

CITY COUNCIL AGENDA

Brainerd, Minnesota

June 3, 2019

7:30 P.M.

Brainerd City Hall

Council Chambers

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

2. **Roll Call**

___ D. Badeaux ___ S. Hilgart ___ J. Lambert ___ K. Stunek

___ D. Pritschet ___ K. Bevans ___ G. Johnson ___ Mayor Menk

3. **Pledge Of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval Of Minutes**

1. Regular Meeting Held on May 20, 2019

Documents:

[20190520_CC draft.pdf](#)

B. **Approval Of Licenses**

Contractor Licenses - 3 New; 4 - Renewals

Bulk Plant License - 1 Renewal

Growler License - 1 Renewal

Filling Station License - 8 Renewals

Off-Sale Beer Licenses - 5 Renewals

Taproom License - 1 Renewal

On-Sale Wine/Beer License - 1 Renewal

On-Sale Liquor Licenses - 11 Renewals

Club On-Sale Licenses - 4 Renewals

Off-Sale Liquor Licenses - 6 Renewals

On-Sale Liquor Licenses - 3 Renewals

Documents:

CONTRACTOR LICENSE REPORT - 2019-06-03.pdf
2019-2020 Renewal List for Council.pdf

C. Department Activity Reports

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf
Park Director Report.pdf

**D. Minnesota Lawful Gambling Application For Exempt Permit -
Submitted By WeARE - Advocates For Reproductive Education,
424 James St., Brainerd For An Event To Be Held On June 26, 2019
At The Luminary Fern, 210 Blacksmith Cir., Brainerd**

**E. Resolution Modifying The 2019-2021 Deputy Police Chief Wage
Grid - Adoption Of**

Documents:

Resolution Modifying 2019-2021 Deputy Police Wage Grid.pdf

6. Council Committee Reports

A. Personnel And Finance Committee - 7:15 P.M.

Documents:

2019-06-03_PF.pdf

1. Approval Of Bills
2. Recommendations For Paid On Call Hiring

Documents:

2019 POC Hiring - Headley Ingman Hidalgo Kramer.pdf

3. Sale Of 1983 E-One Aerial Apparatus

Documents:

2019 Sale of L1.pdf

4. Mattson Loan Subordination

Documents:

Mattson Subordination.pdf

5. (Added Item) Informational - City Administrator Torstenson

Performance Review Process

Documents:

Added Item.pdf

B. Safety And Public Works Committee - 7:00 PM

Documents:

20190603_SPW.pdf

1. Event/Street Closure Application - Kickoff To Summer

Documents:

Event Street Closure Application - Kick off to Summer.pdf

2. Improvement 14-05 - Stonebridge Final Lift Discussion

Documents:

Improvement 14-05 - Stonebridge Development Final Paving.pdf

3. Improvement 18-08 (SAP 108-126-014) And 18-09 (SAP 108-124-008) - College Drive And South 4th Street Mill And Overlay Project - Consideration Of Bids And Award Recommendation

Documents:

Improvements 18-08 and 18-09 - Bid Results and Award Recommendation.pdf

4. Improvement 19-03 - 2019 Seal Coat Project - Consideration Of Bids And Award Recommendation

Documents:

Improvement 19-03 - 2019 Seal Coat - Bid Consideration and Award Recommendation.pdf

5. Improvement 19-04 - 2019 Crack Sealing Project - Consideration Of Quotes And Award Recommendation

Documents:

Improvement 19-04 - 2019 Crack Sealing - Quotes and Award Recommend..pdf

6. Resolution Designating The East River Road Parking Lot For Student Parking For The 2019-2020 School Year

Documents:

7. Unfinished Business

A. Call For Applicants - Informational

(Applications Available in Council Chambers, at City Hall or at the City's Website)(<http://www.ci.brainerd.mn.us>)

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

Cable TV Advisory Committee - 2 terms (Expire 2021)
Charter Commission - 1 term (Expire 2021) - 1 term (Expire 2022)
Transportation Advisory Committee - 1 term (Expire 2020)

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

Planning Commission - 1 term (Expire 2021)

B. (Added Item) Committee Recommendations - Recommended By Council President

Documents:

Woodward, Theresa.pdf

8. New Business

A. Presentation Of Bronze Award For Bikeable Community

Documents:

Presentation of Bronze Award for Bicycle Friendly Community.pdf

B. Request For Hearing - Potentially Dangerous Dog

Documents:

2019-06-03PotentiallyDngrsDogHearing.pdf

C. Set Council Workshop - General Work Session

Documents:

Workshop.pdf

9. Planning Commission

A. Variance Request - 702 S. 5th St. Brainerd High School - Setback

Requirement From 25' To 15'

Documents:

Variance Request - BHS Performing Arts Center.pdf

- B. **Conditional Use Permit Request - Brainerd High School, 702 S. 5th St. - For The Construction Of Additions At The High School**

Documents:

Brainerd High School Conditional Use Permit.pdf

- C. **First Reading - Proposed Ordinance No. 1495 - An Ordinance To Rezone Property At 50 Jenny Street From An R-1A To An I-1 - City Administrator Torstenson Recommends To Dispense With The Actual Reading**

Documents:

First Reading - Proposed Ordinance No. 1495.pdf

- D. **First Reading - Proposed Ordinance No. 1496 - An Ordinance Replacing Section 400 Of Chapter IV Of The City Code - City Administrator Torstenson Recommends To Dispense With The Actual Reading**

Documents:

First Reading - Ordinance 1496.pdf

10. **Public Forum**

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

11. **Staff Reports**

(Verbal: Any Updates since Packet)

12. **Council Member Reports**

13. **Adjourn To Council Workshop June 10, 2019 At 5:30 P.M.**

Note: Safety and Public Works Committee will meet at 7:00 p.m.
Personnel and Finance Committee will meet at 7:15 p.m.

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

MISSION

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

**Brainerd, MN
May 20, 2019**

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

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

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

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on May 6, 2019 - Approved

B. Approval of Licenses – Approved

Contractor Licenses – 3 – New; 6 – Renewals
Taxicab Application – Submitted by Baker Transportation, Inc. dba Elite Taxi, 630 30th Ave N., St. Cloud, MN 56303 – Contingent Upon Police Department Approval

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Memorandum of Agreement Between the City of Brainerd and IBEW Local No. 31 (Administrative Support) Union Setting 2019-2020 Wages for the Transit Operations Specialist Position - Approved

E. Minnesota Lawful Gambling Premises Permit Application – Adopt Resolution to Allow Lawful Gambling by the Baxter Snowmobile Club at the Last Turn Saloon Upper Level, 214-216 South 8th Street, Brainerd – Adopted by Resolution 38:19

F. Temporary On-Sale Liquor License Application – Submitted by VFW Post #1647, 309 S. 6th St. for an Event to be Held June 1, 2019 at the Brainerd National Guard Armory, 1115 Wright St., Brainerd - Approved

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

Presentations

The Chair welcomed Ms. Mary Devine Johnson, executive director of Visit Brainerd who gave a brief overview of the organization. The organization is funded primarily by a 3% lodging

tax collected from the short-term entities in the Cities of Baxter and Brainerd. Their purpose is to market and promote the City as a tourist or convention center. The Chair thanked her for the presentation.

The Chair welcomed Ms. Jennifer Bergman, executive director of the Brainerd Housing and Redevelopment Authority who explained what the HRA consists of and the purpose of the HRA. She explained the strategic plan goals and action steps for 2019-2020, as well as the five-year vision of the organization. The Chair thanked her for the update.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK TO APPROVE THE PAYMENT OF BILLS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE.

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

Prosecution Attorney Agreement - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX TO APPOINT SEVERSON PORTER AS THE CITY PROSECUTOR AND HAVE THEM ASSUME THE SAME TERMS AND CONDITIONS OF THE EXISTING AGREEMENT WITH MATT MALLIE WHICH RUNS THROUGH DECEMBER 31, 2022.

City Administrator Torstenson indicated Severson Porter would like to work with Mr. Mallie as soon as possible for the transition of duties and daily operations.

Council Member Johnson indicated the Council asked for more details about all the options, but the direction was not followed as Council had requested. He stated he requested to go out for a Request for Proposal (RFP) with a temporary attorney in place and a transition plan with Mr. Mallie, which was not provided.

Committee Chair Hilgart explained the steps and processes that took place to get to the point of a recommendation.

Council discussion took place.

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

Police Department Vehicles – Community Service Officer Vehicle - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO AUTHORIZE THE PURCHASE OF A 2019 FORD F-150 FROM MILLS FORD FOR \$24,280 PLUS TAX AND LICENSING TO REPLACE THE TOTALED OUT 2014 CHEVROLET COLORADO COMMUNITY SERVICE OFFICER TRUCK USING THE INSURANCE PAYMENTS RECEIVED AS FUNDING.

Deputy Police Chief Wage Discussion - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX TO IMPLEMENT OPTION B FROM THE SUPPLEMENTED DOCUMENTATION PROVIDED IN SETTING THE WAGE FOR THE DEPUTY POLICE CHIEF FOR 2019-2021.

Council Member Stunek stated he made the recommendation to offer an additional 1%, 2% and 3% in order for the city employee to receive a raise this year. He stated the terms of employment for this employee were 90% of the police chief wage when he was promoted in 2004. He is strongly opposed to this motion, as it should be at 90% of the chief wages.

Committee Chair Hilgart indicated the reason for advocating for option B of the six options presented as it is equitable to the lowest increase that any other non-union supervisor received, and the wage study indicated this position was over market.

Council discussion took place.

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

Safety and Public Works Committee Report

Event/Street Closure Application – Auction at 10th Avenue NE and I Street – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR THE AUCTION AT 10TH AVENUE NE AND I STREET ON JUNE 22, 2019 UNDER THE CONDITIONS THAT THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT AND THE APPLICANT NOTIFY RESIDENTS IN A ONE BLOCK RADIUS PRIOR TO THE EVENT.

Event/Street Closure Application – Jaycees Street Fest - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR THE JAYCEES STREET FEST, JULY 26 AND 27, 2019 UNDER THE CONDITIONS THAT THE REQUEST FOR TRAFFIC CONTROL BE MADE ONE WEEK PRIOR TO THE EVENT AND THE APPLICANT COORDINATE POLICE STAFFING WITH DEPUTY POLICE CHIEF BESTUL.

Event/Street Closure Application – Brainerd Pride Picnic - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR THE BRAINERD PRIDE PICNIC ON JUNE 8, 2019 UNDER THE CONDITION THE APPLICANT REQUEST ANY NEED FOR TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT.

Event/Street Closure Application – Sober Squad Walk 4 Hope - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR WALK 4 HOPE ON JUNE 8, 2019 UNDER THE CONDITIONS THAT TEMPORARY SIGNS ALONG THE ROUTE ARE REMOVED AFTER THE EVENT AND THE APPLICANT WORK WITH THE POLICE DEPARTMENT FOR THE REQUESTED ESCORT THROUGH NORTHEAST BRAINERD.

Downtown Landscaping Contract – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT THE BID FROM NORTHWOODS LANDSCAPING IN THE AMOUNT OF \$12,180 FOR DOWNTOWN LANDSCAPING SERVICES FOR 2019.

Improvement 15-12 and 16-10 Final Pay Estimate - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE PAY APPLICATIONS AND FINAL PAYMENT TO ANDERSON BROTHER'S CONSTRUCTION IN THE COMBINED AMOUNT OF \$798,549.

Improvement 17-06, 17-07 and 18-05 – Request to Authorize Professional Services Contract with Short Elliott Hendrickson (SEH) for Construction Administration - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AUTHORIZING THE CONTRACT WITH SHORT ELLIOTT HENDRICKSON (SEH) IN THE ANTICIPATED AMOUNT OF \$110,779 FOR THE CONSTRUCTION ADMINISTRATION AND OBSERVATION ON IMPROVEMENTS 17-06, 17-07 AND 18-05.

Resolution - Improvement 16-09 Parking Restrictions – Adopted by Resolution 39:19

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT A RESOLUTION RELATED TO IMPROVEMENT 16-09 (SAP 108-136-004) FOR PARKING RESTRICTIONS ON BUFFALO HILLS LANE FROM GREENWOOD STREET TO THE DEAD END.

RESOLUTION NO. 39:19

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

City Wide Stormwater Retrofit Plan – Discussion and Staff Direction - Approved

City Engineer Sandy explained having a city-wide stormwater retrofit analysis completed leads to competitive Clean Water Fund grant applications for implementation of prioritized projects.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DIRECT STAFF TO CONTINUE TO WORK WITH WIDSETH SMITH NOLTING (WSN), HRGREEN, THE MISSISSIPPI HEADWATERS BOARD AND ANY OTHERS TO

OBTAIN A CITY-WIDE STORMWATER RETROFIT STUDY PERFORMED WITH THE EXPECTATIONS OF PLACING \$35,000 - \$50,000 BUDGET ITEM ON THE 2020 BUDGET.

(Added Item) Improvement 17-08 Safe Routes to School Project Amendment - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AMEND THE MOTION FROM THE MAY 6, 2019 COUNCIL MEETING FOR YOUNG'S EXCAVATING TO: AWARD THE BID TO YOUNG'S EXCAVATING PENDING THE STATE OF MINNESOTA APPROVAL OF THE BID.

Unfinished Business

Children's Museum – Library Option Discussion

Community Development Director Chanski explained at the Council meeting held on May 6, 2019, concerns were raised regarding the library property being an option for the children's museum. He stated he received notice that five sites have been selected for consideration, and the library is not one of them. He said he met with the library branch director and the chairperson of the library grounds committee to discuss the proposal and to share our regret in the lack of communication. He indicated that Lum Park is one of the five possible sites.

Council discussion took place.

Committee Recommendations – Recommended by Council President

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPOINT MR. CHRISTOPHER FOLEY TO THE PLANNING COMMISSION FOR A TERM TO EXPIRE 12/31/2021.

Call for Applicants – Informational:

(Application Information at www.ci.brainerd.mn.us/boards/)

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

Cable TV Advisory Committee – 2 terms (Expire 2021)

Charter Commission – 1 term (Expire 2021) – 1 term (Expire 2022)

Transportation Advisory Committee – 1 term (Expire 2020)

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

Planning Commission – 1 term (Expire 2021)

New Business

Community Member of the Month

Community Development Director Chanski indicated this program has been created to recognize members of the community that are dedicated to making Brainerd a better place. He introduced Collin Mieras, the summer intern for the Planning Department and who will be handling the implementation of the program.

Planning Intern Mieras explained the purpose and the details of the program, along with the voting process. He stated the idea originated with Councilman Badeaux in recognizing goods deeds being done in the community.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED, TO PROCEED WITH THE COMMUNITY MEMBER OF THE MONTH INITIATIVE.

Public Forum

The Chair opened the Public Forum at 8:43 p.m.

No one came forward.

The Chair closed the Public Forum at 8:43 p.m.

Staff Reports

City Engineer Sandy announced that Dale Rademacher, Street Foreman will be retiring July 5, 2019 after 30 years of excellent service to the City of Brainerd.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO ACCEPT WITH REGRET DALE RADEMACHER'S RETIREMENT EFFECTIVE JULY 5, 2019 AND AUTHORIZE STAFF TO FILL THE VACANT POSITION TWO WEEKS PRIOR FOR TRAINING OF THE NEW HIRE.

City Administrator Torstenson stated the marketing intern is working on the downtown Farmer's Market, which will start on June 11, 2019 from 3:00 – 6:00 p.m. on Tuesday's this summer. She indicated the intern will also be working on events with businesses downtown and Washington Street.

Council Member Reports

Council Member Badeaux thanked the Council for approving the Community Member of the Month initiative.

Council Member Hilgart attended the Fire Advisory Committee meeting this afternoon and said it is great how the members are engaged in their role on the committee.

Council Member Lambert invited everyone to the Brainerd Memorial Day service at 10:00 a.m. at Evergreen Cemetery.

Adjourn to Harrison School Groundbreaking Event May 22, 2019

The Chair adjourned the meeting at 8:52 p.m.

