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: Johnson, Stunek, Yeager, Erickson, Czeczok, and O'Day. Mayor Badeaux was also noted as present. Member Bevans was noted as absent.

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

Member Czeczok stated that he would like to amend the July 7th Council minutes to include in the motion regarding the Employee Appreciation Event an invitation to all commissioners of boards to the event.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO APPROVE THE AGENDA WITH CORRECTION TO THE MINUTES.

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

- **A.** **Approval of Bills**
- **B.** **Approval of Minutes**
- **C.** **Department Activity Reports**
- **D.** **Event/Street Closure Application- Shriner's Motorcycle Ride**
- **E.** **Approve Event Parking Closure- Armed Forces Tribute**
- **F.** **Adopt Resolution Accepting 2nd Quarter Donations**
- **G.** **Approve MN Lawful Gambling Application for Exempt Permit Submitted by the Brainerd Fire Department Relief Association for an Event to be held on December 1, 2025 at 23 Laurel Street**
- **H.** **Approve Event/Alley Closure Application- Rib Cookoff (Alley of Laurel Street between 6th and 7th Streets)**

Upon roll call, Council Members Johnson, Stunek, Yeager, Erickson, Czeczok, 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

Safety and Public Works Committee

Approve Final Pay Request - Imp 22-08- South Brainerd Reconstruction Project

Committee Chair Erickson stated that the project was completed in 2024, staff was waiting for the turf establishment to submit final pay.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND YEAGER, DULY CARRIED, TO APPROVE FINAL PAY REQUEST IN THE AMOUNT OF $36,575.51.

Approve Final Payment - 15th/Quince Sewer Replacement

Committee Chair Erickson stated that at the request of the Public Utilities Commission the work included the addition of watermain and service lines.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND YEAGER, DULY CARRIED, TO APPROVE FINAL PAYMENT REQUEST TOTALING $137,509.

Approve Pay Request #1 and Change Order #1 - Imp 23-16 - South Brainerd Resurfacing Project

Committee Chair Erickson stated that Bolton and Menk included a justification for the change order. The Public Utilities Commission recommended a change to the pipe material that connects to the hydrants.

Member Czeczok asked about the change order and change of pipe.

Public Works Director Habighorst stated that staff would email City Council regarding the change of the pipe and the change order request.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE CHANGE ORDER #1 AND PAY REQUEST #1 FOR THE SOUTH BRAINERD RESURFACING PROJECT AND REQUEST INFORMATION REGARDING THE CHANGE OF PIPE ON THE PROJECT.

Approve WSB Contract Amendment - M Street Outfall Repair Project

Committee Chair Erickson stated that this is an amendment to the engineering contract for additional scope that was previously approved by the City Council.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE WSB CONTRACT AMENDMENT REQUEST IN THE AMOUNT OF $2,500 FOR THE M STREET OUTFALL REPAIR PROJECT.

Approve Country Manor Sewer and Water Request

Committee Chair Erickson stated that the as-built plans for Warrior and Wild Avenues show the contractor installed the main and capped them at the end of the streets. However, the actual conditions, the mains were not extended as far as the plans indicated. Country Manor is requesting the City provide funds due to additional excavation work required to make watermain and sanitary sewer connections. The Committee would like to have staff finalize the numbers and come back to a future meeting.

Public Works Director Habighorst stated that staff would recommend waiting for a future meeting to assess the true cost.

Member Johnson stated that the work should be completed, the City should participate in the cost, and it is reasonable to know the actual cost of the work prior to approving an amount.

Committee Chair Erickson suggested amending the motion to bring the item back to the Council when the work is completed.

Chair O'Day stated that the City does take responsibility for its maps and following through with developers. He thanked Country Manor for being patient.

Member Czeczok stated that he would like to impress upon the Council that regardless of whatever work is done by the developer and contractor had the information been provided correctly to the developer they still would had to do the work to connect to utilities. The City does have some responsibility. He is willing to negotiate but the cost should not be solely on the City's taxpayers.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO ALLOW WORK TO BE COMPLETED AND BRING THE ITEM BACK TO COUNCIL WHEN THE WORK IS COMPLETED FOR FORMAL DIRECTION.

Discussion of Capital Improvements for Annex Building

Committee Chair Erickson stated that there is approximately $160,000 allocated for improving the Annex. The committee would like the full Council to proceed with discussion on the use of the Annex.

Member Czeczok suggested adding the Annex as a discussion point to the workshop on Monday the 28th. There are a lot of options to consider regarding the Annex.

Chair O'Day stated that the priority list is smart. The HVAC will need to be replaced regardless of what the City ultimately decides to do with the building. There is money allocated, he is comfortable moving forward with replacing the HVAC and other high priority improvements.

Member Yeager stated that he fears "might as well- itis" may set in once some improvements are made. He is not opposed to retaining the Annex, however, he would like to know the end game for the building before improvements are made.

