Brainerd, MN
January 4, 2016

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 Menk was also noted as present.

<u>Showcasing Brainerd – National Joint Powers Alliance (NJPA) – Anna Gruber and Tom Perttula</u>

The Chair welcomed Ms. Anna Gruber, NJPA, who discussed the many benefits offered by NJPA to members such as internships, safety groups, professional development, training reimbursements and healthy initiatives, many at no cost. She stated that NJPA National contracts support the local economy.

The Chair welcomed Mr. Tom Perttula, NJPA, who discussed the cooperative purchasing benefits of the City's NJPA membership, stating that this allows members to save time and money by avoiding duplicating efforts in soliciting contracts.

Following Council discussion, the Chair thanked Ms. Gruber and Mr. Perttula for their presentations.

<u>Approval of Agenda as Amended – Approved</u>

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

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

<u>A. Approval of the Minutes of Regular Meeting held on December 21, 2015, as distributed – Approved</u>

<u>B. Approval of Licenses – Approved</u>

1. Contractor's Licenses – 28 – Renewals
2. Tobacco License – 1 – New
Kristofer Anderson dba VIP Vapors, 207 S 7th Street

<u>C. Department Reports – Approved</u>

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

<u>D. Designation of Brainerd Dispatch as Official Newspaper for Calendar Year 2016 – Required by Charter – Approved</u>

E. **Designation of Financial Institutions as Depositories for 2016: Designation of Financial Institutions as Depositories for 2015: Bremer Bank, Wells Fargo, Lakewood Bank, US Bancorp, First National Bank of Deerwood, People's National Bank, Frandsen Bank & Trust, Riverwood Bank, RBC Wealth Management, 4M Money Market, PMA Financial Network, Inc. and Morgan Stanley – Approved**

F. **Resolution No. 01:16 Adopted – Signature Authorization for 2016 Capital Projects for the Brainerd Lakes Regional Airport**

G. **Minnesota Lawful Gambling – Application for Exempt Permit – Submitted by Brainerd Muskies Inc for a Raffle to be held on March 19, 2016 – Approved**

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

Council Committee Reports

Personnel and Finance Committee

Approval of Bills & Payments to Contractors – Approved

Contractor	IMP #	Project	Amount	Total Retained
Preservation Design Works	14-19	Historic Water Tower	$3,158.75	$0
S.E.H.	14-15	Airport Utility Extension	$43,969.77	$0

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON TO APPROVE THE PAYMENT OF BILLS AND PAYMENTS 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.

Animal Control – Establish Committees to Review Animal Ordinance H.A.R.T. Animal Control Contract – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO ASSIGN A COMMITTEE TO REVISIT AND PERHAPS REWRITE THE ANIMAL CONTROL ORDINANCE; COMMITTEE TO INCLUDE ANIMAL CONTROL OFFICER DON HANNAHS, COUNCIL MEMBER BORKENHAGEN AND COUNCIL MEMBER KOEP.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO ASSIGN A COMMITTEE TO MEET WITH H.A.R.T. TO REVIEW THE CITY'S ANIMAL CONTROL CONTRACT; COMMITTEE TO INCLUDE ANIMAL CONTROL OFFICER DON HANNAHS, COUNCIL MEMBER PRITSCHET AND A MEMBER OF THE CITY'S ADMINISTRATIVE STAFF.

Fire Department – Grant Application – Authorize Submittal of Application to "Assistance to Firefighters" Grant Program through FEMA to Purchase Fire Air Boat for

Winter Rescues with $10,000-$15,0000 Matching Funds to be paid from the Fire Capital Fund if Grant is Obtained – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO SUBMIT AN APPLICATION TO THE "ASSISTANCE TO FIREFIGHTERS" GRANT PROGRAM THROUGH FEMA TO PURCHASE A FIRE AIR BOAT TO BE USED FOR WINTER RESCUES; $10,000-$15,000 MATCH TO BE PAID FROM THE FIRE CAPITAL ACCOUNT IF GRANT IS OBTAINED.

Fire Marshal/Deputy Chief Position – Authorize Conditional Offer to Mr. David Cox subject to Successful Completion of Pre-Employment Tests with Starting Pay to be established at Step "B" of Salary Administration Plan ($4,920.04 per month) – Authorize Leave of Absence from Mr. Cox's Paid On-Call Position for 1 Year until he Completes his 1-Year Probation as Fire Marshal/Deputy Chief – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO AUTHORIZE A CONDITIONAL JOB OFFER TO MR. DAVID COX FOR THE POSITION OF FIRE MARSHAL/DEPUTY CHIEF SUBJECT TO SUCCESSFUL COMPLETION OF PRE-EMPLOYMENT PHYSICAL, DRUG, PSYCHOLOGICAL AND BACKGROUND CHECK WITH STARTING PAY TO BE ESTABLISHED AT STEP "B" OF THE CITY'S SALARY ADMINISTRATION PLAN ($4,920.04 PER MONTH).

