

7:15 P.M. – Showcasing Brainerd: Jerry & Rose Feriancek, Anderson Cleaners:

The Chair welcomed Mrs. Rose Feriancek, who owns Anderson Cleaners along with her husband Jerry. She stated that the family business has been in operation since 1920 and that what she finds most interesting is how often the art of dry cleaning calls for old family secrets for success. She shared their website (www.andersoncleaners.com) and answered questions of the Council. The Chair thanked her for her presentation.

Pursuant to due call and notice thereof, the Regular meeting of the Brainerd City Council was called to order at 7:31 P.M. by Council President Cumberland.

Upon roll call, the following members were noted present: Borkenhagen, Koep, Pritschet, Bevans, Scheeler, Parks and Cumberland. Mayor Wallin was also noted as present.

President Cumberland opened the meeting with the Pledge of Allegiance to the Flag.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA AS PRESENTED.

MOVED AND SECONDED BY ALDERMEN KOEP AND PARKS TO APPROVE THE CONSENT CALENDAR AS PRESENTED.

President Cumberland pointed the public's attention to the committee openings.

A. Approval of the Minutes of the Regular Meeting held on August 19, 2013, as distributed – Approved

B. Approval of Licenses – Approved

1. Contractor's Licenses – 1 – New

C. Department Reports

1. Mayor's report of activities distributed to Council
2. Fire Chief's report of activities distributed to Mayor and Council
3. Park Director's report of activities distributed to Mayor and Council

D. Resolution No. 40:13 Adopted – Authorizing the Joint Powers Agreement Including Proper Signatures between the City of Brainerd and the MN BCA Internet Crimes against Children Task Force

E. Call for Applicants:

1. Rental Dwelling Board of Appeals:
 - a. *One "Tenant Representative Position" – Term Expires 12/31/2014*
 - b. *One "General Public Representative" – Term Expires 12/31/2014*
2. Transportation Committee – Two Terms to Expire 12/31/2014

Upon roll call, members Borkenhagen, Koep, Pritschet, Bevans, Scheeler, Parks and Cumberland voted "aye." No member voted "nay." The Chair declared the motion carried.

Approval of Bills – Recommended by the Personnel and Finance Committee

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS TO AUTHORIZE PAYMENT OF THE BILLS AS RECOMMENDED BY THE PERSONNEL AND FINANCE COMMITTEE.

Upon roll call, members Borkenhagen, Koep, Pritschet, Bevans, Scheeler, Parks and Cumberland voted "aye." No member voted "nay." The Chair declared the motion carried.

Council Committee Reports

Personnel and Finance Committee

Utility Franchise Fees – Discussion of – Direct Staff to Provide Council with Further Information on Utility Franchise Fees by the October 7, 2013 City Council Meeting – Approved

Personnel and Finance Committee Chair Bevans reported that the City of Baxter is exploring using utility franchise fees as a means of supporting street maintenance projects. He noted that the City currently collects franchise fees from the cable companies within the City and 50% of those fees are forwarded to the Lakes Area Media Collaborative. He stated that staff is requesting direction on whether to further research utility franchise fees as there is a current ordinance with Centerpoint that allows the City to do so.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS TO DIRECT STAFF TO PROVIDE COUNCIL WITH FURTHER INFORMATION ON UTILITY FRANCHISE FEES BY THE OCTOBER 7, 2013 CITY COUNCIL MEETING.

Alderman Koep spoke against the motion based on not being in favor of putting any fees on utility costs and feeling that it is not in the best interest of the public.

Upon voice vote, members Borkenhagen, Pritschet, Bevans, Scheeler Parks, and Cumberland voted "aye." Member Koep voted "nay." The Chair declared the motion carried.

Police Department Forfeiture Fund – Authorize Up To \$2,000 for Purchase of Smart Phone Forensic Examination Software and Supporting Laptop Computer – Approved

A request was included in the Packet from Police Chief McQuiston to use Drug Forfeiture funds to purchase smartphone forensic examination software and supporting laptop computer.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS, DULY CARRIED, TO AUTHORIZE THE USE OF UP TO \$2,000 FROM THE DRUG FORFEITURE FUND FOR THE PURCHASE OF SMART PHONE FORENSIC EXAMINATION SOFTWARE AND SUPPORTING COMPUTER.

