

CITY COUNCIL AGENDA

Brainerd, Minnesota

December 2, 2019

7:30 P.M.

**Crow Wing County Historic Courthouse
3rd Floor County Board Room
326 Laurel Street**

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

2. **Roll Call**

___ K. Stunek ___ D. Pritschet ___ K. Bevans ___ D. Badeaux

___ T. Erickson ___ J. Lambert ___ 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 November 18, 2019
2. City Administrator Selection Meeting Held on November 19, 2019
3. Budget Workshop Held on November 25, 2019

Documents:

[20191118_CC draft .pdf](#)

[20191119_CC - City Administrator Interviews.pdf](#)

[20191125_CC -Budget Workshop.pdf](#)

B. **Approval Of Licenses**

Contractor Licenses - 2 - New; 1 - Renewal
Garbage Hauler Licenses - 4 Renewals
Tobacco Licenses - 18 Renewals
Taxicab Licenses - 1 Renewal
Second Hand Auto Licenses - 7 Renewals
Second Hands Goods Licenses - 2 Renewals
Pawnbroker Licenses - 1 Renewal

Contingent Upon Fire Department Inspection

Tobacco Licenses - 2 Renewals
Taxicab License - 1 Renewal
Pawnbroker License - 1 Renewal

Documents:

Contractor Licenses.pdf
01-01 thru 12-31 Renewals.pdf

C. Department Activity Reports

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf
Parks Director.pdf

**D. Memorandum Of Agreement With United Steel Workers
International Union Local 9230 Unit 09 To Replace Current High
Deductible Health Plan With Sourcewell's Smart Plan #3 Health
Plan Option - Approval Of**

Documents:

MOA USW.pdf

**E. Minnesota Lawful Gambling Premises Permit Application - Adopt
Resolution To Allow Lawful Gambling By The American Legion
Post 255 At Cornerstone Liquor, 817 Washington Street, Brainerd**

F. Resolution Designating Polling Locations For 2020

Documents:

Res - Polling Locations.pdf

6. Presentations

A. Basic Emergency Management Certification Presentation

Documents:

Basic Emerg Mgmt Cert.pdf

7. Council Committee Reports

A. Safety And Public Works Committee - 6:45 P.M.

Documents:

20191202_SPW.pdf

1. Event/Street Closure Application - Tour Of The Lakes Bike Ride

Documents:

Event and Street Closure Application - Tour of the Lakes.pdf

2. Resolution - Advancing State Aid Funds

Documents:

Res - Adv State Aid Funds FY 2020.pdf

3. Improvement 19-19 - NW 3rd Street And Jackson Street Construction - Consideration Of Proposal For Engineering Services And Construction Administration

Documents:

Imp 19-19 Prof Services.pdf

4. Tree Policy Revision - Consideration Of Cotton Bearing Tree Grandfather Clause

Documents:

Tree Policy.pdf

5. Technology Enhanced Traffic Control Policy

Documents:

Tech Enhanced Traffic Ctrl Policy.pdf

B. Personnel And Finance Committee - 6:45 P.M.

Documents:

2019-12-02_PF.pdf

1. Approval Of Bills
2. Assistance To Firefighters Grant Application

Documents:

Assistance to Firefighters Grant application.pdf

3. Children's Museum Discussion

Documents:

Childrens Museum.pdf

4. Animal Control Services Contract Proposal

Documents:

Animal Control Services.pdf

5. City Administrator Employment Agreement

Documents:

CORRECTED City Admin Employ Agreement Bergman.pdf

6. Deferment Of Assessment

Documents:

Deferment of Assessments.pdf

7. Memorial Park Redesign And Parking Lot Discussion

Documents:

MMP Redesign.pdf

8. Unfinished Business

A. **Public Hearing For Discussion On The Implementation And Progress Of The Small Cities Development Program (SCDP) Grant CDAP-17-0019-O-FY18**

Documents:

Public Hearing - NE Brainerd Grant .pdf

B. **Call For Applicants - Informational**

(Applications Available at City Hall or at the City's Website)

(<http://www.ci.brainerd.mn.us>)

PLEASE NOTE: THIS INCLUDES ANY EXPIRING TERMS UP FOR REAPPOINTMENT - ALL CURRENT MEMBERS ARE REQUIRED TO REAPPLY

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

Cable TV Advisory Committee - 2 terms (Expire 2019) - 2 terms (Expire 2021)

Charter Commission - 1 term - (Expire 2019) - 2 terms (Expire 2020) - 1 term (Expire 2021) - 1 term (Expire 2022)

Housing & Redevelopment Authority (HRA) - 1 term (Expire 2019)

Library Board - 4 terms (Expire 2019)

Park Board - 1 term (Expire 2019)

Public Utilities Commission (PUC) - 1 term (Expire 2019)

Transportation Advisory Committee (TAC) - 3 terms (Expire 2019)

Mayor Recommended: (terms to expire 09/07 of said year)

Airport Commission - 1 term (Expire 2019)

Economic Development Authority (EDA) - 1 term (Expire 2020)

Planning Commission - 3 term (Éxpire 2019)
Police & Fire Civil Service Commission - 1 term (Expire 2019)

Other

Water Tower Committee - Applicants Needed

9. Planning Commission

- A. **First Reading - Proposed Ordinance No. 1501 - An Ordinance To Rezone Property At 7757 Wise Road From An R-A (Rural Agriculture) To An R-1A (Single-Family Residential) District**

Documents:

7757 Wise Rd Rezoning.pdf

- B. **Conditional Use Permit Application - Submitted By ISD181 For Garfield Elementary School, 1120 10th Ave. NE**

Documents:

Garfield Elementary CUP.pdf

- C. **Conditional Use Permit Application - Submitted By ISD181 For Lowell Elementary School, 704 3rd Ave. NE**

Documents:

Lowell Elementary CUP.pdf

- D. **Conditional Use Permit Application - Submitted By ISD181 For Riverside Elementary School, 205 W. Washington Street**

Documents:

Riverside Elementary CUP .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. Recess To Budget And Levy Public Hearing On Monday, December 9, 2019 At 6:00 P.M.

14. Adjourn

Note: Safety and Public Works Committee will meet at 6:45 p.m.
in the Board Room at the Crow Wing County Courthouse.
Personnel and Finance Committee will meet at 6:45 p.m.
in the Jinx Ferrari Room at the Crow Wing County Courthouse.

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
November 18, 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: Stunek, Pritschet, Bevans, Badeaux, Erickson, Lambert 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 BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Special Meeting and the Regular Meeting both held on November 4, 2019 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 3 – New; 2 - Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Memorandum of Agreement with IBEW Local #31 (Administrative Support) Union to Replace Current High Deductible Health Plan with Sourcewell's Smart Plan #3 Health Plan Option - Approved

E. Memorandum of Agreement with IBEW Local #31 (Public Utilities) Union to Replace Current High Deductible Health Plan with Sourcewell's Smart Plan #3 Health Plan Option - Approved

F. Memorandum of Agreement with LELS Local #65 (Police Officers) Union to Replace Current High Deductible Health Plan with Sourcewell's Smart Plan #3 Health Plan Option - Approved

G. Minnesota Lawful Gambling Premises Permit Application – Adopt Resolution to Allow Lawful Gambling by the VFW Post 1647 at The Parlor, 714 Laurel Street, Brainerd – Adopted by Resolution No. 62:19

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

Presentations

Senior Center Annual Report

The Chair recognized Ms. DeAnn Barry, executive director of The Center who distributed the November 2019 edition newsletter and the financial report. She indicated The Center celebrated a great accomplishment of 40 years as a non-profit in the City of Brainerd. She said this could not be done without the great members and volunteers each year. She invited everyone to attend their annual board meeting taking place on Thursday, November 21st at 1:00 pm in the Great Room at The Center. She gave a brief recap of the activities of the past year and recognized that volunteer hours will reach a record high of 20,000 by the end of 2019 and thanked all that participated.

The Chair recognized Mr. Dale Parks, president of The Center's board of directors, who added The Center also organizes bus events as close as the Franklin Arts Center, or as far as the State Fair or Twins games. He thanked the City Council for their support as it is very important to The Center and the community it serves. Council thanked them for their presentation.

Council Committee Reports

Safety and Public Works Committee Report

Event/Street Closure Application – Homeless Heroes 5K - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE HOMELESS HEROES 5K TO BE HELD DECEMBER 7, 2019 ALONG COLLEGE DRIVE, BOOM LAKE AND CLC CAMPUS.

Event/Street Closure Application – Turkey Run - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE TURKEY RUN ON NOVEMBER 28, 2019 UNDER THE CONDITION THAT THE APPLICANT REQUEST TEMPORARY NO PARKING SIGNS ONE WEEK PRIOR TO THE EVENT AND THAT BANNERS OR OTHER ADVERTISEMENTS FOR THE EVENT GET REMOVED AFTER THE EVENT CONCLUDES.

Improvement 19-01 – Roundabout Treatment Options and Public Meeting Number 1 – Approved

City Engineer Sandy stated the design or treatment ideas for the roundabout at NW 4th and Jackson Streets that are selected by Council will be forwarded to the landscaper and a plan will be brought back to vote on at a future meeting.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO CHOOSE A LOW-COST DESIGN AND TREATMENT SIMILAR TO COLLEGE DRIVE WITH LOW MAINTENANCE AND APPROPRIATE SIGNAGE.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO SET THE PUBLIC INFORMATION MEETING #1 FOR THE PROJECT FOR NOVEMBER 26, 2019 FROM 6:30-8:00 P.M. AT THE BRAINERD LAKES AREA CHAMBER OF COMMERCE, 224 WEST WASHINGTON STREET.

Safe Routes to School Engineering Study Grant Opportunity - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DIRECT STAFF TO PROCEED WITH THE SAFE ROUTES TO SCHOOL GRANT PROCESS WITH SCHOOL PRIORITY IN THIS ORDER 1) HARRISON, 2) LOWELL 3) RIVERSIDE.

Committee Chair Bevans indicated staff will be working with ISD181 school district on the grant application.

Technology Enhanced Traffic Control Policy - Informational

City Engineer Sandy explained he worked with the City of Elk River to draft a policy to set guidelines and alternatives prior to the implementation of an enhanced traffic control device. He indicated the Manual on Uniform Traffic Control Devices (MN MUTCD) that is followed does not cover any of these enhanced devices and certain criteria should be established since these are becoming more popular by the public. He said sometimes there is a false sense of security by pedestrians that assume drivers will see these lighted devices over a standard sign.

Committee Chair Bevans stated this was informational only and a request for adoption will be presented at a future meeting.

Tree Policy - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ADOPT THE TREE POLICY AS PRESENTED WITH THE FOLLOWING ADDITION: "EXISTING COTTONWOOD TREES ARE EXEMPT BUT NO NEW COTTONWOOD TREES ARE ALLOWED TO BE PLANTED."

Council Member Pritschet indicated he discussed with the City Engineer the need to establish a tree girth in the policy to determine the age for these cottonwood trees and what would be considered as existing.

(Added Item) Northwest 3rd Street and Jackson Street Survey - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO HIRE BOLTON AND MENK IN AN AMOUNT NOT TO EXCEED \$4,000 TO PERFORM THE SURVEY WORK ON THE POTENTIAL ADDITIONAL PART OF THE NW 3RD AND JACKSON STREET PROJECT.

Committee Chair Bevans indicated the potential assessments have been verified on this additional portion and this survey is a first step for verification.

City Engineer Sandy stated he will continue discussions with the affected property owners for input as well as the proposal from Bolton and Menk for the entire project will be presented to the Council at the December 2, 2019 meeting.

Personnel and Finance Committee Report

Approval of Bills & Transfers of Funds - Approved

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

From Parking Lot Fund to Streets Fund	2018-2019 Downtown Snow Removal	\$32,055
From Parking Lot Fund to Construction Fund	Downtown Special Services	\$2,166
From Park Dedication Fund to Capital Fund	Meadows Park Playground	\$21,667

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

2020 Nuisance Assessment at 623 3rd Avenue NE - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO WAIVE THE AMOUNT OF \$1,325 FOR 2020 NUISANCE ASSESSMENTS AT 623 3RD AVENUE NE.

Committee Chair Badeaux stated this property is being purchased by a resident from an at-risk family member that has had numerous citations. He explained the resident is scheduled to pay the 2015, 2016 and 2019 nuisance abatements, but is asking for leniency for the 2020 nuisance assessments

(Added Item) Property Maintenance Assessments 1006 S 6th Street - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO WAIVE THE AMOUNT OF \$750 FOR 2020 PROPERTY MAINTENANCE ASSESSMENTS AT 1006 SOUTH 6TH STREET.

Deferment and Adoption of Assessment at 1004 H Street – Adopted by Resolution No. 63:19

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO ADOPT A RESOLUTION TO ADOPT ASSESSMENTS AT 1004 H STREET (PID 41191721).

RESOLUTION 63:19

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

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE THE DEFERMENT OF ASSESSMENTS AT 1004 H STREET (PID 41191721).

Committee Chair Badeaux stated this property is unique as it is located on a corner lot and is being assessed for two road improvements that were done the same year. He said Council feels there is a financial hardship for the size of the assessment.

Deferment of Assessments - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE THE DEFERMENT OF ASSESSMENTS AT 928 10TH AVENUE NE

(PID 41191220), 1212 MAPLE STREET (PID 41300682), AND 318 3RD AVENUE NE (PID 41191751).

Community Service Officer (CSO) Resignation - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF COMMUNITY SERVICE OFFICER (CSO) JAROME SANDIN.

Police Officer Resignation - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF OFFICER BOELTER.

Police Staff Out-of-State Travel and Training Approval - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE OUT-OF-STATE TRAVEL AND TRAINING FOR INVESTIGATOR RUNDE TO ATTEND SEXUAL ASSAULT INVESTIGATION TRAINING IN RAPID CITY SOUTH DAKOTA ON NOVEMBER 20-21, 2019.

Animal Control Services Contract – Direction Given

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO NEGOTIATE AN AGREED UPON CONTRACT WITH MICHAEL O'BRIEN OF LAKES AREA WILDLIFE CONTROL.

Committee Chair Badeaux stated staff has received positive feedback about Mr. O'Brien doing a good job in the community. He said that Mr. O'Brien is showing initiative to move forward with educating residents about animal control policies but is proposing a higher than desired rate increase from \$1360 to \$2835 per month.

River to Rail Downtown Projects - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO REFUND PERMIT FEES FOR THE KNOTTY PINE BAKERY IN THE AMOUNT OF \$1966.39 AND DAVID PUERINGER FOR THE WINDOW PROJECT AT BOB AND FRAN'S IN THE AMOUNT OF \$830.75

Committee Chair Badeaux indicated the permit for Knotty Pine Bakery was issued the same day the River to Rail incentive was adopted. He stated the permit for the windows at Bob and Fran's was not submitted by David Pueringer due to misunderstanding the incentive details.

Committee Chair Badeaux stressed that all work still require permits from the City, but the City fees are waived upon issuance for projects located in the River to Rail defined perimeter. He stated any questions on this incentive should be directed to City Hall.

2019 Audit Engagement Letter - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE THE ENGAGEMENT LETTER AS SUBMITTED AND TO AUTHORIZE

SIGNATURES ON THE ENGAGEMENT LETTER AND HIPAA BUSINESS ASSOCIATE AGREEMENT.

Committee Chair Badeaux stated the fee for 2019 audit services remained the same as the 2018 audit, which is \$46,020. Finance Director Hillman indicated the airport is responsible for approximately \$5,000 of the fee.

2020 Budget Discussion for Non-Working Funds - Informational

Committee Chair Badeaux stated this was discussed at committee level and the only requested change would be to the library fund.

Unfinished Business

Call for Applicants – Informational:

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

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

Cable TV Advisory Committee – 1 term (Expire 2019) - 2 terms (Expire 2021)

Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2020)

Other

Water Tower Fundraising Committee – Applicants Need to Help with Projects

Committee Chair Badeaux indicated more people are needed to be a part of the Water Tower Committee to share ideas of how to move the forward and urged anyone interested to apply.

Public Forum

The Chair opened the public forum at 8:11 p.m.

No one came forward.

The Chair closed the public forum at 8:11 p.m.

Staff Reports

City Engineer Sandy stated most of the demolition on first and second floor of City Hall has been completed with HVAC equipment being installed next week.

Council Member Reports

Mayor Menk indicated he attended the Armistice Day event at the Brainerd High School and thanked all the veterans that organized the program.

Closed Session Pursuant to Minnesota Statute 13D.05 Subd. 3(C)(3) to Consider Counteroffers for the Purchase of Property at 304 Washington Street West, 422 4th Street

NW, 623 4th Street NW, 502 Jackson Street, 424 3rd Street NW and 622 4th Street NW in Brainerd, MN – 8:15 p.m.

The Chair reconvened the meeting at 8:20 p.m.

Adjourn to 3:30 p.m. on November 19, 2019 to Conduct City Administrator Interviews at the Brainerd Police Department Training Room – 8:20 p.m.

Adjourn to Budget Workshop November 25, 2019 at 6:00 p.m. at the Brainerd Police Department Training Room

Adjourn to Improvement 19-01 Roundabout Treatment Option Meeting #1 at the Chamber of Commerce November 26, 2019 at 6:30 p.m.

James M. Thoreen
Interim City Administrator

**Brainerd, MN
November 19, 2019**

Pursuant to due call and notice thereof, the adjourned meeting of the Brainerd City Council was called to order at 3:31 p.m. by Council President Gabe Johnson.

Upon roll call, the following members were noted as present: Lambert, Erickson, Stunek, Badeaux, Johnson, Bevans, Pritschet and Mayor Menk. Also present were Gary Weiers, David Drown Associates Company (DDA); Kris Schubert, HR Director; and Theresa Bourke, Staff Writer for the Brainerd Dispatch.

City Administrator Interviews.

Five candidates were interviewed for the City Administrator position. The candidates were Joe Gaa, Steve Kil, Nathan Ehalt, David Chanski, and Jennifer Bergman.

After the interviews, the Council discussed the strengths and weaknesses of the candidates.

MOVED AND SECONDED BY ALDERMEN STUNEK AND PRITSCHET, DULY CARRIED, TO OFFER THE CITY ADMINISTRATOR POSITION TO JENNIFER BERGMAN; FURTHER, TO AUTHORIZE THE CONSULTANT TO WORK WITH A NEGOTIATION SUBCOMMITTEE CONSISTING OF ALDERMEN JOHNSON, BEVANS AND BADEAUX FOR MS. BERGMAN'S EMPLOYMENT AGREEMENT.

Adjournment.

The Chair adjourned the meeting at 8:20 p.m.

James M. Thoreen
Interim City Administrator

/ks

November 19, 2019

Pursuant to due call and notice thereof, the Budget Workshop of the Brainerd City Council was called to order at 6:00 P.M. by Council President Johnson.

Upon roll call, the following members were noted present: Stunek, Pritschet, Bevans, Badeaux, Erickson, Lambert, Johnson, and Mayor Menk. Also present were Interim City Administrator Jim Thoreen, Finance Director Connie Hillman, City Engineer Paul Sandy, Police Chief Corky McQuiston, Fire Chief Tim Holmes, Community Development Director David Chanski, Park Director Tony Sailer, and IT/GIS Director Shawn Strong.

2020 Budget and Levy Discussion

Finance Director Hillman stated the discussion of the workshop focuses on the Working Funds (General, Public Safety, Parks, & Streets), debt and capital which are the funds the City needs to levy for operations. The preliminary levy was set at \$6,131,395 or a 4.0% increase over the 2019 levy.

Finance Director Hillman reviewed the status of the current 2020 budget and highlighted changes that have been made since the preliminary levy was adopted, as well as identified items currently not in the budget or levy such as the Memorial Park redesign, master plan for the Children's Museum at Lum Park, and what was included in the budget for Lakes Media Collaborative. Finance Director Hillman shared that without changes for the aforementioned items, the Council could potentially reduce the levy for 2020 by approximately \$10,000 and still have a balanced budget for 2020. Previous levy history was reviewed and potential levies for 2020 and 2021 were presented to reduce the peaks and valleys of the City's levy. Updated estimated market value information from the County was presented, as well as the estimated tax rates for other percentages of levy increases for 2020 and the estimated impact to a residential and commercial property assuming no change in estimated market value.

Council discussion was held. Council directed staff to use a 4% increase in the levy for the Budget and Levy Public Hearing on Monday, December 9, 2019 at 6:00 p.m.

Adjourn

The Chair adjourned the meeting at 6:55 P.M.

James M. Thoreen
Interim City Administrator

CITY OF BRAINERD
LICENSED CONTRACTORS
CITY COUNCIL MEETING
December 02, 2019
(1 Renewal, 2 New)

CONTRACTOR	TELEPHONE	TYPE	INSURANCE	BOND	STATE NO.
SMART SOURCE MECHANICAL 6057 DEER ST MONTICELLO, MN 55362 19-0234	(612) 212-4400	MECH	8/10/2020	8/10/2021	
SCHULZ BROTHERS CUSTOM REMODELING 17377 COUNTY RD 10 DEERWOOD, MN 56444 19-0233	(218) 821-7734	GENC	7/23/2020	12/31/2019	
CUSTOM UPOLSTERY & AWNING CENTER 17181 STATE HWY 371 BRAINERD, MN 56401 19-0232	(218) 855-1096	AWNG	8/1/2020	12/31/2019	

2020 LICENSE RENEWALS

DECEMBER 02, 2019 COUNCIL MEETING

GARBAGE LICENSE – 4 Renewals

Garrison Disposal dba Nisswa Sanitation
PO Box 780
Nisswa, MN 56468

Waste Management of Brainerd
7968 Industrial Park Road
Baxter, MN 56425

Waste Partners, Inc.
2928 State Hwy 371
Pine River, MN 56474

Pequot Lakes Sanitation
PO Box 639
Pequot Lakes MN 56401

TOBACCO LICENSES – 18 Renewals

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

Hollco, Inc. dba Speedway #4880
421 NE Washington Street
Brainerd, MN 56401

Mill Avenue Holiday
1500 Mill Avenue
Brainerd, MN 56401

Cashwise Liquor
513 B Street NE
Brainerd, MN 56401

Evas dba Southside Express
701 Industrial Park Rd SW
Brainerd, MN 56401

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

Mill Ave Liquor
1424 Mill Avenue NE
Brainerd, MN 56401

Pine Liquor
3325 Oak St
Brainerd Mn 56401

Pine Square
3325 Oak Street
Brainerd, MN 56401

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

Tobacco Den
633 Washington Street NE
Brainerd, MN 56401

Hollco, Inc. dba SuperAmerica #4883 Midtown
321 Washington Street
Brainerd, MN 56401

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

Walgreens #05635
340 W Washington Street
Brainerd, MN 56401

Risky Business
326 Washington Street
Brainerd, MN 56401

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

Casey's General Store
850 Lum Park Road
Brainerd, MN 56401

Vapor North
328 Washington Street
Brainerd, MN 56401

**2020 LICENSE RENEWALS
DECEMBER 02, 2019 COUNCIL MEETING (CONT.)**

TAXI CAB LICENSES – 1 Renewal

Brainerd Area Taxi
709 Charles Street
Brainerd MN, 56401

SECOND HAND AUTO LICENSES – 7 Renewals

Midway Auto
10 E Washington Street
Brainerd, MN 56401

Brainerd Sports & Marine
13377 State Hwy 25
Brainerd, MN 56401

Motors-N-More
510 10th Ave NE
Brainerd, MN 56401

Auto Import
22 Washington Street
Brainerd, MN 56401

Wood Motor, Inc. dba Tanner Motors
620 W Washington Street
Brainerd, MN 56401

Professional Auto Leasing, Inc. dba Tanner Nissan
620 W Washington Street
Brainerd, MN 56401

210 Auto Sales
301 Washington St
Brainerd, MN 56401

PAWNBROKERS LICENSES – 1 Renewal

Iron Hills Gun & Pawn Inc.
704 Front Street
Brainerd, MN 56401

SECOND HAND GOODS LICENSES– 2 Renewals

E.L. Menk Jewelers
623 Laurel Street
Brainerd, MN 56401

Brainerd Gold & Silver
702 W Washington Street
Brainerd, MN 56401

Contingent Upon Inspection by the Fire Department

TOBACCO LICENSES – 2 Renewal

Cornerstone Liquor
817 Washington Street
Brainerd, MN 56401

Northern Tier Retail LLC dba Speedway
1223 South 6th Street
Brainerd, MN 56401

TAXI LICENSES – 1 RENEWAL

Grab-A-Cab
422 Charles Street
Brainerd, MN 56401

PAWNBROKERS LICENSES – 1 Renewal

T & B Pawn & Gun Inc.
515 Washington Street
Brainerd, MN 56401

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: November 27, 2019
Re: November 2019 Activity Report

It is hard to believe how fast the month has gone by. Fall and winter weather has filled the month and snow is fast upon us. As the weather changes we complete annual maintenance on all our apparatus to make sure they are ready for the winter conditions. We completed oil changes on most of the apparatus and work to finish up a few minor fixes. We had a new water tank installed on a squad truck used for wildland fire fighting after the old tank rusted completely through. The new tank holds about 430 gallons of water and the new pump is very efficient. We received a 50:50 grant through the MN DNR to help pay for the much-needed improvements.



November's training included driving, auto extrication, vehicle stabilization, live fire roof ventilation, pumping and relay pumping. Our department has 3 firefighters who are members of the Crow Wing County Unmanned Aircraft System team who completed their FAA Part 107 recertification. They also trained with all the county special teams to familiarize everyone with the UAS's capabilities and limitations. Chief Holmes and Deputy Chief Cox trained in active threat response with Baxter Police. Our new firefighters began their Firefighter I training.





We were honored to be invited to Lake Region Christian School to celebrate Thanksgiving with them. A few fire department families prepared and served a dinner at the Sharing Bread Soup Kitchen. We also volunteered and delivered Thanksgiving meals for the American Legion and brought Santa to the Downtown event.

Firefighters presented fire safety education to preschoolers at Early Childhood Family Education.



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

Vehicle Fire	1
Grass Fire	2
Vehicle Crash	2
Gas Leak	1
Smoke Removal	2
Assist Another Governmental Agency	5
Good Intent Call	3
Smoke Scare	1
Canceled Enroute	5
Alarm Activation	8
Carbon Monoxide Alarm	5
Total	35

City of Brainerd Incident Report

Vehicle Crash	2
Assist Another Governmental Agency	2
Good Intent Call	1
Smoke Scare	2
Canceled Enroute	1
Alarm Activation	6
Carbon Monoxide Alarm	2
Total	16

Parks and Recreation Report

December 2019

- The registration deadline for adult pond hockey is Dec. 13. League play begins Jan. 7 at Bane Park.
- The registration deadline for youth pond hockey is Dec. 20. Equipment handout will be from 10 a.m. to 11 a.m. on Dec. 21 at the Mill Avenue Park warming house. Practices begin Jan. 2.
- The Santa Paws event will be from noon to 1 p.m. on Dec. 14 at Buster Park. Dogs can have their pictures taken with Santa.
- The Brainerd Lakes Area Women of Today donated \$400 from concession proceeds from the Great Pumpkin Festival. The funds are earmarked for a security camera in the pavilion of the new warming house structure at Gregory Park.
- Staff worked with Brainerd Public Utilities to hang Christmas decorations downtown.
- Staff expects to start flooding rinks the first week of December as the forecast is indicating temperatures will begin to stay below freezing. The rinks are tentatively scheduled to open Dec. 16.



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Memorandum of Agreement with USW (Hydro) Union for Health Insurance

☐ 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: HR Director Kris Schubert	Department: HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: n/a - consent
Summary of Issue: Attached is a Memorandum of Agreement (MOA) between the City of Brainerd and the United Steel Workers International Union Local 9230 Unit 09 representing the Hydro bargaining unit. This MOA replaces the current health plan option identified in the union contract with Sourcewell's new Smart Plan #3 health plan option for plan years beginning in 2020. Both the Union and the Brainerd Public Utilities Commission have reviewed and approved this MOA.	
Alternatives, Options, Effects on Others/Comments: On October 7, 2019, the City Council approved offering Sourcewell's Smart Plan #3 health plan option to replace our current High Deductible Health Plan beginning in 2020. This replacement was recommended by both Sourcewell and our Employee Insurance Committee. At that time, it was noted that Staff would need to negotiate a MOA with the affected unions as this replaces the base health plan included in their union contracts. The USW Union requested to modify Item #1 to detail exactly how the contract language would be amended. That is the only change compared to the MOA's approved on 11/18/19 for the other unions.	
Recommended Action/Motion: n/a - consent calendar item	
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>	

MEMORANDUM OF AGREEMENT
Between City of Brainerd (Employer)
and
United Steel Workers International Union Local 9230 Unit 09 (Union)
Representing the Hydro bargaining unit

(Amendment to Health Insurance Plan Option)

This Memorandum of Agreement is entered into between the City of Brainerd (hereafter referred to as “the Employer”) and the United Steel Workers International Union Local 9230 Unit 09 (hereafter referred to as the “Union”), which is the exclusive representative for the Hydro bargaining unit. The Employer and the Union will collectively be referred to as the “Parties”.

WHEREAS, the Parties are parties to a labor agreement currently in effect January 1, 2019 to December 31, 2021 (hereinafter referred to as the “Collective Bargaining Agreement”) governed by the Minnesota Public Employment Labor Relations Act (as amended); and

WHEREAS, the Collective Bargaining Agreement outlines a negotiated health insurance benefit; and

WHEREAS, the Employer is a member of the Sourcewell group, a cooperative purchasing group that seeks to utilize its multiple members as a means of obtaining health insurance benefits on more favorable terms than can be obtained as an individual employer; and

WHEREAS, Sourcewell operates a health insurance pool; and

WHEREAS, Minnesota Statute Section 471.6161, Subd. 5 provides as follows:

Subd. 5. Collective bargaining. The aggregate value of benefits provided by a group insurance contract for employees covered by a collective agreement shall not be reduced, unless the public employer and exclusive representative of the employees of an appropriate bargaining unit, certified under section 179A.12, agree to a reduction in benefits;

and

WHEREAS, Article XXVII of the Collective Bargaining Agreement describes the health insurance plan offered to employees; and

WHEREAS, the Parties wish to modify the existing health insurance plan option currently contained in the Collective Bargaining Agreement, as specified in Exhibit A hereto.

NOW, THEREFORE, the Employer and the Union agree as follows:

1. The Collective Bargaining Agreement is hereby modified by replacing the health insurance option identified in Article XXVII with the health insurance option outlined in Exhibit A. The remainder of the Collective Bargaining Agreement shall remain unaltered. The paragraph will now read as follows:

Health Insurance. The Employer agrees to pay 80% of the family premium and 100% of the single premium for the \$2,700 single, \$5,400 family high deductible health plan (HDHP) in 2019. Starting January 1, 2020, the Employer agrees to pay 80% of the family premium and 100% of the single premium for Sourcewell's Smart Plan #3 HDHP as outlined in Exhibit A to the Memorandum of Agreement between the parties dated December 2, 2019. The deductibles for this base HDHP may be adjusted in the future as required by the IRS provided the Union is notified.

2. To the extent that said plan option constitutes or may constitute a reduction in aggregate benefits as outlined in Minnesota Statutes Section 471.6161, Subd. 5, the Union hereby agrees to said reduction in benefits.
3. The Parties understand that, as stated in Exhibit A, the deductibles are expected to increase annually in accordance with the plan's terms. The Parties agree that, to the extent that deductibles increase, such increases will be automatically incorporated into Exhibit A and will take effect without any further amendment to the Collective Bargaining Agreement.
4. To the extent that this Memorandum of Agreement is inconsistent with the terms of the collective bargaining agreement, this Memorandum of Agreement will control.

IN WITNESS WHEREOF, the parties have executed this Memorandum of Agreement on this ____ day of _____, 2019.

FOR THE EMPLOYER

FOR THE UNION

James M. Thoreen

Gene Szondy, Staff Representative

Date

Date

Todd Wicklund
BPU Finance Director/Secretary

Date

Exhibit A – High Deductible Health Plan Option

For Plan Years Starting 2020	Plan 3:
Plan Name	Family Premier
HSA Index ³	Minimum Deductible per Family
Impacting Annual Deductible per Single	
Deductible per Single ²	\$2,800
Deductible per Family Person	\$2,800
Deductible per Family Total	\$5,600
% Paid by Plan After Deductible ¹	100%
Out-of-Pocket (OOP) Max per Single	\$2,800
OOP Max per Family Person	\$2,800
OOP Max per Family Total	\$5,600

¹After deductibles on all Smart plans, the Plan pays 100% of the cost of qualifying care received at Top Value providers, as well provides up to \$1,500 of travel benefit when used to see Top Value providers.

²Deductible need not be met first to receive benefits for preventive prescriptions on all Smart plans; instead, a copay will apply for brand name drugs on the approved list, and there's no copay for generics on the list.

³Deductibles are expected to increase annually, based on the correlating HSA index item for each plan, as established annually by the IRS. Family deductibles will be two times the new single deductible. Out-of-pocket maximum will be equal to the new deductible each year.



