Brainerd, MN
January 3, 2017

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 City Administrator Thoreen.

Administer Oath of Office

City Administrator Thoreen administered Oath of Office to the following:

Edwin L. Menk - Mayor
Dave Pritschet – Alderman, Ward 1
Dave Badeaux – Alderman, Ward 3
Janice M. Lambert – Alderman, At-Large
Kevin H. Stunek – Alderman, At-Large

Upon roll call, the following members were noted present: Pritschet, Bevans, Badeaux, Johnson, Hilgart, Lambert, Stunek and Mayor Menk.

City Administrator Thoreen opened the meeting with the Pledge of Allegiance to the Flag.

Election of President and Vice-President of the Council for 2017-2018 – Alderman Pritschet Elected as Council President – Approved

City Administrator Thoreen asked for nominations for Council President for the calendar years of 2017 and 2018.

Alderman Johnson nominated Alderman Pritschet.
Alderman Hilgart seconded the nomination.

As there were no other nominations, City Administrator Thoreen closed nominations and asked for a motion to elect Alderman Pritschet as Council President.

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO ELECT ALDERMAN DAVE PRITSCHET AS COUNCIL PRESIDENT FOR THE CALENDAR YEARS 2017 AND 2018.

Council President Pritschet moved to the Chair seat. He called for nominations for Council Vice-President.

Alderman Lambert nominated Alderman Hilgart.
Alderman Johnson seconded the nomination.

As there were no other nominations, Council President Pritschet closed nominations and asked for a motion to elect Alderman Hilgart as Vice-President.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND JOHNSON, DULY CARRIED, TO ELECT ALDERWOMAN SUE HILGART AS COUNCIL VICE-PRESIDENT FOR THE CALENDAR YEARS 2017 AND 2018.

Appointment of Council Committees – Delayed to On or Before the January 17, 2017 City Council Meeting – Approved

MOVED AND SECONDED BY ALDERMEN STUNEK AND JOHNSON, DULY CARRIED, TO DELAY THE APPOINTMENT OF COUNCIL COMMITTEES TO “ON OR BEFORE” THE JANUARY 17, 2017 CITY COUNCIL MEETING PER COUNCIL PRESIDENT PRITSCHET’S REQUEST.

Approval of Agenda – Approved

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

Adoption of the Consent Calendar

Council President Pritschet requested the following corrections to the Consent Calendar:

a) Remove “and the May 16, 2016” from item A (minutes approval)
b) Change item F to read “for the year 2017” (newspaper designation)

MOVED AND SECONDED BY ALDERMEN STUNEK AND JOHNSON, DULY CARRIED, TO ACCEPT THE CORRECTIONS TO THE CONSENT CALENDAR AS PRESENTED.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO ADOPT THE CONSENT CALENDAR AS CORRECTED.

A. Approval of the Minutes of the Regular Meeting held on December 19, 2016 and the Adjourned Meeting held on December 27, 2016, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor’s Licenses – 29 – Renewals

C. Department Activity Reports – Approved

1. Fire Chief
2. Park Director

D. Temporary Liquor License Application – Submitted by the Crossing Arts Alliance for an Event to be held on February 3, 2017 at The Franklin Arts Center Room 114, 1001 Kingwood Street, Brainerd – Approved

E. Resolution No. 01:17 Adopted – Approving Signature Authorization for 2017 Capital Projects for the Brainerd Lakes Regional Airport

F. Designation of the Brainerd Dispatch as Official Newspaper for Calendar Year 2017 Pursuant to City Charter – Approved

G. Designation of Financial Institutions as Depositories for 2017 Pursuant to City Charter: Bremer Bank, Wells Fargo, BlackRidge Bank, US Bancorp,

Deerwood Bank, Neighborhood National Bank, Frandsen Bank & Trust, RiverWood Bank, RBC Wealth Management, 4M Money Market, PMA Financial Network, Inc. and Morgan Stanley – Approved

H. Reappointment of City Officials Pursuant to City Charter (2017/2018 Term) – Approved

1. **City Engineer – Jeffrey M. Hulsether, P.E.**
2. **City Building Official – Timothy Caughey**
3. **City Attorney – Joseph J. Langel**

I. Approval of Bills (2016 Year End & January 3, 2017) and Payments to Contractors – Approved

Contractor	IMP #	Project	Amount	Total Retained
S.E.H.	14-15	Arpt Util Ext thru 11/30	$59,781.53	0

Upon roll call, members Bevans, Badeaux, Johnson, Hilgart, Lambert, Stunek and Pritschet voted "aye." No member voted "nay." The Chair declared the motion carried.

