Brainerd, MN
December 17, 2018

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: Stunek, Bevans, Badeaux, Johnson, Hilgart, Lambert 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 APPROVE THE AGENDA.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AMEND THE CONSENT CALENDAR BY ADDING THE OFF-SALE LIQUOR LICENSE APPLICATION FOR SILVERSTRAND INC. DBA PINE LIQUOR.

MOVED AND SECONDED BY ALDERMEN BEVANS AND JOHNSON TO ADOPT THE CONSENT CALENDAR AS AMENDED.

A. Approval of the Minutes of the Regular Meeting held on December 3, 2018, the Joint Meeting with ISD181 held on December 4, 2018 and the Budget Workshop held on December 10, 2018 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 1 – New, 69 – Renewals
Garbage Hauler's License - 1 Renewal
Taxi Licenses – 2 – Renewals
Tobacco Licenses – 23 – Renewals
Second Hand Auto Licenses – 8 – Renewals
Pawnbrokers Licenses – 2 – Renewals
Second Hand Goods Licenses – 2 – Renewals

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Adopt Resolution Accepting Donations & Contributions for the 3rd Quarter 2018 – Adopted by Resolution No. 57:18

E. Memorandum of Agreement for Arvidson to Serve as Interim Building Official - Approved

F. Resignation of Paid On Call Firefighter White – Approved

G. Resolution Designating Polling Locations for 2019 – Adopted by Resolution No. 58:18

H. ***(Added Item)*** **Off-Sale Liquor License Application – Submitted by Silverstrand Inc. dba Pine Liquor, 3325 Oak Street, Brainerd - Approved**

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

Council Committee Reports

Safety and Public Works Committee Report

Improvement 17- 08 – Winter Tree Clearing Quotes - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE QUOTE FROM MIKE'S TREE SERVICE FOR A TOTAL LUMP SUM AMOUNT OF $8,200 TO REMOVE THE TREES AS PART OF THE GARFIELD SAFE ROUTES TO SCHOOL PROJECT.

Event/Street Closure Application – Tour of the Lakes Bike Ride - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT/STREET CLOSURE APPLICATION FOR TOUR OF THE LAKES BIKE RIDE ON JUNE 1, 2019 WITH THE CONDITION THAT THE APPLICANT ORGANIZE ANY REQUESTS FOR TRAFFIC CONTROL WITH THE ENGINEERING DEPARTMENT AND THE POLICE DEPARTMENT.

Resolution – Cooperative Agreement with Crow Wing County for Facility Maintenance Services – Adopted by Resolution No. 59:18

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION TO ENTER INTO A COOPERATIVE AGREEMENT FOR 2019 WITH CROW WING COUNTY FOR THE GENERAL MAINTENANCE, TECHNICAL MAINTENANCE AND ADMINISTRATIVE SUPPORT SERVICES AS IT RELATES TO THE CITY OF BRAINERD FACILITY MAINTENANCE.

Council discussion took place.

RESOLUTION NO. 59:18

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

Resolutions – Transportation Alternatives Application – State Highway 25 Trail Connection from 28th Street SE to 5th Avenue NE - Adopted by Resolutions No. 60:18 and 61:18

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION FOR AGREEING TO MAINTAIN THE FACILITY FOR TRANSPORTATION ALTERNATIVES FUNDING RELATED TO TRAIL CONSTRUCTION ON TRUNK HIGHWAY 25 BETWEEN 5TH AVENUE NE AND 28TH STREET SE.

RESOLUTION NO. 60:18

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX DESIGNATING THE CITY OF BRAINERD AS THE SPONSOR FOR THE TRANSPORTATION ALTERNATIVES FUNDING RELATED TO TRAIL CONSTRUCTION ON TRUNK HIGHWAY 25 BETWEEN 5TH AVENUE NE AND 28TH STREET SE.

RESOLUTION NO. 61:18

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

Stop Sign Request – N 5th Street and Holly Street Intersection - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO CONTRADICT STAFF'S RECOMMENDATION TO DENY AND APPROVE THE STOP SIGN REQUEST FOR THE NORTH 5TH STREET AND HOLLY STREET INTERSECTION.