Cassandra Torstenson
City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
June 3, 2019

(3 New - 4 Renewals)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
CUSTOM MECHANICAL & SHEET METAL LLC 6209 HIGHLAND SCENIC ROAD BAXTER, MN 56425 19-0178	(218) 821-1068	MECH	12/6/2019	1/1/2020	MB676877
ERKENS WATER SOFTENER SERVICE INC. 109 2ND AVE NE PO BOX 461 COLD SPRING, MN 56320 19-0187 (new)	(320) 685-8762	WATC	10/7/2019	12/31/2019	WC646957
VELOCITEL LLC 1150 1ST AVENUE SUITE 600 KING OF PRUSSIA, PA 19406 19-0188 (new)	(651) 361-8110	TECH	11/30/2019	12/31/2019	
SPORTSMANS PLUMBING HEATING AND AC 12705 STATE 64 SW MOTLEY, MN 56466 19-0189	(218) 831-8720	MECH PLUM	11/1/2019	11/9/2020	MB749035 PC749035
J-BERD MECHANICAL 1 INDUSTRIAL BLVD SAUK RAPIDS, MN 56379 19-0190	(320) 656-0847	MECH PLUM	1/1/2021	9/8/2020	MB006107 PC642621
HOFFMAN PLUMBING INC. 12186 COUNTY 100 SAUK CENTRE, MN 56378 19-0191 (new)	(320) 424-0558	PLUM	7/1/2019	12/31/2019	PC660033
WEATHERPROOFING TECHNOLOGIES, INC. 3735 GREEN ROAD BEACHWOOD, OH 44122 19-0192	(216) 292-5000	GENC	4/1/2020	12/31/2019	

**2019-2020 LICENSE RENEWALS
JUNE 3, 2019 COUNCIL MEETING**

BULK PLANT LICENSE – 1 Renewal

Best Oil Company, LLC
1202 Madison Street
Brainerd, MN 56401

GROWLER LICENSE – 1 Renewal

Roundhouse Brewery
1551 Northern Pacific Road
Brainerd, MN 56401

FILLING STATION LICENSES – 8 Renewals

Mill Ave Holiday
1500 Mill Ave
Brainerd, MN 56401

Southside Express
701 Industrial Park Road SW
Brainerd, MN 56401

Holiday Stationstores, LLC.
424 South 6th Street
Brainerd, MN 56401

Speedway #4076 Northern Tier
1223 South 6th Street
Brainerd, MN 56401

Superamerica #4883
321 Washington Street
Brainerd, MN 56401

Speedway #4880 Eastside
421 NE Washington Street
Brainerd, MN 56401

Casey's General Store #3654
850 Lum Park Rd
Brainerd, MN 56401

Pine Square
3325 Oak Street
Brainerd, MN 56401

OFF SALE BEER – 4 Renewals

Brainerd Cub Foods – S&R Quisberg, Inc.
417 8th Ave NE
Brainerd, MN 56401

Speedway #4076 Northern Tier
1223 South 6th Street
Brainerd, MN 56401

Casey's General Store #3654
850 Lum Park Rd
Brainerd, MN 56401

Holiday Stationstores, LLC.
424 South 6th Street
Brainerd, MN 56401

TAPROOM LICENSE – 1 Renewal

Roundhouse Brewery
1551 Northern Pacific Road
Brainerd, MN 56401

ON SALE WINE/BEER LICENSES – 1 Renewals

Quality Restaurants – Brick House Pizza Break & Bagel
302 Washington Street
Brainerd, MN 56401

ON SALE LIQUOR LICENSES – 11 Renewals

Pit Stop Bar
723 Laurel Street
Brainerd, MN 56401

Shep's on 6th Inc.
315 S 6th Street
Brainerd, MN 56401

O'Neary's Irish Pub
305 S 7th Street
Brainerd, MN 56401

Yesterday's Gone
219 S 9th Street
Brainerd, MN 56401

Jack's House
300 Hwy 25 South
Brainerd, MN 56401

The Parlor
714 Laurel Street
Brainerd, MN 56401

9th Street Social Club
212 S 9th Street
Brainerd, MN 56401

The Last Turn Saloon & Eatery
214-216 S 8th Street
Brainerd, MN 56401

CLASS 2
RESTAURANT

Senor Patron Mexican Cuisine
314 S. 7th Street
Brainerd, MN 56401

CLASS 2
RESTAURANT

The Skillet Restaurant
121-123 Washington St
Brainerd, MN 56401

CLASS 2
RESTAURANT

The Local 218
723 Mill Ave
Brainerd, MN 56401

CLASS 2 RESTAURANT

CLUB ON SALE LICENSES – 2 Renewals

Brainerd Elks Lodge
215 South 9th Street
Brainerd, MN 56401

VFW Post #1647
309 South 6th Street
Brainerd, MN 56401

OFF SALE LIQUOR LICENSES – 6 Renewals

Barrett's NE Liquors
105 Washington Street NE
Brainerd, MN 56401

Mill Ave Liquor LLC
1424 Mill Ave NE
Brainerd, MN 56401

Cornerstone Liquor
817 Washington Street
Brainerd, MN 56401

EVAS, Inc – Southside Express
701 Industrial Pk Rd SW
Brainerd, MN 56401

Coborn's - Cash Wise Liquor
513 B Street NE
Brainerd, MN 56401

Silverstrand – Pine Square Liquor
3325 Oak Street
Brainerd, MN 56401

Contingent Upon Inspection by the Fire Department

ON SALE LIQUOR LICENSES – 3 Renewal

SE'z LLC
707 Laurel Street (Basement)
Brainerd, MN 56401

Sage on Laurel
606 Laurel Street
Brainerd, MN 56401

CLASS 2 RESTAURANT

612 Station LLC
612 Front Street
Brainerd, MN 56401

CLASS 2 RESTAURANT

Contingent Upon Inspection by the Fire Department

CLUB ON SALE LICENSES – 2 Renewal

Brainerd Eagles #287
124 Front Street
Brainerd, MN 56401

American Legion #255
708 Front Street
Brainerd, MN 56401

Contingent Upon Inspection by the Fire Department

OFF SALE BEER LICENSES – 1 Renewal

Pine Square
3325 Oak Street
Brainerd, MN 56401

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: May 30, 2019
Re: May 2019 Activity Report



During the month of May, we hosted Lowell and Baxter 1st Grade classes for a station tour, as well as several Cub Scout groups. We participated with Brainerd Police Department at the Tri-County Head Start Police and Fire Day and we presented fire safety information to adults at Brighter Horizons. The department also provided fire extinguisher training to Keystone Automotive employees.

We participated in the Forestview Middle School Health and Safety Days. Firefighters used the Kitchen Fire Demonstration trailer and the Fire Extinguisher Training simulator for the 2-day event. Unattended cooking is the leading cause of house fires in Minnesota and we demonstrated the importance of not using water to extinguish a grease fire in the kitchen.



Firefighter training in May included Pumping and Drafting Operations, Slope/Steep Angle Rescue and the North Air Care Spring conference. FM/DC Cox attended the Fire Code Academy hosted by the MN State Fire Marshal's office. Chief Holmes attended the 100X Leader Summit hosted by the Brainerd Lakes Chamber and completed the Giant Xcelerate Leadership training hosted by Sourcewell.

We received treat bags from the St. Francis of the Lakes Catholic School Student Council.



Brainerd Fire Coverage Area Incident Report (Includes City of Brainerd)

Structure Fire	2
Grass Fire	6
Vehicle Crash	4
Gas Leak	2
Assist Other Governmental Agency	5
Unauthorized Burning	2
Good Intent Call	2
Canceled Enroute	9
Alarm System Activation	5
Carbon Monoxide Alarm	3
Total	40

City of Brainerd Incident Report

Grass Fire	1
Vehicle Crash	3
Assist Other Governmental Agency	5
Unauthorized Burning	2
Good Intent Call	1
Canceled Enroute	4
Alarm System Activation	4
Carbon Monoxide Alarm	2
Total	22

Parks and Recreation Report

June 2019

Gregory Park warming house

The Park Board accepted the bid for \$214,265.55 from Baratto Brothers for the construction of the Gregory Park warming house. Construction will begin after July 4 with a completion date of no later than Oct. 11. See attached for design and floor plan.

Brainerd Ski Loons contract

The Park Board approved an annual contract with the Brainerd Ski Loons for the use of Lum Park as a staging area for practices and shows. The City's contract with the Ski Loons will be reviewed annually. See attached for the approved contract.

World War II monument dedication

The World War II monument was installed on May 23 at Memorial Park. A dedication ceremony will take place at 1 p.m. on Sunday, June 9. The Brainerd VFW and Legion Color Guard will present the colors, Allison Struffert will sing the national anthem and there will be a couple of speakers. The monument and flag pole were purchased and installed with donations from the Brainerd VFW, Brainerd Legion, Brainerd Eagles, Brainerd Elks, Disabled American Veterans, the Brainerd Masons and Eastern Star. See attached flier.

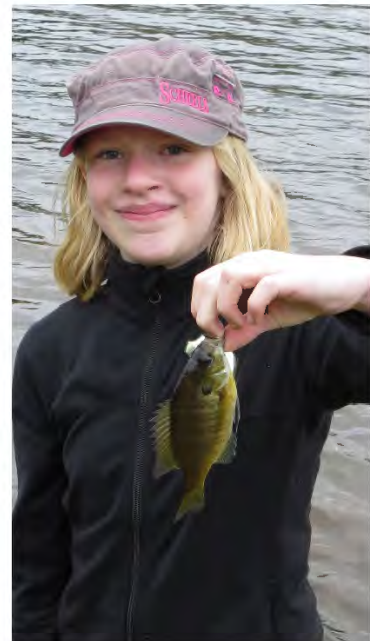
Meadows Park playground

The Meadows Park playground was installed on May 23. Staff will install a border and place wood chips before the playground is usable.

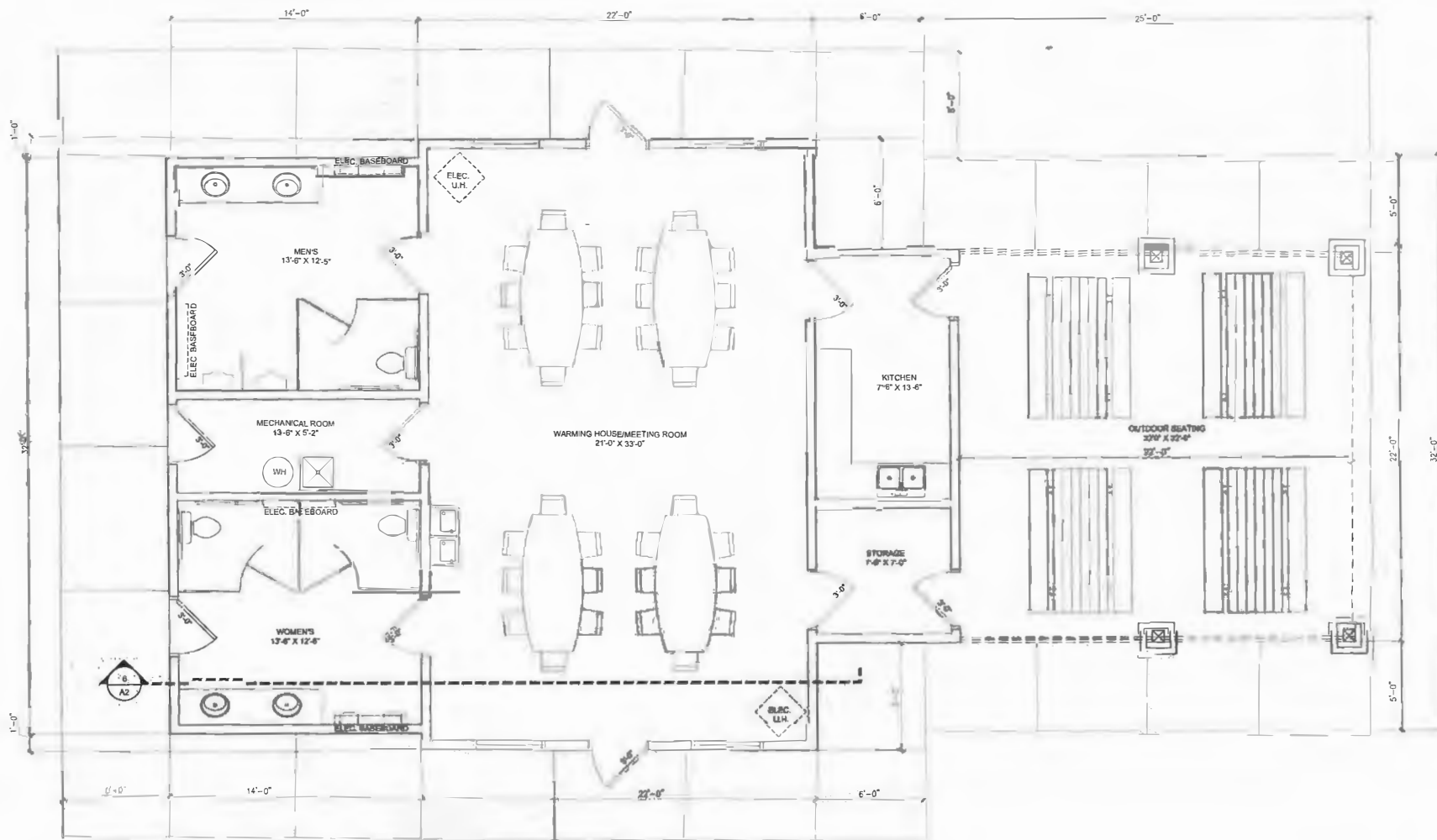


Fishing Clinic

The Fishing Clinic, on May 25 at Lum Park, had 93 youth participants.



- The Lakes Area Bicycle Clinic at Forestview Middle School on May 4 had 106 youth participants.
- Five youth baseball state qualifiers will take place on three consecutive weekends, beginning June 14, at Bane, Jaycees and Memorial parks, and at Mills and Adamson fields. Sixty-two teams are registered.
- Youth competitive baseball and softball games began the last week of May and all non-competitive programs begin the week of June 3.



INTERIOR NOTES

1. 1/2" GYPSUM WALLBOARD
2. RUBBER ATHLETIC FLOORING
3. VINYL BASE
4. STEEL DOORS W/ HM. FRAMES
5. METAL BATHROOM DIVIDERS

1

PROPOSED FLOOR PLAN

1/4" = 1'-0" ON 24 X 36 PAPER





1 PROPOSED NORTH ELEVATION

3/16" = 1'-0" ON 24 X 36 PAPER



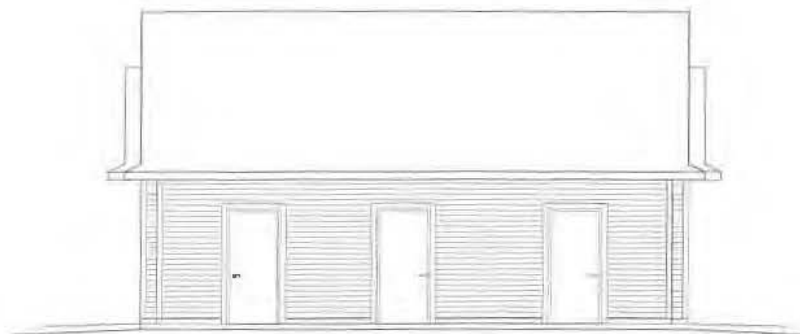
2 PROPOSED EAST ELEVATION

3/16" = 1'-0" ON 24 X 36 PAPER



4 PROPOSED SOUTH ELEVATION

3/16" = 1'-0" ON 24 X 36 PAPER



5 PROPOSED WEST ELEVATION

3/16" = 1'-0" ON 24 X 36 PAPER

- EXTERIOR NOTES
1. HARDIEPLANK LAP SIDING
 2. HARDIESHINGLE SHAKE SIDING
 3. 5/8" VIBRATEC TRIMS
 4. ROCKFACE BLOCK AT COLUMNS
 5. PREFINISHED ALUMINUM FASCIA & SOFFIT
 6. T&G PINE W/ STAIN FINISH @ OUTDOOR SEATING CEILING
 7. ASPHALT SHINGLE ROOFING

LUM PARK LEASE AND USE AGREEMENT

SKI LOONS

The City of Brainerd, by and through its Park Board, and Brainerd Ski Loons Water Ski Show Team, Inc., a Minnesota non-profit corporation, enter into this Agreement effective June 1, 2019.

Recitals

- A. The Ski Loons have used, and wish to continue to use, the City's Lum Park, on the shore of Rice Lake, as the staging area for practicing and performing water skiing shows.
- B. The Ski Loons wish to lease the City's boathouse in the Park for storage of equipment and to install a dock for use by the ski team members.
- C. The City is willing to allow the lease and use of its Lum Park facilities subject to the terms and conditions of this Agreement.

Agreement

- 1. Term. The term of this Agreement is from May 25, 2019, through August 31, 2019. This Agreement will be reviewed annually and no later than March 1 of each year.
- 2. Boathouse Lease.
 - a. In consideration of the payment of \$1.00, the Ski Loons may utilize the shower room of the existing boathouse for storage of equipment only.
 - b. The parties recognize that the shower room of the boathouse is provided solely to store equipment and is made available to the Ski Loons in an "as is" condition. By this Agreement, the Ski Loons accept the existing condition of the boathouse and agree that it is suitable for their limited purposes.
 - c. The shower room may be secured by the Ski Loons, provided the City retains access at all time for purposes of inspection and maintenance of the property.
- 3. Dock.
 - a. The Ski Loons own a dock built and designed for their purposes. The dock may be installed at the Park during the term of this Agreement in a location

approved by the Park Board. The dock will be leased by the City with a payment of \$1.00 annually.

