

Pursuant to due call and proper notice thereof, a meeting of the Breckenridge City Council was held on Monday, May 18, 2020, at 5:00 p.m. via teleconference as authorized under MN Statute 13D.021 due to the declared state of emergency from the COVID-19 pandemic.

Members Present: Mayor Russell Wilson; Council Members Rick Busko, Jason Butts, Reed Johnson, James Jawaski, Jim Gill, and Josh Lauritsen. City Administrator Renae Smith.

Member Absent: None.

Mayor Wilson called the meeting to order at 5:00 p.m.

Council Member Johnson moved to approve the agenda. Seconded by Council Member Butts and carried unanimously via roll call vote.

Open Discussion: Carl Casey from Casey's Bar and Adam Holzer present via telephone. Mr. Casey voiced that they wanted to open up prior to June 1st and expressed his frustrations with the rural communities being treated the same way as the twin cities in regards to the pandemic. Mayor Wilson indicated that later in the agenda, the Council would be discussing a letter and passing a resolution asking the governor to allow all of our businesses to reopen. It will go on record that we are in disagreement with the Governor by not letting the businesses open yet.

Motion by Council Member Jawaski to approve the Consent Agenda. Seconded by Council Member Lauritsen and carried unanimously via roll call vote. The Consent Agenda included the following:

- A. Motion to approve the minutes of the regular City Council meeting from May 4, 2020.
- B. Motion to approve the filing of the Public Utilities Commission minutes from May 4, 2020.
- C. Motion approving an estimate from Digital Guru in the amount of \$4,099.96 to update the City's computer server.
- D. Motion authorizing the donation of a Model 204 John Deere lawn mower to Valley Lake Boys Home, Inc.
- E. Motion authorizing the Fire Department to apply for a matching grant up to \$5,000.

All of the problems at the new water treatment plant have been resolved, and the new plant has been running at full capacity for the month of May. All of the build/construction portion that PKG was contracted to do is done and satisfactory. Council Member Gill offered Resolution No. 13043-36/2020, **"A RESOLUTION APPROVING THE FINAL PAYMENT TO PKG CONTRACTING, INC. FOR THE NEW WATER TREATMENT PLANT PROJECT NO. 289-13,"** and moved for its adoption. Seconded by Council Member Johnson and carried unanimously via roll call vote.

The City recently opened bids for directional boring and running of innerduct for the electrical upgrade project. City personnel will do all of the remaining work. Council Member Lauritsen offered Resolution No. 13044-37/2020, **“A RESOLUTION APPROVING THE BID AND AWARDING A CONTRACT TO PUSH, INC. FOR THE TWITO SUB CIRCUIT A UPGRADE, PROJECT NO. 312-20,”** and moved for its adoption. Seconded by Council Member Busko and carried unanimously via roll call vote.

Following Port Authority recommendation, Council Member Busko offered Resolution No. 13045-38/2020, **“A RESOLUTION AUTHORIZING A MINNESOTA INVESTMENT FUND LOAN IN THE AMOUNT OF \$39,000, PLUS INTEREST, TO JODI BEYER , d/b/a BRECK DRUG TO PURCHASE THE ENTIRE BUSINESS AND BUILDING,”** and moved for its adoption. Seconded by Council Member Johnson and carried unanimously via roll call vote.

The developer of the new apartment building was planning on building two additional buildings. He recently contacted City Administrator Smith and requested cancellation of the remainder of the project. Smith consulted with the bond attorney, who suggested that we cancel Development Agreements #2 and #3. These agreements can always be reinstated if things change in the upcoming years. The TIF District will remain in place if another developer is interested in building on those specific lots. Council Member Johnson offered Resolution No. 13046-39/2020, **“A RESOLUTION AUTHORIZING TERMINATION OF DEVELOPMENT AGREEMENTS WITH JH VENTURES, LLC,”** and moved for its adoption. Seconded by Council Member Butts and carried unanimously via roll call vote.

Council Member Butts offered Resolution No. 13047-40/2020, **“A RESOLUTION APPROVING THE PLANS AND SPECIFICATIONS FOR PROJECT NO. 310-19, NEW YORK AVENUE EXTENSION AND AUTHORIZING THE ADVERTISEMENT FOR BIDS,”** and moved for its adoption. Seconded by Council Member Johnson and carried unanimously via roll call vote.

