

**Brainerd, MN
August 2nd, 2021**

Council met for a closed session at 7:00 p.m., pursuant to MN Statutes, 13D.03 Subd. 1b for Union Negotiation Strategy Session.

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 Vice President Johnson.

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

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

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND O'DAY, DULY CARRIED, TO APPROVE THE AGENDA.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO APPROVE THE CONSENT CALENDAR.

- A. **Approval of Bills- Approved**
- B. **Approval of the Minutes of the Regular Meeting held on July 19th, 2021- Approved**
- C. **Approval of Licenses-Approved**
- D. **Department Activity Reports- Approved**
- E. **Adopt Resolution 41:21 Accepting Donations & Contributions for the 2nd Quarter of 2021 Parks- Adopted**

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

Community Member of the Month

Dave "Jonesy" Jones was recognized by Mayor Badeaux and Vice Chair Johnson as the Community Member of the month for August. He recently had one of the Bronco League baseball fields named after him. He was an enthusiastic and dedicated umpire for Parks and Recreation Youth Baseball League for 35 years. Mayor Badeaux as well as Vice Chair Johnson shared memories of "Jonesy" and expressed how deserving he is of both the field dedication and being recognized as the community member of the month.

Council Committee Reports

Safety and Public Works

Adopt Resolution- Street Vacation- Declaring Sufficiency of Petition and Setting a Public Hearing- Adopted

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Committee Chair O'Day stated that, Lisa Paxton, 623 Ethel St, is petitioning the vacation of a portion of SW 7th Street. She has petitioned her neighbors and taken necessary steps to start the process of a street vacation. The resolution will set the public hearing to continue the process.

MOVED AND SECONDED BY ALDERMEN O'DAY AND PRITSCHET, TO ADOPT RESOLUTION 42:21 DECLARING THE PETITION TO VACATE A PORTION OF SW 7TH ST SUFFICIENT AND SETS THE PUBLIC HEARING FOR SEPTEMBER 7TH, 2021 DURING THE REGULARLY SCHEDULED CITY COUNCIL MEETING.

RESOLUTION 42:21

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

Event Application- Brainerd Homecoming Run 2021- Approved

Committee Chair O'Day stated that this run is set for October 2nd, 2021, at Kiwanis park.

MOVED AND SECONDED BY ALDERMEN O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE THE EVENT APPLICATION UNDER THE CONDITION THAT THE APPLICANT CONTINUE COORDINATION WITH APPROPRIATE LAW ENFORCEMENT STAFF AND FILL OUT THE PARK USE APPLICATION SO THAT IT CAN BE SCHEDULED ACCORDINGLY.

Event Application- Tour of the Lakes- Approved

Committee Chair O'Day stated that this is a bicycle tour that would close the Laurel street parking lot.

MOVED AND SECONDED BY ALDERMEN O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE EVENT APPLICATION UNDER THE CONDITION THAT THE APPLICANT REQUEST TRAFFIC CONTROL 1 WEEK PRIOR TO THE EVENT.

Additional Item- Change Order #2 for Improvement 19-01 NW 4th St- Approved

Committee Chair O'Day stated the additional cost was \$15,000 due to the signal modification that required a detour. The funding is coming from state aid.

MOVED AND SECONDED BY ALDERMEN O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE CHANGE ORDER 2 FOR IMPROVEMENT 19-01 NW 4TH STREET.

Presentation- Safe Routes to School Engineering Study

Committee Chair O'Day stated that the Engineering study provided solid data to be strong applicant for grant funding to make the routes to neighborhood schools safer.

Mayor Badeaux stated that he is greatly in favor of the work having been done to keep children safe.

Personnel & Finance

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Discussion of Requesting an Extension of the Small Cities Development Program (SCDP) Grant- Approved

Committee Member Stenglein stated that the committee talked about advantages and disadvantages, the HRA reported that they do not foresee all of the money being spent and keeping the grant open prevents application of future grants for other neighborhoods.