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Resolution Designating Polling Locations for 2020

☐ 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: Connie Hillman	Department: Finance
Presenter (Name & Title):	Estimated Time Needed:
Summary of Issue: Per MN Statute 204B.16 subd.1 requires all municipalities to designate polling places for each precinct by December 31st each year for the next calendar year regardless if there is an election scheduled for the year or not.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Adopt the attached resolution designating polling places for 2020 for the City of Brainerd.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

RESOLUTION

NO. __:19

ESTABLISHING POLLING PLACES

WHEREAS, per Minnesota Statute 204B.16 subd.1 the governing body of each municipality must designate by ordinance or resolution a polling place by December 31st of each year;

NOW, THEREFORE, BE IT RESOLVED by the City Council of Brainerd that the polling location for the calendar year 2020 for the City of Brainerd are:

Ward 1 Precinct 1	Trinity Lutheran Church; 1420 South 6th Street
Ward 1 Precinct 2	Church of Jesus Christ of Latter-Day Saints; 101 Buffalo Hills Lane W
Ward 2 Precinct 1	Essentia Health Sports Center; 502 Jackson Street
Ward 2 Precinct 2	The Center; 803 Kingwood Street
Ward 3 Precinct 1	North East Brainerd Fire Station; 1301 Mill Ave
Ward 3 Precinct 2	Bethlehem Evangelical Lutheran Church; 418 8th Ave NE
Ward 3 Precinct 3	Bethlehem Evangelical Lutheran Church; 418 8th Ave NE
Ward 4 Precinct 1	Carefree Living; 2723 Oak Street
Ward 4 Precinct 2	St. Andrew's Catholic Church; 1108 Willow Street

Adopted this ____ day of December, 2019

GABE JOHNSON
President of the Council

Approved this ____ day of December, 2019

EDWIN L. MENK
Mayor

ATTEST: _____

JAMES M. THOREEN
Interim City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Basic Emergency Management Certification Presentation

☐ 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: Fire Chief Tim Holmes	Department: Fire
Presenter (Name & Title): Fire Chief Tim Holmes	Estimated Time Needed: 10 minutes
Summary of Issue: In October, Fire Chief Holmes completed his Basic Emergency Management Certification through MN HSEM (Homeland Security and Emergency Management). Mark Marcy from HSEM will be presenting Chief Holmes with his certification.	
Alternatives, Options, Effects on Others/Comments: In October, Fire Chief Holmes completed his Basic Emergency Management Certification through MN HSEM. The Basic Emergency Management Certification is a combination of approximately 150 learning hours of both online and classroom training. This learning path provides a comprehensive training program balancing online and classroom course delivery. The certificate program is intended for those who are currently working in Emergency Management or have a role in emergency preparedness.	
Recommended Action/Motion: Presentation	
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
SAFETY AND PUBLIC WORKS COMMITTEE
AGENDA**

December 2, 2019
County Board Room – Crow Wing County Historic Courthouse
6 :45 PM

1. Event/Street Closure Application – Tour of the Lakes Bike Ride
2. Resolution – Advancing Municipal State Aid Street Funds
3. Improvement 19-19 – NW 3rd Street and Jackson Street Improvements – Consideration of Proposal for Engineering Services and Construction Administration
4. Tree Policy Revision – Consideration of Cotton Bearing Tree Grandfather Clause
5. Technology Enhanced Traffic Control Policy



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Event/Street Closure Application - Tour of the Lakes

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is an event/street closure application for the 2020 Tour of the Lakes to be held on June 6, 2020 from 6 AM - 9 AM and utilizing the City Hall parking lot and Laurel Street parking lot for event parking only. The applicant has checked the recurring event box, but I have confirmed with the applicant that this is not going to take place again in 2020, which is the reason for the recurring event box on the application.	
Alternatives, Options, Effects on Others/Comments: The Tour of the Lakes is a recreational bike ride around the Brainerd Lakes Area. Maps are attached. A short street closure may be requested from 6-8 AM as the bikers line up to leave. There is a party and concert after the event hosted by Sage on Laurel. The applicant indicates routine sound equipment will be used. They will be using Blakeman or Fyles for restrooms. There will be basic signs directing participants to the location. Waste Partners will be contracted for garbage disposal. A couple of comments were received from Department Heads in relation to the event. The Engineering Department requests that requests for traffic control be submitted to the department 1-week prior to the event. The Police Chief requests that the applicant reaches out to local businesses with private parking to ensure their areas are closed off and signed to say that Tour of the Lakes parking is prohibited. Issues saw at last years event were places like Guidepoint Pharmacy's lot was full of riders and the employees and customers could not park in their lot.	
Recommended Action/Motion: Staff recommends approval of the attached application under the condition that the applicant works with local businesses with private parking areas to ensure they are signed for no Tour of the Lakes parking and that the applicant submit requests for traffic control 1-week prior to the event.	
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>	



SPECIAL EVENT APPLICATION

Date of Application: _____

Event applications can be submitted to the Engineering Department at 501 Laurel Street, Brainerd, MN 56401 or engineer@ci.brainerd.mn.us. Event applications that include a street closure must be submitted at least 30 calendar days prior to the event and will require City Council approval. All other event applications must be submitted at least 14 calendar days prior to the event.

Type of event:

☒
☒

Event – City Parking Lot
Event with Street Closure

☐
☐

Event – City Park
Other _____

Name of event: Tour of Lakes Bike Ride

Organizer Information

Organizer's Name:

Edward R. Shaw

Organizer's Address:

722 S. 6th St., Brainerd, MN 56401

Event Contact Person:

Event Contact Daytime Phone:

Event Contact E-mail Address:

lawyer@edshawlaw.com

Contact Name/Number Day of Event:

For Profit/Nonprofit Status (type):

Non-Profit

Applicant information (if different from the event organizer):

Applicant Name:

Paul Bunyan Cyclists

Applicant Address:

P.O. Box 121, Brainerd, MN 56401

Applicant Phone:

Applicant E-mail Address:

lawyer@edshawlaw.com

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
June 6, 2020	6:00 AM	9:00 PM	City hall parking lot For event Parking only
			Laurel St. parking lot For event parking only

☒ Recurring event (requires only one application submittal per year)

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:

Recreational Bike ride. we will leave From Laurel St. Parking lot or adjacent St. (Street Closure on Laurel St. May be requested For a brief period of 6am-8am only). Riders will return to start location in the late morning or afternoon. An after-ride party including a Concert is planned For the Afternoon.

Site Information

Electrical usage

☒

Yes

☐

No

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

For band to play at end of event, Supplied by
Sage on Laurel

Amplified Sound

☒

Yes

☐

No

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

Routine Sound amplification equipment to be used
by band

Restrooms provided

☒

Yes

☐

No

If yes, how many 6 (a ratio of 1 for every 100-150 people is recommended)

Company contracted for restrooms:

Blakeman or Files

(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:

Basic Signs directing participants to location
of event and available parking

Trash Receptacle Disposal

☒

Yes

☐

No

Company contracted for trash receptacle disposal: Waste Partners

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 for publicly owned spaces ONLY 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):

Laurel Street between 6th and 8th Street

Date and time for beginning of street closures: 6:00 AM June 6, 2020

Date and time for reopening of streets: 8:00 AM June 6, 2020 (not sure if street closure will be necessary)

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.

See enclosed addendum

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

Edward R. Shaw

Print Name

Contacts, Permits, and Fees Checklist

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

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

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

Contact Information

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

For Official Use Only

Department Sign-offs Required

Department	Date/Initials	Comments
Brainerd Public Utilities	OK	11/21/19 - No comments
City Administration	OK	11/21/19 - No Comments
Engineering Department	OK	Please Submit any request for Traffic Control 1 week prior to event.
Fire Department	OK	11/21/19 - No Comments
Fire Support/EMS	OK	11/21/19 - No Comments
Parks Department	OK	11/21/19 - No Comments
Planning Department	OK	11/21/19 - No comments
Police Department	OK	11/21/19 - No comments

Event Application Approval

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

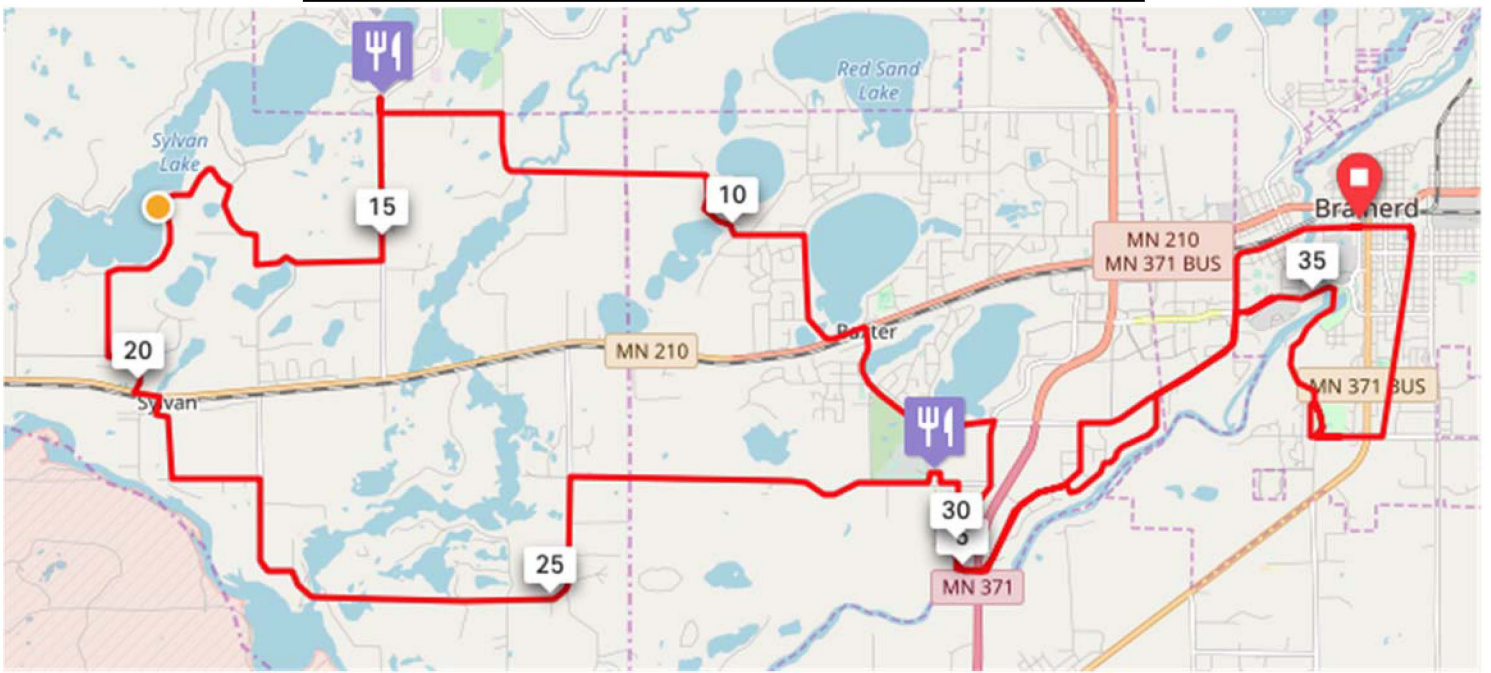
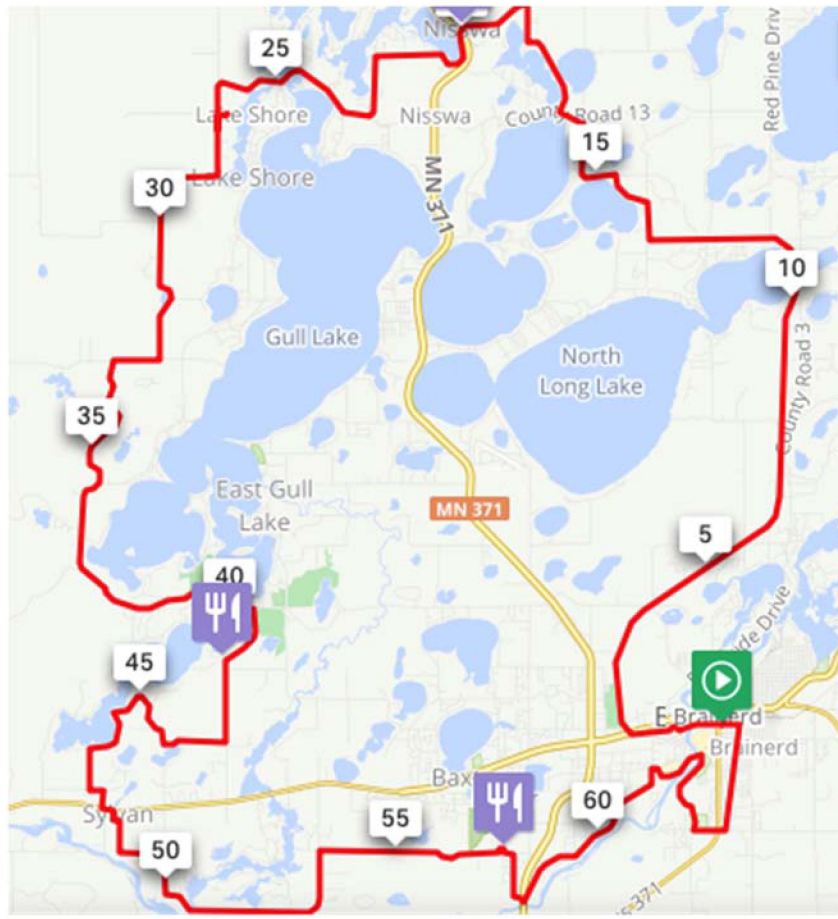
City Administrator

Date

Approval Conditions

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: December 2, 2019

Title of Item: Resolution - Advancement of State Aid Funds FY 2020

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Attached to this request is a resolution in which advances State Aid funds. A breakdown of each project and the reasoning can be seen attached also.	
Alternatives, Options, Effects on Others/Comments: See attachments. Repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b. Repayments of state aid funds come out of future year allocations to the City of Brainerd. The City's estimated account balance as of March 1, 2020 is (\$1,803,022). With this advance, the estimated account balance as of March 1, 2021 will be (\$2,220,618) (assuming that the allocation for 2021 is the same as 2020).	
Recommended Action/Motion: Adopt the attached resolution in which advances Municipal State Aid Street (MSAS) funds in the total amount of \$1,294,000.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☒ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

**ADVANCE FUNDING NEEDS
MUNI - CY 2012**

Acct Bal	Dist	City	Program (SP/SAP)	Project #	Proj. Description	Estimated \$ Requested	Appr. \$ Adv. (M)	Current Need	Justification For Advance	Allowances	SAF Comments
	3	Brainerd	SAP	108-136-004	Buffalo Hills Lane Reconstruction - Greenwood Street to Dead End	\$ 82,000.00			To allow for closure of project in the 2020 construction season. This project was advanced in 2019 and substantially completed.		
	3	Brainerd	SAP	108-119-006	H Street Reconstruction - 8th Avenue NE to 13th Avenue NE	\$ 32,000.00			To allow for closure of project in the 2020 construction season. This project was advanced in 2019 and substantially completed.		
	3	Brainerd	SP	108-591-005	Garfield Safe Routes to School	\$ 30,000.00			To allow for closure of project in the 2020 construction season. This project was advanced in 2019 and substantially completed.		
	3	Brainerd	SAP	108-139-001	B Street Reconstruction - Gillis Avenue to 5th Avenue NE	\$ 545,000.00			B Street and 5th Avenue NE were recently added onto the Brainerd State Aid system. Being backages to the Washington Street Commercial District and the main entrance into the east Brainerd mall, the importance of providing safe and improved streets in this area cannot be understated. Current pavement and curb rating scores indicate the need for an improvement.		

**ADVANCE FUNDING NEEDS
MUNI - CY 2012**

Acct Bal	Dist	City	Program (SP/SAP)	Project #	Proj. Description	Estimated \$ Requested	Appr. \$ Adv. (M)	Current Need	Justification For Advance	Allowances	SAF Comments
	3	Brainerd	SAP	108-141-001	5th Avenue NE Reconstruction - Washington Street to D Street	\$ 522,000.00			B Street and 5th Avenue NE were recently added onto the Brainerd State Aid system. Being backages to the Washington Street Commercial District and the main entrance into the east Brainerd mall, the importance of providing safe and improved streets in this area cannot be understated. Current pavement ratings and curb scores indicate the need for an improvement to the streets, along with aging utility infrastructure and utility failures in recent years. This project may be done concurrently with a potential move of the signal light on Washington Street from 4th Avenue NE to 5th Avenue NE.		
	3	Brainerd	SAP	108-134-003	Gillis Avenue Sidewalk Improvements - Washington Street to B Street	\$ 28,000.00			Done concurrently with larger two projects on 5th Avenue NE and B Street.		
	3	Brainerd	SAP	108-118-003	4th Avenue NE Sidewalk Improvements - Washington Street to C Street	\$ 55,000.00			Done concurrently with larger two projects on 5th Avenue NE and B Street.		
					TOTAL	\$ 1,294,000.00	\$0.00	\$0.00			

R E S O L U T I O N
NO _____

RESOLUTION FOR THE ADVANCEMENT OF STATE AID STREET FUNDS

WHEREAS, the Municipality of Brainerd is planning to implement Municipal State Aid Street Project(s) in 2018 which will require State Aid funds in excess of those available in its State Aid Construction Account, and

WHEREAS, said municipality is prepared to proceed with the construction of said project(s) through the use of an advance from the Municipal State Aid Street Fund to supplement the available funds in their State Aid Construction Account, and

WHEREAS, the advance is based on the following determination of estimated expenditures:

Account Balance as of date March 1, 2020	(\$1,803,022)
Less estimated disbursements:	
Project # SAP 109-136-004	\$82,000
Project # SAP 108-119-006	\$32,000
Project # SAP 108-591-005	\$30,000
Project # SAP 108-139-001	\$545,000
Project # SAP 108-141-001	\$522,000
Project # SAP 108-134-003	\$28,000
Project # SAP 108-118-003	\$55,000
 Total Estimated Disbursements	 \$1,294,000
Advance Amount (amount in excess of acct balance)	\$1,294,000

WHEREAS, repayment of the funds so advanced will be made in accordance with the provisions of Minnesota Statutes 162.14, Subd. 6 and Minnesota Rules, Chapter 8820.1500, Subp. 10b, and

WHEREAS, the Municipality acknowledges advance funds are released on a first-come-first-serve basis and this resolution does not guarantee the availability of funds.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA, that the Commissioner of Transportation be and is hereby requested to approve this advance for financing approved Municipal State Aid Street Project(s) of the Municipality of Brainerd in an amount up to \$1,294,000. I hereby authorize repayments from subsequent accruals to the Municipal State Aid Street Construction Account of said Municipality from future year allocations until fully repaid.

Adopted this _____ day of _____, 2019

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2019

EDWIN L. MENK
Mayor

ATTEST: _____
JAMES M. THOREEN
Interim City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Improvement 19-19 - NW 3rd Street and Jackson Street - Professional Services Proposal

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: At the last Council meeting, the City Council authorized \$4,500 for surveying services for the improvements to NW 3rd Street and Jackson Street in NW Brainerd as part of the NW 4th Street reconstruction project. Staff indicated that a full proposal for services would be in front of the Council at this meeting.	
Alternatives, Options, Effects on Others/Comments: Attached is the proposal for surveying, preliminary design, final layout and plan preparation, and construction inspection/staking. Bolton and Menk has proposed these services on an hourly basis not to exceed \$36,440. If we include the contracted services (in which the City generally takes care of) for testing and permits, the total estimated cost is \$42,380. This would improve Jackson Street from NW 4th Street to NW 3rd Street and NW 3rd Street from Jackson Street to James Street to the City's typical residential section. Staff feels this improvement is needed and necessary due to the potential traffic changes from the NW 4th Street project.	
Recommended Action/Motion: Staff recommends approval of the proposal from Bolton and Menk in the total amount not to exceed \$36,440 for the design and construction administration services for Improvement 19-19.	
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> This project is currently not in the 5-year capital improvement plan. Some of the costs would be assessed, based upon the negotiations from the NW 4th Street property acquisition process.	



**BOLTON
& MENK**

Real People. Real Solutions.

7656 Design Road
Suite 200
Baxter, MN 56425-8676

Ph: (218) 825-0684
Fax: (218) 825-0685
Bolton-Menk.com

November 25, 2019

City of Brainerd
Attn: Mr. Paul Sandy, PE - City Engineer
501 Laurel Street
Brainerd, MN 56401

RE: Proposal for Professional Engineering & Surveying Services
NW 3rd Street & Jackson Street

Dear Mr. Sandy:

Thank you for allowing Bolton & Menk, Inc. to provide you with this proposal for engineering, surveying, and construction inspection services in support of the City of Brainerd's NW 3rd Street & Jackson Street Improvement Project. This proposal is based on conversation. As a part of this proposal, we have described our project understanding, detailed our proposed scope of work, and itemized our estimated fees.

Project Understanding

This project will provide professional engineering and surveying services for the improvement of NW 3rd Street from Jackson Street to James Street and Jackson Street from NW 4th Street to NW 3rd Street. The project will upgrade the existing gravel streets to a paved urban street section including concrete curb & gutter and storm sewer connection to existing network on Jackson Street.

Existing public utilities along the corridor include storm sewer on Jackson Street, watermain and sanitary sewer lines. It is our understanding that the City of Brainerd is not planning for improvements to the sanitary sewer and watermain system within the corridor. We understand storm sewer will be installed to serve NW 3rd Street by connecting to the existing storm sewer on Jackson Street. We understand pedestrian improvements such as a bituminous trail or concrete sidewalk is not proposed. We understand existing right of way will be utilized and land acquisition is not included in this proposal.

Funding for the improvements is expected to be from City of Brainerd funds. We understand that the City intends to pursue special assessment of the improvements based on City assessment policy. Our proposal assumes that the City of Brainerd will handle assessment related proceedings and does not include our fee to provide that service for the City. If that service is desired, we would be happy to amend our proposal to include those services.

Bolton & Menk has begun the topographic survey and preliminary engineering services based on your previous authorization and will begin the remaining services after the City Council considers our proposal at the December 2, 2019 City Council Meeting.

Scope of Work

Our scope of work includes three phases: Phase 1 – Topographic Survey, Phase 2 – Final Design, Bidding Assistance, Phase 3 - Construction Staking, Inspection, Testing, and Permitting. We have itemized the anticipated tasks for each Phase. These tasks include the following:

Name: Paul Sandy, City Engineer

Date: November 25, 2019

Task 1: Topographic Survey, Mapping and Easement Acquisition

The Bolton & Menk team intends to operate as an extension of Brainerd City staff, with close coordination between the City's project manager and the project team maintained at all time.

Subtask 1.1 Topographic Survey and Mapping

Description: Establish horizontal control based on Crow Wing County Coordinates and establish vertical control utilizing City benchmarks. Gather pertinent field information on City infrastructure, adjacent buildings, right-of-way, contours, private utilities, etc. Underground utility information will be located and illustrated per available as-builts, field markings, and private utility map information facilitated through Gopher State One Call. Structure reports will also be completed for storm located manholes and catch basins. Past construction plans from the City and Crow Wing County for the improvement corridor will be utilized during preliminary design. A topographic base map will be created identifying existing ground and utility features in electronic format. Right-of-way and property lines will be illustrated based on determinations made from found monuments and record documents. This base map will be utilized as the basis and background for preliminary engineering and final design. In order to efficiently complete the topographic survey activities prior to snow and ice cover, Task 1 activities were authorized in November 2019 and are currently being completed.

Task 1 Deliverables: Corridor Basemap

Task 2: Final Design & Bidding Assistance

Final design includes the preparation of the final set of construction drawings and specifications. Final design consists of finalizing roadway, storm sewer, landscape, traffic, and signage plans complete with detailed notes. It is our understanding that no improvements are planned for the sanitary sewer or watermain facilities within the project scope. Final design also includes completing the specifications and necessary bidding documents.

Subtask 2.1 Corridor Design

Description: Finalize corridor layout and drafting to be utilized for the improvements roadway design & plans include:

- Final design & drafting of typical cross-sections and standard details to be utilized for improvements
- Final design of grading limits and details for properties adjacent to the corridor.
- Plan & profiles, including stationing, offsets, and notes necessary for bidding and construction.
- Final design and drafting of construction staging plans.

Subtask 2.2 Storm Sewer Design and Stormwater Pollution Prevention (SWPPP)

Description: A storm sewer design and SWPPP/erosion control plan will be developed with strict guidelines for the contractor to follow. Attention will be given to preventing sediment from leaving the site via truck traffic, untreated runoff entering storm sewer, and dust control.

Subtask 2.3 Traffic Control & Staging Plans

Description: Final design and drafting of traffic control, staging plans, and permanent corridor signage and pavement marking.

Subtask 2.4 Utility Coordination

Description: Bolton & Menk will send design plans to utility owners for relocation planning and coordination at the 50% and 95% plan levels. Further correspondence and coordination with utility

Name: Paul Sandy, City Engineer

Date: November 25, 2019

owners may be necessary to understand and resolve potential issues. Bolton & Menk will prepare for and facilitate two utility coordination meetings with public and private utility owners.

Subtask 2.5 Construction Cost Estimate

Description: Prepare tabulation sheets for inclusion in the plan set, along with final quantities to be included in bidding documents and for development of an engineer's estimate.

Subtask 2.6 Final Plan Design & Approval

Description: Submit final plans for review and approval by the City.

Task 2.1 to 2.6 Deliverables: Final Signed Construction Plans and Specifications, Final Permit Applications, Engineer's Estimate.

Subtask 2.7 Advertisement of Bid & Award Recommendation

Description: This task includes leading the advertising, bidding, and project award activities in accordance with the City of Brainerd Requirements. Prepare advertisement of bid, submit advertisement for bid to QuestCDN for online bidding, respond to bidder questions, issue Addenda as may be warranted, and attend bid opening. Prepare the bid abstract and make a recommendation of award to the City based on the bids received.

Task 2.7 Deliverables: Advertisement for Bid, Bid Tabulation, Award Recommendation Letter.

Task 3: Construction Inspection and Staking

This task includes leading the construction inspection and staking activities in accordance with the City of Brainerd Requirements.

Subtask 3.1 Construction Management and Inspection

Description: Provide a mix of full time and part time construction observation services (500 hours assumed for inspector) to provide plan clarification, verify construction work, record field work completed, and track construction quantities for subsequent payment preparation, review, and approval by the City of Brainerd. As part of our services, we would use Braun Intertec to provide materials testing services. We intend to coordinate these services on behalf of the City but would have the City direct billed for Braun services if preferred by the City.

Subtask 3.2 Construction Staking

Description: Provide field staking for construction of the proposed improvements on both a scheduled and as requested basis to assist with construction progress. Crews will provide staking for construction limits, Right of Way/easements, storm sewer, street grading, and roadway alignments.

Subtask 3.3 Post Construction Record Drawings

Description: Prepare record drawing using field located and surveyed coordinates after construction.

Task 3 Deliverables: Preconstruction Meeting Facilitation and Minutes, Construction Staking Notes, Construction Observation Information, Preparation of Pay Estimates, As Construction Record Drawings.

Name: Paul Sandy, City Engineer

Date: November 25, 2019

Estimate of Fees

Estimated fees for Phase 1: Topographic Survey services are as follows:

<i>Topographic Survey & Mapping</i>	<u>\$ 3,700</u>
<i>Phase 1 Total:</i>	<i>\$ 3,700</i>

Estimated fees for Phase 2: Preliminary Design & Layout, Final Design and Plan Preparation, and Bidding Assistance, and Construction Inspection and Staking are as follows:

<i>Final Design and Plan Preparation</i>	<i>\$12,800</i>
<i>Bidding Assistance</i>	<u><i>\$ 4,000</i></u>
<i>Phase 2 Total (Engineering & Bidding):</i>	<i>\$16,800</i>

Estimated fees for Phase 3: Construction Inspection and Staking are as follows:

<i>Construction Inspection and Staking</i>	<u><i>\$ 15,940</i></u>
<i>Phase 3 Total (Construction Inspection & Staking):</i>	<i>\$ 15,940</i>

<i>Permit Fees</i>	<i>\$ 440 (budget estimate)</i>
<i>Material Testing Expenses (Braun)</i>	<u><i>\$ 5,500 (budget estimate)</i></u>
<i>Phase 2 Total (Permitting and Testing):</i>	<i>\$ 5,940</i>

<i>Total Estimated Services Cost</i>	<i>\$ 42,380</i>
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These fees for these individual tasks are estimates. Bolton & Menk proposes our services on an hourly basis for a not to exceed hourly fee of **\$36,440**. We estimate budgetary project expenses for geotechnical services, permit fees, and material testing in the amount of about **\$5,940**. We can have those directly billed to the City for payment or reimbursed by the City, depending upon the City's preference.

The primary Bolton & Menk team for this project includes the following people:

Principal in Charge	Phil Martin, PE	Project Surveyor	Zac Zetah, LS
Design Engineer	Alex Voit, PE	Field Surveyor	Josh Anderson

Thank you for the opportunity to provide you with this proposal for professional services. We look forward to providing these professional services to the City of Brainerd and appreciate your consideration of Bolton & Menk, Inc. Please contact me at 218-821-7265 or via email at Phillip.Martin@bolton-menk.com if you have any questions, need additional information, or wish to discuss this proposal.

Sincerely,

Bolton & Menk, Inc.



Phillip M Martin, PE
Principal Engineer



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Tree Policy - Consideration of Cotton Bearing Tree Grandfather Clause

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 5 Minutes
Summary of Issue: Upon review of this tree policy at the last council meeting, some clarification on a grandfather clause for Cotton Bearing Trees were discussed.	
Alternatives, Options, Effects on Others/Comments: Section 1410 of Brainerd City Code prohibits the presence of Cotton Bearing Trees. Upon review of the policy, the Council decided that a provision in which allows these trees above a certain diameter should be allowed. Upon this determination, staff consulted an arborist with Mike's Tree Service and concluded this diameter should be 12". The policy modification reads: "All provisions of this ordinance shall apply except, upon the date of the adoption of this policy, cotton bearing trees equal to or greater than 12-inch dbh (diameter at breast height) are exempt from this ordinance. For purposes of this policy, dbh shall be considered 4 ½ feet above the ground surface."	
Recommended Action/Motion: Staff recommends adoption of the attached policy revision.	
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, Minnesota Tree Policy

1. Introduction

The City of Brainerd finds that it is in the best interest of the City and its residents to adopt a tree policy setting the roles and responsibilities for basic tree maintenance such as trimming, pruning, and removal of dead or diseased trees. Trees are part of the natural life support system that supports native species, sustains air and water resources, and contributes to health and quality of life. Trees bring natural elements and wildlife habitats into urban surroundings that increase the quality of life for Brainerd residents. Trees also have direct and indirect economic value by lowering home air-conditioning costs, reduced heating costs due to windbreaks, and increased property values. For these reasons, the City finds it necessary to provide guidelines for protecting the City's natural resources.

2. Planting of Trees on Private Property or City Right-of-Way

Property owners have the right and discretion to plant trees upon their private property. Varieties of trees allowed to be planted can be found in Section 1405.09 of the Brainerd City Code. However, species not listed will be considered if the City determines that the planting would enhance the beauty of the area in question or would be appropriate under the circumstances. Planting of trees within City right-of-way is also allowed upon notice by the abutting property owner to the City Engineering Department and Tree Inspector, unless the planting violates one of the following criteria:

1. The planting is in the right-of-way between the curb and the sidewalk and the distance between the curb and the sidewalk is less than six (6) feet.
2. The tree is less than six (6) feet in height above the ground.
3. The spacing between other adjacent trees is less than 30 feet.
4. The street right-of-way is less than 60 feet.

The same varieties as are allowed by City Code pertain to plantings within the right-of-way.

The City reserves the right to remove any improvement of the property owner who has planted any tree within the right-of-way if it interferes with public works improvements or maintenance activities. If trees are planted between the curb and sidewalk, the property owner shall ensure the tree is centered within the space. If a tree is planted where no sidewalk exists, the property owner shall ensure that the tree is planted as so to accommodate any future street or sidewalk improvement, as deemed appropriate by the City Engineering Department.

3. Replacement of Trees after Public Improvement Projects

The City will replace trees within the right-of-way at a ratio of one-to-one (1:1) after the completion of a public works project in which trees were removed as part of the project. Typically, the City requests the property owner to choose between three to four varieties of

trees that are readily available for the Contractor to install. This cost is included as part of the contract to complete the public improvement.

4. **Trimming or Pruning of Trees**

The City Tree Inspector has the authority to require trees within a street right-of-way to be pruned or trimmed so that the branches do not obstruct street lights, traffic signs or devices, street intersection site lines or utility lines. The expense of such work shall be the responsibility of the abutting property owner.

The City of Brainerd has the authority to trim trees within the street right-of-way at its discretion. Generally, trimming practices follow the diagram attached to this policy, except in special circumstances the pruning and trimming may need to be more or less than what is identified in the diagram at the discretion of Street Department staff. Trimming of trees is necessary to provide for protection of public works equipment. Tree trimming and pruning work within the right-of-way will be done at the City's expense.

The City will post notice to the abutting property owners of the trees to be trimmed one (1) day in advance by use of a door hanger. Trimming of trees within the street right-of-way typically occurs in the spring and fall and is dependent on weather conditions.

