

Brainerd, MN
April 20, 2020

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council via WebEx teleconferencing was called to order at 7:33 P.M. by Council President Johnson.

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

Council President Johnson opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO AMEND THE AGENDA BY ADDING DISCUSSION REGARDING LEASED PARKING LOT FEES UNDER NEW BUSINESS.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted "aye". No member voted "nay". The Chair declared the motion carried.

Due to conducting the meeting electronically, all motions will be voted on by a roll call vote for accuracy.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS TO APPROVE THE CONSENT CALENDAR.

A. Approval of the Minutes of the Special Meeting held on April 6, 2020, the Regular Meeting held on April 6, 2020 and the Special Meeting held on April 7, 2020 - Approved

B. Approval of Licenses – Approved

Contractor Licenses – 1 – New

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Commercial Plumbing Plan Review Delegation Agreement - Approved

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted "aye". No member voted "nay". The Chair declared the motion carried.

Presentations

The Chair welcomed Tyler Glynn, executive director of Brainerd Lakes Economic Development Authority (BLAEDC), who gave an update to current programs being discussed at county and state level due to COVID-19. He indicated the federal Paycheck Protection Program (PPP) has been exhausted of available funds at this time. He said many local financial institutions have been working hard at processing hundreds of applications for funding opportunities. He stated the Unified Fund Board met recently. He gave a brief update of loan

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activity and it was decided to continue business as usual with the program as it was designed to do.

Council Committee Reports

Safety and Public Works Committee Report

Resolution – Establishing Municipal State Aid Street – Adopted by Resolution No. 19:20

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT A RESOLUTION IN WHICH DESIGNATES NW 4TH STREET/RIVERSIDE DRIVE FROM HIGHWAY 210 TO BEAVER DAM ROAD (CSAH 5) AS A MUNICIPAL STATE AID STREET UNDER THE DESIGNATION OF COUNTY STATE AID HIGHWAY TURNBACK.

Council Member Johnson asked staff if the City is limited a certain number of miles that are state aid streets. City Engineer Sandy explained when the City receives streets from other jurisdictions, those street miles are not included in the state aid allotment.

RESOLUTON NO. 19:20

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Quotes for Downtown Landscaping – Direction Provided

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO DIRECT COMMUNITY DEVELOPMENT DIRECTOR CHANSKI TO NEGOTIATE WITH THE THREE BIDDERS FOR A REDUCED SCOPE OF WORK AND COST NOT TO EXCEED \$8,000.

Committee Chair Bevans stated with the assistance from the Parks Department and the part time maintenance position being filled, we would not need the extent of work that was in the bid.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Personnel and Finance Committee Report

Approval of Bills - Approved

MOVED AND SECONDED BY ALDERMEN STUNEK AND ERICKSON TO APPROVE THE PAYMENT OF BILLS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Contract for Inspection Services - Approved

MOVED AND SECONDED BY ALDERMEN STUNEK AND ERICKSON TO ACCEPT THE REQUEST FOR PROPOSALS (RFP) RESPONSE FROM CITIES TO LAKES

INSPECTION SERVICES AND DIRECT STAFF TO ENTER INTO NECESSARY NEGOTIATIONS AND DEVELOP A CONTRACT FOR SERVICES AGREEMENT TO BE APPROVED BY COUNCIL.

Community Development Director Chanski clarified Scott Sadusky, owner of Cities to Lakes Inspection Services will be paid the rate of \$95/hour for servicing the Harrison and Brainerd High School projects and 75% of permit fees for future projects. Community Development Director Chanski stated the City will retain 25% of the permit fees by retaining an inspection service, which would not be the case if the state took over those projects, and we may not have regained the delegation when Building Official Deseth is qualified.

Council Member Bevans stated the City has positive history with Mr. Sadusky as being a past City employee. He explained there are crucial projects taking place that need inspection services and Mr. Sadusky has the qualifications to complete these tasks.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted "aye". No member voted "nay". The Chair declared the motion carried.

League of MN Cities Insurance Trust (LMCIT) Premium Renewal '20-'21 – Approved

Committee Chair Stunek explained this policy has an additional rider offered for the hydro-dam. He stated this will be discussed with Brainerd Public Utilities to fund the extra cost, which will be brought back at the May 4th, 2020 Council Meeting.

MOVED AND SECONDED BY ALDERMEN STUNEK AND ERICKSON TO APPROVE THE INSURANCE RENEWAL FROM THE LEAGUE OF MN CITIES INSURANCE TRUST FOR MARCH 1, 2020 – FEBRUARY 28, 2021 EXCLUDING THE ADDITIONAL RIDER FOR THE HYDRO-DAM.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted "aye". No member voted "nay". The Chair declared the motion carried.

