

**Brainerd, MN
February 18, 2020**

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: Bevans, Badeaux, Erickson, Lambert, Stunek and Johnson. Member Pritschet was noted as absent. 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 BEVANS AND LAMBERT TO ADOPT THE CONSENT CALENDAR.

A. Approval of the Minutes of the Regular Meeting held on February 3, 2020 and the Workshop held on February 10, 2020 - Approved

B. Approval of Licenses - Approved

Contractor Licenses – 4– Renewals; 1 - New

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Minnesota Lawful Gambling Application for Exempt Permit – Submitted by Council 11679, Saint Mathias, 1844 S Oakridge Ln., Fort Ripley, MN for an Event to be Held April 26, 2020 at St. Francis of the Lakes Catholic School, 817 Juniper St., Brainerd – Approved

E. Minnesota Lawful Gambling Application to Conduct Excluded Bingo – Submitted by St. Andrew of Brainerd. Bingo Events to be Held March 14 and November 21, 2020 at St. Andrews Church, 1108 Willow St., Brainerd - Approved

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

Presentations

The Chair recognized Mr. Tyler Glynn, the new executive director of BLAEDC, who provided the Council with an update of BLAEDC’s (Brainerd Lakes Area Economic Development Corporation) activities. BLAEDC is addressing staffing issues of the organization and working on how the work of BLAEDC is reported to the City. Mr. Glynn updated the Council on the Unified Fund and Key Recruitment activities and announced that the annual BLAEDC

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meeting will be held as a breakfast rather than a lunch on Tuesday, March 24, 2020. The Chair thanked him for the update.

Community Development Director Chanski gave a presentation on the City of Brainerd's Community Development Department since the department was formed in 2019, combining the Building and Planning departments of the City. Mr. Chanski compared stats from 2019 and 2018 as well as the work done for the City by the department. The Chair thanked Mr. Chanski for the presentation.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO APPROVE THE PAYMENT OF BILLS AS RECOMMENDED BY PERSONNEL AND FINANCE COMMITTEE CONTINGENT UPON THE APPROVAL OF CHANGE ORDERS ONE AND TWO FOR IMPROVEMENTS 16-09 AND 19-07 ON THE SAFETY AND PUBLIC WORKS AGENDA.

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

(Added) Resignation of Community Service Officer (CSO) Lucas Caturia - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO ACCEPT WITH REGRET THE RESIGNATION OF CSO LUCAS CATURIA, EFFECTIVE FEBRUARY 26, 2020.

Police Request to Hire Community Service Officers (CSO's) - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON, DULY CARRIED, TO AUTHORIZE CONDITIONAL JOB OFFERS TO COLE THOMA AND MASEN BARTON FOR PART TIME POSITIONS OF COMMUNITY SERVICE OFFICER WITH STARTING DATES OF FEBRUARY 19TH OR SHORTLY THEREAFTER AT A STARTING WAGE OF \$11.33 PER HOUR.

State Delegation Agreement and Building Official Position - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO AMEND THE BUILDING OFFICIAL JOB DESCRIPTION AS RECOMMENDED BY STAFF, PRIMARY CHANGE MAKING POSSESSION OF THE STATE DELEGATION AGREEMENT BEING A "DESIRED" INSTEAD OF A "MINIMUM" QUALIFICATION AND TO AUTHORIZE STAFF TO POST THE BUILDING OFFICIAL POSITION AND CONDUCT HIRING PROCESS AS OUTLINED BY CITY POLICY.

Committee Chair Badeaux explained by changing the qualification for the state delegation agreement from minimum to desired, it will offer the position to a wider pool of applicants.

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK, DULY CARRIED, TO DIRECT STAFF TO DEVELOP AND DISTRIBUTE A REQUEST FOR PROPOSAL FOR STATE DELEGATION AGREEMENT SERVICES.

Committee Chair Badeaux stated this allows for staff to submit a request for proposal to an outside source to complete the inspections of state projects for the City.. He said once all information is received, staff will return to the Council for recommendation on how to proceed. He indicated Darrin Deseth, the interim building official, has two-year's experience of a four year requirement to hold this certification.

Federal Recreational Trail and Local Trail Connection Grants – Adopted by Resolutions 04:20 and 05:20

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO APPROVE THE RESOLUTION FOR A GRANT REQUEST FOR \$150,000 THROUGH THE FEDERAL RECREATIONAL TRAIL GRANT TO BE USED TOWARD THE DEVELOPMENT OF THE MISSISSIPPI LANDING TRAILHEAD.

RESOLUTION 04:20

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

MOVED AND SECONDED BY ALDERMEN BADEAUX AND ERICKSON TO APPROVE THE RESOLUTION FOR A GRANT REQUEST FOR \$150,000 THROUGH THE LOCAL TRAIL CONNECTION GRANT TO BE USED TOWARD THE DEVELOPMENT OF THE MISSISSIPPI LANDING TRAILHEAD.

RESOLUTION 05:20

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

Committee Chair Badeaux explained both require a 25% match in funding, but the 25% can be used for both grants. He also indicated the Council designated \$100,000 in the Capital Fund for 2020 to be used as matching finds for the development of the riverfront.

Review of Fund Balance Policy - Approved

MOVED AND SECONDED BY ALDERMEN BADEAUX AND STUNEK TO APPROVE THE FUND BALANCE POLICY WITH THE CHANGES AS PRESENTED.

