

**Brainerd, MN
February 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: 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 ALDERMEN ERICKSON AND JOHNSON TO APPROVE THE AGENDA.

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

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 January 19, 2021 - Approved

C. Approval of Licenses - Approved

Contractor Licenses - 10

D. Department Activity Reports - Approved

1. Fire Chief

E. Continue City Administrator Performance Review to 2/1/2021 - Approved

F. Adopt Resolution Accepting Donations & Contributions for the 4th Quarter of 2020 – Adopted by Resolution No. 02:21

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

Presentations

Community Development Director Chanski gave a presentation on the activity that took place in the Community Development Department in 2020 and the plans for 2021. He compared the statistics of building permits issued in 2019 and 2020. He updated the Council on code compliance, rental housing, and the economic development in the City. The Chair thanked Mr. Chanski for the presentation.

Council Committee Reports

February 1, 2021

Personnel and Finance Committee Report

Authorization to Donate Old Fire Department Equipment - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE CHIEF HOLMES TO DONATE THE OLD FIRE DEPARTMENT EQUIPMENT TO ANOTHER DEPARTMENT IN NEED.

Authorize Promotion of Stephanie Bestul to Administrative Specialist 2 - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STENGLEIN, DULY CARRIED, TO AUTHORIZE THE PROMOTION OF STEPHANIE BESTUL TO ADMINISTRATIVE SPECIALIST 2 AT STEP 5 (\$26.86 PER HOUR), EFFECTIVE FEBRUARY 2, 2021 AND AUTHORIZE STAFF TO CONDUCT THE HIRING PROCESS TO BACKFILL THE VACATED POSITION.

Consider Tentative Agreement for IUOE Street 2021-2022 Union Contract Terms – Adopted by Resolution No. 03:21

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE 2021-2022 TENTATIVE AGREEMENT SUMMARY BETWEEN THE CITY AND IUOE LOCAL NO. 49 (STREET DEPARTMENT) AS PRESENTED.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT A RESOLUTION SETTING THE IUOE (STREET DEPARTMENT) WAGES FOR 2021-2022 RETROACTIVE TO JANUARY 1, 2021.

RESOLUTION NO. 03:21

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

Consider Tentative Agreement for IUOE Parks 2021-2022 Union Contract Terms – Adopted by Resolution No. 04:21

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE 2021-2022 TENTATIVE AGREEMENT SUMMARY BETWEEN THE CITY AND IUOE LOCAL NO. 49 (PARKS DEPARTMENT) AS PRESENTED.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT A RESOLUTION SETTING THE IUOE (PARKS DEPARTMENT) WAGES FOR 2021-2022 RETROACTIVE TO JANUARY 1, 2021.

RESOLUTION NO. 04:21

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

Annual Review of Investment Policy - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE INVESTMENT POLICY AS PRESENTED.

Safety & Public Works Committee Report

2021 Sanitary Sewer Update Presentation – Informational Only

City Engineer Sandy presented the Sanitary Sewer update at committee level. No action was taken.

2021 Street and Pavement Rating Update Presentation – Informational Only

City Engineer Sandy presented the Street and Pavement Rating update at committee level. No action was taken.

Unfinished Business

Consider Approval of Planning Commission Revised Terms - Approved

MOVED AND SECONDED BY ALDERMEN STUNEK AND PRITSCHET, DULY CARRIED, TO APPROVE THE RESTRUCTURING OF THE PLANNING COMMISSION TERMS AS PRESENTED.

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) – 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

Consider Approval of Conditional Use Permit – 923 Oak St. – Sharing Bread Soup Kitchen - Approved

MOVED AND SECONDED BY ALDERMEN ERICKSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT FOR THE SHARING BREAD

SOUP KITCHEN TO OPERATE A NEIGHBORHOOD/COMMUNITY CENTER AT 923 OAK STREET.

Consider Approval of Variance Request – 415 Cedar St. – Principal Building Setbacks - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND O'DAY, DULY CARRIED, TO APPROVE THE VARIANCE REQUEST AT 415 CEDAR STREET FOR A REDUCED FRONT YARD SETBACK FROM 20 FEET TO 18 FEET 4 INCHES FOR THE ADDITION OF A COVERED PORCH.

Public Forum

The Chair opened the public forum at 8:14 p.m.

The Chair recognized Jeffrey Bipes, 811 3rd Ave, NE, who was inquiring about the ordinance regulations on the posting of banners and signs in yards. Community Development Director Chanski indicated he is working on this concern with Mr. Bipes and will follow up.

The Chair closed the public forum at 8:17 p.m.