City Engineer Sandy explained the criteria that is followed when making decisions on stop sign placement.

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

Buffalo Hills Lane Assessment Discussion - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX TO ACCEPT STAFF'S RECOMMENDATION TO ASSESS THE BUFFALO HILLS LANE RECONSTRUCTION PROJECT PER THE CITY ASSESSMENT POLICY AND TO PROVIDE A 50% RELIEF OF THE PER ORIGINAL PLATTED PARCEL ASSESSMENT COST TO PROPERTIES WITH TWO POINTS OF INGRESS AND EGRESS.

Members Stunek, Bevans, Badeaux, Johnson, Lambert and Pritschet voted "aye". Member Hilgart abstained from voting. The Chair declared the motion carried.

Transportation Network Company Licensure and Regulation Discussion – Direction Provided

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO DIRECT THE ISSUE TO STAFF FOR FURTHER INVESTIGATION.

Committee Chair Bevans stated this topic is a large concern throughout the state and further research is needed prior to taking action.

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

2019 Parks Facility Fee and Pay Schedule - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE 2019 PARKS FACILITY FEE SCHEDULE AND SEASONAL EMPLOYEE PAY RATES AS PRESENTED.

Mill Avenue Park and Memorial Park Parking Lot Leases – Informational

Committee Chair Johnson stated further negotiating is taking place with the land owner to reach an agreement.

Renewal of City Prosecution Agreement with Mallie Law Office - Approved

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPROVE THE PROSECUTION AGREEMENT WITH MALLIE LAW OFFICE, P.A. AND AUTHORIZE EXECUTION OF THE DOCUMENT AS PRESENTED.

Unfinished Business

Committee Recommendations – Recommended by Mayor Menk

A. Charter Commission – Jeff Czeczok – Term to Expire 12/31/2022
B. Charter Commission – Jan Burton – Term to Expire 12/31/2022
C. Brainerd HRA – Rebekah Kent – Term to Expire 12/31/2023
D. Library Board – Karen Strobel – Term to Expire 12/31/2021
E. Parks and Rec Board – Kevin Yeager – Term to Expire 12/31/2023
F. Public Utilities Commission – Tad Johnson – Term to Expire 12/31/2023
G. Rental Dwelling Board of Appeals
    1. Residential Property Manager Representative – Michael Duval – Term to Expire 12/31/2020
    2. Residential Property Manager Representative – Rick Fargo – Term to Expire 12/31/2020
    3. Rental Housing Advocate – Rachel Zetah – Term to Expire 12/31/2020
H. Transportation Advisory Committee (TAC) – Rachel Zetah – Term to Expire 12/31/2020
I. Transportation Advisory Committee (TAC) – Mary Koep – Term to Expire 12/31/2019

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, TO APPOINT THE COMMITTEE MEMBERS AS PRESENTED.

Committee Recommendations – Recommended by Council President

A. Airport Commission – Staci Headley – Term to Expire 12/31/2021
B. Planning Commission – Michael Duval – Term to Expire 12/31/2021
C. Police & Fire Civil Service Commission – Cathy Gray – Term to Expire 12/31/2021

MOVED AND SECONDED BY ALDERMEN JOHNSON AND STUNEK, DULY CARRIED, TO APPOINT THE COMMITTEE MEMBERS AS PRESENTED.

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 – 2 terms (Expire 2021)
Charter Commission –1 term (Expire 2021) – 1 term (Expire 2022)
Transportation Advisory Committee – 1 term (Expire 2019) – 1 term (Expire 2021)
Rental Dwelling Board of Appeals – 2 terms (see below) (Expire 2020)
1. *Tenant Representative (1)*
2. *General Public Representative (1)*

Council President Recommended: (all terms expire 12/31 of said year)
Planning Commission – 2 terms (Expire 2021)

New Business

2019 Levy and Budget – Adopted by Resolution No. 62:18

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK TO ADOPT A RESOLUTION SETTING THE CITY AND HRA LEVIES FOR 2019 WITH A $6% INCREASE FOR THE CITY.

Council discussion took place.

