

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: Badeaux, Johnson, Hilgart, Lambert, Stunek, Bevans and Pritschet. Mayor Menk was also noted as present.

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

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO ADD AN ITEM UNDER UNFINISHED BUSINESS TO ACCEPT THE RESIGNATION OF COUNCIL PRESIDENT PRITSCHET FROM REGION 5 AND TO APPOINT COUNCIL MEMBER LAMBERT.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED.

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

- A. Approval of the Minutes of the Regular Meeting held on April 3, 2017 – Approved**
- B. Approval of Licenses – Approved**
 - 1. Contractor's Licenses – 2 – New and 2- Renewals
 - 2. Tobacco License – John Dundas dba Vapor North, 316 Washington Street
Contingent upon Fire Chief Approval
- C. Department Activity Reports – Approved**
 - 1. Police Chief
 - 2. Finance Director
- D. Resolution No. 23:17 – Resolution Accepting Donations & Contributions for 1st Quarter 2017 – Approved**
- E. Minnesota Lawful Gambling Premises Permit Application - Resolution No. 24:17 – Resolution to Allow Lawful Gambling by Confidence Learning Center at 612 Station, 612 Front Street, Brainerd, MN – Approved**
- F. Minnesota Lawful Gambling - Resolution No. 25:17 – Resolution Authorizing the Brainerd Elks Lodge #615 to Conduct Off-Site Gambling on May 3, 2017 at the Brainerd National Guard Amory, 1115 Wright Street, Brainerd, MN – Approved**

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

Presentations

The Chair recognized Ms. Mary Koep to update the council on history week. Ms. Koep shared that history week will be June 12-17, 2017. Some of the events being planned include a tour of city hall and the historic courthouse, presentations on music through the decades, genealogy, the military history of Brainerd, and the layout of Southeast Brainerd followed by a walking tour. Designated days will be Armory and Flag, Northern Pacific, Museum, and Children's Day. A float down the river in kayaks and canoes in the evening is also being planned. The Chair thanks Ms. Koep for her presentation.

Council Committee Reports

Safety and Public Works Committee Report

Event/Street Closure Application – Fire Convention Parade - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR THE STATE FIRE CONVENTION PARADE TO BE HELD SATURDAY JUNE 10, 2017 AS PRESENTED.

Improvement 17-03 – 2017 Crack Sealing Quotes - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO DIRECT STAFF TO SOLICIT QUOTES AND TO AUTHORIZE STAFF TO PURCHASE 12,000 LBS. OF CRACK SEAL FILLING MATERIAL. THE ESTIMATED COST OF THE WORK IS \$16,000 AND \$5,352 FOR MATERIALS FOR A TOTAL ESTIMATED PROJECT COST OF \$21,352.

Event/Street Closure Application – Garfield Walk-a-Thon - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR THE GARFIELD WALK-A-THON FOR EITHER MAY 12TH OR MAY 16TH SUBJECT TO THE APPLICANT COORDINATING WITH THE STREET DEPARTMENT FOR TRAFFIC CONTROL AND THE APPLICANT NOTIFY ALL RESIDENTS AFFECTED BY THE TEMPORARY STREET CLOSURE.

Northern Pacific Center SAC/WAC Fees - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO OFFER SPECIAL CONSIDERATION FOR INDUSTRIAL COMPLEXES IN EXCESS OF 100,000 SQUARE FEET OF SPACE IN NEED OF REPURPOSING AND THAT ARE LOCATED ON PARCELS OF PROPERTY LARGER THAN 20 ACRES, TO WAIVE 100% OF SAC AND WAC FEES FOR 5 YEARS.

City Engineer Hulsether explained the considerations. The considerations are for non-residential properties, and can be revisited after the 5 years.

Notice of Posting and Public Hearing for ADA (Americans with Disabilities Act) Transition Plan - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO HOLD THE PUBLIC HEARING ON THE ADA TRANSITION PLAN AT THE JUNE 5, 2017 COUNCIL MEETING.

Improvement 14-15 – Airport Utility Extension SEH Fee Amendment - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE A FEE AMENDMENT IN THE AMOUNT OF \$61,165 FOR OUR CONSULTING ENGINEERS FOR THE AIRPORT UTILITY EXTENSION PROJECT.

