

**Brainerd, MN
January 21, 2014**

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 Cumberland.

Upon roll call, the following members were noted present: Pritschet, Bevans, Scheeler, Parks, Borkenhagen, Koep and Cumberland. Mayor Wallin was also noted as present.

President Cumberland opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS TO ADOPT THE CONSENT CALENDAR AS PRESENTED.

A. Approval of the Minutes of the Regular Meeting held on January 6, 2014, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 1 – New
2. Contractor's Licenses – 13 – Renewals

C. Department Activity Reports – Approved

1. Council President
2. Mayor
3. Police Chief
3. Finance Director

D. Amended and Restated Recreational 5-year Lease between The City of Brainerd and Wausau Paper Mills, LLC for Recreational Areas Contingent on City Attorney Review – Approval of and Authorization of – Approved

E. Call for Applicants:

Airport Commission – 1 Term to Expire on 12/31/2016
Cable TV Advisory Committee – 2 Terms to Expire on 12/31/2016
Charter Commission – 1 Term to Expire on 12/31/2017
Library Board – 4 Terms to Expire on 12/31/2019
Park Board – 1 Term to Expire on 12/31/2018
Planning Commission – 3 Terms to Expire on 12/31/2016
Police and Fire Civil Service Commission – 1 Term to Expire on 12/31/2016
Public Utilities Commission – 1 Term to Expire on 12/31/2018
Transportation Advisory Committee – 6 Terms to Expire on 12/31/2015

Upon roll call, members Pritschet, Bevans, Scheeler, Parks, Borkenhagen, Koep and Cumberland voted “aye.” No member voted “nay.” The Chair declared the motion carried.

Approval of Bills and Transfer of Funds – Recommended by the Personnel and Finance Committee – Approved

January 2014 Transfers for operating purposes:

General Fund to Public Safety Fund	\$300,000
General Fund to Park Fund	\$120,000
General Fund to Street & Sewer Fund	\$80,000
General Fund to Airport Fund	<u>\$12,960</u>
	\$512,960

Other Transfers (per Budget):

General Fund to IT Capital Fund (403)	\$10,000
General Fund to Mayor Contingency Fund (245)	<u>\$2,500</u>
	\$12,500

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE PAYMENT OF BILLS AND TRANSFER OF FUNDS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

Upon roll call, members Pritschet, Bevans, Scheeler, Parks, Borkenhagen, Koep and Cumberland voted “aye.” No member voted “nay.” The Chair declared the motion carried.

Council Committee Reports – Approved

Safety and Public Works Committee Report

Improvement 12-12 – Buffalo Hills Trails – \$5,000 Change Order to Professional Services Agreement Amendment – (Tabled from January 6, 2014 Meeting) – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO APPROVE THE CHANGE ORDER TO THE PROFESSIONAL SERVICES AGREEMENT FOR IMPROVEMENT 12-12 (BUFFALO HILLS TRAILS) IN THE AMOUNT OF \$5,000 AS PROPOSED.

Alderman Koep gave the minority report, citing a statement in the original May 2, 2013 agreement that states, “We will not begin any additional services unless authorized in writing.”

Members Pritschet, Bevans, Scheeler, Parks, Borkenhagen and Cumberland voted “aye.” Member Koep voted “nay.” The Chair declared the motion carried.

Street Sweeper Purchase – Authorize Purchase of Elgin Pelican Street Sweeper from Mac Queen Equipment, Inc. for the Price of \$182,176 and Declare 1990 Pelican as Excess Equipment and Authorize Advertisement of Bids – Approved

