

Guidepoint Pharmacy was not able to attend "Showcasing Brainerd" as scheduled; however, Mr. Carl Faust was available to provide an informational presentation on the upcoming Brainerd History Week:

The Chair welcomed Mr. Carl Faust, History Week Committee Chair, who discussed the events scheduled throughout the week of June 16-22, 2014 for "Brainerd History Week" including Monday, June 16<sup>th</sup> activities celebrating the 100<sup>th</sup> anniversary of City Hall. Information is available on the City's website: [www.ci.brainerd.mn.us](http://www.ci.brainerd.mn.us) or the [www.brainerdhistoryweek.com](http://www.brainerdhistoryweek.com) website. He answered questions of the Council and the Chair thanked him for his presentation.

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 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.

The Chair added the annual license renewals to the Consent Calendar as distributed to Council prior to the meeting.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER TO ADOPT THE CONSENT CALENDAR AS AMENDED.

**A. Approval of the Minutes of the Regular Meeting held on May 19, 2014 and the Closed Meeting held on May 19, 2014, as distributed – Approved**

**B. Approval of Licenses – Approved**

1. Contractor's Licenses – 3 – New
2. Contractor's Licenses – 3 – Renewals
3. Second Hand Goods Dealer License
4. Bulk Plant – 1 – Renewal
5. Filling Station – 9 – Renewals
6. Off-Sale Beer – 5 – Renewals
7. On-Sale Wine – 1 – Renewal
8. On-Sale Beer – 1 – Renewal
9. On-Sale Liquor – 12 – Renewals
10. Sunday Liquor – 16 – Renewals
11. Club On-Sale – 3 – Renewals
12. Off-Sale Liquor – 6 – Renewals

**C. Department Activity Reports**

1. Mayor
2. Fire Chief
3. Park Director

**D. Application for a Temporary On-Sale Liquor License – Submitted by American Legion Post 255 for an Event to be held on June 21, 2014 at the American Legion, 708 Front Street, Brainerd – Approved**

**E. 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 THE PAYMENT OF BILLS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

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:**

**Centerpoint Energy – Presentation of Community Partnership Award to Fire Department**

The Chair recognized Mr. Scott Hainey of CenterPoint Energy who presented a check for \$250 to the Fire Department as part of their Community Partnership Award program.

**Airport – Update from Brainerd International Airport Manager Jeff Wig**

The Chair recognized Mr. Jeff Wig, Manager of the Brainerd International Airport, who addressed the Council with the annual report on Airport activity. He also discussed recent training opportunities he took part in.

**Information Presented:**

- Rebuilding of Original Terminal – Airmotive Enterprises has deferred at this time while working on other business activities
- Sewer and Water Extension – City of Baxter will make up a 6-way partnership if Baxter residents approve during election; funding mechanism in progress
- Purchase of High-Speed Snow Plow
- Hangar Rentals – Some vacancies are available
- Fuel Sales – Airmotive Enterprises fuel sales are up over 15%
- Enplanements – Outbound passengers up 20%
- Strategic Planning – Airport Commission and other community stakeholders took part in this last year – see the airport’s website: [www.brainerdairport.com](http://www.brainerdairport.com)
- Tour of Airport to take place on Thursday at 10:30 if Council Members are interested

- Smokey Bear's 70<sup>th</sup> birthday: Open House to take place on June 14 from 10am to 3pm

Mr. Wig answered questions of the Council and the Chair thanked him for his presentation.

Alderman Koep asked for a report on Airport Hanger ownership and costs.

### **Council Committee Reports**

#### **Personnel and Finance Committee**

##### **Brainerd HRA Lease Revenue Refunding of 2002 Bonds – Informational**

Chair Bevans stated that this was an informational item discussed at Committee relating to refinancing of bond with ISD 181.

#### **Newsletter Discussion**

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO CONTINUE THE CITY'S NEWSLETTER IN ONLINE FORM AND TO LET CITIZENS KNOW OF ONLINE AVAILABILITY AND ADVERTISING OPPORTUNITIES THROUGH THE WATTS NEWS WHICH IS PART OF THE BPU BILLING STATEMENT.

##### **Engineering Technician Position – Offer Position to Mr. James Reed Subject to Successful Completion of Required Pre-Employment Exams – Tentative Start Date of June 23, 2014 – Starting Wage of 85% of Base Rate for Position per IBEW Local No. 31 Union Contract/Step A/\$20.23 per Hour – Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO AUTHORIZE A CONDITIONAL JOB OFFER TO MR. JAMES REED FOR THE ENGINEERING TECHNICIAN POSITION SUBJECT TO SUCCESSFUL COMPLETION OF REQUIRED PRE-EMPLOYMENT EXAMS WITH A TENTATIVE START DATE OF JUNE 23, 2014 OR SOONER IF AVAILABLE AT A STARTING WAGE OF 85% OF THE BASE RATE FOR THE POSITION AS NOTED IN THE IBEW LOCAL NO. 31 UNION CONTRACT (STEP A OR \$20.23 PER HOUR).

