

**Brainerd, MN
March 1, 2021**

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: Stenglein, Erickson, O'Day, Stunek, Johnson, Pritschet, 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 ALDERMEN JOHNSON AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA.

MOVED AND SECONDED BY ALDERMEN STUNEK AND O'DAY TO APPROVE THE CONSENT CALENDAR.

A. Approval of Bills - Approved

B. Approval of the Minutes of the Regular Meeting held on February 16, 2021 - Approved

C. Approval of Licenses - Approved

Contractor Licenses - 7

D. Department Activity Reports - Approved

1. Fire Chief
2. Parks Maintenance and Recreation Report

E. 705 19th St SE Rental License Appeal Decision Findings of Fact – Adopted by Resolution No. 09:21

F. Authorize Contract for Services with Brainerd Lakes Chamber - Approved

G. Consider Approval of On-Sale Beer, Wine, and Sunday Liquor License – Submitted by R&J Holdings LLC, dba Jr.'s No. 19 BBQ, 302 Washington St., Brainerd – Contingent Upon Approvals from Police and Fire Departments - Approved

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

Council Committee Reports

Safety & Public Works Committee Report

Request to Approve Bids and Award Contract – Improvement 19-01 – NW 4th Street Reconstruction Project - Approved

March 1, 2021

MOVED AND SECONDED BY ALDERMEN O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE ATTACHED BID SUMMARY AND AWARDDING IMPROVEMENT 19-01 – NW 4TH STREET RECONSTRUCTION PROJECT TO ANDERSON BROTHERS CONSTRUCTION OF BRAINERD LLC, IN THE TOTAL CONTRACT AMOUNT OF \$1,145,302 AND APPROVE PROPER SIGNATURES ON THE CONTRACT DOCUMENTS BETWEEN THE CITY AND ANDERSON BROTHERS CONSTRUCTION OF BRAINERD LLC.

Request to Review and Approve Downtown Crosswalk Painting Plan - Informational

Committee Chair O'Day indicated discussion took place regarding the idea of painting downtown crosswalks with different colors and patterns to differentiate the core of downtown. Mayor Badeaux stated more information will be provided at a future meeting.

Request to Review and Approve Name a Snowplow Initiative - Informational

Committee Chair O'Day explained MnDOT is currently conducting an event to name their snowplowing equipment and this idea was brought to staff to name City equipment. He said this program will also include snowplow safety education to residents. Council Member Johnson suggested this initiative include all heavy equipment that the City owns.

Resolution – Consolidating Improvement Projects – Improvements 20-05 and 20-06 – SE Brainerd and Madison Street Construction – Adopted by Resolution No. 10:21

MOVED AND SECONDED BY ALDERMEN O'DAY AND ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION TO COMBINE IMPROVEMENTS 20-05 AND 20-06 INTO ONE IMPROVEMENT NAMED IMPROVEMENTS 20-05 AND 20-06 – MADISON STREET AND SE BRAINERD RESURFACING PROJECT.

RESOLUTION NO. 10:21

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

Resolution – Receiving Report and Calling Hearing on Improvement – Improvement 19-19 – NW 3rd Street and Jackson Street Reconstruction Project – Adopted by Resolution No. 11:21

MOVED AND SECONDED BY ALDERMEN O'DAY AND PRITSCHET TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION WHICH RECEIVES THE IMPROVEMENT FEASIBILITY REPORT AND SETS THE PUBLIC IMPROVEMENT HEARING FOR APRIL 5TH, 2021 AT 7:30 PM DURING THE REGULARLY SCHEDULED CITY COUNCIL MEETING.

RESOLUTION NO. 11:21

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

Resolution – Receiving Feasibility Report and Calling Hearing on Improvement – Improvements 20-05 and 20-06 – SE Brainerd and Madison Street Resurfacing Project – Adopted by Resolution No. 12:21

MOVED AND SECONDED BY ALDERMEN O'DAY AND ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION WHICH RECEIVES THE IMPROVEMENT FEASIBILITY REPORT AND SETS THE PUBLIC IMPROVEMENT HEARING FOR APRIL 5TH, 2021 AT 7:30 PM DURING THE REGULARLY SCHEDULED CITY COUNCIL MEETING.

RESOLUTION NO. 12:21

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

Personnel and Finance Committee Report

Consider Resolution Scheduling a Public Hearing on Issuance of Revenue Obligations by the City of Pierz to Finance a Project by Horizon Health, Inc. – Adopted by Resolution No. 13:21

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT A RESOLUTION SCHEDULING A PUBLIC HEARING ON THE ISSUANCE OF REVENUE OBLIGATIONS BY THE CITY OF PIERZ TO FINANCE A PROJECT BY HORIZON HEALTH, INC. AT 218 SE 9TH STREET, BRAINERD.

Committee Chair Johnson explained that in order for tax exempt loan proceeds that are issued by one municipality to be spent in another, state law requires City consent and federal law requires a public hearing. This resolution will schedule the public hearing to be held on March 15th at the next City Council meeting.

RESOLUTION NO. 13:21

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

Discussion of 2022 Capital Equipment & Facility Budget - Informational

Committee Chair Johnson indicated preliminary discussion took place at committee level on reviewing the capital budget and needs, with estimates to be brought back to Council at the March 15, 2021 meeting.

Fire Contract Formula for 2022 - Informational

Committee Chair Johnson stated this is completed every year for area Townships that contract with Brainerd fire services, so they can set their levy in March for the following year.

Unfinished Business

Committee Recommendations - Recommended by Mayor Badeaux

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPOINT TONI BIESER TO THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR A TERM TO EXPIRE SEPTEMBER 7, 2025.

