7:15 P.M. – Showcasing Brainerd: Mickey's Pizza & Subs, Toni Czeczok

The Chair welcomed Ms. Toni Kaminski-Czeczok, who thanked the Council for the opportunity to appear. She stated that her parents had originally started Mickey's Pizza at 823 Washington Street in 1982 and moved to the current 417 S 5th Street location in 1989 which her and her and her husband, Jim Czeczok purchased in 2005. Products offered include take and bake pizzas (including gluten-free crust pizzas), sub sandwiches, salads, soup, kids' meals, box lunches, party platters, and naughty brownies; all including fresh baked bread from a local bakery and fresh cut veggies and meats. She discussed strategies for competing with many national chain restaurants in the area and listed the many charities and causes Mickey's donates to, all of which earned them the title of a "Brainerd Lakes Area Business Gives" partner by the State of Minnesota Chamber of Commerce in 2012 and 2013. She answered questions of the Council and the Chair thanked her for her presentation.

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: Scheeler, Borkenhagen, Koep, Pritschet, Matten, Bevans and Parks. Mayor Wallin was also noted as present.

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

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

A. Approval of the Minutes of the Regular Meeting held on April 21, 2014, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 1 – New

2. Contractor's Licenses – 2 – Renewals

C. Department Activity Reports – Approved

1. Council President
2. Mayor
3. Fire Chief
3. Park Director

D. Minnesota Lawful Gambling – Application for Exempt Permit – Submitted by Vacationland Figure Skating Club, Inc., for a Raffle to be held on December 14, 2014 at the Brainerd Civic Center – Approved

E. **State Contract Vehicle Purchases – Approved**

F. **Street and Sewer Maintenance II Position – Promotion of Marvin Bush, Effective May 6, 2014 with Wage Adjustment to $22.96 per hour in accordance with IUOE Local 49 (Streets) Union Contract – Approved**

G. **2014 Summer Interns – Authorize Hiring of Two Summer Interns: Michaela Herfindahl and Robert Wanous to work Mid-May through Mid- August with the Engineering Department at a rate of $10 per hour – Approved**

H. **Call for Applicants:**

Cable TV Advisory Committee – 1 Term to Expire on 12/31/2016
Transportation Advisory Committee – 1 Term to Expire on 12/31/2015

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

Approval of Bills – Recommended by the Personnel and Finance Committee

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE PAYMENT OF THE BILLS AS PRESENTED.

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

Presentations:

- **Mr. Fred Sailer – KLN Family Brands of Perham, MN – Miracle League Support – Accept with Gratitude Donation and Authorize Initiation of "*KLN for Kids*" Program in Brainerd Area – Approved**

The Chair recognized Mr. Fred Sailer of KLN Family Brands who stated that KLN is a family-owned manufacturing company out of Perham which employs over 1,100 people at their companies which include Barrel of Fun snacks, Tuffy's pet food, Kenny's Candies and most recently Nutheads brand snacks. He thanked the Council for the opportunity to appear tonight to present the KLN for KIDS program offer to donate not only a $2,500 upfront donation but a 5% percentage of KLN sales in the Brainerd Lakes area for the next 5 years to the Brainerd Lakes Miracle League Field. He stated that his brother, Brainerd Park Director Tony Sailer, shared with him that Brainerd was getting a Miracle League Field and he knew it was a perfect opportunity for the KLN program to support. He answered questions of the Council and the Chair thanked him for his presentation.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER, DULY CARRIED, TO ACCEPT WITH GRATITUDE THE INITIAL DONATION OF $2,500 FROM KLN FAMILY BRANDS AND AUTHORIZE THE INITIATION OF THE "KLN FOR KIDS PROGRAM" WHICH WILL DONATE 5% OF KLN BRAND FOODS SOLD IN THE BRAINERD LAKES AREA FOR THE NEXT FIVE YEARS TO SUPPORT OF THE BRAINERD LAKES MIRACLE LEAGUE FIELD.