#### **Safety and Public Works Committee**

##### **Charter Communication Franchise Agreement – Interpretation – Direct Staff to Send Letter to Charter Communications requesting they Remove their Cables from the Utility Poles formerly used by Brainerd Public Utilities between Lowell School and the Wausau Plant – Approved**

Committee Chair Scheeler reported that there have been complaints about cables still being hung by Charter Communications on former BPU poles. He stated the poles are no longer being used by BPU and after 30 days of not using the poles the ownership goes to Charter Communications because they still are using them. He stated that the poles have had the tops chopped off and are not aesthetically pleasing.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER, DULY CARRIED, TO DIRECT STAFF TO SEND A LETTER TO CHARTER COMMUNICATIONS

REQUESTING THEY REMOVE THEIR CABLES FROM THE BPU POLES LOCATED BETWEEN LOWELL SCHOOL AND THE WAUSAU PLANT BASED ON THE POLES NO LONGER BEING USED BY BRAINERD PUBLIC UTILITIES AND FOR THE PURPOSE OF REMOVING THE POLES.

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO REFER THE ITEMS SURROUNDING OWNERSHIP AND REMOVAL OF POLES TO THE CABLE TV ADVISORY COMMITTEE.

**901 11<sup>th</sup> Avenue NE – Garage Demo – Accept Low Quote from DeChantal Excavating in the amount of \$1,011 and Assess amount to Property Owner over the Next Ten Years – Approved**

Committee Chair Scheeler reported that two quotes were received and staff recommends accepting the low quote.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO ACCEPT QUOTE FROM DECHANTAL EXCAVATING IN THE AMOUNT OF \$1,011 AND TO ASSESS THE PROPERTY OWNER OVER THE NEXT 10 YEARS.

#### **Alley Grading**

City Engineer Hulsether reported that as conditions permit the street crew has been grading some alleys.

**Building Permit Delay – 420 Quince Street – Mr. Terry Kinder – Allow Mr. Kinder until June 9, 2014 to Complete Exterior Work; Further, assess \$100 Fine per day from June 10, 2014 through June 21, 2014 which will either be Waived if all Work and Cleanup is Complete or be Due from Mr. Kinder if all Work and Cleanup is Not Complete – Approved**

The Chair recognized Mr. Terry Kinder, 1420 Quince Street, who stated that he has been working on getting his house reconstruction done that was supposed to be done by the end of today but because of weather, he has not been able to begin, so he is asking for a two-week extension.

MOVED AND SECONDED BY ALDERMEN MATTEN AND SCHEELER TO ALLOW MR. TERRY KINDER UNTIL JUNE 9, 2014 TO COMPLETE EXTERIOR WORK AT HIS PROPERTY ON 1420 QUINCE STREET AS APPLIED FOR; FURTHER, THAT A \$100 DAILY FINE WILL BE ASSESSED FROM JUNE 10<sup>TH</sup> THROUGH JUNE 21<sup>ST</sup> WHICH WILL EITHER BE WAIVED IF ALL WORK AND CLEANUP IS COMPLETE OR BE DUE FROM MR. KINDER IF ALL WORK AND CLEANUP IS NOT COMPLETE.

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

#### **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 – Approved**

Proposed Ordinance No. 1413 was included in the Packet along with memos from City Planner Ostgarden and Council Member Scheeler relating to Small Houses and Residential Infill Design Requirements and Small Houses vs. Tiny Houses. Per Council Member Scheeler's memo, his suggestions for a "workable solution to the Tiny House vs. Small Houses issue:

- 1) Change current language from 400sq. ft. minimum
- 2) 500 minimum sq. ft. homes only on non(conforming/substandard) lots
- 3) 500 sq. ft. homes on city lots that were in city limits prior to 1989 only
- 4) That this conditional use be on a "trial basis" for a year and reviewed at that time by Council

MOVED AND SECONDED BY ALDERMEN TO REFER ITEM BACK TO PLANNING DEPARTMENT STAFF WITH FOUR CHANGES AS BROUGHT FORTH BY ALDERMAN SCHEELER'S MEMO DISTRIBUTED TO COUNCIL.

### **Public Forum**

None.

