

CITY COUNCIL AGENDA

Brainerd, Minnesota

TUESDAY September 8, 2020

7:30 P.M.

City Hall Council Chambers-Council and Staff Only

THE PUBLIC WILL NOT BE ALLOWED TO ATTEND IN PERSON

CALL IN INFORMATION

CALL TOLL-FREE: 1-844-992-4726

Access Code: 146 838 3987

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

2. **Roll Call**

___ K. Stunek ___ D. Pritschet ___ K. Bevans ___ W. Erickson

___ T. Erickson ___ J. Lambert ___ G. Johnson ___ Mayor Badeaux

3. **Pledge Of Allegiance**

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

5. **Consent Calendar**

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

A. **Approval Of Minutes**

1. Regular Meeting Held on August 17, 2020

Documents:

20200817_CC draft.pdf

B. **Approval Of Licenses**

Contractor Licenses - 5

Documents:

2020-09-02 Contractor License Report.pdf

C. **Department Activity Reports**

1. Fire Chief
2. Parks Director

Documents:

Fire Chief Report.pdf

Parks Director.pdf

D. EDA Annual Report To Council

Documents:

EDA Annual Report to Council.pdf

E. Last Turn Saloon Building Permit Denial Findings Of Fact

Documents:

Last Turn Saloon.pdf

6. Presentations

A. Splash Pad Presentation

Documents:

Splash Pad.pdf

B. 2019 Airport Annual Report - Mr. Steven Wright

7. Council Committee Reports

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

WebEx Teleconference Call In Information

- Call Toll-Free: 844-992-4726
- Access Code: 146 371 2266

Documents:

20200908_PF.pdf

1. Approval Of Bills
2. Ratification Of Hiring Street And Sewer Maintenance I Personnel

Documents:

Ratification of Hiring.pdf

3. Retirement Of Police Chief Corky McQuiston

Documents:

Retirement of Chief McQuiston.pdf

4. Long-Term Disability Insurance Request For Proposals Results

Documents:

Long-Term Disability.pdf

5. Update On 2021 Health Insurance Request For Proposals

Documents:

Update on 2021 Insurance.pdf

6. Loan Subordination

Documents:

Loan Subordination.pdf

B. Safety And Public Works Committee - 4:30 P.M.

WebEx Teleconference Call In Information

- Call Toll-Free: 844-992-4726
- Access Code:146 617 7244

Documents:

20200908_SPW.pdf

1. Event/Street Closure Application - Fire Department Open House

Documents:

Event and Street Closure - Fire Dept Open House.pdf

2. Improvement 20-03 - 2020 Large Patching Project Final Pay Estimate

Documents:

IMP 20-03 - 2020 Large Patch Final Pay.pdf

3. Request To Construct Police Impound Lot

Documents:

Impound Lot.pdf

4. Garbage Haulers And Canisters - Discussion Item

Documents:

Garbage Haulers.pdf

8. Unfinished Business

A. Committee Resignations - Accept With Regret

- Yvette Campbell, Economic Development Authority (EDA)

Documents:

Campbell - resignation.pdf

B. Committee Recommendations - Recommended By Mayor Badeaux

- Michael O'Day - Economic Development Authority (EDA)
Renewal - Term to Expire 09/07/2026

Documents:

ODay, Michael - EDA.pdf

C. Committee Recommendations - Recommended By Council President

- Keith Riedel - Airport Commission

Documents:

Reidel, Keith - Airport Commission.pdf

D. Call For Applicants - Informational

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

Mayor Recommended: (terms to expire 12/31 of said year)
Cable TV Advisory Committee - 1 term (Expire 2021) - 2 terms (Expire 2022)
Charter Commission - 2 terms (Expire 2020)

Mayor Recommended: (term to expire 09/07 of said year)
Economic Development Authority (EDA) - 1 term (Expire 2021)

Council President Recommended: (term to expire 12/31 of said year)
Airport Commission - 1 term (Expire 2021)

Other - Applicants Needed
Water Tower Committee
Parking Commission

9. New Business

- A. New On-Sale Liquor, Sunday Liquor And Off-Sale Liquor License Applications - Submitted By Northern Pacific Hospitality LLC DbA Notch 8, 1551 Northern Pacific Rd, Brainerd**

Documents:

On Sale-Sunday Liquor-Off Sale Liquor License .pdf

B. Proposed Ordinance No. 1510 - Amending The Rural Service District - Public Hearing & First Reading

- a. Hold Public Hearing
- b. City Administrator Bergman Recommends to Dispense with the Actual Reading
- c. Hold the First Reading of Proposed Ordinance No. 1510

Documents:

Proposed Ordinance No. 1510.pdf

C. Public Works Department - Discussion Item

Documents:

Public Works Dept.pdf

10. Planning Commission

A. Variance Request - 515 S. 9th St - Setbacks For Duplex Development

Documents:

Variance Request.pdf

11. Public Forum

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

12. Staff Reports

(Verbal: Any Updates since Packet)

13. Council Member Reports

14. Adjourn To Budget Workshop To Be Held Monday, September 14, 2020, 6:00 P.m. At The Fire Department Training Room

Personnel & Finance Committee will meet at 6:45 PM in Council Chambers

PUBLIC CALL IN - WebEx Teleconference Call In Info:

Call Toll-Free: 844-992-4726

Access Code:146 371 2266

Safety & Public Works Committee will meet at 4:30 PM in Council Chambers

PUBLIC CALL IN - WebEx Teleconference Call In Info:

Call Toll-Free: 844-992-4726

Access Code:146 617 7244

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
August 17, 2020**

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

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

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE AGENDA.

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

MOVED AND SECONDED BY ALDERMEN LAMBERT AND T. ERICKSON TO APPROVE THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on August 3, 2020 - Approved

B. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

C. Consider Letter of Support for CLTA Grant Application - Approved

D. Recurring Event Application – Produce Pop-Up - Approved

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

Appeal – Last Turn Saloon Building Permit Denial - Approved

Community Development Director Chanski gave a brief review of the building permit that was requested by Ed Mattson, the owner of the Last Turn Saloon to convert the saloon at 214 S. 8th Street into apartments. He indicated the decision to deny the permit is the proposed use is not supported by Section 515-62-1 of the zoning code.

City Attorney Langel stated the owner and their attorney are present to speak on the reason for the appeal.

The Chair recognized Ms. Ginny Knudson, attorney with Borden, Steinbauer, Krueger & Knudson and Mr. Ed Mattson, owner of the Last Turn Saloon. Ms. Knudson and Mr. Mattson indicated the ordinance can be interpreted different ways and stated the property does not have a retail first floor space. They stated there is a first floor office that could be altered and accessed from the street. They explained the purpose and intent of the proposed remodel project.

August 17, 2020 - **DRAFT**

Council discussion took place.

MOVED BY ALDERWOMAN LAMBERT TO REVERSE THE DECISION OF COMMUNITY DEVELOPMENT DIRECTOR CHANSKI TO DENY THE PERMIT AND ALLOW THE PROPERTY OWNER TO PROCEED.

The motion dies for lack of a second.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO UPHOLD THE DECISION TO DENY THE PERMIT BY COMMUNITY DEVELOPMENT DIRECTOR CHANSKI AND DIRECT STAFF TO COMPLETE FINDINGS OF FACT FOR THE BASIS OF THE DENIAL.

Upon roll call, members Stunek, Pritschet, W. Erickson, T. Erickson, and Johnson voted "aye". Member Lambert voted "nay". Member Bevans abstained from voting. The Chair declared the motion carried.

Presentations

Community Development Director Chanski gave a presentation of the activities of the Community Development Department this year to date. He reviewed the number of building permits issued, inspections and pending projects along with code compliance details and River to Rail projects. The Chair thanked him for the presentation.

Council Committee Reports

Safety & Public Works Committee Report

Improvement 20-09 – Laurel Street Bridge Repair Final Costs - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL COSTS TO LANDWEHR CONSTRUCTION FOR THE LAUREL STREET BRIDGE REPAIR IN THE TOTAL TIME AND MATERIALS COST OF \$38,219 AND DEPENDENT ON APPROVAL OF THE P&F AGENDA BILLS AND PAYMENTS TO CONTRACTORS.

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

Improvements 13-21, 19-09, 19-16, 19-20, and 19-21 – NE Brainerd Reconstruction Project – Change Order 3 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE CHANGE ORDER 3 IN THE TOTAL AMOUNT OF \$41,002 FOR IMPROVEMENTS 13-21, 19-09, 19-16, 19-20 AND 19-21 NE BRAINERD RECONSTRUCTION PROJECT.

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

Improvements 16-09, and 19-07 – Buffalo Hills Lane and Mississippi Drive Reconstruction – Change Order 4 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE CHANGE ORDER 4 IN THE TOTAL AMOUNT OF \$46,823 FOR IMPROVEMENTS 16-09 AND 13-21 BUFFALO HILLS LANE AND MISSISSIPPI DRIVE RECONSTRUCTION PROJECT.

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

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>
Landwehr Const.	20-09	Laurel St Bridge Repairs	\$38,219

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

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

Street Maintenance I Hiring - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO AUTHORIZE STAFF TO HIRE THREE INDIVIDUALS FOR THE STREET MAINTENANCE I POSITIONS AT THIS TIME.

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

Disposal of Street Department Equipment - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO AUTHORIZE STAFF TO SELL ALL THREE PIECES OF EQUIPMENT ON PUBLIC SURPLUS AUCTION WITH THE FUNDS FROM THE SALES TO GO INTO THE CAPITAL FUND.

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

Disposal of Retired Police Vehicle - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO AUTHORIZE THE SALE OF RETIRED POLICE VEHICLE UNIT #441 UTILIZING CENTRAL MINNESOTA DEALER AUCTION.

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

Police Officer Hiring Ratification - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO AFFIRM THE HIRING OF POLICE OFFICER SAMUEL JUDD STARTING AT LELS 2020 STEP 1 RATE OF \$27.43/HOUR WITH A STARTING DATE OF AUGUST 14, 2020.

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

Request to Enter Rural Service District

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO ADD THE PROPERTY PID 41330756 TO THE CITY'S RURAL SERVICE DISTRICT AND DIRECT THE PLANNING AND ZONING TO RE-EXAMINE THE RURAL SERVICES DISTRICT ORDINANCES TO REVIEW THE USEFULNESS OF SERVING THE CITY AND RESIDENTS AND RETURN TO THE COUNCIL WITH A PROPOSED ORDINANCE AMENDMENT.

Committee Chair Pritschet indicated Mr. Greg Jedlinski, 9089 Dal-Mar Drive, is requesting the property be added as he is not serviced by City sewer and water.

Council discussion took place.

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

2021 Budget Proposed Timeline - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO SET THE BUDGET WORKSHOP FOR MONDAY, SEPTEMBER 14, 2020 AT 6:00 P.M.

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

2019 Tax Increment Financing (TIF) Report Summary - Informational

Committee Chair Pritschet stated the TIF report was provided to Council and filed accordingly prior to the August 1, 2020 deadline.

Unfinished Business

Committee Resignations – Accept with Regret

MOVED AND SECONDED BY ALDERMEN T. ERICKSON AND STUNEK TO ACCEPT WITH REGRET THE RESIGNATION OF STACI HEADLEY FROM THE AIRPORT COMMISSION.

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

Committee Recommendations – Recommended by Mayor Badeaux

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO APPOINT CHARLES MAROHN TO THE PARKING COMMISSION AND CHARTER COMMISSION.

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

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 2021) - 2 terms (Expire 2022)

Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – *1 pending appointment*

Council President Recommended: (term to expire 12/31 of said year)

Airport Commission – 1 term (Expire 2021)

Other

Water Tower Fundraising Committee

Parking Commission

Consider Revised COVID Relief Funds (CRF) Expenditures - Approved

City Administrator Bergman and Finance Director Hillman explained the revisions that were made to the proposed COVID expenditures spreadsheet. Mr. Tim Houle, Crow Wing County administrator and Mr. Tyler Glynn, BLAEDC executive director answered questions from the Council.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK TO APPROVE THE REVISED EXPENDITURES FOR THE CRF FUNDS AND POOL WITH CROW WING COUNTY IN THE AMOUNTS OF \$300,000 FOR SMALL BUSINESS GRANTS AND \$100,000 FOR NON-PROFITS.

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

Public Forum

The Chair opened the public forum at 9:16 p.m.

No one came forward.

The Chair closed the public forum at 9:17 p.m.

Staff Reports

City Administrator Bergman stated the doors to City Hall are now open to the public without controlled access from 7:30 a.m. to 4:30 p.m. daily.

Council Member Reports

Council Member Bevans indicated the concerts taking place in Gregory Park sponsored by The Center on Thursday nights have been well attended and encourages everyone to join.

Council Member Johnson announced the Brainerd HRA has extended a job offer to Eric Charpentier to fill the position of Executive Director and will be starting in a couple weeks.

Adjourn to In-Person Meeting with the Crow Wing County Board of Commissioners, Brainerd City Council and the Evergreen Cemetery Board on August 26, 2020 at 4:00 p.m.

The Council adjourned at 9:20 p.m.

Jennifer Bergman
City Administrator

Contractor List

09/02/2020

Contractor Name	Address	Local License #	Licensee Type
G&J AWNING & CANVAS, INC. BETH BRENNY	1260 10TH ST N (320) 255-1733	2020-0001	Awnings
HAGEMEIR EXCAVATING LLC LUCY HAGEMEIER	27043 COUNTY ROAD 23 (320) 548-3240	2020-0003	Excavator
HIGH-MARK BUILDING PROFESSIONALS L DANIEL YLITALO	30948 US HWY 71 (218) 255-5759	2020-0001	Carpentry
PRECISE REFRIGERATION, HEATING & AC MIKE LYON	628 19TH AVE NE (320) 363-7401	2020-0007	Plumbing Contractor
WATSON REFRIGERATION, LLC MARC WATSON	13891 CTY RD 140 (320) 685 7668	2020-0010	Mechanical

Totals: 5

Population: All Records
Licensee.DateRegistered Between 8/13/2020 12:00:00 AM AND 9/2/2020 12:00:00 AM

Brainerd Fire Department

To: Mayor and City Council
From: Tim Holmes, Brainerd Fire Chief
Date: September 1, 2020
Re: August Activity Report

August 2020 goes in our books as the busiest month so far this year. Despite the changes related to COVID-19, we continue to be busy operationally. We have had an increase in the number of fire alarms and an increasing number of them have been related to cooking incidents. With National Fire Safety focusing on Fire Safety in the Kitchen, we want to remind everyone to make sure they are present when cooking and to not leave the stove unattended. Unattended cooking is the leading cause of home fires in the United States. Almost half (44%) of reported home fires start in the kitchen, and two-thirds (66%) of home cooking fires start with the ignition of food or other cooking materials.



