

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 Acting President Parks.

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

Vice-President Parks opened the meeting with the Pledge of Allegiance to the Flag.

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

Vice-President Parks called for a moment of silence in honor of Bonnie Cumberland's passing.

At-Large Council Seat Vacancy Declared

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BEVANS, DULY CARRIED, TO DECLARE A VACANCY OF THE AT-LARGE COUNCIL POSITION.

Council Member Parks Elected as President of Council and Council Member Pritschet Elected as Vice-President of Council – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BEVANS, DULY CARRIED TO APPOINT COUNCIL MEMBER PARKS AS CITY COUNCIL PRESIDENT FOR THE TERM OF FEBRUARY 18, 2014 THROUGH DECEMBER 31, 2014.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPOINT COUNCIL MEMBER PRITSCHET AS CITY COUNCIL VICE-PRESIDENT FOR THE TERM OF FEBRUARY 18, 2014 THROUGH DECEMBER 31, 2014.

The chair stated that a request was received to move item F (Police Department Hiring) from the Consent Calendar to the Personnel and Finance Committee report and another to move item H (PUC/Hydrodam Due Diligence Extension) to New Business. He recommended approval of both changes. Council concurred.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND KOEP TO ADOPT THE AMENDED CONSENT CALENDAR.

Approval of the Minutes of the Regular Meeting held on February 3, 2014, as distributed – Approved

Approval of Licenses – Approved

1. Contractor's Licenses – 2 – New
2. Contractor's Licenses – 6 – Renewals
3. Tobacco License – 1 – New
 - Baxter Liquor Mart, 105 Washington St NE, Brainerd
4. Second Hand Goods Dealer License
 - Russ's Gunsmithing, 119 Washington St NE, Brainerd
(Contingent on Fire Chief Authorization)

C. Department Activity Reports – Approved

1. Mayor
2. Police Chief
3. Finance Director

D. Resolution No. 15:14 in Support of Airport Bonding – Adopted

E. Public Boxing Application – Submitted by Brock Larson for a Shine MMA (Mixed Martial Arts) Event to be held at the Brainerd Armory on March 8, 2014 – Contingent on Police Chief and Fire Chief Authorization – Approved

F. Personal/Professional Agreement between the City and Brainerd Public Library – Approval of and Authorization of Proper Signatures – Approved

G. Call for Applicants:

Cable TV Advisory Committee – 2 Terms to Expire on 12/31/2016
Library Board – 2 Terms to Expire on 12/31/2019
Transportation Advisory Committee – 3 Terms to Expire on 12/31/2015

Upon roll call, members Pritschet, Bevans, Scheeler, Borkenhagen, Koep and Parks 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

From General Fund to Public Safety Fund	\$450,000
From General Fund to Park Fund	\$30,000
From General Fund to Street & Sewer	\$80,000
From General Fund to Airport Fund	<u>\$12,960</u>
Total Transfers from #101	\$572,960

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, Borkenhagen, Koep and Parks voted "aye." No member voted "nay." The chair declared the motion carried.

Presentation – Award City Engineers Association Project of the Year Plaque to Anderson Brothers for College Drive Project

The Chair recognized City Engineer Hulsether and Ron Bray from WSB who presented the "Project of the Year" award to Mr. Warren Benson from Anderson Brothers, citing the team work between the City, WSB and Anderson Brothers as the reason for such a successful project.

Mr. Benson thanked the City for the award.

Police Department:

- **Baxter Police Presentation to Brainerd Officer Tim Friis**

Baxter Police Chief Exsted presented a plaque to Brainerd Police Officer Tim Friis for his efforts in helping to save the City of Baxter's K-9 Officer and Dog, Gator.

- **Presentation of Service Award Plaque – Police K-9 and Officer**

Brainerd Police Chief McQuiston presented a Service Award Plaque to Officer Myers and retiring K-9, "Buddy" while highlighting Buddy's very successful career with the City of Brainerd.

Legislative Update – Carrie Ruud and John Ward

The Chair recognized Senator Carrie Ruud and Representative John Ward.

Senator Ruud thanked the Council for the opportunity to appear this evening and stated that this is a bonding year and that including the airport project and Hydrodam project in the bill are a top priority. She stated that last year a bonding bill was in play for the ADA compliant elevator at the Civic Center and although circumstances for the Civic Center have changed, she and Representative Ward need direction from the Council on how to proceed.