MOVED AND SECONDED BY COUNCIL MEMBER ERICKSON AND CZECZOK, DULY CARRIED, TO BRING THE DISCUSSION TO THE FULL COUNCIL.

Member Johnson stated that the City needs to decide what it's doing with the building. If selling, there may be a couple of things to improve prior to listing. If retaining, then improvements are needed.

Member Erickson stated that there needs to be a larger discussion. He leans toward keeping the building as the City is growing. Whether the City retains the building or not improvements will need to be made.

Member Czeczok asked whether the building could pass an inspection as is. He also asked how much has already been put into the building.

Community Development Director Kramvik stated that improvements necessary before sale would be dependent on the contingencies outlined in a purchase offer. He stated that the roof was addressed when City Hall's was replaced, minor furnace work, and the elevator repairs have been done.

Member Czeczok asked about the highest priority items and how much these would cost. He would like to know what the cost of the highest priority improvements.

Public Works Director Habighorst gave an overview of the estimates from 2019. The estimates have very little merit in 2025.

Chair O’Day stated that the Annex is the most obvious space to use when the City inevitably outgrows City Hall.

Member Czeczok asked if the Council would be agreeable to get estimates.

Administrator Broyles stated that when estimates are received staff can bring them back. He recommends not including the discussion of the Annex on the workshop. He reminded the Council that there is no voting at a workshop.

Member Czeczok asked why no votes are taken at the workshop.

Chair O’Day stated that Council has traditionally not taken votes at workshops.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO OBTAIN ESTIMATES FOR THE HIGHEST PRIORITY IMPROVEMENTS TO THE ANNEX.

Personnel and Finance Committee

Discussion of Requests for Proposals for 2025 Audit Services

Committee Chair Johnson stated that CLA is very competitive in their fee, they’re local, staff is satisfied with their services, and they also provide audit services to BPU and the HRA.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO RETAIN CLIFTONLARSONALLAN FOR 2025 AND 2026 AUDIT SERVICES AND DISCUSS SEEKING PROPOSALS FOR 2027 AUDIT SERVICES.

Discussion of 2026 Capital Equipment and Facilities Budget

Committee Chair Johnson gave an update on the capital and facilities budget for 2026. He directed any questions to Finance Director Hillman and thanked her for her work on the budget.

Member Czeczok questioned the amount included in the capital plan for codification.

Finance Director Hillman stated that there is $50,000 for codifying City Codes. The cost for codification is a place holder in the capital fund. The cost will come out of the operating budget when completed. It is in the capital plan so that there is less fluctuation in the operating budget from year to year with these larger projects.

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)
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)
Planning Commission- 1 term (Expire 2027)

Water Tower Committee—**2 terms**

Final Reading - Proposed Ordinance 1588 to Amend Section 515-3 Allowed Uses; Appendix A Table of Uses to Allow Office/Business in the GI District

Community Development Director Kramvik gave an overview of the ordinance. He noted that the Makers and Employment district also includes updating a permitted use for Office Businesses. The City Council could conduct the reading with or without the inclusion of this permitted use. He clarified that the permitted use was included in the ordinance that the Planning Commission held a public hearing for.

MOVED AND SECONED BY COUNCIL MEMBERS ERICKSON AND YEAGER, DULY CARRIED, TO CONDUCT THE FINAL READING OF PROPOSED ORDINANCE 1588 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND JOHNSON TO ADOPT ORDINANCE 1588.

ORDINANCE 1588

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

Final Reading - Proposed Ordinance 1589 to Amend Section 515-4-11 Fence Standards

Community Development Director Kramvik gave an overview of the ordinance.

MOVED AND SECONED BY COUNCIL MEMBERS JOHNSON AND ERICKSON, DULY CARRIED, TO CONDUCT THE FINAL READING OF PROPOSED ORDINANCE 1589 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADOPT ORDINANCE 1589.

ORDINANCE 1589

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

Final Reading - Proposed Ordinance 1590 - Annexation of Dunmire's

Community Development Director Kramvik gave an overview of the ordinance.

MOVED AND SECONED BY COUNCIL MEMBERS ERICKSON AND YEAGER, DULY CARRIED, TO CONDUCT THE FINAL READING OF PROPOSED ORDINANCE 1590 AND DISPENSE WITH THE ACTUAL READING.

The Chair opened the public hearing at 8:06 p.m.

No one came forward.

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

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND JOHNSON TO ADOPT ORDINANCE 1590.

ORDINANCE 1590

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

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERCKSON TO ADOPT RESOLUTION APPROVING SUMMARY PUBLICATION OF ORDINANCE 1590.

