Brainerd, MN
February 6, 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 Council President Pritschet.

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

Council President Pritschet opened the meeting with the Pledge of Allegiance to the Flag.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT THE CONSENT CALENDAR AS PRESENTED.

A. Approval of the Minutes of the Regular Meeting held on January 17, 2017, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 14 - Renewals

C. Department Activity Reports – Approved

1. Fire Chief (Monthly and Annual)
2. Park Director
3. City Administrator

D. Resolution No. 04:17 – Accepting Donations & Contributions for 4th Quarter 2016- Approved

E. Temporary On-Sale Liquor License Application – Submitted by the Brainerd Sports Boosters for an Event to be held on April 22, 2017 at the NP Event Space, 210 Blacksmith Circle, Brainerd – Approved

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

Presentation:

BLAEDC Annual Report

The Chair recognized Ms. Sheila Haverkamp of BLAEDC, who summarized information included in the Packet on the Positioning Statement and Values of BLAEDC including their mission statement, "Expanding Business, Building Community and Growing Jobs in Crow Wing County. She discussed three examples of BLAEDC's extensive involvement in developing businesses including a new winery, the repurposing of Brainerd Industrial Center and working

with interested business prospects for the old Holiday Inn building on Business 371. She answered several questions of the Council and the Chair thanked her for her presentation.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills and Payments to Contractors – Approved

Contractor	IMP	#Project	Amount	Retained
Braun Intertec	14-15	Airport Utility Extension	$203	N/A
S.E.H	14-15	Airport Utility Extension	$26,192	N/A
Tom's Backhoe	1/11	DT Snow Removal	$11,782	N/A

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

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

Procurement Policy – Adopt with Recommended Amendments – Approved

A copy of the proposed Procurement Policy with recommended amendments highlighted in yellow was included in the Packet.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE ADOPTION OF THE PROCUREMENT POLICY AS PRESENTED.

Committee members Johnson and Hilgart summarized the purpose of the policy and the necessary amendments.

Subordination of Loan – Approve Agreement moving City to Second Position and Authorize Appropriate Signatures on Agreement – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE SUBORDINATION AGREEMENT MOVING THE CITY TO SECOND POSITION FOR THE 1716 LAUREL STREET SCDG LOAN AND TO AUTHORIZE APPROPRIATE SIGNATURES ON THE SUBORDINATION AGREEMENT.

Resignation of Administrative Specialist Tabaka – Accept Resignation Effective February 10, 2017 and Authorize Backfilling of Position as Soon as Possible – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT THE RESIGNATION OF ADMINISTRATIVE SPECIALIST TABAKA EFFECTIVE FEBRUARY 10, 2017 AND AUTHORIZE BACKFILLING THE POSITION AS SOON AS POSSIBLE.

Resignation of Police Officer Katzenberger – Accept Resignation with Regret Effective February 3, 2017 and Authorize Making a Conditional Job Offer to the Next

Available Candidate Upon Completion of Establishing a New Police Officer Eligibility List – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF INVESTIGATOR KATZENBERGER EFFECTIVE FEBRUARY 3, 2017 AND TO AUTHORIZE MAKING A CONDITIONAL JOB OFFER TO THE NEXT AVAILABLE CANDIDATE UPON COMPLETION OF ESTABLISHING A NEW POLICE OFFICER ELIGIBILITY LIST.

Hiring Recommendation for IT Specialist Position – Approve Promotion of Lori Turkowski Effective February 7, 2017 with Starting Wage of 100% of Base Wage for the Position ($26.52 per hour) – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE PROMOTION OF LORI TURKOWSKI TO THE IT SPECIALIST POSITION EFFECTIVE FEBRUARY 7, 2017; FURTHER, TO AUTHORIZE HER STARTING PAY AT 100% OF THE BASE WAGE FOR THE POSITION ($26.52 PER HOUR).

Committee Member Hilgart stated that Ms. Turkowski has been working in the IT Department under an MOU for two years and staff/Committee feel this work experience warrants the start at 100% of the base wage.

Hiring Recommendation for Engineering Technician Position – Authorize Conditional Job Offer to Justin Larson and Allow Him to Complete his Engineering Technician Certificate in Mankato – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE A CONDITIONAL JOB OFFER TO JUSTIN LARSON FOR THE POSITION OF ENGINEERING TECHNICIAN AND ALLOW HIM TO COMPLETE HIS STUDIES IN MANKATO.

Committee Chair Johnson reported that Mr. Larson will be traveling to Mankato on Wednesdays to finish his certification.

