

**Brainerd, MN
February 7th, 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 STUNEK AND JOHNSON, DULY CARRIED, TO APPROVE THE AGENDA.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON 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 18th, 2022- Approved**
- C. Approval of Licenses- Approved**
- D. Department Activity Reports- Approved**
- E. Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Central Lakes College Foundation, 501 West College Dr, Brainerd, MN 56401 for an Event To Be Held On May 6th, 2022, at CLC- Approved**

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.

Council Committee Reports

Personnel and Finance

Consideration for Country Manor Public Financing Request for Tax Abatement- Approved

Brian Kelm, CEO Healthcare Continuums (Country Manor), gave an overview of Country Manor's campuses and their mission to provide excellent healthcare. He also gave an overview of the plan for the Brainerd campus, which would include 112 senior living beds and 90 slots for child daycare. The campus is proposed to be fully staffed when it opens, and Country Manor is seeking tax abatement to assist with operations once it is open.

Committee Chair Johnson stated that Country Manor requested \$1.75 million in tax abatement. The figures presented by Baker Tilly came from the City being approximately 45% of the property tax to be assessed over 10 years.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO PREPARE THE NECESSARY DOCUMENTATION AND INITIATE THE STATUTORY PROCESS TO APPROVE 45% TAX ABATEMENT FOR 10 YEARS

FOR COUNTRY MANOR UPON COMPLETION OF THE PROJECT; FURTHER, TO DIRECT STAFF AND THE MAYOR TO WORK WITH COUNTRY MANOR TO APPROACH THE SCHOOL DISTRICT AND COUNTY FOR TAX ABATEMENT.

Police Officer Joshua Claussen Resignation- Approved

Committee Chair Johnson stated this brings the City to 24 out of 27 budgeted sworn officers.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO ACCEPT OFFICER JOSHUA CLAUSSEN'S RESIGNATION EFFECTIVE JANUARY 25, 2022.

Approve Professional Services Contract with Widseth for Design Services for Public Safety Cold Storage Facility Addition-Approved

Committee Chair Johnson stated that this is covered storage for the impound lot.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH WIDSETH IN THE AMOUNT OF \$3,500 FOR THE PUBLIC SAFETY COLD STORAGE FACILITY.

Approved Professional Services Contract with Widseth for Design Services for Public Works Facility Addition- Approved

Committee Chair Johnson stated that this is the request to formally approve the design services on the Public Works facility that is near completion. The contract amount is \$26,000. However, the scale of work needed to be completed by Widseth is less than the contracted amount.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE PROFESSIONAL SERVICES CONTRACT WITH WIDSETH IN THE AMOUNT OF \$26,000 FOR THE PUBLIC WORKS FACILITY ADDITION.

Ratify Hiring of Park Temporary/Season Employees- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY THE HIRING OF THE 2021-2022 PARKS WINTER TEMPORARY EMPLOYEES AS NOTED.

Annual Review and Approval of Investment Policy- Approved

Committee Chair Johnson stated that the policy was reviewed, and no changes will be made.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE 2022 INVESTMENT POLICY.

Consider RFPs for Charter Contribution Organizations- Approved

Committee Chair Johnson stated that he will be voting no, he had asked that the subcommittee meeting be held publicly.

Member Stunek stated that he will be voting yes, he agrees that the meeting could have been posted as a public meeting but assured the Council that nothing questionable happened. The meeting was to give staff direction on what to include in the RFP.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND STENGLEIN TO AUTHORIZE STAFF TO PUBLISH THE REQUEST FOR PROPOSALS FOR EVENTS AND COMMUNITY ACTION, GREEN SPACE OR ARBORETUM, AND SENIOR CITIZEN PROGRAMS.

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

Committee Chair Johnson clarified for the public that the City Council is going through the RFP process and is not defunding the organizations. He stated that the agreements have been in place for 10 years, those agreements are expiring in March, as a part of the process to renegotiate contracts the City is seeking proposals to work in good faith with taxpayer dollars.

Safety and Public Works

Approve Agreement for Storm Drain Stenciling with Discovery Woods Montessori School- Approved

Committee Chair O'Day stated that this is a project by the Montessori school to stencil the drains to make people aware that the drains go to the river as a way to prevent pollution.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE AGREEMENT FOR STORM DRAIN STENCILING WITH DISCOVERY WOODS MONTESSORI SCHOOL.

Approve Sewer Flow Monitoring Proposal from SEH- Approved

Committee Chair O'Day stated that this is a \$65,000 budgeted item for 2022 as an ongoing study of the sewer system.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE LETTER OF PROPOSAL BY SEH FOR THE FLOW MONITORING STUDY.

Presentation- 5-Year Capital Improvement Plan Update- Approved

Committee Chair O'Day stated the committee reviewed the capital improvement plan. Discussion took place on the street scan funding. Due to the street rating being up to date, the matter will be revisited for the 2024 budget.

MOVED AND SECONDED BY O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE THE CAPITAL PLAN WITH REMOVING THE STREET SCAN UNTIL 2024.

Unfinished Business

Council Comment on Draft Zoning Map and Table of Uses

Community Development Director Chanski presented the draft zoning map and table of uses to City Council for comment. He stated that an open house followed by a Planning Commission work session on the full draft of the new zoning code is scheduled for February 23rd at 4:00 p.m. and 6:00 p.m. respectively. The City Council is invited and encouraged to attend those meetings, notice that a quorum of City Council members may be in attendance will go out with the notice of open house and agenda.

Member O'Day asked for a clarification of Rural Living 1 (RL1) district in reference to the southwest portion of the City. He stated that there should be a clarification for RL1 that this land is available for development.