Along with all the calls this month, we completed our annual testing of fire hose, ground ladders and pumps. This year we tested 13,400 feet of fire hose and 259 feet of ground ladders. We have about 1,900 feet of hose that is out of date per NPFA 1962 Standards and we will work to replace it. During pump testing, no major deficiencies were found. Minor repairs were made to several trucks. A special thank you to CLC for allowing us to test hose in their parking lot.



Again this year the fire department hosted the Chamber of Commerce Leadership Experience for Public Service. This program gives us a great opportunity to let others in the community know about the fire department, our structure, and the commitment of our Paid on-Call Firefighters. We also try to promote our department and are always looking for new candidates to join.

FM/DC Cox continues to be very busy with inspections and fire safety walk throughs. He has been working closely with the Building Inspector for the school projects to help keep them on schedule.



We continue to limit our firefighter training, however we are trying to increase training in the coming months to stay on track with our certification requirements. We also assisted the Parks Department changing several lights on the ball fields. It is a great training opportunity with our ladder truck. We worked on truck placement and deployment.



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

Vehicle Fire	2
Outside Rubbish Fire	1
Grass, Crop Fire	1
Vehicle Crash	4
Assist Other Governmental Agency	3
Good Intent, Public Service	6
Gas Leak	1
Smoke Removal, Scare	4
Alarm System Activation	21
Canceled Enroute	8
Carbon Monoxide Alarm	2
Total	53

City of Brainerd Incident Report

Outside Rubbish Fire	1
Assist Other Governmental Agency	3
Good Intent, Public Service	6
Gas Leak	1
Smoke Removal, Scare	1
Alarm System Activation	10
Canceled Enroute	5
Total	27

Parks and Recreation Report

September 2020

Goats at Rotary Park

Minnesota Native Landscapes delivered several goats to Rotary Park on Sept. 2. The goats will be fenced in at three different locations within park to feast on buckthorn, a troublesome plant that can take over an area and limit tree growth. Solar electric fences will be used to contain the goats. The three locations will involve about 10 acres of the park. The goats will be at Rotary Park a couple of days to a week depending on how fast they can work through the buckthorn. The goats are part of a grant obtain by the Brainerd Rotary Club in cooperation with the Crow Wing Soil and Water Conservation District.

Community survey

Staff prepared a community survey which was available for public response between Aug. 1-31. There were more than 125 responses and staff will compile the responses and provide the information to the Park Board at its Sept. 28 meeting. Questions asked included such items as what people like/dislike about our parks, what type of program do they like or wish we offered, what improvements and facilities would they like to see, etc.

Rotary Park pavilion

The Brainerd Rotary Club received approval from the Park Board to construct a pavilion near the gravel parking lot at Rotary Riverside Park. The pavilion will be designed similar to the new entrance arch at the park, with rough wood and stone. The Rotary Club will handle all material and labor costs, which it did for the archway. Construction is expected to begin this fall. Once completed, groups will be able to reserve the pavilion through the Parks and Recreation Department.

Park events

- The Co-Rec, Women's and Masters state softball tournaments, sanctioned by USA Softball, and scheduled at Memorial Park the weekend of Aug. 22-23 were cancelled due to lack of teams.
- Staff will determine the status of the Great Pumpkin Festival in the next few weeks. The event is scheduled for Oct. 17 but, because it draws up to 500 people who are intermingling while participating in events and other activities, it may not meet CDC and MDH guidelines regarding social distancing and being able to sanitize equipment.
- A "Tournament of Terror" co-rec adult softball tournament is scheduled Oct. 24 at Memorial Park. All players must wear a Halloween outfit while playing.



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: EDA Annual Report to Council

☐ 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: EDA
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: Consent Calendar
Summary of Issue: Please find the EDA's annual Report to Council attached.	
Alternatives, Options, Effects on Others/Comments: Per statute, "Annually, at a time and in a form fixed by the city council, the authority shall make a written report to the council giving a detailed account of its activities and of its receipts and expenditures during the preceding calendar year, together with additional matters and recommendations it deems advisable for the economic development of the city."	
Recommended Action/Motion: Accept the EDA's annual report.	
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>	

**Brainerd Economic Development Authority
Annual Report to City Council
September 8, 2020**

Statutory requirement: Subd. 4. Report to city.

- *Annually, at a time and in a form fixed by the city council, the authority shall make a written report to the council giving a detailed account of its activities and of its receipts and expenditures during the preceding calendar year, together with additional matters and recommendations it deems advisable for the economic development of the city.*

Members of the EDA

- Jerry Sinner (President), Yvette Campbell (Vice-President; resigned 8/6/20), Wayne Erickson (Treasurer), Ed Menk, Michael O'Day, Kelly Bevans, Gabe Johnson

Calendar of Meetings

- EDA met on the following dates:
 - o October 10, 2019
 - o December 5, 2019
 - o February 13, 2020
 - o May 7, 2020
 - o May 19, 2020
 - o June 4, 2020
 - o August 6, 2020
- Due to the COVID-19 pandemic, the EDA met via WebEx for their May and June meetings.

Economic Development Activities

- Small Business Relief Grant
 - o As with most of the world, the EDA's plan for the year took a major turn with the outbreak of COVID-19 and the subsequent temporary closings of many businesses due to Executive Orders 20-04 and 20-08.
 - o The City Council allocated \$113,500 of the State MIF funds to the EDA to create a Small Business Relief Grant (SBRG). In response, the EDA formulated the SBRG program guidelines.
 - o The SBRG was a first-come, first-serve grant program that provided small businesses in Brainerd that were directly affected by Executive Orders 20-04 and 20-08 with grants up to \$3,000 as COVID-19 relief.
 - o The Council allocated \$90,000 for SBRG which funded 32 grant requests. A further 8 grant requests were funded through an additional \$23,500 of State MIF funds allocated by the City Council. A total of 40 Small Business Relief Grants for small businesses in Brainerd were funded.

- Marketing Campaign
 - In addition to the creation of the SBRG, the EDA request that the City Council allocate a further \$25,000 toward are marketing campaign aimed at letting consumers know that Brainerd businesses are open and encourage them to continue to shop small.
 - The City Council funded this request, and it consisted of boosted (paid) social media posts, a full-page ad in the July edition of Lakes Country Journal, and radio ads.
 - This effort was spearheaded by Communications Intern Jessie Ernster with assistance from Visit Brainerd Executive Director Mary Devine Johnson and Brainerd Community Action Executive Director Dave Badeaux.

- Industrial Park
 - Through the fall of 2019, staff continued to work with Mr. Bruce Darkow, who sought to purchase the remaining 13 parcels of Phase IV for the development of Darkow Farms. However, this project did not materialize.
 - In July 2020, the City received an inquiry about the Phase IV property through BLAEDC by a then unknown entity. Upon reviewing the City's responses to several questions, the entity came forward to meet with staff to further discuss a possible development.
 - On Monday, August 24, Anderson Brothers Construction formally submitted a \$10,000 developer's deposit to begin the process for purchasing the remaining 13 lots of Phase IV.
 - Anderson Brothers Construction intends to develop these lots into new corporate offices, materials laboratory, fleet maintenance facility, and fleet staging area.
 - The property on which their current offices sit on State Hwy 210 is currently under lease from former owner Jim Anderson.
 - By developing these new state of the art offices, laboratory, and maintenance facility as well as an increased fleet staging area, Anderson Brothers Construction will not only cement its future in Brainerd for decades to come but will also allow for the consolidation of approximately a dozen employees who currently work out of separate facilities operated by Anderson Brothers outside of Brainerd.
 - Staff is currently working with Anderson Brothers Construction as well as the City's financial and legal counsel through the agreement process, which will include public hearings and presentations to both the City Council and EDA in September.

- River-to-Rails
 - In July 2019, the City Council adopted the River-to-Rail Initiative, which came as a recommendation by the EDA. For projects within the River-to-Rail corridor, SAC/WAC fees and all permit fees (excluding state surcharge) are waived for projects with a valuation under \$150,000.
 - As of August 17, 2020, \$48,567.08 in permit fees have been waived on 118 permits since the adoption of the program.

- Children's Museum
 - The EDA continues to provide its support for the development of the Region 5 Children's Museum.
 - EDA President Jerry Sinner (formerly Vice-President Yvette Campbell prior to her resignation) serves on the Children's Museum Master Plan Task Force.
- City and BLAEDC Staff Support
 - During the 2020 budget process, the EDA developed formal services agreement with both the City of Brainerd and the Brainerd Economic Development Corporation (BLAEDC) to provide staff support to the EDA.
 - For 2020, BLAEDC was funded \$78,500.
 - For 2020, the City of Brainerd was funded \$32,500.

Annual Financial Report

- Please find attached.

PERIOD ENDING 12/31/2019

		2019		ACTIVITY FOR		YTD BALANCE		AVAILABLE		
GL NUMBER	DESCRIPTION	AMENDED BUDGET	MONTH 12/31/2019	INCREASE (DECREASE)	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	NORMAL (ABNORMAL)	BALANCE	% BDGT	
									USED	
Fund 295 - EDA FUND										
Revenues										
Account Type: Revenue										
TAXES & PENALTIES										
295-0000-31010	CURRENT AD VALOREM	124,351.00	54,230.89	122,178.36	2,172.64	98.25				
295-0000-31020	DELINQUENT AD VALOREM	0.00	449.59	1,597.97	(1,597.97)	100.00				
TAXES & PENALTIES		124,351.00	54,680.48	123,776.33	574.67	99.54				
OTHER REVENUE										
295-0000-36210	INTEREST INCOME	100.00	307.63	642.51	(542.51)	642.51				
OTHER REVENUE		100.00	307.63	642.51	(542.51)	642.51				
Total Revenue:		124,451.00	54,988.11	124,418.84	32.16	99.97				
TOTAL REVENUES		124,451.00	54,988.11	124,418.84	32.16	99.97				
Expenditures										
Account Type: Expenditure										
PERSONNEL SERVICES										
295-6510-41101	SALARY	28,066.00	1,359.75	24,501.53	3,564.47	87.30				
295-6510-41121	PERA	2,105.00	14.19	1,543.21	561.79	73.31				
295-6510-41122	FICA	1,740.00	82.50	1,343.01	396.99	77.18				
295-6510-41123	MEDICARE	407.00	19.30	314.13	92.87	77.18				
295-6510-41131	HEALTH INSURANCE	4,892.00	72.00	4,194.54	697.46	85.74				
295-6510-41133	LIFE INSURANCE	48.00	0.00	3.84	44.16	8.00				
295-6510-41134	LTD INSURANCE	47.00	0.00	4.53	42.47	9.64				
PERSONNEL SERVICES		37,305.00	1,547.74	31,904.79	5,400.21	85.52				
SERVICES										
295-6510-43300	PROFESSIONAL SERVICES	0.00	39,750.00	81,370.74	(81,370.74)	100.00				
295-6510-43330	PROFESSIONAL DEVELOPMENT	78,500.00	0.00	0.00	78,500.00	0.00				
295-6510-43361	INS - GENERAL LIABILITY	125.00	(24.67)	138.44	(13.44)	110.75				
295-6510-43430	MISCELLANEOUS	500.00	0.00	40.00	460.00	8.00				
295-6510-43433	COALITION ASSMT	5,350.00	0.00	5,350.00	0.00	100.00				
SERVICES		84,475.00	39,725.33	86,899.18	(2,424.18)	102.87				
Total Expenditure:		121,780.00	41,273.07	118,803.97	2,976.03	97.56				
TOTAL EXPENDITURES		121,780.00	41,273.07	118,803.97	2,976.03	97.56				
Fund 295 - EDA FUND:										
TOTAL REVENUES		124,451.00	54,988.11	124,418.84	32.16	99.97				
TOTAL EXPENDITURES		121,780.00	41,273.07	118,803.97	2,976.03	97.56				
NET OF REVENUES & EXPENDITURES		2,671.00	13,715.04	5,614.87	(2,943.87)	210.22				



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Last Turn Saloon Building Permit Denial Findings-of-Fact

☐ 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: Consent Calendar
Summary of Issue: On Wednesday, August 12, a formal letter of appeal from Borden Steinbauer Krueger Knudson law firm was submitted to the Community Development Department on behalf of property owner Ed Mattson, regarding his property at 214 S. 8th St. Per Section 515-3-4 of the City Code, appeals are to be heard by the Board of Zoning Appeals, which is the City Council. The City Council heard the appeal during their regular meeting on Monday, August 17, 2020. The Council voted 5-1 to affirm Community Development Director Chanski's administrative decision to deny Mr. Mattson's Application for Commercial Building Permit.	
Alternatives, Options, Effects on Others/Comments: City Attorney Langel recommended that the Council adopt formal findings-of-fact to be added to the Council's decision on this matter. Council directed staff to develop formal findings-of-fact with action to be taken by Council on September 8.	
Recommended Action/Motion: Accept staff's findings-of-fact regarding the denial of an Application for Commercial Building Permit for 214 S. 8th St., which was upheld by the City Council upon appeal on Monday, August 17, 2020.	
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. ____:20

WHEREAS, on Monday, August 3, 2020, a letter of denial for an Application for Commercial Building Permit to transition the space currently occupied by the Last Turn Saloon located at 214 S. 8th St. into eight apartments units was issued to property owner Ed Mattson; and

WHEREAS, the reasoning behind this decision was that the transformation of the Last Turn space into apartments is not supported by the Zoning Code; and

WHEREAS, on Wednesday, August 12, a formal letter of appeal from Borden Steinbauer Krueger Knudson law firm was submitted to the Community Development Department on behalf of property owner Ed Mattson; and

WHEREAS, per Section 515-3-4 of the City Code, appeals are to be heard by the Board of Zoning Appeals, which is the City Council; and

WHEREAS, The City Council heard the appeal during their regular meeting on Monday, August 17, 2020; and

WHEREAS, upon presentation of the facts of the case by Community Development Director David Chanski, hearing the case for appeal by Mr. Mattson and his attorney Virginia Knudson of Borden Steinbauer Krueger Knudson, the City Council voted the affirm Mr. Chanski's administrative decision to deny the Application for Commercial Building Permit for 214 S. 8th St.; and

WHEREAS, the motion passed 5-1 with Aldermen Johnson, Pritschet, Stunek, T. Erickson, and W. Erickson voting in the affirmative, Alderwoman Lambert voting in the negative, and Alderman Bevans abstaining from the vote,

BE IT RESOLVED, the City Council of the City of Brainerd, Minnesota, hereby sets forth the following findings-of-fact in support of the denial of the building permit:

1. The building located at 214 S. 8th St. is zoned B-3 (Central Business District).
2. The building is non-traditional in architecture compared to the rest of downtown in that it is a split-level design with no street level storefront.
3. The building currently houses the Last Turn Saloon in the lower level and apartments on the second and third floors. A single small room exists on the street level between the lower level and the second floor.
4. Section 515-62-1 of the City Code states that the purpose and intent of the B-3 District in which this property lies is to "encourage the continuation of a viable, traditional downtown area by allowing retail, service, office and entertainment facilities and public and semi-public uses as well as the allowance of second-story dwelling units located above such uses." (Emphasis added).
5. Sections 515-62-1 and 515-62-6.A specifically indicate that dwelling units are to be located on the second floor or higher and above a commercial use.
 - a. The proposed units would not be located on a second floor or higher nor would they be above a commercial use.

