport Director at the next City Council meeting.

Member Czczok asked if the finalists for the Airport Director position have been publicly noticed.

Member Yeager stated that the finalists have not been posted.

Member Johnson stated that he had a dirty soda from the Sweet Spot in downtown Brainerd.

Mayor Badeaux gave an update about Council Member Stunek. He hopes to return to the next meeting.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO ADJOURN THE MEETING.

The Chair adjourned the meeting at 9:33 p.m.

Nicholas W. Broyles
City Administrator

Pursuant to due call and notice thereof, the special meeting of the Brainerd City Council was called to order at 6:00 p.m. by Council President O'Day.

Upon roll call, the following members were noted as present: Erickson, Bevans, Czczok, Johnson, Yeager, and O'Day. Mayor Badeaux was also noted as present.

Budget Public Hearing & Presentation

2026 Budget and Levy Discussion

Finance Director Hillman stated the purpose of the meeting is to discuss the City of Brainerd's 2026 budget and levy and allow for public input. She gave an overview of how tax capacity and property taxes are determined. The City's tax capacity for 2026 is \$13,470,803 and an increase of \$174,217 over 2025. Finance Director Hillman gave an overview of the 2026 operating levy and capital budget. The total budgeted expenditures for 2026 are \$17,272,433, and the total estimated non-property tax revenues are \$9,633,560. The estimated levy needed for 2026 is \$7,435,323, a 4.75% increase. The preliminary levy was set at 8%, the final levy can be less than the preliminary levy but not higher. Finally, she gave an overview of the estimated impact of the preliminary and final levy would have on residential and commercial properties.

Member Czczok asked questions about additional FTEs added to the budget over 2026.

Finance Director Hillman stated that the .6 FTE position for IT is new, whereas the 1.5 police officers have been budgeted since 2024.

Member Bevans stated that he was an advocate for the \$1,000 for the Airport levy in 2025. In 2026 the City is levying \$215,000 for the Airport. He is concerned that there has been no timely response to the operation of the Airport by Crow Wing County. He stated that the levy for Brainerd citizens is the same amount as the County's. But the City's levy amount is spread across less properties making their contribution per property more than what a County property owner pays. He questioned whether the City properties have been removed from the County tax rolls. He stated that his support of the \$1,000 levy for the Airport in 2025 was in hopes of producing leverage with the County to change the agreement. Finally, he asked if the additional services that are provided by the City, like HR, Finance, and IT, have been billed to the County.

Member Yeager stated that he cannot speak to the letter that was sent to the County prior to his appointment to the City Council. He can speak to the meeting that was held with Crow Wing County including Commissioner Barrows, himself, Member Johnson, and City Staff. The conversation was less tepid and in support of revising the split of the County and City contribution to the Airport. He stated that everyone at the meeting, agreed that the system used currently is unfair. He stated that the 2026 budget for the Airport Commission's includes an amount for professional services performed by the City.

Member Johnson stated that nothing has been finalized. There have been meetings and conversations with the County regarding the Airport but as of yet, no resolutions. He stated that they agreed that the County's tax capacity is well over ten times the amount of the City of Brainerd. He confirmed that at the meeting the attendees agreed that it was not the correct system.

Finance Director Hillman stated that billing for services provided by the City will begin in 2026. She confirmed that the most recent letter from Crow Wing County regarding the Airport

levy will remove the City of Brainerd properties from the County levy starting in 2026 and going forward.

Member Bevans stated that he does not feel that the leverage he hoped for was a success. He wants to support the Airport's levy request as the Airport is essential to the community. He stated that the agreement between the County and the City needs to be looked at in a more timely manner. The citizens of Brainerd are left repeatedly holding the financial bag when partnering with our other government partners. He compared the City's contribution to the Airport to that of the Library and questioned how he tells his constituents that the Airport warrants a 50% increase in their levy but the Library only gets 2%.

Member Johnson stated that the answer to Member Bevans question is simple. The Library levy has statutory minimums, which the City has continually contributed well over the minimum to support. Further, the City also maintains the building and makes major repairs to it citing the most recent roof repair. The Airport does not request repairs to their facilities.

Member Czeczok stated that he echoes a number of concerns of Member Bevans. He stated that he follows the County agendas. Since the City has raised issue about the Airport, there has never been a discussion about the Airport in a single County meeting. He clarified the difference between double tax and twice tax. The amount levied by the County, also includes the entire tax base of the City. Starting in 2026, the County has agreed to remove the City properties from their Airport levy.

Member Johnson stated that he is not overly satisfied with how the process has gone, but it is moving in the right direction. It was pointed out in the meeting that the City has an ordinance that it could change. The City is trying to be a good partner, and he thinks the Council should give it more time.

Budget Public Hearing

The Chair opened the public hearing at 6:46 p.m.

No one came forward.

The Chair closed the public hearing at 6:47 p.m.

Discussion of Developing Gustafson Park

Community Development Director Kramvik gave an overview of the discussion from the December 1st City Council meeting regarding the Gustafson Park property. He reiterated the options that the City Council would have in considering developing the land.

Member Bevans asked about the Park Board's opinion of the maintenance of the property. The Council was told at the last meeting by a Council Member that the Park Board was not interested in keeping this as park, nor can they afford to keep it a park.

Mayor Badeaux stated that this not about whether this particular property is a money making venture, rather a philosophy as to whether or not the Park Board can continue to maintain properties that we have. He cannot speak about this particular property as a solution to solving operation of the parks. The Park Board is operating under funded and is trying to find ways of getting themselves from underneath this. That is looking at every single unit within the entire system. When the question was brought forward to them, the Park Board stated that they should take a look at it. From a simple budgeting stand point, something has to give.

Member Bevans requested the minutes from the Park Board meeting where this item was discussed. He asked about the economic difference between conveying the land to the HRA and selling the land outright.

Community Development Director Kramvik stated that the HRA Board would need to decide if there would be money contributed for the land and then work with a developer to come up with a plan for the land. If Council chose option two, the City would pay a surveyor and replat the property into individuals parcels. This would be the quickest sell and the City would receive market rate for the lots.

Member Czczok asked about the amount of staff time spent at Gustafson Park. He stated that he read in the newspaper that people have stated that they don't want to see the park go away, because once it's gone, it's gone. This is a shiny object.

Public Works Director Habighorst stated that through analysis he estimates three hours per week, about \$8,000 to \$12,000 annually, it is weather dependent.

Member Erickson questioned the timeline stating that it seems so expeditious.

Community Development Director Kramvik that he did not expect the process to be completed by 2026 to affect the budget. The City could choose to move forward or not once the cost was known.

Member Yeager stated that there are a number of pros in the short and long term in developing the park as well as creating 14-17 dwelling units of housing that the City needs and would be added to the tax base. In his opinion the con would be loss of greenspace. However, there are two beautiful local parks within a half a mile of this one that the residents could utilize.

Chair O'Day stated that option two is the best course as it still leaves the City's options open to leave the park as is or to give to the HRA once more information is known.

Member Johnson stated that option two is the lowest risk. If the market is feasible we will be solving a problem in our community, if not, it can remain a park. He thinks the City should look into replatting.

Member Bevans stated that he agrees with Member Johnson. If it is beyond the Park Board's financial means to maintain this park, he hopes they look at all of the parks. Parks are a top reason that people move to a community. As part of the decision going forward he wonders if the levy for the parks should be increased or consider selling off more park land.

Mayor Badeaux reiterated that he loves our parks. The Park Board has really streamlined the budgeting process to maintain our parks. There has been a long process in straightening out the budget. The Park Board wants to have the best parks the City can have. He hears from them on a regular basis that cutting the grass and trimming the trees is most important to give people a place to be. He reminded the City Council that they are the ones who removed Gustafson Park and others from the Park Board's purview by not dedicating it as park land.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND ERICKSON TO DIRECT CITY STAFF TO BRING A PRELIMINARY PLAN TO THE PARK BOARD FOR A FORMALIZED RECOMMENDATION AND RECEIVE A QUOTE FROM A SURVEYING COMPANY TO REPLAT THE PROPERTY.

Upon roll call, Members Yeager, Erickson, Bevans, Johnson, and O'Day voted "aye". Member Czczok voted "nay". The Chair declared the motion carried.

Discussion on the Annex

Public Works Director Habighorst gave an overview of the options for the Council to consider in repairing the Annex.

Member Czczok asked when the proposal from Hytec expires.

Public Works Director Habighorst stated that the proposal is valid until the 17th of December.

Member Johnson stated that it is prudent to keep the building and do the necessary repairs. When the City needs more room in the future, the price for the repairs now would be much cheaper than building a new building. If the Council decided to sell the Annex after repairs, he believes that anyone buying the building would want the repairs done.

Member Bevans agreed with Member Johnson's statement adding that the City should consider leasing the building while it decides what to do with it.

Member Yeager stated that he would like to know the vision for the future of the building before agreeing to spend more money to repair it. Repairs may narrow the City's ability to get a fair price for the building and recoup the money spent on repairs if they decide to sell the building.

Chair O'Day stated that the City will need to expand eventually, this building is the most logical for more space.

Member Czczok asked whether the work done would increase the value of the building.

Member Johnson stated that he is of the strong opinion that, based on the offer previously made to the City for the space, repairs would be needed prior to the sale.

Member Yeager stated that he disagrees with that opinion as generally private entities can get repairs done at a lower cost than governments.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK TO KEEP THE ANNEX AS AN ASSET SELECT THE GORDIAN PROCESS AND AWARD HYTEC THE IMPROVEMENTS IN THE AMOUNT OF \$155,249 PLUS THE ALTERNATE #1 SUB-FLOORING AT \$2,800 FOR A TOTAL OF \$158,049.

Members Erickson, Bevans, Czczok, Johnson, and O'Day voted "aye". Member Yeager voted "nay". The Chair declared the motion carried.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO ADJOURN THE MEETING.

The Chair adjourned the meeting at 7:14 p.m.

Nicholas W. Broyles
City Administrator



BRAINERD POLICE DEPARTMENT MONTHLY REPORT



BOOYAH AWARD



This month's Booyah winner is Lieutenant Mike Kulzer! Chief Davis received the following email from a CWC Community Service Senior Administrator.

"There was a situation here yesterday in our building with a suicidal individual. Law Enforcement was called as we needed assistance with a secure transport. The individual we were servicing has a law enforcement background and was part of a contract service team with the military. The law enforcement staff that came over and worked with our team ensured safety for both our staff and the individual. Yet more importantly the great work DJ, Aaron, and Mike K. (Brainerd PD) did to talk to this person and offer support was sure a pleasure to witness. Community Service staff identified Mike K. as a law enforcement officer that her client had connected with about a year ago. Mike was called by the Sheriff's Office, and he came over right away. Honestly, Mike showing up I think had a huge impact on this individual. Mike took the time to put the individual's number in his cell phone and said I will text you so you will have my number in case you lose my card and "I am going to call you in the morning to see how you are doing." Just wanted to share as this was a true demonstration of the impact our collaborative work has done to impact the people we serve."

Mike's actions that day directly reflects our the Brainerd Police Department's mission to "protect and serve the public through diligent law enforcement, compassionate service, and a team approach to problem solving."

STAFFING & ASSIGNMENTS

Retirement

After 19 years of service as a Brainerd Police Department Records Management Technician Kim Marquart retired. Kim's last day in the office was November 7th. Kim was hired by the Brainerd Police Department in 2006. We wish her the best in her retirement.

**TRAINING & STAFF DEVELOPMENT****Drug Recognition Evaluator (DRE) – Instructor Development Course**

Officer Jordan Host attended the DRE – Instructor Development Course training. Officer Host is working towards being a DRE Instructor for our department.

Department Training

Department training this month included Critical Incident Training. This class covered an overview of mental illness: schizophrenia and psychotic disorders, mood disorders, cognitive disorders, personality and substance disorders. It went in-depth of the causes and nature of the illnesses, typical patterns of behaviors, common medications, and guidelines for officer response. It also provided information on de-escalation methods in the class and had role-playing with actors.

COMMUNITY OUTREACH

Brainerd Police assisted in delivering over 1,500 Thanksgiving meals. Thanksgiving meals were delivered to Crow Wing County residents by several volunteers. The Brainerd Community Thanksgiving dinner is coordinated by four service organizations, the Brainerd American Legion, the Brainerd Veterans of Foreign Wars, Brainerd Eagles and Elks clubs with deliveries of the dinners by volunteers from the Brainerd Fire, Brainerd Police, Crow Wing County Sheriff and Baxter Police Departments.

BODY WORN CAMERA DATA REPORT

Month	Number of Videos	Hours of Video	GB of Videos	Average MB per Video	Average Time Length of Videos	Average Number of Videos Per Day
November	1,605	331	578	369	12.37 Minutes	54



OVERALL CALLS FOR SERVICE

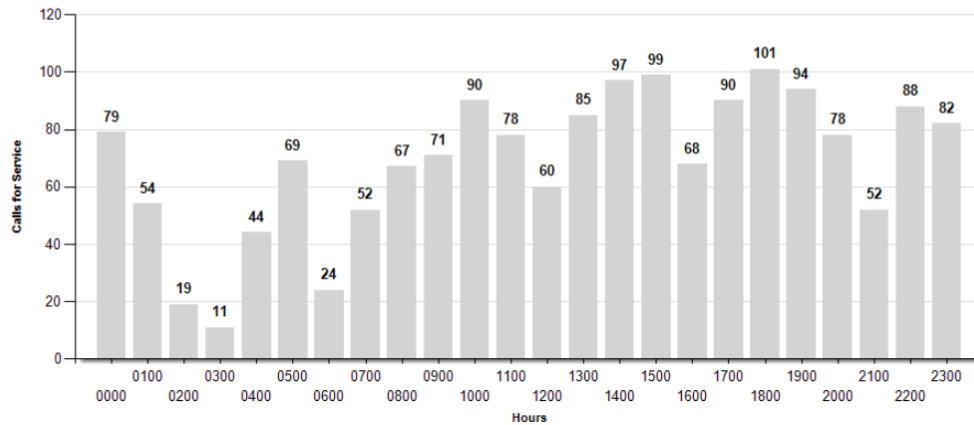
Month	2025	2024
Number of Calls for Service	1,652	1,334



Calls for Service Hourly

11/1/2025 to 11/30/2025

Total Calls: 1710



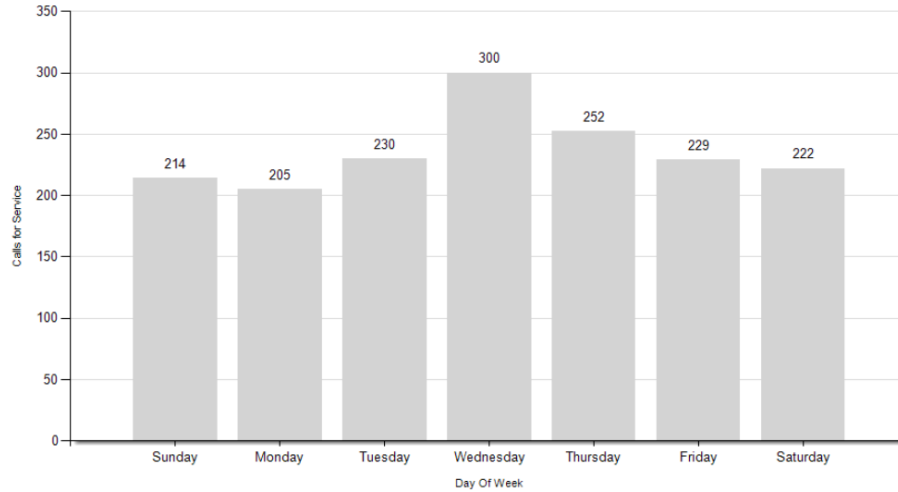


Calls for Service Day Of Week

Start Date: 11/1/2025

End Date: 11/30/2025

Total Calls: 1710



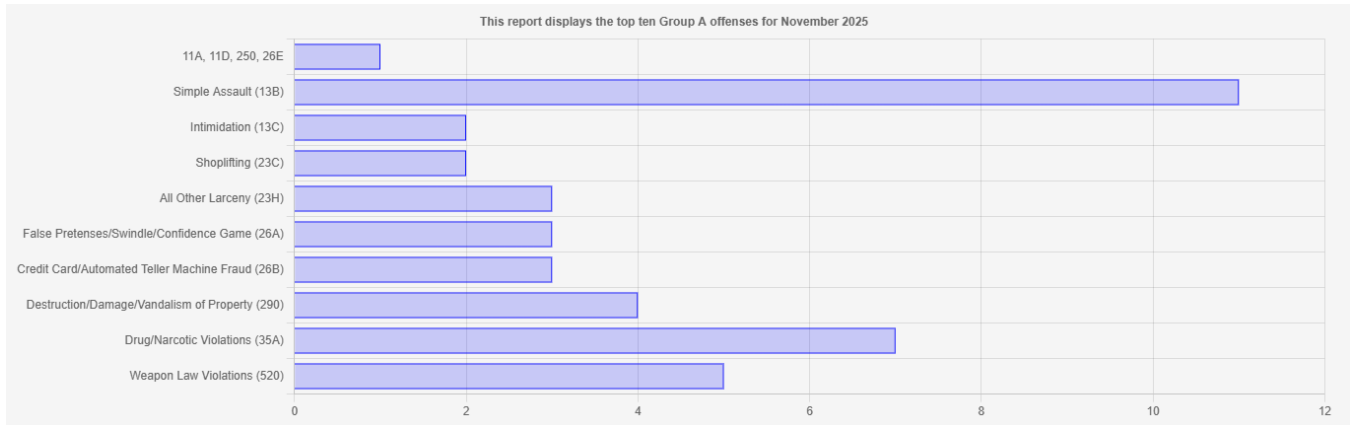
CRIME STATISTICS

Year to Date through Month	2025	2024
Group A Offenses Known or Reported to Police	864	977
Group A and B Arrests	784	763

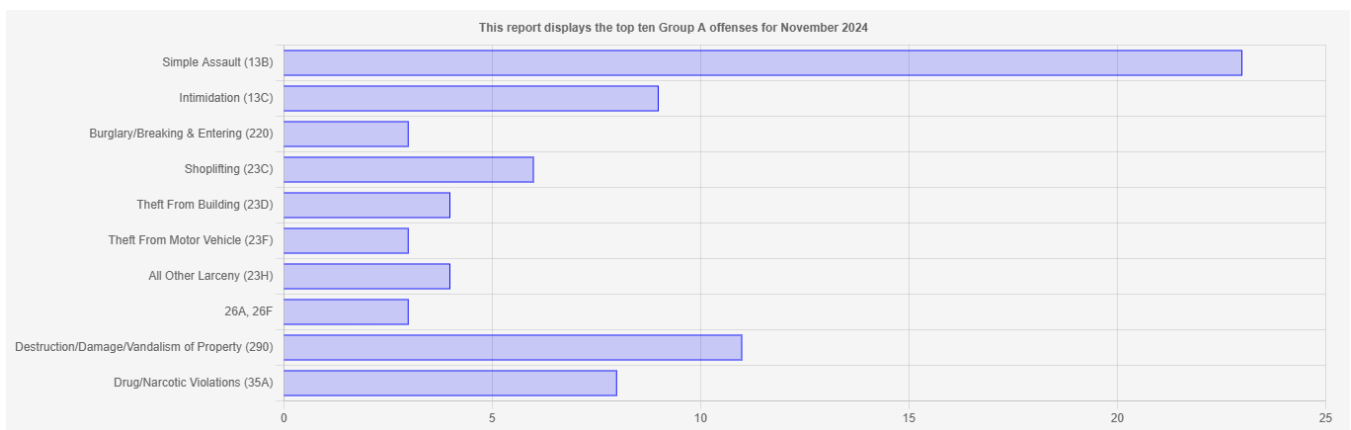
**** Note: 2025 totals do not include case files that have not yet been coded.**

TOP 10 GROUP A OFFENSES

November 2025

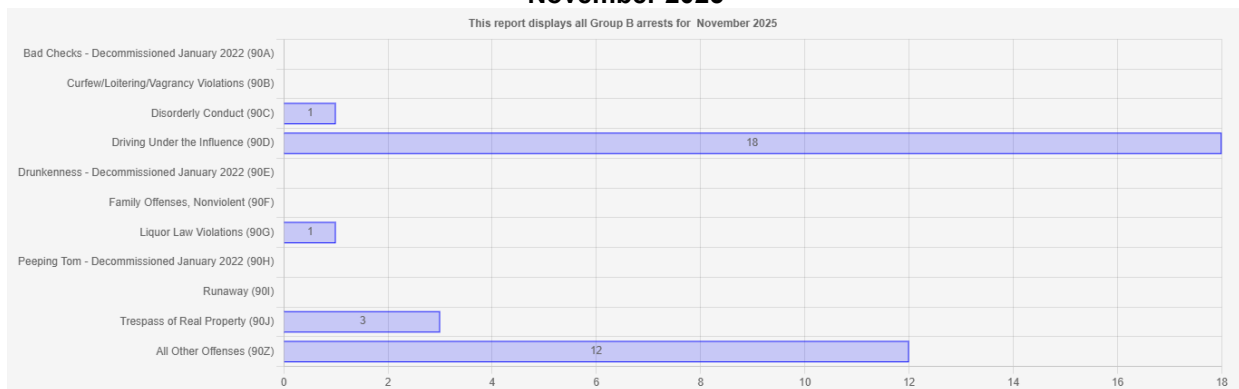


November 2024

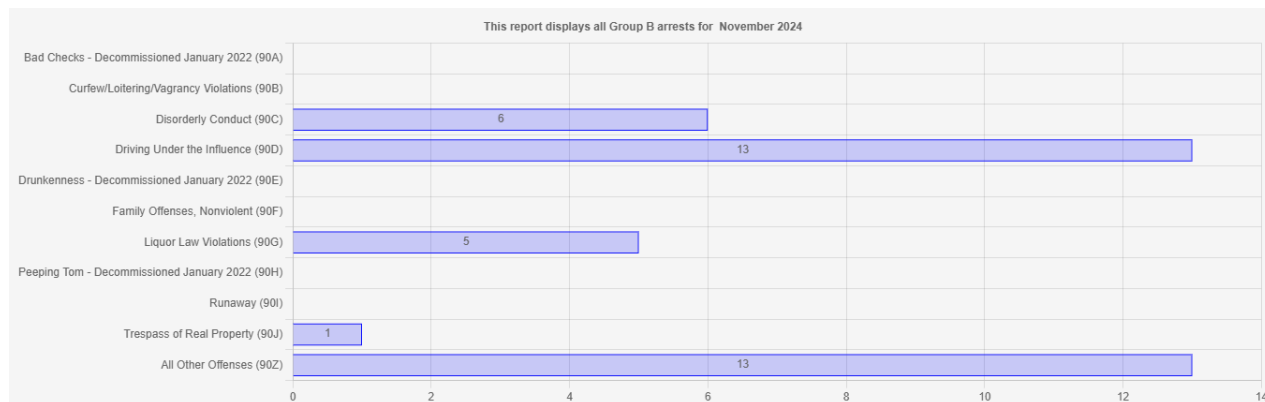


GROUP B ARREST DATA

November 2025



November 2024



CITATIONS, PARKING TICKETS, & WRITTEN WARNINGS

Month	2025	2024
Citations (Inc. Parking Tickets & Written Warnings)	256	118

151 parking tickets were issued in the month of November, with the following dispositions.

3	Dismissed
52	Paid in Full
0	Partial Payments Received
96	No Payment Received

Revenue Recapture Receipts:

2024 Total:	\$8,295.10
2025 To Date:	\$5,664.63

CONDUCT ON PREMISES ACTIVITY REPORT

There were no Conduct on Premises incidents reported in the month of November.



COMMUNITY DEVELOPMENT DEPARTMENT REPORT

James Kramvik, CDD

November 2025



BUILDING PERMITS

The Community Development Department issued 59 building permits with a total project valuation of \$274,765 in the month of November. Within the Central Business District (prev. River to Rail), 8 permits were issued. These improvements resulted in \$1,758 being waived in permit fees.

*Note: project valuation does not include all projects as some permits, such as residential mechanical permits, have a flat fee and are not based on valuation. Therefore, the listed total project valuation is solely based on the permits whose fees are determined by valuation.

Issued Permits for November 2025		
Type Of Permit	# Issued	Total Project Valuation
Commercial – Building – Remodel	2	\$155,900
Commercial – Building – Roofing	1	\$13,500
Commercial – Mechanical – Furnace/Boiler	1	N/A
Commercial – Mechanical – Hanging Unit Heater	1	N/A
Commercial – Mechanical – RTU	1	N/A
Commercial – Plumbing - Remodel	2	\$31,275
Engineering – Excavation	11	N/A
Fence	2	N/A
Residential – Building – Accessory Structure	1	\$30,000
Residential – Building – Remodel	2	\$13,740
Residential – Building – Roofing	7	N/A
Residential – Building – Roofing+Garage	1	N/A
Residential – Building – Windows/Doors	5	N/A
Residential – Engineering – Sewer/Water Repair	1	N/A
Residential – Mechanical – Furnace/Boiler	7	N/A
Residential – Mechanical – Furnace+AC	2	N/A
Residential – Mechanical – New/Addition	2	N/A

Residential – Plumbing – New/Addition	1	N/A
Residential – Plumbing – Remodel	1	N/A
Residential – Plumbing – Water Heater	5	N/A
Sign	2	\$30,350

There was no single-family home permits issued in the month of November.

BUILDING INSPECTIONS

The Community Development Department conducted 131 building inspections and re-inspections in November.

CODE ENFORCEMENT

The Community Development Department conducted 74 code enforcement inspections and re-inspections in November resulting in violations across the following categories:

CODE ENFORCEMENT INSPECTIONS	
Outdoor Storage	4
Junk/Debris/Blight	5
Zoning Code Violation	5
Accessory Structure Material	1
Total = 15	

**Note: With the adoption of Ordinance No. 1524 on November 4th, 2022, Community Development staff have moved to complaint driven enforcement only, except for a change with Ordinance No. 1586 on July 7th, 2025 of monitoring properties along major thoroughfares, and near City Parks.*

Direction on Active Code Enforcement Cases

Staff continue to send citations to the following properties as directed by City Council.

- 1) **823 Willow St** – Unlicensed Rental - Issuing \$300 citation monthly for non-licensed rental. Legal action from the City Attorney is taking place. City Council motion 2/3/2025 to \$100 per day citation.
- 2) **319 N 9th St** – Property Maintenance/ Roof – Issuing a \$300 citation each month until roof is corrected. Building Official has issued a report 11/3/25 for City Council action to take place.
- 3) **PID 41191502** – Exterior Structure – Issuing a \$300 citation each month until corrected.
- 4) **401 Holly St** – Fence – Issuing a \$300 citation each month until corrected.
- 5) **113 Washington St NE** – Multiple persons residing in a commercial business – Issuing \$100 per day until corrected.
- 6) **320 4th St N** – Fence w/out Permit and constructed incorrectly impeding on neighbor's home without permission. \$300 citation every 10 days until corrected.

VACANT BUILDING REGISTRY

Properties that have completed necessary repairs and improvements

1216 6th St S – Owner Repaired Roof – Removed from list

1623 9th Ave NE – Remodel Permit Issued – Work in Progress – Removed from list
1812 Oak St – Roof Damage. Roof permits were obtained and completed. Removed from list
508 9th St N – Roof Damage and Grass. Property has been purchased – Removed from list
715 7th Ave NE – Grass and Structural Issues – Structures have been demolished – vacant lot
1626 Oak Street – Siding completed
1201 L St NE – New owner – applied for remodeling permit
1022 13th Ave NE – New owner – obtained remodeling permits

Properties that have registered/applied for permits

1521 Norwood St – Fire Damage – No action 2025. Added new citation 10/7/25.
1889 Graydon Ave – Open Excavation – Added new citation 10/7/2025. Building Official was at the property when the owner showed up. They had a conversation, and owner obtained a foundation permit. Direction was given on the process going forward.

Current Vacant Building Registry Properties

912 6th Ave NE – Returned in Mail – Posted to Door. Added new citation 10/7/2025.
1119 13th St SE – Roof Damage – no response. Added new citation 10/7/2025
319 9th St N – Fire Damage – No response. Building Official processed case file and legal action is being taken with the City Attorney. Council adopted Res No. 78:25 declaring hazardous structure.
224 5th St N – Fire Damage. No action 2025. Added new citation 10/7/25.
408 2nd Ave NE – Vacant Building – No Response. No action 2025. Added new citation 10/7/25.

RENTAL LICENSES & INSPECTIONS

The Community Development Department issued 1 new rental license in the month of November.

The Housing Inspector completed 29 rental property inspections and re-inspections in November.

CONTRACTOR REGISTRATION

The Community Development Department issued 3 contractor registrations in November.

PLANNING AND ZONING

December 17th Planning Commission Agenda:

- 1) Consider Preliminary Plat Amendment and a Development Stage Planned Unit Development Amendment (PUD) from Kuepers for 176-Unit Apartment Complex
- 2) Consider CUP Amendment for St. Francis Catholic Church to Allow for a Third Garage Stall to be Constructed on the Rectory
- 3) Consider RFP for Comprehensive Plan Update



Ordinance Itinerary Planning Commission:

- 1) **Section 530 – Shoreland Management Regulations** - The City of Brainerd's existing Shoreland Management Ordinance was last approved by the DNR on 7/25/2003. Current zoning districts do not match/align with the zoning districts identified in the City's Shoreland Management Ordinance. (In Progress – 75% Complete – Negotiating Lot Size, Width, and Impervious Surface with DNR)
- 2) **Comprehensive Plan Update** - The City should consider reviewing the comprehensive plan every five years to ensure all of the goals and objectives listed in the plan are still relevant for the City of Brainerd. (The Planning Commission reviewed objectives at the October 15th meeting and directed staff to make changes. Staff will be presenting an updated RFP at the November 19th meeting.)



ECONOMIC DEVELOPMENT

EDA Consultants

The EDA consultants presented their end of year reports and 2026 scope of services at the December 4th meeting. The EDA approved all scope of services contracts for 2026 with SHC, Visit Brainerd, DDBC, BLAEDC, and the City of Brainerd.

Sign Grant and Façade Grant

The EDA directed staff to request the City update its sign ordinance to enhance aesthetics and prohibit banner signs prior to consideration of a matching sign grant. The City has updated its sign regulations and staff presented a sign grant and façade grant at the December 4th EDA meeting. The EDA approved \$25,000 for façade improvements along Washington Street and \$15,000 to improve signage throughout the City.

Washington Street Mitigation Plan

Matt Kilian of the Brainerd Lakes Chamber gave an update on the Washington Street Mitigation Plan. A business meeting has been set in March to give businesses an opportunity to review the plan and provide input. Mr. Kilian also noted that he has been working on additional funding sources and should be able to match what the Brainerd EDA is budgeting. The Brainerd EDA approved \$20,000 in the budget to go towards the mitigation plan.

PLANNING AND ZONING PROCESSES – CURRENT PROGRESS UPDATE

Address: 722 Laurel St

IN PROGRESS

PZE Process: Conditional Use Permit

Date Issued: 12/2/2024

Project Description: To convert the existing main floor commercial space into two (2) commercial units and the second floor into seven (7) residential apartment units

Project Progress: Property owner has submitted applications and is working on final submittal documents.

Address: 722 Laurel St

IN PROGRESS

Date Issued: 12/2/2024

PZE Process: Variance

Project Description: From the parking requirements for the seven (7) units of additional housing and one (1) additional commercial space.

Project Progress: In progress with the CUP in the remodel process.

Address: 303 J St NE

COMPLETED

PZE Process: Variance

Date Issued: 01/06/2025

Project Description: Variance to exceed the fence height on the side yard (corner) setback requirement for 6' high fences.

Project Progress: Approved and completed.

Address: 9040 Country Manor Way

IN PROGRESS

PZE Process: PUD Amendment

Date Issued: 02/03/2025

Project Description: Amending the original planned unit development plans

Project Progress: In progress – building permits issued and work has started.

Address: 324 5th St S

IN PROGRESS

PZE Process: Conditional Use Permit & Variance

Date Issued: 03/03/2025

Project Description: Adding two (2) residential apartment units on the second floor and variance from the landscaping requirements.

Project Progress: Applicant is working with the building official on the permit requirements. No permits have been applied for yet.

Address: 15770 Dellwood Dr

COMPLETED

PZE Process: Plat for Common Interest Community (CIC)

Date Issued: 03/03/2025

Project Description: Create a Common Interest Community for twelve (12) individually owned commercial or private storage units

Project Progress: CIC plat has been recorded with Crow Wing County.

Address: 310 W Laurel St

DENIED

PZE Process: Rezoning and Zoning Text Amendment

Date Issued:

Project Description: Rezoning commercial property from town Center(TC) to Makers & Employment (ME) to allow for the operation of U-Haul/vehicle rental business.

Project Progress: Denied – options for land swap have been presented to the property owner.

Address: 411 N 10th St **COMPLETED**
PZE Process: Preliminary Plat **Date Issued:** 03/03/2025
Project Description: Consolidate fourteen (14) parcels into three (3) lots; one each for the Church, School and Rectory
Project Progress: Final Plat, Rezoning, and CUP were approved by City Council. Development Agreement was approved by City Council.

Address: 1926 S 7th St (1919 S 6th St) **COMPLETED**
PZE Process: Interim Use Permit **Date Issued:** 04/07/2025
Project Description: Renewal of the Interim Use Permit for the Bridges on 7th Warming Shelter
Project Progress: The Interim Use Permit was approved for November – April 2025-2026

Address: NW 3rd Street PID 41040800 **DENIED**
PZE Process: Conditional Use Permit **Date Issued:**
Project Description: Constructing a Boarding House with Attached Apartment
Project Progress: Project was denied due to lack of density.

Address: 1811 Mill Ave **COMPLETED**
PZE Process: Conditional Use Permit **Date Issued:** 04/07/2025
Project Description: Allowing a Third-Party to Operate Sales of Trailers and Equipment
Project Progress: Approved and completed.

Address: 1511 Northern Pacific Rd **IN PROGRESS**
PZE Process: Conditional Use Permit **Date Issued:** 04/21/2025
Project Description: For the Construction of a Church to Hold Services at the 1481 location
Project Progress: Approved – in the design and permitting process. Building permit remodel application has been submitted.

Address: 1919 S 6th St **IN PROGRESS**
PZE Process: Conditional Use Permit **Date Issued:** 04/21/2025
Project Description: For the Expansion of Adult Day Care Services
Project Progress: Approved – building permit issued for the remodel.

Address: 714 7th St S **COMPLETED**
PZE Process: Interim Use Permit Renewal **Date Issued:** 04/21/2025
Project Description: To continue Operating a Short-Term Rental
Project Progress: Approved and completed.

Address: 2517 Greenwood St **IN PROGRESS**
PZE Process: Variance **Date Issued:** 06/02/2025
Project Description: To allow for the construction of an accessory building off Greenwood Street in the front yard
Project Progress: Approved – building permit for the garage has been issued.

Address: 525 Washington St **COMPLETED**
PZE Process: Variance **Date Issued:** 07/07/2025
Project Description: To allow for a non-screened parking lot and reduced setbacks
Project Progress: Project is in progress. Building permits have been issued.

Address: 1123 15th Ave NE **COMPLETED**
PZE Process: Interim Use Permit Renewal **Date Issued:** 07/21/2025
Project Description: To continue Operating a Short-Term Rental
Project Progress: Approved and completed.

Address: PID 41040783 **IN PROGRESS**
PZE Process: Conditional Use Permit **Date Issued:** 08/04/2025
Project Description: To allow for the construction of a fellowship hall
Project Progress: Approved – applicant will apply for the building permit.

Address: 14721 Riverside Dr **COMPLETED**
PZE Process: Variance **Date Issued:** 08/04/2025
Project Description: To allow for the construction of a 6' high wood privacy fence in the front yard
Project Progress: Approved – applicant has received a fence permit and is working with CWC on the approved placement on Riverside Drive.

Address: 23 Laurel St **IN PROGRESS**
PZE Process: Conditional Use Permit & Variance **Date Issued:** 08/04/2025
Project Description: To allow for the construction of an addition to the Fire Hall for bluff setbacks and impervious surface requirements
Project Progress: Approved – applicant will apply for the necessary building permits.

Address: 722 Mississippi Dr **IN PROGRESS**
PZE Process: Variance **Date Issued:** 09/02/2025
Project Description: To allow for the placement of a garden shed in the front yard
Project Progress: Approved – applicant has received the necessary permit.

Address: 703 7th St N **IN PROGRESS**
PZE Process: Variance **Date Issued:** 09/02/2025
Project Description: To expand a non-conforming side yard setback to allow for the construction of a vertical addition to the home as proposed.
Project Progress: Approved – the applicant's contractor has applied for the necessary building permits, and the project is in construction.

