Brainerd, MN
May 4, 2020

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council via WebEx teleconferencing was called to order at 7:30 P.M. by Council President Johnson.

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

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

Administer Oath of Office to Wayne Erickson

City Administrator Bergman administered the Oath of Office to newly appointed Ward 3 City Council member Wayne Erickson.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS TO APPROVE THE AGENDA.

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

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

A. Approval of the Minutes of the Regular Meeting held on April 20, 2020, and the Special Meeting held on April 27, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 1 – New

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director
3. HR Director

D. Delegation Inspection Services Contract - Approved

E. Resolution Authorizing Execution of Documents for Purchase of Parking Lot – Adopted by Resolution No. 20:20

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

Community Member of the Month

Community Development Director Chanski indicated Tina Jay was nominated for the Community Member of the Month. He stated Ms. Jay held a neighborhood dance party in NE Brainerd that showed gathering and having fun all while practicing social distancing.

Mayor Badeaux indicated these are the types of community involvement activities we like to see residents being nominated for; it is the small things that residents can do to unite the community and neighborhoods.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

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

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

Additional General Liability Insurance Policy – Approved to Decline

Finance Director Hillman explained the City was offered the ability to purchase an additional rider on the general liability insurance policy for the hydro-dam. She said after discussions with staff and BPU, it was decided to decline the additional rider for this year, and it will be discussed during the 2021 budget session.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO ACCEPT STAFF’S RECOMMENDATION TO DECLINE THE PURCHASE OF THE ADDITIONAL RIDER FOR THE MARCH 1, 2020 - FEBRUARY 28, 2021 INSURANCE POLICY DUE TO NOT BEING BUDGETED FOR THIS PERIOD AND FOR THE DISCUSSION TO BE BROUGHT BACK DURING 2021-2022 BUDGET PROCESS.

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

Building Inspector Promotion - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO APPROVE THE PROMOTION OF JASON STOCKINGER TO BUILDING INSPECTOR AT STEP 6 OF THE BUILDING INSPECTOR WAGE SCHEDULE.

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

Select Broker to Assist with 2021 Health Insurance Request for Proposals - Approved

HR Director Schubert explained the details involved with researching and selecting health insurance, which can be a very complex process. She stated it was recommended to obtain the assistance of a broker to complete this process and has received proposals from four different firms.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE RETAINING NORTH RISK PARTNERS AS A BROKER TO ASSIST WITH THE 2021 HEALTH INSURANCE REQUEST FOR PROPOSALS PROCESS IN THE AMOUNT OF $6,000 TO BE PAID FROM THE GENERAL UNALLOCATED PROFESSIONAL SERVICES BUDGETED LINE ITEM WITH THE SAID COSTS TO BE SPLIT BETWEEN THE CITY, BPU AND HRA BASED ON THE NUMBER OF FULL-TIME EMPLOYEES.

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

Minnesota State Investment Funds – One-Time Exception - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO AUTHORIZE STAFF TO PROCEED WITH THE RENEWED OPPORTUNITY TO UTILIZE THE ONE-TIME EXCEPTION OF THE STATE INVESTMENT FUNDS BALANCE TO PROMOTE ECONOMIC DEVELOPMENT.

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

Safety and Public Works Committee Report

Bi-Annual Bridge Safety Inspection Proposals - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE PROPOSAL FOR BRIDGE INSPECTION SERVICES FROM BOLTEN AND MENK IN THE PROPOSED COST NOT TO EXCEED $2,400 TO BE PAID FROM CONSTRUCTION FUND 401.

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

Contract Towing Services - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE ENTERING INTO A TWO-YEAR AGREEMENT WITH COLLINS BROTHERS TOWING OF BRAINERD AND AUTHORIZING SIGNATURES ON THE AGREEMENT DOCUMENT.

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

Cross Jurisdictional Maintenance Agreement with Crow Wing County - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE ATTACHED MAINTENANCE

AGREEMENT WITH CROW WING COUNTY AND AUTHORIZE PROPER SIGNATURES ON THE AGREEMENT DOCUMENT.

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

<u>Improvement 20-01 – 2020 Seal Coat Project – Authorization to Bid - Approved</u>

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF’S RECOMMENDATION AND AUTHORIZE ADVERTISEMENT OF BIDS FOR THE 2020 SEAL COAT PROJECT WITH BIDS TO BE RECEIVED AND OPENED ON FRIDAY, JUNE 5, 2020 AT 10:00 AM IN THE CITY COUNCIL CHAMBERS AT CITY HALL.

