The Chair welcomed Mr. Marc Halvorson, owner of Brainerd Floral, who discussed the history of Brainerd Floral which his mother ran as "Edy's Holiday Decorations" for 12 years prior to him and his wife purchasing the business in 1974. He stated that the shop employs 4 full-time staff and 4 part-time staff along with seasonal help for holidays and focuses on carrying "Minnesota Grown" products to help Minnesota jobs. He discussed flower care and reminded the viewing audience of Brainerd Floral's "Six-Buck Fridays" which offers fresh cut arrangements for cash and carry. 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: Borkenhagen, Koep, Pritschet, Matten, Bevans, Scheeler and Parks. Mayor Wallin was also noted as present.

The Chair stated that a request to add the item "Temporary On Sale 3.2% Malt Beverage" application for a Jaycees event to be held this weekend was received today. Council agreed to add this item as New Business item 11D.

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

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 June 16, 2014, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 2 – New

2. Contractor's Licenses – 7 – Renewals

C. Department Activity Reports – Approved

1. Mayor
2. Fire Chief
3. Park Director

D. Minnesota Lawful Gambling Permit – Application for Exempt Permit – Submitted by Brainerd Fire Relief Association for a Raffle to be held on December 1, 2014 – Approved

E. Application for a Temporary On-Sale Liquor Licens1`e – Submitted by the Brainerd American Legion for an Event to be held on July 19, 2014 at the Brainerd Armory – Approved

F. **Resolution No. 39:14 Adopted – Setting Polling Places and Judge Wages for Primary Election**

G. **Resolution No. 40:14 Adopted – Authorizing Execution of the TZD Enforcement Grant Contract**

H. **Police Department – Officer Paul Rosier – Complete 1-Year Probation and Field Training – Change Employment Status from "Probationary" to "Regular" – Adjust Pay to the "2nd Year Officer" Rate – $4,800.54/month – Effective June 18, 2014 – Approved**

I. **Police Department – CSO Reno Sposito Resignation – Accept with Regret and Authorize Hiring of Replacement – Approved**

J. **Police Department – MOU with LELS Local No. 65 – HCSP Contribution for Police Officers – Approved**

K. **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 Borkenhagen, Koep, Pritschet, Matten, Bevans, Scheeler and Parks voted "aye." No member voted "nay." The Chair declared the motion carried.

Guest Speaker – Oak Lawn Township – Authorize Council Member Scheeler and City Administrator Wussow to meet with Township Officials in regards to Annexation Issues – Approved

The Chair recognized Mr. Kevin Anderson, Board Supervisor of Oak Lawn Township, who had requested to be on the agenda. Mr. Anderson reported that over the past few weeks the board has discussed several options regarding the annexation options for the 28th Street Improvement and that the board unanimously approved recommendation that the City annex the remaining 490 feet of 28th Street.

The Chair recognized Mr. Nate Jenson, Deacon at Faith Baptist Church, who reported that the Church is not in favor of the annexation.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN TO AUTHORIZE COUNCIL MEMBER SCHEELER AND CITY ADMINISTRATOR WUSSOW TO MEET WITH OAK LAWN TOWNSHIP REPRESENTATIVES TO DISCUSS 28TH STREET ISSUES.

Presentation – CGMC Update – Bradley Peterson

The Chair recognized Mr. Bradley Peterson, Coalition of Greater MN Cities (CGMC) lobbyist, who updated the Council and public on recent CGMC activities including a recap of legislative initiatives. He answered questions of the Council and thanked them for the opportunity to appear this evening.

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

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

Council Committee Reports

Safety and Public Works Committee

Quotes for Appraisals – Held Over

City Engineer Hulsether requested to hold this item over to the July 21, 2014 Safety and Public Works Committee Agenda in order for staff to look into appraisal solicitation alternatives. He stated that only two bids were received and that one of those had numbers much higher than expected.

Event/Street Closure Applications:

Big Bill$ Rubber Lil' Rubber Ducky Race – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPROVE THE APPLICATION AS SUBMITTED BY THE BRAINERD JAYCEES FOR THE "BIG BILL$ LIL' RUBBER DUCKY RACE" TO BE HELD ON AUGUST 2, 2014 FROM 12:45PM TO 1:15 PM AT THE SOUTH SIDE OF THE LAUREL STREET BRIDGE IN BRAINERD.

Spirit Fest Block Party – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO APPROVE THE APPLICATION AS SUBMITTED BY MR. JOHN STILES FOR THE "SPIRIT FEST BLOCK PARTY" TO BE HELD ON AUGUST 9, 2014 FROM 3PM TO 9PM AT FIRST LUTHERAN CHURCH OF BRAINERD INCLUDING THE STREET CLOSURE OF NORWOOD AVENUE BETWEEN 7TH AND 8TH STREETS FOR HAYRIDES AND SUBJECT TO THE FOLLOWING TWO CONDITIONS:

- *PROVIDE CERTIFICATE OF LIABILITY INSURANCE FOR HAYRIDES*
- *PROVIDE REMOVAL OF ALL WASTE GENERATED BY/DURING HAYRIDES*

Rental Registration Late Fee Appeal for $2,815 assessed to Terrace Apartments – Denied

Per a memo included in the Packet from City Engineer Hulsether, an appeal was received for late fees assessed on rental registration from the owners of the Terrace Apartments citing their reason as not having received the original mailing for renewal but only later receiving the letter informing them of the penalty amounts for being late. It is noted that the address of the owners had changed since last year but that the City was not notified and that the amount due includes the $3,616 rental registration and a $2,815 late fee.

