

Brainerd, MN  
April 15, 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: Bevans, Badeaux, Hilgart, Lambert, Stunek, Pritschet 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 BEVANS AND LAMBERT, DULY CARRIED, TO APPROVE THE 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 April 1, 2019 - Approved**
- B. Approval of Licenses - Approved**  
Contractor Licenses – 1 – New; 4 – Renewals
- C. Department Activity Reports - Approved**
  - 1. Police Chief
  - 2. Finance Director
- D. Adopt Resolution Accepting Donations & Contributions for the 1<sup>st</sup> Quarter 2019 - Adopted by Resolution No. 28:19**
- E. Approval of Brainerd Fire Relief Association By-Law Changes - Approved**
- F. Minnesota Lawful Gambling Application – Adopt a Resolution Authorizing the American Legion, 708 Front St., Brainerd to Conduct Off-Site Gambling on May 2, 2019 at Essentia Health Sports Center, 502 Jackson St., Brainerd – Adopted by Resolution No. 29:19**
- G. Temporary On-Sale Liquor License Application – Submitted by The Crossing Arts Alliance, 711 Laurel St., Brainerd for an Event to be Held June 14, 2019 - Approved**

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

### **Presentations**

The Chair welcomed Mr. Loren Meinke, troop leader of the Scouts BSA Troop 43 who informed the Council two scout troops are attending the council meeting this evening in order to

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earn their Citizenship in the Community merit badge. He indicated there have been changes to the national Boy Scouts of America guidelines, as girls are now welcome to join. He stated the troops are sponsored by Trinity Lutheran Church. He thanked the Council for the opportunity to speak tonight.

The Chair welcomed Mr. Tyler Glynn, economic development officer for Brainerd Lakes Area Economic Development Corporation (BLAEDC) who thanked the Council for the opportunity to present. He gave a brief update of the economic developments taking place in the City of Brainerd, and the completion of the BLAEDC funnel chart that will identify the activities BLAEDC is working and reporting on. The Council thanked him for the updates.

The Chair welcomed Ms. Cassie Carey, executive director of Brainerd Community Action who recently took the position of Community Director. She said she is excited to be a part of Community Action and the mission they abide by. She reviewed the highlights of the current projects that Community Action is working on, which include the 4<sup>th</sup> of July festivities. The Council thanked her for presenting.

### **Council Committee Reports**

#### **Safety and Public Works Committee Report**

##### **Event/Street Closure Application – Garfield Elementary Walk-A-Thon - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRITSCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION TO APPROVE THE APPLICATION UNDER THE CONDITION THAT THE APPLICANT REQUEST TRAFFIC CONTROL ONE WEEK PRIOR TO THE EVENT SO IT MAY BE SCHEDULED ACCORDINGLY.

##### **Improvement 18-08 (SAP 108-126-014) and 18-09 (SAP 108-124-008) – College Drive and South 4<sup>th</sup> Street Mill and Overlay Project Authorization to Bid - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO AUTHORIZE STAFF TO BID IMPROVEMENT 18-08 (SAP 108-126-014) AND IMPROVEMENT 18-09 (SAP 108-124-008).

##### **Small Wireless Facility Design and Guidelines Policy - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND PRISCHET, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND APPROVE THE FACILITY DESIGN PRESENTED AND REVIEW THE GUIDELINE POLICY FOR SMALL CELL WIRELESS FACILITIES.

Committee Chair Bevans explained this is the policy and guidelines for facility design, and more information will be presented at a later date. He indicated ten of these facilities are already located in the City which are on BPU owned light poles. He said staff is working with the city attorney regarding the revision of the City ordinance to reflect the guideline policy.

Council discussion took place.

##### **Tax Forfeit Non-Conservation Parcels - Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT STAFF'S RECOMMENDATION AND AGREE WITH THE NON-CONSERVATION STATUS OF THE PARCELS LISTED AND AUTHORIZE CROW WING COUNTY TO SELL THE PARCELS ONCE THE SAID TRACTS ARE LISTED AS NON-CONSERVATION.

