Brainerd, MN
April 7, 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 ERICKSON, DULY CARRIED, TO APPROVE THE AGENDA MOVING THE ITEMS CONSIDER CONDITIONAL USE PERMIT FOR BRIDGES OF HOPE AND CONSIDER CONDITIONAL USE PERMIT FOR MY NEIGHBOR TO LOVE AFTER THE PUBLIC FORUM, AS WELL AS MOVING THE ITEM REGARDING PUBLIC UTILITIES DIRECTOR RESIGNATION TO ITEM ONE ON PERSONNEL AND FINANCE COMMITTEE.

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 Reports**
D. **Approve Temporary Beer Application Submitted by the Brainerd Eagles for an Event to be held on April 26, 2025, at Memorial Park 1700 Mill Ave**
E. **Approve MN Lawful Gambling Application for Exempt Permit Submitted by Brainerd Elks Lodge #615 for an Event to be held on May 7, 2025, at 1115 Wright Street**
F. **Approve MN Lawful Gambling Application to Conduct Off-Site Gambling Submitted by Brainerd American Legion Post 255 for an Event to be held on May 7, 2025, at 1115 Wright St**
G. **Approve Temporary On-Sale Liquor License Submitted by the Brainerd Jaycees for an Event to be held on May 8, 2025, at 602 S 5th Street**
H. **Approve MN Lawful Gambling Application for Exempt Permit Submitted by Central Lakes College Foundation for an event to be held on October 15, 2025, at 501 W College Dr**
I. **Approve MN Lawful Gambling Application for Exempt Permit Submitted by Crow Wing County Snowmobile Trails Association for an Event to be held on January 25, 2026, at 708 Front Street**
J. **Approve Street Closure/Event Application- Brainerd Night Out 2025**
K. **Approve Temporary and Permanent Easements - Imp 23-13 - TH 371B/Willow St Roundabout Project**

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.

Public Forum

The Chair opened the public forum at 7:33 p.m.

No one came forward.

The Chair closed the public forum at 7:34 p.m.

Consider Interim Use Permit for the Operation of a Year-Round Warming Shelter-1926 S 7th St

Community Development Director Kramvik gave an overview of the interim use permit. Planning Commission recommended approving the interim use permit with conditions with a 3-2 vote.

Member Johnson asked about the initial staff recommendation for the warming shelter, why staff's recommendation was to only operate the shelter during cold months.

Community Development Director Kramvik stated that staff's recommendation was to allow for the warming shelter in the cold months, he cited the comprehensive plan as background to the recommendation.

Member Johnson asked Chief Davis for his recommendation regarding providing a year-round warming shelter.

Police Chief Davis stated that the warming shelter has been a good community partner with the Police Department during the winter months. The department is primarily concerned with the draw from outside of our community to the warming shelter and exhausting our resources for local individuals. He is aware of law enforcement agencies outside of Crow Wing County assisting individuals to come to Brainerd from other communities. Some of these individuals have lost privileges in these communities. He does not see the need for shelter in the summer months as a critical emergency as he does in the winter.

MOVED BY COUNCIL MEMBER BEVANS TO APPROVE THE INTERIM PERMIT FOR OPERATION OF A WARMING SHELTER AT 1926 S 7TH STWITH THE FOLLOWING CONDITIONS: THE INTERIM USE PERMIT SHALL EXPIRE ON JUNE 30, 2028, THE FACILITY OPERATES BETWEEN THE MONTHS OF SEPTEMBER 1ST – APRIL 30TH EACH YEAR, THE FACILITY MAY OPERATE FROM APRIL 30TH THROUGH AUGUST 31ST, IN 2025, IF THE BRAINERD POLICE DEPARTMENT DETERMINES THAT THE FACILITY HAS BEEN USED IN A DISORDERLY MANNER AND UPON THE RECOMMENDATION OF THE POLICE CHIEF, THE INTERIM USE PERMIT SHALL BE BROUGHT BEFORE THE CITY COUNCIL FOR REVIEW AND CONSIDERATION FOR SUSPENDING OR REVOKING THE PERMIT AT THE NEXT AVAILABLE CITY COUNCIL MEETING, FINALLY, THE SHELTER STAFF SHALL PROVIDE A REPORT TO CITY COUNCIL EACH YEAR PRIOR TO SEPTEMBER 1ST.

