

**Brainerd, MN
September 20, 2021**

The City Council met at 7:00 p.m. for a closed session pursuant to Statute 13D.03 subd. 1b for Union Negotiation Strategy Session.

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND O'DAY, DULY CARRIED, TO MOVE INTO CLOSED SESSION PER STATUE 13D.03 SUBD. 1B FOR UNION NEGOTIATION STRATEGY SESSION.

Council reopened session. No action taken.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ADJOURN TO THE REGULAR CITY COUNCIL MEETING.

Adjourned to the City Council Regular 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: Stunek, Johnson, Pritschet, Stenglein, Erickson, O'Day, 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 JOHNSON AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA.

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

- A. **Approval of Bills- Approved**
- B. **Approval of the Minutes of the Regular Meeting held on September 7th, 2021**
- C. **Approval of Licenses-Approved**
- D. **Department Activity Reports- Approved**
- E. **Minnesota Lawful Gambling Application to Conduct Excluded Bingo- Submitted by Lakes Area Bowling Association,- Bingo Events to be held at Jack's House Bowling on November 16-19, 2021.- Approved**

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

Council Committee Reports

Personnel & Finance

Accept Resignation of Jacob Scholten effective September 9th, 2021-Approved

September 20th, 2021

Committee Chair Johnson stated that this will bring the department back down to 23 full time sworn officers, with one officer completing field training.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT OFFICER JACOB SCHOLTEN'S RESIGNATION EFFECTIVE SEPTEMBER 9, 2021; FURTHER TO AUTHORIZE THE CIVIL SERVICE COMMISSION TO ESTABLISH A NEW POLICE OFFICER ELIGIBILITY LIST.

Approval of 2022 Life Insurance Provider-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO ACCEPT THE 2022 LIFE INSURANCE PROPOSAL SUBMITTED BY THE HARTFORD WITH A 20% DECREASE TO CURRENT RATES; FURTHER, TO ACCEPT THE UPDATED MAXIMUMS FOR THE SUPPLEMENTAL AND SPOUSE LIFE AND THE GUARANTEED ISSUE AMOUNTS AS OFFERED.

Approval of 2022 Health Insurance Broker Agreement and Fees-Approved

Committee Chair Johnson stated that North Risk Partners assisted with getting the City the decrease in health insurance renewal from 6.5% to 3.7% and provides additional help in consulting for employees. The \$25,000 fee will be allocated between the City, BPU, and HRA.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE RETAINING NORTH RISK PARTNERS AS OUR BETTER HEALTH COLLECTIVE (FORMERLY SOURCEWELL) HEALTH INSURANCE BORKER FOR 2022 IN THE AMOUNT OF \$25,000; FURTHER, TO APPROVE THE ATTACHED 2022 SERVICE AGREEMENT BETWEEN THE CITY OF BRAINERD AND NORTH RISK PARTNERS.

Authorize Staff to Negotiate an Agreement with Region 5 Development Commission (R5DC) for the Annex-Approved

Committee Chair Johnson stated that this is an exciting proposal that will lease the entire Annex. It will create shared workspace for the community and house the offices for Region 5. Region 5 is requesting \$160,000 for repairs from the City of Brainerd, which is about half of the budgeted amount for repairs. The rest of the repair and renovation costs would be covered by Region 5 and a DEED grant. Region 5 is planning to use these repairs in lieu of rent for an agreed upon time.

Council Member Erickson stated that he would be abstaining from voting due to his employment with Region 5.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN TO AUTHORIZE STAFF TO NEGOTIATE AN AGREEMENT WITH R5DC FOR THE ANNEX.

Council Members Stunek, Johnson, Pritschet, Stenglein, O'Day, and Bevans voted "aye". No member voted "nay". Council Member Erickson abstained from voting.