RESOLUTION 55:25

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

New Business

Consider Interim Use Permit Renewal for a Short-Term Rental - 1123 15th Ave NE

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

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND JOHNSON, DULY CARRIED, TO APPROVE THE INTERIM USE PERMIT FOR ONE SHORT-TERM RENTAL UNIT AT 1123 15TH AVE NE WITH THE FOLLOWING CONDITIONS: THE INTERIM USE PERMIT FOR A SHORT-TERM RENTAL TERMINATES ONE YEAR AFTER APPROVAL, THE INTERIM USE PERMIT SHALL TERMINATE UPON SALE OR TRANSFER OF THE PROPERTY, ALL OUTDOOR LIGHTING FIXTURES SHALL MEET THE STANDARDS OF SECTION 515-4-8 OUTDOOR LIGHTING OF THE ZONING CODE, ALL WATERCRAFT DOCKED IN THE LAKE AT THE PROPERTY SHALL BE WITHIN THE BOUNDARIES OF THE PROPERTY, OVERNIGHT GUEST VEHICLES AND TRAILERS MUST BE PARKED IN THE DRIVEWAY. TWO ADDITIONAL VEHICLES MAY BE PARKED ON THE STREET FOR DAYTIME GUESTS, SUBMISSION OF THE LODGING TAX REPORT ON A MONTHLY BASIS TO THE FINANCE DEPARTMENT.

Adopt Resolution - Improvement 23-14 - Hawkins/Ronald/Joseph Resurfacing Project - Accepting Bids and Award Contract

Public Works Director Habighorst gave an overview of the project.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND ERICKSON TO ADOPT RESOLUTION ACCEPTING BIDS AND AWARDING THE CONTRACT FOR IMPROVEMENT 23-14 – HAWKINS/RONALD/JOSEPH RESURFACING PROJECT TO J&J EXCAVATING INC. IN THE AMOUNT OF $698,027.

RESOLUTION 55:25

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

Discussion of City Council Packet Distribution

Administrator Broyles gave an overview on the process of distributing packets. Due to increased size of the packet. Staff is requesting revising the process for Council and Commissioners to receive their packets.

Member Czeczok asked whether any of the Council Members use CivicPlus.

Generally, Council Members do not use CivicPlus for accessing packets.

Chair O'Day stated that he doesn't have a preference on how he receives the information.

Member Johnson stated he is open to receiving packets in a different way on a trial basis to test the process. He stated that if this doesn't work, the packets could be distributed by the Police Department again.

Administrator Broyles stated he would discuss with IT a tutorial on accessing packets.

Chair O'Day asked if there was a way to make the packet smaller in general with less pages.

Member Stunek stated that more items could be put on the consent calendar.

Staff Reports

Finance Director Hillman thanked the Department Heads for working on the Capital budget.

Public Works Director Habighorst stated that there will be a special event application for Loon Fest on the next meeting.

Community Development Director Kramvik stated that there are minor details left to workout on the development agreement with St. Francis that should be ready by the next Council meeting. He has drafted a preliminary orderly annexation agreement to continue annexation work on Riverside Drive.

Administrator Broyles stated that comments regarding the Public Utilities Commission roles and responsibilities will be accepted until Tuesday. The packet for this meeting will be distributed to Council and the Public Utilities Commission.

Mayor's Report

Mayor Badeaux stated that he got about one third of the fence on College Drive repainted. He thanked staff for providing traffic control. He was reminded why the fence was installed, as there was a tragic accident before the reconstruction. He encouraged everyone to slow down on College drive. The Police vs. Fire Softball game is on Thursday at 6:00 p.m. at Mills Stadium. He is very excited to hold this event.

Council Member Reports

Member Czeczok stated that he is looking forward to the game on Thursday. He calls 'em like he sees 'em. On August 1st, the transit app for scheduling rides will launch. He has heard many compliments on the action taken by the City Council to support the Sheriff's Office.

Member Yeager gave an update on the Airport. The Commission has been very focused on the budget. He thanked Airport Staff for their work. He went to Lum Park the day after the

Grand Re-Opening, it looks great. He thanked the Park Board and Public Works Department for their work in the parks.

Member Johnson stated that he attended the Grand Re-Opening at Lum Park, it looks great. He is happy to see the hole at Jaycees Park is filled.

Member Erickson stated that the South Brainerd Resurfacing project is complete. He also stated that Spruce Drive which is scheduled for repair but has many hazardous potholes. He contacted the Public Works Department and they filled in some of the more hazardous potholes.

Chair O'Day stated that all of our Staff has been working very hard, it is a busy time of year for everyone. He thanked staff and encouraged them to keep up the good work.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND STUNEK, DULY CARRIED, TO ADJOURN TO JOINT WORKSHOP OF THE CITY COUNCIL AND PUBLIC UTILITIES COMMISSION ON JULY 28TH AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS.

The Chair adjourned the meeting at 8:28 p.m.

Nicholas W. Broyles
City Administrator