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, DULY CARRIED, TO FOLLOW THE HRA BOARD'S RECOMMENDATION TO NOT SEEK AN EXTENSION FOR GRANT NUMBER CDAP-17-0019-OFY18, AND TO CLOSE OUT THE GRANT BY SEPTEMBER 30, 2021.

Adopt Resolution Approving Joint Powers Agreement with the Minnesota Bureau of Criminal Apprehension (BCA) and Authorize Signatures- Approved

Committee Member Stenglein stated that this resolution is similar to that of the criminal prosecutor a couple of meetings ago. The agreement is active for 5 years to use the BCA for background checks for hiring firefighters if the employee has lived out of the state of Minnesota.

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, TO ADOPT RESOLUTION 43:21 APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF BRAINERD ON BEHALF OF ITS FIRE DEPARTMENT AND AUTHORIZING APPROPRIATE SIGNATURES.

RESOLUTION 43:21

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

Paid On-Call Firefighter Hiring List 2021 and Authorize to Hire-Approved

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, DULY CARRIED, TO APPROVE THE FIRE DEPARTMENT TO ESTABLISH A PAID ON-CALL FIREFIGHTER HIRING LIST AND TO HIRE UP TO 4 PAID ON-CALL FIREFIGHTERS.

Ratify Hiring Community Service Officer Joshua Schueller-Approved

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, DULY CARRIED TO RATIFY THE HIRING OF COMMUNITY SERVICE OFFICER JOSHUA SCHUELLER, STARTING AT A WAGE OF \$14.00 PER HOUR, EFFECTIVE JULY 28TH, 2021.

Ratify Hiring Police Officer Joshua Claussen- Approved

Committee Member Stenglein noted that the Police Department is very effective at starting officers on Step 1.

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, DULY CARRIED, TO RATIFY THE HIRING OF POLICE OFFICER JOSHUA CLAUSSEN, STARTING AT LELS STEP 1 RATE OF \$28.26 PER HOUR, WITH AN EFFECTIVE DATE OF JULY 26TH, 2021.

Discussion of the Proration of the School Resource Officer Contract for 2nd Half of 2020-2021 School Year- Approved

Committee Member Stenglein stated that ISD 181 received a discount for the first half of the 2020-2021 school year due to COVID. They are requesting a discount once again. The amount was calculated using the same formula as when the school district was discounted previously.

Vice Chair Johnson stated that he is opposed due to the district choosing to be closed as well as the officer fulfilling the number of days contracted by the school. In addition, the contract says up to 176 days He is concerned about the district continuing to request for discounts in the future when the City is fulfilling the terms of the contract.

Finance Director Hillman stated that the contract will be renegotiated in September.

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, TO AUTHORIZE STAFF TO REDUCE THE SCHOOL RESOURCE OFFICER CONTRACT AMOUNT WITH ISD 181 FOR THE 2ND HALF BILLING FOR THE 2020-2021 SCHOOL YEAR BY \$12,000.

Members Stunek, Pritschet, Stenglein, and Erickson voted “aye”. Members O’Day and Johnson voted “nay”. The Vice Chair declared the motion carried.

2022 Budget Proposed Timeline- Approved

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, DULY CARRIED TO APPROVE THE PROPOSED TIMELINE AND SET A BUDGET WORKSHOP FOR MONDAY, AUGUST 30TH, 2021 AT 6:00 PM.