Address: Parcel #4124152 **IN PROGRESS**
PZE Process: Variance and IUP **Date Issued:** 10/20/2025
Project Description: To allow for a cannabis microbusiness to operate as an accessory use in a current greenhouse and a variance from the allowed 8' fence height to 10' as required by the OCM
Project Progress: Approved and in progress

Address: 3424 Oak St **IN PROGRESS**
PZE Process: Rezoning from CN-2 to GC **Date Issued:** 10/20/2025
Project Description: To rezone from CN-2 to GC to allow for an Office building at 3424 Oak Street and amend the future land use map
Project Progress: Approved – the applicant will work towards a building plan

Address: 1005 S 6th St **COMPLETED**
PZE Process: Interim Use Permit Renewal **Date Issued:** 12/01/2025
Project Description: To continue Operating a Short-Term Rental
Project Progress: Approved and completed.

Address: 712 6th St N **COMPLETED**
PZE Process: Interim Use Permit Renewal **Date Issued:** 12/01/2025
Project Description: To continue Operating a Short-Term Rental
Project Progress: Approved and completed.

Address: 9995 Island Dr **COMPLETED**
PZE Process: Interim Use Permit Renewal **Date Issued:** 12/01/2025
Project Description: To continue Operating a Short-Term Rental
Project Progress: Approved and completed.

MEMORANDUM

TO: Mayor Badeaux and City Councilmembers
FROM: Nick Broyles, City Administrator
DATE: 15 December 2025
SUBJ: City Administrator Report

In addition to routine administrative matters and in preparation of topics and business action items on the Council's work sessions and meeting agendas, the following is a summary of tasks and activities the City Administrator's office has been working on since the last report of 17 November 2025.

Community Engagement

17 Nov: various meetings re: Kuepers development and DWSMA continue
18 Nov: discussed fire contracts w/council member Johnson, fire chief, and finance director
18 Nov: met w/fire relief representatives, and union discussion re: paid family medical leave
19 Nov: HRA board meeting, and planning commission meeting
20 Nov: discussed downtown snow removal with IUOE, and budget meeting
21 Nov: public utility/hr discussion re: staffing, and more discussion on fire contracts
24 Nov: transit discussions, data center talks, skate park meeting, and YMCA pool project
24 Nov: discussed ideas around Gustofson park, and staff charter meeting
25 Nov: PUC meeting, and park board meeting
26 Nov: visited water/wastewater shops and staff
1 Dec: staff charter meeting, city council meeting
3 Dec: visited with police department staff, more skate park discussions
3 Dec: meeting w/potential developer
5 Dec: discussions re: the future of the annex
5 Dec: city hall tree lighting event
8 Dec: Kuepers discussion around water service line
8 Dec: met w/high school student re: job shadow and their teacher
8 Dec: special city council meeting
9 Dec: insurance review with our carrier to collect data for renewal
9 Dec: talked transit business model and downtown snow removal
10 Dec: visited w/public utility employees at the service center
11 Dec: joint wastewater management board meeting at public utilities

Charter Update

The Charter Commission met on 5 Nov and directed staff to come back with a draft charter by the end of the year. Staff has begun, and will continue to meet regularly, to develop a draft. The next Charter Commission meeting is noticed for 17 Dec. It is a joint meeting with the PUC.

Finance

Final preparations for 2026 budget continue. The preliminary levy has been set. The proposed final levy is a 4.75% increase over 2025. Final budget must be approved by EOY.

Human Resources

- Paid Leave Private Plan: staff submitted our Paid Leave Equivalent Plan and required \$500 fee to the State for approval. Payroll, Finance and HR staff are continuing to learn about MetLife's new processes for claims as well as reporting/payment requirements as the new PFL benefit and payroll deductions start on 1 Jan 26.
- Grievance: a police officer filed a grievance regarding his initial step placement on the 2025 wage grid. Mediation is scheduled for 15 Dec.
- Hiring: processes are underway for several positions including Police Officer, Paid on-call Firefighters, Police Records Management Tech, HR Assistant, CSOs, and our winter temporary positions.

Public Works/Utilities/Parks/Transit

Engineering

- Hwy 210/Washington Street Project: advertising for bids to engineering firms for inspection on city utilities
- Kicking off meeting with engineer firm for SE Brainerd

Streets

- Priority has been snow removal; crews will be cleaning College Drive and Oak Street
- Clearing select trees at Jaycee Park

Recreation

- Pond Hockey registration has started with season beginning on 8 Jan
- We need volunteer coaches for pond hockey

Parks

- Priority of downtown snow removal and preparing ice hockey and pleasure rinks
- Anticipated opening for rinks is the week of 22 Dec

Transit

- Our new rider app is now being used by 27% of our riders
- Our late bus (4:30 to 6pm) is often running at full capacity
- Staff is creating a new first-time rider guide, along with an updated, easy-to-read informational brochure to help riders better understand our services

Fire

We are finishing up the hiring process and will have new firefighters starting 1 Jan. New firefighter orientation will be on 29 Dec. Continue to work on the design and planning for the proposed renovation. There is an 80% progress meeting on 22 Dec for our new apparatus, a Tender, and we are looking to get the truck early 2026.

Technology

All city computers will be replaced in 2026 as part of the regular replacement schedule. All computer replacements will come with various additional security implementations. Significant progress is being made with GIS applications for sewer crew and others. Council will be considering a support agreement for Brainerd to assist Baxter as their one staff member is turning over.

Suspense Tracker

Subject	Due Date	Companies	Notes	Date Completed	% Complete	Status
BlockMetrix- Site Control	12/31/2025	Community Dev	Purchase and Development Agreement- needs to be executed by BM Power Agreement- needs to be executed by BM Building Permits- have been applied for EDA will direct staff on next steps regarding the PDA at the June 5th meeting EDA took no action at the June 5th meeting Power Agreement is currently being reviewed by staff and will be reviewed by the PUC on 6/24 Power Agreement has been forwarded to Blockmetrix for review 7/2 Staff set up a virtual meeting with Blockmetrix on 7/30 - Blockmetrix did not attend - stated that an issue came up Staff virtually met with Blockmetrix - 8/15 - Staff have not received a response Staff will virtually meet with Blockmetrix on 9/11 BPU Commission directed staff to not except the edits from Blockmetrix regarding the power agreement Staff is waiting on a response from Blockmetrix BPU Commission considered redlined changes from Blockmetrix at the October meeting and recommended no changes Blockmetrix stated without the redlined changes the project was not viable		50%	In Progress
Shoreland Ordinance	12/31/2025	Community Dev	9/17 - Planning Commission to review preliminary language 10/15 - Planning Commission reviewed language and directed staff to work with the DNR on four outstanding items. Staff is currently negotiating with the DNR for smaller lot sizes, widths, and increased impervious surface amounts in the Shoreland District. Staff is currently analyzing lot sizes, lot widths, and impervious surface amounts for existing parcels in the Shoreland District. 1/21 - Planning Commission will perform final review of shoreland ordinance and negotiated items Planning Commission is planning on holding a public hearing at the February meeting		75%	In Progress

Misdemeanor Prosecution Agreement	1/31/2026	Administration	Agreement with Severson Porter (12/1) Staff has sent the agreement to the cities of Nisswa & Baxter to get approval from their Councils.	75%	In Progress
Kuepers Development	2/2/2026	Community Dev	9/17 - Planning Commission recommends approval of Rezoning, Preliminary Plat, and PUD Development Stage Plan 10/6 - City Council approves Preliminary Plat and PUD Development Stage Plan - Conducts First Reading of Rezoning Ordinance 10/6 - City Council approves distribution of EAW 10/28 - EAW Published in EQB Monitor - comment period ends December 1st 11/19 - Kuepers suspends application for Final PUD to redesign stormwater plans - Kuepers plans to resubmit in December. 12/1 - City Council reviewed EAW and held public meeting 12/15 - City Council to review EAW findings and will make declaration 12/17 - Planning Commission will review amended preliminary plat and PUD	50%	In Progress

Transit Business Model	2/25/2026	Public Works	10/6/2025 - Consultant presented study to CC - Directed staff to develop a Business Model and present to Council at a later date. 10/13/2025 and Ongoing - What is needed per department if Transit is Operation by City - Departments involved: HR, Finance, IT, Public Works Business Model: The Business Model will outline the need, concern and why the model is required with outcomes and timelines. This model will also state what is needed and/or required of involved departments (HR, IT, Finance and PW). Timeline: October - Departments started their needs and analysis. December - Department will have analysis completed. January/February 2026 - Public Works will have Business Model completed. March - Present Business Model to TAC March/April - Present Business Model to City Council To date: 11/20/25: Public Works is waiting for more information from various department to finish the Business Model. 11/24/25: (staff meeting) - Financial numbers are complete. Take Aways: 1. Add following items to budget: OT, Training, Bus Storage and Drug Testing. 2. Develop Bus Driver schedule to determine OT hours. 3. Build model for Bus Drivers with no OT. 12/4/25:	25%	In Progress
Improvement 23-12 Beech	6/1/2026	Public Works	Construction- 1st lift was completed for winter	50%	In Progress
Improvement 17-12 Wright	6/1/2026	Public Works	Construction- 1st lift was completed for the winter.	50%	In Progress
Improvement 23-14 Hawkins	10/20/2026	Public Works	Construction is complete on the Hawkins portion. The remainder of the construction on Ronald & Joseph will take place in 2026.	50%	In Progress

2026 Budget	1/1/2025	Administration	Preliminary Levy set on September 29th: \$7,666,013 (8% increase) December 8th- Budget Public Hearing 6:00 p.m. utilize at 4.75% increase for the presentation as directed by the PF Chair & Council President	12/31/2025	75%	In Progress
Stormwater Retention Pond- 1001 Anabec St- Bollig	8/18/2025	Public Works	Staff will meet with Dennis on 9/16/25 to discuss issue and outline process for construction improvement. Staff will meet/confirm with Joe Langel to collect additional information and conversations with Paul Sandy on the subject. Staff will add topic to City Council agenda for discussion on 12/1/2025. On 12/1 Council directed staff to go out for proposal to see how much a study into the Stormwater would cost.	12/31/2025	0%	In Progress
Gustafson Park Development		PW/CDD	5/27 - Brainerd HRA presents potential development of Gustafson Park to the Park Board 11/17 - City Council considers development opportunities and directs to include discussion of Gustafson Park at the December 8th budget meeting. 12/8/2025- City Council directed staff to bring a preliminary plan to the Park Board for a formalized recommendation and receive a quote from a surveying company to replat the property (1/27)	12/31/2025	25%	In Progress
Charter Discussions		Administration	Staff has been meeting weekly since 11/10 regarding the City of Brainerd Charter The next Charter Commission meeting is set for 12/17 with the Public Utilities Commission	12/31/2025	15%	In Progress
Annex Repair		Public Works	12/8/2025 Council directed staff to retain the Annex as an asset and enter into agreement with Hytec through the Gordian process for repairs.		10%	In Progress
Airport Resolution		Administration	8/5/2025 The City responded to the County's letter regarding the airport levies. 10/1/2025 The Airport released it's application process for hiring an Airport Manager 12/8/2025 Council discussed the Airport at its special meeting		25%	In Progress

Codification	Administration	Initial talks have taken place. Need to develop a schedule. Staff is working to do this internally.	0%	Not Started
805 Laurel	HRA	Developer is working on financing	10%	Waiting
Riverside Drive Orderly Annexation	Community Dev	Staff is coordinating with the Crow Wing County City Council directed staff to resolve connection charge issues and the Rural Service District prior to moving forward with annexation (Complete) Ordinance 1581 is set to eliminate future use of Rural Service District- adopted 6/2 (Complete) Public Works Department - Discuss Connection Charges set at 6/2 meeting (complete) Staff to seek direction from City Council regarding the Annexation of Riverside Drive on 7/7 Staff are working on an interdepartmental review and will complete review by 8/1 Draft joint resolution will be reviewed by the City Attorney prior to meeting with Crow Wing County staff Staff is currently making changes as directed by the City Attorney - Staff will forward amended document to City Attorney for final review City Attorney and City Engineer are discussing final edits - 9/9 City has completed the final document for the proposed orderly annexation agreement- 10/13 City staff met with the County on 10/30 to discuss the agreement Staff is researching legal descriptions and preparing the public notice	60%	In Progress
Pedestrian Bridge	Public Works	Staff is pursuing funding opportunities including State Bonding	25%	Waiting

Wastewater Reclamation	Public Utilities	Staff is pursuing funding opportunities including State Bonding Awarded \$5 million in Congressional Spending. Project bids were rejected at the November commission and December council meeting. Bolton and Menk are suggesting we pursue construction manager at risk (CMAR) to oversee the project and create a maximum price. The process for CMAR has been initiated in the May and June Commission meetings and Bolton & Menk has prepared draft requests for staff to begin reviewing and the review process has begun. In addition, the request for proposals has been advertised and will be open through September 4, 2025.	25%	Waiting
Hydrodam	Public Utilities	Barr Engineering and staff continue work related to procurement of one generator at the hydro facility. Barr recently found from multiple suppliers that the project type with the submersible generators are no longer in production or have been paused. In Barr's preliminary research the eliminated line of turbine was anticipated to be the most economical for the utility. Barr continues to evaluate options, for the generation at the hydro facility. The newest challenges are evaluating civil work and costs that would be incurred for installation of any new generators. The most recent option considered is a stream diver generator installed vertically in the pit or in the tail race. No estimates have been provided at this time as Barr continues to estimate the additional costs. Site visit by Senator and Representative Heintzeman on November 25th.	25%	Waiting

Fire Station #1 Renovation	Fire	On 4/22/25 met with Widseth and sub-contractors to review scope of work and cost estimates. On 4/28/25 met with Widseth. Walk throughs with Nor-son and Hytec to review scope of work and cost estimates. 5/9/25 Widseth is going to start working on the DNR permit process. 5/12/25 Widseth onsite shooting grades for bluff setback confirmations. 5/19/25 On site 6/16/25 Meeting with Widseth, Kramvik, and Dehn in reference to CUP and variance needed for project. Verifying we can do the project on the current site if funded. 7/16/2025 Planning Commission approved CUP and variance needed for the proposed renovation. 8/4/2025 City Council approved CUP and variance for proposed renovation. 10/29/2025 with Widseth and sub-contractors to work on Design. 11/12/2025 Met with Shawn to discuss IT issues; controller door access, phones, wireless internet, CAT 6 wiring needs. Also discussed alternate officing location for construction, Station #2 is first choice. Other option might be Annex, depending on annex construction schedule. 11/13/2025 Met with Jory Danielson from CWC and his crew to start the conversations around using some garage space the county has kitty-corner to the fire station to house two apparatus during construction.	10%	In Progress
Sale of Industrial Properties	Community Dev	River Birch Investments submitted a letter of intent to purchase three industrial park lots at \$1 per acre - 6/5 EDA was in favor of the project and directed staff to begin negotiations on a purchase and development agreement City Council directed staff to begin negotiations on a purchase and development agreement and were generally in favor of the project 6/16 City Council passed ordinance to allow clinics in the industrial district - 7/21 EDA reviewed language and provided direction for a purchase and development agreement with River Birch Investments - 9/4 Developer's legal team and lender is reviewing the preliminary purchase and development agreement	25%	In Progress

Country Manor	Community Dev	Development Agreement (executed) Tax Abatement Agreement (executed) Cost Share Agreement CWC (executed) Conduit Debt PH 3/17 (Complete) Conduit Debt Agreement 3/17 (executed) Will Issue Letter 5/12 (executed) Issue Conduit Debt (5/28) Groundbreaking Ceremony (6/10)	6/2/2025	100%	Complete
Rural Service District Ordinance	Community Dev	Review of Draft Ordinance (Complete) 1st Reading (Complete) Letters mailed to designated property owners 5/12 2nd Reading & Public Hearing 6/2	6/9/2025	100%	Complete
Ordinance to Amend Off-Street Parking – Allowing Unimproved Surfaces in General Industrial	Community Dev	Planning Commission Reviewed Draft Ordinance (complete) Planning Commission Reviews Ordinance and Holds Public Hearing 5/21 Planning Commission Recommended Ordinance 5/21 First Reading 6/2 Final Reading 6/16	6/13/2025	100%	Complete
Ordinance to Amend Screening Requirements – Outdoor Sales	Community Dev	Planning Commission Review Draft Ordinance (complete) Planning Commission Reviews Ordinance and Holds Public Hearing 5/21 Planning Commission Recommended Ordinance 5/21 First Reading 6/2 Final Reading 6/16	6/13/2025	100%	Complete
Code Enforcement Ordinance	Community Dev	Review Draft Ordinance 5/19 First Reading of Proposed Ordinance 6/2 Final Reading and public hearing 7/7	7/2/2025	100%	Complete

Office Business in the GI District	Community Dev	Developer submitted letter of intent to purchase three City owned industrial lots for a medical clinic - 6/5 EDA recommended that Office Business should be an allowed use in the GI District - 6/5 Planning Commission will consider request and conduct public hearing on 6/18 First Reading 7/7 Final reading and consideration by City Council 7/21	7/17/2025	100%	Complete
Corner Lot Fence Requirements	Community Dev	City Council Directed Planning Commission to Review Proposed Regulations for Corner Lot Fences 5/19 Planning Commission Reviewed Proposed Ordinance Language and Directed Staff to Hold a Public Hearing 6/18 at Planning Planning Commission Recommended Approval 6/18 First Reading 7/7 Final reading and City Council consideration 7/21	7/24/2025	100%	Complete
SRTS Lowell	Public Works	Construction	8/19/2025	100%	Complete
Amended Allowed Use Table - Zoning Code	Community Dev	Initial Planning Commission Review of Revised Allowed Use Table 5/21 Planning Commission Review and Direct Changes 6/18 Planning Commission Public Hearing 7/16 City Council First Reading - 8/4	8/19/2025	100%	Complete
St. Francis Development Agreement	Community Dev	Staff drafted a development agreement and e-mail the agreement for St. Francis to review - 7/1 St. Francis reviewed the development agreement and sent a revised version - 7/11 Staff met with City Attorney to discuss revisions - 7/14 City Attorney approved revisions - 7/29 City Council review on - 8/4	8/19/2025	100%	Complete

Arbitration Hearing with Teamsters Union	Human Resources	The Arbitration Hearing with the Teamsters (Police Lieutenant and Sergeants) Union took place on July 31st. (Update will be available) The results of the arbitration will be ratified on 9/15.	9/10/2025	100%	Complete
614 Front Street Building - Fire Damage	Community Dev	Fire occurred at 614 Front Street - 6/4 City Council waived fire escrow - 7/7 Property owner submitted structural plans - 7/29 Building permit submittal requires details on connection points - Building Official working with Structural Engineer to provide details - 7/30 Building permit issued for structural improvements - 8/4 Structural improvements and roof repair is complete Front Street Café reopened	9/11/2025	100%	Complete

John Stram, 921 SE 19th Street	Public Works	The owner, John Stram received a grant to install a well on his property. 9/8/25 Mike, Good morning. I had spoken with John Stram multiple times on this over the last week. I don't know where he would receive a grant for this work. Regardless, if he is replacing his well, he needs to permit through Crow Wing County and MN Dept. of Health. We don't permit for wells, unless within the DWSMA. He has inquired about having the watermain extended on 19th Street and informed him that he is able to petition the Council for that extension project. His other thought was to connect to the northeast into the water serving the apartment buildings. As this is all private property and no public right of way, he would need an easement/permission from the property owners to do so, and we would only permit the connection. Jessie Dehn, P.E. City Engineer 9/8/25 Mike, Looking over the location of this property with respect to the distance from existing water main, there isn't a whole lot that the utility can do without a major water main project. This would need approval from council to even start to evaluate scope of project. Crow Wing County with what Jesse was referring to is the first step if replacing existing well.	9/17/2025	100%	Complete
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8th & Maple Parking Lot	Public Works	First Lutheran Church is the primary owner of the parking lot at 8th & Maple along with The Office Shop and Anderson Cleaners. There is an 'L' shaped City Alley through the lot from Maple South to the middle of the block which then turns West to 7th in the middle of the block. The 3 abutting property owners are looking at resurfacing. What is the protocol to get the City to participate financially? The 2nd Question is that due to the high quantity of semi-truck traffic at the SE corner of the Office Shop bldg. we possibly will want to beef up this portion of the lot which crosses the Southern portion of the City's N/S alley. Will the City participate in what possibly could be an additional expense? Attached is an email from Jessie and Mike forwarded to Councilman Bevans.	9/24/2025	100%	Complete
Transit Consultant Review	Public Works	3rd party BlueSky has an extreme amount of Non-Performance Issues causing staff to have State conduct a Consultant Review. Presentation at the September 23rd TAC meeting.	9/29/2025	100%	Complete
Improved Signage Ordinance	Community Dev	Reviewed Example Ordinances and Selected New Proposed Language (complete) Planning Commission Reviewed Draft Ordinance on 6/18 and Directed Staff to Research Sign Lighting Standards Planning Commission to Review Final Draft on 7/16 Planning Commission asked staff for additional lighting research - 7/16 Planning Commission will review additional lighting standards - 8/20 Planning Commission directed staff to hold a public hearing on - 9/17	9/29/2025	100%	Complete

Improvement 23-16 S Brd Resurface	Public Works	Construction Declare Costs/Set PH for Assessments 2ND MEETING SEPTEMBER Assessment PH 1ST MEETING OCTOBER Assessment Finalized 1ST MEETING OCTOBER Payment of Assessment DECEMBER 1ST TO COUNTY	10/7/2025	100%	Complete
Hiring Public Utilities Director	Administration	Council and Public Utilities Commission conducted a workshop regarding roles and responsibilities. City Council approved the job description changes on 8/18 and directed staff to move forward with hiring using GMP guarantee. The job posting went live on the GMP website on 9/4/25. First review of applicants will occur on October 12th. Applicants were encouraged to apply as soon as possible as rolling interviews will occur.	10/31/2025	100%	Complete
M Street Outfall	Public Works	Construction	11/13/2025	100%	Complete
Solar Project Agreement for Rotary Park	11/26/2025 Public Works	Solar Project at Rotary Park Agreement was approved by Park Board and City Council, but Rotary board did not want the future responsibility of replacement of panels. So agreement adjusted and future responsibilities will be on BPU – as they manage/responsible for all solar in the City. New agreement to BPU Commission on 11/24/25 at 9am. New agreement to Park Board on 11/24/25 at 4pm. New agreement to City Council on 12/1/25 at 7:30pm.	12/1/2025	100%	Complete

Transit- Crow Wing County Inquiry	12/29/2025	Public Works	Staff contacted Crow Wing County Administrator to a meeting to discuss Transit Operation and if County would be interested in supporting the Transit Operation: 1. Completely take on the complete Transit Operation, 2. If not completely operate the Transit program, help support the operation in some means, such as Fleet Management or Fleet Repairs, etc. 3. Brainerd is asking for a formal response of these requests. October 6th City Council meeting, Council directed staff to “contact Crow Wing County to gauge their interest in solely operating Transit or partnering with the City to operate.” Meeting set for Monday, Nov. 24th at 9am At meeting Deb (CC Administrator), Crow Wing County has no interest in operating Transit or partnering outside the current contract. Deb also asked for the YTD ridership numbers and the Consultant’s PP presentation. On 11/25/25, Mike emailed Deb ridership numbers and PP presentation. 11/25/25: Staff is waiting CWC response to assistance with Transit operation. 12/1/25: Nick emailed Deb, “does the County have any interest in solely operating transit or are you interested in any changes from the current agreement?” 12/1/25: Deb responded: “Crow Wing County does not have any interest in solely operating transit, and we would not be interested in any changes from the current agreement before the end of the agreement term in June of 2027.”	12/3/2025	100%	Complete
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Transit- Baxter Fares	12/9/2025	Public Works	Meeting set for Monday Nov. 24th at 9am Request an Agenda Item at a future Baxter Council meeting to discuss rates to be lower to Brainerd rates; \$3 and \$5. October 6th City Council meeting, Council directed staff to “contact City of Baxter asking them to adjust their rates to match the City of Brainerd.” Meeting set for Monday, Nov. 24th at 9am At meeting Brad (Baxter Administrator), when time allows, he will consult staff to develop Council agenda item to allow Nick/Mike to address Baxter Council regarding adjust Baxter Transit rates. Brad asked for the YTD ridership numbers and the Consultant’s PP presentation. 11/25/25: Mike emailed Brad ridership numbers and PP presentation. 12/1/25: Nick emailed Brad if Baster is willing to adjust their rates to match Brainerd’s rates? 12/1/25: Brad responded: “The City of Baxter is currently reviewing the ridership and revenue/expense data to determine any adjustments to its rates. The City bases its rates on the revenues derived from the program/service and does not subsidize the cost of this service through the use of its levy or other city funds.” 12/1/25: Brad asked for the financial numbers from 2024 & 2025. 12/3/25: Mike emailed Brad, numbers will be sent by 12/5 12/5/25: Mike emailed Brad financial numbers for 2024 and YTD 2025.	12/5/2025	100%	Complete
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City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Hire Paid on-call Firefighters Tyler Borg, Garret Davis, Tanner Miles, and Keaton Walkowiak effective January 1, 2026, at \$12.43 per hour

AGENDA: Consent

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Tim Holmes, Fire Chief, Kris Schubert, Human Resources Director

DEPARTMENT: HR

PRESENTER: Tim Holmes, Fire Chief, Kris Schubert, **ESTIMATED TIME (MIN):** N/A - consent calendar Human Resources Director

SUMMARY OF ISSUE:

We received 33 applications for the paid on-call firefighter job posting with 12 candidates interviewed. Tyler Borg, Garret Davis, Tanner Miles, and Keaton Walkowiak have completed the pre-employment testing process and are ready to begin on January 1, 2026. All four new hires will be paid the trainee firefighter rate (\$12.43 per hour). Please note that the trainee rate is 60% of the current base wage of a paid on-call firefighter and the \$3 per hour salary redirection has been applied as required by the fire department relief association for its pension plan.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

After the hiring of these four individuals on January 1, 2026, we will have 39 paid on-call firefighters.

RECOMMENDED ACTION/MOTION:

Move to authorize the hiring of Tyler Borg, Garret Davis, Tanner Miles, and Keaton Walkowiak as paid on-call firefighters effective January 1, 2026, at \$12.43 per hour.

FINANCIAL IMPACT:

This hiring was planned when preparing the 2026 budget as we try to maintain 40 paid on-call staff.



SPECIAL EVENT APPLICATION

Date of Application: 12/8/25

Event applications must be submitted to the Public Works Department at 501 Laurel Street, Brainerd, MN 56401 or tgage@ci.brainerd.mn.us at least 30 calendar days prior to the event and will require City Council approval.

Type of Event:

☐
☐

Event- City Parking Lot
Event with Street Closure

☒
☐

Event- City Park
Other

Name of Event:

Organizer Information

Organization Name	Great River Greening
Organization Address	251 Starkey St., Ste 2200 , St. Paul MN 55107
Event Contact Person	Wiley Buck, Sr. Program Manager
Event Contact Phone	651-318-8667
Event Contact Email	wbuck@greatrivergreening.org
Contact (Day of)	Wiley Buck
For Profit/Nonprofit Status	Non profit

Event Information

Description of Activities

Brief description of the activities planned during the event. If a parade/run/walk event, please describe the proposed route with the assembly and dispersal locations and attach a route map:

We wish to remove the 23 piles of waste wood currently stacked on the terrace forest unit on the east side of Rotary Riverside Park. We propose to do this by using biochar kilns and igniting the piles; this is very similar to open pile burning except biocharring makes a high temperature charcoal which is a useful soil amendment; biocharring burns cleaner than open pile burning; biocharring reduces burn scarring compared to open pile burning.

Friday Feb 20 is a biochar demonstration event targeted at natural resource professionals. Saturday Feb 21 is a community biochar volunteer day, marketed to local volunteers who will help by hauling and staging waste wood, and a select few volunteers will be trained to load the kilns. GRG staff will be present both days.

Some detail to answers below: GRG has met with Brainerd Public Works and anticipates that Public Works will have a representative and an equipment operator on site on Friday. GRG has met with Brainerd Fire Department on site toward permitting and potential use of the fire hydrant in the park and potential FD assistance. We will follow all DNR and local permitting requirements. We are also coordinating with Rotary Club and Crow Wing SWCD.

We seek permission for parking on Linden Street cul de sac and for staging a portable toilet there as well. Our recruitment aim for Saturday is 50 volunteers, so with GRG staff, City vehicles, etc. we anticipate the maximum number of vehicles to be around 50.

Event Details:

Event Date	Start Time	End Time	Event Location(s)
2/20/26	11:00 a.m.	2:00 p.m.	Rotary Riverside Park, Linden street parking
2/21/26	11:00 a.m.	2:00 p.m.	Rotary Riverside Park, Linden stree parking

City Locations/Facilities

- City Hall Parking Lot (130' x 146')
- Laurel Street Parking Lot (92' x 120')
- Front Street Parking Lot (66' x 125')
- City Street(s) (street closure request information on page 4 MUST be filled out)
- City Park (contact the Parks & Recreation Department for information)
- Other (specify location above)

Sit Information

Electrical Usage ☐ YES ☒ NO

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

Amplified Sound ☒ YES ☐ NO

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

Restrooms ☒ YES ☐ NO

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

Company contracted for restrooms: tbd - portable sanitation unit

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

Signs/Banners/Posters/Flyers ☒ YES ☐ NO

Describe the signs, banners, posters, flyers, and locations:

Trash Receptacle Disposal ☐ YES ☒ NO

Company contracted for trash receptacle disposal: GRG will bag and removal all trash.

Street Closure Request Information

Describe the name and sections of the streets for which you are requesting temporary closure (e.g. South 7th st between Maple and Front Streets):

Closure only if City deems it necessary. We seek approval for street parking up to 50 vehicles, Linden Lane 1700 block.

Date and Time for beginning of street closure:

Date and Time for reopening of streets:

Describe how your event preserves customer and residential access for businesses and houses along your proposed street closure (e.g. preserving pedestrian traffic along sidewalks):

We will follow all street parking regulations, allowing our volunteers to walk down Linden Lane, and not block driveways.

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

If a street closure occurs along residential streets, reasonable efforts must be made to alert all property owners along the street of the proposed closure. All street closures shall be approved by the City Council. Failure to notify property owners and tenants in street closure areas will result in revocation of this permit.

For information regarding a street closure, please contact the City Engineering office at 218-828-2307 or engineer@ci.brainerd.mn.us.

Hold Harmless Agreement and Insurance Information

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

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

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

Signature of Event Applicant

I attest that the above information is true and accurate, and I certify under penalties of perjury that I am authorized to execute contracts and other instruments and legally bind the Applicant.



Signature of Applicant

Wiley Buck

Print Name

Contacts, Permits, and Fees Checklist

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

The Event Planner is responsible for providing the following (as needed) information:

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

Contact Information

Administration Department:	(218) 828-2307 admin@ci.brainerd.mn.us
Parks and Recreation Department:	(218) 828-2320 parks@ci.brainerd.mn.us
Engineering Department:	(218) 828-2307 engineer@ci.brainerd.mn.us
Planning Department:	(218) 828-2307 planning@ci.brainerd.mn.us
Police Department:	(218) 829-2805 police@ci.brainerd.mn.us
Fire Department:	(218) 828-2312 fire@ci.brainerd.mn.us
MN Commissioner of Revenue:	(651) 282-5225 www.revenue.state.mn.us
MN Department of Health	(320) 223-7300 www.health.state.mn.us
MNDOT Baxter Office	(218) 828-5700 www.dot.state.mn.us

Event Application Approval

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

City Administrator

Date

Approval Conditions:



December 10, 2025

Dear Brainerd City Council, City Administrator, and Advisors,

As we approach the end of another impactful year, Brainerd Community Action is proud to share an overview of our efforts and accomplishments throughout 2025, along with a proposed operating budget for the year ahead.

This year has been marked by continued growth across all areas of our organization. Our signature programs, partnerships, and events have not only expanded in scale and participation but have deepened their impact within the Brainerd community. From long-standing traditions to newly introduced initiatives, our goal remains the same: to create meaningful connections, spark community involvement, and enrich the lives of residents throughout the city.

Our community events continue to thrive and evolve. The 4th of July Celebration once again stood out as the region's largest and most well-attended event, and we saw expanded participation in other hallmark activities such as the Flapjack Festival, St. Patrick's Day Parade, and the Tree Lighting Ceremony. Newer initiatives like *Movies and Concerts in the Park* and the *Police vs. Firefighter Softball Game* have quickly become annual favorites, drawing families and neighbors together for evenings of fun, connection, and local pride. The *Downtown Christmas Cookie Statues* added festive and playful energy to the holiday season, and we're excited to continue expanding this beloved installation next year.

Our *Community Empowerment Fund* remains a foundational part of our work, allowing us to support grassroots projects, improve access to essential services, and invest directly in Brainerd's neighborhoods and residents. Created using the funds raised through our annual Arts in the Park event, this flexible and responsive funding model has allowed us to scale up support for new ideas while continuing to back proven community programs.

Neighborhood associations across Brainerd continue to do great work serving the unique needs of their areas. In particular, the *North Brainerd* and *Downtown Residents* associations have been extremely active this year, organizing a variety of community nights out and neighborhood gatherings that have proven wildly successful in bringing people together and creating a sense of unity.

As always, none of this would be possible without the trust and support of the City of Brainerd. We are grateful for your ongoing partnership, and we look forward to continuing this shared mission of building community, empowering individuals, and investing in a brighter future for all.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dave Badeaux", is written over a light blue rectangular background.

Dave Badeaux

Executive Director

On behalf of the Board of Directors

	2025 Budget	2026 Budget
Total 41000 · Government Contracts	\$99,799.05	\$104,384.76
Total OPERATIONS COSTS		
Staff	\$63,000.00	\$65,520.00
Payroll Taxes	\$5,500.00	\$6,500.00
Bookkeeping		
Bookkeeping - Accounting Fees	\$3,683.00	\$6,000.00
Bookkeeping - Payroll Processing	\$1,000.00	\$1,000.00
Bookkeeping - QuickBooks Subscription	\$1,469.60	\$1,469.60
Tax Preperation	\$825.00	\$825.00
Old National Bank Rent	\$2,400.00	\$2,400.00
Community Partner Networking (mileage, meals)		\$250.00
Insurance	\$4,500.00	\$4,600.00
Phone/Internet	\$1,750.00	\$1,750.00
Technology Upgrades	\$1,200.00	\$1,200.00
Website Domain / MS Office	\$200.00	\$550.00
Adobe Subscriptions / Images and Editing		
Printing Costs - Internal	\$850.00	\$750.00
Letterhead and Envelopes	\$350.00	\$350.00
Supplies - Office	\$500.00	\$2,000.00
Membership Dues	\$400.00	\$250.00
Advetising Marketing	\$2,500.00	2500
Misc		
Volunteer Contributions		
Operations Total:	\$90,127.60	\$97,914.60
REMAINING:	\$9,671.45	\$6,470.16
44000 · Fourth of July Fundraising Efforts		
44010 · Service Clubs	\$15,000.00	\$15,000.00
44020 · Corporate Donations	\$15,000.00	\$15,000.00
44030 · City Donations	\$16,000.00	\$16,000.00
Fundraisers		
44040 · Individual Donations	\$500.00	
44050 · Parade Entry Fees	\$1,500.00	\$1,000.00
44060 · Organization/Business Donations		
44070 · Vendor's fees	\$3,000.00	\$3,000.00
44150 Arts In The Park Fundraiser	\$10,000.00	\$10,000.00
44000 · TOTAL 4th of JULY FUNDRAISING EFFORTS	\$61,000.00	\$60,000.00
64000 · 4th of July Expenses		
64010 · Parade	\$3,500.00	\$3,250.00
64011 · Community/Volunteer Expenses	\$1,750.00	\$1,750.00
64012 · Advertising	\$10,000.00	\$10,000.00
64013 · Entertainment (Arts in the Park Bands)	\$2,000.00	\$1,550.00

64014 · Fireworks	\$25,000.00	\$25,000.00
Insurance	\$2,000.00	\$1,000.00
64015 · Trash	\$2,000.00	\$1,450.00
Bug Spray	\$1,000.00	\$1,000.00
64016 · Stationary	\$200.00	
64017 · Mailings	\$150.00	
64018 · Sound (4th of July)	\$700.00	2000
64020 · electric expense	\$2,600.00	
64021 · School District	\$1,500.00	1500
64022 · Supplies	\$4,000.00	\$4,500.00
64023 · Misc.	\$300.00	\$2,500.00
64026 · Restrooms	\$2,800.00	\$3,000.00
64027 · In Kind		
64028 · Arts in the Park awards	\$1,500.00	\$1,500.00
Total 64000 · 4th of July Expenses	\$61,000.00	\$60,000.00
REMAINING 4th of July Balance	\$0.00	\$0.00
TOTAL REMAINING Balance	\$9,671.45	\$6,470.16

Visit Brainerd

2026 Marketing Plan & Budget
Presentation

December 1, 2025

Presented by:

Mary Devine Johnson, Executive Director



INSIGHTS FROM THE EXECUTIVE DIRECTOR

Challenges for All DMOs

- Changing landscape of what it means to be 21st century marketers:
 - Adapting to using first-party data
 - Defining the role of AI in marketing
 - Tracking and usage guidelines for digital tools change daily.
- Pressure from state and national DMOs and government to develop advocacy plans, champion sustainability initiatives, and include DEI in tourism marketing and actual visitor experiences.
- Changing funding models / competing interest in lodging tax funds.

