

**Brainerd, MN
January 16, 2018**

Pursuant to due call and notice thereof, the regular meeting of the Brainerd City Council was called to order at 7:33 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 also noted as present.

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.

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK TO REMOVE ITEM #E. "ON-SALE / SUNDAY LIQUOR LICENSE – SUBMITTED BY ISAAC CARRANZA AND DEVON WALSTEAD, OWNERS OF SE'Z, 707 LAUREL STREET, BRAINERD" FROM THE CONSENT CALENDAR AND TO ADOPT THE CONSENT CALENDAR AS AMENDED.

Finance Director Hillman indicated a date error on a donation received for Parks and Recreation regarding the Donations & Contributions for 4th Quarter 2017. The document and resolution will be corrected.

- A. Approval of the Minutes of the Regular Meeting held on January 2, 2018 – Approved**
- B. Approval of Licenses - Approved**

Contractor Licenses – 1 – New, 23 – Renewals
- C. Department Activity Reports - Approved**

1. Police Chief
2. Finance Director
- D. Resolution No. 05:18 - Accepting Donations & Contributions for 4th Quarter 2017 - Approved**
- E. Temporary On-Sale Liquor License – Submitted by The Crossing Arts Alliance for an Event to be Held February 9, 2018 at 711 Laurel Street, Brainerd – Contingent Upon Background Check - 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.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

<u>Contractor</u>	<u>Imp. #</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Amount Retained</u>
Anderson Brothers	15-12	S. 6 th Street Frontage thru 01/08	\$1,260	\$66
Tom's Backhoe	12/21/17	DT Snow Removal	\$9,175	\$0

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

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

Brainerd Sports & Marine Excise Tax - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE REQUEST FROM BRAINERD SPORTS & MARINE TO FORGIVE THE EXCISE TAX PAID TO THE STATE AS LOCAL SALES TAX RATHER THAN BEING PAID DIRECTLY TO THE CITY FROM 2009-2016, AS WELL AS ANY PENALTIES AND INTEREST THAT MAY APPLY FROM THE CITY FOR NOT PAYING THE TAX DIRECTLY TO THE CITY AND REQUEST THEY OBTAIN A SECOND-HAND AUTOMOBILE LICENSE.

Committee Chair Johnson indicated Brainerd Sports & Marine had hired an in-house accounting employee in late 2016. It was discovered they had been paying their excise tax to the State with their monthly sales tax instead of paying it directly to the City. It is unknown if we received all the money from the state as a part of our local option sales tax. The issue has been corrected going forward.

Police Officer Resignation & Request for New Officer Hiring List - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO ACCEPT WITH REGRET OFFICER NASH'S RESIGNATION, AUTHORIZE PAYMENT OF SEVERANCE AND FOR THE POLICE & FIRE CIVIL SERVICE COMMISSION TO ESTABLISH A NEW POLICE OFFICER ELIGIBILITY LIST.

Purchase of New Fire Tender Truck - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE THE FIRE CHIEF TO MOVE FORWARD WITH THE PURCHASE OF A NEW FIRE TENDER TRUCK THROUGH THE H-GAC PROCESS.

Request for Funds to Assist with Asbestos Abatement – 707 Laurel Street – Held Over

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO TABLE THE REQUEST UNTIL DEVELOPMENT AND APPROVAL OF A POLICY IS CREATED FOR FUND 209.

Committee Chair Johnson explained the discussion was to use Fund 209 for the revolving loan, but Fund 209 has not been established as a revolving loan fund. The policy will be developed defining the fund prior to approving.

National Joint Powers Alliance (NJPA) Funding for 2018 Interns - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE SUBMITTAL OF ELIGIBLE NJPA INTERN STAFFING AGREEMENTS FOR 2018.

Compensation System and Pay Equity Study Update - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, FOR THE HR COORDINATOR AND CITY ADMINISTRATOR IN COLLABORATION WITH THE APPROPRIATE DEPARTMENT HEADS TO REVIEW JOB DESCRIPTIONS AND MAKE A RECOMMENDATION TO THE COUNCIL.

