

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: Czeczok, O'Day, Stunek, Terry, Stenglein, Johnson, 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 STUNEK AND CZECZOK, DULY CARRIED, TO APPROVE THE AGENDA.

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

- A. Approval of Bills
- B. Approval of Minutes
 - a. Regular City Council Meeting held on June 5th, 2023
- C. Approval of Licenses
- D. Department Activity Report
- E. Minnesota Lawful Gambling Application for Exempt Permit- Submitted by MN Deer Hunters Association Brainerd Chapter for an Event to be held on September 8th, 2023, at the Brainerd Curling Club, 2000 SE 13th St, Brainerd
- F. Minnesota Lawful Gambling Application for Exempt Permit- Submitted by Lower South Long Lake Improvement Association for an Event to be held on September 23, 2023, at Jack's House, 300 MN Hwy 25, Brainerd
- G. Ratify the Hiring of 2023 Interns and Temporary/ Seasonal Employees

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

Council Committee Reports

Safety and Public Works Committee

Discuss Stop Sign Alternative Options N 10th and Ivy St

Committee Chair O'Day stated that the alternatives that staff presented did not seem to address the problem. The committee requested that staff request bids for digital speed radar signs. This does not mean that the City will purchase them, they just want to get a price.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO DIRECT STAFF TO OBTAIN BIDS FOR DIGITAL SPEED RADAR SIGNS.

Request to Award Improvement 23-05- 2023 Crack Sealing Project

Committee Chair O'Day stated that this amount does not include the cost of the crack seal material. The price per linear foot has tripled and this proposal is about 25% less area than the City has previously done. It may be something for P&F to discuss in the future to increase the budget.

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO AWARD OF THE IMPROVEMENT 23-05 CRACK SEALING CONTRACT TO NORTHWEST ASPHALT & MAINTENANCE IN THE AMOUNT OF \$24,768.

Approve Wideth Design Proposal for Police Department HVAC

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND STENGLEIN, DULY CARRIED, TO AWARD THE DESIGN PROPOSAL FOR THE POLICE DEPARTMENT HVAC TO WIDETH IN THE AMOUNT OF \$38,600.

Direction on Active Code Enforcement

MOVED AND SECONDED BY COUNCIL MEMBERS O'DAY AND CZECZOK, DULY CARRIED, TO SEND A 10-DAY NOTICE TO THE OWNER OF THE VEHICLE AND TOW THE VEHICLE AT THE OWNER'S EXPENSE FROM THE BSNF LEASED PARKING LOT, IF IT IS NOT PROPERLY LICENSED IN 10 DAYS; FURTHER TO IMMEDIATELY ABATE THE BRUSH AT 924 7TH AVE NE.

Personnel and Finance Committee

Consider Custodial Services Proposals for City Hall, Police, Fire, and Public Works Departments

Committee Chair Johnson stated that the chosen proposal is about half of the amount for the current cleaning service. The Police Department previously used North Country Janitorial Services and were satisfied with the service.

Member Czczok asked what the budget is for janitorial services.

Finance Director Hillman stated that had the City gone with the other company, the cost still would have been under budget for 2023.

MOVED AND SECONDED BY MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO CONTRACT WITH NORTH COUNTRY JANITORIAL SERVICES FOR THE 2 YEAR JANITORIAL CYCLE OF JULY 1, 2023, TO JUNE 30, 2025, FOR THE 4-SELECTED BUILDINGS.

Consider Request from Employee Wellness Committee for the Employee Appreciation Event

Committee Chair Johnson stated that this is a long-standing event for the employees. Last year the event was from 11:30-1:00, but the Wellness Committee felt as though the event was rushed with travel time to and from the event. This year they are requesting the event be from 11:30-1:30. This is a great opportunity for our employees to come together and share a meal and time together.

MOVED AND SECONDED BY MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO CLOSE CITY OFFICES FROM 11:30 AM TO 1:30 PM ON SEPTEMBER 6 FOR THE EMPLOYEE APPRECIATION EVENT AT LUM PARK. ON-CALL SERVICES WILL NOT BE AFFECTED AND WILL BE CONDUCTED AS USUAL.

Accept Resignation of Paid On-Call Fire Fighter Johnson

MOVED AND SECONDED BY MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT THE RESIGNATION OF PAID ON-CALL FIREFIGHTER TODD JOHNSON, EFFECTIVE JULY 31ST, 2023.

Accept Resignation of Paid On-Call Fire Fighter Powell

MOVED AND SECONDED BY MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO ACCEPT THE RESIGNATION OF PAID ON-CALL FIREFIGHTER JEREMY POWELL, EFFECTIVE JULY 31ST, 2023.

Authorize the Execution of the Community Impact Funding Agreement with Sourcewell

Committee Chair Johnson stated that this is the grant request submitted in April for the mental health "Checkup from the Neck Up" screenings and fitness equipment for the Police and Fire Departments that Council requested be brought back before Council if it was awarded.