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET TO GRANT MR. DAVID COX A 1-YEAR LEAVE OF ABSENCE FROM HIS POSITION AS PAID ON-CALL FIREFIGHTER UNTIL HE HAS PASSED HIS 10YEAR PROBATIONARY POSITION AS FIRE MARSHAL/DEPUTY CHIEF.

Performance Evaluation Forms – Discussion Item – No Action Taken

Chair Koep stated that discussion was held at Committee but no action was taken.

Library Revised Budget – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO APPROVE THE BRAINERD PUBLIC LIBRARY'S REVISED BUDGET AS PRESENTED.

Parking Lot Fund Update – Held Over

Safety and Public Works Committee

Contract Towing – Give 90-Day Notice to West Brainerd Auto, Adjust Bid Specification back to a Fixed Term and Advertise and Receive Bids in Early March with the Effective Date of the New Agreement being April 15, 2016 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ACCEPT STAFF RECOMMENDATION TO GIVE A 90-DAY NOTICE TO WEST BRAINERD AUTO FOR THE CITY’S TOWING CONTRACT, TO ADJUST THE BID SPECIFICATION BACK TO A FIXED TERM, AND TO ADVERTISE AND RECEIVE BIDS IN EARLY MARCH 2016 WITH THE EFFECTIVE DATE OF THE NEW AGREEMENT BEING APRIL 15, 2016.

Resolution No. 02:16 Adopted – Receiving Report & Calling for Public Hearing at 7:30 P.M. on Tuesday, January 19, 2016 in the City Hall Council Chambers to Discuss Improvement 14-08 – SE 13th Street

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN TO ADOPT RESOLUTION NO. 02:16 – RECEIVING REPORT & CALLING FOR PUBLIC HEARING AT 7:30 P.M. ON TUESDAY, JANUARY 19, 2016 IN THE CITY HALL COUNCIL CHAMBERS TO DISCUSS IMPROVEMENT 14-08 – SE 13TH STREET.

RESOLUTION NO. 02:16

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 resolution adopted.

Resolution No. 03:16 Adopted – Receiving Report & Calling for Public Hearing at 7:30 P.M. on Tuesday, January 19, 2016 in the City Hall Council Chambers to Discuss Improvement 14-09 – Dellwood Drive

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT RESOLUTION NO. 03:16 – RECEIVING REPORT & CALLING FOR PUBLIC HEARING AT 7:30 P.M. ON TUESDAY, JANUARY 19, 2016 IN THE CITY HALL COUNCIL CHAMBERS TO DISCUSS IMPROVEMENT 14-09 – DELLWOOD DRIVE.

RESOLUTION NO. 03:16

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 resolution adopted.

Chair Bevans reminded the public that the two hearings just scheduled are for the purpose of hearing any concerns relating to the projects before the project actually gets started.

Dellwood Drive Project Concerns (ADDED ITEM) – Direct Staff to Enter Into an Orderly Annexation Agreement and to Work Out Any Issues of Plowing and Maintenance of Dellwood Drive in Accordance with the Letter Received from the Mayor of Baxter – Authorize Council Member Bevans and Mayor Menk to Continue Working with the City of Baxter on Annexation Issues relating to Dellwood Drive – Approved

Chair Bevans referred the Council to documents distributed prior to the meeting which illustrate three properties included in the Dellwood Drive Project (as indicated in blue) which are still located in Crow Wing County. He stated that the County has requested that a determination be made to annex these properties into either the City of Brainerd or the City of Baxter.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO DIRECT STAFF TO ENTER INTO AN ORDERLY ANNEXATION AGREEMENT AND TO WORK OUT ANY ISSUES OF PLOWING AND MAINTENANCE OF DELLWOOD DRIVE IN AGREEMENT WITH THE LETTER RECEIVED FROM THE CITY OF BAXTER.

Chair Bevans stated that many discussions have been held and will continue to be held relating to how the three properties in question will best be served. A meeting is scheduled Tuesday, January 5, 2016 at the County for further clarification.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO AUTHORIZE COUNCIL MEMBER TO CONTINUE WORKING WITH THE CITY OF BAXTER AN ANNEXATION ISSUES RELATING TO DELLWOOD DRIVE.

Street Lighting Request – CSAH 45 and Thiesse Drive – No Action Taken

Chair Bevans reported that further information is needed before making a determination.

Improvement 14-15 – Authorize Payment for Utility Easements – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO PROCEED WITH PAYMENT FOR THE FINAL TWO SIGNED EASEMENTS FOR SEWER AND WATER EXTENSION TO THE AIRPORT; THEREBY CONCLUDING ALL NECESSARY EASEMENTS.