Unfinished Business

Adopt Resolution Approving Summary Publication of Charter Ordinance- Approved

Administrator Bergman stated that Ordinance 1516 was adopted on June 21st, 2021. The resolution states that the Charter has been amended and a summary of the amendments will be placed in the Dispatch. An entire copy of the Ordinance can be found at City Hall and online.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STENGLEIN TO ADOPT RESOLUTION 44:21 APPROVING SUMMARY PUBLICATION OF CHARTER ORDINANCE 1516

RESOLUTION 44:21

Upon roll call, members O’Day, Stunek, Pritschet, Stenglein, Erickson, and Johnson voted “aye”. No member voted “nay”. The Vice 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 – 1 term (Expire 2022)
Rental Dwelling License Board of Appeals – 3 terms (Expire 2022)
Transportation Advisory Committee (TAC) – 1 term (Expire 2022)

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

Economic Development Authority (EDA) – 1 term (Expire 2021) – 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

Consideration Resolution Establishing an Ad Hoc Committee to Save the Water Tower- Approved

City Administrator Bergman stated that with the approval of the policy for ad hoc committees current ad hoc committees must be approved by resolution. The Water Tower Committee is unique since it is a 501(c)3 and their main purpose is to raise money. However, their By Laws do state that they are an ad hoc committee of the Council.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO ADOPT RESOLUTION 45:21 ESTABLISHING AN AD HOC COMMITTEE TO SAVE THE WATER TOWER.

RESOLUTION 45:21

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

Consider Resolution for Establishment of an Ad Hoc Committee to Advise the City Council on Parking- Approved

Community Development Director Chanski stated that the parking commission was reestablished in July of 2020 and currently has 5 members, this is a formal reestablishment of the committee per policy.

MOVED AND SECONDED BY ALDERMEN O'DAY AND STENGLEIN TO ADOPT RESOLUTION 46:21 ESTABLISHING THE PARKING COMMISSION, AN AD HOC COMMITTEE TO ADVISE THE CITY COUNCIL ON PARKING.

RESOLUTION 46:21

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

**Consideration for Resolution Dissolving the Walkable Bikeable Ad Hoc Committee-
Approved**

Community Development Director Chanski restated that the ad hoc committee had input on the decision of dissolution. The commission completed the mission that they were originally tasked with, and their plans have been integral in the planning and adopting of the streets policy and the non-motorized transportation plan.

Mayor Badeaux stated that he is disappointed to see this group dissolve he would have hoped that the committee had come to the Council with an ask for direction.

MOVED AND SECONDED BY ALDERMEN STUNEK AND O'DAY TO ADOPT RESOLUTION 47:21 ACKNOWLEDGING AND APPLAUDING THE ACCOMPLISHMENTS OF THE WALKABLE BIKEABLE CITY COMMITTEE AND DISSOLVING THE COMMITTEE UNTIL A TIME AT WHICH THE CITY COUNCIL DEEMS IT NECESSARY TO REESTABLISH IT.

RESOLUTION 47:21

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

Consideration for Conditional Use Permit for the Operation of an Automobile Dealership with Associated Mechanic Shop at 210 NW 5th St.- Approved

Member Erickson stated that this comes on the heels of the lighting plan by the Planning Commission. The applicant is willing and able to follow the guidelines.

MOVED AND SECONDED BY ALDERMEN ERICKSON AND PRITSCHET, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT TO OPERATE AN AUTOMOBILE DEALERSHIP WITH ASSOCIATED MECHANIC SHOP AT 210 NW 5TH ST. WITH THE CONDITIONS THAT THE ENGINEERING AND COMMUNITY DEVELOPMENT DEPARTMENTS REVIEW AND APPROVE THE NEW SALES LOT DESIGN PRIOR TO CONSTRUCTION AND THAT ANY NEW PARKING LOT LIGHTING HAVE MOTION DETECTOR AND BE DIMMABLE TO 50% POWER AFTER BUSINESS HOURS.

Consideration for Conditional Use Permit for the Operation of a Private Learning Center at 310 N 7th St.- Postponed

Community Development Director Chanski stated that the application was submitted and passed by the Planning Commission unanimously after hearing extensive public input under the condition that the State of Minnesota and the City of Brainerd Building Official are met.

Vice Chair Johnson read a letter from Chair Bevans in opposition of the Learning Center.