Police Sergeant Promotion - Approved

MOVED AND SECONDED BY ALDERMEN STUNEK AND BEVANS TO APPROVE PROMOTING POLICE OFFICER PAUL ROSIER TO POLICE SERGEANT EFFECTIVE APRIL 21, 2020 CONTINGENT UPON A BACKGROUND INVESTIGATION AND SET HIS WAGE AT THE STEP 3 RATE OF THE TEAMSTERS LABOR AGREEMENT OF \$35.67 PER HOUR.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted "aye". No member voted "nay". The Chair declared the motion carried.

Update Regarding 2020 Seasonal/Temporary Hiring's - Approved

MOVED AND SECONDED BY ALDERMEN STUNEK AND ERICKSON TO APPROVE THE HIRING OF ISIAH ESCODECO AS OUR 2020 ENGINEERING INTERN AT \$15 PER HOUR WITH A TENTATIVE STARTING DATE OF MAY 11, 2020; FURTHER TO AUTHORIZE STAFF TO DETERMINE IF THE POSITION WILL STILL BE NEEDED UP TO ISIAH'S OFFICIAL HIRING DATE FOR SAID POSITION AND MOVING TEMPORARY FUTURE HIRING'S TO THE CONSENT CALENDAR.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Unfinished Business

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 – 2 terms (Expire 2021) - 2 terms (Expire 2022)

Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022) – 1 term (Expire 2023)

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

Economic Development Authority (EDA) – 1 term (Expire 2020)

Other

Water Tower Fundraising Committee – Applicants Needed

New Business

Appoint Chair for Personnel and Finance Committee - Approved

Council President Johnson appointed Council Member Pritschet as Chair of the Personnel & Finance Committee.

Authorize Curbside Pick Up at the Brainerd Public Library - Approved

City Administrator Bergman indicated the library would like to offer curbside pick up services to residents while following the Governor’s recommendations for social distancing.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS TO APPROVE CURBSIDE PICK UP AT THE BRAINERD PUBLIC LIBRARY.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Discussion on Recommendations to the Park Board

City Administrator Bergman explained the Park Board has a special meeting scheduled for April 22, 2020 to discuss the parks and recreation programs. She said they will also review beach, pier and dog park regulations. She gave a brief outline of the role of the City regarding the Park Board.

Park Director Sailer gave a detailed review of the Parks and Recreation facility and program considerations due to COVID-19.

Council Member Johnson indicated a resident inquired about the Community Gardens and the ability to use them this year. Park Director Sailer explained the Community Gardens are

not a park function, although the Parks Department takes the registrations. He stated the payments are made to Brainerd FFA Alumni and a separate committee takes control.

Council discussion took place.

Council directed City Administrator Bergman and Park Director Sailer to follow up with the Park Board, and to allow as many outdoor recreational opportunities as possible while adhering to state and federal guidelines.

First Reading and Set Public Hearing – Proposed Ordinance No. 1503 – Petition for Annexation - Approved

Community Development Director Chanski explained the details of the property and application. He indicated the applicant recently purchased a vacant lot next to their property and would like it included in the City of Brainerd.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET TO DISPENSE WITH THE FIRST READING OF PROPOSED ORDINANCE NO. 1503 – AN ORDINANCE PROVIDING FOR THE ANNEXATION OF PROPERTY 41170508 TO THE CITY OF BRAINERD AND SET THE PUBLIC HEARING FOR JUNE 1, 2020.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Planning Commission

First Reading – Proposed Ordinance No. 1504 – An Ordinance to Rezone Property at 1420 S. 6th St. From an R-1 (Single Family Residential) District to a B-2 (Neighborhood Business) District - Approved

Community Development Director Chanski stated this application was submitted by Trinity Children's Center, which is located on the Trinity Lutheran Church property, for the purpose of bringing the property into compliance with the zoning code. He explained the details in which the current Conditional Use Permit is considered legal non-conforming.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1504 – AN ORDINANCE TO REZONE 1420 S 6TH ST FROM AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT TO A B-2 (NEIGHBORHOOD BUSINESS) DISTRICT.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

First Reading – Proposed Ordinance No. 1505 – An Ordinance to Rezone Unaddressed Properties on 2nd St. NW and Jackson St. from R-2 (Medium Density Residential) and R-3 (High Density Residential) Districts to a B-4 (General Business) District - Denied

Community Development Director Chanski explained the details of the application that was submitted on behalf of Gustafson Properties LLC to rezone these properties to allow mini-storage facilities, which are currently not allowed in residential districts.