Committee Chair Badeaux explained the main change in the policy has to do with the policy of the spendable-unassigned section. He stated 35 – 50% of the working funds be changed from current year to subsequent year operating expenditures in order to look forward and not back. The other suggested changes to the policy had to do more with just cleaning the policy up and adding clarification.

Council discussion was held.

Members Bevans, Badeaux, Erickson, Lambert and Stunek voted “nay”. Member Johnson voted “nay”. The Chair declared the motion carried.

Safety and Public Works Committee Report

Improvements 16-09 and 19-07 – Buffalo Hills Lane and Mississippi Drive Reconstruction – Change Orders 1 and 2 - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE CHANGE ORDERS 1 AND 2 FOR IMPROVEMENTS 16-09 AND 19-07 AS PRESENTED.

Anabec Street Stormwater Pond Maintenance Agreement - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE ANABEC STREET STORMWATER POND MAINTENANCE AGREEMENT AND AUTHORIZE PROPER SIGNATURES IN THE CROSS JURISDICTIONAL MAINTENANCE AGREEMENT.

Event/Street Closure Application – St. Patrick’s Day Parade - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO APPROVE THE EVENT APPLICATION FOR THE ST. PATRICKS DAY PARADE ON MARCH 14, 2020 UNDER THE CONDITION THAT THE APPLICANT ADD ADDITIONAL BARRICADES TO THE EAST OF THE LAUREL STREET PARKING LOT ENTRANCE ON LAUREL STREET AND THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT.

Members Bevans, Erickson, Lambert, Stunek and Johnson voted “aye”. Member Badeaux abstained from voting. The Chair declared the motion carried.

Transit Bus 118 Disposal - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE THE DISPOSAL OF TRANSIT BUS 118 AND FURTHER TO ACCEPT THE PAYMENT OF \$13,676 FROM THE INSURANCE OF THE RESPONSIBLE PARTY TO BE PUT TOWARDS THE LOCAL 20% SHARE OF THE NEW BUS.

Notice of Hearing – Municipal Separate Storm Sewer (MS4) Annual Update and Public Hearing - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO SET THE MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PUBLIC HEARING FOR APRIL 6, 2020 AT THE REGULARLY SCHEDULED CITY COUNCIL MEETING.

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) - 2 terms (Expire 2022)
Charter Commission – 2 terms (Expire 2020) - 1 term (Expire 2021) – 1 term (Expire 2022) – 1 term (Expire 2023)

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)

Planning Commission – 1 term (Expire 2022)

Other

Water Tower Fundraising Committee – Applicants Needed

New Business

Law Enforcement Mutual Aid Agreement - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND STUNEK, DULY CARRIED, TO ADOPT A RESOLUTION TO AUTHORIZE THE MAYOR AND POLICE CHIEF TO SIGN THE CROW WING COUNTY JOINT POWERS AGREEMENT FOR INTER-CITY EMERGENCY MUTUAL AID.

RESOLUTION NO. 06:20

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

Public Forum

The Chair opened the public forum at 8:05 p.m.

No one came forward.

The Chair closed the public forum at 8:05 p.m.

Staff Reports

City Administrator Bergman stated her report was included with the council packet. She highlighted that there are some training opportunities for elected officials and the League of Minnesota Cities Conference is coming up. Anyone interested to talk with her and Staff can assist with registration. She also indicated she continues to work with the Memorial Park property owner regarding the sale of the property.

Police Chief McQuiston addressed the Council about the recent news story that recently appeared on Kare 11 regarding destroyed sexual assault cases that included the Brainerd Police Department. Chief McQuiston shared that this story was old news. In 2017/2018, national news organizations submitted data requests for the same information, which promoted changes in the state legislation and a new policy for the department. The data the story referenced was from cases 5 to 11 years old and before all of the changes were in place at the local and state level. McQuiston shared changes have been made at the agency as well as the

state level, and agencies across the state value the importance of untested sexual assault cases.

City Engineer Sandy reported that the City has received the maximum amount for the Safe Routes to School engineering grant and Staff will be working with MnDOT and School District to complete the project. Provided an update on the Transportation Alliance grant application for the 28th Street trail connection stating that our application was awarded the ten regional significance points and the application is moving along in the process. A joint meeting has been scheduled with the DNR and MnDOT regarding the new trail alignment.

Council Member Reports

Mayor Menk distributed and read his letter of resignation stepping down from the City Council as Mayor effective March 31, 2020. The Mayor thanked the City of Brainerd, its leaders, citizens, and the Brainerd area for their support.

Council member Johnson reported that the HRA received 15 applicates for the executive director's position, and this time the Board has determined to hold off on the hiring process and to repost the position at a later date.

Council member Lambert expressed deep sympathy to Jeff Hulsether's, former City Engineer, family. Mr. Hulsether was employed by the City for 30 years and passed away on Saturday, February 15, 2020. Deepest sympathy to the family.

Council member Stunek thanked everyone for the support during the time he was absent from the Council.

Council member Badeaux announced to the Council that he recently accepted the position as the Director of Brainerd Community Action.

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 56401 – 8:32 p.m. - 8:58 p.m.

Adjourn

The Chair adjourned at 8:59 p.m.

Jennifer Bergman
City Administrator