### **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 Bevans, Badeaux, Hilgart, Lambert, Stunek, Pritschet and Johnson voted "aye". No member voted "nay". The Chair declared the motion carried.

#### **Transit Operations Specialist - Approved**

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO APPROVE THE TRANSIT SPECIALIST POSITION AND POSTING OF THE TRANSIT OPERATIONS SPECIALIST POSITION WITH A POSSIBLE HIRE DATE OF JULY 1, 2019.

Council discussion took place regarding the funding arrangement of the new position.

#### **Brainerd Historic Water Tower Proposal - Approved**

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO AUTHORIZE THE LOCAL MATCH TO THE PROPOSAL UP TO \$12,500 FOR CONSTRUCTION AND DESIGN ENGINEERING.

Committee Chair Hilgart stated the funds would come from the \$300,000 previously committed by the Council toward the water tower project.

Council discussion took place.

#### **Request to Hire Police Officers - Approved**

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO AUTHORIZE CONDITIONAL JOB OFFERS TO THE TOP THREE CANDIDATES ON THE CURRENT POLICE OFFICER ELIGIBILITY LIST, WITH THE TENTATIVE STARTING DATES OF MAY 6<sup>TH</sup>, JUNE 10<sup>TH</sup> AND SEPTEMBER 23<sup>RD</sup>, PENDING SUCCESSFUL COMPLETION OF THE PRE-EMPLOYMENT SCREENING PROCESS.

#### **Wage Adjustment for Community Service Officers (CSO) - Approved**

MOVED AND SECONDED BY ALDERMEN HILGART AND STUNEK, DULY CARRIED, TO INCREASE THE COMMUNITY SERVICE OFFICER (CSO) WAGE SCALE AS PRESENTED EFFECTIVE APRIL 16, 2019. FURTHER, THAT SAID WAGE SCALE BE

INDEXED ANNUALLY BY THE DEPARTMENT HEADS AND NON-UNION SUPERVISOR COLA ADJUSTMENT.

**2019 Wage Adjustments for Paid-on-Call Firefighters - Approved**

MOVED AND SECONDED BY ALDERMEN HILGART AND BADEAUX, DULY CARRIED, TO APPROVE A 2019 COLA ADJUSTMENT OF 1% FOR PAID ON CALL FIREFIGHTERS EFFECTIVE MAY 1, 2019. FURTHER, THAT FUTURE COLA ADJUSTMENTS FOR PAID ON CALL FIREFIGHTERS FOLLOW THE NON-UNION EMPLOYEE GROUP.

**Unfinished Business**

**Call for Applicants – Informational:  
(Application Information at [www.ci.brainerd.mn.us/boards/](http://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 – 2 terms (Expire 2021)

**New Business**

**Class 2 On-Sale Liquor License (Restaurant)/Sunday Application – Submitted by The Skillet Restaurant, LLC., 121-123 Washington St. NE, Brainerd – Contingent Upon Police and Fire Department Approval - Approved**

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND BEVANS, DULY CARRIED, TO APPROVE THE ON-SALE LIQUOR/SUNDAY LICENSE FOR THE SKILLET RESTAURANT LLC CONTINGENT UPON POLICE AND FIRE DEPARTMENT APPROVAL.

**Biennial Body Worn Camera Audit Report – Approved**

MOVED AND SECONDED BY ALDERMEN BEVANS AND LAMBERT, DULY CARRIED, TO ACCEPT THE RECEIPT OF THE BIENNIAL AUDIT RESULTS OF THE POLICE DEPARTMENT BODY WORN CAMERA SYSTEM IN COMPLIANCE WITH STATE STATUTE 13.825.

**Council Workshop – April 29, 2019 at 7:30**

Council agreed to hold a Special Council Meeting and workshop on April 29, 2019 at 7:30 p.m.