City Administrator Goble Intent to Retire on February 1, 2014 – Acknowledge Intent and Direct Staff to Contact Springsted, Inc. to Reenact Search Contract – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS, DULY CARRIED, TO ACKNOWLEDGE CITY ADMINISTRATOR GOBLE'S INTENT TO RETIRE AND AUTHORIZE STAFF TO CONTACT SPRINGSTED, INC. TO ASCERTAIN THAT THEIR CONTRACT EXTENSION PRICE IS STILL VALID AND WHAT STEPS ARE NOW NEEDED TO START THE PROCESS AGAIN.

Safety and Public Works Committee

2014 Cleanup Discussion – Informational

Per a memo included in the Packet from City Engineer Hulsether, staff recommends that Committee revisit the goals and objectives of the City Cleanup process and consider what effect, if any, this year's more aggressive code enforcement activities have had on those objectives.

Safety and Public Works Committee Chair Scheeler stated that Committee feels the City should partner with local service clubs for assistance with this event.

Signal Issue at N 8th Street and Washington Street – Informational

A memo from City Engineer Hulsether along with emails related to concerns about the safety of pedestrians and bicyclists crossing Washington at 8th Street were included in the Packet.

Safety and Public Works Committee Chair Scheeler stated that Committee plans to have City Engineer Hulsether and Committee Member Koep do a "walk-through" at the intersection and report back to Council.

Quiet Zones – Meeting to be set with City of Baxter – Informational

Safety and Public Works Committee Chair Scheeler stated that Committee is going to set up a meeting with the City of Baxter and report back to Council.

President Cumberland suggested combining this item and discussion of Utility Franchise Fees in one discussion with the City of Baxter.

Amplifier Noise – Held Over

City Hall Steps – Informational

City Engineer Hulsether reported that options on repair and replacement are being looked into.

Safety and Public Works Committee Chair Scheeler stated that the historical aspect of City Hall being nearly 100 years old will be considered when making a decision.

Power Washing City Hall – Informational

Per a memo from City Engineer Hulsether, staff is looking into having City Hall power washed based on quite a bit of discoloration of the decorative limestone features due to years of being exposed to the environment.

Inspections Intern – Retain Employee through October 31, 2013 – Approved

MOVED AND SECONDED BY ALDERMEN SCHEELER AND BORKENHAGEN TO RETAIN THE INSPECTIONS INTERN THROUGH OCTOBER 31, 2013.

Alderman Koep gave the minority report based on the process being exaggerated in her opinion and not handled in an agreeable way.

Upon voice vote, members Borkenhagen, Pritschet, Bevans, Scheeler, Parks and Cumberland voted “aye.” Member Koep voted “nay.” The Chair declared the motion carried.

Resolution No. 41:13 Adopted and Transit Agreement between the Transit Systems of Brainerd and Crow Wing County and the Pine River Bus beginning October 1, 2013 Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND BORKENHAGEN, DULY CARRIED, TO APPROVE A PROPOSED MERGER BETWEEN THE TRANSIT SYSTEMS OF BRAINERD AND CROW WING COUNTY AND THE PINE RIVER BUS BEGINNING OCTOBER 1, 2013.

MOVED AND SECONDED BY ALDERMEN KOEP AND BORKENHAGEN TO ADOPT RESOLUTION NO. 41:13 – AMENDING THE RESOLUTION PREVIOUSLY SUBMITTED WITH THE 2014 MN/DOT PUBLIC TRANSIT PARTICIPATION PROGRAM TO STATE THAT PUBLIC TRANSPORTATION SERVICES WILL BE PROVIDED TO CROW WING COUNTY AND SELECTED PORTIONS OF CASS COUNTY.

RESOLUTION NO. 41:13

Upon roll call, members Borkenhagen, Koep, Pritschet, Bevans, Scheeler, Parks and Cumberland voted "aye." No member voted "nay." The Chair declared the motion carried and the resolution adopted.

