Brainerd, MN
March 17, 2025

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 O'Day.

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

Chair O'Day led the Pledge of Allegiance to the flag.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO APPROVE THE AGENDA WITH THE ADDITION OF DISCUSSION OF CITY ADMINISTRATOR E-MAIL REGARDING COUNCIL PRIORITIES TO NEW BUSINESS AND REMOVING THE CITY ADMINISTRATOR EVALUATION SUMMARY FROM THE CONSENT CALENDAR.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS TO APPROVE THE CONSENT CALENDAR.

A. **Approval of Bills**
B. **Approval of Minutes**
C. **Department Activity Report**
D. **Approve Temporary Liquor License Application Submitted by Lakes Area Habitat for Humanity for an Event to be held on April 3, 2025, at 602 S 5th Street**
E. **Approve Temporary On-Sale Liquor License Submitted by BPOE Lodge 615 (Brainerd Elks) for an Event to be held on May 7, 2025, at 215 S 9th Street**

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

Approve Summary of City Administrator Broyles 2024 Performance Evaluation held March 3, 2025

Member Czeczok stated that he cannot support a pay increase for Administrator Broyles. He also stated that at the closed session he was looking for support from the Council for redress. He had one question regarding Administrator Broyles' monthly Council priority status update and how it would be presented. He would be happy with an unfinished business list.

Member Johnson stated that the status update is to keep the Council up to speed with any number of projects that would be routinely presented to Council.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND STUNEK TO RATIFY THE SUMMARY OF CITY ADMINISTRATOR BROYLES 2024 PERFORMANCE EVALUATION.

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

Public Forum

The Chair opened the public forum at 7:35 p.m.

No one came forward.

The Chair closed the public forum at 7:36 p.m.

Presentation

Camp Ripley Community Brief

Colonel Fink, Garrison Commander, Camp Ripley, gave his annual community update. Camp Ripley has many construction projects underway including the museum, that is expected to be completed in 2026. He gave an overview of the calendar for the training schedule at Camp Ripley.

Mayor Badeaux stated that he is very excited about visiting the museum once it is complete.

Council Committee Reports

Safety and Public Works Committee

Authorize the Police Department to Apply for the Lucas Project Grant

Committee Chair Erickson stated that the grant is to purchase an automatic chest compression system.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO AUTHORIZE THE POLICE DEPARTMENT TO APPLY FOR THE LUCAS PROJECT GRANT.

Personnel and Finance Committee

Authorize Technology Department Renovations Using PEG Channel Funds

Committee Chair Johnson stated that withholding isn't the right word, the City has not been paying CLC for services that they have not provided, which total approximately #30,359. There is about $37,000 in improvements to be made.

Member Czeczok stated that the City is remiss in not using the funds in paying staff who have been doing the job for CLC.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE WITHHOLDING A PORTION OF THE CABLE FRANCHISE FEES FOR 2024 AND 2025 AND USING THOSE FUNDS TO OFFSET EXPENSES INCURRED TO INTEGRATE THE TECHNOLOGY DEPARTMENT.

Discuss Orderly Annexation of Riverside Drive

Committee Chair Johnson stated that amending the policy is getting ducks in a row before annexing properties.

Member Czeczok clarified whether the assessment is a policy or an ordinance.

Finance Director Hillman stated that this is a policy change. Any changes made to the Rural Service district would be made through an ordinance. This will not change properties currently in the rural service district.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO AMEND THE 1997 POLICY TO ELIMINATE THE RURAL SERVICE DISTRICT IN THE FUTURE; AND TO SET CONNECTION FEES.

Ratify the Hiring of Courtney DeChaine for a Police Records Management Technician Position

Committee Chair Johnson stated that there were 41 applicants for the position.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY THE HIRING OF COURTNEY DECHAINE FOR THE POLICE RECORDS MANAGEMENT TECHNICIAN POSITION EFFECTIVE MARCH 5, 2025; FURTHER, THAT SHE BE PLACED ON STEP 1 OF THE POLICE RECORDS MANAGEMENT TECHNICIAN WAGE GRID ($25.32 PER HOUR).

