Brainerd, MN
November 2, 2020

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

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

Due to Aldermen Lambert participating in the meeting remotely, all motions will be made by roll call vote for accuracy.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO APPROVE THE AGENDA.

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

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO APPROVE THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on October 19, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses - 4

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director

D. MBFTE Grant Application for Hazardous Materials Training - Approved

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

Council Committee Reports

Safety & Public Works Committee Report

Improvement 20-01 – 2020 Seal Coat – Final Pay Application - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF’S RECOMMENDATION AND APPROVE THE FINAL PAY APPLICATION TO ASPHALT SURFACE TECHNOLOGIES CORPORATION IN THE TOTAL AMOUNT OF

$149,522, SUBJECT TO APPROVAL OF BILLS AND PAYMENTS TO CONTRACTORS ON THE PERSONNEL AND FINANCE COMMITTEE AGENDA.

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

Public Transit Capital Asset Management Plan - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND W. ERICKSON TO ACCEPT STAFF’S RECOMMENDATION AND APPROVE THE PUBLIC TRANSIT CAPITAL ASSET MANAGEMENT PLAN AS PRESENTED.

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

Public Transit Vehicle Maintenance Policies and Procedures Plan - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO APPROVE THE REVISED PUBLIC TRANSIT VEHICLE MAINTENANCE POLICY AND PROCEDURES PLAN AS PRESENTED.

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

Personnel and Finance Committee Report

Approval of Bills and Payments to Contractors - Approved

Contractor	IMP#	Project	Amount Paid	Contract Amount
Asphalt Surface Tech	20-01	2020 Seal Coat	$149,522	$147,576

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 Pritschet, Bevans, W. Erickson, T. Erickson, Lambert, Stunek, 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 T. ERICKSON TO AFFIRM THE HIRING OF POLICE OFFICER ANDREW MIDDLETON STARTING AT LELS 2020 STEP-1 RATE OF $27.43/HOUR WITH A STARTING DATE OF OCTOBER 26, 2020.

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

Resignation of Firefighter Gawboy – Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO ACCEPT WITH REGRET THE RESIGNATION OF FIREFIGHTER GAWBOY EFFECTIVE OCTOBER 31, 2020.

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

Acknowledge Hiring Jesse Sanders as Park Maintenance Employee - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO ACKNOWLEDGE THE HIRING OF JESSE SANDERS AS A PARK MAINTENANCE EMPLOYEE AT THE STEP-2 RATE OF $20.47/HOUR EFFECTIVE OCTOBER 26, 2020.

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

Deferment of Assessments - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS TO APPROVE THE APPLICATIONS FOR DEFERMENT OF ASSESSMENTS PAYABLE IN 2021 FOR THE APPLICANTS AT PROPERTIES 41191220, 41300682, 41191702, AND 41191721.

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

2021 Dental Insurance - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND T. ERICKSON TO ACCEPT STAFF’S RECOMMENDATION AND APPROVE THE 2021 DENTAL INSURANCE PROPOSAL SUBMITTED BY DELTA DENTAL WITH A 3% RATE REDUCTION.

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

Extend Retirement Date of Police Chief McQuiston - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO APPROVE DELAYING POLICE CHIEF MCQUISTON’S RETIREMENT DATE FROM NOVEMBER 28, 2020 TO JANUARY 16, 2021.

HR Director Schubert indicated there will be a meeting held on Thursday, December 10th to interview candidates for the Police Chief position.

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

2021 Budget and Levy – Set Workshop - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND STUNEK TO ACCEPT STAFF’S RECOMMENDATION AND HOLD A BUDGET WORKSHOP ON MONDAY, NOVEMBER 30, 2020 AT 6:00 P.M.

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

Unfinished Business

Adjourned Public Hearing and Resolution – Proposed Assessments – 2020 Nuisance Abatement – Adopted by Resolution No. 52:20

Community Development Director Chanski explained the details of the proposed nuisance assessments and stated staff has reached out to the property owners to reach acceptable solutions. He stated four of the five property owners did work with staff to resolve the issues, but the property owner of PID 41241036 did not respond to the multiple attempts to contact him.

The Chair opened the public hearing at 7:50 p.m.

No one came forward.

The Chair closed the public hearing at 7:50 p.m.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO ADOPT A RESOLUTION TO ADOPT THE NUISANCE ASSESSMENT FOR PID 41241036, AND WAIVE THE ASSESSMENTS FOR PID’S 41360945, 41241410, 41360919, AND 41360827 AS RECOMMENDED BY STAFF.

Council Member Bevans indicated he is not going to support this resolution, as he believes the property owners of 41360919 and 41360827 should have made an effort to contact City Hall when they received the initial letter notifying them of the issue prior to the assessment hearing.

RESOLUTION NO. 52:20

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

Update on Children’s Museum – No Action Taken

City Administrator Bergman stated the Children’s Museum Task Force met on October 15th to discuss the placement of the museum in Lum Park. She indicated WSN provided four options in which the group would like to see a plan with a combination of option A and C. She explained the Park Board stated they would not support any design plan with the museum being built in a place other than near the existing buildings. She said they decided there will be no further task force meetings until the museum returns with an acceptable plan. She explained the City’s response to the RFP had offered the use of existing park administration buildings.

The Chair recognized Mr. Kevin Yeager, who is a task force member that serves to represent the Park Board. Mr. Yeager spoke regarding the desire to maintain the integrity of the park to keep the museum near the location of the existing buildings and parking lot. He said that was clearly stated from the beginning of the task force meetings with the museum leadership.

