Brainerd, MN
November 18, 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.

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

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

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

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

A. **Approval of the Minutes of the Special Meeting and the Regular Meeting both held on November 4, 2019 - Approved**

B. **Approval of Licenses - Approved**

Contractor Licenses – 3 – New; 2 - Renewals

C. **Department Activity Reports - Approved**

1. Police Chief
2. Finance Director

D. **Memorandum of Agreement with IBEW Local #31 (Administrative Support) Union to Replace Current High Deductible Health Plan with Sourcewell's Smart Plan #3 Health Plan Option - Approved**

E. **Memorandum of Agreement with IBEW Local #31 (Public Utilities) Union to Replace Current High Deductible Health Plan with Sourcewell's Smart Plan #3 Health Plan Option - Approved**

F. **Memorandum of Agreement with LELS Local #65 (Police Officers) Union to Replace Current High Deductible Health Plan with Sourcewell's Smart Plan #3 Health Plan Option - Approved**

G. **Minnesota Lawful Gambling Premises Permit Application – Adopt Resolution to Allow Lawful Gambling by the VFW Post 1647 at The Parlor, 714 Laurel Street, Brainerd – Adopted by Resolution No. 62:19**

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

Presentations

Senior Center Annual Report

The Chair recognized Ms. DeAnn Barry, executive director of The Center who distributed the November 2019 edition newsletter and the financial report. She indicated The Center celebrated a great accomplishment of 40 years as a non-profit in the City of Brainerd. She said this could not be done without the great members and volunteers each year. She invited everyone to attend their annual board meeting taking place on Thursday, November 21st at 1:00 pm in the Great Room at The Center. She gave a brief recap of the activities of the past year and recognized that volunteer hours will reach a record high of 20,000 by the end of 2019 and thanked all that participated.

The Chair recognized Mr. Dale Parks, president of The Center's board of directors, who added The Center also organizes bus events as close as the Franklin Arts Center, or as far as the State Fair or Twins games. He thanked the City Council for their support as it is very important to The Center and the community it serves. Council thanked them for their presentation.

Council Committee Reports

Safety and Public Works Committee Report

Event/Street Closure Application – Homeless Heroes 5K - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE HOMELESS HEROES 5K TO BE HELD DECEMBER 7, 2019 ALONG COLLEGE DRIVE, BOOM LAKE AND CLC CAMPUS.

Event/Street Closure Application – Turkey Run - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE TURKEY RUN ON NOVEMBER 28, 2019 UNDER THE CONDITION THAT THE APPLICANT REQUEST TEMPORARY NO PARKING SIGNS ONE WEEK PRIOR TO THE EVENT AND THAT BANNERS OR OTHER ADVERTISMENTS FOR THE EVENT GET REMOVED AFTER THE EVENT CONCLUDES.

Improvement 19-01 – Roundabout Treatment Options and Public Meeting Number 1 – Approved

City Engineer Sandy stated the design or treatment ideas for the roundabout at NW 4th and Jackson Streets that are selected by Council will be forwarded to the landscaper and a plan will be brought back to vote on at a future meeting.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO CHOOSE A LOW-COST DESIGN AND TREATMENT SIMILAR TO COLLEGE DRIVE WITH LOW MAINTENANCE AND APPROPRIATE SIGNAGE.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO SET THE PUBLIC INFORMATION MEETING #1 FOR THE PROJECT FOR

NOVEMBER 26, 2019 FROM 6:30-8:00 P.M. AT THE BRAINERD LAKES AREA CHAMBER OF COMMERCE, 224 WEST WASHINGTON STREET.

Safe Routes to School Engineering Study Grant Opportunity - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DIRECT STAFF TO PROCEED WITH THE SAFE ROUTES TO SCHOOL GRANT PROCESS WITH SCHOOL PRIORITY IN THIS ORDER 1) HARRISON, 2) LOWELL 3) RIVERSIDE.

Committee Chair Bevans indicated staff will be working with ISD181 school district on the grant application.

Technology Enhanced Traffic Control Policy - Informational

City Engineer Sandy explained he worked with the City of Elk River to draft a policy to set guidelines and alternatives prior to the implementation of an enhanced traffic control device. He indicated the Manual on Uniform Traffic Control Devices (MN MUTCD) that is followed does not cover any of these enhanced devices and certain criteria should be established since these are becoming more popular by the public. He said sometimes there is a false sense of security by pedestrians that assume drivers will see these lighted devices over a standard sign.

Committee Chair Bevans stated this was informational only and a request for adoption will be presented at a future meeting.

Tree Policy - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ADOPT THE TREE POLICY AS PRESENTED WITH THE FOLLOWING ADDITION: "EXISTING COTTONWOOD TREES ARE EXEMPT BUT NO NEW COTTONWOOD TREES ARE ALLOWED TO BE PLANTED."

Council Member Pritschet indicated he discussed with the City Engineer the need to establish a tree girth in the policy to determine the age for these cottonwood trees and what would be considered as existing.

***(Added Item)* Northwest 3rd Street and Jackson Street Survey - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO HIRE BOLTEN AND MENK IN AN AMOUNT NOT TO EXCEED $4,000 TO PERFORM THE SURVEY WORK ON THE POTENTIAL ADDITIONAL PART OF THE NW 3RD AND JACKSON STREET PROJECT.

Committee Chair Bevans indicated the potential assessments have been verified on this additional portion and this survey is a first step for verification.

City Engineer Sandy stated he will continue discussions with the affected property owners for input as well as the proposal from Bolton and Menk for the entire project will be presented to the Council at the December 2, 2019 meeting.

