Brainerd, MN
October 2, 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 Vice-President Hilgart.

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

Council Vice-President Hilgart opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO AMEND THE AGENDA BY MOVING ITEM 9B – RESOLUTION FOR AUTHORIZATION FOR BRAINERD PUBLIC UTILITIES COMMISSION TO SUBMIT A GRANT APPLICATION TO THE BUSINESS DEVELOPMENT INFRASTRUCTURE PROGRAM (BDIP) – TO 6B BEFORE COMMITTEE REPORTS.

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

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

A. Approval of the Minutes of the Regular Meeting held on September 18, 2017 - Approved

B. Approval of Licenses – Approved

Contractor's Licenses – 1 – New

C. Department Activity Reports - Approved

1. City Administrator
2. Fire Chief
3. Parks Director

D. Minnesota Lawful Gambling Application to Conduct Excluded Bingo – Submitted by Lakes Area USBC Bowling Association. Bingo Events to be Held November 13th – 17th, 2017 at Jack's House, 300 State Highway 25, Brainerd, MN - Approved

E. On-Sale Beer and Wine License – Submitted by Sage on Laurel, 606 Laurel Street, Brainerd, MN – Contingent Upon Background Investigation and Fire Inspection - Approved

F. Settlement Agreement for IBEW Grievance 2017-1 – Approval of and Authorize Signatures of City Officials - Approved

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

Resolution Ratifying the Sale of Electric Utility Revenue and Refunding Bond, Series 2017A, in the Original Aggregate Principal Amount of $6,035,000; Fixing its Form and Specifications; Directing its Execution and Delivery; Providing for its Payment; and Providing for the Redemption of Bonds Refunded Thereby – Adopted by Resolution No. 55:17

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 55:17 RATIFYING THE SALE OF ELECTRIC UTILITY REVENUE AND REFUNDING BOND, SERIES 2017A, IN THE ORIGINAL AGGREGATE PRINCIPAL AMOUNT OF $6,035,000; FIXING ITS FORM AND SPECIFICATIONS; DIRECTING ITS EXECUTION AND DELIVERY; PROVIDING FOR ITS PAYMENT; AND PROVIDING FOR THE REDEMPTION OF BONDS REFUNDED THEREBY.

RESOLUTION NO. 55:17

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

Resolution for Authorization for Brainerd Public Utilities Commission (BPU) to Submit a Grant Application to the Business Development Infrastructure Program (BDIP) - Adopted by Resolution No. 56:17

Mr. Todd Wicklund, Finance Director at BPU explained the Commission would like to submit a grant application to the Business Development Infrastructure Program (BDIP) to obtain assistance to build a new water tower in the south zone. The proposed water tower would hold 500,000 gallons. Currently, all businesses and residential properties south of Willow Street are operating on pumps. These pumps are about 20 years old and running a lot of the time.

Council Vice-President Hilgart questioned if the Commission planned financially for the additional costs that would be over and above the grant. Finance Director Wicklund indicated that would be part of the budget that will be presented in December.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON TO ADOPT RESOLUTION NO. 56:17 TO AUTHORIZE BRAINERD PUBLIC UTILITIES COMMISSION (BPU) TO SUBMIT A GRANT APPLICATION TO THE BUSINESS DEVELOPMENT INFRASTRUCTURE PROGRAM (BDIP).

RESOLUTION NO. 56:17

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

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

Contractor	Imp. #	Project	Amount Paid	Amount Retained
Braun Intertec	16-10	Material Testing NW St thru 9/9	$3,684	$0
Braun Intertec	16-13	Material Testing Buffalo Hills thru 9/9	$11,140	$0
Millsop Assoc.	17-05	Site Investigation Services thru 9/15	$5,382	$0
S.E.H.	14-15	Airport Util Ext thru 8/31	$21,074	$0
Tri-City Paving	16-13	Buffalo Hills Resurfacing thru 9/22	$1,659	$87
Tri-City Paving	14-01	Oak Street Mill & Overlay thru 9/22	$13,181	$694
Tri-City Paving	14-03	Jackson St thru 9/22	$2,224	$117
Anderson Bros	15-12	S. 6th Street Frontage thru 9/22	$70,606	$3,716
Anderson Bros	16-10	NW Brainerd Resurfacing thru 9/22	$125,053	$6,582

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

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

Discussion of the City’s Federal and State Minnesota Investment Funds (MIF) – Adopted by Resolution No. 57:17

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO RECOMMEND TO THE FULL COUNCIL TO DISCUSS EXERCISING OUR ONE TIME USE OPTION THROUGH MINNESOTA DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT (DEED) TO GIVE 20% BACK TO THE STATE AND RETAIN 80% FOR A PROJECT THE COUNCIL IDENTIFIES.

