

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: Czczok, 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 BEVANS AND CZECZOK, DULY CARRIED, TO APPROVE THE AGENDA MOVING THE FINAL READING OF ORDINANCE 1601 AFTER THE CONSENT CALENDAR, MOVING THE SOUTHWEST BRAINERD STORMWATER STUDY TO THE FIRST ITEM ON SAFETY AND PUBLIC WORKS, AND REMOVING THE APRIL 14TH COUNCIL MINUTES FROM THE CONSENT CALENDAR.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND STUNEK TO APPROVE THE CONSENT CALENDAR WITH THE EXCEPTION OF THE APRIL 14TH MINUTES.

Approval of Bills

Approved as on file in the Administrator's Office.

Approval of Minutes

Approved the April 6, 2026 and April 18, 2026, City Council Minutes.

Department Activity Reports

Approved reports as presented.

MN Lawful Gambling - BFD Relief Association

Approved MN Lawful Gambling Application for Exempt Permit submitted by the Brainerd Fire Department Relief Association for an Event to be held on December 7, 2026, at 23 Laurel Street.

Event Application - Corpus Christi Procession

Approved application with conditions.

Event Application - GnarBQ

Approved application with conditions.

Event Application - Track & Field Day

Approved application with conditions.

Event Application - Memorial Day

Approved application with conditions.

Public Auction - Designate Temporary Watermain Materials as Surplus and Authorize Sale

Designated the temporary watermain materials as surplus property and authorizing their disposal through public auction in accordance with Minnesota Statutes.

Hiring - Water Serviceworkers Evan Petron and Matthew Poythress

Ratified the hiring of Evan Petron effective May 26, 2026, and Matthew Poythress effective May 11, 2026, for the Water Serviceworker positions; further that Evan Petron be placed on Step 2 of the Water Serviceworker wage grid (\$29.79 per hour) and that Matthew Poythress be placed on Step 4 of the Water Serviceworker wage grid (\$31.97 per hour).

Promotion - Police Officer Rachel Reed to Sergeant

Approved the promotion of Rachel Reed to Sergeant effective May 5, 2026, at Step 6 of the Sergeant Wage Grid (\$51.46 per hour) and to authorize Staff to backfill the Police Officer position during the current hiring process.

Promotion - Operations Manager Trenton Hawkinson to Electric Director

Approved the promotion of Operations Manager Trenton Hawkinson to Electric Director effective May 5, 2026, at Step 4 of the Electric Director Wage Grid (\$76.48 per hour).

Hiring - Summer Temporary Employees

Approved the hiring of the 2026 Summer temporary employees as presented.

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

Approved Council Minutes

Member Czczok requested two changes to the April 14th, Council and Charter Commission meeting minutes.

MOVED AND SECONDED BY COUNCIL MEMBERS CZCZOK AND BEVANS, DULY CARRIED, TO APPROVE THE APRIL 14TH MINUTES WITH CHANGING THE MEETING TYPE TO A SPECIAL MEETING AND REQUESTING THAT STAFF REVIEW THE MOTION MADE BY COMMISSIONER NORWOOD REGARDING RECOMMENDING THE DRAFT OF THE CHARTER TO THE CITY COUNCIL.

Final Reading – Ordinance 1601 – Charter Amendment Public Utilities

Administrator Broyles gave an overview of the ordinance.

Member Czczok asked to clarify that the language in the Charter provides for the Chapter 429 requirements for assessing street projects and whether the process will occur as it currently does.

Administrator Broyles stated that the language provides for Chapter 429 requirements and that the process will not change.

Chair O'Day opened the public hearing at 7:36 p.m.

Daniel Revier, IUOE 49 Exclusive Representative, stated that as the representative for two of the City's bargaining units, the union would like clarification on organization of the City, the impacts on each of the unions, the City's goal in reorganizing, and the purpose of reorganizing. The union had asked in February for communication on changes. At that time, they were told that there was no discussion to be had. Now, it has reached a point where the union would like to be able to gain insight on the impacts to the unions. The union has not reached out to the City for information since the April 14th special meeting. The union asked for communications if the situation did change.

Chair O'Day stated that this is strictly structural changes of leadership positions at this point. As far as unions go, changing the Charter shouldn't affect union positions.

City Administrator Broyles stated that the organization chart was approved at the April 14th special meeting. Staff knows that they will need to work closely with the unions to resolve any issues that this change may bring up.