Safe Routes to School – Allow Staff to Apply for SRTS Planning Application to be Administered through Region 5 for Approximately $15,000-$20,000 with No Local Match – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO ALLOW STAFF TO APPLY FOR A SAFE ROUTE TO SCHOOLS PLANNING APPLICATION TO BE ADMINISTERED THROUGH REGION 5 FOR APPROXIMATELY $15,000-$20,000 WITH NO LOCAL MATCH.

Unfinished Business

Call for Applicants – Informational

Cable TV Advisory Committee – 2 Terms (Expire 2016, 2018)
Library Board – 1 Term (Expires 2021)
Rental Dwelling Board of Appeals – 1 "Tenant Representative" (Expires 2016)
Transportation Advisory Committee – 1 Term (Expires 2017)

(Apply for any Board or Commission at: www.ci.brainerd.mn.us/boards)

New Business

Fire Department – Formal Thank You & Donation Acceptance – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE DONATION FROM THE RELIEF ASSOCIATION IN THE AMOUNT OF $5,976.80 AND TO FORMALLY THANK THE RELIEF ASSOCIATION FOR THE DONATION WHICH WAS RECEIVED DECEMBER 29, 2015.

Public Forum

The Chair recognized Mr. Andy Larson, who spoke to the Council as representative of the Airport Commission but was clear that his opinion is his own. He shared his concerns with the recommendation to replace the current City Appointee (Jeff Czeczok) with a new appointee (Martin Johnson) based on Mr. Czeczok's experience with the Commission thus far, his availability, and some current large decisions being made. He stated that he will, however, support the recommendation of the Council President and will support the appointee chosen regardless of the vote.

The Chair recognized Mr. Doug Mitchel, 602 ½ Laurel Street, Brainerd, who shared his concerns with the City Hall parking lot walkways not being cleared of snow.

Staff Reports – None

Council Member Reports

I.T. Committee

Council Member Hilgart reported on recent changes to IT coverage at City Hall and discussed concerns brought forth at IT Committee meetings. She reported that the next step is a meeting with the County for to consider a relief/mutual aid agreement. She stated that options to cover costs of IT have been considered to avoid the cost coming from taxpayers.

Council Member Bevans asked the Council to please read the annexation agreement approved earlier in the meeting and to report any concerns to City Administrator Thoreen or Committee Chair Scheeler.

Council Member Johnson invited all Council Members to an Urban Land Development meeting to be held at 10:00 A.M. to 12:00 P.M. on January 13, 2015 at the HRA Building.

Committee Recommendations – Mayor Recommended – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE MAYOR RECOMMENDED COMMITTEE APPOINTMENTS A-I AS PRESENTED:

A. Cable TV Advisory – Charles Johnson – Term to Expire 12/31/2018
B. Cable TV Advisory – Jeremy Doyle – Term to Expire 12/31/2018
C. Charter Commission – JD Berns – Term to Expire 12/31/2019
D. Library Board – Ruth Gogolin – Term to Expire 12/31/2021
E. Park Board – Dan Hegstad – Term to Expire 12/31/2020
F. Park Board – Holly Holm – Term to Expire 12/31/2020
G. Transportation Advisory Committee – David Runberg – Term to Expire 12/31/2017
H. Transportation Advisory Committee – Jeff Czeczok – Term to Expire 12/31/2017
I. Region 5 Council Liaison – Member Pritschet – Term to Expire 12/31/2016

Committee Recommendations – Council President Recommended – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND KOEP TO APPROVE COUNCIL PRESIDENT COMMITTEE RECOMMENDATIONS A-G AS PRESENTED:

Questions of the Council were discussed by Council President Scheeler.

A. Airport Commission – Martin Johnson – Term to Expire 12/31/2018
B. Planning Commission – Robert Turner – Term to Expire 12/31/2018
C. Planning Commission – Jack Antolak – Term to Expire 12/31/2018
D. Planning Commission – Kevin Stumpf – Term to Expire 12/31/2018
E. Police & Fire Civil Svc Commission – Kevin Stunek – Term to Expire 12/31/2018
F. Airport Commission Council Liaison – Member Scheeler – Term to Expire 12/31/2016
G. Fire Advisory Committee Council Liaison – Member Hilgart – Term to Expire 12/31/2016

Council discussion was held.

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

Council Member Bevans requested that Airport Annexation and Double Fee Charges be included on the next Safety and Public Works Committee Agenda.

Adjourn – To the Urban Land Development Meeting to be held from 10:00 A.M. to 12:00 P.M. on January 13, 2016 at the HRA Building

The Chair adjourned the meeting at 8:45 P.M.

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Jim Thoreen
City Administrator