- b. In consideration for the use of Lum Park and its facilities, the Ski Loons shall allow their dock to be used by the public when not in use by the Ski Loons during their practice sessions or shows.
 - c. The Ski Loons are solely responsible for installing and removing the dock, and for maintaining the dock in a safe condition suitable for public use.
 - d. At the expiration of this Agreement, the dock shall be removed from Rice Lake and stored in the same location as the City owned docks.
4. Ski Ramp. The Ski Loons shall install and use a ski ramp on Rice Lake as long as it secures the necessary permits from the County for use of the ski ramp.
5. Use Restrictions.
- a. The Ski Loons acknowledge that their use of Lum Park and Rice Lake can have adverse effects on City residents who own lakeshore properties and impacts the public's use of Lum Park.
 - b. The Ski Loons practice sessions are limited to four nights per week during the term of this Agreement, Monday through Thursday, between the hours of 6:00 p.m. and dusk. The Ski Loons shall endeavor to rotate locations of their practices in order to spread out lake usage. The floating ramp may be retained in its current location.
 - c. The Ski Loons may have up to four shows during the term of this Agreement, with the dates approved in advance by the Park Board.
 - d. The Ski Loons shall endeavor to maintain a safe distance from private docks and other users of public waters. The only ski runs near private docks shall be for ski jump runs. Private property owners shall be allowed adequate time to leave their docks, return to the docks, and to position their boats on their boat lifts before the Ski Loons make a pass causing waves.
 - e. The Ski Loons shall endeavor to pull skiers from the dock perpendicular to the shoreline and away from private properties, except during the shows, at which time the Ski Loons may pull skiers along the shoreline to allow the audience in Lum Park to view the routines.
 - f. The Ski Loons shall endeavor to use other lakes or water bodies for small groups of Learn to Ski participants or move to the middle of Rice Lake whenever possible.

- g. Ski Loons representatives, interested Rice Lake property owners, and the Brainerd Parks and Recreation Director shall meet at the end of June to discuss any issues arising out of the use of Lum Park and Rice Lake by the Ski Loons. Any unresolved issues shall be considered by the Park Board.
6. Insurance. The Ski Loons shall obtain liability insurance with a minimum limit of \$1 million. The policy shall name the City of Brainerd as an additional insured. A copy of the declaration shall be provided to the City by June 1.
7. Indemnification. The Ski Loons shall defend and indemnify the City of Brainerd from and against any claims for damages arising out of the use of Lum Park, Park facilities and Rice Lake by the Ski Loons, and the use and maintenance of the dock owned by the Ski Loons, to the extent any such damages are caused by the negligence or intentional conduct of the Ski Loons, its employees, members, agents or invitees.

Brainerd Ski Loons Water Ski Show Team, Inc.

Dated: _____

Christopher Dens, President

City of Brainerd Park Board

Dated: _____

Troy Rushmeyer, Board President



WWII Monument Dedication

Sunday, June 9, 2019

1:00 p.m. at Memorial Park (next to Mills Field)



Made possible by donations from:

Brainerd VFW, American Legion,
Brainerd Eagles, Brainerd Elks,
Disabled American Veterans,
Eastern Star, and The Masons



THE ORANGES ARE SWEET

Paul Sailer - Author of a WWII
biography of Hill City native Don
Beerbower the top ace in the Ninth
Air Force, will have books available
for purchase and book signing.



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

RESOLUTION
No. :19

WHEREAS, on January 7, 2019, the City Council adopted Resolution No. 02:19 setting the 2019-2021 wages for Department Heads and Non-Union Supervisors.

WHEREAS, Staff noted when the information was presented to Council that it would like to review a possible wage adjustment for the Deputy Police Chief position when all union contracts were settled.

WHEREAS all 2019 union contracts have now been approved and a review has been completed.

BE IT RESOLVED by the Council of the City of Brainerd to amend Resolution No. 02:19 by adjusting the wage table included in Resolution 02:19 for the Deputy Police Chief and inserting in lieu thereof the following wage grid:

Deputy Police Chief	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8
1/1/2019	35.52	37.30	39.08	40.86	42.63	45.02	46.18	47.96
1/1/2020	36.23	38.05	39.86	41.67	43.49	45.30	47.10	48.91
1/1/2021	37.32	39.19	41.06	42.92	44.79	46.66	48.51	50.38

BE IT FURTHER RESOLVED that Deputy Police Chief Bestul be placed in Step 6 of the 2019 wage grid; further, that said wage adjustment be retroactive to January 1, 2019.

Adopted this ____ day of June, 2019.

GABE JOHNSON
President of the Council

Approved this ____ day of June, 2019.

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

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

June 3, 2019
City Hall Conference Room
7:15 PM

1. Approval of Bills
2. Recommendations for Paid on Call Hiring
3. Sale of 1983 E-One Aerial Apparatus
4. Mattson Loan Subordination



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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Brainerd City Council Agenda Request

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June 3, 2019

Personnel and Finance Committee – Additional Agenda Item

City Administrator Annual Performance Appraisal

Timeline:

Before May 31 - Council members receive evaluation documents. Completed 5/31/19 via email

Before June 16 - Anonymous survey (SurveyMonkey or something similar) sent to department heads/BPU, HRA. (Meeting on 6/6 to review format and process with HR/City Administrator)

July 1 - Evaluation forms due back to Council President.

Before July 15 - Council President and P&F Chair review/condense evaluations. (HR Coordinator to provide any needed assistance)

July 15 - City Administrator's Review.

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

June 3, 2019
City Council Chambers
7:00 PM

1. Event/Street Closure Application – Kickoff to Summer
2. Improvement 14-05 – Stonebridge Final Lift Discussion
3. Improvement 18-08 (SAP 108-126-014) and 18-09 (SAP 108-124-008) – College Drive and S 4th Street Mill and Overlay Project – Consideration of Bids and Award Recommendation
4. Improvement 19-03 – 2019 Seal Coat Project – Consideration of Bids and Award Recommendation
5. Improvement 19-04 – 2019 Crack Seal Project – Consideration of Quotes and Award Recommendation
6. Resolution - Designating the East River Road Parking Lot for Student Parking for the 2019 – 2020 School Year



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**RECEIVED**

MAY 24 2019

CITY OF BRAINERD
ADMINISTRATION

SPECIAL EVENT APPLICATION

Date of Application: 05/22/2019

Event applications that do not include a street closure must be submitted to the Parks & Recreation Department at 1619 Washington Street NE, Brainerd, MN 56401 or parks@ci.brainerd.mn.us at least 14 calendar days prior to the event. Applications that include a street closure must be submitted to the Engineering Department at 501 Laurel Street, Brainerd, MN 56401 or engineer@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 – City Park
☐ Event with Street Closure ☒ Other Westgate Mall Parking lot

Name of event: Kick off to Summer

Organizer Information

Organizer's Name: Family Fun Shows, Inc
Organizer's Address: 20590 State Highway 83 Mankato, MN 56001
Event Contact Person: Greg Hughes
Event Contact Daytime Phone: 507-625-5527 Home 507-380-8541 Cell
Event Contact E-mail Address: gghughes@hickorytech.net
Contact Name/Number Day of Event: Greg Hughes / 3 day event June 7-9, 2019
For Profit/Nonprofit Status (type): profit

Applicant information (if different from the event organizer):

Applicant Name: Gail Hughes
Applicant Address: 20590 State Highway 83 Mankato, MN 56001
Applicant Phone: 507-625-5527 Home 507-380-8542 Cell
Applicant E-mail Address: gghughes@hickorytech.net

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
06/07/19	1:00	11:00	Westgate Mall Parking Lot
06/08/19	1:00	11:00	Westgate Mall Parking Lot
06/09/19	1:00	11:00	Westgate Mall Parking Lot

Event locations (all dimensions are parking lot usable space estimates):

- 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 (must contact the Parks & Recreation Department for information)
- Other (specify location above)

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:

Carnival

Site Information

Electrical usage

☒ Yes

☐ No

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

Carnival

We have our own generators They are silencers - very quiet

Amplified Sound

☒ Yes

☐ No

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

Music on the ride while we are open 1:00 to 11:00

Restrooms provided

☒ Yes

☐ No

If yes, how many 5 (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms: Blakeman 218-963-4431
(if restrooms are provided by neighboring property(s), please submit the location and property owner's signature to verify approval has been granted)

Signs, banners, and/or posters/flyers

☒ Yes

☐ No

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

Will be sending posters to Westgate Mall for them to display

Trash Receptacle Disposal

☒ Yes

☐ No

Company contracted for trash receptacle disposal: Nisswa Sanitation

218-963-4758

Additional Event Information

Please provide a layout of the event showing booths, tents, staging, amusement, food, etc and provide a street map or park map showing the borders of the event.

Throughout all events, businesses should be reasonably accessible to the public. If a business's entrance is blocked by an event layout, then accommodations such as signage, handbills, or similar methods should be made available to mitigate the impact on customer access.

A \$100/day security deposit is required (payable by check only). The security deposit will be refunded should the event site be left clean and void of trash and all event items are removed on the last day of the event. An event that does not occur will not have its security deposit refunded except for hazardous weather conditions, as determined by the City of Brainerd.

Street Closure Request Information

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

N/A

Date and time for beginning of street closures: _____

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 flow along sidewalks). Additional pages may be attached.

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.



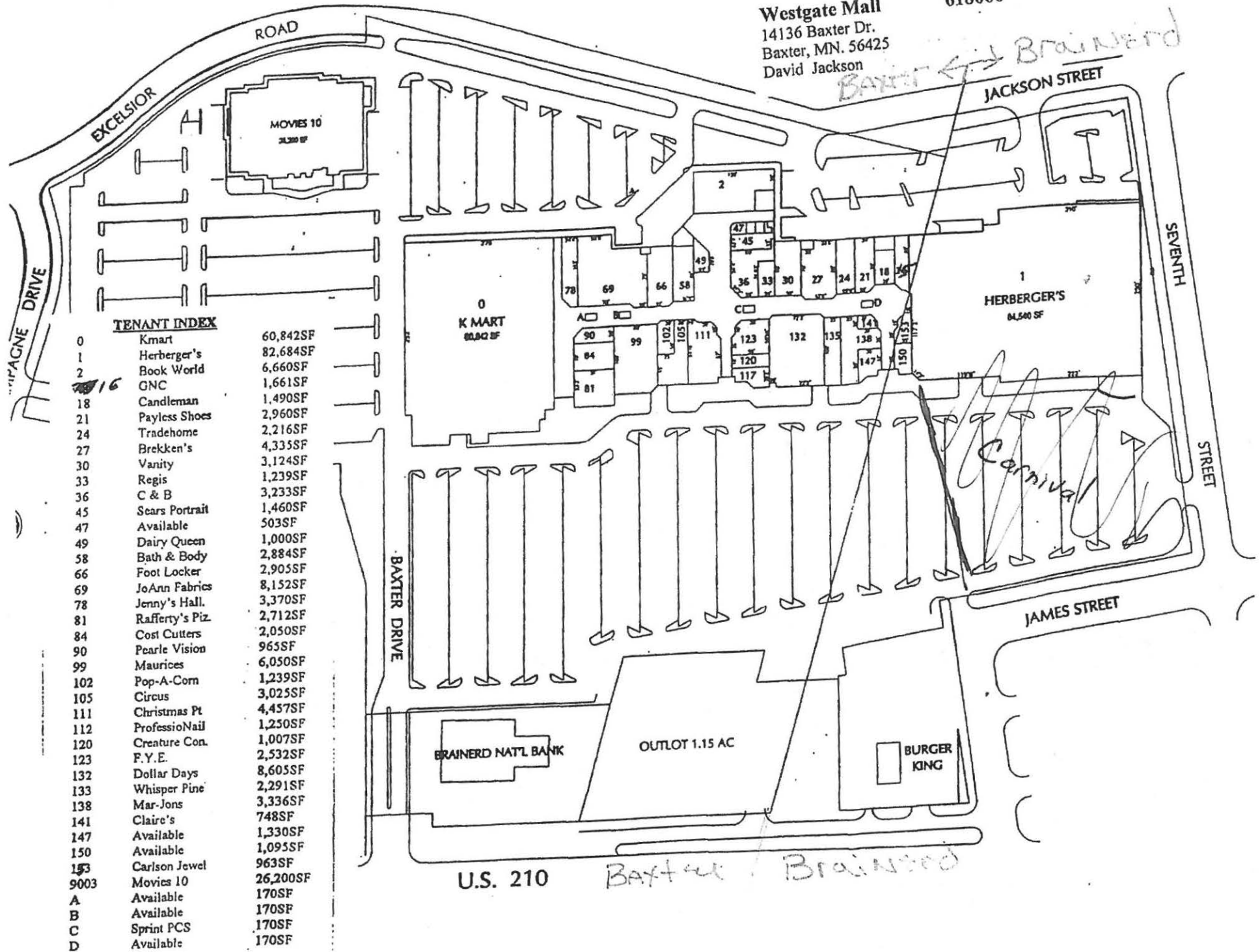
Signature of Applicant

Greg Hughes

Print Name

Westgate Mall
14136 Baxter Dr.
Baxter, MN. 56425
David Jackson

618000



ACORD™

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/22/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Haas & Wilkerson Insurance 4300 Shawnee Mission Parkway Fairway, KS 66205 913 432-4400		CONTACT NAME: PHONE (A/C, No, Ext): 913 432-4400 FAX (A/C, No): E-MAIL ADDRESS:	
INSURED Family Fun Shows Inc 20590 State Hwy 83 Mankato, MN 56001		INSURER(S) AFFORDING COVERAGE INSURER A : ACE American Insurance Company INSURER B : INSURER C : INSURER D : INSURER E : INSURER F :	
		NAIC # 22667	

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.									
INSR LTR	TYPE OF INSURANCE	ADDL SUBR INSR	WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	GENERAL LIABILITY			G21761795	04/27/2019	04/27/2020	EACH OCCURRENCE	\$1,000,000	
	☒ COMMERCIAL GENERAL LIABILITY						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$300,000	
	☐ CLAIMS-MADE ☒ OCCUR						MED EXP (Any one person)	\$Excluded	
							PERSONAL & ADV INJURY	\$1,000,000	
							GENERAL AGGREGATE	\$2,000,000	
							PRODUCTS - COMP/OP AGG	\$2,000,000	
								\$	
	GEN'L AGGREGATE LIMIT APPLIES PER:						COMBINED SINGLE LIMIT (Ea accident)	\$	
	☐ POLICY ☐ PRO-JECT ☒ LOC						BODILY INJURY (Per person)	\$	
	AUTOMOBILE LIABILITY						BODILY INJURY (Per accident)	\$	
	☐ ANY AUTO						PROPERTY DAMAGE (Per accident)	\$	
	☐ ALL OWNED AUTOS							\$	
	☐ HIRED AUTOS							\$	
								\$	
	UMBRELLA LIAB						EACH OCCURRENCE	\$	
	EXCESS LIAB						AGGREGATE	\$	
	☐ OCCUR							\$	
	☐ CLAIMS-MADE							\$	
	DED ☐ RETENTION \$							\$	
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY						WC STATU-TORY LIMITS	OTH-ER	
	ANY PROPRIETOR/PARTNER/EXECUTIVE/OFFICER/MEMBER EXCLUDED? ☐ Y/N						E.L. EACH ACCIDENT		\$
	(Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE		\$
							E.L. DISEASE - POLICY LIMIT		\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (Attach ACORD 101, Additional Remarks Schedule, if more space is required)

Additional Insured: The City of Brainerd

Event Dates: June 7-9, 2019

CERTIFICATE HOLDER

CANCELLATION

City of Brainerd
 1619 Washington Street NE
 Brainerd, MN 56401

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

William R. Johnson III

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	<u>OK</u>	<u>None</u>
City Administration	<u>OK</u>	<u>None</u>
Engineering Department	<u>OK</u>	<u>None</u>
Fire Department	<u>OK</u>	<u>Needs Carnival / tent / canopy permit App</u>
Fire Support/EMS	<u>OK</u>	<u>and inspection before event.</u>
Parks Department	<u>OK</u>	<u>None</u>
Planning Department	<u>OK</u>	<u>None</u>
Police Department	<u>OK</u>	<u>None</u>

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 or Parks & Recreation Director

Date

Approval Conditions

Certification of Street Closure Approval

The street closure request as described herein was approved by the City Council at their _____, 20__ meeting. Approval is subject to the following condition(s):



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
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Presenter (Name & Title):	Estimated Time Needed:
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Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

↑ N







Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

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5/24/2019

**City of Brainerd
Contract Bid Abstract**

Contract No.: 2019-03
Project No.: SAP 108-124-008, SAP 108-126-014
Bid Opening: 05/24/2019 10:00 AM