Representative Ward stated that he just received the verbiage from his office on the Hydrodam project and that he will be moving forward with the proposal for Legislature. He stated that he spoke with Mr. Bob Joyce of BAH and will keep the Council and Senator Ruud updated on the Civic Center ADA compliant elevator progress.

The Chair thanked them for appearing this evening.

Council Committee Reports

Safety and Public Works Committee

Sale of 1990 Elgin Pelican Street Sweeper – Accept High Bid from Tri-City Paving in the Amount of \$8,000 – Approved

Per Chair Scheeler, two bids were received in the amounts of \$4,510 and \$8,000; staff has reviewed the value of salvaging parts from the sweeper and determined that selling the machine is the best option.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO ACCEPT THE BID FROM TRI-CITY PAVING IN THE AMOUNT OF \$8,000 FOR THE SALE OF THE CITY'S 1990 ELGIN PELICAN STREET SWEEPER.

Improvement 13-17 – Willow Street Resurfacing and Striping – Hold Over for Public Discussion to be held at a Future Committee Meeting – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO HOLD PUBLIC DISCUSSION ON IMPROVEMENT 13-17, WILLOW STREET RESURFACING AND STRIPING, AT A FUTURE SAFETY AND PUBLIC WORKS COMMITTEE MEETING.

Municipal Consent Resolutions:

Per a memo included in the Packet from City Engineer Hulsether, resolutions are required for two projects being proposed by Crow Wing County this summer; both projects are being funded entirely by the County.

Resolution No. 16:14 Adopted – County Road 117

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO ADOPT RESOLUTION NO. 16:14, APPROVING COUNTY PROJECT 18-117-04, BITUMINOUS OVERLAY ON COUNTY ROAD 117 BETWEEN CSAH 45 AND T.H. 25.

RESOLUTION NO. 16:14

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

Resolution No. 17:14 Adopted – CSAH 48

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP TO ADOPT RESOLUTION NO. 17:14, APPROVING STATE AID PROJECT 18-648-012(CSAH 48), RESURFACING CONSISTING OF MILL AND OVERLAY BETWEEN COLLEGE DRIVE RECONSTRUCTION AND SW 4TH STREET.

RESOLUTION NO. 17:14

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

Resolution No. 18:14 Adopted – Acknowledging the City of Brainerd's Support of the Bonding Request to Fund a Sewer and Water Extension to the Brainerd Lakes Regional Airport

A resolution was included in the Packet.

Kampmann Sash and Door Company Encroachment – Held Over

Application for St Patrick's Day Parade Event to be held on Saturday, March 15, 2014 with Parade/Downtown Street Closures from 12:00 P.M. to 1:45 P.M. – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPROVE THE ST. PATRICK'S DAY PARADE APPLICATION AS SUBMITTED BY DOWNTOWN BUSINESS OWNERS AND INCLUDING DOWNTOWN STREET CLOSURES FROM 12:00 P.M. TO 1:45 P.M. FOR THE EVENT TO BE HELD ON SATURDAY, MARCH 15, 2014.

Summer Interns – Authorize Hiring of 5 Summer Interns as Requested by Staff – Approved

Per a memo from City Engineer Hulsether which was included in the Packet, staff is requesting authorization to hire 5 summer interns as included in the 2014 Budget for a total cost of approximately \$25,000.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO AUTHORIZE THE HIRING OF 5 SUMMER INTERNS AS FOLLOWS:

- *2 Street & Sewer Department Temporary Laborers at \$10/hour*
- *1 GIS/IT Intern at \$10-\$12/hour*
- *1 Inspections Department Code Enforcement Intern at \$10-\$12/hour*
- *1 Engineering Aide Intern at \$12/hour*

Alderman Koep gave the minority report, stating that she feels four interns should be hired rather than 5 based on the cost to the City of the permit rebate program.

Members Pritschet, Scheeler, Borkenhagen and Parks voted "aye." Members Koep and Bevans voted "nay." The Chair declared the motion carried.

Improvement 03-08 – Buffalo Hills Lane – Informational

Per a memo from City Engineer Hulsether which was included in the Packet, staff will be pulling together and updating Council with information put together in the past regarding improvements to Buffalo Hills Lane.

Garage Encroachment in Alley – Held Over

2014 Crack Sealing Project – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPROVE THE 2014 CRACK SEALING PROGRAM WITH AN ESTIMATED COST OF \$25,000 AS RECOMMENDED BY STAFF.

Special Safety and Public Works Committee Meeting – To be held on Tuesday, March 11, 2014 at 4:00 P.M.

