

**Brainerd, MN
November 15, 2021**

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 Bevans.

Upon roll call, the following members were noted as present: Johnson, Pritschet, Stenglein, Erickson, O'Day, Stunek, and Bevans. Mayor Badeaux was also noted as present.

Council President Bevans opened the meeting with the Pledge of Allegiance to the flag.

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND STUNEK, DULY CARRIED, TO APPROVE THE AGENDA WITH THE ADDITION OF TWO ITEMS: ADOPT RESOLUTION- 2021 CAPITAL TRANSIT BUS TO SAFETY AND PUBLIC WORKS AND THE FIRST READING OF PROPOSED ORDINANCE 1523- AMENDING THE CITY OF BRAINERD CHARTER TO NEW BUSINESS.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO APPROVE THE CONSENT CALENDAR.

- A. Approval of Bills- Approved
- B. Approval of the Minutes of the Regular Meeting held on November 1, 2021- Approved
- C. Approval of Minutes from Council Workshop held on November 8, 2021- Approved
- D. Approval of Licenses-Approved
- E. Department Activity Reports- Approved

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

Presentation

Candice Zimmermann, Executive Director, Northland Arboretum presented the annual report to the City Council. The Northland Arboretum conducted a strategic planning process and established an updated mission and vision for the Arboretum while retaining pillars in education, recreation, and conservation. Ms. Zimmermann thanked the Council for its contribution of funds, she stated that the City of Brainerd contributed 25.5% of the annual revenue in 2021, citizens of Brainerd also make up about 40% of participation at the Arboretum. There is an uptake in participation in activities and events, with over 1,000 participants at the free arbor day event, school visits, and many educational opportunities being provided. In 2021, volunteers provided 2,407 volunteer hours to serve the community and the arboretum. Goals for 2022 include implementing a new marketing strategy, becoming sustainable for future generations, and building volunteer and staff capacity.

The Council asked questions regarding the funding of the Arboretum of Crow Wing County and the City of Baxter. The Chair thanked Ms. Zimmermann for her presentation.

Council Committee Reports

Safety and Public Works

Approve Change Order 2- Improvements 20-05 20-06- Madison Street and SE Brainerd Reconstruction Project- Approved

Committee Chair O'Day stated the change order was due to repairing an unmapped watermain and exploratory digging to locate pipes.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE PAYMENT OF THE CHANGE ORDER TO DECHANTAL EXCAVATING IN THE AMOUNT OF \$11,522.

Approve Event Application- Hometown Holidays- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED, TO APPROVE THE EVENT APPLICATION UNDER THE CONDITIONS THAT THE APPLICANT SUBMIT REQUIRED INSURANCE CERTIFICATE PRIOR TO THE EVENT TAKING PLACE, FURTHER THAT FIRE EXTINGUISHERS BE MADE AVAILABLE AT EACH FIRE PIT, THE FIRES BE IN PROPER FIRE RING/PIT ENCLOSURES, AND THAT THE FIRES BE EXTINGUISHED AFTER EACH DAY THEY ARE LIT.

Approve Final Pay Estimate- Brainerd Amateur Hockey Foundation Parking Lot Construction- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED TO APPROVE THE FINAL PAY ESTIMATE AND PAYMENT TO ANDERSON BROTHERS CONSTRUCTION OF BRAINERD, LLC IN THE TOTAL CONTRACT AMOUNT OF \$121,616, \$7,425 THIS PAYMENT.

Approve Final Pay Estimate Improvement 19-19 NW 3rd Street and Jackson Street- Approved

Committee Chair O'Day stated that the increase was due to asphalt price increase.

Council Member Johnson asked staff to estimate what the cost could have been for Improvement 19-19 had the Brainerd Amateur Hockey Foundation Parking Lot not been delayed.

Staff will let Council know the estimated difference.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, DULY CARRIED TO APPROVE THE FINAL PAY APPLICATION FOR IMPROVEMENT 19-19- NW 3RD AND JACKSON STREET RECONSTRUCTION PROJECT TO ANDERSON BROTHERS CONSTRUCTION OF BRAINERD, LLC IN THE TOTAL FINAL AMOUNT OF \$148,845, \$8,238 THIS PAYMENT.

Approve Final Pay Estimate- Improvements 21-02 21-06- 2021 Crack Sealing Project- Approved

Committee Chair O'Day stated that this it came within 3.5% increase of the original estimate.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE FINAL PAY APPLICATION TO LOT PRO'S, INC. IN THE TOTAL AMOUNT OF \$14,294.

Adopt Resolution- 2021 Transit Capital Bus Purchase- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND PRITSCHET, TO PURCHASE THE 2021 BUDGETED BUS FROM NORTH CENTRAL BUS SALES OF ST. CLOUD AT A TOTAL COST OF \$94,967.