Agreement to Provide Health Care Services to Low Income Individuals - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO AUTHORIZE MAYOR MENK TO APPROVE ESSENTIA HEALTH'S REGISTRATION IN THE 340B PROGRAM FOR 2018 AND TO VERIFY THERE IS AN INDIGENT CARE AGREEMENT CURRENTLY BETWEEN OUR ORGANIZATIONS (RETROACTIVE IF NECESSARY); FURTHER TO DIRECT STAFF TO WORK WITH ESSENTIA HEALTH TO DETERMINE IF THE CITY OR CROW WING COUNTY IS THE MORE APPROPRIATE ORGANIZATION FOR THIS TYPE OF AGREEMENT GOING FORWARD.

Committee Chair Johnson clarified the City is not providing any healthcare services nor paying for any services. The Mayor is simply signing a document that states Essentia Health provides healthcare services in our city and this document will allow Essentia Health to obtain discount prescriptions for income eligible residents.

State Minnesota Investment Funds (MIF) – No Action Taken

Committee Chair Johnson reported that further discussion is necessary to make a decision; therefore, there is no action being taken this evening.

Safety and Public Works Committee Report

Pavement Management, Sanitary Sewer and Draft 5-Year Capital Improvement Plan Presentations - Informational

Committee Chair Bevans reported discussion was held at Committee level by City Engineer Sandy and Assistant Engineer Fladung on the City's pavement management, sanitary sewer and 5-year capital improvements. Staff will be researching what percentage of property tax dollars goes to maintaining city sewers and roads.

Multi-Use Trail Maintenance - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPROVE THE CITY STREET DEPARTMENT MAINTAINING ALL MULTI-USE

TRAILS WITH ASSISTANCE FROM THE PARKS DEPARTMENT WHEN NECESSARY AS A LOW PRIORITY AND TO DIRECT STAFF TO PREPARE LANGUAGE TO AMEND THE CITY CODE.

County Road 142 Easement Vacation – Crow Wing County Resolution - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE THE CITY ADMINISTRATOR TO SIGN THE RECEIPT OF ACKNOWLEDGMENT OF THE COUNTY ROAD 142 EASEMENT VACATION.

Unfinished Business

Call for Applicants – Informational:
(Application Information at www.ci.brainerd.mn.us/boards/)

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 – 1 term (*Expire 2020 – pending approval*)

Charter Commission – 1 term (Expire 2020) – 1 term (Expire 2021)

Housing & Redevelopment Authority – 1 term (Expire 2022)

Library Board Representative – 1 term (Expire 2023)

Library Board – 1 term (Expire 2023) – 1 term (*Expire 2023 – pending approval*)

Parks and Recreation – 1 term (Expire 2022)

Public Utility Commission – 1 term (Expire 2022)

Transportation Advisory Committee – 2 terms (*Expire 2018 – pending approval*)
– 3 terms (*Expire 2019 – pending approval*)

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

Police & Fire Civil Service Commission – 1 term (*Expire 2020 – pending approval*)

New Business

Resolution Providing for the Issuance and Sale of General Obligation Bonds, Series 2018A, in the Proposed Aggregate Principal Amount of \$5,735,000 – Adopted by Resolution No. 06:18

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO ADOPT RESOLUTION NO. 06:18 PROVIDING FOR THE ISSUANCE AND SALE OF GENERAL OBLIGATION BONDS, SERIES 2018A IN THE PROPOSED AGGREGATE PRINCIPAL AMOUNT OF \$5,735,000.

RESOLUTION 06:18

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

Purchase Agreement for Water Tower Site - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, FOR APPROVAL AND APPLICABLE SIGNATURES ON THE PURCHASE AGREEMENT FOR A NEW WATER TOWER SITE IN THE AMOUNT OF \$50,000 PLUS CLOSING COSTS.

Planning Commission

Second Reading of Proposed Ordinance No. 1476 – An Ordinance Amending Section 22-8 – Off-Street Parking Requirement for Schools - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS TO HOLD THE SECOND READING OF PROPOSED ORDINANCE NO. 1476 – AN ORDINANCE AMENDING ZONING ORDINANCE SECTION 22-8 OFF STREET PARKING, NUMBER OF SPACES REQUIRED, REMOVING OFF STREET PARKING REQUIREMENTS FOR SCHOOLS.