Ratify the Reclassification of Aaron Andersen to Technology Coordinator

Committee Chair Johnson stated that the position is being offered at step 7 as he is currently on step 7 and this would be the placement in accordance with our historical step placement practice.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO RECLASSIFY AARON ANDERSEN TO THE TECHNOLOGY COORDINATOR POSITION EFFECTIVE MARCH 18, 2025; FURTHER, THAT HE BE PLACED ON STEP 7 OF THE TECHNOLOGY COORDINATOR WAGE GRID ($60.46 PER HOUR).

Ratify the 2024-2026 Contract Terms and Wage Resolution with IBEW Local No. 31 (Public Utilities) Union

Committee Chair Johnson stated that this is the result of the arbitration. The result was favorable to the City.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RATIFY THE TENTATIVE AGREEMENT SUMMARY AND ARBITRATOR KELLY'S DECISION REGARDING THE 2024-2026 IBEW LOCAL NO. 31 UNION CONTRACT REPRESENTING THE PUBLIC UTILITIES EMPLOYEES.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT RESOLUTION SETTING THE 2024 - 2026 WAGES FOR THE IBEW LOCAL NO. 31 UNION (PUBLIC UTILITIES) EMPLOYEES.

RESOLUTION 22:25

Upon roll call, Council Members Bevans, Czeczok, Johnson, Stunek, Yeager, Erickson, and O’Day voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Consider Crow Wing County Historical Society Donation Request

Committee Chair Johnson stated the City is allowed to make a donation to the historical society. The City could legally contribute up to $297,000.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE A $500 DONATION TO THE CROW WING COUNTY HISTORICAL SOCIETY TO BE PAID OUT OF THE SPECIAL PROJECTS BUDGETED LINE ITEM.

Unfinished Business

Council President- Committee Recommendation

Chair O'Day recommended Grace Czeczok to the Water Tower Committee.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO APPOINT GRACE CZECZOK TO THE WATER TOWER COMMITTEE.

Call for Applicants – Informational:

Mayor Recommended: (terms to expire on 12/31 of said year)
Charter Commission – **2 terms** (Expire 2025) **2 terms** (Expire 2026)
Housing & Redevelopment Authority -- **1 term** (Expire 2027)
Library Board-- **1 term** (Expire 2027)
Public Utilities Commission—**1 term** (Expire 2028)
Transportation Advisory Committee- **2 terms** (Expire 2025) **1 term** (Expire 2026)
Council President Recommended: (terms expire on 12/31 of said year)
Water Tower Committee—**2 terms**

Member Czeczok clarified that there are 3 terms available on the Transportation Advisory Committee.

Conduct Public Hearing and Adopt Resolution Regarding the Conduit Debt for Country Manor Project

Finance Director Hillman stated that the City was requested to issue conduit debt by Country Manor. The City has no obligation to pay the debt, there is no impact on the City's credit rating, and the conduit debt does not go towards the City's debt limit. It does, however, count toward the City's annual $10 million limit to issue bank-qualified (BQ) bonds. Which could result in the City having to pay a higher interest rate when it issues debt in 2025 for its construction projects. To make the City whole, as part of the other documents that will be approved by the adoption of the resolution, there is a BQ Fee agreement between the City and the Borrower, in which the Borrower will agree to pay the City the present value of the difference in interest rates for the life of the bond.

Sofia Lykke, Kutak Rock, gave an overview of the process.

Member Czeczok asked about the fees that Kutak Rock charges for bond counsel fees.

Ms. Lykke stated that the borrower pays the bond counsel fees.

Chair O'Day opened the public hearing at 8:08 p.m.

No one came forward.

