

Brainerd, MN
February 22nd, 2022

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

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

Council President Bevans opened the meeting with the Pledge of Allegiance to the flag.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA WITH POSTPONING COMMUNITY MEMBER OF THE MONTH TO MARCH 7TH DUE TO WEATHER.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO APPROVE THE CONSENT CALENDAR.

- A. Approval of Bills and Transfer of Funds- Approved
- B. Approval of the Minutes of the City Council Code Enforcement Workshop held on January 24th, 2022- Approved
- C. Approval of Minutes of the Regular City Council Meeting held on February 7th, 2022- Approved
- D. Approval of Licenses- Approved
- E. Department Activity Reports- Approved
- F. Approval of City Administrator 2021 Performance Review
- G. Authorize Letter of Support for the Initiative Foundation for the DEED Grant Application
- H. Minnesota Lawful Gambling Application to Conduct Excluded Bingo- Submitted by St. Andrew's Church of Brainerd, 1108 Willow St, Brainerd- Bingo Events to be held at St. Andrew's on April 9, 2022, and November 19, 2022.
- I. Temporary On-Sale Liquor License Application- Submitted by Jack Pine Brewery for the Brainerd Lakes Home Show and Expo on March 25 and March 26, 2022.
- J. Temporary On-Sale Liquor License Application- Submitted by Brainerd Sports Boosters for the Tapped and Corked Event on April 23, 2022, held at the Essentia Health Sports Center 502 Jackson St., Brainerd. Contingent upon Police and Fire Department Approval.

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

Council Committee Reports

Personnel and Finance

Approve Quotes for Public Safety Cold Storage Building- Approved

Committee Chair Johnson stated that there was \$205,000 budgeted for the project.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE QUOTE FROM LIND CONSTRUCTION IN THE AMOUNT OF \$171,050 AND TO AUTHORIZE MAYOR AND CITY ADMINISTRATOR TO ENTER INTO AN AGREEMENT WITH LIND CONSTRUCTION FOR THE CONSTRUCTION OF THE BUILDING.

Current Community Service Officers Wage Adjustment- Approved

Committee Chair Johnson stated that this is a budgeted item for 2022.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE CURRENT COMMUNITY SERVICE OFFICER WAGE ADJUSTMENT TO \$16.00 PER HOUR RETROACTIVE TO JANUARY 1, 2022.

Ratify the Hiring of Community Service Officer Janey Ziegler-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY HIRING OF COMMUNITY SERVICE OFFICER JANEY ZIEGLER EFFECTIVE FEBRUARY 16, 2022, AT A RATE OF \$16.00 PER HOUR.

Ratify the Hiring of Temporary Special Events Assistant for Parks- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO RATIFY HIRING OF CALLIE BATHOLOMAUS AS THE 2022 TEMPORARY SPECIAL EVENTS ASSISTANT FOR PARKS EFFECTIVE FEBRUARY 13, 2022, AT A RATE OF \$15.00 PER HOUR.

Ratify the Hiring of HR Assistant Brittney Boser- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY HIRING OF HR ASSISTANT BRITTNEY BOSER EFFECTIVE FEBRUARY 28, 2022; FUTURE THAT SHE BE PLACED ON STEP 1 OF THE HR ASSISTANT WAGE GRID AT A RATE OF \$23.51 PER HOUR.

Approve the City Administrator Bergman's Advancement to Step 3 Retroactive to January 1, 2022- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE CITY ADMINISTRATOR BERGMAN'S STEP ADVANCEMENT TO STEP 3 OF THE CITY ADMINISTRATOR WAGE GRID EFFECTIVE JANUARY 1, 2022.

Resolution- Waiving Recertification of Outstanding Special Assessments to Tax-Forfeit Parcel Described as Lot 5, Block 3, Serene Pines- Approved

Committee Chair Johnson stated this matter came about last April when a neighbor requested not to recertify so that they could purchase the lot. This is a step to convey the lot to Crow Wing County HRA.

HRA Director Charpentier stated that the lot has been allowable to be purchased at any point through the County. With the adoption of the resolution the developer will enter into an agreement to purchase the land.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT RESOLUTION WAIVING THE RECERTIFICATION OF OUTSTANDING SPECIAL ASSESSMENT TO TAX-FORFEIT PARCEL DESCRIBED AS LOT 5, BLOCK 3, SERENE PINES.

RESOLUTION 05:22

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

Update on the Request for Funds to be Returned From Lakes Area Media Collaborative- Informational

Committee Chair Johnson stated that the City Council sent a letter on August 16th, 2021, to Lakes Area Media Collaborative requesting refund of unspent funds be returned to the City. Staff has not received a response to the letter.