- **<u>Mr. Tim Terrill, Mississippi Headwaters Board Stormwater Grant Information and Application – Informational</u>**

  The Chair recognized Mr. Tim Terrill, who thanked the Council for the opportunity to appear tonight. He started that the Mississippi River Headwaters Board was formed in 1980 as an alternative to designation of the river into the National Wild and Scenic River System and works to protect and preserve the first 400 miles of the Mississippi River in Minnesota. He stated that the Board is communicating with various cities to find out how the Board can assist them with various stormwater pollution control options.

  He answered questions of the Council and let them know he would keep them informed of the Board's activities and how they can affect or help the City. The Chair thanked him for his presentation.

- **<u>Colonel St. Sauver – Camp Ripley Annual Update</u>**

  The Chair recognized Colonel Scott St. Sauver, Post Commander at Camp Ripley, who thanked the Council for the opportunity to appear tonight, stating that part of Camp Ripley's mission is to maintain positive community relations. He showcased the Camp's economic impact on the community, various events and trainings that will cause the most noise, and civilian usage. He discussed the Camp's Partnership Outreach Program as well as Prescribed Burns currently taking place. He answered questions of the Council and the Chair thanked him for his presentation.

<u>Council Committee Reports</u>

<u>Personnel and Finance Committee</u>

<u>Fire Advisory Board – Authorize Purchase of Items as Requested with the use of $18,375 from the Fire Capital Fund – Accept Fort Ripley Township Fire Contract Service Termination with Regret – Approved</u>

Prior to the meeting, the Council was provided a memo from Fire Chief Stunek requesting the use of up to $18,375 from the Fire Capital Fund for the following purchases:

- Two Multi-Gas monitors up to $980
- Two 6 foot pike poles up to $94
- Two 30" Haligan tools up to $320
- Hose and adaptors up to $1,190
- Nozzles and tips up to $1,990
- Hydrant gate valve, playpipe with valve and quarter turn butterfly up to $1,510
- Six sets of turnout gear up to $12,290

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE FIRE ADVISORY BOARD REQUEST TO USE UP TO $18,375 TO PURCHASE ITEMS FOR THE FIRE DEPARTMENT AS PRESENTED.

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO ACCEPT WITH REGRET THE NOTIFICATION OF FORT RIPLEY'S 12-MONTH LEAVE FROM BRAINERD FIRE SERVICES EFFECTIVE NOVEMBER, 2013.

Discussion was held regarding fire department budget.

CIP Follow-up – Direct Staff to Develop a Resolution Presenting for Voter Approval the 6 Capital Budget Items to be placed on November 2014 Ballot – Approved

Personnel and Finance Committee Chair Bevans stated that 6 Capital Improvement Plan Items that were to be bonded for; however, a citizen petition was received which denied the CIP. He discussed options considered and

City Hall HVAC Upgrade	$545,000
Police and Fire HVAC Upgrade	$55,000
City Hall Entrance/Façade Update	$80,000
Emergency Preparedness – Generator	$70,000
Emergency Preparedness	$30,000
Sale/Sand Storage Building	$200,000
	$980,000

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DIRECT STAFF TO DEVELOP A RESOLUTION TO PLACE THE 6 CAPITAL IMPROVEMENT PLAN (CIP) ITEMS ON THE 2014 BALLOT FOR VOTER APPROVAL.

MCIT Insurance for Civic Center Ice Arena – Notify BAHA that City Intends to Accept Offer of $40,000 and Forward to BAHA to repair Roof Damage at Civic Center Due to Birds – Approved

Personnel and Finance Committee Chair Bevans stated that the City and BAHA had previously established an agreement with BAHA to forward any insurance settlement checks related to this roof damage directly to BAHA.

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO NOTIFY BAHA THAT THE CITY INTENDS TO ACCEPT THE OFFER AND CHECK FROM MCIT IN THE AMOUNT OF $40,000 (AMOUNT AFTER DEDUCTIBLES) FOR DAMAGE TO THE CIVIC CENTER ROOF FROM BIRDS AND FORWARD THE CHECK TO BAHA, FULFILLING THE CITY'S OBLIGATION IN THE MATTER; FURTHER, THAT BAHA SHOULD RESPOND WITH ANY QUESTIONS WITHIN 10 DAYS OF RECEIVING THE LETTER.

