

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, Bieser, Stenglein, Erickson, O'Day, Stunek, and Bevans. Mayor Badeaux was noted as present.

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

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND JOHNSON, DULY CARRIED, TO APPROVE THE AGENDA WITH THE ADDITION OF EVENT/STREET CLOSURE APPLICATION- LEGION COMMUNITY THANKGIVING

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

- A. Approval of Bills**
- B. Approval of Minutes**
 - a. City Council ARPA Workshop held on October 11th, 2022**
 - b. Regular City Council Meeting held on November 7th, 2022**
 - c. Special City Council Meeting held on November 16th, 2022**
- C. Approval of Licenses**
- D. Department Activity Report**

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

Council Committee Reports

Safety and Public Works

Approve Final Pay Estimate- Cuyuna Lakes State Trail NP Center Segment

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO APPROVE FINAL PAY ESTIMATE TO KNIFE RIVER CORPORATION - NORTH CENTRAL IN THE FINAL CONTRACT AMOUNT OF \$376,322 (\$19,291 THIS ESTIMATE).

Approve Final Pay Estimate- Improvement 21-10-Greenwood Street

Committee Chair O'Day stated that this project was about \$10,000 under budget due to gravel savings.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE FINAL PAY ESTIMATE TO ANDERSON BROTHERS CONSTRUCTION OF BRAINERD, LLC IN THE FINAL CONTRACT AMOUNT OF \$83,239 (\$83,239 THIS ESTIMATE).

Adopt Resolution Removing On-Street Parking on Oak Street between SE 15th and SE 16th Streets

Committee Chair O'Day stated that the committee requested that staff consult with WSB and bring this item back at the next meeting to come up with alternatives since only half of the owners/residents agreed to having the parking removed on the south side of the street.

Adopt Resolution of Support for the TH 371B/Willow Street HSIP Grant Application

Committee Chair O'Day stated that this is for the roundabout project that MnDOT has proposed at TH 371 and Willow Street.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT RESOLUTION SUPPORTING APPLICATION FOR HSIP GRANT FUNDING.

RESOLUTION 48:22

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

Approve Letter of Support of TH 371/210 Interchange Grant Application

Committee Chair O'Day stated that this was a grant application for the engineering and design of an overpass, the entities would seek additional funding from another grant source for the construction.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE THE LETTER OF SUPPORT FROM THE BRAINERD CITY COUNCIL FOR THE TH 371/210 INTERCHANGE GRANT APPLICATION.

Direction on Active Code Enforcement Cases

Committee Chair O'Day stated that this is a repeat abatement of garbage.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON, DULY CARRIED, TO OBTAIN A WARRANT AND ABATE THE GARBAGE AT 1306 OAK STREET.

Event/Street Closure- Legion Community Thanksgiving

Committee Chair O'Day stated that the Legion is having their annual Thanksgiving Community Meal, to control the flow of traffic they are requesting that a portion of Front Street be closed.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND BIESER, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION.

Personnel and Finance Committee

Consider Amending American Rescue Plan Act (ARPA) Budget for Pedestrian Bridge Feasibility Study

Committee Chair Johnson stated that MnDOT is not interested in figuring out how to get pedestrians safely across 210. However, the MnDNR is interested in supporting a pedestrian bridge across TH 210 as a part of the Cuyuna Lakes State Trail.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AMEND THE ARPA FUND BUDGET TO USE \$35,000 FOR A FEASIBILITY STUDY FOR A PEDESTRIAN BRIDGE ACROSS HIGHWAY 210.

Approval of Prosecution Agreement with Severson Porter

Committee Chair Johnson stated that this is the City Prosecution Agreement, the fee is going up by 11% which is to be expected for 2022. The City will be pay about \$137,000 of the service fee.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, TO AUTHORIZE THE EXECUTION OF THE LEGAL SERVICES AGREEMENT BETWEEN THE CITY OF BRAINERD AND SEVERSON PORTER LAW, P.A.; FURTHER TO DIRECT STAFF TO RENEW JOINT PROSECUTION SERVICES AGREEMENTS WITH BAXTER AND NISSWA USING A 3-YEAR AVERAGE BASED ON THE NUMBER OF HOURS AND IMPLEMENTING A 10% ADMINISTRATIVE FEE.