6. This transition would effectively turn the building solely into an apartment complex.
 - a. Standalone apartment complexes are neither a permitted, administrative, interim, nor conditional use within the B-3 District.

Adopted this ____ day of September 2020

GABE JOHNSON
President of the Council

Approved this ____ day of September 2020

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Splash Pad 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: Tony Sailer	Department: Parks and Recreation
Presenter (Name & Title): Emily Noble & Meta Mandich	Estimated Time Needed: 10 minutes
Summary of Issue: Emily Noble and Meta Mandich have been raising funds for a splash pad since 2016 and have raised \$85,000. The splash pad was initially approved to be installed at Gregory Park once funds were raised. However, the Park Board voted as an option to place it at Memorial Park as part of the upgrade project.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Emily Noble and Meta Mandich will be giving an update to the City Council on the Splash Pad.	
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>	

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

September 8, 2020

6:45 PM

City Hall Council Chambers-Council and Staff Only

THE PUBLIC IS NOT ALLOWED TO ATTEND IN-PERSON

CALL IN INFORMATION: WebEx Teleconference Meeting

Call Toll-Free: 844-992-4726

Access Code: 146 371 2266

1. Approval of Bills
2. Ratification of Hiring Street and Sewer Maintenance I Personnel
3. Retirement of Police Chief Corky McQuiston
4. Long-Term Disability Insurance Request for Proposals Results
5. Update on 2021 Health Insurance Request for Proposals
6. Loan Subordination



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Ratification of Hiring Street Maintenance I Personnel

☐ 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: Kris Schubert & Paul Sandy	Department: HR & Engineering
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: In July, two Street Department employees resigned. Also, at the last council meeting, Staff was authorized to hire a third Street Maintenance I employee at this time. We received 56 applications and Staff conducted 20 interviews. Conditional job offers were negotiated with three individuals pursuant to the initial step criteria guidance approved at the 9/3/2019 Council meeting. Please note that the Park Board, at its meeting held August 25, 2020, authorized backfilling Robert Anderson's Parks Maintenance position and that Staff has begun that hiring process.	
Alternatives, Options, Effects on Others/Comments: Initial step placement were negotiated with the individuals based on the following: 1. Robert Anderson (transfer from Parks Department) - Our Employee Policy Manual states that employees will generally start at the lowest step that is paid at a higher rate than the employee received in his or her previous position. Mr. Anderson's current wage as a Parks Maintenance employee was \$25.84 per hour. This transfer results in a \$.02 per hour wage increase. 2. Michael Jensen worked as a Public Works employee for the City of Wyoming for 11 years and as an Equipment Operator for Anoka County for 5 years. He also possesses both a Class D Water License and Class D Sewer License. 3. Chad Lardy worked as a Maintenance Specialist for Crow Wing County for 6 months and has 10+ years of prior experience as an Operator, Pipelayer and Foreman with contractors.	
Recommended Action/Motion: Motion to ratify the hiring of the following individuals as Street Maintenance I employees: 1. Robert Anderson (transfer from Parks Department) at Step 6 (\$25.86 per hour) effective 8/31/2020. 2. Michael Jensen at Step 4 (\$23.79 per hour) effective 9/8/2020. 3. Chad Lardy at Step 2 (\$21.73 per hour) effective 9/14/2020.	
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> As discussed at the 8/17/2020 Council meeting, the costs will be absorbed within the current budget.	



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Retirement of Police Chief Corky McQuiston

☐ 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: Jennifer Bergman & Kris Schubert	Department: Adm/HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: Attached is a letter from Police Chief Corky McQuiston announcing his retirement effective November 28, 2020. Per our Civil Service Rules, the Police and Fire Civil Service Commission oversees the hiring process to replace Chief McQuiston.	
Alternatives, Options, Effects on Others/Comments: Since Chief McQuiston has provided 3 months notice, we are hoping to have someone on board before his retirement. If the appointment of an Interim Chief is needed after Chief McQuiston retires, staff will come back to the Council with a recommendation.	
Recommended Action/Motion: To accept Police Chief Corky McQuiston's retirement with regret and to authorize his severance payout per city policy; further, to request the Civil Service Commission begin the hiring process.	
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>	

August 26th, 2020

Jennifer Bergman
Brainerd City Administrator
501 Laurel Street
Brainerd, MN 56401

Dear Jennifer,

After much consideration, I have decided to retire from my position as Police Chief effective November 28th, 2020.

I am very grateful for the opportunities that the City of Brainerd and the community have given me during my 24 years with the Police Department. I'm extremely proud of the men and women that work at the police department and consider myself blessed to have worked with them. The support I have received over the years from the community, city staff, and criminal justice partners has been incredible and was a major part of my effectiveness as a Police Chief.

To continue to deliver excellent comprehensive police services to our community, the timing is right for new leadership to bring a fresh perspective to the challenges with hiring, retention, and potential police reform that lie ahead. I hope to be able to lend whatever assistance I can or role the City would like me to be involved in for the selection process of a new Police Chief.

Sincerely,



Corky McQuiston
Police Chief
Brainerd Police Department
225 East River Road
Brainerd, MN 56401
218-829-2805



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Long-Term Disability Insurance Request for Proposals Results

☐ 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: Kris Schubert	Department: Human Resources
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: State law requires that public entities go out for bids at least every five years for its group insurance plans. Since it has been five years since our last process, we distributed Request for Proposals for our Long Term Disability Insurance this past summer. Attached is the analysis from Jon Ochs from Integrity Employee Benefits who is our Long-Term Disability Insurance broker with the results. Also attached is the actual bid packet for reference.	
Alternatives, Options, Effects on Others/Comments: We are happy to report that our current carrier offered a 17% reduction in our premium with a three-year rate guarantee. This will result in premium savings of about \$2,800 per year divided among the City, BPU and HRA.	
Recommended Action/Motion: Motion to accept the Long-Term Disability proposal submitted by Madison National Life Insurance Company at \$.15 per \$100 of monthly payroll for 2021, 2022, and 2023.	
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 LTD Premiums will be included in the 2021 proposed budget. <u>Please Explain:</u>	

LTD Vendor List

City of Brainerd

LTD

Company	Response
NIS / Madison National	Incumbent
United Health Care	Received
NJPA Pool / Sunlife & Lincoln Financial	Received
Cigna	Decline
Dearborn	Decline
Met Life	Decline
Mutual of Omaha	Decline
Principal	Decline
Prudential (100+ lives)	Decline
VOYA/ING	Decline
Guardian	Decline
Hartford	Decline
Reliance	Decline
Standard	Decline
Unum	Decline
Aflac	Decline

City of Brainerd
Formal RFP - Long Term Disability

City of Brainerd

Long Term Disability

	<i>CURRENT PLAN</i>	<i>Proposed</i>		
Company	Madison National	Madison National	Sun Life	UHC
AM Best Rating	A-	A-	A+	A
Monthly Max Benefit Amount	50% (Benefit Percentage) of your Total Monthly Earnings; or 70% (Integrated Benefit Percentage) of your Total Monthly Earnings, less Other Income Benefits.	50% (Benefit Percentage) of your Total Monthly Earnings; or 70% (Integrated Benefit Percentage) of your Total Monthly Earnings, less Other Income Benefits.	50% (Benefit Percentage) of your Total Monthly Earnings; or 70% (Integrated Benefit Percentage) of your Total Monthly Earnings, less Other Income Benefits.	50% (Benefit Percentage) of your Total Monthly Earnings; or 70% (Integrated Benefit Percentage) of your Total Monthly Earnings, less Other Income Benefits.
Elimination Period	180 Days	180 Days	180 Days	180 Days
Benefit Duration	SSNRA	SSNRA	SSNRA	SSNRA
Contribution Status	Non-Contributory	Non-Contributory	Non-Contributory	Non-Contributory
Maximum Monthly Benefit	\$5,417	\$5,417	\$5,417	\$5,417
Minimum Monthly Benefit Payable	\$100	\$100	\$100	\$100
Regular Occupation Period	30 Months	30 Months	36 Months	30 Months
Regular Occupation Definition OR/AND	AND	AND	AND	AND
Definition of Material Duties	Material and Substantial Duties	Material and Substantial Duties	Material and Substantial Duties	Material and Substantial Duties
Partial Disability Benefit	Included	Included	Included	Included
Earnings Test	Own Occ 20% loss of income; Any Occ 50% Loss	Own Occ 20% loss of income; Any Occ 50% Loss	Own Occ 20% loss of income; Any Occ 50% Loss	Own Occ 20% loss of income; Any Occ 50% Loss
Integrate With Sick Leave	70% All Source	70% All Source	70% All Source	70% All Source
Pre-Existing Condition	NONE	NONE	NONE	NONE
Integration Method	70% All Source	70% All Source	70% All Source	70% All Source
Social Security Offset	Full Family	Full Family	Full Family	Full Family
Zero Day Residual	Yes	Yes	Yes	Yes
Return to Work Incentive	12 Months	12 Months	12 Months	12 Months
Mental & Nervous Limitation	24 Months	24 Months	24 Months	24 Months
Drug & Alcohol Limitation	24 Months	24 Months	24 Months	24 Months
Self Reported Symptoms	No	No	No	No
Survivor Benefit	3 month	3 month	3 month	3 month
Indexed monthly earnings	10% or CPI	10% or CPI	10% or CPI	10% or CPI
Rehabilitation	Defined	Defined	Defined	Defined
Special Conditions	Yes, 24 Months	Yes, 24 Months	Yes, 24 Months	Yes, 24 Months
Conversion	Yes	Yes	Yes	Yes
Total Payroll	\$790,462	\$790,462	\$790,462	\$790,462
Rate	0.18	0.15	0.153	0.28
Total Cost Per Year	\$17,074	\$14,228	\$14,513	\$26,560
\$ Difference Over Current/Year	-	(\$2,846)	(\$2,561)	\$9,486
% Difference Over Current	-	-17%	-15%	56%
Rate Guarantee	-	3 Years	3 Years	3 Years



August 17th, 2020

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

**Re: Request for Proposals – Long Term Disability
Effective January 1, 2021**

On June 23rd, 2020 the City of Brainerd released specifications in accordance with Minnesota Statute 471.6161 for Long Term Disability coverage.

Specifications were forwarded to insurance companies and public pooling arrangements.

Enclosed is a spreadsheet summary of each proposal. A complete proposal was sent by each insurance company to Integrity Employee Benefits.

