Brainerd, MN
June 16, 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: Czeczok, Johnson, Stunek, Yeager, Erickson, Bevans, 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.

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

A. **Approval of Bills**
B. **Approval of Minutes**
C. **Department Activity Reports**
D. **Ratify Hiring 2025 Summer Temporary Employees**
E. **Approve Temporary On-sale Liquor license submitted by Brainerd Jaycees for an event to be held on 8/6/25 at Lyman P. White Park**
F. **Approve Temporary On-sale Liquor license submitted by Lakes Area Music Festival for an event to be held on 7/25/25 at the Gichi-Ziibi Center, 702 S. 5th Street**
G. **Approve Temporary On-sale Liquor license submitted by Lakes Area Music Festival for an event to be held on 7/30/25 at the Gichi-Ziibi Center, 702 S. 5th Street**
H. **Approve Temporary On-sale Liquor license submitted by Lakes Area Music Festival for an event to be held on 8/1/25 at the Gichi-Ziibi Center, 702 S. 5th Street**
I. **Approve Temporary On-sale Liquor license submitted by Lakes Area Music Festival for an event to be held on 8/9/25 at the Gichi-Ziibi Center, 702 S. 5th Street**
J. **Approve Temporary On-sale Liquor license submitted by Lakes Area Music Festival for an event to be held on 8/13/25 at the Gichi-Ziibi Center, 702 S. 5th Street**
K. **Approve Temporary On-sale Liquor license submitted by Lakes Area Music Festival for an event to be held on 8/16/25 at the Gichi-Ziibi Center, 702 S. 5th Street**

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

Public Forum

The Chair opened the public forum at 7:31 p.m.

No one came forward.

The chair closed the public forum at 7:32 p.m.

Council Committee Reports

Personnel and Finance Committee

Authorize Staff to Enter into the Proposed School Resource Services Agreement

Committee Chair Johnson stated that the agreement is similar to previous years, but also includes an increase in cost to accommodate for staff compensation and includes clauses for State mandated language.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE STAFF TO ENTER INTO THE PROPOSED SCHOOL RESOURCE OFFICER SERVICES AGREEMENT WITH ISD 181.

Ratify Hiring Kyle Glass for the Laborer Position

Committee Chair Johnson stated that this is a Public Utilities position, the justification for step 4 is that he has years of similar experience and is taking a pay cut from his current position.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO RATIFY THE HIRING OF KYLE GLASS FOR THE LABORER POSITION EFFECTIVE JUNE 23, 2025; FURTHER, THAT HE BE PLACED ON STEP 4 OF THE LABORER WAGE GRID ($28.21 PER HOUR).

Approve the Reclassification of David Nelson to Meter Tech/Locator

Committee Chair Johnson stated that per the employee policy manual, he will be placed on step 6.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RECLASSIFY DAVID NELSON TO THE METER TECH/LOCATOR POSITION EFFECTIVE JUNE 17, 2025; FURTHER, THAT HE BE PLACED ON STEP 6 OF THE METER TECH/LOCATOR WAGE GRID ($33.41 PER HOUR); FURTHER, TO AUTHORIZE STAFF TO COMPLETE AN INTERNAL JOB POSTING PROCESS TO FILL THE WATER SERVICE WORKER POSITION.

Approve Custodial Services Contract

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE THE CUSTODIAL SERVICES CONTRACT WITH NORTH-COUNTRY JANITORIAL SERVICES JULY 1, 2025 THROUGH JUNE 30, 2026.

Clarification Regarding Roles and Responsibilities of the Council and Public Utilities Commission

Committee Chair Johnson stated that the concerns will be addressed at the next Council meeting. The Public Utilities Commission and City Council are invited to submit concerns and questions to Administrator Broyles by Monday, June 23, 2025, at noon.

Safety and Public Works Committee

Approve Engineering Services Proposal - SEH - East River Road Sanitary Interceptor Lining

Committee Chair Erickson stated that the proposal is for the segment from College Drive to the main lift station. If the grant is received, the City could contract to also complete Laurel to College Drive section.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE PROPOSAL FROM SEH IN THE AMOUNT OF $74,838.