Mr. Revier stated that sanitary is currently under the Local 49 union, the wastewater is under the Local 31 union. He asked about combining job classifications or moving a position to a different union and whether that would be done through negotiations.

Member Czczok stated that at the April 14th meeting, HR Director Kummet was asked about changes to union employees and whether these positions would need to be negotiated. She stated that any changes to union positions need to be negotiated. At the time that the organizational chart was approved, there were no changes made to union positions.

Member Johnson stated that he was the one who asked the questions at the special meeting. The Council has not identified any changes that are going to be made to union positions. He recognizes the concerns of the unions and understands the new structure can be confusing. Any changes made to union positions need to be negotiated. The City is not going to ramrod anything without it being negotiated.

Mr. Revier stated both unions would like to be able to maintain a working relationship with City Council and Department Heads. The unions would like to sit down before negotiations to have a conversation as there are growing concerns. When implementation takes place being in mutual agreeance will make the process more efficient.

Chair O'Day closed the public hearing at 7:44 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND STUNEK, DULY CARRIED, TO CONDUCT THE FINAL READING OF ORDINANCE 1601 AND DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND CZECZOK TO ADOPT ORDINANCE 1601 AMENDING THE CITY OF BRAINERD CHARTER CHAPTER 5 – PUBLIC UTILITIES.

ORDINANCE 1601

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.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND CZECZOK TO ADOPT A RESOLUTION PROVIDING FOR THE SUMMARY PUBLICATION OF ORDINANCE 1601.

RESOLUTION 28:26

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 7:46 p.m.

No one came forward.

The chair closed the public forum at 7:47 p.m.

Council Committee Reports

Personnel and Finance Committee

Request for Annex Space - Friends of the Library

Committee Chair Johnson stated that this is the next step to leasing the space. This not approving an agreement. The committee is asking staff to put together costs of utilities, garbage, etc., that the city will incur by the Friends of the Library occupying the annex.

Member Yeager asked whether this would be a month-to-month situation.

Committee Chair Johnson stated that the committee did not discuss that detail. He would prefer to see a month-to-month situation. The organization is looking for a space to be able to accept book donations and to conduct book sales. The annex will not work for the book sale so it would be used only to accept donations.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO DIRECT STAFF TO DEVELOP AN AGREEMENT FOR THE ANNEX THAT REFLECTS ACTUAL COST TO THE CITY FOR ITS USE.

Memorandum Of Agreement (MOA) - IBEW BPU Union setting wages for Water/Wastewater Operator

Committee Chair Johnson stated that the City acted a while ago to merge the positions. This is the final step before the hiring process can begin. The positions were budgeted for beginning in 2026.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO MOA WITH THE IBEW LOCAL NO. 31 BRAINERD PUBLIC UTILITIES UNION SETTING THE 2026 WAGES FOR THE WATER/WASTEWATER POSITION; FURTHER, TO AUTHORIZE STAFF TO BEGIN THE HIRING PROCESS FOR THE WATER/WASTEWATER OPERATOR POSITION.

Personal Leave of Absence Request - Meter Tech/Locator David Nelson

Committee Chair Johnson stated that the employee is trying to expand his knowledge and career path. This could potentially be a good thing for the City in the future.

Member Czczok asked if the City contributes to the employee doing this program.

Committee Chair Johnson stated that the City does not offer an incentive, this is an unpaid leave of absence.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE THE PERSONAL LEAVE OF ABSENCE AS REQUESTED BY METER TECH/LOCATOR DAVID NELSON THAT WILL BEGIN ON JUNE 8, 2026, AND END ON AUGUST 28, 2026.

Safety and Public Works Committee

Southwest Brainerd Stormwater Study

Committee Chair Erickson stated that HR Green has prepared the study for the drainage adjacent to Anabec and Highland Scenic Drive.

Conner Dunteman, HR Green, gave an overview of the study and the options laid out in the study for mitigation. He does not see a clear answer for the mitigation, but does not recommend option 2 because of the cost and many other factors.

Committee Chair Erickson stated that the committee considered all options and heard feedback from Mr. Bollig. All of the options could be done in the future, however, none of the options were suitable to the committee.

Member Bevans asked about option 2. He stated that there may be another option which is crossing CSAH 48 north of Baxter Industrial Park Road.

Mr. Dunteman stated that they had discussed this area, however, the grade and the property owner present barriers.

Public Works Director Sandy stated that the depth of excavation would be significant. The use of the Reichert land would be similar to the impacts of option 2 because of the depth of the existing storm sewer.