5. **Disease and Pests**

The City of Brainerd has elected to adopt and enforce an ordinance to control and prevent the spread of plant pests and diseases and may, at its discretion, pass a specific levy to fund the program. The specific ordinance of reference can be found in Section 1400 – Tree Disease Control of the Brainerd City Code. The City Tree Inspector is the person having the necessary qualifications to conduct and enforce the diseased shade tree program on private property and the right-of-way.

6. **Dead Trees**

The City of Brainerd has elected to adopt an ordinance to control and prevent the presence of dead trees. The specific ordinance of reference can be found in Section 1400 – Tree Disease Control and Section 1405 – Trees, Turf Grass, Weeds, Ornamental Grass, Evergreens, Shrubs, Native or Non-Native Plants and Natural Areas in the Right-Of-Way. The City Tree Inspector is the person having the necessary qualifications to conduct and enforce a program to ensure the removal of dead trees from private property and the right-of-way.

7. **Cotton Bearing Trees**

The City of Brainerd has elected to adopt an ordinance to control and prevent the presence of cotton bearing trees within the City. The specific ordinance of reference can be found in Section 1410 – Cotton Bearing Trees. The City Tree Inspector is the person having the necessary qualifications to conduct and enforce a program to ensure the removal of cotton bearing trees from private property and the right-of-way. All provisions of this ordinance shall apply except, upon the date of the adoption of this policy, cotton bearing trees equal to or greater than 12-inch dbh (diameter at breast height) are exempt from this ordinance. For purposes of this policy, dbh shall be considered 4 ½ feet above the ground surface.

8. **Diseased/Dead/Cotton Bearing Trees – Responsibility of the Tree Inspector**

The City Tree Inspector has the responsibility to enforce the ordinances and this policy by entering onto the premises, investigating and inspecting, diagnosing, and ordering abatement of the diseased, dead, or nuisance trees.

When the City Tree Inspector finds it necessary to order removal of a tree because of disease, death, or nuisance, on private property or within the right-of-way, a written order to correct the dangerous condition will be served upon the owner, occupant, or other person responsible for its existence. The order served will be in one of the following ways:

1. Making a personal delivery of the order to the person responsible, or;
2. Sending certified mail the order to the property owner subject to a 20 day time limit for the removal from the date of the letter, or;
3. By leaving the order with some person of suitable age and discretion upon the premise, or;
4. By affixing a copy of the order to the door at the entrance of the premises in violation, or;
5. By publishing a copy of the order in a local newspaper once a week for two successive weeks.

Upon receiving of the order, the person responsible for the nuisance will have a 20-day time limit to remove the diseased, dead, or nuisance tree from the date of the original order. However, discretion by the Tree Inspector will be used if time limit extensions are requested or required by the responsible person.

9. **Diseased/Dead/Cotton Bearing Trees – Responsibility of the Property Owner**

Upon order to remove a diseased, dead, or cotton bearing tree by the Tree Inspector, the responsible party has 20 days to remove the nuisance tree from private property or the public right-of-way. Discretion of the Tree Inspector will be used in cases where the property owner has requested a time extension for removal and the tree does not pose a threat to human life, health, or safety.

Upon expiration of the 20-day time, the City may abate the nuisance tree if it lies within the right-of-way, with the costs of such removal being assessed to the abutting property owner. If the nuisance tree lies upon private property and the 20-day time limit expires, the City will ask for permission to enter upon the private property to abate the nuisance tree. If permission is not granted, the City will seek an administrative warrant to enter upon the property to abate the nuisance tree, with the costs of such removal being assessed to the property owner.

10. **Life, Health, and Safety Issues on Private Property or within the Public Right-of-Way**

If a tree or its limbs are a danger to the life, health, and safety of the public, the Tree Inspector order the tree be pruned, trimmed, or removed immediately. If the public safety

issue is not abated immediately, the City will act to abate the nuisance condition, with the costs of such being assessed to the abutting property owner.

If a danger to the life, health, and safety of the public exists on private property, as deemed by the Tree Inspector, the Tree Inspector will serve notice upon responsible party to abate the hazardous condition within the 20-day time limit. If such condition is not abated, the City will ask for permission to enter upon the private property to abate the nuisance tree. If permission is not granted, the City will seek an administrative warrant to enter upon the property to abate the hazardous condition, with the costs of such removal being assessed to the property owner.

11. Storm and Natural Disaster Clean-Up

The City finds it necessary to provide for clean-up of debris, limbs, and trees after storm events, and thus has adopted this policy as it relates to clean-up of debris after a naturally occurring storm or disaster.

Upon the conclusion of the storm event, City forces will be deployed to remove any debris from the streets within the City. This work consists of the cutting of the tree off at the curb line, removal of branches and debris from the street, and street sweeping of any miscellaneous debris. The City is responsible for removal of all trees and debris from the street surface, and the adjoining property owner is responsible for the remainder of the tree lying within the street boulevard. This policy is adopted to ensure that all streets are opened and clear of debris in the shortest time frame possible to ensure emergency vehicles can access all areas of the City effectively.



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Technology Enhanced Traffic Control Policy

☐ 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: City Engineer Sandy	Department: Engineering
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 10 Minutes
Summary of Issue: Attached to this request is a draft policy related to what staff is calling technology enhanced traffic control devices. As these devices become more popular by the public, staff feels it prudent and necessary to set guidelines and alternatives to try first before the implementation of the enhanced traffic control device. I have also attached some examples of the devices that are outlined in the policy, along with some of the alternative treatments that can be seen throughout the document.	
Alternatives, Options, Effects on Others/Comments: The three devices the policy covers are flashing LED signs (regulatory and warning), speed feedback signs, and rectangular rapid flashing beacons (RFRBs). Under each different category within the policy, there is a definition of the device, alternatives to first consider before installation, and other criteria considered for the installation of the device. There is also a cost section of the policy, in which outlines procedures for getting the device into the City budget, along with requests for the current budget year. There is also provisions for the requester to cover all of the costs of the device to get it installed. Staff recommends more discussion of the policy and direction, as indicated at the November 18, 2019 Council Meeting.	
Recommended Action/Motion: Staff recommends discussion and deliberation of the attached policy. If found to be adequate, staff recommends adoption of the Technology Enhanced Traffic Control Policy with any proposed changes.	
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

Technology Enhanced Traffic Control Policy

1. Introduction

The City of Brainerd seeks to optimize its existing traffic control measures in locations where unique situations exist. With evolving Technology Enhanced Traffic Control devices, it is crucial to analyze the effectiveness of each device and determine whether their use factually increases the safety and well-being of the public.

This policy defines how devices are evaluated and recommended for application. Devices failing to meet the guidelines established by this policy will not be considered for installation unless they are a replacement to a previously installed, older technology system (standard flashing beacons, etc.).

2. Policy

Devices considered for use include flashing LED regulatory (stop and yield) and warning (curve ahead, etc.) signs, digital speed feedback signs, and rectangular rapid-flashing beacons at pedestrian crosswalks. New devices, as developed, will be considered for addition to the policy.

The city will follow guidance for appropriate use as provided by the Minnesota Manual on Uniform Traffic Control Devices (MN MUTCD).

Flashing LED Signs (Regulatory and Warning)

Light Emitting Diode (LED) units may be used individually within the legend of a sign and/or the border of a sign to improve the conspicuity or to increase the legibility of sign legends and borders.

Prior to implementing a flashing LED sign, the following conspicuity improvement alternatives shall first be considered:

- Install an advanced warning sign on approach to the intersection or warning condition.
- Increase the size of the existing signage.
- Install a second sign of equal or lesser size on the left-hand side of the road (if allowed by MN MUTCD).
- Add one or more red or orange flags (cloth or retroreflective sheeting) above a standard sign, with flags oriented at 45 degrees to the vertical.
- Add a strip of retroreflective material to the sign support.

Flashing regulatory and warning signs shall only be considered for installation in situations necessitating enhanced visibility of the sign not accomplished by the above

treatment techniques. The city will follow the MnDOT Traffic Engineering Manual to create premises for use. For local road situations the manual provides instruction that use of these devices should be limited to locations where both of the following conditions exist:

- Limited visibility on approach to an intersection or roadway condition requiring warning, as determined by the sight distance criteria for Warrant 1 in Section 9-4.02.012 in the Traffic Engineering Manual.
- A history of crashes documented to be caused by a failure to stop or adherence to warning, and deemed preventable by implementation of conspicuity improvements.

Speed Feedback Signs

These signs provide a real-time dynamic display of the driver's vehicular speed at the location where speeding and safety has been documented as a problem. When considering use of these signs, at least four (4) of the following conditions must be met:

- The 85th percentile speed exceeds the posted speed limit by at least 5 MPH during the time period of concern.
- A speed transition area exists.
- The area of interest is within the vicinity of a school or other high pedestrian traffic area.
- The posted speed is 40 MPH or less.
- The road is under city jurisdiction.

Installation may be considered when three (3) of the above five (5) conditions are met, and crash data and documented repeat lane departures can clearly be linked to excessive speed in the area of interest.

Speed Feedback Signs shall also meet the following technical specifications when implemented:

- Installation must be used in conjunction with the traditional speed limit sign.
- When activated, the sign display shall give drivers immediate feedback on their individual driving speed.
- When traveling above the posted speed limit, the sign shall rapidly flash or have other dynamic elements.
- When installed in association with school speed zones, the Speed Feedback Signs shall operate only when the school speed zone is in effect.
- The installation shall not interfere with the visibility and general effectiveness of any other signs in the area.

Rectangular Rapid Flashing Beacons (RRFBs)

RRFBs are user-actuated LEDs that supplement warning signs to increase awareness of a pedestrian crossing location. They are activated by a push button which triggers the LEDs to display an irregular flash pattern which can help alert drivers of the approaching crosswalk.

Prior to implementing RRFBs, the following conspicuity improvement alternatives shall first be considered:

- Add crosswalk pavement markings.
- Install an advanced warning sign on approach to the crosswalk.
- Increase the size of the existing signage.
- Install a second sign of equal or lesser size on the left-hand side of the road (if allowed by MN MUTCD).
- Add one or more red or orange flags (cloth or retroreflective sheeting) above a standard sign, with flags oriented at 45 degrees to the vertical.
- Add a strip of retroreflective material to the sign support.
- Add an In-street Pedestrian Crossing sign.

RRFBs shall only be considered for installation in situations necessitating enhanced visibility of the crosswalk not accomplished by the above treatment techniques.

The analysis for determining if RRFBs shall be used is specified in figures 4F-1 and 4F-2 from Part 4 of the Manual on Uniform Traffic Control Devices as shown below. Variables that influence the proper procedure include the number of pedestrians crossing at a location, the volume and speed of crossing vehicular traffic and the length of the crosswalk.

Figure 4F-1. Guidelines for the Installation of Pedestrian Hybrid Beacons on Low-Speed Roadways

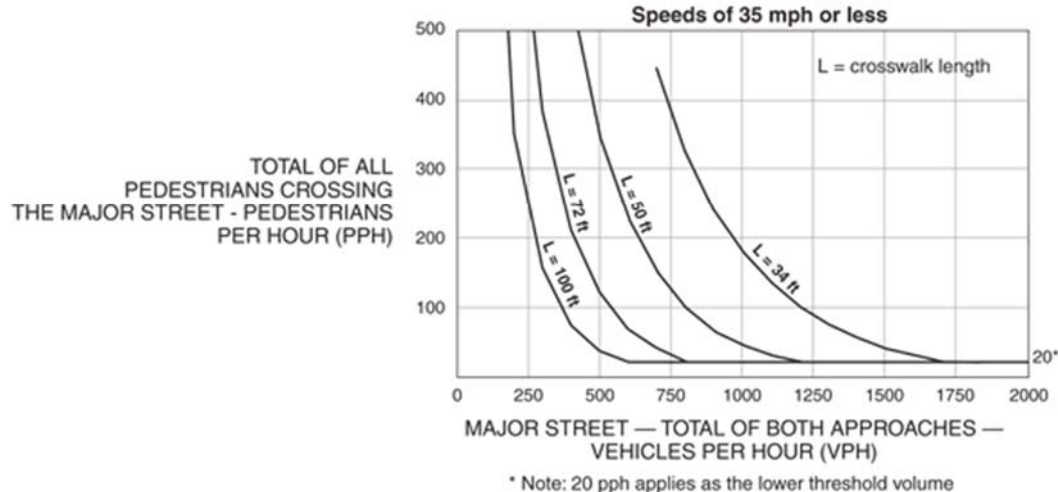
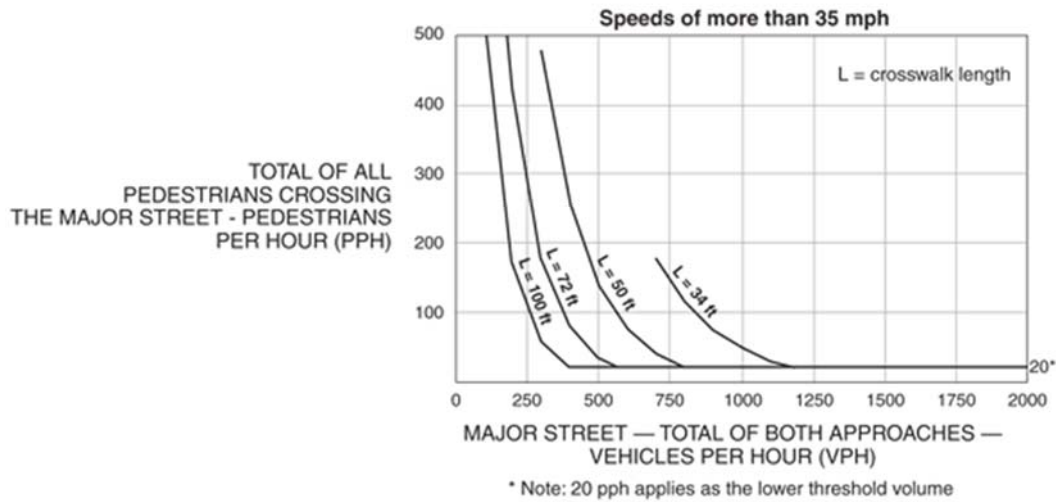


Figure 4F-2. Guidelines for the Installation of Pedestrian Hybrid Beacons on High-Speed Roadways



RRFBs shall be limited in use to crosswalk locations that exist at non-controlled intersections or other midblock locations where vehicular traffic would otherwise not be required to stop.

Costs

Annual budgets are prepared without including installation of any new Technology Enhanced Traffic Control devices due to the large and variable costs for each individual system.

Requests for Technology Enhanced Traffic Control devices, found to meet the guidelines established in this policy, shall be considered for inclusion in the following year's budget or Capital Improvement Plan.

Requests for installation within the current budget year found to meet the guidelines established by this policy may be considered if they are accompanied with a donation of all costs associated with the purchase, installation and maintenance of the system. Acceptance of the donation will be by the City Council and shall not obligate the city to future replacement costs.



Retroreflective Signpost



Orange Flags 45-degrees to Vertical



LED Stopsign



Speed Feedback Sign



Rapid Flashing Rectangular Beacon

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

December 2, 2019
**Crow Wing County Historic Courthouse
3rd Floor Jinx Ferrari Room
6:45 PM**

1. Payment of Bills
2. Assistance to Firefighters Grant
3. Children's Museum Discussion
4. Animal Control Services Contract Proposal
5. City Administrator Employment Agreement
6. Deferment of Assessment
7. Memorial Park Redesign and Parking Lot Discussion



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Assistance to Firefighters Grant Application

☐ 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: Fire Chief Tim Holmes	Department: Fire
Presenter (Name & Title): Fire Chief Tim Holmes	Estimated Time Needed: 5 minutes
Summary of Issue: Request authorization to apply for the Assistance to Firefighters Grant through FEMA. The application is to replace our Self-Contained Breathing Apparatus (SCBA). The fire department applied for this grant in 2018, but was not awarded a grant in that round of applications.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: To authorize the fire department to apply for a Fire Operations and PPE grant through the Assistance to Firefighters program. The total application request will be approximately \$255,000, with a 10% local cost share if the grant is awarded.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☒ Yes ☐ No Match from fire capital fund. (Approx. \$25,500) <u>Please Explain:</u>	



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Children's Museum - Master Planning Discussion

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): Connie, David, Jim, and Tony	Estimated Time Needed: 5 minutes
Summary of Issue: The Region 5 Children's Museum presented their "proof of concept" to the City Council during their regular meeting on November 4. At that time, the Council expressed interest in partnering with the Children's Museum, indicating that the next steps were for the Museum to meet with the Park Board and then with the Personnel and Finance Committee to discuss a partnership for master planning the museum within Lum Park. The Museum presented before the Park Board on Tuesday, November 26. At that time, the Park Board likewise expressed interest moving forward with mastering planning. At this time, staff is looking for direction as to what extend the City is willing to participate financially to the master planning process and if any conditions should be placed on such an agreement. Attached is a proposal for professional services for a Lum Park master plan by WSN. Split into 3 phases, the proposed cost of this master plan is \$37,000.	
Alternatives, Options, Effects on Others/Comments: Staff recommends any agreement for master planning being structured similarly to that of a developer's agreement with conditions in place to ensure a timely development process and to protect the City's interests should a museum not come to fruition within Lum Park. Such conditions could include but are not limited to: - The Region 5 Children's Museum shall commit to Lum Park being its sole future development location. - The City of Brainerd shall reimburse the Children's Museum for 50% of master planning costs, not to exceed \$18,500. - Master plan must be completed and received by the City Council no later than May 31, 2020. - Should the construction of a museum within Lum Park not commence by December 31, 2022, the Region 5 Children's Museum shall refund the City of Brainerd for any incurred costs. It is important to note that any such partnership agreement for master planning is not any kind of lease agreement for the property itself. Such an agreement will be developed at a later date, following the completion of the master plan.	
Recommended Action/Motion: 1) Motion to direct staff to develop an agreement with the Region 5 Children's Museum to conduct the Lum Park Master Plan as proposed by WSN. 2) Motion to indicate how the funds for the master plan should be accounted for in the 2020 budget.	
Financial Impact: Is there a cost associated with this request: ☒ Yes ☐ No What is the total cost, with tax and shipping \$ <u>37,500</u> Is this budgeted? ☐ Yes ☒ No <u>Please Explain:</u> The cost of a master plan for Lum Park is currently not in the proposed 2020 budget.	

November 27, 2019

Jim Thoreen
City Administrator
501 Laurel Street
Brainerd, MN 56401



Baxter/Brainerd
7804 Industrial Park Road
PO Box 2720
Baxter, MN 56425-2720

218.829.5117 
218.829.2517 
Brainerd@wsn.us.com 

WidsethSmithNolting.com

Re: Lum Park Masterplan

Dear Mr. Thoreen,

Thank you for the opportunity to present this proposal for professional services for the Lum Park Masterplan. Over the last two months, WSN has enjoyed working with Peter Olson, Museum Project Director, and the City of Brainerd, in developing preliminary concepts for locating the Children's Museum in Lum Park. WSN began working with Peter Olson on October 15, 2019, and the result of this initial meeting was a request for WSN to create a visual for what the Children's Museum would look like at Lum Park. Understandably, without a visual or drawing, it was difficult to grasp the overall impact that a 30,000 s.f. – 40,000 s.f. building would have at Lum Park, and having something on paper to react to, was a critical next step in the process. The goal for creating this visual, was to present this concept to the Brainerd City Council on November 4, 2019 and the Parks & Rec Board on November 26, 2019. The concept for locating the Children's Museum at Lum Park was received favorably by both the city council and the parks & rec board, and the general consensus is to proceed with reviewing a proposal for creating a masterplan for Lum Park. The following scope of work is based on the city council and parks & rec presentations, discussions with Peter Olson and Brainerd city staff. The anticipated timeframe for this masterplan process will be from January 2020 – May 2020.

Programming Phase (\$12,500.00) (January 2020 – February 2020)

- WSN, Brainerd City Staff, Peter Olson and Jim Rowe (Children's Museum Design Consultant) will collaborate to create a program for Lum Park and Children's Museum.
- This collaboration will require up to four meetings.
- Review Lum Park's history and existing park amenities. The overall objective is to identify and respect what Lum Park has to offer the community.
- Discuss building placement, parking and pedestrian access.
- Establish goals for new shared park amenities that will be available to the general public and visitors to the Children's Museum.
- Discuss screening, or buffering, between the existing campground and the Children's Museum.
- Explore possibilities of incorporating the Brainerd Parks & Rec staff within the Children's Museum building.
- Discuss how this project should take other City of Brainerd initiatives into consideration, such as the Walkable Bikeable Committee, Mississippi Riverfront Committee and others.

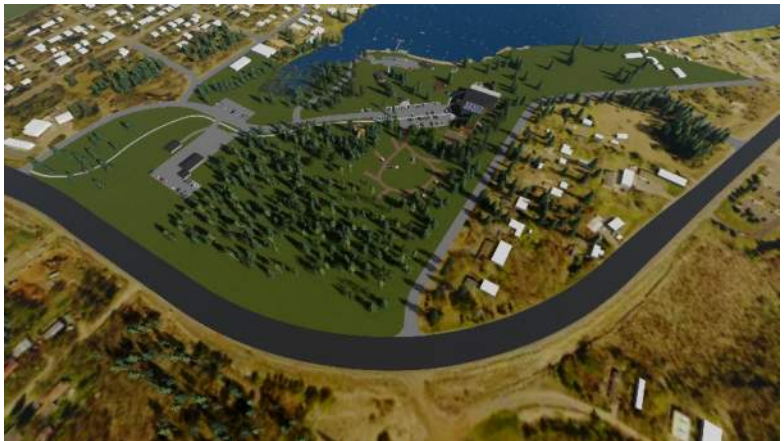


Preliminary Design Phase (\$14,500.00) (March 2020 – April 2020)

- Upon completion of the Programming Phase, WSN architects will revise the overall masterplan graphics to reflect the information that was created by the entire group.
- Due to the general approval of the overall concept of the masterplan, the design changes will primarily consist of the new Children's Museum building and exterior amenities.
- We anticipate that this process will be very efficient and timely, due to the fact that we've already created a Revit model for the project.
- The exterior aesthetics will also be discussed and developed, to ensure that the architecture is respectful of Lum Park and surrounding properties.
- Multiple design iterations will be reviewed by throughout this process, on a bi-weekly basis.

Final Presentation Graphics and Deliverables (\$10,000.00) (April 2020 - May 2020)

- Upon completion of the Preliminary Design Phase, WSN will proceed with final presentation graphics.
- These graphics can be used for grant applications, communicating the project to the community and other presentations that the Children's Museum or City of Brainerd may have moving forward.
- WSN will provide renderings that are similar to what we've provided thus far.
- WSN proposes to provide a video/animation, as part of the final presentation deliverables. This three minute video will provide you with the opportunity to communicate this project in a variety of ways, whether it be in person, or utilizing social media.
- Please visit this website for examples of WSN Videography:
<http://www.widsethsmithnolting.com/videos.php>



Thank you again for the opportunity to submit a proposal for the Lum Park Masterplan design services. We look forward to the opportunity to continue working with the City of Brainerd on another exciting project for our community!

Sincerely,

Widseth Smith Nolting

A handwritten signature in dark ink, appearing to read "Michael Angland". The signature is fluid and cursive, written over a light background.

Michael Angland, AIA, LEED AP
Vice President

Cc: Peter Olson, Museum Project Director

Proposed by Widseth Smith Nolting & Assoc., Inc.

Michael Angland, AIA, LEED AP
Vice President
Widseth Smith Nolting

Accepted by City of Brainerd

The above proposal is satisfactory and WSN is authorized to do the work as specified.

Name _____ Date _____





Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Animal Control Services Contract

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☒ P&F COMMITTEE ☐ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) *provide copy of published hearing notice ☐ Direction Requested ☐ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading
Submitted by: Chief McQuiston	Department: Finance and Police
Presenter (Name & Title): Finance Director Hillman and Chief McQuiston	Estimated Time Needed: 5 minutes
Summary of Issue: On November 21st, the Brainerd and Baxter Police Chief's met with Michael O'Brien owner of Lakes Area Wildlife Control the current Animal Control Services provider. Council had directed police and finance to negotiate with O'Brien after his initial proposal was presented at the November 18th meeting. A counter offer for fees was negotiated for services. Mr. O'Brien gave a verbal agreement to a graduated increase of 30% each year from the current rate for then next three years, beginning on January 1st, for 2020, 2021 and 2022. By 2022 this would bring his increase to 5% over what he had originally requested for 2020, allowing the city time to absorb this increase over that time period.	
Alternatives, Options, Effects on Others/Comments: The current agreement for 2019 is \$1360.60/month. The rate increase for the following years would be to \$1768/month for 2020, \$2298/month for 2021, and \$2987/month for 2022. Mr. O'Brien had originally proposed \$2834.58 for 2020.	
Recommended Action/Motion: Make a motion approving the attached Animal Control Enforcement Proposal with Lakes Area Wildlife Control.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No Monthly increases for 2020, 2021, and 2022 as outlined above. <u>Please Explain:</u>	

Animal Control Enforcement Proposal for the City of Brainerd, MN

This is a contract, made and entered into by Lakes Area Wildlife Control (LAWC) and the City of Brainerd (CITY). LAWC will provide animal control services as described below.

For services rendered the city agrees to pay LAWC fees as follows beginning January 1st for the calendar years:

- 2020 = \$1768/month
- 2021 = \$2298/month
- 2022 = \$2987/month

Services covered under this contract:

Animals running at large-

LAWC will pick up or attempt to pick up animals said to be running at large inside the city limits in violation of the city ordinance. If located and captured LAWC will deliver to the owner (if can be determined) or the designated impound facility. ***The city will be responsible for any fees associated with the impoundment outside of pickup and delivery.***

Citations-

LAWC will issue citations or warnings for violations of the city animal ordinances and or MN state statutes. When citations are issued notification will also be made to the police department, so an incident report can be generated.

Investigation of animal bites-

LAWC will investigate domestic animal bites and produce the necessary reports (including pictures) if any, to be delivered to the city police department. If required animal will also be delivered to impound facility for quarantine. If quarantined at owner's residence periodic checks as required would be done. Notification will be made to the police department, so an incident report can be generated.

Barking dog complaints-

LAWC will investigate complaints and produce a report covering the investigation.

Cruelty/neglect complaints-

LAWC will investigate and produce reports as necessary for cruelty and or animal neglect complaints. Notification will be made to the police department, so an incident report can be generated.

Court appearances/city council meetings-

If required LAWC will attend any court appearances and or city council meetings.

Transportation vehicle-

LAWC will provide a satisfactory vehicle to transport any and all animals. LAWC agrees to maintain satisfactory insurance coverage, a copy of which will be provided to the city.

Liability insurance-

LAWC agrees to maintain liability and vehicle insurance coverage for services rendered at a level that is agreed upon by the city. A copy of which will be provided to the city for review.

Independent Contractor Relationship-

It is expressly understood that the Contractor is an “independent contractor” and not an employee of the City. The Contractor shall have control over the manner in which the Services are performed under this Agreement. The Contractor shall supply, at its own expense, all materials, supplies, equipment and tools required to accomplish the Services contemplated by this Agreement. The Contractor shall not be entitled to any benefits from the City, including, without limitation, insurance benefits, sick and vacation leave, workers’ compensation benefits, unemployment compensation, disability, severance pay, or retirement benefits. Nothing in this Agreement shall be deemed to constitute a partnership, joint venture or agency relationship between the Parties.

Indemnification-

To the fullest extent permitted by law, the Contractor agrees to defend, indemnify and hold harmless the City, and its employees, officials, and agents from and against all claims, actions, damages, losses and expenses, including reasonable attorney fees, arising out of the Contractor’s negligence or the Contractor’s performance or failure to perform its obligations under this Agreement. The Contractor’s indemnification obligation shall apply to the Contractor’s subcontractor(s), or anyone directly or indirectly employed or hired by the Contractor, or anyone for whose acts the Contractor may be liable. The Contractor agrees this indemnity obligation shall survive the completion or termination of this Agreement.

Wild animals-

LAWC will make residents aware that these types of calls are not covered by the city animal ordinance and they would be responsible for any fees associated. LAWC handles all wild animal/pest calls and anyone hiring LAWC for these services would be made aware that it would be a contract with the home owner and LAWC, and would have nothing to do with the city.

Availability-

LAWC will respond to all calls as soon as possible after received. This response will occur all day, every day, of the year. It is agreed that there is no requirement for “active patrol” duties. While we can’t respond to every call immediately due to working a large area we will make every attempt to respond in a timely fashion.

Monthly reports-

LAWC will generate a report covering the calls received each month, to be turned in to the city council or designee in a timely fashion. These reports will document the time/date of call, response generated, nature of the call and outcome.

It is understood that LAWC will be contracting with the city, and not an employee of the city.

This contract shall be considered valid at the time both parties sign below, and will be in effect till midnight December, 31st 2022.

This contract can be terminated by either party upon 90 days written notice.

Lakes Area Wildlife Control
Michael O'Brien (owner)
9183 1st Ave
Breezy Point, MN 56472

City of Brainerd
City Administrator

Michael O'Brien Date

Mayor Date

City Administrator Date



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: City Administrator Employment Agreement with Jennifer Bergman

☐ 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: HR Director Kris Schubert	Department: Administration/HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: The City Council conducted City Administrator interviews on November 19th and agreed to offer the position to Jennifer Bergman. Attached is an Employment Agreement for Ms. Bergman for your review and consideration. The agreement is based on the format utilized for both Jim Thoreen & Cassandra Torstenson. This agreement has been reviewed and approved by Ms. Bergman as well as our City Attorney's Office.	
Alternatives, Options, Effects on Others/Comments: Ms. Bergman requested, and the Council's Negotiation Subcommittee agreed, that Ms. Bergman start at Step 1 of the City Administrator Wage Grid provided that: 1) Her initial vacation accrual rate at hire be 13.33 hours per month (four weeks per year) instead of 10 hours per month (three weeks per year). Note: This accrual rate will be frozen and will continue for the first six years of her employment before increasing to match our existing Employee Policy Manual; and 2) Ms. Bergman will start with a 160-hour sick leave bank. These hours will be deducted from her severance pay if applicable. This was also provided to Jim Thoreen when he was hired.	
Recommended Action/Motion: Motion to approve the City Administrator Employment Agreement with Jennifer Bergman; further, to authorize signatures of city officials.	
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 The City Administrator position is included in the 2020 budget. <i>Please Explain:</i>	

CITY ADMINISTRATOR EMPLOYMENT AGREEMENT

THIS AGREEMENT, made and entered into as of December 2, 2019, by and between the CITY OF BRAINERD, MINNESOTA, a municipal corporation and Charter City ("City"), and Jennifer Bergman ("Employee"). The City and the Employee are hereinafter referred to collectively as the "Parties," and individually as a "Party."

RECITALS

A. The City desires to employ Employee as its City Administrator, to provide sufficient inducement for her to remain in such position, and to encourage effective, professional and efficient execution of the City Administrator's responsibilities.

B. Employee agrees to serve as City Administrator on the terms and subject to the benefits, inducements, and conditions agreed to by the Parties, which have been negotiated and agreed to by the Parties for their mutual benefit.

NOW, THEREFORE, in consideration of the mutual covenants and agreements set forth in this Agreement, the City and Employee agree as follows:

SECTION 1- RECITALS

The Parties accept and acknowledge the recitals as part of this Agreement.

SECTION 2 - DUTIES

The City will employ Employee as City Administrator of the City effective January 6, 2020 to perform the functions, duties and powers of the position as established under the Charter and Minnesota law and under the ordinances of the City, and to perform such other duties and responsibilities as shall from time to time be duly assigned by the City Council. Employee will faithfully and diligently perform all of the duties, responsibilities and powers so vested, delegated, or assigned, and shall obey all laws of the United States and of the State of Minnesota and all ordinances of the City. Employee will devote full time to her duties and responsibilities to the City and will hold no other employment. Employee will not perform any services for any other entity or for any person, except a member of her family, and will not accept any remuneration therefor, without the prior approval of the City Council, consistent with applicable City Policies. Employee will perform her duties and conduct herself consistent with the City's charter, ordinances, and policies.

SECTION 3 - TERM OF EMPLOYMENT

A. Employment with the City is "at will," meaning that either the Employee or the City may terminate the employment relationship at any time, for any reason or for no reason. Employment with the City is subject to the applicable provisions of the City's Charter, ordinances, and policies. As provided in the City Charter, a two-thirds majority vote of the City Council is required to terminate the Employee's employment.

B. If the Employee wishes to resign "in good standing" for purposes of applicable City policies and this Agreement, she must give 30 days' written notice to the City Council.

SECTION 4-SALARY AND PENSION

The City will pay Employee in accordance with the annual wage resolution adopted by the City Council. For 2020, the City will pay Employee an annual salary of \$110,988 (Step 1 of the City's City Administrator Wage Grid) effective January 6, 2020, payable in the same manner as the salaries of other City employees. Any future increases to the Employee's salary will be consistent with applicable City policy and any wage resolution adopted by the City Council, at its sole discretion.

