

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 as Chair.

Upon roll call, the following members were noted present: Matten, Pritschet, Bevans, Scheeler, Borkenhagen, Koep and Parks. Mayor Wallin was also noted as present.

The Chair opened the meeting with the Pledge of Allegiance to the Flag.

The following changes were requested by Council members:

- Move Item 4C (Risky Business Tobacco License Denial) to Unfinished Business
- Move Items 4F (Congressman Nolan Office Lease), 4G (Workers Comp Renewal) and 4H (2015-2016 Administrator/Supervisor Contract Settlement) to Personnel and Finance Committee

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

A. Approval of the Minutes of the Regular Meeting held on December 1, 2014 and the Budget Public Hearing as held on December 8, 2014, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 71 – Renewals
2. Garbage Licenses – 6 – Renewals
*Contingent on Completed Application and Payment: 1 Additional Renewal
3. Pawnbroker Licenses – 2 – Renewals
4. Second-Hand Automobile Licenses – 6 – Renewals
*Contingent on Fire Dept Inspection: 2 Additional Renewals
5. Second-Hand Goods Licenses – 3 – Renewals
6. Tobacco Licenses – 20 – Renewals
**Contingent on Fire Dept Inspection: 4 Additional Renewals
7. Taxi Cab Licenses – 1 – Renewal

**C. License Denial – Tobacco – Risky Business Novelties & Videos –
ITEM MOVED TO UNFINISHED BUSINESS**

D. Department Reports – approved

1. Mayor's report of activities distributed to Council.
2. Police Chief's report of activities distributed to Mayor and Council.
3. Finance Director's report distributed to Mayor and Council.

- E. Fire Department – Resignation of Paid On-Call Firefighter Joe Mussell – Effective 12/09/2014 – Accepted with Regret**
- F. Congressman Elect Rick Nolan’s District Office Lease – ITEM MOVED TO PERSONNEL & FINANCE COMMITTEE AGENDA**
- G. Workers Comp Renewal – ITEM MOVED TO PERSONNEL & FINANCE COMMITTEE AGENDA**
- H. 2015-2016 Settlement for City Administrator, Department Heads & Non-Union Supervisors – ITEM MOVED TO PERSONNEL & FINANCE COMMITTEE AGENDA**

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

Approval of Bills and Transfer of Funds – Recommended by the Personnel and Finance Committee

General Fund to Public Safety Fund	\$410,000
General Fund to Park Fund	\$30,000
General Fund to Street & Sewer Fund	\$25,000
General Fund to Airport Fund	<u>\$12,940</u>
	\$477,940
Fire Fund (225) to Fire Capital Fund (404) per budget & contracts	\$77,567

MOVED AND SECONDED BY ALDERMAN BEVANS AND MATTEN TO APPROVE THE PAYMENT OF BILLS AND TRANSFER OF FUNDS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

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

Presentation of Tower Awards to Departing Council Members

Mayor Wallin presented Tower Awards to departing Council Members Dale Parks and Dolly Matten. Council Members and staff thanked Mr. Parks and Ms. Matten for their service and wished them well. Pictures were taken.

Welcome to New Council Members

Mayor Wallin welcomed new Council Members Sue Hilgart and Gabe Johnson who will begin their service as Council Members January 1, 2015 with official swearing in to take place at the January 5, 2015 City Council meeting.

Council Committee Reports

Safety and Public Works Committee

Request for Qualifications (RFQ) Draft – Airport Utility Extension – Approved

A memo requesting approval of the draft RFQ for the Airport Utility Extension as well as the RFQ itself were included in the Packet for Council approval.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO APPROVE THE RFQ FOR CITY IMPROVEMENT 14-15 (BRAINERD LAKES REGIONAL AIRPORT UTILITY EXTENSION) AS PRESENTED.

Safe Routes to School Grant Application – Authorization to Submit Transportation Alternatives Program (TAP) Grant Application – Approved

Following Council discussion, the following motion was made:

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO AUTHORIZE SUBMITTAL OF THE SAFE ROUTES TO SCHOOL TRANSPORTATION ALTERNATIVES PROGRAM (TAP) GRANT APPLICATION AS PRESENTED.

Vacant Building Survey – Informational

A 2014 survey of vacant buildings in the City was included in the Packet.

City Planner Ostgarden reported that the Brainerd Industrial Center vacancy dramatically increases the total industrial vacancy square footage so it was given a vacancy subtotal of its own.

Special Assessment/Citation Appeal – 1309 Quince Street – Leave “As Is” – Approved

Several documents were included in the Packet relating to the appeal.

After Council discussion, the following motion was made:

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO LEAVE THE SPECIAL ASSESSMENT/CITATION APPEAL “AS IS” FOR 1309 QUINCE STREET.

