

MINUTES OF THE REGULAR MEETING  
OF THE BRAHAM CITY COUNCIL  
TUESDAY, JUNE 5, 2018  
7:00 P.M.

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

Delwayne Hahn from the Isanti County News, and Scott McKinney from the Braham Journal, were present.

State Representative Brian Johnson was present, along with Detective Kevin Stahl, several members of the Braham Fire Department, and the public.

The meeting began with The Pledge of Allegiance.

Jaques moved, and Kunshier seconded to approve the minutes from the May 8, 2018 Annual Audit Presentation and Regular Council Meeting. Motion carried 3-0.

Kunshier moved, and Jaques seconded to accept the agenda as presented. Motion carried 3-0.

Carlson moved, and Jaques seconded to approve payment of the May 2018 bills and payrolls. Motion carried 3-0.

Detective Stahl gave the police report to the Council. He reported 747 ICRs for the month which consisted of 207 traffic-related stops, 195 security checks, 79 extra patrols, 9 fire or fire alarms, 15 medicals, 13 agency assists, 9 suspicious activity or person calls, 2 property damage crashes, 1 personal injury crash, 1 suicidal person who hung himself and was resuscitated, 2 disorderly person calls, 2 domestic calls, and 89 other calls which includes child maltreatment reports, vulnerable adult reports, firearm permit, and other unclassified calls that were mainly detective related cases that are investigated and cleared or closed.

Stahl reported three prosecutions that resulted in convictions in May— One 4<sup>th</sup> degree criminal damage to property, one cold case theft, and one gross misdemeanor 5<sup>th</sup> degree drug conviction on an individual arrested on a felony warrant, noting that the ability to conduct investigations has had a positive outcome in cases.

Stahl reported 24 current open and active investigations that consist of 3 vulnerable adult/fraud, 2 credit card/fraud, 1 theft, 1 GM traffic-related, 3 drug related, 1 criminal sexual conduct, 8 child maltreatment, 4 predatory offender registry related with one case being submitted to the county attorney for a felony level violation, 1 firearm purchase permit background investigation, and 9 cases that have been submitted to the county attorney's office for prosecution.

## BANKING TRANSACTIONS

Kunshier moved, and Carlson seconded to approve the following banking transactions:

5/9/18 Transferred \$5,125 from Lottery Checking to General Checking for reimbursement of Lottery payouts.

Motion carried 3-0.

\*State Representative Brian Johnson gave the council a brief update on the legislative activity at the State Capital. He noted that there was \$7 million in the Transportation Bill for small cities transportation and roads, and starting in 2020 \$8.1 million built into the budget every year for small cities. He noted the negative impacts of the Governor's veto of the tax bill that will affect taxpayers. He gave the council an update of the upcoming elections in the State.

## ENGINEERING

City Engineer Brian Miller presented the results from the bid opening on the 2018 Streets and Utilities Improvement. He noted that when the City first bid the project, the bid was over \$517,000. He said the project was rebid with as a separate utility project and street project, at \$448,244.10, and with the savings of including the culverts, manhole replacements, and other items in the utilities bid that were initially planned outside the bid, the net impact was a savings of \$100,000. He said the total project costs of \$600,000, including overhead and bond costs, will still be over the \$500,000 target costs, but noted that costs continue to go up with the increases in the economy and the loss of the processing plant in Superior, Wisconsin. With that, he recommended the City proceed with awarding both construction contracts.

Jaques moved, and Kunshier seconded to adopt Res. 18-8A awarding the 2018 Street Improvements to Hardrives, Inc. in the amount of \$267,550.33 and Res. 18-8B awarding the 2018 Utilities Improvements to Douglas Kerr Underground, LLC in the amount of \$180,693.80. Motion carried 3-0.

## PRELIMINARY BOND ANALYSIS ON 2018 STREETS & UTILITIES IMPROVEMENTS FINANCING & AUTHORIZE LOAN APPLICATION THROUGH MN RURAL WATER ASSN – JASON MURRAY

Jason Murray from David Drown Associates presented a preliminary bond analysis for a Minnesota Rural Water Assn loan application on the 2018 Streets & Utilities Improvements. He said the total borrowing will be \$622,000 which was broken down into two authorities-- the 429 assessment process for \$478,000 and \$144,000 under the utilities authority chapter 444.