Members Bevans, Badeaux, Johnson, Hilgart and Stunek voted “aye”. Members Lambert and Pritschet voted “nay”. The Chair declared the motion carried.

ORDINANCE NO. 1476

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART TO ADOPT ORDINANCE NO. 1476 – AN ORDINANCE AMENDING ZONING ORDINANCE SECTION 22-8 OFF STREET PARKING, NUMBER OF SPACES REQUIRED, REMOVING OFF STREET PARKING REQUIREMENTS FOR SCHOOLS.

Upon roll call, members Bevans, Badeaux, Johnson, Hilgart and Stunek voted “aye”. Members Lambert and Pritschet voted “nay”. The Chair declared the motion carried.

Comprehensive Plan Steering Committee Vacancy Appointment - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF EMILY MACDONALD FROM THE COMPREHENSIVE PLAN STEERING COMMITTEE AND TO APPOINT MR. P.J. SEVERSON.

Public Forum

The Chair opened the Public Forum at 7:59 p.m.

No one came forward.

The Chair closed the Public Forum at 7:59 p.m.

Staff Reports

City Planner Ostgarden distributed a newspaper insert to council members about the Crow Wing Energized Program. Mr. Ostgarden is a member of the Steering Committee for the program which is a united approach to improve health and wellness in our community. There will be a Health and Wellness Summit taking place for anyone interested on February 23, 2018 from 7:30 am - 2:00 pm at Lakewood Evangelical Free Church in Baxter.

City Administrator Torstenson announced her first two weeks as administrator has been going great and she is happy to be here.

Council Member Reports

Council Member Johnson reported the Jaycees Ice Fishing Extravaganza is coming up soon and since the Super Bowl is in Minneapolis there has been a lot of media coverage in the area. Several news stations will be attending the contest which will be great for Brainerd.

Council Member Lambert announced if anyone from council is interested in forming a bowling team for the Good Samaritan Bowl charity event in May to let her know.

Mayor Menk reported the Roundhouse Brewery event for the Main Street Small Business Revolution was exceptional with about 300 people in attendance. The group toured downtown and interviewed store owners. The next phase of placing in the top 5 will be announced in early February.

Committee Recommendations – Recommended by Mayor Menk

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPOINT MS. JAN LAMBERT TO THE CABLE TV ADVISORY COMMITTEE WITH A TERM TO EXPIRE DECEMBER 31, 2020.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPOINT MS. SHEILA DECHANTAL TO THE LIBRARY BOARD WITH A TERM TO EXPIRE DECEMBER 31, 2023.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPOINT MR. MICHAEL ANGLAND TO THE PUBLIC UTILITIES COMMISSION WITH A TERM TO EXPIRE DECEMBER 31, 2022.

MOVED AND SECONDED BY ALDERMEN HILGART AND LAMBERT, DULY CARRIED, TO APPOINT MR. JEFF CZECHOK TO THE TRANSPORTATION ADVISORY COMMITTEE WITH A TERM TO EXPIRE DECEMBER 31, 2019.

Council discussion took place regarding four of the Transportation Advisory Committee recommendations which were postponed due to more information is needed.

MOVED AND SECONDED BY ALDERMEN JOHNSON AND BEVANS, DULY CARRIED, TO APPROVE THE FOLLOWING COUNCIL LIAISON APPOINTMENTS AS RECOMMENDED BY MAYOR MENK:

Airport: Council Member Stunek

Transportation Advisory: Council Member Lambert with Council Member Hilgart as an alternate.

Committee Recommendations – Recommended by Council President

MOVED AND SECONDED BY ALDERMEN BEVANS AND HILGART, DULY CARRIED, TO APPOINT MR. RAY CHARPENTIER TO THE POLICE & FIRE CIVIL SERVICE COMMISSION WITH A TERM TO EXPIRE ON DECEMBER 31, 2020.

Adjourn To Closed Session Pursuant to MN Statutes, 13D.05, Subd. 3(B) for Attorney-Client Privilege to Discuss the Pending Litigation of Fire Fighters Union Local 4725 vs. The City of Brainerd – 8:17 p.m.

The Chair reconvened into open session at 8:23 p.m.

Adjourn

The Chair adjourned the meeting at 8:23 p.m.

Cassandra Torstenson
City Administrator