

**Brainerd, MN
October 7, 2019**

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 Johnson.

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

Administer Oath of Office

Interim City Administrator Thoreen administered the Oath of Office to Tad Erickson, Alderman, At-Large.

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

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on September 16, 2019 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 1 – New; 1 - Renewal

C. Department Activity Reports - Approved

1. Fire Chief
2. Parks Director

D. Adopt Resolution Accepting Donations & Contributions for the 3rd Quarter 2019 – Adopted by Resolution No. 52:19

E. Resolution to Renew Memorandum of Understanding with Central Lakes College – Adopted by Resolution 53:19

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

Community Member of the Month

Mayor Menk presented Mr. Rick Fargo with the Community of the Month award. Mayor Menk stated Rick has done a great job over the years in the community with his rental properties, volunteering for several boards and commissions, and the comprehensive plan update. Mayor Menk thanked Rick for his service and dedication to the City of Brainerd.

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Presentations

PulsePoint

The Chair welcomed Fire Chief Holmes, who presented the details for a new phone app that the department has been working on implementing called PulsePoint. He stated the app would allow everyday citizens to act in the event of a sudden cardiac arrest where CPR is needed. He indicated all costs were specifically donated for this project and will continue to provide Council with information. He said the City will be the host for all of Crow Wing County and has funding for three years. He indicated they will continue to work at obtaining donations for future years.

Police Department Facility Project

City Engineer Sandy explained the facility project for the police department is ready to go into the bidding process phase of the project.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO PROCEED INTO THE BIDDING PHASE OF THE POLICE DEPARTMENT PROJECT.

Comprehensive Plan Adoption

Community Development Director Chanski stated the City initiated a revision of the Comprehensive Plan back in 2017. He said the plan has now been completed and is ready to be adopted. He showed a video that was created with residents talking about life in the Brainerd Lakes area.

The Chair recognized Ashley Kaisershot, one of the project leaders from Sourcewell, who reviewed the process that got to the point we are today which is the adoption of the Comprehensive Plan. She said there was a lot of work put into community input, steering committee meetings and surveys in order to form the focus areas and important strategies for the future.

Community Development Director Chanski explained the implementation process that is defined in the back of the plan and the next steps that staff will be taking towards making this a living document for the future.

Council Member Erickson stated he will be abstaining from the vote, as his employer was the main consultant on the plan. He said he had the opportunity to be a part of the steering committee and thanked the team for the hard work that everyone put in to make this possible.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET TO ADOPT A RESOLUTION TO ADOPT THE COMPREHENSIVE PLAN AS PRESENTED.

RESOLUTION NO. 54:19

Upon roll call, members Lambert, Pritschet, Bevans, Badeaux, and Johnson voted "aye". No member voted "nay". Member Erickson abstained from voting. The Chair declared the motion carried.

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Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills & Payments to Contractors - Approved

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

<u>Contractor</u>	<u>IMP#</u>	<u>Project</u>	<u>Amount Paid</u>	<u>Contract Amount</u>
ASTECH	19-03	2019 Seal Coating	\$167,845	\$168,017
Anderson Brothers	18-09	College Drive Overlay	\$454,223	\$484,029
Anderson Brothers	18-08	South 4 th St Overlay	\$138,634	\$141,164
Tom's Backhoe	17-10	SE Alley Sanitary Sewer	\$448,910	\$462,288

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

2019 DNR Grant Award - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT THE GRANT AWARD AND EXECUTE THE GRANT CONTRACT WITH THE APPROPRIATE SIGNATURES.

Committee Chair Badeaux indicated the grant award is a 50:50 match which allows the department to upgrade the water tank and pump on the wildland fire truck.

MN Fire Department Turnout Gear Dryer Award Program – Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE A LETTER FROM THE CITY INDICATING THE INTENT AND APPROVAL TO PURCHASE A TURNOUT GEAR DRYER, IF FUNDS ARE AWARDED TO THE BRAINERD FIRE DEPARTMENT THROUGH THE MN FIRE MARSHAL'S GRANT PROGRAM.

