

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 Scheeler.

Upon roll call, the following members were noted present: Pritschet, Bevans, Johnson, Borkenhagen, Hilgart, Koep and Scheeler. Mayor Wallin was noted as absent.

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

City Administrator Wussow announced that the closed session to discuss union negotiations which was scheduled at the end of tonight's meeting had been cancelled.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, 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 February 2, 2015, as distributed – Approved

B. Approval of Licenses

1. Contractor's Licenses – 3 – New
2. Contractor's Licenses – 5 – Renewals

C. Department Activity Reports – Approved

1. Mayor
2. Police Chief
3. Finance Director

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

Presentations:

Planning Department Internship Experience – Nathan Hall, Planning Intern

The Chair welcomed Mr. Nathan Hall, Planning Intern for the City of Brainerd, who discussed his experience with the City since August, 2014. He answered questions of the Council and the Chair thanked him for his presentation.

Industrial Park Lot Update – Kevin Close & Nate Grotzke, Close~Converse

The Chair welcomed Mr. Kevin Close and Mr. Nate Grotzke of Close~Converse Commercial Real Estate who updated the Council on current real estate trends. They answered questions of the Council and the Chair thanked them for their presentation.

Business 371 Presentation – Jim Hallgren, MnDot – Workshop set for March 23, 2015 at 6:00 P.M. in the City Hall Council Chambers

The Chair welcomed Mr. Jim Hallgren, MnDot Project Manager, who presented public comment results of a public input meeting held on November 18, 2014. He answered questions of the Council and the Chair thanked him for his presentation.

A workshop was scheduled for March 23, 2015 from 6:00 P.M. – 8:00 P.M. in the City Hall Council Chambers to discuss the Business 371 project and the Riverfront Project.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills, Transfer of Funds and Payments to Contractors – Approved

General Fund to Public Safety Fund	\$ 465,000
General Fund to Park Fund	\$ 70,000
General Fund to Street & Sewer Fund	\$ 70,000
General Fund to Airport Fund	<u>\$ 12,960</u>
	\$ 617,960

Contractor	IMP #	Project	Amount	Retained
MnDot	14-21	Laurel St Bridge Repair	\$1,813.67	N/A

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET TO APPROVE THE PAYMENT OF BILLS, THE TRANSFER OF FUNDS AND THE PAYMENT TO CONTRACTORS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

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

Street and Sewer Maintenance III Position – Promotion of Mr. Glen Holst to the Street and Sewer Maintenance III Position Effective Immediately – Approved

A memo from City Engineer Hulsether was distributed to the Personnel and Finance Committee with the recommendation to promote Mr. Glen Holst to the Street and Sewer Maintenance III position effective immediately.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO FOLLOW STAFF RECOMMENDATION TO PROMOTE MR. GLEN HOLST TO THE STREET AND SEWER MAINTENANCE III POSITION EFFECTIVE IMMEDIATELY.

TIF District Update – Informational

Landlord Letter – Informational

Council Member Koep suggested that the “Rights and Responsibilities” for a renter be posted on the City website.

Industrial Phase IV Update – Presentation at Committee Meeting – Informational

Establish a Policy Requiring Department Heads and Council Members to Update Council on any Committee or Training Session Attended – Approved

Council Member Koep suggested this policy to ensure that staff will be informed when various associations have pending legislation that might affect the City.

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO ESTABLISH A CITY POLICY REQUIRING DEPARTMENT HEADS AND COUNCIL MEMBERS TO UPDATE COUNCIL ON ANY COMMITTEE OR TRAINING SESSION ATTENDED.

Establish a Policy Requiring a Financial Plan for all Projects – Approved

Council Member Koep suggested this policy and provided a memo prior to the Council meeting stating that this practice would be more transparent to Council and public and would help the Council make fiscally sound decisions.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO ESTABLISH A CITY POLICY REQUIRING A FINANCIAL PLAN FOR ALL PROJECTS.

Establish a 5-10 Year Capital Improvement Plan for All Departments – Discussion of – Informational

Verbal Update on Contractor Overpayment – Informational

Verbal Update on BPU Rebate – Informational

Safety and Public Works Committee Report

Transit – Authorize Disposal of Bus #303, Amend the City's Bus Maintenance Policy and Accept the Change to the City's Policy with CWC Transportation as Recommended by Staff – Approved

Several documents on the disposal of bus #303 and policy changes were included in the Packet.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO AUTHORIZE THE DISPOSAL OF CITY TRANSIT BUS #303, TO AMEND THE CITY BUS MAINTENANCE POLICY AND TO ACCEPT THE CHANGE ON THE CITY'S POLICY WITH CROW WING COUNTY TRANSPORTATION AS RECOMMENDED BY STAFF.

