

Brainerd, MN
April 4th, 2022

Pursuant to due call and notice thereof, the closed session of the Brainerd City Council was called to order at 5:30 p.m.

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY, DULY CARRIED, TO GO INTO CLOSED SESSION AT 5:31 P.M.

The Chair re-opened the session at 6:01 p.m., no action was taken.

MOVED AND SECONDED BY MEMBERS O'DAY AND JOHNSON, DULY CARRIED, TO ADJOURN TO THE REGULAR CITY COUNCIL MEETING AT 7:30 P.M.

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, O'Day, Stunek, Johnson, Pritschet, and Bevans. Member Erickson was present via WebEx from 27 Lake Ridge Circle, Keystone, CO 80435. Mayor Badeaux was also noted as present.

Due to a Council Member attending virtually, all votes will be roll call votes.

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

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY TO APPROVE THE AGENDA.

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

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

- A. Approval of Bills- Approved
- B. Approval of Minutes of the Regular City Council Meeting held on March 21st, 2022- Approved
- C. Approval of Licenses- Approved
- D. Department Activity Reports- Approved
- E. Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Minnesota Darkhouse & Angling Association Brainerd Lakes Area for an Event held on March 26, 2022, at the Brainerd American Legion Post 255, 708 Front St.-Approved

- F. Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Ducks Unlimited Paul Bunyan Chapter for an Event to be held on April 30, 2022, at Brainerd American Legion, 708 Front St.-Approved
- G. Temporary 3.2 Percent Malt Beverage (Beer) On-Sale License- Submitted by Brainerd Eagles Club #287 for an Event to be held on April 23, 2022, at Memorial Park, 1700 Mill Ave, Brainerd- Contingent Upon Inspections- Approved

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

Community Member of the Month

Mayor Badeaux awarded Patrick Spradlin the Community Member of the Month for his dedication to the arts in Brainerd.

Council Committee Reports

Safety and Public Works

Approve Event/Parking Lot Closure Application- Lakes Area Music Festival Block Party

Committee Chair O'Day stated that this is the 4th annual block party by Lakes Area Music Festival which will be held on August 8, 2022, organized by Brainerd Restoration. The event is free to the public.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET TO APPROVE THE ATTACHED EVENT APPLICATION WITH THE CONDITIONS LISTED IN THE APPLICATION.

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

Approve a Clean-up Day Event with Lakes Area Skatepark Association

Committee Chair O'Day stated that the Lakes Area Skatepark Association is using this as a fundraiser. They will staff the project and the City will provide the dumpsters. This event is for City of Brainerd residents, a BPU bill will be required to utilize the service. Large items like mattresses and furniture will have a fixed cost for disposal. The event takes place on May 21, 2022, at the Judicial Center parking lot.

Mayor Badeaux stated that he has been working with the group and feels this is a great project for their group.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO APPROVE THE CONCEPT FOR A CITY-WIDE CLEAN-UP DAY WITH A BUDGET OF \$4,500 FOR PURCHASING THE DUMPSTERS FOR USE FROM GREENDAY ROLLOFF AND LANDSCAPE SERVICE, LLC.

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

Reject Bids for Improvement 22-01-2022 Seal Coating Project

Committee Chair O'Day stated the seal coat material costs are high this year. The delay of the project will have no major impact on the streets.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET TO REJECT THE BIDS FOR IMPROVEMENT 22-01, AND LIKEWISE, SHELVE THESE PLANS UNTIL NEXT YEAR WHERE THEY COULD BE RE-BID UNDER MORE FAVORABLE CONDITIONS.

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

Approve Cost Share Agreement with Crow Wing County for 2022 Seal Coat Project in Maple Street Parking Lot

Committee Chair O'Day stated that Crow Wing County and the City own parts of the Maple Street parking lot, the County is seal coating their portion of the lot, so it only makes sense to continue into the City's portion of the parking lot.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO APPROVE THE ATTACHED COST SHARE AGREEMENT AS PRESENTED AND AUTHORIZING PROPER SIGNATURES ON THE DOCUMENT AS PRESENTED.

