ADMINISTRATOR'S REPORT
JULY 2019

BANKING TRANSACTIONS:

6/5/19 Transferred $100 from Parks Savings to General Checking to cover the expense for a new sign in Hidden Park

6/10/19 Transferred $5,145 from Lottery Checking to General Checking for reimbursement of Lottery payouts

6/11/19 Transferred $22.05 from ECCC to General Checking for reimbursement of postage expense

ENGINEERING:

2018 Streets & Utilities Improvement
The City will be receiving a change order from Hardrives (now called Minnesota Paving & Materials). More information on this will be coming from City Engineer Brian Miller.

ORD. 287 UPDATING TOBACCO ORDINANCE, INCLUDING T-21:

At the June council meeting, the council voted to move forward with adoption of T-21, raising the legal age to purchase tobacco products to 21. Since our current Tobacco Ordinance 274 was adopted back in 2015, I pulled the most recent model ordinance from the LMC website and compared it to Isanti County's Ordinance. Because Isanti County's Ordinance is recent and tailored for T-21, which the LMC model is not, I used Isanti County's Ordinance as the model. There were just a few changes tailored for Braham--

Section 3. Licenses (K), (L).
I actually deleted language regarding proximity to youth-oriented facilities because our downtown area is small, and new business development could mean having to amend this section of the ordinance (or missing the amendment and therefore causing a violation issue for a business.)

Section 13. Violations & Penalty.

(B) (3).
The City uses Cambridge's Administrative Hearing Officer for Administrative Citation Hearings.

(C) (1) Licensees.
The LMC Model suggests fines of $75/$200/$250. Isanti County uses $150/$250,$350.

Our Fee Committee had recommended $25/$50/$100. I used the Fee Committee's recommendation in the draft.

(C) (2) Other individuals
The LMC Model suggests a fine of $50. Isanti County uses $50. I used the Fee Committee's recommendation of $25/$50/$100.
(C) (3) Minors.
The LMC Model states "*The administrative fine or other penalty shall be established by City Council upon the City Council's consultation with interested parties of the court, educators, parents and children to determine an appropriate penalty for minors in the city.*"
Interestingly enough, Isanti County has this included in their tobacco ordinance, but due to the impracticality of the council actually doing this, I deleted it. Unless the council plans to do this, we should not have it in the Ordinance.

Ord. 287 has been reviewed by the City Attorney and is ready for council to approve it moving forward in the adoption process where it will be posted in July and back on the agenda for adoption at the August council meeting ***with an effective date of Jan. 1, 2020.***

CHANGE DATE FOR AUGUST COUNCIL MEETING:

We will again need to move the August meeting date. The first Tuesday, Aug. 4, is National Night Out (Night to Unite). The second Tuesday, Aug. 13 is set as a State Primary date. Although no elections are planned it's still considered an election day on the SOS calendar, so we should just avoid meeting on that date. As an FYI, the School Board voted to move their elections to even years, so they will be included with the Municipal elections from now on.

CAPITAL IMPROVEMENT PROJECTS:

Res. 19-10A-C Awarding Bids for the Capital Improvement Projects
The City advertised for bids on the Capital Improvement Projects on May 30, with bid opening on June 24. All three projects—the Fire Hall Roof Replacement, Shop Cold Storage Shed Upgrade, and the Police Garage Renovations were all bid separately because of the work detail. The bid results are below. The bids came in higher than estimates, meaning approximately $11,000 will need to be covered by the City's reserves rather than holding a new public hearing to increase the authorized amount for the Capital Improvement Bonds.

FIRE HALL ROOF REPLACEMENT

Roof Tech, Inc.	$126,000 (includes 15 yr. warranty, labor and materials). Included 5% bid bond.
McDowell Co.	$134,000 (additional $750 for 15 yr. warranty, $2,000 if City will charge for a building/electrical/mechanical permits, $9,970 to taper roof, and $950 for performance bond.) Included 5% bid bond.

NHH Roofing Plus $159,000. Did not include 5% bid bond or certified check.

Res. 19-10A would award the bid to Roof Tech, Inc. at $126,000.

The City did receive a separate bid for concrete work from Unlimited Concrete Concepts for $20,133. The City did not advertise separately for the concrete work.

On the following two projects, none of the bidders included the 5% bid bond/certified check with their bid. I checked with both City Attorney Joel Jamnik and Financial Advisor Jason Murray as to whether the City could award the bids without it. Joel said that although this is not an informality to be waived, if neither bidder complied, the City can proceed as proposed with little risk of a challenge. Jason checked with Chris Virta from Fryberger (the City's bond counsel), and he saw no issues with the City moving forward to award the bids.

If the City rebids the projects, there is no guarantee the contractors will (a) rebid it again with busy schedules, (b) not increase the bid amounts, or (c) not include the 5% bid bond/certified check again.

<u>COLD STORAGE SHED</u>

St. Florian Remodelers LLC	$124,256.13
NHH Roofing Plus	$163,500.00

If the council wants to move forward with the award, Res. 19-10B would award the bid to St. Florian Remodeling for $124,256.13.

<u>POLICE GARAGE</u>

The City received one bid for the Police Garage renovation.

St. Florian Remodeling	$17,140.

No other bid was received.

If the council wants to move forward with the award, Red. 19-10C would award the bid to St. Florian Remodeling for $17,140.

*The council will also need to decide if the City will charge for any of the building permits. The permits will still need to be filled out, but if the City charges for the permits, it will basically be paying itself because the specifications did not include the cost of permits, so the permit fees would be added to the contract amounts.