If any salary increase approved by the City Council would cause Employee's salary to exceed the salary cap imposed by state law, any such salary increase will be adjusted to keep Employee's salary within the state salary cap. Only in the case of such event, the Employee shall be granted an increase in annual vacation in an amount equal to the amount of the increased salary that otherwise would have exceeded the cap. The Employee shall be allowed to accrue such increase in addition to the amount of vacation that she is otherwise allowed to accrue under the applicable City policy. The value of any such increase in vacation time may be considered by the City Council in determining subsequent annual salary changes for the Employee.

Employee may choose to receive part of her salary in deferred compensation in accordance with applicable state and federal laws.

SECTION 5- GOVERNMENTAL, CIVIC AND PROFESSIONAL ASSOCIATIONS

At the sole discretion of the City Council, the City will pay the professional dues and subscription fees of Employee in or to such national, regional, state, civic, and local governmental and professional associations and organizations, including institutions of higher education, that are reasonably necessary and desirable for Employee's professional participation, advancement, improvement and growth, and which will benefit her service to the City, as may from time to time be approved in advance by the City Council upon Employee's written request. The City agrees to pay for Employee's membership in ICMA. The City recognizes the desirability of representation in and before local civic and other local organizations. Employee is authorized to become a member of and the Brainerd Rotary Club at the City's expense.

SECTION 6 - PROFESSIONAL DEVELOPMENT AND TRAVEL

The City, at its sole discretion, may budget and pay for the cost of registration, travel, and subsistence expenses relating to training programs which serve to continue the professional education development of the Employee. Any request for such training must be submitted to the City Council in accordance with applicable City policies.

SECTION 7-AUTOMOBILE AND EXPENSES

Employee will be paid for mileage, consistent with applicable City policies, at a rate the same as other City employees, to compensate for all driving on City business using her own vehicle. All use of the employee's personal vehicle must be consistent with applicable City policy.

SECTION 8- SEVERANCE PAY UPON TERMINATION

A. If Employee is terminated as City Administrator by action of the City Council for any reason other than for malfeasance, willful neglect of duty, or bad faith, the City will pay Employee, at the time of receipt of her last pay check, a lump sum cash payment equal to four months wages and continue to provide and pay for all group insurance benefits provided for in this Agreement for a period of four months following termination.

B. If Employee is unable to perform her duties and responsibilities for an extended period (not less than 3 months) due to illness, injury, or other cause beyond the ability of Employee to correct, the City may, but is not required to, terminate the Employee's employment and pay the severance pay authorized by Subsection 8A.

SECTION 9-RELOCATION EXPENSES

Employee will be reimbursed up to \$3,000 for relocation expenses incurred in relocating to Brainerd upon submission of appropriate documentation to the City demonstrating that such costs were incurred by Employee. The City shall not be obligated to pay any costs in excess of \$3,000. If the actual relocation costs incurred by Employee are less than \$3,000, the reimbursement shall be adjusted to an amount equal to the actual relocation costs. If Employee resigns from employment within two (2) years of hiring by the City, Employee shall repay any relocation expenses that she received from the City pursuant to this Section.

SECTION 10 - OTHER TERMS OF EMPLOYMENT

A. Except as otherwise specifically provided in this Agreement, the Employee's employment is subject to all provisions of the City ordinances and City Policy, including any generally applicable to supervisory/confidential City employees with respect to accrual of sick leave and vacation, holidays, and other terms and conditions of employment. Upon leaving the City's employment for whatever reason, Employee shall be entitled to payment for all of her accrued unused vacation time, and payment for her accrued unused sick leave in excess of 160 hours in accordance with applicable city policy.

B. **PERFORMANCE REVIEWS.** Employee shall be given an initial performance review after six months of employment and annually thereafter following the review process provided in applicable City policy. The process, form, criteria, and format for the evaluation will be determined at the City Council's sole discretion. The final written evaluation may be completed and delivered to the Employee within 30 days of the evaluation meeting. Failure to complete an annual performance review shall not constitute a breach of this Agreement, regardless of the impact of any such failure on any potential salary increase.

C. To the extent required or authorized by Minnesota law, the City shall defend, indemnify, and hold harmless Employee against any and all civil claims, demands, suits, actions or proceedings of any kind or nature arising out of the performance by Employee of her duties and responsibilities as City Administrator, except those arising out of malfeasance, willful neglect of duty, or bad faith. This indemnification shall not apply to any criminal proceedings.

D. Employee shall receive the benefit package as outlined in Attachment A, subject to changes to applicable City Policies.

E. The City will reimburse Employee for miscellaneous job-related expenses that Employee incurs from time to time in accordance with the City's policy for expense reimbursement for supervisory/confidential employees.

F. It is understood that the position of City Administrator requires attendance at evening meetings and occasionally at weekend meetings. Employee understands that additional compensation or compensatory time shall not be allowed for such additional expenditures of time. The City Administrator position is exempt from the overtime provisions of the Fair Labor Standards Act and analogous Minnesota law. As provided in City Policy, Employee is allowed "limited flexibility" in her work schedule on the same terms as City Department Heads.

G. Nothing in this Agreement prevents, limits or otherwise interferes with the right of the City to terminate the services of Employee at any time, for any reason, subject only to the provisions of this Agreement, the Charter and statutory requirements. Furthermore, nothing in this Agreement prevents, limits or otherwise interferes with the right of Employee to resign at any time from her position with the City, subject only to the provisions of this Agreement. Employment with the City is on an "at will" basis and nothing in this Agreement guarantees, or can be construed as guaranteeing, continued employment with the City.

SECTION 11 - GENERAL PROVISIONS

A. Whenever in this Agreement reference is made to any action of the City Council, such reference shall mean collective action in an official meeting, except insofar as such action is taken by ordinance or other form requiring the independent action of the Mayor, and unless the context clearly requires another meaning.

B. This Agreement shall constitute the entire agreement of Employee and the City, and shall supersede any prior agreements, understandings, or undertakings between them.

C. This Agreement shall be governed by and shall be construed in accordance with the laws of the State of Minnesota and the Charter and Ordinances of the City.

D. This Agreement shall be binding upon and shall inure to the benefit of the heirs, executors, and administrators of Employee's estate.

E. If any section, provision, condition or term of this Agreement, or application thereof to any circumstance, shall be held to be invalid or unenforceable for any reason by any court of competent jurisdiction, the remaining portions or applications hereof as can be given effect without the invalid or unenforceable provision or application shall remain in full force and effect, and to this end the provisions of this Agreement are declared to be severable.

IN **WITNESS WHEREOF**, the City and Employee have approved and executed this Agreement, this 2nd day of December 2019.

EMPLOYEE

CITY OF BRAINERD

Jennifer Bergman

Edwin L. Menk, Mayor

Attachment A



City Administrator Benefit Package

1. Exempt Position – Not eligible for overtime.
2. Normal Work Hours: Monday through Friday 7:30 am to 4:30 pm. Shall attend all Council meetings and may need to attend other occasional evening and weekend meetings/emergencies.

Except with respect to the accrual of sick leave and vacation leave as provided in Paragraphs 5 and 6 of this Attachment, the Employee earns benefits subject to applicable city policies. The following is a summary of benefits contained in city policies as of November 1, 2019:
3. Ten paid holidays, plus two additional “floating” holidays of your choice. 2020 floating holidays will be pro-rated based on date of hire.
4. Probationary period is 12 months upon assuming the position. Vacation and sick leave are accrued during that time, but vacation is generally not available for use until after the first six months of employment. Completing the probationary period does not guarantee future employment with the City. All employment with the City is “at will.”
5. Vacation is earned at the rate of 13.33 hours per month (4 weeks per year) for the first six years of employment. After the sixth year, the monthly accrual rate is increased per the Employee Policy Manual. Maximum vacation balance is 240 hours.
6. Sick leave is earned at a rate of 8 hours per month with a maximum sick balance of 960 hours. Payout of 100% of sick leave balance allowed as severance if immediately eligible to draw PERA pension or due to a written doctor-verified disability. Employee will be credited with 160 hours of banked sick leave upon the first day of her employment.
7. Health Insurance -- HealthPartners is the City’s current health insurance provider. Coverage takes effect the 1st of the month following date of hire. The City currently offers two insurance plans or \$315 per month for an Opt-out election with appropriate group coverage documentation. The following is a summary of the insurance plan options for 2020:
 - Plan 1 is a \$2,800 single/\$5,600 family High Deductible Health Insurance Plan. The employee pays 5% of the single premium with the 2020 monthly cost being \$62.64 per month. The employee pays 20% of the family premium or \$406.69 per month. The employee also receives an additional annual employer contribution of \$1,710 for a single policy and \$2,137.50 for a family policy (amount will be prorated and deposited in monthly increments) into the employee’s Health Savings Account.
 - Plan 2 is a \$1,000 single/\$2,000 family deductible policy with a \$15 generic/\$30 Brand Name drug co-pay. The employee pays 5% of the single premium with the 2020 monthly cost being \$69.08 per month. The employee pays 20% of the family premium or \$446.48 per month.
8. A \$100,000 life insurance and long-term disability insurance policy is 100% provided by the City the first of the month following the initial six-month waiting period for eligibility.
9. The City Administrator is eligible for Minnesota Public Employees Retirement Association (PERA) enrollment. The 2020 EMPLOYEE contribution rate is 6.5%. The 2020 EMPLOYER contribution rate is 7.5%.
10. City Administrator and Department Heads contribute 1% of gross each payroll period into the MN State Retirement System (MSRS) Health Care Savings Plan. Contribution percentage increases after 4 years of employment.
11. The 2020 starting salary range is \$110,988 to \$127,650 depending on qualifications. The starting range reflects Steps 1 through 4 of an 8-step pay grid approved by the City Council. Pay steps through Step 6 are based on satisfactory performance, as described in applicable City policy. Consistent with City policy, in order to advance to Step 7 on an applicable wage grid approved by the City Council, an employee must be on Step 6 and obtain two “achieves expectations” and one “exceeds expectations” on their annual performance evaluation in any given three-year cycle beginning January 1, 2020. In order to advance to Step 8, an employee must be on Step 7 and obtain another “exceeds expectations” with two prior “achieves expectations” on their annual performance evaluation in any given three-year cycle.
12. In the event of any conflict between this summary of benefits and applicable City policy, City policy controls. The only exception to this is in regard to the accrual of sick leave and vacation leave as noted in Paragraphs 5 and 6 of this Attachment as those provisions will supersede City Policy.



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Deferment of Assessments

☐ 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: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 5 Minutes
Summary of Issue: The City has received 2 additional applications for deferment of assessments. Both of these applications are for the same property owner but for two different parcels and are for the assessments associated with the 2019 17:07 improvement project. The applicant meets for sure two of the hardship items (4B, & 4C) listed in the attached resolution. The assessments are over \$300 and the combined estimated market value of the two parcels is less than \$110,000. Staff was unable to verify income with their 2018 tax return as we did with other applicants but as stated in the letter, Staff did review Mr. Brodal's 2018 W-2 wage and a letter from social security for Mrs. Brodal, in which staff does believe they meet the guidelines in 4A. Attached are the applications and a letter from the property owner.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve or deny the deferment for the applicant for assessment payable in 2020 for one or both of the applicants at PID's 41191678 and 41191679.	
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> \$ 756.34 (P&I) for PY 2020 <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i>	

RESOLUTION
NO. 54:16

WHEREAS, Minnesota Statutes 435.193 through 435.195 authorizes the City of Brainerd to defer the payment of special assessments against any homestead property for certain citizens; and

WHEREAS, said deferment of assessment may be permitted at the discretion of the City Council; and

WHEREAS, the City Council of the City of Brainerd finds and determines that deferral of special assessments for certain citizens is in the public interest; and

WHEREAS, it is necessary and proper that the City Council set forth its general policies and guidelines for granting said deferrals of special assessments for citizens.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF BRAINERD, MINNESOTA:

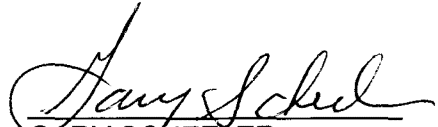
1. That the City Council does endorse the principle of deferment of special assessments for citizens where the payment of said special assessments constitutes hardship.
2. The Council, in accordance therewith, may defer the payment of any special assessment on homestead property when payment of the assessment would create a hardship upon the property owner as defined herein.
3. The deferment may be granted upon an application by the owner on a form prescribed by the County Auditor supplemented by the City Administrator to establish the qualifications of the owner for said deferment. All deferments shall be subject to renewal each following year upon the filing of a similar application not later than August 15. The Council shall either grant or deny the deferment, and if it grants the deferment, the deferred assessment shall bear interest at the rate established in the Resolution adopting the assessment. If the Council grants the deferment, the City Administrator shall notify the County Auditor who shall, in accordance with Minnesota Statute 435.194, record a notice of the deferment with the County Recorder setting forth the amount of the assessment.
4. A hardship shall be deemed prima facie to exist when all of the following apply:
 - A. The applicant's spouse and family combines shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of application. All data necessary to confirm applicant's income shall be furnished to the City Administrator.
 - B. The special assessments to be deferred exceed \$300.00.

- C. The total assets of the applicant and spouse, exclusive of the homestead, do not exceed \$25,000.00.
- D. The Crow Wing County Assessor's **estimated market value** of the applicant's homestead is less than **\$110,000**.

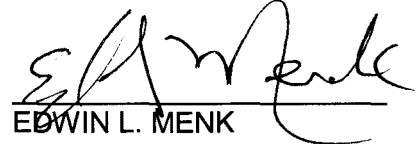
Notwithstanding the foregoing provisions of this paragraph, the City Council may consider exceptional and unusual circumstances pertaining to an applicant not covered by the above standards; but any determination shall be made in a non-discriminatory manner and shall not give the applicant an unreasonable preference or advantage over the other applicants.

- 5. Retirement by reason of permanent and total disability shall be deemed prima facie to exist when the applicant presents a sworn affidavit by a licensed medical doctor attesting that the applicant is unable to be gainfully employed because of a permanent and total disability.
- 6. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any of the following events:
 - A. The death of the owner when there is no spouse who is eligible for deferment;
 - B. The sale, transfer, or subdivision of all or any part of the property;
 - C. Loss of homestead status on the property;
 - D. Determination by the Council for any reason that there would be no hardship to require immediate or partial payment; or
 - E. Failure to file a renewal application with the time prescribed by Paragraph 3.
- 7. This Resolution supersedes Resolution No. 06:05 adopted on February 22, 2005.

Adopted this 21st day of November, 2016


GARY SCHEELER
President of the Council

Approved this 22nd day of November, 2016


EDWIN L. MENK
Mayor

ATTEST:


JAMES M. THOREEN
City Administrator

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

APPLICATION AND AUTHORIZATION FOR DELAYED PAYMENT OF TAX ON SPECIAL ASSESSMENT FOR SENIOR CITIZENS OR DISABLED PERSONS HOMESTEAD MS. 435.193, MS. 435.194 AND/OR WHERE A FINANCIAL HARDSHIP EXISTS - RESOLUTION NO. 54:16.

TO: Jim Thoreen, City Administrator, City of Brainerd, Minnesota

NAME David & Krista Brodal ADDRESS 613 10th Ave NE Brainerd MN 56401	I am (check one) ____ At least 65 years of age ____ Retired by virtue of a total or permanent disability ☒ Financial hardship exists
R.E. CODE OF PROPERTY: _____ 41191678 _____ LEGAL DESCRIPTION OF PROPERTY: ___ EAST SIDE ADDITION TO THE CITY OF BRAINERD LOT 4 BLOCK 7 _____	

I, the undersigned, declare under penalties of perjury:

That I, my spouse and family combined shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of the application (see attached).

That the special assessments to be deferred exceed \$300.00.

That my total assets including my spouse's exclusive of the homestead do not exceed \$25,000.00.

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

That my interest in the ownership of the above property was acquired on APRIL 12, ²⁰¹⁸~~2019~~, and is as follows (check one):

☒ Sole ownership

☒ Joint tenancy, held with Krista G. Brodal

____ Other (specify) _____

That on April 12th, 2018 I owned and occupied the above property as my homestead and such occupancy began on April 12th, 2018.

That the taxes for improvements on the special assessments adopted by Resolution No. 51:19 on September 16, 2019, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2020. (NOTE: Application for deferment shall be made each year.)

I declare under penalties of perjury that the above information is correct to the best of my knowledge and belief:

Signed

Owner

I, Jim Thoreen, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of Brodal, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 2019, in said city council chambers, was duly APPROVED or DENIED.

That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 286.05 and interest, which is based on the unpaid principal balance payable in the year 2019 should be so deferred with interest at the annual rate of 3.3%, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 2019.

City Administrator

**DEFERRED ASSESSMENTS
CITY OF BRAINERD**

APPLICATION AND AUTHORIZATION FOR DELAYED PAYMENT OF TAX ON SPECIAL ASSESSMENT FOR SENIOR CITIZENS OR DISABLED PERSONS HOMESTEAD MS. 435.193, MS. 435.194 AND/OR WHERE A FINANCIAL HARDSHIP EXISTS - RESOLUTION NO. 54:16.

TO: Jim Thoreen, City Administrator, City of Brainerd, Minnesota

NAME David & Krista Brodal ADDRESS 609 10th Ave NE Brainerd MN 56401	I am (check one) ☐ At least 65 years of age ☐ Retired by virtue of a total or permanent disability ☒ Financial hardship exists
R.E. CODE OF PROPERTY: 41191679 LEGAL DESCRIPTION OF PROPERTY: EAST SIDE ADDITION TO THE CITY OF BRAINERD LOT 3 BLOCK 7	

I, the undersigned, declare under penalties of perjury:

That I, my spouse and family combined shall not have an annual gross income in excess of the low income limits established by the Housing and Redevelopment Authority of the City of Brainerd in effect at the time of the application (see attached).

That the special assessments to be deferred exceed \$300.00.

That my total assets including my spouse's exclusive of the homestead do not exceed \$25,000.00.

That the Crow Wing County Assessor's estimated market value of my homestead is less than \$110,000.

That my interest in the ownership of the above property was acquired on APRIL 12, ²⁰¹⁸~~2019~~, and is as follows (check one):

☒ Sole ownership
☐ Joint tenancy, held with Krista G. Brodal
☐ Other (specify) _____

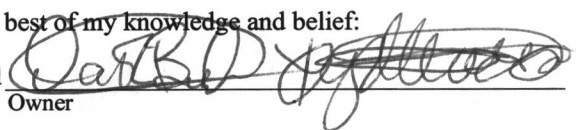
That on April 12th, 2018 I owned and occupied the above property as my homestead and such occupancy began on April 12th, 2018.

That the taxes for improvements on the special assessments adopted by Resolution No. 51:19 on September 16, 2019, by the City of Brainerd which have been allocated against the subject property would create undue personal hardship on my behalf and I respectfully request that payment be so deferred for the installments payable in the year 2020. (NOTE: Application for deferment shall be made each year.)

I declare under penalties of perjury that the above information is correct to the best of my knowledge and belief:

Signed

Owner



I, Jim Thoreen, City Administrator of the City of Brainerd, Crow Wing County, State of Minnesota, do hereby certify that the application of Brodal, above named, has been duly reviewed and that in accordance with the minutes of official record for the meeting held _____, 2019, in said city council chambers, was duly APPROVED or DENIED.

That in accordance with approval granted, that the assessment on the affiant's subject property levied for annual collection composed of principal \$ 286.05 and interest, which is based on the unpaid principal balance payable in the year 2019 should be so deferred with interest at the annual rate of 3.3%, until such time as it is deemed the applicant no longer qualifies or the property loses its eligibility.

Date: _____ 2019.

City Administrator

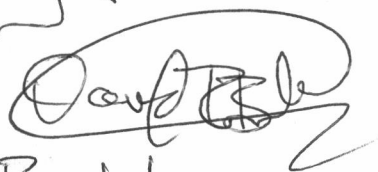
11-26-19

To Whom it may concern:

Our financial hardship is due to my wifes fall accident back in January of 2018 which she is currently totally and completely dissabled due to Traumatic Brain Injury from this ~~fall~~ (accident). She is collecting Supplemental Security Income as she is also legally blind.

2018 taxes will show false as it was with her part time employment at Escentia Health. My income doesn't cover all our ^{basic} living expenses and Krista and I do ^(qualify for) get food assistance (SNAP) and she has other major health issues, Type 1 juvenile diabetes, Severe chronic I.B.S., stage 3 kidney disease and numerous others due to the 35+ years of type 1 diabetes. I have severe back injury which ^{severely} limits me as to what I can do for employment thus I am currently working 40+ hours / week @ 13.00 / hour.

Sincerely,



David R. Brodal



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Memorial Park Redesign & Parking Lot Discussion

☐ 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: Connie Hillman	Department: Finance
Presenter (Name & Title): Finance Director Hillman	Estimated Time Needed: 10 Minutes
Summary of Issue: The Council has discussed that debt will need to be issued for the Memorial Park Redesign and the parking lot (MMP) currently owned by Brainerd Land LLC. The City can bond for both items using tax abatement bonds. The park redesign is proposed to start in 2020 since the lease of Mill Park and the parking lot expires in March 2021. The estimated cost for the redesign is currently \$1,383,000. The appraisal that was done by the City showed the value of the parking lot as \$67,500 and \$223,000 for residential and commercial zoning respectively. As discussed at budget workshop on November 25, 2019, there is nothing in the budget for the Memorial Park Redesign or for the purchase of the parking lot. Staff presented information that we can adjust the structure of the debt issue many different ways and that the City has additional debt to be paid off in February 2021 that will affect the debt levy needed for the 2021 levy year (\$191,000). The caveat was the City may need to bond for the City's share of the street improvement projects for 2021 as well. There is \$224,000 in the 2020 budget for new debt (equipment certificates and 429 bonds to pay for 2020 street improvements).	
Alternatives, Options, Effects on Others/Comments: Staff has ran some scenarios for bonding with our Financial Advisors for MMP and 2021 street improvements and they are attached. Issuance #1 would not have a payment until 2021; Issuance #2 shows having a payment that can be levied in 2020. Issuance #2 would save the City approximately \$22,000 assuming the interest rate is 3.5%. Issuance #3 shows the MMP project debt over 10 years rather than 15 years and Issuance #4 shows the issuance over 5 years. Issuance #5 shows the estimated debt payment for the 2021 street improvement projects. There are assessments that could offset the amount that would need to be levied, making the debt service amount about \$140,000. Also at the budget workshop, the debt levy is being reduced by \$117,000 for 2020 and this amount is currently used to offset the increase in operating expenditures and other levies. The debt for the MMP can be structured in many different ways. It would be Staff's recommendation to put an amount in the debt levy for 2020 to be used to structure the debt issue. Staff's recommendation would be to put at least \$120,000 into the 2020 debt levy for the MMP project, which would result in the City needing to raise its levy by a little more than 2% to obtain a balanced budget for 2020.	
Recommended Action/Motion: Discussion of: * Purchasing of the Memorial Park parking lot from Brainerd Land LLC. * The recommended amount to put into the levy for 2020 as well as review of the 10 or 15 year structure for the Memorial Park Redesign and parking lot. Please be mindful that the scenarios are all just estimates and are dependent on the interest rate at the time of issue and actual costs when bids are received.	
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> \$ <u>unknown</u> <i>Is this budgeted?</i> ☒ Yes ☐ No <i>Please Explain:</i>	

No Pmt until 2021- No debt levy in 2021

Debt Levy in 2020

10 Year Structure

5 Year Structure

2020 Street Improvement Debt

Issuance # 1		Issuance # 2		Issuance # 3		Issuance # 4		Issuance # 5	
Assumed Rate	3.50%	Assumed Rate	3.50%	Assumed Rate	3.00%	Assumed Rate	2.00%	Assumed Rate	3.00%
Fiscal Year Issued	2020	Fiscal Year Issued	2020	Fiscal Year Issued	2020	Fiscal Year Issued	2020	Fiscal Year Issued	2021
Amount Issued	1,450,500	Amount Issued	1,450,500	Amount Issued	1,450,500	Amount Issued	1,450,500	Amount Issued	1,600,000
Term (Years)	15	Term (Years)	15	Term (Years)	10	Term (Years)	5	Term (Years)	10
Interest Only Years	1	Interest Only Years	0	Interest Only Years	0	Interest Only Years	0	Interest Only Years	0
Structure	2	Structure	2	Structure	2	Structure	2	Structure	2

Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total	Principal	Interest	Total
\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	50,768	50,768	75,500	50,768	126,268	125,500	43,515	169,015	280,500	29,010	309,510	-	-	-
80,500	50,768	131,268	80,000	48,125	128,125	130,000	39,750	169,750	285,000	23,400	308,400	145,000	48,000	193,000
85,000	47,950	132,950	80,000	45,325	125,325	135,000	35,850	170,850	290,000	17,700	307,700	145,000	43,650	188,650
90,000	44,975	134,975	85,000	42,525	127,525	140,000	31,800	171,800	295,000	11,900	306,900	150,000	39,300	189,300
90,000	41,825	131,825	85,000	39,550	124,550	145,000	27,600	172,600	300,000	6,000	306,000	155,000	34,800	189,800
95,000	38,675	133,675	90,000	36,575	126,575	145,000	23,250	168,250	-	-	-	155,000	30,150	185,150
95,000	35,350	130,350	90,000	33,425	123,425	150,000	18,900	168,900	-	-	-	160,000	25,500	185,500
100,000	32,025	132,025	95,000	30,275	125,275	155,000	14,400	169,400	-	-	-	165,000	20,700	185,700
105,000	28,525	133,525	100,000	26,950	126,950	160,000	9,750	169,750	-	-	-	170,000	15,750	185,750
110,000	24,850	134,850	100,000	23,450	123,450	165,000	4,950	169,950	-	-	-	175,000	10,650	185,650
110,000	21,000	131,000	105,000	19,950	124,950	-	-	-	-	-	-	180,000	5,400	185,400
115,000	17,150	132,150	110,000	16,275	126,275	-	-	-	-	-	-	-	-	-
120,000	13,125	133,125	115,000	12,425	127,425	-	-	-	-	-	-	-	-	-
125,000	8,925	133,925	120,000	8,400	128,400	-	-	-	-	-	-	-	-	-
130,000	4,550	134,550	120,000	4,200	124,200	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
\$ 1,450,500	\$ 460,460	\$ 1,910,960	\$ 1,450,500	\$ 438,218	\$ 1,888,718	\$ 1,450,500	\$ 249,765	\$ 1,700,265	\$ 1,450,500	\$ 88,010	\$ 1,538,510	\$ 1,600,000	\$ 273,900	\$ 1,873,900

\$ (22,243)

\$ (188,453)

\$ (161,755)

Estimated Debt Service Payment	190,000
Less: Assessments	(50,000)
Estimated Debt Levy	140,000
Estimated Debt falling off	(191,000)
	(51,000)

November 22, 2019

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

Owner: Brainerd Land LLC
Property: Memorial Park Parking Lot
Legal Description: Part of Government Lot 3, Section 18, Township 45, Range 30

Dear Sirs:

At your request, I have completed an appraisal of the above captioned property. As a result, I have estimated its Market Value, including land and any improvements, as of November 15, 2019, at:

SCENARIO 1 - \$67,500
SCENARIO 2 - \$223,000

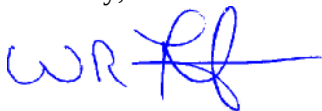
At Client's direction, there is one hypothetical condition (See Page10) associated with this appraisal assignment which may affect the accuracy of the value estimate contained herein. This appraisal report is prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation.

The intended use of this appraisal is to provide real property value documentation to assist the client in a possible acquisition of the subject property. The intended user of this appraisal is the City of Brainerd and its representatives.

This Appraiser physically inspected the subject property on November 15, 2019.

The methods of approach and reasoning in the valuation of the various physical and economic factors of the subject property are contained in the report. The opinion of value expressed in this report is contingent upon the Critical Assumptions and Limiting Conditions Section of this report.

Sincerely,



William R. Ludenia
Certified General Appraiser
Minnesota Appraiser License #4000170

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PREFACE

APPRAISAL SUMMARY

Property:

Memorial Park Parking Lot

Parcel #:

41180629

County:

Crow Wing

Appraiser:

William R. Ludenia

21196 Moody Lane

Brainerd, MN 56401

Telephone: 218.851.3612

Owner:

Brainerd Land LLC

1425 South Mission Road

Mt. Pleasant, MI 48858

Intended Users

City of Brainerd and
its representatives

Legal Description: Part of Government Lot 3, Section 18, Township 45, Range 30

Zoning: Single Family Residential (R-1A)

Real Estate Taxes: Assessed to Larger Parcel

Delinquent Amount: None

Special Assessments: None

Site Area of Subject Property: 2.81+/- Acres

Highest and Best Use: Scenario 1 - Residential Usage

Scenario 2 - Commercial Usage

Scenario 1 - Indicated Value - Residential Usage: \$67,500

Scenario 2 - Indicated Value - Commercial Usage: \$223,000

Special Limitations:

Special limitations apply to this Appraisal
Report; your attention is directed to the
Critical Assumptions and Limiting
Conditions Section of this Appraisal Report.



William R. Ludenia

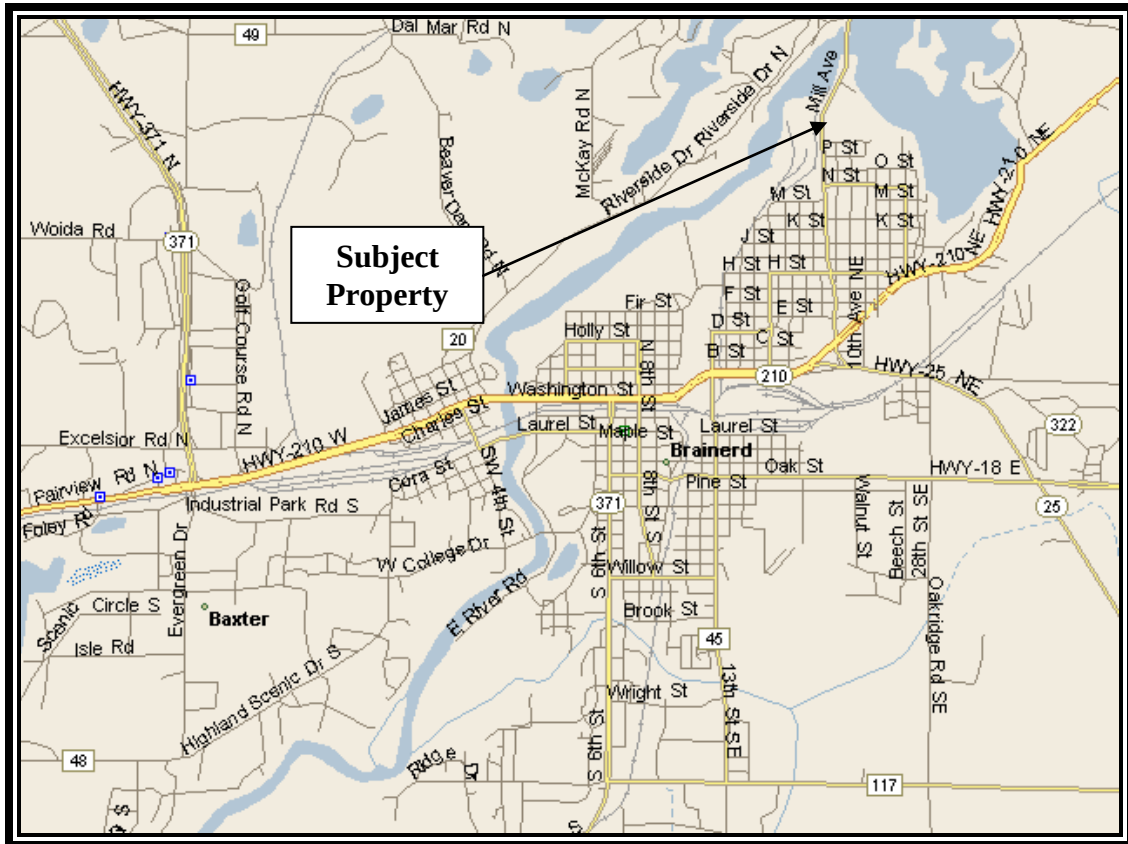
Certified General Appraiser

Minnesota Appraiser License #4000170

11-22-2019

Date

LOCATION MAP



SUBJECT PROPERTY



Note: The Subject Property is outlined in red.
Map Source: Crow Wing County

INTRODUCTION

APPRAISAL AUTHORIZATION

The authorization for this appraisal was made by Paul Sandy, City Engineer for the City of Brainerd.

Mr. Sandy has requested that the appraisal contain two value estimates based on the following scenarios:

- Scenario 1 - The current market value of the subject property with residential zoning.
- Scenario 2 - The current market value of the subject property with commercial zoning.

EXTRAORDINARY ASSUMPTIONS

There are no extraordinary assumptions associated with this appraisal assignment.

HYPOTHETICAL CONDITIONS

The description of the site's zoning classification in Scenario 2 is subject to a hypothetical condition. A hypothetical condition is contrary to what actually exists but is assumed for purposes of analysis.

At the Client's direction, this appraisal is made subject to the hypothetical condition that the subject property, which is currently zoned residential, has commercial zoning. If the subject property does not have commercial zoning, the estimated market value of the subject property in Scenario 2, is not valid.