Council Member Koep expressed that she feels staff has better things to do with their time.

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

Enforcement Action Summary – Informational

Personnel and Finance Committee

Payments to Contractors – Informational

There were no payments to contractors to list for this meeting; however, Council Member Scheeler requested that payments made to Braun Intertec and SEH be included in future Packets.

City Civil Attorney Contract for 2015/2016 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE CONTRACT FOR LEGAL SERVICES FOR 2015/2016 WITH RATWIK, ROSZAK & MALONEY, P.A., AS PRESENTED.

2014 Audit Services – CliftonLarsonAllen Contract for 2014 Audit Approved and RFP for Audit Services in 2015 Authorized

Personnel and Finance Committee Chair Bevans stated that there is no increase in the cost for this year's audit. The engagement letter was included in the Packet.

After Council discussion, the following motions were made:

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE TERMS AND OBJECTIVES OF THE CONTRACT BETWEEN THE CITY AND CLIFTONLARSONALLEN FOR THE 2014 AUDIT.

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

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO GO OUT FOR RFP'S FOR THE 2015 AUDIT.

Adoption of 2015 Budget and Resolution No. 65:14 Setting the 2015 Final Levy at \$4,898,835 – Approved

A memo from City Administrator Wussow and Finance Director Hillman summarizing the Budget and Levy recommendations for 2015 was included in the Packet.

After Council discussion, the following motions were made:

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN TO ADOPT RESOLUTION NO. 65:14 – SETTING THE 2015 FINAL LEVY AT \$4,898,835.

RESOLUTION NO. 65:14

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT THE 2015 BUDGET AS PRESENTED.

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

Fire Department – FEO Staffing – Change FEO Cory Zeien’s Employment Status from “Recall” to “Regular” Effective Immediately – Approved

A memo from City Administrator Wussow was included in the Packet which requested clarification from the City Council on its intent relating to FEO staffing.

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO CHANGE FEO CORY ZEIEEN’S EMPLOYMENT STATUS FROM “RECALL” TO “REGULAR” EFFECTIVE IMMEDIATELY.

Fire Department Fire Fees – Update Only – Informational

A memo from Fire Chief Stunek was included in the Packet.

Congressman Nolan District Office Lease – Increase to \$200 per Month – Effective January 3, 2015 to January 2, 2018 – Approved

Council Member Scheeler asked for an explanation of the monthly charge.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE LEASE BETWEEN THE CITY OF BRAINERD AND CONGRESSMAN RICK NOLAN’S DISTRICT OFFICE IN THE AMOUNT OF \$200 PER MONTH, EFFECTIVE JANUARY 3, 2015 THROUGH JANUARY 2, 2018.

Workers Comp Renewal – 2015 Contract with LMC and Authorization to Request a Quote for Accident Coverage on City Volunteers – Approved

Per a memo from City Administrator Wussow which was included in the Packet, staff is seeking Council’s approval to renew with the League of Minnesota Cities Insurance Trust to provide Workers’ Comp Insurance for 2015 as well as to obtain accident coverage for City volunteers.

After discussion by Council the following motion was made:

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO AUTHORIZE RENEWAL WITH THE LEAGUE OF MN CITIES INSURANCE TRUST TO PROVIDE WORKERS COMP INSURANCE FOR 2015.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO REQUEST A QUOTE FROM LMC FOR ACCIDENT COVERAGE ON CITY VOLUNTEERS.

2015-2016 Wage and Policy Changes for the City Administrator, Department Heads and Non-Union Supervisors including Modification to the

Employee Policy Manual relating to Base Health Insurance Plan and Single Premium Cost – Approved

Proposed 2015-2016 Wage and Policy Changes for the City and BPU Department Heads, Non-Union Supervisors and City Administrator were included in the Packet for approval.

After discussion by Council the following motion was made:

MOVED AND SECONDED BY ALDERMEN BEVANS AND MATTEN, DULY CARRIED, TO APPROVE THE 2015-2016 WAGE AND POLICY CHANGES FOR THE CITY ADMINISTRATOR, DEPARTMENT HEADS AND NON-UNION SUPERVISORS; FURTHER, TO APPROVE MODIFICATION TO THE EMPLOYEE POLICY MANUAL RELATING TO BASE HEALTH INSURANCE PLAN AND SINGLE PREMIUM COST AS PRESENTED.

