

**Brainerd, MN  
January 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 Pritschet.

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

**Administer Oath of Office**

City Administrator Torstenson administered the Oath of Office to the following:

Edwin L. Menk – Mayor  
Kelly Bevans – Alderman, Ward 2  
Gabe Johnson – Alderman, Ward 4  
Sue Hilgart – Alderman, At-Large

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

**Presentations**

The Chair welcomed Ms. DeAnn Barry, Executive Director and Mr. Dale Parks, Board President of The Center. Ms. Barry distributed The Center's newsletter that is sent to the members each month. They gave a brief overview of the events that take place at The Center, which include live music, quilting, toy making and dolls that are donated to hospitals and law enforcement to give to children in crisis situations. She announced volunteer hours reached over 15,000 in 2018 and thanked everyone involved. Ms. Barry reviewed the upcoming events this year and invited everyone to visit for a tour and to enjoy a coffee and donut.

The Chair welcomed Ms. Vicki Foss, Director of the Northland Arboretum who has been the director for the past year. She gave a brief overview of the financial report and the activities that have taken place at the Arb. The recent heavy snowfall brought in over 3,000 skiers to the arboretum. The Minnesota DNR currently grooms the ski trails as part of a grant aid program and it is illegal to walk on a groomed trail and could result in a fine. Due to an increase of interest in snowshoeing, the Arb has created new snowshoeing trails to accommodate the interest. Ms. Foss announced that two students recently completed Eagle Scout projects at the Arb.

The Chair thanked both groups for their presentations.

**Election of President and Vice President of the Council for 2019-2020**

Council President Pritschet asked for nominations for Council President for the calendar years 2019 and 2020.

Alderman Hilgart nominated Alderman Johnson.  
Alderman Bevans seconded the nomination.

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As there were no other nominations, Council President Pritschet closed nominations and asked for a motion to elect Alderman Johnson as Council President.

MOVED AND SECONDED BY ALDERMEN HILGART AND BEVANS, DULY CARRIED, TO ELECT ALDERMAN JOHNSON AS COUNCIL PRESIDENT FOR THE CALENDAR YEARS 2019 AND 2020.

Council President Pritschet called for nominations for Council Vice-President for calendar years 2019 and 2020.

Alderman Lambert nominated Alderman Hilgart.  
Alderman Stunek seconded the nomination.

As there were no other nominations, Council President Pritschet closed nominations and asked for a motion to elect Alderman Hilgart as Vice-President.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND STUNEK, DULY CARRIED, TO ELECT ALDERMAN HILGART AS COUNCIL VICE-PRESIDENT FOR THE CALENDAR YEARS 2019 AND 2020.

Council President Johnson moved to the Chair seat.

**Approval of the Agenda - Approved**

Council member Hilgart requested the following additions to the agenda:

- under
- a) Add *“Wage Resolution for Department Heads and non-union Supervisors”*  
New Business
  - b) Add *“Police Officer Resignation & Request to Hire”* under New Business

MOVED AND SECONDED BY ALDERMEN HILGART AND PRITSCHET, DULY CARRIED, TO APPROVE THE AGENDA AS AMENDED.

Council member Hilgart requested the following addition to the Consent Calendar:

- a) *Minnesota Lawful Gambling Application for Exempt Permit – Submitted by Brainerd Lakes Chapter of Muskies, Inc., 9143 Lone Pine Rd., Brainerd for an Event to be Held February 16, 2019 at the Brainerd National Guard Armory, 1115 Wright St., Brainerd.*

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND HILGART, DULY CARRIED, TO ADOPT THE CONSENT CALENDAR AS AMENDED.

