

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

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

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND BEVANS, DULY CARRIED, TO APPROVE THE AGENDA REMOVING THE JANUARY 5<sup>TH</sup> MINUTES FROM THE CONSENT CALENDAR.

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

**Approval of Bills**

Approved as on file in the Administrator's Office.

**Department Activity Reports**

Approved reports as presented.

**Resolution- Adopting 4th Quarter Donations**

Adopted Resolution 06:26 Accepting 4<sup>th</sup> Quarter 2025 Donations

**MN Lawful Gambling Application- Exempt Permit – CLC**

Approved MN Lawful Gambling Application Submitted by Central Lakes College Foundation for an Event to be held on April 9<sup>th</sup>, 2026, at 501 W College Drive

**MN Lawful Gambling Application - Exempt Bingo - Knights of Columbus**

Approved MN Lawful Gambling Application for Exempt Bingo Submitted by the Knights of Columbus for Events to be held on February 1, 8, 15, & 22 at 404 N 9<sup>th</sup> St

**MN Lawful Gambling Application- Exempt Permit - YMCA**

Approved MN Lawful Gambling Application for Exempt Permit Submitted by the Brainerd Family YMCA for an Event on March 19<sup>th</sup>, 2026, at 1511 Northern Pacific Rd

**2026 Transfers**

Approved Transfers as presented.

**Resignation - Paid on-call Firefighter Tyler Ogren**

Accepted the resignation of Paid on-call Firefighter Tyler Ogren effective January 9, 2026.

**Reclassify - Police Intern Wyatt Andres to Community Service Officer**

Reclassified Wyatt Andres to a Community Service Officer effective February 4, 2026.

**Hiring - Police Records Management Technician Brandi Westom**

Ratified the hiring of Brandi Westom for the Police Records Management Technician position effective January 21, 2026; further, that she be placed on Step 1 of the Police Records Management Technician wage grid (\$26.80 per hour).

**Hiring - Community Service Officers Caleb Wahlstrom and Kieran Groetsch**

Ratified the hiring of Caleb Wahlstrom and Kieran Groetsch as Community Service Officers effective January 20, 2026; further, that they be paid \$22.56 per hour.

**Hiring - Temporary Transit Operations Assistant Amy Christensen**

Ratified the hiring of Amy Christensen for the temporary, part-time Transit Administrative Specialist position effective January 2, 2026, at \$25.87 per hour.

**Police Department Involvement in Landlord - Tenant Matters**

Information only.

**Sale of Fire Apparatus**

Approved the sale of Tender 4, a 2004 General Fire Safety International 4400 Series fire truck to Jacobson Fire Department for \$55,000 and approve the sale of Tender 3, a 1992 Chevy 3-Ton CC Kodiak, using the public auction site.

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

### **Approval of Minutes**

Member Czczok asked staff to clarify in an email the minutes in regard to the scope of the data that is being requested by the City Council. He clarified that the Council is asking for when the data was submitted and what data was submitted to the organization that the County submits the data to not the 2025 point in time data.

MOVED AND SECONDED BY COUNCIL MEMBERS CZECZOK AND YEAGER, DULY CARRIED, TO APPROVE JANUARY 5, 2026, COUNCIL MINUTES WITH CLARIFICATIONS OF THE SCOPE OF THE CROW WING COUNTY DATA REQUEST.

### **Public Forum**

The Chair opened the public forum at 7:32 p.m.

Logan Klisch, 824 N St, spoke against developing Gustafson Park. He created an online petition, has researched homes for sale in the area of Gustafson, and believes that quality housing is the focus of housing, not quantity.

Susan Beaulieu, 1324 8<sup>th</sup> Ave NE, stated that she lives one block from Gustafson. Her family regularly uses the park for unorganized activities and as a gathering space. Our nation is in a time that our communities need to come together to gather. Gustafson Park is the perfect place to gather. Her children Asher and Lydia also expressed their love for Gustafson Park and the many activities that their family does in the park. They asked the Council not to develop Gustafson Park.

The chair closed the public forum at 7:38 p.m.

Member Czczok asked about liability to having citizens mow the park.

Attorney Langel stated that there are liability issues with having citizens mow the park. There are ways to reduce the liability if the Council wanted to do so.

### **Presentations**

#### **YMCA Request to Fund Community Pool at the New Brainerd YMCA**

Shane Riffle, CEO Brainerd YMCA, gave a presentation regarding the building of a new aquatic center in the City of Brainerd with the support of the City. He stated that the YMCA is asking for \$4 million in support from the City of Brainerd and that the YMCA is exploring affordable options for the citizens of Brainerd to utilize the pool as a benefit to their contribution.

Member Yeager asked whether the City of Brainerd makes up 100% of the municipal ask.