Unfinished Business

Paul Steinman, Springsted, Inc. – Resolution No. 66:14 Adopted – Awarding the Sale of General Obligation Improvement and Water Revenue Bonds, Series 2015A, Fixing their Form and Specifications; Directing their Execution and Delivery; and Providing for their Payment

The Chair welcomed Mr. Paul Steinman of the City's Bond Counsel, Springsted, Inc., who presented the finalized information on the proposed General Obligation Improvement and Water Revenue Bonds. Mr. Steinman answered questions of the Council and the Chair thanked him for his presentation.

MOVED AND SECONDED BY ALDERMEN BEVANS AND SCHEELER TO ADOPT RESOLUTION NO. 66:14 – AWARDING THE SALE OF GENERAL OBLIGATION IMPROVEMENT AND WATER REVENUE BONDS, SERIES 2015A, FIXING THEIR FORM AND SPECIFICATIONS; DIRECTING THEIR EXECUTION AND DELIVERY; AND PROVIDING FOR THEIR PAYMENT.

RESOLUTION NO. 66:14

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

First Reading – Ordinance No. 1424 – An Ordinance Amending Section 715 of the Brainerd City Code re Storm Sewer Utility – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN, DULY CARRIED, TO APPROVE THE FIRST READING OF PROPOSED ORDINANCE NO. 1424 – AN ORDINANCE AMENDING SECTION 715 OF THE BRAINERD CITY CODE RE STORM SEWER UTILITY; FURTHER TO DISPENSE WITH THE ACTUAL READING.

License Denial – Tobacco – Risky Business Novelties and Videos – Denied as Recommended by Police Department

This item was moved to the main agenda for discussion. Several documents to support the Police Chief's recommendation for denial were included in the Packet.

After discussion by Council the following motion was made:

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DENY THE TOBACCO LICENSE AS APPLIED FOR BY RONALD W. BEATTIE JR FOR RISKY BUSINESS NOVELTIES AND VIDEOS; FURTHER, TO DIRECT THE CITY ATTORNEY TO PREPARE AND SEND THE LETTER OF DENIAL TO MR. BEATTY.

New Business

Listing Extension – Brainerd Industrial Park Lots – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND BEVANS, DULY CARRIED, TO APPROVE THE EXTENSION FOR ONE YEAR TO THE COMMERCIAL EXCLUSIVE LISTING AGREEMENT BETWEEN THE CITY OF BRAINERD AND CLOSE~CONVERSE COMMERCIAL PROPERTIES.

Alderman Koep suggested inviting a representative from Close~Converse to a future Council meeting for an update.

Proposed 2014 Year in Review Meeting/Workshop – Approved

A memo from City Administrator Wussow was included the Packet suggesting the City hold a "Year in Review" workshop/meeting on January 26, 2015 to identify the accomplishments of City Departments during 2014.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND MATTEN, DULY CARRIED, TO HOLD A "YEAR IN REVIEW" WORKSHOP/MEETING IN DOWNTOWN BRAINERD ON JANUARY 26, 2015 WITH DETAILS TBD.

Planning Commission

Rezoning – Public Hearing and 1st Reading of Proposed Ordinance No. 1425 – Rezoning 705 South 6th Street – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND PRITSCHET, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1425 – REZONING 705 SOUTH 6TH STREET; FURTHER TO DISPENSE WITH THE ACTUAL READING.

The Chair opened the Public Hearing at 9:16 P.M. No one came forward.

The Chair closed the Public Hearing at 9:16 P.M.

Public Hearing and First Reading of Proposed Ordinance No. 1426 – Rezoning 2424 Business 371 South – City Administrator Wussow Recommends Dispensing with the Actual Reading – Approved

The Chair opened the Public Hearing at 9:17 P.M.

The following citizen spoke to the item

Mr. Sam Anderson, 2424 Business 371, Brainerd

The Chair closed the Public Hearing at 9:18 P.M.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND MATTEN, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1426 – REZONING 2424 BUSINESS 371 SOUTH; FURTHER TO DISPENSE WITH THE ACTUAL READING.

Public Forum:

None.

Staff Reports – Written – (Attached)

(Verbal: Any Updates since Packet)

City Administrator Wussow distributed the 2015-2016 MN House of Representatives Committee Structure & Committee Meeting Schedule.

Adjourn to Closed Session Pursuant to M.S. 13D.05, Subd. 1(b) to Discuss Union Negotiation Strategies: 9:29 P.M.

NOTE: The Council took a 10 mn recess before beginning the closed session.

The Council reconvened into open session at 9:54 P.M.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE UNION CONTRACTS BETWEEN THE CITY OF BRAINERD AND THE FOLLOWING: TEAMSTERS LOCAL NO. 346 (POLICE SUPERVISORS) & IUOE LOCAL 19 (PARK MAINTENANCE).

Adjourn

The Chair adjourned the meeting at 9:50 P.M.

Patrick Wussow
City Administrator