

ADMINISTRATOR'S REPORT
BRAHAM CITY COUNCIL
Regular Meeting
Tuesday May 4, 2021
6:00 P.M.

Please note I have included 3 informational items in your folders that are not part of the meeting:

1. The article from the County News Review in case you did not see it and
2. important information on handling complaints against law enforcement in the current climate. Please take time to review this as it is state law.
3. A letter from LMCIT regarding a data request that may affect the City.

Consent Agenda

All the usual stuff to approve, but I wanted to note we have Resolution 21-17 Accepting a donation of \$100 from Braham Lanes for the fireworks and the Chamber's Annual Appreciation Day Special Event Permit.

Engineering

In the process of televising, we have identified areas in our collection system that we need to get lined immediately to prevent additional collapse. As Visu-Sewer has already done the work and identified those areas, we asked them to give us a cost estimate to fix them. The estimate for \$34,405.50.

Bids for the 2nd 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. We need council to award the project contract to Land Pride Construction with the lowest responsible bid of \$394,575.

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 work on the street project at the Special Meeting in March.

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.

Dept Reports

All the department head reports that have been submitted are in the packet.

Compost Road Bid

I had Eklund get us some bids to finish the road into the new compost site. We have bids from Jones Construction and D & M Excavating. Jones construction bid is \$35,000 and D&M Bid is \$22,500. I would suggest we go with the lower bid from D&M. Road restrictions in Kanabec should be lifted in May and they can begin the work.

Mutual Aid Agreements

The fire department is requesting the city update their mutual aid agreements with Dalbo, Pine City, Rush City and Mora. We 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.

New Hires

At the special meeting of 4/22/21 we 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. We set up interviews with 6 people on Wednesday, all but one confirmed they would be there and only 2 showed up at all. We are interviewing 5 more on Thursday and Friday. I will have a list of hires for the meeting on Tuesday for council approval.

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, we cannot proceed with this demolition. If you review the letter in the council packet, you can see we may be able to re-approach the judge who issued the original order, but we may have to start from scratch. If they city pays for the demolition, it can be assessed to the taxes, but we would not own the property. Council must decide how they want to proceed and if so, it must be acted on it this summer.

NEW BUSINESS

Happy Productions Special Event Permit

I have included in your packet Shawn Sullivan's request 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. I did not include this in the consent agenda as it is a new permit request and not something that has been done annually in the past.

Holboy Utility Bill

We have a water/sewer customer with an exceptionally high bill. I have made an extenuating circumstances payment agreement with the parties, but they are still unhappy with my efforts and have asked to address council as they are looking for forgiveness on a portion of the bill.

I have attached the email I received from Holboys regarding their bill and a copy of my proposed extenuating circumstances payment plan. Here is the timeline of events associated with the billing:

- 3/24/21 Meters were read, and Stephanie White notified the Holboys via phone and informed them they have a leak/problem somewhere as their bill since the last reading is \$2205.89. Their usual monthly bill is around \$77.00. This issue would have started between Feb 15 and Mar 15, 2021. Sandy Holboy argued with Ms. White that they have nothing wrong. No payment arrangement was made.
- 3/14/21 Payments were due, no payment, not even their usual monthly fee was paid. Prior to the due date, people may contact the city and set up a payment arrangement of up to 14 days, this was also not done.
- 3/15/21 The day after payments were due, Mr. Holboy contacted Stephanie White and said they could not afford this. She informed him that no payment arrangement was made, and his account is now past due. She told him at this point, he will need to contact the City Administrator or bring it to council to approve a payment arrangement. No contact was made with City Administrator Grafstrom.
- 4/26/21 Administrator Grafstrom received an email from David Holboy stating they had a burst pipe and needed an extended payment arrangement. Bills were just run today, and their new balance is \$3124.54. Grafstrom drafted a payment arrangement for the past due balance due to extenuating circumstances.
- 4/27/21 Marcy Peterson called and spoke with Sandy about our proposed payment arrangement. Sandy Holboy said she would talk it over with her husband and let us know.
- 4/28/21 Peterson called Holboys around noon as we had not heard from them yet. They did not agree to the terms presented and asked to be on the agenda to discuss the removal of at least the sewer charges. Holboy told Peterson they shut the water off, so they did not have it repaired by a plumber, and it did not go in the sewer, it ran into the yard with the sump pump. As Peterson had just called, Grafstrom sent George Rowe over to look at the meter and make sure it is functioning properly, but they did not answer the door. Grafstrom called, no one answered. She left a message telling them we needed to get George in to run a profile on their meter. She called back and left a vm that he would not be able to get in until Monday.
- 4/29/21 Grafstrom called her back and left a vm that George will be there on Monday morning at 8:00 am to run the profile. I will have results at the council meeting.

We have 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 attempted to pay anything, not even their usual monthly billing, or reach back to the city in a timely fashion to draft a payment plan or allow us to run a profile on their meter. They also did they fix the problem but stated they "shut off the water." It is also difficult to believe that 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.

I have drafted a payment agreement which I think the council should support. They have used the water and it is their responsibility to prove it did not go into the sewer system and they have not been able to do so. If they ran it into the street, it still went into the City's storm sewer. No other city forgives sewer under these circumstances and even if one did, that is not our policy. I have included my proposed payment plan in the packet. They used this water by their own admission, and it should not be forgiven. Additionally, we have not been allowed in to run a meter profile which would give us more details and let us know if there is a meter issue. (water

meters usually slow down, and not speed up). The city pays for this water in the operations of our systems and the additional burden it puts on our already overburdened wastewater system. We rely on our customers to pay for the water they used.

My recommendation to council is that they stick to the payment plan I have offered. Remember also, any decision you make on this tonight is setting a precedent going forward.

REMINDER: NEXT COUNCIL MEETING WILL BE A WORKING MEETING WITH JASON MURRAY OF DAVID DROWN ASSOCIATES ON 5/18/21 AT 5 PM. Regular council will be June 8 at 6 pm.

ADJOURN