

7:15 P.M. – Showcasing Brainerd: Visit Brainerd

The Chair welcomed Mr. Richard Polipnick, Executive Director of Visit Brainerd, (www.visitbrainerd.com) who discussed the history and purpose of “Visit Brainerd” which focuses on marketing the Brainerd Lakes Area in lodging, events and tourism. He stated that social media marketing has been a priority lately and that each month an “area event” meeting is hosted at a local venue. Partnerships have been recently made with the Brainerd Lakes Area Chamber, Cuyuna Chamber, Nisswa Chamber and Whitefish Area Lodging Association and a bus tour of the Lakes area recently took place with over 40 attendees. He discussed the many other groups Visit Brainerd works with locally and answered questions of the Council. The Chair thanked him for his 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 Scheeler.

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

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

Mayor Menk called for a moment of silence to honor those who took place in the D Day exercise 72 years ago today.

City Administrator Thoreen reported that late this afternoon an offer was received from Mr. Dave Pueringer to purchase all the unsold tax forfeited lots in the Brainerd Oaks Subdivision.

The Chair requested that this item be added to the agenda as part of item 9A: New Business.

MOVED AND SECONDED BY ALDERMEN HILGART AND PRITSCHET, DULY CARRIED, TO ADD THE ITEM “DAVID PUERINGER AND DOUG JUNKER PURCHASE AGREEMENT – BRAINERD OAKS SUBDIVISION” TO ITEM 9A: NEW BUSINESS: CONSIDER OFFER ON 3 TAX FORFEITED DEVELOPMENTS.

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

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

A. Approval of the Minutes of the Regular Meeting held on May 16, 2016 and the Special Meeting held on May 23, 2016, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor’s Licenses – 1 – New

2. Contractor's Licenses – 3 – Renewals
3. Bulk Plant License – 1 – Renewal
4. Growler License – 1 – Renewal
5. Filling Station Licenses – 9 – Renewals
6. Off-Sale Beer – 5 – Renewals
7. On-Sale Beer License – 2 – Renewals
8. On-Sale Wine License – 2 – Renewals
9. On-Sale Liquor License – 8 – Renewals
10. Club On-Sale Licenses – 3 Renewals
11. Off-Sale Liquor Licenses – 5 – Renewals
12. Taproom License – 1 – Renewal

License Renewals Contingent Upon Inspection by the Fire Department – Approved:

1. On-Sale Liquor – 2 – Renewals
2. Club On-Sale – 1 – Renewal

C. Department Activity Reports – Approved

1. Mayor
2. Fire Chief
3. Park Director
4. City Administrator – Citizen Facility Committee Update

D. Minnesota Lawful Gambling – Application for Exempt Permit – Submitted by The Mission Township Fire Fighters Relieve Association for a Raffle to be held on August 13, 2016 at the Eagles Club, 124 Front Street – Approved

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

Presentations:

Center Point Energy Community Partnership Grant Check to Fire Chief Holmes:

The Chair recognized Scott Hangge, CenterPoint Energy, who presented a check in the amount of \$2,500 to Fire Chief Holmes for the purchase of Rescue Equipment for Confined Spaces.

Resolution No. 24:16 Adopted – Honoring the 50th Anniversary of the Brainerd HRA:

Following an informational presentation from Brainerd HRA Vice Chair Dale Parks relating to the purpose of and 50-year history of the HRA, City Administrator Thoreen read a resolution declaring June 6, 2016 as Brainerd HRA Day. The resolution asked for celebration as a community for the many success stories which have touched thousands of lives during this half century.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO ADOPT RESOLUTION NO. 24:16 – HONORING THE 50TH ANNIVERSARY OF THE BRAINERD HRA.

RESOLUTION NO. 24:16

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

Brainerd History Week Proclamation:

Mayor Menk presented a proclamation declaring June 14-19th of 2016 as History Week with many activities taking place throughout the City of Brainerd. (www.ci.brainerd.mn.us)

Council Committee Reports

Safety and Public Works Committee Report:

Business 371 Reconstruction Update – Accept and Acknowledge Letting Date being pushed Back to the Fall of 2017 when Staff will Produce a List of Recommended Projects – Approved

City Engineer Hulsether reported that MNDot has approached the City to consider pushing the letting date on the Business 371 reconstruction to the fall of 2017.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO ACCEPT AND ACKNOWLEDGE THE BUSINESS 371 PROJECT LETTING DATE BEING PUSHED BACK TO THE FALL OF 2017 WHEN STAFF WILL BRING FORTH A LIST OF PROJECTS RECOMMENDED FOR ADVANCEMENT IN THE 2017 SCHEDULE.