Salt/Sand Quotes – Accept Low Quote from Anderson Brothers as Recommended by Staff – Approved

Per a memo included in the Packet from City Engineer Hulsether, two quotes were received for salt sand and staff recommends accepting the quote from Anderson Brothers. Both quotes came in at \$4.10/yard; however, Anderson Brothers' haul time is 30 minutes less because of Brainerd/Baxter traffic.

MOVED AND SECONDED BY ALDERMEN SCHEELER AND KOEP, DULY CARRIED, TO ACCEPT THE LOW BID FROM ANDERSON BROTHERS FOR SALT SAND AS RECOMMENDED BY STAFF.

New Business

Meeting to Approve 2014 Preliminary Levy and Budget – Set for September 11, 2013 at 5:00 P.M. – Approved

MOVED AND SECONDED BY ALDERMEN KOEP AND BEVANS, DULY CARRIED, TO SET THE DATE FOR APPROVAL OF THE 2014 PRELIMINARY LEVY AND BUDGET AT WEDNESDAY, SEPTEMBER 11, 2013 AT 5:00 P.M. IN THE CITY HALL COUNCIL CHAMBERS.

Strategic Plan Focus Area #1 – Invest in the City's Neighborhoods; Objective Description: Develop Walkable and Bikeable Neighborhoods – Proposal to Establish Ad Hoc Focus Area Committee – Approved

Per a memo included in the Packet from City Planner Ostgarden, the Planning Department is requesting authorization to begin implementing the following Strategic Plan Focus Area by creating an AD Hoc Walkable and Bikeable City Committee:

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND PARKS, DULY CARRIED, TO ESTABLISH AN AD HOC COMMITTEE FOCUSING ON THE DEVELOPMENT OF WALKABLE AND BIKEABLE NEIGHBORHOODS AS REQUESTED BY THE CITY PLANNING DEPARTMENT AND IN ACCORDANCE WITH THE CITY'S STRATEGIC FOCUS #1 – INVEST IN THE CITY'S NEIGHBORHOODS.

Public Forum

The Chair recognized Mr. Darrell Bahma, 1215 SE 11th Street, Brainerd, who stated that he is a retired Full Time Firefighter with the City of Brainerd and discussed recent discussions between the Fire Department and various entities related to establishing a Fire Service District. He stated that he is in favor of a District only if the County was in control. He dispensed information to the Council and offered his time to help the City make a decision.

City Administrator Goble stated that she plans on having a meeting with all of the contracted areas this fall to review the City's proposed 2014 Fire Department Budget.

The Chair recognized Mr. Howard Brewer, 121 3rd Ave NE, Brainerd, who discussed the Fire Service District and also commended the current City Council relating to "listening" to the public.

The Chair recognized Mr. Todd Wallin, 15932 Dellwood Drive, Brainerd, who questioned why he used to be able to burn brush on his parcel of 20 acres within the City's Rural Service District but is no longer to obtain a permit. He stated that he was annexed in 2001 and is zoned rural residential.

Fire Chief Stunek stated that he will meet with Mr. Wallin to review the City's ordinance and how it relates to Mr. Wallin's situation and report back to Council.

Reports

Mayor's Report

Mayor Wallin stated that he recently sent a letter to the Brainerd Dispatch thanking the Central Lakes College Volleyball Team for weeding Kiwanis Park and painting over the graffiti under the bridge in that area, both on a volunteer basis. He also discussed the process of litter clean-up at the City Parks which he witnessed recently and found to be impressive but time consuming.

City Attorney's Report

City Attorney Fitzpatrick stated that he had nothing to report.

City Administrator's Report

City Administrator Goble reminded the Council of the LMC Regional meeting to be held October 9, 2013 in Wadena, stating that any Council Members wishing to attend should contact her.

City Engineer's Report

City Engineer Hulsether stated that he had nothing to report.

City Planner's Report

City Planner Ostgarden reported that:

- The Planning Commission meeting to be held on September 11, 2013 will include discussion on the use of the Whittier site.
- He and Sarah Hayden will present information on the GreenStep Cities Program at the September 16, 2013 City Council Meeting.