Appeal of Late Rental Registration Fee – 602 9th Avenue, Brainerd – Follow Staff Recommendation to Waive the \$200 in Citations if the Rental Registration and Payment of Fees is Completed by March 1, 2015 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO FOLLOW STAFF RECOMMENDATION TO WAIVE THE \$200 IN CITATIONS FOR THE PROPERTY AT 602 9TH AVENUE LATE RENTAL REGISTRATION FEE APPEAL IF THE RENTAL REGISTRATION AND PAYMENT OF FEES IS COMPLETED BY MARCH 1, 2015.

Event Application – St Patrick’s Day Parade – March 14, 2015 at 1:00 P.M. in the Downtown Area – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE STREET CLOSURE/SPECIAL EVENT/FESTIVAL APPLICATION AS SUBMITTED BY COMMUNITY ACTION FOR THE ST. PATRICK’S DAY PARADE AND RELATED EVENTS TO BE HELD ON MARCH 14, 2015 BEGINNING AT 1:00 P.M. IN DOWNTOWN BRAINERD.

Placement of Garbage Carts on City Streets – Held Over

Council Member Koep identified that this will be held over.

Improvement 14-10 – Sanitary Sewer Replacement Block 160 Town of Brainerd – Accept Low Quote from Pratt’s Affordable Excavating in the amount of \$43,461 as Recommended by Staff – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO ACCEPT THE LOW QUOTE FROM PRATT’S AFFORDABLE EXCAVATING IN THE AMOUNT OF \$43,461 FOR IMPROVEMENT 14-10, SANITARY SEWER REPLACEMENT BLOCK 160 TOWN OF BRAINERD, AS RECOMMENDED BY STAFF.

Contractor Overpayment – Informational

Council Member Bevans noted that the City is in a dispute with Tom’s Backhoe. He reviewed where the City is at and reported that a recommendation will follow at a later date.

Downtown Landscaping Request – No Action Taken

A final determination was not made. Additional conversations will take place and be brought back to Council.

Other:

Utility Extension Committee – To Meet on Wednesday, February 25, 2015 at 11:00 A.M. in the City Hall Conference Room

Unfinished Business

Public Hearing – Petition for Street Vacation – Resolution No. 6:15 Adopted – Authorizing the Vacation of Rosewood Street

The Chair opened the Public Hearing at 8:39 P.M.

The following citizen addressed the Council: Carney Kunde, 824 S. 6th Street, Brainerd

The Chair closed the Public Hearing at 8:43 P.M.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON TO ADOPT RESOLUTION NO. 06:15 – AUTHORIZING THE VACATION OF ROSEWOOD STREET.

RESOLUTION NO. 06:15

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

Public Hearing – Final Reading of Proposed Ordinance No. 1427 – An Ordinance Amending Brainerd Zoning Ordinance Sections 515-63-2 Regarding Testing Labs – City Administrator Wussow Recommends Dispensing with Actual Reading – Approved

The Chair opened the Public Hearing at 8:46 P.M. No one came forward.

The Chair closed the Public Hearing at 8:47 P.M.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO HOLD THE FINAL HEARING OF PROPOSED ORDINANCE NO. 1427 – AN ORDINANCE AMENDING BRAINERD ZONING ORDINANCE SECTIONS 515-63-2 REGARDING TESTING LABS; FURTHER TO DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND KOEP TO ADOPT RESOLUTION NO. 1427 – AN ORDINANCE AMENDING BRAINERD ZONING ORDINANCE SECTIONS 515-63-2 REGARDING TESTING LABS.

ORDINANCE NO. 1427

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

Public Hearing – Final Reading of Proposed Ordinance No. 1428 – An Ordinance Amending Ordinance No. 812 Pertaining to Zoning in the City of Brainerd: Rezoning the Property located on the Westerly Side of the Mississippi River Adjacent to the Brainerd Public Utility Hydroelectric Dam – City Administrator Wussow Recommends Dispensing with Actual Reading – Approved

The Chair opened the Public Hearing at 8:48 P.M.

Mr. Mike Higgins, owner of B.I.C., addressed the Council inquiring about the proposed zoning.

City Planner Ostgarden indicated that the proposed zoning requires the largest lots if it is developed and reminded everyone that this is City-owned land.