Project: SAP 108-124-008 - South 4th Street Mill & Overlay				Engineers Estimate		Anderson Brothers Construction		KNIFE RIVER	
Line No.	Item	Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	2021.501 MOBILIZATION	LS	0.19	\$25,000.00	\$4,750.00	\$60,682.02	\$11,529.58	\$35,000.00	\$6,650.00
2	2104.502 REMOVE CASTING	EACH	1	\$250.00	\$250.00	\$600.00	\$600.00	\$500.00	\$500.00
3	2104.503 SAWING CONCRETE PAVEMENT (FULL DEPTH)	L F	24	\$7.00	\$168.00	\$6.00	\$144.00	\$5.00	\$120.00
4	2104.503 SAWING BIT PAVEMENT (FULL DEPTH)	L F	135	\$5.00	\$675.00	\$6.00	\$810.00	\$1.95	\$263.25
5	2104.503 REMOVE CURB & GUTTER	L F	211	\$7.00	\$1,477.00	\$13.15	\$2,774.65	\$10.00	\$2,110.00
6	2104.504 REMOVE BITUMINOUS DRIVEWAY PAVEMENT	S Y	31	\$5.00	\$155.00	\$18.00	\$558.00	\$50.00	\$1,550.00
7	2104.518 REMOVE CONCRETE SIDEWALK	S F	859	\$5.00	\$4,295.00	\$1.00	\$859.00	\$4.00	\$3,436.00
8	2104.618 REMOVE AND REPLACE BITUMINOUS PAVEMENT	S F	469	\$10.00	\$4,690.00	\$4.00	\$1,876.00	\$14.00	\$6,566.00
9	2105.507 COMMON EXCAVATION	C Y	11	\$20.00	\$220.00	\$50.00	\$550.00	\$95.00	\$1,045.00
10	2211.509 AGGREGATE BASE CLASS 5	TON	6	\$25.00	\$150.00	\$31.00	\$186.00	\$100.00	\$600.00
11	2232.504 MILL BITUMINOUS SURFACE (1.5")	S Y	6598	\$2.50	\$16,495.00	\$1.85	\$12,206.30	\$2.25	\$14,845.50
12	2360.509 TYPE SP 9.5 WEARING COURSE MIX (2,C)	TON	752	\$55.00	\$41,360.00	\$84.00	\$63,168.00	\$76.00	\$57,152.00
13	2504.602 ADJUST VALVE BOX-WATER	EACH	1	\$250.00	\$250.00	\$121.00	\$121.00	\$500.00	\$500.00
14	2506.502 CASTING ASSEMBLY	EACH	1	\$300.00	\$300.00	\$1,300.00	\$1,300.00	\$1,375.00	\$1,375.00
15	2506.502 ADJUST FRAME & RING CASTING	EACH	3	\$250.00	\$750.00	\$242.00	\$726.00	\$600.00	\$1,800.00
16	2521.518 6" CONCRETE WALK	S F	901	\$10.00	\$9,010.00	\$10.00	\$9,010.00	\$13.00	\$11,713.00
17	2531.503 CONCRETE CURB & GUTTER DESIGN B624	L F	211	\$20.00	\$4,220.00	\$42.25	\$8,914.75	\$39.50	\$8,334.50
18	2531.618 TRUNCATED DOMES	S F	64	\$50.00	\$3,200.00	\$58.00	\$3,712.00	\$48.00	\$3,072.00
19	2563.601 TRAFFIC CONTROL	LS	0.19	\$10,000.00	\$1,900.00	\$9,530.00	\$1,810.70	\$18,000.00	\$3,420.00
20	2563.602 RAISED PAVEMENT MARKER TEMPORARY	EACH	50	\$2.00	\$100.00	\$3.20	\$160.00	\$2.00	\$100.00
21	2573.501 EROSION CONTROL SUPERVISOR	LS	0.19	\$5,000.00	\$950.00	\$600.00	\$114.00	\$1,500.00	\$285.00
22	2573.502 STORM DRAIN INLET PROTECTION	EACH	8	\$200.00	\$1,600.00	\$181.00	\$1,448.00	\$150.00	\$1,200.00
23	2574.507 COMMON TOPSOIL BORROW	C Y	13	\$30.00	\$390.00	\$71.00	\$923.00	\$95.00	\$1,235.00
24	2575.501 TURF ESTABLISHMENT	LS	1	\$1,000.00	\$1,000.00	\$3,015.00	\$3,015.00	\$2,500.00	\$2,500.00

25	2575.523	RAPID STABILIZATION METHOD 3	MGAL	0.06	\$250.00	\$15.00	\$573.15	\$34.39	\$475.00	\$28.50
26	2582.503	4" SOLID LINE MULTI COMP GR IN	L F	135	\$0.60	\$81.00	\$1.55	\$209.25	\$1.27	\$171.45
27	2582.503	4" BROKEN LINE MULTI COMP GR IN	L F	130	\$0.60	\$78.00	\$1.55	\$201.50	\$1.27	\$165.10
28	2582.503	4" DBLE SOLID LINE MULTI COMP GR IN	L F	667	\$1.50	\$1,000.50	\$3.10	\$2,067.70	\$2.54	\$1,694.18
29	2582.518	PAVT MSSG PREF THERMO GR IN	S F	92	\$25.00	\$2,300.00	\$33.00	\$3,036.00	\$27.00	\$2,484.00
30	2582.518	CROSSWALK PREF THERMO GR IN	S F	540	\$15.00	\$8,100.00	\$16.85	\$9,099.00	\$13.95	\$7,533.00
Totals for Project SAP 108-124-008						\$109,929.50		\$141,163.82		\$142,448.48
% of Estimate for Project SAP 108-124-008								28.41%		29.58%
	Project: SAP 108-126-014 - College Drive Mill & Overlay				Engineers Estimate		Anderson Brothers Construction		KNIFE RIVER	
Line No.	Item	Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	
1	2021.501 MOBILIZATION	LS	0.81	\$25,000.00	\$20,250.00	\$14,129.77	\$11,445.11	\$35,000.00	\$28,350.00	
2	2102.503 PAVEMENT MARKING REMOVAL	L F	360	\$5.00	\$1,800.00	\$1.25	\$450.00	\$2.00	\$720.00	
3	2104.503 SAWING BITUMINOUS PAVEMENT	L F	637	\$5.00	\$3,185.00	\$6.00	\$3,822.00	\$1.95	\$1,242.15	
4	2232.504 MILL BITUMINOUS SURFACE (1.5")	S Y	35819	\$2.50	\$89,547.50	\$2.15	\$77,010.85	\$2.25	\$80,592.75	
5	2360.509 TYPE SP 9.5 WEARING COURSE MIX (2,C)	TON	3409	\$55.00	\$187,495.00	\$81.50	\$277,833.50	\$76.00	\$259,084.00	
6	2504.602 ADJUST VALVE BOX-WATER	EACH	10	\$250.00	\$2,500.00	\$121.00	\$1,210.00	\$500.00	\$5,000.00	
7	2506.502 ADJUST FRAME & RING CASTING	EACH	23	\$250.00	\$5,750.00	\$242.00	\$5,566.00	\$600.00	\$13,800.00	
8	2563.601 TRAFFIC CONTROL	LS	0.81	\$10,000.00	\$8,100.00	\$4,500.00	\$3,645.00	\$18,000.00	\$14,580.00	
9	2563.602 RAISED PAVEMENT MARKER TEMPORARY	EACH	475	\$2.00	\$950.00	\$3.20	\$1,520.00	\$2.00	\$950.00	
10	2573.501 EROSION CONTROL SUPERVISOR	LS	0.81	\$5,000.00	\$4,050.00	\$600.00	\$486.00	\$1,500.00	\$1,215.00	
11	2573.502 STORM DRAIN INLET PROTECTION	EACH	79	\$200.00	\$15,800.00	\$181.00	\$14,299.00	\$150.00	\$11,850.00	
16	2582.503 4" DOTTED LINE MULTI COMP GR IN	L F	252	\$2.00	\$504.00	\$4.85	\$1,222.20	\$4.00	\$1,008.00	
12	2582.503 4" SOLID LINE MULTI COMP GR IN	L F	3430	\$0.60	\$2,058.00	\$1.55	\$5,316.50	\$1.27	\$4,356.10	
13	2582.503 24" SOLID LINE MULTI COMP GR IN	L F	140	\$12.00	\$1,680.00	\$13.25	\$1,855.00	\$11.00	\$1,540.00	
14	2582.503 4" BROKEN LINE MULTI COMP GR IN	L F	1460	\$0.60	\$876.00	\$1.55	\$2,263.00	\$1.27	\$1,854.20	
15	2582.503 4" DBLE SOLID LINE MULTI COMP GR IN	L F	1945	\$1.50	\$2,917.50	\$3.10	\$6,029.50	\$2.54	\$4,940.30	
17	2582.503 24" SOLID LINE PREF THERMO GR IN	L F	35	\$25.00	\$875.00	\$36.20	\$1,267.00	\$30.00	\$1,050.00	
18	2582.503 12" DOTTED LINE PREF THERMO GR IN	L F	219	\$15.00	\$3,285.00	\$18.10	\$3,963.90	\$15.00	\$3,285.00	
19	2582.518 PAVT MSSG PREF THERMO GR IN	S F	1153	\$25.00	\$28,825.00	\$33.00	\$38,049.00	\$27.00	\$31,131.00	
20	2582.518 CROSSWALK PREF THERMO GR IN	S F	1206	\$15.00	\$18,090.00	\$16.85	\$20,321.10	\$13.95	\$16,823.70	
21	2582.618 PAVEMENT MARKING SPECIAL	S F	198	\$25.00	\$4,950.00	\$32.60	\$6,454.80	\$27.00	\$5,346.00	

	Totals for Project SAP 108-126-014		\$403,488.00		\$484,029.46		\$488,718.20
	% of Estimate for Project SAP 108-126-014				19.96%		21.12%
	Totals for Contract 2019-03		\$513,417.50		\$625,193.28		\$631,166.68
	% of Estimate for Contract 2019-03				21.77%		22.93%

I hereby certify that this is an exact reproduction of bids received.

Certified By: Paul Sandy License No. 53035
Date: 5/29/19



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) <i>*provide copy of published hearing notice</i> ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

5/28/2019

**City of Brainerd
Contract Bid Abstract**

**Contract No.: 2019-05
Project No.: 19-03
Bid Opening: 05/28/2019 10:00 AM**

Project: 19-03 - 2019 Chip Seal Project				Engineers Estimate		Asphalt Surface Technologies Corp.		Asphalt Preservation Company Inc.		Allied Blacktop Company	
Line No.	Item	Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	2021.501 MOBILIZATION	LS	1	\$7,500.00	\$7,500.00	\$12,500.00	\$12,500.00	\$10,000.00	\$10,000.00	\$10,000.00	\$10,000.00
2	2355.506 BITUMINOUS MATERIAL FOR FOG SEAL	GAL	14130	\$1.25	\$17,662.50	\$2.00	\$28,260.00	\$1.22	\$17,238.60	\$3.45	\$48,748.50
4	2356.504 BITUMINOUS SEAL COAT	S Y	79258	\$0.75	\$59,443.50	\$0.72	\$57,065.76	\$1.20	\$95,109.60	\$0.78	\$61,821.24
3	2356.506 BITUMINOUS MATERIAL FOR SEAL COAT	GAL	27741	\$2.00	\$55,482.00	\$2.35	\$65,191.35	\$2.11	\$58,533.51	\$2.50	\$69,352.50
5	2563.601 TRAFFIC CONTROL	LS	1	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$5,000.00	\$10,000.00	\$10,000.00
Totals for Project 19-03					\$145,088.00		\$168,017.11		\$185,881.71		\$199,922.24
% of Estimate for Project 19-03							15.80%		28.12%		37.79%
Totals for Contract 2019-05					\$145,088.00		\$168,017.11		\$185,881.71		\$199,922.24
% of Estimate for Contract 2019-05							15.80%		28.12%		37.79%

I hereby certify that this is an exact reproduction of bids received.

Certified By: Paul Sanchez License No. 53635
Date: 5/29/19



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



5/29/2019

**City of Brainerd
Contract Bid Abstract**

Contract No.: 2019-08
Project No.: 19-04
Bid Opening: 05/29/2019 10:00 AM

Project: 19-04 - 2019 Crack Sealing Project				Lot Pros LLC		Anderson Brothers Construction		Outdoor Specialties		American Pavement Solutions, Inc.		Fahrner Asphalt Sealers, LLC - Eau Claire	
Line No.	Item	Units	Quantity	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price	Unit Price	Total Price
1	2021.501 MOBILIZATION	LS	1	\$1.00	\$1.00	\$1,000.00	\$1,000.00	\$950.00	\$950.00	\$6,000.00	\$6,000.00	\$3,000.00	\$3,000.00
2	2331.603 CRACK SEALING	L F	61502	\$0.20	\$12,300.40	\$0.39	\$23,985.78	\$0.45	\$27,675.90	\$0.53	\$32,596.06	\$0.73	\$44,896.46
3	2563.601 TRAFFIC CONTROL	LS	1	\$1.00	\$1.00	\$1,000.00	\$1,000.00	\$2,100.00	\$2,100.00	\$1,000.00	\$1,000.00	\$2,000.00	\$2,000.00
Totals for Project 19-04					\$12,302.40		\$25,985.78		\$30,725.90		\$39,596.06		\$49,896.46
Totals for Contract 2019-08					\$12,302.40		\$25,985.78		\$30,725.90		\$39,596.06		\$49,896.46

I hereby certify that this is an exact reproduction of bids received.

Certified By: Paul Sandy License No. 53635
Date: 5/29/19



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

RESOLUTION

No. ____:19

WHEREAS, the City of Brainerd (the City) and the Independent School District #181 (ISD #181) have a mutual, vested interest in the East River Road parking lot (Property ID Nos – 41250511, 41250512, and 41250514) (the Property); and

WHEREAS, the maintenance of the Property has been a mutual endeavor; and

WHEREAS, ISD #181 has a need for student parking for the 2019-2020 school year with the loss of Brainerd High School's north parking lot due to construction; and

WHEREAS, ISD #181 agrees to stripe the Property per City Code; and

WHEREAS, ISD #181 agrees to conduct all snowplowing up the Property for the duration of the 2019-2020 school year; and

WHEREAS, the City will continue to maintain all greenspace on the Property; and

WHEREAS, the City agrees to restrict parking on the Property solely to permitted students on school days; and

WHEREAS, ISD #181 agrees to maintain the Property as public parking on non-school days; and

BE IT RESOLVED by the City Council of Brainerd, Minnesota, that the City of Brainerd agrees to allow ISD #181 to stripe the Property and restrict the parking to permitted student on the Property during school days for the duration of the 2019-2020 school year.

Adopted this ____ day of June, 2019

GABE JOHNSON
President of the Council

Approved this ____ day of June, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator



RECEIVED

MAY 31 2019

City of Brainerd
Commission/Committee/Board Application Form

CITY OF BRAINERD
ADMINISTRATION

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Planning Commission Date: 5/31/19

This application is public data pursuant to M.S. 13.43

PLEASE NOTE: Completion and submission of this form grants the City authority to conduct a background check including a complete criminal history and driver's license check.

*Name: Last Woodward First Theresa M.I. P

PLEASE NOTE: To serve on a City Committee or Board, you must either live in or own property within the City Limits of Brainerd.

Why do you want to be on the Commission/Committee/Board you are applying for?

I would like to be a member of the planning Commission to help our city prosper through the upcoming developments within our downtown and our school district

What skills, strengths, or abilities do you believe you will add to the organization?

The ability to articulate clearly and communicate well with others, community leadership skills, and the ability to foster good working relationships between individuals and organizations.

*Please refer to the "Meeting Dates and Time" for your desired Committee; are you able to commit to this schedule? Yes

*After Reviewing the City's "Conflict of Interest Policy" Please Explain if you are aware of any situation that might be perceived by others as a "Conflict of Interest" if you are appointed:

No, none

Please list any additional comments:

[Signature]
(Signature)

5/31/19
(Date)

***Required Information**

Submit completed application forms via one of the following options:

email: sbestul@ci.brainerd.mn.us

fax: 218-828-2316

Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) <i>*provide copy of published hearing notice</i> ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**BRAINERD POLICE DEPARTMENT
POTENTIALLY DANGEROUS DOG REQUEST FOR HEARING**

(To Be Completed by Dog Owner)

RECEIVED

MAY 29 2019

Date of Request: May 26, 2019

**CITY OF BRAINERD
ADMINISTRATION**

OWNER:

Full Name: Barbara Jo Aamodt Date of Birth: 11/20/58
(First, Middle, Last)
Address: 1209 11th Street SE Home Phone #: _____
City/State/Zip: Brainerd, MN 56401 Alternate/Cell Phone #: (218) 330-0524

ANIMAL:

Name of Animal: Levi Date Seized (if applicable): _____
Breed: German Shepherd Color(s): Black/TAN Markings: _____

Return completed form to the Brainerd Police Department.

Pursuant to Brainerd City Ordinance 900.25:

- A request for a hearing must be made within 10 days of receipt of notice of that the animal appears to be dangerous.
- If the owner of the animal requests a hearing as to the dangerous nature of the animal, the City Administrator shall place the matter before the City Council at its next regular meeting. The owner may present evidence in opposition to the designation of the animal as dangerous. The Animal Control Officer shall present evidence to the City Council that supports the determination that the animal is dangerous.
- Following the hearing, the Council shall make a determination of the facts and issue an order as to whether or not said animal is properly characterized as dangerous.
- If a request for hearing is made, the owner must still comply with the requirements of Minnesota State Statute 347.515 to have a microchip implanted within 14 days of receipt of the Notice of Potentially Dangerous Dog.

