

**Brainerd, MN
September 2, 2014**

The Chair welcomed Mr. and Mrs. Ed and Yvonne Younker, 211 Easy Street, Brainerd, and Directors of the Brainerd Geritol Frolics show. They provided information on the history of the show and upcoming show dates for the performances to be held at the Franklin Art Center, stating that times and ticket information can be found at www.geritolfrolics.com or by calling 825-4993. They answered questions of the Council and the Chair thanked them for their 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: Koep, Pritschet, Matten, Bevans, Scheeler, Borkenhagen and Parks. Mayor Wallin was also noted as present.

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

Council Member Scheeler stated that on page 5 his name is spelled wrong. He also asked that the words "strike choose" be added to the motion regarding Oak Lawn Township Board meeting on page 4.

Council Member Koep requested that item 5E (Walkable Bikeable Committee Community Walkability Audit Proposal) be moved from the Consent Calendar to 8C (Council Committee Reports). Council concurred.

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

- A. Approval of the Minutes of the Regular Meeting held on August 18, 2014 as amended and the Special Meeting held on August 25, 2014, as distributed – Approved**
- B. Approval of Licenses – Approved**
 - 1. Contractor's Licenses – 2 – New
 - 2. Contractor's Licenses – 3 – Renewals
- C. Department Activity Reports – Approved**
 - 1. Mayor
 - 2. Fire Chief
 - 3. Park Director
- D. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by Minn Darkhouse & Angling Association Brainerd Lakes Area for a Raffle to be held on October 25, 2014 at the American Legion, 708 Front Street – Approved**

E. Charter Communications – New Channel and Digital Format Information for Notification Purposes – Informational

F. City Administrator Wussow 6 Month Performance Evaluation Report – Informational

G. Event/Street Closure Applications – Approved

1. Homecoming Parade
2. St Francis Catholic School Marathon
3. Brainerd Fire Department Open House
4. 2014 Crop Walk

**H. Call for Applicants:
(Application Information at www.ci.brainerd.mn.us/boards/)**

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

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

HRA – 1 Term to Expire on 6/6/2019

EDA – 2 Terms to Expire on 9/7/2020

Upon roll call, members Koep, Pritschet, Matten, Bevans, Scheeler, Borkenhagen 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 PRITSCHET TO APPROVE THE PAYMENT OF BILLS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

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

HRA Update – Jennifer Bergman, Executive Director – Informational

The Chair recognized Ms. Jennifer Bergman, Executive Director of the Brainerd Housing and Redevelopment Authority, who reviewed her memo provided in the Packet. She answered questions of the Council and the Chair thanked her for her presentation.

Council Committee Reports

Personnel and Finance Committee

Parks Department – Park Office Roof Repair – Accept Low Quote from Herzog Roofing in the amount of \$20,845 to be paid from the Capital Projects Fund – Approved

Per a memo included in the Packet from Park Director Sailer, three proposals were received for the repair of the Parks and Recreation maintenance garage roof. Staff recommends accepting the low bid.

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO ACCEPT THE LOW BID FROM HERZOG ROOFING IN THE AMOUNT OF \$20,845 TO BE PAID FROM THE CAPITAL PROJECTS FUND FOR THE REPAIR OF THE PARKS AND RECREATION DEPARTMENT'S MAINTENANCE GARAGE ROOF.

Safety and Public Works Committee

SEH Revised Agreement – Water Tower – Accept Proposal from SEH to Prepare a Report on Repair and Demolition Options for a Cost not to Exceed \$10,000 – Approved

Following Council discussion, the following motion was made:

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO FOLLOW STAFF RECOMMENDATION AND ACCEPT SEH'S PROPOSAL TO PREPARE A REPORT CONTAINING OPTIONS AND COSTS FOR REPAIR OR DEMOLITION OF THE HISTORIC WATER TOWER AT A COST NOT TO EXCEED \$10,000.