The Chair declared the motion failed due to a lack of a second.

Member Johnson stated that he was a champion of the warming shelter when it first came about because of the dire need for a warming shelter in the cold of winter.

Member Bevans stated that shelter is less of a critical need in the summer. However, he believes that having shelter available in the summer would have a positive effect on individuals camping on public lands.

Member Yeager stated that he has visited with leaders in our community and others regarding warming shelters. This is a complicated issue. He supports the permit through the summer months as he believes the camping ban was the right decision, he wants to enable law enforcement to provide options for those who have nowhere to go in the summer months, and the robust network of volunteers that have contributed time and money. He does see that Brainerd is becoming a refuge City and that comes with risk, but he refuses to exclusively measure the shortcomings of individuals simply by their station in life. He would like to be provided more specific data when leaders of our community make requests such as this. He

would like to evaluate the permit yearly, because of the data that is available on crime associated with the warming shelter.

Chair O'Day stated that the concerns of Chief Davis were his as well. He called on communities throughout the state to provide similar services like the warming shelter appropriately sized for their communities. Overall, the shelter has been successful, if other communities aren't taking the initiative to bring shelters to their communities, it causes our community to take on more of the "burden".

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO APPROVE THE CONDITIONAL USE PERMIT FOR OPERATION OF A WARMING SHELTER AT 1926 S 7TH STREET UNDER THE FOLLOWING CONDITIONS: THE INTERIM USE PERMIT SHALL EXPIRE ON JUNE 30, 2026, THE FACILITY OPERATES BETWEEN THE MONTHS OF SEPTEMBER 1ST – APRIL 30TH EACH YEAR, IF THE BRAINERD POLICE DEPARTMENT DETERMINES THAT THE FACILITY HAS BEEN USED IN A DISORDERLY MANNER AND UPON THE RECOMMENDATION OF THE POLICE CHIEF, THE INTERIM USE PERMIT SHALL BE BROUGHT BEFORE THE CITY COUNCIL FOR REVIEW AND CONSIDERATION FOR SUSPENDING OR REVOKING THE PERMIT AT THE NEXT AVAILABLE CITY COUNCIL MEETING, FINALLY, THE SHELTER STAFF SHALL PROVIDE A REPORT TO CITY COUNCIL EACH YEAR PRIOR TO SEPTEMBER 1ST.

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 Conditional Use Permit for a Boarding House on NW 3rd Street- My Neighbor to Love

Community Development Director Kramvik gave an overview of the conditional use permit. He stated that the Planning Commission recommended approval of the conditional use permit with a 3-2 vote.

Member Johnson stated that he will vote no as it does not fit the comprehensive plan or the TN-2 zoning.

Member Yeager stated that he will vote no as he was a part of the Planning Commission when these projects were first brought forward. He is not against this type of work which he believes is a common default for the public. He does not agree with the methodology but is in support of low-income housing. The spirit of these lots for zoning was to be high density. There was also a lot of dialogue at the time of the initial application about keeping the trees which were removed. He does not support the boundary adjustment.

Mayor Badeaux stated that Mike Duval spoke against the project at the Planning Commission. He was surprised by the language of a "boarding house". He does not think that he supports a boarding house in any location. There is too much wiggle room in location and the use of a boarding house. He would not want to live next to a boarding house. The Council is supposed to set parameters and he does not feel they can do that with boarding houses. He spoke to the supporters of the project saying that as Council Members they are representatives of the entire City. He reminded the supporters of the project that when things don't go in the direction that we like, we don't throw people under the bus for these decisions.