Along with a meeting salary list, Council Member Jawaski offered Resolution No. 13048-41/2020, **“A RESOLUTION ALLOWING THE BILLS AND CLAIMS AGAINST THE CITY OF BRECKENRIDGE, MINNESOTA,”** and moved for its adoption. Seconded by Council Member Lauritsen and carried unanimously via roll call vote.

During union negotiations an amount was agreed upon for Life and AD&D Insurance. The City’s current carrier could not provide the specific amount. Therefore, the agreed amount needed to be changed, and both unions voted unanimously to approve a quote from a new provider. Council Member Johnson offered Resolution No. 13049-42/2020, **“A RESOLUTION APPROVING AN ADDITIONAL AMOUNT OF ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE FOR EMPLOYEES,”** and moved for its adoption. Seconded by Council Member Butts and carried unanimously via roll call vote.

The Fire Department has been applying for a grant for the past five years to purchase a new tanker truck but have been unsuccessful. A new truck would cost around \$290,000. However, they can purchase an army surplus truck and have it rebuilt for around \$140,000. This will

replace the current 1980 model truck. Council Member Butts offered Resolution No. 13050-43/2020, **“A RESOLUTION APPROVING THE REBUILD OF AN ARMY SURPLUS TRUCK INTO A TANKER TRUCK FOR THE FIRE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$140,000,”** and moved for its adoption. Seconded by Council Member Lauritsen and carried unanimously via roll call vote.

Mayor Russ Wilson mentioned that he has been getting numerous phone calls from local businesses regarding their mandated closures due to the COVID-19 pandemic, but the City has to honor what the Governor says. We are in a unique situation competing with businesses that are wide open across the border.

Council Member Busko asked what law prevents the local businesses from opening. Chief Karlgaard indicated that the state has issued the law, and we can't go against it, or we could be charged criminally and/or civically. We are one community with Wahpeton and it is a tough situation. He appreciates how the letter is drafted asking for the Governor's permission to open locally.

Carl Casey from Casey's Bar, Tom Materi from the Wilkin Drink and Eatery, and Milo Korbelt from Grumpy's Bar and Grill voiced their concerns that they can't wait to open until June 1st. Milo Korbelt asked about getting a rebate on their current licenses, as they haven't been able to use them for the past 75 days. The new licenses and fees are due June 5th and they haven't been able to generate any income to pay them. When they are able to open, they will be going into the three lowest sales months of the year.

Liane Mauch indicated that the fees are retained with the City, and licenses that are cancelled or granted for less than a year have been prorated in the past. City staff will compile potential prorated refund amounts for the period of time that the businesses have been ordered to be closed, and they will bring these to the next City Council meeting for review.

Carl Casey voiced that there have been no new virus cases in Wilkin County for the past four weeks. He is wondering if that could be included in the letter as well to show that we are not like the Twin Cities.

Council Member Busko offered Resolution No. 13051-44/2020, **“A RESOLUTION URGING GOVERNOR WALZ TO ALLOW BUSINESSES IN THE CITY OF BRECKENRIDGE TO REOPEN,”** and moved for its adoption. Seconded by Council Member Lauritsen and carried unanimously via roll call vote.

Mayor's Comments – none.

Other Comments:

- BFAC opening. Renae sat in a webinar from the State of MN. Currently, no pools are allowed to be open in the State of Minnesota. When they do open, there will be very

strict guidelines of social distancing, limited capacity, cleaning, etc. We might have to disallow the use of the slides, water basketball, baby pool, etc. A lot of cities are opting not to open for the entire season. If we do open, our attorneys are strongly advising us to document the reasons why we are opening.

BFAC Manager, Jeanne Schreiner, indicated that many of her lifeguards have been asking her for references. She has been blessed with a great group of kids but doesn't know if she will even be able to get enough staff at this point. She is concerned about whether or not we will be able to keep up with all of the cleaning requirements. On a hot summer day, 450 people come through the door. We have about 13,000 patrons on a good year.

The consensus was to wait for some guidance from the state in the near future. If it does open, maybe have a consent form for everyone to sign saying we are not responsible for any COVID.

- Congrats to the graduations seniors.
- Mayor asked if the entire letter to the Governor could be printed in the Daily News. Paige will check to see if she is able to.

Motion by Council Member Gill to adjourn the meeting at 6:10 p.m. Seconded by Council Member Jawaski and carried unanimously via roll call vote.

ATTEST:

RUSSELL WILSON, Mayor

RENAE SMITH, City Administrator