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

Approve Plans and Specifications and Authorize Quotes- Improvement 22-02-2022 Crack Sealing Project

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET TO APPROVE THE PLANS AND SPECIFICATION AND AUTHORIZING RECEIVING OF QUOTES FOR THE LABOR WORK FOR IMPROVEMENT 22-02 - 2022 CRACK SEAL PROJECT. QUOTES WILL BE DUE ON MAY 6TH, 2022 AT 10:00 AM.

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

Approve Professional Services Agreement with SEH for Improvement- 19-02- West Segment and NP Center Segment of the Cuyuna Lakes State Trail Construction Services

Committee Chair O'Day stated the agreement from 2019 has expired. This is a new agreement for the construction of NP Center and West Segment.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH SEH IN THE TOTAL AMOUNT NOT TO EXCEED \$160,000 FOR IMPROVEMENT 19-02 - CUYUNA LAKES STATE TRAIL EXTENSION.

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

Set Public Hearing for Annual Municipal Separate Storm Sewer (MS4) Annual Report

Committee Chair O'Day stated this is an annual requirement for the permit.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO SET THE PUBLIC HEARING FOR THE CITY'S MS4 PERMIT FOR MAY 2, 2022, AT THE REGULARLY SCHEDULED CITY COUNCIL MEETING.

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

Resolution- Declaring Sufficiency of Petition and Setting a Public Hearing on a Vacation Commenced by a Majority of Abutting Landowners- Alley Blocks M and E, West Brainerd

Committee Chair O'Day stated that this is the piece of property that was recently purchased by My Neighbor to Love. Both abutting landowners have signed the petition. The resolution does not approve the vacation, rather sets the public hearing.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET TO ADOPT RESOLUTION DECLARING THAT THE PETITION IS SUFFICIENT AND SETS THE PUBLIC HEARING ON THE PROPOSED VACATION FOR MAY 2, 2022, AT 7:30 PM.

RESOLUTION 13:22

Upon roll call, Council 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

Approve Hiring List Paid On-Call Firefighters 2022 and Authorize to Hire

Committee Chair Johnson stated there are 36 on-call firefighters out of the 40 on-call desired.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO AUTHORIZE THE FIRE DEPARTMENT TO ESTABLISH A PAID ON-CALL FIREFIGHTER HIRING LIST AND TO HIRE UP TO 4 PAID ON CALL FIREFIGHTERS.

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

Approve Hiring of Police Officer Hunter Williams

Committee Chair Johnson stated this brings the roster up to 25 of the 27 the department hopes to hire by the end of the year.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN TO APPROVE THE HIRING OF POLICE OFFICER HUNTER WILLIAMS, STARTING AT THE LELS STEP 1 RATE OF \$29.79, WITH A STARTING DATE OF APRIL 11, 2022.

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

Accept the Resignation of Community Development Director David Chanski

Committee Chair Johnson stated Community Development Director Chanski has accepted a City Administrator position with another city and stated that they are thankful for the work he has done for the City. He congratulated Mr. Chanski on reaching his goals. The City will negotiate an MOA with the union to appoint Mr. Kramvik in the interim.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ACCEPT THE RESIGNATION OF COMMUNITY DEVELOPMENT DIRECTOR DAVID CHANSKI EFFECTIVE APRIL 22, 2022, AUTHORIZE STAFF TO NEGOTIATE AN MEMORANDUM OF AGREEMENT WITH THE IBEW ADMINISTRATIVE SUPPORT UNION TO APPOINT ASSISTANT PLANNER JAMES KRAMVIK AS THE ACTING COMMUNITY DEVELOPMENT DIRECTOR EFFECTIVE APRIL 23, 2022; FURTHER, PURSUANT TO OUR EMPLOYEE POLICY MANUAL, MR. KRAMVIK SHOULD BE PLACED ON STEP 1 OF THE COMMUNITY DEVELOPMENT DIRECTOR WAGE GRID; FINALLY, TO APPROVE THE FORMATION OF A WORK GROUP COMPRISED OF A COUPLE OF CITY COUNCIL MEMBERS (WITH VOLUNTEERS SELECTED BY THE COUNCIL PRESIDENT), CITY ADMINISTRATOR BERGMAN AND HR DIRECTOR SCHUBERT.

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

Chair Bevans recommended Members Johnson and O'Day to the work group.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET TO APPROVE CHAIR BEVANS RECOMMENDATIONS TO THE WORK GROUP.