Chair O'Day stated that he agrees with the comments of Members Yeager and Johnson. He thinks the Council should revisit whether or not the City wants to have boarding houses in the City.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND BEVANS TO APPROVE THE CONDITIONAL USE PERMIT FOR A BOARDING HOUSE ON NW 3RD STREET FOR MY NEIGHBOR TO LOVE COALITION WITH THE FOLLOWING CONDITIONS: THE APPLICANT IS ALLOWED 18 MONTHS TO START THE PROJECT, A BOUNDARY LINE ADJUSTMENT WHICH INCLUDES THE STORMWATER RETENTION BASIN IS APPROVED PRIOR TO ISSUANCE OF THE BUILDING PERMIT.

Upon roll call, Council Members Bevans, Czeczok, and Erickson voted “aye”. Members Johnson, Stunek, Yeager, and O’Day voted “nay”. The Chair declared the motion failed.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND YEAGER TO DENY THE CONDITIONAL USE PERMIT BASED ON THE COMMENTS MADE AND TO BRING BACK A RESOLUTION DENYING THE PERMIT AT THE NEXT MEETING.

Council Members Bevans, Czeczok, Johnson, Stunek, Yeager, and O’Day voted “aye”. Member Erickson voted “nay”. The Chair declared the motion carried.

Council Committee Reports

Safety and Public Works Committee

Consider Removing Park Maintained Flag Poles in Downtown Brainerd

Committee Chair Erickson stated that one of the flags was fitted with a mechanism to enable staff to raise and lower it. The committee would like to know the cost to make the appropriate changes to the rest of the flag poles downtown so that they can be maintained properly without removing them.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO DIRECT STAFF TO GET INFORMATION ON THE COST TO ADD LOCKING MECHANISMS AND LIGHTS TO ALL FLAG POLES DOWNTOWN.

Discuss Assessment Methodology for Improvement 23-14 - Hawkins-Ronald-Joseph Resurfacing Project

Committee Chair Erickson stated that staff anticipate additional costs with the alleyway and questioned whether the cost should be applied to the entire project or just to those adjacent to the alley. The motion spreads the cost to all property owners on the project based on frontage.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND YEAGER, DULY CARRIED, TO CONTINUE AS CURRENTLY PRESENTED IN THE FEASIBILITY REPORT, WHERE ALL ITEMS ARE BID UNDER ONE SET OF ITEMS AND UNIT PRICES AND SPREAD ON A PER FRONT FOOT BASIS REGARDLESS OF LOCATION.

Personnel and Finance Committee

Accept Resignation of Public Utilities Director Christopher Evans and Discuss Interim Position

Committee Chair Johnson stated that he has met with various staff in response to Mr. Evans’ resignation letter to address accusations that were made to ensure that the City is operating a healthy environment. He has learned so far that there is room to improve. He stated that if any employee feels that there are things that are unsafe, he would refer them to the employee policy manual as there are steps to take to resolve issues rather than to resign.

Member Czeczok stated that the resignation letter was not included in the packet or in the room. He finds that fact quite interesting. He stated that in almost every instance a resignation letter is included in the packet as it is a public document. He does not believe there was anything included in the letter that talked about unsafe environments.

Administrator Broyles stated that there may be some miscommunication. The City Attorney stated that if the letter was sent to the entire Council, there wasn't necessity for the letter to be included in the packet.

Attorney Langel stated that the document is a public document to an extent. Just because the letter is a topic of the agenda item, does not mean that the letter is required to be in the packet.

Member Czeczok questioned Attorney Langel's statement. He stated that per the open meeting law, any documents that the Council bases its decision on are required to be in the meeting room. It is no different that any emails received by all Council Members. He stated that the resignation letter contained several elements of truth, he contacted Mr. Evans asking if he would be interested in maintaining his employment if the Council were to reject his resignation letter.

Attorney Langel disagreed with Member Czeczok's statement.

Member Erickson stated that he did not interpret the resignation letter to mean there was an unsafe work environment. He was on the committee that hired Mr. Evans, he thought at the time that he was the strongest candidate and maintains that belief.