Committee Chair Erickson stated that by crossing over CSAH, Mr. Dunteman had mentioned that the City would be subject to the City of Baxter standards. He asked Mr. Dunteman to expand on that.

Mr. Dunteman stated that the design criteria isn't too big of a hurdle, however, the paperwork hurdles shielded them away from crossing the boundary.

Member Johnson asked about the shared employee with the City of Baxter. He asked whether the cities are working toward similar standards.

Public Works Director Sandy stated the City of Baxter design standards are different because the two cities deal with different issues. Baxter deals with more development issues and with higher ground water and freeze up conditions. Their retention ponds are designed standard for 100-year rain events. Brainerd has more infill development than commercial development. It behooves the cities to have different standards.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK TO DENY OPTIONS 1A, 1B, AND 2 FROM THE STORMWATER STUDY AND TO TAKE NO ACTION.

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

Solicit Proposals - 2026 Large Patching Project

Committee Chair Erickson stated that there is additional gravel built into this proposal for Andrew Street. The budget was \$55,000 the current estimate is for \$55,525.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO AUTHORIZE STAFF TO SOLICIT PROPOSALS FOR THE 2026 LARGE PATCHING PROJECT.

Final Pay Request - Imp 24-07 - Lowell Safe Routes to School

Committee Chair Erickson stated that this is the final pay for the project. There were a few change orders with this project one of which was covered by WSB. The balance of the project will be covered by state aid.

City Engineer Dehn stated that with the Safe Routes to Schools grants there isn't a required match. The extra expenses would be covered by state aid using the eligible costs.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE FINAL PAY ESTIMATE FOR THE LOWELL SAFE ROUTES TO SCHOOL PROJECT IN THE AMOUNT OF \$51,427.38.

Change Order #4 - Improvement 17-12

Committee Chair Erickson stated that the soil on this project is clay. The change order includes additional quantities of excavation and replacement of trench materials. There was significant cost savings for utilizing our own materials.

Member Johnson questioned the amount for dirt.

Member Bevans asked about the contractor's knowledge of the soil. He will support the change order reluctantly. The whole Wright Street project was awful and has been an exercise in how not to operate.

Public Works Director Sandy stated that a lot of times a geotechnical investigation is authorized. There was not a report for this project, if it had, the City would have been paying for a sub-cut on this entire road to begin with. The soil is unsuitable enough to warrant replacement for a quality roadway.

Committee Chair Erickson asked what would happen to the unsuitable soils.

City Engineer Dehn stated that staff has been exploring the reusability of the soils that were removed.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE CHANGE ORDER #4 AS PRESENTED FOR THE WRIGHT/10TH RECONSTRUCTION PROJECT.

FY 2027 - 2029 Professional Engineering and Architecture Services Pool (On-Call Roster)

Committee Chair Erickson stated that there were 33 proposals submitted to the City over the 15 categories. Staff went through a very robust scoring process. This does preclude other contractors from entering in the pool for a period of two years. However, there is a project cap and the City can choose which projects to utilize the pool.

Member Johnson asked about soliciting for the roster mid-way through the contract year.

Public Works Director Sandy stated that new contractors will be eligible to enter into the pool in 2029. The pool will not be utilized for all projects, so new contractors could potentially bid on projects outside of the scope of the pool.

Member Czeczok stated that staff specifically stated in the RFP not to include fee schedules. Those that did include their fee schedules initially were automatically removed from the list. He is happy to hear that's how the process worked because you need to be able to follow directions.

Member Yeager stated that the turnout for this was very robust and the process seemed to work effectively. This is a lot of staff time to sort through these proposals, it would not be worth conducting yearly.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE FISCAL YEAR 2027 - 2029 PROFESSIONAL ENGINEERING AND ARCHITECTURE SERVICES POOL AND AUTHORIZING STAFF TO ENTER INTO A MASTER SERVICES AGREEMENT WITH THE CONSULTANTS WITHIN THE APPROVED POOL, UPON PREPARATION AND FINAL REVIEW OF THE MASTER SERVICES CONTRACT BY THE CITY ATTORNEY.

Construction Program Manager Proposal - Bolton and Menk - 2026 Construction Season

Committee Chair Erickson stated that with the departure of City Engineer Dehn Staff feels it is necessary to contract for construction management and coordination. Staff has estimated \$61,500 for the season for 4 months at 15 hours per week.

Member Johnson asked about the amount it would have been to pay an Engineer on staff for this amount of time.

