Brainerd, MN
August 17, 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: Lambert, Stunek, Pritschet, Bevans, W. Erickson, T. 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 PRITSCHET TO APPROVE THE AGENDA.

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

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

A. Approval of the Minutes of the Regular Meeting held on August 3, 2020 - Approved

B. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

C. Consider Letter of Support for CLTA Grant Application - Approved

D. Recurring Event Application – Produce Pop-Up - Approved

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

Appeal – Last Turn Saloon Building Permit Denial - Approved

Community Development Director Chanski gave a brief review of the building permit that was requested by Ed Mattson, the owner of the Last Turn Saloon to convert the saloon at 214 S. 8th Street into apartments. He indicated the decision to deny the permit is the proposed use is not supported by Section 515-62-1 of the zoning code.

City Attorney Langel stated the owner and their attorney are present to speak on the reason for the appeal.

The Chair recognized Ms. Ginny Knudson, attorney with Borden, Steinbauer, Krueger & Knudson and Mr. Ed Mattson, owner of the Last Turn Saloon. Ms. Knudson and Mr. Mattson indicated the ordinance can be interpreted different ways and stated the property does not have a retail first floor space. They stated there is a first floor office that could be altered and accessed from the street. They explained the purpose and intent of the proposed remodel project.

Council discussion took place.

MOVED BY ALDERWOMAN LAMBERT TO REVERSE THE DECISION OF COMMUNITY DEVELOPMENT DIRECTOR CHANSKI TO DENY THE PERMIT AND ALLOW THE PROPERTY OWNER TO PROCEED.

The motion dies for lack of a second.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO UPHOLD THE DECISION TO DENY THE PERMIT BY COMMUNITY DEVELOPMENT DIRECTOR CHANSKI AND DIRECT STAFF TO COMPLETE FINDINGS OF FACT FOR THE BASIS OF THE DENIAL.

Upon roll call, members Stunek, Pritschet, W. Erickson, T. Erickson, and Johnson voted "aye". Member Lambert voted "nay". Member Bevans abstained from voting. The Chair declared the motion carried.

<u>Presentations</u>

Community Development Director Chanski gave a presentation of the activities of the Community Development Department this year to date. He reviewed the number of building permits issued, inspections and pending projects along with code compliance details and River to Rail projects. The Chair thanked him for the presentation.

<u>Council Committee Reports</u>

<u>Safety & Public Works Committee Report</u>

<u>Improvement 20-09 – Laurel Street Bridge Repair Final Costs - Approved</u>

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL COSTS TO LANDWEHR CONSTRUCTION FOR THE LAUREL STREET BRIDGE REPAIR IN THE TOTAL TIME AND MATERIALS COST OF $38,219 AND DEPENDENT ON APPROVAL OF THE P&F AGENDA BILLS AND PAYMENTS TO CONTRACTORS.

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

<u>Improvements 13-21, 19-09, 19-16, 19-20, and 19-21 – NE Brainerd Reconstruction Project – Change Order 3 - Approved</u>

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE CHANGE ORDER 3 IN THE TOTAL AMOUNT OF $41,002 FOR IMPROVEMENTS 13-21, 19-09, 19-16, 19-20 AND 19-21 NE BRAINERD RECONSTRUCTION PROJECT.

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

Improvements 16-09, and 19-07 – Buffalo Hills Lane and Mississippi Drive Reconstruction – Change Order 4 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE CHANGE ORDER 4 IN THE TOTAL AMOUNT OF $46,823 FOR IMPROVEMENTS 16-09 AND 13-21 BUFFALO HILLS LANE AND MISSISSIPPI DRIVE RECONSTRUCTION PROJECT.

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

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

Contractor	IMP#	Project	Amount Paid
Landwehr Const.	20-09	Laurel St Bridge Repairs	$38,219

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

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

Street Maintenance I Hiring - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO AUTHORIZE STAFF TO HIRE THREE INDIVIDUALS FOR THE STREET MAINTENANCE I POSITIONS AT THIS TIME.