Member Johnson stated that he did not interpret the letter as stating that there was an unsafe work environment. He did state that if any of the employees felt they were unsafe that the employee policy manual is where he would refer them. What Mr. Evans said was that it is a hostile work environment. He does agree that if all Council Members receive a nonprivate document, it should be in the Council Packet.

Member Czeczok questioned whether the letter will be put in the Council packet online.

Administrator Broyles stated that if staff is directed to put the letter in the packet online, it will be.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND JOHNSON AND STUNEK TO ACCEPT THE RESIGNATION OF PUBLIC UTILITIES DIRECTOR CHRISTOPHER EVANS EFFECTIVE APRIL 4, 2025.

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

Member Czeczok stated that there are elements of truth in the letter and he is not afraid to hide from the truth. If anyone doesn't support that statement, then he believes they are in the wrong position.

Mayor Badeaux stated that he supports the inclusion of the document, and does not believe the City has anything to hide from.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON, DULY CARRIED, TO INCLUDE THE RESIGNATION LETTER FROM MR. EVANS IN THE ONLINE PACKET.

Member Johnson stated that the committee felt it wasn't necessary to hire an Interim Director immediately, the division managers can report to Administrator Broyles while the City seeks an interim director. There are outstanding items for the City Council to resolve prior to hiring a full-time director.

Member Czeczok stated that he will vote no as there is already someone at the Utility with years of experience and respect of employees to do the Director job. He does think that accepting the resignation of an individual is kicking the can down the road. He requested that others refrain from speaking when a Member has the floor.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO DIRECT STAFF TO HIRE AN INTERIM PUBLIC UTILITIES DIRECTOR.

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.

Discuss Proposed Changes to Special Assessment Policy

Committee Chair Johnson stated that the committee is recommending additional language that states for lot splits, the assessment would be paid on the smaller parcel until 50% of the larger parcel was parceled out or any time a property is transferred via sale.

Member Bevans stated that staff is still working on when there is developed property within the City of Brainerd that is not in the City, like the Beaver Dam properties.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE SPECIAL ASSESSMENT POLICY WITH THE INCLUDED CHANGES AS PRESENTED WITH THE ADDITION OF LOT SPLIT LANGUAGE THAT THE ASSESSMENT ON THE SMALLER PARCEL WOULD ONLY BE PAID UNTIL 50% OF THE LARGER PARCEL IS PARCELED OFF.

Review Municipal Cannabis Dispensary Proposals

Committee Chair Johnson stated that the City received two proposals to review for future thought if the municipal license becomes available again.

League of MN Cities Insurance Trust (LMCIT) Premium Renewal March 2025-February 2026

Committee Chair Johnson stated that Finance Director Hillman's budgeted estimate was right on during the budget process.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE INSURANCE RENEWAL FROM LMCIT FOR THE PERIOD OF MARCH 1, 2025-FEBRUARY 28, 2026.

Consider Waiving Council Approval for Grant Applications for the Water Treatment Plant as Requested by the Wastewater Treatment Management Board

Committee Chair Johnson stated that this change was prompted by the Wastewater Treatment Board in order to ensure that they could apply for grants in a timely manner. This change is to apply to all departments and boards.

Member Czeczok stated that he was instrumental in the initial establishment of this policy.

Member O'Day stated that he is glad that the committee asked for a review of this policy after six months. He feels the change is a little broad.

Mayor Badeaux questioned whether the committees and departments receiving these grants will be informed prior to application.

Member Johnson stated that the application to the grants will still need to be prompted by the Board or Department that the grant would benefit. He wants to treat all of the departments the same.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO AMEND THE GRANT POLICY SECTION 3 POLICY STATEMENT TO STATE THAT "CITY OF BRAINERD STAFF SHALL OBTAIN EXPLICIT APPROVAL FROM THE CITY ADMINISTRATOR AND PERSONNEL AND FINANCE CHAIR PRIOR TO SUBMITTING ANY GRANT APPLICATION THAT FALLS UNDER ONE OR MORE OF THE FOLLOWING CATEGORIES"; FURTHER THAT THE CITY WILL REVIEW THIS CHANGE IN 6 MONTHS TIME.