Attached to the Packet was a summary of costs including base price and options for the purchase of an Elgin Pelican Street Sweeper under State Contract release #S-843(4). Per a memo also included in the Packet from City Engineer Hulsether, MacQueen Equipment has provided the City with an optional trade in value of \$4,200 for the 1990 Pelican which does not need to be exercised until the City is taking delivery so staff is currently advertising for the sale of the 1990 by sealed bid with a minimum bid of \$4,200. Per City Engineer Hulsether, staff requests authorization from Council to issue the purchase order for the street sweeper and is also requesting that the Council declare the 1990 Pelican to be excess equipment and authorize the advertisement for bids for the sale of the unit.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO AUTHORIZE THE PURCHASE OF AN ELGIN PELICAN STREET SWEEPER FROM MAC QUEEN EQUIPMENT, INC. FOR THE PRICE OF \$182,176.00 AND TO DECLARE THE CITY'S 1990 PELICAN SWEEPER AS EXCESS EQUIPMENT AND AUTHORIZE THE ADVERTISEMENT OF BIDS.

Oak Lawn Township – Adjourn to Joint Meeting with Oak Lawn Township Board to be held at Oak Lawn Township Hall, 12404 HWY 18, Brainerd, on Thursday, February 6, 2014 at 7:00 P.M. – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO SET A JOINT MEETING WITH OAK LAWN TOWNSHIP TO BE HELD ON THURSDAY, FEBRUARY 6, 2014 AT 7:00 P.M. AT OAK LAWN TOWNSHIP HALL, 12404 STATE HWY 18, BRAINERD.

Annual MS4 Hearing – To be Held on Monday, March 17, 2014 at 7:30 P.M. in City Hall Council Chambers – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO HOLD THE ANNUAL MS4 HEARING ON MONDAY, MARCH 17, 2014, AT 7:30 P.M. IN THE CITY HALL COUNCIL CHAMBERS.

Personnel and Finance Committee Report

Resolution No. 08:14 Adopted – Authorizing the Brainerd HRA's Participation in the City's Insurance and Cafeteria Plan

Per a memo included in the Packet from City Administrator Goble, recent questions have come up as to how the Brainerd Housing and Redevelopment Authority (HRA) employees could/should be covered under the City of Brainerd's insurance plan. In order to officially facilitate the recent findings that the group is considered in the City's "control group" and is required to be included under the City of Brainerd's Affordable Care Act employer responsibilities, the City and the HRA need to clarify their relationship. Further, the City needs to amend its SelectAccount Flexible Spending Account Plan (i.e. the Cafeteria plan) via (attached) resolution.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS, DULY CARRIED, TO ADOPT RESOLUTION NO. 08:14 – AMENDING THE CITY OF BRAINERD'S SELECTACCOUNT FLEXIBLE SPENDING ACCOUNT PLAN TO AUTHORIZE THE BRAINERD HRA'S PARTICIPATION.

RESOLUTION NO. 08:14

Upon roll call, members Pritschet, Bevans, Scheeler, Parks, Borkenhagen, Koep and Cumberland voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

Parks Department – 2013 Equipment Certificate Fund Use Requests – Authorize the Use of \$12,074.750 for the Purchase of a Satellite Lifter from Perkins Manufacturing, Inc. and the use of \$27,828.25 for the Purchase of a ¾-ton GMC Pickup Truck from Mills GM – Approved

Per a memo from Park Director Sailer which was included in the Packet, two quotes have been received for a satellite lifter for the Parks and Recreation Department; noting that pricing was not available through State contracts or NJPA due to the limited number of satellite lifter manufacturers. Staff recommends purchasing from Perkins Manufacturing of Romeoville, IL based on an additional year in the included warranty.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO AUTHORIZE THE USE OF 2013 EQUIPMENT CERTIFICATE FUNDS FOR THE PURCHASE OF A SATELLITE LIFTER FOR THE PARKS DEPARTMENT FROM PERKINS MANUFACTURING FOR THE PRICE OF \$12,074.75 AS RECOMMENDED BY STAFF .