Chair Bevans stated that Council Members should review the documents closely and provide feedback to Community Development Director Chanski.

Committee Resignations- Accept with Regret

Wayne Erickson- EDA

MOVED AND SECONDED BY PRITSCHET AND JOHNSON, DULY CARRIED, TO ACCEPT WITH REGRET WAYNE ERICKSON'S RESIGNATION FROM THE EDA.

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)

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 2022) – 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 Supportive Housing Village PUD Concept Review- Failed

Community Development Director Chanski stated that the Planning Commission conducted a public hearing and considered the concept plan for this proposed development during their regular meeting on January 19th. The Commission voted unanimously to express their general support for such a development while also requesting that the applicant resubmit more specific development plans to include a definite site plan with an emphasis on addressing

concerns over development density and neighborhood harmony as well as a detailed phasing/development schedule prior to proceeding to the Development Stage Plan stage.

Members O'Day, Johnson, Stunek and Bevans stated they would be voting no due to the need to see a more detailed plan instead of a general concept.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND PRITSCHET TO EXPRESS GENERAL SUPPORT FOR THE PROPOSED DEVELOPMENT WHILE SUPPORTING THE PLANNING COMMISSION'S REQUEST THAT THE APPLICANT RESUBMIT MORE SPECIFIC DEVELOPMENT PLANS TO INCLUDE A DEFINITE SITE PLAN WITH AN EMPHASIS ON ADDRESSING CONCERNS OVER DEVELOPMENT DENSITY AND NEIGHBORHOOD HARMONY. AS WELL AS A DETAILED PHASING/DEVELOPMENT SCHEDULE PRIOR TO PROCEEDING TO THE DEVELOPMENT STAGE PLAN STAGE.

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

Consider a Council Workshop to Discuss Coronavirus State and Local Fiscal Recovery Funds (CSLFRF) Funds- Approved

Finance Director Hillman stated that the final ruling on the CSLFRF was released in January. The City will receive \$1.47 million in federal funds. Cities have until December 31, 2024, to obligate the funds and December 31, 2026, to expend the funds. She requested a workshop on February 28th, at 6:00 pm in the City Council to discuss the possible uses for the funds.

MOVED AND SECONDED BY COUNCIL MEMBERS STENGLEIN AND STUNEK, DULY CARRIED, TO SET A COUNCIL WORKSHOP FOR MONDAY, FEBRUARY 28TH, 2022 AT 6:00 PM IN THE CITY COUNCIL CHAMBERS TO DISCUSS CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS (CSLFRF).

Public Forum

The Chair opened public forum at 8:13 p.m.

DeAnn Barry, Executive Director at The Center, 803 Kingwood, encouraged members of The Center to reach out to Council members in the February newsletter to share the opportunities they have to connect and explore because of their time at The Center.

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

Staff Reports

Fire Chief Holmes stated that on February 13th, the Brainerd Fire Department will be celebrating its 150th Anniversary. They are working to put together history of the station with the help of retired firefighters and retired Chief Stunek.

Finance Director Hillman stated there will be no redistricting of the wards. Staff is working on securing locations for the 2022 elections.

IT/GIS Director Strong stated that the next meeting of the Cable TV Advisory Committee is February 15th. He continues to work with CLC staff bi-weekly to draft an agreement for services.

Administrator Bergman stated that Cheryl Hills from Region 5 Development met with herself and City Engineer/Public Works Director Sandy to move forward with the Annex plans. Region 5 is awaiting possible funding. She stated that the review of the RFPs for the Charter contributions will take place during the personnel and finance committee meeting.

Mayors Report

Mayor Badeaux stated that the Brainerd Saint Patrick's Day parade will take place on Saturday, March 12th at 1:00pm with events downtown before and after the parade. Big Sev is in need of sleds for the sled garage if people are willing to donate sleds. He is accepting challenges for sled races. He has already won one race against a willing youngster.

Council Member Reports

Council Member Johnson stated that there is a sign on Greenwood St that says "Warning Brainerd City Hall hates Snowmobiles" suggests a policy of neutrality on snowmobiles. Finally that the City sent a letter to Lakes Area Media Collaborative in August requesting the return of funds to the City and has gotten no response.

Member Stenglein stated that Region 5 elected a new chair and vice chair.

Chair Bevans stated that he and City Engineer/Public Works Director Sandy will be attending the Northside Residents meeting to further discuss the northside construction for summer 2022.

Adjourn to Closed Session Pursuant to Minnesota Statute 13D.05, subd. 3(c)(3) to Develop or Consider Offers for the Purchase of Property at the Northern Pacific Center Property

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND O'DAY TO ADJOURN TO CLOSED SESSION.

Council took a five-minute break prior to the closed session.

Council went into closed session at 8:35 p.m.

Council reconvened at 8:39 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT THE OFFER AS PRESENTED.

Adjourn to Closed Session Pursuant to Minnesota Statute 13D.05, subd. 3(b) for Attorney-Client Privilege to Discuss James M. Carlson v. City of Brainerd Pending Litigation

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND STENGLEIN. DULY CARRIED, TO ADJOURN TO CLOSED SESSION.

Council went into closed session at 8:41 p.m.

Council reconvened at 8:47 p.m.

Informational, no motion.

Adjourn to Closed Session Pursuant to MN Statutes 13D.05, subd. 3(a), to Conduct the City Administrator Performance Review

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND STENGLEIN,
DULY CARRIED, TO ADJOUR TO CLOSED SESSION.
Council went into closed session at 8:49 p.m.

Chair Bevans adjourned the meeting at 9:15 p.m.



Jennifer Bergman
City Administrator