**A. Approval of the Minutes of the Regular Meeting held on December 17, 2018 - Approved**

**B. Approval of Licenses - Approved**

Contractor Licenses – 2 – New, 49 – Renewals

**C. Department Activity Reports - Approved**

- 1. Mayor’s Report

2. Fire Chief
3. Parks Director

**D. Appointment of City Officials Pursuant to City Charter – 2019/2020 Term - Approved**

1. City Engineering – Paul Sandy, P.E.
2. City Attorney – Joseph J. Langel

**E. Designation of Brainerd Dispatch as Official Newspaper for Calendar Year 2019 Pursuant to City Charter; And To Authorize Signature on the Contract with the Dispatch - Approved**

**F. Designation of Financial Institutions as Depositories for 2019 Pursuant to City Charter - Approved**

**G. Resolution Approving Signature Authorization for 2019 Capital Projects for the Brainerd Lakes Regional Airport – Adopted by Resolution No. 01:19**

**H. Approval of Bills (2018 Year End & January 7, 2019) and Transfers of Funds - Approved**

General Fund to Airport Fund per Budget	\$155,500
General Fund to Mayor Contingency Fund per Budget	\$2,500
General Fund to IT Capital Fund per Budget	\$20,000
Public Safety Fund to Fire Capital Fund per Budget	\$57,000
Public Safety Fund to Debt Service Fund per Budget	\$75,967

**I. (Added Item) Minnesota Lawful Gambling Application for Exempt Permit – Submitted by Brainerd Lakes Chapter of Muskies, Inc., 9143 Lone Pine Rd., Brainerd for an Event to be Held on February 16, 2019 at the Brainerd National Guard Armory, 1115 Wright Street, Brainerd - Approved**

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

**Unfinished Business**

**Call for Applicants – Informational:**  
**(Application Information at [www.ci.brainerd.mn.us/boards/](http://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: (all terms 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)  
 Transportation Advisory Committee – 1 term (Expire 2019) – 1 term (Expire 2021)  
 Rental Dwelling Board of Appeals – 2 terms (see below) (Expire 2020)

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1. *Tenant Representative (1)*
2. *General Public Representative (1)*

**Council President Recommended: (all terms expire 12/31 of said year)**  
Planning Commission – 2 terms (Expire 2021)

## **New Business**

### **Agreement for Professional Services – NW 4<sup>th</sup> Street Reconstruction - Approved**

City Engineer Sandy explained a quote was received from Bolten & Menk to perform design and construction engineering services using the Local Road Improvement Project (LRIP) funds the City received. He stated there have been discussions with Crow Wing County regarding a cost share agreement for the remaining balance after the LRIP funds are used.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE ATTACHED PROPOSAL FROM BOLTEN & MENK FOR DESIGN AND ENGINEERING SERVICES FOR THE NW 4<sup>TH</sup> STREET IMPROVEMENTS AS OUTLINED IN THE TRAFFIC STUDY.

### **Community Service Officer Resignation & Request to Hire - Approved**

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF COMMUNITY SERVICE OFFICER TYLER LENZ AND AUTHORIZE THE POLICE DEPARTMENT TO MAKE A CONDITIONAL JOB OFFER TO LUCAS CATURIA, CONTINGENT ON SUCCESSFUL COMPLETION OF THE PRE-EMPLOYMENT SCREENING PROCESS WITH A STARTING DATE OF JANUARY 8<sup>TH</sup> OR SHORTLY THEREAFTER.

### **Congressman Stauber Office Space Rental Agreement - Approved**

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND HILGART, DULY CARRIED, TO AUTHORIZE THE EXECUTION OF THE LEASE AGREEMENT WITH CONGRESSMAN PETE STAUBER'S OFFICE UPON REVIEW BY THE CITY ATTORNEY.

### **Essentia Health – St. Joseph's Medical Center Easement Agreement - Approved**

City Engineer Sandy indicated Essentia Health purchased the former Lakes Imaging building at 2019 South 6<sup>th</sup> Street. The easement request pertains to a sign and landscape island encroachment in the City right-of-way.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND HILGART, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE ESSENTIA HEALTH ST. JOSEPH'S MEDICAL CENTER EASEMENT AS PRESENTED.

### **(Added Item) Wage Resolution for Department Heads and non-union Supervisors – Adopted by Resolution 01:19**

City Administrator Torstenson indicated the resolution would utilize the new pay philosophy, Steps 1 through 8 in which steps 7 and 8 would be reserved for performance-based pay.

HR Coordinator Schubert distributed a new resolution to council, as the final resolution was different than what was provided in the packet. She explained the wage grid that was provided by the consultant was based on 2018 market data. A 1% COLA was added to the consultant's wage grid amount, which would increase to 2% in 2020, and 3% in 2021.

City Administrator Torstenson stated the wage is listed as hourly, however it is clearly specified that these are salaried positions. She explained and reviewed the terms shown in the resolution, as well as the positions and steps in each position.