The Chair closed the Public Hearing at 8:54 P.M.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND HILGART, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1428 – AN ORDINANCE AMENDING ORDINANCE NO. 812 PERTAINING TO ZONING IN THE CITY OF BRAINERD: REZONING THE PROPERTY LOCATED ON THE WESTERLY SIDE OF THE MISSISSIPPI RIVER ADJACENT TO THE BRAINERD PUBLIC UTILITY HYDROELECTRIC DAM; FURTHER TO DISPENSE WITH THE ACTUAL READING.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND KOEP TO ADOPT ORDINANCE NO. 1428 – AN ORDINANCE AMENDING ORDINANCE NO. 812 PERTAINING TO ZONING IN THE CITY OF BRAINERD: REZONING THE PROPERTY LOCATED ON THE WESTERLY SIDE OF THE MISSISSIPPI RIVER ADJACENT TO THE BRAINERD PUBLIC UTILITY HYDROELECTRIC DAM.

ORDINANCE NO. 1428

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

Call for Applicants:

Council President Scheeler read the current vacancies on City Boards and Commissions. Applications can be found on the city’s website: www.ci.brainerd.mn.us

Cable TV Advisory Committee – 2 Terms to Expire on 12/31/2016 & 12/31/2017

Charter Commission – 2 Terms to Expire on 12/31/2018

EDA – 1 Term to Expire on 9/7/2020

Rental Dwelling Board of Appeals:

1 Tenant & 1 General Public Representative – Terms to Expire 12/31/2016

New Business

NJPA Annual Meeting and Initiative Foundation Awards – Discussion of – Informational

City Administrator Wussow provided an update based upon the memos included in the Packet. Council Members Koep and Hilgart plan to attend the NJPA Meeting on April 8th and Council Member Johnson plans to attend the Initiative Foundations Awards on May 1st.

Planning Commission

Complete Streets Policy Consideration – Refer to Planning Commission for Recommendation – Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND JOHNSON TO REFER THE “COMPLETE STREETS” POLICY CONSIDERATION TO THE PLANNING COMMISSION FOR RECOMMENDATION.

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

Food Truck Status – Refer to Planning Commission for Ordinance Amendment – Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO REFER THE FOOD TRUCK STATUS TO THE PLANNING COMMISSION FOR ORDINANCE AMENDMENT.

Riverfront Project – Presentation/Discussion at March 23, 2015 Council Workshop

First Reading – Proposed Ordinance No. 1429 – Planning Department Fees - Approved

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1429 – AN ORDINANCE AMENDING SECTION 1015 OF THE BRAINERD CITY CODE PERTAINING TO ZONING AND SUBDIVISION FEES; FURTHER TO DISPENSE WITH THE ACTUAL READING.

Public Forum: None

Staff Reports – Accepted with Regret the Retirement of City Administrator Patrick Wussow Effective June 6, 2015 – Confirmed Two-Year Placement Guarantee in Contract with Springsted, Inc. for New City Administrator Search – Directed Staff to request Ms. Sharon Klumpp's Attendance at the March 2, 2015 City Council Meeting – Approved

City Administrator Wussow distributed a notice of his retirement effective June 6, 2015.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND JOHNSON TO ACCEPT WITH REGRET THE RETIREMENT OF CITY ADMINISTRATOR PATRICK WUSSOW EFFECTIVE JUNE 6, 2015.

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

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BORKENHAGEN, DULY CARRIED, TO CONTINUE TO WORK WITH SPRINGSTED, INC. ON THE SEARCH FOR A NEW CITY ADMINISTRATOR AND REQUEST MS. SHARON KLUMP'S ATTENDANCE AT THE MARCH 2, 2015 CITY COUNCIL MEETING.

Council President, Mayor and Council Other Committee Reports – Finance Overview Committee Established – Approved

Council Member Scheeler suggested that a Finance Overview Committee be established based on feeling uninformed recently with Brainerd Public Utilities not providing information.

City Attorney Quiring stated that he City Charter allows for review of the books.

Council Member Koep stated that the Committee would not have any real authority but would only be “another set of eyes.”

Council Member Hilgart suggested the committee be made of the Council President and the Chairs of each committee.

Council Member Bevans stated that this would be a way to know what is “coming down the pipe.”

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND HILGART, DULY CARRIED, TO ESTABLISH A "BRainerd PUBLIC UTILITIES FINANCE OVERVIEW COMMITTEE" CONSISTING OF COUNCIL PRESIDENT SCHEELER, PERSONNEL AND FINANCE COMMITTEE CHAIR KOEP AND SAFETY AND PUBLIC WORKS COMMITTEE CHAIR BEVANS.

Adjourn

The Chair adjourned the meeting at 9:23 P.M.

Patrick Wussow
City Administrator