

MINUTES OF THE REGULAR MEETING
OF THE BRAHAM CITY COUNCIL
TUESDAY, DECEMBER 5, 2017
FOLLOWING THE TRUTH IN TAXATION MEETING

The meeting was called to order with the following present: Mayor Patricia Carlson; Council Members Lowell Jaques, Shawn Sullivan, Jeremy Kunshier, and Traci Leaf; and City Administrator Sally Hoy.

Delwayne Hahn and Scott McKinney were present from the press.

The meeting opened with The Pledge of Allegiance.

Sullivan moved, and Leaf seconded to approve the minutes from the November 13, 2017 council meeting. Motion carried 5-0.

Sullivan moved, and Leaf seconded to accept the agenda as amended. Motion carried 5-0.

Leaf moved, and Kunshier seconded to approve payment of the November bills and payrolls as presented. Motion carried 5-0.

Chief Knowles gave the police report. He reported 602 calls for service in November, compared to 382 in November 2016. Interim Chief Baumgart gave an update of police activity for the month of November. He introduced Tanner Hagen, the new full-time officer, to the council.

BANKING TRANSACTIONS

Jaques moved, and Sullivan seconded to approve the following banking transactions:

11/7/17 Transferred \$3,097 from Lottery Checking to General Checking for reimbursements of lottery payouts

11/17/17 Transferred \$5,217.95 from Des. Res. Savings to General Checking to cover the electrician's costs on the upgrade of the RAS pumps at the WWTF

Motion carried 5-0.

ENGINEERING

Res. 17-18 Ordering Improvements and Preparation of Plans for the 2018 Street Improvement Project

City Engineer Brian Miller presented the council with Res. 17-18 ordering the improvements of the 2018 Street Improvement consisting of Cypress Ave S, Eastgate Ave. S, and 3rd St SE, and authorizing MSA Professional Services to prepare the plans. He gave the council the option of doing the slip-lining on S Elmhurst sewer in place of doing the S Eastgate part of the project. He noted that the estimated project costs did include slip-lining the sewer under S Cypress, if

needed. He told the council that the next step would be for them to put the plans together for those three streets, getting the sewer line cleaned and televised, then they'll know better where the numbers are, and can consider slip-lining S Elmhurst, which was left from the 2016 Street Project. He noted that if they don't need to slip-line S. Cypress, that would reduce the project costs to consider doing the slip-lining on S. Elmhurst.

Council Member Sullivan asked about the residents' concerns about the drainage. He asked what the process would be. Miller said he'd get the cleaning and televising done on S. Cypress and then report back to the council. He said if they find there needs to be an adjustment, then they would need to pass another resolution.

Sullivan moved, and Leaf seconded to adopt Res. 17-18 ordering the improvements and preparation of plans for the 2018 Street Improvement Project, asking that he keep the council notified on the drainage issues expressed by the residents. Motion carried 5-0.

Approve Engineering Invoice for 2018 Street Improvement Project

The council reviewed the invoice in the amount of \$12,384.10 from MSA Professional Services for engineering work on the 2018 Street Improvement project. She reminded the council that this would be like prior street improvements, where some of the engineering costs are generated before the City issues the bonds, therefore the City's cash flow carries the expense until the bond is issued. She said the 2018 Street Improvement fund will run at a deficit until the bond is issued, and this will show in the 2017 financial statements. She said there is no way around it, as the engineering work has to be done.

Miller said by starting this project in 2017, the bids can go out earlier, where they can potentially get better prices.

Carlson moved, and Leaf seconded to approve the engineering invoice in the amount of \$12, 384.10 on the proposed 2018 Street Improvement Project. Motion carried 5-0.

ERCOA BUILDING DEMOLITION

Administrator Hoy reported that Marshall Lind had contacted Jana King, economic developer for Isanti County, and was told there is no funding available for the project; and even worse, the DEED project that funds economic development projects for job creation may not be funded in the future either.

Hoy reported that ECE requires 50% matching, which would be \$54,000-\$61,000 cash up front from the City, and they would defer payments for up to 12 months. She said if the City proceeded with their loan for the other 50%, it would result in a \$6,000/yr. payment, a 1% levy increase. Hoy noted the difficulty was in coming up with the cash for the 50%, and her comfort zone was not in place to use reserves for it.