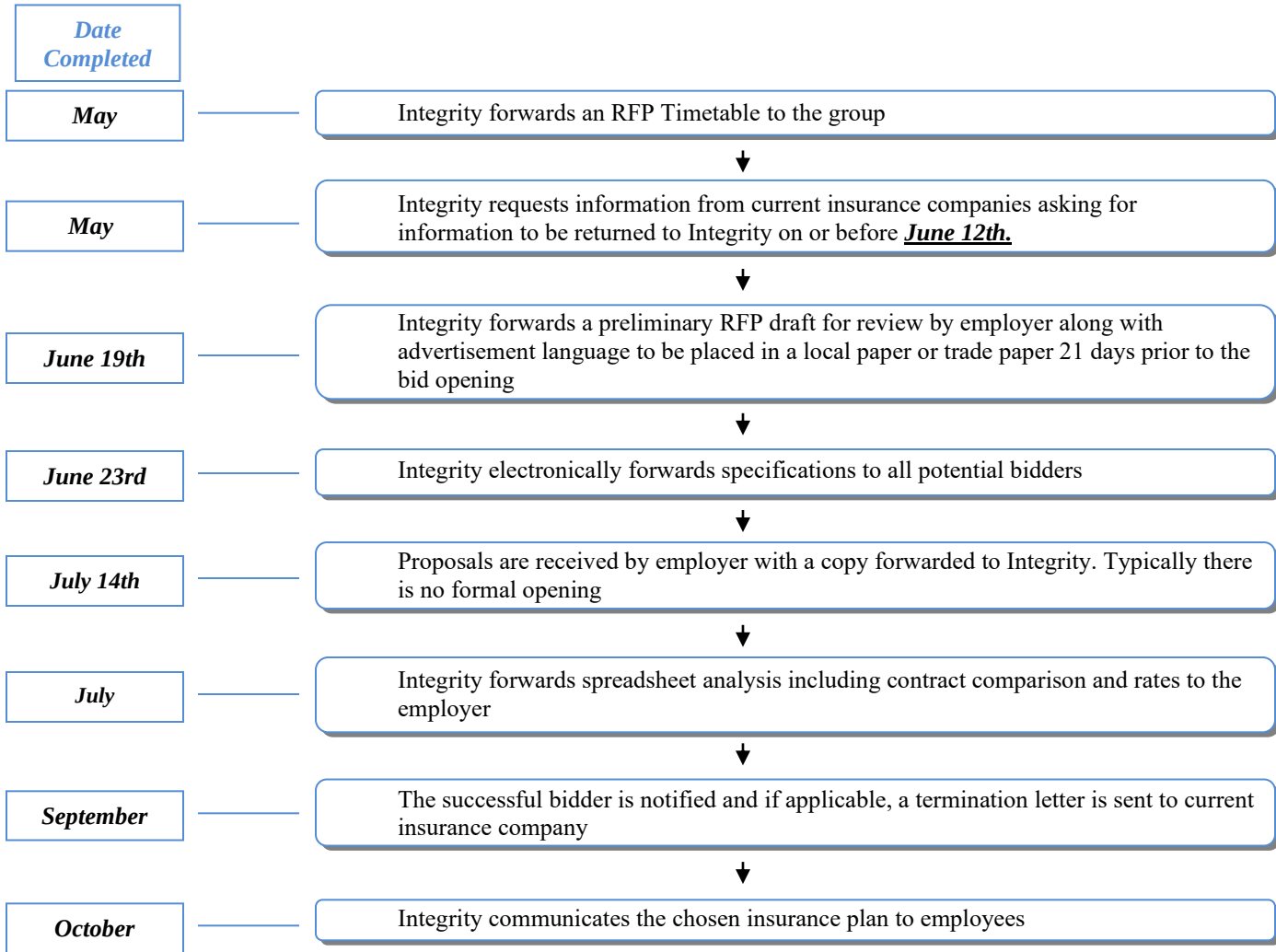
Please contact Integrity Employee Benefits with questions or clarification required concerning this RFP process.

Sincerely,

A handwritten signature in black ink, appearing to read "James H. Ochs". The signature is stylized with a large, looped "O" and a long, sweeping horizontal stroke.

James H. Ochs

Integrity Employee Benefits – RFP Timetable



Effective Date: January 1st, 2021

City of Brainerd

Request for Proposal for
Long Term Disability

Release Date
Proposal Due Date

June 23rd, 2020
July 14th, 2020

Plan Effective Date

January 1st, 2021

Prepared by:





June 23rd, 2020

To: Vendors quoting on City of Brainerd

City of Brainerd is requesting proposals for Long Term Disability.

You are invited to submit your proposal for the above coverages based on the information contained in this Request for Proposal.

Integrity Employee Benefits, LLC is City of Brainerd's consultant/broker in the RFP process. Any requests for clarification or additional information should be directed to the contacts below by July 10th, 2020. Please do not contact City of Brainerd directly:

Integrity Employee Benefits
651-437-7977
integrity@integrityeb.com

Key dates to keep in mind:

- | | |
|----------------------------------|----------------------------|
| • July 14th, 2020 by 3pm | Proposals due |
| • January 1 st , 2021 | Effective date of coverage |

Information Included:

- Group Census
- Group Insurance Contract
- Proposal Form
- Claims History

Group Information:

City of Brainerd
501 Laurel Street
Brainerd, MN 56401

City of Brainerd Request for Proposals for Long Term Disability

General Conditions and Stipulations

The following information is provided for your use in preparing your proposal.

- I. **Proposal Deadline:** Proposals must be returned electronically by EMAIL to Integrity Employee Benefits by 3pm, July 14th, 2020: integrity@integrityeb.com

Mailed or faxed proposals will not be accepted.
If the respondent cannot or does not wish to submit a proposal, please forward an email to Integrity Employee Benefits to this effect by July 10th, 2020.
- II. **Proposal Form:** Please submit proposals on the Proposal Forms included with these specifications. The proposals submitted in response to this request will be considered the only submission; revised proposals will not be allowed after the proposal return date unless requested by City of Brainerd. Only submissions submitted through this RFP process and complying with the specifications will be accepted by City of Brainerd. **The proposal form and completed questionnaire are the only information necessary to bid. For ease of handling, please keep non-essential marketing materials to a minimum. The incumbent carrier is also asked to submit a compliant proposal in order to be considered. A renewal letter will not be accepted as a compliant proposal.**
- III. **Plan Year:** The initial term is defined as:
Start date: January 1, 2021
End date: December 31, 2021
Renewals: Subsequent January 1 for full one-year periods
- IV. The information furnished by City of Brainerd is correct and accurate to the best of our knowledge. Any changes or additions will be provided as necessary. **Questions can be sent to integrity@integrityeb.com on or before July 10th, 2020.**
- V. There will be no formal bid opening. Final results may be requested from Integrity Employee Benefits, LLC following the final selection of coverage by the group.
- VI. **Renewal, Plan Information and Claims Experience:** City of Brainerd's consultant, and Agent of Record, Integrity Employee Benefits, LLC has been asked by the group to communicate and monitor the plan throughout the plan year. By submitting a proposal you guarantee that renewal rates, experience, plan information, answers to questions, employee benefit election data, bidder correspondence and enrollment materials will be provided directly to Integrity Employee Benefits, LLC.
- VII. **Direct Invitees:** City of Brainerd is requesting proposals be submitted directly from insurance companies. Pooled arrangements established specifically for government entities are also welcome to submit. City of Brainerd will accept only one proposal from each insurance company. No duplicate proposals are desired.

- VIII. **Current and Requested LTD Compensation: 10% Flat**
City of Brainerd requires that compensation be included in the rates and be paid directly to City of Brainerd's consultant/Agent of Record Integrity Employee Benefits, LLC, by the successful bidder.
- IX. **Rates and Plan Design:** Rates must be **guaranteed for a minimum of 2 years**. Additional year rate guarantees are encouraged.
- X. City of Brainerd reserves the right to reject any and all proposals that are deemed not to be in the best interest of the group and its employees or that do not comply with the specifications. Each proposal meeting the requirements of this RFP will be reviewed in detail. Evaluation criteria includes, but is not limited to, premium rates, rate guarantees, basis of renewal ratings, policy form, ease of administration, and the financial reliability of the carrier.
- XI. **Deviations:** Please quote plans to match current and specified alternative as closely as possible. Deviations from the specifications should be clearly noted. Any deviation deemed to be significant by City of Brainerd may disqualify the proposal. City of Brainerd and Integrity Employee Benefits reserve the right to accept or reject any or all proposals, or any part thereof, and to waive any informalities or irregularities. We also reserve the right to negotiate plan amendments and/or modifications to financial or administrative agreements and contracts or call for new proposals. Your proposal (including completed specification forms) and any subsequent modifications will become part of the contractual obligation and incorporated by reference into the ensuing contract.
- XII. **Compliance:** All proposers agree to comply with Federal, State and local laws, ordinances, rules, regulations or executive orders pertaining to unlawful discrimination on account of race, color, creed, religion, national origin, sex, marital status, disability or age.
- XIII. **Continuity of Coverage:** All new hires and currently-covered employees must be able to participate without evidence of insurability.
- XIV. **Insurer Rating:** All insurance companies submitting proposals must be authorized to transact business in Minnesota have **no less than an "A-" rating from A.M. Best** for the last five years.
- XV. **Contributions:** All eligible employees participate in the LTD plan. The plan is 100% non-contributory.
- XVI. **Eligibility:** You are eligible for Employee Insurance while you are an effective Benefits Earning or active Benefits Eligible Employee of the Employer and you are in a covered class.

Current Long Term Disability Benefit Summary

City of Brainerd

This is a summary of the Long Term Disability plan. See group policy (included) for full details of plan information. The group requests that the aggregate value of the plan design stay the same or improve.

Company	Madison National
AM Best Rating	A-
Monthly Max Benefit Amount	50% (Benefit Percentage) of your Total Monthly Earnings; or 70% (Integrated Benefit Percentage) of your Total Monthly Earnings, less Other Income Benefits.
Elimination Period	180 Days
Benefit Duration	SSNRA
Contribution Status	Non-Contributory
Maximum Monthly Benefit	\$4,792
Minimum Monthly Benefit Payable	\$100
Regular Occupation Period	30 Months
Regular Occupation Definition OR/AND	AND
Definition of Material Duties	Material and Substantial Duties
Partial Disability Benefit	Included
Earnings Test	Own Occ 20% loss of income; Any Occ 50% Loss
Integrate With Sick Leave	70% All Source
Pre-Existing Condition	NONE
Integration Method	70% All Source
Social Security Offset	Full Family
Zero Day Residual	Yes
Return to Work Incentive	12 Months
Mental & Nervous Limitation	24 Months
Drug & Alcohol Limitation	24 Months
Self Reported Symptoms	No
Survivor Benefit	3 month
Indexed monthly earnings	10% or CPI
Rehabilitation	Defined
Special Conditions	Yes, 24 Months
Conversion	Yes

Current Premium Summary - Long Term Disability

Long Term Disability Rates 2020:

Monthly Rate per \$100 of payroll
\$.180

- 138 eligible employees
- See census for total payroll

Long Term Disability Experience

There were no claims from 2017 through 2019

Proposal Form for City of Brainerd

Please fill out your proposal information on this form, save and send.

Proposal Deadline: Proposals must be returned to Integrity Employee Benefits by 3pm CST, July 14th, 2020:

Integrity Employee Benefits
integrity@integrityeb.com

Company	CURRENT PLAN	Your Proposal
	Madison National	
AM Best Rating	A-	
Monthly Max Benefit Amount	50% (Benefit Percentage) of your Total Monthly Earnings; or 70% (Integrated Benefit Percentage) of your Total Monthly Earnings, less Other Income Benefits.	
Elimination Period	180 Days	
Benefit Duration	SSNRA	
Contribution Status	Non-Contributory	
Maximum Monthly Benefit	\$4,792	
Minimum Monthly Benefit Payable	\$100	
Regular Occupation Period	30 Months	
Regular Occupation Definition OR/AND	AND	
Definition of Material Duties	Material and Substantial Duties	
Partial Disability Benefit	Included	
Earnings Test	Own Occ 20% loss of income; Any Occ 50% Loss	
Integrate With Sick Leave	70% All Source	
Pre-Existing Condition	NONE	
Integration Method	70% All Source	
Social Security Offset	Full Family	
Zero Day Residual	Yes	
Return to Work Incentive	12 Months	
Mental & Nervous Limitation	24 Months	
Drug & Alcohol Limitation	24 Months	
Self Reported Symptoms	No	
Survivor Benefit	3 month	
Indexed monthly earnings	10% or CPI	
Rehabilitation	Defined	
Special Conditions	Yes, 24 Months	
Conversion	Yes	

Long Term Disability
Proposal Form for rates City of Brainerd

Current Plan

Monthly Rate per \$100 of payroll
\$0.180

Your Proposal

Monthly Rate per \$100 of payroll

Your Proposal

Rate Guarantee

Long Term Disability Questionnaire

LTD QUESTIONNAIRE

1. List below all of the offsets that apply to your proposed plans:

Offset	Yes	No
Primary Social Security		
Family Social Security		
Workers' Compensation		
Other Governmental Plans		
Railroad Compensation		
Other Group Disability		
Individual Contracts		
Pension Disability		
PERA		
401(k) Benefits		
Lump Sum or Annuity Payments		
Employer Sick Leave Policies		
Auto No-fault		
Other (specify)		

2. Please confirm that you will accept all current LTD amounts without evidence of insurability.

☐

YES

☐

NO

3. Will you allow conversion to an individual policy upon termination?

☐

YES

☐

NO

4. Confirm that you have complied with the specifications of this RFP including the compensation request to the group's consultant Integrity Employee Benefits, LLC.

☐

YES

☐

NO

5. Confirm that you guarantee that upon request, renewal rates, experience, plan information, employee enrollment data, answers to questions and enrollment materials will be provided to Integrity Employee Benefits, LLC.

☐

YES

☐

NO

6. Confirm that your policy matches the existing policy as described in the attached Group Contract. If not, list all deviations.

☐

YES

☐

NO

Certification:

I certify that our proposal is based on concurrence with all items listed above and that commitments made are binding on my company. Further, I certify that I am authorized to make such commitments.



