

**Brainerd, MN  
January 18<sup>th</sup>, 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 ERICKSON AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA WITH THE AMENDMENT OF 9B TO CONSIDER A RESOLUTION INSTEAD OF A SPECIAL MEETING AND ADD EXTENDED, REMOVE SOBER HOMES FROM SPW, MOVE PUBLIC FORUM TO ITEM 6.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO APPROVE THE CONSENT CALENDAR.

- A. **Approval of Bills and Transfer of Funds- Approved**
- B. **Approval of the Minutes of the Regular Meeting held on January 3<sup>rd</sup>, 2022- Approved**
- C. **Approval of Licenses- Approved**
- D. **Department Activity Reports- Approved**
- E. **Resolution- Accepting 4<sup>th</sup> Quarter Donations 2021**

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.

### **Community Member of the Month**

Mayor Badeaux recognized Grace Czczok and the whole Mickey's Pizza and Subs family as the January Community Member of the Month. Mickey's is celebrating its 40<sup>th</sup> year in business. Later this year, Toni Czczok and her husband will be handing over the reins to the 3<sup>rd</sup> generation, their daughter, Grace.

### **Public Forum**

The Chair opened the public forum at 7:38

Residents of the Tyrol neighborhood spoke in opposition of the non-regulation of sober homes. Residents' concerns included safety of the neighborhood, the frequency of emergency response vehicles, and lack of supervision. Residents who spoke included:

Steve & Mary Suer, 450 Tyrol Dr  
Dale Anselment, 462 Tyrol Dr  
Bruce & Sharon Janowiec, 448 Tyrol Dr (submitted a statement)  
Kay Adler, 456 Tyrol Dr  
Helen Puckropp, 440 Tyrol Dr

Sheila Haverkamp, Manager of the Burlington Recovery Homes, 12950 Knollwood Dr, Baxter, addressed the issues brought forward by the residents of Tyrol Drive. She requested previously that the residents of Tyrol bring forward issues with the residents to her so that they can be addressed but has not heard from any residents personally. The management of the homes regularly makes calls for response by officers, probation officers, and medical personnel as a way to support individuals in their homes. The residents are considered to be independent in their recovery and do not require 24-hour care, if they did require more supervision they would be in a different facility.

Mike Duval, 468 Tyrol Dr, stated that he lives next door to one of the homes on Tyrol Drive. He stated that crimes have not occurred in the neighborhood, so he brings into question the argument of fear. Mr. Duval stated that it must be significantly difficult to heal in an environment where you are a social pariah. The lights from the police and ambulance should be met with compassion because someone died in one of the houses, and the residents that were in contact with that individual are affected by that death. He asked the Council to take a pointed stance on sober homes and to resolve those things that are able to be resolved like parking.

Megan Adams, 7021 Woida Rd, Baxter, is starting a recovery home with Burlington Recovery Homes. Ms. Adams stated that Ms. Haverkamp is a compassionate and helpful person and is willing to help the neighborhood work together with her business.

The Chair closed the floor at 8:40 p.m.

Council took a 5-minute break.

## **Council Committee Reports**

### **Personnel and Finance**

#### **Discussion on 2022 Downtown Landscaping-Approved**

Committee Chair Johnson stated that this is essentially the same services as last year. It is a little more expensive because it includes maintenance mulch for the urns which haven't been done in several years and needs to be done. Staff will be working on changes to downtown landscaping for 2023.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO AUTHORIZE STAFF TO CONDUCT PROPOSED LANDSCAPING RECOMMENDATIONS AT A COST NOT TO EXCEED \$16,000.

#### **Approve 2022 Street Department Unit Heater Replacements- Approved**

Committee Chair Johnson stated there was soot buildup in the heater units causing carbon monoxide in the building prompting repair.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK DULY CARRIED, TO APPROVE THE QUOTE FROM PIKE'S PLUMBING AND HEATING FOR THE REPLACEMENTS OF THE FIVE REZNOR UNIT HEATERS IN THE AMOUNT OF \$13,200.

