

**Brainerd, MN
March 15, 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: Stenglein, Erickson, Stunek, Johnson, Pritschet, and Bevans. Mayor Badeaux was also noted as present. Member O'Day attended the meeting remotely.

Due to a member participating remotely, all motions will be made by roll call vote for accuracy.

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

MOVED AND SECONDED BY ALDERMEN JOHNSON AND PRITSCHET TO APPROVE THE AGENDA.

Upon roll call, 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 ALDERMEN ERICKSON AND JOHNSON TO APPROVE THE CONSENT CALENDAR.

A. Approval of Bills - Approved

B. Approval of the Minutes of the Regular Meeting held on March 1, 2021 and the Joint EDA Meeting held on March 8, 2021 - Approved

C. Approval of Licenses - Approved

Contractor Licenses - 3

D. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

Upon roll call, 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 announced Brenda Billman-Arndt, owner of The Purple Fern, was nominated and chosen for Community Member of the Month. Ms. Billman-Arndt has been the driving force behind the Destination Downtown Business Coalition and is focused on making improvements. She spends countless hours working on making changes in the community. The Council applauded Ms. Billman-Arndt for her hard work.

Council Committee Reports

Safety & Public Works Committee Report

Request to Approve Brainerd and Crow Wing County Public Transit Request for Proposals for 3rd Party Operation Services - Approved

MOVED AND SECONDED BY ALDERMEN O'DAY AND ERICKSON FOR APPROVAL TO PROCEED WITH THE REQUEST FOR PROPOSALS FOR THIRD PARTY SERVICES FOR BRAINERD AND CROW WING COUNTY TRANSIT SERVICES.

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

Request to Approve Cost Share Agreement with Crow Wing County for Improvement 21-04 – 2021 Street Striping Project - Approved

MOVED AND SECONDED BY ALDERMEN O'DAY AND PRITSCHET TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE COST SHARE AGREEMENT WITH CROW WING COUNTY IN THE ESTIMATED COST OF \$20,868 FOR IMPROVEMENT 21-04 – 2021 STREET STRIPING PROJECT AND AUTHORIZE PROPER SIGNATURES ON THE AGREEMENT.

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

Request to Approve Downtown Crosswalk Painting Plan - Approved

MOVED AND SECONDED BY ALDERMEN O'DAY AND ERICKSON TO APPROVE THE DOWNTOWN CROSSWALK PAINTING PLAN RENDERINGS ONE AND TWO FOR THE AREA BOUND BY FRONT STREET ON THE NORTH, SOUTH 9TH STREET ON THE EAST, SOUTH 5TH STREET ON THE WEST AND MAPLE STREET ON THE SOUTH.

Council member Pritschet indicated Laurel and 7th Street will not be a part of the renderings, as they will be reaching out to local artists to potentially paint those crosswalks.

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

(Added Item) Request to Award Brainerd Street Garage Parks Addition Bids - Approved

MOVED AND SECONDED BY ALDERMEN O'DAY AND PRITSCHET TO AWARD THE CONTRACT FOR THE BRAINERD STREET GARAGE PARKS ADDITION TO NOR-SON INC. IN THE AMOUNT OF \$504,553 AND AUTHORIZE EXECUTION AND PROPER SIGNATURES ON THE CONTRACT DOCUMENTS.

Upon roll call, 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 Report

Authorize Hiring of Community Service Officer - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO AUTHORIZE THE HIRING OF ONE COMMUNITY SERVICE OFFICER AND STAFF WILL PROVIDE EMPLOYMENT DETAILS WHEN AVAILABLE.

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

Authorize Updating the Police Officer Eligibility List - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STENGLEIN TO AUTHORIZE THE CIVIL SERVICE COMMISSION TO ESTABLISH A NEW POLICE OFFICER ELIGIBILITY LIST.

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

Consideration of Mr. Jedlenski's Request for Property Tax Refund - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO APPROVE MR. JEDLENSKI'S REQUEST FOR A REFUND AND DIRECT STAFF TO WORK WITH MR. JEDLENSKI AND CROW WING COUNTY FOR THE ACTUAL REFUND AMOUNT FOR TAX YEARS PAYABLE 2012-2020 AND RETURN TO THE COUNCIL FOR CONSIDERATION.