1324 South 7th Street Reimbursement Request in the Amount of \$1,035 – Approved

Per a memo included in the Packet from City Engineer Hulsether, the contractor abdicates any responsibility in this matter and points out the expiration of their 1-year warranty period. Following Council discussion, the following motion was made:

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO FOLLOW STAFF RECOMMENDATION AND REIMBURSE THE CITIZEN AT 1324 SOUTH 7TH STREET FOR SANITARY SEWER REPAIR IN THE AMOUNT OF \$1,035 TO BE PAID FROM THE SANITARY SEWER FUND.

Tract #'s 175-14, 190-14, 173-14, & 174-14: Request from CWC to Classify 4 Parcels as Non-Conservation in order to Auction – Deny Request and Hold Parcels in Conservation and Do Not Offer for Sale – Approved

Per a memo included in the Packet from City Engineer Hulsether, staff recommends denial of the request from CWC and to hold the parcels in Conservation.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO DENY CROW WING COUNTY'S REQUEST TO CLASSIFY THE FOLLOWING 4 PARCELS AS NON-CONSERVATION IN ORDER TO INCLUDE IN THE TAX FOREFEIT LAND SALE AND TO INSTEAD HOLD THESE PARCELS IN CONSERVATION AND NOT OFFER FOR SALE AS RECOMMENDED BY CITY STAFF.

TRACT 175-14: CUYUNA RANGE ADDITION TO BRAINERD

TRACT 190-14: CUYUNA RANGE ADDITION TO BRAINERD

TRACT 173-14: LUM AND KOOP'S ADDITON TO BRAINERD

TRACT 174-14: SECOND ADDITION TO BRAINERD

Draft Five-Year Plan Update – Workshop to be held on Tuesday, September 11, 2014 at 4:00 P.M. in the City Hall Conference Room – Informational

Following Council discussion, a recommendation was made to hold a workshop of the Safety and Public Works Committee on September 11, 2014 at 4:00 P.M. in the City Hall Conference Room, noting that the full Council would possibly be in attendance.

St. Francis Bus Service – Follow TAC Recommendation to Uphold Current Transportation Agreement for the 2014-2015 School Year and Request TAC Recommendation for 2015-2016 Transportation Agreement with St. Francis School – Approved

Following Council discussion the following motion was made:

MOVED AND SECONDED BY ALDERMEN KOEP AND SCHEELER, DULY CARRIED, TO ACCEPT THE RECOMMENDATION OF THE TRANSPORTATION ADVISORY COMMITTEE (TAC) TO UPHOLD THE BUS SERVICE AGREEMENT WITH ST. FRANCIS SCHOOL FOR THE 2014-2015 SCHOOL YEAR AND TO REQUEST A RECOMMENDATION FROM TAC FOR A 2015-2016 ST. FRANCIS BUS SERVICE AGREEMENT.

Other Committees

Historic Structure Grant Application – Authorize between \$1,200 and \$2,000 for Design Works to Write Historic Grant Application – Approved

Following Council discussion the following motion was made:

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO FOLLOW STAFF RECOMMENDATION TO AUTHORIZE BETWEEN \$1,200 AND \$2,000 FOR DESIGN WORKS TO WRITE A HISTORIC STRUCTURE GRANT APPLICATION.

Staff was directed to contact Region 5 to discuss grant process.

Power Poles

City Attorney Quiring reviewed the existing agreement. Following Council discussion the following motion was made:

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER TO REVISE THE EXISTING POLE AGREEMENT TO INCLUDE MAINTENANCE WORK AND WORK TOWARDS THE CONSOLIDATION OF POLES; UPDATE TO BE PRESENTED TO THE COUNCIL IN 60 DAYS.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER, DULY CARRIED, TO IDENTIFY POLES THAT HAVE BEEN TRANSFERRED AND NOTIFY OWNERS OF TRANSFER; FURTHER, TO REQUIRE A RESPONSE WITHIN 2 WEEKS ON HOW THEY WILL CORRECT THE SITUATION.

Water Tower Repair – City Engineer Hulsether to send letter to Breen and Person regarding Council Discussion on Historic Water Tower Repair or Destruction – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO DIRECT CITY ENGINEER HULSETHER TO SEND A LETTER TO BREEN AND PERSON

INFORMING THEM OF THE COUNCIL'S DISCUSSION ON THE REPAIR OR DEMOLITION OF THE HISTORIC WATER TOWER.