RESOLUTION 66:21

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

Personnel & Finance

Authorize Entering into Agreement with CliftonLarsonAllen (CLA) for 2021 Audit Services- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO APPROVE THE AGREEMENT WITH CLIFTONLARSONALLEN (CLA) FOR 2021 AUDIT SERVICES AND AUTHORIZE SIGNATURES ON THE ENGAGEMENT LETTER.

Unfinished Business

Adopt Ordinance 1520- Ordinance Amending the Brainerd City Charter- Approved

Administrator Bergman stated that in order to amend the Charter the ordinance needs a vote in the affirmative by all seven Council Members. While the first and second reading were held at previous Council meetings, all seven members were not present. Therefore, the vote is on this agenda.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN TO ADOPT ORDINANCE 1520- AN ORDINANCE AMENDING THE BRAINERD CITY CHARTER.

ORDINANCE 1520

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

Final Reading- Proposed Ordinance 1521- An Ordinance Amending Section 515-63 to Allow Warming Shelters as an Interim Use- Approved

Community Development Director Chanski stated that the Planning Commission met on Wednesday October 20th where they considered a request by Bridges of Hope to amend the zoning code to allow warming shelters and voted unanimously to pursue an amendment. The

Commission held a special meeting on Tuesday, October 26th, to review draft ordinance language and voted unanimously to recommend the adoption of Ordinance 1521 to the City Council. The City Council held their first reading on November 1st.

The Chair opened the public hearing at 8:03 p.m.

No one came forward.

The Chair accepted into record a fax from James M. Carlson, Collin W. Fritz and Associates LTD., commenting on language in the ordinance in reference to Bridges of Hope's interim use permit.

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

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STUNEK, DULY CARRIED, TO HOLD THE FINAL READING AND DISPENSE WITH THE ACTUAL READING OF PROPOSED ORDINANCE 1521.

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND ERICKSON TO ADOPT ORDINANCE 1521- AN ORDINANCE AMENDING SECTION 515-63 TO ALLOW WARMING SHELTERS AS AN INTERIM USE.

ORDINANCE 1521

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

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STUNEK, DULY CARRIED, TO HOLD A SPECIAL MEETING OF THE CITY COUNCIL ON NOVEMBER 22ND, 2021 AT 6:00 PM PRIOR TO THE BUDGET WORKSHOP TO CONSIDER THE APPLICATION FOR INTERIM USE.

Call for Applicants – Informational: **(Application Information at www.ci.brainerd.mn.us/boards/)**

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

Cable TV Advisory Committee – 1 term (Expire 2021) – 2 terms (Expire 2022)

Charter Commission – 1 term (Expire 2022)

Rental Dwelling License Board of Appeals – 3 terms (Expire 2022)

Transportation Advisory Committee (TAC) – 1 term (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2027) – 1 term (Expire 2026)

Council President Recommended: (terms to expire 12/31 of said year)

Police & Fire Civil Service Commission – 1 term (Expire 2023)

Ad Hoc Committees – Applicants Needed

Water Tower Fundraising Committee – Two positions available

New Business

First Reading- Proposed Ordinance 1522- an Ordinance to Discontinue the Civil Service Commission- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND PRITSCHET, DULY CARRIED, TO HOLD THE FIRST READING AND DISPENSE WITH THE ACTUAL FIRST READING OF PROPOSED ORDINANCE 1522- AN ORDINANCE TO DISCONTINUE THE CIVIL SERVICE COMMISSION; FURTHER TO SET THE PUBLIC HEARING FOR DECEMBER 6TH, 2021 AT 7:30 PM.

First Reading- Proposed Ordinance 1523- An Ordinance Amending the Brainerd City Charter

City Administrator Bergman stated that the Charter Commission met on November 10th, to review the proposed Charter amendment. The Charter Commission unanimously recommended that the amendments to the Public Utilities Chapter be presented as an ordinance to City Council.

City Attorney Langel summarized the proposed changes to the Charter for clarity.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND PRITSCHET, DULY CARRIED, TO HOLD THE FIRST READING AND DISPENSE WITH THE ACTUAL FIRST READING OF PROPOSED ORDINANCE 1523- AN ORDINANCE AMENDING THE CITY CHARTER AND TO SET THE PUBLIC HEARING FOR DECEMBER 6TH, 2021 AT 7:30 PM.

Public Forum

The Chair opened public forum at 8:23 p.m.

Tyler Glynn, 24180 Aspen Dr, Nisswa, BLAEDC, Executive Director, stated that Crow Wing County is using American Rescue Plan Act dollars to support childcare in the County. There is a shortage of 1200 childcare slots in Crow Wing County. BLAEDC is facilitating the use of the dollars for this purpose for Crow Wing County. The application opened on November 1st, 2021 and will close on December 6th, 2021. Eligible expenses include startups, improvements, training, and equipment.