IMP 16-06 – Washington Street Sanitary Sewer Update – Follow Staff Recommendation to Abandon Sewer Main in Washington Street and to Redirect 4 Services to the Rear of the Buildings at a Total Cost of Approximately \$110,000 to be paid from the Sanitary Sewer Fund – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO ACCEPT STAFF RECOMMENDATION TO ABANDON THE SEWER MAIN IN WASHINGTON STREET AND REDIRECT 4 SERVICES TO THE REAR OF THE BUILDINGS FOR IMPROVEMENT 16-06 – WASHINGTON STREET SANITARY SEWER – FOR A TOTAL COST OF APPROXIMATELY \$110,000 TO BE PAID FROM THE SANITARY SEWER FUND.

IMP 15-06 – Lum Park Raingarden Quote for Concrete Work – Accept Quote from Anderson Brothers in the amount of \$5,887.96 to be reimbursed from the Crow Wing County Soil and Water Conservation District Grant with an Expected Completion Date of July 1, 2016 – Approved

Per Agenda request, as part of a Crow Wing County Soil and Water Conservation District Grant, rain gardens were installed at Gregory and Lum Parks. Concrete work still needs to be completed at the Lum Park location with costs to be reimbursed by the grant.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO APPROVE THE QUOTE FROM ANDERSON BROTHERS FOR THE CONCRETE WORK AND PLACEMENT OF THE RAIN GARDEN AT LUM PARK FOR A TOTAL COST OF \$5,887.96 TO BE REIMBURSED FROM THE CROW WING COUNTY SOIL AND WATER CONSERVATION DISTRICT GRANT WITH AN EXPECTED COMPLETION DATE OF JULY 1, 2016.

IMP 16-07 – Utility Extension Feasibility Report – Informational

Committee Chair Bevans reported that the report has not been completed.

Airport Utility Extension Connection Procedures – Informational

Committee Chair Bevans reported that policies and procedures continue to be discussed with no finalization at this time.

Transit Policy Amendments – Approved

A policy with changes highlighted was included in the Packet.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO ADOPT THE “CITY OF BRAINERD – CROW WING COUNTY AND CITY OF PINE RIVER PUBLIC TRANSIT OPERATING POLICY” AS AMENDED.

City Code Section 820 relating to Public Phone Booths – Direct Staff to Prepare an Ordinance Amending the Brainerd City Code to Delete Section – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO DIRECT STAFF TO PREPARE AN ORDINANCE AMENDING THE BRAINERD CITY CODE BY DELETING SECTION 820 RELATING TO PUBLIC PHONE BOOTHS.

Bicycle Safety – Authorize up to \$500 from the Traffic Control Budget to Paint Sharrows on Signed Bicycle Lanes throughout City – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BORKENHAGEN, DULY CARRIED, TO APPROVE UP TO \$500 FROM THE TRAFFIC CONTROL BUDGET TO PAINT SHARROWS (SHARED LANE MARKING) ON SIGNED BIKE LANES THROUGHOUT THE CITY FOR IMPROVED SAFETY.

Event Application – Jaycees Streetfest – July 29-30, 2016 – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPROVE THE EVENT APPLICATION AS SUBMITTED BY THE BRAINERD JAYCEES FOR THE JAYCEES STREETFEST TO BE HELD ON JULY 29-30, 2016 IN DOWNTOWN BRAINERD.

Personnel and Finance Committee Report

Approval of Bills, Transfers & Payments to Contractors – Approved

Sanitary Sewer Fund to #401 for 2015 Completed Projects

\$51,724

Storm Sewer Fund to #401 for 2015 Completed Projects

\$34,857

Contractor	IMP #	Project	Amount	Total Retained
S.E.H.	14-15	Airport Utility Extension	\$64,194.04	\$0
Hy-Tec Construction	n/a	Memorial Park Restrooms	\$77,041.73	\$0
Northwoods Lndscp	10-03	Downtown Maintenance	\$2,375.00	\$0

Fire Department:

Accept with Regret the Resignation of Paid On-Call Firefighter Tengwall, Effective June 30, 2016 and Authorize Conditional Paid On-Call Firefighter Hiring Offers to Erik Flowers, Nick Haglin and Steve Isle, Subject to Successful Completion of Pre-Employment Physical, Drug, Psychological and Background Checks – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF POC FIREFIGHTER TENGWALL EFFECTIVE JUNE 30, 2016.

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO APPROVE CONDITIONAL OFFERS TO MR. ERIK FLOWERS, MR. NICK HAGLIN AND MR. STEVE ISLE FOR THE POSITION OF PAID ON-CALL FIREFIGHTERS SUBJECT TO SUCCESSFUL COMPLETION OF PRE-EMPLOYMENT PHYSICAL, DRUG, PSYCHOLOGICAL AND BACKGROUND CHECKS.