I hereby request a hearing as to the dangerous nature of the animal.

Barbara J Aamodt
Signature of Dog Owner/Representative

5/26/2019.
Date

FOR OFFICE USE ONLY:

Received by: Dixie Sanborn Date Received: 5-28-19 ICR #: 19006186
Date Notice was Served: 5-16-19
Date to City Administrator: 5-28-19 Date of Next Regular Council Meeting: _____



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

City of Brainerd Community Development Department

TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: May 29, 2019

RE: Brainerd High School/Performing Arts Center Setback Variance

Laine Larson, Superintendent ISD #181, has submitted a plan to construct a performing arts center as an addition to the Brainerd High School located at 702 S. 5th St., Brainerd, MN 56401. The property is in a B-4 (General Commercial) District.

The property is legally described as:

*ALL OF BLOCK 16, TOWN OF BRAINERD & FIRST ADDITION TO BRAINERD
P.I.N. 41240860
Section 24 Township 45 Range 31*

The applicant is requesting a variance from Section 515-63-7 Lot Area and Setbacks Requirements. Section 515-53-7 states front yard setbacks shall be 30 feet. The applicant is requesting a variance for a 15-foot front yard setback.

Note: The initial notice of hearing incorrectly listed this location in a R-1 Single Family Residential District. The correct zoning is B-4 General Commercial as listed above.

The Planning Commission held a public hearing and considered this request during their regular meeting on Wednesday, May 15.

Findings of Fact

1. Section 515-7-2, Subdivision 3A – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - i. Theatres and cultural arts centers are permitted uses within a B-4 District
 - b. When the variances are consistent with the Comprehensive Plan
 - i. ~~The proposed Performing Arts Center was approved by through a ballot referendum.~~
 - ii. The current Comprehensive Plan and updated Comprehensive Plan in development support increased educational, cultural, and arts related development and programming.
 - iii. ~~The Brainerd City Council is in support of this project.~~
2. Section 515-7-2, Subdivision 3B & Subdivision 4 – Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the Zoning Ordinance.

- a. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.
 - i. The proposed Performing Arts Center is a permitted use with a 30-foot front yard setback. The adjoining Brainerd High School building has only a 20-foot setback per R-1 District requirements. The requested 15-foot setback would place the front facade of structure only 5 feet in front of the current high school's front façade.
- b. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - i. A bluff with a significant decline is located on the west side of the property that prohibits the structure from being moved further back.
- c. The variance, if granted, will not alter the essential character of the locality.
 - i. The proposed Performing Arts Center will be connected to the Brainerd High School. The property is currently used as a parking lot (part of which will remain). The Lincoln Education Center will be located across the street to the east with the Brainerd Public Library located immediately to the north.

Staff Opinion

As staff believes the request variance meets the requirements as outlined in Section 515-7 of the Code of Ordinances, and as the construction of the Performing Arts Center was approved through ballot referendum, and as the Brainerd City Council is in support of this project, approval of this variance is recommended.

Planning Commission Recommendation

The Planning Commission voted unanimously, through a motion by Commissioner Marohn and seconded by Commissioner Burslie, to recommend approval of the variance request based on the staff findings of fact, omitting 1B. I and III.

CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401-
(218) 828-2309 FAX: (218) 828-2316



PRINTED WITHOUT ISSUING 5/3/2019

Permit #: 2019-00016

ADDRESS : 702 5TH ST S
PIN : 09166005000Z009
LEGAL DESC : RIVERSIDE ADDITION
: LOT BLOCK 5
PERMIT TYPE : VARIANCE FEE - COMMERCIAL
PROPERTY TYPE : COMMERICAL
CONSTRUCTION TYPE : VARIANCE

APPLICANT

IND SCHOOL DIST # 181, BRAINERD SENIOR HIGH
SCHOOL
804 OAK STREET
BRAINERD, MN 56401

VARIANCE - COMMERCIAL	400.00
ESCROW DEPOSIT (\$500)	500.00
TOTAL	900.00
Payment(s)	
CHECK 160529	900.00

OWNER

IND SCHOOL DIST # 181, BRAINERD SENIOR HIGH
SCHOOL
804 OAK STREET
BRAINERD, MN 56401

AGREEMENT AND SWORN STATEMENT

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant

Date

This permit becomes null and void if construction authorized is not commenced within 180 days, or if construction is suspended for a period of 180 days at any time after work is commenced.

SEPARATE PERMITS REQUIRED FOR WORK OTHER THAN DESCRIBED ABOVE.

**CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401-
(218) 828-2309 FAX: (218) 828-2316**



* 2 0 1 9 - 0 0 0 1 6 *
ISSUED:

PRINTED WITHOUT ISSUING 5/3/2019

ADDRESS : 702 5TH ST S

PERMIT APPLICANT:

PIN : 09166005000Z009

IND SCHOOL DIST # 181, BRAINERD SEN

LEGAL DESC : RIVERSIDE ADDITION

804 OAK STREET

: BLOCK 5

BRAINERD, MN 56401

PERMIT TYPE : VARIANCE FEE - COMMERCIAL

PROPERTY TYPE : COMMERICAL

CONSTRUCTION TYPE : VARIANCE

BUILDING INSPECTION RECORD

24 HOUR NOTICE REQUIRED FOR ALL INSPECTIONS.

CALL FOR INSPECTIONS WEEKDAYS: 9:00 am to 3:30 pm

INSPECTION TYPE	DATE	INSPECTOR

INSPECTION TYPE	DATE	INSPECTOR

INSPECTION COMMENTS: _____

IN ACCORDANCE WITH CITY ORDINANCE, NEW OR SUBSTANTIALLY REMODELED BUILDINGS SHALL NOT BE OCCUPIED UNTIL ALL WORK HAS BEEN APPROVED, AND A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED BY THE BUILDING DEPARTMENT.

THIS CARD MUST BE POSTED AND VISIBLE AT ALL TIMES UNTIL WORK IS COMPLETE.

**City Planning Department**

City Hall – 501 Laurel Street

Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

Receipt # 2019-00016Check # 160529Date Paid: 5/2/19**CONDITIONAL USE/REZONING/VARIANCE APPLICATION****RESIDENTIAL****COMMERCIAL****CONDITIONAL USE PERMIT**☐ (\$250.00)☐ (\$400.00 + \$500.00 escrow deposit)**REZONING**☐ (\$300.00)☐ (\$500.00)**VARIANCE**☐ (\$250.00)☒ (\$400.00 + \$500.00 escrow deposit)**PROPERTY ADDRESS:** 702 S. 5th St, Brainerd, MN 56401**LEGAL DESCRIPTION:** Lot(s): NA Block: NA Addition: See attached Certificate of Survey for Legal Descriptions
(attach description if lengthy)**Property Owner Name:** Brainerd Public Schools I.S.D. 181**Street Address:** 804 Oak Street **City:** Brainerd **State:** MN **Zip Code** 56401**Phone Number:** 218-454-6911 **Fax:** _____ **E-mail:** Laine.Larson@isd181.org**Applicant Name:** (If different than Property Owner) _____**Street Address:** _____ **City:** _____ **State:** _____ **Zip Code:** _____**Phone Number:** _____ **Fax:** _____ **E-mail:** _____**Description of Request:** For the Brainerd High School North Campus.Request for "Variance" to the setback requirement of 25' per zoning code R-2. The performing arts center will infringe upon the setback distance by 10' due to existing topographical conditions. The performing arts center will maintain a 15' setback as designed. Please see attached prints for clarification.Laine D. Larson
Property Owner SignatureLaine D. Larson
(Please print name)4/30/19
DateLaine D. Larson
Applicant SignatureLaine D. Larson
(Please print name)4/30/19
Date

(OVER)

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Laine Larson, superintendent ISD #181, has submitted a request on behalf of Brainerd Public Schools – ISD #181 for a Conditional Use Permit to construct an addition to Brainerd High School, 702 S 5th St., Brainerd, MN 56401, including but not limited to an addition to the school building, remodel of existing building, and construction of new parking, new pool, auxiliary gym, and performing arts center. The properties included in this application are described as:

Lots 1 thru 11 and 13 thru 24, Block 125, and Portions of Vacated Norwood, Fourth Street and oak Street, BRAINERD

Blocks 161, 163, 183, and 185, and Portions of Vacated Quince, saith Fourth Street, said Oak Street and Pine Street, said BRAINERD

Together with Blocks 4, 5, 6 and 7, and Portions of Vacated Ridge Street, said Pine Street, said Quince Street and Alleys in said Blocks 5, and 6, RIVERSIDE ADDITION

Together with Blocks 1, 2 and 3, and vacated Gilmer Road and Quinlen Road, HILL CREST ADDITION

Together with that part of Lot 16, AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T. 45 N. – R. 31 W.

Together with Lots 10, 11, 12, 14 and 15 said AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T. 45 N. – R 31 W.

The properties are zoned R-1 (Single Family Residential) District and Zoning Ordinance Section 54-5 F (Single Family Residential) District Conditional Uses permits the operation of public and private schools provided that they meet the required provisions as listed under Section 54-5 F. A copy of the proposed site plan is on file for review at the Community Development Department.

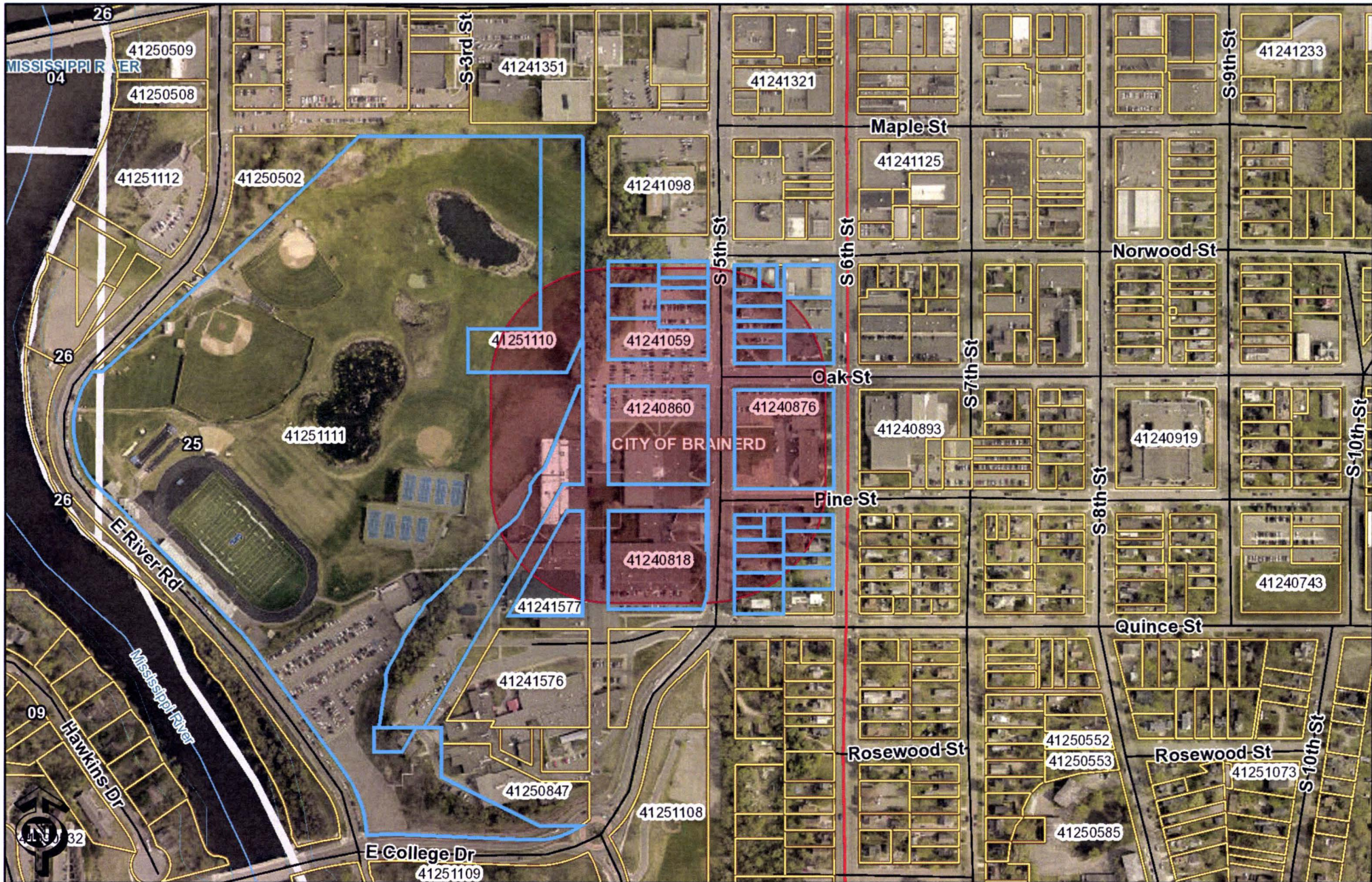
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, May 15, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 3rd day of May 2019



David C. Chanski, MPA
Community Development Director



702 S. 5th St

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Date: 5/3/2019 Time: 3:33:18 PM



Parcel Number	Legacy Parcel Number	Municipality	Tax Name	Tax Address	Tax Address 2	Tax Address 3	Tax Address	Physical Address	Physical City	Physical Zip
41241044	09196127019200	CITY OF BRAINERD	BRAINERD SAVINGS & LOAN	524 S 6TH ST	BRAINERD MN 56401-3561			515 5TH ST S	BRAINERD	56401
41241052	09196127001200	CITY OF BRAINERD	BRAINERD SAVINGS AND LOAN	524 6TH ST S	BRAINERD MN 56401			524 6TH ST S	BRAINERD	56401
41241043	09196127021200	CITY OF BRAINERD	BRAINERD SAVINGS AND LOAN	524 6TH ST S	BRAINERD MN 56401			519 5TH ST S	BRAINERD	56401
41241042	09196127023200	CITY OF BRAINERD	BRAINERD SAVINGS AND LOAN	524 6TH ST S	BRAINERD MN 56401			523 5TH ST S	BRAINERD	56401
41241703	091961830000ZAC	CITY OF BRAINERD	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401				
41240814	09196185008200	CITY OF BRAINERD	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401			710 6TH ST S	BRAINERD	56401
41240813	09196185011200	CITY OF BRAINERD	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401			704 6TH ST S	BRAINERD	56401
41251111	09104000009X00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41251110	09104000010Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241578	09166004000Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241577	09166005000Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241059	09196125001VOC	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			518 5TH ST S	BRAINERD	56401
41241058	09196125005Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			514 5TH ST S	BRAINERD	56401
41241057	09196125008Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241056	09196125009Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			506 5TH ST S	BRAINERD	56401
41241054	09196125013Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241053	09196125016Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41240876	09196161000Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			0 LINCOLN SCH	BRAINERD	56401
41240860	09196163000Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41240818	09196183000Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41240816	09196185004Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			716 6TH ST S	BRAINERD	56401
41240807	09196185020Z00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			717 5TH ST S	BRAINERD	56401
41240815	09196185006Z00	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1	ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401		714 6TH ST S	BRAINERD	56401
41240812	09196185013Y00	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1	ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401		510 PINE ST	BRAINERD	56401
41240811	09196185013Z00	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1	ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401			0 BRAINERD	56401
41240810	09196185014Z00	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1	ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401		705 5TH ST S	BRAINERD	56401
41240809	09196185016Z00	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1	ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401		707 5TH ST S	BRAINERD	56401
41240808	09196185018Z00	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1	ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401		711 5TH ST S	BRAINERD	56401
41240806	09196185022Z00	CITY OF BRAINERD	KNOWLES, RODNEY L	723 5TH ST S	BRAINERD MN 56401			723 5TH ST S	BRAINERD	56401
41241048	09196127013W0	CITY OF BRAINERD	MALLIE, MATTHEW R	507 S 5TH ST	BRAINERD, MN 56401			510 NORWOOD ST	BRAINERD	56401
41241047	09196127013Z00	CITY OF BRAINERD	MALLIE, MATTHEW R	507 S 5TH ST	BRAINERD, MN 56401			502 NORWOOD ST	BRAINERD	56401
41241046	09196127016Z00	CITY OF BRAINERD	MALLIE, MATTHEW R	507 S 5TH ST	BRAINERD, MN 56401			507 5TH ST S	BRAINERD	56401
41241051	09196127005Z00	CITY OF BRAINERD	POSITIVE REALTY, & INVESTMENT	514 SO 6TH STREET	BETTER HOMES & GARDENS	BRAINERD MN 56401		514 6TH ST S	BRAINERD	56401
41241050	09196127009Z00	CITY OF BRAINERD	S & L CREATIVE INVESTMENTS LLC	502 S 6TH ST	BRAINERD, MN 56401			502 6TH ST S	BRAINERD	56401
41241055	09196125011Z00	CITY OF BRAINERD	SUITE PROPERTIES LLC	PO BOX 2511		BAXTER MN 56425		502 5TH ST S	BRAINERD	56401
41241045	09196127018Z00	CITY OF BRAINERD	WENDEL PROPERTIES LLC	17122 STATE HWY 371	BRAINERD, MN 56401			511 5TH ST S	BRAINERD	56401



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

City of Brainerd Community Development Department

TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: May 29, 2019

RE: Brainerd High School CUP

Laine Larson, Superintendent ISD #181, on behalf of Brainerd Public Schools – ISD #181 has submitted an application on behalf of the school district for a Condition Use Permit for the properties legally described as:

Lots 1 thru 11 and 13 thru 24, Block 125, and Portions of Vacated Norwood, Fourth Street and oak Street, BRAINERD

Blocks 161, 163, 183, and 185, and Portions of Vacated Quince, saith Fourth Street, said Oak Street and Pine Street, said BRAINERD

Together with Blocks 4, 5, 6 and 7, and Portions of Vacated Ridge Street, said Pine Street, said Quince Street and Alleys in said Blocks 5, and 6, RIVERSIDE ADDITION

Together with Blocks 1, 2 and 3, and vacated Gilmer Road and Quinlen Road, HILL CREST ADDITION

Together with that part of Lot 16, AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T. 45 N. – R. 31 W.