INSIGHTS FROM THE EXECUTIVE DIRECTOR

Challenges for Small DMOs Like Visit Brainerd

- Balancing marketing and partnership demands with small budgets and teams.
- Expense of purchasing tools to assess ROI.
- Domestic travel is experiencing slow recovery post-COVID plus the current economic uncertainty but anticipate 3-5% growth in 2026.
- Determining the best growth strategies utilizing the assets we currently have.

INSIGHTS FROM THE EXECUTIVE DIRECTOR

Where We're Headed / Results of 2025 Strategic Planning

- Re-branding to Visit Brainerd Baxter; goal to go live January 2026.
- Implementing digital kiosks for visitor information services at three test sites in 2026 with a goal to have as many as 10-13 in-market by 2027.
- Focusing on website content and feeding digital, app, and AI-assisted tools for trip planning and in-market visitor services.
- Implementing data science tools to measure local economic impact.
- Focusing on new events, partnerships with local businesses, and finding sponsorship opportunities.
- Revising our advertising strategy to focus more on video.

WHAT WE DO

Scope of Services

- 1 Develop and manage City's destination marketing program.
- 2 Provide visitor information services.
- 3 Manage website and social media platforms.
- 4 Implement annual marketing program including advertising and promotions.
- 5 Conduct economic impact analysis every two years.
- 6 Promote and support local festivals and special events.
- 7 Promote the City at trade shows and conventions in alignment with strategic goals of the Bureau.

2026 PRELIMINARY BUDGET

OVERVIEW

Category	Name	Description	Amount	%
Income	Lodging Tax	Baxter	\$485,000	85%
Income	Lodging Tax	Brainerd	\$20,000	3.5%
Income	Non-tax Revenue	Brainerd EDA Contract	\$53,000	9.25%
Income	Non-tax Revenue	Gift Store Sales, Sponsors, Misc.	\$12,000	2.25%
Expenses	VBB Operations		\$230,000	40%
Expenses	VBB Advertising & Promotions		\$300,000	52%
Expenses	Brainerd EDA Advertising	Cost of ads and services	\$48,000	8%

DEFINING THE MARKET

- **Utilize Google Analytics Data & Agency Consumer Behavior Data**

- Who is engaging with us?
- Where are they coming from?
- What travel and consumer habits do they likely share?

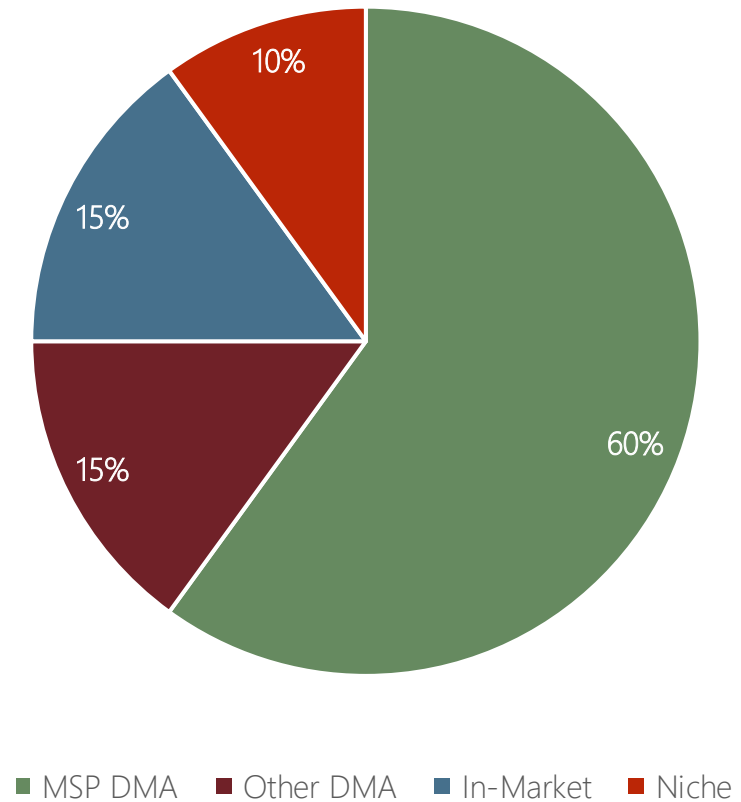
- **Geographic Targets:**

- MSP DMA
- Other Metros in Upper Midwest (6-12 hr. Drive)
- In-Market Visitors
- Niche Experiences (Find & Target Them)

- **Personas:**

- Families with Children
- Multi-generational Travelers
- Millennial & Gen Z Weekenders
- Young Baby Boomers 60+
- Outdoor Enthusiasts

Percent of Advertising \$ by Market



LEISURE MARKETING

Leisure Marketing Focus Areas

- Renewed focus on hotel stays
- Highlighting top visitor experiences Brainerd Baxter has to offer:
 - Staying Overnight
 - Arts, Culture & Entertainment
 - Shopping
 - Eating & Drinking
 - Parks, Trails, Lakes & River
- Road Trip marketing >>>
- The Minnesota Experience marketing >>>
- In-Market Marketing >>>



ROAD TRIP MARKETING

Marketing Messages

- It's a Short Drive to Experience Your Own Tall Tales . . .
- Explore Our Neighborhoods
- Exit to Explore Our Community
- Find Unexpectedly Great Dining & Drinks
- Stay Overnight & Find Lots to Do
- Shop Till You Drop
- Get Outdoors, Minnesota!

Geo Targets

- MSP DMA
- In-Market Visitors



THE MINNESOTA EXPERIENCE MARKETING

Marketing Messages

- The Land of Tall Tales
- Lots to Love Outdoors
- Slower Pace & Minnesota Nice
- Guys Getaways
- Girls Getaways
- Water, Fishing, Golfing, Winter Sports

Geo Targets

- Other Metros in Upper Midwest (6-12 hr. Drive)
- Niche Experiences



IN-MARKET MARKETING

Marketing Messages

- Best of Brainerd & Baxter . . .
- Things to Do Here
- Things to Do In Town
- Shopping
- Eating & Drinking
- Arts & Culture



MARKETING STRATEGY

TRADITIONAL ADVERTISING

Broadcast Radio
Broadcast Television
Targeted Print

DIGITAL MARKETING

Email Marketing
Keyword Search
Online Display Ads
Social Media Ads
Streaming TV
Website

CONTENT MARKETING

Articles
Blog Posts
Influencers
Videos
YouTube Channel

EVENT & PARTNER MARKETING

Advertise Events
Partner Promotions
Support New Events

VISITOR INFORMATION

Brochures
Itineraries
Information Center
One-on-One Help
Maps
Visitor/Hotel Guides
Information Kiosks
Visit Brainerd App

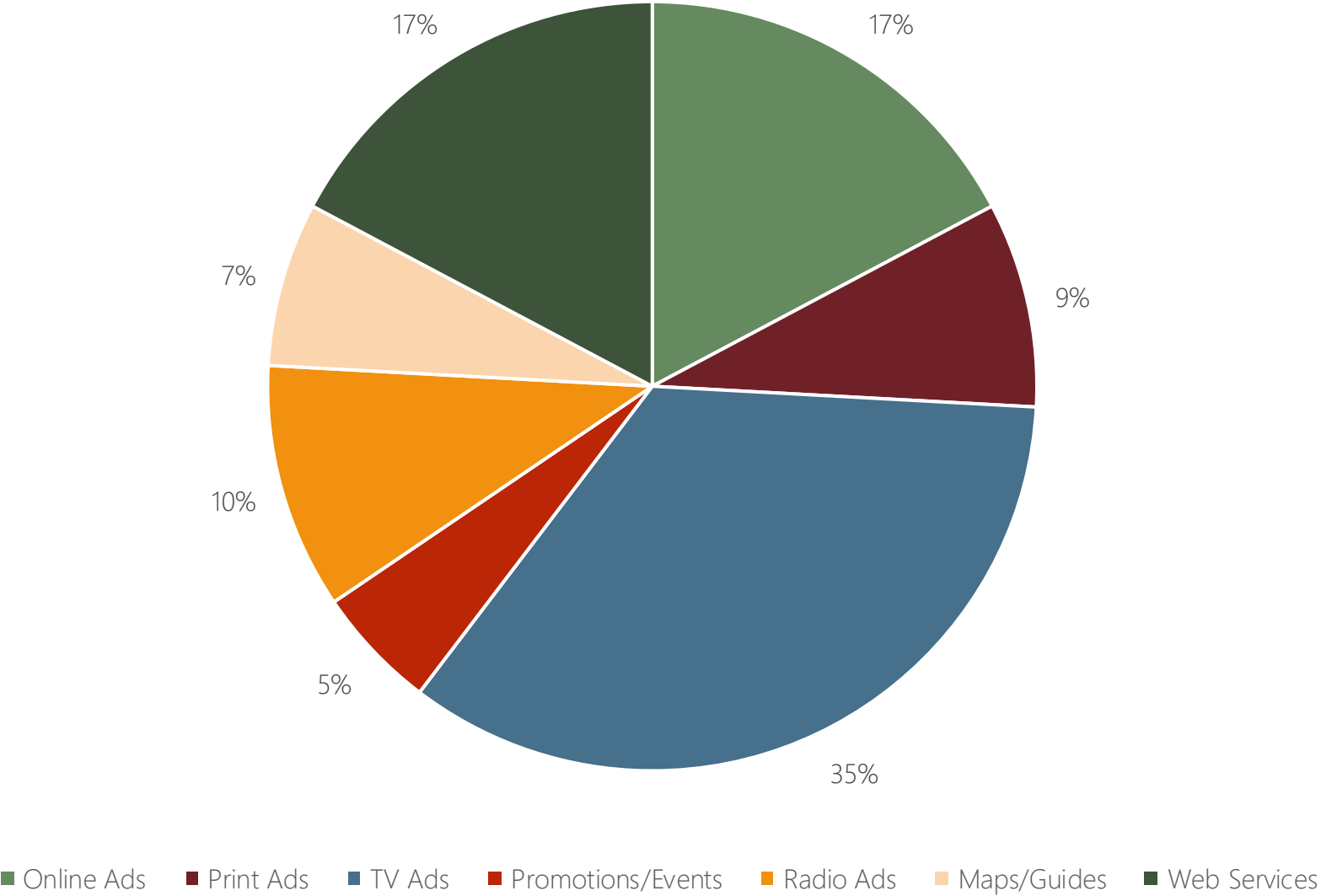
MEDIA MIX & DISTRIBUTION

Methodology

- Media mix is shifting toward more long-attention channels and channels with visual components.
- Increase in linear and streaming TV budget.
- Decrease in radio and print budgets.
- Move toward a unified brand campaign that works across all channels, activities and attractions.
- Overall goal to increase awareness, consideration, and intent to visit Brainerd Baxter.
- Overall goal to increase lodging tax and sales tax revenues.



Media Mix



2025-2035 IDEAS

RE-BRAND TO VISIT BRAINERD BAXTER

Continue to co-brand Brainerd/Baxter in marketing.

Identify Baxter brand assets in conjunction with city, staff, businesses and stakeholders, and promote appropriately.

PROMOTE A DIFFERENT EXPERIENCE

Continue to promote the Brainerd/Baxter experience which is different than the Brainerd Lakes Area experience.

Parks, public assets, Mississippi River, shopping, dining, arts.

DEVELOP MICRO MEETING & SPORTS MARKET

Develop a marketing strategy to attract small meetings, tradeshow, special events and sporting events with current offerings.

DEVELOP A TOURISM MASTER PLAN

Work with both cities to develop a comprehensive tourism master plan for the next 10- and 20-years.

EXPLORE THE FEASIBILITY OF NEW ASSETS

Convention Center
Sports Facilities
Campground
Transportation Needs

DEFINING SUCCESS

What does successful destination marketing look like to you?



INCREASED LODGING TAX
REVENUE



INCREASED SALES TAX
REVENUE FROM VISITORS



INCREASED COMMUNITY
NAME RECOGNITION



INCREASED PARTNERSHIPS
WITH BRAINERD BAXTER
BUSINESSES



WHAT ELSE?

THANK YOU



Thank you for working with us for 30 years.



Thank you for taking the time to learn more and ask questions.



Thank you for sharing your thoughts and ideas.



Thank you for your ongoing support of our mission.



We look forward to what the future brings!



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Final Pay Request: 2025 Chip Seal Project

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Mike Habighorst, Public Works
Director, Jessie Dehn, City Engineer

DEPARTMENT: Public Works

PRESENTER: Mike Habighorst, Public Works
Director

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

Attached to this item is the final pay request for the 2025 chip seal project. The work is complete and acceptable and staff recommends finalizing the contract.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The final pay request is in the amount of \$158,752.90. The original bid was for \$162,337.90.

RECOMMENDED ACTION/MOTION:

Move to approve the final pay request for the 2025 chip seal project for \$158,752.90.

FINANCIAL IMPACT:

\$158,752.90

Contract Number: 25-01
Pay Request Number: 1

Project Number	Project Description
25-01	2025 Chip Seal Project

Contractor: Asphalt Surface Technologies Corp. P.O. Box 1025 St. Cloud, MN 56302	Vendor Number: N/A Up To Date: 11/07/2025
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Contract Amount		Funds Encumbered	
Original Contract	\$162,337.90	Original	\$162,337.90
Contract Changes	\$0.00	Additional	N/A
Revised Contract	\$162,337.90	Total	\$162,337.90

Work Certified To Date	
Base Bid Items	\$158,752.90
Contract Changes	\$0.00
Material On Hand	\$0.00
Total	\$158,752.90

Work Certified This Request	Work Certified To Date	Less Amount Retained	Less Previous Payments	Amount Paid This Request	Total Amount Paid To Date
\$158,752.90	\$158,752.90	\$0.00	\$0.00	\$158,752.90	\$158,752.90
Percent Retained: 0%			Percent Complete: 97.79%		

This is to certify that the items of work shown in this certificate of Pay Estimate have been actually furnished for the work comprising the above-mentioned projects in accordance with the plans and specifications heretofore approved.

Approved By
Jessie Dehn
City Engineer
11/07/2025
Date

Approved By Asphalt Surface Technologies Corp.
Dale Strandberg
Contractor
12/08/2025
Date

Payment Summary				
No.	Up To Date	Work Certified Per Request	Amount Retained Per Request	Amount Paid Per Request
1	2025-11-07	\$158,752.90	\$0.00	\$158,752.90

Funding Category Name	Funding Category Number	Work Certified to Date	Less Amount Retained	Less Previous Payments	Amount Paid this Request	Total Amount Paid to Date
City of Brainerd		\$158,752.90	\$0.00	\$0.00	\$158,752.90	\$158,752.90

Accounting Number	Funding Source	Amount Paid this Request	Revised Contract Amount	Funds Encumbered to Date	Paid Contractor to Date
City of Brainerd	Local-City of Brainerd	\$158,752.90	\$162,337.90	\$162,337.90	\$158,752.90

Contract Item Status										
Base/Alt	Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Base Bid	1	2021.501	MOBILIZATION	LS	\$27,000.00	1	1	\$27,000.00	1	\$27,000.00
Base Bid	2	2355.506	BITUMINOUS MATERIAL FOR FOG SEAL	GAL	\$3.50	6199	6199	\$21,696.50	6199	\$21,696.50
Base Bid	3	2356.504	BITUMINOUS SEAL COAT	S Y	\$0.60	51667	51667	\$31,000.20	51667	\$31,000.20
Base Bid	4	2356.506	BITUMINOUS MATERIAL FOR SEAL COAT	GAL	\$3.00	18084	16875	\$50,625.00	16875	\$50,625.00
Base Bid	5	2563.601	TRAFFIC CONTROL	LS	\$9,000.00	1	1	\$9,000.00	1	\$9,000.00
Base Bid	6	2582.503	4" SOLID LINE MULTI COMP	L F	\$1.05	2840	2840	\$2,982.00	2840	\$2,982.00
Base Bid	7	2582.503	4" DBLE SOLID LINE MULTI COMP	L F	\$1.60	500	500	\$800.00	500	\$800.00
Base Bid	8	2582.518	PAVEMENT MESSAGE MULTI-COMPONENT	S F	\$10.50	201	340	\$3,570.00	340	\$3,570.00
Base Bid	9	2582.518	CROSSWALK MULTI COMP	S F	\$5.25	540	270	\$1,417.50	270	\$1,417.50
Alternate 1	10	2355.506	BITUMINOUS MATERIAL FOR FOG SEAL	GAL	\$3.50	557	557	\$1,949.50	557	\$1,949.50

Contract Item Status										
Base/Alt	Line	Item	Description	Units	Unit Price	Contract Quantity	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Alternate 1	11	2356.504	BITUMINOUS SEAL COAT	S Y	\$0.60	4642	4642	\$2,785.20	4642	\$2,785.20
Alternate 1	12	2356.506	BITUMINOUS MATERIAL FOR SEAL COAT	GAL	\$3.00	1625	1625	\$4,875.00	1625	\$4,875.00
Alternate 1	13	2582.503	4" BROKEN LINE MULTI COMP	L F	\$3.15	80	80	\$252.00	80	\$252.00
Alternate 1	14	2582.503	4" DBLE SOLID LINE MULTI COMP	L F	\$1.60	500	500	\$800.00	500	\$800.00
Base Bid Totals:								\$158,752.90		\$158,752.90

Project Category Totals			
Project	Category	Amount This Request	Amount To Date
25-01		\$158,752.90	\$158,752.90

Contract Change Item Status											
Project	CC	Line	Item	Unit Price	Contract Quantity	Contract Amount	New Item or Adj to Existing	Quantity This Request	Amount This Request	Quantity To Date	Amount To Date
Contract Change Totals:									\$0.00		\$0.00

Contract Change Totals			
Number	Description	Effective Date	Amount

Material On Hand Additions					
Line	Item	Description	Date	Added	Comments

Material On Hand Balance						
Line	Item	Description	Date	Added	Used	Remaining

Contract Total				\$158,752.90
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City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Change Order #3: Improvement 23-13

AGENDA: SPW Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Jessie Dehn, City Engineer, Mike Habighorst, Public Works Director

DEPARTMENT: Public Works

PRESENTER: Jessie Dehn, City Engineer

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

Attached is change order #3 for improvement 23-13 - TH 371B/Willow Street roundabout project. There are multiple items included in the change order, of which 4 Sections are related to the city.

- Section 3 was related to the existing sanitary sewer structure in the median of the roundabout. It was necessary to make additional adjustment height than expected to match the finished grade.
- Section 4 was related to removal of a discovered sign foundation during excavation work.
- Section 5 was related to additional corrective work necessary to address some failing subgrade issues.
- Section 6 covers an extension to the completion date to October 31st to accommodate delays from the material supplier.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

A break down of the costs included in change order #3 attributed to the city are as follows:

- Section 3 - \$1,971.62 (sanitary fund)
- Section 4 - \$708.63 (state aid and HSIP grant eligible)
- Section 5 - \$10,201.49 (state aid and HSIP grant eligible)

RECOMMENDED ACTION/MOTION:

Move to approve change order #3 for improvement 23-13 as presented.

FINANCIAL IMPACT:

\$12,881.74

SP/SAP(s)	108-070-001; 108-124-009	MN Project No.:	HSIP-CRP 1825(065)	Change Order No.	3
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Project Location	TH 371B (South 6 th Street) at Willow Street		
Local Agency	City of Brainerd	Local Project No.	BRDMN 173744
Contractor	Landwehr Construction, Inc.	Contract No.	
Address/City/State/Zip	651 60 th Street South, St. Cloud, MN 56301		
Total Change Order Amount \$		18,303.13	

SECTION 1 – GRADING REVISIONS – EDGE SW C/L ALIGNMENT STA. 23+00 – STA. 24+00

Issue: The Engineer has determined the Contract needs to be revised in accordance with specification 1402.5 - Extra Work.

During construction activities in the southwest (SW) quadrant of the roundabout near the large ravine, discrepancies were identified between the existing ground surface and the proposed surface shown in the conformed construction plans, specifically along the Edge SW Centerline (C/L) Alignment between Stations 23+00 and 24+00. These discrepancies were the result of natural variations in the existing terrain that became evident during field work.

To ensure proper integration of the design with actual site conditions, a detailed topographic survey of the area was conducted. Based on the updated field data, adjustments were made to the proposed surface and tie-in points within the ravine area. Revised staking was performed to reflect the modified design in the field.

As a result of these site-specific modifications, the Contractor was required to deliver and place additional Common Embankment material to construct the new slope in accordance with the updated surface profile.

SECTION 2 – GRANULAR BORROW ADDITION – CENTER ROUNDABOUT AREA

Issue: The Engineer has determined the Contract needs to be revised in accordance with specification 1402.5 - Extra Work.

During construction activities, it was identified that additional material was required to bring the center mound of the roundabout to the appropriate elevation in accordance with the conformed construction plans. The quantity of suitable Common Excavation material available on-site was insufficient to meet the grading needs for this area.

To address this, material from other City of Brainerd State Aid projects in the direct vicinity—determined to be excess and appropriate for this non-structural application—was approved for use. The Contractor was directed to import this material to achieve the required grade for the center of the roundabout.

Load counts of the imported material were recorded for quantity verification and documentation purposes. Material tests were taken by the Engineer to verify compliance with the specifications for Granular Material.

SECTION 3 – RECONSTRUCT DRAINAGE STRUCTURE – CENTER ROUNDABOUT AREA

Issue: The Engineer has determined the Contract needs to be revised in accordance with specification 1402.5 - Extra Work.

During utility installation at the center island of the roundabout located at 371B_NB Sta. 203+11.50, 27.3' LT, a sanitary sewer manhole was originally identified for grade adjustment under MnDOT Specification 2506.3.G, "Adjust Frame Ring and Casting." This specification allows for a maximum of three adjusting rings, with individual ring thicknesses not to exceed 6 inches, and a total vertical adjustment of up to 1.5 feet. Upon excavation and inspection, it was determined that the vertical distance between the top of the existing manhole structure and the new final grade at the center mound of the roundabout was approximately 4 feet, which significantly exceeds the allowable adjustment range under the current specification.

SP/SAP(s)	108-070-001; 108-124-009	MN Project No.:	HSIP-CRP 1825(065)	Change Order No.	3
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Given the excessive adjustment needed, the Engineer determined that the existing method of adjustment using frame rings would not be compliant with MnDOT specifications. Therefore, the Engineer directed the Contractor to remove the existing cone section and casting, install a new 4-foot barrel section to extend the manhole to the required elevation, and reconstruct the sanitary sewer manhole by placing the cone section, adjustment rings, and casting to bring the manhole to the final grade. As this scope of work exceeds the allowable parameters defined under "Adjust Frame Ring and Casting," it is more appropriately categorized as "Reconstruct Drainage Structure" under MnDOT standards and specifications.

SECTION 4 – REMOVE COMMERCIAL SIGN BASE – WILLOW WB STA. 116+00, 26' LT

Issue: The Engineer has determined the Contract needs to be revised in accordance with specification 1402.5 - Extra Work.

During grading activities, an additional old commercial sign base was found near Willow WB Sta. 116+00, 26' LT. Due to sidewalk and driveway construction in this area, along with the grade of the old, existing base being near the finished grade of the new sidewalk and driveway, the Engineer determined that this old sign base warranted removal.

SECTION 5 – SUBCUT AREA – WILLOW WB STA. 115+30 – STA. 116+00

Issue: The Engineer has determined the Contract needs to be revised in accordance with specification 1402.5 - Extra Work.

In addition, the Engineer has determined the Contract needs to be revised in accordance with specification 1901.1 (P) Quantity changes and adjustments documentation.

During grading operations on the east leg of Willow Street, adjacent to the northbound mainline of TH 371B, the Contractor encountered poor soil conditions and an unstable subgrade over an existing watermain trench. This area had previously been stabilized with geogrid during the last reconstruction of TH 371B.

Upon evaluation of the conditions in the field, the Engineer conferred with the Geotechnical Engineer and determined that a subcut was necessary to remove the unsuitable material and restore subgrade stability. The subcut was performed to ensure proper support for the pavement section and to mitigate the risk of future settlement or structural failure in the reconstructed roadway section.

SECTION 6 – CONTRACT COMPLETION DATE

Issue: The Engineer has determined the Contract needs to be revised in accordance with specification - Other, see below.

The Contractor was informed that Anderson Brothers Construction of Brainerd, LLC was not an approved subcontractor for the paving work on this project. As a result, Change Order No. 2 removed the contract pricing associated with Anderson Brothers Construction and substituted Knife River as the paving subcontractor.

Due to the timing of this substitution and Knife River's existing schedule along with material procurement and lead time issues for the delivery and installation of the RRFB systems, paving and RRB delivery and installation is now planned as follows:

- Base Course Installation: October 10, 2025
- Final Wear Course Installation: October 20, 2025
- Shipping Date of RRFB System: October 21, 2025
- Planned Installation of RRFB System: October 27, 2025 – October 31, 2025

SP/SAP(s)	108-070-001; 108-124-009	MN Project No.:	HSIP-CRP 1825(065)	Change Order No.	3
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The original contract completion date was October 10. However, to accommodate Landwehr's revised construction schedule aligned with Knife River's paving availability along with material availability and lead times for the RRFB flasher systems, an extension of the contract completion date is necessary. This extension reflects the schedule impacts caused by the required substitution of paving subcontractors and ensures coordination with Knife River's proposed paving operations and to ensure the RRFB flasher systems are installed and operational prior to the opening of the roundabout. In accordance with MnDOT Specification 2360.3.A.4, final wear course paving shall not be placed after October 15 north of an east/west line between Browns Valley and Holyoke, unless the Engineer provides written direction to place the mixture.

Resolution:

SECTION 1 – GRADING REVISIONS – EDGE SW C/L ALIGNMENT STA. 23+00 – STA. 24+00

Based on the revised final grading surface prepared by the Engineer and staked in the field, the Contractor was directed to haul common excavation material generated from subgrade operations on Willow Street to the EDGE SW alignment between Sta. 23+00 and Sta. 24+00. This material was placed and compacted to conform to the newly established grading elevations.

This work was not included in the original (P) quantity for Common Embankment, as it was necessitated by changes to the grading design that occurred after the original plan quantities were established. Therefore, the additional embankment material and grading work between Sta. 23+00 and Sta. 24+00 is considered outside the scope of the original pay item and is eligible for compensation through a new contract item, Site Grading, paid by the Lump Sum.

SECTION 2 – GRANULAR BORROW ADDITION – CENTER ROUNDABOUT AREA

At the direction of the Engineer, the Contractor hauled and placed Granular Material sourced from the nearby State Aid Beech Street Project, currently being performed by the City of Brainerd. This material was used to construct the center mound of the roundabout area in order to achieve the proposed grading elevations.

This work is to be paid for as Granular Borrow (LV), with quantities measured by verified load count, as outlined in the Estimate of Cost section below.

SECTION 3 – RECONSTRUCT DRAINAGE STRUCTURE – CENTER ROUNDABOUT AREA

At the direction of the Engineer, the Contractor removed the casting and cone section from the sanitary sewer manhole located at 371B_NB Sta. 203+11.50, 27.3' LT, and installed a 4-foot sanitary sewer manhole barrel section. The cone section was then reset, and adjustment rings and the casting were installed to match the final grading elevation as shown in the conformed plans.

This scope of work exceeds the limits of a standard frame and casting adjustment and will be paid for under the added contract item "Reconstruct Drainage Structure." The original item "Adjust Frame Ring and Casting" will be removed from the contract accordingly.

SECTION 4 – REMOVE COMMERCIAL SIGN BASE – WILLOW WB STA. 116+00, 26' LT

At the direction of the Engineer, the Contractor removed the existing commercial sign base and disposed of the material off-site in accordance with project requirements. This work falls outside the scope of the original contract and will be paid for under the added item "Remove Commercial Sign Base" as detailed in the Estimate of Cost section below.

SECTION 5 – SUBCUT AREA – WILLOW WB STA. 115+30 – STA. 116+00

At the direction of the Engineer, the Contractor performed a subcut to a depth of 1 foot below gravel grade in response to unsuitable subgrade conditions encountered on the east leg of Willow Street. The work included:

- Removal of unsuitable material to a depth of 1 foot.
- Placement of Geotextile Fabric – Type 7 at the bottom of the subcut.
- Backfilling with Aggregate Base Course Class 6 to restore grade.

SP/SAP(s)	108-070-001; 108-124-009	MN Project No.:	HSIP-CRP 1825(065)	Change Order No.	3
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Following this initial stabilization, the Engineer determined that one specific area remained unstable despite the installation of fabric and base material. To address this, the Contractor was further directed to install an additional layer of Geogrid reinforcement below the 8-inch Aggregate Base Course Class 6 section to provide enhanced subgrade stability.

This layered stabilization approach was necessary to ensure long-term pavement performance and mitigate settlement or structural issues in the reconstructed section.

SECTION 6 – CONTRACT COMPLETION DATE

The Engineer has determined that a revision of the Contract Completion Date of October 31, 2025 is warranted and justified. The Engineer is also providing written direction to place the final wear course of pavement past the October 15 deadline pursuant to MnDOT Specification 2360.3.A.4, and is currently scheduled for October 20, 2025.

Entitlement: Payment for this work will be at: Negotiated Unit Prices as provided in MnDOT Specification 1904 as shown in the estimate of cost.

The Contract time will be modified as follows:

The Contract Final Completion Date is revised to October 31, 2025.

Estimate Of Cost:						
**Group/ funding Category	Item No.	Description	Unit	Unit Price	+ or – Quantity	+ or – Amount \$
SECTION 1 – GRADING REVISIONS – EDGE SW C/L ALIGNMENT STA. 23+00 – STA. 24+00						
1	2506.601	SITE GRADING	LUMP SUM	\$4,709.19	1	\$4,709.19
Section 1 Subtotal						\$4,709.19
SECTION 2 – GRANULAR BORROW ADDITION – CENTER ROUNDABOUT AREA						
1	2105.607	GRANULAR BORROW (LV)	CU YD	\$11.87	60	\$712.20
Section 2 Subtotal						\$712.20
SECTION 3 – RECONSTRUCT DRAINAGE STRUCTURE – CENTER ROUNDABOUT AREA						
5	2506.503	RECONSTRUCT DRAINAGE STRUCTURE	LF	\$584.84	4	\$2,339.36
5	2506.502	ADJUST FRAME RING AND CASTING*	EACH	\$367.74	(1)	(\$367.74)
Section 3 Subtotal						\$1,971.62
SECTION 4 – REMOVE COMMERCIAL SIGN BASE – WILLOW WB STA. 116+00, 26' LT						
2	2104.602	REMOVE COMMERCIAL SIGN BASE	EACH	\$708.63	1	\$708.63
Section 4 Subtotal						\$708.63
SECTION 5 – SUBCUT AREA – WILLOW WB STA. 115+30 – STA. 116+00						
2	2106.607	SUBGRADE EXCAVATION	CU YD	\$25.73	171	\$4,399.83
2	2108.504	GEOTEXTILE FABRIC TYPE 7*	SQ YD	\$3.12	308	\$960.96
2	2211.507	AGGREGATE BASE (CV) CL 6 (P)*	CU YD	\$32.90	103	\$3,388.70
2	2108.604	SOIL STABILIZATION GEOGRID	SQ YD	\$12.00	121	\$1,452.00
Section 5 Subtotal						\$10,201.49
Net Change this Change Order						\$18,303.13

**Existing bid item subject to price adjustment*



STATE AID FOR LOCAL TRANSPORTATION
CHANGE ORDER

Rev. December 2024

SP/SAP(s)	108-070-001; 108-124-009	MN Project No.:	HSIP-CRP 1825(065)	Change Order No.	3
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****Group/funding category is required for federal aid projects**

- 1 – SP 1814-10
- 2 – SP 108-070-001 (Roadway)
- 3 – SP 108-070-001 (Storm Sewer)
- 4 – SAP 108-124-009
- 5 – City of Brainerd (Local)

Pricing Approved by MnDOT Estimating: Name: Ross Hendrickson/John Bier Date: 11/26/2025

Attachments: Landwehr price quotation.

Project Engineer: Scott D. Hedlund Date: 11/26/2025
Print Name: Scott Hedlund, PE Phone: 612.865.3509

Contractor: Bryan Pearson Date: 12/1/25
Print Name: Bryan Pearson Phone: (320) 252-1494

City: _____ Date: _____
Print Name: _____ Phone: _____

Other required signatures (MnDOT if work on Trunk Highway, other agency as needed). These signatures should be in place before submittal to DSAE.

Signature: _____ Date: _____
Print Name: _____ Phone: _____
Title and Agency: _____

DSAE Portion: The State of Minnesota is not a participant in this contract. Signature by the District State Aid Engineer is for FUNDING PURPOSES ONLY and for compliance with State and Federal Aid Rules/Policy. Eligibility does not guarantee funds will be available.

This work is eligible for: ☐ Federal Funding ☐ State Aid Funding ☐ Local Funds

District State Aid Engineer: _____ Date: _____

From: [Hendrickson, Ross \(DOT\)](#)
To: [Scott Hedlund](#); [MN_DOT_Contract Changes - North](#)
Subject: RE: Revised request for pricing approval - Change Order No. 3 SP 108-070-010, 1814-10, Minn Proj No HSIP-CRP 1825 (065) Brainerd
Date: Wednesday, November 26, 2025 8:27:40 AM

Nope, you will not need too.

Ross Hendrickson
Construction Support
State Aid
218.766.3745
ross.hendrickson@state.mn.us

From: Scott Hedlund <shedlund@sehinc.com>
Sent: Wednesday, November 26, 2025 8:24 AM
To: Hendrickson, Ross (DOT) <ross.hendrickson@state.mn.us>; [MN_DOT_Contract Changes - North](#) <ContractChanges-North.DOT@state.mn.us>
Subject: RE: Revised request for pricing approval - Change Order No. 3 SP 108-070-010, 1814-10, Minn Proj No HSIP-CRP 1825 (065) Brainerd

Thanks. Do I still need approval from John Bier as well?

Scott D. Hedlund, PE (MN, LA), PMP
Principal, Project Manager
Short Elliott Hendrickson, Inc.
612.865.3509 mobile

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From: Hendrickson, Ross (DOT) <ross.hendrickson@state.mn.us>
Sent: Wednesday, November 26, 2025 8:05 AM
To: Scott Hedlund <shedlund@sehinc.com>; [MN_DOT_Contract Changes - North](#) <ContractChanges-North.DOT@state.mn.us>
Subject: RE: Revised request for pricing approval - Change Order No. 3 SP 108-070-010, 1814-10, Minn Proj No HSIP-CRP 1825 (065) Brainerd

Pricing and content approved.

Ross Hendrickson
Construction Support
State Aid
218.766.3745
ross.hendrickson@state.mn.us

From: Scott Hedlund <shedlund@sehinc.com>

Sent: Tuesday, November 25, 2025 2:55 PM

To: Hendrickson, Ross (DOT) <ross.hendrickson@state.mn.us>; MN_DOT_Contract Changes - North <ContractChanges-North.DOT@state.mn.us>

Subject: Revised request for pricing approval - Change Order No. 3 SP 108-070-010, 1814-10, Minn Proj No HSIP-CRP 1825 (065) Brainerd

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John and Ross,

I'm looking for your approval on the pricing on the attached Change Order No. 3 that includes revised pricing for Section 1. Also attached is a revised detailed breakdown of Section 1.

Please let me know if you have any questions. Thanks

Scott D. Hedlund, PE (MN, LA), PMP
Principal, Project Manager
Short Elliott Hendrickson, Inc.
612.865.3509 mobile

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REVISED TH371B/Willow SP 1814-10 CO PROPOSAL



Landwehr Construction Inc.

PO Box 1086

St. Cloud, MN 56302

Contact: Bryan Pearson

Phone: 320-252-1494

Fax: 320-252-2380

Quote To: Paul Sandy - SEH

Job Name: SP1814-10 TH371B/Willow

Date: REVISED 11/25/25

Phone:

Revision Date:

Fax:

ITEM	DESCRIPTION	QUANTITY	UNIT	UNIT PRICE	AMOUNT
CO3	GRADING REVISIONS – SW CORNER				
	OPERATOR	20	HR	\$107.88	\$2,157.50
	SUPERINTENDENT W/ PICKUP	5	HR	\$149.00	\$745.00
	MED TRACK SKIDSTEER	5	HR	\$86.08	\$430.40
	LARGE TRACK SKIDSTEER	5	HR	\$102.14	\$510.70
	LOADER – CAT 966	4	HR	\$72.61	\$290.44
	LOADER – VOLVO L120F	5	HR	\$93.36	\$466.80
	DOZER – KOMATSU D51	1	HR	\$108.25	\$108.25
				TOTAL	\$4,709.19

NOTES:

Pricing for extra grading in the SW corner due to errors in design elevations.

