

Brainerd, MN  
March 16, 2020

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:32 P.M. by Council President Johnson.

Upon roll call, the following members were noted as present: Bevans, Badeaux, Erickson, Lambert, Stunek, Pritschet and Johnson. Mayor Menk 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, DULY CARRIED, TO AMEND THE AGENDA BY MOVING ITEM 9D - POLICE DEPARTMENT REMODEL – SERVER ROOM FIRE SUPPRESSION TO THE PERSONNEL AND FINANCE AGENDA AND ADD CORONAVIRUS UPDATE TO NEW BUSINESS.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO AMEND THE CONSENT CALENDAR BY REMOVING ITEM 5E - MINNESOTA LAWFUL GAMBLING APPLICATION FOR EXEMPT PERMIT SUBMITTED BY MN DARKHOUSE & ANGLING ASSOCIATION, 225 1<sup>ST</sup> ST., RANDALL, MN FOR AN EVENT TO BE HELD ON MARCH 28, 2020 AT THE AMERICAN LEGION POST 255, 708 FRONT ST., BRAINERD WHICH WAS CANCELED BY THE APPLICANT.

- A. Approval of the Minutes of the Regular Meeting held on March 2, 2020 - Approved**
- B. Approval of Licenses - Approved**  
Contractor Licenses – 6– Renewals
- C. Department Activity Reports - Approved**
  - 1. Police Chief
  - 2. Finance Director
- D. Minnesota Lawful Gambling – Adopt Resolution Authorizing Brainerd American Legion Post 255 to Conduct Off-Site Gambling on April 23, 2020 at the Essentia Health Sports Center, 502 Jackson St., Brainerd – Adopted by Resolution No. 11:20**
- E. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by MN Darkhouse & Angling Association, 225 1<sup>st</sup> St., Randall, MN for an Event to be Held on March 28, 2020 at the American Legion Post 255, 708 Front St., Brainerd – Canceled by Applicant**
- F. Temporary On-Sale Liquor License – Submitted by Brainerd American Legion Post 255 for an Event to be Held April 23, 2020 at the Essentia Health Sports Center, 502 Jackson St., Brainerd - Approved**

March 16, 2020

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

**Presentations**

The Chair welcomed Mr. Dave Badeaux, executive director of Brainerd Community Action, who was recently hired for this position. He said Community Action is a non-profit organization that focuses on helping individuals and groups who have a desire to help others but may not know where to get started. He gave a brief summary of the role of Community Action as they partner with many of the non-profits in the area as well as planning events in the community, such as the 4<sup>th</sup> of July festivities. He indicated fiscal sponsorship is another service offered by Community Action, which is the ability to hold charitable non-tax status funds for a non-profit that is just getting started. The Council thanked him for the presentation.

**Council Committee Reports**

**Safety and Public Works Committee Report**

**Resolution – Concurring with the Revocation of Segments of CSAH20 in Brainerd – Adopted by Resolution No. 12:20**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT A RESOLUTION IN WHICH CONCURS WITH THE COUNTY’S RESOLUTION IN WHICH REVOKES CSAH 20 FROM WASHINGTON STREET TO BEAVER DAM ROAD FROM A COUNTY STATE AID HIGHWAY TO A MUNICIPAL STATE AID STREET.

Committee Chair Bevans indicated this resolution simply confirms the City is in agreement with the county to allow MnDOT to remove the segment of roadway from the County State Aid System and transfer it to the City of Brainerd. He said a second resolution will come before the Council at a later date to approve signatures on the agreement.

**RESOLUTION NO. 12:20**

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

**Resolution – Supporting Infrastructure Accountability – Adopted by Resolution No. 13:20**

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT A RESOLUTION TO SUPPORT LEGISLATION OF INFRASTRUCTURE ACCOUNTABILITY.

Committee Chair Bevans stated this resolution would give the City the right to collect fees on future infrastructure improvements from those responsible for the improvements. He said the reasoning is that cities and townships should not be forced to make current residents and businesses pay for costs of growth through local taxes.

**RESOLUTION NO. 13:20**

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

### **Transit Express Route - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO ELIMINATE THE EXPRESS SERVICE AND TO USE THE SERVICE HOURS AS ADDITIONAL DIAL-A-RIDE HOURS, IN CONCURRENCE WITH THE TRANSPORTATION ADVISORY COMMITTEE'S (TAC) UNANIMOUS RECOMMENDATION.

Committee Chair Bevans stated the express route incurred a \$7,000 deficit last year, and it was decided the best option was to eliminate this route to provide more hours for the curb to curb service that Dial-A-Ride offers.

Council Member Johnson asked if the Transportation Advisory Committee (TAC) considered adding benches or signs indicating the specific bus stops.