Unfinished Business

Public Hearing and Adopt Resolution Adopting Assessment 2021-2022 Downtown Special Services District and Downtown Snow Removal

The Chair opened the public hearing at 7:44 p.m.

No one came forward.

The Chair closed the public hearing at 7:45 p.m.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND ERICKSON TO ADOPT RESOLUTION ADOPTING THE ASSESSMENTS AS PROPOSED FOR 2021-2022 DOWNTOWN SPECIAL SERVICES DISTRICT AND DOWNTOWN SNOW REMOVAL.

RESOLUTION 49:22

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

Call for Applicants – Informational:

(Application Information at www.ci.brainerd.mn.us/boards/)

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

Charter Commission – 1 term (Expire 2022) 1-term (Expire 2025)
Rental Dwelling License Board of Appeals – 2 terms (Expire 2022)
Library Board—1 term (Expire 2023)

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

Economic Development Authority (EDA) – 1 term (Expire 2028) – 1 term (Expire 2026)

New Business

First Reading- Proposed Ordinance 1539, an Ordinance Amending Section 515-4 of the Zoning Code- Restrictions on Demolition and Removal of Dwelling Units

Community Development Director Kramvik gave an overview of the ordinance that would amend Section 515-4 of the Zoning Code. He stated that there was a public hearing at the Commission meeting, and there will also be a public hearing at the Council Meeting on December 5th.

President Bevans stated that he requested another public hearing so that Council could hear public testimony.

MOVED AND SECONDED BY COUNCIL MEMBERS ERICKSON AND STENGLEIN, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1539, AN ORDINANCE AMENDING SECTION 515-4: GENERAL BUILDING AND DESIGN STANDARDS AND DISPENSE WITH THE ACTUAL READING OF THE ORDINANCE.

Public Forum

The Chair opened the public forum at 7:51 p.m.

Mike Thelen, 4117 Sunset View Rd, stated that the previous time he had come to Council he was told he would be called back with answers for the citation that was issued to him. He was not called after the Council meeting for an explanation of the citation and does not agree with having to pay for it.

The Chair closed the public forum at 7:56 p.m.

Staff Reports

Finance Director Hillman reminded Council of the Budget Workshop is scheduled for November 28th at 6:00 p.m. in the City Council Chambers, Council will need to adjourn the meeting to that workshop.

Community Development Director Kramvik stated that the Planning Commission discussed lighting standards at the November 18th meeting. The Planning Commission requested that staff conduct a joint Planning Commission, Park Board, and Public Utilities Commission meeting to discuss lighting standards. Mr. Kramvik will be attending the next Park Board meeting as well as reaching out to BPU to see if there is interest in such a meeting.

City Administrator Bergman stated that her performance review will be submitted to Council by the end of the week. Her review will potentially be on the first meeting in December. City Engineer/Public Works Director Dehn accompanied her to Community Focus to talk about snow and snow removal. Finally, the City is holding two kickoff meetings with Flaherty and Hood for the Compensation Study, all staff are invited to the meetings on November 28th.

Mayor Report

Mayor Badeaux stated that on December 9th at 6:00 p.m. at Buffalo Hills Park there will be hayrides and hot chocolate for the public to enjoy. Brainerd Community Action is accepting nominations for Citizen of the Year in partnership with the Brainerd Jaycees. You can submit nominations through social media.

Council Member Reports

Member Bieser stated that the Brainerd Public Library just kicked off their space needs assessment, he anticipates that it will take 6 weeks. He suggested that the Library also present to Council similar to what The Center or Arboretum do.

Member Johnson stated that he has secured a second contractor who wants to bid for downtown snow removal for next snow season. The contractor is also willing to assist the City in abating snow removal if needed. He also requested to have an update on the lighting standards from SPW at the next meeting with the completion of two street projects.

Member Stunek stated that the Legion could use volunteers for its Thanksgiving Event.

Member Stenglein encouraged everyone to participate in the poverty simulator that was shared by Administrator Bergman via e-mail.

Adjourn to Budget Workshop on November 28th, 2022, at 6:00 p.m. in the City Council Chambers

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND ERICKSON, DULY CARRIED, TO ADJOURN TO THE BUDGET WORKSHOP ON NOVEMBER 28TH, 2022, AT 6:00 P.M. IN THE CITY COUNCIL CHAMBERS

The Chair adjourned the meeting at 8:04 p.m.



Jennifer Bergman
City Administrator

