

MINUTES OF THE REGULAR MEETING
OF THE BRAHAM CITY COUNCIL
TUESDAY, JULY 10, 2018
7:00 P.M.

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

Several people from the public were in attendance, as well as Delwayne Hahn from the Isanti County News, Scott McKinney from the Braham Journal, Police Chief Eric Baumgart, and Zoning Administrator Marshall Lind.

The meeting opened with The Pledge of Allegiance.

Sullivan moved, and Jaques seconded to approve the minutes from the June 5, 2018 council meeting. Motion carried 5-0.

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

Kunshier moved, and Ethen seconded to approve payment of the June 2018 bills and payrolls. Motion carried 5-0.

Chief Baumgart presented the police report. He reported that calls were up in the month of June over last year.

He reported that security measures were being put into place for Pie Day, which will include the closing of Hwy 107 with cement pylons from Warning Lights and Mike Patterson at Braham Monument. He noted that they have been working with MNDOT on the event planning, and are close to getting the final approval. Baumgart noted that safety measures will be added to all future events in the City.

Baumgart reported that the camera systems were installed and running in City Hall, giving the opportunity to monitor the entrances and be prepared for anyone that comes in. He said each work station in City Hall has the ability to view these cameras, with the exception of the evidence room, which is only viewed by his computer and Detective Stahl's computer.

He reported that he and four officers completed Driving School in St. Cloud, which met the POST requirements.

Baumgart noted that the Detective case load has continued to be more than he thought it would be, requiring them to prioritize the cases and put the less important ones on a back burner in order to focus on the major crimes.

He said they've met with the Frandsen Bank staff and laid out what the Braham PD can do for them, resulting in a lot of positive feedback.

Baumgart told the council their plans for the Night to Unite (National Night Out) that included a public open house at the Police and Fire Department, like they've done in the past. He noted he'd received a generous donation from the Grandy Lions of \$500 that will be used for burgers, brats, bottled water, etc. for the event.

He reported that the Watchguard Camera and Car System was working very well, but he was experiencing some glitches in being able to generate a report for the council. He noted he's still working these out and hoped to be ready for the next council meeting so the council can see how the bodycam footage works.

Baumgart said that he and Detective Stahl met with School Supt. Ken Gagner a couple weeks back and got an office established there, with an intended move-in date of Aug. 1. He said he was looking for SRO Training for Detective Stahl or another officer, not necessarily to say the PD was providing an SRO, but to get the training to know how to function at the school. Baumgart noted he didn't think it would cost a lot, and Admin fine moneys could be used for it, if necessary. He stated there will be some minimal costs for the PD office in the school. He said they met with the IT person at the School to establish security parameters for control of the PD computer system there.

ACCEPTANCE OF DONATIONS

Jaques moved, and Ethen seconded to adopt Res. 18D-2 accepting the June donations. Motion carried 5-0.

BANKING TRANSACTIONS & TRANSFERS

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

6/6/18 Transferred \$28,008.20 from the Squad Reserve in the Des. Reserve Savings to General Checking to be used toward the 2018 squad purchase

6/8/18 Transferred \$4,365 from Lottery Checking to General Checking for reimbursement of Lottery payouts

6/18/18 Transferred \$250 from Lottery Checking to General Checking to contribute toward the July 4 Fireworks expense

6/22/18 Transferred \$3,698.25 from Des. Reserve Savings to General Checking to be applied to the purchase of Fire Department Turnout Gear

6/22/18 Transferred \$791.85 from Des. Reserve Savings to General Checking to be applied to the purchase of Fire Department Turnout Gear

7/31/18 Transfer \$8,464 from General Checking to Designated Reserved Savings for 2017 Budgeted Transfers. Detailed list is in the packets.

Motion carried 5-0.

