

Brainerd, MN
May 20, 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: Badeaux, Hilgart, Lambert, Stunek, Pritschet, Bevans 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 HILGART, DULY CARRIED, TO APPROVE THE AGENDA.

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

A. Approval of the Minutes of the Regular Meeting held on May 6, 2019 - Approved

B. Approval of Licenses – Approved

Contractor Licenses – 3 – New; 6 – Renewals
Taxicab Application – Submitted by Baker Transportation, Inc. dba Elite Taxi, 630 30th Ave N., St. Cloud, MN 56303 – Contingent Upon Police Department Approval

C. Department Activity Reports - Approved

1. Police Chief
2. Finance Director

D. Memorandum of Agreement Between the City of Brainerd and IBEW Local No. 31 (Administrative Support) Union Setting 2019-2020 Wages for the Transit Operations Specialist Position - Approved

E. Minnesota Lawful Gambling Premises Permit Application – Adopt Resolution to Allow Lawful Gambling by the Baxter Snowmobile Club at the Last Turn Saloon Upper Level, 214-216 South 8th Street, Brainerd – Adopted by Resolution 38:19

F. Temporary On-Sale Liquor License Application – Submitted by VFW Post #1647, 309 S. 6th St. for an Event to be Held June 1, 2019 at the Brainerd National Guard Armory, 1115 Wright St., Brainerd - Approved

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

Presentations

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The Chair welcomed Ms. Mary Devine Johnson, executive director of Visit Brainerd who gave a brief overview of the organization. The organization is funded primarily by a 3% lodging tax collected from the short-term entities in the Cities of Baxter and Brainerd. Their purpose is to market and promote the City as a tourist or convention center. The Chair thanked her for the presentation.

The Chair welcomed Ms. Jennifer Bergman, executive director of the Brainerd Housing and Redevelopment Authority who explained what the HRA consists of and the purpose of the HRA. She explained the strategic plan goals and action steps for 2019-2020, as well as the five-year vision of the organization. The Chair thanked her for the update.

Council Committee Reports

Personnel and Finance Committee Report

Approval of Bills - Approved

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

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

Prosecution Attorney Agreement - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX TO APPOINT SEVERSON PORTER AS THE CITY PROSECUTOR AND HAVE THEM ASSUME THE SAME TERMS AND CONDITIONS OF THE EXISTING AGREEMENT WITH MATT MALLIE WHICH RUNS THROUGH DECEMBER 31, 2022.

City Administrator Torstenson indicated Severson Porter would like to work with Mr. Mallie as soon as possible for the transition of duties and daily operations.

Council Member Johnson indicated the Council asked for more details about all the options, but the direction was not followed as Council had requested. He stated he requested to go out for a Request for Proposal (RFP) with a temporary attorney in place and a transition plan with Mr. Mallie, which was not provided.

Committee Chair Hilgart explained the steps and processes that took place to get to the point of a recommendation.

Council discussion took place.

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

Police Department Vehicles – Community Service Officer Vehicle - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO AUTHORIZE THE PURCHASE OF A 2019 FORD F-150 FROM MILLS FORD FOR \$24,280

PLUS TAX AND LICENSING TO REPLACE THE TOTALED OUT 2014 CHEVROLET COLORADO COMMUNITY SERVICE OFFICER TRUCK USING THE INSURANCE PAYMENTS RECEIVED AS FUNDING.

Deputy Police Chief Wage Discussion - Approved

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX TO IMPLEMENT OPTION B FROM THE SUPPLEMENTED DOCUMENTATION PROVIDED IN SETTING THE WAGE FOR THE DEPUTY POLICE CHIEF FOR 2019-2021.

Council Member Stunek stated he made the recommendation to offer an additional 1%, 2% and 3% in order for the city employee to receive a raise this year. He stated the terms of employment for this employee were 90% of the police chief wage when he was promoted in 2004. He is strongly opposed to this motion, as it should be at 90% of the chief wages.

Committee Chair Hilgart indicated the reason for advocating for option B of the six options presented as it is equitable to the lowest increase that any other non-union supervisor received, and the wage study indicated this position was over market.

Council discussion took place.

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

Safety and Public Works Committee Report

Event/Street Closure Application – Auction at 10th Avenue NE and I Street – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR THE AUCTION AT 10TH AVENUE NE AND I STREET ON JUNE 22, 2019 UNDER THE CONDITIONS THAT THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT AND THE APPLICANT NOTIFY RESIDENTS IN A ONE BLOCK RADIUS PRIOR TO THE EVENT.

Event/Street Closure Application – Jaycees Street Fest - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR THE JAYCEES STREET FEST, JULY 26 AND 27, 2019 UNDER THE CONDITIONS THAT THE REQUEST FOR TRAFFIC CONTROL BE MADE ONE WEEK PRIOR TO THE EVENT AND THE APPLICANT COORDINATE POLICE STAFFING WITH DEPUTY POLICE CHIEF BESTUL.

Event/Street Closure Application – Brainerd Pride Picnic - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR THE BRAINERD PRIDE PICNIC ON JUNE 8, 2019 UNDER THE CONDITION THE APPLICANT REQUEST ANY NEED FOR TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT.

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Event/Street Closure Application – Sober Squad Walk 4 Hope - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE EVENT AND STREET CLOSURE APPLICATION FOR WALK 4 HOPE ON JUNE 8, 2019 UNDER THE CONDITIONS THAT TEMPORARY SIGNS ALONG THE ROUTE ARE REMOVED AFTER THE EVENT AND THE APPLICANT WORK WITH THE POLICE DEPARTMENT FOR THE REQUESTED ESCORT THROUGH NORTHEAST BRAINERD.