Council Member Lambert, who is the committee liaison, responded that due to the added expense for the equipment needed, it was not a logical option.

### **Tax-Forfeit Non-Conservation Parcels - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND CONCUR WITH CROW WING COUNTY'S NON-CONSERVATION STATUS OF PARCEL NO.'S 41350577, 41330537, 41241509, 41241032, 41241038 AND 41191554 TO ALLOW THE PROPERTIES TO BE PLACED ON THE CROW WING COUNTY LAND SALE.

### **2020 Downtown Landscaping and Maintenance - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO DISTRIBUTE THE REQUEST FOR QUOTE FOR DOWNTOWN LANDSCAPING SERVICES AND AUTHORIZE STAFF TO DEVELOP, POST AND CONDUCT THE HIRING PROCESS FOR A PART-TIME DOWNTOWN MAINTENANCE POSITION TO BE PAID THROUGH THE BUDGETED FUNDS FOR THE PLANNING INTERN POSITION.

Committee Chair Bevans stated the City annually contracts with an outside entity to provide landscaping and maintenance services for the downtown, which is assessed to the business owners. He said the Community Development Department has an annual budget to hire a Planning Intern during the summer. He indicated an intern is not needed this year, and the department would like to use the budgeted funds for a part-time downtown maintenance and streetscape position and reduce the outside contract to initial landscaping only.

Council discussion took place.

Council determined this would only be for year 2020 and will be reevaluated after the season ends.

### **Personnel and Finance Committee Report**

#### **Approval of Bills - Approved**

March 16, 2020

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

Council Member Bevans indicated the financial reports should be included with the packet, and not as a separate document. City Administrator Bergman apologized to the Council and stated the software conversion has been consuming for staff with training for two weeks. Finance Director Hillman indicated they were possibly provided separately in the past due to the number of pages when packets were printed, but she will research further. She also added the prepaid payments will now be included in the main Accounts Payable report instead of separately.

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

**Request to Apply for a Grant from the Otto Bremer Trust - Approved**

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE FIRE DEPARTMENT STAFF TO APPLY FOR A GRANT THROUGH THE OTTO BREMER TRUST IN THE AMOUNT OF \$300,000 FOR A SELF-CONTAINED BREATHING APPARATUS (SCBA).

**Police Sergeant Promotion - Approved**

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE PROMOTING POLICE OFFICER DEREK PALLANSCH TO POLICE SERGEANT EFFECTIVE APRIL 13<sup>TH</sup> AND HIS WAGE BE SET AT THE STEP 3 RATE OF THE TEAMSTERS LABOR AGREEMENT OF \$35.67 PER HOUR.

**Appointment of Building Official - Approved**

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPOINT DARRIN DESETH AS BUILDING OFFICIAL AT STEP 2 OF THE BUILDING OFFICIAL PAY SCALE WHICH IS \$31.11 PER HOUR EFFECTIVE MARCH 17, 2020.

Committee Chair Badeaux indicated there were 5 applicants, but Mr. Deseth was the only one certified with the State of Minnesota, which was one of the minimum requirements.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO POST THE BUILDING INSPECTOR POSITION AND CONDUCT THE HIRING PROCESS.

**Request to Apply for DNR Outdoor Recreation Grant – Memorial Park - Approved**

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO AUTHORIZE STAFF TO SUBMIT THE DNR OUTDOOR RECREATION GRANT APPLICATION PENDING PARK BOARD APPROVAL.

Committee Chair Badeaux stated the agenda request lists the incorrect amount of \$236,338 and it should be \$248,623. He said the potential grant amount could be between \$10,000 to \$248,623. He indicated it is pending Park Board approval, as the due date for the

March 16, 2020

grant application is March 27, 2020. He asked the Council the process for future grant requests for parks related applications.

Council Member Johnson stated according to the City Charter, the Park Board operates as an independent entity and they may apply for the desired grants.

Finance Director Hillman indicated there is a city policy in place that states any City department intending to apply for a grant of \$5,000 or more shall notify the City Council.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS, DULY CARRIED, THAT POTENTIAL GRANT FUNDS RECEIVED ARE IN ADDITION TO THE ALLOTTMENT OF THE \$1.3 MILLION FOR THE MEMORIAL PARK PROJECT.

### **Police Department Remodel – Server Room Fire Suppression - Approved**

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE STAFF TO APPROVE THE INSTALLATION OF A CLEAN AGENT SYSTEM IN THE AMOUNT OF \$18,700 RATHER THAN A WATER BASED SPRINKLER SYSTEM IN THE SERVER ROOM TO MINIMIZE DISRUPTION TO THE CITY'S NETWORK ESPECIALLY IN THE CASE OF A FALSE ALARM OR FIRE IN ANOTHER ROOM.