State Contract Vehicle Purchases – Direct Staff to Use Profits from the Sale of the City's 1997 Chevrolet Lumina and 1994 Ford Taurus to Offset Street Sweeper Purchase Amount – Approved

Staff recommendations for vehicle purchases were approved as part of the Consent Calendar; see Packet memo for list of vehicles. A request to sell two of the vehicles being replaced at BPU's spring auction was also approved on the Consent Calendar; however, a motion was necessary to direct profits from that sale:

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO USE THE PROFITS FROM THE SALE OF THE CITY'S 1997 LUMINA AND THE 1994 TAURUS TO OFFSET STREET SWEEPER PURCHASE AMOUNT.

Downtown Motel – To be Continued at May 19, 2014 City Council Meeting – Informational

Personnel and Finance Committee Chair Bevans reported that the HRA has a pending purchase agreement with the Downtown Motel. He stated that a complete presentation will be presented to the Council at the May 19, 2014 meeting.

Parks Department – Request to set up New Credit Card Account – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO APPROVE THE REQUEST FROM THE PARKS DEPARTMENT TO SET UP A CREDIT CARD ACCOUNT WITH PETRO PLUS GAS STATION ON LUM PARK ROAD.

Safety and Public Works Committee

Downtown Landscape Quotes – Accept Quote from Arrow Management in the amount of $9,725 – Approved

Per a memo included in the Packet from City Planner Ostgarden, it had been requested that the City seek new quotes for Downtown landscaping and street maintenance; two quotes were received and staff recommends accepting the low quote from Arrow Management as presented.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO ACCEPT THE QUOTE FROM ARROW MANAGEMENT IN THE AMOUNT OF $9,725 FOR LANDSCAPE DESIGN, INSTALLATION AND MAINTENANCE IN DOWNTOWN BRAINERD FOR THE 2014 SEASON.

Note: There will be no hanging baskets included in the landscaping this year.

Downtown Special Services District Assessment Methodology – Leave Methodology "As Is" at this time and Work with Downtown Business Owners to Establish Policy for Next Year – Approved

Per a memo included in the Packet from City Engineer Hulsether, at a meeting with downtown representatives last week many property owners felt that it was unfair to assess the total cost of snow removal, and that there should be some sort of cost share with the City.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO LEAVE THE DOWNTOWN LANDSCAPING ASSESSMENT METHODOLOGY "AS IS" AT THIS TIME.

The Chair recognized Mr. David Pueringer, Downtown property owner, who spoke to the Council regarding private business owners having to pay for Downtown special services when they do not own the streets or sidewalks.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND PRITSCHET, DULY CARRIED, TO ESTABLISH A SUB-COMMITTEE OF THE COUNCIL TO WORK WITH THE DOWNTOWN BUSINESS GROUP PRIOR TO THE END OF THE YEAR TO ESTABLISH DOWNTOWN SPECIAL SERVICES DISTRICT ASSESSMENT METHODOLOGY FOR NEXT YEAR.

Buffalo Hills Lane – Invite Mills Family and Positive Realty to Future Council Meeting to Discuss Project – Ask City Engineer to Research Policies on Impact Fees and Collector's Fees of Developers – Approved

A memo from City Engineer Hulsether was included in the Packet which identified issues that need to be considered by Council in regards to Improvement 03-08 – Buffalo Hills Lane.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO INVITE THE MILLS FAMILY AND POSITIVE REALTY TO A FUTURE COUNCIL MEETING TO REVIEW IMPROVEMENT 03-08, BUFFALO HILLS LANE; FURTHER, TO DIRECT THE CITY ENGINEER TO RESEARCH POLICIES ON IMPACT FEES AND COLLECTORS FEES OF DEVELOPERS TO HAVE AVAILABLE AT THAT MEETING.

4th of July Event Street Closure Applications:

Applications for two events/street closures were included in the Packet. Staff recommends approval.