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MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET TO DENY THE FIRST READING OF PROPOSED ORDINANCE NO. 1505 – AN ORDINANCE TO REZONE UNADDRESSED PROPERTIES ON 2ND ST. NW AND JACKSON ST FROM R-2 (MEDIUM DENSITY RESIDENTIAL) AND R-3 (HIGH DENSITY RESIDENTIAL) DISTRICTS TO A B-4 (GENERAL BUSINESS) DISTRICT AND APPROVE TO WAIVE THE SIX MONTH WAITING PERIOD TO SUBMIT A NEW APPLICATION.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

First Reading – Proposed Ordinance No. 1506 – An Ordinance Amending Section 515-64: General Business District to Allow Mini-Storage Facilities as a Conditional Use - Denied

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS TO DISPENSE WITH THE ACTUAL READING OF PROPOSED ORDINANCE NO. 1506 – AN ORDINANCE AMENDING SECTION 515-64: GENERAL BUSINESS DISTRICT TO ALLOW MINI-STORAGE FACILITIES AS A CONDITIONAL USE.

Council discussion took place.

Upon roll call, member Lambert voted “aye.” Members Bevans, Erickson, Stunek, Pritschet and Johnson voted “nay”. The Chair declared the motion failed.

MOVED AND SECONDED BY ALDERMEN STUNEK AND PRITSCHET TO DENY THE FIRST READING OF PROPOSED ORDINANCE NO. 1506 – AN ORDINANCE AMENDING SECTION 515-64: GENERAL BUSINESS DISTRICT TO ALLOW MINI-STORAGE FACILITIES AS A CONDITIONAL USE.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet, and Johnson voted “aye.” No member voted “nay.” The Chair declared the motion carried.

Tower Motors Conditional Use Permit (CUP) - Approved

MOVED AND SECONDED BY ALDERMEN LAMBERT AND ERICKSON TO APPROVE THE CONDITIONAL USE PERMIT FOR TOWER MOTORS TO OPERATE AN AUTOMOBILE DEALERSHIP WITH ASSOCIATED MECHANIC SHOP AT 624 WASHINGTON STREET AND SECONDHAND AUTO LICENSE APPLICATION CONTINGENT ON STAFF APPROVAL.

Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

(Added Item) Leased Parking Lot - Approved

City Administrator Bergman explained the details of the leased parking and the recommendation to defer payments for the second quarter, which is April, May and June.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO SUSPEND THE LEASED PARKING LOT FEES FOR THE SECOND QUARTER OF 2020 AND REFUND THOSE THAT PAID IN ADVANCE.

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Upon roll call, members Bevans, Erickson, Lambert, Stunek, Pritschet and Johnson voted “aye”. No member voted “nay”. The Chair declared the motion carried.

Public Forum

The Chair opened the public forum at 9:02 p.m. and directed IT Director Strong to unmute the callers.

No one came forward.

The Chair closed the public forum at 9:03 p.m.

Staff Reports

City Administrator Bergman reviewed her report and stated she has had discussions with the Downtown Business Coalition and Crow Wing Co-Op for their input regarding the Farmers Market. She also announced the remodel taking place at City Hall is ahead of schedule, due to staff working remotely. She explained the plan at this time would be to move furniture back to their respective areas on May 4th and 5th. She said if the Governor lifts the stay at home order, staff would be back working at City Hall on May 6th.

City Administrator Bergman stated there is a drop box located near the glass elevator doors in the parking lot for residents to submit applications or payments which is checked regularly. She indicated all City services continue to function and calls are being answered.

City Administrator Bergman clarified only one application has been received to date for the vacant City Council position, when she had previously thought two applications were submitted. She encouraged the Council to reach out to anyone they may know of that expressed interest to apply.

City Engineer Sandy stated the HVAC system has now been replaced at City Hall and progress is ahead of schedule. He indicated the Police Department remodel is under budget, due to the facility being closed to the public and a temporary vestibule was not needed at the entrance.

Police Chief McQuiston indicated it is law enforcement’s job to uphold the laws of the state, including the stay at home order and required closures of businesses. He added certain regulations needed to be enforced and they appreciate the community being compliant.

Community Development Director Chanski reminded the community of the 2020 Census and encouraged everyone to respond to the Census request. He said it benefits communities to submit the request and provide the proper resident counts. He also announced the building department software conversion went live this week.

Council Member Reports

Council Member Johnson announced the HRA Executive Director position closed on April 15, 2020 with interviews for the five candidates to follow.

Mayor Badeaux stated his first week as Mayor went great and thanked the Council for approving the parking lease waiver because everything helps during this situation.

Adjourn to Special City Council Meeting April 27, 2020 at 6:00 P.M.

The Chair adjourned at 9:25 p.m.

Jennifer Bergman
City Administrator