Personnel and Finance Committee Report

Approval of Bills & Transfers of Funds - Approved

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

From Parking Lot Fund to Streets Fund	2018-2019 Downtown Snow Removal	$32,055
From Parking Lot Fund to Construction Fund	Downtown Special Services	$2,166
From Park Dedication Fund to Capital Fund	Meadows Park Playground	$21,667

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

2020 Nuisance Assessment at 623 3rd Avenue NE - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO WAIVE THE AMOUNT OF $1,325 FOR 2020 NUISANCE ASSESSMENTS AT 623 3RD AVENUE NE.

Committee Chair Badeaux stated this property is being purchased by a resident from an at-risk family member that has had numerous citations. He explained the resident is scheduled to pay the 2015, 2016 and 2019 nuisance abatements, but is asking for leniency for the 2020 nuisance assessments

(Added Item) Property Maintenance Assessments 1006 S 6th Street - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO WAIVE THE AMOUNT OF $750 FOR 2020 PROPERTY MAINTENANCE ASSESSMENTS AT 1006 SOUTH 6TH STREET.

Deferment and Adoption of Assessment at 1004 H Street – Adopted by Resolution No. 63:19

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO ADOPT A RESOLUTION TO ADOPT ASSESSMENTS AT 1004 H STREET (PID 41191721).

RESOLUTION 63:19

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

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE THE DEFERMENT OF ASSESSMENTS AT 1004 H STREET (PID 41191721).

Committee Chair Badeaux stated this property is unique as it is located on a corner lot and is being assessed for two road improvements that were done the same year. He said Council feels there is a financial hardship for the size of the assessment.

Deferment of Assessments - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE THE DEFERMENT OF ASSESSMENTS AT 928 10TH AVENUE NE (PID 41191220), 1212 MAPLE STREET (PID 41300682), AND 318 3RD AVENUE NE (PID 41191751).

Community Service Officer (CSO) Resignation - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF COMMUNITY SERVICE OFFICER (CSO) JAROME SANDIN.

Police Officer Resignation - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF OFFICER BOELTER.

Police Staff Out-of-State Travel and Training Approval - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE OUT-OF-STATE TRAVEL AND TRAINING FOR INVESTIGATOR RUNDE TO ATTEND SEXUAL ASSAULT INVESTIGATION TRAINING IN RAPID CITY SOUTH DAKOTA ON NOVEMBER 20-21, 2019.

Animal Control Services Contract – Direction Given

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO NEGOTIATE AN AGREED UPON CONTRACT WITH MICHAEL O'BRIEN OF LAKES AREA WILDLIFE CONTROL.

Committee Chair Badeaux stated staff has received positive feedback about Mr. O'Brien doing a good job in the community. He said that Mr. O'Brien is showing initiative to move forward with educating residents about animal control policies but is proposing a higher than desired rate increase from $1360 to $2835 per month.

River to Rail Downtown Projects - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO REFUND PERMIT FEES FOR THE KNOTTY PINE BAKERY IN THE AMOUNT OF $1966.39 AND DAVID PUERINGER FOR THE WINDOW PROJECT AT BOB AND FRAN'S IN THE AMOUNT OF $830.75

Committee Chair Badeaux indicated the permit for Knotty Pine Bakery was issued the same day the River to Rail incentive was adopted. He stated the permit for the windows at Bob and Fran's was not submitted by David Pueringer due to misunderstanding the incentive details.

Committee Chair Badeaux stressed that all work still require permits from the City, but the City fees are waived upon issuance for projects located in the River to Rail defined perimeter. He stated any questions on this incentive should be directed to City Hall.

2019 Audit Engagement Letter - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE THE ENGAGEMENT LETTER AS SUBMITTED AND TO AUTHORIZE SIGNATURES ON THE ENGAGEMENT LETTER AND HIPAA BUSINESS ASSOCIATE AGREEMENT.

Committee Chair Badeaux stated the fee for 2019 audit services remained the same as the 2018 audit, which is $46,020. Finance Director Hillman indicated the airport is responsible for approximately $5,000 of the fee.

2020 Budget Discussion for Non-Working Funds - Informational

Committee Chair Badeaux stated this was discussed at committee level and the only requested change would be to the library fund.

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)

Other
Water Tower Fundraising Committee – Applicants Need to Help with Projects

Committee Chair Badeaux indicated more people are needed to be a part of the Water Tower Committee to share ideas of how to move the forward and urged anyone interested to apply.

Public Forum

The Chair opened the public forum at 8:11 p.m.

No one came forward.

The Chair closed the public forum at 8:11 p.m.

Staff Reports

City Engineer Sandy stated most of the demolition on first and second floor of City Hall has been completed with HVAC equipment being installed next week.

Council Member Reports

Mayor Menk indicated he attended the Armistice Day event at the Brainerd High School and thanked all the veterans that organized the program.

Closed Session Pursuant to Minnesota Statute 13D.05 Subd. 3(C)(3) to Consider Counteroffers for the Purchase of Property at 304 Washington Street West, 422 4th Street NW, 623 4th Street NW, 502 Jackson Street, 424 3rd Street NW and 622 4th Street NW in Brainerd, MN – 8:15 p.m.

The Chair reconvened the meeting at 8:20 p.m.

Adjourn to 3:30 p.m. on November 19, 2019 to Conduct City Administrator Interviews at the Brainerd Police Department Training Room – 8:20 p.m.

Adjourn to Budget Workshop November 25, 2019 at 6:00 p.m. at the Brainerd Police Department Training Room

Adjourn to Improvement 19-01 Roundabout Treatment Option Meeting #1 at the Chamber of Commerce November 26, 2019 at 6:30 p.m.

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James M. Thoreen
Interim City Administrator