Approve Voluntary Demotion of Mitch Lachelt to Journeyman Lineworker Position

Committee Chair Johnson stated that Mr. Lachelt applied for the position as he feels that his current position isn't the best fit for him. He was the most qualified candidate. Prior to his promotion, he was on step six of the Lineworker wage grid.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO APPROVE THE VOLUNTARY DEMOTION OF MITCH LACHELT TO THE JOURNEYMAN LINEWORKER POSITION EFFECTIVE APRIL 8, 2025; FURTHER, THAT HE BE PLACED ON STEP 6 OF THE JOURNEYMAN LINEWORKER POSITION ($51.96 PER HOUR); FURTHER TO AUTHORIZE BACKFILLING THE ELECTRIC DISTRIBUTION SUPERVISOR POSITION INTERNALLY AND, IF NO QUALIFIED CANDIDATES APPLY, TO PROCEED WITH AN EXTERNAL POSTING.

Authorize Recruitment of a Public Utilities Department Full-time Laborer Position

Committee Chair Johnson stated that the department had a facilities custodian in the budget. However, the department feels the laborer position would be more beneficial.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO AUTHORIZE STAFF TO BEGIN THE HIRING PROCESS FOR A FULL-TIME LABORER POSITION FOR THE PUBLIC UTILITIES DEPARTMENT.

Approve Memorandum Of Understanding (MOU) Extending Timeframe Allowing IBEW Employees to Work at Hydro Facility

Committee Chair Johnson stated that the City is negotiating with the Steelworkers Union coming up. Staff is hopeful that a long term fix can be established for the operation of the hydro facility.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE MOU BETWEEN THE CITY OF BRAINERD, THE USW LOCAL NO. 9230 UNIT 09 UNION, AND THE IBEW LOCAL NO. 31 UNION REPRESENTING PUBLIC UTILITY EMPLOYEES THAT ALLOWS IBEW PUBLIC UTILITY EMPLOYEES TO ASSIST AT

THE HYDRO DAM FACILITY AS NEEDED TO MAY 1, 2025; FURTHER, TO AUTHORIZE THE SIGNATURE OF CITY ADMINISTRATOR ON SAID MOU.

Authorize Request for Proposals to Obtain Plan Design Proposals and Pricing Quotes for Private MN Paid Family & Medical Leave (PFML) Options

Committee Chair Johnson stated that thirteen other states have adopted the Paid Family and Medical Leave policy, there may be an opportunity to find the insurance for less initially and reassess after Minnesota has established its public policy.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO AUTHORIZE STAFF/INTEGRITY BENEFITS TO CONDUCT A REQUEST FOR PROPOSALS (RFP) TO OBTAIN PLAN DESIGN PROPOSALS AND PRICING QUOTES FOR PRIVATE MN PFML OPTIONS.

Unfinished Business

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**

Public Hearing on Submission of Small Cities Development Program (SCDP) Grant Application to Department of Employment and Economic Development (DEED) for Streetscape along Washington Street

John Schommer, HRA Rehab Coordinator, stated that the HRA on behalf of the City of Brainerd is applying for $580,000 to be applied toward the Washington Street Reconstruction. The dollars are specifically for streetscape which would alleviate some of the cost to the City for the lighting on the Washington project. The goal of the public hearing is to allow citizens to provide input on the grant project which is just over $2 million for the streetscape portion. The project will begin in 2026 and be completed in 2027.

The Chair opened the public hearing at 8:32 p.m.

No one came forward.

The Chair closed the public hearing at 8:33 p.m.

Member Czeczok asked if the grant will cover all amenities at prevailing wage.

Mr. Schommer stated that the project will be at the prevailing wage as it is a State project. The dollars will not cover the entire cost of the lighting as this portion of the project is just over $2 million. The purpose of the grant is to offset a portion of the City's cost.