Bryan Pearson
Project Manager
November 25th, 2025



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Leasing of Lakes Area Drug Investigation Division (LADID) Vehicle in 2026

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: John Davis, Police Chief, Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: John Davis, Police Chief

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

The Lakes Area Drug Investigation (LADID) task force will begin receiving state funding in 2026 to support ongoing operations. As part of this allocation, LADID has designated \$7,800 annually to the city of Brainerd to offset LADID investigator vehicle expenses. Staff recommends utilizing these funds to lease a vehicle for the LADID investigator.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

A vehicle lease quote was obtained from Enterprise at an annual cost of \$6,293. The remaining \$1,507 from the LADID allocation would fund most of the insurance premium. The only equipment required for this vehicle is a radio, which the department already owns. As a result, no additional capital expenditures for outfitting are anticipated, unlike other police vehicles. This leased vehicle would replace a current department-owned unit that is 12 years old. If a lease is not pursued, approximately \$2,000 in air conditioning repairs will be necessary to maintain the vehicle. The estimated resale value in 2026 is approximately \$8,000, but only if the air conditioning is repaired beforehand.

RECOMMENDED ACTION/MOTION:

Move to authorize staff to replace the 2014 city-owned vehicle with a lease vehicle in 2026.

FINANCIAL IMPACT:

This is currently not in the budget for 2026. The revenue received from LADID would fully fund this lease request.



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: IUOE Parks Union Downtown Snow Removal Compensation Request

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Kris Schubert, Human Resources
Director, Mike Habighorst, Public Works Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

At its October 20th meeting, the city council approved utilizing our park maintenance staff to conduct downtown snow removal duties instead of utilizing a contractor. Shortly thereafter, IUOE park maintenance division union representatives requested a "meet and confer" with city staff to discuss the city's expectations for this process. The union submitted a letter of request asking that the city consider a memorandum of agreement (MOA) to address the new directive. Attached is the MOA negotiated with the union that clarifies the rate of pay park maintenance staff should receive when they perform downtown snow removal duties. Please note the IUOE parks union contract requires overtime after "working" 40 hours a week versus our street crew that receive overtime when working beyond their assigned shift. This MOA was negotiated for more internal equity if both groups are called in to complete snow removal duties.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The MOA is retroactive to November 1, 2025, and will continue in effect until December 31, 2026, or until a successor collective bargaining agreement has been ratified by both the city and the union.

RECOMMENDED ACTION/MOTION:

Move to approve the MOA as presented between the city of Brainerd and the IUOE park maintenance division union regarding compensation when performing downtown snow removal duties.

FINANCIAL IMPACT:

N/A: the additional cost was considered when staff completed the analysis of using staff instead of a contractor to perform these duties.

Memorandum of Agreement

This Memorandum of Agreement is entered into between the City of Brainerd, Minnesota, (hereafter “Employer”) and the International Union of Operating Engineers Local No. 49 (hereafter “Union”).

WHEREAS, the Employer and the Union are parties to a Collective Bargaining Agreement in effect January 1, 2024, through December 31, 2026 (the “Collective Bargaining Agreement”), which governs the terms and conditions of certain employees in the Park Maintenance Division of the Employer’s Public Works Department; and

WHEREAS, the parties desire to address downtown snow removal activities by members of the bargaining unit represented by the Union.

NOW THEREFORE, the Employer and the Union agree to the following:

1. If downtown snow removal duties are performed during the week, employees will be paid at a rate of one and one-half (1 ½) times their regular hourly rate for all hours worked over eight (8) hours per day in such shift;
2. If downtown snow removal duties are performed on a weekend, employees will be paid at a rate of one and one-half (1 ½) times their regular hourly rate for all hours worked.
3. The City and the Union agree that the compensation set forth in Paragraphs 1 and 2 of this Memorandum of Agreement are in exchange for the \$2.50 shift differential noted in Article XI – Wages, specifically Section 5 and Section 6, and both parties agree that the \$2.50 shift differential shall not apply to any downtown snow removal duties.
4. All overtime earned pursuant to items 1 and 2 described previously, shall be paid and shall not be eligible for compensatory time.
5. This Memorandum of Agreement shall be effective November 1, 2025, and remain in effect until December 31, 2026, or until a successor Collective Bargaining Agreement has been ratified by the parties.
6. Nothing in this Memorandum of Agreement shall be deemed to establish a precedent or practice, or to alter any established past practice or precedent arising out of or relating to the CBA. Except with regard to the interpretation and application of this Memorandum of Agreement, no Party may introduce this Memorandum of Agreement in any proceeding as evidence of any practice or precedent.
7. This Memorandum of Agreement shall be construed to have been drafted equally by the Parties.

All other provisions of the Collective Bargaining Agreement between the Employer and the Union will remain unchanged.

This Memorandum of Agreement represents the complete and total agreement of both parties.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement this _____ day of _____, 2025.

NAME OF EMPLOYER

I.U.O.E Local No. 49

Nicholas W. Broyles
City Administrator



Todd E. Djonne
Business Representative

Date

12-9-25

Date



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Temporary Transit Operations Specialist Position

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Mike Habighorst, Public Works
Director, Kris Schubert, Human Resources Director

DEPARTMENT: HR

PRESENTER: Kris Schubert, Human Resources
Director, Mike Habighorst, Public Works Director

ESTIMATED TIME (MIN): 2 minutes

SUMMARY OF ISSUE:

In 2024, the council authorized employing a temporary part-time transit operations specialist to assist the transit department when we were in the hiring process for the full-time position. That part-time temporary position proved to be helpful after the new full-time specialist was on-board to help document performance deficiencies from the third-party contractor. In addition, this temporary position will also help cover workload issues as transit coordinator Gauthier is expected to be out-of-the-office for a few weeks in January. Staff is requesting authorization to hire another temporary position for 2026 utilizing the full-time transit operations specialist wage grid. Division and workload needs will be re-evaluated after the in-house business model is presented for council consideration.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

MN state law allows temporary staff to be employed for up to 67 working days in a calendar year before union representation is required. If the position is authorized, staff will monitor when that limit is reached for 2026.

RECOMMENDED ACTION/MOTION:

Move to authorize staff to hire a temporary part-time employee to assist the transit division and utilize the transit operations specialist wage grid when hiring the part-time position.

FINANCIAL IMPACT:

A part-time position was included in the city's 2026 transit budget presented to and approved by the state of MN as the cost will be covered by the state grant and rider fares.



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Revised Contribution to City Policy 2003-01: Payment in Lieu of Taxes (PILOT) Contribution

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Paul Sandy, Public Utilities Director **DEPARTMENT:** Public Utilities

PRESENTER: Paul Sandy, Public Utilities Director **ESTIMATED TIME (MIN):** 5 minutes

SUMMARY OF ISSUE:

At its meeting on November 25, 2025, the PUC approved revised language for its contribution to city policy 2003-01 - payment in lieu of taxes (PILOT). The approved language, shown in redline and clean formats, can be seen attached to this agenda request.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Following prior discussions between the city council and the PUC, the city council requested that the PUC review its existing contribution to city policy and consider revisions to the methodology used for calculating monthly payments. Under the current policy, monthly contributions to the city are based on \$0.0045 per kWh of energy sold to retail electric customers in the previous month. Additionally, a separate contribution rate of \$0.00025 per kWh applied to medium and large industrial customers, including crypto mining operations. The city council proposed transitioning the PILOT contribution from a per-kWh basis to a percentage of electric utility revenues, with a phased structure of 3% in 2026, 4% in 2027, and 5% in 2028. This change was intended to align contributions more closely with overall utility revenues and provide a predictable framework for future adjustments.

After deliberation, the PUC voted to revise the policy to reflect a 3% contribution based on monthly retail electric sales revenues, effective January 2026. The PUC also elected to remove the separate contribution structure for medium and large industrial customers, creating a uniform approach for all retail customers. Furthermore, the PUC deferred approval of the proposed 4% and 5% increases until completion of a full cost-of-service analysis and rate study in 2026. These studies will include modeling scenarios for all three proposed contribution levels (3%, 4%, and 5%) to evaluate potential impacts on customer rates and ensure financial sustainability for the utility.

The revised contribution to city policy 2003-01 was formally approved by the PUC at its regularly scheduled meeting on November 25, 2025.

RECOMMENDED ACTION/MOTION:

Move to approve the revised contribution to city policy 2003-01, with implementation of said policy revisions to take effect January 2026.

FINANCIAL IMPACT:

Until the full cost of service and rate study is performed in 2026, the full impact of this adjustment is unknown at this time. The 3% adjustment is reflected in the public utilities budget approved by the city council in December, and is roughly the same as prior contributions pursuant to the existing policy (approx. \$100,000 more contribution to the city). Future increases to the PILOT contribution will be evaluated during the cost of service and rate study to be performed for the electric utility in 2026.

BRAINERD PUBLIC UTILITIES POLICY 2003-01

Adopted March 25, 2003

Revision No. 1 – January 25, 2005

Revision No. 2 – November 24, 2009

Revision No. 3 – November 24, 2015

Revision No. 4 – August 28, 2018

Revision No. 5 – July 26, 2022

Revision No. 6 – November 25, 2025

CONTRIBUTION TO CITY POLICY

Brainerd Public Utilities (BPU) will make regular financial contributions to the City of Brainerd (City). These contributions will be made monthly based on retail sales by the BPU Electric Department. Retail sales by the Electric Department are defined as energy sales expressed in kilowatt-hours (kWh) to BPU retail electric customers. Energy sales to BPU retail electric customers do not include sales to any City facilities or any energy usage by BPU departments. The monthly BPU contribution will be a cash contribution to the City equal to 3.0% of revenues based on energy sales to retail electric customers in the previous month.

BPU will make no contribution to the City based on operations or sales by the BPU Water or Wastewater Departments. BPU will make no other contributions to the City (cash or services) other than the cash contribution based on retail electric sales.

BPU will bill the City for all utility services (electric, water and wastewater) at regular utility rates as set by the BPU Commission for applicable service to City facilities. The applicable rates for service to City facilities are subject to change as may be determined necessary by the BPU Commission.

BRAINERD PUBLIC UTILITIES

POLICY 2003-01

Adopted March 25, 2003

Revision No. 1 – January 25, 2005

Revision No. 2 – November 24, 2009

Revision No. 3 – November 24, 2015

Revision No. 4 – August 28, 2018

Revision No. 5 – July 26, 2022

Revision No. 6 – November 25, 2025

CONTRIBUTION TO CITY POLICY

Brainerd Public Utilities (BPU) will make regular financial contributions to the City of Brainerd (City). These contributions will be made ~~on a monthly basis~~monthly based on retail sales by the BPU Electric Department. Retail sales by the Electric Department are defined as energy sales expressed in kilowatt-hours (kWh) to BPU retail electric customers. Energy sales to BPU retail electric customers do not include sales to any City facilities or any energy usage by BPU departments. The monthly BPU contribution will be a cash contribution to the City equal to ~~\$0.0045 per kWh~~3.0% of revenues based on energy sales to retail electric customers in the previous month.

~~The monthly cash contribution to the City for medium and large industrial customers (crypto mining customers) will be equal to \$0.00025 per kWh. This rate will be reevaluated on December 31, 2023, by BPU Commission and City.~~

BPU will make no contribution to the City based on operations or sales by the BPU Water or Wastewater Departments. BPU will make no other contributions to the City (cash or services) other than the cash contribution based on retail electric sales.

BPU will bill the City for all utility services (electric, water and wastewater) at regular utility rates as set by the BPU Commission for applicable service to City facilities. The applicable rates for service to City facilities are subject to change as may be determined necessary by the BPU Commission.



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Temporary Service Agreement: Technology for the City of Baxter

AGENDA: P&F Committee

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Shawn Strong, Technology Director **DEPARTMENT:** Technology

PRESENTER: Shawn Strong, Technology Director **ESTIMATED TIME (MIN):** 5 minutes

SUMMARY OF ISSUE:

The City of Baxter will soon have a vacancy in their IT/GIS Director position for an estimated 60-90 days. Baxter reached out to see if Brainerd staff could provide technology support on an as-needed / requested basis during their hiring process.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Brainerd Technology staff is willing and capable of providing support as we have been comparing notes with the outgoing staff for nearly 20 years and have familiarity with many of the systems Baxter has in place. If approved, staff would schedule some time with the outgoing staff to discuss some of the necessary background details, obtain access and permissions, and walk through some of the technology infrastructure. The proposed contract is a modification of the shared service agreement in use with the airport and has been reviewed by attorneys from both cities. The term is limited to the duration of the vacancy and compensation would be staff's loaded hourly rate plus 5%. The understanding is that this will not become a burdensome amount of time. If the workload becomes too large for Brainerd staff to reasonably accommodate, Baxter will contract with an outside third party.

RECOMMENDED ACTION/MOTION:

Move to authorize staff to enter into a temporary service agreement to provide technical support to the City of Baxter during their staff vacancy.

FINANCIAL IMPACT:

The number of staff hours is unknown at this time. Time spent supporting Baxter will be compensated at the full hourly cost plus a 5% administration fee to account for time tracking, billing, etc.

IT/GIS TEMPORARY SERVICES AGREEMENT

This Temporary Services Agreement (“Agreement”) is made, effective upon execution by all parties (“Effective Date”), by and between the City of Brainerd (“Brainerd”), with its principal offices located at 501 Laurel Street, Brainerd, MN 56401, and the City of Baxter (“Baxter”), with its principal offices located at 13190 Memorywood Dr, Baxter MN 56425.

ARTICLE 1: PURPOSE

1.1 Purpose. Baxter has a vacancy in the position of IT/GIS Director. The purpose of this Agreement is for Brainerd to provide Baxter with Information Technology / Geographic Information Systems (“IT/GIS”) support services to ensure continuity of technology operations during this vacancy under the terms and conditions contained herein.

ARTICLE 2: SERVICES

2.1 Services. Baxter agrees to engage Brainerd as an independent contractor for the purpose of performing certain professional services under the terms and conditions of this Agreement and outlined in Exhibit A. Where the terms and conditions of this Agreement and those terms and conditions included in Exhibit A specifically conflict, the terms of this Agreement shall apply. Brainerd covenants and agrees to provide the services to the satisfaction of Baxter in a timely fashion, as set forth in Exhibit A. Brainerd agrees to comply with all federal, state, and local laws and ordinances applicable to the services to be performed under this Agreement. Brainerd represents and warrants that it has the requisite training, skills and experience necessary to provide the services.

ARTICLE 3: PRICING AND PAYMENT

3.1 Pricing. Brainerd shall provide IT/GIS services at the rate and terms specified in Exhibit A. Any changes in the scope of the work of the services that may result in an increase to the compensation due to Brainerd shall require prior written approval by the authorized representative of Baxter or by the Baxter City Council. Baxter will not pay additional compensation for the services that do not have prior written authorization.

3.2 Payment. Brainerd will invoice Baxter monthly for IT/GIS services provided pursuant to this Agreement.

ARTICLE 4: TERM AND TERMINATION

4.1 Term. The term of this Agreement will commence on the Effective Date and will continue month-to-month until Baxter fills the IT/GIS Director position, unless earlier terminated pursuant to the terms of this Agreement.

4.2 Termination for Convenience. Either party may terminate this Agreement upon 14 calendar days' written notice. Unless otherwise agreed by the parties, termination pursuant to this Section 4.2 will not relieve Brainerd of its obligations under any open services, which obligations will continue to be governed by this Agreement. Termination pursuant to this Section 4.2 will not relieve Baxter of its obligation to pay for any services or expenses performed pursuant to any open services.

4.3 Termination for Cause. Either party may terminate this Agreement upon written notice if the other party has materially breached any provision of this Agreement and has not cured such breach within 30 calendar days after receiving written notice from the non-breaching party describing such breach in reasonable detail and stating the non-breaching party's intent to terminate this Agreement.

4.4 Survival. Notwithstanding any expiration or termination of this Agreement, all payment obligations incurred prior to expiration or termination will survive, and the following provisions will survive: Articles 3 and 5, and Section 4.3. All other rights granted under this Agreement will cease upon expiration or termination of this Agreement.

ARTICLE 5. GENERAL TERMS

5.1 Notices. Whether or not so stipulated herein, all notices, communication, requests, invoices and statements (the "Notice") required or permitted hereunder shall be in writing. Notice required or permitted in Section 4.2 and 4.3 shall be sent to the intended recipient at its physical address as listed in the opening paragraph above. Any other Notice required or permitted under this Agreement may be given by (a) actual delivery to the other Party at the address specified herein during normal business hours, (b) by fax or email to the other Party, (c) or by mailing via first class registered post, postage prepaid, to the other Party at the address specified herein.

All notices will be deemed to have been duly given (a) when delivered in person during normal business hours, (b) upon confirmation of receipt when transmitted by facsimile transmission or by electronic mail, (c) upon receipt after dispatch by registered or certified mail, postage prepaid or (d) on the next business day if transmitted by national overnight courier with confirmation of delivery.

5.2 Governing Law, Jurisdiction and Attorney's Fees. This Agreement shall be interpreted and construed in accordance with and governed by the laws of the State of Minnesota. Any dispute arising out of this Agreement shall be adjudicated in Crow Wing County, Minnesota. In any action or proceeding to enforce rights under this Agreement, the prevailing party will be entitled to recover costs and reasonable attorney's fees from the other party.

5.3 Assignment. Neither party shall have the right to assign or otherwise transfer its rights and obligations under this Agreement except with the prior written consent of the other party, provided that a successor in interest by merger, by operation of law, assignment, purchase or

otherwise of the entire business of either party shall acquire all interest of such party hereunder. Any prohibited assignment shall be invalid.

5.4 Independent Contractor. Each party is an independent entity under the terms of this Agreement. Neither party, by virtue of this Agreement, will have any right, power, nor authority to act or create any obligation, expressed or implied, on behalf of the other party. Except as otherwise provided, or as may hereafter be established by a written agreement executed by authorized representatives of the parties, all operational expenses incurred by either party will be borne by the party incurring the expense.

5.5 Indemnity. In the performance of this Contract by Brainerd, or Brainerd's agents or employees, Baxter must, to the extent allowed by law, indemnify, save, and hold harmless Brainerd, its agents, and employees, from any claims or causes of action, including attorney's fees incurred by Brainerd, to the extent caused by Baxter's:

- 5.5.1 Intentional, willful, or negligent acts or omissions; or
- 5.5.2 Actions that give rise to strict liability; or
- 5.5.3 Breach of contract or warranty.

Baxter's indemnification obligations of this section do not apply in the event the claim or cause of action is the result of Brainerd's negligence or willful conduct. Brainerd shall, to the extent allowed by law, indemnify, save and hold harmless Baxter for the negligent or willful acts or omissions of Brainerd, its agents, employees and assigns. This clause will not be construed to bar any legal remedies the parties may have for failure to fulfill their respective obligations under this Agreement.

5.6 Limitations of Liability. Excepting the parties' indemnification obligations hereunder, neither party shall, by reason of termination of this Agreement or otherwise, be liable to the other party for any punitive, special, incidental or consequential damages including but not limited to: compensation or damages for loss of present or prospective profits or revenues, loss of actual or anticipated commissions on sales or anticipated sales, or expenditures, investments or commitments made in connection with the establishment, development or maintenance of the selling representation created by this Agreement or in connection with the performance of obligations regardless of the form of action, whether in contract, tort or other legal theory. The foregoing limitation shall apply (A) even if such party has been advised of the possibility of such damages and (B) notwithstanding any failure of essential purpose of any limited remedy herein.

5.7 Entire Agreement: The individuals signing this Agreement are authorized to execute said Agreement and it is binding upon the parties. This Agreement supersedes all prior understandings and agreements between the parties and may not be amended orally, but only in writing as mutually agreed upon.

5.8 Government Data Practices. Baxter and Brainerd agree and understand that each is a public entity that is subject to the Minnesota Government Data Practices Act (Minnesota Statutes Chapter 13) and that all information that each possesses shall be considered public

unless such information qualifies as an exception under the Minnesota Government Data Practices Act. The parties shall take all reasonable measures to enforce the obligation of confidentiality and use contained herein with respect to any of their employees or former employees who while in employment of the parties have access to nonpublic information. To the extent allowed by law, the parties agree to indemnify and hold each other harmless from all damages and expenses, including reasonable attorney's fees, which either may sustain because of unauthorized disclosure of nonpublic information by the other hereunder, and each party shall have the right to enforce this agreement by injunctive relief as well as recovery of damages.

5.9 Severability. If any of the terms of this Agreement conflict with any rule, law, statutory provision or are otherwise unenforceable under the laws or regulations of any government or subdivision thereof, such terms shall be deemed stricken from this Agreement, but such invalidity or unenforceability shall not invalidate any of the other terms of this Agreement. This Agreement shall continue in force, unless the invalidity or unenforceability of any such provisions hereof does substantial harm to, or where the invalid or unenforceable provisions compromise an integral part of or are otherwise inseparable from the remainder of this Agreement.

5.10 Waiver. Failure by either party to act upon or assert any right hereunder shall not be deemed a waiver of such right in the event of the continuation or repetition of the circumstances giving rise to such right.

5.11 Successors. All rights and remedies of the parties hereunder shall inure to the benefit of their successors and assigns.

5.12 Amendments. This Agreement shall not be deemed or construed to be modified, amended, rescinded, canceled or waived, in whole or in part, other than by written amendment signed by both parties.

5.13 Execution and Delivery of Documents. Each of the parties hereto, his or her heirs, legal representatives, successors and assigns, shall do all things to execute and deliver any and all documents which may be necessary at any time to carry out and effectuate the terms and conditions of this Agreement.

5.14 Incorporation. Exhibit A is hereby fully incorporated into the terms of this Agreement and will be binding upon the parties as of the Effective Date.

5.15 Subcontractors. Brainerd shall not enter into subcontracts for any of the services provided for in this Agreement without the express written consent of Baxter, unless specifically provided for in Exhibit A. Brainerd shall pay any subcontractor involved in the performance of this Agreement within ten (10) days of Brainerd's receipt of payment by Baxter for undisputed services provided by the subcontractor.

5.16 Standard of Care. In performing its services, Brainerd will use that degree of care and skill ordinarily exercised, under similar circumstances, by reputable members of its profession in the same locality at the time the services are provided. No warranty, express or implied, is made or intended by Brainerd's undertaking herein or its performance of services.

5.17 Delay in Performance. Neither Brainerd or Baxter shall be considered in default of this Agreement for delays in performance caused by circumstances beyond the reasonable control of the nonperforming party. For purposes of this Agreement, such circumstances include, but are not limited to, abnormal weather conditions; floods; earthquakes; fire; epidemics; war, riots, and other civil disturbances; strikes, lockouts, work slowdowns, and other labor disturbances; sabotage; judicial restraint; and inability to procure permits, licenses or authorizations from any local, state, or federal agency for any of the supplies, materials, accesses, or services required to be provided by either Brainerd or Baxter under this Agreement. If such circumstances occur, the nonperforming party shall, within a reasonable time of being prevented from performing, give written notice to the other party describing the circumstances preventing continued performance and the efforts being made to resume performance of this Agreement. Brainerd will be entitled to payment for its reasonable additional charges, if any, due to the delay.

5.18 Insurance. During the performance of the services under this Agreement, Brainerd shall maintain General Liability Insurance, with a limit of \$1,000,000 for any number of claims arising out of a single occurrence.

5.19 Ownership of Documents. Professional documents, drawings, and specifications prepared by Brainerd as part of the services provided shall become the property of Baxter when Brainerd has been compensated for all services rendered, provided, however, that Brainerd shall have the unrestricted right to their use. Brainerd shall retain its rights in its standard drawing details, specifications, databases, computer software, and other proprietary property. Rights to proprietary intellectual property developed, utilized, or modified in the performance of the services shall remain the property of Brainerd.

City of Brainerd

By _____
David Badeaux, Mayor

By _____
Nick Broyles
City Administrator

Date _____

City of Baxter

By _____
Darrel Olson, Mayor

By _____
Kelly Steele
Assistant City Administrator

Date _____

Exhibit A
to IT/GIS Temporary Services Agreement

IT/GIS Support Services and Compensation

1. Support services may include, but are not limited to the following:
 - a. Core Network Management: Network operations and administration; physical and cyber security management; server operations and administration; data backup; IT vendor management.
 - b. Routine IT Support: Hardware and software support, management, and maintenance; printing/scanning; GIS data and application maintenance; other general technology troubleshooting.
 - c. End User Support: Creation of additional users or accounts, disabling or deleting existing accounts, administering permissions and/or user rights.
2. Compensation. Baxter shall pay Brainerd the following hourly rates in quarter hour increments.
 - a. Technology Director: \$93.12 plus 5% administration fee
 - b. Network Administrator: \$70.89 plus 5% administration fee
 - c. System Administrator: \$61.95 plus 5% administration fee
 - d. Technology Specialist: \$47.13 plus 5% administration fee
 - e. GIS Specialist: \$43.42 plus 5% administration fee
 - f. General hours of operation are weekdays 730am-430pm. After-hours and holiday rates will be billable at the staff members' loaded hourly rate plus 5% administration fee.

In the event that an event occurs requiring time and resources greater than what Brainerd can reasonably provide, Brainerd may recommend that Baxter seek additional assistance from a third party. Brainerd may be able to help facilitate this request for additional assistance if requested by Baxter to do so.

3. Coordination. Baxter will assign a dedicated staff liaison to coordinate all requests and handle all initial communication with Brainerd. Upon receiving requests, Brainerd will consult with the Baxter assigned staff liaison to determine whether services are best performed remotely or require dedicated on-premises hours.



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Resolution: Voyageur Heights EAW

AGENDA: Main

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 10 minutes

SUMMARY OF ISSUE:

Prior to a final decision by city council, the council is required to complete an environmental assessment worksheet (EAW) for the development, as there are over one-hundred and fifty (150) proposed units. The EAW is a brief document designed to lay out the basic facts of a project necessary to determine if an environmental impact statement (EIS) is required for the proposed project. In addition to the legal purpose of the EAW in determining the need for an EIS, the EAW also provides permit information, informs the public about the project, and helps identify ways to protect the environment. The EAW is not meant to approve or deny a project but instead act as a source of information to guide other approvals and permitting decisions. Zoning requests cannot be approved by city council until the environmental review process is complete. Kuepers has hired Westwood engineering to complete the EAW.

The EAW can be found at the following link on the city's website:

<https://www.ci.brainerd.mn.us/DocumentCenter/View/7758/Voyageur-Heights-Apts-EAW>

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

City council held the EAW public meeting at the December 1st city council meeting and did not direct staff to obtain any additional information. Attached are findings and a resolution declaring the EAW sufficient. Based on the criteria in Minnesota rules part 4410.1700, the project does not have the potential for significant environmental effects. An EIS is not required for the proposed voyageur heights apartments project in Brainerd.

Westwood engineering will be present virtually to answer any questions regarding the EAW.

Note: Kuepers has redesigned the stormwater plan to move the infiltration ponds outside the drinking water supply management area (DWSMA) which is a requirement of the city code in order to infiltrate.

RECOMMENDED ACTION/MOTION:

Move to approve the attached resolution declaring that the EAW is sufficient.

FINANCIAL IMPACT: N/A

R E S O L U T I O N
NO. xx:25

**RESOLUTION APPROVING A NEGATIVE DECLARATION ON THE NEED FOR AN
ENVIRONMENTAL IMPACT STATEMENT FOR THE VOYAGEUR HEIGHTS APARTMENTS
PROJECT**

BE IT RESOLVED by the City Council of the City of Brainerd, Crow Wing County, Minnesota as follows:

WHEREAS, the laws of the State of Minnesota require that an Environmental Assessment Worksheet (EAW) be prepared whenever construction of residential development of 100 unattached units or 150 attached units in a city meeting the conditions of item D if the project is not consistent with the adopted comprehensive plan (Minnesota Rules 4410.4300 Subpart 19.C); and

WHEREAS, an EAW was prepared for the Voyageur Heights Apartments project and reviewed by the City of Brainerd, and the draft document was circulated for comments to the required State and Federal agencies, as provided by law; and

WHEREAS, notice of availability of the EAW was published in the EQB Monitor and the thirty-day comment period ended on December 1, 2025, and during such period comments were received from four agencies; and

WHEREAS, the City Council is required by law to make a finding on the adequacy of the EAW and to determine whether an Environmental Impact Statement (EIS) should be prepared; and

WHEREAS, the City Council met at a regularly scheduled meeting on December 15, 2025 and considered the EAW, the reports of its staff, and the comments received from the parties as noted above;

NOW, THEREFORE, BE IT RESOLVED that the Council makes the following findings with regard to the environmental impact of the proposed Voyageur Heights Apartments project:

- 1) The Environmental Assessment Worksheet (EAW) and related documentation for the Voyageur Heights Apartments were prepared in compliance with the procedures of the Minnesota Environmental Policy Act and Minnesota Rules

4410.1000 to 4410.1700. All requirements for environmental review of the proposed project have been met.

- 2) The EAW and the pertinent development processes related to the project have generated information which is adequate to determine whether the project has the potential for significant environmental effects.
- 3) Based on criteria in Minnesota Rules, part 4410.1700, the project does not have the potential for significant environmental effects.
- 4) An Environmental Impact Statement (EIS) is not required for the proposed Voyageur Heights Apartments Project. The Responsible Government Unit (RGU) makes a Negative Declaration and does not require the preparation of an EIS for the Voyageur Heights Apartments Project.

Adopted this ___ day of _____ 2025

MIKE O'DAY
President of the Council

Approved this ___ day of _____ 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

FINDINGS OF FACT, CONCLUSIONS, and RECORD OF DECISION

VOYAGEUR HEIGHTS APARTMENTS EAW CITY OF BRAINERD

Responsible Government Unit:

City of Brainerd Contact Person:

James Kramvik, Community Development Director
17018 Commercial Park Road
Brainerd, MN 56401
218-828-2307
jkramvik@ci.brainerd.mn.us

Proposer:

Kuepers, Inc. Contact Person:

Chris Raimann, President - Architect
17018 Commercial Park Road
Brainerd, MN 56401
218-824-2233
chrisr@kuepers.com

December 2025

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APPENDICES

APPENDIX A – PROJECT LOCATION

APPENDIX B – SITE PLAN

APPENDIX C – EAW PUBLICATION AND NOTIFICATION MATERIALS

APPENDIX D – COMMENTS RECEIVED

I. STATEMENT OF ISSUE

Kuepers, Inc. (Kuepers) is proposing construction of a new multifamily residential development on 49 acres of land. The Project is located southeast of the intersection between Greenwood Street and MN-371B. The main entrance will be from Greenwood Street. **Appendix A** shows the Project location.

The Voyageur Heights Apartments EAW proposed to include five buildings with 38 units per building for a total of 190 multifamily housing units. Based additional engineering review and the presence of a Drinking Water Management Supply Area (DWSMA), the Project size has been reduced to four buildings for a total of 176 units. See Section III.B. for more information and **Appendix B** for the Site Plan.

Surrounding land use is primarily residential, forest/open space, and industrial/commercial land. The proposed Project will include park/open space areas with public amenities, surface parking lots, detached structured garages along with complimentary interior and exterior amenity spaces, and park/open space areas with public amenities.

An Environmental Assessment Worksheet (EAW) has been prepared for this project in accordance with Minnesota Rules Chapter 4410. The EAW was developed to assess the impacts of the project and other circumstances in order to determine if an Environmental Impact Statement (EIS) is needed. The EAW was filed with the Minnesota Environmental Quality Board (EQB) and circulated for review and comments to the required EAW distribution list. A “Notice of Availability” was published in the EQB Monitor, and press releases were distributed. The EAW was also made available for public review on the City of Brainerd’s website.

This report documents the Findings of Facts and Conclusions and serves as the City’s Record of Decision on the need for further environmental review. It is based upon information in the record, which is comprised of the EAW for the proposed Project, the issues raised during the public comment period, the responses to the comments, and other supporting documents.

II. ADMINISTRATIVE BACKGROUND

Kuepers, Inc. is the proposer and the City of Brainerd is the Responsible Governmental Unit (RGU) for this project. An EAW was prepared for this project as part of the to fulfill requirements of Minnesota Rules Chapter 4410. The EAW is used to provide sufficient environmental documentation for the RGU to base adetermination of need for a state Environmental Impact Statement (EIS) or that a Negative Declaration is appropriate.

The EAW was filed with the Minnesota Environmental Quality Board (EQB) and circulated for review to the required EQB distribution list. A “notice of availability” was published in the EQB Monitor on October 28, 2025. **Appendix C** contains a copy of the EQB Monitor listing for the Project. The EAW was also posted on the City’s website at: <https://www.ci.brainerd.mn.us/208/Community-Development>.

Press releases were distributed by the City of Brainerd and published in the Brainerd Dispatch on October 18 and 29, 2025. **Appendix C** contains a copy of the circulated press releases. Comments were

formally received through December 1, 2025. A public meeting was held during the comment period. The meeting took place on December 1, 2025, 7:30 p.m., Brainerd City Hall – Council Chambers, 501 Laurel Street, Brainerd, MN 56401 during a City Council meeting. There were no public comments. The City Council meeting agenda is provided in **Appendix C**.

Written comments were received from four agencies during the EAW comment period. All comments received during the EAW comment period were considered in determining the potential for significant environmental impacts. Written comments received during the comment period are provided in **Appendix D** and responses are provided in Table 1.

III. FINDINGS OF FACT

A. Project Description

The proposed Project is located on 49 acres and will be constructed in two phases. The Project includes four buildings with a total of 176 multifamily housing units along with complimentary interior and exterior amenity spaces, and park/open space areas with public amenities. The main entrance will be from Greenwood Street.

The project consists of 176 housing units that include studio, one and two bedroom units. The units will be divided among four buildings (three 38-unit apartment buildings and one 62-unit apartment building). Parking options will include 300 surface stalls and 90 garage stalls. Each dwelling unit will have individually controlled in-unit HVAC systems. Each building has shared interior amenity spaces that consist of a secure main entrance, large two-story lobby, community center, fitness center, mail room, restrooms, and a centralized elevator. Other shared amenities will include a dog park, playground, common green space, grill pads, and bike racks.

The Project is located in the City of Brainerd and will be connected to the city sewer system. Kuepers will submit a request to the city to rezone the parcel as Contemporary Neighborhood 2 (CN-2) with a Planned Unit Development Overlay District (PUD) overlay, subject to city zoning and permitting requirements. Prior to rezoning as part of a PUD, Kuepers will execute a development agreement with the city. The agreement will detail all use restrictions and required improvements conditional to the PUD rezoning approval.

Construction will entail approximately 42,000 cubic yards of cut and 57,000 cubic yards of fill with a disturbed area of 16 acres. Soil will be graded for streets, buildings, garages, parking lots, outdoor amenities, trails, and stormwater features. Some import of grading materials may be necessary. Construction dewatering would be conducted as needed and as permitted to install sewer and municipal water lines. Best Management Practices (BMPs) will be implemented during and after construction to protect water quality and reduce the potential for soil erosion and sedimentation.

Public and private infrastructure improvements will be made, including (but not limited to) internal roadways, trails, electrical and telephone lines, and the extension of sewer and water supply systems. Each residential building will be served by City of Brainerd sanitary sewer and water systems. A lift station and sanitary sewer force main are required to connect to the existing sanitary sewer and will be

constructed prior to Project completion. The Project would connect to the existing sanitary sewer just north of the Project Area near Woodland Hills Lane. Construction of the sewer and water mains will coincide with the Project's phasing timeline.

The Project will not involve any modifications to existing equipment or industrial processes. There are no existing structures within the Project site that would be removed. Removal of some trees will be required, including trees associated with the plantation. Tree clearing during both phases will be done prior to June 1 and after August 15. Grading and utility installations within the development are anticipated to be constructed in two phases over four years starting in 2026. Phase I is anticipated to include three apartment buildings. Phase II is anticipated to include construction of the fourth apartment building from 2028-2030. Each phase will include a mix of studio, one, and two bedroom units to provide housing options for renters. The phasing schedule is an estimate and will ultimately depend upon market demand and city approvals.

Potential adverse effects on the environment will be mitigated by avoiding the 3.6 acres of wetland in the northern portion of the Project Area and preserving approximately 30 acres of woodland. Additionally, the Project will contain several acres of open space in the form of exterior amenities and an infiltration basin.

B. Corrections to the EAW or Changes in the Project since the EAW was Published

The following corrections/changes have been added to the environmental documentation since publication of the EAW:

1. EAW Item 6. Project Description. The Project was initially published with five apartment buildings and a total of 190 units. This has since been modified to four apartment buildings and a total of 176 units. These and other modifications were made to adhere to the DWSMA requirements. See **Appendix B** for the updated Site Plan for the Project. This Site Plan has been developed in coordination and review with the City of Brainerd and Kuepers. The Plan will continue to be reviewed by the city prior to construction.
2. EAW Item 12.a.ii. Groundwater. The EAW incorrectly stated that the Project was not located within a Drinking Water Supply Management Area (DWSMA). The Project is partially located within the Brainerd DWSMA and Surface Water Contribution Area (SWCA), which has specific requirements for stormwater and runoff management. The Site Plan has been modified in order to adhere to these requirements.
3. EAW Item 14.b. Fish, wildlife, plant communities, and sensitive ecological resources (rare features). The MCE number listed as 2024-00147 is incorrect. It should be 2025-00656.