### **Reports**

#### **Mayor's Report**

**Rental Registration Fees – Reimburse Late Fees Assessed on June 2, 2014 to Property Owners that were in to Pay the Fees on that Day including Mr. Ed Mattson who had been in to Pay and Brought up this Issue to the Mayor – City Administrator to Review all Fees in Regards to Due Dates Falling on Non-Business Days – Approved**

Mayor Wallin reported that he received a call from a citizen who was penalized \$500 for not paying or having his rental registration postmarked by June 1<sup>st</sup>. Discussion was held by Council relating to postage marks and verbiage of the adopted ordinance being confusing to some residents.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BEVANS TO REIMBURSE THE LATE FEE FOR ANYONE THAT PAID THEIR RENTAL REGISTRATION FEES TODAY, JUNE 2, 2014.

Members Scheeler, Borkenhagen, Koep, Bevans, and Parks voted "aye." Members Pritschet and Matten voted "nay."

City Engineer Hulsether stated that certified accounts for each of the overpayments and process the refunds and overpayments through the next set of bills.

MOVED AND SECONDED BY ALDERMEN KOEP AND SCHEELER, DULY CARRIED, TO REQUEST CITY ADMINISTRATOR REVIEW OF ALL FEES PAID TO THE CITY IN REGARDS TO DUE DATES FALLING ON NON-BUSINESS DAYS.

MOVED AND SECONDED BY ALDERMEN KOEP AND BEVANS, DULY CARRIED, TO ALLOW MR. ED MATTSON TO PAY HIS RENTAL REGISTRATION FEES WITHOUT LATE FEES BASED ON THE FACT THAT HE HAD BEEN IN CITY HALL TO PAY ON JUNE 2<sup>ND</sup>.

### **City Attorney's Report**

City Attorney Quiring presented information to the Council on "Open Meeting Law" including:

- Purpose of Open Meeting Law
- Gatherings Covered by Open Meeting Law
- Meeting Notice Requirements
- Reasons for Closing a Meeting
- Procedures for Closing a Meeting
- Penalties

He answered questions of the Council and the Chair thanked him for his presentation.

He reported that the petition on 28<sup>th</sup> Street was submitted to the County and that the County Attorney will be presenting the item at the County Board meeting on June 10<sup>th</sup>. He stated that a joint meeting will most likely be set at that time which the Council can adjourn to.

### **City Administrator's Report**

City Administrator – No Report

### **City Engineer's Report**

City Engineer Hulsether – No Report

### **City Planner's Report**

City Planner Ostgarden reported that:

- He has not heard from Renu Recycling since the Interim Use Permit was approved for them
- The Mississippi Riverfront Workshop was successful with approximately 20 members of the public in addition to committee members, Council members and Mayor Wallin
- School District has taken bids on Whittier School; the possibility of a charter school has been brought up
- A questionnaire has been sent out to the community from the Walkable Bikeable Committee
- Assistant City Engineer Freihammer and Street Department have been put up at the Buffalo Hills Trail and Cuyuna Lakes Trail signs up; thank you to them and to the Jaycees for funding those signs through their proceeds from the Run for the Lakes Marathon

The possibility of having a sign that states "Historic Downtown Brainerd" one way and "Baxter" the other way rather than just a sign that says "Bypass" on HWY 371 was discussed.

### **Fire Chief's Report**

Fire Chief Stunek thanked the firefighters and the community for their huge effort in raising money for muscular dystrophy through the "Fill the Boot" event which raised over \$12,400.

### **Park Director's Report**

Park Director Sailer discussed the Miracle League Grand Opening which took place on Saturday. He invited the public to contact the Parks Department at 828-2320 to sign up for the following:

- "Buddy Nights" to assist players at the Miracle League Field Games
- "Play Ball" Free youth baseball clinic sponsored and hosted by members of the Minnesota Twins which will be held on June 28<sup>th</sup> at 9:00 and 10:30 A.M. at Bane Park.

### **Council President's Report**

Council President Parks reported that he had attended the Miracle League Grand Opening and commended Tony on his introduction speech. He stated that he also had attended the Mississippi Riverfront Workshop and felt that many great suggestions had been brought up.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND PRITSCHET, DULY CARRIED, TO APPOINT COUNCIL MEMBER BORKENHAGEN AS COUNCIL LIAISON TO THE MISSISSIPPI RIVERFRONT STEERING COMMITTEE.

### **Liaison Reports**

Council Member Bevans reported on Whittier School, stating that the School Board took bids last week on the demolition of the former school building. He stated that a Northside meeting had taken place to rank citizen suggestions which generated discussion of a local Montessori school moving to the building or location.

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|---------------------|----------|---------------------|---------------|
| Charter Commission  | EDA      | Planning Commission | Region 5      |
| Park Board          | HRA      | Transportation      | Senior Center |
| Property Management | BLAEDC   | Arboretum           |               |
| Airport             | BPU      |                     |               |
| Library Board       | Cable TV |                     |               |

### **Adjourn – To History Week City Hall Kickoff at 11:00 A.M. on Monday, June 16, 2014**

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

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Patrick Wussow  
City Administrator