Murray said the City would be pledging four sources of funds—

- \$478,000 as a Special Assessment project, assessed at 30% of the Streets project for a term of 10 years at 5.5% (1% above 4.5% bond interest rate, which has been the City's practice in the past; then under the Utilities project.
- \$144,000 as a Utilities project, with 60% funded with Water Revenues and 40% funded with Sewer Revenues.

He reported the tax levy portion at about \$31,500 per year. He recommended the City use Minnesota Rural Water for the bonds at a total cost over 15 years of \$834,288 over a competitive unrated bond sale which would cost \$872,567 over the 15 years. He recommended the council proceed with a formal request to Minnesota Rural Water for a Midi Loan for the project. He said that in 10-12 days, the formal proposal will be back to the City for consideration at the July meeting, and the closing on the loan would be roughly two weeks later.

Murray directed the council to the Preliminary Debt Service Schedules showing the payments and the revenue sources and amounts pledged for the payments.

Carlson moved, and Kunshier seconded to authorize City staff to submit an application to Minnesota Rural Water Assn for funding the 2018 Streets and Utilities projects for a total bond issue of \$622,000. Motion carried 3-0.

#### ORD. 281 UPDATING AND CONSOLIDATING LIQUOR ORDINANCES

Administrator Hoy reported that in May, the council reviewed the City Attorney office's draft Ord. 281 updating and consolidating four liquor ordinances into one new ordinance. She said the ordinance was posted in City Hall and on the City website for the remainder of May, and was ready for adoption.

Jaques moved, and Kunshier seconded to adopt Ord. 281 updating the consolidating the City's Liquor Ordinances. Motion carried 3-0.

#### FRIENDS OF THE ALICE STUDDT LIBRARY AT BRAHAM EVENT CENTER

The council reviewed a brief summary of activities of the Friends of the Alice Studt Library submitted by Dixie Randall that included Book Club, Daily Newspaper, Senior Social Hour, Movies, Empty Bowls Program, Historical Interviews, Braham Reads Book Shelves, Kindergarten Story Time, Computers, and Inter-Library Collaborations. It was noted that Library Hours were Mondays (except major holidays) from 12:30-4:30 p.m. and Thursday mornings from 8:00-Noon, coordinating with the open hours of the Braham Area Food Shelf.

#### AMENDED AGREEMENT WITH STANCHFIELD TOWNSHIP FOR CONTINUED MAINTENANCE AND CONTROL OF SOUTH FERNDAL

Administrator Hoy reported that in 1987, the City of Braham and Stanchfield Township entered into an irrevocable agreement that the City would maintain two sections of road that were outside the City Limits into Stanchfield Township-- the southwest 100 feet of S. Ferndale and the north part of West Central Drive just south of CR 4, which divides Stanchfield Township and the City of Braham. She reported that due to the costs to have these sections of streets surveyed in order to annex them, and with there being no benefit to the annexation because they are public streets with no taxable value, the City never annexed them in.

Hoy reported that in 2004, when the City extended water and sewer to the Industrial Park, the City contacted Stanchfield Township to confirm the 1987 Agreement was still the understanding with Stanchfield, and that the City was in control of the section of West Central Drive the City would be working on. Their board minutes from their March 4, 2004 meeting stated as follows:

*“M/S Lakeberg/Shockman and carried to confirm that the following roads are under the jurisdiction of the City of Braham. (1) The north part of West Central Drive just south of County Road 4 which divides Stanchfield Township and the City of Braham. (2) The East end of South Ferndale, which extends into Stanchfield Township and dead ends.”*

Hoy told the council the length of road on Ferndale that has been maintained since 1987 is actually 230 feet. She said that Grant Lindberg, the attorney for a potential buyer of a property that is accessed from this southerly portion of South Ferndale, drafted an Amended Agreement to change the 100 feet to the 230 feet the City actually maintains. She reported that she'd spoken with Street Supt. Dan Eklund, and he saw no issue with the Amended Agreement of 230 feet.