Safety and Public Works

Resolution- Approve Cooperative Agreement with the Minnesota Department - Approved

Committee Chair O'Day stated that this project will be in conjunction with the City's improvement of Greenwood Street. The agreement details that the cost share will include sidewalks, retaining wall, aesthetics, resurfacing of Greenwood St., utility improvements, and the signal at Buffalo Hills Lane. The estimated portion for the City is \$307,897.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT RESOLUTION TO ENTER INTO THE COOPERATIVE CONSTRUCTION AGREEMENT WITH MNDOT FOR THE 2022 CONSTRUCTION OF S 6TH STREET (TH371B) FROM 1,000 FEET SOUTH OF 70TH AVENUE TO JOSEPH STREET.

RESOLUTION 06:22

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

Approve Plans and Specifications and Authorize Bidding- Improvement 19-02- Cuyuna Lakes State Trail NP Center Segment- Approved

Committee Chair O'Day stated that this improvement was the focus of closed sessions to purchase land through the Northern Pacific Center for the Cuyuna Lakes State Trail. The City's contribution is estimated at \$292,447 which includes the city provided materials for the in-kind construction provided by the owner and also the city responsibilities for the project which include the curb and gutter, paving, and restoration. These are not MnDNR eligible reimbursements. The surfacing of the trail segment is estimated to cost \$151,336.35, in which is fully reimbursable with the MnDNR funding. Total project cost estimate is \$443,782.80.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE BIDDING FOR IMPROVEMENT 19-02 WITH AN ANTICIPATED BID OPENING DATE OF MARCH 29TH, 2022 AT 10:00 AM. CONTINGENT ON APPROVAL OF THE PLANS BY THE MNDNR.

Approve Plans and Specifications and Authorize Bidding- Improvement 22-01- 2022 Seal Coat Project- Approved

Committee Chair O'Day stated that there is \$150,000 budgeted for this improvement.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE PLANS AND SPECIFICATIONS AND AUTHORIZE BIDDING OF IMPROVEMENT 22-01 WITH AN ANTICIPATED BID OPENING OF MARCH 18TH, 2022 AT 10:00 AM.

Consideration of Proposed Section 320 Amendment Language- Discussion

Committee Chair O'Day stated that the committee requested the time and penalties language be reviewed by Staff and brought back for approval.

Approve Street Light Policy

Committee Chair O'Day stated that the committee approved the style and general policy for streetlights. The implementation should go through Personnel and Finance Committee at their next meeting.

Chair Bevans asked how the lights are purchased and who pays for them initially.

City Engineer/Public Works Director Sandy stated that the Public Utilities Commission fronts the cost for the lighting and the cost is reimbursed through the City's monthly charge.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE STREET LIGHT POLICY WITH OPTIONS 1A AND 2A SELECTED AS LIGHTING FOR COMMERCIAL AND RESIDENTIAL APPLICATIONS RESPECTIVELY.

Unfinished Business

Consideration of Supportive Housing Village Planned Unit Development (PUD) General Concept Resubmittal

Council Member Erickson, liaison to the Planning Commission, stated that this is the resubmittal of the planned unit development from the February 7th meeting. The Planning Commission had initial questions that the applicant answered with the resubmittal, however, the concerns over density, financing, location, and operation still remained.

Community Development Director Chanski stated that a planned unit development is still subject to the zoned uses.

Council Member O'Day stated that citizens should research these developments and note the feasibility of a sustained maintenance of these communities.

Council Member Johnson stated to Staff that he does not believe this project meets the requirements for a planned unit development.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STUNEK TO UPHOLD THE PLANNING COMMISSIONS RECOMMENDATION TO NOT SUPPORT THE PLANNED UNIT DEVELOPMENT.

Consideration of Revised Parking Commission Recommendations

Community Development Director Chanski reviewed the changes made to the parking plan after the recommendations made in December 2021. Highlighted changes included changes to the leased parking lot rates and strict enforcement by the Police Department with increased parking time from 2 hours to 3 and adjusting the enforcement period to 7:00 a.m.-5:00 p.m. with elimination of grace period and business validation. Finally, the Parking Commission requests that the commission be reestablished as a standing committee that meets at least bi-annually.

Chief Bestul stated that this is an enforceable matter. The Police Department will be developing a strategy to enforce the adjusted parking times. He encouraged citizens to “walk a block” to free parking.

Council Member Johnson stated that he agrees with adjusting the lease lots to come in line with the market rate.