Committee Chair Bevans explained the reason for the additional fee is that the project is not working according to design and specs. Therefore, is it beneficial to the City to extend the services of our consulting engineers who are our representatives in the field to make sure the project is completed as designed.

Council discussion was held regarding total project cost, using retainage to pay for the additional consulting fees, and additional options.

Walkable Bikeable City Committee (WBCC) – Non-Motorized Transportation Plan (NMTP) – Tier 1 Priorities - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO MOVE FORTH THE PRIORITIZED ITEMS AS PRESENTED BY THE WBCC FOR DISCUSSION DURING THE 2018 BUDGET PROCESS.

Committee Chair Bevans reported there are several items that are being done as part of the 2017 construction projects that are part of the WBCC plan such as the construction of Jackson Street. The City will also continue to do street striping as we have done in the past and some of the larger projects may require outside funding. By bringing forth the prioritizes for discussion during the 2018 budget process, we are giving staff direction that we want to pursue these items.

Downtown Special Services District Maintenance Quote - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE QUOTE IN THE AMOUNT OF \$12,175 FROM NORTHWOODS LANDSCAPING FOR DOWNTOWN LANDSCAPING AND MAINTENANCE FOR 2017.

Council discussion was held about the timeliness and what we get for this service. The service is basically a minimum maintenance plan for the downtown landscaping. City Planner Ostgarden and City Administrator Thoreen have discussed the City's expectations with the contractor and will observe the work this summer.

Added item – Sewer Gas Smell - Informational

Committee Chair Bevans shared that a memo was received from City Administrator Thoreen stating that staff is aware there was a smell of sewer gas in City Hall. There are many contributing factors to the issue such as the building is over 100 years old and the inability of the HVAC system to properly regulate the air flow in City Hall. Staff is checking and cleaning the

traps and doing what they can do to minimize the order. Council Member Bevans stated there isn't a fix until the HVAC system is addressed.

Personnel and Finance Committee Report

Approval of Bills - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO APPROVE THE PAYMENT OF BILLS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE.

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

Community Action Donation Request for 4th of July - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE AN EXPENDITURE OF \$8,000 AS THE CITY'S CONTRIBUTION TO THE COMMUNITY ACTION ANNUAL 4TH OF JULY FIREWORKS SHOW.

Electronic Council Packet - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO SECURE QUOTES AND A PROPOSED TIMELINE TO GO PAPERLESS, AND PRESENT THE INFORMATION AT THE NEXT COUNCIL MEETING.

Council Chambers Audio System Improvements - Informational

Committee Chair Johnson shared that staff has meet with one local vendor to review the audio and recording system in the chambers. Staff is planning on meeting with another two vendors in the upcoming weeks and is hoping to present the information at the next council meeting.

Administrative Specialist Position – Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE A CONDITIONAL JOB OFFER TO STEPHANIE BESTUL FOR THE ADMINISTRATIVE SPECIALIST – ADMINISTRATION DEPARTMENT POSITION EFFECTIVE MAY 8, 2017 SUBJECT TO SUCCESSFUL COMPLETION OF REQUIRED PRE-EMPLOYMENT EXAMS, AND A STARTING WAGE AT 85% OR STEP A, OF THE SALARY ADMINISTRATION PLAN.

Assistant City Engineer Hiring - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE THE HIRING PROCESS TO BACKFILLING THE ASSISTANT CITY ENGINEER POSITION.

Authorization to Hire Community Service Officers - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO AUTHORIZE THE HIRING OF MR. MICHAEL LYSCIO AND MR. DEVAN LIEBEG AS COMMUNITY SERVICE OFFICERS EFFECTIVE APRIL 18, 2017 AT THE CURRENT CSO STARTING WAGES.

Review/Discuss Status of Facilities Study - Informational

Committee Chair Johnson shared the discussion from committee. The committee feels that we need to do a study. The City will have some debt paid off in 2019, which may yield some capacity to work with. Therefore, we will discuss budgeting the facility study during the 2018 budget process.

Budget Process Discussion - Informational

Committee Chair Johnson shared discussion was held at the committee level of what they would like to see and what information they feel is helpful during the budget process.

Council discussion was held about developing a replacement schedule and staggering major equipment purchases. For 2018, we will start with the operational budget and any additions, such as additional staffing, will be brought forward for council consideration.