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

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO DIRECT STAFF TO ABANDON PLANS FOR A NEW CITY HALL BUILDING AND TO RESEARCH EFFICIENCIES WITHIN THE DEPARTMENTS AND RENOVATE THE CURRENT BUILDINGS.

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX TO ADOPT A RESOLUTION SETTING THE CITY AND HRA LEVIES FOR 2019 AT $5,895,572 (6% INCREASE) FOR THE CITY.

RESOLUTION NO. 62:18

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

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART TO ADOPT THE 2019 BUDGET AS PRESENTED.

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

Grant Agreement Between the State of Minnesota and City of Brainerd (Northeast Brainerd) - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND JOHNSON, DULY CARRIED, TO APPROVE AND AUTHORIZE SIGNATURES ON THE GRANT AGREEMENT CDAP-17-0019-O-FY18, TO APPROVE AND AUTHORIZE SIGNATURES ON THE ADMINISTRATIVE CONTRACT WITH THE BRAINERD HRA AND APPROVE THE PROCEDURAL GUIDELINES FOR COMMERCIAL, OWNER OCCUPIED HOUSING AND RENTER OCCUPIED HOUSING REHABILITATION GUIDELINES.

School District Property Acquisition Plan Discussion - Approved

City Engineer Sandy stated from direction of the Council, he reviewed the plans with the School District staff, Widseth Smith Nolting (WSN) and ICS Consulting and a revised plan is being proposed.

The Chair recognized Mr. Tim Ramerth from WSN and Ms. Laine Larson, superintendent of ISD181 who spoke briefly on the history of the work that has been done by the school district for the past two years. Mr. Ramerth presented a revised property acquisition plan and a new proposal for 15th Street to remain a two-way street.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO SUPPORT THE SCHOOL DISTRICTS REVISED PROPERTY ACQUISITION PLAN AND DIRECT STAFF TO CONTINUE TO WORK WITH THE DISTRICT THROUGHOUT THE PROCESS.

***(Added Item)* Riverfront Coordinator Proposal – Approved**

MOVED AND SECONDED BY ALDERMEN JOHNSON AND HILGART, DULY CARRIED, TO APPROVE THE PROPOSAL FROM SOURCEWELL TO PROVIDE THE RIVERFRONT COORDINATOR POSITION IN 2019 AS OUTLINED IN THE PROPOSAL AND TO AUTHORIZE SIGNATURES.

Public Forum

The Chair opened the Public Forum at 8:30 p.m.

No one came forward.

The Chair closed the Public Forum at 8:30 p.m.

Staff Reports

City Engineer Sandy stated there will be a public meeting regarding the Buffalo Hills Lane Reconstruction project on January 8, 2019 from 6:00 – 7:00 p.m. at the Church of Jesus Christ of Latter-Day Saints.

Parks Director Sailer stated the warming houses opened tonight at Gregory and Bane Parks. The weather has not been favorable for Mill Avenue park and staff is doing their best on the rink.

City Administrator Torstenson attended training for Opportunity Zones and will be working with BLAEDC to assemble some information regarding our city.

Mayor Menk and Finance Director Hillman wished everyone a Merry Christmas and Happy New Year.

Council Member Reports

Council member Johnson stated it is the responsibility of the City to implement the pedestrian infrastructure and he has met with City Engineer Sandy to discuss the options.

Council member Hilgart attended a holiday party at the Northland Arboretum that was hosted by the Master Gardeners. The gardeners donate many hours of work to the arboretum. She stated she met recently with the Morrison County Economic Development Director and talked about the success their county had in attracting Barrett Pet Foods to locate in Little Falls rather than Brainerd.

Council President Pritschet stated the high school Debate Team competed in the District Tournament for the National Speech and Debate Association.

Council member Lambert announced the first Rental Ordinance Conduct on Premises Committee meeting will take place on Wednesday, December 19th at 1:00 p.m. at the Police Department.

Motion to Closed Session Pursuant to MN Statutes 13D.03 to Discuss Labor Negotiation Strategy – 8:34 p.m.

Adjourn

The Chair adjourned the meeting at 9:29 p.m.

Cassandra Torstenson
City Administrator