MOVED AND SECONDED BY ALDERMEN KOEP AND BEVANS TO REQUIRE THE OWNERS OF TERRACE APARTMENTS TO PAY THE FULL AMOUNT DUE FOR BOTH RENTAL REGISTRATION AND LATE FEES.

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

Petition for Drainage Easement Maintenance – Held Over to July 21, 2014 Committee Agenda

Improvement 13-16 – Garfield Safe Routes to School Bids – Informational

Per a memo from Assistant City Engineer Freihammer which was included in the Packet, MNDOT has to approve the bids and contractor requirements prior to Council authorization because this is a federally funded project.

City Engineer Hulsether stated that this will hopefully be included on the July 21, 2014 Committee Agenda.

Water Tower Damage – City Engineer Hulsether to Research Repair Options – Approved

Per City Engineer Hulsether, an area about 2 feet wide has separated from the historic water tower on the north base of water tower bowl.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO AUTHORIZE CITY ENGINEER HULSETHER TO RESEARCH OPTIONS FOR REPAIRING THE HISTORIC WATER TOWER.

1420 Quince Street – Mr. Terry Kinder – Case Forwarded to City's Prosecuting Attorney with No Permits to be Issued to Mr. Kinder or the Property Owner at 1420 Quince Street During Litigation and Staff to Develop a Policy on Permit Denial to be Presented at the August 18, 2014 City Council Meeting – Approved

City Planner Ostgarden presented the Council with pictures of the property taken that day which showed that some but not all required work had been completed as required. He stated that the maximum $2,000 fine will be reached by the end of the week.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER, DULY CARRIED, TO REFER MR. TERRY KINDER'S ONGOING INCOMPLETE BUILDING PERMIT ISSUE FOR THE PROPERTY AT 1420 QUINCE STREET TO THE CITY'S PROSECUTING ATTORNEY.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DENY ANY FURTHER PERMIT REQUESTS FROM MR. TERRY KINDER OR THE PROPERTY OWNER AT 1420 QUINCE STREET DURING LITIGATION CONCERNING THE PROPERTY.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER, DULY CARRIED, TO DIRECT STAFF TO DEVELOP A POLICY ON BUILDING PERMIT DENIALS TO BE PRESENTED AT THE AUGUST 18, 2014 MEETING.

Personnel and Finance Committee

Engineering Department:

Transit Coordinator Position – Accept Withdrawal of Conditional Job Offer for Mr. Keven Anderson who declined Employment – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT THE WITHDRAWAL OF THE CONDITIONAL JOB OFFER FOR THE TRANSIT COORDINATOR POSITION FROM MR. KEVEN ANDERSON WHO DECLINED EMPLOYMENT.

Transit Coordinator Hiring Recommendation – Authorize Conditional Offer to Mr. Anders Stone subject to all Required Pre-Employment Exams – Starting Wage of 85% ($3787.92 per Month, Step A of Salary Administration Plan) – Tentative Start Date of July 8, 2014 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO AUTHORIZE A CONDITIONAL JOB OFFER TO MR. ANDERS STONE FOR THE TRANSIT COORDINATOR POSITION – RECOMMEND TO START AT $3,787.92/MONTH OR 85% OF THE TOP RATE FOR THE POSITION (STEP A OF SALARY ADMINISTRATION PLAN) – OFFER SUBJECT TO SUCCESSFUL COMPLETION OF REQUIRED PRE-EMPLOYMENT EXAMS WITH A TENTATIVE START DATE OF JULY 8, 2014.

Unfinished Business

Airport – City Hangar Investments – Airport Manager Jeff Wig – Informational

The Chair recognized the Brainerd International Airport Manager, Mr. Jeff Wig, who discussed the information he had included in the Packet relating to the City's investments in airport hangars.

New Business

Resolution No. 41:14 Adopted – Providing for the Issuance and Sale of Electric Utility Revenue Bonds, Series 2014A, in the Proposed Aggregate Principal Amount of $5,300,000

The Chair recognized Mr. Paul Steinman of the City's bond counsel, Springsted, Inc, who introduced the bonds and discussed the debt service impact, ratings, etc. with a sale date of the August 4, 2014 meeting. He answered questions of the Council.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BEVANS TO ADOPT RESOLUTION NO. 41:14 - PROVIDING FOR THE ISSUANCE AND SALE OF ELECTRIC UTILITY REVENUE BONDS, SERIES 2014A, IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF $5,300,000.