There are no other hypothetical conditions associated with this appraisal assignment.

PURPOSE OF APPRAISAL

The purpose of this appraisal is to estimate the present Market Value of the subject property. Market Value, as defined in the Uniform Appraisal Standards for Federal Land Acquisitions, 2000 is:

“The amount in cash, or in terms reasonably equivalent to cash, for which in all probability the property would have sold on the effective date of the appraisal, after a reasonable exposure time on the open competitive market, from a willing and reasonably knowledgeable seller to a willing and reasonably knowledgeable buyer, with neither acting under any compulsion to buy or sell, giving due consideration to all available economic uses of the property at the time of the appraisal.”

INTENDED USE AND USERS OF APPRAISAL

The intended use of this appraisal is to provide real property value documentation to assist the client in a possible acquisition of the subject property. The intended user of this appraisal is the City of Brainerd and its representatives.

COMPETENCY PROVISION

The competency provision of the Uniform Standards of Professional Appraisal Practice requires the appraiser to have both the knowledge and experience necessary to perform a specific appraisal assignment competently.

William R. Ludenia has been a full time professional real estate appraiser for over twenty years. Located in the Addenda Section of this appraisal report is a copy of his professional qualifications. He has extensive experience in appraising a wide variety of real estate, including properties similar to the subject throughout Minnesota.

In addition, he has earned the IFA designation from the National Association of Independent Fee Appraisers. He is a licensed Certified General Appraiser in the State of Minnesota.

Experience and professional training provide the appraiser with the necessary background to complete this appraisal assignment in accordance with the competency provision of the Uniform Standards of Professional Appraisal Practice.

PROPERTY IDENTIFICATION AND STATEMENT OF OWNERSHIP

According to the client the indicated owner of the subject property is Brainerd Land LLC. According to the available data from the Crow Wing County public record, the subject property is 2.81+/- acres in size and legally described as:

Part of Government Lot 3, Section 18, Township 45, Range 30

The legal description contained in this appraisal report was obtained from the Crow Wing County public record. No survey or title opinion has been completed by this Appraiser to determine the accuracy of the legal description contained in this appraisal report or the quality of title vested with the indicated owners.

METHODOLOGY

In order to arrive at the value conclusion requested in this appraisal assignment, the following methodology has been employed:

- The Sales Comparison Approach to Value is a direct comparison method of estimating value, involving the analysis of market activity--sales of comparable properties--and from this, deriving an indicated value.

PROPERTY RIGHTS APPRAISED

The property rights appraised consist of the fee simple estate interest in the real estate, subject to typical road and utility easements. For the purposes of this analysis, fee simple estate interest is defined on page 113 of The Dictionary of Real Estate Appraisal, 5th Edition, published by the Appraisal Institute, as:

“Absolute ownership unencumbered by any other interest or estate, subject only to the limitations imposed by the governmental powers of taxation, eminent domain, police power and escheat.”

SCOPE OF THE APPRAISAL

This appraisal report is prepared in accordance with the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation. This appraisal includes the appropriate scope of work deemed necessary to produce a credible and reliable appraisal report. To complete the appraisal report to these standards and guidelines:

- ❑ The subject property was inspected on November 15, 2019.
- ❑ Photographs of the subject property included in this report were taken during the November 15, 2019, inspection.
- ❑ This Appraiser verified the ownership and sales history of the subject property through a review of available data in the Crow Wing County public record.
- ❑ The County Assessor’s records and the available aerial, topographic, wetlands and soil maps of the subject property were reviewed.
- ❑ A neighborhood analysis was completed for the purposes of determining development trends, existing land uses and market demand and was based on a physical inspection of the general area as well as on studies performed in conjunction with other properties appraised in the area.
- ❑ Regional, community and neighborhood data was compiled using several sources including governmental and private publications in which the data was researched, analyzed and presented in their respective sections.
- ❑ This Appraiser reviewed the available data from the city of Brainerd’s Planning and Zoning Department to determine the current zoning and to ascertain allowable uses of the subject property.
- ❑ A highest and best use analysis of the subject site using the data compiled herein was performed.

- ❑ Researched comparable sales and competitive properties and analyzed their applicability to the subject. The market data was researched from data in my office files, the Northstar Multiple Listing Service and county public records.
- ❑ This Appraiser prepared an appraisal report summarizing my analyses, opinions and conclusions.
- ❑ The final conclusion of market value was reconciled for the subject property with consideration given to the importance of each approach to value utilized in this appraisal assignment.

DATE OF MARKET VALUATION

This Appraiser physically inspected the subject property on November 15, 2019. This appraisal is based on the market conditions as of November 15, 2019, the date of the physical inspection. The appraisal report was prepared on November 22, 2019.

ESTIMATED EXPOSURE TIME AND MARKETING PERIOD

The estimated market value in this report is based on a reasonable exposure time. Uniform Standards for Professional Appraisal Practices (USPAP) Standard Rule 1-2 states the value estimate must be linked to an estimate of marketing time of the estate being appraised and stated in the report.

According to the Uniform Standards of Professional Appraisal Practice, exposure time is an historical concept and is always presumed to have occurred prior to the effective date of the appraisal. The Dictionary of Real Estate Appraisal, 4th Edition, defines exposure time as:

“The estimated length of time the property interest being appraised would have been offered on the market prior to the hypothetical consummation of a sale at market value on the effective date of the appraisal; a retrospective estimate based upon an analysis of past events assuming a competitive and open market.”

Reasonable exposure assumes adequate, sufficient and reasonable time and effort. Exposure time is different for various types of real estate and value ranges and under various market conditions. Based on a review of current market conditions, the exposure time of the subject property is estimated to be up to twelve months at a price consistent with the estimated market value concluded herein.

The Dictionary of Real Estate Appraisal, 4th Edition, defines marketing time as:

“The time it takes an interest in real property to sell on the market subsequent to the date of appraisal. Reasonable marketing time is an estimate of the amount of time it might take to sell an interest in real property at its estimated market value during the period immediately after the effective date of the appraisal.”

For the purposes of this appraisal, the marketing time of the subject property is also estimated to be up to twelve months. This time period is based on the assumption that the property is offered for sale at the market value estimate concluded in this appraisal and that the current market conditions remain unchanged.

SALES HISTORY OF THE SUBJECT

According to the Crow Wing County public record, no sales activity has taken place on the subject property during the last thirty-six months.

LISTING AND MARKETING DATA

According to the Northstar Multiple Listing Service, the subject property is not currently offered for sale.

MINERAL RIGHTS

This Appraiser has made no determination if the mineral interests for the subject are held separately from the fee estate nor is a separate mineral valuation part of this appraisal.

The valuation process employed is consistent with the nature of the subject property and an accepted valuation technique in the subject's market area.

EXCLUSIONS

The value estimate contained in this appraisal report specifically excludes all buildings, site improvements, furnishings, fixtures and removable equipment.

SPECIAL ENVIRONMENTAL CONDITIONS

No adverse environmental conditions were noted on the subject property or within the subject's immediate neighborhood.

No testing was made by this Appraiser to determine the existence or presence of mold, radon, lead paint, asbestos, petroleum contamination, toxic or hazardous substances or other detrimental environmental conditions in the buildings, land or the surrounding areas. The value estimated in this appraisal report is based on the assumption that the property is not negatively affected by the existence of toxic or hazardous substances or detrimental environmental conditions.

This Appraiser is not an expert in the identification of toxic or hazardous substances or detrimental environmental conditions. It is possible that tests and inspections made by a qualified toxic or hazardous substance expert or environmental expert would reveal the existence of toxic or hazardous materials and environmental conditions on or around the property that would negatively affect its value.

This Appraiser further recommends that if the Client has any knowledge of or reason to suspect the existence of any toxic or hazardous substances or detrimental environmental conditions that an environmental assessment of the subject property be obtained.

TAX & SPECIAL ASSESSMENT DATA

In the State of Minnesota, the real estate taxes that are due and payable in any given year are based on the Assessor's estimated market value from the previous year. The amount of tax is based on a tax rate which is in effect for the subject property.

The subject property is part of a larger parcel which is identified under one Crow Wing County tax parcel identification number as indicated in the following table.

According to the Crow Wing County Auditor-Treasurer, the larger parcel's real estate taxes for calendar year 2019 are \$94,225.00. The Crow Wing County Assessor's office has estimated the market value of the subject property, for assessment year 2018 at \$2,488,600.

<i>Parcel Identification</i>	<i>EMV Land</i>	<i>EMV Buildings</i>	<i>EMV Total</i>	<i>2019 Taxes</i>
41180629	\$295,300	\$2,193,300	\$2,488,600	\$94,225.00
TOTALS	\$295,300	\$2,193,300	\$2,488,600	\$94,225.00

AREA REVIEW

REGIONAL AND AREA ANALYSIS

The subject property is located in Crow Wing County, in north-central Minnesota, in an area known as the central lakes area. Crow Wing County, situated on the Mississippi River, is located in the geographic center of the State of Minnesota approximately 100 miles northwest of Minneapolis and St. Paul, 120 miles southwest of Duluth, and 140 miles southeast of Fargo, North Dakota. Crow Wing County has a population of 62,500 according to the 2010 census and is divided into 31 townships and 8 cities. Brainerd and its sister city of Baxter, are the largest cities in Crow Wing County and are the center for retail, educational, medical and governmental services for the region.

The median household income for Crow Wing County in 2006-2010 was \$44,659 which compared to a state average of \$57,243 during the same time period. Approximately 11.5% of the population of the county was considered to be below the poverty level in 2006-2010 which compared to an overall state rate of 10.6% during the same time period.

The unemployment rate in Crow Wing County is currently 3.1% compared to a state-wide unemployment rate of 3.0%. Wage scales are competitive with the wage scales found in other similar communities throughout out-state Minnesota.

Crow Wing County is served by Highway 371, which extends south to Little Falls and then to St. Cloud and Highway 210, which extends east to Aitkin and connects to Highway 169 which is a major north-south thoroughfare between Grand Rapids and the Twin Cities. This highway system links Brainerd and the surrounding lakes area to the Twin Cities and St. Cloud with minimal travel time.

The area is further serviced by Burlington Northern Santa Fe Railroad and the Greyhound Transportation Company. Several truck lines with overnight service to the Twin Cities and Chicago serve the area, along with the services of United Parcel Service, Federal Express and Airbourne Express. There is regularly scheduled airline passenger service out of the Brainerd-Crow Wing County Regional Airport, which is jointly owned by the city of Brainerd and Crow Wing County.

The transportation system has spurred development of the area as a recreational and commercial center. Many people from the Twin Cities look to the central lakes area as a major source of recreation and leisure activities. The pursuit of more time for leisure activities is a growing national trend and the central lakes area is in a position to offer both employment and recreation in close proximity to one another.

Due to its number and quality of lakes, its location at the gateway to Minnesota's central forest area and close proximity to the state's largest concentration of population, Crow Wing County has become one of the most popular vacation destinations in Minnesota. Each year thousands of tourists visit the central lakes area and the hospitality industry is a key component of the economic development in the area.

While tourism provides the primary economic base for the area, an increasing portion of the area's economy is becoming more production and service oriented providing additional employment in the area of retailing, business services, health services, construction and education. Some fifty manufacturing firms are located in Crow Wing County and the recent expansion of several existing plants have provided additional year-round jobs that help to offset the area's seasonal employment changes.

Brainerd is the county seat of Crow Wing County and with its sister city of Baxter, is a regional commercial center providing a complete array of commercial services for several nearby counties and is the next largest metropolitan area north of St. Cloud. Many regional retailers have moved into nearby Baxter including Target, Wal-Mart, Costco, Fleet Farm, Menard's, Best Buy, Kohl's and Home Depot.

Although the central lakes area tends to be best known for their close proximity to some of Minnesota's most popular recreational lakes, within the past twenty years, the area has diversified its commercial and industrial base and is a regional center for health services, local, state and federal governmental agencies, manufacturing and trade.

Another large provider of jobs in Crow Wing County is government services and the education system. Several governmental departments and agencies associated with the local, county, state and federal government have offices in Brainerd and Baxter. The Brainerd, Crosby and Pequot Lakes Public School Districts together with Central Lakes College, provide education services for the entire area.

Agricultural production is also pursued throughout the area, with greater emphasis on open land production in the southern portion of the area where the soil is more suited to crop production.

Crow Wing County Land Use and Cover Statistics

<i>Description</i>	<i>Acreage</i>	<i>% of Total</i>
Urban & Rural Development	20,519	2.8
Cultivated Land	13,330	1.8
Hay/Pasture/Grassland	114,372	15.5
Brush Land	4,569	0.6
Forested	374,488	50.6
Water	105,593	14.3
Bog/Marsh/Fen	103,618	14.0
Mining	3,292	0.4
Total	739,781	100

Source: Office of Geographic and Demographic Analysis

Population History of Crow Wing County

Population History	1990	2000	2010
Crow Wing County	44,249	55,099	62,500
Brainerd	12,353	13,178	13,590
Baxter	3,695	5,555	7,610
Pequot Lakes	843	947	2,162
Breezy Point	432	979	2,346
Nisswa	1,391	1,953	1,971
Crosslake	1,132	1,893	2,141
Emily	613	847	813
Crosby	2,073	2,299	2,386
Ironton	553	498	572
Deerwood	524	590	532
Jenkins	262	287	430

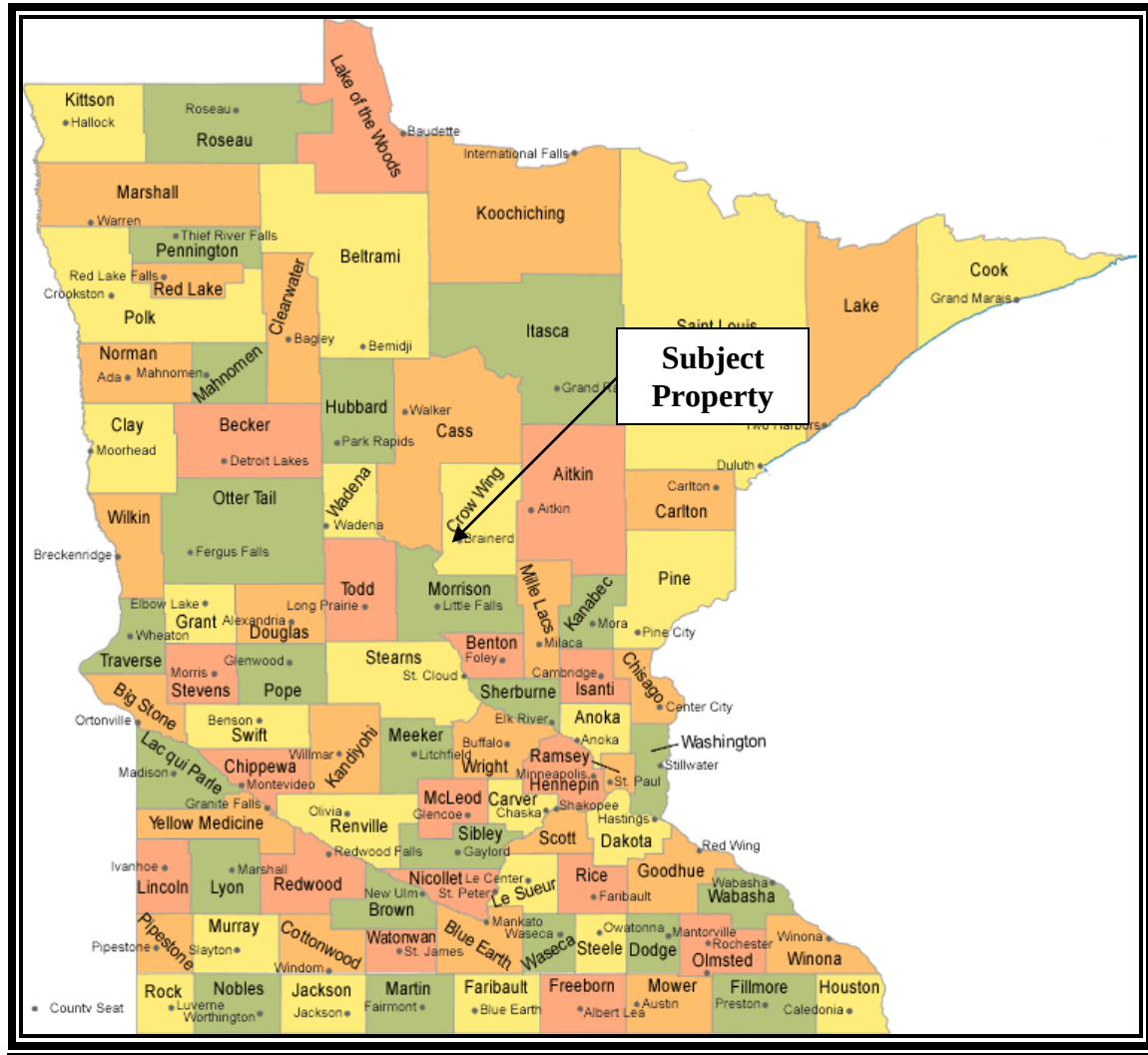
Source: US Census Bureau

Major Crow Wing County Employers

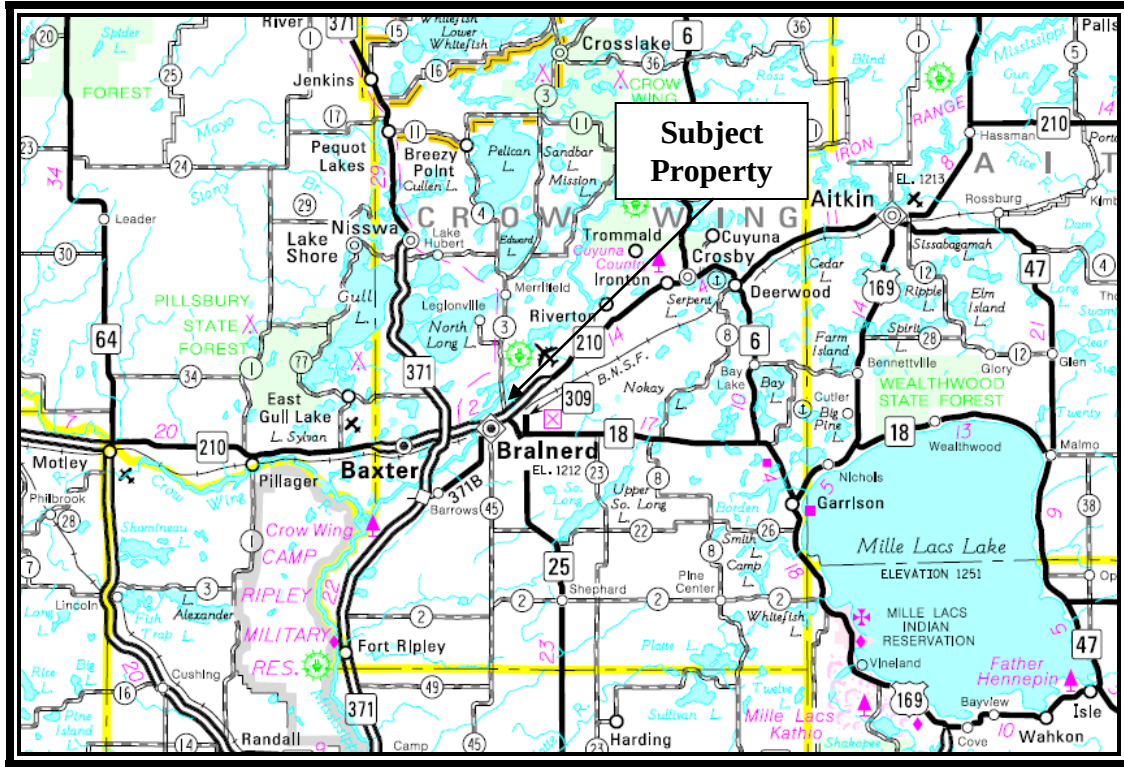
Employers	Products/Services
School District #181	Education
Essentia Medical Services	Health Care
Ascensus	Business Support Systems
Maddens, Inc	Hospitality
Crow Wing County	Government
Clow Stamping	Manufacturing
Anderson Brothers	Construction
Minnesota DOT	Transportation
Bethany Good Samaritan	Community Care
Burlington Northern	Transportation
Reichert Bus Service	Transportation
Pequot Lakes Public Schools	Elementary & Secondary Schools
Breezy Point Resort	Traveler Accommodation
Ruttger's Bay Lake Lodge	Traveler Accommodation
School District #182	Education
Cuyuna Regional Medical Center	Health Care

Source: Community Profile – Department of Employment and Economic Development

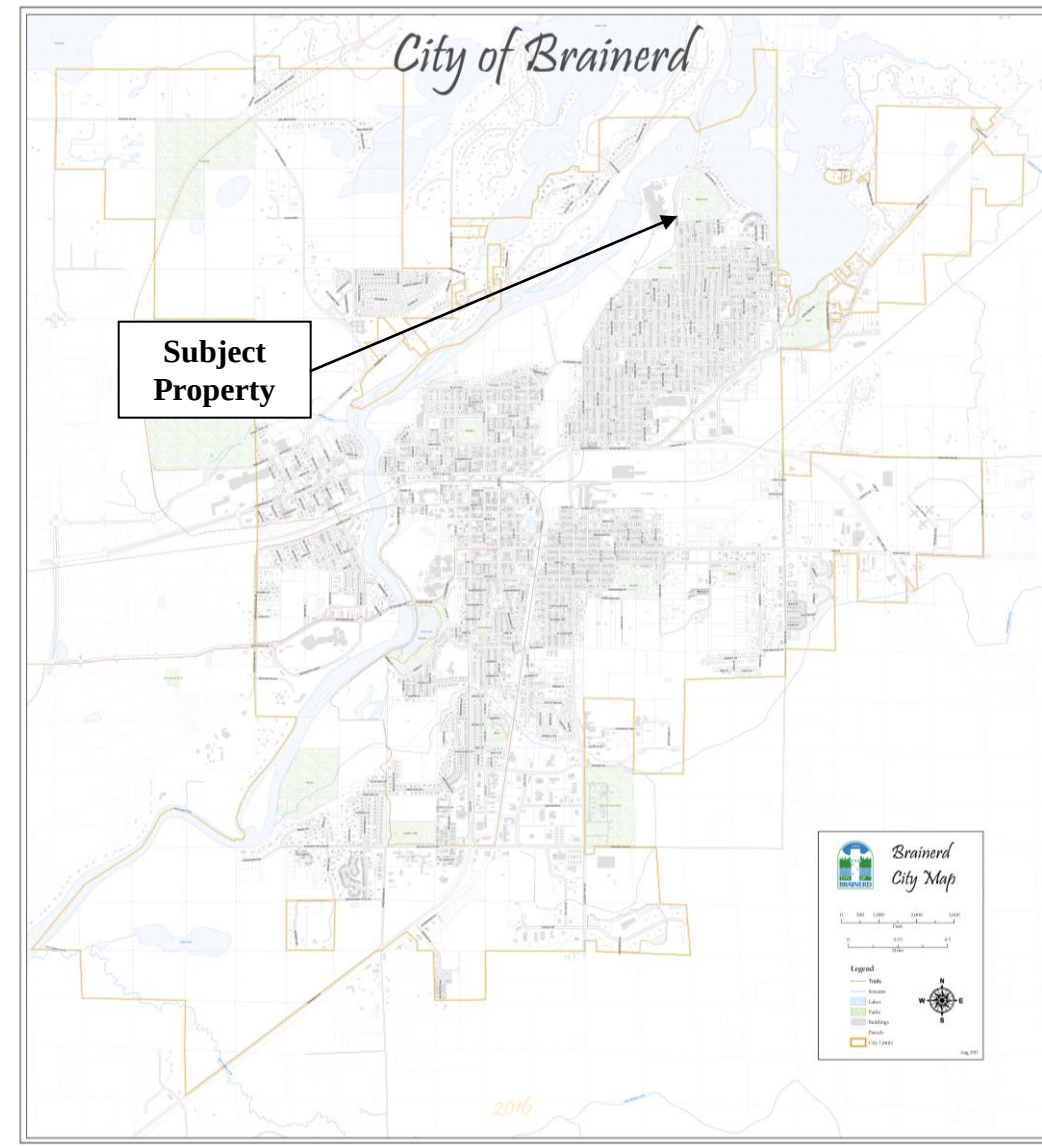
STATE OF MINNESOTA MAP



REGIONAL MAP



CITY OF BRAINERD MAP



DESCRIPTION

DESCRIPTION OF SITE

The subject property is located along the easterly right-of-way of Mill Avenue, at the intersections of Mill Avenue and Q Street NE, in the City of Brainerd. The site is an irregular shaped tract of land which is approximately 2.81+/- acres in size. The site is level in nature and has similar elevations as adjoining properties. Access to the site is at its western boundary via Mill Avenue and at its southern boundary via Q Street NE. The site is improved with an asphalt parking area and has access to municipal water and sewer.

The subject property is located in a Single Family Residential District (R-1A) according to the City of Brainerd. Permitted uses within this zoning district include one family detached dwellings, public recreation areas, residential facilities serving six or fewer persons and essential services.

The minimum lot size in this zoning district is 10,000 square feet with a minimum lot width of 75 feet. Setback requirements are 30 feet on the front and rear yard and 10 feet on the side yards.

In Scenario 2 the subject property is appraised subject to the hypothetical condition that the site, which is currently zoned residential, has commercial zoning.

According to the City of Brainerd, permitted uses within a Neighborhood Business District (B-2) zoning district include retail establishments, personal services, office businesses, clinics, repair services, government and public buildings, essential services and one family, two family and multi-family dwellings.

The minimum lot size within a Neighborhood Business District (B-2) zoning district is 10,000 square feet with a minimum lot width of 75 feet. Setback requirements are 20 feet on the front yard, 10 feet at the rear yard and 5 feet on the side yards.

AERIAL MAP OF SUBJECT PROPERTY



Note: The Subject Property is outlined in red.
Map Source: Crow Wing County

PHOTOGRAPH ADDENDUM



Northern Area of Subject Site



Mid-Area of Subject Site

PHOTOGRAPH ADDENDUM



Mid-Area of Subject Site



Southern Area of Subject Site

PHOTOGRAPH ADDENDUM



Northerly View of Parking Lot



Southerly View of Parking Lot

PHOTOGRAPH ADDENDUM



Northerly View of Mill Avenue



Easterly View of Q Street NE

HIGHEST & BEST USE ANALYSIS

HIGHEST AND BEST USE ANALYSIS

Highest and Best Use, also referred to as the Most Probable Use, is basic to any valuation process. Highest and Best Use, as defined in The Uniform Standards of Professional Appraisal Practice, is:

“The reasonably probable and legal use of property that is physically possible, appropriately supported, and financially feasible, and that results in the highest value.”

It may also be defined as the legal use to which a property can logically be put or adapted, for which there is a current market, and which may reasonably be expected to produce the greatest net return to land over a given period of time, or to yield to land its highest present value.

In order to determine Highest and Best Use, a property must meet four tests which are:

1. Be legally permissible
2. Be physical possible
3. Be financially feasibility and
4. Be maximally productive

Based on the above criteria, I have reviewed the past growth patterns of Crow Wing County, the city of Brainerd and the subject’s immediate neighborhood, and I am of the opinion, that the highest and best use of the subject property is residential (Scenario 1) or commercial usage (Scenario 2). This usage is considered the highest and best use of the site because:

Legally Permissible

First, a determination of what uses are legally permissible was made. Existing leases, deed restrictions, zoning, building codes, environmental regulations and existing land use contracts may all influence potential use.

Physically Possible

Once the determination of what the legally permissible uses are, what is physically possible must be addressed. All the physical features of the subject property must be considered including its size, topography, soil types and access.

Financial Feasibility

The test of financial feasibility considers which uses are likely to produce an income, or return equal to or greater than the amount needed to satisfy operating expenses, financial obligations, and capital amortization. All uses that are expected to produce a positive return are regarded as financially feasible.

If the use is not an income producing use, an analysis is completed to determine which uses are likely to create a value or result equal or greater than the amount needed to develop and market the property under those uses. The value of a property for personal use is also considered and may be sufficient to offset the lack of an income stream from an external source.

Maximum Profitability

The use that produces the highest price or value consistent with the rate of return indicated by the market is considered to be maximally productive.

Determination of Highest and Best Use (Scenario 1): Residential Usage

Determination of Highest and Best Use (Scenario 2): Commercial Usage

VALUATION PROCESS

INTRODUCTION TO THE VALUATION PROCESS

The valuation of real estate generally is undertaken by three major methods or approaches, which are employed either separately or together, as applicable. Data relevant to the subject property, gathered from the market place, is applied to each approach and after careful analysis of the data for its reliability and similarity to the subject, a value indicator is established for the subject. The value indicators, if more than one approach is used, are then correlated into a final estimate of value.

Cost Approach to Value

The Cost Approach to Value recognizes the estimated market value of the land plus depreciated cost of the improvements and is predicated on standard cost indices, actual construction data and other data from informed sources. The Cost Approach is believed to have a high degree of applicability in the valuation of newer improved properties. Since the subject property is unimproved, the Cost Approach to Value is not applicable to this appraisal report.

Sales Comparison Approach to Value

The Sales Comparison Approach to Value is the most basic and widely utilized of the appraisal methodologies. This approach to value is a direct comparison method of estimating value, involving the analysis of market activity--sales of comparable properties--and from this, deriving an indicated value. The Sales Comparison Approach to Value is used in the appraisal assignment and is the sole approach to value utilized to determine the value of the subject site.

Income Approach to Value

The Income Approach to Value involves the forecasting of potential income, deducting applicable expenses and capitalizing the estimated net income into value using a capitalization rate appropriate for the specific property under present market conditions. Land rental of commercial or industrial land is very limited in this neighborhood. Rents are very minimal and fail to support the underlying value of the land. Because the income derived from properties similar to the subject is not directly measurable in rational economic terms, the Income Approach to Value is not applicable.

Reconciliation

The credibility of each approach to value is dependent upon the specific property type, market conditions and the adequacy of pertinent data. Theoretically, all three of the traditional approaches to value should develop the same value if all relevant data were available and the marketplace a perfect one. In the reconciliation process the Appraiser weighs the strengths and weaknesses in the various approaches, and accordingly selects the final value estimate. In summary, the objective of the valuation process is to convert costs, market indicators and income into a defined value conclusion.

COMPARABLE SALES APPROACH TO VALUE

COMPARABLE SALES APPROACH TO VALUE

This approach is common to practically every appraisal because of the basic principle of substitution, which establishes the premise that the value of a property tends to approach the value indicated by the actions of informed buyers and sellers of comparable real estate. Stated another way, this approach measures opportunity cost to acquire a like property. The application of this approach involves the comparison of the subject with similar properties recently sold, and in the process adjusting to the subject for variances in location, condition and physical characteristics of the comparable sales.

The reliability of this technique is dependent upon the:

- ❑ Availability of comparable sales data
- ❑ Verification of the sales data
- ❑ Degree of comparability or extent of adjustments necessary for differences between the properties
- ❑ Absence of non-typical conditions affecting the sale prices

In theory, the sale prices of the various comparables, after adjustment, tend to set the range of value of the subject. However, it should be noted that since real estate is heterogeneous in nature, the adjustments sometimes must be made with considerable subjectivity. Also, since properties cannot be compared as a whole, a suitable unit of comparison, such as sale price per buildable unit, square foot, acre or front foot, may be the most creditable common denominator for comparative purposes.

The value of the subject site will be estimated by using a Comparable Sales Approach, wherein the value will be estimated by referencing the price paid per square foot for other unimproved residential and commercial sites that are located in the city of Brainerd.

Available market data may allow for quantitative adjustments for those factors that can be measured in the market place or qualitative adjustments for those factors that cannot be measured in the marketplace. The qualitative analysis recognizes market inefficiencies and further recognizes the difficulty in measuring the reactions of market participants. The qualitative analysis tends to be more consistent with the reactions of actual market participants, and is the preferred method used in this appraisal report.

This Appraiser has reviewed and analyzed seventeen sales, with an effort made to search out sales of properties in generally close proximity to the subject and of proportionate size, utility, elevation and quality. Ideally, the geographic search would be limited to the subject's immediate neighborhood but due to a minimum number of sales of properties with similar physical features as the subject, our search included all of the city of Brainerd.

A total of three residential comparable sales and three commercial sales were presented in this appraisal report which provide a reasonably good indication of the value of the subject property. In the following exhibits, this Appraiser has presented the most significant and salient characteristics from each of the comparable sales. Adjustments have been made to each comparable sale to reflect the significant differences. This analysis demonstrates the Appraiser's technique for deriving an indication of the market value of the subject property.