Together with Lots 10, 11, 12, 14 and 15 said AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T. 45 N. – R 31 W.

The purpose of the Conditional Use Permit application is to construct an addition to the school building including an addition to the school building, remodel of existing building, and construction of new parking, new pool, auxiliary gym, and performing arts center.

The Planning Commission conducted a public hearing and considered this application request at their regular meeting on Wednesday, May 15.

Findings of Fact

1. The operation of a school on the aforementioned properties is considered a conditional use per [Section 515-54-5.F](#) of the Code of Ordinances.
2. The proposed addition meets the following criteria as required by the aforementioned section of the Code:

- a. The site accesses a major collector.
 - i. The school is located on S. 5th St. with adjacent streets of Oak St., Pine St., and Quince St., to the east, E. College Dr. to the south, and E. River Rd. to the west.
- b. The site is landscaped in accordance with [Section 20](#) of the Zoning Code.
 - i. The landscape plan has been reviewed by staff and deemed adequate.
- c. Off-street parking is provided in accordance with [Section 22](#) of the Zoning Code
 - i. The school's current parking, include reconstruction of the school's north parking lot following construction of the Performing Arts Center, as well as construction of a parking lot along S. 5th St. between Pine St. and Quince St. provide sufficient off-street parking.
- d. Off-street loading and service entrances are provided as regulated by [Section 23](#) of the Zoning Code.
 - i. The provided off-street loading entrances are sufficient.
- e. Emergency vehicle access is provided to and within the site.
 - i. There is sufficient access for emergency vehicles.
- 3. ISD #181 has come to an agreement with the City Engineer and the Minnesota Department of Transportation to reconstruct S. 5th St from Oak St. to Quince St. to slow traffic and increase pedestrian safety.
- 4. All school bus traffic will be diverted off S. 5th St. between Oak St and Quince St.
- 5. ISD #181 has purchase agreements in place to acquire all the properties associated with this project that are not currently owned by the district.

No parties came forward during the public hearing to express their objections to this Conditional Use Permit application.

Staff Opinion

As ISD #181 is seeking to improve and expand Brainerd High School to provide quality educational facilities for the children of Brainerd for years to come, and as ISD #181 has purchase agreements in place to purchase all properties associated with this project that the district does not currently own, and as the applicant has met all the requirements previously listed, staff recommends approval of this application.

Planning Commission Recommendation

The Planning Commission, through a motion by Commissioner Lambert and seconded by Commissioner Burslie, moved to recommend approval of the conditional use permit based on the findings of fact submitted by staff and with the conditions that 1) the height of the light poles shall not exceed 13 feet, but there may be compromise if an acceptable height is brought forward, 2) require a 50% illumination reduction between 11:00pm and dawn, 3) that landscape plan must be approved by the Planning Commission for the east parking lot, and 4) applicant must reconcile the islands to have both trees and lights. Commissioner Marohn voted against the motion.

May 29, 2019

Brainerd City Council
Attn: Mr. Gabe Johnson
501 Laurel Street
Brainerd, MN 56401

Re: Conditional Use Permit for Brainerd High School, Brainerd, MN

Dear Brainerd City Council Members,

This letter is a request for the opportunity to speak to the Brainerd City Council regarding the conditions placed on the Conditional Use Permit for the Brainerd High School. The District is requesting to speak at the next scheduled council meeting on Monday, June 3, 2019. We would like the opportunity to provide additional facts and information on the specific conditions set by the planning commission along with the associated impacts on the project.

Our request to provide additional information will focus on the following items:

- Light pole heights to not exceed 13 feet, but may compromise if an acceptable height is brought forward
- Requirement of a 50% illumination reduction between 11 p.m. and dawn
- Landscape plan must be approved by the planning commission for the east parking lot

A few members of our district team will be present at the council meeting to provide you with additional facts and information. We will present to you in a concise and timely manner.

The District is requesting the City Council to consider granting some leniency to the conditions established by the planning commission for the Brainerd High School Conditional Use Permit. Recommended changes would be based upon the facts that we will be providing to the council on Monday evening. We look forward to the opportunity to visit with you in further detail.

Sincerely,



Laine D. Larson
Superintendent of Schools
Brainerd Public Schools

cc: Brandon Kellerman, ICS Consulting, Inc.
Scott Whittemore, ICS Consulting, Inc.
Tim Ramerth, WSN

CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401-
(218) 828-2309 FAX: (218) 828-2316



PRINTED WITHOUT ISSUING 5/3/2019

Permit #: 2019-00015

ADDRESS : 702 5TH ST S
PIN : 09166005000Z009
LEGAL DESC : RIVERSIDE ADDITION
: LOT BLOCK 5
PERMIT TYPE : CONDITIONAL USE PERMIT FEE - COMM
PROPERTY TYPE : INSTITUTIONAL/EDUCATIONAL
CONSTRUCTION TYPE : CONDITIONAL USE PERMIT

APPLICANT

IND SCHOOL DIST # 181, BRAINERD SENIOR HIGH
SCHOOL
804 OAK STREET
BRAINERD, MN 56401

CONDITIONAL USE PERMIT FEE - COMM	400.00
ESCROW DEPOSIT (\$500)	500.00
TOTAL	900.00
Payment(s)	
CHECK 160529	900.00

OWNER

IND SCHOOL DIST # 181, BRAINERD SENIOR HIGH
SCHOOL
804 OAK STREET
BRAINERD, MN 56401

AGREEMENT AND SWORN STATEMENT

I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not. The granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction.

Signature of Applicant

Date

This permit becomes null and void if construction authorized is not commenced within 180 days, or if construction is suspended for a period of 180 days at any time after work is commenced.

SEPARATE PERMITS REQUIRED FOR WORK OTHER THAN DESCRIBED ABOVE.

**CITY OF BRAINERD
501 LAUREL STREET
BRAINERD, MN 56401-
(218) 828-2309 FAX: (218) 828-2316**



* 2 0 1 9 - 0 0 0 1 5 *
ISSUED:

PRINTED WITHOUT ISSUING 5/3/2019

ADDRESS : 702 5TH ST S **PERMIT APPLICANT:**
PIN : 09166005000Z009 **IND SCHOOL DIST # 181, BRAINERD SEN**
LEGAL DESC : RIVERSIDE ADDITION **804 OAK STREET**
: BLOCK 5 **BRAINERD, MN 56401**
PERMIT TYPE : CONDITIONAL USE PERMIT FEE - CO
PROPERTY TYPE : INSTITUTIONAL/EDUCATIONAL
CONSTRUCTION TYPE : CONDITIONAL USE PERMIT

BUILDING INSPECTION RECORD
24 HOUR NOTICE REQUIRED FOR ALL INSPECTIONS.
CALL FOR INSPECTIONS WEEKDAYS: 9:00 am to 3:30 pm

INSPECTION TYPE	DATE	INSPECTOR	INSPECTION TYPE	DATE	INSPECTOR

INSPECTION COMMENTS: _____

IN ACCORDANCE WITH CITY ORDINANCE, NEW OR SUBSTANTIALLY REMODELED BUILDINGS SHALL NOT BE OCCUPIED UNTIL ALL WORK HAS BEEN APPROVED, AND A CERTIFICATE OF OCCUPANCY HAS BEEN ISSUED BY THE BUILDING DEPARTMENT.

THIS CARD MUST BE POSTED AND VISIBLE AT ALL TIMES UNTIL WORK IS COMPLETE.

**City Planning Department**

City Hall – 501 Laurel Street

Brainerd, MN 56401

218-828-2309/Fax 218-828-2316

www.ci.brainerd.mn.us

Receipt # 8019-00015
 Check # 160529
 Date Paid: 5/3/19

CONDITIONAL USE/REZONING/VARIANCE APPLICATION**RESIDENTIAL****COMMERCIAL****CONDITIONAL USE PERMIT**☐ (\$250.00)☒ (\$400.00 + \$500.00 escrow deposit)**REZONING**☐ (\$300.00)☐ (\$500.00)**VARIANCE**☐ (\$250.00)☐ (\$400.00 + \$500.00 escrow deposit)**PROPERTY ADDRESS:** 702 S. 5th St, Brainerd, MN 56401**LEGAL DESCRIPTION:** Lot(s): NA Block: NA Addition: See attached Certificate of Survey for Legal Descriptions
(attach description if lengthy)**Property Owner Name:** Brainerd Public Schools I.S.D. 181**Street Address:** 804 Oak Street **City:** Brainerd **State:** MN **Zip Code** 56401**Phone Number:** 218-454-6911 **Fax:** _____ **E-mail:** Laine.Larson@isd181.org**Applicant Name:** (If different than Property Owner) _____**Street Address:** _____ **City:** _____ **State:** _____ **Zip Code:** _____**Phone Number:** _____ **Fax:** _____ **E-mail:** _____**Description of Request:** For the Brainerd High School North Campus.Request for "Conditional Use Permit" for the construction of high school additions, a performing arts center, a new pool, an auxiliary gym, and parking lots as indicated on the attached prints.Laine D. Larson
Property Owner Signature04/30/19
DateLaine D. Larson
(Please print name)Laine D. Larson
Applicant Signature04/30/19
DateLaine D. Larson
(Please print name)

(OVER)

LEGAL DESCRIPTION FOR PORTION OF SCHOOL PROPERTY

Lots 1-11 and 13-24, Block 125, and portions of vacated Norwood, Fourth Street and Oak Street, BRAINERD, according to the recorded plat thereof, on file in the Crow Wing County, Minnesota Recorder's Office.

Blocks 161, 163, 183 and 185, and portions of vacated Quince, said Fourth Street, said Oak Street and Pine Street, said BRAINERD, according to the recorded plat thereof, on file in said Crow Wing County, Minnesota Recorder's Office.

Together with Blocks 4, 5, 6 and 7, and portions of vacated Ridge Street, said Pine Street, said Quince Street and alleys in said Blocks 5 and 6, RIVERSIDE ADDITION according to the recorded plat thereof, on file in said Crow Wing County, Minnesota Recorder's Office.

Together with Blocks 1, 2 and 3, and vacated Gilmer Road and Quinlen Road, HILL CREST ADDITION, according to the recorded plat thereof, on file in said Crow Wing County, Minnesota Recorder's Office.

Together with that part of Lot 16, AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T.45N. – R. 31 W., according to recorded Auditor's plat thereof, on file in said Crow Wing County, Minnesota Recorder's Office, which lies northerly of College Road.

Together with Lots 10, 11, 12, 14 and 15 said AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T.45N. – R. 31 W., according to said recorded Auditor's plat thereof, on file in said Crow Wing County, Minnesota Recorder's Office

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Laine Larson, superintendent ISD #181, has submitted a request on behalf of Brainerd Public Schools – ISD #181 for a Conditional Use Permit to construct an addition to Brainerd High School, 702 S 5th St., Brainerd, MN 56401, including but not limited to an addition to the school building, remodel of existing building, and construction of new parking, new pool, auxiliary gym, and performing arts center. The properties included in this application are described as:

Lots 1 thru 11 and 13 thru 24, Block 125, and Portions of Vacated Norwood, Fourth Street and oak Street, BRAINERD

Blocks 161, 163, 183, and 185, and Portions of Vacated Quince, saith Fourth Street, said Oak Street and Pine Street, said BRAINERD

Together with Blocks 4, 5, 6 and 7, and Portions of Vacated Ridge Street, said Pine Street, said Quince Street and Alleys in said Blocks 5, and 6, RIVERSIDE ADDITION

Together with Blocks 1, 2 and 3, and vacated Gilmer Road and Quinlen Road, HILL CREST ADDITION

Together with that part of Lot 16, AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T. 45 N. – R. 31 W.

Together with Lots 10, 11, 12, 14 and 15 said AUDITOR'S PLAT UNPLATTED PORTIONS SECTION 25 & LOT 1-SECTION 26, T. 45 N. – R 31 W.

The properties are zoned R-1 (Single Family Residential) District and Zoning Ordinance Section 54-5 F (Single Family Residential) District Conditional Uses permits the operation of public and private schools provided that they meet the required provisions as listed under Section 54-5 F. A copy of the proposed site plan is on file for review at the Community Development Department.

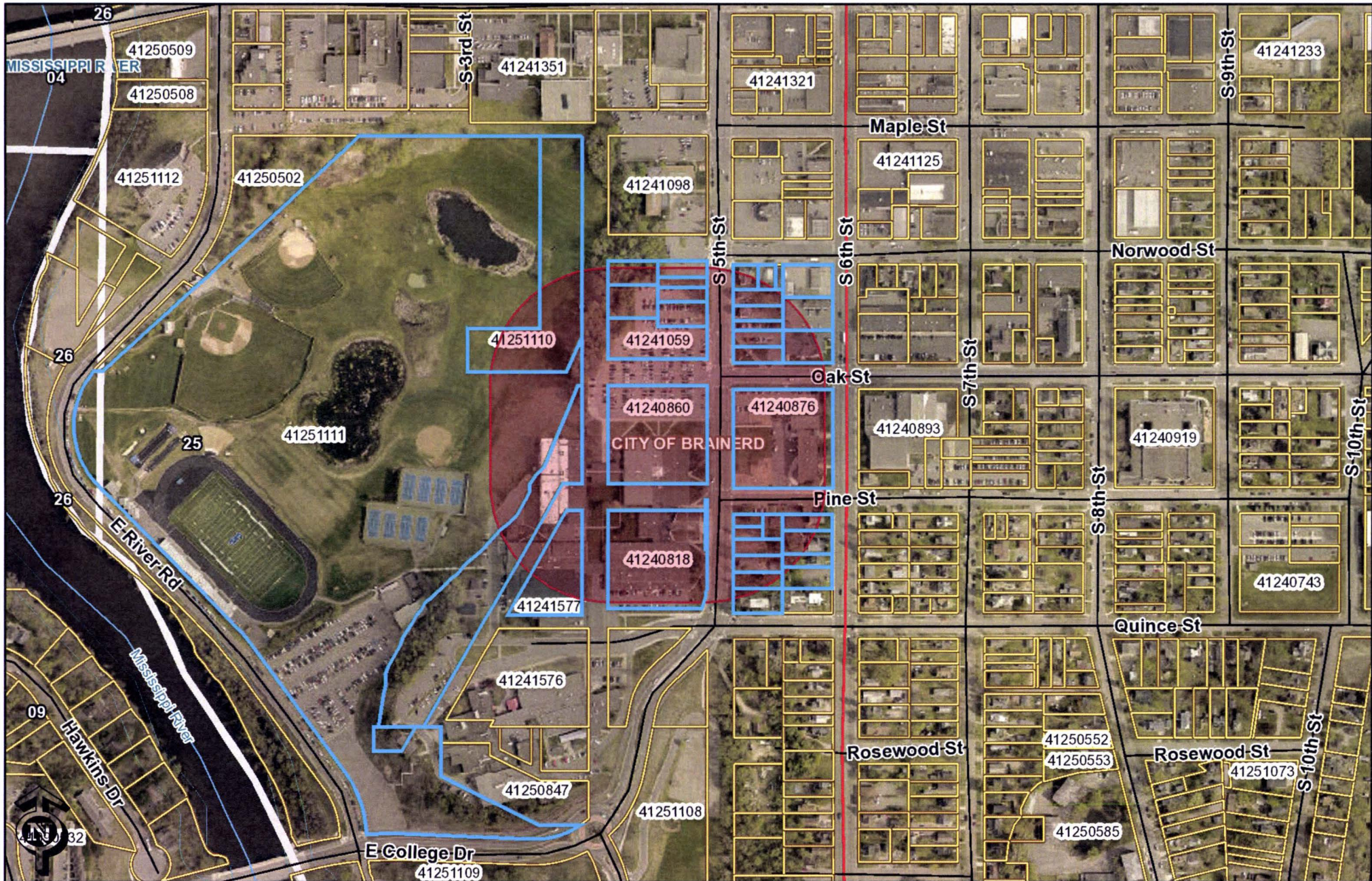
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, May 15, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 3rd day of May 2019



