

**MINUTES**  
**BRAHAM CITY COUNCIL**  
**Regular Meeting**  
Tuesday May 4, 2021  
6:00 P.M.

Mayor Carlson called the meeting to order at 6:00 pm. Members present Ryan Davis, Seth Zeltinger, Robert Knowles, and Vicky Ethen.

Staff present: Administrator Angela Grafstrom, Police Chief Eric Baumgart, and Water/Wastewater Superintendent Victor Fanth

Also, present: Sarv Mithaqiyar of the County News Review, Andrew Fontanille of WCMP Radio, and Jon Pauna of Moore Engineering.

**ACCEPTING THE AGENDA**

Council received another event permit for the annual Kids Club Celebration at Friendship Church. As this is an annual event, Grafstrom added it for approval under the consent agenda.

***Councilor Ethen motioned to accept the agenda with the addition of Friendship Church Event Permit to the Consent Agenda.*** Motion seconded by Councilor Knowles and carried unanimously.

**Consent Agenda**

Approval of minutes bills and payroll, Resolution 21-17 Accepting a donation of \$100 from Braham Lanes for the fireworks and two annual event permits: The Chamber's Annual Appreciation Day Special Event Permit and Friendship Church's Kids Club Celebration.

***Councilor Knowles motioned to approve the consent agenda items consisting of the minutes from 4/6/21 and 4/22/21, Resolution 21-17 Accepting a Donation, the 2 above mentioned Event Permits and the payment of bills and payroll totaling \$330,270.03 which includes check #42042 to #42132, electronic checks #32616e to #32651e, and payroll transfers #502301e to #502339e totaling \$55,832.28.*** Motion seconded by Councilor Zeltinger and carried unanimously.

**Engineering**

**Visu-Sewer Estimate**

In the process of televising, areas have been identified in our collection system that must get lined immediately to prevent additional collapse. As Visu-Sewer has already done the work and identified those areas, the City asked them to give us a cost estimate to fix the areas. The estimate for approx. 871 linear feet is \$34,405.50. Pauna and Fanth both recommended the City not accept this estimate as they believe we will need to add more linear feet to what must be done. No action taken at this time.

**2<sup>nd</sup> Street Reconstruction**

Bids for the 2<sup>nd</sup> Street SW Reconstruction Project were accepted online and opened virtually on 4/20/21. The City received 4 bids ranging from \$394,575.00 to \$596,796.90. The lowest responsible bid was from Land Pride Construction out of Paynesville in the amount of \$394,575. Council should award the project contract to Land Pride Construction with the lowest responsible bid of \$394,575.

**Mayor Carlson motioned to accept the lowest bid of \$394,575 from Land Pride Construction and award them the 2<sup>nd</sup> Street SW Reconstruction Project.** Motion seconded by Councilor Knowles and carried unanimously.

**Councilor Ethen motioned to authorize staff to submit an application to Minnesota Rural Water Association loan for improvements associated with the 2<sup>nd</sup> Street SW Reconstruction and the sewer pipe slip lining.** Motion seconded by Councilor Davis and carried unanimously.

Pauna noted the City will also have to pass the Construction Agreement with the County since the project will be getting funding through them.

**Councilor Ethen motioned to adopt Resolution 21-18 Construction Agreement with Isanti County.** Motion seconded by Councilor Knowles and carried unanimously.

Task Order #6 needs to be approved so Moore Engineering can work on the Wastewater Treatment Facility. We approved Task Orders #5 and #7 to do work on the street project at the Special Meeting in March. Pauna stated they can begin work and hold off on invoicing the City until the money is approved for the project, unless it runs on for a couple of years, they may need to invoice some of the work.

**Mayor Carlson motioned to approve Moore Engineering's Task Order #6 for work on the Wastewater Treatment Facility.** Motion seconded by Councilor Knowles and carried unanimously.

### **Lobbyist**

James Robins has submitted a written report updating the status. He would like to encourage councilors to be involved in the process. Feel free to reach out to him with any questions or concerns. Council discussed we are in early days, but more involvement would be good. Grafstrom mentioned there will be a tour by representatives/senators in the fall.

### **Dept Reports**

All the department head reports that have been submitted and are in the packet. No council action required.

### **Compost Road Bid**

Eklund got bids to finish the road into the new compost site. Bids were received from Jones Construction and D & M Excavating. The Jones construction bid is \$35,000 and the D&M Bid is \$22,500. Council should accept the lower bid from D&M Excavating. Road restrictions in Kanabec should be lifted in May and they can begin the work.

**Councilor Davis motioned to accept the bid from D & M Excavating for \$22,500 and award them the job to build the road in the new compost site on Quail.** Motion seconded by Councilor Zeltinger and carried unanimously.

### **Mutual Aid Agreements**

The fire department is requesting the city update their mutual aid agreements with Dalbo, Pine City, Rush City and Mora. The City had signed an agreement with Mora in February of 2019, but it did not include an end date on the contract. Going forward, all agreements should have an end date so that they are reviewed and periodically updated.