Per Personnel and Finance Committee Chair Bevans, a memo from Park Director Sailer was placed before Council prior to the meeting which states that two quotes have been received for a ¾-ton pickup truck for the Parks and Recreation Department: A 2014 GMC from Mills GM in Baxter which would include delivery of the vehicle from Wisconsin, and a 2015 GMC from Nelson Auto Center of Fergus Falls which would require retrieval.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS, DULY CARRIED, TO AUTHORIZE THE USE OF 2013 EQUIPMENT CERTIFICATE FUNDS FOR THE PURCHASE OF A 2014 GMC ¾-TON PICKUP TRUCK FOR \$27,828.25 FROM MILLS GM IN BAXTER UNLESS THE TRUCK IS GONE BY TUESDAY MORNING, IN WHICH CASE, THE COUNCIL AUTHORIZES THE PURCHASE OF A 2015 GMC ¾-TON PICKUP TRUCK FOR \$27,586.54 FROM NELSON AUTO CENTER OF FERGUS FALLS.

Establish Police Administrative Supervisor Position and Authorize Internal Posting of Position and Job Description with a starting wage of \$4,752.31 Per Month Based upon Classification Study – Approved

Per a memo from City Administrator Goble which was included in the Packet, an item discussed during the Classification Study was the need to separate our current Police Records Management Supervisor position into two positions; one being a new non-union supervisory/confidential classification and the other a union position serving as a Lead position to provide direct supervision to the support staff. Staff is requesting that Council approve the creation of the Police Administrative Supervisor classification and authorize the internal posting of the position and job description with a starting wage of \$4,752.31 per month.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ESTABLISH A POLICE ADMINISTRATIVE SUPERVISOR POSITION AND TO

AUTHORIZE INTERNAL POSTING OF THE POSITION AND JOB DESCRIPTION WITH A STARTING WAGE OF \$4,752.31 PER MONTH.

Unfinished Business

Public Hearing – Resolution No. 07:14 Adopted – Ordering Improvements 13-17, 13-18 and 14-02 and Authorizing Advertisement for Bids Returnable March 12, 2014 – (NOTE: Improvement 14-05 Excluded at this time)

City Engineer Hulsether stated that this is a Public Hearing for the first contract for the following 2014 improvements, requesting that Council adopt a resolution ordering the improvements and authorizing advertisement for bids returnable March 12, 2014:

IMPROVEMENT 13-17

Street Resurfacing
Willow Street between South 7th Street and South 13th Street

IMPROVEMENT 13-18

Street Resurfacing
10th Avenue NE between TH 25 and TH 210

IMPROVEMENT 14-02

Street Resurfacing
South 5th Street between Laurel Street and Front Street

~~IMPROVEMENT 14-05~~

Street Overlay
Old Stonebridge Court and Old Stonebridge Trail

The chair opened the Public Hearing at 8:03 P.M.

The Chair recognized Mr. Bill Gores, owner and developer of Stonebridge (Improvement 14-05), stating his request is to delay the final topping on the street overlay at Old Stonebridge Court and Old Stonebridge Trail until more of the homes have been built and less construction traffic will be utilizing them.

The Chair closed the Public Hearing at 8:06 P.M.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP TO ADOPT RESOLUTION NO. 07:14 – ORDERING IMPROVEMENTS 13-17, 13-18 AND 14-02 AND AUTHORIZING ADVERTISEMENT OF BIDS RETURNABLE MARCH 12, 2014 AND EXCLUDING IMPROVEMENT 14-05 AT THIS TIME.

RESOLUTION NO. 07:14

Upon roll call, members Pritschet, Bevans, Scheeler, Parks, Borkenhagen, Koep and Cumberland voted “aye.” No member voted “nay.” The Chair declared the motion carried and the resolution adopted.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO REFER THE ISSUE OF THE TIMING OF THE SECOND LIFT AT OLD STONEBRIDGE COURT AND TRAIL (IMPROVEMENT 14-05) TO ENGINEERING TO REPORT BACK TO COMMITTEE BY THE END OF JULY.