Committee Chair Johnson indicated it was an item to be brought up to council for discussion of what to do with the MIF dollars for State MIF. Do we want to put State and Federal all into the Unified Fund or do we take the one time option to invest into a downtown project or something else. Council Member Bevans stated the Council has not heard all of the details of this topic and requested more information.

The Chair welcomed Shelia Haverkamp, BLAEDC Executive Director. Ms. Haverkamp explained the BLAEDC Unified Fund (BUF) and discussed the one-time exception for the State MIF dollars.

Council discussion took place and it was determined the next step is to hold a public hearing.

The original motion has been rescinded.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT RESOLUTION NO. 57:17 CALLING A PUBLIC HEARING REGARDING DESIGNATION BY THE CITY, OF THE BRAINERD LAKES AREA DEVELOPMENT CORPORATION AS THE CITY’S LOCAL DEVELOPMENT ORGANIZATION (LDO) ON OCTOBER 16, 2017 AT 7:30 P.M.

RESOLUTION NO. 57:17

Upon roll call, members Lambert, Stunek, Bevans, Badeaux, and Johnson voted "aye." Member Hilgart voted "nay." The Chair declared the motion carried.

Resolution Waiving Recertification of Outstanding Nuisance Abatement Assessments in Connection with Property Addressed 601 10th Street South – Adopted by Resolution No. 58:17

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT RESOLUTION NO. 58:17 WAIVING RECERTIFICATION OF OUTSTANDING NUISANCE ABATEMENT ASSESSMENTS IN CONNECTION WITH PROPERTY ADDRESSED 601 10TH STREET SOUTH WITH THE PARCEL NUMBER 091170090210009.

RESOLUTION NO. 58:17

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

Deferment of Assessments - Denied

MOVED AND SECONDED BY ALDERMEN AND STUNEK, DULY CARRIED, TO DENY DEFERMENT FOR THE TWO APPLICANTS DUE TO NOT MEETING THE POLICY QUALIFICATIONS TO RECEIVE DEFERMENT AND TO DIRECT STAFF TO WORK WITH OTHER APPLICANTS THAT MAY QUALIFY.

Mills Property Annexation Area – Taxes to Park Dedication Fund – Adopted by Resolution No. 59:17

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK TO ADOPT RESOLUTION NO. 59:17 DESIGNATING THE PROPERTY TAXES GENERATED BY THE MILLS PROPERTY "ANNEXATION AREA" TO BE DEDICATED TO PARK DEVELOPMENT THROUGH 2021.

Committee Chair Johnson indicated the property was annexed in 2010 and this will be the third time we have passed this resolution.

RESOLUTION 59:17

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

2018 Health Insurance Renewal Rates - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE 2018 HEALTH INSURANCE RATE RENEWAL SUBMITTED BY NATIONAL JOINT POWERS ALLIANCE (NJPA); FURTHER, TO APPROVE THE TWO HEALTH PLAN OPTIONS AS PRESENTED.

Committee Chair Johnson explained the rates went up 7.17% and we need to increase the deductible for the current High Deductible Health Plan from $2,652 to $2,754, due to IRS regulations of qualifications for Health Saving Account (HSA) contributions.

Safety and Public Works Committee Report

Municipal State Aid Street Revision – Adopted by Resolution No. 60:17

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO AUTHORIZE THE REVISION TO THE MUNICIPAL STATE AID SYSTEM (MSAS) AND AUTHORIZE SIGNATURES ON RESOLUTION NO. 60:17 TO BE SENT TO THE COMMISSIONER OF TRANSPORTATION OF THE STATE OF MINNESOTA FOR APPROVAL OF THE REVISION.

Committee Chair Bevans indicated the map provided in the packet shows the streets proposed to be added and removed from state aid. The needs are based upon traffic counts, thus more aid will be received by adding the streets that need the most work.

RESOLUTION NO 60:17

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

Speed Limit – County Road 48 – Informational

Committee Chair Bevans stated there have been recent changes to the speed limits posted on County Road 48. Currently, the speed limit is posted at 45 mph which is designated by Crow Wing County.