Chair O'Day closed the public hearing at 8:09 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK TO ADOPT RESOLUTION APPROVING THE PLAN OF FINANCING FOR A SENIOR LIVING

CAMPUS IN THE CITY TO BE FINANCED WITH CONDUIT REVENUE BONDS AND AUTHORIZING THE ISSUANCE OF SUCH BONDS FOR THE BENEFIT OF COUNTRY MANOR CAMPUS BRAINERD LLC; APPROVING A HOUSING PROGRAM; AUTHORIZING THE EXECUTION OF DOCUMENTS; AND TAKING OTHER ACTIONS IN CONNECTION THEREWITH.

RESOLUTION 23:25

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

New Business

Authorize HRA, on behalf of the City, to submit Small Cities Development Program (SCDP) Grant Application to Department of Employment and Economic Development (DEED)

John Schommer, HRA Rehab Coordinator, gave an overview of the application process for the Small Cities Development Program grant.

Member Czeczok asked about the documents provided. He asked about the other items that were included in the streetscape application.

Mr. Schommer stated that the preliminary request was included to show the plan. The final application is not complete but the Council needed to complete certain items before the final document can be prepared. He also stated that the form is generic and the other components were included because it is a part of the larger grant application.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON TO ADOPT RESOLUTION AUTHORIZING THE LOCAL GOVERNMENT APPLICATION TO THE SMALL CITIES DEVELOPMENT PROGRAM.

RESOLUTION 24:25

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO CALL FOR A PUBLIC HEARING TO BE HELD AT THE APRIL 7, 2025, COUNCIL MEETING, AUTHORIZE APPROPRIATE SIGNATURE ON THE CITIZEN PARTICIPATION PLAN, AUTHORIZE APPROPRIATE SIGNATURES ON THE CONFLICT-OF-INTEREST DISCLOSURE FORM.

Authorize Development Opportunity Letters

Community Development Director Kramvik stated that staff is seeking permission to include a letter with the rental license applications that explains opportunities for potential improvements to underdeveloped rental properties.

Mayor Badeaux stated that Community Development Director Kramvik should not bury the lead (the opportunity) in a lot of words in the letter.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO AUTHORIZE STAFF TO SEND LETTER TO RENTAL PROPERTY OWNERS.

Adopt Resolution - Deny Zoning Change and Text Amendment Request for Paradigm Auto

Community Development Director Kramvik gave an overview of the resolution.

Member Johnson stated that he drove by the property the other day and there are still significantly more than seven U-Haul units on the property.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND STUNEK TO ADOPT RESOLUTION DENYING THE REZONING AND TEXT AMENDMENT REQUEST FOR A BUSINESS AT 310 W LAUREL STREET.

RESOLUTION 25:25

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

Adopt Resolution - Receive Feasibility Report and Call for Public Hearing on Improvement - Imp 23-14 - Hawkins-Joseph-Ronald Resurfacing Project

Public Works Director Habighorst gave an overview of the resolution.

Member Czeczok asked to clarify the project.

City Engineer Dehn stated that the project was initiated as just the alley. The study will include the streets to improve the water main.

Member Czeczok stated that at the Public Utilities Commission meeting staff stated that the property owners would be notified of the project in order to replace their water lines during the project.

Public Utilities Director Evans stated that staff are communicating with property owners. There is no grant funding available for 2025.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND ERICKSON TO ADOPT RESOLUTION RECEIVING THE FEASIBILITY REPORT AND CALLING FOR THE PUBLIC HEARING ON THE PROPOSED IMPROVEMENT TO BE HELD ON APRIL 21ST, 2025 AT 7:30 P.M.

RESOLUTION 26:25

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

Discuss City Administrator E-mail Regarding Council Priority Summary from the Council Retreat (Added Item)

Member Czeczok stated that he would like to see the Council direct staff to bring these priorities back for discussion at the April 7th meeting.

Member Johnson stated that other initiatives and priorities not included in the email should be included in the list of priorities so that there is a comprehensive list. He would like the priority list to be more all-encompassing.

Mayor Badeaux stated that it is important to have actual priorities, not "needing more information".