Committee Chair Johnson explained the details regarding the property, which was determined that the house was constructed on the wrong parcel back in the 1980's. He said it was discovered in 2011 when Crow Wing County implemented the GIS mapping program, and Mr. Jedlenski was paying taxes at an urban district rate rather than the rural district rate.

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

2022 Capital Equipment and Facility Budget – Informational

Finance Director Hillman gave a summary of the capital equipment and facility budget, which was included in the packet. She also indicated the cold storage facility was discussed at committee level and is included in the 2022 budget. Council discussion was held regarding the cold storage facility. A policy will come to Council in the future regarding the process for adding new facilities to the capital plan.

City Engineer Sandy indicated that the third-party transit contractor has difficulty locating storage for the ten transit buses, which are capital assets for the City. He explained an option is to work with the state to finance a building for the storage of the buses may be beneficial, and the street garage property would allow for this addition. He added that by collecting rental fees from the third-party contractor, this could potentially be fully paid with no cost to the City.

Unfinished Business

Committee Resignations – Accept with Regret - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO ACCEPT WITH REGRET THE RESIGNATION OF ED MENK FROM THE ECONOMIC DEVELOPMENT AUTHORITY (EDA).

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

Committee Recommendations - Recommended by Mayor Badeaux - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND PRITSCHET TO APPOINT THE FOLLOWING APPLICANTS TO THE COMMITTEES AS LISTED BELOW.

- Andrew Shipe, Charter Commission, for a term to expire 12/31/2024
- Jan Lambert, Charter Commission, for a term to expire 12/31/2024
- Wayne Erickson, Housing & Redevelopment Authority (HRA), for a term to expire 12/31/2025
- Jan Lambert, Transportation Advisory Committee (TAC), for a term to expire 12/31/2022

Upon roll call, 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 – 1 term (Expire 2022)

Charter Commission – 1 term (Expire 2021) - 2 terms (Expire 2024) *pending appointment*

Housing & Redevelopment Authority (HRA) – 1 term (Expire 2025) *pending appointment*

Rental Dwelling License Board of Appeals – 3 terms (Expire 2022)

Transportation Advisory Committee (TAC) – 2 terms (Expire 2022) *one pending appointment*

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

Discussion on Rental Property Maintenance Code – Informational

Council President Bevans indicated this is on the agenda at his request and would like an update of when to expect answers to the conduct on premises questions. Community Development Director Chanski gave a summary of the conduct on premises that is outlined in the City Code.

Acting Police Chief Bestul stated the Police Department follow the Ordinances set forth in the City Code regarding conduct and there are written management plans that the landlords must follow.

The Chair recognized Mr. Michael Duval, member of the Rental Ordinance Review Committee, who gave a recap of the work that has taken place at committee level. He stated that a finalized conduct on premises section should be completed after the Wednesday, March 17th committee meeting and to staff by the end of this week.

Final Reading – Proposed Ordinance No. 1514 – Repealing Section 905 and Amending Section 1400 of the City Code - City Administrator Bergman Recommends to Dispense with the Actual Reading - Approved

The Chair opened the public hearing at 8:07 p.m.

No one came forward.

The Chair closed the public hearing at 8:08 p.m.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND JOHNSON TO DISPENSE WITH THE ACTUAL READING AND HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1514 – AN ORDINANCE TO REPEAL SECTION 905 SHADE TREE DISEASE CONTROL AND AMEND SECTION 1400 TREE DISEASE CONTROL OF THE CITY CODE.

Upon roll call, 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 ALDERMEN STENGLEIN AND PRITSCHET TO ADOPT ORDINANCE NO. 1514 – AN ORDINANCE TO REPEAL SECTION 905 SHADE TREE DISEASE CONTROL AND AMEND SECTION 1400 TREE DISEASE CONTROL OF THE CITY CODE.

ORDINANCE NO. 1514

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

Public Hearing and Resolution – Approving a Project by Horizon Health, Inc. and Consenting to the Issuance of Tax-Exempt Obligations by the City of Pierz, Minnesota – Adopted by Resolution No. 14:21

The Chair opened the public hearing at 8:09 p.m.

The Chair recognized Mr. Christopher Virta from Fryberger, Buchanan, Smith & Frederick P.A law firm, who stated he prepared the resolution on behalf of Horizon Health and can answer any questions the Council may have.