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

Authorization to Enter into Consultant Agreements for Sanitary and Storm Sewer Rate Design Studies

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN TO AUTHORIZE STAFF TO ENTER INTO AGREEMENTS WITH UFS AS REPRESENTED, TO PREPARE FINANCIAL PLANS AND RATE DESIGN STUDIES FOR THE SANITARY AND STORM SEWER RATES.

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

Discussion of the Number of On-Sale Liquor Licenses Issued to One Person

Committee Chair Johnson stated there have been a couple of business owners requesting an additional liquor license for another restaurant. The committee directed staff to draft an ordinance to allow multiple restaurant liquor licenses.

Discussion of 2023 Capital Equipment and Facility Budget

Committee Chair Johnson stated that everyone on the Council should look closely at the changes in budget since it was presented. If there are concerns, contact him or Administrator Bergman.

Update on Request for Funds to be Returned from LAMC

Committee Chair Johnson stated that there has not been a response from Lakes Area Media Collaborative.

Unfinished Business

Authorize Land Purchase Agreement for PID 41361081 & 41361080

Administrator Bergman stated that on March 7th Council had a closed session to discuss acquisition of land at PID 41361081 & 41361080. Council directed Brainerd Public Utilities to negotiate the purchase of the land, further that grant funding would not be used to purchase the land. On March 29th, the Public Utilities Commission voted to accept the purchase agreement of \$300,000, purchased with BPU funds.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN TO AUTHORIZE THE EXECUTION OF THE PURCHASE AGREEMENT FOR PID 41361080 & 41361081 PENDING REVIEW BY THE CITY ATTORNEY.

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

Authorize to Enter into Agreements with Brainerd Community Action and The Center

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND PRITSCHET AUTHORIZE AGREEMENTS WITH BRAINERD COMMUNITY ACTION AND LAKES AREA SENIOR ACTIVITY CENTER, INC. FOR A 5-YEAR PERIOD FOR 1.5% OF THE PREVIOUS YEARS LEVY PER THE CITY CHARTER.

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

Final Reading & Public Hearing- Proposed Ordinance No. 1524- Amending City Code Section 320: Administrative Citations- Approved

Chair Bevans opened the public hearing at 7:55 p.m.

No one came forward.

Chair Bevans closed the public hearing at 7:56 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND STENGLEIN TO HOLD THE FINAL READING OF PROPOSED ORDINANCE 1524- AMENDING CITY CODE SECTION 320: ADMINISTRATIVE CITATIONS AND DISPENSE WITH THE ACTUAL READING.

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

Council Member Johnson stated that he would be voting no on the adoption of the ordinance, due to the removal of the language "up to \$2,000" as a maximum fine in a year, meaning a resident could be fined \$10,600 in a calendar year.

Council Member O'Day stated that he thinks that is a misinterpretation of the ordinance, after three citations Safety and Public Works Committee will work with the residents to resolve the matter.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET TO ADOPT ORDINANCE 1524- AMENDING CITY CODE SECTION 320: ADMINISTRATIVE CITATIONS.

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

Final Reading & Public Hearing- Proposed Ordinance No. 1525- Amending City Code Section 425: Rental Housing- Approved

The Chair opened the public hearing at 8:00 p.m.

Rick Fargo, 7102 Ojibwe Road, stated that he manages 162 rental units in the City. He was a part of the committee that recommended the adoption of the existing document. He stated that the proposed section 425 does not define the term "family" which leads him to believe that single people cannot occupy these dwellings. Mr. Fargo submitted a statement from Mr. Dave Pueringer stating that the code does not take into account the number of units a rental property manager has in reference to the number of conduct on premise.

The Chair closed the public hearing at 8:10 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO HOLD THE FINAL READING OF PROPOSED ORDINANCE 1525- AMENDING CITY CODE SECTION 425: RENTAL HOUSING MAINTENANCE CODE AND DISPENSE WITH THE ACTUAL READING.

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

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN TO ADOPT ORDINANCE 1525, AN ORDINANCE REPLACING SECTION 425 OF THE CITY CODE

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

Final Reading & Public Hearing- Proposed Ordinance No. 1526- Amending City Code Section 450: Property Maintenance- Approved

Chair Bevans opened the public hearing at 8:12 p.m.