ENGINEERING

City Engineer Brian Miller reported to the council that he met with Brian Johnson and another neighbor to take a look at some concerns they had with the drainage on 5th St. SE and South Cypress. He said when they'd gone out there previously, it looked like there was a low spot so the plan was to put an inlet between two driveways and a pipe across the road, but that his survey crew took shots that showed the low spot was actually a little farther north at 5th Street, so that will be the actual location for the inlet. He said the drainage will go from 5th, around the corner at Cypress, and follow Cypress down to that low spot. He said that Brian Johnson had pictures after a recent heavy rain showing the water coming down on the sidewalk. Miller said that a section of sidewalk was missing on the east side of Cypress just south of 5th St., and the plan was to cut out another section of sidewalk so they can bring it up and back down to the street to keep the water from going down the sidewalk in that low spot.

Miller told the council that when the paving contractor moves in, his office will be putting in stakes along that side to make sure they preserve that drainage flow to bring the water down to the inlet. He reported there are three driveways that have concrete to the sidewalk and gravel to the street. He said to mitigate the potential problem of these driveways washing out from the severity of the drainage flows, these gravel sections will be paved along with the street up to the sidewalk. Miller said most of the other locations don't have heavy, high-volume water coming around. He said it will be easy to have these driveway entrances to keep the drainage along the road without causing a problem. Miller said there may be some low spots in the boulevard, but those would be low spots before the project. He said that once they make sure the driveways and the road drains, it would be up to the property owners if they want to do some minor repairs to take care of these low spots. Miller noted that the City doesn't want to do something substantially different than it would do for anyone else.

Miller reported that the utility contractor is close to being done. He reported that near the Water Treatment Plant, there were three manholes to replace. He said a new manhole that was put in sunk, causing a joint of the new pipe they put in to pull apart, resulting in sand and soil materials to run into the sanitary sewer. He said that got repaired and fixed late July 3rd. He said that Street Supt. Dan Eklund televised the line to determine where the problem was, and that the line had also been televised previously. He said this showed the line was in fine shape before the contractor had started, and that the activity of the construction was what pulled the pipe apart.

Miller reported that just north of the Water Treatment Plant are dual culverts coming across the road to a ditch between two houses, and that there is only a foot of clearance between the culverts and the gas main. He said they are close enough, they can't fit a pipe through there, so the gas company is working on the design to change the gas main.

He reported that the recent rains caused the south section of soils on S. Cypress between 3rd and 4th St. to become soupy and bad. He said the paving contractor wasn't coming until September, so there will be time to let it settle, then reassess it before the paving is done. Miller said they

found trees in the intersection of 4th & Cypress when they took the manhole out, noting these materials had to be taken out completely.

Overall, he reported that the contractor was diligent in getting things done, and that he was happy with their work so far.

Brian Johnson, resident on S. Cypress, presented pictures to the council of the standing water in the project area, where he'd expressed drainage concerns during an on-site meeting that day with Miller.

Johnson asked if there was a way the City could spray water on the road to keep the dust down. Mayor Carlson stated she didn't think so but would check into it. He also asked if the City was planning to put a weight restriction on the road when it was done, and Mayor Carlson said the City would look into that. Discussion took place on the trucks that use the road.

Miller told the council that one possibility would be to put up 7-Ton road signs, and the Police Department could pull tractor-trailers over and make them get weighed at an area weight station. Chief Baumgart noted that once a driver is tied up waiting for a DOT inspector, the rest of the problems of truck traffic will stop. He told the council he has a contact from the DOT he could contact.

RES. 18-10 APPROVING THE BOND SALE AND LOAN AGREEMENT FOR THE 2018 STREETS & UTILITIES IMPROVEMENT BONDS

The council reviewed Res. 18-10 approving the bond sale and the Loan Agreement for the 2018 Streets & Utilities Improvement Project. Administrator Hoy reported that the utilities part of the bond will be paid from water/sewer rates, and the paving part would be paid through the General Obligation bond.