Member Czczok asked where the equipment would be housed and who would maintain it.

Committee Chair Johnson stated that the Fire Department and Police Department would house and maintain the equipment.

MOVED AND SECONDED BY MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE THE EXECUTION OF THE COMMUNITY IMPACT FUNDING AGREEMENT WITH SOURCEWELL.

Approval of the Juneteenth Memorandums of Agreement (MOA) with Unions

MOVED AND SECONDED BY MEMBERS JOHNSON AND TERRY, DULY CARRIED, TO APPROVE THE MEMORANDUMS OF AGREEMENT TO OBSERVE JUNETEENTH IN 2023 WITH ALL SEVEN UNIONS THAT REPRESENT CITY EMPLOYEES.

Authorize Signature on Agreement between Minnesota Department of Revenue and City of Brainerd for Collection of a Local Sales and Use Tax

Committee Chair Johnson stated that the agreement with the Minnesota Department of Revenue needed to be updated based on changes through the State. It should have no effect on the General Fund, as the local option sales funds are used to fund the debt service at the wastewater treatment facility.

MOVED AND SECONDED BY MEMBERS JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE SIGNATURE ON AGREEMENT BETWEEN MINNESOTA DEPARTMENT OF REVENUE AND CITY OF BRAINERD FOR COLLECTION OF A LOCAL SALES AND USE TAX.

Unfinished Business

Call for Applicants – Informational:

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

Charter Commission – 2 terms (Expire 2026) 2 terms (Expire 2025)

Library Board- 1 term (Expire 2025)

Rental Dwelling License Board of Appeals – 5 terms (Expire 2025)

TAC—1 term (Expires 2023)

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

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

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

Parking Commission—1 term (Expire 2026)

New Business

Potentially Dangerous Dog Hearing

Administrator Bergman gave an overview of the process by which a dog is declared potentially dangerous. She stated that the consequences for a “potentially dangerous dog” is to be implanted with a microchip.

Evelyn Voss, 11303 Arlington Avenue, stated that the girl who got nipped called the dog over to the house with a bunch of children playing and she believes that the dog got excited and did not intend to hurt anyone. The dog has an appointment to get microchipped and vaccinated on June 21st.

Michael O'Brien, Animal Control Officer, gave an overview of the situation. The dog bit the child on the upper thigh and was brought to the emergency room. At the time, the owner could not provide proof of rabies vaccination, so the dog was brought to HART for a mandatory 10-day quarantine. The dog was found to be without symptoms for rabies and was released to the owner.

Member Johnson asked whether a child was bit.

Member Terry asked what the protocol is for dogs who are not vaccinated for rabies and whether it is a requirement to have the rabies vaccine to be licensed in the City.

Mr. O'Brien stated that a little girl was bit by the dog. Protocol for unvaccinated animals includes the animal being seized and held on a 10-day quarantine to monitor them for symptoms of rabies, and then released if not found to display any symptoms. He stated that it is a requirement for the dog to be vaccinated for rabies to be issued a City license.

Chair Bevans asked how long this dog would carry the label of “potentially dangerous”.

Attorney Langel stated that the statute does not put a limitation on the duration of the characterization.

Member O'Day asked for clarification on the aggressive nature of the dog at the impound and with males.

Mr. O'Brien stated that he was told by the owner that the dog did not like males. Since the animal was brought in on a bite-hold the kennel placed the dog in a special kennel. The HART employees observed that the dog was aggressive/scared towards staff.

Member Czczok asked for clarification on a muzzle requirement. He stated that he is at the mercy of any dog running around when he goes for a walk. It's troubling for himself to walk, let alone a child having to deal with an aggressive dog.

Mr. O'Brien stated that the muzzle requirement along with other requirements would be required if the dog was to be characterized as a dangerous dog in the future.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND O'DAY, DULY CARRIED, TO DECLARE THE DOG "POTENTIALLY DANGEROUS".

Consider Age Friendly Community Program

Community Development Director Kramvik stated City Council was able to hear details on the state of the aging population in the region, note the process for a city to become officially designated Age-Friendly, and explain exactly what makes a city age friendly. Staff does not currently have the capacity to take a leadership role in beginning the process of becoming an Age-Friendly Community but could attend meetings and work sessions. The first step/ first year would involve community outreach and surveys to determine which of the eight categories Brainerd should focus on.

Member Terry asked how folks could get involved in the movement. She stated that her neighbor may be interested in working with the group.

Member Czczok asked about cost of the initial efforts.

Community Development Director Kramvik stated that interested persons can contact him and he will gather a list to forward to Ms. Burkett. He does not anticipate actual cost but may take some staff time.

Member Bevans stated that in the past the walkable-bikeable committee utilized a Council Liaison for citizen driven causes. He suggests that this matter also has a Council Liaison to keep staff and Council apprised. If staff time is needed later, it could be arranged.