Downtown Landscaping Contract – Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT THE BID FROM NORTHWOODS LANDSCAPING IN THE AMOUNT OF \$12,180 FOR DOWNTOWN LANDSCAPING SERVICES FOR 2019.

Improvement 15-12 and 16-10 Final Pay Estimate - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE PAY APPLICATIONS AND FINAL PAYMENT TO ANDERSON BROTHER'S CONSTRUCTION IN THE COMBINED AMOUNT OF \$798,549.

Improvement 17-06, 17-07 and 18-05 – Request to Authorize Professional Services Contract with Short Elliott Hendrickson (SEH) for Construction Administration - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AUTHORIZING THE CONTRACT WITH SHORT ELLIOTT HENDRICKSON (SEH) IN THE ANTICIPATED AMOUNT OF \$110,779 FOR THE CONSTRUCTION ADMINISTRATION AND OBSERVATION ON IMPROVEMENTS 17-06, 17-07 AND 18-05.

Resolution - Improvement 16-09 Parking Restrictions – Adopted by Resolution 39:19

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT TO ADOPT A RESOLUTION RELATED TO IMPROVEMENT 16-09 (SAP 108-136-004) FOR PARKING RESTRICTIONS ON BUFFALO HILLS LANE FROM GREENWOOD STREET TO THE DEAD END.

RESOLUTION NO. 39:19

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

City Wide Stormwater Retrofit Plan – Discussion and Staff Direction - Approved

City Engineer Sandy explained having a city-wide stormwater retrofit analysis completed leads to competitive Clean Water Fund grant applications for implementation of prioritized projects.

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO DIRECT STAFF TO CONTINUE TO WORK WITH WIDSETH SMITH NOLTING (WSN), HRGREEN, THE MISSISSIPPI HEADWATERS BOARD AND ANY OTHERS TO OBTAIN A CITY-WIDE STORMWATER RETROFIT STUDY PERFORMED WITH THE EXPECTATIONS OF PLACING \$35,000 - \$50,000 BUDGET ITEM ON THE 2020 BUDGET.

(Added Item) Improvement 17-08 Safe Routes to School Project Amendment - Approved

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AMEND THE MOTION FROM THE MAY 6, 2019 COUNCIL MEETING FOR YOUNG'S EXCAVATING TO: AWARD THE BID TO YOUNG'S EXCAVATING PENDING THE STATE OF MINNESOTA APPROVAL OF THE BID.

Unfinished Business

Children's Museum – Library Option Discussion

Community Development Director Chanski explained at the Council meeting held on May 6, 2019, concerns were raised regarding the library property being an option for the children's museum. He stated he received notice that five sites have been selected for consideration, and the library is not one of them. He said he met with the library branch director and the chairperson of the library grounds committee to discuss the proposal and to share our regret in the lack of communication. He indicated that Lum Park is one of the five possible sites.

Council discussion took place.

Committee Recommendations – Recommended by Council President

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO APPOINT MR. CHRISTOPHER FOLEY TO THE PLANNING COMMISSION FOR A TERM TO EXPIRE 12/31/2021.

**Call for Applicants – Informational:
(Application Information at www.ci.brainerd.mn.us/boards/)**

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 2020)

Council President Recommended: (all terms expire 12/31 of said year)
Planning Commission – 1 term (Expire 2021)

New Business

Community Member of the Month

Community Development Director Chanski indicated this program has been created to recognize members of the community that are dedicated to making Brainerd a better place. He

introduced Collin Mieras, the summer intern for the Planning Department and who will be handling the implementation of the program.

Planning Intern Mieras explained the purpose and the details of the program, along with the voting process. He stated the idea originated with Councilman Badeaux in recognizing goods deeds being done in the community.

Council discussion took place.

MOVED AND SECONDED BY ALDERMEN LAMBERT AND HILGART, DULY CARRIED, TO PROCEED WITH THE COMMUNITY MEMBER OF THE MONTH INITIATIVE.

Public Forum

The Chair opened the Public Forum at 8:43 p.m.

No one came forward.

The Chair closed the Public Forum at 8:43 p.m.

Staff Reports

City Engineer Sandy announced that Dale Rademacher, Street Foreman will be retiring July 5, 2019 after 30 years of excellent service to the City of Brainerd.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO ACCEPT WITH REGRET DALE RADEMACHER'S RETIREMENT EFFECTIVE JULY 5, 2019 AND AUTHORIZE STAFF TO FILL THE VACANT POSITION TWO WEEKS PRIOR FOR TRAINING OF THE NEW HIRE.

City Administrator Torstenson stated the marketing intern is working on the downtown Farmer's Market, which will start on June 11, 2019 from 3:00 – 6:00 p.m. on Tuesday's this summer. She indicated the intern will also be working on events with businesses downtown and Washington Street.

Council Member Reports

Council Member Badeaux thanked the Council for approving the Community Member of the Month initiative.

Council Member Hilgart attended the Fire Advisory Committee meeting this afternoon and said it is great how the members are engaged in their role on the committee.

Council Member Lambert invited everyone to the Brainerd Memorial Day service at 10:00 a.m. at Evergreen Cemetery.

Adjourn to Harrison School Groundbreaking Event May 22, 2019

The Chair adjourned the meeting at 8:52 p.m.

Cassandra Torstenson
City Administrator

May 20, 2019