Sale of Ladder #2 in 2020 - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE FIRE CHIEF HOLMES TO WORK WITH CROSBY FIRE DEPARTMENT ON THE DIRECT SALE OF LADDER #2, 2007 CENTRAL STATES 75' AERIAL APPARATUS AT A PRICE OF \$165,000.

Riverfront Trail Feasibility Study Proposal – Approved

Community Development Director Chanski stated the original feasibility study outlined four in-depth tasks that had an estimate of \$98,772. He said after reviewing the proposal, it was staff's recommendation to focus on Tasks 1 and 2, which dropped the cost to \$78,983. He stated the Council allocated \$40,000 during the 2019 budget process, but additional efforts to

locate sources of funding for the remaining amount were unsuccessful. He indicated staff met with SEH to redefine the scope of the project to fit within the \$40,000 to be paid out of State MIF Funds.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE THE RIVERFRONT TRAIL FEASIBILITY STUDY PROPOSAL BY SEH AT A COST NOT TO EXCEED \$40,000 TO BE PAID OUT OF STATE MIF FUNDS.

Ratify the Hiring of James Kramvik as Zoning Specialist – Permit Technician - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS, DULY CARRIED, TO RATIFY THE HIRING OF JAMES KRAMVIK AS ZONING SPECIALIST-PERMIT TECHNICIAN EFFECTIVE OCTOBER 15, 2019; FURTHER, THAT MR. KRAMVIK BE PLACED ON STEP 1 OF THE ZONING SPECIALIST-PERMIT TECHNICIAN WAGE GRID (\$23.27 PER HOUR).

Ratify the Hiring of Seth Greenwaldt as Street & Sewer Maintenance I - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO RATIFY THE HIRING OF SETH GREENWALDT AS STREET MAINTENANCE I EFFECTIVE OCTOBER 7, 2019; FURTHER, THAT MR. GREENWALDT BE PLACED ON STEP 2 OF THE STREET MAINTENANCE I WAGE GRID (\$21.31 PER HOUR).

Council determined to continue to place all future conditional job offers, hires or ratifications of hiring on the Personnel and Finance agenda for consideration at committee level prior to the Council meeting.

Thoreen Interim City Administrator Agreement - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS, DULY CARRIED, TO APPROVE THE ATTACHED EMPLOYMENT AGREEMENT WITH MR. THOREEN AND TO SET THE LIVING EXPENSE REIMBURSEMENT AT \$200 PER WEEK.

2020 Health Insurance Renewal - Approved

HR Director Schubert explained the health insurance plan options that are offered through Sourcewell for year 2020. She stated there is a different plan offered called Smart Plan, which staff recommends utilizing Alternate #3 to replace our current High Deductible Health Plan. She indicated this plan costs a little less than our current plan and offers additional benefits.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE THE 2020 SOURCEWELL HEALTH INSURANCE PLANS AND RATES AS RECOMMENDED BY THE EMPLOYEE INSURANCE COMMITTEE UTILIZING OUR CURRENT \$1,000 DEDUCTIBLE PLAN AND THE NEW SMART PLAN ALTERNATE #3 TO REPLACE OUR CURRENT HIGH DEDUCTIBLE HEALTH PLAN.

Consulting Agreement with Hildi, Inc. for Actuarial Services to Comply with Government Accounting Standard Board (GASB) 74/75 Relating to Other Post Employment Benefits (OPEBs) - Approved

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MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE AUTHORIZATION SIGNATURES ON THE AGREEMENT FOR CONSULTING SERVICES WITH HILDI, INC. FOR 2020 IN THE AMOUNT OF \$3,100 PLUS \$500 FOR EXHIBITS AND APPROXIMATELY \$800 FOR 2021 SERVICES.

Tower Award Options – Direction Given

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO APPROVE THE TOWER AWARD PURCHASE FROM WINNERS TROPHY USING THE CITY SEAL.

Council Member Bevans stated he would like to stay with the existing tower award which has a gold metal replica of the tower rather than the proposed engraved tower. He indicated the people who receive a tower award from the City has earned the recognition and deserves a nice award.