- An individual running a flea-market type business at 13th and Pine Street has been cited for illegal operations and prosecution will take place if the owner does not cease the operation.
- He will be setting up a meeting with the Brainerd Jaycees to discuss how their group can work with the Downtown Association for all things "downtown" related.

Fire Chief's Report

Fire Chief Stunek stated that he had nothing in addition to his written report.

Park Director's Report

Park Director Sailer stated that ground-breaking on the Miracle Field will begin in late October with the asphalt pad and fencing being put in. He stated that turf will come in the spring but funds are still needed and that donations are tax deductible; send to City of Brainerd Parks Department, 1619 NE Washington Street, Brainerd, MN 56401. He also reported that \$1,100 in team fees and \$2,300 in donations were raised towards the Miracle Field at The Big Wiff Wiffle Ball tournament. He shared a story about a family from Alexandria who came to the Brainerd tournament and not only participated but also made a large donation because of their son recently being diagnosed with MS and this being a sport he can still take part in.

Council President's Report

Council President Cumberland reported that:

- She attended the History Group meeting on 9/14 at Ruttger's.
- She attended the Build a Better Brainerd meeting on 8/29 but was the only one who attended
- She invited Charles Marohn to a Council meeting to recap his activities in Brainerd; he may be able to attend in November.
- She spoke at Rotary on 8/27.
- The Council received a thank you note from Bradley Peterson for the opportunity to appear at the last meeting to deliver the legislative report from CGMC.
- She volunteered at the Kiwanis kids' triathlon on 8/24.
- She met with Alderman Bevans, City Administrator Goble and Finance Director Hillman on 8/26 regarding the 2014 Budget.
- She wrote a code enforcement memo to the Brainerd Daily Dispatch.
- She attended the PUC meeting as Council Liaison.
- She and City Administrator Goble had met with the Brainerd Execs for a debriefing on the City's Strategic Plan

In closing, she sent thoughts out to the family of LeRoy VanVickle, a Brainerd Public Utilities employee that recently lost his life in a motor vehicle accident.

Council Other Committee Reports

Fire Advisory Council Liaison Borkenhagen stated that the informational meeting held on August 22, 2013 went very well. He also reminded the public about the Mississippi River Armada event taking place September 9, 2013 (<http://www.reverbNation.com/twintwa>).

Adjourn – 9:15 P.M. – To Closed Session Pursuant to MN Statute 13D.05 Subd. 3(c)(3) – Status Report on the Letter of Intent to Purchase the Brainerd Dam Hydroelectric Facility

The Council Reconvened into Open Session at 10:10 P.M.

MOVED AND SECONDED BY ALDEMREN PRITSCHET AND PARKS TO APPROVE THE LETTER OF INTENT BETWEEN THE CITY OF BRAINERD AND WAUSAU FOR THE PURCHASE OF THE HYDROELECTRIC DAM AND TO AUTHORIZE PROPER SIGNATURES.

Upon roll call, members Borkenhagen, Koep, Pritschet, Bevans, Scheeler, Parks and Cumberland voted “aye.” No member voted “nay.” The Chair declared the motion carried.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PARKS THAT A COMMITTEE OF THE MAYOR, COUNCIL PRESIDENT CUMBERLAND, AND CITY ADMINISTRATOR GOBLE ARE APPOINTED TO MEET WITH BLAEDC, PUC OFFICIALS, AND A POTENTIAL BUYER OF THE WAUSAU PLANT FACILITY TO DISCUSS OPTIONS OR ALTERNATIVES THAT MIGHT BE AVAILABLE TO FACILITATE THE RETURN OF THE MILL TO PRODUCTIVE OPERATIONS.

Upon roll call, members Borkenhagen, Koep, Pritschet, Bevans, Scheeler, Parks and Cumberland voted “aye.” No member voted “nay.” The Chair declared the motion carried.

Adjourn – To the 2014 Construction Program Informational Meeting to be held on Wednesday, September 11, 2013 at 4:00 P.M. in the City Hall Conference Room and to the 2014 Preliminary Levy and Budget Meeting to be held on Wednesday, September 11, 2013 at 5:00 P.M. in the City Hall Council Chambers – Approved

The Chair adjourned the meeting at 10:20 P.M.

Theresa A. Goble
City Administrator