Walkable Bikeable Ad Hoc Committee – Community Walkability Audit – Region 5 Proposal – Approved

Council Member Koep confirmed that there will be no City funds spend on the audit; however, some staff time will be necessary.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORENHAGEN TO ACCEPT PROPOSAL FROM REGION 5 TO PREPARE A COMMUNITY WALKABILITY AUDIT FOR THE CITY OF BRAINERD.

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

Unfinished Business

First Reading – Proposed Ordinance No. 1421 – An Ordinance Amending Section 1015.15 of the Brainerd City Code related to Granting or Denial of Permits – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1421 – AN ORDINANCE AMENDING SECTION 1015.15 OF THE BRAINERD CITY CODE RELATED TO GRANTING OR DENIAL OF PERMITS; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

Public Hearing – Final Reading of Proposed Ordinance No. 1419 – An Ordinance Providing for the Annexation of Certain Property Located in Unorganized – 1st Assessment, Crow Wing County, to The City Of Brainerd, Crow Wing County Minnesota, Pursuant to Minnesota Statute 414.033 – Approval of – City Administrator Wussow Recommends Dispensing with the Actual Reading –

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1419 – AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTY LOCATED IN UNORGANIZED – 1ST ASSESSMENT, CROW WING COUNTY, TO THE CITY OF BRAINERD, CROW WING COUNTY MINNESOTA, PURSUANT TO MINNESOTA STATUTE 414.033; FURTHER, TO DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT ORDINANCE NO. 1419 – AN ORDINANCE PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTY LOCATED IN UNORGANIZED – 1ST ASSESSMENT, CROW WING COUNTY, TO THE CITY OF BRAINERD, CROW WING COUNTY MINNESOTA, PURSUANT TO MINNESOTA STATUTE 414.033.

ORDINANCE NO. 1419

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

Ordinance/Public Hearing Process – Staff to Present Information on “Public Comment” Process Occurring during the First Reading of an Ordinance rather than the Final Reading – Informational

Following Council discussion, Council directed staff to provide documentation of the current process as well as proposals for a new process in which the “public comment” period would take place at the first reading of an ordinance. These proposals should be presented at the September 15, 2014 City Council meeting.

Budget Workshop – Scheduled for Monday, September 8, 2014 at 6:00 P.M. in the City Hall Council Chambers – Approved

Council requested a priority list from all Department Heads as well as an overall priority list from the City Administrator. They agreed that the Council Members' priorities should be finalized in the next two weeks.

New Business

Northland Arboretum – Compost Project Assistance Request – Approval of –

Per a memo included in the Packet from City Administrator, Northland Arboretum has requested support for a new compost site that they want to develop for the residents of the area. He states that the only cost to the City would be time and equipment for an employee to take a loader and “turn” the compost once in October.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO AUTHORIZE CITY STAFF AND EQUIPMENT USE FOR THE 2014 TURNING OF THE LEAVES AT THE COMPOST PROJECT SITE WITHIN THE NORTHLAND ARBORETUM.

Proposal to Change Columbus Day to “Native Peoples’ Day” – Tabled to September 15, 2015 City Council Meeting

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO AUTHORIZE THE CHANGE OF TITLE OF “COLUMBUS DAY” TO “NATIVE PEOPLES DAY” IN THE CITY OF BRAINERD.

Council discussion followed.

MOVED AND SECONDED BY ALDERMEN MATTEN AND KOEP TO TABLE THE MOTION TO AUTHORIZE THE CHANGE OF TITLE OF “COLUMBUS DAY” TO “NATIVE PEOPLES DAY” IN THE CITY OF BRAINERD TO THE SEPTEMBER 15, 2014 CITY COUNCIL MEETING.

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

Public Forum

No one appeared at Public Forum.

Adjourn – To City Council Budget Workshop to be held on September 8, 2014 at 6:00 P.M. in the City Hall Council Chambers and to Safety and Public Works Committee Workshop to be held on Thursday, September 11, 2014 at 4:00 P.M. in the City Hall Conference Room – Approved

The Chair adjourned the meeting at 10:05 P.M.

Patrick Wussow
City Administrator