Council discussion took place.

Council Member Badeaux rescinded the motion.

Council directed staff to obtain a sample of the award from Winner's Trophy to view prior to making a decision.

Safety and Public Works Committee Report

Event/Alley Closure Application – Zion Lutheran Church Trunk-Or-Treat - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR ZION LUTHERAN CHURCH TRUNK-OR-TREAT HELD ON OCTOBER 31, 2019 UNDER THE CONDITION THE APPLICANT SUBMIT A REQUEST FOR TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT.

Event/Street Closure Application – St. Francis School Marathon - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE ST FRANCIS SCHOOL MARATHON ON OCTOBER 16, 2019 UNDER THE CONDITIONS THAT THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT AND THAT ALL SIGNS AND BANNERS ARE REMOVED UPON THE EVENT COMPLETION.

Improvement 17-10 – Sanitary Sewer Project – Alley Oak to Pine from SE 11th Street to SE 19th Street – Final Pay Estimate Number 4 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL PAYMENTS TO TOM'S BACKHOE SERVICE AND ANDERSON BROTHERS CONSTRUCTION IN THE AMOUNT OF \$55,951 TO TOM'S BACKHOE AND \$21,190 TO ANDERSON BROTHERS CONSTRUCTION FROM SANITARY SEWER FUND 237.

Improvement 18-08 and 18-09 – College Drive and South 4th Street Mill and Overlay Project – Final Pay Estimate Number 2 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL PAYMENT TO ANDERSON BROTHERS IN THE AMOUNT OF \$31,075 AND A TOTAL CONTRACT CONSTRUCTION COST OF \$592,857 FROM CONSTRUCTION FUND 401 AND REIMBURSED THROUGH THE STATE AID ACCOUNT.

Improvement 19-03 – 2019 Seal Coat Project – Final Pay Estimate Number 1 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE ATTACHED PAY ESTIMATE FOR IMPROVEMENT 19-03 – 2019 SEAL COAT PROJECT TO ASPHALT SURFACE TECHNOLOGIES CORPORATION IN THE FINAL CONTRACT AMOUNT OF \$167,845 FROM CONSTRUCTION FUND 401.

City-Wide Hydrologic and Hydraulic Modeling – Consideration of Proposal for Services – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE ATTACHED PROPOSAL AND SCOPE OF SERVICES AND BUDGETING FOR THE EXPENSE IN 2020 OUT OF STORM SEWER FUND 238 IN THE AMOUNT OF APPROXIMATELY \$57,750-\$68,250.

City Engineer Sandy explained the details of the hydrologic and hydraulic modeling proposal, which will assess the capacity of the current system. He said this is an additional part to the City-Wide Stormwater Retrofit Analysis.

Jackson Street and NW 3rd Street Improvement – Request to Authorize Letter Report - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO APPROVE THE QUOTE FROM NAGELL APPRAISAL AND CONSULTING TO PERFORM A LETTER REPORT FOR JACKSON STREET AND NW 3RD STREET IMPROVEMENTS AT THE COST OF \$1,200.

Council Member Johnson was opposed to the motion, as he did not feel that an appraisal is necessary. He stated the City has an assessment policy in place.

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

Transit Package Policy - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE AMENDMENT TO POLICY 2.3.5 PACKAGES IN THE TRANSIT POLICY TO READ "ABUSERS OF THIS

POLICY WILL RECEIVE ONE WRITTEN WARNING AND THEN ARE SUBJECT TO SUSPENSION OF TRANSIT SERVICES FOR 30 DAYS."