Council discussion took place.

City Administrator Bergman stated the recommended motion was from the Park Board to authorize staff to draft correspondence to support the Parks Board's decision and sever the relationship with the Region 5 Children's Museum. She explained the next task force meeting is scheduled for November 12th and WSN will be bringing back a plan combining aspects of plan A and C for consideration.

Council determined to take no action on the recommended motion.

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)
Brainerd Housing & Redevelopment Authority (HRA) – 1 term (Expire 2020)

Other
Water Tower Fundraising Committee
Parking Commission

New Business

Donation of Downtown Speaker System - Approved

The Chair welcomed Mr. Mike Angland and Mr. John Schommer, members of Brainerd Restoration, who stated that they were successful in fundraising and were able to purchase the speakers for downtown. He thanked many of the community members for working towards this goal. Mr. Schommer gave a brief review of the system, speaker locations, and requested the transmitter be installed on the roof of City Hall.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ACCEPT THE DONATION OF THE DOWNTOWN SPEAKER SYSTEM AND DIRECT STAFF TO DEVELOP AN AGREEMENT BETWEEN THE CITY, BRAINERD RESTORATION, AND THE DESTINATION DOWNTOWN BRAINERD COALITION REGARDING THE OPERATION AND MAINTENANCE OF THE SYSTEM.

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

Order of Agenda - Approved

Finance Director Hillman explained the details of the current Rules of Procedure and Decorum and the recommended updates to the document.

MOVED AND SECONDED BY ALDERMEN BEVANS AND T. ERICKSON TO ADOPT THE AMENDED RULES OF PROCEDURE AND DECORUM FOR CITY COUNCIL MEETINGS AS PRESENTED.

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

MOVED AND SECONDED BY LAMBERT AND BEVANS TO HAVE THE AMENDED RULES OF PROCEDURES AND DECORUM APPLY TO ALL CITY BOARDS AND COMMITTEES.

Council Member Johnson indicated the some of the order of agenda items shown do not pertain to boards and commissions, such as Council Committee Reports.

City Administrator Bergman explained subdivision 3 indicates *"...for the regular meeting of the City Council...",* thus the intent to have the Rules of Decorum apply to boards and commissions, but this subdivision clearly is addressing City Council meetings.

Council Member Bevans indicated he would like to view the revised Rules of Procedures and Decorum document when it has been updated.

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

<u>Discussion on Airport Commission Appointments – Direction Given</u>

Council Member Johnson stated Mr. Jeff Czeczok called him requesting clarification on the terms for the Airport Commission.

The Chair recognized Mr. Czeczok, who is calling in to the meeting via WebEx, and indicated he is wondering if he may re-apply to the commission when his term expires on December 31, 2021. He said he would have served 4 ½ years at his 2021 term expiration.

Council Member Bevans indicated due to the circumstances he should be able to reapply.

Council discussed and determined since he will not have served a consecutive 6 years, he would be able to reapply.

Council Member Stunek stated it is difficult enough to fill the vacancies on boards and commissions and we should welcome those who want to serve.

****Note* After the meeting, it was determined Mr. Jeff Czeczok's term on the Airport Commission expires December 31, 2022, not 2021 as stated.***

<u>Set Special Council Meeting to Canvass General Election Results - Approved</u>

Council determined to set the meeting to canvass general election results be held via WebEx Teleconference on November 12, 2020 at 12:00 pm.

<u>Public Forum</u>

The Chair opened the public forum at 8:46 p.m.

No one came forward.

The Chair closed the public forum at 8:46 p.m.

Staff Reports

City Administrator Bergman stated the Charter Commission is meeting on November 5th to review the recommended changes from City Attorney Langel to the City Charter. She said on October 30th, there was another meeting held to discuss the public works department. It was decided to try a three-month trial period with Katie Kaufman reporting directly to the Park Board. The administrative assistant's time will be split between the engineering department and the Park Board.

City Administrator Bergman announced that Police Chief McQuiston was chosen as the Distinguished Community Service Member Award. Congratulations to Police Chief McQuiston!

Community Development Director Chanski thanked the Council for approving the purchase of new cubicles for City Hall and Building Inspector Jason Stockinger for taking time to assemble them.

Mayor's Report

Mayor Badeaux stated Halloween went very well with many residents creating unique ways to hand out candy. He indicated Rapunzel decided to let her hair down from the water tower.

Council Member Reports

Council Member Lambert said the Rental Ordinance Review committee will be finalizing the revisions and will hopefully have it completed by the end of the month.

Council Member T. Erickson met with the Fire Advisory Board recently and the next meeting will be scheduled for February 2021. He said the Arboretum Haunted Trail was well received and thanked everyone who helped and attended.

Council Member Bevans said he found Rapunzel's hair very amusing and was impressed with the number of trick or treating parents that said thank you for participating in Halloween for the kids.

Council Member Johnson attended the Park Board meeting last week and they are working towards moving most of the sports programming to the YMCA and Community Education. He thanked City Engineer Sandy and the Streets Department for promptly addressing a sidewalk tripping hazard downtown that he noticed outside Coco Moon.

Council Members Pritschet and Stunek stated tomorrow is Election Day and the transfer of power is our country is something that we should be proud of. He said to please be kind to the election judges that are working the polls and others that are voting.

Adjourn to Closed Session Pursuant to MN Statutes 13D.03 to Discuss Labor Negotiation Strategy – 9:00 p.m.

The Council reconvened at 9:33 p.m.

The Council adjourned at 9:33 p.m.

Jennifer Bergman
City Administrator

November 2, 2020