Approve Proposed Costs - GoodPointe Technology - Pavement Management Software

Committee Chair Erickson stated that the City has previously received a proposal from GoodPointe for street mapping that was considerably higher.

Member Johnson stated that he will vote no, he would rather purchase $6,000 of material to fill potholes.

Member Czeczok stated that he appreciates Member Johnson's comments. If the software is effective, then he believes it is a good move. He would like to know the initial cost to add curbing, manholes, and other features.

Chair O'Day stated that he sees AI putting the capital plan together in five to ten years.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK TO INCLUDE PROPOSED COSTS FROM GOODPOINTE TECHNOLOGY FOR PAVEMENT MANAGEMENT SERVICES IN THE 2026 BUDGET.

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

Consider an Ordinance Prohibiting the Feeding of Stray and Wild Animals

Committee Chair Erickson stated that this discussion was brought forth by a resident. There was continued discussion at committee about enforcement.

Member Bevans stated that he will vote against bringing the matter forward, it is trying to fix something that isn't broken and will give the police department too much to deal with.

Member Johnson stated that he does not support the ordinance because of the enforcement issue.

Member Czeczok stated that he will support moving the ordinance forward as it is another tool for animal control to leverage against feeding stray animals.

Member Erickson stated that the City has been responsive to the issue, but does not feel an ordinance is necessary.

Chair O'Day stated that this ordinance could be filed next to the busking ordinance. If the matter does become an issue the draft presented could be utilized.

Mayor Badeaux asked about the number of cats you can have. He stated that feeding forty cats in your garage, means that you are the owner of forty cats. The ordinance that limits the number of pets should be enforced.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK TO DIRECT STAFF TO BRING THE PROPOSED ORDINANCE TO THE NEXT CITY COUNCIL MEETING FOR THE FIRST READING.

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

Approval Of Buffalo Hills Lions Park Name Change To Lions Park

Committee Chair, Erickson stated that the Lion’s Club is proposing to make a significant investment in the park. The committee supports the name change. However, he lives in the neighborhood and wished that the name would include “Buffalo Hills”.

Mayor Badeaux stated that as the liaison to the Park Board, the Park Board has had conversations with the Lion’s about continual support with the addition of the significant investment. He supports the name including Buffalo Hills.

Member Erickson asked to amend the motion to include “at Buffalo Hills” to the name change.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE NAME CHANGE FROM BUFFALO HILLS LIONS PARK TO LIONS PARK AT BUFFALO HILLS.

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**

Information- Point in Time and Data Request

Member Czeczok stated that this was a Council action.

Chair O’Day stated that he was disappointed in the answer that the Council got to the data request.

Member Johnson asked Attorney Langel to clarify whether the data request is complete.

Attorney Langel stated that the data request is not considered complete, as the County did not provide the specific data and guided the City to their website.

Generally Council asked staff to pursue a request for more data related to the actions of the County Board regarding the .

Public Hearing, Adopt Resolution - N. 9th Street Vacation, Final Reading Proposed Ordinance 1584 - Rezoning St. Francis School and Church/ Final and Preliminary Plat/ CUP - 411 10th St N.

Community Development Director Kramvik gave an overview of Ordinance 1584, Preliminary/ Final Plat, and Conditional Use Permit for St. Francis Catholic Church and School. The Planning Commission held a public hearing for the land use permits and recommended approval with conditions.

Engineer Dehn gave an overview of the potential vacation of N 9th Street.

Mayor Badeaux asked about the diagonal parking proposed on the north side of the plat.

Engineer Dehn stated that the maintenance of the diagonal parking could be a part of the development agreement with the developer.

Chair O'Day opened the public hearing at 8:10 p.m.

Father Michael Garry, 416 N 9th St, St. Francis Church, gave an overview of the parish's master plan for the property in reference to the safety of its children, the use of the property, and future growth.

Erica Marcussen, Widseth, 7804 Industrial Park Rd, Baxter, gave an overview of the proposed master plan for the property in reference to current and future needs for the rectory, school, church, and parking.

Council Members asked clarifying questions.

