

**Brainerd, MN
August 4, 2014**

The Chair welcomed Ms. Krista Soukup, who discussed the “Behind the Bricks” program which is made possible through a Crossing Arts Alliance grant provided by the Five Wings Arts Council of Staples, MN. She shared that the program was started to encourage literacy and develop artistic skills in inmates of the CWC jail by having artists go to the jail and work with inmates to match literary work and artwork. The results will be used to create a book called “Beyond the Bricks” which is set to launch publication in September at the Q Gallery in the Franklin Arts Center. 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 7:30 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 for a short presentation to occur after the Consent Calendar had been received from Park Director Sailer and that the Personnel and Finance Committee and Safety and Public Works Committee agendas would be switched because of guest time constraints. Council concurred with the changes.

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

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

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

B. Approval of Licenses – Approved

1. Contractor’s Licenses – 4 – New
2. Contractor’s License – 1 – Renewal

C. Department Activity Reports – Approved

1. Mayor
2. Fire Chief
3. Park Director

D. 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.

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

Presentation

The Chair recognized Ms. Cindy Walsh, City of St. Louis Park and past president of the MRPA (Mn Parks and Recreation Association) who presented an Award of Excellence to the City of Brainerd and Park Director Sailer for the redevelopment of Bane Park and creation of the Miracle Field.

Council Committee Reports

Personnel and Finance Committee

Matt Holmstrom – Brainerd Fire Department Relief Association – 2014 Pension Schedules – Request of Annual Benefit Increase to \$8,500 per Year of Service – Effective 8/1/2014 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO APPROVE THE REQUEST FROM THE BRAINERD FIRE DEPARTMENT RELIEF ASSOCIATION FOR AN ANNUAL BENEFIT INCREASE TO \$8,500 PER YEAR OF SERVICE EFFECTIVE 8/1/2014.

Mr. Matt Holmstrom answered questions of the Council. It was noted that last year the effective date was changed to the first of the year; however, the Association has requested that the effective date be changed back to 8/1.

Resolution No. 44:14 Adopted – Extending the Authority to Impose the Local Option Sales Tax (LOST) in the City of Brainerd

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT RESOLUTION NO. 44:14 – APPROVING LAWS OF MINNESOTA 2014, CHAPTER 308, ARTICLE 3, SECTION 27, 28, 29 RELATING TO AUTHORITY TO IMPOSE A SALES AND USE TAX IN THE CITY OF BRAINERD.

RESOLUTION NO. 44:14

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 resolution adopted.

Fire Department:

Shared Services Grant Application – Brainerd Fire Department Request for City Council Letter of Support – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO APPROVE THE REQUEST FOR A LETTER FROM THE COUNCIL SUPPORTING THE SHARED SERVICES GRANT APPLICATION FOR THE BRAINERD FIRE DEPARTMENT.

Paid On-Call Firefighters Successful Completion of Probation – Fire Chief Stunek Recommends Advancement from Probationary Status to Regular Paid On-Call Firefighter Status for Rahn Findlay, Brian Kargel, Joshua Mailhot, James Norwood and Mark Teckemeyer – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS PRITSCHET, DULY CARRIED, TO APPROVE ADVANCEMENT FROM PROBATIONARY STATUS TO REGULAR PAID ON-CALL FIREFIGHTER STATUS FOR THE FOLLOWING: MR. RAHN FINDLAY, MR. BRIAN KARGEL, MR. JOSHUA MAILHOT, MR. JAMES NORWOOD, AND MR. MARK TECKEMEYER.

Safety and Public Works Committee

Downtown Snow Removal – Informational

Per City Engineer Hulsether, staff will work with Downtown business owners to set a meeting time.