Unfinished Business

Sanitary and Storm Sewer Rate Study – Resolutions 02:17 and 03:17 Adopted – Establishing Sanitary and Storm Sewer Rates for the City of Brainerd

Finance Director Hillman summarized the "Sanitary and Storm Sewer Rate Study" information included in the Packet which was based on the December 19, 2016 Council presentation and recommendations by UFC, LLC. She stated that the Consultant's recommendation is an increase to the storm sewer rates for both 2017 and 2018. For the sanitary sewer, the recommendation for 2017 is to reduce the usage charge and to implement a readiness to serve charge based on meter size. It is also recommended that the sewer rates be reviewed in 2017 to determine if a change should be implemented for 2018. Resolutions based on the Consultant's recommendations were included in the Packet for adoption.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT RESOLUTION NO 02:17 – ESTABLISHING STORM SEWER COLLECTION SYSTEM CHARGES FOR THE CITY OF BRAINERD BASED ON A SINGLE FAMILY RESIDENTIAL FEE OF $3.15 EFFECTIVE JANUARY 1, 2017 AND $3.30 EFFECTIVE JANUARY 1, 2018.

RESOLUTION NO. 02:17

Upon roll call, members Bevans, Badeaux, Johnson, Hilgart, Lambert, Stunek and Pritschet voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND LAMBERT TO ADOPT RESOLUTION NO. 03:17 – ESTABLISHING SANITARY SEWER COLLECTION SYSTEM CHARGES FOR THE CITY OF BRAINERD AT $1.45 PER 1,000 GALLONS OF WATER PER MONTH PLUS A MONTHLY CUSTOMER CHARGE BASED ON SIZE OF WATER METER EFFECTIVE JANUARY 1, 2017.

RESOLUTION NO. 03:17

Upon roll call, members Bevans, Badeaux, Johnson, Hilgart, Lambert, Stunek and Pritschet voted “aye.” No member voted “nay.” The Chair declared the motion carried and the resolution adopted.

Call for Applicants – Applications available at City Hall or Apply online: http://www.ci.brainerd.mn.us/279/Boards-Commissions

PLEASE NOTE: *THIS INCLUDES ANY EXPIRING TERMS UP FOR REAPPOINTMENT – **ALL CURRENT MEMBERS ARE REQUIRED TO REAPPLY**)*

Mayor Recommended: (all terms expire on 12/31 of said year)

Cable TV Advisory Committee – 2 terms (Expire 2019)
Charter Commission – 1 term (Expire 2020)
Transportation Advisory Committee – 2 terms (Expire 2018)
Rental Dwelling Board of Appeals – 4 terms (see below) – (Expire 2018)

1. *Residential Property Manager Representative (1)*
2. *Residential Rental Housing Advocate Representative (1)*
3. *Tenant Representative (1)*
4. *General Public Representative (1)*

Council President Recommended: (all terms expire on 12/31 of said year)

Airport Commission – 1 term (Expires 2019)
Planning Commission – 3 terms (Expire 2019)
Police & Fire Civil Service Commission – 1 term (Expires 2019)

New Business

Set Date for City Council Retreat – To be held at 12:30 P.M. on Saturday, February 11, 2017 at a Site to be determined – Approved

Suggestions were included in the Packet for the annual City Council retreat.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO HOLD THE ANNUAL CITY COUNCIL RETREAT AT 12:30 P.M. ON SATURDAY, FEBRUARY 11, 2017 AT A SITE TO BE DETERMINED.

Voting Procedure for NJPA Board – Informational

City Administrator Thoreen discussed the City’s relationship with NJPA and asked for the Council Members’ completed ballots to turn in to the Board.

IT/GIS Coordinator Promotion Recommendation – Promotion of Mr. Shawn Strong to Supervisory IT/GIS Coordinator Position Retroactive to January 1, 2017 with Starting Wage of $6,051.25 per month (Step “D”) or 100% Base Wage for the Position plus any Applicable Longevity based on his Previous Years of Service – Approved

Human Resource Coordinator Schubert discussed the information placed before Council Members this evening relating to staff’s recommendation to promote the current GIS/IT

Coordinator Shawn Strong to the new Supervisory IT/GIS position. She stated that two applications had been received.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO PROMOTE MR. SHAWN STRONG, CURRENT GIS/IT COORDINATOR, TO THE NEW "SUPERVISORY" IT/GIS COORDINATOR POSITION RETROACTIVE TO JANUARY 1, 2017; FURTHER, THE STARTING WAGE SHALL BE $6,051.25 PER MONTH WHICH IS STEP D OR 100% OF THE BASE WAGE FOR THE POSITION PLUS ANY APPLICABLE LONGEVITY BASED ON HIS PREVIOUS YEARS OF SERVICE.

Employee Policy Manual Amendment relative to Post Employment Health Care Savings Plan (HCSP) – Approved

Human Resource Coordinator Schubert referred to information distributed to the Council Members this evening relating to an amendment to the Employee Policy Manual for the Health Care Savings Plan.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AMEND SECTION 16 OF THE EMPLOYEE POLICY MANUAL RELATIVE TO THE POST EMPLOYMENT HEALTH CARE SAVINGS PLAN (HCSP) FOR THE CITY ADMINISTRATOR, DEPARTMENT HEADS AND SUPERVISORS AS PRESENTED.

Planning Commission

Variance Request, Gretchen Nelson – To Permit a Metal Roof that is not Standing Seam in Design on an Accessory Building at 717 2nd Avenue NE – Planning Commission Recommends Approval – Approved

City Planner Ostgarden provided a brief synopsis and stated that the Planning Commission voted unanimously to recommend approval based on the eight Findings-of-Fact identified.