Member Terry volunteered to serve as the Council Liaison.

Member Johnson stated he would be voting no, as this is a senior program which the City already funds through a levy to an organization. If the program was to be implemented, it would be best done at The Center that has received hundreds of thousands of dollars from the City throughout the years.

MOVED AND SECONDED BY COUNCIL MEMBERS TERRY AND O'DAY, TO PARTICIPATE IN THE AGE-FRIENDLY COMMUNITY PROGRAM WITH MEMBER TERRY AS THE LIAISON.

Members Czczok, O'Day, Stunek, Terry, Stenglein, and Bevans voted "aye". Member Johnson voted "nay". The Chair declared the motion carried.

Discussion on Mail Delivery

Administrator Bergman stated that a number of residents have received a letter from the Postmaster to move their mailbox from their house to the street. Attorney Langel has indicated that mailbox location is not within the City's jurisdiction. However, the City wrote letters in January to Representative Stauber and Senators Klobuchar and Smith regarding mail delivery. Staff recommends writing a letter to the Postmaster.

Krista Soukup, 606 Bluff Avenue, Chair of the Northside Neighborhood Association, stated that the Northside Neighborhood Association met to discuss this issue. The association is concerned about confusing language in the letter from the Postmaster, the historic aesthetic of the neighborhood, the neighborhood being home to many aging citizens with this posing a safety hazard for them, as well as parking. The association has attempted to get in contact with

the Postmaster without success. They would like to clear the confusion and are looking to City Council for support in getting their questions answered.

Chair Bevans asked staff to look into the mailbox policy that the City of Baxter has.

Mayor Badeaux stated that he supports the concerns of the North Brainerd residents. He agrees that on-street parking is already a concern.

MOVED AND SECONDED BY COUNCIL MEMBERS JOHNSON AND STENGLEIN, DULY CARRIED, DIRECT MAYOR BADEAUX TO WRITE A LETTER TO THE POSTMASTER CARBON COPYING SENATORS KLOBUCHAR AND SMITH AND REPRESENTATIVE STAUBER OUTLINING THE QUESTIONS AND CONCERNS THAT THE CITY COUNCIL HEARD FROM THE CITIZENS.

Public Forum

The Chair opened the public forum at 8:11 p.m.

Krista Soukup, 606 Bluff Ave, stated that the Northside Neighborhood will be hosting their Neighborhood National Night on Tuesday, August 8th.

The Chair closed the public forum at 8:12 p.m.

Staff Reports

Community Development Director Kramvik stated that the next Planning Commission meeting will include a Planned Unit Development rezoning and preliminary and final plat for Country Manor Senior Living Facility, Conditional Use Permit for the YMCA, and the potential off-street parking ordinance.

City Engineer/Public Works Director Dehn stated that staff has met with all transit cooperative members and had good conversations on the future of transit. The County and City of Baxter will consider the recommendations at their next meetings, and Pine River has already formally adopted a resolution to discontinue their portion of the service. Street maintenance has resumed street/pothole patching with the availability of materials. The construction projects are progressing well, the City continues to coordinate with the County for the Safe Routes to School Project and their detour for County Road 3.

City Administrator Bergman stated that the bonding requests for all three projects have been submitted to the State.

Mayor Report

Mayor Badeaux thanked everyone who attended the meeting tonight, he appreciates citizen input. He gave an overview of Independence Day Celebrations that are taking place on and around the 4th of July.

Council Member Reports

Member Stenglein stated that the Region 5 Welcoming Communities Advisory Communities met for the first time. She is excited to share more information as it comes.

Member Stunek stated that the Center is hosting the Chamber After Hours event coming up, they will be making donuts. The City should be receiving an invitation.

Member Czeczok stated that Title IX was passed by the Federal government to get women and girls all the rights that men have in sports. Unfortunately, it has been undermined recently in track at the Brainerd High School. A nice young lady running track was beaten out by a male. He stated he is absolutely disgusted by this.

Member O'Day asked whether there would be quorum at the next meeting considering it is around the 4th of July.

A majority of members stated that they would be at the next meeting.

Chair Bevans stated that there is weekly music every Thursday this summer at Gregory Park sponsored by The Center at 7:00 p.m. at the bandstand.

Adjourn

MOVED AND SECONDED BY COUNCIL MEMBERS STUNEK AND CZECZOK, DULY CARRIED, TO ADJOURN THE MEETING TO THE COUNCIL WORKSHOP ON MONDAY, JUNE 26TH, AT 6:00 P.M. IN THE COUNCIL CHAMBERS AND TO THE SOLAR ARRAY RIBBON CUTTING ON JUNE 27TH, 2023 AT 12:30 P.M. AT THE AIRPORT.

The Chair adjourned the meeting at 8:25 p.m.



Jennifer Bergman
City Administrator