

MINUTES OF THE REGULAR MEETING
OF THE BRAHAM CITY COUNCIL
TUESDAY, MAY 7, 2019
7:00 P.M.

The meeting was called to order with the following present: Mayor Patricia Carlson; Council Members Robert Knowles and Shawn Sullivan; and City Administrator Sally Hoy. Council Members Vicky Ethen and Jeremy Kunshier were absent. Council Member Vicky Ethen arrived at 7:04 p.m.

Present in the audience were: Isanti County Commissioner Terry Turnquist, Isanti County Public Health Director Tony Buttacavoli, Liquor Store Manager Jacque Nordby, Police Officer Kevin Lease, Delwayne Hahn from the Isanti County News, Scott McKinney from the Braham Journal, Kathy Nielson, and one unidentified person.

The meeting opened with The Pledge of Allegiance.

Knowles moved, and Sullivan seconded to approve the minutes from the 4/2/19 Capital Improvement Public Hearing and Regular Council Meeting. Motion carried 3-0.

Sullivan moved, and Knowles seconded to accept the agenda as amended. Motion carried 3-0.

Council Member Vicky Ethen arrived at 7:04 p.m.

Sullivan moved, and Knowles seconded to approve payment of the bills and payrolls. Motion carried 4-0.

Police Officer Kevin Lease presented the police report. He reported 680 calls for service to date, which included two burglaries, one sexual misconduct, and four domestics.

GOVERNMENT UPDATES

Isanti County Commissioner Terry Turnquist and Isanti County Director of Public Health Tony Buttacavoli addressed the council with an update on the Isanti County T-21 project that supports raising the legal age to buy tobacco products to 21.

Mr. Buttacavoli walked the council through information that supported the T-21 movement, with specifics to Isanti County that ranked it higher in tobacco use than any other county in the State. He noted concern with the large increase in the use of E-cigs among youth. He stated that about 95% of adult smokers started before they were 21 years old, and statistics showed that if a person did not smoke before they were 21, they likely would not start.

Buttacavoli reported that research showed a 25% reduction in smoking initiation among 15-17 year-olds after implementing T-21. He noted that T-21 was a prevention program rather than an

enforcement toward youth, and the sales of tobacco was the focus rather than possession of tobacco. He stressed that getting tobacco out of the hands of 18 year-olds in high school greatly reduced the avenue for youth under the age of 18 to get tobacco products supplied to them.

Buttacavoli stated the County had over 860 community member signatures, over 30 Letters of Support from community groups, and numerous letters to the editor, all in support of T-21. He reported that 75% of adults, 70% of current smokers, and 65% of young adults ages 18-24 in Isanti County were in favor of raising the tobacco sales age to 21.

Commissioner Turnquist told the council that the Isanti County Board had adopted an ordinance enacting T-21 because it was the right thing to do in protecting the youth within the County, and encouraged the council to consider doing the same, whether through an amendment to its current tobacco ordinance or turning tobacco licensing over to the County.

Discussion took place regarding the probability of T-21 being adopted at a State level, because the bill was being considered at the House, but not the Senate. The consensus of the council was that if T-21 passed at a State level, the City would not need to take any individual action in the City. After discussion, the council chose to hold this item over to the June agenda in order to see the outcome of the T-21 bill at the State in May.

BANKING TRANSACTIONS

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

4/9/19 Transferred \$41,283.74 from East Central Cable Commission Checking to General Checking to cover the 1st Quarter Franchise Fees distribution paid through the City's A/P system.

4/9/19 Transferred \$7,507 from Lottery Checking to General Checking for reimbursement of March 2019 Lottery payouts.

4/17/19 On March 26 we transferred \$9,606 from Des. Reserves to General Checking to cover the payment of property taxes on the City-owned lots in Industrial Park Fund 385. Enough revenues have come in from the City's portion of property taxes and the businesses located in Ind. Park 385 to cover the property tax payments without using the Des. Reserves, so we have transferred the \$9,606 back to the Des. Reserves from the General Checking.

Motion carried 4-0.

ACCEPTANCE OF DONATIONS

Ethen moved, and Knowles seconded to adopt Res. 19D-3 adopting the donations for April 2019. Motion carried 4-0.

ENGINEERING

There were no engineering items.

RES. 19-8 ORDERING ADVERTISEMENT FOR BIDS ON CAPITAL IMPROVEMENT PLAN

Administrator Hoy reported that the 30-day petition period for the Capital Improvement Plan expired May 3, 2019 so the council could move forward with the project by adopting Res. 19-8 ordering the Advertisement for Bids on the CIP projects. She noted that the resolution was reviewed by the City Engineer and ready for adoption.

