

**Brainerd, MN
December 16, 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 LAMBERT AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on December 2, 2019 and the Budget and Levy Meeting held on December 9, 2019 - Approved

B. Approval of Licenses – Approved

Contractor Licenses – 86 – Renewals

Contingent Upon Fire Department Inspection

Tobacco Licenses – 1 Renewal: Mid-Town Depot, 321 Washington St.

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Temporary On-Sale Liquor License Application – Submitted by Brainerd American Legion Post 255 for an Event to be Held January 18, 2020 at the NP Event Center, 210 Blacksmith Cir., Brainerd - Approved

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

Brainerd Lakes Area Economic Development Corporation (BLAEDC) Presentation

The Chair recognized Mr. Tyler Glynn, economic development officer for BLAEDC, who thanked the Council and the Economic Development Authority (EDA) for supporting BLAEDC. He explained the corporation wants to be as transparent as possible and will provide any requested information regarding the funding of BLAEDC. He indicated candidates were interviewed for the executive director position and shared that he is one of the two finalists that have been selected. He gave a review of the Unified Fund program, the key recruitment program and projects that occurred in Crow Wing County in 2019. The Chair thanked him for the update.

Brainerd Public Utilities (BPU) 2020 Operating & Capital Budget - Approved

Brainerd Public Utilities Superintendent, Mr. Scott Magnuson and Finance Director, Mr. Todd Wicklund reviewed the key points of the budget and operating costs which had been provided to the Council prior to the meeting. They answered questions of the Council and the Chair thanked them for the presentation.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO APPROVE THE 2020 CAPITAL AND OPERATING BUDGET FOR BRAINERD PUBLIC UTILITIES (BPU) AS PRESENTED.

Council Committee Reports

Safety and Public Works Committee Report

Crow Wing County Cost Share Policy Comment Period – No Action Taken

Committee Chair Bevans indicated staff met with Crow Wing County today and the recommendation is for no comment or motion on the policy.

Improvement 19-01 – NW 4th Street Reconstruction – Roundabout Treatments and Aesthetics - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT THE PROPOSAL FOR LANDSCAPING FROM BOLTON AND MENK FOR THE ROUNDABOUT AT NW 4TH STREET IN THE AMOUNT OF \$77,000 AS PRESENTED.

Committee Chair Bevans stated discussion at committee level was to possibly remove the color from the concrete in the islands, which is approximately \$20,000. He said the project is roughly \$200,000 under budget and the color gives aesthetic value.

Resolution – Agreeing to Maintain Facility for Transportation Alternatives Funding Related to the 28th Street Trail Connection – Adopted by Resolution 67:19

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION IN WHICH AGREES TO MAINTAIN THE NEWLY CONSTRUCTED FACILITY IF THE CITY OF BRAINERD IS AWARDED FUNDING FOR THE 28TH STREET TRAIL CONNECTION.

RESOLUTION NO. 67:19

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

Resolution – Sponsorship for Transportation Alternatives Funding Related to the 28th Street Trail Connection – Adopted by Resolution 68:19

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ACCEPT STAFF'S RECOMMENDATION AND ADOPT A RESOLUTION IN WHICH AGREES TO BE THE SPONSORING AGENCY IF THE CITY OF BRAINERD IS AWARDED TRANSPORTATION ALTERNATIVES FUNDING FOR THE 28TH STREET TRAIL CONNECTION.

RESOLUTION NO. 68:19

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

Personnel and Finance Committee Report

Approval of Bills and Transfer of Funds - Approved

From Public Safety to Capital Fire Fund per FAB Agreement	\$ 98,997
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MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO APPROVE THE PAYMENT OF BILLS AND TRANSFER OF FUNDS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE.

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

Mississippi Landing Trailhead Proposal for Cost Estimating - Approved

Committee Chair Badeaux explained the committee is requesting financial assistance to supplement the funds raised by selling banners to area businesses to obtain a cost estimate for the project. He said a cost estimate is needed to know how to proceed with the project.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO APPROVE \$2,050 FROM THE UNALLOCATED MISCELLANEOUS EXPENSE ACCOUNT TO SUPPLEMENT THE MISSISSIPPI RIVERFRONT COMMITTEE’S \$2,500 CONTRIBUTION TOWARD SEH’S MISSISSIPPI LANDING TRAILHEAD PROPOSAL FOR COST ESTIMATING.