Approve Title Transfer of CWC Tax Forfeit Property

Community Development Director Kramvik stated that the estimated cost to transfer the property is $1 for the land, a $46 recording fee, a $1.65 deed tax, and a $25 state deed fee for a $73.65 total.

MOVED AND SECONDED BY COUNCIL MEMBERS YEAGER AND CZECZOK, DULY CARRIED, TO APPROVE LAND TRANSFER OF (PID 41230522) FOR $1.00 PLUS RECORDING FEES.

Adopt Resolution - Accept Offers for Temporary Easements on TH 210 Reconstruction Project

Public Works Director Habighorst stated that the easements are temporary construction easements. The offer for the easements totals $7,500.

Member Johnson asked where the money would be allocated to.

Finance Director Hillman stated that the money will be allocated to the City's portion of the project.

Member Erickson stated that he would abstain due to his employment.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK TO ADOPT RESOLUTION ACCEPTING THE OFFERS FOR THE TEMPORARY EASEMENTS FOR THE HIGHWAY 210 RECONSTRUCTION PROJECT.

RESOLUTION 27:25

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

Update on the Airport

Administrator Broyles stated that the letter provided was a coordination between City staff, County staff, and the Airport Director. The general recommendation is to attempt to consolidate all the disparate governing documents into one mutual agreement to be agreed upon and signed by the City Council, the County Commission, and the Airport Commission.

Member Czeczok asked if the agreement would be approved by the City Council and County and then go to the Airport Commission for approval.

Member Yeager stated that he thinks the Airport Commission should approve the agreement first.

Member Czeczok stated that reading through the letter, it doesn't seem that the County will be taking on more of a responsibility of the airport , specifically taking over the levy. He asked whether this agreement would work its way into an ordinance.

Administrator Broyles stated that in the letter it does not include for the County to assume the responsibilities. He sees it as services or payment that would be negotiated with the County. The agreement would work its way into a binding legal document.

Member Yeager stated that he has had many conversation with Commissioner Barrows and they agree that it would be an ordinance change. He gave an update on the Airport Commission that included the 4.6% growth in March, the airport has received the budget plan

through 2030 that will be discussed at the upcoming meeting, and he reached out to the Airport Director of the St. Cloud Airport to potentially work with a consultant. The Airport Commission may or may not hire a Deputy Director, they will discuss that at its meeting on Thursday.

Member Johnson stated the document includes all of the same information that has previously been proposed to the Council. He would like to see the County taking more responsibilities at the Airport and the City taking on less responsibilities.

Member Czeczok stated that he echoes all of Member Johnson's comments. He stated that he may be able to accept all of the details in the document, if Crow Wing County took over the administration of the Airport Levy.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND YEAGER, DULY CARRIED, TO DIRECT MEMBER YEAGER TO PRESENT THE LETTER DRAFTED BY STAFF TO THE AIRPORT COMMISSION AT ITS MAY MEETING AND RETURN WITH THE COMMISSION'S FEEDBACK.

Discussion on Council Priorities to Staff

Administrator Broyles stated that the Council asked to formally identify priorities to staff. The priorities will be helpful in dividing up resources and to figure out where to emphasize efforts.

Chair O'Day stated that he believes the best place for discussion would be at a workshop.

Member Czeczok stated that the City has been pursuing integration of Finance and Public Works. He is not in favor of amending the Charter at this time to do so. There has been a lot of concern and confusion regarding the Public Utilities integrating with Public Works. He wants to provide clear direction to staff.

Member Bevans stated that he will vote no, as he does not believe there is enough information to discontinue discussions. He would like to continue receiving information to better support his decision.

Member Johnson stated that Council can decide at a later date to continue conversations of integration. Maybe taking a break from integration could be a good thing to pursue other priorities.

Member O'Day stated that he agrees with Member Johnson's comments. He has learned a lot from the meetings that have taken place regarding integration. Much of what he has learned is that integration is going to be expensive, it may be more beneficial when financial software needs to be updated. Charter changes only take one Council Member to disagree and then all of the time taken to plan is a waste.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON TO CEASE AND DESIST DISCUSSIONS OF UTILITY SERVICES TO BE INCLUDED IN THE PUBLIC WORKS DEPARTMENT BEING AMENDED WITH A CHARTER CHANGE.