C. Agency and Public Comments on the EAW and Responses

Written comments on the EAW were received from four agencies: Minnesota Department of Health, (MDH), Minnesota Pollution Control Agency (MPCA), Minnesota State Historic Preservation Office (SHPO), and Minnesota Department of Natural Resources (MnDNR). A summary of the comments and responses from the agencies are provided below in Table 1. Copies of the comment letters are provided in **Appendix D**.

Table 1: Agency Comments on the EAW and Responses

Date Received	Agency	EAW Item	Comment	Response
10/31/2025	MDH	12.a.ii. Stormwater	Section 12.a.ii incorrectly states that the project is not within a Drinking Water Supply Management Area (DWSMA). It is partially located within Brainerd's DWSMA, as mentioned in the prior paragraph about the Wellhead Protection Area (WHPA). Also, the project location is in the Surface Water Contribution Area (SWCA) portion of Brainerd's DWSMA. SWCAs are the surficial areas that drain to and provide recharge in the city's WHPA and therefore surface runoff should be managed appropriately to protect the city's drinking water.	The Project Site Plan has been updated (see Section III.B.) to adhere to the stormwater and runoff requirements for the Brainerd DWSMA.
11/17/2025	MPCA	19. Noise	The Responsible Governmental Unit and any other land-use decision makers, should consider language in Minn. R. 7030.0030 that reads "[...] Any municipality having authority to regulate land use shall take all reasonable measures within its jurisdiction to prevent the establishment of land use activities listed in noise area classification (NAC) 1, 2, or 3 in any location where the standards established in part 7030.0040 will be violated immediately upon establishment of the land use." The noise section of the EAW does not provide enough detail regarding current and anticipated sound levels in the Project area to determine whether an immediate violation of the state noise standards would occur if the Project were approved.	The majority of noise from surrounding uses will come from highway B371 to the south and is not anticipated to be a significant source of noise for the Project. Construction of the Project will produce noise generally consistent with similar residential construction projects. Once construction is complete, noise will be consistent with and similar to other apartment buildings in the city. Keuper's will work with the city and the construction contractors to ensure the Project adheres to all noise requirements during construction and operation.
11/17/2025	MPCA	19. Noise	The MPCA encourages Proposers to thoroughly evaluate potential noise impacts to new and existing locations with residential land use activities.	Kueper's will work with the city and the construction contractors ensure the Project adheres to all noise requirements during construction and operation.

Table 1: Agency Comments on the EAW and Responses

Date Received	Agency	EAW Item	Comment	Response
11/17/2025	MPCA	19. Noise	The Proposer should provide more information describing how the noise standards in Minn. R. 030.0040 will be met especially at locations with residential land use activities.	The residential area to the north of the Project will be separated from the Project development by existing forest areas. Kueper's will work with the city and the construction contractors for the Project to ensure the Project adheres to all noise requirements during construction and operation.
11/17/2025	MPCA	12.b.i Wastewater	In section 12.b.i. Wastewater, should provide an estimate of the design average daily wastewater flow that will be generated by the development and whether the existing sewer it will connect to has adequate capacity or if expansion will be needed.	A sewer capacity model was completed for the Project during the EAW publication period. This study modeled the existing and projected future flows. The dry weather existing flow was determined to have a capacity of 0.51 with a future development projected capacity of 0.55. The wet-weather maximum surcharge capacity of the existing flow was measured at 0.64 capacity and future development projected capacity of 0.78. Capacity of less than 0.8 is typically the acceptable threshold, which the future development would meet.
11/17/2025	MPCA	12.b.i Wastewater	The design capacity of the Brainerd Wastewater Treatment facility is discussed, but the current actual flows and available capacity of the Wastewater Treatment plant should also be discussed.	A discussion on the Brainerd Wastewater Treatment Plant (WWTP), including design flow, is provided in EAW Item 12.b.i.1. The Brainerd WWTP includes liquid and solid treatment processes. Once processed, the effluent is treated and continuously discharged to the Mississippi River. The Brainerd WWTP has an average wet weather design flow (AWWDF) of 6.0 million gallons of

Table 1: Agency Comments on the EAW and Responses

Date Received	Agency	EAW Item	Comment	Response
				wastewater per day (MGD) with a CBOD5 Influent concentration of 240 mg/L and a TSS concentration of 240 mg/L. SEH completed a capacity analysis for a portion of the city's existing sanitary sewer downstream of the Project within its sewershed. Results of the analysis indicates that the current sewer system can accommodate the flow from the planned development.
11/19/2025	SHPO	15. Historic Properties	Based on our review of the project information, we have determined that no significant archaeological sites will be affected by this project and that there are no properties listed in the National or State Registers of Historic Places, or within the Historic Sites Network, that will be affected by this project. Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.	Noted for the record. If the Project requires federal involvement, additional review will be completed to ensure Section 106 requirements are met.

Table 1: Agency Comments on the EAW and Responses

Date Received	Agency	EAW Item	Comment	Response
11/20/2025	DNR	14. Fish, wildlife, plant communities, and sensitive ecological resources (rare features)	MNDNR issued a Natural Heritage (NH) Review Letter (Appendix D) for this project on October 16th, 2025. The resource concerns that were identified in the letter need to be addressed. Please explain how avoidance measures will be implemented for these items as it relates to the construction of this project. The platform for NH Reviews, Minnesota Conservation Explorer (MCE) assigns an identifying number to the project upon creation. In section 14b the MCE number listed is incorrect; reading 2024-00147 when it should be 2025-00656.	The correct MCE number is noted. See responses below for a discussion on avoidance measures.
11/20/2025	DNR	14. Fish, wildlife, plant communities, and sensitive ecological resources (rare features)	This project has the potential to impact this rare turtle through direct fatalities and habitat disturbance/destruction due to activities associated with the proposed project. Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134) prohibit the take of threatened or endangered species without a permit. As such, please contact Review.NHIS@state.mn.us to confirm that the following measures will be implemented: • Avoid wetland and aquatic impacts during hibernation season, between September 15 and April 15, if the area is suitable for hibernation. • Habitat that is frozen solid (no liquid water) at the time of work is not suitable hibernation habitat. Blanding's regularly hibernate in habitats where ice closes over the water's surface and there is no access to open air. • Limit erosion and sediment control to wildlife friendly erosion control. • Check bare ground within construction areas for turtles before	Kueper's will adhere to the Blanding's Turtle avoidance measures and will consider the additional avoidance measures as recommended in the comment letter. These measures will be implemented during construction. Additionally, impacts to the 3.6 acres of wetland within the Project Area are not anticipated.

Table 1: Agency Comments on the EAW and Responses

Date Received	Agency	EAW Item	Comment	Response
			the use of heavy equipment or any ground disturbance. - Inspect trenches, holes, or depressions prior to starting work each day and immediately prior to filling. Upon project completion, holes and trenches must be filled. - The Blanding's turtle flyer must be given to all contractors working in the area. - Report any sightings using the DNR Plant and Animal Observation Form. If turtles are in imminent danger, move them by hand out of harm's way; otherwise, they are to be left undisturbed. Directions on how to move turtles safely can be found at Helping Turtles Across the Road. If the above measures are not feasible, please contact Review.NHIS@state.mn.us as a project-specific avoidance plan will likely be needed to demonstrate avoidance.	
11/20/2025	DNR	14. Fish, wildlife, plant communities, and sensitive ecological resources (rare features)	One additional item to note is that historic records of rare pollinator species have been documented in the project area. MNDNR recommends implementing native pollinator-friendly plants in landscape plantings wherever possible.	Kueper's will work with the city on landscaping plans to include pollinator-friendly plants in the landscape wherever possible.

Table 1: Agency Comments on the EAW and Responses

Date Received	Agency	EAW Item	Comment	Response
11/20/2025	DNR	14. Fish, wildlife, plant communities, and sensitive ecological resources (rare features)	During the active season (approximately April-November) bats roost underneath bark, in cavities, or in crevices of both live and dead trees. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups cannot yet fly. To minimize these impacts, the DNR recommends that tree removal be avoided from June 1 through August 15.	Kueper's will adhere to the DNR's recommended tree removal time of year restriction and will avoid tree removal from June 1 through August 15 during both phases of development.

IV. DECISION REGARDING NEED FOR ENVIRONMENTAL IMPACT STATEMENT

Minnesota Rule 4410.1700 provides that an environmental impact statement shall be ordered for projects that have the potential for significant environmental effects. In deciding whether a project has the potential for significant environmental effects, the following factors shall be considered:

A. Type, extent, and reversibility of environmental impacts

The City of Brainerd finds the analysis completed for the EAW is adequate to determine whether the Project has the potential for significant environmental effects.

The EAW described the type and extent of impacts to the natural and built environment anticipated to result from the proposed Project. This document provides any corrections, changes, and new information since the EAW was published. The proposed design for the Project includes features to mitigate the identified impacts.

B. Cumulative potential effects of related or anticipated future projects

It is anticipated that the Project will be constructed over a four to five year period in two phases, with the first phase expected to begin in Spring of 2026 and completion in Spring 2028. Phase II is planned to initiate construction in Fall 2028, opening for operation by Spring 2030. Full build-out is expected by 2030; however, construction timing will ultimately depend upon market conditions.

The changes in regional land use in the Brainerd area from undeveloped open space land uses to more urbanized uses is expected to have a cumulative impact on the area. Cumulative effects of this and future projects on natural resources and infrastructure are expected to be roughly proportional to the impacts discussed in this EAW, or somewhat greater if future projects are developed at a higher density.

The City of Brainerd has planned for future growth and development in this particular area as part of its Comprehensive Plan. The city is contemplating a future sidewalk/trail along Greenwood Street SW, east of the Project, that would provide the public with a connection from the Project to Buffalo Hills/Lions Park. These efforts will ensure that the cumulative impacts of future growth and development to the environment, and to the city's service capacity, are anticipated and mitigated.

The proposed Project would result in conversion of some forested lands to residential uses but will preserve approximately 30 acres of forested lands. Consequently, cumulative impacts to natural resources are anticipated to be minimal and have been planned for by the City of Brainerd in this area.

These cumulative impacts have been thoughtfully contemplated and addressed in the Comprehensive Plan. In addition, as surrounding properties develop or re-develop into new land uses, those that trigger environmental review under the Minnesota Environmental Policy Act (MEPA) will need to adhere to guidelines presented in the city's approved zoning and comprehensive plans.

Mitigation for anticipated minor cumulative impacts in the area will include preserving the 30 acres of forest land and the wetland, and constructing one infiltration basin, a dog park, and providing adequate municipal facilities such as potable water and wastewater treatment. These provisions will help minimize potential cumulative effects of past developments and future developments within the region.

Given the nature of cumulative potential effects, the evaluation of available and relevant information, and mitigation efforts proposed, the potential for significant environmental effects due to these cumulative effects appears low.

See EAW Item No. 21 for a full discussion of this topic.

C. The extent to which the environmental effects are subject to mitigation by ongoing public regulatory authority

There are several federal, state, and local permits required to ensure that specific environmental effects are mitigated. The mitigation of environmental impacts will be designed and implemented in coordination with regulatory agencies and will be subject to permitting processes. Permits and approvals that have been or may be required prior to project construction include:

Unit of Government	Type of Application	Status ¹
City of Brainerd	Fence Permit	To be applied for
City of Brainerd	Building Permit	To be applied for
City of Brainerd	Certificate of Survey	To be applied for
City of Brainerd	Energy Code Compliance Certificate	To be applied for
City of Brainerd	Mechanical Permit	To be applied for
City of Brainerd	Plumbing Permit	To be applied for
City of Brainerd	Ventilation, Makeup, and Combustion Air Calculations Form	To be applied for
City of Brainerd	Plumbing Permit	To be applied for
City of Brainerd	Wastewater Discharge Permit	To be applied for
City of Brainerd	Demolition Permit	To be applied for
City of Brainerd	ROW Obstruction Permit	To be applied for
City of Brainerd	Excavation Permit	To be applied for
City of Brainerd	Certificate of Zoning	To be applied for
City of Brainerd	Land Use Application	To be applied for
City of Brainerd	Electrical Permit	To be applied for
City of Brainerd	Conditional Use Permit	To be applied for
City of Brainerd	Linear Utility/Sewer & Water Line/Excavation Permit	To be applied for

Unit of Government	Type of Application	Status ¹
Crow Wing County	Driveway Permit	To be applied for
Crow Wing County	Annual/Single Move Permit	To be applied for
Crow Wing County	Utility ROW Permit	To be applied for
Crow Wing County	Land Use Permit	To be applied for
Brainerd Fire Department	Fire Alarm System Permit	To be applied for
Brainerd Fire Department	Fire Suppression System Permit	To be applied for
Brainerd Fire Department	Fire Suppression System Testing Permit	To be applied for
Brainerd Fire Department	Smoke Removal System Permit	To be applied for
Brainerd Fire Department	Above Ground/Under Ground Tank Permit	To be applied for
MN Department of Health	Water Main Extension Approval	To be applied for
MN Department of Natural Resources	Appropriation/Dewatering Permit	To be applied for
MN Pollution Control Agency	Sanitary Sewer Extension Approval	To be applied for
MN Pollution Control Agency	NPDES/SDS Construction Stormwater General Permit	Covered under general permit; submit NOI prior to construction.
MN Department of Public Safety	Fire Sprinkler Construction Permit	To be applied for
¹ Kuepers will apply for and receive applicable permits prior to Project construction.		

- D. The extent to which the environmental effects can be anticipated and controlled as a result of other available environmental studies undertaken by public agencies or the project proposer, including other EISs

The City of Brainerd has experience in review and implementation of residential developments and has adopted several ordinances intended to protect the natural resources in the community. These ordinances address tree preservation, stormwater management, noise control, erosion control, traffic, floodplain management, among many others. Each development is reviewed for consistency with these requirements. Mitigation strategies are identified as part of the review process to ensure compliance with city, state and other requirements.

V. CONCLUSIONS

1. All requirements for environmental review of the proposed project have been met.
2. The EAW and the permit development processes related to the Project have generated information which is adequate to determine whether the Project has the potential for significant environmental effects.
3. Areas where potential environmental effects have been or will be identified will be addressed during the final design of the project. Mitigation will be provided where impacts are expected to result from project construction, operation, or maintenance. Mitigation measures are incorporated into project design and have been or will be coordinated with state and federal agencies during the permit process.
4. Based on the criteria in Minnesota Rules part 4410.1700, the Project does not have the potential for significant environmental effects.
5. An Environmental Impact Statement is not required for the proposed Voyageur Heights Apartments project in Brainerd, Minnesota.

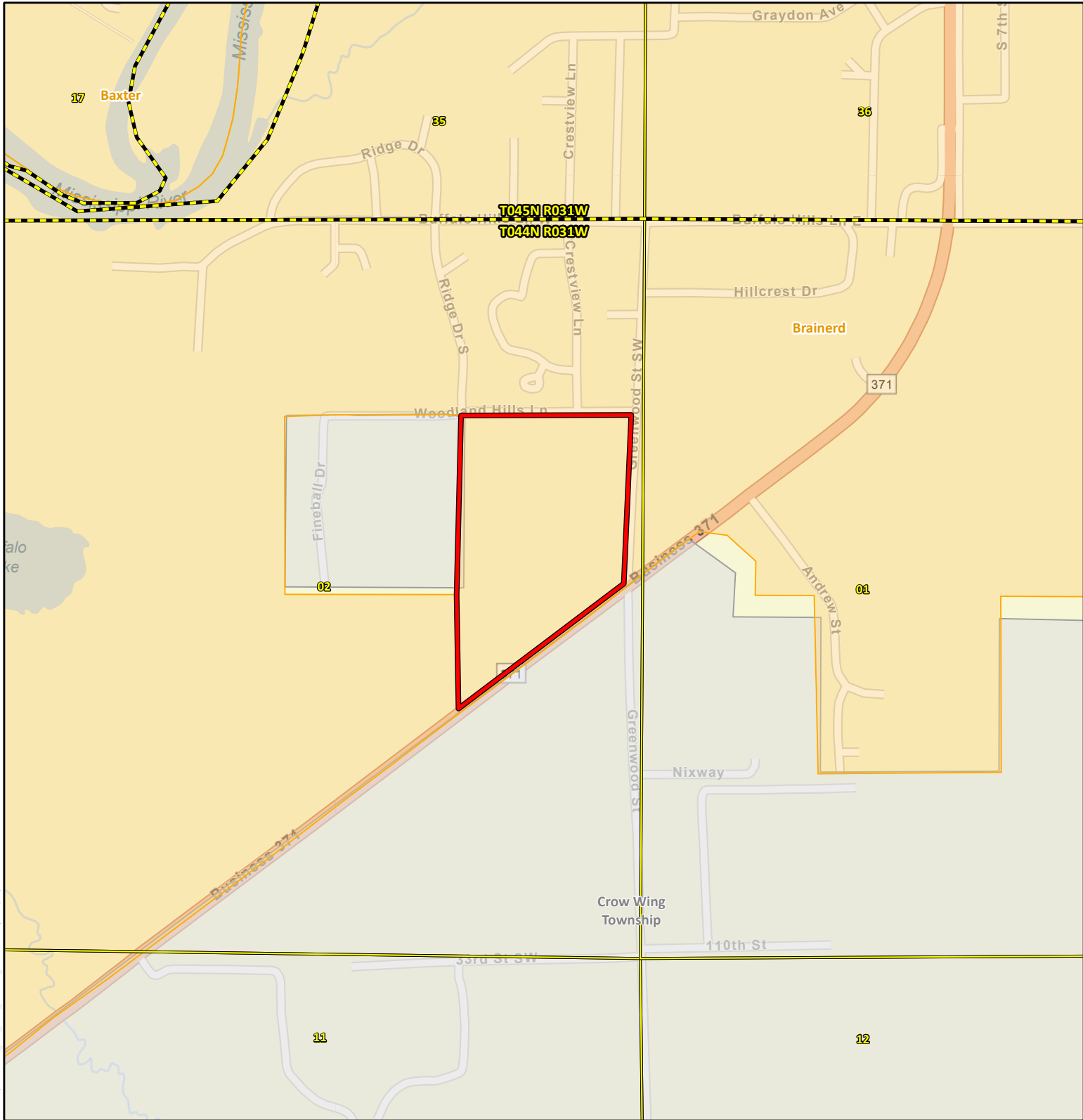
For the City of Brainerd



Nick Broyles
City Administer
City of Brainerd

APPENDIX A

PROJECT LOCATION



Data Source(s): Westwood (2025); Esri World Streets Basemap (Accessed 2025).



Voyageur Heights Apartments

Project Location

Brainerd,
Crow Wing County, Minnesota

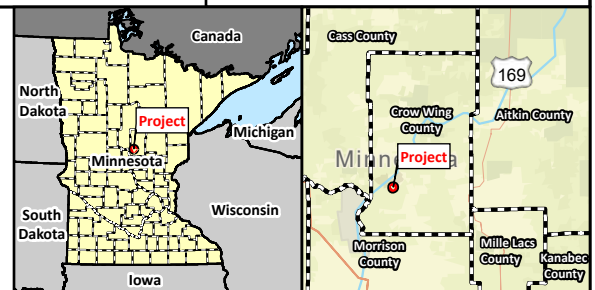
Exhibit 1

Westwood

Toll Free (888) 937-5150 westwoodsps.com

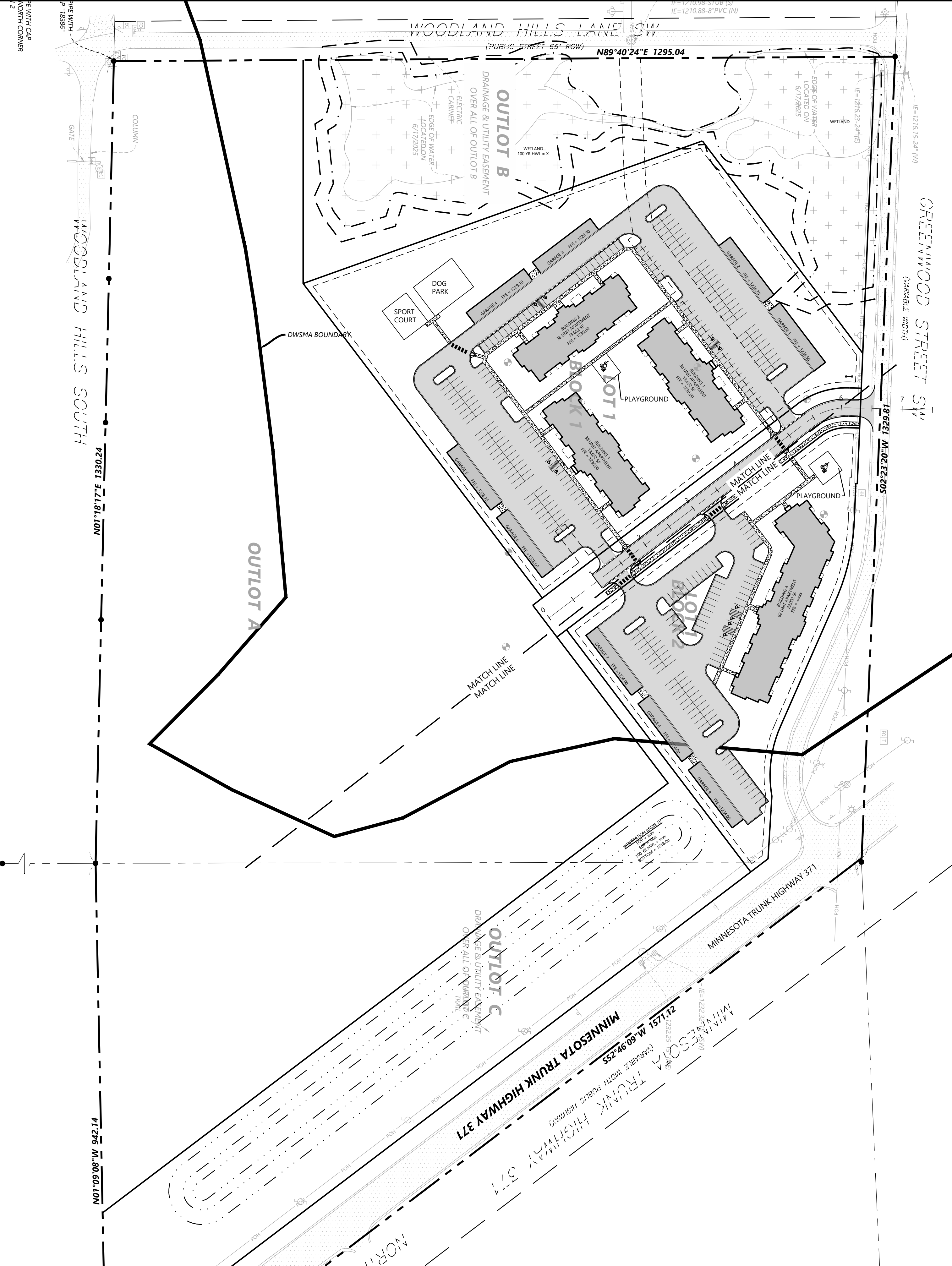
Legend

-  Project Area
-  PLSS Township Boundary
-  PLSS Section Boundary
-  Political Township Boundary
-  Municipal Boundary



APPENDIX B

SITE PLAN



SITE LEGEND

EXISTING	PROPOSED	
		PROPERTY LINE
		LOT LINE
		SETBACK LINE
		EASEMENT LINE
		CURB AND GUTTER
		TIP-OUT CURB AND GUTTER
		POND NORMAL WATER LEVEL
		RETAINING WALL
		FENCE
		CONCRETE PAVEMENT
		CONCRETE SIDEWALK
		HEAVY DUTY BITUMINOUS PAVEMENT
		NORMAL DUTY BITUMINOUS PAVEMENT
		WETLAND
		NUMBER OF PARKING STALLS
		TRANSFORMER
		SITE LIGHTING
		TRAFFIC SIGN
		POWER POLE
		BOLLARD / POST

Call 48 Hours before digging:
811 or call811.com
Common Ground Alliance

DESIGNED:
CHECKED:
DRAWN:
HORIZONTAL SCALE: 1" = 100'
VERTICAL SCALE: 1" = 10'

INITIAL ISSUE:
REVISIONS:
8/29/2025
10/09/2025
11/14/2025
PUD PLANS
CITY SUBMITTAL
CITY SUBMITTAL

PREPARED FOR:
KUEPERS, INC
17018 COMMERCIAL PARK RD
BRainerd, MN

1. I HEREBY CERTIFY THAT THIS PLAN WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA

DAVID BADE
8/29/2025
LICENSE NO. 40409

SITE DEVELOPMENT SUMMARY

EXISTING ZONING:	RL-1, RURAL LIVING
PROPOSED ZONING:	CN-2 WITH PUD OVERLAY
PARCEL DESCRIPTION:	PORTION OF 41020691 & 41020682
PROPERTY DEVELOPMENT AREA:	837,842.39 SF (19.23 AC)
DEVELOPMENT AREA INCLUDES THE FOLLOWING (SEE PRELIMINARY PLAT FOR LOT AREA DATA)	
LOT 1 - BLOCK 1	369,549.71 SF (8.48 AC)
LOT 1 - BLOCK 2	165,929.23 SF (3.81 AC)
OUTLOT C	260,122.38 SF (5.97 AC)
VOYAGEUR DRIVE	42,241.07 SF (0.97 AC)
EXISTING IMPERVIOUS SURFACE:	0 SF (0.00%)
PROPOSED IMPERVIOUS SURFACE:	294,319 SF (35.1%)
BUILDING GROSS SIZE:	62,958 SF (COMBINED) 13,652 SF (INDIVIDUAL 38 UNIT BUILDING) 22,002 SF (62 UNIT BUILDING)
FLOOR-AREA-RATIO(FAR):	0.07 (COMBINED) 0.015 (INDIVIDUAL 38 UNIT BUILDING) 0.024 (62 UNIT BUILDING)
PARKING PROVIDED:	390 SURFACE 300 GARAGE 90

GENERAL SITE NOTES

- BACKGROUND INFORMATION FOR THIS PROJECT PROVIDED BY WESTWOOD PROFESSIONAL SERVICES, MINNETONKA, MN, JUNE 2025.
- LOCATIONS AND ELEVATIONS OF EXISTING TOPOGRAPHY AND UTILITIES AS SHOWN ON THIS PLAN ARE APPROXIMATE. CONTRACTOR SHALL FIELD VERIFY SITE CONDITIONS AND UTILITY LOCATIONS PRIOR TO EXCAVATION/CONSTRUCTION. IF ANY DISCREPANCIES ARE FOUND, THE ENGINEER SHOULD BE NOTIFIED IMMEDIATELY.
- REFER TO BOUNDARY SURVEY FOR LOT BEARINGS, DIMENSIONS AND AREAS.
- ALL DIMENSIONS ARE TO FACE OF CURB OR EXTERIOR FACE OF BUILDING UNLESS OTHERWISE NOTED.
- REFER TO ARCHITECTURAL PLANS FOR EXACT BUILDING DIMENSIONS AND LOCATIONS OF EXITS, RAMPS, AND TRUCK DOCKS.
- ALL CURB RADII ARE SHALL BE 3.0 FEET (TO FACE OF CURB) UNLESS OTHERWISE NOTED.
- ALL CURB AND GUTTER SHALL BE B612 UNLESS OTHERWISE NOTED.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING AND MAINTAINING TRAFFIC CONTROL DEVICES SUCH AS BARRICADES, WARNING SIGNS, DIRECTIONAL SIGNS, FLAGGERS AND LIGHTS TO CONTROL THE MOVEMENT OF TRAFFIC WHERE NECESSARY. PLACEMENT OF THESE DEVICES SHALL BE APPROVED BY THE CITY AND ENGINEER PRIOR TO PLACEMENT. TRAFFIC CONTROL DEVICES SHALL CONFORM TO APPROPRIATE MNDOT STANDARDS.
- BITUMINOUS PAVEMENT AND CONCRETE SECTIONS TO BE IN ACCORDANCE WITH THE RECOMMENDATIONS OF THE GEOTECHNICAL ENGINEER.
- CONTRACTOR SHALL MAINTAIN FULL ACCESS TO ADJACENT PROPERTIES DURING CONSTRUCTION AND TAKE ALL PRECAUTIONS NECESSARY TO AVOID PROPERTY DAMAGE TO ADJACENT PROPERTIES.
- SITE LIGHTING SHOWN ON PLAN IS FOR REFERENCE ONLY. REFER TO LIGHTING PLAN PREPARED BY OTHERS FOR SITE LIGHTING DETAILS AND PHOTOMETRICS.

SITE PLAN

SHEET NUMBER:
C200

DATE: 8/29/2025
PROJECT NUMBER: 0068943
Page 130 of 214

KUEPERS BRAINERD - VOYAGEUR HEIGHTS

17018 COMMERCIAL PARK RD
BRainerd, MN

Westwood

13701 Whiteacre Drive, Suite #200
Minnetonka, MN 55343
(952) 937-5150
(888) 937-5150
westwoodps.com
Westwood Professional Services, Inc.

KUEPERS - BRAINERD - VOYAGEUR HEIGHTS

DAVID BADE
8/29/2025
LICENSE NO. 40409

PREPARED FOR:
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8/29/2025
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INITIAL ISSUE:
REVISIONS:
8/29/2025
10/09/2025
11/14/2025
PUD PLANS
CITY SUBMITTAL
CITY SUBMITTAL

DESIGNED:
CHECKED:
DRAWN:
HORIZONTAL SCALE: 1" = 100'
VERTICAL SCALE: 1" = 10'

APPENDIX C

EAW PUBLICATION AND NOTIFICATION MATERIALS

EQB Monitor

Weekly announcements and environmental review notices

Volume 49, Number 43

October 28, 2025



Environmental review project notices

EQB publishes environmental review notices provided by responsible governmental units. For more information on a project undergoing environmental review, click on the individual project links below. You can also find information about active projects in your

community on the [Environmental Review Projects Interactive Map](#).

Hermantown Data Center

Location: Hermantown

Process: Petition

Step: Responsible governmental unit assigned

Responsible governmental unit and contact: City of Hermantown, [Eric Johnson](#),
218-729-3600

[Bailey Farm Business Park](#)

Location (city/township; county): Newport; Washington

Process: EAW

Step: EAW available

End of comment period: December 1, 2025

Project description: The proposed Bailey Farm Business Park project includes the development of one approximately 36-acre site within the City of Newport, MN. The project proposes construction of two industrial buildings, one multifamily apartment complex, and one commercial building along with associated parking and public & private bituminous access routes.

Location of public documents: Newport City Hall, 2060 1st Avenue, Newport, MN 55055

Responsible governmental unit and contact: City of Newport, [Jill Thiesfeld](#),
651-459-5677

[Voyageur Heights Apartment Project](#)

Location (city/township; county): Brainerd; Crow Wing

Process: EAW

Step: EAW available

End of comment period: December 1, 2025

Project description: The Voyageur Heights Apartments project (hereafter referred to as "Project") is proposed on 49 acres and will be constructed in two phases. The Project includes five buildings with 38 units per building for a total of 190 multifamily housing units along with complimentary interior and exterior amenity spaces, and park/open space areas with public amenities. The main entrance will be from Greenwood Street. [Voyageur Heights Apartment Project project link provided by RGU](#)

Location of public documents: Brainerd City Hall, 501 Laurel Street, Brainerd, MN 56401

First public meeting date, time, location: December 1, 2025, 7:30 p.m., Brainerd City Hall – Council Chambers, 501 Laurel Street, Brainerd, MN 56401

First public meeting virtual link: [Join online meeting](#)

First public meeting additional details: City Council will hold the public meeting for the EAW, review the document, and ask questions of staff.

Second public meeting date, time, location: December 15, 2025, 7:30 p.m., Brainerd City Hall – Council Chambers, 501 Laurel Street, Brainerd, MN 56401

Second public meeting additional details: City Council considers "Findings" document and makes one of the following recommendations: 1. Negative Declaration: EAW is adequate, and no EIS is required. 2. Positive Declaration: Environmental Impact Statement (EIS) is required. 3. Additional information is reasonably available and needed to make a final declaration -process is extended up to 30 days.

Responsible governmental unit and contact: City of Brainerd, [James Kramvik](#), 218-454-3408

Elk River Landfill North Development Area

Location (city/township; county): Livonia Township; Sherburne

Process: EIS

Step: EIS Scoping EAW and Draft Scoping Decision

End of comment period: December 1, 2025

Project description: Elk River Landfill (ERL) is an existing municipal solid waste (MSW), industrial waste, and construction and demolition (C&D) waste landfill five miles north of the City of Elk River, adjacent to U.S. Highway 169 in Sherburne County, Minnesota. In approximately three years, ERL will reach its permitted (SW-74) capacity. Elk River Landfill, Inc. proposes a northward expansion of the landfill (Project) into Livonia Township, where Martin Marietta Corporation has sand and gravel mining operations. The Project will involve an expansion of MSW capacity by approximately 26.67 million cubic yards over a 162.36-acre area (MSW Waste Limit), which includes a 7.21-acre overlap of previously permitted and filled C&D disposal cells. ERL will continue to accept C&D waste in the C&D permitted cells until those cells reach capacity. C&D and industrial wastes may be accepted in the NDA as permitted by the Industrial Solid Waste Management Plan. (ISWMP).

Location of public documents: Minnesota Pollution Control Agency, 504 Fairgrounds Road, Marshall, MN 56258

Public meeting date, time, location: November 19, 2025, 5:30 p.m., Zimmerman Fire Department, 26140 136th Street NW, Zimmerman, MN 55398

Responsible governmental unit and contact: Minnesota Pollution Control Agency, [Chris Green](#), 507-476-4258

Cottage Grove East Ravine AUAR and Mitigation Plan Update

Location (city/township; county): Cottage Grove; Washington

Process: AUAR update

Step: Revised AUAR

End of comment period: November 12, 2025

Project description: This 2025 update to the East Ravine AUAR and Mitigation Plan covers a 3,988-acre area north of 70th St, east of County Rd 19, and west of Lamar/Kimbrow Aves. The proposed development aligns with the 2040 Comprehensive Plan, aiming for full build-out per future land use. It includes mostly single-family homes with some medium/high-density housing to support lifecycle needs. Two commercial nodes are planned: one in Cedarhurst at 70th & Keats with a neighborhood focus. A key goal is creating a safe, efficient, and connected local and collector street system.

[Cottage Grove East Ravine AUAR and Mitigation Plan Update project link provided by RGU](#)

Location of public documents: Cottage Grove City Hall, 12800 Ravine Parkway South, Cottage Grove, MN 55016

Responsible governmental unit and contact: City of Cottage Grove, [Emily Schmitz](#), 651-458-2874

Fish kill reports

Minnesota Duty Officer reports pertaining to fish kills are summarized in the following table, in accordance with 103G.216, REPORTING FISH KILLS IN PUBLIC WATERS, Subd. 2 Reporting Requirement. These reports were received via the Minnesota Duty Officer prior to the submission deadline for this edition of the EQB Monitor. They represent the raw data/information provided by callers. For more information regarding fish kills in Minnesota see the [Department of Natural Resources](#). Call the Minnesota Duty Officer at 651-649-5451 or 800-422-0798 to report fish kills.

No fish kill reports were received since the last publication.

Submit a notice to the *EQB Monitor*

The *EQB Monitor* is a weekly publication announcing environmental review documents, public comment periods and other actions of the Environmental Quality Board. The *EQB Monitor* is published every Tuesday at noon. Submissions to the [EQB Monitor](#) are due by

4:00 p.m. on the Tuesday one week prior to the intended publication date. Please see the [EQB Monitor schedule](#) for more details.

To submit a notice for publication:

[Access the EQB monitor submission service](#)

Questions? Contact EQB by phone at 651-757-2873 or email us at EQB.Monitor@state.mn.us.

For more information on environmental review, please visit the EQB website or contact us at env.review@state.mn.us.



Environmental Quality Board | eqb.state.mn.us

Email: Env.review@state.mn.us | Phone: 651-757-2873



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Minnesota Environmental Quality Board · 520 Lafayette Road North, Saint Paul, MN 55155





INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Brainerd Dispatch** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(701) 561-0669**.

Notice ID: ff9rKbbrwJzz1hdRd3z4 | **Proof Updated: Oct. 14, 2025 at 03:38pm CDT**
Notice Name: Kuepers EAW (JK)

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Toni Gage
tgage@ci.brainerd.mn.us
(218) 828-2307

FILING FOR

Brainerd Dispatch

Columns Wide: 1 **Ad Class:** Legals

Total Column Inches: 4.5

Number of Lines: 46

10/18/2025: General Public Notice 54.54

Subtotal \$54.54

Tax \$0.00

Processing Fee \$0.00

Total \$54.54

See Proof on Next Page

LEGAL NOTICE

Notice is hereby given that the City of Brainerd City Council approved the distribution of the Environmental Assessment Worksheet (EAW) for the Voyageur Heights Apartment project at the October 6th, 2025, City Council meeting.