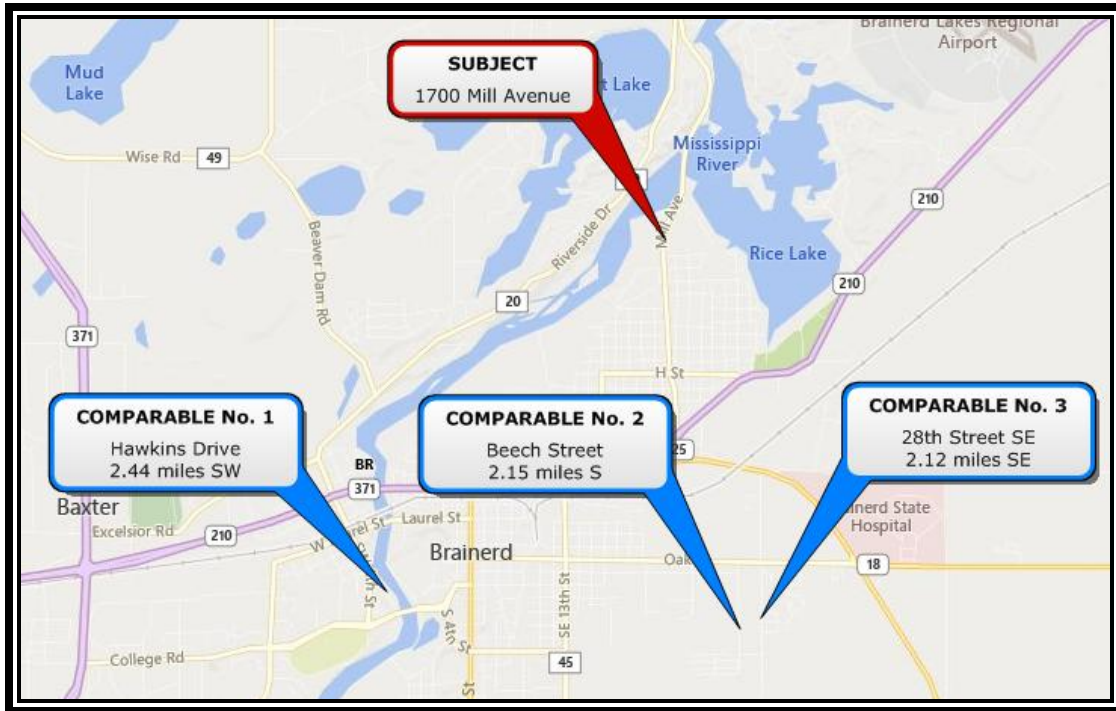
COMPARABLE RESIDENTIAL SALES GRID

(Scenario 1)

Comp. Number:	Subject	Comp #R-1	Comp #R-2	Comp #R-3
Address:	Mill Avenue	Hawkins Dr	Beech Street	28th Street
Neighborhood:	Comm/Resid	Comm/Resid	Comm/Resid	Comm/Resid
Sale Date:	N/A	10/17/2018	07/01/2019	05/16/2019
Square Footage:	122,403.60	19,009.94	35,000.04	35,785.45
Elevation:	Level	Sloping	Level	Level
Visibility:	Good	Typical	Typical	Typical
Access:	Adequate	Adequate	Adequate	Adequate
Zoning:	Residential	Residential	Residential	Residential
Municipal Services:	Public	Public	Public	Public
Highest & Best Use:	Residential	Residential	Residential	Residential
Other:	Parking Lot	None	None	None
Sale Price:	N/A	\$9,500	\$20,000	\$26,400
Sale Price/Square Foot:	N/A	\$.4997	\$.5714	\$.7377
Sale Terms:	N/A	Cash	Cash	Cash
Quantitative Adjust:				
Market Conditions:	Average	1.00	1.00	1.00
Adjusted Price:	N/A	\$9,500	\$20,000	\$26,400
Adjust. Price/Sq. Foot:	N/A	\$.4997	\$.5714	\$.7377
Qualitative Adjust:				
Financing/Concessions:	None	Similar	Similar	Similar
Condition of Sale:	Average	Similar	Similar	Similar
Neighborhood:	Comm/Resid	Similar	Similar	Similar
Square Footage:	122,403.60	Superior	Superior	Superior
Elevation:	Level	Inferior	Similar	Similar
Visibility:	Good	Similar	Similar	Similar
Access:	Adequate	Similar	Similar	Similar
Zoning:	Residential	Similar	Similar	Similar
Municipal Services:	Public	Similar	Similar	Similar
Other:	Parking Lot	Superior	Superior	Superior
Overall Comparison:		Inferior	Superior	Superior
Price Per Square Foot:		\$.4997	\$.5714	\$.7377

Indicated Value of Subject Site: \$.55 Per Square Foot

LOCATION MAP OF RESIDENTIAL COMPARABLE SALES



Comparable Sales Adjustment Process

The adjustments on the Comparable Land Sale Adjustment Grid are based on any appreciation experienced between the sale date of the comparable and the effective date of this appraisal, on the granting of any financing or sale concessions, general location, parcel size, zoning, availability of utilities, topography as it relates to site utility, accessibility by motor vehicles and any unique physical features experienced by the comparable sale.

The adjustment process involves:

- ❑ Appropriate value indicators are assigned for each comparable depending on market norms. The analysis of the comparable sale will be completed on the price paid per acre for other undeveloped acreages. Appropriate value indicators will be derived based upon the actions of buyers and sellers in the marketplace.
- ❑ If the comparable property is superior to the subject in terms of the identified factor, then a negative adjustment is made thus reducing the indicated value of the subject.
- ❑ If the comparable property is inferior to the subject in terms of the identified factor, a positive adjustment is made, thus increasing the indicated value of the subject.
- ❑ The adjusted values are then reviewed and reconciled. The sale that provides the best indication of market value will be identified, the adjusted values will be reviewed and weighed, and a final value estimate selected.

Type of Adjustment

The preferred method of adjustment is a quantitative analysis. This type of analysis assigns specific dollar or percentage adjustments to a comparable sale. To determine the amount of adjustment, sale pairings are completed. A large data set is required for a quantitative analysis to be credible.

In the case of this appraisal assignment, a quantitative analysis was not completed due to a lack of comparable sales and market dynamics. In my opinion, if a quantitative analysis was utilized, the adjustments would be forced and unsupported. Instead, a qualitative analysis will be used.

This type of analysis is a relative comparison showing relationships without recourse to quantification. Qualitative analysis reflects the imperfect nature of the subject property's market area. Each sale was discussed as superior, inferior or similar to the subject property.

Adjustments to Comparable Land Sales

Market Conditions

This Appraiser made an analysis of the past sales activity of unimproved properties located in the city of Brainerd to ascertain the demand for unimproved properties and if there has been significant changes in market values.

Based on an analysis of past sales activity of unimproved properties located in the subject property's general market area, it is this Appraiser's opinion that no market condition adjustment is warranted with any of the comparable sales.

Financing/Sales Concessions

An analysis of each of the comparable properties indicates that no financing or sales concession adjustment was warranted with any of the comparable sales.

Condition of Sale

Based on an analysis of each of the comparable properties and an analysis of current market conditions, it was determined that a condition of sale adjustment was not warranted.

Neighborhood

No neighborhood adjustments were warranted because each of the comparable sales, like the subject property, was located in neighborhoods which had both commercial and residential usage.

Square Footage

The square footage adjustment is based on the theory of economies of scale that states that as the number of units increase, the price per unit decreases and in turn, as the number of units decrease, the price per unit increases. Based on this theory, a negative adjustment was warranted with each of the comparable sales.

Elevation

A positive adjustment was warranted with Comparable Sale 1 which experienced an elevated incline between its access point and its building envelope.

Visibility

Based on an analysis of each of the comparable properties, it was determined that a visibility adjustment was not warranted.

Access

No adjustment was warranted because each of the comparables had similar access as the subject.

Zoning

No adjustment was warranted because each of the comparables had similar zoning as the subject.

Municipal Services

No adjustment was warranted because each of the comparables, like the subject property had access to municipal water and sewer.

Other

A negative adjustment was warranted with each of the comparable sales due to the subject's asphalt parking lot which would have to be removed for any residential development.

Value Conclusion

The Comparable Land Sale Adjustment Grid suggests that the physical and non-physical aspects of the subject property and each of the comparable sales are reasonably similar.

Comparable Sale 1 which is located on Hawkins Drive is considered inferior to the subject property due to its elevation. This sale indicates the low range of the subject property.

Comparable Sale 2 which is located on Beech Street is considered superior to the subject due to its superior site area.

Comparable Sale 3 which is located on 28th Street is also considered superior to the subject due to its superior site area. This sale is considered to set the high range of value of the subject property.

Scenario One - Value Conclusion of Subject Site By Sales Approach:

After considering the adjusted comparable sales, with Comparable Sale 1 and 2 receiving the most consideration, I have concluded that the market value of the subject property is \$.55 per square foot or \$67,500(rd.)

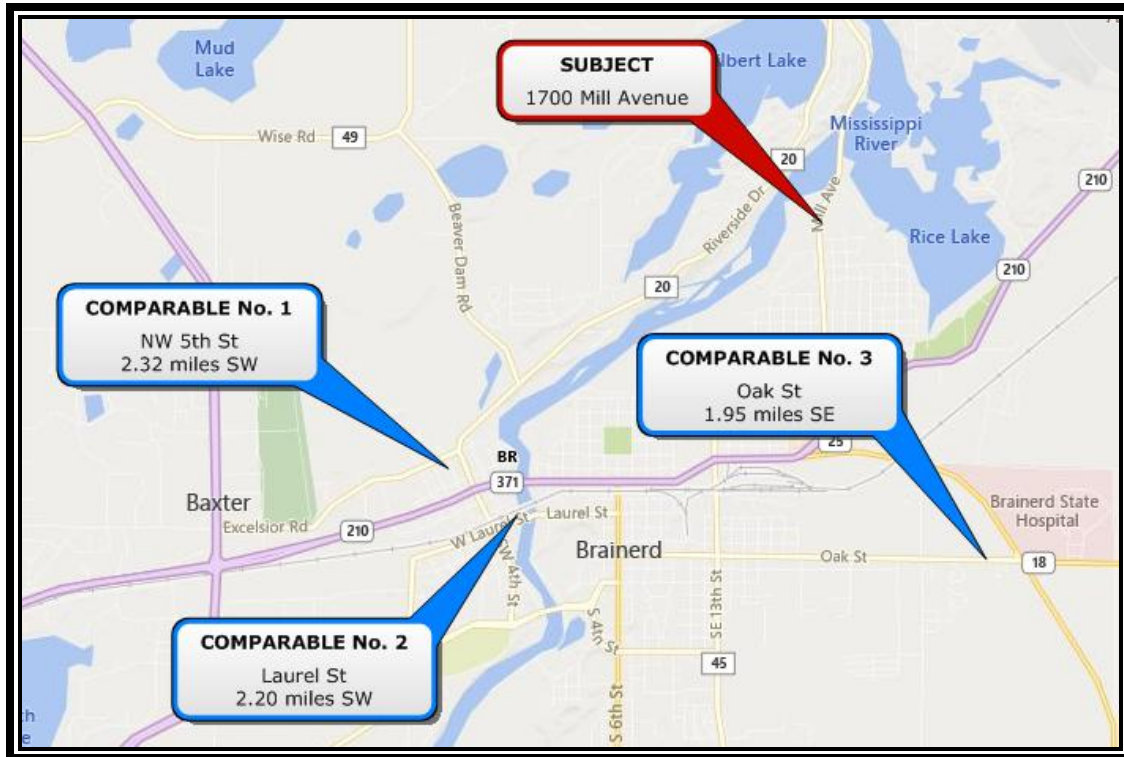
COMPARABLE COMMERCIAL SALES GRID

(Scenario 2)

Comp. Number:	Subject	Comp #C-1	Comp #C-2	Comp #C-3
Address:	Mill Avenue	NW 5th Street	Laurel Street	Oak Street
Neighborhood:	Commercial	Commercial	Commercial	Commercial
Sale Date:	N/A	06/12/2018	02/08/2019	10/06/2016
Square Footage:	122,403.60	28,005.70	69,622.19	101,061.95
Elevation:	Level	Sloping	Sloping	Level
Visibility:	Good	Good	Good	Good
Access:	Adequate	Adequate	Adequate	Adequate
Zoning:	Commercial	Commercial	Commercial	Commercial
Municipal Services:	Public	Public	Public	Public
Highest & Best Use:	Commercial	Commercial	Commercial	Commercial
Other:	Parking Lot	None	None	None
Sale Price:	N/A	\$39,000	\$120,500	\$175,000
Sale Price/Square Foot:	N/A	\$1.3926	\$1.7308	\$1.7316
Sale Terms:	N/A	Cash	Contract	Cash
Quantitative Adjust:				
Market Conditions:	Average	1.00	1.00	1.05
Adjusted Price:	N/A	\$39,000	\$120,500	\$183,750
Adjust. Price/Sq. Foot:	N/A	\$1.3926	\$1.7308	\$1.8182
Qualitative Adjust:				
Financing/Concessions:	None	Similar	Superior	Similar
Condition of Sale:	Average	Similar	Similar	Similar
Neighborhood:	Commercial	Similar	Similar	Similar
Square Footage:	122,403.60	Superior	Superior	Similar
Elevation:	Level	Inferior	Inferior	Similar
Visibility:	Good	Similar	Similar	Similar
Access:	Adequate	Similar	Similar	Similar
Zoning:	Commercial	Similar	Similar	Similar
Municipal Services:	Public	Similar	Similar	Similar
Other:	Parking Lot	Inferior	Inferior	Similar
Overall Comparison:		Inferior	Inferior	Similar
Price Per Square Foot:		\$1.3926	\$1.7308	\$1.8182

Indicated Value of Subject Site: \$1.82 Per Square Foot

LOCATION MAP OF COMMERCIAL COMPARABLE SALES



Comparable Sales Adjustment Process

The adjustments on the Comparable Land Sale Adjustment Grid are based on any appreciation experienced between the sale date of the comparable and the effective date of this appraisal, on the granting of any financing or sale concessions, general location, parcel size, zoning, availability of utilities, topography as it relates to site utility, accessibility by motor vehicles and any unique physical features experienced by the comparable sale.

The adjustment process involves:

- ❑ Appropriate value indicators are assigned for each comparable depending on market norms. The analysis of the comparable sale will be completed on the price paid per acre for other undeveloped acreages. Appropriate value indicators will be derived based upon the actions of buyers and sellers in the marketplace.
- ❑ If the comparable property is superior to the subject in terms of the identified factor, then a negative adjustment is made thus reducing the indicated value of the subject.
- ❑ If the comparable property is inferior to the subject in terms of the identified factor, a positive adjustment is made, thus increasing the indicated value of the subject.
- ❑ The adjusted values are then reviewed and reconciled. The sale that provides the best indication of market value will be identified, the adjusted values will be reviewed and weighed, and a final value estimate selected.

Type of Adjustment

The preferred method of adjustment is a quantitative analysis. This type of analysis assigns specific dollar or percentage adjustments to a comparable sale. To determine the amount of adjustment, sale pairings are completed. A large data set is required for a quantitative analysis to be credible.

In the case of this appraisal assignment, a quantitative analysis was not completed due to a lack of comparable sales and market dynamics. In my opinion, if a quantitative analysis was utilized, the adjustments would be forced and unsupported. Instead, a qualitative analysis will be used.

This type of analysis is a relative comparison showing relationships without recourse to quantification. Qualitative analysis reflects the imperfect nature of the subject property's market area. Each sale was discussed as superior, inferior or similar to the subject property.

Adjustments to Comparable Land Sales

Market Conditions

This Appraiser made an analysis of the past sales activity of unimproved properties located in the city of Brainerd to ascertain the demand for unimproved properties and if there has been significant changes in market values.

Based on an analysis of past sales activity of unimproved properties located in the subject property's general market area, it is this Appraiser's opinion that a 5% market condition adjustment was warranted with any Comparable Sale 3.

Financing/Sales Concessions

A negative adjustment was warranted with Comparable Sale 2 which was sold on a contract for deed with a minimal down payment. An analysis of each of the other comparable properties indicates that no further financing or sales concession adjustment was warranted.

Condition of Sale

Based on an analysis of each of the comparable properties and an analysis of current market conditions, it was determined that a condition of sale adjustment was not warranted.

Neighborhood

No adjustments were warranted because each of the comparables sales, like the subject property, was located in a similar commercial neighborhood.

Square Footage

The square footage adjustment is based on the theory of economies of scale that states that as the number of units increase, the price per unit decreases and in turn, as the number of units decrease, the price per unit increases. Based on this theory, a negative adjustment was warranted with Comparable Sales 1 and 2.

Elevation

A positive adjustment was warranted with Comparable Sale 1 which experienced an elevated incline between its access point and its building envelope. A positive adjustment was warranted with Comparable Sale 2 which experienced a highly elevated incline along its eastern boundary which limited the developmental of this area of its site.

Visibility

Based on an analysis of each of the comparable properties, it was determined that a visibility was not warranted.

Access

No adjustment was warranted because each of the comparables had similar access as the subject.

Zoning

No adjustment was warranted because each of the comparables had similar zoning as the subject.

Municipal Services

No adjustment was warranted because each of the comparables, like the subject property, had access to municipal water and sewer.

Other

A positive adjustment was warranted with Comparable Sale 1 and 2 which lacked an asphalt parking area.

Value Conclusion

The Comparable Land Sale Adjustment Grid suggests that the physical and non-physical aspects of the subject property and each of the comparable sales are reasonably similar.

Comparable Sale 1 which is located on NW 5th Street is considered inferior to the subject property due to its elevation and lack of an asphalt parking area. This sale indicates the low range of the subject property.

Comparable Sale 2 which is located on Laurel Street is also considered inferior to the subject due to its elevation and lack of an asphalt parking area.

Comparable Sale 3 which is located on Oak Street is very similar to the subject and required no adjustments. This sale is considered to be the best value indicator of the subject property.

Scenario One - Value Conclusion of Subject Site By Sales Approach:

After considering the adjusted comparable sales, with Comparable Sale 3 receiving the most consideration, I have concluded that the market value of the subject property is \$1.82 per square foot or \$223,000(rd.)

RECONCILIATION AND CONCLUSIONS

RECONCILIATION AND FINAL VALUE ESTIMATE

The reconciliation process involves the correlation of the conclusions reached from any of the three approaches to value considering the property type involved and requirements of the appraisal assignment. This process depends on the recognition of the appropriateness and reliability of each approach and of the quality, availability and reliability of the data obtained. The value indications of the three traditional approaches to value used in this appraisal assignment to determine the value of the subject property are:

Scenario 1

Cost Approach to Value	=	N/A
Comparable Sales Approach to Value	=	\$67,500
Income Approach to Value	=	N/A

Scenario 2

Cost Approach to Value	=	N/A
Comparable Sales Approach to Value	=	\$223,000
Income Approach to Value	=	N/A

Scenario 1 - Value Conclusion

Based upon my analysis of the subject property and applying recognized appraisal procedures, it is my opinion that the market value of the subject property, as of the effective date of this appraisal, is: \$67,500.

Scenario 2 - Value Conclusion

Based upon my analysis of the subject property and applying recognized appraisal procedures, it is my opinion that the market value of the subject property, as of the effective date of this appraisal, is: \$223,000.

QUALIFYING DATA

Certification

Assumptions and Limiting Conditions

Qualifications of Appraiser

Appraiser License

APPRAISER CERTIFICATION

Property: Memorial Park Parking Lot
Community: Brainerd
Owners: Brainerd Land LLC
Date of Value: November 15, 2019
Scenario 1 - Indicated Value: \$67,500
Scenario 2 - Indicated Value: \$223,000

I hereby certify that:

1. The Appraiser has not provided any services related to the subject property within the three year period immediately preceding acceptance of the assignment, or in any other capacity.
2. This Appraiser has not observed environmental concerns on or near the subject property.
3. My analyses, opinions and conclusions were developed, and this report has been prepared, in conformity with the Uniform Standards of Professional Appraisal Practice (USPAP) of the Appraisal Foundation and with the Code of Ethics of the National Association of Independent Fee Appraisers.
4. The OPINION OF VALUE DATE specified above is the date I personally inspected the property and the date to which my opinion of value applies. I have also made a field inspection of the comparable sales relied upon in making this appraisal which are represented by the photographs in the report.
5. The Estimated Fair Market Value specified herein is my independent opinion for the proposed acquisition on the date specified.
6. I have no present or prospective interest in the property that is the subject of this report, and I have no personal interest or bias with respect to the parties involved.
7. My compensation is not contingent on an action or event resulting from the analyses, opinions, or conclusion in, or the use of, this report.
8. I understand that such appraisal report is to be used as the basis for an offer of just compensation by a governmental entity; that the appraisal has been made in conformity with the appropriate State laws, regulations, policies and procedures applicable to appraising land for such purposes. To the best of my knowledge no portion of the value assigned to such property consists of items, which are non-compensable under the established law of the State.
9. In making this appraisal, I have disregarded any increase or decrease in the before value caused by the project for which the property is being acquired.
10. I will not reveal the findings and results of this appraisal to anyone other than the proper officials of the State of Minnesota until authorized by State officials to do so, or until I am required to do so by due process of law.

11. I was provided no significant professional assistance in preparing this report, which is not referenced in this report. No change of any item in the appraisal report shall be made by anyone other than the Appraiser, and the Appraiser shall have no responsibility for any such unauthorized change.
12. I am licensed as a real estate appraiser by the State of Minnesota with a Certified General license, number AP-4000170, expiring on 8-31-2021. I am licensed and competent to perform an appraisal for the type of property presented in this report.
13. The State of Minnesota has a mandatory program of continuing education for reissuance of their appraiser license. I have completed the requirements of the continuing education program for the State of Minnesota.
14. To the best of my knowledge and belief, the statements contained in the appraisal report are true, and the information upon which my opinions are based is correct.
15. The reported analyses, opinions, and conclusions, are limited only by the reported critical assumptions and limiting conditions, and are my personal, unbiased professional analyses, opinions and conclusions.



William R. Ludenia
Certified General Appraiser
Minnesota Appraiser License #4000170

11-22-2019
Date

CRITICAL ASSUMPTIONS AND LIMITING CONDITIONS

This appraisal is made subject to the following conditions and to such other specific and limiting conditions as are set forth by the Appraiser in the report.

1. This appraisal report has been prepared for the exclusive benefit of the Client. It may not be used or relied upon by any other party. Any party who uses or relies upon any information contained in the appraisal report without the preparer's written consent does so at his own risk.
2. The Client is advised that an appraisal is an opinion, and that it does not constitute a guarantee that the property will sell for the appraised amount. Property management, differing motivations of buyers and sellers, salesmanship, information, which may or may not be presented to a buyer, and differences in the way a property is presented, can change sale prices dramatically. This appraisal simply represents the Appraiser's opinion of value based upon the facts known at the time of the appraisal.
3. Information, estimates and opinions furnished to the Appraiser and contained in the report were obtained from sources considered to be reliable and believed to be true and correct. However, the Appraiser does not assume responsibility for accuracy of such items furnished in the appraisal.
4. The Appraiser assumes no responsibility for matters of a legal nature affecting the property appraised or the title thereto, nor does the Appraiser render any opinion as to the title, which is assumed to be good and marketable. The property is appraised as though under responsible ownership and management and receiving proper maintenance. Existing liens or encumbrances have been disregarded, and the property has been appraised as though free and clear of all indebtedness, unless otherwise stated in this appraisal report.
5. The appraisal report and its contents must be regarded as a whole and any excerpts from this appraisal cannot be used separately and, if used separately, invalidates this appraisal.
6. The Appraiser has made no survey of the subject property to determine any easements, encroachments or right-of-ways and the legal description used in this appraisal report is assumed to be correct. It is assumed that the utilization of the land is within the boundaries or property lines of the property described and that there is no encroachment or trespass unless noted within the appraisal report.
7. Any plot plan or sketch in this report may show approximate dimensions and is included to assist the reader in visualizing the property, and the Appraiser assumes no responsibility for its accuracy.

8. Any distribution of the valuation in the report between land and improvements applies only under the existing program of utilization. The separate valuation for land and building must not be used in conjunction with any other appraisal and are invalid if so used.
9. No testing has been made to determine the existence or presence of mold, radon, lead paint, asbestos, petroleum contamination, toxic or hazardous substances or other detrimental environmental conditions in the buildings, land or the surrounding areas. The value estimated in this appraisal report is based on the assumption that the property is not negatively affected by the existence of toxic or hazardous substances or detrimental environmental conditions. This Appraiser is not an expert in the identification of toxic or hazardous substances or detrimental environmental conditions. It is possible that tests and inspections made by a qualified toxic or hazardous substance expert or environmental expert would reveal the existence of toxic or hazardous materials and environmental conditions on or around the property that would negatively affect its value. This Appraiser further recommends that if the Client has any knowledge of or reason to suspect the existence of any toxic or hazardous substances or detrimental environmental conditions that an environmental assessment of the subject property be obtained.
10. The Appraiser assumes that there are no hidden or unapparent conditions of the property, subsoil or structures, which would render it more or less valuable. The Appraiser assumes no responsibility for such conditions, or for engineering, which might be required to discover such factors.
11. This appraisal does not include structural or mechanical warranties nor is it an assurance that any purchaser, owner or occupant will find the condition of the property to be fully satisfactory. It is assumed that there are no structural defects or unapparent conditions of the property; that all mechanical equipment, built-in appliances, electrical components and roofing are in adequate condition unless otherwise addressed in this appraisal report. No judgment is made relative to adequacy of insulation or energy efficiency of the improvement; these are assumed standard for the appraised property's type and age. No responsibility is assumed for infestation of wood destroying insects or damage caused by them. If the Client has any questions or concerns regarding these items, it is the Client's responsibility to order any appropriate inspections.
12. If a well and septic system are located on the subject site, this Appraiser has made no determination if the well is providing safe, sanitary drinking water, or if the septic system is working properly. The Appraiser is not qualified to determine such.

13. The appraiser's property visitation and examination is not a home/building inspection. This appraiser does not have the expertise needed to make such inspections nor does this Appraiser assume any responsibility for these items. A home/building inspection, performed by a qualified individual is always recommended.
14. While flood maps of the area may have been studied and comments may have been made about the subject's location in or outside a flood hazard area, we are not qualified to detect the subject's specific flood hazard area. No responsibility is assumed for any consequences arising from the need for flood insurance.
15. Nothing set forth in the appraisal should be relied upon for the purpose of determining the amount or type of insurance coverage to be placed on the subject property. The Appraiser assumes no liability for and does not guarantee that any insurable value estimate inferred from this report will result in the subject property being fully insured for any loss that may be sustained.
16. It is assumed that there is full compliance with all-applicable federal, state and local environmental regulations and laws unless noncompliance is stated, defined and considered in the appraisal report.
17. Title III of the Americans with Disabilities Act, "Public Accommodations and Services Operated by Private Entities," requires all privately owner/operated buildings, which provide public accommodations and/or services, to be equally accessible for persons with disabilities. All architectural, transportation and communication barriers must be removed, if readily achievable. The appraiser is not qualified to make a determination as to whether the property under appraisal is in compliance with this act. The client is urged to retain an expert in this field, if desired.
18. It is assumed that all applicable zoning and use regulations and restrictions have been complied with unless non-conformity has been stated, defined and considered in the appraisal report.
19. It is assumed that the revenue stamps placed on any deed referenced accurately indicates the sale price and are in correct relationship to the actual dollar amount of the transaction.
20. No opinion is expressed as to the value of subsurface oil, gas or mineral rights, if any. It is assumed that the subject property is not affected by surface entry for the exploration or removal of any such materials, unless otherwise noted in the report.
21. It is assumed that all required licenses, consents or other legislative or administrative authority from any local, state or national governmental or private entity or organization have been or can be obtained or renewed for any use on which the value estimate contained in the appraisal report is based.

22. It is assumed that all appraisals, subject to satisfactory completion, repairs, or alternations, if applicable, will be completed in accordance with the plans and specifications and are contingent upon completion of the improvements in a professional, workmanlike manner. The estimated market value is, as of the appraisal date, as proposed, and as if fully completed and operating at the projected levels of income and expense.
23. The Appraiser is not required to give testimony or appear in court or before any board or governmental body because of having made an appraisal of the subject property without satisfactory predetermined financial arrangements and time agreements.
24. Disclosure of the contents of the appraisal report is governed by the By-laws and Regulations of the professional appraisal organizations with which the Appraiser is affiliated.
25. The Appraiser reserves the right to alter, amend, revise or rescind any comments and any value conclusions if pertinent facts, unknown during the appraisal process, become known subsequent to completion of the appraisal report. Further, the estimated Market Value is subject to change over time, as may be dictated by market circumstances.
26. The analysis and conclusion necessarily incorporated numerous estimates and assumptions regarding property performance, general and local business and economic conditions, the absence of material changes in the competitive environment and other matters. Some estimates or assumptions, however, inevitably will not materialize, and unanticipated events and circumstances may occur; therefore, actual results achieved during the period covered by our analysis will vary from our estimates and the variations may be material.
27. In consideration of performing the services rendered at the fee charged, the appraisal firm expressly limits its liability to the amount of fee paid by the Client. The appraisal firm expressly disclaims liability as an insurer or guarantor. Any persons seeking greater protection from loss or damage than is provided from herein should obtain appropriate insurance. The Client shall indemnify and hold harmless the appraiser(s), the appraisal firm, and its employees against all claims by any third party or any judgment for loss or damage relating to the performance or non-performance of any services by the appraisal firm.
28. Any use of the appraisal report, by the client, is conditioned upon payment of all fees in accordance with the agreed terms.
29. Acceptance of and/or use of the appraisal report constitutes acceptance of the forgoing general assumptions and limiting conditions.

WILLIAM R. LUDENIA – REAL ESTATE APPRAISER

21196 Moody Lane, Brainerd, MN 56401
218.851.3612

Education – Real Estate Appraising

Uniform Standards of Professional Appraisal Practice
Principals of Real Estate Appraising
Single Family Report Writing
Narrative Report Writing
Market Abstraction
Review Appraising
Relocation Report Writing Seminar
Cash Rental Value Appraisal
Farm, Ranch and Rural Property Appraisal
Marshall & Swift Residential Cost Approach Seminar
Marshall & Swift Commercial Cost Approach Seminar
Fundamentals of Real Estate Investment and Taxation
Income Property Appraising
Income Capitalization
Easement Valuation
Principles of Environmental Risk Screening

Work History

1973-1975 - United Farm Agency – Branch Manager
1975-1986 - Self-employed real estate broker
1986 - Present - Self-employed real estate appraiser

Work Experience

Since 1973 involved full-time with various phases of real estate including the appraisal and marketing of residential, lakeshore, farm, raw land, multi-family, commercial and business opportunities. Served as a real estate instructor and lectured at Minnesota's Area Vocational Institutes.

Sample of Clients Served

Northern National Bank	Wells Fargo Banks
Bremer Bank	MidAmerica Mortgage Company
US Bank	Brainerd Savings and Loan
Lakewood Banks	Security State Bank of Pillager
Unity Bank	Lakes State Bank
Mid Minnesota Federal Credit Union	Peoples National Bank
First National Bank of Walker	Rels Valuation
First National Bank of Deerwood	American National Bank
RiverWood Bank	Security State Bank of Aitkin
Voyageur Financial	Woodlands National Bank
Crow Wing County	City of Brainerd
Cass County	City of Baxter
State of Minnesota-DNR	City of Pillager
Breen & Person Ltd.	City of East Gull Lake
The Nature Conservancy	City of Breezy Point
The Trust for Public Land	City of Remer
Prudential Relocation	TransEquity Relocation

APPRAISER LICENSE

STATE OF MINNESOTA



WILLIAM R LUDENIA
21196 MOODY LANE
BRAINERD, MN 56401

Department of Commerce

The Undersigned COMMISSIONER OF COMMERCE for the State of Minnesota hereby certifies that
WILLIAM R LUDENIA

21196 MOODY LANE
BRAINERD, MN 56401

has complied with the laws of the State of Minnesota and is hereby licensed to transact the business of

Resident Appraiser : Certified General

License Number: 4000170

unless this authority is suspended, revoked, or otherwise legally terminated. This license shall be in effect until August 31, 2021.

IN TESTIMONY WHEREOF, I have hereunto set my hand this July 16, 2019.

A handwritten signature in black ink that reads "Steve Kelley".

COMMISSIONER OF COMMERCE

Minnesota Department of Commerce

Licensing Division
85 7th Place East, Suite 500
St. Paul, MN 55101-3165
Telephone: (651) 539-1599
Email: licensing.commerce@state.mn.us
Website: commerce.state.mn.us

Notes:

- **Individual Licensees Only - Continuing Education:** 15 hours is required in the first renewal period, which includes a 7 hour USPAP course. 30 hours is required for each subsequent renewal period, which includes a 7 hour USPAP course.
- **Appraisers:** You must hold a licensed Residential, Certified Residential, or Certified General qualification in order to perform appraisals for federally-related transactions. **Trainees do not qualify.** For further details, please visit our website at commerce.state.mn.us.