Community Action – Application for Street Closure and 4th of July Events – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPROVE ALL EVENTS AND STREET CLOSURES AS OUTLINED IN THE APPLICATION SUBMITTED BY COMMUNITY ACTION FOR THEIR EVENTS TO BE HELD ON THE 4TH OF JULY, 2014, AS PRESENTED.

Eagles Club – Application for Street Closure and 4th of July Events – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPROVE ALL EVENTS AND STREET CLOSURES AS OUTLINED IN THE APPLICATION SUBMITTED BY THE EAGLES CLUB FOR THEIR EVENTS TO BE HELD ON THE 4TH OF JULY, 2014, AS PRESENTED; FURTHER, TO REQUIRE THAT INDIVIDUALS ARE IN PLACE TO ENSURE THAT NO FOOD OR DRINK LEAVE THE PREMISES AND THAT THE AMPLIFIER FACE WEST.

Willow Street Bike Lanes – Proceed with Walkable Bikeable Plan for Willow Street as presented, Including a 6-Ft Bike Lane on Each Street and with Parking to Remain on the South Side of the Street – Approved.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO PROCEED WITH THE WALKABLE BIKEABLE PLAN FOR WILLOW STREET AS PRESENTED, INCLUDING A 6-FOOT BIKE LANE ON EACH SIDE OF THE STREET AND WITH PARKING TO REMAIN ON THE SOUTH SIDE OF THE STREET.

Bike Path options were discussed.

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

Sanitary Sewer – Holly St and Grove Street, N 9th St to N 10th St – Authorize Moving Forward with a Request for Bids – Approved

City Engineer Hulsether requested the authorization to request quotes to replace the sanitary sewer on Holly Street and Grove Street, N 9th Street to N 10th Street with an estimated cost of $21,000 plus $3,000 of engineering costs.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO AUTHORIZE THE CITY ENGINEER’S REQUEST TO MOVE FORWARD WITH A REQUEST FOR BIDS FOR THE SANITARY SEWER PROJECT ON HOLLY ST AND GROVE STREET, N 9TH ST TO N 10TH ST.

Resolution No. 30:14 Adopted – Ordering Improvement and Preparation of Plans and Specifications for Improvement 13-06 – Reconstruction of 28th Street between Oak Street and TH 25

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO ADOPT RESOLUTION NO. 30:14 – ORDERING IMPROVEMENT AND PREPARATION OF PLANS AND SPECIFICATIONS FOR THE RECONSTRUCTION OF 28TH STREET BETWEEN OAK STREET AND TH 25.

RESOLUTION NO. 30:14

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

1223 Pine Street – See City Attorney’s Report

Storm and Sanitary Sewer Repairs – Accept Bid from DeChantal in the Amount of $17,966.30 – Approved

Per a memo from Assistant City Engineer Freihammer which was included in the Packet, just one quote was received for 17th Street SE Storm Sewer Repair & 15th Street SE Sanitary Repair and staff recommends approval.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO ACCEPT THE LONE BID FROM DECHANTAL EXCAVATING IN THE AMOUNT OF $17,966.30 FOR 17TH STREET SE STORM SEWER REPAIR AND 15TH STREET SE SANITARY REPAIR AS RECOMMENDED BY STAFF.

Medical Runs – No Action Taken – Informational

Safety and Public Works Committee Chair Scheeler stated that Committee recommends no changes; therefore, the Fire Department will continue to refrain from attending medical calls as directed by Council at the December 16, 2013 meeting.

Terry Kinder Deadline – Informational

City Engineer Hulsether stated that Mr. Kinder has met the interim completion requirements as set by Council at the April 21, 2014 meeting and will still need to meet exterior completion by June 2, 2014 or face $100 per day fines.

Code Enforcement Intern

City Engineer Hulsether reported that an offer is out for the position and that the applicant is considering whether to accept.