***(Added Item)* Snow Plowing Notification – Informational**

City Engineer Sandy explained the snow plowing regulations and maps are posted on the City’s website and other sources of social media will be used. There will be radio announcements regarding the new snow plowing regulations as well as articles in the Brainerd Dispatch. The hope is to get as many residents informed as possible so it doesn’t come as a surprise when the snow plow season arrives.

***(Added Item)* Bids on S. 6th Street Project for 2018 – Informational**

City Engineer Sandy explained the bid opening was held on September 22, 2017 for the South 6th Street project which resulted in seven bids received. The apparent low bidder is Tom’s Backhoe Service with a total cost of $5.74 million. This is significantly lower than engineer’s estimates.

Unfinished Business

Public Hearing – Final Reading of Proposed Ordinance No. 1473 – Ordinance Amending City Code Section 1200.03 Intoxication Liquor Regarding Sunday Hours – Adopted by Ordinance No. 1473

The Chair Opened the Public Hearing at 8:20 P.M.

No one came forward.

The Chair Closed the Public Hearing at 8:21 P.M.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1473 – AN ORDINANCE AMENDING CITY CODE SECTION 1200.03 INTOXICATING LIQUOR REGARDING SUNDAY HOURS.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS TO ADOPT ORDINANCE NO. 1473 – AN ORDINANCE AMENDING CITY CODE SECTION 1200.03 INTOXICATING LIQUOR REGARDING SUNDAY HOURS.

ORDINANCE NO.1473

Upon roll call, members Lambert, Stunek, Bevans, Badeaux, Johnson and Hilgart voted "aye." No member 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)
Charter Commission – 1 term (Expire 2020)
Transportation Advisory Committee – 1 term (Expire 2018)
Park Board – 1 term – (Expire 2021)

New Business

Clarification of Fire Department Vehicle Wash Guideline - Informational

Council Vice-President Hilgart explained a resident seeks clarification to the history of the September 5, 2017 adoption of the Guideline which permits Paid On-Call firefighters to wash their personal vehicles in with Station 1 or 2. The Council acknowledged the action taken by a prior council which granted the same privilege to fulltime staff. This was not known by the present fire chief, paid on call staff or council members.

HR Intern Megan Duhn – Discuss Intern Experience - Informational

HR Director Kris Schubert introduced Ms. Megan Duhn. Ms. Duhn shared her experiences working as a HR Intern for the City of Brainerd and BPU since May of this year. She thanked Ms. Schubert for being her mentor as she learned a lot about the "real" world in the HR business and the City Council for allowing the internship. This experience will help her tremendously in her career search. The Council wished her well.

Planning Commission

Comprehensive Plan Steering Committee Appointments - Informational

City Planner Ostgarden asked the Council if all committee appointments have been finalized. There are a few more open positions to fill that are awaiting responses. Mr. Ostgarden stressed the importance of completing these appointments so the project can proceed.

City Planner Ostgarden indicated members of ISD181 will be attending the October 18, 2017 Planning Commission meeting to discuss an overview of the plans taking place within the district. Mr. Ostgarden encourages all to attend as it will be very informative.

Public Forum

The Chair Opened the public forum at 8:33 P.M.

No one came forward.

The Chair Closed the public forum at 8:34 P.M.

Staff Reports

Fire Chief Holmes thanked the Council for the opportunity to represent the City and Fire Department to assist in Florida with Hurricane Irma. It was a humbling experience and he will work on a presentation for a future council meeting.

Mayor Menk will be meeting with Senator Carrie Ruud on Thursday, October 5, 2017 to talk about the 3 Bridges Trail Project. The same day, City Administrator Thoreen will be attending the Legislative-Citizen Commission on Minnesota Resources (LCCMR) presentation in St. Paul on the topic.

Council Member Reports

Council Member Stunek reminded everyone of the Fire Department Open House taking place at 5:00 p.m. on October 12th, 2017 at the Fire Station. Mr. Stunek also asked the community to take a moment to think about the lives lost from the tragedy in Las Vegas.

Council Member Badeaux had attended the ceremony for the expansion of the Bethlehem Lutheran Church. The church will be a future participant in the program Operation Sandwich to provide children with lunches throughout the summer months.

Committee Resignations

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF MS. HOLLY HOLM FROM THE PARK BOARD.

Adjourn to Planning Commission Meeting Wednesday, October 11, 2017 at 5:00 p.m.

The Chair adjourned the meeting at 8:40 p.m.

James M. Thoreen
City Administrator