Notice Information:

Location: City of Brainerd, Crow Wing County, MN

Process: Environmental Assessment Worksheet (EAW)

Step: EAW Available for Public Comment

Public Comment Period: October 21, 2025 to November 20, 2025 at 4:30pm

Project Description: The Voyageur Heights Apartments project is proposed on 49 acres and will be constructed in two phases. Surrounding land use is a mixture of forest, residential, and commercial buildings. The Project includes five buildings with 38 units per building for a total of 190 multifamily housing units, along with 422 parking spaces, complimentary interior and exterior amenity spaces, and park/open space areas with public amenities. The main entrance will be from Greenwood Street.

A copy of the EAW can be viewed on the City of Brainerd website at the following link:

<https://www.ci.brainerd.mn.us/VoyageurHeightsAptsEAW>

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 14th day of October, 2025

James Kramvik
Community Development Director
(Oct. 18, 2025)



INTERIM AD DRAFT

This is the proof of your ad scheduled to run in **Brainerd Dispatch** on the dates indicated below. If changes are needed, please contact us prior to deadline at **(701) 561-0669**.

Notice ID: C4EebuwxT2JIM7n41Hw | **Proof Updated: Oct. 23, 2025 at 08:40am CDT**
Notice Name: Kuepers EAW (JK)

This is not an invoice. Below is an estimated price, and it is subject to change. You will receive an invoice with the final price upon invoice creation by the publisher.

FILER

Toni Gage
tgage@ci.brainerd.mn.us
(218) 828-2307

FILING FOR

Brainerd Dispatch

Columns Wide: 1 Ad Class: Legals

Total Column Inches: 4.8

Number of Lines: 49

10/29/2025: General Public Notice 58.18

Subtotal \$58.18

Tax \$0.00

Processing Fee \$0.00

Total \$58.18

See Proof on Next Page

LEGAL NOTICE

Notice is hereby given that the City of Brainerd City Council approved the distribution of the Environmental Assessment Worksheet (EAW) for the Voyageur Heights Apartment project at the October 6th, 2025, City Council meeting. The City has legally noticed the EAW but is extending the public comment period to December 1st, 2025 at 4:30pm.

Notice Information:

Location: City of Brainerd, Crow Wing County, MN

Process: Environmental Assessment Worksheet (EAW)

Step: EAW Available for Public Comment

Public Comment Period: October 21, 2025 to December 1, 2025 at 4:30pm

Project Description: The Voyageur Heights Apartments project is proposed on 49 acres and will be constructed in two phases. Surrounding land use is a mixture of forest, residential, and commercial buildings. The Project includes five buildings with 38 units per building for a total of 190 multifamily housing units, along with 422 parking spaces, complimentary interior and exterior amenity spaces, and park/open space areas with public amenities. The main entrance will be from Greenwood Street.

A copy of the EAW can be viewed on the City of Brainerd website at the following link:

<https://www.ci.brainerd.mn.us/VoyageurHeightsAptsEAW>

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 23rd day of October, 2025

James Kramvik
Community Development Director
(Oct. 29, 2025)



CITY COUNCIL AGENDA

City of Brainerd, Minnesota
City Hall, 501 Laurel Street, Council Chambers
Monday, December 1, 2025 @ 7:30 PM

The public is invited to attend these meetings in person

Attend by phone: 1-844-992-4726

City Council - Meeting Access Code: 2490 605 1340

Personnel and Finance Committee held: 2nd Floor Conference Room at 7:00 PM

Safety and Public Works Committee held: Council Chambers at 6:45 PM

Per MN Statutes 13D.02 Subd 1 Council Members may participate by interactive technology.

Meetings are broadcast on CTC ch 8, Charter ch 181, YouTube, AppleTV, Roku, and Amazon FireTV
[IGNORE_INDENT]

1. **Call To Order**

2. **Roll Call**

___ K. Yeager ___ T. Erickson ___ K. Bevans ___ J. Czeczok ___ G. Johnson ___ K.
Stunek ___ M. O'Day ___ Mayor Badeaux

3. **Pledge of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval of Bills**

(Available upon request in the City Administrator's Office)

B. **Approval of Minutes**

C. **Approval of Licenses**

D. **Department Activity Reports**

E. **Approval of Transfers of Funds**

F. **Special Event/Parking Application- Indoor Farmers Market**

G. **Authorization to Enter into Agreement with CliftonLarsonAllen (CLA) for 2025 Audit Services**

6. **Public Forum**

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

7. **Presentations**

A. **Annual Charter Presentation- The Center**

B. **Annual Charter Presentation- The Northland Arboretum**

C. **Brainerd Public Utilities Operating and Capital Budget Presentation**

8. **Council Committee Reports**

A. **Safety & Public Works Committee**

1. Direction Requested for Bollig Complaint on Stormwater Easement adjacent to CSAH 48
2. Approve Design/Construction Engineering Proposal - Imp 25-05 Southeast Brainerd Reconstruction Project
3. Approve Amendment Request - SRF Consulting - TH 210/Washington Reconstruction
4. Update on 2025 Construction Projects
5. Consider Enacting an Ordinance Regulating Massage Therapy Businesses

B. **Personnel & Finance Committee**

1. Approve Updated Animal Control Contract
2. Approve Updated Misdemeanor Prosecution Services Agreement with Severson Porter
3. Discussion of 2026 Non-Working Funds Budgets
4. Discussion of 2026 Operating Budget and Levy

9. **Unfinished Business**

A. **Call for Applicants**

(Includes vacancies for expiring terms on 12/31/2025 to be appointed on or after the December 17th meeting)

Mayor Recommended: (terms to expire on 12/31 of said year)
Charter Commission – **2 terms** (Expire 2025) **2 terms** (Expire 2026)
Economic Development Authority-- **1 term** (Expire 2028)
Housing Redevelopment Authority-- **2 terms** (Expire 2030)
Library Board-- **5 terms** (Expire 2031)
Park Board-- **1 term** (Expire 2028) **1 term** (Expire 2029)
Public Utilities Commission—**1 term** (Expire 2028) **1 term** (Expire 2030)

Transportation Advisory Committee- **1 term** (Expire 2026) **2 terms** (Expire 2027)

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

Planning Commission-- **2 terms** (Expire 2028)

Water Tower Committee—**2 terms**

B. **Final Reading- Proposed Ordinance 1598- Snow Removal**

C. **Approval of Updated Solar Development Agreement at Rotary Park**

10. **New Business**

A. **Consider Interim Use Permit Renewal for a Short-Term Rental - 1005 S. 6th St**

B. **Consider Interim Use Permit for a Short-Term Rental - 712 6th St N**

C. **Consider Interim Use Permit for a Short-Term Rental - 9995 Island Drive**

D. **First Reading — Proposed Ordinance 1599 - Fee Schedule**

E. **Consider CUP, Future Land Use Map Amendment and Proposed Ordinance 1600, a rezoning from CN-2 (Contemporary Neighborhood 2) to GC (General Commercial), to allow for an Animal Clinic on Parcel 41290683 (NE Corner of Oak Street and 28th St E)**

F. **Review Voyageur Heights EAW and Hold Public Meeting**

G. **Approval to Seek Grant to Extend Height of Fence Line at Memorial Softball Fields**

11. **Staff Reports**

(Verbal: Any Updates since Packet)

12. **Mayor's Report**

13. **Council Member Reports**

14. **Adjourn**

15. **Council Communications**

A. **2025-11-18 2026 Budget Detail Email**

Visit the City's Website at www.ci.brainerd.mn.us

MISSION

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

APPENDIX D

COMMENTS RECEIVED



Protecting, Maintaining and Improving the Health of All Minnesotans

October 31, 2025

James Kramvik
City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Dear James Kramvik,

Thank you for providing the Minnesota Department of Health (MDH) with the opportunity to comment on the Environmental Assessment Worksheet for Voyageur Heights Apartments. The mission of MDH is to protect, maintain, and improve the health of all Minnesotans. The careful planning and development of projects such as this one supports this mission and is an important step in ensuring health in all policies.

MDH has the following comments for this document:

Section 12.a.ii incorrectly states that the project is not within a Drinking Water Supply Management Area (DWSMA). It is partially located within Brainerd's DWSMA, as mentioned in the prior paragraph about the Wellhead Protection Area (WHPA). Also, the project location is in the Surface Water Contribution Area (SWCA) portion of Brainerd's DWSMA. SWCAs are the surficial areas that drain to and provide recharge in the city's WHPA and therefore surface runoff should be managed appropriately to protect the city's drinking water.

Health starts where we live, learn, work, and play. To create and maintain healthy Minnesota communities, we must think in terms of health in all policies. Thank you again for the opportunity to provide comments on this Environmental Assessment Worksheet for Voyageur Heights Apartments. Feel free to contact Nick Budde at (651) 201-4596 or nicholas.budde@state.mn.us if you have any questions regarding this letter.

Sincerely,

Nick Budde

Nick Budde
Source Water Protection District Hydrologist

Environmental Health Division
Minnesota Department of Health
PO Box 64975
Saint Paul, MN 55164-0975
www.health.state.mn.us

Copied:

David Bell, MDH, Environmental Review Coordinator

John Woodside, MDH, Hydrologist Supervisor

Steve Robertson, MDH, Source Water Protection Manager

Jenilynn Marchand, MDH, Source Water Protection Planner Supervisor

November 17, 2025

VIA EMAIL

James Kramvik
City of Brainerd
501 Laurel Street
Brainerd, Minnesota 56401
jkramvik@ci.brainerd.mn.us

RE: Voyageur Heights Apartments – Environmental Assessment Worksheet

Dear James Kramvik:

Thank you for the opportunity to review and comment on the Environmental Assessment Worksheet (EAW) for the Voyageur Heights Apartments (Project) located in Crow Wing County, Minnesota. The Project consists of 49-acres and includes five buildings with 38 units per building for a total of 190 multifamily housing units along with complementary interior and exterior amenity spaces, and park/open space areas with public amenities. The main entrance will be from Greenwood Street. Regarding matters for which the Minnesota Pollution Control Agency (MPCA) has regulatory responsibility and other interests, the MPCA staff has the following comments for your consideration.

Noise

- The Responsible Governmental Unit and any other land-use decision makers, should consider language in Minn. R. 7030.0030 that reads “[...] Any municipality having authority to regulate land use shall take all reasonable measures within its jurisdiction to prevent the establishment of land use activities listed in noise area classification (NAC) 1, 2, or 3 in any location where the standards established in part 7030.0040 will be violated immediately upon establishment of the land use.” The noise section of the EAW does not provide enough detail regarding current and anticipated sound levels in the Project area to determine whether an immediate violation of the state noise standards would occur if the Project were approved.
- The MPCA encourages Proposers to thoroughly evaluate potential noise impacts to new and existing locations with residential land use activities.
- The Proposer should provide more information describing how the noise standards in Minn. R. 030.0040 will be met especially at locations with residential land use activities.
- Please contact Lauren Dickerson by email at lauren.dickerson@state.mn.us for any further questions or concerns.

Wastewater

- In section 12.b.i. Wastewater, should provide an estimate of the design average daily wastewater flow that will be generated by the development and whether the existing sewer it will connect to has adequate capacity or if expansion will be needed.
- The design capacity of the Brainerd Wastewater Treatment facility is discussed, but the current actual flows and available capacity of the Wastewater Treatment plant should also be discussed.

We appreciate the opportunity to review this Project. Please be aware that this letter does not constitute approval by the MPCA of any or all elements of the Project for the purpose of pending or future permit actions by the MPCA. Ultimately, it is the responsibility of the Project Proposer to secure any required permits and to comply with any requisite permit conditions. If you have any questions concerning our review of this EAW, please contact me by email at chris.green@state.mn.us or by telephone at 507-476-4258.

Sincerely,

Chris Green

This document has been electronically signed.

Chris Green, Project Manager
Environmental Review Unit
Resource Management and Assistance Division

CG:rs

Attachment

cc: Dan Card, MPCA (w/attachment)
Melinda Neville, MPCA (w/attachment)
Christopher Lundeen, MPCA (w/attachment)
Nicole Peterson, MPCA (w/attachment)
Lauren Dickerson, MPCA (w/attachment)
Innocent Eyoh, MPCA (w/attachment)
Deepa deAlwis, MPCA (w/attachment)
David Sahli, MPCA (w/attachment)
Julie Henderson, MPCA (w/attachment)
Scott Niemela, MPCA (w/attachment)

November 19, 2025

James Kramvik
Community Development Director
City of Brainerd
jkramvik@ci.brainerd.mn.us

RE: EAW – Voyageur Heights Apartments
T44 R31 S2, Brainerd, Crow Wing County
SHPO Number: 2026-0047

Dear James Kramvik:

Thank you for providing this office with a copy of the Environmental Assessment Worksheet (EAW) for the above-referenced project.

Based on our review of the project information, we have determined that no significant archaeological sites will be affected by this project and that there are **no properties** listed in the National or State Registers of Historic Places, or within the Historic Sites Network, that will be affected by this project.

Please note that this comment letter does not address the requirements of Section 106 of the National Historic Preservation Act of 1966 and 36 CFR § 800. If this project is considered for federal financial assistance, or requires a federal permit or license, then review and consultation with our office will need to be initiated by the lead federal agency. Be advised that comments and recommendations provided by our office for this state-level review may differ from findings and determinations made by the federal agency as part of review and consultation under Section 106.

Please contact Kelly Gragg-Johnson, Environmental Review Specialist, at kelly.graggjohnson@state.mn.us if you have any questions regarding our review of this project.

Sincerely,



Amy Spong
Deputy State Historic Preservation Officer

MINNESOTA STATE HISTORIC PRESERVATION OFFICE

50 Sherburne Avenue ■ Administration Building 203 ■ Saint Paul, Minnesota 55155 ■ 651-201-3287

mn.gov/admin/shpo ■ mnshpo@state.mn.us

AN EQUAL OPPORTUNITY AND SERVICE PROVIDER

**Minnesota Department of Natural Resources
Northeast Regional Headquarters
1201 East Highway 2, Grand Rapids, MN 55744**

November 20th, 2025

City of Brainerd
James Kramvik
501 Laurel Street
Brainerd MN 56401
jkramvik@ci.brainerd.mn.us

RE: Voyageur Heights Apartments Environmental Assessment Worksheet (EAW)

Dear James Kramvik,

The Minnesota Department of Natural Resources (MNDNR) has conducted a review of the **Voyageur Heights Apartments EAW**. We appreciate the opportunity to review this project and encourage project proposers to continue their coordination with MN DNR and other agencies to protect natural resources. Additional information on the natural resources in the project area, surrounding area, and how they pertain to the Environmental Assessment Worksheet (EAW) may help enhance those efforts; see applicable comments below.

MNDNR issued a Natural Heritage (NH) Review Letter (attached) for this project on October 16th, 2025. The resource concerns that were identified in the letter need to be addressed. Please explain how avoidance measures will be implemented for these items as it relates to the construction of this project. The platform for NH Reviews, Minnesota Conservation Explorer (MCE) assigns an identifying number to the project upon creation. In section 14b the MCE number listed is incorrect; reading 2024-00147 when it should be 2025-00656.

One additional item to note is that historic records of rare pollinator species have been documented in the project area. MNDNR recommends implementing native pollinator-friendly plants in landscape plantings wherever possible.

Thank you for the opportunity to review the **Voyageur Heights Apartments EAW**. Please contact me with any questions. I can be reached at (218) 328-8826 or via email at: jessica.parson@state.mn.us.

Sincerely,



Jessica Parson
NE Regional Environmental Assessment Ecologist, MN DNR

CC:
Lisa Joyal
Darrell Schindler
Greg Root
Clarissa Spicer



Minnesota Department of Natural Resources
Division of Ecological & Water Resources
500 Lafayette Road, Box 25
St. Paul, MN 55155-4025

October 16, 2025

Aidan Oldenburg
Westwood Professional Services

RE: Natural Heritage Review of the proposed **Brainerd-Kuepers Greenwood Apartments EAW**,
T44N R31W Section 2; Crow Wing County

Dear Aidan Oldenburg,

For all correspondence regarding the Natural Heritage Review of this project please include the project ID **MCE-2025-00656** in the email subject line.

As requested, the [Minnesota Natural Heritage Information System](#) has been reviewed to determine if the proposed project has the potential to impact any rare species or other significant natural features. Based on the project details provided with the request, the following rare features may be impacted by the proposed project:

State-listed Species

- [Blanding's turtles](#) (*Emydoidea blandingii*), a state-listed threatened species, have been documented within the proposed project boundary. Blanding's turtles use upland areas up to and over a mile distant from wetlands, waterbodies, and watercourses. Uplands are used for nesting, basking, periods of dormancy, and traveling between wetlands. Factors believed to contribute to the decline of this species include collisions with vehicles, wetland drainage and degradation, and the development of upland habitat. Any added mortality can be detrimental to populations of Blanding's turtles, as these turtles have a low reproduction rate that depends upon a high survival rate to maintain population levels.

This project has the potential to impact this rare turtle through direct fatalities and habitat disturbance/destruction due to activities associated with the proposed project. Minnesota's Endangered Species Statute (Minnesota Statutes, section 84.0895) and associated Rules (Minnesota Rules, part 6212.1800 to 6212.2300 and 6134) prohibit the take of threatened or endangered species without a permit. **As such, please contact Review.NHIS@state.mn.us to confirm that the following measures will be implemented:**

- Avoid wetland and aquatic impacts during hibernation season, between September 15 and April 15, if the area is suitable for hibernation.
 - Habitat that is frozen solid (no liquid water) at the time of work is not suitable hibernation habitat. Blanding's regularly hibernate in habitats where ice closes over the water's surface and there is no access to open air.
- Limit erosion and sediment control to [wildlife friendly erosion control](#).

- Check bare ground within construction areas for turtles before the use of heavy equipment or any ground disturbance.
- Inspect trenches, holes, or depressions prior to starting work **each day** and immediately prior to filling. Upon project completion, holes and trenches must be filled.
- The [Blanding's turtle flyer](#) must be given to all contractors working in the area.
- Report any sightings using the [DNR Plant and Animal Observation Form](#).
- If turtles are in imminent danger, move them by hand out of harm's way; otherwise, they are to be left undisturbed. Directions on how to move turtles safely can be found at [Helping Turtles Across the Road](#).

If the above measures are not feasible, please contact Review.NHIS@state.mn.us as a project-specific avoidance plan will likely be needed to demonstrate avoidance.

Additional Blanding's turtle avoidance measures may include, but are not limited to, the following recommendations:

- Recommendations from List 1 and List 2 of the [Blanding's turtle fact sheet](#).
 - For additional road recommendations, reference "Curb Design and Small Animals" ([Chapter 1](#), P. 24) in [Best Practices Manual | Minnesota DNR](#).
 - Avoid hydro-mulch products that contain any materials with synthetic (plastic) fiber additives, as the fibers can re-suspend and flow into waterbodies.
 - Nesting occurs in open (grassy or brushy) sandy uplands. Blanding's turtles have been known to nest in residential areas, farm fields, and areas of exposed soil/sand/sediment (including soil stockpiles and gravel pads). To minimize impacts:
 - Avoid impacts to potential nesting habitat from June 1 through September 15, **or**
 - Exclude Blanding's turtles from potential nesting habitat from May 15 through July 15. To exclude turtles from potential nesting habitat: Install a barrier, buried 10 inches, around suitable nesting habitat.
 - See the [Blanding's turtle fact sheet](#) for more information regarding nesting.
 - Disturbed ground should be restored to pre-construction contours and re-vegetated with [native species suitable to the local habitat](#).
- The Natural Heritage Information System (NHIS) tracks bat roost trees and hibernacula plus some acoustic data, but this information is not exhaustive. Even if there are no bat records listed nearby, all of Minnesota's bats, including the federally endangered northern long-eared bat ([Myotis septentrionalis](#)), can be found throughout Minnesota. During the active season (approximately April-November) bats roost underneath bark, in cavities, or in crevices of both live and dead trees. Tree removal can negatively impact bats by destroying roosting habitat, especially during the pup rearing season when females are forming maternity roosting colonies and the pups cannot yet fly. To minimize these impacts, **the DNR recommends that tree removal be avoided from June 1 through August 15.**
 - Please visit the [DNR Rare Species Guide](#) for more information on the habitat use of state-listed species and recommended measures to avoid or minimize impacts.
 - Please report incidental sightings of state-listed species via the [DNR Plant and Animal Observation Form](#).

Federally Protected Species

- To ensure compliance with federal law, conduct a federal regulatory review using the U.S. Fish and Wildlife Service's (USFWS) online [Information for Planning and Consultation \(IPaC\) tool](#).

Environmental Review and Permitting

- The Environmental Assessment Worksheet (EAW) should address whether the proposed project has the potential to adversely affect the above rare features and, if so, it should identify specific measures that will be taken to avoid or minimize disturbance. Sufficient information should be provided so the DNR can determine whether a permit to take will be needed for any of the above protected species.
- Please include a copy of this letter and the MCE-generated Final Project Report in any state or local license or permit application. Please note that measures to avoid or minimize disturbance to the above rare features may be included as restrictions or conditions in any required permits or licenses.

The Natural Heritage Information System (NHIS), a collection of databases that contains information about Minnesota's rare natural features, is maintained by the Division of Ecological and Water Resources, Department of Natural Resources. The NHIS is continually updated as new information becomes available and is the most complete source of data on Minnesota's native plant communities, rare species, and other rare features. However, the NHIS is not an exhaustive inventory and does not contain the locations of all rare features in the state. Therefore, ecologically significant features for which we have no records may exist within the project area. If additional information becomes available regarding rare features in the vicinity of the project, further review may be necessary.

For environmental review purposes, the results of this Natural Heritage Review are valid for one year; the results are only valid for the project location and project description provided with the request. **If project details change or the project has not occurred within one year, please resubmit the project for review within one year of initiating project activities.** Resubmit by selecting *Clone Project as Draft* on the project page in MCE.

The Natural Heritage Review does not constitute project approval by the Department of Natural Resources. Instead, it identifies issues regarding known occurrences of rare features and potential impacts to these rare features. Visit [Natural Heritage Review](#) for additional information regarding this process, survey guidance, and other related information. For information on the environmental review process or other natural resource concerns, please contact your [DNR Regional Environmental Assessment Ecologist](#).

Thank you for consulting us on this matter and for your interest in preserving Minnesota's rare natural resources.

Sincerely,

Molly Barrett

Digitally signed by Molly Barrett
Date: 2025.10.16 17:21:18 -05'00'

Natural Heritage Review Specialist

molly.barrett@state.mn.us

Cc: [Jessica Parson](#), Regional Environmental Assessment Ecologist, Northeast (Region 2)

Cc: [Sophia Musiak](#), Assistant Regional Environmental Assessment Ecologist, Northeast (Region 2)



Voyageur Heights Apartments | Renderings
BRainerd, MN | 11.25.2025 | #XX-XXXX



RENDERINGS ARE FOR CONCEPTUAL USE ONLY

Voyageur Heights Apartments | Renderings

BRAINERD, MN | 11.25.2025 | #XX-XXXX





City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Final Reading: Proposed Ordinance 1599 (fee schedule)

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: James Kramvik, Community Development Director, Connie Hillman, Finance Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

City council should review the fee schedule annually and determine if any fees should be adjusted or added. Staff have provided a recommendation of additional fees and adjustments for city council to consider.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

City council held the first reading at the December 1st, 2025 meeting.

Fee schedule amendment includes the following additions:

- 1) Shoreland alteration permit - \$150 (residential) and \$250 (commercial)
- 2) Planned unit development (PUD) amendment fee - \$500 + \$1,000 escrow (residential) and \$750 + \$1,000 escrow (commercial)
- 3) EAW review fee - \$500 + escrow deposit (residential and commercial)
- 4) EIS or AUAR review fee - \$1,000 + escrow deposit (residential and commercial)
- 5) Annexation petition - \$350 (residential and commercial)
- 6) Cash escrow stipulation: when multiple planning & zoning cash escrows are required, the city initially shall collect a total escrow of \$2,000, except with applications where 3rd party consulting and extraordinary amounts of additional staff time are anticipated. 3rd party consulting and extraordinary amounts of additional staff time will be deducted from the minimum escrow deposit. Based upon the complexity of the project/application, an escrow deposit higher than the minimum listed on the fee schedule may be necessary. Any costs higher than the deposit collected will be billed to the applicant. The balance remaining in the escrow is refundable. If costs exceed the initial deposit, additional reimbursement will be required and billed.

Fee schedule amendment includes the following adjustments:

- 1) Zoning text amendment - \$250 to \$350 residential and \$400 to \$500 for commercial
- 2) Club on-sale & Sunday liquor - 200 or less members + investigative fee + Sunday (if applicable) - \$300 to \$400

- 3) Club on-sale & Sunday liquor - 201 or more members + investigative fee + Sunday (if applicable) - \$500 to \$600
- 4) On-sale liquor – Sunday - \$150 to \$200
- 5) Impound fees for dogs or cats - \$25 to \$30 + additional sum equal to the cost to the city for feeding/housing in a kennel
- 6) Assessment search fee - \$10 to \$15

RECOMMENDED ACTION/MOTION:

- 1) Hold public hearing on proposed ordinance 1599.
- 2) Conduct the final reading of proposed ordinance 1599 and dispense with the actual reading.
Note: A vote to dispense with the actual reading must be unanimous.
- 3) Approve proposed ordinance 1599.
- 4) Approve attached resolution approving a summary publication of ordinance 1599.

FINANCIAL IMPACT:

Fee revenue will increase if the recommended changes are adopted.

**ORDINANCE
NO. 1599**

AN ORDINANCE AMENDING SECTION 1000 APPENDIX A FEE SCHEDULE

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: Section 1000 General Provisions - Section 1000 Appendix A: Fee Schedule (Exhibit A) is hereby amended as indicated, with deleted language struck out and new language underlined:

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

Adopted this _____ day of _____, 2025

MIKE O'DAY
President of the Council

Approved this _____ day of _____, 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Building Dept	Residential	Commercial
Building Permit Fee	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Plan Review Fee	65% of Building Permit Fee	65% of Building Permit Fee
Decks	Valuation (refer to Appendix B)	N/A
Accessory Structure	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Re-Roofing per structure	\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Re-Siding per structure	\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Solar PV Panels	\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Weatherization	Valuation (refer to Appendix B)	Valuation (refer to Appendix B)
Windows/Doors Replacement	\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Manufactured (HUD) Installation	\$250 + \$1 State Surcharge	N/A
Modular/Manufactured Home Foundation	Valuation (refer to Appendix B)	N/A
Mechanical-New	\$149 + \$1 State Surcharge	Valuation (refer to Appendix B)
Mechanical-Remodel	\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Furnace/Boiler/AC/Fireplace	\$49 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Garage Heater	\$49 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Roof Top Unit	N/A	\$150 + \$1 State Surcharge
Plumbing-New	\$149 + \$1 State Surcharge	Valuation (refer to Appendix B)
Plumbing-Remodel	\$99 + \$1 State Surcharge	Valuation (refer to Appendix B)
Water Heater Replacement	\$49 + \$1 State Surcharge	\$75 + \$1 State Surcharge
Water Softener	\$49 + \$1 State Surcharge	N/A
Contractor Registration	\$50 (exempt for State Licensed BC)	\$50
SAC Fee (Sewer Access Charge)	\$1,900 / New Home	\$1,900 / E.R.C.
WAC Fee (Water Access Charge)	\$1,400 / New Home	\$1,400 / E.R.C.
Re-Inspection Fee	\$70 per inspection	\$70 per inspection
E911 Addressing Fee	\$75	N/A
Certificate of Occupancy Inspection	N/A	\$75 per inspection
Demolition	\$50	Valuation (refer to Appendix B)
Planning & Zoning Dept	Residential	Commercial
Fence	\$50	\$50
Sign – Permanent	N/A	Valuation (refer to Appendix B) \$35 minimum
<u>Shoreland Alteration Permit</u>	<u>\$150</u>	<u>\$250</u>
Sign – Temporary(portable)	N/A	\$35/3 months
Conditional Use Permit	\$350	\$500 + \$500 Escrow
Interim Use Permit	\$350	\$500 + \$500 Escrow
Variance Permit	\$350	\$500 + \$500 Escrow
Rezoning Permit	\$350	\$500
Administrative Subdivision (property split, consolidation, or boundary line adjustment)	\$100	\$100
Administrative Zoning Permit	\$35	\$35
Bee Keeping Permit	\$60 initially/\$20 annual renewal	N/A
Chicken/Duck Permit	\$60 initially/\$20 annual renewal	N/A
Food Truck Permit	N/A	\$50 annually + \$50 Parks
Preliminary Plat/Final Plat	\$500 + \$30 per lot + \$1,000 Escrow	\$600 + \$50 per lot + \$1,000 Escrow
Planned Unit Development (PUD)	\$1,000 + \$2,000 Escrow	\$1,500 + \$2,000 Escrow
<u>Planned Unit Development (PUD) Amendment</u>	<u>\$500 + \$1,000 Escrow</u>	<u>\$750 + \$1,000 Escrow</u>
<u>EAW Review Fee</u>	<u>\$500 + Escrow Deposit</u>	<u>\$500 + Escrow Deposit</u>
<u>EIS or AUAR Review Fee</u>	<u>\$1,000 + Escrow Deposit</u>	<u>\$1,000 + Escrow Deposit</u>
Temporary Seasonal Sales	N/A	\$25/short term or \$150/long term
Zoning Compliance Letter	\$50	\$50

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Zoning Text Amendment	\$250 <u>\$350</u>	\$400 <u>\$500</u>
Planning & Zoning Dept (cont'd)	Residential	Commercial
Park Dedication	\$500/single dwelling per buildable lot \$500/double or multi dwelling per unit	\$1,000 per acre or 5% of the fair market value of the subdivision as set forth by valuation fee schedule, whichever is greater.
Public Right-of-Way Entranceway Sign	\$500	N/A
Special Meeting	\$200	\$400
Comprehensive Plan & Zoning Appeals	\$100	\$100
City Property Sale Inquiry	\$1,000 escrow for appraisal fee	\$1,000 escrow for appraisal fee
<u>Annexation Petition</u>	<u>\$350</u>	<u>\$350</u>
<u>Cash Escrows: When multiple planning & zoning cash escrows are required, the City initially shall collect a total escrow of \$2,000, except with applications where 3rd party consulting and extraordinary amounts of additional staff time are anticipated. 3rd party consulting and extraordinary amounts of additional staff time will be deducted from the minimum escrow deposit. Based upon the complexity of the project/application, an escrow deposit higher than the minimum listed on the fee schedule may be necessary. Any costs higher than the deposit collected will be billed to the applicant. The balance remaining in the escrow is refundable. If costs exceed the initial deposit, additional reimbursement will be required and billed.</u>		
Rental Housing	Annual Fee June 1 st – May 31 st	
Per Unit Annually	\$50 per unit	
1-5 Units Annually	\$50 per unit	
6-12 Units	\$45 per unit	
13+ Units	\$40 per unit	
Registration Late Fee (June 1-30) (July 1 st - property placarded as non-licensed rental)	Double the per unit fee	
Operating without a Designated Agent in 50-mile radius	\$100 per unit per month	
Operating without Valid Rental License	\$250 per unit per month	
Tenant Complaint based inspection	\$100 each complaint	
Engineering Dept	Residential	Commercial
Sewer Tap Fee	\$50	\$75
Excavation Fee	\$50	\$75
Curb Cut	\$35	\$35
Billboards	N/A	\$75
Street Vacation	\$150	\$150
Right of Way Obstruction Permit Excavation/Obstruction Delay Penalty	\$50 \$100 each 30 days beyond permit requirements	
Sanitary Sewer		
Consumption-Based Monthly Charge	2025	2025
	\$1.34 / 1,000 gal	\$1.34 / 1,000 gal
Fixed Monthly Sewer Charges	2024 Meter Size	2024 Fixed Monthly Customer Charge
	3/4"	\$6.55
	1"	\$14.00
	1 1/2"	\$19.85
	2"	\$36.25
	3"	\$56.25
	4"	\$105.00
	6"	\$140.00

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

	2025 Meter Size		2025 Fixed Monthly Customer Charge
	¾"		\$7.05
	1"		\$15.00
	1½"		\$21.10
Fixed Monthly Sewer Charges			
	2"		
	3"		
	4"		
	6"		\$140.00
Storm Sewer		2025	
		\$5.30	
Fire Dept			
Annual Fire Inspections and Follow-up Inspections	\$75		
Annual Fire Safety Inspections and Follow-up Inspections	\$125		
Birthday Party	\$40		
Carnivals and Fairs	\$125		
Donations	Varies		
Exhibition, Trade Shows, Any Special Event Requiring a Fire Inspection	\$125		
Family Day Cares and/or Foster Care Home	\$50 - initial licensure inspections only		
False Alarms	\$125 for the 3rd alarm, \$175 for the 4th alarm, \$275 for the 5th+ alarms per year		
Fire Extinguisher Training	\$5 per head or \$250 flat fee per training event (50 attendees)		
Fire Watch Supplied by the Fire Department	\$125 per hour per staff member required		
Fireworks Sales, Displays, and Pyrotechnic Special Effects Materials	\$125		
Food Truck Annual Inspection	\$75		
Natural Gas Line Hits	\$175 per hour per incident if proper procedures were not followed		
Installation and Removal of all Fire Alarm, Monitoring, or Related Systems	\$125		
Installation and Removal of all Fire Suppression Systems (Under 25 Heads)	\$125		
Fire Suppression Testing Permit	Valuation (refer to Appendix B)		
Installation and Removal of Underground or Above Ground Tanks	\$125		
Installation of Smoke Removal Systems	\$125		
Installation of Spray Booths or Spray Areas	\$125		
Storage of Explosives, Black Powder, or Blasting Agents	\$125		
Temporary Membrane Structures, Tents, Canopies	\$125 - if no other fee is charged by the City		
Training Room Daily Rental Fee	\$100 - four hours or less		
Training Room Daily Rental Fee	\$150 - four to eight hours		
Use of Explosives	\$125		

1000 GENERAL PROVISIONS APPENDIX A: FEE SCHEDULE

EXHIBIT A

Business Licensing	Annual Fees Unless Indicated Otherwise
Adult Establishment	\$3,000 + investigative fee
Filling Station & Bulk Plant	\$100 per dispensing location or per bulk plant
Pawnbroker	\$150
Peddler, Solicitor, or Transient Merchant	\$200
Secondhand Automobile	\$50 per lot
Secondhand Goods Dealer	\$500 Class A / \$300 Class B
Liquor/Tobacco/Cannabis	Annual Fees Unless Indicated Otherwise July 1st – June 30th
Brewery, Taproom	\$500 + initial investigative fee (if applicable)
Growler	\$300 (must be State licensed Brewery or Taproom)
Investigative Fee – New Applicants	\$100
Club On-Sale & Sunday Liquor	\$300 \$400 / 200 or less members + investigative fee + Sunday (if applicable) \$500 \$600 / 201 or more members + investigative fee + Sunday (if applicable)
Distillery – Cocktail Room	\$300 Off Sale Distillery Spirits + investigative fee + Sunday (if applicable) \$500 Cocktail Room + investigative fee + Sunday (if applicable)
Off-Sale Beer	\$25 + investigative fee (if applicable)
Off-Sale Liquor	\$200 + investigative fee (if applicable)
On-Sale Beer/Wine	\$200 Beer License \$200 Wine License + investigative fee + Sunday (if applicable)
On-Sale & Sunday Liquor	\$3,300 Class 1 Bar \$2,700 Class 2 Restaurant \$3,000 Class 3 Bowling Center/Hotel + investigative fee + Sunday (if applicable)
On-Sale Liquor – Sunday	\$150 \$200
Temporary On-Sale Beer	\$20 per day
Temporary On-Sale Liquor	\$135 per day
Tobacco	\$75
Cannabis Event	\$135 Per Day; One event per calendar year no longer than four consecutive days
Cannabis Registration	Maximum allowed by Minnesota Statute Chapter 342. Registrations are for the period specified in Minnesota Statute Chapter 342.
Transportation	Annual Fees Unless Indicated Otherwise
Garbage Hauler	\$50 per unit & \$25 per scooter
Taxicab	\$40 per unit
Junk Dealers	\$50
Vending Vehicles	\$75
Auto Salvage	\$25
Miscellaneous	Annual Fees Unless Indicated Otherwise
Dog License/Annual	\$20 \$15/spayed or neutered
Replacement of Dog Tag	\$2.50
Impound Fees for Dogs or Cats	\$25 \$30 + additional sum equal to the cost to the City for feeding/housing in a kennel
Kennel License	\$35
Assessment Search Fee	\$10 \$15
NSF (non-sufficient funds) Check Fee	\$20

**RESOLUTION
NO. xx:25**

RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE

BE IT RESOLVED by the City Council of the City of Brainerd, Crow Wing County, Minnesota as follows:

WHEREAS, on December 15th, 2025, the City Council adopted Ordinance No. 1599 which amends the City fee schedule.

WHEREAS, Ordinance No. 1599 is lengthy and would be expensive to publish in its entirety.