Sullivan moved, and Leaf seconded to table this until a later date, keeping eyes and ears open to an opportunity to be able to address the project. Hoy noted that the RFPs had to be requested in order for the City to know what kind of costs it was dealing with. She said that if the numbers had come in lower, the City could have possibly done the project. Motion carried 5-0.

ORD. #277 SUMMARY FOR PUBLICATION

Sullivan moved, and Leaf seconded to adopt the Summary of Right of Way Ord. 277 for publication, as drafted by the City Attorney's office. Motion carried 5-0.

RES. 17-19 ADOPTING THE 2018 FINAL LEVY

Jaques moved, and Kunshier seconded to adopt Res. 17-19, adopting the 2018 Final Levy for the City of Braham in the amount of \$606,930. Motion carried 5-0.

RES. 17-20 ADOPTING THE 2018 FINAL BUDGET & SALARY SCHEDULE

Sullivan moved, and Kunshier seconded to adopt Res. 17-20, adopting the 2018 Final Budget and Salary Schedule. The total budget is as follows:

General Fund Revenues	\$1,154,063
General Fund Expenses	\$1,154,063
Total Revenues	\$3,872,073
Total Expenses	\$3,806,366

Motion carried 5-0.

2018 LICENSE RENEWALS

The council reviewed the following license renewals for 2018:

Braham Lanes	On-Sale 3.2 Malt Liquor
DG Retail (Dollar General)	Tobacco
Home Town Liquor (City doesn't issue its own liquor license)	Tobacco
MN Stores LLC (Dino Mart)	Off-Sale Malt Liquor Tobacco
Raven Properties, Inc. (Rysdam's Pizza Pub of Braham)	On-Sale Intox Liquor 3 Amusement Devices

Sullivan moved, and Leaf seconded to approve the 2018 license renewals, contingent upon their meeting and maintaining all licensing requirements. Motion carried 5-0.

Water/Sewer Excavation

Administrator Hoy said that D & M Excavating submitted their application for the 2018 W/S Excavation license, but she had not heard from Muddy Gap Hollow. Leaf moved, and Kunshier seconded to approve the 2018 W/S Contractors licenses contingent upon the City receiving the applications, and meeting and maintaining the licensing requirements. Motion carried 5-0.

RAFFLE PERMIT APPLICATION – KANABEC AREA FRIENDS OF THE NRA

Sullivan moved, and Jaques seconded to approve the Raffle Permit Application from the Kanabec Area Friends of the NRA for their annual event on February 22, 2018 at the Braham Event Center. Motion carried 5-0.

BINGO & RAFFLE PERMIT APPLICATION – BRAHAM WARRIORS WRESTLING CLUB

Kunshier moved, and Jaques seconded to approve the Bingo and Raffle Permit Application for the Braham Warriors Wrestling Club for their annual event at the Braham Event Center on January 27, 2018. Sullivan abstained. Motion carried 4-0.

MEMORANDUM OF UNDERSTANDING – ADMINISTRATIVE CITATIONS HEARING OFFICER

Administrator Hoy reported that as part of the implementation of Administrative Citations, the City has to provide for Administrative Hearings should a recipient of an Administrative Citation request a hearing. She noted that the City of Isanti has entered into a MOU with the City of Cambridge to use Cambridge's Administrative Hearing Officer, Robert Roby, and Cambridge is willing to do the same with Braham. She reported the current rate for Mr. Roby is \$75/hr., which will likely increase a bit since Cambridge's agreement with him runs to March 1, 2018. Hoy noted that Mr. Roby has been through the hearing process already, so it would be the most efficient direction for the City of Braham to go as well, noting that Braham likely wouldn't have a lot of hearings.

Interim Chief Baumgart added that he'd spoken with Chief Hill at Isanti, who told him that Mr. Roby is well-versed in the hearing process, and there wouldn't be a lot of hearings. He said that Cambridge had three hearing over the course of the last two years, and Isanti and Isanti County didn't recall the last hearings they had.