Parking Ticket – Dave Watson – Appeal and Request for Resident Parking Pass – Denied

Per Safety and Public Works Committee Chair Scheeler, Mr. Watson was not present at the Committee meeting.

Police Chief McQuiston stated that Police Department policy requires vehicles to be towed at the owner's expense after being first plowed around, then chalked, then ticketed. And in this case two parking tickets have been issued.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BEVANS, DULY CARRIED, TO DENY THE PARKING TICKET APPEAL AND RESIDENT PARKING PASS REQUEST FROM DAVE WATSON ON NORTH 6TH STREET.

1223 Pine Street Clean-up – Chad Ross – Informational

City Planner Ostgarden stated that Mr. Ross had until February 12, 2014 to clean up his property at 1223 Pine Street or be taken to jail. He has not reported to jail so a warrant will be issued for his arrest.

City Attorney Quiring summarized the City's process for nuisance abatement which has been put in place and that he will keep the Council up to date on proceedings, costs, etc.

Alderman Scheeler expressed concern over safety hazards present on the property.

Personnel and Finance Committee

Crow Wing County Historical Society Request of Financial Support – Contribute \$300 from Miscellaneous Unallocated Fund – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE A CONTRIBUTION OF \$300 FROM MISCELLANEOUS UNALLOCATED.

Alderman Koep stated that she would be voting against the motion and suggested a policy be developed regarding donations and contributions in general.

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

Police Department:

Authorize Conditional Police Officer Job Offers Contingent on Successful Completion of Background Checks and Pre-Employment Exams to Mr. Truitt Buckhouse and Mr. Bradley Gadbois – Effective March 23, 2014 and March 24, 2014 – Approved

Per a memo from Police Chief McQuiston which was included in the Packet, the Civil Service Commission met and certified the top three names on the new Police Officer Eligibility list. He requests authorization to make conditional job offers to the top two candidates on the list.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO AUTHORIZE A CONDITIONAL JOB OFFER TO THE TOP TWO CANDIDATES ON THE POLICE OFFICER ELIGIBILITY LIST: TRUITT BUCKHOUSE AND BRADLEY GADBOIS WITH OFFERS CONTINGENT ON SUCCESSFUL COMPLETION OF ALL PRE-EMPLOYMENT EXAMS AND WITH START DATES OF MARCH 23, 2014 AND MARCH 24, 2014.

Authorize Hiring One Community Service Officer per Police Chief Request – Approved

Per a memo from Police Chief McQuiston which was included in the Packet, staff is requesting to hire one CSO in order to bring the total number of CSO's hired to four. He states that the CSO hiring budget is based on hours, not personnel numbers and the current 3 working CSO's have varying schedules.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO AUTHORIZE THE HIRING OF ONE COMMUNITY SERVICE OFFICER PER REQUEST OF POLICE CHIEF.

Unfinished Business

Whittier School Building – Discussion of Use Possibilities – Referred to Safety and Public Works Committee – Approved

Council President Parks asked for discussion from the Council regarding uses for the school and whether the City is interested in purchasing it including whether a committee should be formed.

Discussion was held by Council with varying opinions on what could and should be done with the Whittier School building with reasons based on allowed uses and costs for the building.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO FORM A COMMITTEE TO DETERMINE POSSIBLE USES FOR THE WHITTIER SCHOOL BUILDING.

Members Pritschet, Scheeler, Borkenhagen and Parks voted "aye." Members Koep and Bevans voted "nay." The Chair declared the motion carried.

Council determined that the Safety and Public Works Committee would address the topic and that the item would be on their meeting to be held on March 11, 2014.

Replacement Process for At-Large City Council Position – Accept Applications through February 26th, Allow Applicant Presentations at Council Meeting to be held on March 10, 2014 at 6:00 P.M. in the Council Chambers, Council to Determine Replacement after presentations – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET TO FORMALLY ANNOUNCE THE VACANCY OF AT-LARGE BRAINERD CITY COUNCIL SEAT AND OPEN THE APPLICATION PROCESS WITH APPLICATIONS TO BE RECEIVED UNTIL MARCH 10, 2014 AT 4:30 P.M. WITH THE COUNCIL TO REVIEW FOR A RECOMMENDATION AT THE MARCH 17, 2014 CITY COUNCIL MEETING.

After Council discussion, Council Member Koep withdrew her motion.