Member Czczok stated that he heard Mr. Riffle say there may be a possibility of another government entity contribution. He asked which entity that may be. He also stated that Mr. Riffle indicated a \$50 million economic impact. He questioned whether this would be an impact for the City of Brainerd or an impact for Crow Wing County.

Mr. Riffle stated that the City is 100% of the municipal ask. He stated that Sourcewell may be another potential government contributor depending on the result of a strategic plan for a family resource center. He also stated that the economic impact is estimated for the Brainerd Lakes Area and Crow Wing County.

Member Czeczok stated that for transparency he wanted to state that it seems the City of Brainerd is always carrying the ball for the rest of the area municipalities. He questioned how the residents of Northeast will benefit specifically from supporting this project. He also asked about current programming for youth and adults.

Mr. Riffle stated that YMCA's partnering with a municipality to build a city pool is quite common. Baker Tilly will have recommendations on how a partnership would work. The YMCA is developing a list of ways Brainerd residents could utilize the amenities. He also pointed to Camp Vanasek in Baxter, how the City of Baxter is supporting the YMCA with that property. He gave an overview of the programming. He stated that the YMCA has a focus on the young teenage age group. An emerging population is the senior population.

Chair O'Day stated that his concern is the benefit to Brainerd residents if they made a large donation. He is encouraged that there are already ideas floating for such a big ask. He has questions about how it will be funded.

Finance Director Hillman stated that the City will most likely need to bond for the contribution. If the Council would like to move forward, the next step would be to work with Baker Tilly to find out the options.

Member Bevans questioned whether Baker Tilly would charge the City to develop a plan.

Finance Director Hillman stated that she believes that the City will only incur fees when issuing debt. She will check with Baker Tilly to see if there is a cost.

Member Czeczok stated he cannot support bonding this significant of an amount for a private entity when the City already has a hard time covering City actions.

Member Yeager stated that he supports the motion as long as there is no cost to do the bonding study.

Member Johnson stated that he supports the motion as he does not see this as a private entity like Target. This is an organization that provides a lot of benefit for our community. They are trying to build for another generation and provide benefits for our community. It is the City investing in itself and our community. His kids are YMCA kids, and he has coached several teams, so he may be a little biased, but he believes the organization provides a lot to this community. Being able to provide more access to facilities for families is a lot different than other private entities. The City has put money into other non-profit organizations that are not providing a return benefit to our citizens, so for that reason, he supports exploring funding for the YMCA.

Member Czeczok questioned how the YMCA, Young Men's Christian Association, demonstrates its Christian values.

Mr. Riffle gave examples of how the organization demonstrates its Christian values.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO DIRECT STAFF TO WORK WITH BAKER TILLY TO FIND FUNDING OPTIONS TO BUILD COMMUNITY POOL AT THE NEW YMCA FACILITY.

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

Chair O'Day stated he would be interested in seeing if there are cities of similar size in Minnesota that have contributed to a YMCA similarly.

## **Council Committee Reports**

### **Personnel and Finance Committee**

#### **Advertise Request for Proposal - SAHA Funds**

Committee Chair Johnson stated that this has been done the last couple of years. There is a balance of \$74,605, and there will be another disbursement in 2026. The City will go out for proposals to see if there are organizations that could use assistance in providing housing in the City.

Member Czczok asked for clarification on the wording about the housing trust fund. His assumption is that the County has the Housing Trust Fund, and how does this apply if the HRA manages the fund.

Administrator Broyles stated that Finance Director Hillman found information in December of 2023. Staff is working on the information and can return.

Finance Director Hillman read the use of aid outlined by MnDOR. Staff are clarifying whether Crow Wing County's trust fund qualifies as the local fund.

Member Johnson stated that this has nothing to do with the Housing Trust Fund. The use states that if you have left over funds they could be transferred to a local trust fund. Maybe the Crow Wing County Fund qualifies, maybe it doesn't, but the City has never had to look into whether or not it does as we have always paid the money to a qualifying project. If the City funds another project this year, it will not need to go to the trust fund.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO DIRECT STAFF TO ADVERTISE FOR PROPOSALS FOR AVAILABLE SAHA FUNDS WITH A FEBRUARY 20<sup>TH</sup> SUBMITTAL DEADLINE.

#### **Proposal - City Code Codification Services**

Committee Chair Johnson stated that he does not support the motion. He has not had anyone give him a clear enough reason as to why the City should spend money on codification services.

Community Development Director Kramvik stated that codification through ALP would be consistent with other municipalities and would be easier for developers to access. The current City Code cross references old code and State Statute, doesn't integrate our zoning code well, and would provide better optimization.

Administrator Broyles stated this will highlight inconsistencies within the code, inconsistencies with State Statute, and can be updated automatically. He thinks this is a giant leap forward in professionalizing our code.