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

<u>Downtown Landscaping Revised Quotes - Approved</u>

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO DIRECT STAFF TO CONTRACT WITH COPPPER CREEK LANDSCAPING FOR DOWNTOWN LANDSCAPING SERVICES IN THE AMOUNT OF $6,177 WHICH WILL BE ASSESSED TO DOWNTOWN PROPERTY OWNERS.

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

<u>Unfinished Business</u>

<u>Committee Recommendations – Recommended by Mayor Badeaux - Approved</u>

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS TO APPOINT DAN HEGSTAD TO THE CABLE TV ADVISORY COMMITTEE, WITH AN TERM TO EXPIRE DECEMBER 31, 2021.

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

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

<u>Mayor Recommended</u>: (terms to expire on 12/31 of said year)
Cable TV Advisory Committee – 1 term (Expire 2021) - 2 terms (Expire 2022)
Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022) – 1 term (Expire 2023)

<u>Mayor Recommended:</u> (terms to expire 09/07 of said year)
Economic Development Authority (EDA) – 1 term (Expire 2020)

<u>Other</u>
Water Tower Fundraising Committee – Applicants Needed

City Hall and Police Department Remodel Projects Update - Approved

City Engineer Sandy explained the options of installing a temporary Plexiglas or a permanent glass barrier at the counters of City Hall. He stated staff felt the permanent barrier could serve as a security measure as well as the current need for distancing.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO APPROVE THE INSTALLATION OF THE PERMANENT GLASS BARRIER ON THE SECOND AND THIRD FLOOR COUNTERS OF CITY HALL FOR A TOTAL COST OF $1,586.

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

Kevin Currie, project manager from Contegrity gave an update of the remodel projects taking place at City Hall and the Police department. He indicated the 3rd floor of City Hall is completed with staff moving back on Tuesday, May 5, 2020. The council chambers will be started this week. He explained the Police Department remodel is going well due to limited staff and no public access. He commended staff at both facilities for the cooperation during the projects.

COVID-19 Update and Discussion - Approved

City Administrator Bergman reviewed the past and current guidelines recommended by the Governor due to COVID-19. She indicated staff has requested the following adjustments for City Hall:

- Engineering Staff-return to City Hall May 5th
- Finance Director and AP Specialist-limited reporting
- Community Development-limited reporting
- Interns-limited reporting

Police Chief McQuiston explained the details of changes and schedules regarding staff at the police department.

Fire Chief Holmes stated he is working on a preparedness plan for when staff returns to work.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO IMPLEMENT THE UPDATED WORK FROM HOME PLAN PRESENTED AS RECOMMENDED IN THE EXECUTIVE ORDER BY THE GOVERNOR.

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

City Administrator Bergman indicated the Governor has made it allowable for businesses to offer curbside pickup. She said as a result, many businesses have requested to resume parking restrictions, effective May 11, 2020, to allow customers to use the parking spaces near the business for curbside pickup.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO RE-ESTABLISH THE PARKING RESTRICTIONS STARTING MAY 11, 2020 AND TO ALLOW BUSINESS OWNERS THE OPTION TO DISPLAY ONE NON-ENFORCEABLE SIGN TO POST THEIR CURBSIDE PICKUP LOCATION.

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

New Business

First Reading – Proposed Ordinance No. 1507 – An Ordinance Amending Brainerd City Code Section 421 Uniform Fire Code – City Administrator Bergman Recommends to Dispense with the Actual Reading - Approved

Fire Chief Holmes explained the ordinance is simply to update the current uniform fire code to the revised 2020 state adopted fire code.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO DISPENSE WITH THE FIRST READING OF PROPOSED ORDINANCE NO. 1507 – AN ORDINANCE AMENDING BRAINERD CITY CODE 421 UNIFORM FIRE CODE.

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

Resolution – Receiving Feasibility Report and Calling a Public Hearing on Improvement 14-05 – Old Stonebridge Trail Final Lift – Adopted by Resolution 21:20

City Engineer Sandy gave a brief explanation of the details involved with this improvement.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT A RESOLUTION RECEIVING THE FEASIBILITY REPORTS AND SETTING THE PUBLIC HEARING ON IMPROVEMENT 14-05 TO TAKE PLACE ON JUNE 1, 2020 AT 7:30 PM.

RESOLUTION 21:20

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

Appoint a Council Member to the Region 5 Children’s Museum (R5CM) Task Force - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPOINT ALDERWOMAN LAMBERT AS A MEMBER OF THE REGION 5 CHILDREN’S MUSEUM TASK FORCE.

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

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS TO APPOINT MAYOR BADEAUX AS A MEMBER OF THE REGION 5 CHILDREN'S MUSEUM TASK FORCE.