Discussion of the Use of the City Coronavirus Response and Relief Supplement Appropriation Act (CRRSAA) -Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE STAFF TO RESPOND TO MNDOT AND TO USE THE CITY'S ALLOCATION OF \$30,489 CRRSAA FUNDS FOR 2021 STREET PATCHING PROJECT.

Adoption of 2022 Preliminary Levy & Set Public Hearing Date-Approved

Committee Chair Johnson stated that the committee voted to increase the preliminary levy by 2%. This may not be needed by the time the final levy is set, but the City is still in negotiation with labor unions. The sum for the preliminary levy for the taxes payable in 2022 would be \$6,255,826 plus \$147,996 for the HRA.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN TO ADOPT RESOLUTION TO SET THE PRELIMINARY LEVY \$6,255,826 FOR THE CITY AND \$147,477 FOR THE HRA.

RESOLUTION 51:21

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO SET THE PUBLIC HEARING FOR THE FINAL LEVY FOR DECEMBER 13TH AT 6:00 PM IN THE CITY COUNCIL CHAMBERS.

Safety and Public Works

Approve Event Application- Shriner's Turkey Run-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE EVENT AS PRESENTED.

Approve Event/Street Closure Application- St Francis School Marathon-Approved

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE THE EVENT/ STREET CLOSURE APPLICATION UNDER THE CONDITION THAT THE APPLICANT NOTIFY THE ADJACENT RESIDENCES/ BUSINESSES OF THE EVENT, SIGNS AND BANNERS ARE REMOVED AFTER THE CONCLUSION OF THE EVENT, AND AN INSURANCE CERTIFICATE IS SUBMITTED TO THE CITY PER THE PERMIT REQUIREMENTS BEFORE THE EVENT.

Discussion of Downtown Special Services and Snow Removal District- Discussion

Committee Chair O'Day stated that an owner/operator of a downtown business approached the City to see if there was a way to redistribute fees for the special services district. The fees are for the snow, flowers, maintenance of the boulevards, and garbage. The committee directed staff to hold off on action and to invite other businesses to discuss the special services district.

Council Member Johnson stated that it seemed that staff has put a lot of time into a request from one owner on a process that will have a public hearing scheduled.

Interim Public Works Director/ City Engineer Sandy stated the request was a good exercise for staff to go through as it ensured that the equation used is still accurate from the 1990 process to determine the cost.

Approve Downtown Snow Removal Bids-Approved

Committee Chair O'Day stated that there was a 5% increase in the cost from last year and that Tom's Backhoe was the only bid received by the City.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE BID FROM TOM'S BACKHOE SERVICE FOR THE 2021-2022 DOWNTOWN SNOW REMOVAL SERVICES IN THE DOWNTOWN DISTRICT.

Unfinished Business

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 2027) – 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

First Reading- Proposed Ordinance 1520- Ordinance Amending the City Charter- Approved

City Administrator Bergman stated that the Charter Committee met on August 11th to discuss the Ordinance presented. She gave a brief overview of the changes that were proposed to the Charter which includes changing antiquated mill levy language to a percent of the previous year's levy, including "within the city limits" to programs funded, and necessary changes to the park board chapter regarding the hiring and compensation of staff.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY, DULY CARRIED, TO HOLD THE FIRST READING AND DISPENSE WITH THE ACTUAL READING OF ORDINANCE 1520 AN ORDINANCE AMENDING THE CITY CHARTER; FURTHER TO SET THE PUBLIC HEARING FOR OCTOBER 4TH, 2021.

Adopt Resolution- Awarding the Sale of General Obligation Bonds, Series 2021A; Fixing Their Form and Specifications; Directing Their Execution and Delivery; and Providing for Their Payment-Approved

The Chair recognized Paul Steinman, Baker Tilly, stated that the bond sale went very well in the aggregate amount of \$6,905,000 with a 1.22% interest rate. He also provided a review of the City's bond rating which remained stable at AA- because of the City's high reserves, strong financial management, and adequate debt profile.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STENGLEIN TO ADOPT RESOLUTION AWARDING THE SALE OF GENERAL OBLIGATION BONDS, SERIES 2021A, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF \$ 6,905,000; FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT.