Sullivan moved, and Leaf seconded to enter into the MOU with the City of Cambridge to use their hearing officer for Administrative Hearings. Motion carried 5-0.

2018-2020 UNION CONTRACT

The council reviewed the 2018-2020 Police Union Contract. Administrator Hoy noted the changes in the contract are proposed as follows:

- A) Salaries for 2018 are consistent with the 2018 Salary Schedule. 2% pay increase for 2019 and 2020.

- B) Deletion of \$1.80/hr. Shift Differential.
- C) Addition of Kevin Stahl to the list of union members.
- D) Uniform allowance increases \$25/year for each FT officer. This is consistent with past contracts.

Sullivan moved, and Leaf seconded to approve the 2018-2020 Union Contract as presented. Motion carried 5-0.

ORD. 278 AMENDING LIQUOR ORD. 254
RE: PERSONS AND PLACES ELIGIBLE FOR LICENSES

Administrator Hoy reported that Ord. 254 amends the City's Liquor Ordinance 234 with regards to persons and places eligible for licenses, and distance from schools and churches. She noted the language in Ord. 234 was okay, stating State Law for eligibility for licensing, but Paragraph b in Ord. 254 states licenses shall be issued *only* to hotels, clubs, and restaurants. Paragraph c in this same ordinance states on-sale wine licenses shall be issued only to restaurants.

Hoy reported that the City's liquor ordinances were drafted at a time before the concept of a live theatre, bed & breakfast, or brew pub ever existed in the City. With changing times and a pending application in January from the owners of the Weise Auditorium, she noted the City should update Ord. 254. Hoy said she asked City Attorney Joel Jamnik about amending the ordinance, and he noted, "*Paragraphs b and c should probably be deleted, assuming the council will hopefully want to eventually also issue licenses to brew pubs and the almost countless other businesses eligible for licensure under state law.*"

Hoy reported that Ord. 278 deletes Paragraphs b and c from Ord. 254, and if the council was in favor of adopting Ord. 278, it would be posted on the City website and in City Hall for a minimum of 2 weeks before the January council meeting, and ready for council adoption at the January meeting. Hoy noted ordinances do not become effective until published.

Carlson moved, and Leaf seconded to move forward with adoption of Ord. 278. Sullivan abstained. Motion carried 4-0.

RESIGNATION OF ROBERT KNOWLES AS BRAHAM POLICE CHIEF

The council received Robert Knowles' official resignation letter, effective Dec. 31, 2017. Mayor Carlson extended the City's appreciation to Chief Knowles for his 30 years of service to the Braham community, and wished him the very best in a well-earned retirement. She announced an Open House will be held for Knowles at City Hall on Thursday, January 4, from 2-4 p.m. and that the public is invited to attend. She thanked Chief Knowles for everything.

Kunshier moved, and Carlson seconded to accept Robert Knowles' resignation with regret and deep appreciation for his service to the City. Motion carried 5-0.

APPOINT JAY MANKIE TO THE BRAHAM PLANNING COMMISSION

Sullivan moved, and Leaf seconded to appoint Jay Mankie to the Braham Planning Commission. Motion carried 5-0.

GPS 45:93 DUES FOR 2018

Leaf moved, and Kunshier seconded to approve payment of \$850 to Northern Technologies Initiative/GPS 45:93 for 2018 membership dues. Motion carried 5-0.

CHANGE IN BENEFIT LEVEL FOR FIRE RELIEF ASSN

Kunshier moved, and Leaf seconded to increase the benefit level for the Braham Firefighters Relief Assn from \$2,300 to \$2,600 per year of service for 2017, with the City having no contribution amount. Motion carried 5-0.

TRACI LEAF'S RESIGNATION FROM CITY COUNCIL

Council Member Leaf turned in her resignation from the Braham City Council, stating she would no longer be living in the Braham City Limits as of December 18, 2017. Sullivan moved, and Jaques seconded to accept Leaf's resignation with sincere regret. Motion carried 5-0.

Sullivan moved, and Leaf seconded to adjourn. Motion carried 5-0. Meeting adjourned at 9:03 p.m.

Respectfully Submitted,

Sally A. Hoy
City Administrator