

Pursuant to due call and notice thereof, the Regular meeting of the Brainerd City Council was called to order at 7:33 P.M. by Council President Parks.

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

The Chair reported that item 9D had been moved to the Safety and Public Works Committee and that item 6 from the Safety and Public Works Committee had been removed. He also requested that the "Showcasing Brainerd" be presented after tonight's presentation from Wausau. Council concurred.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED.

MOVED AND SECONDED BY ALDERMEN KOEP AND SCHEELER TO ADOPT THE CONSENT CALENDAR AS PRESENTED.

- A. Approval of the Minutes of the Regular Meeting held on March 17, 2014 as well as the Special Meetings held on March 10, 2014 and March 13, 2014, as distributed – Approved**
- B. Approval of Licenses – Approved**
 - 1. Contractor's Licenses – 2 – New
 - 2. Contractor's Licenses – 4 – Renewals
- C. Department Activity Reports – Approved**
 - 1. Mayor
 - 2. Fire Chief
 - 3. Park Director
- D. Resolution No. 24:14 Adopted – Supporting the Northland Arboretum Wellness Fitness Trail**
- E. 1708 Laurel Street Property – Provide Satisfaction of Mortgage and Accept \$3,000 into Fund 209; direct City Attorney to Research Existing Mortgages outstanding from CDBG Grant – Approved**
- F. Resolution No. 25:14 Adopted – Approving 2014 Utility Connection Charges as presented**
- G. Parks Department – Approved 2014 Pay Rates for Parks and Recreation Department Seasonal/Temporary Positions**
- H. Police Department – Resignation of Community Service Officer Nathan Augustine – Accepted with Regret and Authorized Hiring of Replacement**

I. Police Department – Approved Wage Adjustment MOU for Temporary Records Management Technician Caitlin Robinson as Presented including the Authorization of Proper Signatures

J. Police Supervisors – Teamster Union Settlement – Approved MOU and Adopted Wage Resolution No. 26:14 including the Authorization of Proper Signatures

K. Engineering Department – Resignation of Engineering Tech Ronald Brekke – Accepted with Regret and Authorized Hiring of Replacement

L. Call for Applicants:

Cable TV Advisory Committee – 2 Terms to Expire on 12/31/2016

Transportation Advisory Committee – 1 Term to Expire on 12/31/2015

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

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

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

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

Presentation – Donation of 4 Aerial Photos of Wausau Site – Shawn O’Brien, Acting Vice President of Wausau

The Chair thanked Mr. O’Brien for the photos on behalf of the Council and City. He stated that the photos will be displayed at City Hall.

Showcasing Brainerd: J&M Printing, Inc – Mr. James E. Wallin

The Chair welcomed Mayor James Wallin, owner of J&M Printing, Inc. who thanked the Council for the opportunity to showcase his business, stating he has been involved with the printing business in some way for 52 years. He discussed his experience over the years which culminated with the establishment of his own business, J&M Printing Inc. 10 years ago which runs out of an office located in the Range Printing building. He shared his observations on the changes and challenges that the internet has caused for the printing business but stated that thanks to loyal customers and enough demand he has brought in over 30 million dollars of business into Brainerd and still brings in approximately ½ million dollars of sales per year. The Chair thanked him for his presentation.

Council Committee Reports

Personnel and Finance Committee

2015 Fire Contract Calculation and 2014 Fire Protection Agreement – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO APPROVE THE 2015 FIRE CONTRACT CALCULATION AND 2014 FIRE PROTECTION AGREEMENT AS PRESENTED.

Safety and Public Works Committee

Bridge Inspection Quotes – Accepted \$1,350 Quote from WSN

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO ACCEPT QUOTE FROM WSN IN THE AMOUNT OF \$1,350 TO PERFORM THE 2014 BRIDGE INSPECTIONS ON THE COLLEGE DRIVE AND LAUREL STREET BRIDGES.