No one came forward.

Chair Bevans closed the public hearing at 8:13 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND O'DAY TO HOLD THE FINAL READING OF PROPOSED ORDINANCE 1526- AMENDING CITY CODE SECTION 450: PROPERTY MAINTENANCE AND DISPENSE WITH THE ACTUAL READING.

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

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT ORDINANCE 1526- AMENDING CITY CODE SECTION 450: PROPERTY MAINTENANCE.

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

Final Reading & Public Comment- Proposed Ordinance No. 1527- Amending City Code Section 515: Zoning Code and Official Zoning Map- Approved

Community Development Director Chanski gave an overview of the entire process of bringing forth the Zoning Code and Official Zoning Map. He thanked the Planning Commission for the dozens of hours spent in meetings, workshops, and time spent reviewing the code on their own time.

The Chair opened the public comment at 8:18 p.m.

Robert Despot, 830 Brook St, 1020 Washington, & 1024 Washington, owner of the Pike's Plumbing building and Brainerd Hydraulics building stated that with the update his buildings are being rezoned from industrial to residential and commercial respectively. He was given no direct notice of the change. He believes that both businesses are vital to the land that they occupy.

Mike Higgins, 1511 Northern Pacific Road & 1801 Mill Avenue, stated that he is not aware of any changes to the zoning of his businesses. However, he is very disappointed in the Zoning Code update process.

Mike Murphy, 83711 Greenwood Road, Baxter, stated that it is wrong to rezone properties without direct notice.

Kevin Gruber, former owner of Pike's Plumbing, asked why the change was happening now. In 2010, the Council decided not to rezone the property.

Craig Match, 720 Brook Street, stated that his shop has been present on Brook street for 50 years. He stated he is planning on selling his property to a relative who does similar work to what he does, if his property gets rezoned, he may not be able to sell his business.

Jeff Strobel, 818 Brook Street, owner of Gull Lake Sandblasting, stated that if the property is rezoned, he will be out of business.

The Chair closed the public comment at 8:32 p.m.

Lack of a motion, Proposed Ordinance 1527- Amending City Code Section 515- Zoning Code and Official Zoning Map defeated.

Council Member Johnson stated that he does not remember discussing properties that are currently conforming that would be non-conforming with the zoning code change. He is requesting a comprehensive list of properties that will go from conforming to non-conforming.

Council Member Erickson stated that as liaison he agrees with Mr. Chanski on the scope of the process. He stated that switching from a use-based to a form-based code provides flexibility for residents and businesses and reduces the regulatory burden. He agrees that another discussion by the Planning Commission to address the issues brought forward to this meeting.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND PRITSCHET TO SEND THE ORDINANCE BACK TO PLANNING AND ZONING.

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

Final Reading & Public Hearing- Proposed Ordinance No. 1528- An Ordinance Replacing Section 1135 of the Brainerd City Code- Approved

The Chair opened the public hearing at 8:43 p.m.

No one came forward.

The Chair closed the public hearing at 8:45

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE 1528- REPLACING SECTION 1135 OF THE BRAINERD CITY CODE, DISPENSE WITH THE ACTUAL READING.

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET TO ADOPT ORDINANCE 1528- REPLACING SECTION 1135 OF THE BRAINERD CITY CODE.

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

Committee Recommendations

Chair Bevans recommended Melissa Willis to the Water Tower Committee.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY TO CONFIRM MELISSA WILLIS TO THE WATER TOWER COMMITTEE.

Upon roll call, Council Members Stenglein, Erickson, O'Day, Stunek, Johnson, Pritschet, and Bevans voted "aye". No member voted "nay". The 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 – 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 – 1 position available

New Business

Resolution & Public Hearing- Ordering Improvement, Approving Plans and Specifications, and Ordering Advertisement for Bids - Improvement 21-10 - Greenwood Street Reconstruction Project

City Engineer/ Public Works Director Sandy stated that the City is proposing to surface the road with bituminous material in conjunction with MnDOT S 6th Street project. Pursuant the notice of hearing and to continue with the assessment proceedings, the Council must hold a public hearing to consider the improvement and hear testimony for or against the said improvements. The hearing is not an assessment hearing that will happen in the fall.