Unfinished Business

Public Hearing – Final Reading of Proposed Ordinance 1413 – An Ordinance Amending Brainerd Zoning Ordinance Section 515-2-2, 515-17-3, 515-54-5, 515-54-9, 515-54-11, 515-56-5, 515-56-9, AND 515-56-11 Regarding Small Houses and Infill – City Administrator Wussow recommends Dispensing with the Actual Reading – Referred to Staff for Definition of "Infill" and Response to GLAR Letter – Approved

The Chair opened the Public Hearing at 9:48 P.M.

The following citizens spoke to the issue:

Mr. Ed Shaw, 517 N 9th Street, Brainerd, who read a letter from the Greater Lakes Association of Realtors (GLAR) in favor of home ownership including allowing small homes.

The Chair closed the Public Hearing at 9:53 P.M.

Discussion was held by Council.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND SCHEELER TO DIRECT STAFF TO RESPOND TO THE 3 QUESTIONS/SUGGESTIONS PROVIDED BY THE GREATER LAKES ASSOCIATION OF REALTORS VIA LETTER PRESENTED AT TONIGHT'S MEETING AND TO PROVIDE A DEFINITION OF "INFILL"; BOTH TO BE PRESENTED TO COUNCIL AT A FUTURE MEETING.

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

New Business

2nd Annual Walk and Wheel Night Thursday May 15, 2104 6:00 p.m. at Gregory Park Memo – Informational

Public Forum

None.

Reports

Mayor's Report

Mayor Wallin discussed being very busy the past couple weeks.

City Attorney's Report

City Attorney Quiring reported that he has an appearance at District Court tomorrow to request a signature from the judge allowing the City to have a warrant to access the 1223 Pine Street.

City Administrator's Report

City Administrator Wussow – No Report

City Engineer's Report

City Engineer Hulsether reported that:

- Anderson Brothers Construction is currently working on the crack sealing project
- Work will start on the Willow Street Project next week
- The City's skid steer has a problem with the drive system on the underbody which will require an approximately $6,000 in repairs which will be paid from the Repair and Maintenance Fund

City Planner's Report

City Planner Ostgarden reported that:

- The Public Hearing for the Wausau decommissioning will be held at 5:00pm on Tuesday, May 13th in the City Hall Council Chambers
- The Mississippi River Steering Committee had its second meeting and will meet again on May 21, 2014 at CLC from 10am to 12pm

Fire Chief's Report

Fire Chief Stunek reported that:

- Fire Fighters recently completed certification in Fire Fighter I and Instructor I; he congratulated them
- A grant was received from Center Point Energy and the check will be presented at the next meeting
- The SAFER Grant was not renewed; one of the fire fighters working through that grant is currently taking the place of a fire fighter on medical leave

Park Director's Report

Park Director Sailer reported that:

- The Brainerd Lions Club had donated $200 for a flag pole and solar light at Buffalo Hills/Lion's Park – a big thank you to them

- The Bike Safety Clinic will be held at the lower parking lot of the high school from 10am to 12pm; free helmets, bicycle repair and safety information will be provided
- The Kids Fishing Clinic will be held on Saturday, May 31, 2014 from 9:30am to 2pm at Lum Park
- The Miracle League Field Grand Opening will also be held on Saturday, May 31, 2014 at 1pm

Council President's Report

Council President Parks – No Report

Council Other Committee Reports

Council Member Koep requested that City Attorney Quiring put together information on Open Meeting Law to present to Council.

Adjourn:

To the BLAEDC Paper Plant Task Force Meeting to be held on Wednesday, May 7, 2014 in the City Hall Council Chambers at 7:30 A.M.

To the Special Meeting of the Planning Commission to Consider Renu Recycling Interim Use Application for Wausau Plant – To be held on Tuesday, May 13, 2014 from 5:00 P.M. to 8:00 P.M. in the City Hall Council Chambers

To the Regular Planning Commission Meeting to be held on Wednesday, May 14, 2014 at 6:00 P.M. in the City Hall Council Chambers

To the 2nd Annual "Wheel and Walk" Event to be held at Gregory Park on Thursday, May 15, 2014 from 6:00 P.M. to 8:00 P.M.

The Chair adjourned the meeting at 10:35 P.M.

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Patrick Wussow
City Administrator