Police Department:

Accept with Regret the Retirement of Sergeant Joy Larson Effective July 5, 2016 and Request the Police and Fire Civil Service Commission to Establish a New Sergeant Eligibility List for a Recommendation to Promote a Police Officer to Sergeant at the August 1, 2016 City Council Meeting – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RETIREMENT OF SERGEANT JOY LARSON EFFECTIVE JULY 5, 2016 AND TO REQUEST THE CITY'S POLICE AND FIRE CIVIL SERVICE COMMISSION TO ESTABLISH A NEW SERGEANT ELIGIBILITY LIST FOR A RECOMMENDATION TO PROMOTE A POLICE OFFICER TO SERGEANT AT THE AUGUST 1, 2016 CITY COUNCIL MEETING.

Request the Police and Fire Civil Service Commission to Certify the Next Three Candidates and Authorize a Conditional Job Offer to the Next Available Police Officer Candidate with a Tentative Starting Date of July 25, 2016 Pending Successful Completion of Pre-Employment Physical, Drug, Psychological and Background Checks – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO REQUEST THE CITY'S POLICE AND FIRE CIVIL SERVICE COMMISSION TO CERTIFY THE NEXT THREE CANDIDATES AND TO AUTHORIZE A CONDITIONAL JOB OFFER TO BE MADE TO THE NEXT AVAILABLE POLICE OFFICER CANDIDATE WITH A TENTATIVE STARTING DATE OF JULY 25, 2016 PENDING SUCCESSFUL COMPLETION OF PRE-EMPLOYMENT PHYSICAL, DRUG, PSYCHOLOGICAL AND BACKGROUND CHECKS.

Downtown Brainerd SCDP Environmental Review – Accept and Authorize Proper Signatures on the Required Certificate of Categorical Exclusion/Environmental Activities and Release of Funds and Certification for SCDP Funded Project CDAO-15-0038-O-FY16 – Approved

Per Agenda Request, the City of Brainerd has been awarded \$650,105 from MN DEED for rehabilitation of Brainerd properties. The Brainerd HRA will administer the program. Prior to being awarded the funds, DEED requires an “Environmental Review” which allows the HRA to allocate time and other upfront work.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO APPROVE AND SIGN THE CITY OF BRAINERD DOWNTOWN REHABILITATION GRANT CERTIFICATE OF CATEGORICAL EXCLUSION/ENVIRONMENTAL ACTIVITIES FOR SCDP FUNDED PROJECT NO. CDAO-15-0038-O-FY16.

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO APPROVE AND SIGN THE REQUEST FOR RELEASE OF FUNDS AND CERTIFICATION FOR SCDP FUNDED PROJECT NO. CDAO-15-0038-O-FY16.

Administrative Specialist/Administration Department Position – Authorize Backfilling Position as soon as possible and Authorize the Funds to Conduct the Hiring Process – Approve the “Global Administrative Specialist” and the “Supplemental Administrative Specialist/Administration Department” Job Descriptions as Presented – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO AUTHORIZE BACKFILLING THE ADMINISTRATIVE SPECIALIST/ADMINISTRATION DEPARTMENT POSITION AS SOON AS POSSIBLE; FURTHER, TO AUTHORIZE THE NECESSARY FUNDS TO CONDUCT THE HIRING PROCESS.

MOVED AND SECONDED BY ALDERMEN KOEP AND PRITSCHET, DULY CARRIED, TO APPROVE THE “GLOBAL ADMINISTRATIVE SPECIALIST” AND THE “SUPPLEMENTAL ADMINISTRATIVE SPECIALIST/ADMINISTRATION DEPARTMENT” JOB DESCRIPTIONS AS PRESENTED.

Police Department – Authorize the Sale of Decommissioned Squad Car Unit #414 – Utilizing the Public Surplus Auction Website – Approved

This item was added to the agenda.

MOVED AND SECONDED BY ALDERMEN KOEP AND JOHNSON, DULY CARRIED, TO AUTHORIZE THE SALE OF DECOMMISSIONED POLICE SQUAD CAR #414 UTILIZING THE PUBLIC SURPLUS AUCTION WEBSITE.

Unfinished Business

Public Hearing – Final Reading of Proposed Ordinance No. 1450 – Providing for the Annexation of Certain Properties Located in Oak Lawn Township, Crow Wing County, to the City of Brainerd, Crow Wing County, Pursuant to Minnesota Statute 414.033 – Robert and Andrea Marohn – Approved

The Chair opened the Public Hearing at 8:04 P.M.

The Chair recognized Ms. Sharon Pike, Jordan Road, Oak Lawn Township Supervisor, who commented on annexation procedures.

The Chair closed the Public Hearing at 8:05 P.M.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1450 – PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTIES LOCATED IN OAK LAWN TOWNSHIP, CROW WING COUNTY, TO THE CITY OF BRAINERD, CROW WING COUNTY, PURSUANT TO MINNESOTA STATUTE 414.033.

