

**Brainerd, MN
August 19, 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: Hilgart, Lambert, Stunek, Pritschet, Bevans, Badeaux 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 PRITSCHET AND LAMBERT, DULY CARRIED, TO AMEND THE AGENDA BY MOVING THE BLAEDC PRESENTATION TO THE SEPTEMBER 3, 2019 AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on August 5, 2019 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 1 – Renewal

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Approval of a Memorandum of Agreement Setting the 2019-2020 Wage Grid for the Zoning Specialist/Permit Technician Position - Approved

E. Continue the City Administrator Performance Review to the September 3, 2019 Meeting - Approved

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

Community Member of the Month

Mayor Menk asked the community to submit nominations for the Community Member of the Month. He stated submissions are accepted on the City website or at City Hall, 501 Laurel Street, Brainerd.

Presentations

The Chair welcomed Mr. Shane Zahrt, attorney/lobbyist with Flaherty Hood Law Office in St. Paul, who works with the Coalition of Greater Minnesota Cities (GCMC). Mr. Zahrt distributed the 2019 Legislative Session Report and gave an update of the highlighted changes and initiatives

of the coalition. Mr. Zahrt answered questions from the Council and thanked them for the opportunity to present tonight.

The Chair welcomed Transit Coordinator Stone who stated the idea of a Five-Year Transit Plan for Brainerd and Crow Wing County was introduced approximately one year ago. He said the plan was fully funded by the MnDOT Office of Transit and Active Transportation. He stated that project has been completed and introduced Mr. Andrew Ittigson, project manager at AECOM to present the final plan results. Mr. Ittigson gave a summary of the plan, which included the long-term vision, the benefits and the goals for the transit system in the coming years. The Council thanked him for the information.

The Chair welcomed City Engineer Sandy, who made a presentation explaining the purpose of the 5-year Street and Sewer Capital Plan as well as the importance of adopting the plan. The plan serves as a road map for future improvements, includes cost estimates for budgeting purposes and identifies revenue sources for project costs. He stated the plan is posted on the City website open for comment and will be brought back to Council the 1st meeting in October.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED, TO OPEN THE FIVE-YEAR STREET AND SEWER CAPITAL PLAN FOR PUBLIC COMMENT.

Council Committee Reports

Safety and Public Works Committee Report

Event Application – Brainerd Homecoming Run 2019 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE BRAINERD HOMECOMING RUN ON OCTOBER 5, 2019.

Event Application – DANGIE 5K – War Against Cancer One Step at a Time - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT APPLICATION FOR THE DANGIE 5K ON SEPTEMBER 14, 2019 UNDER THE CONDITION THAT SIGNS FOR THE EVENT ARE REMOVED IMMEDIATELY AFTER COMPLETION.

Improvement 17-08 – SP108-591-005 – Garfield Safe Routes to School Testing Services - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE PROPOSAL FROM BRAUN INTERTEC IN THE TOTAL ESTIMATED AMOUNT OF \$29,146 FOR TESTING SERVICES FOR THE GARFIELD SAFE ROUTES TO SCHOOL PROJECT.

Committee Chair Bevans indicated these funds are not eligible for federal aid reimbursement, but approximately half is eligible for state aid reimbursement.

Improvement 19-04 – 2019 Crack Sealing – Pay Estimate No. 1 Final - Approved

August 19, 2019 - **DRAFT**

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL PAY REQUEST FOR IMPROVEMENT 19-04 – 2019 CRACK SEALING PROJECT TO LOTS PROS LLC IN THE AMOUNT OF \$16,031.

Improvement 19-06 – 2019 Street Patching – Pay Estimate No. 1 Final - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FINAL PAY REQUEST FOR IMPROVEMENT 19-06 – 2019 STREET PATCHING PROJECT TO ANDERSON BROTHERS CONSTRUCTION IN THE AMOUNT OF \$9,993.

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 Authorized</u>
Lot Pros LLC	19-04	2019 Crack Sealing	\$16,031	\$17,000
Anderson Bros	19-06	2019 Street Patching	\$ 9,993	\$ 9,993

Finance Director Hillman clarified the total cost of the project for crack sealing was \$21,656 - \$16,031 for Lot Pros, LLC and \$5,625 for materials. She said the total amount authorized was \$17,927 - \$12,302 and \$5,625. Lot Pros used additional materials the City already had on hand. She stated \$25,000 is usually allocated in the construction fund for crack sealing.

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

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

Police Officer Resignation – Request to Hire - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO ACCEPT WITH REGRET OFFICER LYSCIO'S RESIGNATION AND AUTHORIZE MAKING A CONDITIONAL JOB OFFER TO THE NEXT AVAILABLE CANDIDATE WITH A TENTATIVE STARTING DATE OF MID-OCTOBER, PENDING THE SUCCESSFUL COMPLETION OF THE PRE-EMPLOYMENT SCREENING PROCESS.

Police Chief McQuiston stated training field officers can accommodate hiring of the officer in October rather than December.

Reorganization of Management Team – Item Postponed to September 3, 2019

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO POSTPONE THIS ITEM TO THE SEPTEMBER 3, 2019 MEETING.

Committee Chair Hilgart stated since part of the HR salary is paid by Brainerd Public Utilities (BPU), the BPU Commissioners would like further discussion on this topic before a decision is made.

Council Member Lambert suggested the position of Transit Coordinator be considered for a Department Head level position as well.