Member Czczok stated that he hopes this is accessible for screen readers. He hopes it will be ADA accessible because it's the law.

Administrator Broyles stated that ALP has stated that the program is ADA accessible.

Chair O'Day stated that this has been budgeted, if it makes it more clear for developers to come in and do their research easily to develop in the City he's all for it.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO AUTHORIZE STAFF TO ENTER INTO AGREEMENT WITH AMERICAN LEGAL PUBLISHING FOR CODIFICATION SERVICES NOT TO EXCEED \$30,000.

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

### **Franchise Fees - Electric and Gas**

Committee Chair Johnson stated that he does not support the motion due to the City already working on the PILOT with the Utility and he'd hate to muddy the waters and he does not like franchise fees.

Member Bevans stated that he spoke in favor of the motion in committee. He thinks that if the City is considering franchise fees it is best to let the Utility know now. He does not oppose the idea everyone benefits from a road project, not just property owners. This motion does not enact the franchise fee. The motion is to bring a model back to Council to illustrate how the fees would work.

Member O'Day stated that there are a lot of details to learn before a franchise fee is enacted.

Member Czczok stated that the utility does not assess anyone for an improvement project. He is trying to understand why its important to inform them that the City is looking at franchise fees.

Member Bevans stated that it would just be for transparency. He would hate to have them do a rate study without knowing that the Council is considering franchise fees.

Mayor Badeaux stated that franchise fees are ridiculous. These fees are simply taxation without representation. When the City raises taxes, citizens should be able to come and look the City Council in the eye and tell them that taxes are too high. He staunchly opposes franchise fees and will continue to staunchly oppose every time they come up.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS TO CONTINUE FURTHER DEVELOPMENT OF A FRANCHISE FEE STRUCTURE AND BEGIN ENGAGEMENT DISCUSSIONS WITH THE UTILITIES AND CRAFTING A FRAMEWORK FOR A POLICY.

Council Members Erickson, Bevans, and O'Day voted "aye". Members Czczok, Johnson, and Yeager voted "nay". Due to a tie, Mayor Badeaux voted "nay". The Chair declared the motion failed.

### **Safety and Public Works Committee**

#### **Cooperative Construction Agreement - TH 210/Washington Street Reconstruction Project**

Committee Chair Erickson gave an overview of the agreement.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK TO APPROVE THE COOPERATIVE CONSTRUCTION AGREEMENT FOR THE TH 210/ WASHINGTON STREET RECONSTRUCTION PROJECT.

### **RESOLUTION 07:26**

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

### **Construction Observation Proposals - TH 210/Washington Street Reconstruction Project**

Committee Chair Erickson gave an overview of the observation contract.

Member Johnson stated that he was happy to see how close the proposals were, it must be an accurate cost proposal.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO AWARD THE CONSTRUCTION OBSERVATION CONTRACT FOR THE TH 210/WASHINGTON RECONSTRUCTION PROJECT TO SEH IN THE AMOUNT OF \$268,000.

### **Final Pay Request - Improvement 24-08 - M Street Outfall Repair Project**

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE FINAL PAY REQUEST FOR IMPROVEMENT 24-08 IN THE AMOUNT OF \$18,170.95.

### **Pool Engineering Services Letters of Interest (LOI) and Statement of Qualifications (SOQ)**

Committee Chair Erickson gave an overview of the engineering services pool.

Public Utilities Director Sandy stated that firms selected through this process will enter into a City-prepared Master Services Agreement and be placed on the on-call roster for a term, with the option for extensions at the City's discretion. Project work will be authorized through individual task orders or limited "mini-RFPs" issued only to firms within the approved pool. Each task order will define scope, schedule, deliverables, and a negotiated not-to-exceed fee, while remaining subject to the terms of the master agreement and established fee schedules that are reviewed and negotiated on an annual basis. The RFP establishes a transparent and competitive evaluation process. This process would eliminate asking for qualifications and allow the City to be in the driver's seat in entering into agreements. The comments from SPW were to make the pool timeline of 2 years and to limit the amount of the contract cap for which the City would utilize the pool. This item will go to Park Board as well as Public Utilities Commission for their comments.

City Engineer Dehn stated that the estimated engineering services for the upcoming Southeast Brainerd project is about \$430,000. He suggested \$500,000 as a potential cap.

Member Yeager confirmed that a cap is preferable. Knowing the typical amount for our projects, the \$500,000 sounds appropriate.

Member Johnson stated he supports a threshold. This idea sounds efficient. He asked how a new engineering firm could be added to the pool during the 2-year period or the term of the LOI.

Public Utilities Director Sandy stated that there are a variety of ways the City could allow for a firm to be added to the pool. A traditional pool wouldn't allow for applicants outside of the submission time. Having a shorter timeline as the committee suggested two years wouldn't be a major barrier. The pool structure allows for trusted consultants with experience and may prevent contracts with firms that are making a race to the bottom that are just trying to get their foot in the door and then request change orders.