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

Disposal of Street Department Equipment - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO AUTHORIZE STAFF TO SELL ALL THREE PIECES OF EQUIPMENT ON PUBLIC SURPLUS AUCTION WITH THE FUNDS FROM THE SALES TO GO INTO THE CAPITAL FUND.

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

Disposal of Retired Police Vehicle - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO AUTHORIZE THE SALE OF RETIRED POLICE VEHICLE UNIT #441 UTILIZING CENTRAL MINNESOTA DEALER AUCTION.

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

Police Officer Hiring Ratification - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO AFFIRM THE HIRING OF POLICE OFFICER SAMUEL JUDD STARTING AT LELS 2020 STEP 1 RATE OF $27.43/HOUR WITH A STARTING DATE OF AUGUST 14, 2020.

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

Request to Enter Rural Service District

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO ADD THE PROPERTY PID 41330756 TO THE CITY'S RURAL SERVICE DISTRICT AND DIRECT THE PLANNING AND ZONING TO RE-EXAMINE THE RURAL SERVICES DISTRICT ORDINANCES TO REVIEW THE USEFULNESS OF SERVING THE CITY AND RESIDENTS AND RETURN TO THE COUNCIL WITH A PROPOSED ORDINANCE AMENDMENT.

Committee Chair Pritschet indicated Mr. Greg Jedlinski, 9089 Dal-Mar Drive, is requesting the property be added as he is not serviced by City sewer and water.

Council discussion took place.

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

2021 Budget Proposed Timeline - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO SET THE BUDGET WORKSHOP FOR MONDAY, SEPTEMBER 14, 2020 AT 6:00 P.M.

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

2019 Tax Increment Financing (TIF) Report Summary - Informational

Committee Chair Pritschet stated the TIF report was provided to Council and filed accordingly prior to the August 1, 2020 deadline.

Unfinished Business

Committee Resignations – Accept with Regret

MOVED AND SECONDED BY ALDERMEN T. ERICKSON AND STUNEK TO ACCEPT WITH REGRET THE RESIGNATION OF STACI HEADLEY FROM THE AIRPORT COMMISSION.

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

Committee Recommendations – Recommended by Mayor Badeaux

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO APPOINT CHARLES MAROHN TO THE PARKING COMMISSION AND CHARTER COMMISSION.

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

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 pending appointment*

Council President Recommended: (term to expire 12/31 of said year)
Airport Commission – 1 term (Expire 2021)

Other
Water Tower Fundraising Committee
Parking Commission

Consider Revised COVID Relief Funds (CRF) Expenditures - Approved

City Administrator Bergman and Finance Director Hillman explained the revisions that were made to the proposed COVID expenditures spreadsheet. Mr. Tim Houle, Crow Wing County administrator and Mr. Tyler Glynn, BLAEDC executive director answered questions from the Council.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK TO APPROVE THE REVISED EXPENDITURES FOR THE CRF FUNDS AND POOL WITH CROW WING COUNTY IN THE AMOUNTS OF $300,000 FOR SMALL BUSINESS GRANTS AND $100,000 FOR NON-PROFITS.

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

Public Forum

The Chair opened the public forum at 9:16 p.m.

No one came forward.

The Chair closed the public forum at 9:17 p.m.

Staff Reports

City Administrator Bergman stated the doors to City Hall are now open to the public without controlled access from 7:30 a.m. to 4:30 p.m. daily.

Council Member Reports

Council Member Bevans indicated the concerts taking place in Gregory Park sponsored by The Center on Thursday nights have been well attended and encourages everyone to join.

Council Member Johnson announced the Brainerd HRA has extended a job offer to Eric Charpentier to fill the position of Executive Director and will be starting in a couple weeks.

Adjourn to In-Person Meeting with the Crow Wing County Board of Commissioners, Brainerd City Council and the Evergreen Cemetery Board on August 26, 2020 at 4:00 p.m.

The Council adjourned at 9:20 p.m.

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Jennifer Bergman
City Administrator