Findings-of-Fact:

1. The garage is located in an R-1 (Single Family Residential) Zoning District on a 140' x 50' (7,000 sq. ft.) lot.
2. The lot is permitted to have 700 sq. ft. of accessory buildings. The garage in question is approximately 624 sq. ft. in area and has a typical roof slope.
3. The garage is located in the rear of the lot and has access from the alley.
4. The garage is similar in size and height to the other garages that have alley access.
5. The Building Department notified the owner that the roof needed repair, however it did not include information about the need for a building permit to repair the roof and the information about metal roof design requirements.
6. The owner did not know that a metal roof was required to have standing seam design; the owner chose to use a corrugated look metal roof for the repair.
7. One phone call was received from a neighbor to state she has no issue with the look of the metal roof.
8. Petitioner spoke in favor and no one spoke in opposition.

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO APPROVE THE VARIANCE AS APPLIED FOR BY MS. GRETCHEN NELSON

FOR THE ACCESSORY BUILDING AT 717 2ND AVENUE NE, BRAINERD BASED ON THE 8 FINDINGS-OF-FACT AS IDENTIFIED BY THE PLANNING COMMISSION.

Variance Request, Carol and James Paschelke – To Construct a 6' tall Fence where a 4' tall Fence is permitted at 501 16th Street SE – Planning Commission recommends Approval with one Condition – Approved

City Planner Ostgarden provided a brief synopsis and stated that the Planning Commission voted unanimously to recommend approval based on the five Findings-of-Fact and one condition identified.

Findings-of-Fact:

1. The property is located in an R-2 (1 and 2 Family Residential) Zoning District on a 50' x 100' (5,000 sq. ft.) corner lot.
2. The property owner has constructed a 6' tall privacy fence along the Norwood Street property line.
3. Norwood Street is considered the lot's side street yard. A 4 ft. tall fence is permitted between the house and the side street yard property line.
4. The house is approximately 10' from the Norwood Street property line.
5. The petitioner spoke in favor and no one spoke in opposition.

Condition:
1. Fence must not encroach into the corner lot clear vision area.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND JOHNSON, DULY CARRIED, TO APPROVE THE VARIANCE REQUESTED BY CAROL AND JAMES PASCHELKE TO ALLOW CONSTRUCTION OF A 6 FOOT TALL FENCE WHERE A 4 FOOT TALL FENCE IS PERMITTED AT THEIR PROPERTY LOCATED AT 501 16TH STREET SE, BRAINERD BASED ON THE 5 FINDINGS-OF-FACT AND ONE CONDITION AS IDENTIFIED BY PLANNING COMMISSION.

Public Forum: No one appeared for Public Forum.

Staff Reports

City Engineer Hulsether thanked the Council for his reappointment as City Engineer for the years 2017-2018.

City Planner Ostgarden reminded the Council Members to submit a photo and biography for the City newsletter. He also asked to present City Survey results at the January 17, 2017 meeting and the Council concurred.

City Thoreen referred to information on membership with the Coalition of Greater Minnesota Cities (CGMC) had been placed before them this evening for consideration. He stated that CGMC is very instrumental in securing Local Government Aid (LGA).

Council Member Reports

Council Member Stunek stated he was looking forward to his service as Council Member.

Mayor Menk informed the Council that he would be absent for the January 17th and February 6th meetings of 2017. He stated that he would have a report with committee and liaison recommendations for the January 17th meeting for the Council's acceptance.

Committee Resignations

Police and Fire Civil Service Commission – Mr. Kevin Stunek (to serve on City Council) – Effective 12/31/2016 – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT THE RESIGNATION OF MR. KEVIN STUNEK FROM THE POLICE AND FIRE CIVIL SERVICE COMMISSION EFFECTIVE 12/31/2016 IN ORDER FOR MR. STUNEK TO SERVE ON THE CITY COUNCIL.

Transportation Advisory Committee – Ms. Jan Lambert (to serve on City Council) – Effective 12/31/2016 – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT THE RESIGNATION OF MS. JAN LAMBERT FROM THE TRANSPORTATION ADVISORY COMMITTEE EFFECTIVE 12/31/2016 IN ORDER FOR MS. LAMBERT TO SERVE ON THE CITY COUNCIL.

Committee Recommendations – Recommended by Mayor – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE FOLLOWING APPOINTMENTS:

A. Charter Commission Reappointment – Mr. Bill Dian – Term to Expire 12/31/2020

B. Rental Dwelling Board of Appeals: (Terms to Expire 12/31/2018)

1. *Residential Rental Property Manager Rep Reappointment – Mr. Rick Fargo*
2. *Residential Rental Housing Advocate Rep Reappointment – Ms. Teresa Hettver*

Police and Fire Civil Service Commission – Mr. Patrick Wussow – Term to Expire 12/31/2019 – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPOINT MR. PATRICK WUSSOW TO THE POLICE AND FIRE CIVIL SERVICE COMMISSION FOR A TERM TO EXPIRE ON 12/31/2019.

Adjourn

The Chair adjourned the meeting at 8:16 P.M.

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James M. Thoreen
City Administrator