Shared Services Agreement Between the City and the Economic Development Authority (EDA) - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO APPROVE THE SHARED SERVICES AGREEMENT BETWEEN THE CITY AND THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) AND TO AUTHORIZE SIGNATURES ON THE DOCUMENT.

Committee Chair Badeaux indicated in the past, 20% of the City Administrator and 5% of the Administrative Specialist’s time has been budgeted to the Economic Development Authority (EDA). He said as compensation amounts are difficult to determine, an agreement was created for the 2020 budget in the amount of \$32,500.

Resolutions – Declaring the Official Intent to Reimburse Expenditures from Proceeds of Debt – Adopted by Resolution 69:19

Committee Chair Badeaux explained there will be costs incurred prior to the issuance of debt. He said the resolutions declares the intent to reimburse expenditures with bond proceeds.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO DECLARE THE OFFICIAL INTENT OF THE CITY OF BRAINERD TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY RELATED TO CAPITAL EQUIPMENT.

RESOLUTION NO. 69:19

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 ERICKSON TO DECLARE THE OFFICIAL INTENT OF THE CITY OF BRAINERD TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY RELATED TO ASSESSABLE IMPROVEMENTS.

RESOLUTION NO. 70:19

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 ERICKSON TO DECLARE THE OFFICIAL INTENT OF THE CITY OF BRAINERD TO REIMBURSE CERTAIN EXPENDITURES FROM THE PROCEEDS OF BONDS TO BE ISSUED BY THE CITY RELATED TO THE PARKS PROJECT.

RESOLUTION NO. 71:19

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

2020 Nuisance Assessment at 403 6th St SW - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO DENY THE WAIVER OF THE \$125 NUISANCE ASSESSMENT AT 403 6TH ST SW.

Committee Chair Badeaux stated the committee voted to deny the waiver of the nuisance as the timeframe to oppose the assessment has passed and all assessments have been submitted to Crow Wing County.

The Chair recognized Mr. Rich Wilkinson, 403 6th Street SW, who stated he is contesting the citation due to lack of communication with City staff. He said he was told to cover the vehicle and the citation would be voided.

Discussion took place.

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

Unfinished Business

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

Cable TV Advisory Committee – 2 terms (Expire 2019) - 2 terms (Expire 2021)
Charter Commission – 1 term (Expire 2019) - 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022)
Housing & Redevelopment Authority (HRA) – 1 term (Expire 2019)
Library Board – 4 terms (Expire 2019)
Park Board – 1 term (Expire 2019)
Public Utilities Commission (PUC) – 1 term (Expire 2019)
Transportation Advisory Committee (TAC) – 3 terms (Expire 2019)

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

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

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

Airport Commission – 1 term (Expire 2019)
Planning Commission – 3 terms (Expire 2019)
Police & Fire Civil Service Commission – 1 term (Expire 2019)

Other

Water Tower Fundraising Committee – Applicants Needed

New Business

Appeal – 601 Madison Street Property Subdivision - Approved

Community Development Director Chanski explained the details of the property owner's request to conduct a lot split on the 601 Madison Street property. He stated the City Ordinance does not allow a split on lots less than 20,000 square feet with a width of 100 feet, as this property is 12,455 square feet with a width of 91 ½ feet. Mr. Chanski denied the request, due to City Ordinance prohibits conducting an administrative subdivision that results in the creation of a new nonconforming lot. He indicated the next option was to appeal to the Board of Zoning Appeals, which is the City Council.

The Chair recognized Mr. James Kramer from Kramer Leas Deleo Surveying, who is representing the property owner, Mr. Dean Renneke. Mr. Kramer stated they would like to split the property in order to sell the vacant building, and to have the two separate structures identified with separate parcel numbers to operate separate businesses.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO APPROVE THE PROPOSED LOT SPLIT AS PRESENTED AT 601 MADISON STREET, BRAINERD.