### **Unfinished Business**

#### **Call for Applicants – Informational:**

##### **Mayor Recommended: (terms to expire on 12/31 of said year)**

Charter Commission – 2 terms (Expire 2029) 2 terms (Expire 2026)

Economic Development Authority-- 1 term (Expire 2028) 1 term (Expire 2031)

Library Board-- 1 term (Expire 2027)

Park Board-- 1 term (Expire 2029)

Public Utilities Commission—1 term (Expire 2028) 1 term (Expire 2030)

Transportation Advisory Committee- 1 term (Expire 2026) 2 terms (Expire 2027)

##### **Council President Recommended: (terms expire on 12/31 of said year)**

Airport Commission -- 1 term (Expire 2028)

Planning Commission-- 1 term (Expire 2028)

Water Tower Committee—2 terms

#### **Call for Public Hearing – Orderly Annexation of Riverside Drive**

Community Development Director Kramvik gave an overview of the process. The proposed agreement has been reviewed by both the attorneys of the City and Crow Wing County. Crow Wing County will consider the agreement once the City of Brainerd agrees to the terms.

Chair O'Day asked how this is not forced annexation.

Community Development Director Kramvik stated that the agreement is between the City and County and provides for annexation but does not force a connection. A judge would review the agreement and review future resolutions for annexation. City and County staff have been working closely.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND CZECZOK, DULY CARRIED, TO CALL FOR A PUBLIC HEARING ON FEBRUARY 17<sup>TH</sup> IN THE CITY COUNCIL CHAMBERS AT 7:30 P.M.

### **Staff Reports**

Community Development Director Kramvik stated that Dunmire's annexation request was denied by a municipal boundary judge. Staff is working on an orderly annexation agreement with Oak Lawn Township as the judge recommended. Central Minnesota Dermatology has begun the process to purchase industrial park properties for \$1/per acre. The EDA will review their purchase and development agreement at an upcoming meeting.

Attorney Langel wished HR Director Schubert the best in her retirement and stated that it was a pleasure working with her.

Public Utilities Director Sandy gave an overview of the upcoming Public Utilities Commission meeting agenda.

Administrator Broyles recognized HR Director Schubert for her 37 years of service to the City of Brainerd. He wished her happiness in her retirement.

### **Mayor's Report**

Mayor Badeaux thanked HR Director Schubert for her service to the City. He will wish her a better farewell at her retirement celebration. He asked for an update on Eight05 Laurel. He has gotten tagged on Facebook wondering about the site.

HRA Director Charpentier stated that the developer is still entertaining the development. They still do not have the funding for the gap that they need for development. There have been no further timeline discussions. He will reach out to them again. He typically reaches out every couple of months. The Crow Wing County HRA designated loan dollars in 2025 from the trust fund. Since there has been no movement, the CWC HRA Board rescinded the loan funds due to the timeline. They will still be allowed to apply for funding in the future.

Mayor Badeaux stated that he no longer supports the project as it is a key location in the City. He would like to see another developer take a crack at this site and get something done.

### **Council Member Reports**

Member Czczok thanked Chief Davis for the professional information regarding trespass and controlled entries. He thanked HR Director Schubert for her service. He will be attending the Charter Commission meeting and the Public Utilities Commission meeting. He advised everyone to be careful out there as there is a lot of ice out there.

Member Yeager stated that Airport Commissioners had concerns with the employment agreement with the new director. The Commission will be holding a special meeting to confirm Jennifer Roach to her position. He is excited to get her to a City Council meeting to introduce her. He also stated that early morning flights will resume in March. He thanked HR Director Schubert for her help with the employee agreement for Ms. Roach and wished her the best.

Member Bevans wished HR Director Schubert a happy retirement. He stated that the Northside Neighborhood Association meeting is on the 22<sup>nd</sup>, the Charter Commission meeting is on the 21<sup>st</sup>, and the Library Board is meeting directly after.

Member Erickson stated that the Planning Commission meeting is on the 21<sup>st</sup> and Region 5 is on the 22<sup>nd</sup>. He thanked HR Director Schubert for her service.

Member Johnson thanked HR Director Schubert for her kindness and patience and thanked her for her service.

Chair O'Day thanked HR Director Schubert for her service and keeping the Council in line.

### **Adjourn**

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO ADJOURN THE MEETING TO HR DIRECTOR SCHUBERTS RETIREMENT CELEBRATION ON FRIDAY, JANUARY 23<sup>RD</sup> IN THE COUNCIL CHAMBERS.

The Chair adjourned the meeting at 8:55 p.m.



Nicholas W. Broyles  
City Administrator