Sullivan moved, and Ethen seconded to adopt Res. 19-8 Ordering the Advertisement for Bids on the Capital Improvement Plan that included upgrading the City's Cold Storage Shed to heated storage, repairing the back of the Police Garage, and replacing the Fire Hall roof. Motion carried 4-0.

CITY ADMINISTRATOR SALLY HOY'S RESIGNATION EFFECTIVE 10/31/19

The council received City Administrator Sally Hoy's official resignation, effective with her retirement date of Oct. 31, 2019. Carlson moved, and Ethen seconded to accept her resignation, effective 10/31/19, with deep regret. Motion carried 4-0.

HIRING PROCESS FOR NEW CITY ADMINISTRATOR

With the application deadline being May 10, 2019, the council reviewed a tentative schedule to move forward with the next steps for hiring a new City Administrator. Working down the schedule, Administrator Hoy confirmed that the full council would screen and rate applications, and asked if the council wanted anyone else to be involved in the process. The consensus of the council was to have Administrator Hoy screen and rate applications, and to sit in on the interviews as an observer to give the council her feedback. The consensus of the council was also to ask Isanti County Commissioner Terry Turnquist to screen and rate the applications, and to be part of the interview panel with the full council for the final interviews.

CITY ADMINISTRATOR JOB DESCRIPTION

Administrator Hoy noted that an updated Job Description was necessary to advertise for the City Administrator position. She said the Personnel Committee had reviewed the job description and did not recommend any changes to the draft, so it was ready for council approval unless they had any changes they wanted to make. No changes were recommended. Sullivan moved and Knowles seconded to approve the City Administrator Job Description as presented. Motion carried 4-0.

MPCA AWARD

Administrator Hoy reported that the City received the MPCA Certificate of Commendation recognizing exceptional compliance with the NPDES/SDS Wastewater Permit for 2018. She noted that the award is given to permittees that ensured the facility was overseen by a properly certified operator, the facility did not exceed the effluent limits contained in the permit, the required monthly and annual reports were timely and complete, and the facility did not experience any unauthorized releases, enforcement actions or inspections identifying significant compliance concerns.

Mayor Carlson extended the City's appreciation to PeopleService Operator Gary Giltner and the other PeopleService operators who work in Braham, along with Regional Manager Paul Christenson, for all they do to keep the City's wastewater facility in good operating condition and meeting all of the MPCA requirements.

AGENDA POLICY

This item was held over to the June meeting.

INTERIM USE PERMIT – RAVEN PROPERTIES (Pizza Pub)

The council reviewed the application from Raven Properties (Pizza Pub) for its annual Interim Use Permit for their back patio. The council concurred that this was an annual permit for them, with no problems in the past. Sullivan moved, and Ethen seconded to approve the Interim Use Permit as presented. Motion carried 4-0.

INTERIM USE PERMIT – MIKE'S DISCOUNT FOODS

The council reviewed the application from Mike's Discount Foods for its annual Interim Use Permit to have a greenhouse. Ethen moved, and Sullivan seconded to approve the Interim Use Permit as presented. Motion carried 4-0. Mayor Carlson commented there had not been a problem in the past with their permit.

SPECIAL EVENT PERMIT – KBEK RADIO

The council reviewed the application from KBEK for a Special Event Permit to hold a Reggae on Friday, May 25, 2019 from 5 p.m. to 10 p.m. which would allow them to use a 20' x 32' area of South Broadway directly in front of the auditorium for patio seating. Council Member Sullivan abstained.

Ethen moved, and Knowles seconded to approve the Special Event Permit, contingent upon them meeting all requirements, including the liquor license amendment. Mayor Carlson noted that cement barricades would not be used because they'd have to be removed overnight. Sullivan commented that fencing from the Fire Dept would be used instead. Motion carried 3-0.

ON-SALE LIQUOR LICENSE AMENDMENT – BRAHAM BREWING COMPANY

Administrator Hoy explained that going along with KBK's Special Event Permit was an amendment of the On-Sale Liquor License for Braham Brewing Company that would include the 20' x 32' patio seating area outside the building for this one day event. She reported that per KBK's request to the council, the area will be secured by temporary fencing and outside alcohol will not be permitted in, nor will legally served alcohol be allowed to leave the designated area. Hoy told the council that she'd received their Certificate of Liquor Liability Insurance that covers the outside patio seating area for that day. Council Member Ethen asked who Braham Brewing Company was, and Council Member Sullivan answered that it is its own entity that holds the liquor license for the radio station and theatre. Carlson moved, and Ethen seconded to approve the On-Sale Liquor License Amendment for Braham Brewing Company for May 25, 2019, contingent upon meeting and maintaining all license requirements. Motion carried 4-0.