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

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET TO AUTHORIZE STAFF TO OPEN THE APPLICATION PROCESS TO THREE (3) COMMUNITY MEMBERS TO SERVE ON THE R5CM TASK FORCE THROUGH MAY 13, 2020 AT 4:30 P.M.

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

Review Council Appointments - Approved

Mayor Badeaux made recommendations for the following Council Members to serve as liaisons to the following boards and commissions.

- Alderman Johnson to the Brainerd Public Utilities Commission
- Alderman W. Erickson to the Cable TV Advisory Committee
- Alderman W. Erickson to the Rental Housing Board of Appeals Committee
- Mayor Badeaux to remain on the Park Board through 2020

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPOINT THE SELECTED COUNCIL MEMBERS TO THE COMMITTEES AS INDICATED ABOVE.

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

Council President Johnson made recommendations for the following Council Members to serve as liaisons to the following boards and commissions.

- Alderman T. Erickson to the Riverfront Committee
- Alderman W. Erickson to the Walkable/Bikeable Committee

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO APPOINT THE SELECTED COUNCIL MEMBERS TO THE COMMITTEES AS INDICATED ABOVE.

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

Mayor Badeaux recommended Alderman T. Erickson be appointed as Council Liaison to the BLAEDC Unified Fund (BUF) Committee.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPOINT ALDERMAN T. ERICKSON TO THE BLAEDC COMMITTEE.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO DIRECT MAYOR BADEAUX TO REMAIN THE LIAISON FOR THE WATER TOWER COMMITTEE.

Mayor Badeaux invited any other interested citizens to apply to be a member of the Water Tower Committee.

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

Planning Commission

Trinity Children's Center Conditional Use Permit (CUP) Amendment - Approved

Community Development Director Chanski explained the details of the application submitted by Trinity Children's Center located at 1420 S. 6th Street. He stated an amendment to the existing CUP is needed to allow an increased number of children to be enrolled at the center. He indicated the following conditions are included in the amendment:

- Operating hours 6 am to no later than 7 pm which is mandated by the MN Department of Human Services (MNDHS)
- The City shall be provided a copy of future licenses as issued by MNDHS
- Contingent upon approval of the rezoning ordinance

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS TO APPROVE THE CONDITIONAL USE PERMIT AMENDMENT FOR THE TRINITY CHILDREN'S CENTER AS PRESENTED.

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

Final 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 explained the details of the rezoning application for 1420 S. 6th Street from an R-1 (Single Family Residential) District to a B-2 (Neighborhood Business) District. He stated this rezoning will bring the property back into compliance with the CUP amendment shown above.

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

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

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS TO ADOPT ORDINANCE NO. 1504 – AN ORDINANCE TO REZONE PROPERTY AT 1420 S 6TH ST. FROM AN R-1 (SINGLE FAMILY RESIDENTIAL) TO A B-2 (NEIGHBORHOOD BUSINESS) DISTRICT.

ORDINANCE NO. 1504

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

Public Forum

The Chair opened the public forum at 9:18 p.m. and directed IT Director Strong to unmute the callers.

No one came forward.

The Chair closed the public forum at 9:18 p.m.

Staff Reports

City Engineer Sandy stated he received some reports regarding activity at the dike that runs across the backwash pond near the Buffalo Hills Trail. He said it was discovered that multiple muskrats and beavers are digging underneath. He explained repairs will be necessary which involves removing pavement on the trail and he will be contacting the DNR regarding the control of the animals.

Community Development Director Chanski announced the Planning Commission is holding a workshop on Wednesday, May 6th at 6:00 pm. He indicated the Economic Development Authority (EDA) is also holding a meeting this week, on Thursday, May 7th at 6:00 pm. Both meetings will be conducted electronically, and the public may call in to attend. He also reminded everyone to register with the 2020 Census.

City Engineer Sandy indicated the City took control of Riverside Drive on May 1st and the speed limit has been dropped to 30 mph which is a state statute.

City Administrator Bergman gave an update on the downtown Farmer’s Market and will hopefully have a designated group to lead that event by the May 18th Council meeting. She announced the EDA will be discussing potential economic programs that may be available for our business community at the May 7th meeting.

Council Member Reports

Council Member Johnson announced interviews are taking place for the Executive Director position at the Brainerd HRA May 27th, 2020.

Council Member Pritschet thanked staff for all the hard work in transitioning during this epidemic.

Adjourn

The Chair adjourned at 9:30 p.m.

Jennifer Bergman
City Administrator

May 4, 2020