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Update on 2021 Health Insurance Request for Proposals

☐ 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: Kris Schubert	Department: Administration/HR
Presenter (Name & Title): HR Director Kris Schubert	Estimated Time Needed: 5 minutes
Summary of Issue: Earlier this year, the City Council retained North Risk Partners as a broker to assist with our 2021 Health Insurance Request for Proposals (RFP) process. North Risk Partners requested quotes from numerous insurance providers with most bids returned; however, they are waiting on a couple of stragglers that were anticipated to be received by September 4th. North Risk Partners feels their team will be able to deliver RFP results by September 9th. We have experienced some delay in this process primarily due to the vast majority of insurance company staff working from home.	
Alternatives, Options, Effects on Others/Comments: 2008 was the last time the City solicited health insurance RFPs on its own. The process we followed then was to present options to our Employee Insurance Committee first so they could formulate a recommendation to the City Council. Our Insurance Committee includes a representative from all bargaining units as well as the City/BPU/HRA's Management Teams. By utilizing this process, employees appreciate the transparency as to why certain recommendations were made which dramatically improves employee buy-in and overall awareness of our benefit options. This year Staff is requesting that a Council rep also participate in these meetings, similar to our COVID-19 meetings, to help address some of your questions/concerns at the front end as well. Our Broker intends to attend the Insurance Committee meetings virtually so that is an option if needed. We are anticipating that a recommendation regarding our 2021 provider and health plans will be presented at the October 5, 2020, City Council meeting.	
Recommended Action/Motion: This is an informational item with the possibility of appointing a City Council member to the Employee Insurance Committee if desired.	
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>	



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Loan Subordination

☐ 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: Ms. Wanda Lane has two grants/loans with the City of Brainerd for \$28,000. One of the grants is interest free and forgiven 10% annually for 10 years and due upon transfer of ownership. Through 11/12/2020, the outstanding balance is \$8,000. The other grant is also interest free and will be forgiven after 11/12/2023 and/or is due upon transfer of ownership. The amount due is \$8,000. The City is currently in 2nd position behind the primary mortgage. Ms. Lane is refinancing her loan and the financial institution is requesting the City to subordinate to 2nd position to the mortgage. Total debt to independent appraisal value of the property is about 69%. Property taxes are current.	
Alternatives, Options, Effects on Others/Comments:	
Recommended Action/Motion: Approve the subordination request for Ms. Wanda Lane, 1107 Pine Street.	
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>	

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

September 8, 2020

4:30 PM

City Hall Council Chambers-Council and Staff Only

THE PUBLIC IS NOT ALLOWED TO ATTEND IN-PERSON

CALL IN INFORMATION: WebEx Teleconference Meeting

Call Toll-Free: 844-992-4726

Access Code: 146 617 7244

1. Event/Street Closure Application – Fire Department Open House
2. Improvement 20-03 – 2020 Large Patch Project Final Pay Estimate
3. Request to Construct Police Impound Lot
4. Garbage Haulers and Canisters – Discussion Item – 5:30 PM Start Time



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Event/Street Closure Application - Fire Department Open House

☐ 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 the event/street closure application for the annual fire department open house to be held on October 8, 2020 from 5 PM - 7 PM at the fire department.	
Alternatives, Options, Effects on Others/Comments: The event is for fire apparatus, emergency providers, and fire prevention personnel to have displays open to the public. The fire department has contracted with waste partners for garbage removal and will be using the restrooms on site. They have requested a street closure on East River Road between Front and Laurel Street for the event, as they have in the past. Currently, large events over 250 people have to be sent to an email address and they will work with the applicant on approvals from the State level. The Fire Chief has stated he would like to continue planning the event so that people may get it on their schedules and if it is not looking like it can happen, they will cancel prior to the event.	
Recommended Action/Motion: Staff recommends approval of the application under the condition that the Fire Department obtain all state approvals for large events and the event follows all guidance provided by governor's executive orders or other guidance obtained in the approval process and that requests for traffic control be made through street department for street closure 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: August 24, 2020

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 – City Park
☒ Event with Street Closure ☐ Other _____

Name of event: Brainerd Fire Department Open House

Organizer Information

Organizer's Name: Tim Holmes
Organizer's Address: 23 Laurel Street
Event Contact Person: Tim Holmes
Event Contact Daytime Phone: 218-828-2312
Event Contact E-mail Address: tholmes@ci.brainerd.mn.us
Contact Name/Number Day of Event: same
For Profit/Nonprofit Status (type): _____

Applicant information (if different from the event organizer):

Applicant Name: _____
Applicant Address: _____
Applicant Phone: _____
Applicant E-mail Address: _____

Event Information

Event Details (list each date separately)

Event Date	Start Time	End Time	Event Location(s) – see locations listed below
October 8, 2020	5 pm	7 pm	23 Laurel Street

☐ 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:

Fire prevention, fire apparatus and emergency provider displays

Site Information

Electrical usage

☒

Yes

☐

No

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

On-scene

Amplified Sound

☐

Yes

☒

No

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

Restrooms provided

☒

Yes

☐

No

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

Company contracted for restrooms: _____

(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:

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):

East River Road between Front and Laurel Street

Date and time for beginning of street closures: **October 8 at 4 pm**

Date and time for reopening of streets: **October 8 at 8 pm**

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.

No residential or businesses located in the closed street area.

Traffic cones are obtained prior to the event from the Street Dept.

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

Tim Holmes

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	8/26	OK
City Administration	8/26	OK
Engineering Department	8/26	Request Street closure traffic Control from Shawn 218-513-4411
Fire Department	8/26	OK/None
Fire Support/EMS	8/26	OK
Parks Department	8/26	OK
Planning Department	8/26	OK
Police Department	8/26	Fire should follow large event proposal guidance and needs to be sent to critical sectors @ State, mn.us for approval

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

Get Approval from critical sectors and request traffic control for street closure from Shawn @ Streets @ 218-513-4412. Approval is contingent of any large gathering approvals or executive orders.

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: September 8, 2020

Title of Item: Improvement 20-03 - 2020 Large Patch Project Final Pay Estimate

☐ 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 application is the final invoice for Improvement 20-03 - 2020 Large Patch Project	
Alternatives, Options, Effects on Others/Comments: The approved cost of this project was a quote from Anderson Brothers in the amount of \$50,000. This invoice is for everything except one last small overlay on Wild Avenue where a storm sewer fix occurred. This was a separate line item on the quote, and was done before this invoice was complete. They will invoice the rest of the amount of \$5,443 after the completion of that. Staff would like approval of the total project cost of \$50,000.	
Recommended Action/Motion: Staff recommends approval of the attached invoice along with the last invoice for the Wild Avenue patch in the total amount of \$50,000 (\$44,557 and \$5,443 respectively).	
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>\$50,000</u> <i>Is this budgeted?</i> ☒ Yes ☐ No We budget \$50,000 in large patches annually. <i>Please Explain:</i>	



Anderson Brothers Construction Company of Brainerd
11325 State Highway 210
Brainerd, MN 56401
(218) 829-1768

Invoice # 26009

Bill to: 07335
CITY OF BRAINERD
501 LAUREL ST
BRAINERD, MN 56401

Job: 20649
CITY OF BRAINERD-20649

Invoice #: 26009 Date: 08/26/20

Payment Terms: Due in 10 Days

Customer Code: 07335

Customer P.O. #: VARIOUS PATCHING

Salesperson:

Remarks: REMOVING & REPLACING 17 PATCHES IN BRAINERD

Quantity	Description	U/M	Unit Price	Extension
	COMPLETE AS PROPOSED			44,557.00
Subtotal:				44,557.00
Total:				44,557.00

RECEIVED

AUG 31 2020

CITY OF BRAINERD
ADMINISTRATION

Past Due Accounts are subject to a service charge of 1.5% per month (18% per annum)



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Request to Construct Police Department Impound Lot

☐ 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/Police
Presenter (Name & Title): City Engineer Sandy	Estimated Time Needed: 15 Minutes
Summary of Issue: With discussions regarding the addition at the street department for parks maintenance personnel continuing, staff has also continued discussing the need for the vehicles impounded by the police department to have their own space somewhere that is easily accessible by police staff and doesn't impede traffic and heavy equipment flow within the street department property. There is also critical indoor cold storage space currently being used for impound while other City assets sit outside and are subject to weather degradation.	
Alternatives, Options, Effects on Others/Comments: The police currently have impounded vehicles outside between the salt/storage shed and within half of the cold storage building located on the street department property. Staff has attached some pictures of these vehicles along with the equipment that sits outside because of lack of cold storage space for this material and equipment. Staff is proposing to use one of the two unused industrial park lots located in close proximity to the street department for the purpose of grading off the lot, bringing in some fill, graveling, installing a fence, and creating an outdoor impound lot for the police vehicles. This will allow for the police to have access to these vehicles when necessary, along with getting City owned assets under a covered roof as to not degrade in the weather (i.e. PVC pipe, manhole castings, plows, sign posts, misc. trailers). This will also provide the parks department with needed cold storage space when they move into the newly constructed space currently being planned at this facility. Staff has identified two lots for consideration of this impound lot. They are listed below: 1. Site 1 - Lower ground, less desirable property, oddly shaped 2. Site 2 - Higher ground. Is likely more desirable property due to the shape and elevation of the property for potential businesses. Much of the work for the construction of the property could be performed by staff with materials we already have. The only thing that would need to be quoted for bid is the fencing. Staff talked briefly with Oberg Fence and the quote for a fenced in area of 196'x120' equates to approximately \$16,568. I have spoken with the Police Chief for the need of any type of structure on the property. He indicated that many agencies do not provide covered impound at their facilities, however, the City may want to consider it in the future to protect any interest that the City may have in the property that was impounded. Staff would like the committee and council to discuss this option so that we may take it into consideration when designing the street department addition.	
Recommended Action/Motion: Staff recommends approval to proceed with the plan of providing a separate Police Department impound lot on the industrial park parcel denoted PID 41010549.	
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>approx. \$16,568 plus staff time</u> <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i> This was not originally part of the improvements at the Street Department with the addition to the facility.	



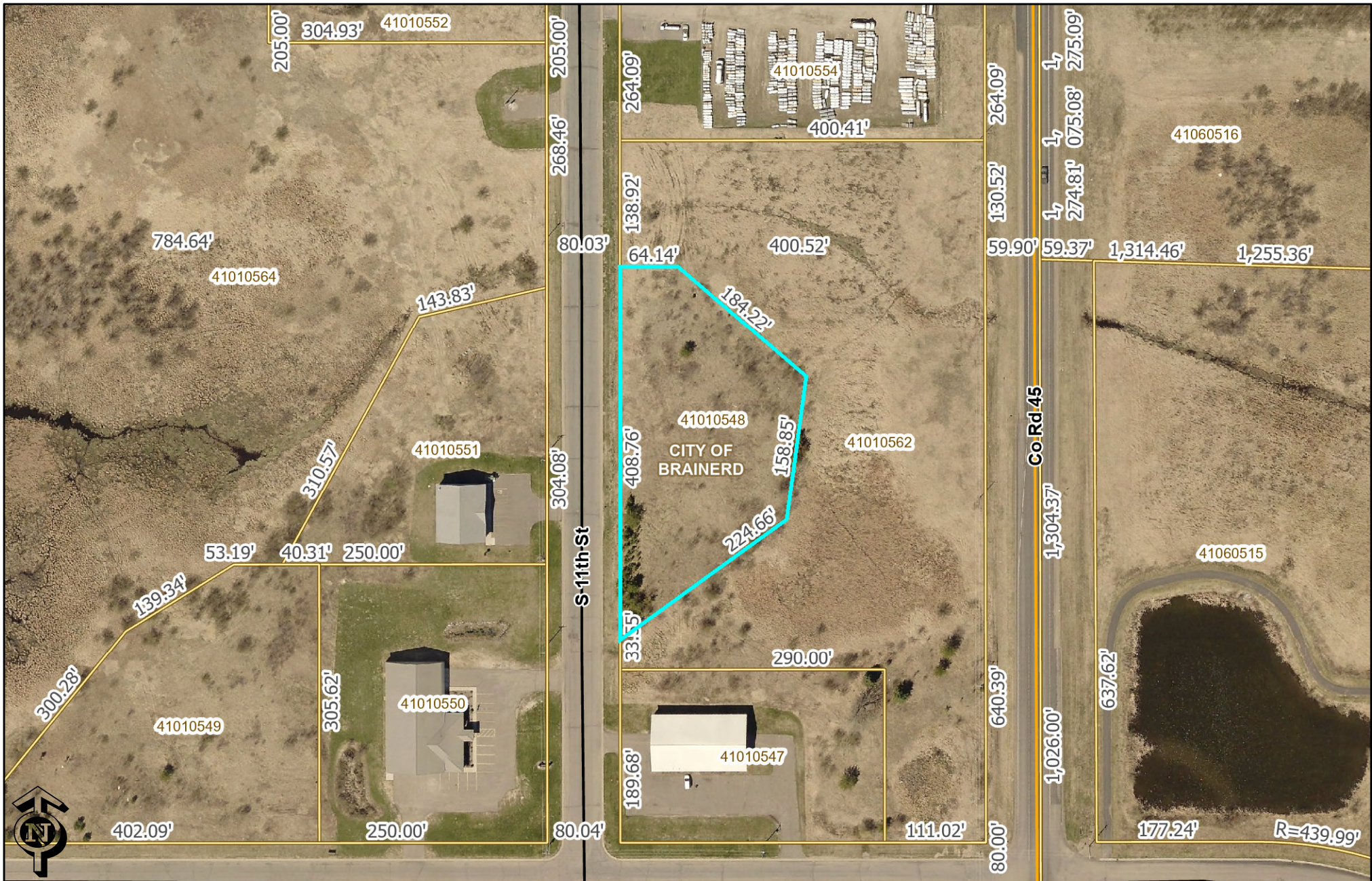
These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

Site 1 - Impound Lot

Paul Sandy

Date: 8/31/2020 Time: 7:16:39 AM





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.

Site 2 - Impound Lot

Paul Sandy

Date: 8/31/2020 Time: 7:18:30 AM





OBERG FENCE CO.

P.O. Box 118

Deerwood, MN 56444

Sales@obergfence.com

www.obergfence.com

218-534-3118

218-534-3119 fax

Date: September 1, 2020

Name: City of Brainerd

Address: Impound Lot

Phone Number:

Fax Number:

E-mail:

Description: Furnish and install 120x200 area with 8' high and 3 rows of barbwire, to include one 20' wide double drive gate.

If permits or private locates needed, home owner/contractor is responsible. All brushing & removal of brush must be done prior to installation by owner. All electrical to any operated gate openers to be supplied by customer. Layout/staking by customer.

Certificate of insurance is available upon request. All site preparation including grading, clearing, brushing, mowing, debris removal or disposal shall be by others. Signature on proposal indicates agreement with Oberg terms and conditions provided. Signed proposal and P.O. or 1/2 down are necessary to begin the scheduling process, balance is due upon completion. We will furnish material and labor in accordance with the above description for the sum of:

\$ 16,568.00

Any alteration or deviation from above specifications involving extra costs will be executed only upon written orders, and will become an extra charge over and above the estimate. Owner to carry fire, tornado, and all other necessary insurance. Our workers are fully covered by Workman's Compensation Insurance.

Salesman Signature: _____ This proposal may be withdrawn if not accepted in 7 days.

Acceptance of Proposal: Signature: _____ Date: _____

You are authorized to do the work as specified. Payment will be made as outlined above.

This proposal may be withdrawn if not accepted within 7 days. Changes to above description must be executed with a written change order, and will become an extra charge over the above price. We are fully insured; also bonding is available if required at an additional cost.













Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Garbage Haulers and Canisters - Discussion Item

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☐ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1 st Reading <i>*provide copy of published hearing notice</i>
Submitted by: Community Development Director	Department: Community Development
Presenter (Name & Title): David Chanski, CDD	Estimated Time Needed: 30 minutes
Summary of Issue: During the July 6 meeting of the City Council, staff was directed to further investigate issues associated with the placement of garbage cans for collection as well as the possibility of pursuing organized garbage collection. Ultimately, it was determined that regulating the time period during which garbage cans can be placed at the curb for collection is ineffective if it is not actively enforced. Unfortunately, due to the number of licensed garbage collectors in the City, all with various routes and pick-up times, enforcement is virtually impossible without the some type of organized collection. On July 17, Council directed staff to invite local garbage haulers to meet with the Safety & Public Works Committee on September 8 to discuss this issue.	
Alternatives, Options, Effects on Others/Comments: The process by which a municipality can pursue organized garbage collection is regulated by Minnesota State Statute 115A.94. In short, municipalities may pursue organized collection, but there is a detailed process that must be followed and, once a governing body has elected to enact organized collection, it cannot go into effect for 6 months. City Code Section 600, Minnesota State Statute 155A.94, and a short summary of what the organized collection process looks like are attached.	
Recommended Action/Motion: Discuss the issue of garbage collection, placement of canisters, and road maintenance concerns associated with garbage collection.	
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>	

CHAPTER VI

PUBLIC HEALTH

Section 600 – Garbage Disposal

600.01 General Rule. It is unlawful for any person to fail to dispose of garbage and rubbish (which may be or may accumulate upon property owned or occupied by him) in a sanitary manner as often as may be necessary, and to keep said premises in an orderly and sanitary condition. Every household and business in the City of Brainerd shall engage a hauler of mixed municipal solid waste or otherwise deliver or cause to be delivered their waste to a permitted landfill facility. Any person who fails or refuses a lawful order to make provisions for and secure such disposal is guilty of a misdemeanor.

(Amended Ord. 984 – 1995)

600.03 Definitions. Subdivision 1. The term “garbage” means and includes organic refuse resulting from the preparation of food, and decayed and spoiled matter from any source.

Subd. 2. The term “rubbish” means and includes all inorganic refuse matter such as tin cans, glass, paper, ashes, sweepings, and similar substance.

600.05 Garbage Containers. Every owner of any dwelling, house and boarding house, and every owner or occupant of any restaurant or any place of business, having garbage to dispose of shall provide one or more fly tight containers sufficient to receive all garbage which may accumulate between the times of collection. All garbage and rubbish accumulating between the times of collection shall be placed in the containers. Garbage and refuse containers shall be placed for collection at one place at ground level on the property and accessible to the street or alley from which collection is made.

(Amended Ord. 984 – 1995)

600.07 Garbage Haulers: License. Subdivision 1. License Required. It is unlawful for any person to collect garbage and charge a fee therefore without having first secured from the Council a license to do so.

Subd. 2. Application; Fees; Procedure. Any person desiring to license a vehicle or vehicles with which to collect garbage shall make application for the same to the city clerk treasurer upon a form prescribed by the Council. The application shall set forth the name and address of the applicant and a list of the equipment which is proposed to be used in such collection. Before, a license is issued, the applicant shall, if the application is approved by the council, deposit with the City Clerk-Treasurer a surety bond in the penal sum of \$1,000 conditioned that the license will faithfully and continuously provide garbage collection service

specified in the application as modified by the council and under the conditions imposed by the ordinances of the City and the lawful orders, rules and regulations of the board of health. If the surety bond is approved by the Council, the Clerk-Treasurer shall issue and deliver the license. A license fee for each vehicle in the amount fixed by Chapter X of this Code to be licensed shall accompany the application. No license for any vehicle shall be issued to other than the registered owner thereof. No license issued hereunder shall be for a longer period than one year. All licenses expire annually on December 31st.

600.09 Collection Vehicles. Each licensed garbage and rubbish collector shall provide a truck equipped with a covered, watertight, steel tank, constructed so the contents will not leak or spill therefrom, in which all garbage collected shall be conveyed to an approved landfill. The conveyance shall be kept clean, and as free from offensive odors as possible, and shall not be allowed to stand in any street, alley or public place longer than is reasonably necessary to collect garbage.

600.11 Collection Schedule. Each licensed collector shall make collections of garbage on the following basis:

- a) Daily from hotels, restaurants, boarding houses, and other commercial establishments;
- b) Once weekly from residential dwellings. This however, does not preclude more frequent collections of garbage if desired by the customer or required by the volume of garbage.

(Amended Ord. 984 – 1995)

600.13 Approved Disposal Sites. No person shall dispose of refuse or garbage anywhere within the City except at an approved landfill site or disposal depot. An approved landfill site or disposal depot is a site for the disposal of refuse or garbage approved by the City, or the County, and operated in accordance with the rules and regulations of the Minnesota Pollution Control Agency.

600.14 Disposal of City-Wide Clean-Up Materials. During a duly authorized City-wide cleanup endeavor, owners or occupants of property located in the City are allowed to place items permitted for disposal at the curb line of the property that they own or occupy. Anyone found to have placed items at the curb line of property that they do not own or occupy will be prosecuted.

(Added Ord. 1388 – 2011)

600.15 Incinerators. No person shall operate an incinerator within the City for the burning of garbage or refuse unless such incinerator complies with the requirements of the Minnesota Pollution Control Agency.

600.17 Recycling. All garbage haulers licensed to do business in the City shall offer collection of recyclables to all residential dwelling units including single family, duplexes, multi-family, apartment complexes and mobile homes. All recyclables shall be placed for collection in containers provided by the Hauler and approved by the City for each residential account. A residential dwelling unit shall be defined as a single family home, duplex, multi-family, apartment complex or mobile home. Said containers shall be located at one place at ground level on the property on the dates agreed to between the customer and Hauler and shall be accessible to the street or alley from which collection is made. Recyclables shall include the following: paper, corrugated cardboard, food boxes, glass, plastic containers, aluminum cans, metal cans and other materials defined by agreement between the Hauler and City. Collection of recyclables shall be made at least twice a month. The Hauler shall be responsible for picking up and disposing of recyclable materials at an approved Recycling Center. The appropriation of SCORE funding, if any, paid to licensed garbage haulers shall be based their percent of total recycling tonnage for the City of Brainerd as reported by Crow Wing County. An individual residential dwelling unit shall be defined as each residential living unit in a single family home, duplex, multi-family, apartment complex or mobile home.

(Added Ord. 1037 – 1997)

(Amended Ord. 1354 – 2010, Ord. 1416 – 2014)

115A.94 ORGANIZED COLLECTION.

Subdivision 1. **Definition.** "Organized collection" means a system for collecting solid waste in which a specified collector, or a member of an organization of collectors, is authorized to collect from a defined geographic service area or areas some or all of the solid waste that is released by generators for collection.

Subd. 2. **Local authority.** A city or town may organize collection, after public notification and hearing as required in subdivisions 4a to 4f. A county may organize collection as provided in subdivision 5. A city or town that has organized collection as of May 1, 2013, is exempt from subdivisions 4a to 4f.

Subd. 3. **General provisions.** (a) The local government unit may organize collection as a municipal service or by ordinance, franchise, license, negotiated or bidden contract, or other means, using one or more collectors or an organization of collectors.

(b) The local government unit may not establish or administer organized collection in a manner that impairs the preservation and development of recycling and markets for recyclable materials. The local government unit shall exempt recyclable materials from organized collection upon a showing by the generator or collector that the materials are or will be separated from mixed municipal solid waste by the generator, separately collected, and delivered for reuse in their original form or for use in a manufacturing process.

(c) The local government unit shall invite and employ the assistance of interested persons, including persons licensed to operate solid waste collection services in the local government unit, in developing plans and proposals for organized collection and in establishing the organized collection system.

(d) Organized collection accomplished by contract or as a municipal service may include a requirement that all or any portion of the solid waste, except (1) recyclable materials and (2) materials that are processed at a resource recovery facility at the capacity in operation at the time that the requirement is imposed, be delivered to a waste facility identified by the local government unit. In a district or county where a resource recovery facility has been designated by ordinance under section 115A.86, organized collection must conform to the requirements of the designation ordinance.

Subd. 4. [Repealed, 2013 c 45 s 7]

Subd. 4a. **Committee establishment.** (a) Before implementing an ordinance, franchise, license, contract, or other means of organizing collection, a city or town, by resolution of the governing body, must establish a solid waste collection options committee to identify, examine, and evaluate various methods of solid waste collection. The governing body shall appoint the committee members.

(b) The solid waste collection options committee is subject to chapter 13D.

Subd. 4b. **Committee duties.** The committee established under subdivision 4a shall:

(1) determine which methods of solid waste collection to examine, which must include:

(i) the existing system of collection;

(ii) a system in which a single collector collects solid waste from all sections of a city or town; and

(iii) a system in which multiple collectors, either singly or as members of an organization of collectors, collect solid waste from different sections of a city or town;

(2) establish a list of criteria on which the solid waste collection methods selected for examination will be evaluated, which may include: costs to residential subscribers, impacts on residential subscribers' ability

to choose a provider of solid waste service based on the desired level of service, costs and other factors, the impact of miles driven on city streets and alleys and the incremental impact of miles driven by collection vehicles, initial and operating costs to the city of implementing the solid waste collection system, providing incentives for waste reduction, impacts on solid waste collectors, and other physical, economic, fiscal, social, environmental, and aesthetic impacts;

(3) collect information regarding the operation and efficacy of existing methods of solid waste collection in other cities and towns;

(4) seek input from, at a minimum:

(i) the governing body of the city or town;

(ii) the local official of the city or town responsible for solid waste issues;

(iii) persons currently licensed to operate solid waste collection and recycling services in the city or town; and

(iv) residents of the city or town who currently pay for residential solid waste collection services; and

(5) issue a report on the committee's research, findings, and any recommendations to the governing body of the city or town.

Subd. 4c. Governing body; implementation. The governing body of the city or town shall consider the report and recommendations of the solid waste collection options committee. The governing body must provide public notice and hold at least one public hearing before deciding whether to implement organized collection. Organized collection may begin no sooner than six months after the effective date of the decision of the governing body of the city or town to implement organized collection.

Subd. 4d. Participating collectors proposal; requirement. Before establishing a committee under subdivision 4a to consider organizing residential solid waste collection, a city or town with more than one licensed collector must notify the public and all licensed collectors in the community. The city or town must provide a period of at least 60 days in which meetings and negotiations shall occur exclusively between licensed collectors and the city or town to develop a proposal in which interested licensed collectors, as members of an organization of collectors, collect solid waste from designated sections of the city or town. The proposal shall include identified city or town priorities, including issues related to zone creation, traffic, safety, environmental performance, service provided, and price, and shall reflect existing haulers maintaining their respective market share of business as determined by each hauler's average customer count during the six months prior to the commencement of the exclusive negotiation period. If an existing hauler opts to be excluded from the proposal, the city may allocate their customers proportionally based on market share to the participating collectors who choose to negotiate. The initial organized collection agreement executed under this subdivision must be for seven years. Upon execution of an agreement between the participating licensed collectors and city or town, the city or town shall establish organized collection through appropriate local controls and is not required to fulfill the requirements of subdivisions 4a, 4b, and 4c, except that the governing body must provide the public notification and hearing required under subdivision 4c.

Subd. 4e. Parties to meet and confer. Before the exclusive meetings and negotiations under subdivision 4d, participating licensed collectors and elected officials of the city or town must meet and confer regarding waste collection issues, including but not limited to road deterioration, public safety, pricing mechanisms, and contractual considerations unique to organized collection.

Subd. 4f. **Joint liability limited.** Notwithstanding section 604.02, an organized collection agreement must not obligate a participating licensed collector for damages to third parties solely caused by another participating licensed collector. The organized collection agreement may include joint obligations for actions that are undertaken by all the participating licensed collectors under this section.

Subd. 5. **Counties; organized collection.** (a) A county may by ordinance require cities and towns within the county to organize collection. Organized collection ordinances of counties may:

- (1) require cities and towns to require the separation and separate collection of recyclable materials;
- (2) specify the material to be separated; and
- (3) require cities and towns to meet any performance standards for source separation that are contained in the county solid waste plan.

(b) A county may itself organize collection under subdivisions 4a to 4f in any city or town that does not comply with a county organized collection ordinance adopted under this subdivision, and the county may implement, as part of its organized collection, the source separation program and performance standards required by its organized collection ordinance.

Subd. 6. **Organized collection not required or prevented.** (a) The authority granted in this section to organize solid waste collection is optional and is in addition to authority to govern solid waste collection granted by other law.

(b) Except as provided in subdivision 5, a city, town, or county is not:

- (1) required to organize collection; or
- (2) prevented from organizing collection of solid waste or recyclable material.