Staff Reports

City Administrator Bergman stated she met with the Northside Neighborhood Association, along with Council member Bevans recently. She said they were inquiring about rental housing and licensing ordinances, among other things. She also met with the Destination Downtown Business Coalition to discuss the appropriation of the \$15,000 contributed from the EDA towards a downtown event planner position. She was informed the library will continue to offer curbside pickup and services for now which will be discussed at the February board meeting. Services are available Monday – Saturday and three evenings a week.

City Administrator Bergman indicated she has had the opportunity to attend a meeting from every board and committee except for the Airport Commission and the Library Board. She is planning to attend the airport commission later this week and the library board in the near future.

HR Director Schubert stated there is an issue with the Employee Policy Manual regarding step advancements for new employees and will be addressed at a later date for revisions.

Finance Director Hillman indicated the Coalition of Greater Minnesota Cities sent out a memo stating they are highlighting top legislative activities each week in February. This week highlights LGA and the need to inform Senators that LGA needs to be paid in full and on time and a resolution will be on the next council meeting.

City Engineer Sandy attended the annual City Engineers Associations annual conference virtually this year and has obtained several of his required certifications. He said he has been elected to serve as vice president of the organization this year and will be serving as president next year. He announced he will have the opportunity to travel within the next two years for national conferences and is asking for the Council's support.

Community Development Director Chanski announced Harrison Elementary is the first school that has been completed in the ISD181 projects.

Mayor's Report

Mayor Badeaux stated the River to Rail Committee will be meeting this week to recap the previous two months' activities. He said the Parking Commission will be holding a workshop on Thursday to discuss goals and ideas. He commended the teachers and administrative staff at the schools for the hard work and in getting the kids back to class. Mayor Badeaux thanked the Council and City Engineer Sandy for moving forward with an Interim Public Works Department. The Park Board and PW met last week and will have many accomplishments as they go.

Council Member Reports

Council member Erickson attended the Northland Arboretum board meeting last week and the next Fire Advisory Board will be February 23rd. He will be attending the Planning Commission workshop taking place on Wednesday.

Council member Pritschet indicated the Library Board is looking at what other libraries in the area are doing regarding opening to the public. He said high school kids return to class on February 16th, so he is anticipating that as well.

Council member O'Day thanked City Engineer Sandy on the tour of the street garage recently and it was very interesting.

Council member Johnson replied to the comment of the Harrison Elementary School project being completed. He said it is nowhere near being done, as the boulevard trees are not in place as the CUP indicates and the project should not be signed off on until that is completed. He said the Brainerd Jaycees Ice Contest was a huge hit being held virtually and thanked everyone who volunteered to organize it and to those that participated. He thanked the Council and Mayor for completing the City Administrator evaluation paperwork on time. He also said he was named the Chair for the HRA committee this year.

Council member Bevans stated he used the curbside services at the library last week and encouraged others to use it as well. He said he was excited to see the two blocks off Washington Street to the northside is on the street improvement project list for this year.

Adjourn to Closed Session Pursuant to MN Statutes 13D.05, Subd. 3(B) For Attorney-Client Privilege to Discuss Tom's Backhoe Service, Inc. V. City of Brainerd Pending Litigation – 8:31 p.m.

The Council reconvened at 8:37 p.m.

Adjourn to Closed Session Pursuant to MN Statute 13D.05 Subd. 3(C)(3) to Consider Counteroffers for the Purchase of Property at 502 Jackson Street, Brainerd – 8:37 p.m.

The Council reconvened at 8:51 p.m.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO START THE EMIT DOMAIN PROCESS FOR THE PROPERTY AT 502 JACKSON STREET NEEDED FOR THE NW 4TH STREET PROJECT.

Adjourn to Closed Session Pursuant to MN Statutes 13D.03 to Discuss Labor Negotiation Strategy – 8:55 p.m.

The Council reconvened at 9:12 p.m.

MOVED AND SECONDED BY ALDERMEN STENGLEIN AND STUNEK, DULY CARRIED, TO HAVE MAYOR BADEAUX REPRESENT THE CITY COUNCIL AT THE STAFF MEETING WITH BPU EMPLOYEES ON TUESDAY, FEBRUARY 2, 2021 AT 9:00 A.M.

Adjourn to Closed Session Pursuant to MN Statute 13D.05, Subd. 3(A), To Conduct City Administrator Performance Review – 9:14 p.m.

The Council reconvened at 9:22 p.m.

The Chair adjourned the meeting at 9:22 p.m.

Jennifer Bergman
City Administrator