RESOLUTION NO. 41:14

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

First Reading – Proposed Ordinance No. 1416 – An Ordinance Amending Section 600 of the Brainerd City Code Relating to Recycling – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND KOEP, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1416 – AN ORDINANCE AMENDING SECTION 600 OF THE BRAINERD CITY CODE RELATING TO RECYCLING – CITY ADMINISTRATOR WUSSOW RECOMMENDS DISPENSING WITH THE ACTUAL READING

City Administrator Wussow stated that the ordinance is necessary to comply with the recent recycling procedure changes at Crow Wing County.

Annexation of Hydrodam and 37 Acres of Land recently Acquired by the City – Direct Staff to Research and Communicate with City Attorney and report to Council at August 18, 2014 Meeting – Approved

Per City Council Member Scheeler, this is in regards to 37 acres recently acquired in relation to the Hydrodam acquisition which is not in the City limits. He stated that City Administrator Wussow had suggested that Council should have discussion on whether to annex this land prior to simply starting the process to do so. Council President Parks agreed and suggested that a committee perhaps be put together to focus on a long-range plan.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND PRITSCHET TO DIRECT STAFF TO RESEARCH AND COMMUNICATE WITH THE CITY ATTORNEY IN REGARDS TO ANNEXATION ON THE 37 ACRES AND HYDRO DAM RECENTLY ACQUIRED BY THE CITY AND RETURN TO COUNCIL AT THE AUGUST 18, 2014 CITY COUNCIL MEETING.

Application for Temporary On Sale 3.2% Malt Beverage (Beer) – Submitted by Brainerd Jaycees for an Event to be held on July 12-13th, 2014 at Mill Park in Brainerd and Policy to be Developed on Applications Received less than 30 Days in Advance of an Event – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND MATTEN, DULY CARRIED, TO APPROVE THE TEMPORARY ON-SALE 3.2% MALT BEVERAGE (BEER) APPLICATION AS SUBMITTED BY THE BRAINERD JAYCEES FOR AN EVENT TO BE HELD ON JULY 12-13TH, 2014 AT MILL PARK IN BRAINERD, FURTHER, TO INFORM THE JAYCEES THAT APPLICATIONS SUCH AS THIS MUST BE RECEIVED 30 DAYS PRIOR TO AN EVENT IN THE FUTURE.

MOVED AND SECONDED BY ALDERMEN BEVANS AND KOEP, DULY CARRIED, TO DIRECT STAFF TO DEVELOP A POLICY WHCH WOULD ADD A PENALTY TO LICENSE APPLICATIONS WHEN TURNED IN LATE.

Planning Commission

Public Hearing – Final Reading of Proposed Ordinance No. 1415 – Rezoning of Central Lakes College PID #070093103BB0AB0 and PID #070093103BB0AA0 (NE Corner of College Drive and County Road 48) – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

The Chair opened the Public Hearing at 9:32 P.M. No one came forward.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1415 – REZONING OF CENTRAL LAKES COLLEGE PID #070093103BB0AB0 AND PID #070093103BB0AA0 (NE CORNER OF COLLEGE DRIVE AND COUNTY ROAD 48); FURTHER, TO DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER TO ADOPT ORDINANCE NO. 1415 – REZONING OF CENTRAL LAKES COLLEGE PID #070093103BB0AB0 AND PID #070093103BB0AA0 (NE CORNER OF COLLEGE DRIVE AND COUNTY ROAD 48).

ORDINANCE NO. 1415

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

Public Forum

The Chair recognized Ms. Beth Phingston, 9424 McKay Road, Brainerd, who introduced herself as a candidate for District 4 Crow Wing County Commission.

Reports

Mayor's Report

Mayor Wallin stated that the City's 4th of July celebration was a great success; he thanked all the volunteers and Community Action. He also reminded the public to drive safely with the increased traffic amounts for summer.

City Engineer's Report

City Council Member Scheeler expressed concern over the process by which a project on Willow Street is being left undone.

City Planner's Report

City Planner Ostgarden reported that:

- The Brainerd Restoration Group is being resurrected
- The Planning Commission and Walkable Bikeable Committee had a successful meeting last week

- The City Newsletter being published electronically is working well and actually can offer more information this way than in print
- The Pine Street property owner previously cited for has now erected a tent to "sort through" his many items previously displayed on the lawn; has court tomorrow
- Walkable Bikeable would like a Ribbon Cutting Ceremony for the Willow Street bike lane when it is complete because it is the first of its kind in the City

Council Other Committee Reports

Council Member Koep recapped Brainerd History Week.

Walkable Bikeable City Committee

- Request Appointment(s) for Skate Park Meeting – Council Members Matten and Koep volunteered to serve on this committee.

Adjourn – To July 14, 2014 Special Council Meeting to be held on Monday, July 14, 2014 from 6pm to 8pm at the Brainerd Police Department Training Room

The Chair adjourned the meeting at 9:43 P.M.

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Patrick Wussow
City Administrator