2014 Crack Sealing Bids – Accepted Low Bid of \$18,553.32 from Anderson Brothers and Authorize Adjustment of Contract Quantities to Spend Budgeted Amount of \$25,000 as Recommended by Staff

Per a memo included in the Packet from City Engineer Hulsether, six bids were received for the 2014 Crack Sealing Project.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO ACCEPT THE LOW BID OF \$18,553.32 FROM ANDERSON BROTHERS AND TO AUTHORIZE THE ADJUSTMENT OF CONTRACT QUANTITIES TO SPEND THE BUDGETED AMOUNT OF \$25,000 AS RECOMMENDED BY STAFF.

Water and Sewer Service Replacement Cost – Allowed 10-Year Assessment on \$3,400 Cost to Replace Sewer and Water at 711 “F” Street NE, Brainerd as requested by Property Owner

Per a memo included in the Packet from City Engineer Hulsether, a request has been received from the property owner at 711 F Street NE to assess the cost of water and sewer service replacement.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO ALLOW A 10-YEAR ASSESSMENT ON THE \$3,400 COST TO REPLACE WATER AND SEWER SERVICE AT 711 F STREET NE AS REQUESTED BY PROPERTY OWNER.

Zombie Crawl Parade Permit Application – Authorized Street Closures as Presented from 3:00 P.M. to 4:30 P.M. on Saturday, April 26, 2014 and directed Event Coordinator to Ensure Adequate Cleanup after Event

An event application including street closure was included in the Packet. Staff recommends approval subject to the event sponsor providing adequate trash removal and cleanup.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO AUTHORIZE STREET CLOSURE OF PORTIONS OF SOUTH 7TH STREET,

MAPLE STREET, LAUREL STREET, SOUTH 9TH STREET AND FRONT STREET ON SATURDAY, APRIL 26, 2014 BETWEEN 3:00 P.M. AND 4:30 P.M. FOR THE "ZOMBIE PARADE" ROUTE AS PRESENTED AND DIRECT EVENT COORDINATOR TO ENSURE ADEQUATE CLEAN-UP TAKES PLACE.

Downtown Streetscape Landscaping and Maintenance – Held Over to May 5, 2014 Committee Meeting

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO TABLE THE ITEM OF "DOWNTOWN STREETScape LANDSCAPING AND MAINTENANCE" TO THE MAY 5, 2014 SAFETY AND PUBLIC WORKS COMMITTEE MEETING.

Council Member Bevans requested a list of businesses included in the downtown streetscape landscaping and maintenance assessment along with their locations and assessment methodology.

Jefferson Lines Temporary Bus Stop Location Approval – Informational

Although this item was removed from the agenda; Safety and Public Works Committee Chair Scheeler reported that Jefferson Lines will be utilizing the East Brainerd McDonald's parking lot at this time for bus service.

Willow Street Striping – Held Over to May 5, 2014 Committee Meeting – Requesting Input from Walkable Bikeable Committee

A Public Hearing was held during the Safety and Public Works Committee meeting with many concerned citizens voicing concerns about the consideration to install marked bike lanes following the resurfacing project on Willow Street between South 7th Street and SE 13th Street this summer. A notice of Public Hearing and sketch of how the lanes would be designed if approved was included in the Packet.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP TO HOLD OVER THE ITEM OF "WILLOW STREET STRIPING" TO THE MAY 5, 2014 SAFETY AND PUBLIC WORKS COMMITTEE MEETING.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND MATTEN TO AMEND THE MOTION TO INCLUDE AN INVITATION TO THE WALKABLE BIKEABLE COMMITTEE TO PROVIDE INPUT TOWARDS THE WILLOW STREET STRIPING CONSIDERATION.

On the motion to amend, members Bevans, Scheeler, Borkenhagen, Matten and Parks voted "aye." Member Koep voted "nay." The Chair declared the motion carried.

On the amended motion to request input from the Walkable Bikeable Committee on the item of Willow Street Striping Consideration, members Bevans, Scheeler, Borkenhagen, Matten and Parks voted "aye." Member Koep voted "nay." The Chair declared the motion carried.

Construction Activity at 1420 Quince Street – Held Over to April 21, 2014 City Council Meeting Allowing Extension to Property Owner for Completing at Least Partial Construction as Required by Committee

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO HOLD OVER ANY ACTION ON INCOMPLETE CONSTRUCTION ACTIVITY AT 1420 QUINCE STREET UNTIL THE APRIL 21, 2014 CITY COUNCIL MEETING; ALLOWING PROPERTY OWNER TWO WEEKS TO COMPLETE AT LEAST "RAFTERS, SHEETING, WINDOWS AND TAR PAPER" OR BE MET WITH CONSEQUENCES.