Sullivan moved, and Kunshier seconded to adopt Res. 18-10 authorizing the Issuance, Sale and Delivery of a \$621,000 General Obligation Improvement and Utility Revenue Note, Series 2018A. Motion carried 5-0.

Carlson moved, and Sullivan seconded to approve the Loan Agreement for the 2018 Streets and Utilities Improvement Bonds. Motion carried 5-0.

SCHOOL LEVY PRESENTATION – SUPT. KEN GAGNER

Supt. Ken Gagner gave a presentation of the upcoming Operating Levy Referendum for the Braham School District to the Council and the public. He gave a history of the School's finances and operating costs in comparison to the area, the honors and high ranking of the School in the nation, the struggle of decline in enrollment, the cuts the School has made in operations, teachers, and staff, and the impact of the levy on the taxpayers. Gagner noted that operating

expenses and 12 teachers have already been cut, and if the referendum doesn't pass there is no other place to cut other than more teachers.

The council thanked Gagner for his presentation and wished the School success in getting the referendum passed.

RES. 18-9 UPDATING THE CITY'S DATA PRACTICES POLICY

Ethen moved, and Sullivan seconded to adopt Res. 18-9 updating the City's Data Practices Policy. Motion carried 5-0.

LINCOLN CIRCLE NEIGHBORHOOD COMPLAINT

Residents from the Lincoln Circle neighborhood addressed the council with complaints about a neighboring property located at 1005 Lincoln Circle. They expressed concerns with the number of cars at the property, noise issues, safety concerns, parking issues, and the possibility that the owner was running a home business without a permit.

The council had copies in the packet of the memo from City Planner Marshall Lind, with copies of the letters he issued to the property owner. In his memo he'd noted that at the beginning of April, the City received a complaint against a neighbor on Lincoln Circle having dismantled vehicles at his property, which he verified on April 10 and sent a letter to the owner stating he was in violation of City Ordinance #199. Lind reported that the owner of the property met with him and that he'd advised the owner that he couldn't be dismantling cars at his property, but that he could work on personal vehicles in the garage, and all vehicles had to be licensed. Lind's memo went on to state that the City received more complaints at the end of May, and he had Chief Baumgart run the plates, which came back currently licensed. Lind stated in his memo, he did not know if there was a roommate who owned the car. Lind reported he sent another letter on June 5 stating that if he (the owner) was running a business out of his home, he would need to apply for a Conditional Use Permit. Lind stated that on June 4, he and Street Supt. Dan Eklund had driven by the property and did not see anything wrong with the property.

On June 19, the City received a request from the Lincoln Circle Neighbors to be on the council agenda regarding this matter. Lind reported he then drove by the property again and saw one truck in the driveway. Chief Baumgart ran the plate and it was currently licensed. Lind hadn't heard anything after that from the neighbors or the owners.

Lengthy discussion took place between the residents and the council. The council and Chief Baumgart encouraged the residents to call the police department at the time they were seeing concerns with safety, parking, or noise. No other action was taken by the council.

RES. 18-11 APPROVING DEED LOAN APPLICATION FOR THE OLD ERCOA BUILDING DEMOLITION

The council reviewed the information in the Administrator's Report regarding the opportunity to apply for a low-interest loan from DEED for demolition of the Old Ercoa Building. The loan would be at 2% interest, deferred for 2 years, and needed to be paid back within 15 years. If the City sold the land, it could get up to a 50% reduction in the loan payments, depending on the number of jobs created. Ethen moved, and Kunshier seconded to adopt Res. 18-11 approving the DEED Loan application for demolition of the old Ercoa Building. Motion carried 5-0.

RES. 18-12 APPROVING A CONDITIONAL USE PERMIT FOR BERT LENER

City Planner Marshall Lind presented Res. 18-2 with the Planning Commission's recommendation to approve a Conditional Use Permit for Bert Lener to have car sales at his current location of 210 8th St. SW, which is zoned I-1 General Industrial, with a maximum number of vehicles allowed for sale and to be used as a loaner vehicles at 25. Lind noted that the CUP would be issued to Lener, the renter of the property.