RESOLUTION 52:21

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

Adopt Resolution - Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment, and Ordering a Public Hearing on Proposed Assessment - 2021 Nuisance Abatement and Downtown Special Services District-Approved

City Engineer/ Interim Public Works Director Sandy stated that the amounts prepared for the nuisance abatement is in total of \$36,370 which between now and the public hearing staff will be working with owners to clear some of these up prior to their being assessed. The downtown services district will be assess \$35,709 to the owners for the 2021 service year. Assessments can be contested formally to the City Council prior to the public hearing.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET TO ADOPT RESOLUTION TO DECLARE COSTS TO BE ASSESSED, ORDERING PREPARATION OF PROPOSED ASSESSMENT, AND ORDERING A PUBLIC HEARING ON PROPOSED ASSESSMENT- 2021 NUISANCE ABATEMENT AND DOWNTOWN SPECIAL SERVICES DISTRICT AND SET THE PUBLIC HEARING FOR OCTOBER 18, 2021, AT 7:30 PM.

RESOLUTION 53:21

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

Adopt Resolution - Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment, and Ordering a Public Hearing on Proposed Assessment - Improvement 19-19 - Jackson Street and NW 3rd Street Reconstruction Project-Approved

City Engineer/ Interim Public Works Director Sandy stated that the total amount to be assessed for the project is \$111,454.

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND ERICKSON TO ADOPT RESOLUTION DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF PROPOSED ASSESSMENT AND ORDERING A PUBLIC HEARING ON PROPOSED

ASSESSMENT- IMPROVEMENT 19-19- JACKSON STREET AND NW 3RD STREET RECONSTRUCTION PROJECT AND SET THE PUBLIC HEARING FOR OCTOBER 18, 2021, AT 7:30 PM.

RESOLUTION 54:21

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

Adopt Resolution - Declaring Costs to be Assessed, Ordering Preparation of Proposed Assessment, and Ordering a Public Hearing on Proposed Assessment - Improvements 20-05 and 20-06 - Madison Street and SE Brainerd Construction Project- Approved

City Engineer/ Interim Public Works Director Sandy stated that the total amount to be assessed for the project is \$750,277.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY TO ADOPT RESOLUTION DECLARING COSTS TO BE ASSESSED, ORDERING PREPARATION OF PROPOSED ASSESSMENT, AND ORDERING A PUBLIC HEARING ON PROPSD ASSESSMENT- IMPROVEMENTS 20-05 AND 20-06- MADISON STREET AND SE BRAINERD CONSTRUCTION PROJECT AND SET THE PUBLIC HEARING FOR OCTOBER 18, 2021, AT 7:30 PM.

RESOLUTION 55:21

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

Set Council Workshops for October 11, 2021, Zoning Code Update (Residential Standards), October 25, 2021, Parking Commission, and November 8, 2021, Zoning Code Updates (Commercial Standards) and American Rescue Plan Discussion-Approved

Community Development Director Chanski stated that the parking commission is requesting a third workshop due to the chair and vice chair being unable to attend on October 11.

Mayor Badeaux stated that a round table, open to the public, for parking is necessary on its own due to the nature of the recommendations of the parking commission.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND O'DAY, DULY CARRIED, SET WORKSHOPS FOR OCTOBER 11, 2021, ZONING CODE UPDATE (RESIDENTIAL STANDARDS), OCTOBER 25, 2021, PARKING COMMISSION, AND NOVEMBER 8, 2021, ZONING CODE UPDATES (COMMERCIAL STANDARDS) AND AMERICAN RESCUE PLAN DISCUSSION; FURTHER THAT ALL WORKSHOPS WILL TAKE PLACE AT 6PM IN THE COUNCIL CHAMBERS.

Public Forum

The Chair opened public forum at 8:18 p.m.