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

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT A RESOLUTION APPROVING A PROJECT BY HORIZON HEALTH, INC., AND CONSENTING TO THE ISSUANCE OF TAX-EXEMPT OBLIGATIONS BY THE CITY OF PIERZ, MINNESOTA.

RESOLUTION NO. 14:21

Upon roll call, 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 the public forum at 8:12 p.m.

The Chair recognized Mr. Chris Carlberg, 15298 Woodrow Rd, Brainerd, who is calling regarding a parking ticket he received downtown. He stated he was backed into a diagonal space and was unaware it was against City ordinance to do so. He said he spoke with the Police Department and would like the ordinance to be reviewed or a sign posted.

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

Staff Reports

Acting Police Chief Bestul highlighted his new employee recognition program affectionately called "Bestul's Booyah" award. He said there will be monthly nominations within the department to acknowledge staff doing outstanding work. He said the month of February resulted in 13 nominations and he congratulated Officer Selvestra and Officer Personius for saving a life in northeast Brainerd.

HR Director Schubert stated information regarding the American Rescue Plan and how it affects employment will be brought to the April 5th Council meeting.

Community Development Director Chanski updated the Council that the sign ordinance will be reviewed by the Planning Commission at the March 17th meeting.

City Engineer Sandy stated the "Name a Snowplow" initiative link is posted on the City website and Facebook page. He encourages everyone to submit name ideas to be considered by a sub-committee in the near future.

City Administrator Bergman stated she had the opportunity to meet with Mayor Badeaux, Alderwoman Stenglein and Mary Devine Johnson to discuss the sesquicentennial events. It has been decided to set the week of September 18th through the 25th as the celebration timeframe. She said the Chamber to Commerce will be creating a time capsule on September 18th, and the Mayor will be making a proclamation to kick off the week. There will be additional outreach efforts for more event planning taking place.

City Administrator Bergman said the DDBC have been further discussing the holiday lights in downtown for next season. She also added that an email went out to Council members earlier today regarding franchise fees from Charter. Staff is working on obtaining an updated quote from them to broadcast and hope to bring it back to Council at the April 5th meeting.

Mayor's Report

Mayor Badeaux stated the Bestul's Booyah award program is a great idea to acknowledge staff efforts. He said the events downtown that took place on Saturday the 13th for St. Patrick's Day was a success. The Pot O' Gold specials are going through Wednesday the 17th, and the water tower is also illuminated in green through that day. He also said that Camp Ripley has reached out to him to schedule a day and time for Council members to visit the Camp. City Administrator Bergman will contact the Council and determine an agreed upon date.

Council Member Reports

Council member Erickson attended the TAC meeting last week and will also be present at the Planning Commission meeting the 17th and at the Arb on the 25th of March.

Council member Stenglein met with the planning group of the sesquicentennial and anticipates a request for a Council donation at the April 5th meeting.

Council member Pritschet announced the Brainerd Public Library is hoping to open on a limited grab and go basis for residents very soon.

Council members Stunek and Johnson both attended the festivities downtown on Saturday, enjoyed the beautiful weather and the scavenger hunt.

Adjourn to Joint City Council/BPU Commission Closed Session Pursuant to MN Statute 13D.03 to Discuss Labor Negotiations Strategy – 8:26 p.m.

The Council reconvened at 8:40 p.m.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO APPROVE THE 2021-2023 TENTATIVE AGREEMENT SUMMARY AND CONTRACT SUPPORTING DOCUMENTS BETWEEN THE CITY AND IBEW LOCAL NO. 31 (BPU) UNION.

Upon roll call, 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 ALDERMEN JOHNSON AND PRITSCHET TO ADOPT A RESOLUTION SETTING THE IBEW LOCAL 31 (BPU) UNION WAGES FOR 2021-2023.

RESOLUTION NO. 15:21

Upon roll call, 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 BPU COMMISSIONERS O'DAY AND MATTEN TO APPROVE THE 2021-2023 TENTATIVE AGREEMENT SUMMARY AND CONTRACT SUPPORTING DOCUMENTS BETWEEN THE CITY AND IBEW LOCAL NO. 31 (BPU) UNION.

Upon roll call, Commissioners O'Day, Matten, Angland, Wroolie, and Johnson voted "aye". No Commissioner voted "nay". The Chair declared the motion carried.

The Chair adjourned the meeting at 8:44 p.m.

Jennifer Bergman
City Administrator