

**Brainerd, MN
June 1, 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, W. Erickson, 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.

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

Upon roll call, members T. Erickson, Lambert, Stunek, Pritschet, Bevans, 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 APPROVE THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on May 18, 2020 and the Special Meeting held on May 27, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 11

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director

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

Community Member of the Month

Mayor Badeaux announced that Mr. Brandon Tuil was nominated as Community Member of the Month for June by the Parks Department. He said Mr. Tuil, his young son and a friend took it upon themselves to clean trash on Buffalo Hills Trail and called in to make sure the garbage company would be picking up trash the next day. Mayor Badeaux indicated these are the types of awards we enjoy giving out; to residents who care about the community and the Council thanked him for doing so.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

June 1, 2020

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, Bevans, W. Erickson and Johnson voted "aye". No member voted "nay". The Chair declared the motion carried.

Police Officer Resignation - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO ACCEPT WITH REGRET THE RESIGNATION OF OFFICER DALTON LANGER, EFFECTIVE MAY 14, 2020.

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

Authorize Sale of Retired Police Squad Car - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO AUTHORIZE THE SALE OF RETIRED POLICE VEHICLE UNIT #424 UTILIZING CENTRAL MINNESOTA DEALER AUCTION.

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

Firehouse Subs Public Safety Foundation Grant Application - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO AUTHORIZE THE FIRE DEPARTMENT TO APPLY FOR A GRANT THROUGH THE FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION IN THE AMOUNT OF APPROXIMATELY \$21,930.

Committee Chair Pritschet indicated there is no City match required for this grant and the funds will be used for new extrication equipment.

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

Consideration to Prorate Liquor License Fees - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO ACCEPT STAFF'S RECOMMENDATION TO CONTINUE TO WAIVE LIQUOR LICENSE FEES UNTIL THE BUSINESS OPENS AND APPROVE THE REDUCTION OF THE REMAINING MONTHS FOR THE JULY 1, 2020 – JUNE 30, 2021 RENEWAL PERIOD BY 50%.

Committee Chair Pritschet explained the Council voted in April to waive the liquor license fees for businesses from March through May. He said Crow Wing County has since decided to reduce their liquor license fees by 50% in which the City would be following suit. He indicated the recommendation is to continue to waive the fees until the business is open and to prorate the remaining months by 50%.

June 1, 2020

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

No Safety & Public Works Committee Report

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 – 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)

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

Appoint Community Members to the R5CM Task Force - Approved

City Administrator Bergman explained five applications were received from residents located in surrounding areas, as there were no applications received from City of Brainerd residents. It was determined that each Council Member should vote for three of the five applications received, and the applicants with the most votes would be appointed. She conducted the following votes by each Council Member:

- T. Erickson – Askerooth-Olson, Dens, Riffle
- Lambert – Riffle, Gundlach, Dens
- Stunek – Askerooth-Olson, Dens, Riffle
- Pritschet - Askerooth-Olson, Dens, Riffle
- Bevans - Askerooth-Olson, Dens, Riffle
- W. Erickson - Askerooth-Olson, Dens, Riffle
- Johnson - Askerooth-Olson, Dens, Riffle

City Administrator Bergman tallied the votes and determined Cynthia Askerooth-Olson, Mandy Dens and Shane Riffle as appointed to the R5CM Task Force.

City Hall Fire Update - Approved

City Engineer Sandy gave a brief recap of the fire that took place on May 18, 2020 and an update to the progress of the repairs. He indicated Thelen Heating’s insurance agency would be taking full responsibility for the claim of the fire. He said during investigation, asbestos was found in other areas of the roof and this is an opportune time to take care of the problem. He explained the details of the findings and the recommended solution.

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK TO ACCEPT STAFF’S RECOMMENDATION AND APPROVE THE REMOVAL OF ALL ASBESTOS FROM THE ROOF DECKING OF THE CITY HALL ROOF NOT COVERED BY THE INSURANCE

CLAIM AND NOT TO EXCEED \$12,000 TO BE PAID AS PART OF THE CITY HALL REMODEL PROJECT COST.

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

COVID-19 Update

City Administrator Bergman stated prior to the fire that occurred, it was the intention to return to work at City Hall and reopen facilities to the public. She indicated due to the ongoing repairs City Engineer Sandy reviewed, the recommendation is to continue with the Stay at Home Work Plan. She indicated Police Chief McQuiston clarified that his record management team is back to work at the Police Department.

