



CITY COUNCIL MEETING MINUTES

Wednesday, April 16, 2025 at 7:00 PM

Baxter City Hall, 13190 Memorywood Drive, Baxter, MN

CALL TO ORDER

Mayor Olson called the meeting to order at 7:00 p.m.

ROLL CALL

Mayor Darrel Olson and Council Members Zach Tabatt, Patrick Sundberg, and Mark Cross were present. Council Member Connie Lyscio was absent.

City Administrator Brad Chapulis, Assistant City Administrator Kelly Steele, Finance Director Jeremy Vacinek, Community Development Director Josh Doty, Police Chief Matt Maier, Public Works Director Trevor Walter, and City Attorney Greta Bjerkness were present.

PLEDGE OF ALLEGIANCE

All joined Mayor Olson in reciting the Pledge of Allegiance.

PRESENTATIONS

None.

ADDITIONS OR CHANGES TO THE AGENDA

None.

PUBLIC COMMENTS - *Comments received from the public may be placed on a future meeting agenda for consideration.*

None.

CONSENT AGENDA - *The following items are considered non-controversial by staff and are recommended to be read and passed in one motion. Any council person, staff, citizen, or meeting attendee can request one or more items be pulled from the Consent Agenda and the item will be pulled and addressed immediately after the passage of the Consent Agenda; otherwise, the following items will be passed in one motion:*

1. Approve City Council Work Session Minutes from April 1, 2025
2. Approve City Council Minutes from April 1, 2025
3. Approve the Payment of Bills and Finance Report (Addendum A)
4. Accept EDA Minutes from April 1, 2025
5. Approve Appointment to the Seasonal Position of Roadside Mower
6. Accept the Utilities Commission Minutes from April 2, 2025

7. Approve the KLM Engineering Proposal in the Amount of \$4,000.00 to Perform a Cleanout and Disinfection of the 400,000 Gallon South Water Tower
8. Accept Memo and Water CIP Summary for the Water Enterprise Fund 20-year CIP
9. Approve the SEH Contract in the Not to Exceed Amount of \$29,418.00 for the Fats, Oils, and Grease (FOG) Control Program
10. Adopt Resolution 2025-039 Ordering Preparation of Report on the 2026 Clearwater Road, North Lynndale Area, & Brentwood Circle Street & Utility Improvements Project, Municipal Project No. 4068
11. Approve the Pratt's Affordable Excavating, Inc. Partial Pay Estimate No. 3 in the amount of \$17,484.69 for the 2024 CSAH 77 Utility Improvements Project
12. Award the Lift Station No. 17 Reconstruction Project to Tom's Backhoe Service, LLC in the Lump Sum Bid Amount of \$135,000.00 and Update the Equipment and Construction Costs in the 20-Year Lift Station Maintenance Plan to Reflect Current Pricing
13. Accept the Widseth Memo Dated March 6, 2025 Outlining Utility, Roadway and Trail Improvements along Oakwood Drive from Cedar Scenic Road to Welton Road
14. Adopt Resolution 2025-041 Approving the Sale of Four Parcels of City-owned Real Estate to Thomas Allen Homes and Authorize the Mayor to Execute All Necessary Documentation Related to the Sale
15. Adopt Resolution 2025-042 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessment for the 2025 Commercial Full Depth Reclamation Improvements Project Municipal Project No. 4425
16. Adopt Resolution 2025-043 for Hearing on Proposed Assessment for the 2025 Commercial Full Depth Reclamation Improvements Project Municipal Project No. 4425
17. Accept Planning and Zoning Commission Minutes from April 8, 2025
18. Approve New Joint Powers Agreement with Lakes Area Drug Investigative Division
19. Set the initial cannabis registration fee at \$500 and the annual renewal cannabis registration fee at \$1,000

MOTION by Council Member Cross, seconded by Council Member Sundberg to approve the consent agenda. Motion carried unanimously.

PULLED AGENDA ITEMS

None.

OTHER BUSINESS

20. Adopt Resolution 2025-038 Designating Visit Brainerd as the City's Destination Marketing and Visitor's Bureau and Authorize the Execution of the Service Agreement for Said Services

City Administrator Chapulis explained the council previously adopted resolutions to temporarily designate Visit Brainerd as the marketing organization and visitor's bureau through the end of March 2025 and to bring the city into compliance with state statute while the two entities worked on a service agreement.

The council identified four items of importance to be addressed in the agreement. Those items included city specific marketing, language addressing the return of funds, financial accountability, and language requiring periodic economic impact analyses.

Visit Brainerd's proposed financial accountability language in the proposed agreement is Visit Brainerd's proposed alternative to the completion of an annual audit as proposed in the city's initial draft agreement. Citing the cost of an audit, Visit Brainerd is proposing to annually submit complied financial statements and agreed upon procedures to ensure compliance with state statute. City staff has researched the proposed alternative and have concluded that the proposed alternative would achieve the goal of financial accountability provided the city retains the right to review Visit Brainerd's financial records.

Staff is requesting the council adopt resolution 2025-038 and approve the agreement as presented subject to minor modifications by the city attorney or approve the agreement contingent on the inclusion of any amendments the council sees fit.

The council discussed Visit Brainerd spending funds the year they are received and clarifying the contract termination language.

City Administrator Chapulis explained the city can review Visit Brainerd's budget and marketing plan annually. The annual review of the contract would be a check point for the satisfaction of services provided.

City Attorney Bjerkness explained the city can terminate the contract without the consent of Visit Brainerd.

The council discussed the proposed contract language implies a permanent ongoing contract, rather than a contract for a specific period of time.

MOTION by Council Member Cross to work with Visit Brainerd to address the concerns raised by the council and bring the agreement back for consideration at a future meeting.

City Attorney Bjerkness asked for clarification or confirmation that the funds collected annually will be spent in their entirety the year received, the agreement will be for a period of five years, and striking language in paragraph eight.

Council Member Cross accepted City Attorney Bjerkness' clarification.

Seconded by Council Member Tabatt. Motion carried unanimously.

COUNCIL COMMENTS

21. Connie Lyscio – Absent.
22. Zach Tabatt – No comment.
23. Patrick Sundberg – No comment.

24. Mark Cross – Reminded motorists to watch out for motorcycles.
25. Darrel Olson – Thanked Assistant City Administrator Steele for pulling the special election together; reminded everyone of the veteran’s program on May 8th, and asked Public Works Director Walter to meet with the individuals in attendance to answer some questions they have about a property.

CITY ADMINISTRATOR'S REPORT

City Administrator Chapulis reminded the council of the invitation to attend the special utilities commission meeting on April 24th.

CITY ATTORNEY'S REPORT

No report.

Mark Severson, Visit Brainerd attorney, stated they agree with the council comments. Mr. Severson asked the council to consider amending their motion rather than tabling the agenda item.

City Attorney Bjerkness was comfortable working with Mr. Severson to amend the contract.

MOTION by Council Member Cross, seconded by Council Member Sundberg to rescind the previous motion related to the Visit Brainerd contract and to approve the resolution with the modifications discussed and establish a contract term of five years. Motion carried unanimously.

ADJOURN

MOTION by Council Member Cross, seconded by Council Member Tabatt to adjourn at 7:36 p.m. Motion carried unanimously.

Approved by:

Respectfully submitted,

Darrel Olson
Mayor

Kelly Steele
Assistant City Administrator