**Councilor Davis motioned to approve signing the individual mutual aid agreements with Dalbo, Rush City, Mora, and Pine City.** Motion seconded by Councilor Zeltinger and carried unanimously.

### **New Hires**

At the special meeting of 4/22/21 Council approved Conner Rowland as a full-time liquor store clerk and Nickie Nelson as a part-time liquor store clerk. The liquor store still needs part-time clerks. Interviews will be conducted on 4/28/21 – 4/30/21. Interviews were set up with 11 people all, but one confirmed they would attend the interview, and only 4 people showed up at all. Luckily, the candidates who showed up were good candidates. Piper and Grafstrom are requesting the council approve hiring Carly Niska and Will Gorham with a start date of 5/5/21 and Jacqueline Connell with a start date of 5/10/21 all at step one, \$12.12/hour. Ethen wanted to go on record that we should always be hiring people at step one and not rating them up for experience.

**Councilor Ethen motioned to approve hiring Carly Niska and Will Gorham at Step 1, \$12.12/hour with a start date of 5/5/21 and Jacqueline Connell at Step 1, \$12.12/hour with a start date of 5/10/21.** Motion seconded by Councilor Knowles and carried unanimously.

### **OLD BUSINESS**

#### **Hazardous Building**

Last year the City obtained a Court Order on 310 Central Dr W-Hazardous Building to tear down the house. Since they have done additional work, and so much time has passed, the City cannot proceed with this demolition. Upon review the letter in the council packet, Council can see the City may be able to re-approach the judge who issued the original order, but the City may have to start from scratch. If they city pays for the demolition, it can be assessed to the taxes, but the City would not own the property. Council must decide how they want to proceed and if so, it must be acted on it this summer.

**Councilor Zeltinger motioned to approve proceeding with the action to get the house removed.** Motion seconded by Councilor Carlson and carried unanimously.

### **NEW BUSINESS**

#### **Happy Productions Special Event Permit**

Happy Productions has requested to use the sidewalk and 2 parking spaces to increase their seating for listening room events on 5/21/21 and 5/28/21 from 3 pm to 10 pm. This was not included in the consent agenda as it is a new permit request and not something that has been done annually in the past. Davis stated this is a problem for the fire department, even when there are cars parked there and it should be repainted yellow for no parking. Council agreed it needs to be a quickly moveable structure and Mayor Carlson suggested they use snow fence and a tire. Grafstrom suggested we verify with the fire department what they are using and make sure that will work.

***Councilor Knowles motioned to approve the special event permit from Happy Productions as long as the surround is quickly moveable and no issues arise.*** Motion seconded by Councilor Ethen and carried unanimously.

### **Holboy Utility Bill**

The City has a water/sewer customer with an exceptionally high bill. An extenuating circumstances payment agreement was presented to the parties, but they are still unhappy with the arrangement and have asked to address council as they are looking for forgiveness on a portion of the bill. Council reviewed the timeline and meter profile associated with this billing.

The City has a payment arrangement rule established allowing up to an additional 14 days to pay your past due bill. Grafstrom has created a form for an extenuating circumstance payment plan. The criteria to qualify would be if a bill in one month is over 10 times the customer's usual monthly bill as this could create a hardship for someone. In such a case, we could do an additional payment on top of their regular monthly payment for up to 6 months. But the homeowner will have to keep up on it, or they will be shut off.

As far as Holboys go, this is a great deal of money, but in one month's time they have not paid anything, not even their usual monthly billing. They stated they "shut off the water." It is also difficult to believe that they had no idea they had a burst pipe which caused an additional usage of over 220,000 gallons (their average 12-month use is only 11,454 gallons of water, so this is the equivalent of 20 years of water, or another way to look at it, our water tower holds approx. 250,000 gallons of water) and it went unnoticed by the homeowners, especially since they have stated they have a finished basement. Holboys have used the water by their own admission.

Grafstrom's recommendation to council is that they stick to the payment plan she offered. She reminded council any decision they make on this is setting a precedent going forward. Mayor Carlson stated the council has never forgiven charges.

***Mayor Carlson motioned to approve offering the 6-month payment agreement as presented with no forgiveness of any portion of the bill.*** Motion seconded by Councilor Ethen and carried unanimously.

### **Adjourn**

There being no further business of the Braham City Council, ***Councilor Ethen moved to adjourn the council meeting of May 4, 2021.*** Motion seconded by Councilor Davis and carried unanimously. Meeting adjourned at 6:59 pm. The next regular meeting of the City Council will be held on June 1, 2021 at 6 pm, with a Special Meeting on May 10 at 6pm to discuss Annexations and a Special Meeting on May 18 at 5pm to work on the City's Capital Financial Plan with Jason Murray of David Drown Associates.