SPECIAL EVENT PERMIT BRAHAM AREA CHAMBER OF COMMERCE - APPRECIATION DAY

The council reviewed the application from the Braham Area Chamber of Commerce to hold its annual Braham Appreciation Day on Saturday, June 1, 2019. Sullivan moved, and Knowles seconded to approve the Special Event Permit as presented. Motion carried 4-0.

CHANGE DATE FOR JULY COUNCIL MEETING

The council discussed the option of moving the July council meeting from July 2 because of the holiday week. Sullivan moved, and Knowles seconded to change the July meeting date for Tuesday, July 9 at 7:00 p.m. Motion carried 4-0.

Council Member Ethen clarified with Administrator Hoy that she (Hoy) would be on vacation on July 9, which Hoy confirmed.

CLOSING CITY HALL ON FRIDAY, JULY 5

Per request from the office staff, the council was asked if City Hall could close for Friday, July 5. Sullivan moved, and Knowles seconded to close City Hall on Friday, July 5, with employees using vacation, comp, or personal time for the day. It was noted that if employees still wanted to work, they could do so while the building was closed for business. Motion

carried 4-0.

ORD. 286 REGULATING PUBLIC NUISANCES WITHIN THE CITY OF BRAHAM

This item was held over to the June 4 council meeting.

RES. 19-9 SUPPORTING THE EXPLORATION OF A JOINT POWERS, COLLABORATION OR MERGER WITH MORA HRA

Mayor Carlson told the council that Rose Dunn from the Mora HRA contacted her and asked if Braham would be interested in them pursuing a grant to explore a possible Joint Powers, collaboration or merger with the Mora HRA, where the Mora HRA would be responsible for the bigger HUD requirements for the HRA. She explained that the Braham HRA would still be responsible for the smaller management of the building, but one larger HRA would take care of all the HUD requirements. She explained that if it turned into a merger, all of East Central Minnesota would become one huge HRA that would take care of all the HUD requirements, but there would still be HRAs within each city. She noted HRAs take a lot of requirements, and the requirements change quickly. Carlson told the council that Cambridge HRA currently works with the Mora HRA. She said Cambridge doesn't have a person that takes care of the HRA, but that it is run by its EDA Board, much like Braham's HRA Board. She said Cambridge has a resident in Cambridge that takes care of the residents and makes sure all the residential requirements are met, but the Mora HRA takes care of all the HUD requirements, and the City of Cambridge pays the bills that HUD requires to be paid. She clarified the resolution was for the exploration only at this point with no funds involved. Ethen moved, and Knowles seconded to adopt Res. 19-9 supporting the exploration of a Joint Powers, Collaboration or Merger with the Mora HRA. Motion carried 4-0.

SPECIAL EVENT PERMIT – FRIENDSHIP CHURCH OF GOD

The council reviewed the Special Event Permit from Friendship Church of God to hold a Kid's Club on Weds, May 22, 2019 from 5:30 p.m. – 8:30 p.m. which would include closing off a section of N. Cherry from WCD to the church's north property line. Knowles moved, and Ethen seconded to approve the Special Event Permit as presented. Motion carried 4-0.

SPECIAL EVENT PERMIT – SHAWN SULLIVAN

The council reviewed the Special Event Permit from Shawn Sullivan to close a section of S. Douglas for a graduation celebration on June 8, 2019 from noon to 10 p.m. Council Member Sullivan explained that they'd talked to a lot of the neighbors, plan to do cake walks, and will have a lot of kids attend. He said they use the field behind the house, and to close the street makes it easier and safer for the kids running back and forth. It was noted that Sullivans did this same event in 2018 without any problems.

Ethen moved, and Knowles seconded to approve the Special Event Permit as presented. Motion carried 3-0. Sullivan abstained.

Mayor Carlson reminded the council that the Annual Audit Presentation will be on June 4, 2019 at 6:30 p.m., followed by the regular meeting.

Ethen moved, and Knowles seconded to adjourn. Motion carried 4-0. Meeting adjourned at 8:13 p.m.

Respectfully Submitted,

Sally A. Hoy
City Administrator