Committee Chair Badeaux explained due to having expensive equipment in the server room, the clean agent system is the best option as it does not affect electronics.

### **Unfinished Business**

#### **Call for Applicants – Informational:** **(Application Information at [www.ci.brainerd.mn.us/boards/](http://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)

##### **Council President Recommended: (terms to expire on 12/31 of said year)**

Planning Commission – 1 term (Expire 2022)

##### **Other**

Water Tower Fundraising Committee – Applicants Needed

### **City Hall and Police Department Remodel Update - Informational**

The Chair recognized Kevin Currie from Contegrity, who gave a brief update to the City Hall and Police Department remodel projects. He summarized the construction status and the breakdown by contractor which are under budget. He indicated the project is on schedule with city hall staff being able to occupy the second-floor next week in order to clear the third floor for

March 16, 2020

the final stage of construction. He explained the police department project is scheduled to start on March 30<sup>th</sup>.

### **Crow Wing County Shared Services Maintenance Contract Update – Informational**

City Engineer Sandy gave an overview of the first year of the shared services agreement with Crow Wing County and the next steps towards the future of the agreement. He indicated due to the remodel projects taking place, staff would like to continue with the agreement as it is and obtain more data this summer prior to the budgeting process to get a more accurate breakdown of hours and services.

### **New Business**

#### **Authorize Letter of Intent with the Region 5 Children’s Museum - Approved**

City Administrator Bergman explained the letter outlines the responsibilities of each entity. She said the letter will include cost sharing, establishment of a task force, a working group, a focus group and community engagement. She indicated the City will contribute \$20,000 towards the masterplan with Region 5 Children’s Museum contributing \$17,000 and will be doing additional community engagement.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO THE LETTER OF INTENT WITH THE REGION 5 CHILDREN’S MUSEUM.

#### **Authorize Proposal with Widseth Smith Nolting (WSN) for Lum Park Masterplan - Approved**

City Administrator Bergman indicated that WSN will be creating a task force consisting of 9-11 people, including members from the City Council, EDA, Planning Commission, Park Board, Region 5 Children’s Museum and community members and a working group to assist WSN. She explained the masterplan will be conducted in three phases through 2020: Programming, Preliminary Design and Final Presentation Graphics and Deliverables.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO AUTHORIZE THE CITY ADMINISTRATOR TO ENTER INTO A PROPOSAL WITH WIDSETH SMITH NOLTING (WSN) FOR THE LUM PARK MASTERPLAN.

#### **Mississippi Landing Trailhead Concept Design Presentation - Approved**

Community Development Director Chanski gave a presentation with the final concept design of the Mississippi Landing Trailhead. He explained the concept is fully supported by the newly adopted Comprehensive Plan in many of the goals and policies. He reviewed the details of the site, the site plan and the benefits of having these various amenities available to the community.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO RESEARCH AND PURSUE FUNDING

## OPPORTUNITIES FOR FINAL DESIGN AND CONSTRUCTION OF THE MISSISSIPPI LANDING TRAILHEAD.

### **(Added Item) Coronavirus Update**

City Administrator Bergman stated staff has been working most of the day on issues revolving around COVID-19, and the role the City has in addressing these concerns in the community. She reviewed the recommendations from staff as follows:

- Modify services to online, phone, and mail and close public buildings of Parks, City Hall, Fire, Police
- Rental housing inspections are put on hold unless emergency
- Cancel special events for the next eight weeks
- Cancel all advisory and ad hoc meetings until further notice unless emergency item needs immediate attention
- Cancel trainings, conferences, and travel until further notice
- Schedule a meeting for Thursday, March 19, 2020 for updated information if needed

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ADOPT THE RECOMMENDATIONS OF CITY ADMINSTRATOR BERGMAN STATED IN HER MEMO PROVIDED TO COUNCIL DATED MARCH 16, 2020 REGARDING COVID-19 BASED ON CDC RECOMMENDATIONS UNTIL APRIL 6, 2020.

Council Member Pritschet volunteered to assist staff in any area needed regarding meetings as an appointed liaison.

### **Public Forum**

The Chair opened the public forum at 9:27 p.m.

No one came forward.

The Chair closed the public forum at 9:27 p.m.

### **Staff Reports**

None

### **Council Member Reports**

Council Member Badeaux stated although these are uncertain times, things will eventually go back to normal.

Council Member Pritschet said we can work together as a community and help each other out.

### **(Revised) Adjourn to Special Council Meeting March 19, 2020 at 6:00 P.M.**

The Chair adjourned at 9:27 p.m.

March 16, 2020

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Jennifer Bergman  
City Administrator

March 16, 2020