New Business

Video Taping Council Meetings – Authorize the Posting of City Council Meeting Recordings to a Video Streaming Website until Lakes Area Media Collaborative is in a Position to Provide Live Streaming of the Meetings – Approved

Per a memo from City Administrator Goble which was included in the Packet, interest has been shown in streaming Council Meetings live on the internet; however, the City does not currently have the capability to do this. Until this capability is reached through the City and Lakes Area Media Collaborative, staff is requesting approval to upload the City Council meetings to a video streaming website.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND PRITSCHET, DULY CARRIED, TO APPROVE THE UPLOADING OF BRAINERD CITY COUNCIL MEETING RECORDINGS TO A VIDEO STREAMING WEBSITE UNTIL LAKES AREA MEDIA COLLABORATIVE IS IN A POSITION TO PROVIDE LIVE STREAMING OF THE MEETINGS.

Public Forum

None.

Reports

Mayor's Report

Mayor Wallin advised the public to drive slower with the cold temperatures we've been having, especially with the Brainerd Jaycees Ice Fishing Extravaganza being held this weekend. He stated that he's been invited to the Civil Air Patrol Change of Command Ceremony on Monday, January 27th at Lakewood Evangelical Church.

City Attorney's Report

City Attorney Quiring stated that he had nothing to report.

City Administrator's Report

City Administrator Goble reported that:

- The Fire Advisory Board meeting is this Thursday at 4 p.m. in Meeting Room 1 of the County Land Services Building. She stated that she will be presenting a suggestion from City Attorney Quiring for one change to the proposed new agreement language which would protect the City in the event of a notice to terminate.

City Engineer's Report

City Engineer Hulsether reported that:

- Snow pickup will be delayed until repair of the snow blower is complete after a large rock damaged some of the blades of the snow blower.
- Because of a service sharing agreement our Building Official and Building Inspector have been working in the City of Baxter; Brainerd will be reimbursed for these hours and caution will be exercised to ensure the City of Brainerd's work does not fall behind.
- He and Assistant City Engineer Freihammer will be at the City Engineer's Association Conference Wednesday through Friday next week with an award to be presented Wednesday morning for the College Drive Project as a "Project of the Year" – he invited Council and staff to attend.

City Planner's Report

City Planner Ostgarden was noted as absent.

Police Chief's Report

Police Chief McQuiston stated that in his report on page 3, the 2nd sentence should state 2013 instead of 2012.

Finance Director's Report

Finance Director Hillman stated she had nothing in addition to her written report.

Council President's Report

Council President Cumberland stated that in addition to her written report, she'd like to thank staff and BLAEDC for the packet sent to the MN Dept of Revenue regarding the JOBZ program. She mentioned a "Back to Basics Hope for the Future" program which focuses on sustainable living and takes place on Saturday, February 1st from 8am to 4:30pm at the Pine River-Backus High School, and thanked the History Group members for their hard work lately.

Council Other Committee Reports

Alderman Scheeler thanked City Planner Ostgarden for the article he put in the paper inviting citizens to apply for the Planning Commission vacancies.

History Group member Koep updated the Council on events to take place throughout this summer's "History Week" including a tentative kick-off celebration on June 16th at City Hall commemorating the building's centennial, tours of historical buildings, a "Babyface Nelson Reenactment" and an interdenominational service. She stated that brochures will be developed with activities and tours that will be taking place that week and that a generous business man in Brainerd has offered a significant donation toward this celebration which the group is very thankful for.

Committee Recommendations – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPOINT THE FOLLOWING AD HOC COMMITTEE MEMBERS:

- Mr. Kevin Stumpf – Ad Hoc GreenStep City Committee
- Ms. Jessica Bleichner – Ad Hoc Walkable Bikeable City Committee

Adjourn – To the Fire Advisory Board Meeting to be held on January 23, 2014 at 4:00 P.M. and To the Joint Meeting with Oak Lawn Township to be held on February 6, 2014 at 7:00 P.M.

The Chair adjourned the meeting at 8:43 P.M.

Theresa A. Goble
City Administrator