Public Works Director Sandy stated that the rate is \$205 per hour which is considerably less than their typical contracted work. With the cost savings of not having an Engineer or a Public Services Director the City can support this contract. Bolton and Menk will code their time to specific projects. The Public Works Director will use discretion on the amount of assistance needed.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH BOLTON & MENK, INC. FOR 2026 PROGRAM MANAGEMENT SERVICES, AS OUTLINED ABOVE, IN AN ESTIMATED AMOUNT OF \$61,500.

Professional Surveying and Design Services Proposal - Bolton and Menk - Laurel Street between SE 13th Street and SE 17th Street

Committee Chair Erickson stated that the plan was to complete these legal descriptions as the projects in this area progressed. The entirety of this section of Laurel is built on a prescriptive easement with the NP Center, and the owner requested completing the descriptions for the entirety of the street.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK, DULY CARRIED, TO APPROVE THE PROFESSIONAL SERVICES AGREEMENT WITH BOLTON & MENK, INC. TO COMPLETE FUTURE CORRIDOR PLANNING, BOUNDARY SURVEY, AND RIGHT-OF-WAY LEGAL DESCRIPTION SERVICES FOR LAUREL STREET BETWEEN 13TH STREET SE AND 17TH STREET SE, IN AN AMOUNT NOT TO EXCEED \$7,300.

Discussion on Small Cell Wireless Facility Permit

Committee Chair Erickson stated that Verizon requested to replace their small cell wireless facility. The design does not conform with the City's current policy.

Public Works Director Sandy stated that the facility went in in 2015. At the time, the City did not have any design standards for these facilities. The company does not have to abide by City policy per Federal statutes. The City should include the standards in the City Code.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND CZECZOK TO DIRECT TO STAFF TO APPROVE THE CURRENT PERMIT REQUEST FROM VERIZON WITH EXCEPTION FROM THE CURRENT POLICY, REVISE AND PROVIDE DRAFT OF THE CITY'S SMALL WIRELESS FACILITY DESIGN AND REVIEW GUIDELINE POLICY, AND PREPARE AN ORDINANCE REVISING CITY CODE SECTION 800 THAT INDICATES THE REQUIREMENT FOR SMALL CELL WIRELESS FACILITIES TO BE IN COMPLIANCE WITH THE POLICY BY REFERENCE.

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

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)

Public Utilities Commission – 1 term (Expire 2026)

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

New Business

First Reading- Ordinance 1602 – Water System

Public Works Director Sandy gave an overview of the ordinance.

MOVED AND SECONDED BY COUNCIL MEMBERS BEVANS AND JOHNSON, DULY CARRIED, TO CONDUCT THE FIRST READING OF ORDINANCE 1602 AND DISPENSE WITH THE ACTUAL READING.

Staff Reports

Police Chief Runde stated that his first weekend as Chief has been interesting.

City Engineer Dehn thanked the Council for the opportunity to serve the community.

Community Development Director Kramvik stated that the orderly annexation item will potentially reviewed at the next meeting as well as an annexation with Long Lake Township.

HRA Director Charpentier stated that the HRA is working on a housing project through a development agreement with the EDA on Wright Street.

City Administrator Broyles thanked Mr. Dehn for his service to the City and wished him good luck. The Charter ordinance will be active in 90 days. There were some good comments from the union tonight, there are five bargaining units with expiring contracts.

Mayor's Report

Mayor Badeaux stated that the unions are greatly appreciated and he would love for the process to go smoothly.

Council Member Reports

Member Czczok stated that there are new beautiful pine trees near Memorial Park that are apparently beautiful. He gave kudos to the Park Board.

Member Stunek stated that it is National Firefighter Day today and thanked all Firefighters.

Member Bevans thanked Mr. Dehn for his service. He asked when campaigning begins in the City.

Finance Director Hillman stated that filing begins at the end of May.

Member Erickson stated that he is looking forward to attending the movie in the park this Friday. He gave a warm welcome to Chief Runde and a thank you for Mr. Dehn's time to the City. The City is losing a great engineer and his family is losing a great neighbor.

Member Johnson thanked Mr. Dehn for his service to the City. He has heard "not to mess with Texas". He gave hats off to Chief Stunek.

Chair O'Day welcomed Chief Runde. He thanked Mr. Dehn for everything he has done for the City wished him the best in Texas. He will miss him as a neighbor. He congratulated Member Erickson on the addition of his child.

Adjourn

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

The Chair adjourned the meeting at 8:47 p.m.



Nicholas W. Broyles
City Administrator