Committee Member Hilgart reported that Mr. Larson will be starting at Step B of the Base Wage for the position based on his experience.

Market Adjustment for Police Chief and Deputy Chief – Approve 1% Market Adjustment to Maintain Current Supervisory Gap in the Police Department and Authorize 2017-2018 Wage Adjustments for these positions in the amount of 1.5% on 1/1/17; .5% on 7/1/17 and 2% on 1/1/18 – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE A ONE (1%) MARKET ADJUSTMENT FOR THE POLICE CHIEF AND DEPUTY CHIEF POSITIONS TO MAINTAIN THE CURRENT SUPERVISORY GAP IN THE POLICE DEPARTMENT; FURTHER TO AUTHORIZE 2017-2018 WAGE ADJUSTMENTS FOR THESE POSITONS IN THE AMOUNT OF 1.5% ON 1/1/17; .5% ON 7/1/17 AND 2% ON 1/1/18.

Returned TIF Funds – Informational

Committee Chair Johnson stated that the former TIF District was decertified in Brainerd Oaks and the City's portion of approximately $6,500 was returned and is in Capital Fund 400.

Annual Review of Investment Policy – Approve as Presented – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE INVESTMENT POLICY AS PRESENTED.

Donation Request to Historical Society – Authorize $300 Donation from Council Special Projects – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE A $300 DONATION TO THE HISTORICAL SOCIETY TO BE PAID FROM COUNCIL SPECIAL PROJECTS.

Added Item: Resignation of Police Records Management Technician Kelly Ruff – Accept Resignation with Regret and Direct Staff to Review the Position and Return with a Recommendation to Council at February 21, 2017 Meeting – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF RECORDS MANAGEMENT TECHNICIAN KELLY RUFF AND TO DIRECT STAFF TO REVIEW THE POSITION AND RETURN WITH A RECOMMENDATION TO COUNCIL AT THE FEBRUARY 21, 2017 MEETING.

Added Item: HRA Per Diem Reinstatement – Informational

Committee Chair Johnson reported that the HRA had provided a document before tonight's meeting informing the City that they plan to reinstate their per diem payment for board members. Based on legal advice received by the HRA, it is up to the HRA Board to set their per diems and state statute would prevail over City Charter in this situation. Since this information was received this evening, the item will be put on a future agenda for council discussion.

Safety and Public Works Committee Report

Pavement Management Presentation – Informational

Committee Chair Bevans referred to material that had been distributed to Council as part of a presentation to Committee this evening by Assistant City Engineer Sandy on the City's pavement management efforts and the age and condition of the City's pavements.

Proposals for Underground Storage Tank Limited Site Investigation – Accept Low Cost Proposal from Millsop Associates in the amount of $6,487.50

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO ACCEPT THE LOW COST PROPOSAL FROM MILLSOP ASSOCIATES IN THE AMOUNT OF $6,487.50 FOR UNDERGROUND STORAGE TANK LIMITED SIGHT INVESTIGATION (LSI).

Annual MS4 Public Hearing – To be held at 7:30 P.M. on Monday, March 20, 2017 in the City Hall Council Chambers – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO HOLD THE ANNUAL MS4 PUBLIC HEARING ON MONDAY MARCH 20, 2017 AT 7:30 P.M. IN THE CITY HALL COUNCIL CHAMBERS.

Resolution No. 05:17 Adopted – Receiving Report and Calling a Public Hearing to be held at 7:30 P.M. on Tuesday, February 21, 2017 to Discuss Improvements 14-03, 16-13 and 14-01

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, TO ADOPT RESOLUTION NO. 05:17 – RECEIVING REPORT AND CALLING A PUBLIC HEARING TO BE HELD AT 7:30 P.M. ON TUESDAY, FEBRUARY 21, 2017 IN THE CITY HALL COUNCIL CHAMBERS TO DISCUSS THE FOLLOWING CITY IMPROVEMENTS:

IMPROVEMENT 14-03

Street Resurfacing
Jackson Street between NW 4th Street (CSAH 20) and Brainerd/Baxter City Limits.

IMPROVEMENT 16-13

Street Resurfacing
Buffalo Hills Lane between S 6th Street (TH 371B) and Graydon Avenue.

IMPROVEMENT 14-01

Street Reconditioning
Oak Street between S 6th Street (TH 371B) and SE 19th Street.

RESOLUTION NO. 05:17

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.