City Engineer Sandy explained the council chambers remodel had to be temporarily halted to direct attention to the roof concerns. He said the June 15th meeting would be too soon to meet at City Hall, as the work continues in the chambers.

Final Reading and Public Hearing – Proposed Ordinance No. 1503 – An Ordinance Pertaining to a Petition of Annexation of Property PID 81170603 (corrected PID) - Approved

Community Development Director Chanski gave a brief explanation of the petition submitted by the property owner, Robert Marohn, to annex parcel 81170603 (*agenda request listed an incorrect parcel*) into the City of Brainerd.

The Chair directed IT Director Strong to unmute the call-in users and opened the public hearing at 8:04 p.m.

No one came forward.

The Chair closed the public hearing at 8:05 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO HOLD AND DISPENSE WITH THE FINAL READING OF PROPOSED ORDINANCE NO. 1503 – AN ORDINANCE PERTAINING TO THE ANNEXATION OF PROPERTY PARCEL 81170603.

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

ORDINANCE NO. 1503

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT ORDINANCE NO. 1503 – AN ORDINANCE PERTAINING TO THE ANNEXATION OF PROPERTY PARCEL 81170603 LOCATED IN OAK LAWN TOWNSHIP, CROW WING COUNTY, TO THE CITY OF BRAINERD PURSUANT TO MINNESOTA STATUTE 414.033.

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

Final Reading – Proposed Ordinance No. 1507 – An Ordinance Amending City Code Section 421 Uniform Fire Code - Approved

Fire Chief Holmes gave a brief explanation of the request to amend Section 421 pertaining to the Uniform Fire Code.

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK TO HOLD AND DISPENSE WITH THE FINAL READING OF PROPOSED ORDINANCE NO. 1507 – AN ORDINANCE AMENDING CITY CODE SECTION 421 UNIFORM FIRE CODE.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK TO ADOPT ORDINANCE NO. 1507 – AN ORDINANCE AMENDING CITY CODE SECTION 421 UNIFORM FIRE CODE.

ORDINANCE NO. 1507

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

Final Reading and Public Hearing – Proposed Ordinance No. 1508 – An Ordinance Amending Section 900 Animals - Approved

Finance Director Hillman explained the changes requested to the current ordinance.

The Chair directed IT Director Strong to unmute the call-in users and opened the public hearing at 8:09 p.m.

No one came forward.

The Chair closed the public hearing at 8:10 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO HOLD AND DISPENSE WITH THE FINAL READING OF PROPOSED ORDINANCE NO. 1508 – AN ORDINANCE AMENDING SECTION 900 ANIMALS.

Upon roll call, members T. Erickson, Lambert, Stunek, Pritschet, Bevans, 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 ADOPT ORDINANCE NO. 1508 – AN ORDINANCE AMENDING SECTION 900 ANIMALS.

ORDINANCE NO. 1508

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

Final Reading and Public Hearing – Proposed Ordinance No. 1509 – An Ordinance Amending City Code Section 515-37 Signs - Approved

Community Development Director Chanski reviewed the recommended changes regarding posting signs in the public right-of-way.

The Chair directed IT Director Strong to unmute the call-in users and opened the public hearing at 8:12 p.m.

No one came forward.

The Chair closed the public hearing at 8:13 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO HOLD ADN DISPENSE WITH THE FINAL READING OF PROPOSED ORDINANCE NO. 1509 – AN ORDINANCE AMENDING SECTION 515-37 SIGNS.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND T. ERICKSON TO ADOPT ORDINANCE NO. 1509 – AN ORDINANCE AMENDING SECTION 515-37 SIGNS.

ORDINANCE NO. 1509

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

New Business

Resolution – Ordering Improvement and Authorizing Advertisement for Bids – Improvement 14-05 – Old Stonebridge Trail Surfacing Final Lift – Adopted by Resolution No. 26:20

City Engineer Sandy gave an update to improvement 14-05 and the recommendation to complete the final lift of pavement to Old Stonebridge Trail. He explained the developer that owns lots along Old Stonebridge Trail was told funds were put into escrow to pay for the improvements back in 2005. He indicated staff will research whether the money is in escrow but recommends proceeding with the public hearing to hear testimony for or against the improvements.

The Chair directed IT Director Strong to unmute the call-in users and opened the public hearing at 8:19 p.m.