Council Member Erickson is concerned about the resources and time that this will take by the Police Department.

Mayor Badeaux stated that if the commission does indeed become a standing commission, clear direction and goals should be assigned.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO ACCEPT THE REVISED PARKING PLAN AND DIRECT STAFF TO BEGIN THE NECESSARY PROCESS TO IMPLEMENT IT, INCLUDING RECONSTITUTING THE PARKING COMMISSION AS A STANDING COMMITTEE WITH THE UNDERSTANDING THAT THEY WILL BE RESPONSIVE TO CHANGE IN THE FUTURE.

Committee Recommendations- Recommended by Mayor Badeaux

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO CONFIRM KEVIN YEAGER TO THE ECONOMIC DEVELOPMENT AUTHORITY AND HOUSING REDEVELOPMENT AUTHORITY.

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 – 2 terms (Expire 2022) --1 term (Expire 2024)

Charter Commission – 1 term (Expire 2022) 1-term (Expire 2025)

Rental Dwelling License Board of Appeals – 3 terms (Expire 2022)

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

Economic Development Authority (EDA) – 1 term (Expire 2022) – 1 term (Expire 2026)

Council President Recommended: (terms to expire 12/31 of said year)
Planning Commission—1 term (Expire 2023)

Ad Hoc Committees – Applicants Needed
Water Tower Fundraising Committee – Two positions available

Public Forum

The Chair opened public forum at 8:30 p.m.

No one came forward.

The Chair closed public forum at 8:31 p.m.

Staff Reports

Community Development Director Chanski stated that the Planning Commission open house and Planning Commission workshop will take place on Wednesday, February 23rd, at the Fire Department Training Room. Both of these events have been advertised in the Dispatch as well as social media.

Crow Wing County Commissioner Barrows, 12679 Nobel Fir Dr, Baxter, stated that he was appointed to the Sourcewell Executive Board and thanks everyone for their support. He always enjoys coming to the City Council meetings.

Administrator Bergman stated that she and Chief Bestul were on “Community Focus”. She attended the Public Utilities Commission meeting. The Commission approved the purchase of energy with AEP in concept. The Commission also reviewed the purchase of power agreements with BCV Digital, also known as B & D Power Solutions, and Just for Crypto. Two of their commissioners are on a crypto subcommittee to review these agreements.

City Engineer/Public Works Director Sandy gave a hats off to the Street and Parks Departments for keeping streets and rinks open during the large snow event.

Mayors Report

Mayor Badeaux stated the St. Patrick’s Day parade will be taking place downtown on March 12th. If you are interested in having a float in the parade, contact Brainerd Community Action. He welcomes all citizens to attend.

Council Member Reports

Member Erickson stated that he had the privilege to ride in Kirby Truckett with the Street Department. Upcoming committees he is attending Fire Advisory Board on March 3rd, Northland Arboretum Board March 3rd, and Planning Commission open house February 23rd at the Fire Department.

Member O'Day stated that the EDA will hold their meeting on March 3rd, he is hoping to have the final agreement for economic development services finalized at that meeting. Thanked everyone for being patient with their plow drivers. He suggested the City have a float in the parade.

Member Johnson tipped his cap to the Parks Department for their work on the ice rinks and Big Sev. The minimal projects done at the hill make a big difference for our community.

Chair Bevans asked City Attorney Langel to research whether or not all funds have to be dispersed due the Amendment to the Charter if an acceptable organization does not submit a proposal for one of the levy request for proposals on behalf of the Chair of the Charter Commission.

Adjourn to Closed Session Pursuant to Minnesota Statute 13D.05, subd. 3(c)(3) to Develop or Consider Offers for the Purchase of Property at 504 11th St S, 501 9th St S, 1202 Laurel St, 1120 Norwood St, 1114 Norwood St, 1108 Norwood St, and 1102 Norwood St, Brainerd, MN.-Approved


MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND STUNEK, DULY CARRIED, TO ADJOURN TO CLOSED SESSION.

Council reconvened at 8:54 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY, DULY CARRIED, TO PROCEED WITH EASEMENTS AS PRESENTED.

Adjourn to Planning Commission Open House and Workshop and also to the City Council Workshop- Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) on February 28th, 2022, at 6:00 pm in City Council Chambers-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND ERICKSON, DULY CARRIED, TO ADJOURN TO PLANNING COMMISSION OPEN HOUSE AND THE CITY COUNCIL WORKSHOP ON CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (CSLFRF) ON FEBRUARY 28TH, 2022 AT 6:00 PM.


Jennifer Bergman
City Administrator