Kunshier moved, and Carlson seconded to approve the Amendment to the Irrevocable Agreement with Stanchfield Township, extending the length of maintenance of South Ferndale from 100 feet to 230 feet. Motion carried 3-0.

#### STS. PETER & PAUL CATHOLIC CHURCH APPLICATIONS FOR FALL FESTIVAL

Jaques moved, and Kunshier seconded to approve the following applications from Sts. Peter & Paul Catholic Church for their Fall Festival scheduled Sept. 15, 2018:

- Special Event Permit Application for 5K Run/Walk
- Special Event Permit for Fall Festival & Downhill Derby
- Gambling Permit Application (City) for Raffle

Motion carried 3-0.

#### SPECIAL EVENT PERMIT APPLICATION – FRIENDSHIP ASSEMBLY OF GOD CHURCH

Kunshier moved, and Carlson seconded to approve a Special Event Permit from the Friendship Assembly of God Church to hold a Friendship Free Hotdog Stand and Bouncy House at their

location of 210 West Central Drive on Sunday, July 15, from 9 a.m. – 2 p.m., with the closure of N. Cherry from WCD north for a distance of 120 feet. Motion carried 3-0.

#### RESIGNATION OF JANET FELLAND AS PART-TIME LIQUOR STORE CLERK

Jaques moved, and Kunshier seconded to accept the resignation of Janet Felland as part-time liquor store clerk, effective May 31, 2018. Motion carried 3-0.

#### HIRING OF PART-TIME LIQUOR STORE CLERKS(S)

There were no recommendations at this time.

#### RETAINER AGREEMENT WITH KANABEC COUNTY ATTORNEY'S OFFICE

The council reviewed the agreement with the Kanabec County Attorney's Office for prosecution services on cases that have taken place in the northern part of Braham, in Kanabec County. Jaques moved, and Carlson seconded to approve the Agreement with the Kanabec County Attorney's Office for prosecution services from June 1, 2018-December 31, 2019 for an amount of \$1,800. Motion carried 3-0.

#### RESCHEDULE AUGUST MEETING DUE TO NATIONAL NIGHT OUT

Carlson moved, and Kunshier seconded to move the August council meeting to Wed., August 8 at 7:00 p.m. Motion carried 3-0.

#### AMENDMENT TO BRAHAM FIRE DEPARTMENT OPERATIONS GUIDELINE MANUAL

Administrator Hoy reported that in the current Fire Department Operations Guidelines Manual, there is no description of the "Member at Large" position, and the Steering Committee had recommended adding the following language:

**Re: "Member at Large" position for Steering Committee meetings:**

This position is held by a firefighter who does not hold an officer position. This member sits in on the Steering Committee meetings. They are a voting member with the officers if there is a need to vote on something.

**Member at large selection:**

This would be a 1-year commitment and given by seniority. The firefighter that holds the most years of service and is not an officer will be offered the position from January 1-

December 31. If the officer resigns from the department before December 31, the Member at Large position shall remain unfilled until January 1 of the following year. The next year, the position would be offered to the next most senior person, and so on. When all firefighters have gone through, it will go back to the most senior firefighter. Firefighters have the right to decline the position and the offer would then go to the next most senior firefighter. Probationary firefighters (18 months of service) cannot hold the member at large position.

Kunshier moved, and Carlson seconded to approve the added language to the Braham Fire Department Operations Guideline Manual. Motion carried 3-0.

**\*MN STATE FIRE DEPARTMENT ASSOCIATION'S RECOGNITION OF FIREFIGHTERS  
AS HONORARY LIFE MEMBERS**

Mayor Carlson presented the Minnesota State Fire Department Association's Honorary Lifetime Member Certificates to the following current firefighters and recent retirees who have served 20 or more years of service: Mike Davis, Jeff Jones, Dean Bondeson, and Shawn Fisher. The council thanked them for their years of service to the community.

Jaques moved, and Kunshier seconded to adjourn. Motion carried 3-0. Meeting adjourned at 7:40 p.m.

Respectfully Submitted,

Sally A. Hoy  
City Administrator