#### **Consider the Creation of an RFP for the Charter Contributions- Approved**

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO CREATE AN RFP SUBCOMMITTEE AND APPOINT TWO OR THREE COUNCIL MEMBERS RECOMMENDED BY THE CHAIR.

Chair Bevans stated that the amendment to the charter changed the way it awards contributions.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPOINT COUNCIL MEMBERS ERICKSON AND STUNEK TO SERVE ON THE CHARTER CONTRIBUTIONS COMMITTEE.

#### **Annual Authorization to Perform Electronic Transfers-Approved**

Committee Chair Johnson stated that this is an annual authorization per state statute.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO DELEGATE THE FINANCE DIRECTOR, OR THEIR DESIGNEE, TO MAKE ELECTRONIC TRANSFERS AS DEEMED NECESSARY BY THE FINANCE DIRECTOR TO CONDUCT CITY BUSINESS FOR 2022.

#### **2022 Worker's Compensation Renewal- Informational**

Committee Chair Johnson stated that due to the experience modification rate and the premium rates, there could be a \$15,000 to \$20,000 savings for the worker's compensation rate.

#### **Safety and Public Works**

##### **Approve Event Application- Tour of the Lakes- Approved**

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE THE EVENT APPLICATION UNDER THE CONDITION THAT THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT, SUBMIT INSURANCE PER THE EVENT APPLICATION REQUIREMENTS, AND INFORM BUSINESSES AND OCCUPANTS THAT THE LAUREL STREET PARKING LOT WILL BE CLOSED.

##### **Presentation- Brainerd 2022 Pavement Condition Assessment- Informational**

Committee Chair O'Day stated that the pavement condition assessment was extremely interesting. The Safety and Public Works Committee meeting is on YouTube to view the presentation.

##### **Presentation- StreetScan Proposal and Software**

Committee Chair O'Day stated that staff is looking into cost and options that the software would potentially help with street information.

##### **Review Street Light Policy Capital Project Cost Examples- Informational**

Committee Chair O'Day stated the committee directed staff to continue to look for cost effective lights. The lights would be installed in phases with the construction projects.

City Engineer/ Public Works Director Sandy stated that the committee had staff look at scenarios on how the change in lighting would affect the monthly bill with additional capital costs.

## **Unfinished Business**

### **Committee Recommendations by Mayor Badeaux- Approved**

Mayor Badeaux nominated Janet Decker to the HRA Board, Susan Hardy to the Library Board, and Patrick Wussow to the Public Utilities Commission.

MOVED AND SECONDED BY PRITSCHET AND O'DAY, DULY CARRIED, TO CONFIRM THE NOMINATIONS.

### **Call for Applicants – Informational:** **(Application Information at [www.ci.brainerd.mn.us/boards/](http://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) 1-term (Expire 2025)  
HRA—1 term (Expire 2022)  
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 2026) – 1 term (Expire 2027)

#### **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

## **New Business**

### **Consideration of Rental Ordinance Committee Recommendations- Approved**

Community Development Director Chanski stated that the Rental Housing Committee recommendations are being presented to the Council for guidance prior to the development of an ordinance. Mr. Chanski gave an overview of the recommendations by the committee.

Member Johnson stated that he will vote no, due to not seeing a list of recommendations by the committee.

Chair Bevans stated that the product appears to address the issues that the City has had with rental housing codes. He encouraged members to read through the recommendations.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND PRITSCHET, TO DIRECT STAFF TO DRAFT AN ORDINANCE AMENDING SECTION 425 OF THE CITY CODE WITH THE EXCLUSION OF RED LINE PORTION OF CONDUCT ON PREMESIS TO BE DISCUSSED IN MARCH.

Council Members Pritschet, Stenglein, Erickson, O'Day, Stunek, and Bevans voted "aye". Council Member Johnson voted "nay". The Chair declared the motion carried.