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 – 2 terms (Expire 2021)

Charter Commission – 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)

New Business

Charter Commission Request – Authorize City Attorney to Review Charter - Approved

City Administrator Torstenson explained the Charter Commission had discussed the need to make changes and updates to the City Charter. She said many areas of the Charter conflict with State Law and some areas are obsolete. She indicated the Charter Commission is requesting authorization for the review to be completed.

Council Member Bevans stated he has not witnessed issues with the current document and does not think this is the best use of funds at this time.

City Attorney Langel stated after he reviewed the changes needed, the amount would be less than he initially estimated. He said he encourages the revision, as there have been times over the past several years he has had to interpret the current wording with state law for city staff.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART TO ACCEPT STAFF'S RECOMMENDATION AND AUTHORIZE A FULL REVIEW AND RED LINE CHANGES OF THE CITY CHARTER BY CITY ATTORNEY LANGEL NOT TO EXCEED \$10,000.

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

Planning Commission

Final Reading – Proposed Ordinance No. 1498 – An Ordinance to Rezone Property at 701 7th St., NW from a B-4 to an R-1 – Approved

Community Development Director Chanski explained the details of the application to rezone the property at 701 7th Street NW, as a previous application for a variance was denied.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO DISPENSE WITH AND HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1498 – AN ORDINANCE TO REZONE PROPERTY AT 701 7TH ST. NW, BRAINERD FROM A B-4 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS TO ADOPT ORDINANCE NO. 1498 - AN ORDINANCE TO REZONE PROPERTY AT 701 7TH ST. NW, BRAINERD FROM A B-4 (GENERAL COMMERCIAL) DISTRICT TO AN R-1 (SINGLE FAMILY RESIDENTIAL) DISTRICT.

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

Public Forum

The Chair opened the Public Forum at 9:00 p.m.

The Chair recognized Mr. Wayne Bailey, 1216 Norwood Street, Brainerd who said he has resided at his home since 1975. He stated he would like to comment on the volume level of the Jaycees Streetfest Dance at 11:45 p.m., Friday evening, July 26th. He said he is in full support of the organization, but that night was extremely loud, and consideration needs to be given regarding residents.

The Chair closed the Public Forum at 9:03 p.m.

Direction was given to staff to note in the Special Event Application that volume levels need to decrease after 10:00 p.m.

Staff Reports

City Engineer Sandy announced he received a notice of retirement from Steve Olson in the street department, effective September 6, 2019.

MOVED AND SECONDED BY ALDERMEN HILGART AND PRITSCHET, DULY CARRIED, TO ACCEPT WITH REGRET THE RETIREMENT OF STEVE OLSON FROM THE STREET DEPARTMENT AND AUTHORIZE STAFF TO MOVE FORWARD WITH BACKFILLING THE POSITION.

City Engineer Sandy stated MnDOT requested his participation to be a part of a project management team who will be consulting on the reconstruction of highway 210 corridor, which will take place in 2025. He said he recommended a project management team be assembled at the City level, so communication is maintained throughout. He requested the participation of Council Members willing to be a part of the group, which would include City Administrator Torstenson, Community Development Director Chanski, and himself. He will bring back to Council a detailed outline of what is needed.

Community Development Director Chanski stated the Comprehensive Plan 30-day public comment period will close on September 7, 2019. He said the plan is posted online and can also be requested at City Hall.

City Administrator Torstenson requested that Council Members please let her know if there are any Council priorities that they would like to discuss at the workshop scheduled for Monday, August 26th. She stated the September 3rd meeting will include a presentation for the facilities contract and would like to request two council members to be a part of a construction team for the choosing of materials being used in the City Hall remodel. She will bring back to Council an outline of what is needed.

City Administrator Torstenson stated a revised employee policy manual was sent to the Council for their review and input by August 27th. She said the draft was reviewed by the attorney and suggestions were noted.

Council Member Reports

Council Member Stunek said he attended the dedication of the mural at the Legion and he encourages everyone to see it.

Council Member Hilgart attended the Fire Advisory Board last week and Fire Chief Holmes presented the Five-Year Capital Plan which shows the strategy of reinvesting the funds from bond payments back into capital. She indicated the study looking into the facility location was disconcerting to some of the members and is hopefully alleviated after the consultant completes his report.

Council Member Johnson also attended the mural dedication and thanked Brainerd Restoration for the placemaking efforts being done downtown. He indicated he attended the EDA meeting last week and discussion took place regarding the budget.

Council Member Bevans attended the Northside Residents Association picnic which had a great turnout and included staff from Essentia Health St. Joseph's Hospital.

Council Member Pritschet received an email from Mr. Klinger, who works with Sourcewell and offered staff First Aid and CPR training at no cost. He said the participant level would need to be between 3 – 50 individuals willing to attend more than one session. He indicated he forwarded the email to City Administrator Torstenson for consideration.

Mayor Menk reminded everyone of the Farmer's Market taking place Tuesday, August 20th downtown. He said Brainerd Lakes Music Festival had a fantastic turnout for their concert last week. He also indicated that there is only one remaining tower award and asked if the Council was still interested in presenting tower awards. Staff was directed to research where the funding for the awards came from and return to Council at the September 3rd meeting.

Adjourn to Budget Workshop on August 26th at 5:30 p.m.

The Chair adjourned the meeting at 9:20 p.m.

Cassandra Torstenson
City Administrator