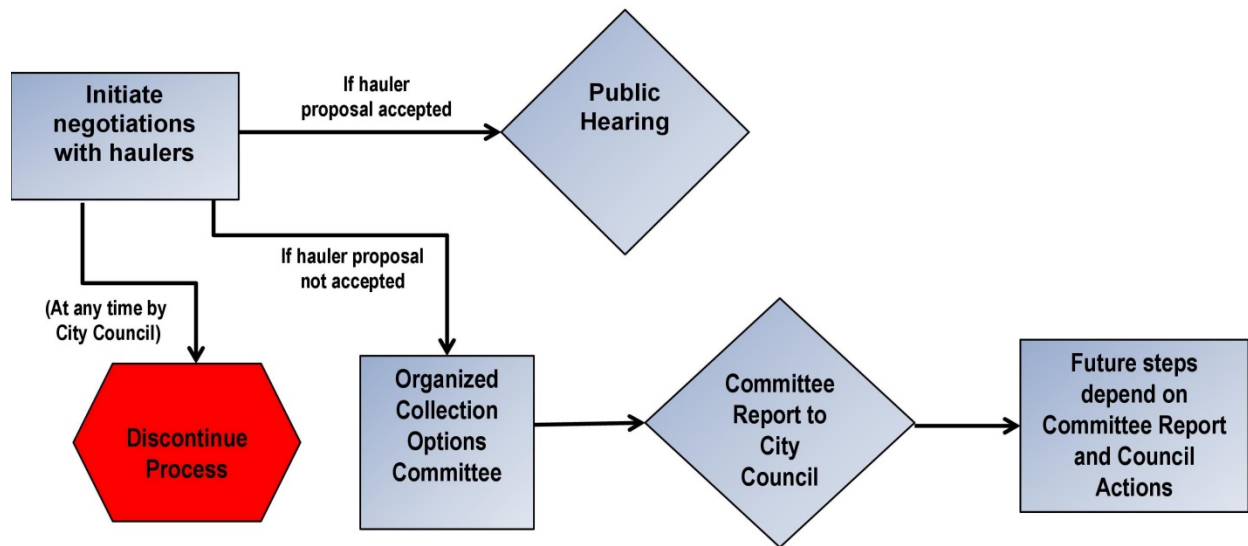
(c) Except as provided in subdivision 5, a city, town, or county may exercise any authority granted by any other law, including a home rule charter, to govern collection of solid waste.

Subd. 7. **Anticompetitive conduct.** (a) A political subdivision that organizes collection under this section is authorized to engage in anticompetitive conduct to the extent necessary to plan and implement its chosen organized collection system and is immune from liability under state laws relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce.

(b) An organization of solid waste collectors, an individual collector, and their officers, members, employees, and agents who cooperate with a political subdivision that organizes collection under this section are authorized to engage in anticompetitive conduct to the extent necessary to plan and implement the organized collection system, provided that the political subdivision actively supervises the participation of each entity. An organization, entity, or person covered by this paragraph is immune from liability under state law relating to antitrust, restraint of trade, unfair trade practices, and other regulation of trade or commerce.

History: 1987 c 348 s 27; 1989 c 325 s 26,27; 1990 c 600 s 1,2; 1991 c 337 s 46; 1993 c 249 s 20,21; 2013 c 45 s 1-6; 2018 c 177 s 1-8

Organized Collection Process Flow Chart



Minnesota's Organized Collection Process

The process of changing from open hauling to organized collection of solid waste is controversial. The operational efficiencies and other system advantages of having one hauler per route are factors that lead cities to pursue an organized collection system.

The Minnesota Organized Collection Statute (M.S. 115A.94, Subd. 4d) explicitly states that cities may use other authorities in addition to the process specified in the Organized Collection Statute. Cities that have recently been successful in organizing or renewing their solid waste systems have used a combination of the process in the Organized Collection Statute and traditional procurement approaches such as requests for proposals (RFPs). See the Organized Collection Statute at <https://www.revisor.mn.gov/statutes/?id=115A.94>

Negotiated Consortium Approach

Municipalities may negotiate with current licensed haulers under the procedures specified within the Organized Collection Statute. The first step in this process is to invite all current licensed haulers to participate in negotiations with the municipality for a period of at least 60 days. A primary objective of this step is to give each licensed hauler a chance to participate in the negotiated process. Selected examples of cities that have successfully used the negotiated consortium approach as of 2015 include:

- ◆ Champlain
- ◆ Elk River
- ◆ Little Canada
- ◆ Maplewood
- ◆ Minneapolis
- ◆ Saint Anthony Village
- ◆ Sauk Rapids
- ◆ Vadnais Heights

Each City will have unique characteristics and priorities that should be anticipated in planning for the organized collection process. To be successful, this process requires careful planning, coordination and execution by municipalities and their current licensed haulers.

Table 1 itemizes the pros and cons of the negotiated consortium approach.

Table 1
Negotiated Consortia Approach: Pros and Cons

Pros	Cons
◆ If a consortium is formed, it gives each licensed hauler the voluntary option to join and maintain current market share. Haulers have ability to remain whole. ◆ Respects (some of) the value of each hauler's business. ◆ Can result in competitive pricing if City is effective in price negotiations. ◆ Helps avoid the perception of predatory pricing by larger hauling companies within RFP procurement approaches.	◆ Difficult to determine market share at any specific date in time. ◆ Negotiating a fair and competitive price may be difficult. ◆ Some tendency for cities to extend with incumbent Contractor rather than go out for RFP reduces leverage to help assure prices remain competitive. ◆ More administratively complex compared to a standard RFP process; requires additional City staff time. ◆ Some municipalities may not be well equipped to actively supervise development of new consortia and negotiate new contracts. ◆ Limited to current licensed haulers only; does not allow new companies to enter in the market or for current haulers to grow.

Request for Proposal (RFP) Approach

A number of more familiar procurement approaches are also available to municipalities to establish a new single contract or multiple set of contracts, including the request for proposals (RFP) method. Minnesota law, rules and other guidance documents provide clear direction and standard procedures to employ RFPs to procure professional services. An RFP can be planned to run in conjunction with the negotiated consortium approach. For example, after rejecting a hauler proposal a City Council may authorize an RFP for solid waste services.

Procurement guidance is also available from national governmental trade organizations such as the NIGP: the Institute for Public Procurement, including specialized training such as its three-day course:

“Developing and Managing Requests for Proposals in the Public Sector”
<http://www.nigp.org/eweb/StartPage.aspx?Site=NIGP&webcode=pd-38-ep-ot-cd>

In the case of changing to organized solid waste collection, there are at least two potential RFP approaches. One is based on geographic “contract zones” with the intent of procuring multiple contracts. The second is a citywide approach with the intent of securing a single contract. A combination or hybrid of both approaches can be planned within a single RFP process. For example, a City could structure its RFP with one proposal option for a single contract and another proposal option for contract zones.

Under a “contract zones” approach, a City could divide the service area into zones, for example five zones – one for each day of the week. The RFP could then include stipulations that any one respondent

could not receive more than a selected number of zones. This assures contracts are awarded to multiple haulers, preserving hauler diversity.

The RFP can be formulated so teams of smaller haulers could compete more effectively with larger companies. Other procurement strategies can be incorporated in the RFP to encourage competitive proposals and “level the playing field.” Table 2 itemizes the pros and cons of the RFP approach.

Table 2
RFP Approach: Pros and Cons

Pros	Cons
◆ Uses the private marketplace to help municipalities establish competitive pricing. ◆ All eligible companies are allowed to respond; the process is not exclusive to currently licensed haulers. Allows new companies to compete in the market. ◆ Authority, laws, rules and process well established. Guidelines for best practices in RFP development and subsequent contract management are known as standards within government procurement. ◆ Requires clear, well written standards of performance, including customer service.	◆ Profit margins may shrink which could threaten the survivability of less stable hauling companies. ◆ Municipalities are reluctant to use RFPs on a regular basis; some cities have a tendency to extend contracts instead. ◆ Incumbent hauler has advantage; difficult to totally level the playing field to reduce this advantage.

Developed by foth.com of Lake Elmo, MN for MPCA and MN GreenStep Cities. Comments welcomed via <http://greenstep.pca.state.mn.us/contact.cfm>

Stephanie Bestul

Subject: FW: EXTERNAL: EDA RESIGNATION

From: Campbell, Yvette, M
Sent: Thursday, August 13, 2020 4:03 PM
To: Stephanie Bestul <sbestul@ci.brainerd.mn.us>
Subject: RE: EXTERNAL: EDA RESIGNATION

WARNING: *This email originated outside of the City of Brainerd. DO NOT open links or attachments unless you KNOW the content is safe.*

Please accept this email as formal notification of my resignation from the City of Brainerd Economic Development Authority as I will be moving out of state at the end of August 2020. It has been a sincere honor to serve with all of you.

Best, Yvette Campbell

Yvette Campbell
SVP | Business Banker
D 218-855-5543
F 218-829-5583
bremer.com | ymcampbell@bremer.com
321 S 7th Street
Brainerd, MN 56401





City of Brainerd

Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for Economic Development Authority Date: 7.9.2020

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

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

* Name: Last O'Day First Michael M.I. C

PLEASE NOTE: Please see the individual committee requirements to serve on a City Committee or Board.

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

I am passionate about improving the economic climate in this city.

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

I work well in a committee setting, and I believe that I have a firm grasp on the needs of this town.

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

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

None

Please list any additional comments:

[Signature] 7.9.2020
(Signature) (Date)

* Required Information

Submit completed application forms via one of the following options:

Email: sbestul@ci.brainerd.mn.us **fax:** 218-828-2316
Mail: City of Brainerd, 501 Laurel Street, Brainerd MN 56401



City of Brainerd

Commission/Committee/Board Application Form

Any questions contact City Hall at 218-828-2307

Commission/Committee/Board Applying for AIRPORT COMMISSION Date: 8-22-20

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

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

* Name: Last RIEDEL First KEITH M.I. A

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

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

I AM A LIFELONG RESIDENT OF BRAINERD. I HAVE BEEN INVOLVED IN AVIATION FOR MANY YEARS AND I WANT TO GIVE BACK TO MY COMMUNITY

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

I HAVE MANAGEMENT EXPERIENCE IN SEVERAL FIELDS. FOR THE MN-DNR I MANAGE PEOPLE, EQUIPMENT AND CONTRACTS. I HAVE DIPLOMATIC PEOPLE SKILLS.

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

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

NONE

Please list any additional comments:

I HAVE WORKED AT AIRPORTS ALL OVER THE COUNTRY AS A AVIATION MANAGER FOR FIREFIGHTING AIRCRAFT.

[Signature]
(Signature)

8-22-20
(Date)

* Required Information

Submit completed application forms via one of the following options:

email: sbestul@ci.brainerd.mn.us

fax: 218-828-2316

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



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: New On-Sale, Off-Sale Liquor & Sunday License - Notch 8

☐ 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 received a new On-Sale, Off-Sale Liquor and Sunday License from Northern Pacific Hospitality LLC dba Notch 8 to operate at 1551 Northern Pacific Road. Mr. Nicholas Miller and Mr. John Poston are hoping to be able to open this fall.	
Alternatives, Options, Effects on Others/Comments: The Police Chief and Fire Chief still need to review the application. Staff wanted to put it on the agenda to get the process rolling for the applicants.	
Recommended Action/Motion: Approve the On-Sale Liquor, Off-Sale Liquor and Sunday License applications for Northern Pacific Hospitality LLC dba Notch 8, 1551 Northern Pacific Road, contingent upon approval the Police Chief and Fire Chief's approval.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☒ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☒ No <i>Please Explain:</i>	



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Proposed Ordinance No. 1510 - Amending the Rural Service District - Public Hearing & First Reading

☐ 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: 5 minutes
Summary of Issue: Greg Jedlenski of 9089 Dal-Mar Drive is requesting that the property on which his home sits (PID 41330756) be added to the City's Rural Service District. This property is landlocked (see attached GIS map), and he uses the adjacent property that he owns (PID 41330716) to access his home. PID 41330716 is in the rural services district but PID 41330756 (his home) is not. He believes his home should be in the Rural Services District as he is not serviced by city sewer and water, and it is not available that far down Dal-Mar. The neighboring properties are within the Rural Services District. On August 17, the City Council directed staff to proceed with the process for adding Mr. Jedlenski's property to the Rural Service District.	
Alternatives, Options, Effects on Others/Comments: The Rural Service District was created in 1986 by Ordinance No. 844, which set, "the taxes for municipal purposes, exclusive of bonded indebtedness, shall not exceed 80% of full municipal taxes levied in the remainder of the City." Additionally, the ordinance stated, "Whenever any parcel of land in the rural service district received water and/or sewer services or is rezoned, said parcel of land shall be transferred from the rural service district to the urban service district and the levy shall then be on the same basis as the property taxes levied for the urban service district." In 1996, Ordinance No. 1020 amended the Rural Service District reduce the tax levy within the district to 52%. This was based on the recommendation from the EDA. From the minutes of EDA meetings in May 1996, it appears the basis of amending the rural service district tax rate was to encourage annexation. They believed that property owners in adjacent unorganized areas and townships would not annex if their taxes were going to be substantially higher even though they still do not have city sewer and water service. Other than sewer and water, which is not a levied expense, properties within the Rural Service District receive no fewer services than the rest of the community.	
Recommended Action/Motion: 1) Hold public hearing on Proposed Ordinance No. 1510, an ordinance amending the Rural Service District. 2) Hold/dispense with the first reading of Proposed Ordinance No. 1510, an ordinance amending the Rural Service District.	
Financial Impact: <i>Is there a cost associated with this request:</i> ☐ Yes ☐ No <i>What is the total cost, with tax and shipping</i> \$ _____ <i>Is this budgeted?</i> ☐ Yes ☐ No <i>Please Explain:</i>	

**ORDINANCE
NO. 1510**

AN ORDINANCE AMENDING ORDINANCE NO.1020, ORDINANCE NO.1033, ORDINANCE NO.1051, ORDINANCE NO.1068, ORDINANCE NO.1102, ORDINANCE NO.1120, ORDINANCE NO.1150, ORDINANCE NO.1196, ORDINANCE NO.1234, ORDINANCE NO.1262, ORDINANCE NO.1288, ORDINANCE NO. 1305, ORDINANCE NO.1323, AND ORDINANCE NO. 1337 DIVIDING THE CITY OF BRAINERD INTO AN URBAN SERVICE DISTRICT AND A RURAL SERVICE DISTRICT

THE CITY COUNCIL OF THE CITY OF BRAINERD DOES ORDAIN:

SECTION ONE: That Ordinance Nos. 1020, 1033, 1051, 1068, 1102, 1120, 1150, 1196, 1234, 1262, 1288, 1305, 1323, and 1337 are hereby amended by adding the following parcel of property to the Rural Service District:

41330756 (Legacy 08033270000009)

That part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the northeast corner of said Southeast Quarter of the Northwest Quarter; thence South 00 degrees 16 minutes 05 seconds West, bearings are based on the NAD83/Crow Wing County coordinate system (NAD83/HCROW), along the east line of said Southeast Quarter of the Northwest Quarter, a distance of 263.18 feet; thence South 89 degrees 42 minutes 19 seconds West, a distance of 106.60 feet; thence North 41 degrees 30 minutes 38 seconds West, a distance of 228 feet, more or less, to the shoreline of an un-named Lake; thence northerly along said shoreline to the intersection with the north line of said Southeast Quarter of the Northwest Quarter; thence North 89 degrees 42 minutes 17 seconds East, a distance of 213 feet, more or less, to the point of beginning.