NOW, THEREFORE, BE IT RESOLVED that the Council finds that the following text clearly informs the public of the intent and effect of Ordinance No. 1599 and approves the following summary for publication:

SUMMARY PUBLICATION OF ORDINANCE 1599

AN ORDINANCE AMENDING SECTION 1000 APPENDIX A FEE SCHEDULE

- 1) Fee schedule amendment includes the following additional fees: Shoreland Alteration Permit, Planned Unit Development (PUD) Amendment Fee, EAW Review Fee, EIS or AUAR Review Fee, Annexation Petition.
- 2) Added a Cash Escrow Stipulation for third party consulting and for a maximum escrow amount collected by the City.
- 3) Fee schedule amendment includes the following adjusted fees: Zoning Text Amendment, Club On-Sale & Sunday Liquor - 200 or less members, Club On-Sale & Sunday Liquor - 201 or more members, On-Sale Liquor – Sunday, Impound Fees for Dogs or Cats, Assessment Search Fee.

Adopted this ___ day of _____ 2025

MIKE O'DAY
President of the Council

Approved this ___ day of _____ 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider proposed Ordinance 1599, an ordinance amending Section 1000 Appendix A Fee Schedule. The purpose of this ordinance is to adjust and add permit fees for land use permits, licensing fees, and miscellaneous fees. Proposed Ordinance 1599 can be viewed online under the December 1st City Council agenda packet or at Brainerd City Hall.

A Public Hearing will be conducted by the City Council at 7:30 p.m. Monday, December 15, 2025, in City Hall Council Chambers, 501 Laurel Street, Brainerd.

The public is invited to attend the hearing to offer input regarding proposed Ordinance 1599. Any individual needing special accommodations please call (218) 828-2307.

Dated this 26th day of November 2025

Publication Date: December 6th, 2025



James L. Kramvik
Community Development Director



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Final Reading: Proposed Ordinance 1600 (rezoning from CN-2 to GC)

AGENDA: Main

ACTION REQUESTED: Ordinance

SUBMITTED BY: James Kramvik, Community Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community Development Director

ESTIMATED TIME (MIN): 10 minutes

SUMMARY OF ISSUE:

Ryan Dutton, on behalf of RKD real estate, has applied for a conditional use permit to allow for the construction and operation of a new Brainerd animal hospital facility at the corner of 28th Street and Oak Street. In addition, the applicant has requested to rezone parcel 41290683 from a CN-2 (contemporary neighborhood 2) zoning district to a GC (general commercial) zoning district and amend the future land use map from medium-high density to commercial.

At the December 1st meeting, city council approved the following motions:

- 1) Conduct the first reading of proposed ordinance 1600 and dispense with the actual reading. (unanimous approval)
- 2) Approve the attached resolution amending the future land use map from medium-high density residential to commercial contingent upon approval of proposed ordinance 1600. (unanimous approval)
- 3) Approve the conditional use permit to allow for the operation of an animal clinic as presented for parcel 41290683 contingent upon approval of proposed ordinance 1600. (unanimous approval)

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The planning commission considered this request and held a public hearing at their November 19th meeting. The following recommendations were provided:

- 1) Recommend denial of rezoning of parcel 41290683 from CN-2 zoning district to GC zoning district by a 4-1 vote.
- 2) Recommend denial of the resolution to amend the future land use map from medium-high density residential to commercial by a 4-1 vote.
- 3) Recommend denial of the conditional use permit to allow for the operation of an animal clinic as presented for parcel 41290683 based on the denial of the rezoning from a CN-2 by a 4-0 vote with member Peterson abstaining.

Note: A motion must be made for each individual request. If city council upholds the recommendation to

deny the requests, findings must be stated at the meeting.

Commissioner Comments

Commissioner Duval stated that it is a good project but is concerned with rezoning to GC. GC as opposed to the TN-2 zoning district would create a commercial zoning district in the middle of residential districts, which would allow for a lot more commercial uses. Some uses would not be appropriate in the middle of residential zoning districts. By zoning TN-2, the future land use map would not need to be changed. He sees a path forward that allows the proposed use but does not require zoning to GC. This would be a spot zone because GC is in the middle of residential zoning districts. Comments from the commission were generally in favor of the project, but not rezoning to GC and hopes the applicant can fulfill their needs with a different request.

Applicant Comments

The applicant stated that staff gave options for zoning requests. Due to building and parking setbacks, the TN-2 district was going to require parking in the back of the building, so they would need to modify the layout. The applicant believes it would be better for the business to have the parking lot in front to align the entrance. The parking lot on Oak Street would have less impact on the property to the north. The applicant stated that the specialized medical building design would make it difficult and too costly for another commercial entity to transition the building to an alternate use in the future.

Note: an approval of the rezoning request does not lock the property into an animal clinic if the applicant does not proceed with the project in the future.

Staff Comments

The applicant would not be able to construct the animal clinic with the current design, specifically the setback requirements. TN-2 requires a 20' maximum front yard setback which is consistent with Oak Street from downtown to 19th Street SE, such as the lakes printing building. This area of Oak Street from 19th Street east is inconsistent with TN-2 setbacks as most businesses have parking along Oak Street with large front yard setbacks with parking lots.

RECOMMENDED ACTION/MOTION:

1) Conduct the final reading of proposed ordinance 1600, an ordinance amending the zoning map, and dispense with the actual reading.

Note: The vote must be unanimous in order to dispense with the actual reading.

2) Approve proposed ordinance 1600.

Note: Approval of a proposed zoning map amendment which changes all or part of the existing classification of a zoning district from residential to commercial shall require a two-thirds (2/3) vote of the city council (5 members).

FINANCIAL IMPACT:

N/A

MEMO



TO: Planning Commission

FROM: James Kramvik, Community Development Director

DATE: November 19th, 2025

RE: Consider Rezoning, Future Land Use Map Amendment and a Conditional Use Permit from CN-2 (Contemporary Neighborhood 2) to GC (General Commercial) to Allow for an Animal Clinic on Parcel 41290683 (NE Corner of Oak Street and 28th St E)

REQUEST - Rezoning, Future Land Use Map Amendment, and Conditional Use Permit

PUBLIC HEARING. Rezoning, Future Land Use Map Amendment, and Conditional Use Permit

APPLICANT: Ryan Dutton on behalf of RKD Real Estate

The applicant would like to rezone this parcel from a CN-2 (Contemporary Neighborhood 2) Zoning District to a GC (General Commercial) Zoning District and amend the Future Land Use Map to Medium-High Density Residential to Commercial to allow for the construction and operation of Brainerd Animal Hospital.

CONTEXT

Parcel Numbers: 41290683

Zoning District: Contemporary Neighborhood 2 (CN-2) Zoning District
Proposed District: General Commercial (GC) Zoning District

Property Area: 1.33 acres

Adjacent Uses: North: Residential Single-Family Home
East: Residential Single-Family Home
South: Multi-Family Apartments
West: Carefree Living Assisted Living Facility

Adjacent Zoning: North: Contemporary Neighborhood 2 (CN-2) Zoning District
East: Contemporary Neighborhood 2 (CN-2) Zoning District
South: Contemporary Neighborhood 2 (CN-2) Zoning District
West: Contemporary Neighborhood 2 (CN-2) Zoning District with Commercial Uses

AERIAL MAP



FINDINGS OF FACT

- 1) Parcel 41290683 is located at the corner of Oak Street and 28th Street and is currently zoned CN-2 (Contemporary Neighborhood 2) District. According to Section [515-3 Allowed Uses, Appendix A: Table of Uses](#), animal hospitals, veterinary clinics and kennels are prohibited in the CN-2 district.
 - a) *The applicant is requesting a rezoning from CN-2 (Contemporary Neighborhood 2) to GC (General Commercial) District to allow for the construction of an animal clinic on the subject property. The Brainerd Animal Hospital would then relocate from their current location at 2720 Oak Street.*
 - b) *The applicant indicated that Brainerd Animal Hospital does not offer boarding services so there are only intermittent patients hospitalized overnight based on medical necessity. Brainerd Animal Hospital is not a Hazardous Waste Producing business and environmental impacts should be minimal.*
- 2) The property is currently designated for Medium-High Density in the [Comprehensive Plan's Future Land Use Map](#). The applicant is requesting that the property is designated Commercial in the Future Land Use Map to reflect the proposed zoning change.
 - a) The Land Use Map, along with related goals, policies and strategies serve as the Land Use Plan, which is a long-term guide for how development should occur in

Brainerd and provides a framework for making decisions on development and allocation of public resources.

REZONING

- 1) The City Council and the Planning Commission shall consider possible adverse effects of the proposed amendment. Their judgment shall be based upon (but not limited to) the following factors:
 - a) The proposed action's consistency with the specific policies and provisions of the official City Comprehensive Plan.
 - i) Economic Development GOAL 1: Support infill and redevelopment throughout Brainerd as a strategic component of growth.
 - (1) Drive infill development and redevelopment towards areas where current infrastructure is present, or places where high levels of blight or disinvestment exist.
 - (a) *The subject property is currently vacant and located along a major thoroughfare where existing infrastructure is present.*
 - (b) *The applicant proposes a major improvement to the Oak Street corridor that may spur additional development.*
 - b) The proposed uses are to be compatible with present and future land uses of the area.
 - i) *The applicant is proposing an amendment to the Future Land Use Map in the Comprehensive Plan to reflect the proposed zoning change to GC.*
 - ii) *While not adjacent to other General Commercial Zoning Districts, this area of Oak Street has many other businesses zoned General Commercial.*
 - c) The proposed use's effect upon the area in which it is proposed.
 - i) *The proposed use will not have an adverse effect on the area as surrounding properties are a mix of commercial and residential uses. Brainerd Animal Hospital currently operates on a property near the proposed new facility.*
 - d) Traffic generation of the proposed use in relation to capabilities of streets serving the property.
 - i) *Traffic patterns should not change, as the existing animal hospital is already located on Oak Street.*
 - ii) *The Fire Marshal has reviewed the proposed site plan and has no issues.*
 - e) The proposed uses impact upon existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.
 - i) *The proposed use will not have an impact on existing public services and facilities including parks, schools, streets, and utilities, and its potential to overburden the City's service capacity.*

Approval of a proposed Zoning Map amendment which changes all or part of the existing classification of a zoning district from Residential to Commercial, Industrial, or Planned Unit Development that allows for commercial or industrial uses shall require a two-thirds (2/3) vote of the City Council.

FUTURE LAND USE MAP AMENDMENT

- 1) In addition to the above criteria, the City Council should consider the following criteria for a Future Land Use Amendment.
 - a) Are there changed conditions that affect the development of the property, which supports the proposed amendment?
 - i) *The property is currently vacant without a designated use.*
 - ii) *There have been no other changes to the site.*
 - b) Is there a mistake in the Future Lands Use Plan map?
 - i) *There is no mistake with the Future Land Use map.*
 - ii) *The Future Land Use map indicates a mix of commercial and residential uses in this area of Oak Street.*
 - c) Has there been a change in the community not anticipated when the Plan was adopted?
 - i) *There have not been changes in the community or in this area that would require this property to be commercial.*

The City Council may, by resolution by a two-thirds vote of all of its members, adopt and amend the comprehensive plan or a portion of the plan.

CONDITIONAL USE PERMIT

- 1) [Criteria for Granting Conditional Use Permits](#). In granting a Conditional Use Permit, the City Council shall consider the advice and recommendations of the Planning Commission and the effect of the proposed use upon the health, safety, morals and general welfare of occupants or surrounding lands. Among other things, the City Council shall make the following findings where applicable.
 - a) The proposed use conforms to the Zoning District and is a permitted Conditional Use identified on Appendix A: Table of Uses.
 - i) *Animal Hospitals and Veterinary Clinics are a conditional use in the GC District. The GC Zoning District is to allow more intensive commercial uses that require primary street network for access and circulation.*
 - ii) *The proposed parcel has adequate space for the clinic and parking.*
 - b) The proposed use meets the regulations and standards established in this Ordinance.
 - i) According to [Section 515-3-5](#) of the Zoning Code Animal Hospitals, Veterinary Clinics or Kennels must meet the following criteria:
 - (i) All areas in which animals are confined are located indoors and are properly soundproofed from adjacent properties.
 1. *The proposed building will be sufficiently soundproofed from adjacent properties, will not have any outdoor facilities to house animals, and does not propose animal boarding other than overnight boarding for animal recovery.*
 - (ii) Animal carcasses are properly disposed of in a manner not utilizing on-site garbage facilities or incineration and the carcasses are properly refrigerated during periods prior to disposal.

1. *The applicant does not propose the incineration of animals on the property.*
- (iii) A ventilation system shall be designed so that no odors or organisms will spread between wards or to the outside air and will be capable of completely exchanging internal air at a rate of at least twice per hour. Air temperature must be maintained between sixty (60) and seventy-five (75) degrees Fahrenheit.
 1. *The applicant does not propose animal boarding.*
 2. *The building official will ensure the building is properly ventilated and meets all state requirements.*
- (iv) A room separate from the kennel area shall be provided of sufficient size to adequately separate animals that are sick or injured from healthy animals.
 1. *The floor plan indicates a separate dog and cat ward as well as an ICU room for the recovery of animals.*
- (v) Indoor animal kennel floors and walls shall be made of non-porous materials or sealed concrete to make it non-porous.
 1. *The building official will ensure the kennel floors and walls are made of non-porous materials or sealed concrete to make it non-porous upon final review of the building permit.*
- (vi) Animal waste shall be flushed down an existing sanitary sewer system or enclosed in a container of sufficient construction to eliminate odors and organisms and shall be properly disposed of at least once a day.
 1. *The floor plan indicates a separate lab waste room.*
 2. *The applicant indicates that Brainerd Animal Hospital is not a Hazardous Waste Producing business and environmental impacts should be minimal.*
- (vii) All State Health Department and Minnesota Pollution Control Agency requirements for such facilities are met.
 1. *Prior to issuance of the building permit and certificate of occupancy, the Building Official ensures that the facility meets all State Health Department and Minnesota Pollution Control Agency requirements.*
- b) 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.
 - i) *The structure will not be dangerous, injurious, or noxious to the surrounding properties as indicated by the requirements of Section 515-3-5.*
 - ii) *City staff have received no complaints from the public regarding the existing operation of Brainerd Animal Hospital located at 2720 Oak Street.*
- c) The proposed use shall be sited, oriented, and landscaped to produce a harmonious relationship of buildings and grounds to adjacent buildings and properties.
 - (1) *The applicant is aware and the proposed facility must meet the landscaping requirements of [Section 515-4-10](#) of the Zoning Code.*
 - a. *One (1) shrub is required for every 300 square feet of total building floor area up to 10,000 square feet. The required plantings should be spaced around the foundation of the building and do not count towards any required screening.*

- b. *One (1) shrub shall be planted for every five (5) lineal feet of parking lot perimeter that is adjacent to a public street. Two (2) perennials can be substituted for one (1) shrub. Plants shall be two (2) feet to four (4) feet in height and designed in a way to screen the parking lot from street view. When a parking lot is across the street from a residentially zoned property, the required screen height shall be four (4) feet. Refer to Table [515-4-10.1] Plant Spacing Requirements for Screening.*
 - c. *In all commercially zoned districts, new development shall include a planting rate of one (1) tree for every 100 feet of frontage along all roads. The required trees shall be planted within 10 feet of the front property line, or right-of-way line. Parking lot island tree planting requirement does not count towards this number.*
 - d) The proposed use shall produce a total visual impression and environment which is consistent with the environment of the neighborhood.
 - i) *The proposed facility will enhance the visual impact of the Oak Street corridor.*
 - ii) As required by [Section 515-4-2.D.4](#) Exterior Building Materials. Commercial buildings should be consistent with the character of surrounding structures. Typical and permitted materials include: brick, dimensioned stone, or other replicas, rock faced block, decorative concrete panels, stone, stucco, wood, glass , or Exterior Finish Installations (EFIS).
 - (1) *The building exterior finishes will consist of EFIS, glass, and stonework.*
 - e) The proposed use shall organize vehicular access and parking to minimize traffic congestion in a residential neighborhood.
 - i) *Traffic patterns should not change, as the existing animal hospital is already located on Oak Street.*
 - ii) *The applicant proposes off-street parking and an unloading area that includes 22 parking spaces and two ADA spaces.*
 - iii) The proposed building size is 5,901 SQFT as depicted in the floor plan.
 1. According to [Section 515-4-12.2](#) the parking lot maximum for non-ADA parking spaces is 39 parking spaces. The applicant proposes 22 parking spaces.
 - f) The proposed use shall preserve the objectives of this Ordinance and shall be consistent with the Comprehensive Plan.
 - i) **Economic Development Goal 1:** Support infill and redevelopment throughout Brainerd as a strategic component of growth.
 - (1) **Policy 2:** Invest in community improvements that will spur and support revitalization or redevelopment
- 2) Conditions. In reviewing applications for conditional use permits, the City may attach whatever reasonable conditions are deemed necessary to mitigate anticipated adverse impacts associated with the proposed use, to protect the value of property within the Zoning District, and to achieve the goals of the City's Comprehensive Plan. In determining such conditions, special consideration shall be given to protecting nearby properties from objectionable views, noise, traffic, and other characteristics associated with such uses.

STAFF RECOMMENDATION

As of this writing, no party has contacted the Community Development Department with concerns about the request.

Staff recommend the following:

- 1) Recommend approval of the resolution to amend the Future Land Use Map to Medium-High Density Residential to Commercial.
- 2) Recommend approval of the rezoning from CN-2 Zoning District to a GC Zoning District.
- 3) Recommend approval of the Conditional Use Permit as presented with the following conditions:
 - a. A landscape plan must be reviewed and approved by the Community Development Department pursuant to Section 515-4-10 of the Zoning Code prior to issuance of the building permit.

Legal Descriptions

THAT PT OF THE W 1/2 OF THE W 1/2 OF THE SWNW LYING S OF A LINE DAF: COMM AT SW COR OF SD SWNW THEN N 00D 36'23" W ASSM BEAR ALG THE W LINE OF SD SWNW A DIST OF 240 FT THE POB OF THE LINE TO BE DESC THEN S 87D 36'05" E PARA/W THE S LIEN OF SD SWNW A DIST OF 33.04 FT TO THE E LINE OF 28TH ST SE THEN S 87D 36'05" E PARA/W THE S LINE OF SD SWNW A DIST OF 117 FT THEN N 00D 36'23" W A DIST OF 10 FT THEN S 87D 36'05" E A DIST OF 181.27 FT TO THE E LIEN OF THE W 1/2 OF THE W 1/2 OF SD SWNW & SD LINE THERE ENDING EX THEREFROM THE W 33 FT OF SD SWNW & EX THEREFROM THE S 50 FT OF SD SWNW

I would like to request a zoning change of the above parcel located on the NE corner of the intersection of Oak Street and 28th Street in Brainerd. The property is currently zoned residential (4B(4) UNIMPROVED RESIDENTIAL LAND) and I am requesting a rezoning to General Commercial along with a CUP for an animal hospital. My intended use for the property is to build a vet clinic and relocate Brainerd Animal Hospital from its current location at 2720 Oak Street. The adjacent properties to the N and E are residential with the property to the W being commercial. Access to the parking lot would be on both 28th Street and Oak Street, but I believe the majority of the traffic would still travel on the main thoroughfare of Oak Street. Since the business already exists on Oak Street, I believe traffic patterns would be very minimally affected. There is a natural barrier on the east border of the property and the building is proposed to be placed on the southern lot so adjacent residential properties should be minimally affected. Brainerd Animal Hospital does not offer boarding services so there are only intermittent patients hospitalized overnight based on medical necessity. Brainerd Animal Hospital is not a Hazardous Waste Producing business and environmental impacts should be minimal. There are plans to have solar power incorporated into the design to help minimize our business' environmental footprint.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that RKD Real Estate, 4998 Mapleton Rd, Baxter MN 56425 has submitted a request for a Rezoning, a Future Land Use Map Amendment, and a Conditional Use Permit on parcel 41290683 at the corner of 28th Street and Oak Street to construct a veterinary clinic and relocate the Brainerd Animal Hospital from its current location at 2720 Oak Street.

The property is currently zoned CN-2 (Contemporary Neighborhood 2) which does not allow veterinary clinics to operate. The request is to rezone the parcel to GC (General Commercial) Zoning District, amend the Future Land Use Map to Commercial, and allow for a veterinary clinic by an approved Conditional Use Permit.

A Public Hearing will be conducted by the Planning Commission at 6:00 p.m. Wednesday, November 19th, 2025 in the Council Chambers at Brainerd City Hall, 501 Laurel Street, to consider the rezoning, future land use amendment, and conditional use permit.

Any individual needing special accommodations or would like more information about this request, please call (218) 828-2307.

Dated this 4th day of November, 2025



James L. Kramvik
Community Development Director

Publication Date: November 8th, 2025

**ORDINANCE
NO. 1600**

**AN ORDINANCE AMENDING THE ZONING MAP OF
THE CITY OF BRAINERD AND SECTION 515-3 OF THE ZONING CODE**

WHEREAS, a public hearing was held by the Planning Commission as required by the Zoning Code, on November 19th, 2025

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Brainerd, Minnesota, as follows:

SECTION ONE: The Zoning Map of the City of Brainerd is hereby amended by changing the zoning designation of the property below from a CN-2 (Contemporary Neighborhood 2) District to a GC (General Commercial) District:

NE CORNER OF OAK STREET AND SE 28TH ST

PIN 41290683

THAT PT OF THE W 1/2 OF THE W 1/2 OF THE SWNW LYING S OF A LINE DAF: COMM AT SW COR OF SD SWNW THEN N 00D 36'23" W ASSM BEAR ALG THE W LINE OF SD SWNW A DIST OF 240 FT THE POB OF THE LINE TO BE DESC THEN S 87D 36'05" E PARA/W THE S LIEN OF SD SWNW A DIST OF 33.04 FT TO THE E LINE OF 28TH ST SE THEN S 87D 36'05" E PARA/W THE S LINE OF SD SWNW A DIST OF 117 FT THEN N 00D 36'23" W A DIST OF 10 FT THEN S 87D 36'05" E A DIST OF 181.27 FT TO THE E LIEN OF THE W 1/2 OF THE W 1/2 OF SD SWNW & SD LINE THERE ENDING EX THEREFROM THE W 33 FT OF SD SWNW & EX THEREFROM THE S 50 FT OF SD SWNW.

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

Adopted this _____ day of _____, 2025

MIKE O'DAY
President of the Council

Approved this _____ day of _____, 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator

Published: One Time – _____



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Brokerage Agreement Extension: Kamp Realty

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

The EDA entered into a listing agreement with Kamp realty in February 2024 and extended the agreement through December 31st, 2025. If approved, the agreement would be a 12-month extension of the original terms. Staff recommended listing an additional property owned by the city of Brainerd along county road 45, part of the Thiesse industrial park addition PID: 41010545. The EDA considered the listing agreement at their December 4th meeting and unanimously approved the agreement. City council must also consider the agreement as the property listings are owned by the city.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The HRA and Central Minnesota Housing Partnership, Inc. (CMHP) submitted a letter of intent and presented a preliminary plan to develop the north side of the Wright Street extension for multifamily residential. The HRA requested that parcel number 41310501 be removed from the listing agreement with Kamp realty. The EDA considered the request but were not in favor of removing the property listing at this time. CMHP and the HRA may return at a future meeting to ask for removal of a portion of PID 41310501, rather than the entire 26 acres. *Note: not all of the 26 acres are developable.*

RECOMMENDED ACTION/MOTION:

Move to authorize the EDA to enter into the attached listing agreement with Kamp realty.

FINANCIAL IMPACT:

N/A



MEMO

To: Members of Brainerd EDA

CC: James Kramvik, Community Development Director

From: Jennifer Haskamp, AICP, Kamp

Date: November 26, 2025

RE: Exclusive Right-to-Sell Listing Agreement for 2026

Summary of Proposed 2026 Listing Contract

Kamp Real Estate & Development, LLC (“Kamp”) has prepared a Listing Contract for 2026 to supersede the previous listing contract and addenda entered in 2024/2025. The prior contract was executed in 2024 with subsequent addenda to add/remove listings and to extend the contract date. The active contract termination date is December 31, 2025.

At the September meeting the EDA considered a request from the HRA to exclude the Wright Street Extension property (or portions of) from the exclusivity contract and therefore not pay real estate commissions if the HRA found a buyer. Kamp, City Staff and the HRA discussed how this arrangement could work after the meeting, and based on Kamp’s understanding of the HRA’s objectives, it would be difficult to enter into a “shared” listing agreement. Therefore, Kamp has removed the portion of the Wright Street Extension from the listing agreement that the HRA has the most interest in pursuing for a residential development, which is denoted in the contact exhibit with a strikethrough.

City Staff requested that an addition to the listing agreement be made to include Lot 2 Block 6 of the Thiesse Industrial Park Addition in the contract, which has been added. If approved, Kamp and SHC will prepare marketing materials, add the listing to MNCAR and include it on the online listing portal.

The other terms of the contract remain unchanged. Given the addenda associated with the original contract it is cleaner to simply execute a new contract for 2026. Additionally, this will allow for the contract to align with the EDA’s regular process for review of contracts at the end of each calendar year.

EXCLUSIVE RIGHT TO SELL AGREEMENT

This **EXCLUSIVE RIGHT TO SELL AGREEMENT** (the “**Agreement**”) is entered into on **January 1, 2026** (the “**Effective Date**”), by and between Kamp Real Estate and Development, LLC (“**Kamp**”) and the **City of Brainerd Economic Development Authority** (“**Brainerd EDA**”). Whereas, the Brainerd EDA is the owner of the Properties (as hereinafter defined), and Brainerd EDA wishes to hire Kamp as its sole and exclusive agent with the exclusive right to procure the sale of all or any portion of the Property, and Kamp wishes to accept such engagement. Now therefore, in consideration of the mutual promises herein set forth, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

1. **Kamp as Exclusive Selling Agent.** Brainerd EDA hereby appoints Kamp as the **sole and exclusive agent** with the exclusive right to procure the sale of the real properties legally described on Exhibit A, attached hereto and made a part hereof, with all improvements now or hereafter made on or to the real properties (collectively, the “**Property**”). Brainerd EDA agrees to promptly disclose to Kamp any personal property to be included in the sale or lease. Brainerd EDA hereby authorizes Kamp to insert or correct the legal description over Brainerd EDA's signature.
2. **Term of the Agreement.** The term of this Agreement shall commence as of the Effective Date and shall continue until the date on which either party terminates this Agreement upon thirty (30) days' prior written notice to the other party; provided, however, that in the event that neither party terminates this Agreement, this Agreement will expire automatically on the date which is twelve (12) months after the Effective Date. The date that this Agreement shall either expire or earlier terminate shall hereinafter be referred to as the “**Termination Date**.”
3. **Terms of Sale.** The offering price of the Property shall be **Negotiable**, or any such other offering price as approved by Brainerd EDA, in Brainerd EDA's sole and absolute discretion, which shall be payable, at the option of the purchaser, either in cash or in a combination of cash and the assumption of any existing assumable loan. Brainerd EDA and Kamp acknowledge and agree that Brainerd EDA may agree to accept any other price in Brainerd EDA's sole and absolute discretion. Any offer to purchase the Property may contain normal and customary contingencies such as the purchaser's approval of a preliminary title report, survey, soils test, feasibility study and existing leases.
4. **Negotiations and Cooperation.** All inquiries and offers which Brainerd EDA receives shall be promptly referred to Kamp and all negotiations shall be conducted solely by Kamp or under its direction. Brainerd EDA shall cooperate fully with Kamp and shall provide Kamp access to the Property at all reasonable times. The terms of all contracts of sale shall be subject to Brainerd EDA's sole and absolute approval.
5. **Advertising.** Kamp is authorized to publish this listing or otherwise advertise on the Property and promote the sales of such property by signs, circulars and mailings, and by engaging in other appropriate forms of advertising, all of which shall be subject to the mutual agreement of Brainerd EDA and Agent as to its extent, form and content, and as to the sharing of the cost of such advertising. Brainerd EDA understands and agrees that the information contained in this Agreement or otherwise published for marketing purposes is not confidential, and will be available to third parties, including prospective purchasers, other members of Kamp who do not represent Brainerd EDA and who may represent prospective purchasers, and other parties granted access to Brainerd EDA's listing information. Kamp may advertise that it sold the Property after the closing of a sale of the Property, as applicable, in which Kamp was involved.
6. **Cooperation With Other Brokers.** Brainerd EDA understands and agrees that Kamp may, when appropriate, cooperate with other licensed real estate brokers representing any potential purchaser (each, an “**Outside Broker**”). For the purposes of this Agreement, and in particular Section 7 hereof, the term “**Outside Broker**” shall also include other brokers or salespersons employed by or associated with Kamp who are not the Listing Agent(s) (as hereinafter defined).

7. Commissions.

NOTICE: THE COMPENSATION FOR THE SALE OR MANAGEMENT OF REAL PROPERTY SHALL BE DETERMINED BETWEEN EACH INDIVIDUAL BROKER AND THE BROKER'S CLIENT.

- a. With respect to a sale, Brainerd EDA shall cause the Purchaser to pay and Kamp shall earn and hereby agrees to accept a commission or commissions calculated in accordance with the rates and terms set forth on Exhibit B, attached hereto and made a part hereof, and payable pursuant to the provisions set forth in Section 8 of this Agreement.
- b. With regard to a sale, Brainerd EDA shall cause the Purchaser to pay a commission to Kamp upon the occurrence of one of the following events:
 - i. During the Term (A) Kamp, Brainerd EDA, or any other person or entity, including, but not limited to an Outside Broker, procures a purchaser who is ready, willing and able to purchase all or any portion of the Property on the terms set forth in Section 3 hereof, or on other terms acceptable to Brainerd EDA; or (B) Brainerd EDA, through any person or entity other than Kamp, enters into any other contract to transfer or exchange the all or any portion of the Property or any interest therein or grants an option to purchase all or any portion of the Property to any person or entity;
 - ii. Within one hundred eighty (180) days after Termination Date (the "**Protected Period**"), Brainerd EDA sells or contracts to sell or exchange, or grants an option to purchase the Property to any potential purchaser who made an offer on, was introduced to, visited, received information on, inquired about, or otherwise learned of the Property prior to the Termination Date (each, a "**Prospective Purchaser**"). For purposes of this Agreement, the term "Prospective Purchaser" includes the person or entity listed on the Protected List (as hereinafter defined) as well as any assignee, designee, successor, affiliate, subsidiary or related entity, including, but not limited to all members of the potential purchaser's immediate family, any legal entity in which potential purchaser or any member of potential purchaser's immediate family owns or controls, directly or indirectly, more than ten percent (10%) of the shares or interests therein, and any third party who is acting under the direction or control of any of the foregoing. Kamp shall submit a list of such Prospective Purchasers (collectively, the "**Protected List**") within seventy-two (72) hours after the Termination Date; or
 - iii. During the term of this Agreement, Brainerd EDA receives notice that an entity having the power of condemnation has condemned or intends to condemn all or a substantial portion of the Property; provided, all or a substantial portion of the Property is thereafter conveyed to or condemned by such entity either during or after the term of this Agreement.

8. **Agency/Dual Agency.** Brainerd EDA hereby authorizes Kamp (a) to appoint **Jennifer Haskamp** to act as Brainerd EDA's Listing Agent(s) (the "**Listing Agent(s)**"), and (b) at Kamp's discretion, to appoint other salespersons affiliated with Kamp as subagents to act on Brainerd EDA's behalf as and when needed (each, a "**Subagent**"). It is understood and agreed that this Agreement only creates an agency relationship between Brainerd EDA, Kamp, the Listing Agent(s) and any Subagent(s), and not with any other salespersons of Kamp. Any broker or salesperson other than Listing Agent(s) and any Subagent(s) will not be representing Brainerd EDA and may represent a potential purchaser.

Brainerd EDA agrees that if all or any portion of the Property is sold to a purchaser represented by one of Kamp's salespersons other than Listing Agent or Subagents appointed by Kamp, then Brainerd EDA consents to Kamp acting as a dual agent. Brainerd EDA understands and agrees that different salespersons affiliated with Kamp may represent different sellers/landlords in competing transactions involving the same purchaser/tenant. Brainerd EDA hereby consents to such representation and agrees that it shall not be considered action by Kamp that is adverse or detrimental to the interests of either seller, nor shall it be considered a conflict of interest on the part of Kamp. If Kamp acts as a dual agent, then Kamp shall be entitled to the entire commission payable under this Agreement plus any additional compensation Kamp may have negotiated with the purchaser. Acceptance of referral fees between salespersons affiliated with Kamp will not be considered action that is adverse or detrimental on the

part of the salespersons or Kamp, nor shall it be considered a conflict of interest by the salespersons or Kamp.

9. **Responsibility for Maintenance.** Kamp shall not be responsible for maintenance of the Property or for damages of any kind to the Property or its contents, including, but not limited to, vandalism and theft, unless Kamp caused such damage by its gross negligence. Brainerd EDA hereby releases and waives all rights, claims and causes of action against Kamp, except claims based on its negligence, for damages to the Property or its contents.
10. **Limitation of Liability.** Kamp is not responsible or liable in any manner for personal injury to any person or for loss or damage to any person's real or personal property resulting from any act or omission not caused by Kamp, including but not limited to injuries or losses caused by (a) other brokers, inspectors, appraisers, lenders, contractors, surveyors, engineers, and other persons who are authorized to access the Property, (b) acts of third parties, such as vandalism or theft, (c) freezing or broken water pipes, (d) a dangerous condition on the Property, and (e) the Property's non-compliance with any law or ordinance. Neither party shall be liable to the other party for any consequential, special, indirect, punitive, incidental, or exemplary damages in connection with this Agreement, even if a party has knowledge of the possibility of such damages.
11. **Indemnification.** To the extent allowed by law, Brainerd EDA shall indemnify, defend and hold harmless Kamp, its shareholders, affiliates, subsidiaries, officers, directors, employees, agents and licensors from any claims, lawsuits, damages, costs, losses, attorneys' fees, costs and related expenses (collectively, "**Liabilities**") arising from or incurred as a result of (a) Brainerd EDA's failure to disclose material information about the Property; (b) Brainerd EDA providing incorrect information to Kamp, Outside Brokers or potential purchasers; (c) the use of, or access to, the Property by any person pursuant to this Agreement, (d) any breach of, or failure to perform, any provision of this Agreement by Brainerd EDA, and/or (e) other conduct by Brainerd EDA, its employees and agents, or Brainerd EDA's fraud, negligence or willful misconduct. Brainerd EDA shall not be responsible for indemnification for Liabilities to the extent caused by Kamp's fraud, negligence or willful misconduct in performing its obligations under this Agreement.
12. **Disclosure; Hazardous Substances.** Brainerd EDA agrees to promptly disclose to Kamp and any prospective purchaser all known material defects, if any, affecting the Property, including any structures on the Property, and any knowledge Brainerd EDA has or may hereafter acquire regarding the production, disposal, storage or release of any hazardous wastes or other toxic or hazardous substances in or on the Property. Kamp is authorized to disclose all pertinent information regarding the Property to prospective purchasers, and Brainerd EDA shall, to the extent allowed by law, indemnify and hold Kamp and any cooperating brokers harmless to the same extent as set forth in Section 11 of this Agreement in the event that Brainerd EDA fails to make any required disclosure or makes any misrepresentation about the Property or its condition.
13. **No Discrimination.** Brainerd EDA hereby acknowledges that it is illegal to refuse to display, sell or lease the Property to any person because of race, color, religion, national origin, sex, marital status or physical disability.
14. **Representations & Warranties.** Brainerd EDA represents and warrants that (a) Brainerd EDA has full authority to execute this Agreement and to sell, or exchange the Property, (b) Brainerd EDA is not bound by a listing agreement with another broker for the sale, lease, or exchange of the Property that is or will be in effect during the term of this Agreement, (c) no person or entity has any right to purchase or acquire the Property by an option, right of refusal, or other agreement, (d) there is no pending foreclosure of the Property that has not been disclosed in writing to Kamp, (e) Brainerd EDA owns sufficient intellectual property rights in any materials which Brainerd EDA provides to Kamp related to the Property (such as brochures, photographs, drawings or articles) to permit Broker to reproduce and distribute such materials for the purpose of marketing the Property or other purposes consistent with this Agreement, and (f) that all information concerning the Property provided to Kamp by Brainerd EDA is accurate. The person(s) executing this Agreement on behalf of Brainerd EDA represent(s) that such person(s) have full authority to do so and in so doing are binding Brainerd EDA.

Brainerd EDA confirms that following closing of the Property, the amount of the purchase price and any other terms of the sale of the Property shall not be deemed confidential information and Brainerd EDA authorizes disclosure of the same.