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO FOLLOW THE FOLLOWING PROCEDURE FOR FILLING THE VACATED AT-LARGE CITY COUNCIL POSITION:

1. INTERESTED PARTIES SHOULD COMPLETE AND TURN IN APPLICATIONS BY 4:30 P.M. ON WEDNESDAY, FEBRUARY 26, 2014 (*applications available at city hall or on website (www.ci.brainerd.mn.us)*)
2. SPECIAL MEETING TO BE HELD ON MONDAY, MARCH 10, 2014 AT 6:00 P.M. DURING WHICH THOSE WHO APPLIED WILL BE ALLOWED A 5-MINUTE APPLICATION PRESENTATION.
3. COUNCIL WILL VOTE AFTER PRESENTATIONS ARE HEARD AT THE MARCH 10, 2014 MEETING.

Mayor Wallin recommended replacement appointments for the liaison positions held by the late Bonnie Cumberland.

MOVED AND SECONDED BY BEVANS AND PRITSCHET, DULY CARRIED, TO APPOINT COUNCIL MEMBER SCHEELER AS COUNCIL LIAISON TO THE PUBLIC UTILITIES COMMISSION AND TO APPOINT COUNCIL MEMBER PARKS AS COUNCIL LIAISON TO THE SENIOR CENTER AND THE RENTAL DWELLING LICENSE BOARD OF APPEALS.

New Business

Request Park Board Consider Naming Miracle League Field “Bonnie Cumberland Memorial Field” – Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND SCHEELER, DULY CARRIED, TO RECOMMEND TO THE PARK BOARD THAT THE MIRACLE LEAGUE FIELD BE NAMED “BONNIE CUMBERLAND MEMORIAL FIELD” TO HONOR MS. CUMBERLAND’S MANY EFFORTS TOWARDS ESTABLISHING THE FIELD ITSELF.

Authorization to Submit Historical and Cultural Heritage Grant Application
- Approved

City Planner Ostgarden stated that a meeting was held on January 29, 2014 to gauge interest and/or concerns related to applying for the inclusion of Downtown Brainerd as an historic district designation on the National Register listing.

MOVED AND SECONDED BY ALDERMEN KOEP AND BORKENHAGEN, DULY CARRIED, TO AUTHORIZE THE PLANNING DEPARTMENT TO SUBMIT A MINNESOTA HISTORICAL AND CULTURAL HERITAGE GRANTS PROGRAM GRANT APPLICATION TO EVALUATE DOWNTOWN BRAINERD'S POTENTIAL FOR NATIONAL REGISTER LISTING.

BPU - Request for Extension of Due Diligence related to Hydrodam Acquisition - Approved

Council Member Scheeler discussed the requirement for State Legislature approval to continue moving towards an owner for the Hydrodam. An amended purchase agreement was included in the Packet which allowed for an extension beyond the original Due Diligence end date of February 23, 2014.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER, DULY CARRIED, TO APPROVE THE "FIRST AMENDMENT TO ASSET PURCHASE AGREEMENT" AS REQUESTED BY BRAINERD PUBLIC UTILITIES AND WAUSAU PAPER MILLS, THEREBY EXTENDING THE DUE DILIGENCE END DATE RELATED TO HYDRODAM ACQUISITION.

Public Forum

None.

Reports

Mayor's Report

Mayor Wallin discussed the many changes in the last two weeks. He reminded everyone to drive safe in the winter months.

City Attorney's Report

City Attorney Quiring stated that he had nothing to report.

City Administrator's Report

City Administrator Wussow stated that he had nothing to report.

City Engineer's Report

City Engineer Hulsether stated that he had nothing to report.

City Planner's Report

City Planner Ostgarden stated that the 2014 first quarter newsletter has been mailed out. He also reported that Angie Plantenberg has been appointed as Planning Commission Chair and that James Norwood has been appointed as Vice-Chair. He stated that there is still interest being shown in the Wausau facility.

Police Chief's Report

Police Chief McQuiston thanked the Council for allowing the officers to appear at the beginning of the meeting. The Council thanked him for his annual report.

Finance Director's Report

The Council thanked Finance Director Hillman for her annual report.

Council Other Committee Reports

Council Member Koep asked for suggestions for a time capsule to be buried during this summer's History Week celebration.

Council Member Borkenhagen stated that Community Action's plans for the annual 4th of July celebration are coming along well.

Adjourn – To Fire Service District Meeting to be held at 4:00 P.M. on Wednesday, February 19, 2014 at the Crow Wing County Land Services Building

The Chair adjourned the meeting at 9:35 P.M.

Patrick Wussow
City Administrator