David C. Chanski, MPA
Community Development Director



These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

702 S. 5th St

Date: 5/3/2019 Time: 3:33:18 PM



Parcel Number	Legacy Parcel Number	Municipality	Tax Name	Tax Address	Tax Address 2	Tax Address 3	Tax Address	Physical Address	Physical City	Physical Zip
41241044	09196127019200	CITY OF BRAINERD	BRAINERD SAVINGS & LOAN	524 S 6TH ST	BRAINERD MN 56401-3561			515 5TH ST S	BRAINERD	56401
41241052	09196127001200	CITY OF BRAINERD	BRAINERD SAVINGS AND LOAN	524 6TH ST S	BRAINERD MN 56401			524 6TH ST S	BRAINERD	56401
41241043	09196127021200	CITY OF BRAINERD	BRAINERD SAVINGS AND LOAN	524 6TH ST S	BRAINERD MN 56401			519 5TH ST S	BRAINERD	56401
41241042	09196127023200	CITY OF BRAINERD	BRAINERD SAVINGS AND LOAN	524 6TH ST S	BRAINERD MN 56401			523 5TH ST S	BRAINERD	56401
41241703	091961830002AC	CITY OF BRAINERD	CITY OF BRAINERD	CITY ADMINISTRATOR-CITY HALL	501 LAUREL ST	BRAINERD, MN 56401				
41240814	09196185008200	CITY OF BRAINERD	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401			710 6TH ST S	BRAINERD	56401
41240813	09196185011200	CITY OF BRAINERD	FELSKE PROPERTIES LLC	1021 INDUSTRIAL PARK RD	BRAINERD, MN 56401			704 6TH ST S	BRAINERD	56401
41251111	09104000009X00	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41251110	09104000010200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241578	09166004000200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241577	09166005000200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241059	09196125001VOC	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			518 5TH ST S	BRAINERD	56401
41241058	09196125005200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			514 5TH ST S	BRAINERD	56401
41241057	09196125008200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241056	09196125009200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			506 5TH ST S	BRAINERD	56401
41241054	09196125013200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41241053	09196125016200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41240876	09196161000200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			0 LINCOLN SCH	BRAINERD	56401
41240860	09196163000200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41240818	09196183000200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41240816	09196185004200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			716 6TH ST S	BRAINERD	56401
41240807	09196185020200	CITY OF BRAINERD	IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401			717 5TH ST S	BRAINERD	56401
41240815	09196185006200	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1 ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401			714 6TH ST S	BRAINERD	56401
41240812	09196185013Y00	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1 ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401			510 PINE ST	BRAINERD	56401
41240811	09196185013200	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1 ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401				0 BRAINERD	56401
41240810	09196185014200	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1 ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401			705 5TH ST S	BRAINERD	56401
41240809	09196185016200	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1 ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401			707 5TH ST S	BRAINERD	56401
41240808	09196185018200	CITY OF BRAINERD	INDEPENDENT SCHOOL DISTRICT #1 ADMINISTRATIVE OFFICES	804 OAK ST	BRAINERD, MN 56401			711 5TH ST S	BRAINERD	56401
41240806	09196185022200	CITY OF BRAINERD	KNOWLES, RODNEY L	723 5TH ST S	BRAINERD MN 56401			723 5TH ST S	BRAINERD	56401
41241048	09196127013W0	CITY OF BRAINERD	MALLIE, MATTHEW R	507 S 5TH ST	BRAINERD, MN 56401			510 NORWOOD ST	BRAINERD	56401
41241047	09196127013200	CITY OF BRAINERD	MALLIE, MATTHEW R	507 S 5TH ST	BRAINERD, MN 56401			502 NORWOOD ST	BRAINERD	56401
41241046	09196127016200	CITY OF BRAINERD	MALLIE, MATTHEW R	507 S 5TH ST	BRAINERD, MN 56401			507 5TH ST S	BRAINERD	56401
41241051	09196127005200	CITY OF BRAINERD	POSITIVE REALTY, & INVESTMENT	514 SO 6TH STREET	BETTER HOMES & GARDENS	BRAINERD MN 56401		514 6TH ST S	BRAINERD	56401
41241050	09196127009200	CITY OF BRAINERD	S & L CREATIVE INVESTMENTS LLC	502 S 6TH ST	BRAINERD, MN 56401			502 6TH ST S	BRAINERD	56401
41241055	09196125011200	CITY OF BRAINERD	SUITE PROPERTIES LLC	PO BOX 2511		BAXTER MN 56425		502 5TH ST S	BRAINERD	56401
41241045	09196127018200	CITY OF BRAINERD	WENDEL PROPERTIES LLC	17122 STATE HWY 371	BRAINERD, MN 56401			511 5TH ST S	BRAINERD	56401



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1495**

**AN ORDINANCE AMENDING ORDINANCE NO. 812
PERTAINING TO THE ZONING IN THE CITY OF BRAINERD**

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That existing Section 515-04-02 of the Brainerd City Code is hereby amended by changing the zoning designation of the properties below from an R-1A (Single-Family Residential) District to an I-1 (Light Industrial) District for the following:

PIN 41360560
All of Block 10 thru 16 of the Woodland Park Addition to the City of Brainerd
Township 45 Range 31 Section 16

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

Adopted this ____ day of May, 2019

GABE JOHNSON
President of the Council

Approved this ____ day of May, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time, _____, 2019

City of Brainerd

Community Development Department

TO: Mayor and City Council

FROM: David Chanski, Community Development Director

DATE: May 29, 2019

RE: 50 Jenny St. Rezoning

Scott Magnuson, Brainerd Public Utilities Superintendent, 8027 Highland Scenic Road, Baxter, MN 56425, has submitted a request on behalf of Brainerd Public Utilities to rezone the property at 50 Jenny St. from an R-1A Single Family Residential District to an I-1 Light Industrial District.

The purpose of the rezoning request is to better serve the operation of the Brainerd Water Treatment Plant. The property is owned by the City of Brainerd, and the application has been signed by the City Administrator.

The Planning Commission held a public hearing and considered this request during their regular meeting on Wednesday, May 15.

Findings of Fact

1. Per Section 515-55-1 of the Code of Ordinances, the purpose and intent of an R-1A District is to “allow areas of low density, single family detached dwellings and to preserve the quiet single-family neighborhoods free from other uses except those which are both compatible with residents of such districts.”
 - a. While public buildings on public land is a conditional use in an R-1A District per Section 515-55-5.F, such zoning is not ideal for a water treatment plant as it must conform to the residential standards set forth in ordinance, and a water treatment plant does not meet the spirit or purpose of such zoning as stated above.
2. Per Section 515-70-1 of the Code of Ordinances, the purpose and intent of an I-1 district is to “provide for the establishment of warehousing and light industrial development, particularly in the form of industrial parks. The overall character of the I-1 District is intended to have low impact character.”
 - a. Public utility buildings are a permitted use in an I-1 District, and the commercial zoning standards integrated within such a district much better serve the operations of a water treatment plant, including lot area and setback requirements, building regulations, and allowable uses.

One member of the community came forward to question what kind of impact this rezoning request may have on the neighboring properties.

Staff Opinion

As the Brainerd Water Treatment Plant better fits the purpose and intent of an I-1 Light Industrial District than an R-1A Single Family Residential District, and as the standards set forth in I-1 Light

Industrial Districts better serve the current and long-term operations of the Brainerd Water Treatment Plant, staff recommends approval of this rezoning request.

Planning Commission Recommendation

In a motion by Commissioner Lambert and seconded by Commissioner Burslie, the Planning Commission unanimously voted to recommend approval of the rezoning of property at 50 Jenny Street from an R-1A (Single Family Residential) District to an I-1 (Light Industrial) District based on the findings of fact provided.



City Planning Department

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

Receipt # _____
Check # _____
Date Paid: _____

CONDITIONAL USE/REZONING/VARIANCE APPLICATION

	RESIDENTIAL	COMMERCIAL
CONDITIONAL USE PERMIT	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)
REZONING	☐ (\$300.00)	☐ (\$500.00)
VARIANCE	☐ (\$250.00)	☐ (\$400.00 + \$500.00 escrow deposit)

PROPERTY ADDRESS: 50 Jenny Street

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: _____
(attach description if lengthy) ATTACHED

Property Owner Name: City of Brainerd

Street Address: 501 Laurel St City: Brainerd State: MN Zip Code: 56401

Phone Number: 828-2307 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) Scott Magnuson BPU

Street Address: 8027 Highland Scenic Rd City: Baxter State: MN Zip Code: 56425

Phone Number: 218-825-3213 Fax: _____ E-mail: smagnuson@bpu.org

Description of Request: request zoning change from R-1 to I-1 for water treatment plant and related facilities

Cassandra Torstenson
Property Owner Signature

4-17-19
Date

Cassandra Torstenson
(Please print name)

X M
Applicant Signature

4-15-2019
Date

SCOTT MAGNUSON
(Please print name)

(OVER)



General Information

Parcel Number: 09202010000Z009

General Information

Township/City: CITY OF BRAINERD
Taxpayer: CITY OF BRAINERD
CITY ADMINISTRATOR-CITY HALL
501 LAUREL ST
BRAINERD, MN 56401

Property Address:

Township: 45
Range: 31
Section: 36
Plat: WOODLAND PARK ADDITION TO BRAINERD

Lake Number: 0

Lake Name:

Acres: 0.00

School District: 181

Legal Description:

ALL OF BLOCK 10 THRU 16 INCLUSIVE

2018 Assessment for 2019 Tax Payable

Class Code 1:	Water/Wastewater Treatment Facilities
Class Code 2:	N/A
Class Code 3:	N/A
Homestead:	Non Homestead

Estimated Land Value:	\$108,800.00
Estimated Building Value:	\$1,385,700.00
Estimated Total Value:	\$1,494,500.00

2018 Tax Payable

Net Tax (Specials Not Included):	\$0.00
Total Special Assessments:	\$15.00
Current Year Balance Due:	\$0.00
Delinquent:	NO



General Information

Parcel Number: 060362300E00009

General Information

Township/City: CITY OF BRAINERD
Taxpayer: CITY OF BRAINERD
CITY ADMINISTRATOR-CITY HALL
501 LAUREL ST
BRAINERD, MN 56401

Property Address:

Township: 45
Range: 31
Section: 36
Plat:

Lake Number: 0
Lake Name:

Acres: 0.86

School District: 181

Legal Description:

N. 300 FT OF W. 125 FT OF SW1/4 OF NW1/4

2018 Assessment for 2019 Tax Payable

Class Code 1: Municipal - All Other
Class Code 2: N/A
Class Code 3: N/A
Homestead: Non Homestead

Estimated Land Value:	\$23,900.00
Estimated Building Value:	\$0.00
Estimated Total Value:	\$23,900.00

2018 Tax Payable

Net Tax (Specials Not Included):	\$0.00
Total Special Assessments:	\$0.00
Current Year Balance Due:	\$0.00
Delinquent:	NO



General Information

Parcel Number: 060351101000009

General Information

Township/City: CITY OF BRAINERD
Taxpayer: CITY OF BRAINERD
CITY ADMINISTRATOR-CITY HALL
501 LAUREL ST
BRAINERD, MN 56401

Property Address:

Township: 45
Range: 31
Section: 35
Plat:
Lake Number: 0
Lake Name:
Acres: 64.94
School District: 181

Legal Description:

GL 1 & THAT PT OF GL 2 LYING N OF THE E & W C /L OF SD SEC 35 & THE N 1/2 OF SENE SEC 35

2018 Assessment for 2019 Tax Payable

Class Code 1:	Water/Wastewater Treatment Facilities
Class Code 2:	N/A
Class Code 3:	N/A
Homestead:	Non Homestead

Estimated Land Value:	\$126,900.00
Estimated Building Value:	\$131,400.00
Estimated Total Value:	\$258,300.00

2018 Tax Payable

Net Tax (Specials Not Included):	\$0.00
Total Special Assessments:	\$15.00
Current Year Balance Due:	\$0.00
Delinquent:	NO

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Scott Magnuson, superintendent Brainerd Public Utilities, 8027 Highland Scenic Road, Baxter, MN 56425, has submitted a request on behalf of Brainerd Public Utilities for the property at 50 Jenny Street to rezone said property from an R-1A (Single Family Residential) District to an I-1 (Light Industrial) District. The purpose of this rezoning is to better serve the operation of the Brainerd Wastewater Treatment Plant.

The legal description of the property is as follows:

All of Block 10 Thru 16 Of The Woodland Park Addition To The City of Brainerd

P.I.N. 41360560

Township 45, Range 31, Section 16

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, May 15, 2019 in the Brainerd City Hall Council Chambers, 501 Laurel Street to consider the request.

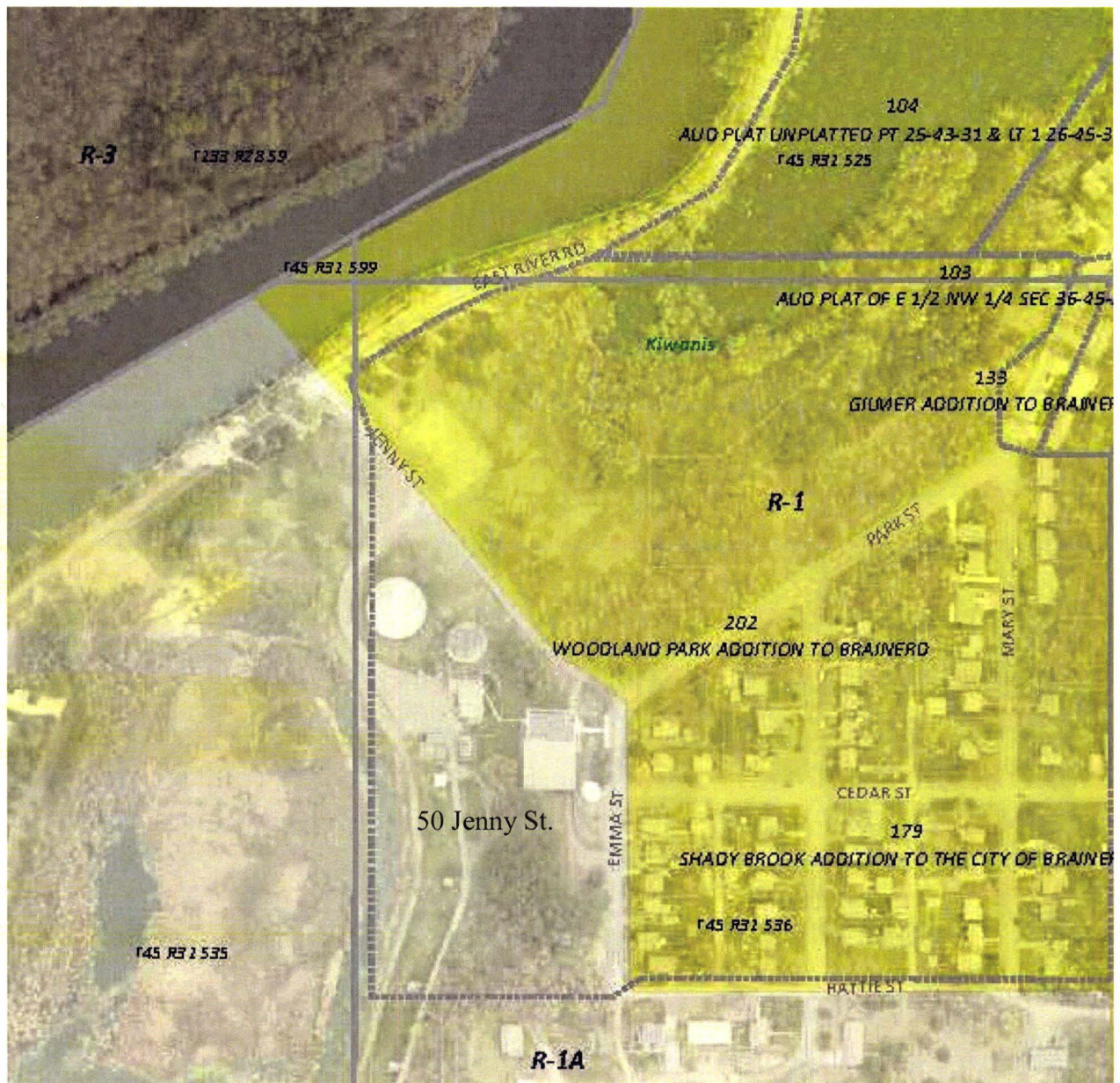
Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