15. **Attorneys' Fees; Waiver of Jury Trial.** In the event of a dispute between the parties to enforce a right or rights provided by or arising out of this Agreement, the non-prevailing party shall pay to the prevailing party reasonable attorneys' fees and other costs and expenses of enforcement proceedings. The "prevailing party" shall be the party receiving a net affirmative award or judgment. TO THE EXTENT ALLOWED BY LAW, THE PARTIES HEREBY WAIVE ANY TRIAL BY JURY. Delinquent amounts payable to Kamp under this Agreement shall earn interest in the amount of one percent (1%) per month from the date due until paid.
16. **Construction and Authority; Successors.** This Agreement and each of the terms and provisions hereof have been negotiated between the parties, and the language in all parts of this Agreement shall, in all cases, be construed according to its fair meaning and not strictly for or against either party. The person(s) executing this Agreement on behalf of Brainerd EDA warrant that such person(s) have full authority to do so and in so doing to bind Brainerd EDA. This Agreement shall inure to the benefit of and be binding upon the respective heirs, personal representatives, successors and assigns of the parties.
17. **Professional Advice.** Kamp recommends that Brainerd EDA obtain legal, regulatory, architectural, engineering, environmental, tax and other professional and technical advice relating to this Agreement and the Property as well as the condition of the Property, including without limitation, the Property's improvements, equipment, soil, tenancies, environmental aspects and compliance with the Americans with Disabilities Act. Kamp will have no obligation to investigate any such matters and Kamp shall have no responsibility or liability for any work that is or should be done by such experts or professionals.
18. **Governing Law.** This Agreement is entered into and shall be governed and construed in accordance with the laws of the State of Minnesota.
19. **Entire Agreement; Counterparts.** This Agreement sets forth the entirety of the agreement between the parties regarding the Property, and supersedes all previous communications, representations, and understandings regarding the same. This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and together shall constitute one and the same instrument, and counterparts which are executed and delivered in electronic format (e.g. email, PDF, TIF, etc.) shall be deemed valid original signatures for the purposes of this Agreement.
20. **Copy of Agreement.** Brainerd EDA hereby acknowledges receipt of a fully executed copy of this Agreement.



This Agreement is entered into on the Effective Date.

Owner: Brainerd EDA on Behalf of City of Brainerd

Kamp Real Estate and Development, LLC

Name: Kevin Yeager
Its: Chair
Date: January 1, 2026
Address: 501 Laurel Street
Address 2:
City, State, ZIP: Brainerd, MN 56401

Name: Jennifer Haskamp
Its: Managing Broker and CEO
Date: January 1, 2026
Address: 550 Vandalia Street
Address 2: Suite 205
City, State, ZIP: Saint Paul, MN 55114

DRAFT

EXHIBIT A

Brainerd Industrial Park First Addition

City	Address (Legal Description)	Property Identification Number
Brainerd	1427 Thiesse Drive (Lot 1 Block 1)	41060513
Brainerd	1729 Thiesse Drive (Lot 7 Block 1)	41060511
Brainerd	1817 Thiesse Drive (Lot 8 Block 1)	41060510
Brainerd	XXXX Thiesse Drive (Lot 1 Block 4)	41060507
Brainerd	1624 Thiesse Drive (Lot 2 Block 4)	41060506
Brainerd	1724 Thiesse Drive (Lot 3 Block 4)	41060505
Brainerd	1812 Thiesse Drive (Lot 4 Block 4)	41060504
Brainerd	1410 Thiesse Drive (Lot 1 Block 5)	41060503
Brainerd	1424 Thiesse Drive (Lot 2 Block 5)	41060502
Brainerd	1516 Thiesse Drive (Lot 3 Block 5)	41060501
Brainerd	XXXX Thiesse Drive (Lot 4 Block 5)	41060500

Property Generally Referred to as: Wright Street Extension

City	Legal Description	Property Identification Number
Brainerd	SE1/4 OF NW1/4 EXC N 1160 FT OF W 560 FT THEREOF. & ALSO INCL S 159.6 FT OF N 1160 FT OF E 330 FT OF W 560 FT OF SENW. & ALSO EXC	41310501
Brainerd	N1/2 OF NE1/4 OF SW1/4 EXC PT OF NE1/4 OF SW1/4 WHICH LIES W'LY OF S'LY EXT OF E LINE OF W 230 FT OF SENW SD SEC 31 & WHICH LIES	41310500

Property Generally Referred to as: Parking Lot Infill Redevelopment

City	Address (Legal Description)	Property Identification Number
Brainerd	XXX Laurel Street (Lots 2 thru 6 Inclusive Block 45, First Addition to Brainerd)	41241434

Thiesse Industrial Park Addition

City	Address (Legal Description)	Property Identification Number
Brainerd	Lot 2 Block 6 Thiesse Industrial Park Addition	41010545

EXHIBIT B

SCHEDULE OF SALE COMMISSIONS

SALES

Rate: Broker will be compensated for a successful sale transaction per the following schedule:

DIRECT TRANSACTION (NO THIRD PARTY INVOLVED):

Should a member of the Listing Team (Jennifer Haskamp) secure a buyer without the assistance of a cooperating broker, for sale of the Properties; Broker will be paid a commission of six point five percent (6.5%) of the total purchase price at the time of closing.

If the purchase price of the property is \$1/acre or similar, the commission due shall be calculated based on the appraised current value. Under such transaction, the Buyer shall be responsible for paying the Broker Commission.

CO-BROKER TRANSACTION:

In the event a cooperating broker (including other brokers affiliated with Broker but not a member of the Listing Team) is involved in securing a buyer to purchase a Property, commissions payable for the transaction will be eight percent (8%) of the total purchase price. The total commission shall be split between Co-Broker and Broker at the discretion of the Listing Team. The commission shall be paid at the time of closing.

If the purchase price of the property is \$1/acre or similar, the commission due shall be calculated based on the appraised current value of the Property. Under such transaction, the Buyer shall be responsible for paying the Broker Commission.



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Shared Services Agreement: EDA

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: James Kramvik, Community
Development Director

DEPARTMENT: Community Development

PRESENTER: James Kramvik, Community
Development Director

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

The EDA considered and approved the shared services agreement with the city at their December 4th meeting in the amount of \$17,000. Staff evaluated hours spent on EDA items and recommended that the compensation remains at \$17,000.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Refer to the agreement for services rendered by city staff.

RECOMMENDED ACTION/MOTION:

Move to approve the attached shared services agreement with the EDA.

FINANCIAL IMPACT:

N/A

SHARED SERVICES AGREEMENT

This agreement is entered into this ____ day of _____, 2025; between the City of Brainerd, a municipal corporation, and the Brainerd Economic Development Authority (EDA), a public body, corporate and politic.

WHEREAS, the EDA needs administrative and support staff services to fulfill its statutory duties; and

WHEREAS, City has the professional and administrative capacity to support the EDA; and

WHEREAS, the City historically provided these services to the EDA; and

WHEREAS, the parties desire to enter into an agreement memorializing the existing arrangement between them.

NOW, THEREFORE, IT IS HEREBY AGREED THAT:

I. Scope of Service

On behalf of the EDA, the City will provide the following services, consistent with State law and the directives of the EDA:

- a. Oversee the overall financial management of the EDA by working closely with the EDA Board of Commissioners; and
- b. Prepare an annual budget for approval by the EDA Board; and
- c. Operate per the approved budget, oversee accounts payable, and prepare checks on behalf of the EDA Board; and
- d. Oversee the EDA's Strategic Plan and complete goals and objectives; report results quarterly to the EDA; and,
- e. Communicate potential problems to the EDA Board and offer viable solutions; and
- f. Schedule EDA Board meetings, prepare Agendas and materials (including program/project reports, fiscal reports, resolutions and minutes), attend Board meetings; and
- g. Maintain all records of the EDA per laws and regulations; and
- h. Manage agreements between the EDA and hired consultants; and
- i. Represent the EDA in the Central Business District meetings; and,
- j. Coordinate quarterly roundtable discussions with all consultants providing services to the EDA; and
- k. Other projects as directed by the EDA Board.

II. Compensation

In consideration of the services rendered by the City, the EDA shall compensate the City \$17,000 annually, to be paid in two installments in July and December.

III. Term

The term of this agreement shall be for a period of one year commencing on the 1st day of January 2026 and terminating on the 31st day of December 2026. Either party may terminate this agreement for any reason upon 30-days' advance written notice. In the event either party terminates this agreement

before its expiration any fees owed to the City of Brainerd will be prorated through the last day of the 30-day termination period.

IV. Indemnification

To the fullest extent permitted by law, the City agrees to defend, indemnify and hold harmless the EDA, and its employees, officials, and agents from and against all claims, actions, damages, losses and expenses, including reasonable attorney fees, arising out of the City's negligence or the City's failure to perform its obligations under this Agreement.

V. Compliance with Laws

The EDA and City shall abide by all Federal, State or local laws, statutes, ordinances, rules and regulations now in effect, or hereafter adopted, pertaining to this Agreement or the subject matter of this Agreement. This Agreement shall be governed by and construed in accordance with the substantive and procedural laws of the State of Minnesota without giving effect to the principles of conflict of laws. All proceedings related to this Agreement shall be venued in the County of Crow Wing, State of Minnesota

VI. Independent Contractor Status

The City is an independent Contractor and nothing herein contained shall be construed to create the relationship of an employer and employee between EDA and City employees. The City shall at all times be free to exercise initiative, judgment and discretion as to how to best perform or provide services. The City also acknowledges and agrees that no withholding or deduction for State or Federal income taxes, FICA, FUTA, or otherwise, will be made from the payments due the City and that it is the City's sole obligation to comply with applicable provisions of all Federal and State tax laws.

VII. Authorized Representative

Notification required to be provided pursuant to this Agreement shall be provided to the following named persons and addresses unless otherwise stated in this Agreement or in a modification of this Agreement.

City of Brainerd

City Administrator
Nicholas W. Broyles
501 Laurel Street
Brainerd, MN 56401

Brainerd EDA

Chair
Kevin Yeager
501 Laurel Street
Brainerd, MN 56401

VIII. Severability

The provisions of this Agreement shall be deemed severable. If any part of this Agreement is rendered void, invalid, or unenforceable such rendering shall not affect the validity and enforceability of the remain der of this Agreement unless the part or parts which are void, invalid or otherwise unenforceable shall substantially impair the value of the entire Agreement with respect to either party.

IX. Modifications

The EDA and the City hereby acknowledge that they have read this Agreement and affirmatively states and represents that they understand its contents. Further, that the above constitutes the entire agreement by and between the EDA and the City and is binding upon themselves, their heirs, assigns and successors in interest and any alterations, variations, modifications or waivers of the provisions of this Agreement shall only be valid when they have been reduced to writing and signed by the authorized representatives of the EDA and the City

Approved this the ____ day of _____ 2025.

Brainerd Economic Development Authority

City of Brainerd

By: _____

KEVIN YEAGER, CHAIR

By: _____

NICHOLAS W. BROYLES
CITY ADMINISTRATOR

By: _____

MIKE O'DAY
COUNCIL PRESIDENT



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Council Member Representation: Oak Street Reconstruction PMT

AGENDA: Main

ACTION REQUESTED: Direction Requested

SUBMITTED BY: Jessie Dehn, City Engineer, Mike Habighorst, Public Works Director

DEPARTMENT: Public Works

PRESENTER: Jessie Dehn, City Engineer

ESTIMATED TIME (MIN): 2 Minutes

SUMMARY OF ISSUE:

Staff is requesting council appoint at least two members of the city council to the project management team (PMT) for the upcoming Oak Street reconstruction project. The PMT would meet roughly monthly to provide input and guidance to Widseth during some tasks during the preliminary and design engineering stages of the project. Some major items the PMT will provide guidance towards would be the corridor study, the development of the concept of the roadway, and others. These items would be presented to the full council after they have been completed with input from the PMT.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

Staff would recommend that two members from the SPW committee be appointed as members on the PMT. Other council members, including the council president or members of the PF committee, would be options as well. Please note that any more than 3 members would constitute a quorum of the council, so the recommendation would be no more than 3 council members be appointed to the PMT.

RECOMMENDED ACTION/MOTION:

Move to appoint up to three council members to serve on the PMT for the Oak Street reconstruction project.

FINANCIAL IMPACT:

N/A



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: Resolution: 2026 Levy for the City and HRA

AGENDA: Main

ACTION REQUESTED: Adopt Resolution

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 minutes

SUMMARY OF ISSUE:

The final levy for pay year 2026 for the city of Brainerd and the HRA, needs to be certified to the county by December 30, 2025. The final levy can be lower, but not higher than the preliminary levy.

The preliminary levies were set in September, with the city levy at \$7,666,013, an 8% increase over the 2025 levy, and the HRA levy at \$227,866, a 31% increase over the 2025 levy. The HRA levy of \$227,866, is the maximum allowed per state statute.

The HRA's levy is a separate levy from the city's levy. The HRA's levy is included in "other levies" listed on the property tax statement. In other words, the HRA's levy is not part of, or affect the City's levy. The HRA board adopted their 2026 budget at their November 19th board meeting using the preliminary levy amount of \$227,866, which is contingent upon council's adoption of the levy. Below is a recent history of the HRA levy:

Pay Year	Maximum Levy Amount	Amount Levied	Percentage Change	Dollar Change
2026	\$227,866		30.99%	\$53,906
2025	218,991	\$173,960	0%	0
2024	190,625	173,960	11.53%	17,979
2023	155,981	155,981	5.42%	8,015
2022	147,996	147,966	8.38%	11,447
2021	136,519	136,519	4.67%	6,093
2020	130,426	130,426		

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The City determines its levy through the budgeting process. Currently, with the use of \$203,550 of fund balance, the 2026 levy is calculated to be \$7,434,915 or a 4.74% increase. Council directed staff at the December 1st council meeting to use a levy of \$7,435,323, or a 4.75% increase for the budget public hearing (the dollar difference is \$408). The recap that is attached uses the \$7,435,323.

Also attached is a draft resolution for council to consider for adoption. The amount for the city's levy is blank, and the amount listed for the Brainerd HRA is the dollar amount set at the preliminary levy. The chart below shows various levy amounts and staff's calculation of the tax rate. As a reminder, the city council sets the levy in dollars, not as a tax rate.

	Levy Amount	Estimated Tax Rate
2025	\$7,098,160	53.883%
8% Increase	7,666,013	57.449%
5% Increase	7,453,068	55.852%
4.75% Increase	7,435,323	55.718%
4.50% Increase	7,417,577	55.585%
4.25% Increase	7,399,832	55.452%
4% Increase	7,382,086	55.319%
3.5% Increase	7,346,596	55.053%
3% Increase	7,311,105	54.787%
2.5% Increase	7,275,614	54.520%
2% Increase	7,240,123	54.254%
1.5% Increase	7,204,632	53.988%
1% Increase	7,169,142	53.722%
0.5% Increase	7,133,651	53.456%
0.0% Increase	7,098,160	53.189%

RECOMMENDED ACTION/MOTION:

Move to adopt a resolution setting the city and HRA levies for pay year 2026.

Note: if a resolution is not adopted tonight, a special council meeting will need to be held.

FINANCIAL IMPACT: As presented

2026 Levy Overview

As of 12/10/25

	Actual 2024	Adopted Budget 2025	Current 2026 Budget	Difference in Budgets	% Difference Current vs 2025 Budget
TOTAL OPERATING EXPENDITURES					
Personnel Services	\$ 8,507,778	\$ 9,091,429	\$ 9,578,278	\$ 486,849	5.36%
Supplies	635,844	716,900	692,783	(24,117)	-3.36%
Services	2,803,710	3,208,645	3,338,237	129,592	4.04%
Transfers Out/Capital Outlay	813,577	408,332	414,249	5,917	1.45%
Total Expenditures	\$ 12,760,909	\$ 13,425,306	\$ 14,023,547	\$ 598,241	4.46%
TOTAL CAPITAL	\$ 1,255,927	\$ 1,180,927	\$ 1,180,927	-	0.00%
TOTAL DEBT LEVY	\$ 920,000	\$ 765,000	\$ 765,000	\$ -	0.00%
OTHER LEVIES					
Perm Improvement	\$ 375,350	\$ 417,539	\$ 425,890	\$ 8,351	2.00%
Sr Activity/Green Space/Comm Fest.	289,959	313,154	319,417	6,263	2.00%
Library	149,788	152,784	155,840	3,056	2.00%
EDA	152,861	186,812	186,812	-	0.00%
Airport	146,080	1,000	215,000	214,000	21400.00%
Total Other Levies	\$ 1,114,038	\$ 1,071,289	\$ 1,302,959	\$ 231,670	21.63%
TOTAL ESTIMATED EXPENDITURES	\$ 16,050,874	\$ 16,442,522	\$ 17,272,433	\$ 829,911	5.05%
TOTAL REVENUE - NON-PROPERTY TAX					
Other Taxes	\$ (239,878)	\$ (198,500)	\$ (179,500)	\$ (19,000)	-9.57%
Licenses & Permits	(388,006)	(503,865)	(561,370)	57,505	11.41%
Grants & Aids	(5,929,204)	(5,924,522)	(6,099,666)	175,144	2.96%
Revenue from Other Gov'ts	(433,430)	(320,040)	(357,382)	37,342	11.67%
Charges for Services	(952,538)	(1,027,460)	(1,032,842)	5,382	0.52%
Fines & Forfeitures	(116,740)	(126,000)	(120,500)	(5,500)	-4.37%
Other Revenues	(1,264,389)	(961,000)	(1,103,300)	142,300	14.81%
Transfers In/Debt Proceeds	(114,820)	(187,000)	(179,000)	(8,000)	-4.28%
Total Revenues	\$ (9,439,005)	\$ (9,248,387)	\$ (9,633,560)	\$ 385,173	4.16%
(USE)/ADDITION TO FUND BALANCE					
Election	\$ (15,000)	\$ 15,000	\$ (15,000)	\$ 30,000	
Public Safety Aid - # of Officers		(95,700)	(47,850)	(47,850)	
Public Safety Aid - RMS Software		(15,275)	(53,800)	38,525	
Use of Fund Balance 2025 - 3rd Party Inspector			(86,900)	86,900	
Estimated Levy	\$ 6,596,869	\$ 7,098,160	\$ 7,435,323	\$ 337,163	4.75%
Actual Levy / Proposed	\$ 6,443,500	\$ 7,098,160	\$ 7,435,323		
% Increase		2.00%	4.75%		
\$ Increase		139,180	337,163		
Preliminary Levy			7,666,013		
\$ Change from Preliminary Levy			(230,690)		

RESOLUTION
XX:25

WHEREAS, the Brainerd City Council is required to set a Final Levy by December 30, 2025; and

WHEREAS, the Brainerd City Council held its first Budget Workshop on August 25, 2025 and the budget was discussed during council meetings on July 21, 2025, August 18, 2025, September 15, 2025, September 29, 2025, November 17, 2024, and December 1, 2025; and

WHEREAS, the Brainerd City Council, during the budget workshop and council meetings, discussed the overall budget process, the overall expenditures of the City;

NOW THEREFORE, BE IT RESOLVED by the City of Brainerd, County of Crow Wing, State of Minnesota that the following sums are the levy for the taxes payable in the year 2026:

\$ _____ plus \$227,866 for the HRA.

Adopted this ____ day of December 2025

KELLY BEVANS
President of the Council

Approved this ____ day of December 2025

DAVE BADEAUX
Mayor

ATTEST: _____
NICHOLAS W. BROYLES
City Administrator



City Council Agenda Request

MEETING DATE: December 15, 2025

TITLE OF ITEM: 2026 Budgets

AGENDA: Main

ACTION REQUESTED: Approve/Deny Motion

SUBMITTED BY: Connie Hillman, Finance Director

DEPARTMENT: Finance

PRESENTER: Connie Hillman, Finance Director

ESTIMATED TIME (MIN): 5 Minutes

SUMMARY OF ISSUE:

At the December 1, 2025 council meeting, the council reviewed the budgets for transit, recycling, parking lot, permanent improvement, mayor's contingency, and sanitary and storm sewer funds. There have been no changes to the budgets since presented. The EDA fund budget is now included. The EDA board met on December 4th and recommended the attached budget for council approval. The library budget for 2026 will be adopted after the first of the year.

The capital fund budget is slightly different from what was presented at the December 1st council meeting. Staff had presented the park board long-term capital asset maintenance amount as \$327,233, and it should have been \$457,386 as presented by the park board in September. This is the amount in the long-term capital planning spreadsheet presented throughout the budget process. This also changes the park board's total request to \$1,990,070 rather than \$1,859,509 as presented at the last meeting. An updated parks budget is attached for your information. The parks budget is part of the general fund, but separated out as informational. Also, removed \$5,000 of the estimated sale of assets in the capital budget, as the mower broke and was replaced in 2025.

ALTERNATIVE, OPTIONS, EFFECTS ON OTHERS/COMMENTS:

The working fund budget (general, public safety, parks and streets) is presented with the final levy being \$7,453,323, a 4.75% increase over the 2025 levy. If the levy is set at a different amount, the budget will need to be updated or amended. A budget for the general fund (aka working funds) needs to be set by December 31st.

RECOMMENDED ACTION/MOTION:

Move to adopt budgets as presented (or with adjustments).

FINANCIAL IMPACT:

WORKING FUNDS

(General, Public Safety, Parks, & Streets)

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Property Taxes	4,170,955	4,395,098	4,720,854
Other Taxes	239,878	198,500	179,500
Intergovernmental	6,362,634	6,244,561	6,454,548
Charges for Services	952,538	1,027,460	1,032,842
Licenses & Permits	388,006	503,865	561,370
Fines & Forfeits	116,740	126,000	120,500
Special Assessments	75,123	70,000	71,000
Interest	133,339	50,000	95,000
Market Adj. for Investments	160,939	-	-
Other Revenue	804,003	799,000	863,800
Total Revenues	13,404,155	13,414,484	14,099,414
Expenditures			
General Government	3,061,744	3,342,707	3,799,284
Police	4,981,865	5,300,134	5,567,088
Fire	1,337,774	1,348,310	1,414,590
Misdemeanor Prosecutor	226,600	233,171	239,584
Animal Control	83,679	80,229	84,243
Parks	1,196,811	1,453,269	1,479,934
Streets	1,348,819	1,572,308	1,558,992
Total Expenditures	12,237,292	13,330,128	14,143,715
Other Sources (Uses)			
Transfer In (Out)	(667,730)	(222,332)	(232,749)
Other Sources (Uses)	(177,107)	-	-
Sale of Assets	90,985	42,000	73,500
Total Other Sources (Uses)	(753,852)	(180,332)	(159,249)
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	413,012	(95,976)	(203,550)
Fund Balance - Jan 1st	3,657,226	4,070,238	3,974,262
Fund Balance - Dec 31st	4,070,238	3,974,262	3,770,712

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Expenditures			
Personnel Services	8,507,779	9,091,429	9,578,279
Supplies	635,844	716,900	692,782
Services	2,494,496	2,899,444	2,982,238
Other	599,173	622,355	890,416
Total Expenditures	12,237,292	13,330,128	14,143,715

CAPITAL EQUIPMENT & FACILITIES

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Property Taxes	1,229,971	1,180,927	1,180,927
Other Taxes	18,994	-	-
Intergovernmental	2,006	-	-
Special Assessments	102,342	-	-
Interest	61,677	3,346	37,175
Other Revenue	17,500	-	-
Total Revenues	<u>1,432,491</u>	<u>1,184,273</u>	<u>1,218,102</u>
Expenditures			
Capital	1,315,140	1,654,856	6,726,211
Total Expenditures	<u>1,315,140</u>	<u>1,654,856</u>	<u>6,726,211</u>
Other Sources (Uses)			
Bond Proceeds	-	-	5,160,000
Bond Issuance Costs	-	-	-
Transfer In (Out)	569,250	306,665	321,299
Other Sources (Uses)	149,251	85,600	35,100
Total Other Sources (Uses)	<u>718,501</u>	<u>392,265</u>	<u>5,516,399</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>835,852</u>	<u>(78,318)</u>	<u>8,290</u>
Fund Balance - Jan 1st	2,918,334	3,754,186	3,675,868
Fund Balance - Dec 31st	3,754,186	3,675,868	3,684,158

CAPITAL EQUIPMENT & FACILITIES EXPENDITURE DETAIL

2026 Proposed Capital		Subtotals
Facilities		
City Hall Elevator Vestibule - EFIS	50,000	} \$ 5,696,111
Public Works Garage - Fire Alarm	65,000	
Public Works Garage - Fire Suppression	80,000	
Fire Station 1 - Remodel/Addition	5,500,000	
Crack Sealing	1,111	
City Hall - General		
Office Furniture	10,000	} \$ 10,000
Administration		
Scanner	3,600	} \$ 53,600
Codification (Transfers Out)	50,000	
IT/GIS		
Computers - City Wide	100,000	} \$ 186,000
Monitors - City Wide	20,000	
Server Replacement	15,000	
UPS (Battery Backup)	6,000	
Wi-Fi Hardware	15,000	
Security Cameras - Library	30,000	
Police		
Leased Squad Car Build Ups	66,000	} \$ 69,500
Officer Furniture	3,500	
Fire		
Apparatus iPad Replacement	3,000	} \$ 33,000
Radios and Pagers	30,000	
Civil Defense		
Siren	28,000	} \$ 28,000
Community Development		
		} \$ -

CAPITAL EQUIPMENT & FACILITIES EXPENDITURE DETAIL (continued)

2026 Proposed Capital		Subtotals
Public Works - Parks		
Tree Replacement	25,000	} \$ 244,000
Picnic Table/Grilling Station/Trash Can Replacement	15,000	
Park Weed and Feed Program	25,000	
Bench Installation Program	5,000	
Park ADA Upgrades	25,000	
Park Sign Replacement	5,000	
Security Cameras	8,000	
Gator	30,000	
<i>Facility Projects</i>		
Lum Park - Stone Arch Roof Assembly	6,000	
Memorial - Main Playground	100,000	
Public Works - Streets		
Tree Replacement	25,000	} \$ 456,000
Leased Vehicles Build Up	36,000	
Plow Truck	360,000	
Wing Plow (100% of Cost)	35,000	
Public Works - Engineering		} \$ -
Total Cash to be Spent	6,776,211	
<i>Park Board Long-term Capital Asset Maintenance Request</i>	<i>457,386</i>	
Total Capital Planned 2026	\$ 7,233,597	

TRANSIT FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Property Taxes	-	-	-
Grants & Aids	1,459,551	1,669,670	1,644,030
Intergovernmental	-	-	-
Charges for Services	179,935	164,400	189,772
Other Revenue	7,447	5,000	10,000
Total Revenues	<u>1,646,933</u>	<u>1,839,070</u>	<u>1,843,802</u>
Expenditures			
Personnel Services	138,491	252,022	271,305
Supplies	80,758	86,550	92,679
Services	1,233,594	1,279,528	1,315,827
Capital	114,904	147,000	127,300
Total Expenditures	<u>1,567,746</u>	<u>1,765,100</u>	<u>1,807,111</u>
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>79,186</u>	<u>73,970</u>	<u>36,691</u>
Fund Balance - Jan 1st	264,166	343,353	417,323
Fund Balance - Dec 31st	343,353	417,323	454,013

RECYCLING FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Property Taxes	-	-	-
Intergovernmental	-	-	-
Used Oil Revenue	300	500	200
Other Revenue	19	-	-
Total Revenues	<u>319</u>	<u>500</u>	<u>200</u>
Expenditures			
Services	-	-	-
Used Oil Expenditures	1,743	1,822	1,913
Total Expenditures	<u>1,743</u>	<u>1,822</u>	<u>1,913</u>
Other Sources (Uses)			
Transfer In (Out)	1,500	1,500	1,500
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>1,500</u>	<u>1,500</u>	<u>1,500</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>76</u>	<u>178</u>	<u>(213)</u>
Fund Balance - Jan 1st	433	509	687
Fund Balance - Dec 31st	509	687	474

PARKING LOT FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Property Taxes	-	-	-
Charges for Services	50,195	52,000	51,000
Other Revenue	-	-	-
Total Revenues	<u>50,195</u>	<u>52,000</u>	<u>51,000</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	17,152	17,731	18,158
Capital	-	-	-
Total Expenditures	<u>17,152</u>	<u>17,731</u>	<u>18,158</u>
Other Sources (Uses)			
Transfer In (Out)	(14,936)	(30,700)	(30,700)
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>(14,936)</u>	<u>(30,700)</u>	<u>(30,700)</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>18,107</u>	<u>3,569</u>	<u>2,142</u>
Fund Balance - Jan 1st	(23,513)	(5,407)	(1,838)
Fund Balance - Dec 31st	(5,407)	(1,838)	304

PERMANENT IMPROVEMENT FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Property Taxes	378,470	417,539	425,890
Other Taxes	5,766	-	-
Total Revenues	<u>384,237</u>	<u>417,539</u>	<u>425,890</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	-	-	-
Capital	-	-	-
Total Expenditures	<u>-</u>	<u>-</u>	<u>-</u>
Other Sources (Uses)			
Transfer In (Out)	(387,457)	(417,539)	(425,890)
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>(387,457)</u>	<u>(417,539)</u>	<u>(425,890)</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>(3,221)</u>	<u>-</u>	<u>-</u>
Fund Balance - Jan 1st	8,964	5,743	5,743
Fund Balance - Dec 31st	5,743	5,743	5,743

MAYOR'S CONTINGENCY FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Intergovernmental	-	-	2,500
Total Revenues	<u>-</u>	<u>-</u>	<u>2,500</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	564	2,500	2,500
Capital	-	-	-
Total Expenditures	<u>564</u>	<u>2,500</u>	<u>2,500</u>
Other Sources (Uses)			
Transfer In (Out)	2,500	2,500	-
Other Sources (Uses)	(1,936)	-	-
Total Other Sources (Uses)	<u>564</u>	<u>2,500</u>	<u>-</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Fund Balance - Jan 1st	-	-	-
Fund Balance - Dec 31st	-	-	-

EDA FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Property Taxes	183,137	186,812	186,812
Other Taxes	2,150	-	-
Interest	1,748	550	1,500
Other Revenues	-	-	-
Total Revenues	<u>187,035</u>	<u>187,362</u>	<u>188,312</u>
Expenditures			
Personnel Services	-	-	-
Supplies	-	-	-
Services	160,891	182,592	220,118
Total Expenditures	<u>160,891</u>	<u>182,592</u>	<u>220,118</u>
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Other Sources (Uses)	-	-	-
Total Other Sources (Uses)	<u>-</u>	<u>-</u>	<u>-</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>26,144</u>	<u>4,770</u>	<u>(31,806)</u>
Fund Balance - Jan 1st	80,284	106,428	111,198
Fund Balance - Dec 31st	106,428	111,198	79,392

SANITARY SEWER ENTERPRISE FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Operating Revenues			
Charges for Services	905,864	852,765	907,378
Miscellaneous Revenue	2,466	-	-
Total Revenues	<u>908,330</u>	<u>852,765</u>	<u>907,378</u>
Operating Expenditures			
Salaries and Benefits	205,595	195,151	208,325
Professional Services	989	1,000	9,000
Repairs and Maintenance	60,034	40,000	132,610
Insurance	5,949	6,306	6,623
Lease Payments	21,274	15,038	15,038
Depreciation/Amortization	493,907	482,000	480,000
Materials and Supplies	6,979	8,800	10,300
Miscellaneous	2,107	2,676	3,114
Total Operating Expenses	<u>796,833</u>	<u>750,970</u>	<u>865,010</u>
Operating Income (Loss)	<u>111,497</u>	<u>101,795</u>	<u>42,368</u>
Nonoperating Revenues (Expenses)			
Intergovernmental	278,550	275,000	264,143
Gain (Loss) on Disposal of Asset	-	-	-
Interest Income	32,040	5,000	25,000
Interest Expense and Fiscal Charges	(39,749)	(28,674)	(22,444)
Contributed Capital	-	-	-
Total Nonoperating Revenue (Exp.)	<u>270,841</u>	<u>251,326</u>	<u>266,699</u>
Change in Net Position Before Transfers	<u>382,338</u>	<u>353,121</u>	<u>309,067</u>
Transfers In (Out)	-	-	-
Change in Net Position	<u>382,338</u>	<u>353,121</u>	<u>309,067</u>
Net Position- Beginning of Year	9,187,626	9,569,964	9,923,084
Net Position - End of Year	9,569,964	9,923,084	10,232,152

STORM SEWER ENTERPRISE FUND

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Operating Revenues			
Charges for Services	554,787	485,000	576,363
Total Revenues	<u>554,787</u>	<u>485,000</u>	<u>576,363</u>
Operating Expenditures			
Salaries and Benefits	93,905	157,958	169,404
Professional Services	6,625	2,500	10,470
Repairs and Maintenance	290	20,000	127,088
Insurance	2,974	3,152	3,662
Lease Payments	2,540	10,263	10,263
Depreciation/Amortization	339,386	300,000	270,000
Materials and Supplies	523	1,200	2,296
Miscellaneous	5,139	7,802	7,208
Total Operating Expenses	<u>451,382</u>	<u>502,875</u>	<u>600,391</u>
Operating Income (Loss)	<u>103,405</u>	<u>(17,875)</u>	<u>(24,028)</u>
Nonoperating Revenues (Expenses)			
Intergovernmental	888,597	60,066	63,260
Interest Income	969	-	-
Interest Expense and Fiscal Charges	(577)	-	(7,930)
Total Nonoperating Revenue (Exp.)	<u>888,989</u>	<u>60,066</u>	<u>55,330</u>
Change in Net Position Before Transfers	<u>992,394</u>	<u>42,191</u>	<u>31,301</u>
Transfers In (Out)	(1,500)	(1,500)	(1,500)
Change in Net Position	<u>990,894</u>	<u>40,691</u>	<u>29,801</u>

PARK BOARD BUDGET – Informational

	<u>2024 Actual</u>	<u>2025 Budget</u>	<u>2026 Budget</u>
Revenues			
Intergovernmental	-	-	-
Charges for Services	125,153	179,750	150,750
Other Revenue	11,281	2,000	2,500
Total Revenues	<u>136,434</u>	<u>181,750</u>	<u>153,250</u>
Expenditures			
Personnel Services	798,671	977,529	1,026,063
Supplies	136,362	180,500	148,932
Services	261,778	295,240	304,939
Total Expenditures	<u>1,196,811</u>	<u>1,453,269</u>	<u>1,479,934</u>
Other Sources (Uses)			
Transfer In (Out)	-	-	-
Sale of Assets	-	9,000	38,000
Total Other Sources (Uses)	<u>-</u>	<u>9,000</u>	<u>38,000</u>
Excess of Revenue Over (Under)			
Expenditures and Other Sources (Uses)	<u>(1,060,377)</u>	<u>(1,262,519)</u>	<u>(1,288,684)</u>
Capital - Budgeted	398,500	187,500	244,000
Capital Savings	-	419,234	457,386
Total Capital	<u>398,500</u>	<u>606,734</u>	<u>701,386</u>
Actual/Budget Requested	<u>(1,458,877)</u>	<u>(1,869,253)</u>	<u>(1,990,070)</u>

From: [Nick Broyles](#)
To: [Mike Habighorst](#); [Toni Gage](#)
Subject: Transit Response from Baxter
Date: Wednesday, December 3, 2025 11:06:12 AM
Attachments: [image001.png](#)

Mayor and City Council,

Please see the response from Baxter below when asked about potentially adjusting their rates. Staff was asked to explore this at the Oct 6 CC meeting.

Regards

Nick



Nick Broyles, MPA | City Administrator
City of Brainerd | 501 Laurel Street Brainerd MN 56401
218.828.2307 | nbroyles@ci.brainerd.mn.us

From: Bradley Chapulis <BChapulis@baxtermn.gov>
Sent: Monday, December 1, 2025 9:49 AM
To: Nick Broyles <nbroyles@ci.brainerd.mn.us>
Cc: Mike Habighorst <mhhabighorst@ci.brainerd.mn.us>; Jeremy Vacinek <JVacinek@baxtermn.gov>
Subject: RE: Transit

*** **Warning:** External sender, use extreme caution with attachments and links ***

Nick:

The City's response is "The City of Baxter is currently reviewing the ridership and revenue/expense data to determine any adjustments to its rates. The City bases its rates on the revenues derived from the program/service and does not subsidize the cost of this service through the use of its levy or other city funds."

Mike – Thanks for the 2025 YTD ridership numbers. Do you have the same for revenue/expenses? Also, can you please resend the previous year numbers also. Thanks.

Brad

From: [Nick Broyles](#)
To: [Mike Habighorst](#); [Toni Gage](#)
Subject: Transit Response from CWC
Date: Wednesday, December 3, 2025 11:03:06 AM
Attachments: [image002.png](#)

Mayor and City Council,

Please see the below response from CWC. Staff was asked to explore this at the Oct 6 CC meeting.

Regards

Nick



Nick Broyles, MPA | City Administrator
City of Brainerd | 501 Laurel Street Brainerd MN 56401
218.828.2307 | nbroyles@ci.brainerd.mn.us

From: Debby Erickson <Debby.Erickson@crowwing.gov>
Sent: Wednesday, December 3, 2025 8:37 AM
To: Nick Broyles <nbroyles@ci.brainerd.mn.us>
Subject: RE: Transit

*** **Warning:** External sender, use extreme caution with attachments and links ***

Good morning, Nick.

Crow Wing County does not have any interest in solely operating transit, and we would not be interested in any changes from the current agreement before the end of the agreement term in June of 2027.

Deborah A. Erickson

County Administrator
326 Laurel Street, Suite 13
Brainerd, MN 56401

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Our Vision: Being Minnesota's favorite place.
Our Mission: Serve well. Deliver value. Drive results.
Our Values: Be responsible. Treat people right. Build a better future.