The following also spoke in favor of the vacation of N 9th St:
Kohl Weir, 413 N 4th St,
Kevin Denny, 14657 Grand Oaks Dr, Baxter,
Cody Poster, 839 Bluff Ave,
Melissa Poster, 839 Bluff Ave,
Andrew Schindler, 302 Bluff Ave,
Luke O'Reilly, 1223 Rosewood St,
Samuel Gilsrud, 905 Bluff Ave,

The following spoke against the vacation of N 9th St in a residential area:
Alex Nyland, 501 N 9th St,
Becca Nyland, 501 N 9th St,

Chuck Marohn, 616 N 4th St, questioned when the City will stop accommodating people who are driving in, instead of the residents of the City. He spoke against the vacation in reference to public safety, educational and rectory options, public purpose, and the comprehensive plan.

John Erickson, 323 N 7th St, supported the statements of Mr. Marohn. He stated that the process that has been taken by St. Francis is ill prepared. He is concerned about the zoning of the property surrounding St. Francis that just three years previous was appropriately zoned.

Chair O'Day closed the public hearing at 9:03 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO CONDUCT THE FINAL READING OF ORDINANCE 1584 AN ORDINANCE AMENDING THE ZONING MAP AND ZONING CODE AND DISPENSE WITH THE ACTUAL READING.

Mayor Badeaux stated that he will speak against the vacation to stay consistent. He pushed back on the concept that the street is unsafe. He believes that the grid system is a safe system for streets.

Member Yeager spoke against the vacation and rezoning due to the rezoning request. The use of spot zoning in this matter benefits only St. Francis. The Housing and Redevelopment Authority struggles every single day to build one house, he is against net loss of housing.

Member Johnson stated that he is generally against street vacations, however, he will support the vacation because the public schools have received the same accommodation in similar neighborhoods.

Member Erickson stated that he looked back at the original plats for the City, this block was originally set aside for educational use. The community will benefit from the vacation. For these reasons, he will vote yes to vacate the street.

Member Czeczok stated that the reluctance to take a house or two from the neighborhood is not a new concept as he spoke against vacating streets and removing residential homes around other schools in the past. He is not concerned about church owned homes being removed for the rectory as they would not be for public use.

Chair O'Day stated that it is completely impossible to keep everyone in the City happy when it comes to vacating streets. He doesn't like to see change in the neighborhood he grew up in, however, this happens overtime if we want organizations to grow within our City. He stated he does not believe the City should continue to vacate streets. He has been frustrated with the process pursued to achieve St. Francis' master plan and stated that there is still a path forward if all of the items don't pass.

Community Development Director Kramvik stated that there will be a development agreement presented at a future meeting. The master plan is not binding in any way. The comments from Council tonight would be helpful in creating the development agreement.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO ADOPT RESOLUTION VACATING THE SEGMENT OF N 9TH ST, WHILE RESERVING UTILITY EASEMENTS.

RESOLUTION 46:25

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

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON TO APPROVE THE PRELIMINARY AND FINAL PLAT CONTINGENT UPON THE FOLLOWING CONDITIONS: APPROVAL OF THE VACATION OF N 9TH STREET BETWEEN IVY STREET AND JUNIPER STREET, APPROVAL OF ORDINANCE 1584, EXECUTED DEVELOPMENT AGREEMENT BETWEEN ST. FRANCIS AND THE CITY OF BRAINERD, AND APPROVAL OF THE CUP TO CREATE A PARCEL UNDER ONE ACRE IN THE PSP DISTRICT.

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND ERICKSON TO ADOPT ORDINANCE 1584 CONTINGENT UPON THE FOLLOWING CONDITIONS: APPROVAL OF THE PRELIMINARY AND FINAL PLAT, AND APPROVAL OF THE CUP TO CREATE A PARCEL UNDER ONE ACRE IN THE PSP DISTRICT.

ORDINANCE 1584

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

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK TO APPROVE THE CONDITIONAL USE PERMIT TO CONSTRUCT A RECTORY ON ITS OWN PARCEL UNDER ONE ACRE IN THE PSP DISTRICT AND FOR RESIDENTIAL USE IN THE PSP DISTRICT CONTINGENT UPON THE FOLLOWING CONDITION: APPROVAL OF THE PRELIMINARY AND FINAL PLAT.