Jana Shogren, 7247 Lone Oak Rd, Bridges of Hope, Executive Director, stated that Bridges of Hope is submitting an interim use permit application for consideration at 1926 S. 7th. Bridges of Hope hosted a "Sleep Out" fundraiser to assist with costs of pursuing the warming shelter. In seven days, the organization raised \$140,000. This amount was matched, and the total raised was \$210,000. She wanted to thank the community for their support, the sleepers for raising awareness, and the City Council for their support in the establishment of a warming shelter. She invited the community to contact Bridges of Hope, 218-825-7682, with any questions or concerns regarding the project.

The Chair closed public forum at 8:30 p.m.

Staff Reports

City Engineer/ Interim Public Works Director Sandy stated that engineering staff are compiling all of the data from the 2021 Street Survey for Pavement Management to be completed in December. The data will be used to update the 5-year capital plan to include 2026. Also, in December they are compiling addresses for 2022 improvements on 17 blocks in North Brainerd to get information out to the public. The first snow event took place and went well.

Administrator Bergman stated that herself and Mayor Badeaux attended the Brainerd Lakes Chamber Government Affairs Committee to report on projects that are impacting businesses. They discussed the streetlight policy, park improvements, and parking commission recommendations. Literature provided to Council from Minnesota OSHA was passed out to inform the Council of future policy changes that may occur with the updated regulations. Finance Director Hillman and Administrator Bergman met with Ms. Erickson from Crow Wing County to begin discussion on redistricting. Municipalities have until March 29th to complete redistricting, IT/GIS Director Strong has begun work on maps that will be essential to the process. Finally, Evergreen Cemetery has requested funding from the City. However, this is not possible due to a 1950's statute that prohibits support of cemeteries.

Mayors Report

Mayor Badeaux stated he participated in the "Sleep Out" to raise awareness for homelessness in our City. December 3rd is "Snowflake Lane" event in downtown. The City also previously was awarded a grant through the Walkable Bikeable committee for 48 snow shovels, he is requesting that those in need of shoveling services and those who would like to volunteer to shovel contact him to request services or volunteer.

Council Member Reports

Member Stunek stated that he attended the Veterans Day Ceremony at the High School, he thought it was a great event.

Member O'Day stated that the Mississippi Trailhead Landing Park Team will be meeting to continue design with WSB. He attended the walk through at the proposed warming shelter and commended them for the work and organization that Bridges of Hope has done.

Member Johnson stated that Kirby Truckett and Sir Plows A Lot visited his neighborhood this weekend and the names on them looked great. He is excited to work with Personnel and Finance on policy for the OSHA guidelines.

Adjourn to Closed Session Pursuant to MN Statute 13d.05 subd. 3(c)(3) to Develop or Consider Offers for the Purchase of Property at the Northern Pacific Center, 1511 Northern Pacific Road, Brainerd, MN 56401- Approved

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND JOHNSON, DULY CARRIED, TO ADJOURN TO CLOSED SESSION PURSUANT TO MN STATUTE 13D.05 SUBD. 3(C)(3) TO DEVELOP OR CONSIDER OFFERS FOR THE PURCHASE OF PROPERTY

AT THE NORTHERN PACIFIC CENTER, 1511 NORTHERN PACIFIC ROAD, BRAINERD, MN 56401.

The Chair adjourned to the closed session at 8:50 p.m.

The Chair reconvened the meeting at 9:12 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND O'DAY TO MOVE FORWARD WITH AN AGREEMENT FOR PURCHASE OF LAND PENDING REVIEW BY THE CITY ATTORNEY.

Adjourn to Closed Session Pursuant to MN Statute 13D.03 subd. 1b for Union Strategy Session- Discussion only

MOVED AND SECONDED BY COUNCIL MEMBERS PRITSCHET AND JOHNSON, DULY CARRIED, TO ADJOURN TO CLOSED SESSION PURSUANT TO MN STATUTE 13D.03 SUBD. 1B FOR UNION STRATEGY SESSION.

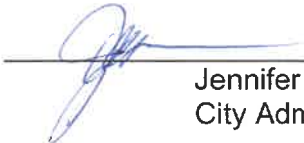
The chair adjourned to the closed session at 9:14 p.m.

The Chair reconvened the meeting at 9:38 p.m.

Adjourn to City Council Special Meeting to Consider Interim Use Permit and Budget Workshop- November 22nd, 2021, at 6:00 p.m. in the City Council Chambers.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK TO ADJOURN TO THE CITY COUNCIL SPECIAL MEETING TO CONSIDER INTERIM USE PERMIT AND BUDGET WORKSHOP- NOVEMBER 22ND, 2021 AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS.

Chair Bevans adjourned the meeting at 9:38 p.m.


Jennifer Bergman
City Administrator