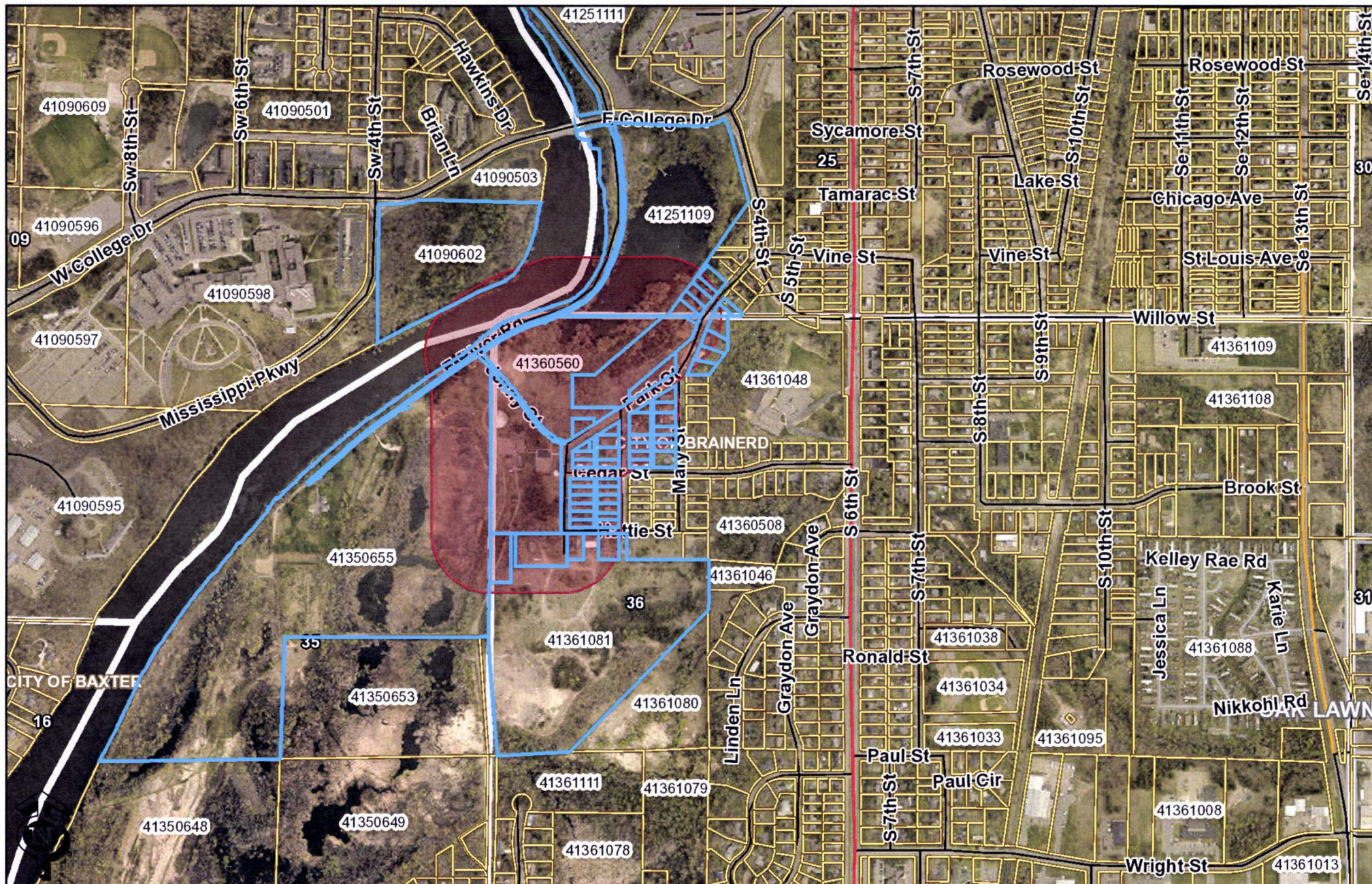
Dated this 3rd day of May 2019.



David C. Chanski, MPA
Community Development Director

See reverse side for map.





These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

50 Jenny Street

Date: 5/3/2019 Time: 1:28:37 PM



Parcel Number	Legacy Parcel Number	Tax Name	Tax Address	Tax Address 2	Tax Address 3	Tax Address Physical Address	Physical City	Physical Zip
41360591	92020050090009	ABBOTT, CAROLYN T	1509 PENNSYLVANIA AVE	BRAINERD, MN 56401		1509 PENNSYLVANIA AVE	BRAINERD	56401
41360592	092020050072009	ANDERSON, KEITH R & RACHAEL A	13082 WICKLUND RD	BRAINERD, MN 56401		1503 PENNSYLVANIA AVE	BRAINERD	56401
41360579	092020080042009	BECK, ALLYSON D	1518 PENNSYLVANIA AVE	BRAINERD, MN 56401		1518 PENNSYLVANIA AVE	BRAINERD	56401
41360562	92020090110009	BORCHERT, WILMA	1617 EMMA STR	BRAINERD MN 56401		1617 EMMA ST	BRAINERD	56401
41360594	92020050040009	BRIGHT, BARBARA L	1516 MARY ST	BRAINERD, MN 56401		1516 MARY ST	BRAINERD	56401
41090602	070093103A00009	CENTRAL LAKES COLLEGE	501 COLLEGE DR W	BRAINERD MN 56401			0 BRAINERD	56401
41360573	92020080120009	CLJ TRUST AGR DATED 5-9-12	LOWELL S JOHNSON & COLLEEN LEBLANC	4441 20TH ST	FORT RIPLEY, MN 56449	1521 EMMA ST	BRAINERD	56401
41250861	091400020022009	CZECH, NICKLOS A & GINA	1310 PARK ST	BRAINERD, MN 56401		1310 PARK ST	BRAINERD	56401
41360580	092020080032009	FITCH, GARY D & GAIL	1510 PENNSYLVANIA	BRAINERD MN 56401		1510 PENNSYLVANIA AVE	BRAINERD	56401
41360576	09202008009Y009	FITCH, GARY D & GAIL	1510 PENNSYLVANIA	BRAINERD MN 56401			0 BRAINERD	56401
41360596	92020050020009	GREENHOUSES PROPERTIES LLC	4903 OJIBWA RD	BRAINERD MN 56401		1508 MARY ST	BRAINERD	56401
41360561	92020090120009	HEDBERG, ISAAC M	1623 EMMA ST	BRAINERD MN 56401		1623 EMMA ST	BRAINERD	56401
41250860	091400020052009	HINES, JESSICA ANN &	RUSSELL LEE CLARK	1306 PARK ST	BRAINERD, MN 56401	1306 PARK ST	BRAINERD	56401
41300996	091330010012009	HIPPERT, KIMBERLY S	1319 PARK ST	BRAINERD, MN 56401		1319 PARK ST	BRAINERD	56401
41360593	092020050052009	HUNTER, IVY RAE	6078 DONALD ST		BAXTER MN 56425	1524 MARY ST	BRAINERD	56401
41360575	092020080092009	JACKSON, TRAVIS L	1519 EMMA ST	BRAINERD, MN 56401			0 BRAINERD	56401
41360574	92020080110009	JACKSON, TRAVIS L	1519 EMMA ST	BRAINERD, MN 56401		1519 EMMA ST	BRAINERD	56401
41360586	092020060042009	JOHNSON, KEITH M	1420 MARY ST	BRAINERD, MN 56401		1420 MARY ST	BRAINERD	56401
41250872	091400010042009	KRAEMER, ALLARD & MARCELLENE	1302 PARK ST	BRAINERD MN 56401		1301 PARK ST	BRAINERD	56401
41250859	091400020072009	KRAEMER, ALLARD & MARCELLENE	1302 PARK ST	BRAINERD MN 56401		1302 PARK ST	BRAINERD	56401
41361047	09103000007C009	KRAEMER, MARCELLENE J	1302 PARK ST	BRAINERD, MN 56401		1313 PARK ST	BRAINERD	56401
41360563	92020090100009	KUHN, DALE P & DEBRA L	10154 DEPOT ST	BRAINERD, MN 56401		1615 EMMA ST	BRAINERD	56401
41360590	92020050100009	KUKOWSKI, RAYMOND T & PATRIC	35082 SILVER SANDS RD	PEQUOT LAKES, MN 56472		1513 PENNSYLVANIA AVE	BRAINERD	56401
41360564	92020090090009	LAFOND, BRODY P	1609 EMMA ST	BRAINERD, MN 56401		1609 EMMA ST	BRAINERD	56401
41360597	092020050012009	LINDSEY, RYAN D & MICHELLE L	1504 MARY ST	BRAINERD, MN 56401		1504 MARY ST	BRAINERD	56401
41360567	92020090060009	MYERS, JOHN W & ROBIN K	1624 PENNSYLVANIA AVE	BRAINERD MN 56401		1624 PENNSYLVANIA AVE	BRAINERD	56401
41360588	92020050120009	OHMAN, CYNTHIA A	1523 PENNSYLVANIA AVE	BRAINERD, MN 56401		1523 PENNSYLVANIA AVE	BRAINERD	56401
41300995	09133001002B009	O'LEARY, KARI ESTHER	1325 PARK ST	BRAINERD, MN 56401		1325 PARK ST	BRAINERD	56401
41360569	09202009004Z889	PENNSYLVANIA AVENUE LLC	11171 TOWN HALL ST	BRAINERD, MN 56401		1616 PENNSYLVANIA AVE	BRAINERD	56401
41360566	92020090070009	RICK, JEREMI M & ANGIE L	1601 EMMA ST	BRAINERD, MN 56401		1601 EMMA ST	BRAINERD	56401
41361084	060362300B00009	ROBERTS REVOCABLE TRUST	C/O LESLIE L & MARY L ROBERTS	1702 PENNSYLVANIA AVE	BRAINERD, MN 56401	1702 PENNSYLVANIA AVE	BRAINERD	56401
41361083	060362300C00009	ROBERTS REVOCABLE TRUST	C/O LESLIE L & MARY L ROBERTS	1702 PENNSYLVANIA AVE	BRAINERD, MN 56401	1701 EMMA ST	BRAINERD	56401
41361081	060362300F00889	ROBERTS SAND & GRAVEL	1701 EMMA ST	BRAINERD MN 56401		1702 PENNSYLVANIA AVE	BRAINERD	56401
41360513	060362300D00009	ROBERTS, KEITH W & JAN D	1700 EMMA ST	BRAINERD MN 56401		1700 EMMA ST	BRAINERD	56401
41360565	92020090080009	RODRIQUEZ, ASHLEY M	1605 EMMA ST	BRAINERD, MN 56401-4319		1605 EMMA ST	BRAINERD	56401
41250873	091400010012009	RUBADO, KAREN E & JOSEPH J	1305 PARK ST	BRAINERD MN 56401		1305 PARK ST	BRAINERD	56401
41250862	09140002001Y009	SKOGEN, MARK A	1324 PARK ST	BRAINERD, MN 56401		1324 PARK ST	BRAINERD	56401
41300994	091330010032009	SWEDBERG, BERNICE A	1331 PARK ST	BRAINERD, MN 56401		1331 PARK ST	BRAINERD	56401
41360595	92020050030009	SWIFT, SHARON J	1512 MARY ST	BRAINERD, MN 56401		1512 MARY ST	BRAINERD	56401
41360584	092020060092009	TAX FORFEITED	CROW WING COUNTY LAND SERVICES	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590		0 BRAINERD	56401
41360583	09202007001A009	TAX FORFEITED	CROW WING COUNTY LAND SERVICES	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590		0 BRAINERD	56401
41360570	92020090030009	TAYLOR, KEVIN J & CROWLEY, ROSI	1610 PENNSYLVANIA AVE	BRAINERD MN 56401		1610 PENNSYLVANIA AVE	BRAINERD	56401
41250858	09140002009X009	VLECK, DANIEL	14191 CROOKED LAKE RD	DEERWOOD, MN 56444		1224 PARK ST	BRAINERD	56401
41360585	092020060062009	VOSS, PEGGY A	1424 MARY STR	BRAINERD MN 56401		1424 MARY ST	BRAINERD	56401
41360571	92020090020009	WEBER, JAMES H & DONNA	1604 PENNSYLVANIA	BRAINERD MN 56401		1604 PENNSYLVANIA AVE	BRAINERD	56401
41360589	92020050110009	WEIK, ASHLEY J	1519 PENNSYLVANIA AVE	BRAINERD, MN 56401		1519 PENNSYLVANIA AVE	BRAINERD	56401
41360572	92020090010009	WILL, DARIN	1602 PENNSYLVANIA AVE	BRAINERD MN 56401		1602 PENNSYLVANIA AVE	BRAINERD	56401
41360568	09202009005A889	WILT, RICHARD E & JOYCE I & DAVI	5389 PIONEER TRL	BRAINERD, MN 56401		1620 PENNSYLVANIA AVE	BRAINERD	56401
41360578	92020080060009	WINTERS, HEATHER M	1524 PENNSYLVANIA AVE	BRAINERD MN 56401		1524 PENNSYLVANIA AVE	BRAINERD	56401



Brainerd City Council Agenda Request

Requested Meeting Date:

Title of Item:

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by:	Department:
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue:	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion:	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1496**

AN ORDINANCE ADOPTING THE MINNESOTA STATE BUILDING CODE. THIS ORDINANCE: PROVIDES FOR THE APPLICATION, ADMINISTRATION, AND ENFORCEMENT OF THE MINNESOTA STATE BUILDING CODE BY REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, AND MAINTENANCE OF ALL BUILDINGS AND/OR STRUCTURES IN THIS MUNICIPALITY; PROVIDES FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREOF; PROVIDES PENALTIES FOR VIOLATION THEREOF; REPEALS ALL ORDINANCES AND PARTS OF ORDINANCES THAT CONFLICT THEREWITH. THIS ORDINANCE SHALL PERPETUALLY INCLUDE THE MOST CURRENT EDITION OF THE MINNESOTA STATE BUILDING CODE WITH THE EXCEPTION OF THE OPTIONAL APPENDIX CHAPTERS. OPTIONAL APPENDIX CHAPTERS SHALL NOT APPLY UNLESS SPECIFICALLY ADOPTED.

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE; Section 400 of Chapter IV of the City Code is hereby repealed in its entirety and replaced with the following:

400.01 State Building Code

Subd. 1. Codes adopted by reference. The Minnesota State Building Code, as adopted by the Commissioner of Labor and Industry pursuant to Minnesota Statutes chapter 326B, including all of the amendments, rules and regulations established, adopted and published from time to time by the Minnesota Commissioner of Labor and Industry, through the Building Codes and Standards Unit, is hereby adopted by reference with the exception of the optional chapters, unless specifically adopted in this ordinance. The Minnesota State Building Code is hereby incorporated in this ordinance as if fully set out herein.

Subd. 2. Application, Administration and Enforcement. The application, administration, and enforcement of the code shall be in accordance with Minnesota State Building Code. The code shall be enforced within the extraterritorial limits permitted by Minnesota Statutes, 326B.121, Subd. 2(d), when so established by this ordinance. The code enforcement agency of this municipality is called the Department of Building Safety. This code shall be enforced by the Minnesota Certified Building Official designated by this Municipality to administer the code in accordance with Minnesota Statutes 326B.133, Subdivision 1, including plumbing plan review and inspections.

Subd. 3. Permits and Fees. The issuance of permits and the collection of fees shall be as authorized in Minnesota Rules Chapter 1300. Permit fees shall be assessed for work governed by this code in accordance with the fee schedule adopted by the municipality in City Code #1015.11. In addition, a surcharge fee shall be collected on all permits issued for work governed by this code in accordance with Minnesota Statutes 326B.148.

Subd. 4. Violations and Penalties. A violation of the code is a misdemeanor (Minnesota Statutes 326B.082, Subd. 16).

400.03 - Plumbing.

Subd. 1 Plans and specifications.

Prior to the installation of a system of plumbing other than for a single-family dwelling, complete plans and specifications, together with any additional information that the Building Official may require, shall be submitted in duplicate and approved by the Building Official. No construction shall proceed except in accordance with approved plans and specifications. Any material alteration or extension of the existing system shall be subject to these same requirements.

Subd. 2 Exceptions.

Plumbing plans and specifications for the following projects shall be submitted to the Minnesota Department of Labor and Industry for a full plan review:

- 1- State-licensed facilities as defined in Minnesota Statutes 326B.103, subdivision 13;
- 2- Public buildings as defined in Minnesota Statutes 326B.103, subdivision 11; and
- 3- Projects of a special nature for which department review is requested by either the municipality or the state.

Subd. 3 Inspections.

New plumbing systems or parts of existing plumbing systems that have been altered, extended or repaired shall be inspected, tested and approved by the Building Official in accordance with Minnesota Rules, Chapter 1300.0215.

SECTION TWO: Effective Date of Ordinance. The effective date of this Ordinance is one week from and after its publication.

Adopted this _____ day of _____, 2019

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
CASSANDRA TORSTENSON
City Administrator

Published: One Time on _____, 2019