Sullivan moved, and Ethen seconded to adopt Res. 18-12 approving the Conditional Use Permit for Bert Lener, with a maximum number of vehicles allowed for sale and to be used as a loaner vehicles at 25. Motion carried 5-0.

RES. 18-13 APPOINTING ELECTION JUDGES

Kunshier moved, and Sullivan seconded to adopt Res. 18-13 appointing the election judges for the upcoming August 4, 2018 State Primary and November 6, 2018 General Election as follows:

A.M. Shift (6 a.m. – 3 p.m.):

Gary Skarsten - Head Judge
Lisbeth Johnson
Randy Berg
Peter Lendway

P.M. Shift (3 p.m. – closing):

Gary Skarsten – Head Judge
Rosemary Brabec
Linda Berg
Stephanie White

Motion carried 5-0.

STS. PETER & PAUL CATHOLIC CHURCH - SPECIAL EVENT PERMIT REQUEST
FOR OUTSIDE MUSIC FOR SEPT. 15, 2018 FALL FESTIVAL

The council reviewed the Special Event Permit Application for Sts. Peter & Paul Catholic Church to have an outside live band (country & variety) for their annual Fall Festival on Sept. 15, 2018. Sullivan moved, and Ethen seconded to approve the Special Event Permit. Motion carried 5-0.

**STS PETER & PAUL CATHOLIC CHURCH - TEMPORARY LIQUOR LICENSE
APPLICATION FOR SEPT. 15, 2018 FALL FESTIVAL**

Ethen moved, and Jaques seconded to approve the Temporary On-sale Liquor License application for Sts. Peter and Paul Catholic Church for their annual Fall Festival on Sept. 15, 2018. Motion carried 5-0.

ON-LINE AUCTION AGREEMENT

This item was held over.

HIRING OF SARAH GOLLY AS PART-TIME LIQUOR STORE CLERK

Sullivan moved, and Kunshier seconded to approve the hiring of Sarah Golly as part-time Liquor Store Clerk, at Step 1 \$11.31/hr., with a retroactive effective date of 6/19/18. Motion carried 5-0.

RATIFY ACCEPTANCE OF SEAL COATING QUOTE

Administrator Hoy reported that the City received quotes from Astech and Pearson Bros. for sealcoating 2nd St NW and the Liquor Store parking lot. She reported that Astech came in approximately \$6,600 less for the same work, and that Pearson Bros. does not do striping, so that was not included in the quote comparison. She reported Astech's total quote, with striping, was \$14,180.45 for 2nd St. NW, which would be covered by the State Street Maintenance Aid in the Des. Reserve Savings, and \$7,321 for the Liquor Store parking lot, which would be covered by a transfer from the Lottery Account.

Jaques moved, and Ethen seconded to ratify approval of the Seal Coating Quote from Astech for a total of \$21,501.45. Motion carried 5-0.

**ADDED: AUTHORIZE PAYOFF OF \$160,000 GO IMPROVEMENT NOTE, SERIES
2012A – Horseshoe Meadows Wear Course**

Administrator Hoy reported that the County sold 32 tax-forfeited lots in Horseshoe 4th Addition, and received enough to collect the City's pending assessments for the Horseshoe Wear Course on each lot, totaling \$126,693, which the City received the payment with the July Tax

Settlement. She reported that David Drown's Office had recommended, and she agreed, that the remaining \$49,000 balance plus interest of the note should be paid off early, freeing up a \$19,000 levy line item to be used toward either the new 2018 Street Improvement Bond levy or the upcoming Capital Improvement Bond levy.

Sullivan moved, and Kunshier seconded to authorize early pay-off of the \$160,000 General Obligation Improvement Note, Series 2012 A. Motion carried 5-0.

Ethen moved, and Kunshier seconded to adjourn. Motion carried 5-0. Meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Sally A. Hoy
City Administrator