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 2022)

Charter Commission – 2 terms (Expire 2024)

Housing & Redevelopment Authority (HRA) – 1 term (Expire 2025)

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

Transportation Advisory Committee (TAC) – 2 terms (Expire 2022)

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

Economic Development Authority (EDA) – 1 term (Expire 2025) *pending appointment* – 1 term (Expire 2026)

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

Police & Fire Civil Service Commission – 1 term (Expire 2023)

Ad Hoc Committees – Applicants Needed

Water Tower Fundraising Committee – Two positions available

New Business

Conditional Use Permit – Anderson Brothers Construction - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND ERICKSON, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT FOR ANDERSON BROTHERS CONSTRUCTION TO CONSTRUCT A NEW MAINTENANCE FACILITY WITH A HEIGHT IN EXCESS OF 30 FEET, STATING STAFF'S FINDINGS-OF-FACTS, ENCOURAGING CONTINUED GOOD LANDSCAPING PRACTICES THROUGHOUT THE PROPERTY, AND PLACE THE CONDITION THAT THE EXISTING MAINTENANCE FACILITY BE DEMOLISHED UPON COMPLETION OF THIS NEW MAINTENANCE FACILITY.

Public Forum

The Chair opened the public forum at 7:50 p.m.

The Chair recognized Steve Suer, 450 Tyrol Drive, who spoke about a letter he received regarding signs posted on his property. He stated he would like clarification on the ordinance, as his sign is in support of law enforcement.

The Chair recognized Daniel Wahl, 423 17th St. SE, who indicated he agrees with Mr. Suer and asked how far the City wants to take the issue.

The Chair recognized Andrea Osafo, 2123 Crestview Lane, who stated she also received the sign ordinance letter for a Black Lives Matter sign posted in her yard. She feels strongly about the issue and asked which category of the ordinance addresses her sign. She said she also submitted a letter to staff and Council.

Community Development Director Chanski read into record a letter he received from Laurence and Sonya Chamberlain, 401 Juniper Street., regarding the sign removal ordinance. He stated the Chamberlain's do not agree with the ordinance and wish to continue to display their sign.

Mr. Chanski explained staff had started to receive several complaints regarding political signs in the community still posted in various neighborhoods. He said he reviewed the current ordinance which states a time-limit for signs to be removed and found this to be a larger concern, which was acted upon fairly to address all non-commercial speech signs. He explained after extensive research, the ordinance seems to be outdated. He recommended the ordinance be referred to the Planning Commission for review and no further enforcement be taken until further notice.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND PRITSCHET, DULY CARRIED, TO REFER THE ORDINANCE TO THE PLANNING COMMISSION FOR REVIEW, AND TEMPORARILY HALT ENFORCEMENT OF NON-COMMERCIAL SPEECH SIGN REMOVAL.

MOTION BY ALDERWOMAN STENGLEIN TO SEND A FOLLOW UP LETTER TO THE ORIGINAL RECIPIENTS STATING NO ACTION ON ENFORCEMENT WILL CURRENTLY BE TAKEN.

The motion dies for lack of a second.

The Chair closed the public forum at 8:15 p.m.

Staff Reports

City Administrator Bergman stated an updated listing of goals and objectives of the City Council is included in the packet to review. She said the Destination Downtown Business Coalition have started discussion on the 2021 holiday lights displayed downtown.

City Engineer Sandy and the Park Board are working on reimagining what our parks will look like in the future. They have directed staff to locate a consultant to assist in creating design standards in all our parks, with similar design and amenities. He said WSN has submitted a proposal, which the Park Board approved, in the amount of \$4,500 to develop a standard design plan for the City parks. Upon completion, the capital plan will be restructured to implement these design standards.

Community Development Director Chanski indicated there is an EDA meeting taking place on Thursday, March 4th at 7:30 a.m. in Council Chambers. He stated the Parking Commission meets monthly and will be compiling a report for the Council on the activity of their goals and ideas at their March meeting for a council meeting in April. He said the sign ordinance will be on the Planning Commission's agenda for the March 17th meeting.

Mayor's Report

Mayor Badeaux stated the Parks Department is finalizing the program partnerships with the YMCA and Community Education. He announced they are also working on a banner sponsorship program. The Parking Commission is a large part of the crosswalk painting initiative of being a welcoming and walkable downtown community. He indicated they are also

working on the financial aspects of the leased and free parking lots. He also announced downtown Brainerd will be hosting a St. Patrick's Day Walkabout event on Saturday, March 13th.

Mayor Badeaux explained the City of Brainerd will be celebrating their Sesquicentennial this year, which is the 150th year of becoming a Charter City. On March 8th, 1871, the bridge over the Mississippi River was completed and thus began the start of Brainerd.

He announced Flat Stanley traveled the City of Brainerd over the course of the past couple months for the students at Garfield Elementary School, which will be forwarded to them along with photos to document his travels.

Council Member Reports

Council Member O'Day stated he visited the Crow Wing Co-Op in their new downtown location and encouraged everyone to stop in for some great food.

Council Member Johnson indicated discussion took place with the BPU Commission for a potential service of water to the City of Baxter for 2021, as they are experiencing water problems.

Council Member Stenglein said she attended a Region V meeting and Erich Heppner from CLC has been appointed to the Regional Transportation Coordination Council.

Council Member Bevans visited Mary Koep, a longtime Brainerd citizen and public servant last week and spent a couple hours chatting in her kitchen.

Adjourn to Joint EDA and City Council Meeting; and Council Workshop on March 8, 2021 at 5:00 pm City Hall Council Chambers – 8:30 p.m.

Jennifer Bergman
City Administrator