Unfinished Business

Public Hearing – Final Reading of Proposed Ordinance No. 1464 – An Ordinance Amending: Section 900 of the Brainerd City Code – Animals to Permit Bee Keeping and Section 1010 of the Brainerd City Code – Licensing Fees to Add an Annual Licensing Fee for Bee Keeping and Chickens - Approved

The Chair opened the public hearing at 8:23 P.M.

No one came forward.

The Chair closed the public hearing at 8:23 P.M.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1464 – AN ORDINANCE AMENDING: SECTION 900 OF THE BRAINERD CITY CODE – ANIMALS TO PERMIT BEE KEEPING AND SECTION 1010 OF THE BRAINERD CITY CODE – LICENSING FEES TO ADD AN ANNUAL LICENSING FEE FOR BEE KEEPING AND CHICKENS.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, TO ADOPT PROPOSED ORDINANCE NO. 1464 – AN ORDINANCE AMENDING: SECTION 900 OF THE BRAINERD CITY CODE – ANIMALS TO PERMIT BEE KEEPING AND SECTION 1010 OF THE BRAINERD CITY CODE – LICENSING FEES TO ADD AN ANNUAL LICENSING FEE FOR BEE KEEPING AND CHICKENS.

ORDINANCE NO. 1464

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

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 – 1 term (Expire 2019)

Charter Commission – 1 term (Expire 2020)

Transportation Advisory Committee – 1 terms (Expire 2018)

Added item – Region 5 Appointment - Approved

MOVED AND SECONDED BY ALDERMAN HILGART AND JOHNSON, DULY CARRIED, TO ACCEPT THE RESIGNATION OF COUNCIL PRESIDENT PRITSCHET FROM REGION 5 AND TO APPOINT COUNCIL MEMBER LAMBERT AS THE CITY'S REPRESENTATIVE.

New Business

Declaration of Hazardous Building – Adopted per Resolution No. 26:17 – Declaring Building to be Hazardous and Ordering Removal.

City Administrator Thoreen explained the documentation and the resolution that was included in the packet. City Attorney Langel explained adopting the resolution is the first step in the statutory process and briefly explained the process.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, TO ADOPT RESOLUTION NO. 26:17 DECLARING BUILDING TO BE HAZARDOUS AND ORDERING REMOVAL OF PROPERTY LOCATED AT 507 6TH STREET SOUTH OWNED BY DBM TWO PARTNERSHIP LLC, LEGALLY DESCRIBED AS LOT 16, BLOCK 129, EXCEPT THE WEST 25 FEET THEREOF, AND ALL OF LOTS 17 AND 18, BLOCK 129, TOWN OF BRAINERD AND FIRST ADDITION TO BRAINERD, CROW WING COUNTY, MINNESOTA, PIN 09196129016Z889.

RESOLUTION NO. 26:17

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

Set Work Session: How to Meet the “Retirement Crisis”- Approved

The consensus was to set a council workshop on Monday, May 8, 2017 at 5:30 p.m. at a place to be determined.

Public Forum

The Chair Opened the public forum at 8:36 P.M.

No one came forward

The Chair Closed the public forum at 8:37 P.M.

Staff Reports

City Planner Ostgarden mentioned that looking ahead at various timelines for permits, it has been noted that our first regular council meeting in July would be Monday, July 3rd right before the holiday. The consensus by the council was that we would be keeping the regular council meeting schedule.

Council Member Reports

Council Member Lambert reported that she had attended the NJPA annual meeting. It was very nice and she had the opportunity to visit with several of the scholarship recipients.

Council Member Stunek and Mayor Menk thanked the Park & Rec Department and Rotary Club for the great Easter egg hunt held at Gregory Park over the weekend. There were approximately 485 kids that attended.

Council Member Hilgart reported there will be an event at the Arboretum for Arbor Day, April 28th in the evening for anyone interested in attending. Tickets are available at the Arboretum.

Mayor Menk also reported there is a 5th grade group that is trying to raise fund to attend an international problem solving competition. The Mayor will be attending an event on Arbor Day at Lum Park and is working on a proclamation. He will be presenting the Kiwanis Club Bug Awards at various events over the next couple weeks. The awards are presented to elementary kids who have brought up their grades and invited all council members to attend.

Adjourned to the Riverfront Workshop on Monday, April 24, 2017 at 5:30 P.M. in the City Hall Council Chambers

The Chair adjourned the meeting at 8:44 P.M.

James M. Thoreen
City Administrator