EXHIBITS AND ADDENDA

Comparable Sales

COMPARABLE SALES

COMPARABLE SALE NUMBER R-1



<i>Sale Information</i>		<i>Property Information</i>	
Date of Sale:	10/17/2018	PID Number:	091090020060009
Grantor:	Struss, Gregg	Address:	Hawkins Drive
Grantee:	Fairbanks, Thomas & Kadlec, Emily	City:	Brainerd
Township:	133	Zoning:	Residential
Range:	28	Utilities:	Public
Section:	9	Access:	City Street
Legal Description:	Part of L6&7, B2 Bonny Woods	Elevation:	Sloping
Sale Price:	\$9,500	Visibility:	Average
Square Footage:	19,009.94	Highest & Best Use:	Residential
Price Per Square Foot:	\$4.997	Present Use:	Residential
Data Source:	MLS/Public Record/Inspection	Confirmation:	Title Company



Northern Boundary of Comparable Sale

COMPARABLE SALE NUMBER R-2



<i>Sale Information</i>		<i>Property Information</i>	
Date of Sale:	07/01/2019	PID Number:	09143000006I009
Grantor:	Cory, Daniel & Joanne	Address:	Beech Street
Grantee:	Fry, Dennis & Sheila	City:	Brainerd
Township:	45	Zoning:	Residential
Range:	30	Utilities:	Public
Section:	30	Access:	City Street
Legal Description:	Part of Tract 6, Holland's First	Elevation:	Level
Sale Price:	\$20,000	Visibility:	Average
Square Footage:	35,000.04	Highest & Best Use:	Residential
Price Per Square Foot:	\$.5714	Present Use:	Residential
Data Source:	MLS/Public Record/Inspection	Confirmation:	Title Company



Eastern Boundary of Comparable Sale

COMPARABLE SALE NUMBER R-3

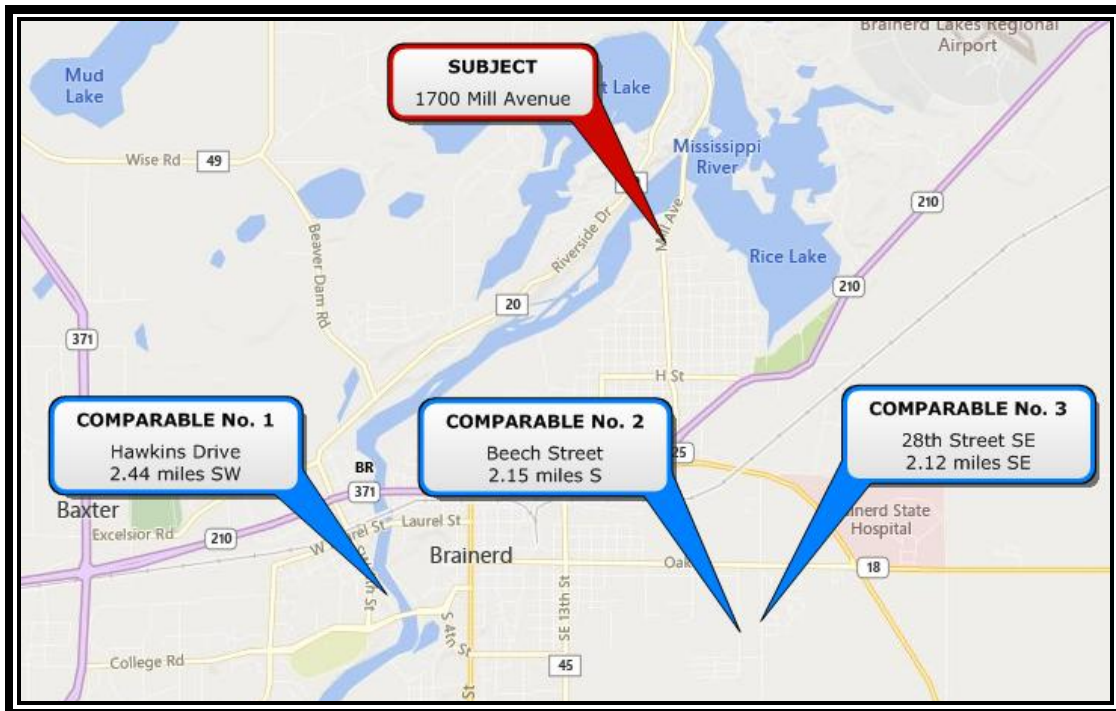


<i>Sale Information</i>		<i>Property Information</i>	
Date of Sale:	05/16/2019	PID Number:	09143000005E009
Grantor:	Blizil, John & Nancy	Address:	28th Street
Grantee:	Brainerd Holdings J & D, LLC	City:	Brainerd
Township:	45	Zoning:	Residential
Range:	30	Utilities:	Public
Section:	30	Access:	City Street
Legal Description:	Part of Tract 5, Holland's First	Elevation:	Level
Sale Price:	\$26,400	Visibility:	Average
Square Footage:	35,785.45	Highest & Best Use:	Residential
Price Per Square Foot:	\$.7377	Present Use:	Residential
Data Source:	MLS/Public Record/Inspection	Confirmation:	Title Company



Eastern Boundary of Comparable Sale

LOCATION MAP OF RESIDENTIAL COMPARABLE SALES



COMPARABLE SALE NUMBER C-1



<i>Sale Information</i>		<i>Property Information</i>	
Date of Sale:	06/12/2018	PID Number:	0919800P002Z009
Grantor:	Sundberg Properties, LLC	Address:	NW 5th Street
Grantee:	Suer, Steven & Mary	City:	Brainerd
Township:	133	Zoning:	Commercial
Range:	28	Utilities:	Public
Section:	4	Access:	City Street
Legal Description:	L2-8, Block P West Brainerd	Elevation:	Sloping
Sale Price:	\$39,000	Visibility:	Good
Square Footage:	28,005.70	Highest & Best Use:	Commercial
Price Per Square Foot:	\$1.3926	Present Use:	Commercial
Data Source:	MLS/Public Record/Inspection	Confirmation:	Title Company



Eastern Boundary of Comparable Sale

COMPARABLE SALE NUMBER C-2



<i>Sale Information</i>		<i>Property Information</i>	
Date of Sale:	02/08/2019	PID Number:	09198001001A009
Grantor:	Northern States Investments, LLP	Address:	Laurel Street
Grantee:	Tri Axis Enterprises, LLC	City:	Brainerd
Township:	133	Zoning:	Commercial
Range:	28	Utilities:	Public
Section:	4	Access:	City Street
Legal Description:	Part of Government Lot 7	Elevation:	Sloping
Sale Price:	\$120,500	Visibility:	Good
Square Footage:	69,622.19	Highest & Best Use:	Commercial
Price Per Square Foot:	\$1.7308	Present Use:	Commercial
Data Source:	MLS/Public Record/Inspection	Confirmation:	Title Company



Western Boundary of Comparable Sale

COMPARABLE SALE NUMBER C-3

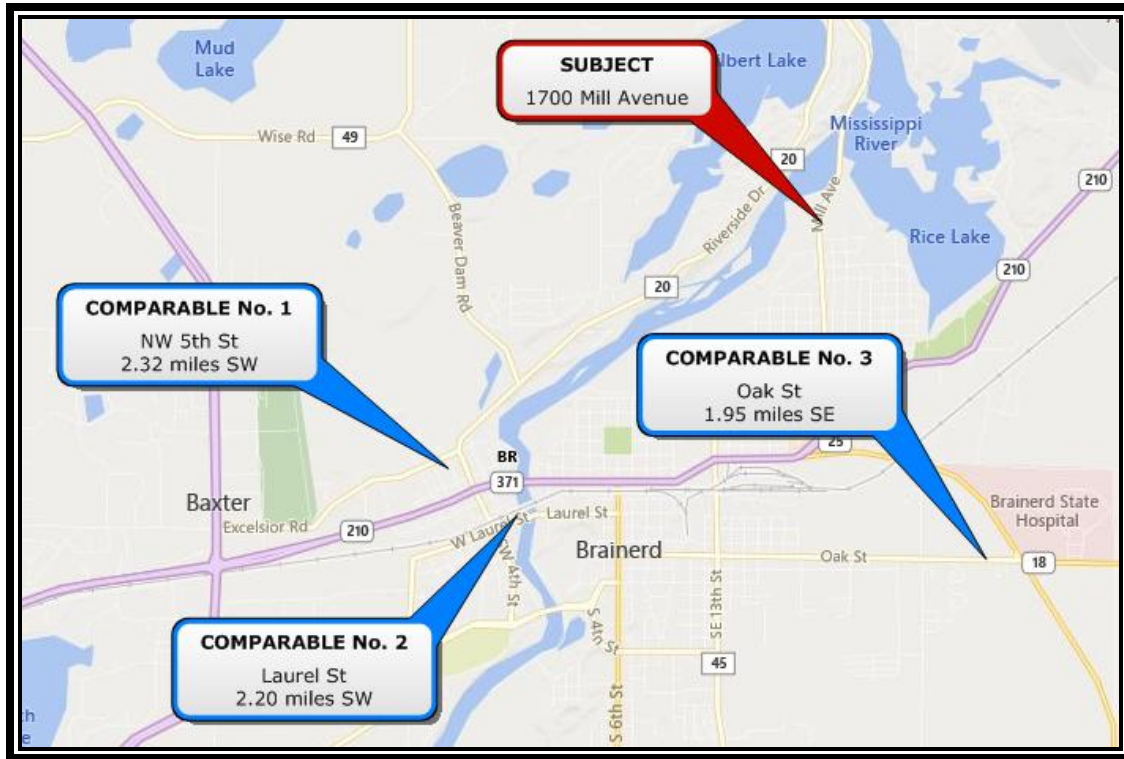


<i>Sale Information</i>		<i>Property Information</i>	
Date of Sale:	10/06/2016	PID Number:	050292400B00009
Grantor	Yliniemi Revocable Trust	Address:	Oak Street
Grantee:	Liberty Group of Brainerd, LLC	City:	Brainerd
Township:	45	Zoning:	Commercial
Range:	30	Utilities:	Public
Section:	29	Access:	City Street
Legal Description:	Part of NW Quarter	Elevation:	Level
Sale Price:	\$175,000	Visibility:	Good
Square Footage:	101,061.95	Highest & Best Use:	Commercial
Price Per Square Foot:	\$1.7316	Present Use:	Commercial
Data Source:	MLS/Public Record/Inspection	Confirmation:	Title Company



Southern Boundary of Comparable Sale

LOCATION MAP OF COMMERCIAL COMPARABLE SALES





Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: PH - Implementation/Progress SCDP Grant CDAP-17-0019-O-FY18

☐ 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: Connie Hillman	Department: Finance
Presenter (Name & Title): John Schommer, HRA Rehabilitation Coordinator	Estimated Time Needed: 10 Minutes
Summary of Issue: As part of the Small Cities Development Program Grant (SCDP) that the City was awarded in 2018 for the northeast and downtown areas, the City Council needs to hold a public hearing during the grant period to allow for public discussion on the implementation and progress of the grant. Mr. Schommer will be at the council meeting to provide a summary of the grant.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Hold a public hearing to allow for public discussion on the implementation and progress of the Northeast and Downtown Brainerd SCDP grant awarded in 2018.	
Financial Impact: Is there a cost associated with this request: ☐ Yes ☐ No What is the total cost, with tax and shipping \$ _____ Is this budgeted? ☐ Yes ☐ No <u>Please Explain:</u>	

MEETING NOTICE

**The Brainerd City Council will hold a
Public Hearing regarding Discussion on the Implementation and Progress of
the Small Cities Development Program (SCDP) Grant
CDAP-17-0019-O-FY18**

Monday, December 2, 2019 at 7:30 P.M.

**The meeting will be held Crow Wing County Historic Courthouse
3rd Floor Board Room, 326 Laurel Street, Brainerd**

This Meeting is open to the Public

**ANY INDIVIDUAL NEEDING SPECIAL ACCOMMODATIONS, PLEASE CALL
828-2307**



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: First Reading - Proposed Ordinance No. 1501 - Rezoning 7757 Wise Rd.

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: Zachary and Erin Weberg, 7757 Wise Road, Brainerd, MN 56401 have submitted a request to rezone the property at 7757 Wise Road from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District. The purpose of this rezoning is to reduce the lot size so as to conduct a lot split of less than 20 acres.	
Alternatives, Options, Effects on Others/Comments: The Planning Commission voted unanimously during their November 20 meeting to recommend approval of this rezoning request to the City Council, citing staff's findings of fact. This is the first reading of Proposed Ordinance No. 1501. Staff recommends dispensing with the actual reading of this ordinance.	
Recommended Action/Motion: 1) Motion to dispense with the actual reading of Proposed Ordinance No. 1501, an ordinance amending Ordinance No. 812 pertaining to the zoning in the City of Brainerd.	
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: Planning Commission

FROM: David Chanski, Community Development Director

DATE: November 14, 2019

RE: 7757 Wise Road Rezoning

Zachary and Erin Weberg, 7757 Wise Road, Brainerd, MN 56401 have submitted a request to rezone the property at 7757 Wise Road from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District.

The purpose of this rezoning is to reduce the lot size so as to conduct a lot split of less than 20 acres.

Findings of Fact

1. The properties immediately adjacent to 7757 Wise Road are zoned R-A (Rural Agricultural) District and R-R (Rural Residential) District.
 - a. The closest non-rural residentially zoned properties are zoned R-1A (Single Family Residential) District.
2. [Per Section 515-51-7](#) of the Code of Ordinances, the minimum lot size within an R-A District is 20 acres.
 - a. 7757 Wise Road is currently a 40-acre property.
 - i. However, much of the property is unbuildable wetland.
3. [Per Section 515-55-7](#) of the Code of Ordinances, the minimum lot size within an R-1A District is 10,000 square feet.
4. Upon approve of this rezoning request, the applicant intends to submit a lot split request to split a 200'x 600' piece of land off the northeast corner of the property on which he intends to build a home for his mother-in-law.
5. Pending approval of the zoning request and future lot split, the applicant has submitted a request to Crow Wing County for a separate access off Wise Road for the new lot.

No parties have come forward to express concern about this rezoning request at the time of this writing.

Staff Opinion

Staff recommends approval of this rezoning request.

**ORDINANCE
NO. 1501**

**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 property below from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District for the following:

PIN 41320508

W 888 FT of NE ¼ of NW ¼ & also including: NE ¼ of NW 1/4 , Subject to a HWY Easement of Record. Except the W 822 Ft. Thereof. Subject to a HWY Easement of Record

Section 32, Township 134, Range 028

SECTION TWO: This Ordinance shall take effect and be in force 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: _____
JAMES M. THOREEN
Interim City Administrator

Published: One Time, ____, 2019



City Planning Department

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

RECEIVED

OCT 23 2019

CITY OF BRAINERD
ADMINISTRATION

Receipt # 2019-00063
Check # 7126
Date Paid: 10/23/19

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: 7757 Wise Road Brainerd

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

Property Owner Name: Zachary + Erin Weberg

Street Address: 7757 Wise Road City: Brainerd State: MN Zip Code 56401

Phone Number: 320-420-2458 Fax: _____ E-mail: ezweberg@gmail.com

Applicant Name: (If different than Property Owner) _____

Street Address: _____ City: _____ State: _____ Zip Code: _____

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

Description of Request: Rezoning to a R1A for the ability to put up a house on the property for my mother in law.

Zachary David Weberg Erin A Weberg
Property Owner Signature

10/21/19
Date

Zachary David Weberg Erin A Weberg
(Please print name)

Zachary David Weberg
Applicant Signature

10/21/19
Date

Zachary David Weberg
(Please print name)

(OVER)

CERTIFICATE OF SURVEY

LEGAL DESCRIPTION PER DOCUMENT NUMBER 863123:

The Northeast Quarter of the Northwest Quarter of Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota.

PROPOSED LEGAL DESCRIPTION FOR PARCEL A:

The Northeast Quarter of the Northwest Quarter of Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota. EXCEPT the East 200.00 feet of the North 600.00 feet thereof.

Subject to easements, reservations and restrictions of record.

PROPOSED LEGAL DESCRIPTION FOR PARCEL B:

The East 200.00 feet of the North 600.00 feet of the Northeast Quarter of the Northwest Quarter of Section 32, Township 134 North, Range 28 West, Crow Wing County, Minnesota.

Subject to easements, reservations and restrictions of record.

GENERAL NOTES

1. No search for easements or restrictions, recorded or unrecorded, was made by the Surveyor.
2. Bearings shown are based upon the Crow Wing County Coordinate System.
3. The underground utilities shown have been located from field survey information. The surveyor makes no guarantees that the utilities shown comprise all such utilities in the area, either in service or abandoned.
4. No wetlands were delineated as a part of this survey.

I hereby certify that this survey was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

Paul Herkenhoff
Paul Herkenhoff, R.L.S.
License No. 45875

10-22-19
Date

Scale: 1" = 150 feet
Bearings based on assumed datum.

REQUESTED BY:

ZACHARY WEBERG

Lakes Area
SURVEYING
LLC

24314 SMILEY ROAD, SUITE C
NISSWA, MN 56468
OFFICE (218) 961-0090



Drawn by: PDH

Date: 10/22/19

Job No: 19-197

S 00°50'12" W 1326.35

S 89°59'58" W 1328.26

1128.25
BITUMINOUS
SURFACE

DRIVEWAY
CENTERLINE

COUNTY ROAD 49

200.01

PARCEL B
(AREA = 2.75 ACRES)

N 00°32'35" E
600.03

200

PROPOSED
BUILDING
LOCATION

600

600.03

N 89°59'58" E
200.01

S 00°32'35" W 1325.48

725.45

PARCEL A
(AREA = 37.78 ACRES)

NE1/4-NW1/4

SECTION 32, T. 134, R. 28

N 89°57'57" E 1335.07

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Zachary and Erin Weberg, 7757 Wise Road, Brainerd, MN 56401 have submitted a request to rezone the property at 7757 Wise Road from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District. The purpose of this rezoning is to reduce the required lot size to allow for a lot split of less than 20 acres.

The legal description of the property is as follows:

W 822 FT of NE 1/4 of NW 1/4 & also including; NE 1/4 of NW 1/4, Subject to a HWY Easement of Record. Except the W 822 Ft Thereof. Subject to a HWY Easement of Record

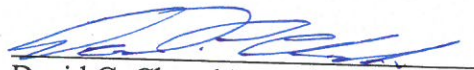
P.I.N. 41320508

Section 32, Township 134, Range 028

A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, November 20, 2019 in the Crow Wing County Board Room at the Historic Court House, 326 Laurel Street, to consider the request.

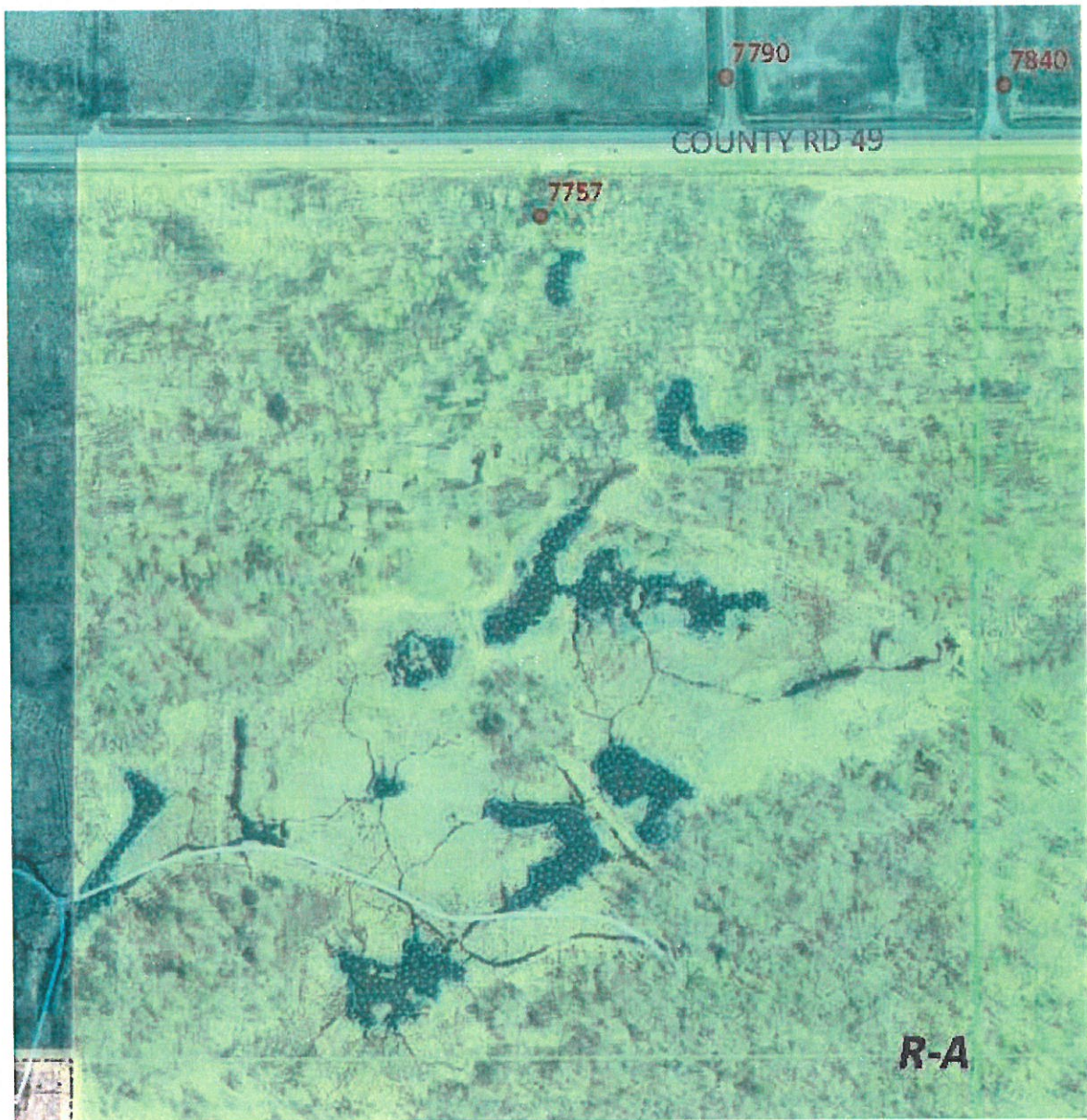
Any individual needing special accommodations or would like more information about this request please call (218) 828-2309.

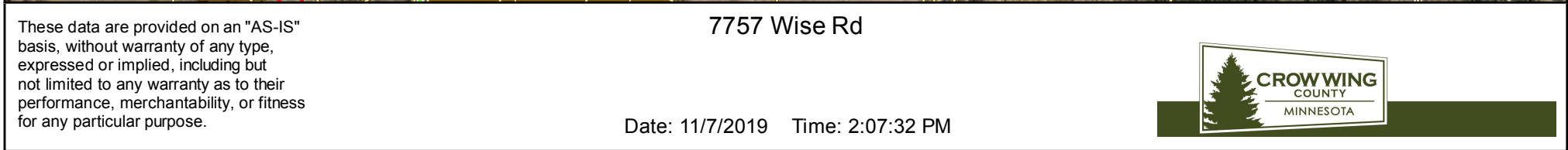
Dated this 8th day of November, 2019.



David C. Chanski, MPA
Community Development Director

See reverse side for map.





Parcel Number	Legacy Parcel Number	Municipality	Owner Name	Owner Address	Owner Add	Owner Add
41290713	080293304BB0889	CITY OF BRAII	FORAN, DOUGLAS A & SARA L	7612 WISE RD	BRAINERD MN	56401
41290712	080293400A00009	CITY OF BRAII	BAUMGARTNER, ROBERT J & LINDA M	7790 WISE RD	BRAINERD, MN	56401
41290711	080293400B00009	CITY OF BRAII	BENSON, MARY L REV TRUST AGR	324 7TH ST N	BRAINERD, MN	56401
41290709	080294300B00009	CITY OF BRAII	TRASK, PETER A	7840 WISE RD	BRAINERD, MN	56401
41290708	080294300C00009	CITY OF BRAII	BJORKLUND, RICHARD A JR & SUSAN L	P O BOX 314	BRAINERD, MN	56401
41320508	080322100B00009	CITY OF BRAII	WEBERG, ZACHARY D & ERIN A	7757 WISE RD	BRAINERD, MN	56401
41320507	080322200AA0009	CITY OF BRAII	WALLIN, TODD JAMES	15932 DELLWOOD DR	BRAINERD, MN	56401
41320506	080322200AB0009	CITY OF BRAII	MERTES, RANDY RENE	15876 DELLWOOD DR	BRAINERD, MN	56401
41320504	80322400000009	CITY OF BRAII	REIKOFSKI, CRAIG	15532 DELLWOOD DR	BRAINERD, MN	56401



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Conditional Use Permit - Garfield Elementary School

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: 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 Garfield Elementary School at 1120 10th Ave NE. The addition includes but is not limited to classrooms, kitchen, office space, and parking lot.	
Alternatives, Options, Effects on Others/Comments: At their regular meeting on Wednesday, November 20, the Planning Commission unanimously approved recommendation of this CUP, citing staff's findings of fact. No conditions were placed on this CUP application.	
Recommended Action/Motion: Motion to approve a Conditional Use Permit to construct an addition to Garfield Elementary School, citing staff's findings of fact.	
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: Planning Commission

FROM: David Chanski, Community Development Director

DATE: November 15, 2019

RE: Garfield Elementary CUP

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 Garfield Elementary School at 1120 10th Ave NE.

The addition includes but is not limited to classrooms, kitchen, office space, and parking lot.

Findings of Fact

1. Garfield Elementary School is located in an R-1 (Single Family Residential) District.
2. The operation of a school in an R-1 District is considered a conditional use per [Section 515-54-5.F](#) of the Code of Ordinances.
3. The proposed addition must meet the following criteria as required by the aforementioned section of the Code:
 - a. The site accesses a major collector.
 - b. The site is landscaped in accordance with [Section 20](#) of the Zoning Code.
 - c. Off-street parking is provided in accordance with [Section 22](#) of the Zoning Code
 - d. Off-street loading and service entrances are provided as regulated by [Section 23](#) of the Zoning Code.
 - e. Emergency vehicle access is provided to and within the site.
4. ISD #181 has submitted a photometric plan, incorporating lighting standards previously discussed with the Harrison Elementary and Brainerd High School projects.
5. ISD #181 has submitted a request to the City Engineer to designate four on-street handicap parking spots along the south curb line of L Street between 10th Ave NE and 11th Ave NE to reduce the necessary parking spots in the proposed parking lot.
6. ISD #181 owns all the properties associated with this project.

As of this writing, a number of parties have contacted the Community Development Department with questions about the project, but none have expressed concerns or objections with it.

Staff Opinion

Staff recommends approval of the CUP application.



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: 1120 10th Ave NE, Brainerd, MN 56401

LEGAL DESCRIPTION: Lot(s): _____ Block: _____ Addition: See attached Certificate of Survey
(attach description if lengthy)

Property Owner Name: Brainerd Public School - ISD 181

Street Address: 804 Oak Street City: Brainerd State: MN Zip Code 56401

Phone Number: 218-454-6900 Fax: 218-454-6901 E-mail: laine.larson@isd181.org

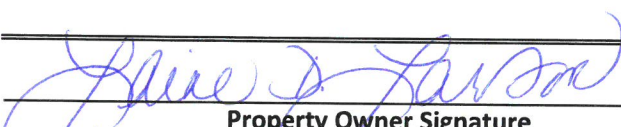
Applicant Name: (If different than Property Owner) Same as Owner

Street Address: _____ City: _____ State: _____ Zip Code: _____

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

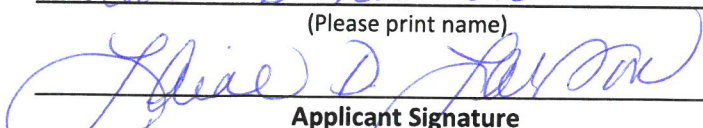
Description of Request: Garfield Elementary Additions & Renovations

Conditional Use Permit for the construction of the Garfield Elementary additions and renovations consisting of; additions including 2 classrooms, a classroom expansion, office addition, kitchen addition, two small special education additions, and new parking lot as indicated on the attached construction documents.


Property Owner Signature

11/06/19
Date

Laine D. Larson
(Please print name)


Applicant Signature

11/06/19
Date

Laine D. Larson
(Please print name)

(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 Garfield Elementary School at 1120 10th Ave NE, including but not limited to classrooms, office space, kitchen, and new parking lot. The properties included in this application are described as:

Lot 12 and the South 30 feet of Lot 13, Block 4, GUSTAFSON'S ADDITION TO THE CITY OF BRAINERD, together with the vacated alley adjacent and accruing thereto

The South 45 feet of Lot 14, and Lot 13, EXCEPT the South 30 feet thereof, Block 4, GUSTAFSON'S ADDITION TO THE CITY OF BRAINERD, and the East ½ of adjacent vacated alley

Lots One (1), Two (2), Three (3), Four (4), Five (5), Six (6), Seven (7), Eight (8), Nine (9), Ten (10), Eleven (11) and Twelve (12), Block One (1), RYAN'S ADDITION TO THE CITY OF BRAINERD and Lots Three (3), Four (4), Five (5), Six (6), Seven (7) and Eight (8), Block Eight (8), SABIN'S ADDITION TO THE CITY OF BRAINERD

Lot One (1), Block Eight (8), SABIN'S ADDITION TO THE CITY OF BRAINERD

Lot Two (2), Block Eight (8), SABIN'S ADDITION TO THE CITY OF BRAINERD

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.

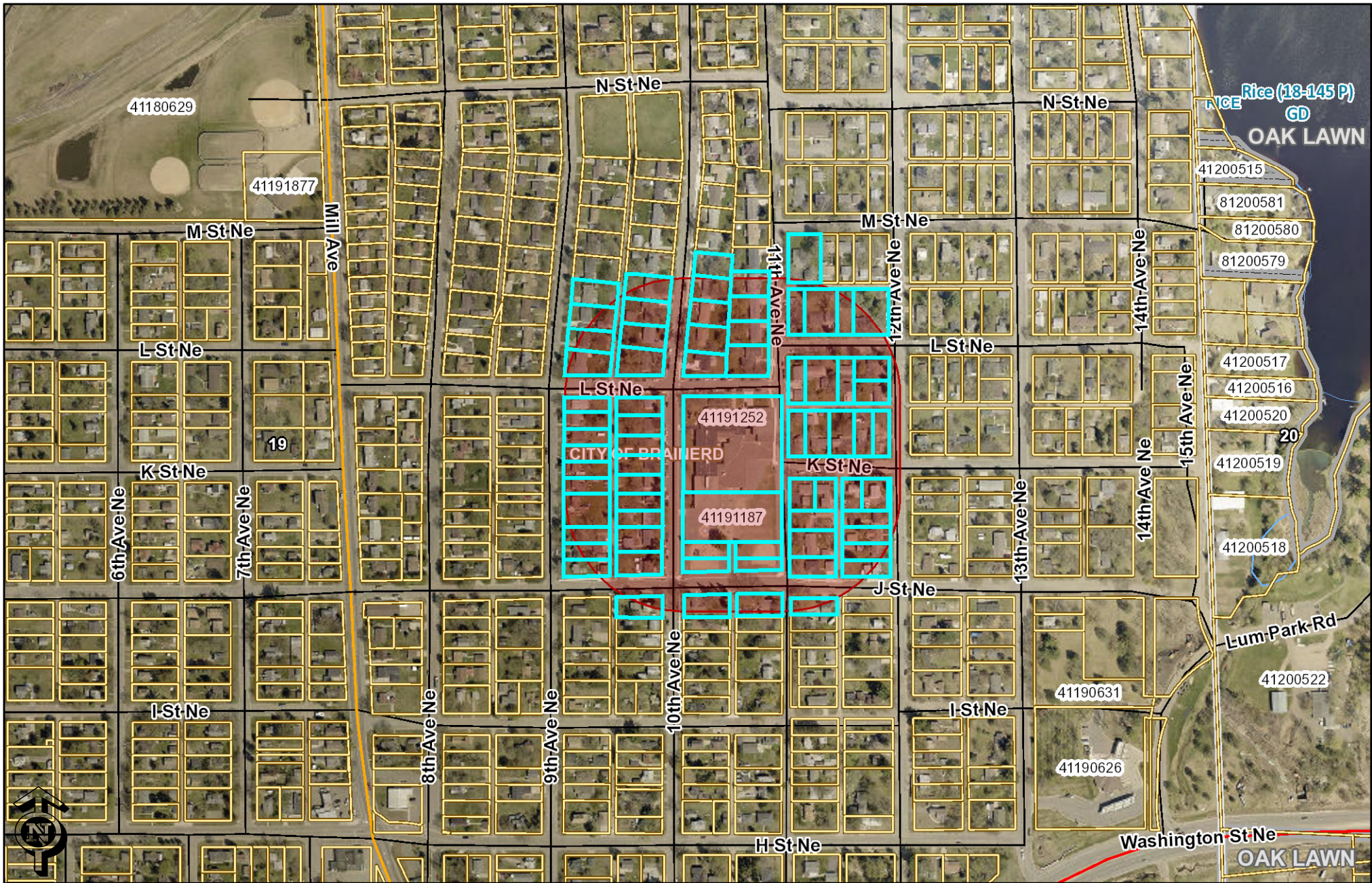
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, November 20, 2019 in the Crow Wing County Board Room at the Historic Court House, 326 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 8th day of November 2019

David C. Chanski, MPA
Community Development Director

Publication Date: November 11th, 2019



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.