Safe Routes to School (SRTS) Project – Amendments will be Made to Match the Existing Driveways at the Right-of-Way Line based on Federal Requirements for Temporary Easements over Private Property

City Engineer Hulsether stated that about 20 driveways need temporary easements because of Federal project requirements; therefore, match points will need to be amended individually in the SRTS plan and re-submitted.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO AMEND THE SAFE ROUTES TO SCHOOL PLANS TO MATCH THE EXISTING DRIVEWAYS AT THE RIGHT-OF-WAY LINE.

Unfinished Business

Public Hearing – Ordinance No. 1412 Adopted – An Ordinance Amending Section 1015.13 of the Brainerd City Code Relating to Miscellaneous Permit Fees

The Chair opened the Public Hearing at 8:14 P.M. No one came forward.

The Chair closed the Public Hearing at 8:15 P.M.

Per City Engineer Hulsether, commercial industrial demolitions require a much more thorough process than residential demolitions; this ordinance will create a City Code section to separate the two, including a new fee schedule.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND MATTEN, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1412 – AN ORDINANCE AMENDING SECTION 1015.13 OF THE BRAINERD CITY CODE RELATING TO MISCELLANEOUS PERMIT FEES, FURTHER TO HOLD THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO ADOPT ORDINANCE NO. 1412 – AN ORDINANCE AMENDING SECTION 1015.13 OF THE BRAINERD CITY CODE RELATING TO MISCELLANEOUS PERMIT FEES.

ORDINANCE NO. 1412

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

Public Hearing – Adopt Resolution Ordering Improvement and Preparation of Plans and Specifications for Improvement 13-06 – 28th Street – Staff Directed to Begin Mediation Process to determine Cost Responsibility between the City and Oak Lawn Township and Staff Directed to Answer the Question

Per a memo from City Engineer Hulsether which was included in the Packet, a letter containing information about individual proposed assessments for Improvement 13-06/28th Street and a copy of tonight's Public Hearing notice were sent to each of the parcels affected by the project. He also reports that correspondence from property owners of these affected parcels has been received as well and that Council does have up to 6 months following the hearing to order the improvement without having to hold another hearing.

The Chair opened the Public Hearing at 8:18 P.M.

The following citizens addressed the Council:

Ms. Kris Neff and Ms. Laura Dilley, Carefree Living, 2723 Oak Street, Brainerd
Mr. Robert Brady, 209 28th Street, Brainerd
Mr. Max Day, representing Faith Baptist Church, 229 East 28th Street, Brainerd
Pastor Chris Anderson, Faith Baptist Church, 229 East 28th Street, Brainerd
Ms. Lori Millum, 28th Street, Brainerd
Ms. Dorothy Johnson, 2911 Oak Street, Brainerd

The Chair closed the Public Hearing at 8:47 P.M.

Discussion was held by Council; some members were concerned that the item should be held over.

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN TO DIRECT STAFF TO MOVE FORWARD WITH THE COUNTY MEDIATION PROCESS TO DETERMINE PROJECT COST RESPONSIBILITY BETWEEN THE CITY AND OAK LAWN TOWNSHIP FOR IMPROVEMENT 13-06, 28TH STREET, AND TO DIRECT STAFF TO ANSWER THE QUESTION OF WHAT HAPPENS IF IT DOES NOT GO IN THE CITY'S FAVOR.

Upon roll call, members Bevans, Koep, Matten and Parks voted "aye." Members Scheeler and Borkenhagen voted "nay." The Chair declared the motion carried.

Public Hearing – Resolution No. 27:14 Adopted – Ordering Improvement and Preparation of Plans and Specifications for Improvement 13-19 – Garfield School Area Streets

The Chair opened the Public Hearing at 9:10 P.M.