SECTION TWO: That all other parcels included in the abovementioned ordinances shall remain within the Rural Service District.

SECTION THREE: The benefit ratio required by Subd. 2 of Minnesota Statute 272.67 shall be established so that all lands in the Rural Service District shall be taxed for the general levy at Fifty-two (52%) of the rate levied in the Urban Service District. That is, the taxes for the municipal purposes, exclusive of bonded indebtedness, shall not exceed fifty-two (52%) percent of full municipal taxes levied in the remainder of the City. That the said benefit ratio shall not apply on municipal taxes levied for the payments of bonded indebtedness, judgments, and interest thereon.

SECTION FOUR: All other provisions of Ordinance Nos. 1020, 1033, 1051, 1068, 1102, 1120, 1150, 1196, 1234, 1262, 1288, 1305, 1323, and 1337 shall remain in full force and effect.

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

Adopted this _____ day of _____, 2020

GABE JOHNSON
President of the Council

Approved this _____ day of _____, 2020

DAVE BADEAUX
Mayor

ATTEST: _____
JENNIFER BERGMAN
City Administrator

Published: One Time – _____

NOTICE OF HEARING

The City of Brainerd City Council will be conducting a public hearing to consider Proposed Ordinance No. 1510. The proposed ordinance is to amend the Rural Service District by adding the following parcel or property:

PID 41330756 (Legacy 08033270000009) legally described as:

That part of the Southeast Quarter of the Northwest Quarter of Section 33, Township 134 North, Range 28 West, Crow Wing County, Minnesota, described as follows: Commencing at the northeast corner of said Southeast Quarter of the Northwest Quarter; thence South 00 degrees 16 minutes 05 seconds West, bearings are based on the Cr014' Wing County coordinate system (NAD83/HCROW), along the east line of said Southeast Quarter of the Northwest Quarter, a distance of 263.18 feet; thence South 89 degrees 42 minutes 19 seconds West, a distance of 106.60 feet; thence North 41 degrees 30 minutes 38 seconds West, a distance of 228 feet, more or less, to the shoreline of an un-named Lake; thence northerly along said shoreline to the intersection with the north line of said Southeast Quarter of the Northwest Quarter; thence North 89 degrees 42 minutes 17 seconds East, a distance of 213 feet, more or less, to the point of beginning.

A Public Hearing will be conducted by the Brainerd City Council at 7:30 p.m. Tuesday, September 8, 2020 to consider this amendment. The location of this public hearing will be made available no later than 4:30pm on Friday, September 3, 2020.

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

Dated this 27th day of August 2020

Publication Date: August 30, 2020

David C. Chanski, MPA
Community Development Director



Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Public Works Department - Discussion Item

☐ INFORMATION ONLY ☐ CONSENT AGENDA ☐ P&F COMMITTEE ☒ SPW COMMITTEE ☐ MAIN AGENDA	Action Requested: ☒ Approve/Deny Motion ☐ Adopt Resolution (attach draft) ☐ Direction Requested ☒ Discussion Item ☐ Hold Public Hearing* ☐ Ordinance 1st Reading *provide copy of published hearing notice
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Brainerd City Council Agenda Request

Requested Meeting Date: September 8, 2020

Title of Item: Variance Request - 515 S. 9th St. - Setbacks for Duplex

☐ 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: 5 minutes
Summary of Issue: Eric Stangler has submitted a request on behalf of Stangler Properties, LLC (7384 Lone Oak Road, Brainerd, MN 56401) for a variance at 515 S. 9th St., Brainerd, MN 56401. The requested variance is from Section 515-57-7.B Principal Building Setbacks. The applicant is requesting a reduced side setback from 5 feet to 3 feet for the development of a duplex.	
Alternatives, Options, Effects on Others/Comments: The Planning Commission considered this variance request during their regular meeting on August 19. Upon consideration, the Commission voted unanimously to approve the requested variance with the condition that the north lot line setback shall be no less than 3 feet, and all other setbacks shall be met as required by ordinance as well as the recommendation that the applicant consider the placement of the proposed garage further from the north lot line due to the proximity to the neighboring garage. Due to a technical issue that resulted in the notice of public hearing not being issued 10-days prior to the Planning Commission meeting, the City Council shall hold a public hearing on this variance request prior to considering the Planning Commission's recommendation.	
Recommended Action/Motion: 1) Hold public hearing 2) Motion to approve/deny the request variance from Section 515-57-7.B of the Zoning Code at 515 S. 9th St. with the condition that the north lot line setback shall be no less than 3 feet, and all other setbacks shall be met as required by ordinance as well as the recommendation that the applicant consider the placement of the proposed garage further from the north lot line due to the proximity to the neighboring garage.	
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 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: 515 South 9th Street

LEGAL DESCRIPTION: Lot(s): 20/21 Block: 135 Addition: Town of Brainerd & First Addition To Brainerd
(attach description if lengthy)

Property Owner Name: Stangler Properties LLC

Street Address: 1384 Lone Oak Rd City: Brainerd State: MN Zip Code: 56401

Phone Number: 2188203309 Fax: _____ E-mail: eric.stangler@gmail.com

Applicant Name: (If different than Property Owner) Eric Stangler

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

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

Description of Request: Adjust setback on North & South Border of property from 5 feet to 3 feet

E. Stangler
Property Owner Signature

8-6-2020
Date

Eric Stangler
(Please print name)

E. Stangler
Applicant Signature

8-6-2020
Date

Eric Stangler
(Please print name)

(OVER)

Legal: Town of Brainerd & First Addition to Brainerd
Stangler
7384 Lone Oak Rd
Brainerd, MN 56401
Parcel ID: 091961350202009
Lot 20 Block 135 and N 1/2 Lot 21 Block 135



City of Brainerd

Community Development Department

TO: Planning Commission

FROM: David Chanski, Community Development Director

DATE: August 17, 2020

RE: 515 S. 9th St. Setback Variance

Eric Stangler has submitted a request on behalf of Stangler Properties, LLC (7384 Lone Oak Road, Brainerd, MN 56401) for a variance at 515 S. 9th St., Brainerd, MN 56401.

The requested variance is from *Section 515-57-7.B Principal Building Setbacks*. The applicant is requesting a reduced side setback from 5 feet to 3 feet for the development of a duplex.

Findings of Fact

1. [Section 515-7-2](#), Subdivision 3A – Variances shall only be permitted:
 - a. When they are in harmony with the general purposes and intent of the ordinance
 - i. The purpose of a R-3 (High Density Residential) District is to provide for areas of high-density residential housing including senior housing
 - b. When the variances are consistent with the Comprehensive Plan
 - i. Staff believes this variance request is supported by Goal 1 of Chapter 3 of the Comprehensive plan which states, “provide a diverse mix of housing choices for all stages of life, income ranges, and ownership/rental preferences.”
 1. Policy 2 under Goal 1 states, “expand home ownership and rental opportunities through rehabilitation of new construction.”
 2. Policy 5 under Goal 1 states, “ensure an adequate supply of quality and affordable housing units for current and future residents.
2. Section 515-7-2, Subdivision 3B & Subdivision 4 – Variances may be granted when the applicant for the variances establishes that there are practical difficulties in complying with the Zoning Ordinance.
 - a. The property owner proposes to use the property in a reasonable manner not permitted by the Zoning Ordinance.
 - i. Two family attached dwellings are a permitted use within R-3 districts as regulated by [Section 515-57](#) of the Code of Ordinances.
 - b. The plight of the landowner is due to circumstances unique to the property not created by the landowner.
 - i. Section 515-57-7 of the Code of Ordinances, requires two-family dwellings to have a minimum lot size of 6,000 square feet with a minimum lot width of 100 feet.

1. 515 S. 9th St. is a legal nonconforming lot as it is only approximately 38 feet wide and 5,700 square feet.
- c. The variance, if granted, will not alter the essential character of the locality.
 - i. The property is currently vacant, and there are numerous two-family and multi-family structures in the near vicinity.
3. Section 515-57-7.B requires a side setback of 5 feet for principle structures.
 - a. The applicant is requesting a reduced setback requirement of 3 feet due to the narrowness of the lot.
4. The 2020 Crow Wing County HRA Workforce Housing Study identified an increasing need for new housing options within Crow Wing County of which Brainerd is the largest community.

At the time of this writing, no parties have come forward to express objections to this variance request.

Staff Opinion

Staff recommends approval of this variance request as staff believes the requested variance meets the requirements as outlined in Section 515-7 of the Code of Ordinances and the development of new housing is supported by the Comprehensive Plan as well as the 2020 Crow Wing County HRA Workforce Housing Study.

NOTICE OF HEARING

TO WHOM IT MAY CONCERN:

Notice is hereby given that Eric Stangler has submitted a request on behalf of Stangler Properties, LLC (7384 Lone Oak Road, Brainerd, MN 56401) for a variance at 515 S. 9th St., Brainerd, MN 56401. The requested variance is from *Section 515-57-7.B Principal Building Setbacks*. The applicant is requesting a reduced side setback from 5 feet to 3 feet for the development of a duplex.

The property is legally described as:

*Lot 20 Block 135 and N ½ Lot 21 Block 135, TOWN OF BRAINERD and FIRST
ADDITION TO BRAINERD
P.I.N. 41240988
Section 24, Township 45, Range 31*

The property is zoned R-3 (High Density Residential) District. A copy of the proposed site plan is on file for review with the Community Development Department.

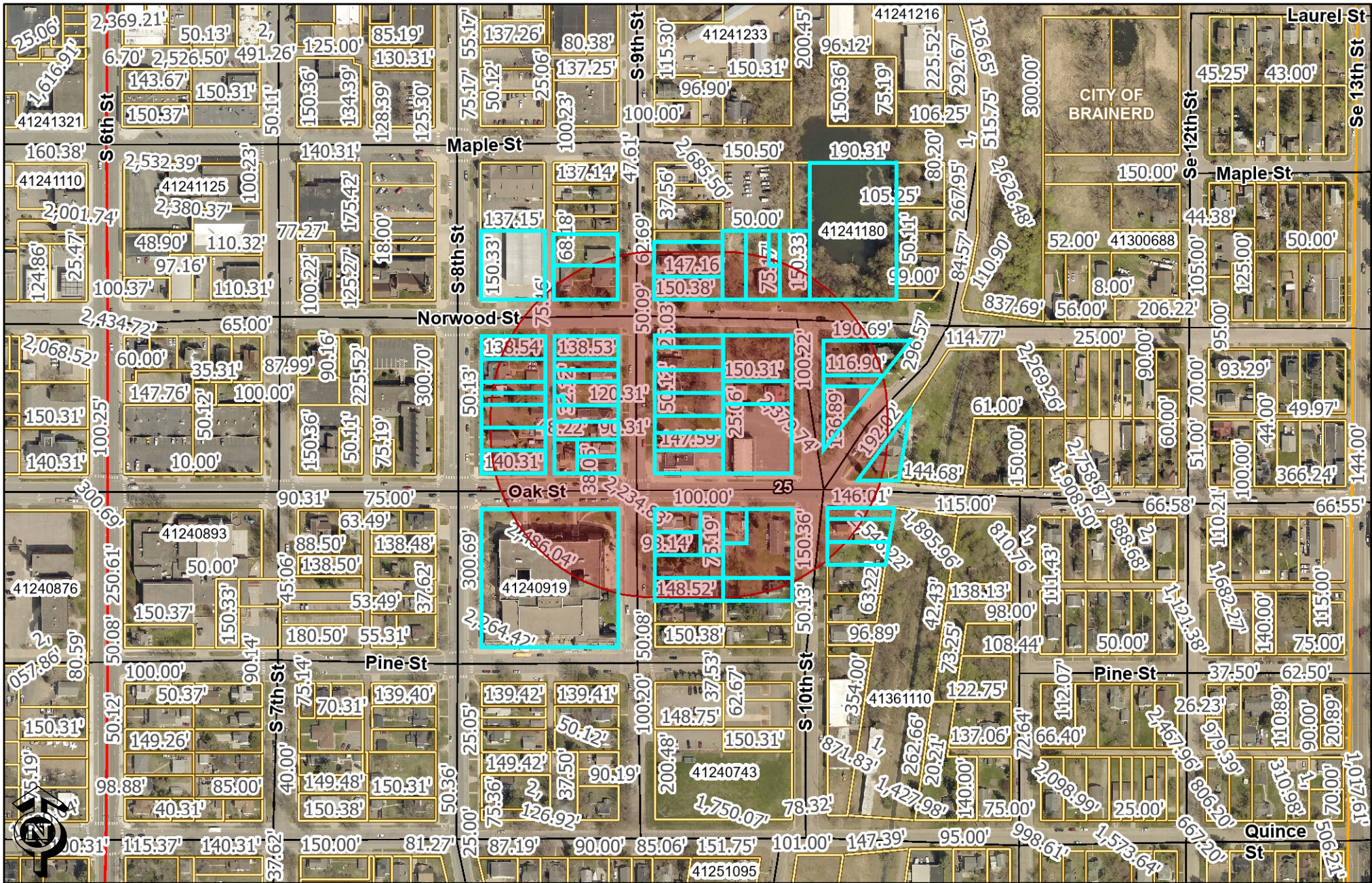
A Public Hearing to consider this variance request will be conducted by the Brainerd City Council at 7:30 p.m. on Monday, September 8, 2020. The location of the public hearing has not yet been determined. The location will be made available on the City's website at www.ci.brainerd.mn.us no later than 4:30pm on Friday, September 4.

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

Dated this 20th day of August 2020

Publication Date: August 23, 2020

David C. Chanski, MPA
Community Development Director



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

515 S. 9th St

Date: 8/18/2020 Time: 3:07:59 PM