Member Czeczok stated that his concern at the retreat, Council was expected to come up with priorities on the spot. It is important to have the Council vote on their priorities.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO DIRECT STAFF TO BRING THESE PRIORITIES AND OTHERS BACK FOR DISCUSSION AT THE APRIL 7TH MEETING.

Member Czeczok stated that the elevator repair should be voted on in a meeting.

Member Johnson stated that he will vote yes but stated that repairs for this amount are not required to be approved by the City Council. These expenditures come from the repairs and maintenance funds.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, FOR STAFF TO MOVE FORWARD WITH CONTRACTING WITH LARSON ELEVATOR FOR THE ANNEX ELEVATOR REPAIR.

Staff Reports

Public Works Director Habighorst stated that recreation programming for the spring and summer is in preparation. The City is working on agreements with the YMCA, Community Ed, and on its own programming.

Member Czeczok asked about a standard RFP with the engineering firms that was discussed at the last meeting.

City Engineer Dehn stated that staff is working to prepare more generic pieces in RFPs. However, every project varies greatly, and it is difficult to use a standard. Staff does continually refine their proposals.

Community Development Director Kramvik stated that the St. Patrick's Day parade was a great time, he thanked Mayor Badeaux for the invite. He will be attending the Northside meeting to discuss vacant building registry and administrative citations.

Public Utilities Director Evans stated that the Wastewater Management Board meeting was held to review the draft site assessment for the wastewater treatment facility. There will be several presentations, applications, and requests in regard to that project.

Finance Director Hillman stated that staff has executed an agreement with Larson Elevator to fix the annex elevator, this will be paid for with the Capital Facilities fund. The Wastewater Management Board met. Administrator Broyles is asking for the City Council to consider a revising the grant policy for this project.

Mayor's Report

Mayor Badeaux gave a huge shoutout to City staff for their help with the St. Patrick's Day parade. The quick response by staff to prepare the route was very appreciated! The Business After Hours on June 24th will take place at Breen & Person and feature the Water Tower. He will be making a request at a future meeting to the City for this event.

Council Member Reports

Member Czeczok stated that he attended the Wastewater Management Board meeting and that there is a lot going on regarding this project.

Member Bevans stated that he represented the City at the County Board meeting for the Arboretum's request which was approved unanimously. The County will be purchasing seventy acres from the Arboretum to qualify the Arb as a regional park. He will be attending the Northside Neighborhood meeting, they will also be discussing the Highway 210 project.

Member Johnson thanked everyone who participated in the St. Patrick's Day parade. Hats off to the Downtown for successfully keeping the event going for 25 years.

Member Erickson thanked staff for being responsive to a variety of minor maintenance requests by residents. He is looking forward to the Planning Commission and Region 5 upcoming meetings.

Member O'Day stated that the Management Board meeting presentation was very interesting. The Wastewater Treatment Plant project is huge and expensive, the Federal Government adds these restrictions but does not offer federal grants to carry out the projects.

Adjourn

Adjourn to Closed Session Pursuant to MN Statute 13D.05 subd. 3(c) 3 to Discuss Negotiations for Temporary and Permanent Easements and Adjourn to Closed Session Pursuant to MN Statute 13D.05 subd. 3(c) 3 to Discuss Offers for Easements for TH 210 Reconstruction Project

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STUNEK, DULY CARRIED, TO ADJOURN TO CLOSED SESSION PURSUANT TO MN STATUTE 13D.05 SUBD. 3(C) 3 TO DISCUSS NEGOTIATIONS FOR TEMPORARY AND PERMANENT EASEMENTS AND ADJOURN TO CLOSED SESSION PURSUANT TO MN STATUTE 13D.05 SUBD. 3(C) 3 TO DISCUSS OFFERS FOR EASEMENTS FOR TH 210 RECONSTRUCTION PROJECT

The Chair adjourned the meeting to closed session at 8:45 p.m

The Council took a five-minute break.

The Chair reconvened the meeting at 9:01 p.m.

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

The Chair adjourned the meeting at 9:01 p.m.

Nicholas W. Broyles
City Administrator