Brainerd Police Department Remodel – Request to Approve Quotes – Approved

City Engineer Sandy stated the quotes were received for the police department remodel project by the contractors listed.

Council Member Johnson requested if the City Hall project was progressing within the budgeted amount. Mr. Kevin Currie, construction manager for Contegrity, stated the project is on budget.

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE QUOTES FOR THE POLICE DEPARTMENT REMODEL AS PRESENTED.

2020 Budget and Levy – Adopted by Resolution 72:19

Finance Director Hillman indicated the levy needs to be certified to the County by December 28, 2019. She stated the HRA levy is set at the maximum allowed amount set by state statute.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND BEVANS TO ADOPT A RESOLUTION SETTING THE CITY LEVY AT \$6,072,439 WHICH IS A 3% INCREASE AND \$130,426 FOR THE HRA FOR 2020.

Council discussion took place.

RESOLUTION NO. 72:19

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

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO APPROVE SETTING THE 2020 BUDGETS AS PRESENTED WITH THE GENERAL FUND BUDGET BEING ADJUSTED FOR THE LEVY BEING SET AT 3% RATHER THAN 4%.

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

Planning Commission

Final Reading – Proposed Ordinance No. 1501 – An Ordinance to Rezone Property at 7757 Wise Road from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District – Interim City Administrator Thoreen Recommends to Dispense with the Actual Reading - Approved

Community Development Director Chanski stated this is the final reading to adopt the ordinance to rezone property at 7757 Wise Road from an R-A (Rural Agriculture) District to an R-1A (Single-Family Residential) District. He explained the purpose of the rezoning is to allow the property owner the ability to split the lot into less than 20 acres to build a home on the lot for a family member.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND BEVANS, DULY CARRIED, TO DISPENSE WITH THE ACTUAL READING OF PROPOSED ORDINANCE NO. 1501 – AN ORDINANCE TO REZONE 7757 WISE ROAD FROM AN R-A (RURAL AGRICULTURE) DISTRICT TO AN R-1A (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

December 16, 2019 - **DRAFT**

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS TO ADOPT ORDINANCE NO. 1501 – AN ORDINANCE TO REZONE 7757 WISE ROAD FROM AN R-A (RURAL AGRICULTURE) DISTRICT TO AN R-1A (SINGLE-FAMILY RESIDENTIAL) DISTRICT.

ORDINANCE NO. 1501

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

Public Forum

The Chair opened the public forum at 8:45 p.m.

No one came forward.

The Chair closed the public forum at 8:45 p.m.

Staff Reports

Community Development Director Chanski announced the Planning Commission meeting that was scheduled for Wednesday, December 18th has been canceled. He explained there were no issues or applications to discuss, therefore the commission voted to cancel. He also stated there are vacancies on the Planning Commission starting in January and encouraged anyone interested to apply. He said there are some exciting projects taking place in 2020 and it would be a great opportunity to be a part of the commission.

Interim City Administrator Thoreen thanked the Council for the opportunity to once again serve the community of Brainerd in the interim of hiring a new administrator. He also congratulated the hiring of Ms. Jennifer Bergman as the new City Administrator as she is a highly qualified candidate and will serve the City well.

Council Member Reports

Mayor Menk wished everyone a Merry Christmas and wonderful holiday season.

Council Member Bevans stated Mr. Mike Higgins, owner of the Brainerd Industrial Center, will be submitting a written response very soon regarding the offer to purchase the Memorial Park parking lot.

Council Member Johnson stated a contract was signed with David Drowns and Associates to recruit candidates for a new Housing & Redevelopment Authority (HRA) executive director to fill the vacancy. He also thanked City Administrator Thoreen for returning in the time of need to serve the City.

Council Members Lambert, Erickson, Stunek, and Badeaux wished everyone a Merry Christmas and thanked City Administrator Thoreen for filling the administrator vacancy for the interim.

Adjourn

The Chair adjourned at 8:48 p.m.

James M. Thoreen
Interim City Administrator