Council member Stunek requested input from the staff that this would affect.

Council member Johnson agreed and asked if anyone would like to speak.

The Chair recognized Police Chief McQuiston, who indicated he does not agree with the grid being proposed. He stated there is some misrepresentation based on the information provided from the consultant. The data that has been provided appears to be grossly outdated and steps 5 and 6 are being shown as current market data, but conflicts with the information he gathered regarding a Police Chief position. Chief McQuiston stated concerns with what is being represented as "market wages" is out of alignment with information he has found.

City Administrator Torstenson stated two positions, the City Engineer and Police Chief, are rapidly changing in the market place and are becoming very difficult to fill. These two positions market will need to be evaluated.

HR Coordinator Schubert explained that Council has a right to set wages and these can be adjusted anytime at the Council's request.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN HILGART AND PRITSCHET TO ADOPT A RESOLUTION SETTING THE WAGES AND STEP PLACEMENT FOR ALL CITY AND BPU DEPARTMENT HEADS AND NON-UNION SUPERVISORS FOR 2019 – 2021.

#### **RESOLUTION 01:19**

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

#### **(Added Item) Police Officer Resignation & Request to Hire - Approved**

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF INVESTIGATOR JUSTIN ATHMAN AND AUTHORIZE THE POLICE & FIRE CIVIL SERVICE COMMISSION TO CERTIFY THE NEXT THREE AVAILABLE CANDIDATES ON THE CURRENT POLICE OFFICER ELIGIBILITY LIST.

#### **Public Forum**

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The Chair opened the Public Forum at 8:24 p.m.

The Chair recognized Mr. Louis Crombie, who is representing Congressman Pete Stauber in the Brainerd area and will be utilizing the office located in City Hall. He stated he has attended numerous council meetings in the past in hopes of being a part of a civic group.

The Chair closed the Public Forum at 8:25 p.m.

### **Staff Reports**

City Engineer Sandy commended the street staff for their outstanding work with the recent snowfall and inclement weather. He also reminded everyone of the public meeting being held on Tuesday, January 8<sup>th</sup> for the Buffalo Hills Lane Reconstruction Project at 6:00 p.m. at the Church of Jesus Christ and Latter-Day Saints, 101 Buffalo Hills Lane.

Community Development Director Chanski thanked the Council for the opportunity to serve the residents of Brainerd and is eager to learn all there is to know about Brainerd.

City Administrator Torstenson welcomed Community Development Director Chanski to the City of Brainerd. She confirmed that Mr. Chanski will be handling the quarterly newsletter going forward.

City Administrator Torstenson stated she just completed her one-year anniversary as City Administrator and is very thankful to be a part of the City and commends the excellent staff she gets to work with daily.

### **Council Member Reports**

Council member Lambert stated there have been two committee meetings regarding the review of the Conduct on Premises Ordinance that are going well.

Mayor Menk thanks the staff for the new chairs in the chambers, as this will allow for a quick transition for the room to be used for many other events and meetings. He also thanked the street staff for the hard work getting our streets cleared after the inclement weather.

Council member Johnson stated the plow crews have done an excellent job the past couple weeks.

Council member Hilgart commented the Mayor's letter was well stated and agrees on behalf of the City Council regarding the accomplishments and praises everyone.

Council member Pritschet stated it has been an honor serving as Council President for the past two years and Council member Johnson will do a wonderful job. He also added that Jolene Bradley, Brainerd Library Manager is leaving us shortly and the interim manager will be Jenny Hill. Good luck to Jolene in her future endeavors.

Council member Johnson thanked the Council for appointing him Council President and would like the recommendations for council committees prior to the next council meeting.

Mayor Menk would also like the council liaison appointment recommendations prior to the next meeting.

**Motion to Closed Session Pursuant to MN Statutes 13D.03 to Discuss Labor Negotiation Strategy – 8:34 p.m.**

**Adjourn to Buffalo Hills Lane Reconstruction Project Public Meeting on January 8, 2019 at 6:00 p.m. at the Church of Jesus Christ of Latter-Day Saints, 101 Buffalo Hills Lane**

The Chair adjourned the meeting at 8:56 p.m.

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Cassandra Torstenson  
City Administrator