Unfinished Business

Call for Applicants – Informational:

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

Mayor Recommended: (terms to expire on 12/31 of said year)

Cable TV Advisory Committee – 1 term (Expire 2019) - 2 terms (Expire 2021)

Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022)

Mayor Recommended: (terms to expire 09/07 of said year)

Economic Development Authority (EDA) – 1 term (Expire 2020)

City Hall Annex Roof Evaluation and Drivers License Office Lease - Approved

City Engineer Sandy explained the initial report received from WSN was based on information provided to them that the roof of the annex and the parking garage were replaced in 2005. He said it was discovered only the parking garage roof was replaced at that time and the annex roof was replaced in 1989. He reviewed the options available for repairing the roof of the annex based on an inspection from WSN and Thelen Heating and Roofing.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO SELECT OPTION #3 TO REPLACE THE ROOF AT A BID OF \$39,800 FROM THELEN HEATING AND ROOFING.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ADOPT THE LEASE RENEWAL OF THE DRIVERS LICENSE OFFICE THROUGH OCTOBER 31, 2022.

Public Hearing – 5 Year Street and Sewer Capital Plan and Adoption Consideration - Approved

The Chair opened the public hearing at 8:50 p.m.

No one came forward.

The Chair closed the public hearing at 8:51 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ADOPT THE FIVE-YEAR STREET AND SEWER CAPITAL PLAN AS PRESENTED.

Public Hearing and Resolution – Petition and Consideration to Vacate Northern Pacific Road and Blacksmith Circle in SE Brainerd – Adopted by Resolution No. 55:19

The Chair opened the public hearing at 8:53 p.m.

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No one came forward.

The Chair closed the public hearing at 8:53 p.m.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ADOPT A RESOLUTION TO VACATE NORTHERN PACIFIC ROAD AND BLACKSMITH CIRCLE WITHIN THE NORTHERN PACIFIC CENTER PROPERTY.

Discussion took place regarding access to the property by police and fire in emergency situations.

RESOLUTION NO. 55:19

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

New Business

Memorial Park Parking Lot – Mike Higgins Interest Selling to the City

Council Member Badeaux stated Mike Higgins, owner of the Brainerd Industrial Center approached the Council with interest in selling the Memorial Park parking lot to the City.

The Chair recognized Mike Higgins who gave a brief history on the parking lot and the offer he has put forth for the City to purchase the Memorial Park parking lot at the cost of \$300,000. He stated he is looking toward development projects in the future and would like to know if he is to utilize that lot in his plans, or if a purchase agreement can be discussed with the City.

Council discussion took place regarding the proposed Memorial Park project.

MOVED AND SECONDED BY ALDERMEN BEVANS AND BADEAUX, DULY CARRIED, ADD THIS TOPIC TO THE OCTOBER 21, 2019 PERSONNEL AND FINANCE COMMITTEE AGENDA AND COUNCIL MEETING AGENDA.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO OBTAIN AN APPRAISAL FOR THE MEMORIAL PARK PARKING LOT PROPERTY, NOT TO EXCEED \$3,500.

Public Forum

The Chair opened the public forum at 9:10 p.m.

No one came forward.

The Chair closed the public forum at 9:10 p.m.

Staff Reports

Fire Chief Holmes reminded everyone of the Fire Department Open House taking place on October 10, 2019 at 5:00 p.m. for Fire Prevention Week.

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Council Member Reports

Council Member Bevans announced the Great Pumpkin Fest in Gregory Park is scheduled for Saturday, October 12th, but may be delayed due to the weather forecast. He said the ribbon cutting for the Gregory Park warming house is taking place Saturday as well. He stated the windows on the store front of Bob and Fran's downtown look great and encouraged everyone stop by.

Mayor Menk announced the Knotty Pine Bakery will be opening tomorrow downtown.

Council Member Johnson stated the final judging for the Destination Downtown contest is Tuesday, October 8th and results of the three finalists should be announced the week of October 31st.

Council Member Erickson thanked everyone for the warm welcome, and stated he was very pleased to see the approval of the Comprehensive Plan.

Council Member Badeaux welcomed Council Member Erickson to the Council and is looking forward to working with him on the Personnel & Finance Committee.

Adjourn to IDI Assessment Celebration on October 15, 2019 from 5:30 p.m. to 7:30 p.m. at the Luminary Fern, 1561 Northern Pacific Road – 9:15 p.m.

James M. Thoreen
Interim City Administrator