The Chair opened the public hearing at 8:49 p.m.

No one came forward.

The Chair closed the public hearing at 8:50 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND PRITSCHET TO ADOPT RESOLUTION ORDERING THE IMPROVEMENT, APPROVING PLANS AND SPECIFICATIONS, AND ORDERING ADVERTISEMENT OF BIDS TO BE OPENED ON MAY 6, 2022, AT 11:00 AM.

RESOLUTION 14:22

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

Resolution & Public Hearing- Ordering Improvement, Approving Plans and Specifications, and Ordering Advertisement for Bids - Improvement 21-12 - North Brainerd Reconstruction Project

City Engineer/ Public Works Director Sandy stated that Improvement 21-12 is a reconstruction project in North Brainerd on N 3rd Street, N 6th Street, N 7th Street, and Juniper Street. Pursuant the notice of hearing and to continue with the assessment proceedings, the council must hold a public hearing to consider the improvement and hear testimony for or against the said improvements. There is considerable utility work involved in the project, however, residents will only be assessed for road improvements. The project will take place in three phases as to not disrupt Gregory Park too much this summer.

The Chair opened the public hearing at 8:53 p.m.

Pam Stock, 317 N 7th St, supports the project, but wonders how those who do not have alleys to park in will park near their homes.

The Chair closed the public hearing at 8:55 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY TO ADOPT RESOLUTION ORDERING IMPROVEMENT, APPROVING PLANS AND SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS - IMPROVEMENT 21-12 - NORTH BRAINERD RECONSTRUCTION PROJECT

RESOLUTION 15:22

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

Public Forum

The Chair opened public forum at 8:56 p.m.

Brittany Egan, 512 S 9th Street, stated that she is in long term recovery from drugs and alcohol. She is a drug court graduate. One of the greatest barriers to lasting recovery is safe stable housing. She stated that there have been 14 police calls to the sober houses in Tyrol Hills and ongoing drug use in the homes. She is hoping there will be regulations in the future for the houses to ensure the safety of the residents in recovery.

Mike Murphy, 8371 Greenwood Rd, Baxter, stated that the code on variances are too restrictive for property owners.

The Chair closed public forum at 9:02 p.m.

Staff Reports

HR Director Schubert stated that she was informed that the Wellness Committee was awarded a \$2,000 grant through Crow Wing Energize for a water bottle filler at City Hall.

Mayors Report

Mayor Badeaux thanked the Pine Tree Division of The Scouts for allowing him to emcee their awards event. He thanked the snow shovel brigade for their work this winter, Interfaith Volunteers will be taking over the program next year, and there will be a small gathering thanking those groups and individuals who helped with the brigade. Finally, he read his proclamation for the Remembrance of the Bataan Death March Service Members from the 194th Battalion from Brainerd, declaring April 9th, 2022, a day to acknowledge their sacrifices.

Council Member Reports

Member Erickson congratulated Mr. Chanski on his new position and thanked him for his hard work for the City.

Member Johnson stated that the EDA is meeting on April 7th to further refine properties for development. He stated that his son's Cub Scout Pack is looking for a community service project in June or July.

Member O'Day stated that he attended the Norwegian Soldier Exchange event in place of the Mayor and enjoyed the event. Camp Ripley wants Council to visit.

Adjourn to Closed Session Pursuant to Minnesota Statute 13D.05 subd., 3(c)(3) to Consider Counter Offers for the Purchase of Property at 504 11th Street South, Brainerd, MN 56401

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND JOHNSON TO ADJOURN TO CLOSED SESSION PURSUANT TO MINNESOTA STATUTE 13D.05 SUBD. 3(C)(3) TO CONSIDER COUNTER OFFERS FOR THE PURCHASE OF PROPERTY AT 504 11TH STREET SOUTH, BRAINERD, MN 56401

The Chair adjourned the meeting to the closed session at 9:13 p.m. after a five-minute break.

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO APPROVE THE COUNTEROFFER FOR PROPERTY AT 504 11TH STREET SOUTH, BRAINERD, MN 56401.

The Chair adjourned the meeting at 9:23 p.m.


Jennifer Bergman
City Administrator