<u>Authorize City Staff to Submit Loan Application to MN Rural Water</u>

If the council awards the bids, the next step will be to authorize City staff to submit the loan application to MN Rural Water for funding the Capital Improvement Projects. According to Financial Advisor Jason Murray, no resolution is needed for this; only council action.

BRAHAM'S SANITATION CONTRACT:

The City's contract with Waste Management ends 12/31/19. At the June council meeting, the council voted to move forward with the process to advertise for a new sanitation contract. I received and compared copies of the Request for Proposals (RFPs) from area cities, and found Cambridge's to be the most detailed, which I used as a template for Braham. I added questions to cover the concerns I've heard about with regard to the City's current contract. It has been reviewed by the City Attorney, and if it meets everything the council wants included, we will move forward with the advertisement the RFPs.

INTERIM USE PERMIT FOR RAVEN PROPERTIES FOR KARAOKE EVENT:

Raven Properties, dba Braham Pizza Pub, has applied for an Interim Use Permit to hold karaoke on their back patio on July 13, 2019 ending at 1 a.m. on July 14, 2019. City Planner Marshall Lind has recommended approval with the conditions listed in the permit.

LIQUOR LICENSE AMENDMENT FOR RAVEN PROPERTIES FOR KARAOKE EVENT:

In order for customers to consume alcohol outside the patio area for their karaoke event, Raven Properties will need an amendment to its On-Sale Intoxicating Liquor License. The City issued an amendment for its Bean Bag/Beer Bust event in 2018, with no problems, and this would be the same type of license amendment.

ORD. 286 REGULATING PUBLIC NUISANCES WITHIN THE CITY OF BRAHAM:

This item has been carried over from the past couple meetings until Chief Baumgart could present this for adoption. The major change he had was to delete the number of vehicles allowed per property. While updating the Ordinance, I implemented the noxious weeds/long grass regulation and amended some of the language with regard to the enforcement and abatement procedures. The LMC model has every nuisance enforcement and abatement going through the City Council that is currently being done by the City staff and Police Department. Only in major cases has the council gotten involved with nuisance enforcement and abatements in Braham. The Ordinance has been reviewed by the City Attorney, and he has concurred with the changes.

RES. 19-11 ADOPTING THE ANNUAL DATA PRACTICES POLICY UPDATE:

Cities are required to update their Data Practices Policy annually by Aug. 1. According to City Attorney Joel Jamnik, he is not aware of any new legislation to update the language we currently have in the City's policy. I have updated the charges to reflect the 2019 wages & benefits, and the resolution is ready for council adoption.

ANNOUCEMENT – 2020 CENSUS REPRESENTATIVES NEEDED:

The Isanti County Board established a Complete Count Committee to represent the entire County for the 2020 Census. They are looking for one or two people from the City of Braham willing to serve on the Committee to promote citizen participation in the 2020 census. This does NOT need to be City Officials. The purpose of the Complete Count Committee is to reach out to various population groups (such as seniors or college students or the homeless) to ensure those groups participate in the census. So it's primarily an outreach and marketing effort. Interested persons should contact Isanti County Auditor/Treasurer Chad Struss at 763.689.1644.

ISANTI COUNTY CONTRACT FOR PROSECUTION SERVICES:

The City received the contract renewal from Isanti County for prosecution services. The renewal includes an annual 2.8% COL increase for the next 3 years. I have spoken with Chief Baumgart regarding the renewal, and he is happy with their services. Considering they have not increased the contract amount for the past 10 years, we consider this a reasonable increase.

MDH 2019 SANITARY SURVEY:

The MN Dept of Health conducted its annual on-site inspection of the City's Public Water System, and their report is in the packets. They again mention the need for a larger backup well and an overflow pipe for the Water Treatment Plant.

The larger backup well would most likely be funded through a low-interest PFA Loan, and the timing for issuing that debt is something the council has to decide. In the 2018 annual audit presentation, City Auditor Greg Burkhardt made note of the debt amount in the Water Fund for the 2004 Water Treatment Plant (Last pmt 2023) and the 2010 Water Tower/Radio-Read Meters (Last pmt 2029). The council will need to determine the timeline for issuing new debt for a new production well, and whether to wait 4 years for the Water Treatment Plant debt to be paid off, or to add a third debt to the Water Fund by putting in the new well before 2023.

We discussed the need for a new backup well in the 5-Year Capital Improvement Plan, and it was also included in the City's 10-Year Water Supply Plan to the DNR. PFA funding will require the project to get on the Intended Use Plan first. This is something that could be started anywhere from next year to 2023, depending on the timing of the project and issuing debt. We have started the budgeting process for the debt payments on a new well in the 2019 budget. This would need to be continued, and possibly increased based on the actual costs at the time of construction.

The overflow pipe for the Water Treatment Plant was one of the items City Engineer Brian Miller mentioned at the June council meeting as being on his list of things to work on. He had gone back and forth with the MDH about this in the past years because, as he noted at the council meeting, the MDH approved the plans of the Water Treatment Plant without this overflow pipe

being included. The MDH however continues to list this as a deficiency in their annual inspections so the City should just get it done.

HEART SAFE COMMUNITY AWARD:

The City of Braham received a Heart Safe Community Award from Isanti County Public Health. The award recognized communities for providing citizens and visitors exceptional preparedness for cardiac emergencies. Mayor Carlson attended the function to receive the award on behalf of the City.

INITIATIVE FOUNDATION REQUEST FOR FUNDING:

The City has received the annual request from the Initiative Foundation to consider an allocation in the 2020 budget toward the IF to support economic development. Their request is for $825, which is the same amount the City allocated in 2017 and 2018.

Respectfully Submitted,

Sally A. Hoy
City Administrator