Alley Easement Appraisal/Offer – Alley Encroachment into Vacated Portion of Alley in Block 24, West Brainerd – Authorize Offer in the Amount of \$1,000 to Johanneck Appraisals, LLC. and if Offer is Accepted Authorize Payment of the same from the Construction Fund – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO AUTHORIZE AN OFFER TO JOHANNECK APPRAISALS, LLC. IN THE AMOUNT OF \$1,000 FOR AN APPRAISAL OF THE ALLEY ENCROACHMENT INTO THE VACATED PORTION OF THE ALLEY IN BLOCK 24, WEST BRAINERD, AND IF OFFER IS ACCEPTED, AUTHORIZE PAYMENT OF THE SAME FROM THE CONSTRUCTION FUND.

Salt Sand Quotes – Accept the Low Bid from Hengel Ready Mix and Construction in the amount of \$3.50 per Cubic Yard for Winter Sand Supply – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO ACCEPT THE LOW BID FROM HENGEL READY MIX AND

CONSTRUCTION IN THE AMOUNT OF \$3.50 PER CUBIC YARD FOR WINTER SAND SUPPLY.

2015 Transit Grant Application – Resolution No. 45:14 Adopted

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP TO ADOPT RESOLUTION NO. 45:14 – AUTHORIZING THE CITY OF BRAINERD TO ENTER INTO AN AGREEMENT WITH THE STATE OF MINNESOTA TO PROVIDE PUBLIC TRANSPORTATION SERVICE IN CROW WING COUNTY AND SELECTED AREAS OF CASS COUNTY.

RESOLUTION NO. 45:14

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 resolution adopted.

Quotes for Sewer Replacement, Block 160 – Informational

Committee Chair Scheeler reported that based on the bids received being higher than the estimated project cost and additional sewer replacement work being considered for next year, the bids will be rejected at this time and the project will be rebid along with next year’s sewer work as a larger project for construction next spring as recommended by staff.

Kampmann Sash & Door Lease Agreement – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO ACCEPT THE LEASE AGREEMENT BETWEEN THE CITY OF BRAINERD AND KAMPMANN SASH & DOOR, INC. RELATING TO THE “TRAIL RIGHT-OF-WAY” AS WRITTEN.

Planning Intern Position – Trial Position at \$10-\$12 per Hour Depending on Qualifications with a Tentative Start Date of August 18, 2014 – Approved

Committee Chair Scheeler reported that since the request to hire a Planning Intern was rejected at the July 21, 2014 meeting staff has been approached by Council Members to place the item on the agenda again for approval.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO APPROVE THE HIRING OF A PLANNING DEPARTMENT INTERN AS A TRIAL POSITION AT \$10-\$12 PER HOUR DEPENDING ON QUALIFICATIONS WITH A TENTATIVE START DATE OF AUGUST 18, 2014.

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

BPU Dam Annexation – Held Over to August 18, 2014

St Andrews Sewer Service – Informational

City Engineer Hulsether reported that the sewer service from St. Andrews Church is blocked and staff will need to find out where the problem is occurring. This will involve excavating in Willow Street at the location of the existing patch across from SE 11th Street.

Unfinished Business

Sale of Electric Utility Revenue Bonds, Series 2014A – Update – Informational

Per a memo included in the Packet from City Administrator Wussow the sale of Electric Utility Revenue Bonds, Series 2014A, had been removed from tonight's agenda. He stated that the BPU board approved construction work. He also reported that the BPU Board directed Bahr Engineering to research DNR funding for the Hydroadam improvements and that the sale of the bond should be back on the agenda in September.

2015 Budget – Continued Discussion – Workshop set for August 25, 2014 at 6pm

The Council set a Budget Workshop for Monday, August 25, 2014 at 6pm in the City Hall Council Chambers.

Oak Lawn Township – Verbal Update

City Administrator Wussow reported on the Oak Lawn Township meeting that he attended along with Council Members Scheeler, Koep and Matten.

Canvassing Board Certification of Primary Election Results – To be held on Thursday, August 14, 2014 at 6pm in the Council Chambers with Board Comprised of Council Members Scheeler, Parks, Matten and Bevans

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BEVANS, DULY CARRIED, TO HOLD THE CANVASSING BOARD CERTIFICATION OF 2014 PRIMARY ELECTION RESULTS ON THURSDAY, AUGUST 14, 2014 AT 6PM WITH THE FOLLOWING COUNCIL MEMBERS PRESENT: SCHEELER, PARKS, MATTEN AND BEVANS.