2017 Transit Contract Amendment for Additional Transit Bus Purchase – Approved

Committee Chair Bevans reported that based on a Transit bus being considered a total loss after being involved in a crash, Mn/DOT has agreed to fund 80% of an additional bus this year as a replacement which requires a contract amendment.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE AN AMENDMENT TO THIS YEAR'S TRANSIT CONTRACT WITH MNDOT TO PROVIDE FOR THE ACQUISITION OF A SECOND BUS AND TO AUTHORIZE THE PROPER CITY OFFICIALS TO ENTER INTO SAID AMENDMENT.

Petition for a Portion of North 10th Street – Public Hearing to be held at 7:30 P.M. on Monday, March 6, 2017 in the City Hall Council Chambers – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO HOLD A PUBLIC HEARING AT 7:30 P.M. ON MONDAY, MARCH 6, 2017 IN THE CITY HALL COUNCIL CHAMBERS TO CONSIDER THE VACATION OF A PORTION OF NORTH 10TH STREET.

Sober Houses – Item Referred to Planning Commission for Review and Zoning Ordinance Language – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO REFER THE ISSUE OF "SOBER HOUSES" TO PLANNING AND ZONING FOR REVIEW AND ZONING ORDINANCE LANGUAGE.

Committee Chair Bevans reported referring the issue to the Planning Commission is to get a second opinion and to get of list of things the City may want to consider, if any, to regulating Sober Houses.

Unfinished Business

Set Location for Council Retreat – Essentia Hospital Meeting Room – Informational

City Administrator Thoreen stated that the retreat will be held at 12:30 P.M. on Saturday, February 11, 2017 at the hospital meeting room next to the cafeteria in the basement.

Call for Applicants – Informational:

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

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 – 2 terms (see below) – (Expire 2018)

1. *Tenant Representative (1)*
2. *General Public Representative (1)*

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

Police & Fire Civil Service Commission – 1 term (Expires 2018)

New Business

LMC Legislative Conference – Informational

City Administrator Thoreen referred to information included in the Packet on the 2017 LMC Legislative Conference to be held on March 23rd. He stated that this is an excellent opportunity to convey to legislators what is important to the City. He encouraged Council members to attend and asked them to contact the Administration office for registration/reservation information.

Public Forum:

The Chair recognized Ms. Sarah Hayden Shaw, 521 N 9th Street, who stated that she is excited to share that she just purchased the old "Blue Ox" building Downtown in order to remodel and turn into a nice restaurant with an outside patio. She asked the Council members to consider reducing the South 6th Street design to three lanes or less to make the revitalization

of Downtown more viable. She referred to a recent editorial relating to South 6th Street design which was published in the Brainerd Dispatch.

The Chair recognized Mr. Luke Roach, 716 2nd Avenue, who discussed a ticket he received relating to snow removal based on his disagreement with the public notification involved.

Council Member Badeaux stated that he feels the Council has to be more proactive in communicating with the public.

Mr. Roach was asked to contact the Police Chief to discuss the matter further.

The Chair recognized Ms. Mary Agerter, 615 N 5th Street, who also asked the Council to reconsider the decision made by previous Council on the design of South 6 Street.

Staff Reports – Written
(Verbal: Any Updates since Packet)

City Administrator Thoreen reported that he has contacted the editor of the paper and invited a Councilmember along with staff to visit with the editorial board to discuss to the editorial relating to the South 6th Street design and it being not too late to reconsider.

City Administrator Thoreen also reported that a citizen was recently locked in the Brainerd Public Library when it closed and broke a window to get out. A similar situation could occur at City Hall, therefore, he will be looking into options for emergency exits at City facilities.

Council Member Reports

Council Member Lambert stated that more volunteers for the Memorial Day Committee are needed. The next meeting is on Wednesday, February 15, 2017 at 7:00 P.M.at the Brainerd VFW to discuss Memorial Day events.

Council Member Stunek reported that this week he had attended his first Airport and Senior Center meetings as Council Liaison.

Council Member Hilgart asked if an alternate Council Member could attend the February 13th Fire Advisory Board meeting in her place; Council Member Stunek volunteered.

Council Member Johnson reported that the Brainerd Jaycees 2017 $150,000 Ice Fishing Extravaganza had been very successful and thanked the many volunteers and members of the Jaycees for such a wonderful event which raises thousands of dollars for local charities.

Adjourn – To City Council Retreat to be held at 12:30 P.M. on Saturday, February 11, 2017 at Essentia Health Meeting Room

The Chair adjourned the meeting at 8:42 P.M.

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James M. Thoreen
City Administrator