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

Member Johnson questioned whether the presentation on Finance integration would ever see the light of day.

Member Czeczok stated that the Council Members were provided with the integration document given by Staff to the workgroup. Staff's recommendation was to not integrate, he believes that the Council needs to take the advice of our Department Heads.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON TO NOT CONDUCT A WORKSHOP OR MOVE FORWARD WITH THE INTEGRATION OF FINANCE DEPARTMENTS.

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

Member Johnson clarified that by not hiring a Deputy Administrator for 18 months, the 2026 budget would not include funding for a Deputy Administrator position.

Member Czeczok stated that it seemed that many of the Members at the retreat did not agree that a Deputy Administrator was needed. He wants to give clear direction to staff with this motion.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON TO NOT PURSUE THE HIRING OF A DEPUTY ADMINISTRATOR FOR AT LEAST THE NEXT 18 MONTHS.

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

Member O'Day asked Council to schedule a workshop of the Council to have a round table discussion on priorities.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO SET A WORKSHOP FOR APRIL 28TH, 2025 AT 6:30 P.M. TO DISCUSS CITY COUNCIL PRIORITIES.

Administrator Broyles gave an overview of the proposed document. He asked for feedback on the document.

Generally the Council asked for the list to be in excel format, use colors, use percentage complete, and include the next expected touch in the document.

New Business

Consider Conditional Use Permit for Vehicle, Trailer, and Equipment Sales - 1801 Mill Ave.

Community Development Director Kramvik gave an overview of the conditional use permit.

Member Johnson asked about the "screening requirements", questioning whether that meant that trees are being removed.

Community Development Director Kramvik stated that there are no trees planned to be removed.

Member Czeczok asked that not removing trees be included as a condition in the permit.

Member Yeager also requested that the trees also not be limbed any higher.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND YEAGER, DULY CARRIED, TO APPROVE THE CONDITIONAL USE PERMIT REQUEST FOR 1801 MILL AVE AS PRESENTED; FURTHER TO DIRECT STAFF TO REMOVE THE SCREENING REQUIREMENTS IN THE ZONING CODE FOR OUTSIDE SALES AREAS WHILE MAINTAINING THE NATURAL SCREENING.

Adopt Resolution - Approve Plans and Authorize Bidding - Improvement 21-13 - Beech/Oakridge Reconstruction Project

Public Works Director Habighorst gave an overview of the project.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND ERICKSON TO ADOPT RESOLUTION APPROVING PLANS AND SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS FOR IMPROVEMENT 21-13.

RESOLUTION 28:25

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 - Accept Bids and Award Contract - Improvement 23-16 - South Brainerd Resurfacing Project

Public Works Director Habighorst gave an overview of the project.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON TO ADOPT RESOLUTION IN WHICH ACCEPTS THE BIDS AND AWARDS THE CONTRACT TO KNIFE RIVER CORPORATION - NORTH CENTRAL IN THE TOTAL CONTRACT AMOUNT OF $610,948 AND AUTHORIZE PROPER SIGNATURES ON THE AGREEMENT DOCUMENTS.

RESOLUTION 29:25

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.

Discussion on Allowing Sidewalk Performers in Brainerd

Public Works Director Habighorst stated that the City received a request from a resident to conduct sidewalk performances downtown. Currently, the City does not require a permit and individuals can conduct performances on public property. The City may want to develop an ordinance to guide staff in reviewing these requests along with a procedural application form.

Member O'Day asked whether this is just for those who want to receive donations for performing on the sidewalks or if its anyone walking down the sidewalk.

Public Works Director Habighorst stated that receiving money for the performance is one aspect of the request.

Member Czeczok questioned whether the City has an ordinance in place for obstructing the right of way for pedestrian travel already in place.

Community Development Director Kramvik stated that he will do more research and get back to Council.