No one came forward.

September 20th, 2021

The Chair closed public forum at 8:19 p.m.

Staff Reports

City Engineer/ Interim Public Works Director Sandy stated that the ribbon cutting for Memorial Park on September 23rd, at 1:30. The Mayor and the Park Board President will be residing. Staff will not be in attendance due to attending the House Capital Investment Committee Tour.

Community Development Director Chanski stated that ISD 181 is in the process of ordering trees for Harrison Elementary and will be submitting a financial guarantee to the City for the completion of the project. The consultants for the zoning code update will be hosting pop up open house to take place 1:30-4:30 downtown on September 22nd. The Planning Commission will be holding a workshop to prepare for the Council Workshop on October 11. The Planning Commission has also reviewed and discussed the sober home issue, the recommendations that came out of committee will be presented to Council on October 4th. Finally, the Planning Commission also had discussion about the Highway 210 project and expressed concerns, MNDOT and SEH will be present at the next meeting to engage in discussion.

Administrator Bergman stated that she is cohosting WJJY morning show this week, it has been a great opportunity to plug the Sesquicentennial events. The House Capital Investment Tour is taking place at CLC on September 23rd, the City has a half an hour to talk about their capital investment projects. September 15th was employee appreciation day, she thanked the Council members who were able to participate in the lunches and expressed her gratitude to the City employees and the work they do. Finally, she discussed the Sesquicentennial events and thanked all of the organizations again for their work to create events and gave a shoutout to Communications Intern Ernster for all of the work she has done to pull together the celebration.

Mayors Report

Mayor Badeaux stated that he shares the appreciation for employees of the City and enjoyed attending some of the lunches. He is glad to have set up a separate meeting for the parking commission and reiterated that some of the recommendations will be controversial. The Memorial Ribbon cutting will be a great event to celebrate the new additions to Memorial Park and celebrate the history of Mill Park. He thanked everyone for attending Sesquicentennial events over the weekend. He thanked the families of past City Council Members and Mayors for sharing about the experiences of their family member as a part of Brainerd's history. The Sesquicentennial is not just about celebrating history it is also about celebrating the foundation that we've created.

Council Member Reports

Council Member Erickson also expressed his gratitude towards staff, and he enjoyed his time at the staff lunches. He reiterated the Planning Commission and Parking Commission progress. He stated that he feels that the TH210 project is not focused enough on pedestrian traffic and is too focused on through traffic. The TAC meeting is coming up on Thursday the 23rd.

Council Member Pritschet stated that he highly recommends you take advantage of the Brainerd History Walk during the celebrations this week if you haven't been on the tour before. He announced that the head librarian Ms. Jenny Hill will be leaving the Library, he thanked her for all the work she did to get the library through COVID.

September 20th, 2021

Council Member O'Day thanked staff for putting on the appreciation lunches. He attended the Proclamation by Mayor Badeaux, he enjoyed the event. The Mississippi Landing Trailhead meeting is on September 21st.

Council Member Stenglein is very impressed by how the community has pulled together to put events together for the Sesquicentennial Celebration. Having been a part of the initial planning it has been great to see the outcome and the engagement the community has had at the events.

Council Member Stunek attended the Take Off at the Airport and enjoyed the festivities there. He also enjoyed his time going to the staff lunches.

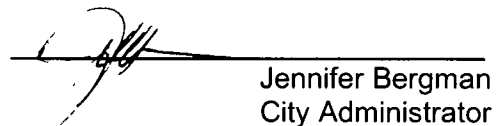
Council Member Johnson reminded the public that the Sesquicentennial banners are for sale at Visit Brainerd.

Chair Bevans thanked the Council for their support of the Charter Commission's work. He will be attending the History Walk, the NP Center Event, and the Sesquicentennial Bash.

Adjourn

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

The Chair adjourned the meeting at 8:35 p.m.


Jennifer Bergman
City Administrator