**Planning Commission**

**Final Reading – Proposed Ordinance No. 1493 – An Ordinance to Rezone Property at 940 and 944 – 28<sup>th</sup> Street SE and Unaddressed Property on 28<sup>th</sup> Street from R-1 to R-2 –**

**City Administrator Torstenson Recommends to Dispense with the Actual Reading - Approved**

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1493 – AN ORDINANCE TO REZONE PROPERTIES AT 940 AND 944 28<sup>TH</sup> STREET AND THE UNADDRESSED PROPERTY FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO AN R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO ADOPT ORDINANCE NO. 1493 – AN ORDINANCE TO REZONE PROPERTIES AT 940 AND 944 28<sup>TH</sup> STREET AND THE UNADDRESSED PROPERTY FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO AN R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

**ORDINANCE NO. 1493**

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

**Final Reading – Proposed Ordinance No. 1494 – An Ordinance to Rezone Property at 1601 and 1609 Oak Street and Neighboring Parcels from B-2 to an R-2 - Approved**

MOVED AND SECONDED BY ALDERMEN LAMBERT AND PRITSCHET, DULY CARRIED, TO HOLD THE FINAL READING OF PROPOSED ORDINANCE NO. 1494 – AN ORDINANCE TO REZONE PROPERTY AT 1601 AND 1609 OAK STREET AND NEIGHBORING PARCELS FROM A B-2 BUSINESS DISTRICT TO AN R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

MOVED AND SECONDED BY ALDERMEN PRITSCHET AND LAMBERT TO ADOPT ORDINANCE NO. 1494 – AN ORDINANCE TO REZONE PROPERTY AT 1601 AND 1609 OAK STREET AND NEIGHBORING PARCELS FROM A B-2 BUSINESS DISTRICT TO AN R-2 MEDIUM DENSITY RESIDENTIAL DISTRICT.

**ORDINANCE NO. 1494**

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

Council Member Lambert requested further information regarding the need for signage or signal lights at the school for safe crossing of Oak Street.

Council Member Johnson inquired if the pedestrian flashing lights were being considered. He said no amount of signage is going to prevent bad drivers from driving poorly.

City Engineer Sandy stated if the Council desires to implement these, it could be done. He warned the Council that the studies completed on these signal lights show they are not as effective as perceived and may cause more problems.

Council directed City Engineer Sandy to research other solutions that have supporting data.

## **Public Forum**

The Chair opened the Public Forum at 8:33 p.m.

The Chair recognized Mr. Mike Higgins, owner of Brainerd Industrial Center (BIC) 1801 Mill Ave., who stated he would like to comment on the historic water tower fundraising project. He feels the City should think about a steel constructed replica that would also be operational and would cost the same amount of money.

The Chair closed the Public Forum at 8:38 p.m.

## **Staff Reports**

City Engineer Sandy stated the Governor has signed the hands-free while driving cell phone bill into law, which is in effect August 1, 2019.

Community Development Director Chanski announced as the snow is now melting, residents are encouraged to be active in the clean-up of their property to be in compliance with City code.

City Administrator Torstenson stated the Performance Management Culture Based training starts this week for all city staff.

## **Council Member Reports**

Mayor Menk has been invited to attend a meeting with the Lindar Company and the governor.

Council Member Stunek announced the Easter egg hunt is taking place Saturday, April 20<sup>th</sup> at Gregory Park.

Council Member Johnson indicated he will be sending the council members the City Administrator review forms in the near future.

Council Member Lambert and Mayor Menk will be attending the Bringing Up Grades school program awards at Pizza Ranch on April 29, 2019.

Council Member Pritschet stated the high school state speech tournament took place last weekend and two of the speakers took high placements, with one of them accomplishing a finalist place.

## **Adjourn to Special Council Meeting and Workshop on April 29, 2019 at 7:30 p.m.**

The Chair adjourned the meeting at 8:50 p.m.

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Cassandra Torstenson

City Administrator

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