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART TO ADOPT ORDINANCE NO. 1450 – PROVIDING FOR THE ANNEXATION OF CERTAIN PROPERTIES LOCATED IN OAK LAWN TOWNSHIP, CROW WING COUNTY, TO THE CITY OF BRAINERD, CROW WING COUNTY, PURSUANT TO MINNESOTA STATUTE 414.033.

ORDINANCE NO. 1450

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

First Reading of Proposed Ordinance No. 1452 – An Ordinance Amending the Brainerd City Code Section 421 relating to Uniform Fire Code – City Administrator Thoreen Recommends Dispensing with the Actual Reading – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON, DULY CARRIED, TO HOLD THE FIRST READING OF PROPOSED ORDINANCE NO. 1452 – AN ORDINANCE AMENDING THE BRAINERD CITY CODE SECTION 421 RELATING TO UNIFORM FIRE CODE, FURTHER TO DISPENSE WITH THE ACTUAL READING.

Call for Applicants – Informational:

(Application Information at www.ci.brainerd.mn.us/boards/)

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

Rental Dwelling Board of Appeals – 1 “Tenant Representative” term to expire 12/31/2016

Ad Hoc Walkable Bikeable City Committee

New Business

Consider Offer on 3 Tax Forfeited Developments and Consider Purchase Agreement received on June 6, 2016 from David Pueringer & Doug Junker – Authorize Staff to Inform the Crow Wing County HRA that the City Trusts them to Negotiate the Sale of Brainerd Oaks, Serene Pines and Dal Mar Estates including the Vetting of Interested Purchasers and Considering the Best Interest of the City with the understanding that the City is Willing to Write Down Special Assessments on the Project but not Willing to Write Down SAC and WAC or Park Dedication Fees – Approved

Council President Scheeler turned the gavel over to Council Vice President Pritschet based on his own conflict of interest on this issue.

City Administrator Thoreen brought the Council's attention to the new information presented to the Council this evening relating to a proposal from David Pueringer & Doug Junker to purchase all the unsold tax forfeited lots in the Brainerd Oaks Subdivision.

Council discussion was held.

The Chair recognized the following citizens who spoke to the issue:

Mr. Dave Pueringer, 616 ½ Front Street, Brainerd, who discussed his offer in the amount of \$239,445 which, as he stated, asks for no forgiveness of SAC and WAC fees, agrees to Park Dedication fees and offers zero liability for the City.

City Attorney Quiring reminded the Council that the City is not in the position to be weighing offers based on land prices, offers, etc.

MOVED AND SECONDED BY ALDERMAN KOEP AND HILGART TO HOLD A SPECIAL MEETING TO FURTHER DISCUSS THE OFFERS.

Alderman Koep withdrew her motion .

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BORKENHAGEN THAT THE CITY INFORM THE CROW WING COUNTY HRA THAT THE CITY TRUSTS THEM TO NEGOTIATE THE SALE OF BRAINERD OAKS, SERENE PINES AND DAL MAR ESTATES INCLUDING VETTING THE INTERESTED PURCHASERS AND CONSIDERING THE BEST INTEREST OF THE CITY WITH THE UNDERSTANDING THAT THE CITY IS WILLING TO WRITE DOWN SPECIAL ASSESSMENTS ON THE PROJECT BUT NOT WILLING TO WRITE DOWN SAC AND WAC OR PARK DEDICATION FEES.

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

Public Forum

The Chair recognized Mr. Jeff Czeczok, 511 "D" Street, Brainerd, who addressed the Council about data practices, open meeting law and transparency in relation to all items relating to agenda items being provided to the public. He distributed examples of emails illustrating examples.

The Chair recognized Mr. Dale Carter, 15111 Beaver Dam Road, who asked what the City was going to do for him based on his development on Dal Mar Road which he's paying special assessments on in light of the recent tax forfeited property development offers and consideration.

Staff Reports – Written

(Verbal: Any Updates since Packet)

City Administrator Thoreen reported he will be at the LMC Conference next week.

City Engineer Hulsether reported that Assistant City Engineer Paul Sandy passed his Professional Engineering exam.

Council Member Johnson discussed the maintenance of the roundabout landscaping which has been added to the Park Department's workload which should be considered at budget time.

Council Member Koep reminded the public of history week activities, stating that a history walk has been added for 6:00 P.M. to the Flag Day opening ceremony on the 14th which begins at 4:00 P.M. at the All-Veterans Memorial. Reservations for the history walk can be called in to the library or city hall.

Mayor Menk stated that he typed 130 years in his report instead of 125 for the history of the Salvation Army in Brainerd, and that he'll be leading the kiddie parade for History Week. He also briefly reported on a very informal meeting that was held with the City of Baxter.

Adjourn

The Chair adjourned the meeting at 9:20 P.M.

James M. Thoreen
City Administrator