The following citizen addressed the Council:

Mr. Dustin Kushel, 1008 11th Ave, Brainerd

The Chair closed the Public Hearing at 9:12 P.M.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND MATTEN TO ADOPT RESOLUTION NO. 27:14 – ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR IMPROVEMENT NO. 13-19 – STREET RECONSTRUCTION OF THE FOLLOWING GARFIELD SCHOOL AREA STREETS:

10th Avenue NE between J Street NE and L Street NE
11th Avenue NE between J Street NE and L Street NE

J Street NE between 10th Avenue NE to 11th Avenue NE
L Street NE between 10th Avenue NE to 11th Avenue NE

RESOLUTION NO. 27:14

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

New Business

Mobile Food Vendor Request – One Time Only Exemption for Miracle Field Grand Opening – Approved – Separate Request to Operate in City Parks – Informational

Per a memo which was included in the Packet from Park Director Sailer, the Park Board passed a motion at its February 25th meeting allowing the Prairie Bay mobile food truck to participate in the Miracle League field grand opening scheduled May 31, 2014 in Bane Park. This was with the stipulation that Prairie Bay donate 10 percent of its sales to the Miracle League Fund. The Park Board recommends that City Council authorize this exemption for the Prairie Bay food truck on a one-time only basis.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN TO APPROVE THE PARK BOARD RECOMMENDATION TO ALLOW THE PRAIRIE BAY FOOD TRUCK TO OPERATE DURING THE MIRACLE FIELD GRAND OPENING ON MAY 31, 2014 ON A ONE-TIME ONLY BASIS.

Members Bevans, Koep and Parks voted “aye.” Members Scheeler, Borkenhagen and Matten voted “nay.” The Mayor broke the tie voting “aye.” The Chair declared the motion carried.

Public Forum

None.

Reports

Mayor’s Report

Mayor Wallin thanked the Council for allowing him time to present his “Showcasing Brainerd” information. He asked the Council to form a team for the Good Samaritan Bowl in honor of late Council President Bonnie Cumberland who was a great supporter of this event.

City Attorney’s Report

City Attorney Quiring provided an update for the 1223 Pine Street Nuisance Abatement Appeal, reporting that the hearing Tuesday resulted in the Safety and Public Works Committee, acting as hearing examiner, affirmed the City’s order to abate the nuisance. He stated that the

order was presented to Mr. Ross at the end of that meeting and that he does have 10 days to appeal one more time.

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 reported that:

- The April-June Newsletter will be distributed later this month and will include information on Brainerd's History Week
- The Walkable Bikeable Committee has set May 15, 2014 as the 2nd Annual "Walk and Wheel Night" at Gregory Park
- The decommissioning process for the Wausau site is still "in the works" and he will keep Council updated as the appropriate documents come in
- The Mississippi River Steering Committee met last week
- Grants are being applied for to assist with repair of the historic water
- Planning Commission is having a Public Hearing on Wednesday, April 9th at 6:00 P.M. related to allowing "small houses" to be built within the City

Fire Chief's Report

Fire Chief Stunek commended the efforts of those involved in the recent rescue of teens on the ice along the Mississippi River, stating that the incident shows how training can really pay off.

Park Director's Report

Park Director Sailer reported that the Park Department is working on grants to get the tennis courts at Gregory Park fixed.

Council President's Report

Council President Parks distributed a chart to the Council for ranking of 2014 Council projects; he asked Council Members to return the form to staff to be compiled for review at a Strategic Planning workshop to be scheduled this summer. He also asked that Council members utilize their liaisons to communicate with other committees.

Council Other Committee Reports

Council Member Scheeler discussed Stuart Mills' discussion at the YMCA Charity Ball which focused on "giving."

Committee Recommendations – Recommended by Mayor Wallin

MOVED AND SECONDED BY ALDERMEN KOEP AND BORKENHAGEN, DULY CARRIED, TO APPROVE THE FOLLOWING APPOINTMENTS AS RECOMMENDED BY MAYOR WALLIN:

- A. Library Board: Brenda DeWitt & John Mattson – Terms to Expire 12/31/2019
- B. Transportation Committee: David Runberg –Term to Expire 12/31/2015
- C. Mississippi River Steering Committee: Robert Neuman, Phil Hunsicker and Jan Burton

Adjourn – To Good Samaritan Bowl to be held on May 5, 2014 at 12:00 P.M.

The Chair adjourned the meeting at 9:47 P.M.

Patrick Wussow
City Administrator