1120 10th Ave NE Map

Date: 11/8/2019 Time: 10:52:06 AM



Owner Name	Owner Address	Owner Address 2	Owner Address	Owner Add
ANDERSON, LOUIS F & BARBRA TRU	1211 10TH AVE NE	BRAINERD, MN	56401	
ASHMAN, JACOB T	1102 9TH AVE NE	BRAINERD MN	56401	
BAGWELL, JAMES & VICKIE	151 STEPHANIE DR	KERRVILLE TX	78028	
BECK, BRYAN B & TINA M	1215 11TH AVE NE	BRAINERD MN	56401	
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN	56401	
BRAINERD LAKES PROPERTIES LLC	6343 TEACE RD	BRAINERD MN	56401	
BUEHLER, CHRISTIAN	1205 K ST NE	BRAINERD MN	56401	
BUTZER, DEBRA & CHRISTOPHER	1202 L ST NE	BRAINERD, MN	56401	
CARNER, JAMES & DONNA	1218 10TH AVE NE	BRAINERD MN	56401	
CHRISTENSEN, DYLAN J	1112 9TH AVE NE		BRAINERD MN	56401
CLABO, PETER E	1483 LYNNDAL DR		BAXTER MN	56425
CORY, AMANDA J	1109 10TH AVE NE	BRAINERD, MN	56401	
DAHLHEIM, DAVID A	1206 K ST NE	BRAINERD MN	56401	
DALLY, NATHANIEL D & ROSS, MAD	1202 9TH AVE NE		BRAINERD MN	56401
DEGEN, MICHAEL	10935 GULL LAKE RD	EAST GULL LAKE, MN	56401	
ENDRES, DEBORAH J	1108 9TH AVE NE	BRAINERD, MN	56401	
ENGEL, SCOTT E	1209 K ST NE	BRAINERD, MN	56401	
EVENSEN, DENNIS L	6431 CLEARWATER RD	BAXTER MN	56425	
FREDSTROM, RORY A & JANICE	13682 OAK HOLLOW RD	BRAINERD MN	56401	
FRISTEDT, GOLDIE S	1214 9TH AVE NE	BRAINERD, MN	56401	
FULL HOUSE LLC	29793 E HORSESHOE LAKE F	MERRIFIELD, MN	56465	
GABEL, MARY J	1002 9TH AVE NE	BRAINERD MN	56401	
GAVIN, JOHN M	1210 10TH AVE NE	BRAINERD, MN	56401	
GODEJOHN, JUSTIN & BRIAN KARL	1203 10TH AVE NE	BRAINERD, MN	56401	
GOEDKER, DAVID G & SHERRI K	1201 J ST NE	BRAINERD MN	56401	
H & H PROPERTIES OF MINNESOTA	4689 ASHLEY RD	BAXTER, MN	56425	
HANSEN, LINDA	1113 10TH AVE NE	BRAINERD, MN	56401	
HATCHER, HOWARD S & TRACY L	1207 10TH AVE NE	BRAINERD MN	56401	
HOBSON, STEVEN T & LESLIE J	927 11TH AVE NE	BRAINERD MN	56401	
HORSESHOE PROPERTIES LLC	2523 WOODRIDGE LN	BRAINERD MN	56401	
HUNTER, IVY RAE	6078 DONALD ST		BAXTER MN	56425
IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN	56401	
JAMES, TERRY E & MARVIN G	718 S 7TH		BRAINERD MN	56401

JOHNSON, MARK D	1211 11TH AVE NE	BRAINERD, MN 56401
JOHNSON, NOELLE & HENDRICKSON	1214 K ST NE	BRAINERD MN 56401
KENNEDY, VIRGINIA I	1223 L ST NE	BRAINERD MN 56401
KIENHOLZ, CRAIG S & SANDRA R	1206-10TH AVE NE	BRAINERD MN 56401
KUBESH, JOEL & KATRIA	24121 TURNER LAKE DR	CROSBY, MN 56441
KUSCHEL, DUSTIN L & SARAH M	1008 11TH AVE NE	BRAINERD, MN 56401
LAKES AREA HABITAT FOR HUMANIT	1110 WRIGHT ST	PO BOX 234 BRAINERD MN 56401
LANE, CELESTE A & ROBERT	1202 10TH AVE NE	BRAINERD MN 56401
LARSON, JOHN A	1201 L ST NE	BRAINERD MN 56401
LEVIG, LAURIE L	1101 10TH AVE NE	BRAINERD MN 56401
LINDQUIST, TANNER M	1202 J ST NE	BRAINERD, MN 56401
MARTINSON, LAWRENCE E & ANITA	1202 NE K ST	BRAINERD MN 56401
NELSEN, RILEY & ANJA	1004 11TH AVE NE	BRAINERD MN 56401
NIEMEYER, SHAWN R	1006 9TH AVE NE	BRAINERD MN 56401
NORSTROM, DOUGLAS E & DIANE	610 SW 4TH ST	BRAINERD MN 56401
OROURKE, MARGARET	928 10TH AVE NE	BRAINERD, MN 56401
PARKER, JEAN	1206 9TH AVE NE	BRAINERD MN 56401
RADUNZ, CRISSA L	1206 L ST NE	BRAINERD, MN 56401
RUIS, MATTHEW & CAYANNE	1013 10TH AVE NE	BRAINERD MN 56401
SABA, STEVE L	16 MOBILE HOME ESTATES	DEERING, ND 58731
SMUDE, SARAH A	1123 K ST NE	BRAINERD MN 56401
THESING, SCOTT G	1104 9TH AVE NE	BRAINERD, MN 56401
TIBBETTS-PEYERL, RENEE M	1208 L ST NE	BRAINERD, MN 56401
TRETTER, KATRINA M &	WHEELER, JESSE D	1105 10TH AVE NE BRAINERD, MN 56401
VOIT, ALEXANDER J	1215 10TH AVE NE	BRAINERD, MN 56401
WELU, JONATHAN	1121 10TH AVE NE	BRAINERD, MN 56401
WIELENBERG, JANICE K	1214 10TH AVE NE	BRAINERD MN 56401-7298
ZEBROSKI, MATTHEW J & CHANEL M	13925 GREENWOOD DR	BAXTER MN 56425



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Conditional Use Permit - Lowell Elementary School

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
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Alternatives, Options, Effects on Others/Comments: At their regular meeting on Wednesday, November 20, the Planning Commission unanimously approved recommendation of this CUP, citing staff's findings of fact. No conditions were placed on this CUP application.	
Recommended Action/Motion: Motion to approve a Conditional Use Permit to construct an addition to Lowell Elementary School, citing staff's findings of fact.	
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City of Brainerd

Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: November 15, 2019

RE: Lowell Elementary CUP

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Findings of Fact

1. Lowell Elementary School is located in an R-1 (Single Family Residential) District.
2. The operation of a school in an R-1 District is considered a conditional use per [Section 515-54-5.F](#) of the Code of Ordinances.
3. The proposed addition must meet the following criteria as required by the aforementioned section of the Code:
 - a. The site accesses a major collector.
 - b. The site is landscaped in accordance with [Section 20](#) of the Zoning Code.
 - c. Off-street parking is provided in accordance with [Section 22](#) of the Zoning Code
 - d. Off-street loading and service entrances are provided as regulated by [Section 23](#) of the Zoning Code.
 - e. Emergency vehicle access is provided to and within the site.
4. ISD #181 has submitted a photometric plan, incorporating lighting standards previously discussed with the Harrison Elementary and Brainerd High School projects.
5. ISD #181 has submitted a request to the City Engineer to designate the section of G Street between 3rd Ave NE and 4th Ave NE as a one-way street flowing east to west.
6. ISD #181 has received approval for the City Engineer to stripe the east curb line on 3rd Ave NE between H Street and G Street as bus parking/drop-off.
7. ISD #181 owns all the properties associated with this project.

As of this writing, a number of parties have contacted the Community Development Department with questions about the project, but none have expressed concerns or objections with it.

Staff Opinion

Staff recommends approval of the CUP application.

**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: 623 4th Avenue NE, Brainerd

LEGAL DESCRIPTION: Lot(s): 1 Block: 23 Addition: Farrar and Forsyth's
 (attach description if lengthy) First Addition to Brainerd

Property Owner Name: Richard & Mary McKay

Street Address: 21212 Mail Route K City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-851-4687 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) Laine Larson

Street Address: 804 Oak Street City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-454-6900 Fax: _____ E-mail: laine.larson@isd181.org

Description of Request: Lowell Elementary Addition and Remodel

"Conditional use Permit" for the Construction of the Lowell Elementary Addition and Remodel consisting of; classrooms, kitchen, gym and additional parking lots as indicated on the attached plans.

Laine D. Larson - ISD 181
 Property Owner Signature Laine D. Larson 11/06/19
Rich McKay Date
 (Please print name)
Mary McKay
 Applicant Signature 10/31/2019
 Date
 (Please print name)

Richard and Mary McKay
21212 Mail Route Road
Brainerd, MN 56401
218-851-4687

October 31, 2019

Mr. David Chanski
Community Development Director
501 Laurel Street
Brainerd, MN 56401

Subject: Brainerd Lowell Elementary Conditional Use Permit Approval

Dear Mr. Chanski,

As the owner of the property located at 623 4th Ave. NE Brainerd, MN 56401, I am submitting this letter of approval for the conditional use permit application regarding the Brainerd Lowell Elementary School construction project. The school district and I have a signed purchase agreement in place, for the property listed above, with a closing date on January 3, 2020.

Should you have any questions regarding this approval, please contact us.

Sincerely,



Richard and Mary McKay

10/31/2019

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 Lowell Elementary School at 704 3rd Ave NE, including but not limited to classrooms, kitchen, gym, and parking lot. The properties included in this application are described as:

Block number twenty-six (26) in FARRAR AND FORSYTH'S FIRST ADDITION TO THE CITY OF BRAINERD

Lots Eleven (11) and Twelve (12), Block Twenty-three (23), FARRAR AND FORSYTH'S FIRST ADDITION TO THE CITY OF BRAINERD

Lot 2, Block 23, FARRAR AND FORSYTH'S FIRST ADDITION TO THE CITY OF BRAINERD

Lot One (1), Block Twenty-three (23), FARRAR AND FORSYTH'S FIRST ADDITION TO THE CITY OF BRAINERD

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.

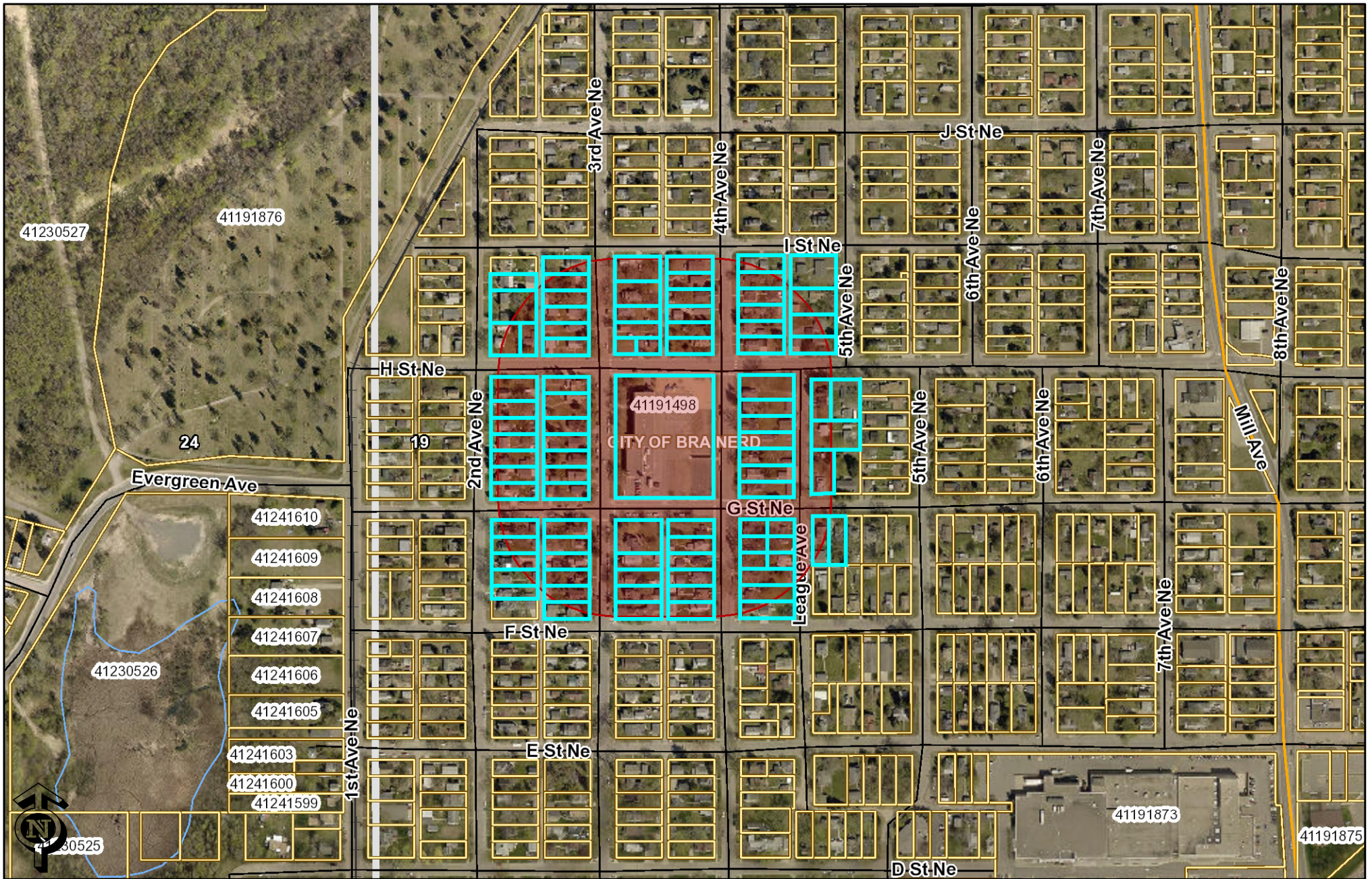
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, November 20, 2019 in the Crow Wing County Board Room at the Historic Court House, 326 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 8th day of November 2019

David C. Chanski, MPA
Community Development Director

Publication Date: November 11th, 2019



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.

704 3rd Ave NE - Lowell School

Date: 11/8/2019 Time: 10:40:36 AM



Owner Name	Owner Address	Owner Address 2	Owner Address 3	Owner Address 4
ABEAR, ALBERT W & DONNA	1577 36TH AVE SW	BACKUS, MN 56435		
ANDERSON, GAYLE A	608 2ND AVE NE	BRAINERD MN 56401		
BADE, JASON & JENNIFER	615 4TH AVE NE	BRAINERD, MN 56401		
BANKS, TRISTAN M & WENDY	611 3RD AVE NE	BRAINERD, MN 56401		
BECKER, CANDY M	819 4TH AVE NE	BRAINERD, MN 56401		
BEMENT, HARRY & ARLISS	11279 ASH AVE	BRAINERD, MN 56401		
BENSON, DONALD R	7010 JONQUIL LN N	MAPLE GROVE, MN 55369		
BENSON, STEVEN G & TRACY TJADEF	816 3RD AVE NE	BRAINERD MN 56401		
BIEDERMAN, BRUCE & LEFFLER, MAI	13584 N SYLVAN DAM RD SW		PILLAGER MN 56473	
BIPES, JEFFREY D	811 3RD AVE NE		BRAINERD MN 56401	
BLOCK, TROY & SUZANNE	26257 370TH AVE	HILLMAN, MN 56338		
BOCK, THOMAS C	PO BOX 123	BRAINERD MN 56401		
BRAATZ, JAMES A	603 4TH AVE NE	BRAINERD, MN 56401		
BROWER, SHARON J	617 3RD AVE NE	BRAINERD MN 56401		
BUESGENS, MELANIE	501 G STREET NE	BRAINERD, MN 56401		
BURGSTALER, JAMES B & AURORA	404 4TH AVE NE	BRAINERD MN 56401		
BUSHOR, RAY E SR & CRENA M	P O BOX 1239	BRAINERD, MN 56401		
CAIN, LEAH M	813 4TH AVE NE	BRAINERD MN 56401		
CAMERON, RICHARD & LORI ZENK	607 3RD AVE NE	BRAINERD, MN 56401		
COSERT, TODD A & MOLLY DEJONGH	718 2ND AVE NE	BRAINERD, MN 56401		
COUNTRYMAN, ANNE	722 2ND AVE NE	BRAINERD, MN 56401		
DAVIS, TIMOTHY J & PATTY A	808 3RD AVE NE	BRAINERD MN 56401		
DEGEN, MICHAEL	10935 GULL LAKE RD	EAST GULL LAKE, MN 56401		
DELLACECCA, ROSS A	1724 HARTFORD LN	CRYSTAL LAKE, IL 60014		
DENNY, LEWIS E	606 4TH AVE NE	BRAINERD, MN 56401		
DISTERHAUPT, CATHERINE & SHAWI	203 H ST NE		BRAINERD MN 56401	
EBINGER, JOHN M & SUSAN M	10773 RIVER HILLS CIR	BRAINERD MN 56401-2146		
ELFSTRAND, SUZANNE	727 3RD AVE NE	BRAINERD, MN 56401		
ERLANDSON, DAVID L & ANNETTE F	8776 DAL MAR DR	BRAINERD MN 56401		
ETHIER, DANIEL R & BRENDA K	608 3RD AVE NE	BRAINERD, MN 56401		
FISHER, TODD A	502 G STREET	BRAINERD MN 56401		
FLANAGAN, LEESHA MARIE	729 3RD AVE NW	BRAINERD, MN 56401		
FRANCIS, MICHAEL & SHAMEAN	604 4TH AVE NE	BRAINERD, MN 56401		

GILB, TRENT & ALINE G	710 2ND AVE NE	BRAINERD, MN 56401	
GOEDDERZ, JAMES F	811 4TH AVE NE	BRAINERD MN 56401	
GOODRICH, WALLACE D	PO BOX 608	BREEZY POINT MN 56472	
GROENWOLD, JOHN & AMANDA	13713 OLIVEWOOD DR		BAXTER MN 56425
HAMANN, RAMANTHA L	820 2ND AVE NE		BRAINERD MN 56401
HEINZ, TRACEY	720 4TH AVE NE	BRAINERD, MN 56401	
HERMAN, DREW M	1941 BIRCH LAKE AVE	WHITE BEAR LAKE, MN 55110	
HERRON, ROBERT W	824 3RD AVE NE	BRAINERD MN 56401	
HOAGLAND, CAROL M	824 4TH AVE NE		BRAINERD MN 56401
HOHEISEL, PAUL & GLENDA TRUST A	15668 NELS JOHNSON R	BRAINERD, MN 56401	
HOLM, CHRIS M	814 4TH AVE NE	BRAINERD MN 56401	
HOLMVIG, ERIC S	615 LEAGUE AVE	BRAINERD, MN 56401	
HOSKINS, SHELLEY	817 3RD AVE NE	BRAINERD MN 56401	
HOWARD, STEVEN M	624 2ND AVE NE	BRAINERD MN 56401	
IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN 56401	
JELACIE, MARIAN	616 2ND AVE NE	BRAINERD MN 56401	
JOHNSON, JULIE	815 5TH AVE NE	BRAINERD, MN 56401	
JOHNSON, PAUL D & KLARISE E	502 L ST	BRAINERD MN 56401	
KATZENBERGER, CHAD	9153 COUNTY ROAD 23	BRAINERD, MN 56401	
KERN, DOUGLAS J & SUSAN M	11039 GREENWOOD ST	BRAINERD MN 56401	
LAKEVIEW LOAN SERVICING LLC	80 HOLTZ DR		CHEEKTOWAGA NY 14225
LEMOINE, JEREMY S	702 2ND AVE NE	BRAINERD, MN 56401	
LIND, AMY J & JOSEPH A EBERLY	510 H ST NE	BRAINERD, MN 56401	
LINDBERG, MICHAEL L & LAURIE	823 3RD AVE NE	BRAINERD, MN 56401	
LORIMOR, DIANNA	16380 BIRCHWOOD LN	BRAINERD, MN 56401	
MAREK, STEVEN L & JANA M	502 H ST NE	BRAINERD, MN 56401	
MARTIN, THOMAS J	C/O JOHN & MARGARET	616 NE 3RD AVE	BRAINERD, MN 56401
MCKAY, RICHARD G & MARY	21212 MAIL ROUTE RD	BRAINERD MN 56401	
MCLAIN, COLIN D & AMY M	C/O ROBERT MCLEAN &	2331 DANCING WIND R	PINE RIVER, MN 56474
MILLER, LEXIE	802 4TH AVE NE	BRAINERD, MN 56401	
NEWMAN, KARON G	701 3RD AVE NE	BRAINERD MN 56401	
NORTHWOOD PARTNERS , LLC	29793 E HORESHOE LAK	MERRIFIELD MN 56465	
PECK, ALEXEI N H	724 2ND AVE NE	BRAINERD, MN 56401	
PICKAR, RICK & LINDA	9968 ST MATHIAS RD	BRAINERD, MN 56401	

PIERCE, JIMMIE A	805 5TH AVE NE	BRAINERD, MN 56401	
PIPENHAGEN, LUCAS	211 H ST	BRAINERD, MN 56401	
POTTER, STEVEN T	620 4TH AVE NE	BRAINERD MN 56401	
PRIBBENOW, DENA DENTI	801 3RD AVE NE	BRAINERD, MN 56401	
REITH, KELLY	612 2ND AVE NE	BRAINERD, MN 56401	
ROBERTS, HOLLY M	716 2ND AVE NE	BRAINERD, MN 56401	
SACCONI-SELINGER, DAVID L &	JEANETTE	708 2ND AVE NE	BRAINERD, MN 56401
SALFER, ROSS A & MELISSA A	605-4TH AVE NE	BRAINERD MN 56401	
SAM INVESTMENT PROPERTIES LLC	9534 LIBBY LN	BRAINERD, MN 56401	
SCAMMAHORN, RAYMOND J & DAN	713 3RD AVE NE	BRAINERD, MN 56401	
SCHWENDEMAN, CHAD & MELISSA	7153 FORTHUN RD #12C	BAXTER, MN 56425	
SIMON, GREGORY & MARIA A	823 4TH AVE NE	BRAINERD, MN 56401	
SMITH, CHRISTOPHER & LAURIE	601 3RD AVE NE	BRAINERD, MN 56401	
TAURING, JOSHUA N & ABBEY L	711 3RD AVE NE	BRAINERD, MN 56401	
TAX FORFEITED	CROW WING COUNTY L	322 LAUREL ST STE 15	BRAINERD, MN 56401-3590
TULENCHIK, JOYCE & ROGER	4301 44TH ST SW	PINE RIVER, MN 56474	
WESTER, DUSTIN	812 3RD AVE NE	BRAINERD, MN 56401	
WHALEN, MARY BETH	813 3RD AVE NE	BRAINERD, MN 56401	
ZELL, VICTORIA A	26801 EDNA LAKE RD	NISSWA, MN 56468	



Brainerd City Council Agenda Request

Requested Meeting Date: December 2, 2019

Title of Item: Conditional Use Permit - Riverside Elementary School

☐ 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: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 2 minutes
Summary of Issue: 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 Riverside Elementary School at 220 3rd St NW. The addition includes but is not limited to gym, finishes, and service entry update.	
Alternatives, Options, Effects on Others/Comments: At their regular meeting on Wednesday, November 20, the Planning Commission unanimously approved recommendation of this CUP, citing staff's findings of fact. No conditions were placed on this CUP application.	
Recommended Action/Motion: Motion to approve a Conditional Use Permit to construct an addition to Riverside Elementary School, citing staff's findings of fact.	
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: Planning Commission

FROM: David Chanski, Community Development Director

DATE: November 15, 2019

RE: Riverside Elementary CUP

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 Riverside Elementary School at 220 3rd St NW.

The addition includes but is not limited to gym, finishes, and service entry update.

Findings of Fact

1. Riverside Elementary School is located in an R-3 (High Density Residential) District.
2. The operation of a school in an R-3 District is considered a conditional use per [Section 515-57-5.I](#) of the Code of Ordinances.
3. The proposed addition must meet the following criteria as required by the aforementioned section of the Code:
 - a. The site accesses a major collector.
 - b. The site is landscaped in accordance with [Section 20](#) of the Zoning Code.
 - c. Off-street parking is provided in accordance with [Section 22](#) of the Zoning Code
 - d. Off-street loading and service entrances are provided as regulated by [Section 23](#) of the Zoning Code.
 - e. Emergency vehicle access is provided to and within the site.
4. All proposed additions and renovations appear to meet the shoreland management regulations set forth in [Section 530](#) of the Code of Ordinances.
5. ISD #181 owns all the properties associated with this project.

As of this writing, one neighbor to Riverside Elementary has contacted the Community Development Department with questions about the project, but did expressed concerns or objections with it.

Staff Opinion

Staff recommends approval of the CUP application.



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: 220 NW 3rd St NE Brainerd, MN 56401

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

Property Owner Name: Brainerd Public Schools ISD #181

Street Address: 804 Oak Street City: Brainerd State: MN Zip Code 56401

Phone Number: 218-454-6900 Fax: _____ E-mail: _____

Applicant Name: (If different than Property Owner) Laine Larson

Street Address: 804 Oak Street City: Brainerd State: MN Zip Code: 56401

Phone Number: 218-454-6900 Fax: _____ E-mail: laine.larson@isd181.org

Description of Request: Riverside Elementary Addition and Remodel

"Conditional Use Permit" for the construction of the Riverside Elementary Addition and Remodel
consisting of; service entry update, gym addition, and finishes updates.

Laine D. Larson
Property Owner Signature

11/06/19
Date

Laine D. Larson
(Please print name)

Laine D. Larson
Applicant Signature

11/06/19
Date

Laine D. Larson
(Please print name)

(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 Riverside Elementary School at 220 3rd St NW including but not limited to gym, finishes, and service entry update. The properties included in this application are described as:

Parcel I. Lot One (1) and South half of Lot Two (2). Together with vacated portion of Second Street, Block Eighteen (18), WEST BRAINERD

Parcel II North half of Lot Two (2), and all of Lot Three (3), together with vacated portion of Second Street, Block Eighteen (18), WEST BRAINERD

Parcel III Lot Four (4) and South half of Lot Five (5) together with vacated portion of Second Street, Block Eighteen (18), WEST BRAINERD

Parcel IV North Half of Lot Five (5), and all of Lot Six (6), together with vacate portions of Second Street and Charles Street, Block Eighteen (18), WEST BRAINERD

Parcel V Block Twenty (20), WEST BRAINERD together with vacated portion, if any, of Charles Street,

Block Thirty-eight (38) WEST BRAINERD ADDITION TO THE CITY OF BRAINERD including the vacated alley in said Block Thirty-Eight (38) and including the adjoining portion of the abandoned NW 2nd Street, excepting the Highway #371-#210 Right-of-Way

Block Twenty-two (22), WEST BRAINERD ADDITION TO THE CITY OF BRAINERD,

The properties are zoned R-3 (High Density Residential) District and Zoning Ordinance Section 57-5.I (High Density Residential) District Conditional Uses permits the operation of public and private schools provided that they meet the required provisions as listed under Section 57-5.I. A copy of the proposed site plan is on file for review at the Community Development Department.

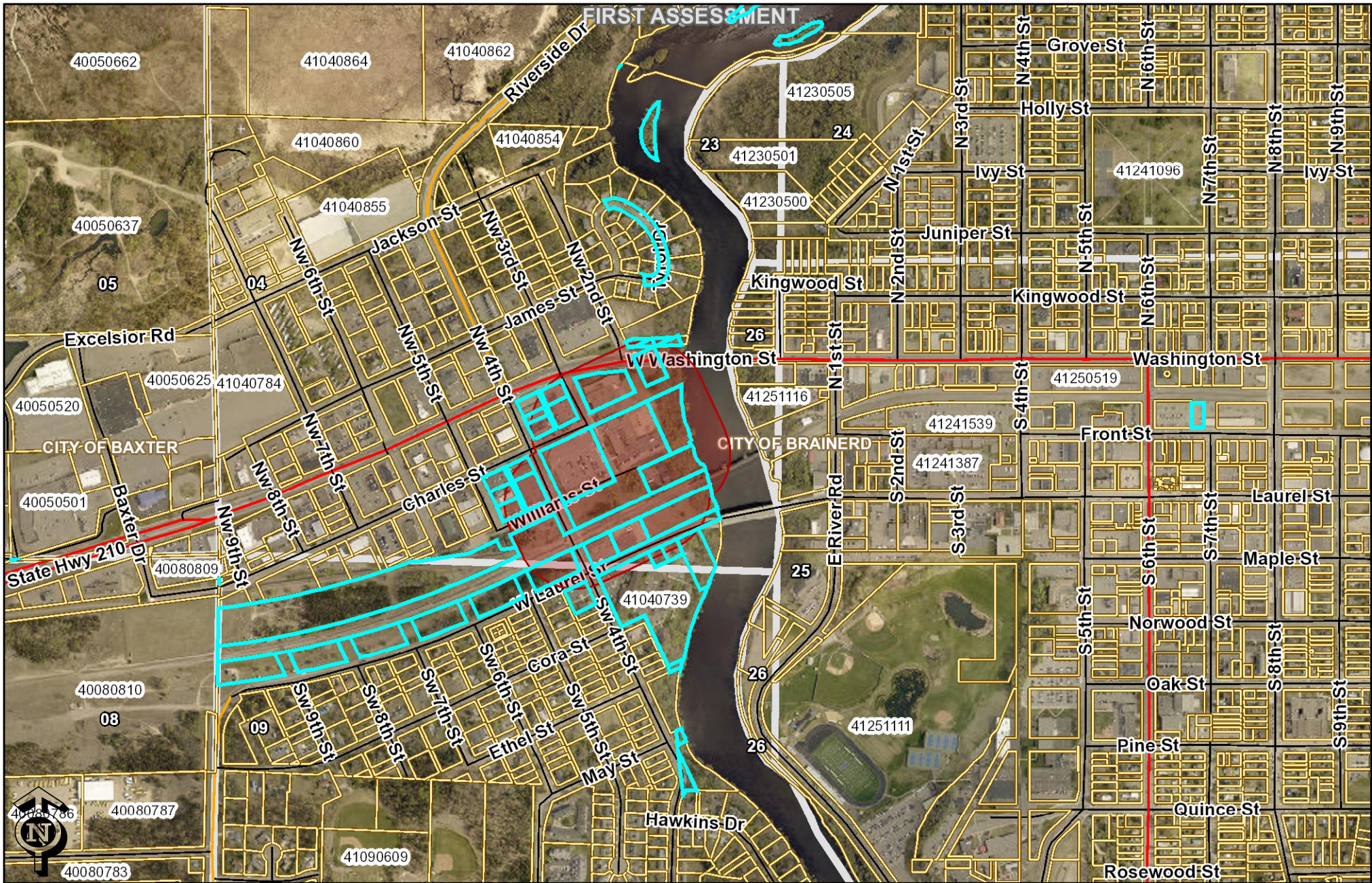
A Public Hearing will be conducted by the Brainerd Planning Commission at 6:00 p.m. Wednesday, November 20, 2019 in the Crow Wing County Board Room at the Historic Court House, 326 Laurel Street, to consider the Conditional Use Permit request.

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

Dated this 8th day of November 2019

David C. Chanski, MPA
Community Development Director

Publication Date: November 11th, 2019



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.

205 W Washington St - Map

Date: 11/8/2019 Time: 12:20:00 PM



Owner Name	Owner Address	Owner Address 2	Owner Address 3	Owner Add
CORRAL AUTO REPAIR LLC	303 W WASHINGTON ST		BRAINERD MN	56401
IND SCHOOL DIST, # 181	804 OAK ST	BRAINERD, MN		56401
KUMMET, LLOYD G	2009 LIC/O RICHARD KUMM	1820 S 8TH ST	BRAINERD, MN	56401
LAVALLE, DENNIS W & JULI	12096 SCENIC RIVER	BAXTER, MN		56425
MISSISSIPPI TERRANCE PAF	175 7TH AVE S	WAITE PARK, MN		56387
NORTH MEMORIAL HEALTH ACCOUNTING DEPT		3300 OAKDALE AVE N	ROBBINSDALE, MN	55422
NORTH MEMORIAL HEALTH	210 NORTHWEST 5TH	BRAINERD, MN		56401
NORTHERN PINES MENTAL P O BOX 367		LITTLE FALLS, MN		56345
NORTHERN STATES INVEST PO BOX 327		BRAINERD, MN		56401
NOVOTNY, LARRY L	2400 BRADFORD BAY	ALEXANDRIA, MN		56308
SIMON, WILLIAM M & SUS.	9613 LEISURE LN	BRAINERD MN		56401
STATE OF MINNESOTA DEP	395 JOHN IRELAND BI MAILSTOP 631 (DP)		ST PAUL MN	55155
THELEN - HAGLIN LLC	1717 13TH ST SE	BRAINERD MN		56401
TRI AXIS ENTERPRISES LLC	310 W LAUREL ST		BRAINERD MN	56401
TT OF BRAINERD LLC	13754 TWO MILE RD	BRAINERD, MN		56401