**Resolution- Establishing the Residential and Commercial Energy Efficiency Loan Program- Approved**

Finance Director Wicklund, BPU, stated the resolution is a necessary step for the loan program. Typically, the program has not served municipalities previously, but BPU has been encouraged to apply. The loan is a 0% loan through the USDA. The Commission decided on a \$2 million dollar loan from the USDA, the application is due on February 7<sup>th</sup>.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY TO ADOPT RESOLUTION ESTABLISHING THE RESIDENTIAL AND COMMERCIAL CUSTOMER ENERGY EFFICIENCY LOAN PROGRAM.

**RESOLUTION 04:22**

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.

**Consideration for City Council Workshop on Code Enforcement and Conducting a Codification of the City Code on January 24, 2022, at 6:00 pm in the City Council Chambers- Approved**

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO SET A CITY COUNCIL WORKSHOP ON CODE ENFORCEMENT AND CONDUCTING A CODIFICATION TO THE CITY CODE ON JANUARY 24, 2022, AT 6:00 PM IN THE CITY COUNCIL CHAMBERS.

**Public Forum**

The Chair opened public forum at 9:29 p.m.

No one came forward.

The Chair closed public forum at 9:30 p.m.

**Staff Reports**

Community Development Director Chanski stated there will be a public hearing to consider an application for supportive housing village at the Planning Commission meeting on Wednesday, January 19<sup>th</sup> at 6:00 pm. The Parking Commission will be meeting on Thursday, January 20<sup>th</sup> at 4:00 pm to review the parking recommendations that were sent back to committee by City Council. Finally, the zoning code revision is wrapping up, it will come back to the City Council in February. There will be a public open house and public hearing for the code update at the end of February, and Council will have the opportunity to adopt in March.

City Engineer/ Public Works Director Sandy stated that the Cuyuna Lakes State Trail ask to the Legislature was included in the Governor's recommendation for the bonding bill. Mr. Sandy will be attending City Engineers Association conference for three days the last week of January.

Finance Director BPU Wicklund stated that they are still working with the crypto currency customers, the earliest customer to be online will be April. BPU is starting to tear down the old water tanks at the water treatment plant. There was damage to the archway in front of the water treatment plant, staff will determine what to do with that in the spring. The solar project at the airport is in the finalization process. The sewer plant may also have a solar project in the future. Finally, the hydro-electric dam is also on the docket for repair this year.

### **Mayors Report**

Mayor Badeaux stated that the sleds at "Big Sev" came out of the mayoral contingency fund. It has been successful so far, the sleds have not been going missing, in fact, he has had to go remove broken sleds himself. If citizens have sleds to donate, they would be appreciated. The City of Leksand, Sweden sent a Christmas card to the City, he will be sending a reply to the Sister City. Finally, snow removal has been very impressive this year he has not gotten many complaints until this weekend. The citizens concerns were forwarded to City Engineer/ Public Works Director Sandy to be resolved. All individuals who contacted him over the weekend thanked him for responding to their requests.

### **Council Member Reports**

Member Erickson stated that the zoning code is on the Planning Commission Agenda for January 19<sup>th</sup>. The Northland Arboretum meeting is on January 27<sup>th</sup>.

Member Pritschet said to be patient and be kind.

Member O'Day stated that the Mississippi Trailhead Landing Park design will go before the Park Board on January 25<sup>th</sup>. The design is fantastic and will go out to bid in February.

Chair Bevans said thank you to all members for listening to the special public forum on Sober Homes.

### **Adjourn**

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED TO ADJOURN TO THE CITY COUNCIL WORKSHOP ON JANUARY 24<sup>TH</sup>, 2022, AT 6:00 PM TO DISCUSS CODE ENFORCEMENT AND CONDUCTING A CODIFICATION OF THE CITY CODE.

Chair Bevans adjourned the meeting at 9:45 p.m.

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Jennifer Bergman  
City Administrator