Public Hearing – Final Reading of Proposed Ordinance No. 1417 – An Ordinance Amending Brainerd City Code Section 1010.03 Regarding Penalty for Late Payment of License Fees – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

The Chair opened the Public Hearing at 8:36 P.M. No one came forward.

The Chair closed the Public Hearing at 8:37 P.M.

MOVED AND SECONDED BY ALDERMEN BEVANS AND KOEP, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1417 – AN ORDINANCE AMENDING BRAINERD CITY CODE SECTION 1010.03

REGARDING PENALTY FOR LATE PAYMENT OF LICENSE FEES; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT ORDINANCE NO. 1417 – AN ORDINANCE AMENDING BRAINERD CITY CODE SECTION 1010.03 REGARDING PENALTY FOR LATE PAYMENT OF LICENSE FEES.

ORDINANCE NO. 1417

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.

Planning Commission

Public Hearing – Final Reading of Proposed Ordinance No. 1418 – Zoning Text Amendment – Amend Zoning Ordinance Section 70-2, I-1 Light Industry District to Permit Fitness and Recreation Centers as described by the 2012 North American Industrial Classification System Code 713940 – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

The Chair opened the Public Hearing at 8:39 P.M. No one came forward.

The Chair closed the Public Hearing at 8:40 P.M.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1418 – ZONING TEXT AMENDMENT – AMEND ZONING ORDINANCE SECTION 70-2, I-1 LIGHT INDUSTRY DISTRICT TO PERMIT FITNESS AND RECREATION CENTERS AS DESCRIBED BY THE 2012 NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM CODE 713940; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND KOEP TO ADOPT ORDINANCE NO. 1418 – ZONING TEXT AMENDMENT – AMEND ZONING ORDINANCE SECTION 70-2, I-1 LIGHT INDUSTRY DISTRICT TO PERMIT FITNESS AND RECREATION CENTERS AS DESCRIBED BY THE 2012 NORTH AMERICAN INDUSTRIAL CLASSIFICATION SYSTEM CODE 713940.

ORDINANCE NO. 1418

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

Reports

Mayor's Report

Mayor Wallin reminded the public to get out and vote for the primary election and invited the public to see his flowers at Kiwanis.

City Attorney's Report

City Attorney Quiring reported that he will be providing a report of activities on a regular basis.

City Engineer's Report

City Engineer Hulsether reported on current progress of city projects

City Planner's Report

City Planner Ostgarden reported that:

- The City Newsletter for 3rd quarter is being sent out and is always available online: www.ci.brainerd.mn.us
- 12 of the Riverfront Steering Committee's 32 members have completed the survey on priorities for Riverfront design. The Center for Rural Design will put together data of responses and he will keep the Council updated
- The committee for Skate Park Development will meet on Wednesday, August 6th at 6pm at the City Hall conference room

Fire Chief's Report

Fire Chief Stunek congratulated the five POC Firefighters that completed the probation period.

Park Director's Report

Park Director Sailer reported that the second state baseball tournament Brainerd is hosting this summer will be held at Memorial Field this weekend and that "The Big Wiff" wiffle ball tournament will take place August 16th at Mills Field. For more information or to sign up go to <http://www.thebigwiff.com/>

Council President's Report

Council President Parks announced the locations of the National Night Out events:

North – Gregory Park 5pm-8pm

Northtown – Twin St and warrior Ave 6pm-8pm

Downtown – 400 block of Laurel between the Post Office and Library 6pm-8pm

Marsh Run Townhomes – 5pm-8pm

Northeast – Fire Hall 6pm-8pm

Southeast – Jaycees Park 6pm-8pm

**Adjourn – To Canvassing Board Certification of 2014 Primary Election
Results to be held on Thursday, August 14, 2014 at 6:00 P.M. in the City Hall
Council Chambers**

Patrick Wussow
City Administrator