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

Final Reading - Proposed Ordinance 1585 - Auto Dealerships, Outdoor Service, Sale and Rental, and Definition of Abutting

Community Development Director Kramvik gave an overview of the ordinance.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STUNEK, DULY CARRIED, TO CONDUCT THE FINAL READING OF ORDINANCE 1585 AUTO DEALERSHIPS, OUTDOOR SERVICE, SALE AND RENTAL, AND DEFINITION OF ABUTTING AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK TO ADOPT ORDINANCE 1585.

ORDINANCE 1585

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

Final Reading - Proposed Ordinance 1587 - Off-Street Parking Surfaces

Community Development Director Kramvik gave an overview of the ordinance.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND ERICKSON, DULY CARRIED, TO CONDUCT THE FINAL READING OF ORDINANCE 1587 OFF STREET PARKING SURFACES AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND CZECZOK TO ADOPT ORDINANCE 1587.

ORDINANCE 1587

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

New Business

Adopt Resolution - Approve Plans/Specifications and Authorize Advertisement - Improvement 23-14 - Hawkins-Ronald-Joseph Resurfacing Project

Public Works Director Habighorst gave an overview of the project.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND BEVANS TO ADOPT RESOLUTION APPROVING PLANS AND SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS FOR IMPROVEMENT 23-14.

RESOLUTION 47:25

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

Adopt Resolution - Award Bid - Improvement 21-13 - Beech/Oakridge Reconstruction Project

Public Works Director Habighorst gave an overview of the bids.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO ADOPT RESOLUTION IN WHICH ACCEPTS THE BIDS AND AWARDS THE CONTRACT TO LANDWEHR CONSTRUCTION, INC. IN THE TOTAL CONTRACT AMOUNT OF $2,097,514 AND AUTHORIZE PROPER SIGNATURES ON THE AGREEMENT DOCUMENTS.

RESOLUTION 48:25

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

Consider Letter of Intent - River Birch Investments - Thiesse Dr

Community Development Director Kramvik gave an overview of the letter of intent submitted. River Birch Investments intends to pursue the $1 per acre incentive program.

Member Czeczok asked about the timeline of the incentive, whether shortening the timeline for developing on the third parcel would be considered in a purchase and development agreement.

Community Development Director Kramvik stated that the timeline would allow for years for initial construction, staffing consideration, and stable years of operation.

Member Yeager stated that two years on either side for construction only allows for six years of operation.

Mayor Badeaux wanted to ensure that the buyers are aware that this is an industrial park, and industrial parks are noisy.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO DIRECT STAFF AND THE EDA BOARD TO BEGIN NEGOTIATIONS WITH RIVER BIRCH INVESTMENTS ON A PURCHASE AND DEVELOPMENT AGREEMENT FOR THE PROPOSED LOTS.

Staff Reports

Police Chief Davis stated that there was a large political demonstration along Washington Street on June 14th. He believes that there were over a thousand participants and some reports of about two thousand. The department communicated with the organizers prior to the event. The event went well overall. It was a successful and peaceful event.

Community Development Director Kramvik attended the groundbreaking event for Country Manor and gave an EDA update.

Mayor's Report

Mayor Badeaux stated there are three truths, our streets are safe, industrial parks are noisy, and the Brainerd Lion's are pretty flippin' sweet.

Council Member Reports

Member Bevans stated that the Country Manor project has begun, this is huge for Ward Two on Beaver Dam Road.

Member Yeager welcomed Country Manor to the City of Brainerd. He stated that the Airport has hired an Interim Director, Mr. Neil Planzer. He will be guiding the Airport through a very busy time.

Member Johnson invited everyone to the Brainerd 4th of July Celebration and Arts in the Park on June 29th.

Member Erickson stated that he will be attending the Planning Commission and Region 5 Commission.

Chair O'Day stated that the Country Manor project and other developments are great momentum for the City.

Adjourn

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

The Chair adjourned the meeting at 9:41 p.m

Nicholas W. Broyles
City Administrator