Mayor Badeaux stated that this sounds like the street closure application could be used as a reference.

Member Bevans stated that he would prefer not to have a fee associated with the application and it could be handled administratively.

MOVED AND SECONDED BY COUNCIL CZECZOK AND JOHNSON TO DIRECT STAFF TO DRAFT AN ORDINANCE ALLOWING FOR AN APPLICATION PROCESS FOR STREET PERFORMERS.

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

Discuss Retail Cannabis Registration

Community Development Director Kramvik stated that the State of Minnesota is responsible for licensing retail dispensaries, while cities are responsible for registering the business. The City of Brainerd allows for two cannabis retail dispensaries. There continues to be confusion about who receives retail registrations from the City if more than one business is license eligible. Based on staff research, it's believed that it is most likely up to local governments to create a process for selecting applicants, which could include a lottery, a first-come/ first-served model, rolling approvals, or other options.

Member O'Day suggested creating a standard to ensure first come first served licenses. He feels its odd that questions cannot be asked before we register their business. He does not like the idea of doing a lottery. He needs more information.

Community Development Director Kramvik stated that due to the State already handling these initial licenses, he believes they will come as a batch, so some sort of lottery system will need to be in place. All the requirements passed by the City Council still need to be met regarding the zoning.

Member Johnson stated that he absolutely opposes first come first served lottery system. He would like legal to review the restrictions and find out how the City is allowed to proceed.

Attorney Langel stated that he will provide more information about what kind of control the City will have.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO HAVE STAFF COME BACK WITH MORE INFORMATION ON WHAT THE CITY'S OPTIONS ARE.

Staff Reports

Technology Director Strong stated that the positions that were created with technology integration had an application period and will be holding interviews. CLC is working to fill their station manager position, they could potentially have staff within a month.

Finance Director Hillman stated that Minnesota Senate District 6 will be holding a Special Primary on April 15th and General Election on April 29th. All City precincts will be open from 7:00 a.m. until 8:00 p.m. Ward 4 will be held at City Hall instead of St. Andrew's.

Public Works Director Habighorst stated that he and Mr. Kramvik have met with UPS regarding parking trailers on the street. Transit Department has been working to remediate issues with the third party contractor.

Community Development Director Kramvik stated that the EDA held a workshop to discuss where funds should be prioritized. The Planning Commission will be holding a public hearing regarding the proposed data centers ordinance. Finally, staff is working with the City Attorney to end the Rural Service District.

City Engineer Dehn stated that ATP awarded the Oak Street Grant to the City, for the project in 2029.

Mayor's Report

Mayor Badeaux stated that on April Fool's Day, Hubbard Radio and Brainerd International Raceway (BIR) partnered to include the City of Brainerd and the Water Tower into their joke. There is some buzz with BIR. The City has been abuzz with many entities, that should be capitalized on. Finally, the Park Board is going to be evaluating their budget.

Council Member Reports

Member Bevans stated that the Library has been awarded the grant to improve our library.

Member Yeager extended his appreciation to those who serve on our boards, especially those on the Planning Commission. He attended the business after hours at Yesterday's Gone.

Member Johnson stated that a constituent asked where the funding for Transit is coming from to pay for the free ride to the Easter Egg Hunt.

Adjourn

Adjourn to Closed Session Pursuant to MN Statute 13D.03 Subd. 3(c)3 to Consider Offers for the Sale of the Annex

MOVED AND SECONDED BY COUNCIL MEMBERS YEAGER AND BEVANS, DULY CARRIED, TO ADJOURN TO CLOSED SESSION PURSUANT TO MN STATUTE 13D.03 SUBD 3(C)3 TO CONSIDER OFFERS FOR THE SALE OF THE ANNEX.

The Chair adjourned the meeting to closed session at 9:43 p.m

The Council took a five-minute break.

The Chair reconvened the meeting at 10:01 p.m.

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

The Chair adjourned the meeting at 10:01 p.m.

Nicholas W. Broyles
City Administrator