Member Stenglein stated that she will be voting not to postpone as the Council can determine per its ordinance what the definition of a school is.

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND PRITSCHET TO POSTPONE THE MATTER TO THE NEXT MEETING TO ALLOW COUNSEL WITH CITY ATTORNEY LANGEL.

Council Member Reports

Member Stenglein stated that the Sesquicentennial plans are coming along. There is a meeting of the large group of partners coming up. She will be attending the fair and helping in a few booths. Having attended a few fairs already, she stated that Crow Wing County Fair is the best.

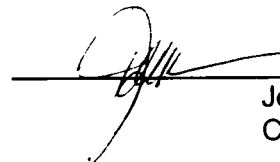
Member Pritschet stated that he has attended the Coalition of Greater Minnesota Cities Conference and it is well worth attending. Lakes Area Music Festival had their first concert in the new venue, which is magnificent. The Library Board met to vote and have started to discuss their budget for 2021.

Vice Chair Johnson stated that the HRA Board met, and he thanked the Council for approving discontinuing the Northeast SCDP Grant. It will allow them to apply for more grants for other areas. It is the intention to apply for a grant for the 210 Corridor.

Adjourn

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK, DULY CARRIED, TO ADJOURN THE MEETING.

The Vice Chair adjourned the City Council to the joint meeting at 8:25 p.m.



Jennifer Bergman
City Administrator

Upon roll call, Members O'Day, Stenglein, and Erickson voted not to postpone the matter. Members Stunek, Pritschet, and Johnson voted to postpone the matter. Due to a tie vote, Mayor Badeaux voted to postpone the matter. The Vice Chair declared the motion carried.

Public Forum

The Vice Chair opened public forum at 8:06 p.m.

The Vice Chair recognized Mike Higgins, 1801 Mill Ave, to apologize for the lack of maintenance at the Brainerd Industrial Center. He also apologized for the delay in the demolition of the ballpark and buildings per the agreement with the City when the parking lot was purchased. Demolition will be done as soon as possible after maintenance is complete. Mayor Badeaux, Member Pritschet, and Vice Chair Johnson thanked Mike for his integrity in coming to the Council to make an apology.

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

Staff Reports

Community Development Director Chanski stated that the EDA will meet on August 5th. The trailhead project has sent out request for proposal (RFP) for engineering and design services. The Riverfront Committee is going to request at the next Park Board meeting that 3 representatives from the Riverfront Committee be a part of the Management Team. In response to the zoning code feedback the consultants would like to sit down in pairs next week. It was requested that Mr. Chanski seek counsel on whether or not this is permitted.

City Engineer/ Interim Public Works Director Sandy stated that with the completion of the engineering study to anticipate grant solicitation for safe route recommendations.

Finance Director Hillman stated that the City received the first half of the ARPA dollars. The City received \$710,000, meaning that the overall amount to be received is just over \$1.4 million dollars. With budget coming up there will be a workshop to discuss the use of the ARPA dollars in September or October.

City Administrator Bergman thanked the Crow Wing County HRA for inviting the City of Brainerd to the Housing Trust Fund Discussion to talk with the Minnesota Housing Partnership about how the trust fund could benefit the City of Brainerd and its residents. Ms. Bergman stated that she had the opportunity to give a presentation to the National Association of Housing Redevelopment Officials about the transition from HRA Executive Director to City Administrator. She also had the opportunity to attend the Coalition of Greater Minnesota Cities Conference in Alexandria. About half of those attending were elected officials, she strongly suggests members of the Council take the opportunity to attend.

Mayors Report

Mayor Badeaux stated that the Park Board discussed the budget at the last meeting. He stated that he has some concerns about the scope of the budget, but he is supportive of the work that they have done on the process. He stated that after attending the Highway 210 presentation with MNDOT and the County Commissioners he wants to ensure that pedestrians and bicyclists are kept in mind throughout the process. He has been invited and will be attending the Mayor's Prayer Breakfast held at Grand View.