No one came forward.

The Chair closed the public hearing at 8:20 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT THE RESOLUTION ORDERING THE IMPROVEMENT, APPROVING PLANS AND SPECIFICATIONS, AND ORDERING ADVERTISEMENT FOR BIDS TO BE OPENED ON JUNE 26, 2020 AT 11:00 A.M. FOR IMPROVEMENT 14-05.

RESOLUTION NO. 26:20

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

Public Hearing Regarding a Proposed Property Tax Abatement – Adopted by Resolution No. 27:20

Finance Director Hillman stated Mr. Paul Steinman from Baker Tilly is available at the meeting tonight to answer any questions or concerns regarding the proposed tax abatement bonds.

Council Member Bevans indicated Mr. Ed Menk emailed the Council prior to the meeting with concerns regarding the bonding on this project. Mr. Menk is concerned that the state’s revenue shortfall may reduce the City’s LGA received in the future. Council Member Bevans stated there was some discussion from the Park Board regarding the purchase of the Memorial Park parking lot and the potential postponement of the project.

Mayor Badeaux, who is the Park Board liaison for the Council, stated there is a Park Board meeting scheduled for June 2nd at which time they will be voting on a potential firm for the project design based on the RFP’s received. He said he did not believe it was an intent to postpone the project; it was just the need to take the time to do it correctly and efficiently. Park Director Sailer said he has not been informed of the Park Board requesting to postpone the project.

Mr. Paul Steinman indicated the entire bonding package may be moved out two weeks. He said then the bond proceeds would be received two weeks late. Finance Director Hillman would be more comfortable moving forward with the public hearing tonight.

Council discussion took place.

The Chair directed IT Director Strong to unmute the call-in users and opened the public hearing at 8:50 p.m.

No one came forward.

The Chair closed the public hearing at 8:50 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT A RESOLUTION APPROVING PROPERTY TAX ABATEMENT RELATED TO INFRASTRUCTURE IMPROVEMENTS IN THE CITY OF BRAINERD.

RESOLUTION 27:20

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

Adoption of Resolution Providing for the Issuance and Sale of General Obligation Bonds, Series 2020A, In the Proposed Aggregate Principal Amount of \$3,880,000 – Adopted by Resolution No. 28:20

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2020A, IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$3,880,000.

RESOLUTION 28:20

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

Public Forum

The Chair directed IT Director Strong to unmute the call-in users and opened the public forum at 8:54 p.m.

No one came forward.

The Chair closed the public forum at 8:55 p.m.

Staff Reports

Community Development Director Chanski stated six applications were received for extension of premises permits due to COVID-19. He indicated staff is reviewing the applications received for the Small Business Relief Grant and will be brought to the EDA meeting on Thursday, June 4, 2020. He also requested the Council grant permission to resume Code Compliance proactive efforts on grass, junk, and debris.

Finance Director Hillman announced Tuesday, June 2, 2020 at 5:00 p.m. is the deadline to file for election.

Recreation Coordinator Kaufman gave a brief presentation of the new Parks Department Virtual Recreation page located on our City website.

Fire Chief Holmes announced the Incident Management Team was requested to assist in the civil unrest concerns in Minneapolis, in which he participated in Friday and Saturday last week. He stressed the importance of having a relationship with other agencies to be able to work together in critical situations. He thanked everyone for the support in allowing his participation and the Council thanked him for serving.

Council Member Reports

Mayor Badeaux indicated he will recommend the Park Board president make a presentation to the Council at a future meeting. He also announced he was invited to a vigil for George Floyd at Gregory Park on Saturday and thanked Reverend Leslie Moughty from First Congregational Church for reaching out to him and the message.

Council Member Lambert indicated several businesses have reached out to her in appreciation for what the City is doing to help them during the pandemic.

Council Member Bevans also attended the vigil on Saturday.

Council Member T. Erickson stated the Board of Directors at the Northland Arboretum have experienced some member shortages recently but are back to thirteen members.

Council Member W. Erickson stated he is happy to hear that churches will slowly be opening to the community and is excited for bars and restaurants being able to open for patio service.

Council Member Johnson stated the HRA has extended a job offer to fill the Executive Director position. He also explained at a previous meeting, the Council failed to make a determination regarding the dangerous dog hearing, and it will be on the June 15th meeting.

Adjourn

The Chair adjourned at 9:18 p.m.

Jennifer Bergman
City Administrator