

**MINUTES OF THE REGULAR MEETING
OF THE BRAHAM CITY COUNCIL
TUESDAY, SEPTEMBER 3, 2019
6: 30 PUBLIC HEARING
7 PM REGULAR COUNCIL MEETING**

Mayor Carlson called the meeting to order at 6:30 pm.

The following members present: Mayor Patricia Carlson; Council members Robert Knowles, Shawn Sullivan, and Jeremy Kunshier.

Absent: Vicky Ethen

Also present: City Administrator Consultant Sally Hoy, City Administrator Angela Grafstrom, City Engineer Brian Miller, Police Chief Eric Baumgart, Anthony Buttacavoli, Sarah Motl, Laurie Buttacavoli, Jenae Hicks, Pastor Gary Shaw, Delwayne Hawn of the County Times and Scott McKinney of the Braham Journal.

PUBLIC HEARING ON ORDINANCE 287

Mayor Carlson stated at the July council meeting, the Council approved moving forward with the process to adopt Ordinance 287 updating the City's Tobacco ordinance to include T-21, prohibiting the sale or provision of tobacco products to persons under the age of twenty-one. The Ordinance was posted in City Hall and on the City's website in July and August. At the August 12 council meeting the council called for a public hearing to be held on September 3, 2019 at 6:30 pm to take public comment and questions on adoption of the T-21 Ordinance. The public hearing notice was published and posted, as well as provided to the tobacco license holders in Braham-Home Town Liquor, Dino Mart, and Dollar General. The council will hear public comments and questions with no action being taken at this time.

Mayor Carlson read the list of names who sent letters in support of the T-21 Ordinance: David J Willoughby, M.A. Chief Executive Officer at ClearWay Minnesota; Douglas L. Wood, M.D., Minnesota Medical Association President, Dr. Thomas Kottke, M.D. HealthPartners Medical Director; Terry Turnquist, Isanti County Commissioner District 2, Nicki Klanderud, Manager, Community Engagement Cambridge Medical Center; Karla Patrick, Community Engagement & Benefit, Wellness Coordinator, Cambridge Medical Center; Kelly Spratt, President, Buffalo Hospital and Cambridge Medical Center; Bill Berg, Lead Pastor, New Hope Community Church; and Tony Buttacavoli, Director, Isanti Public Health.

Tony Buttacavoli, Director of Isanti Public Health read a statement in support of passing the ordinance. Sarah Motl, Community Health Supervisor also read a statement of support for the passing of the ordinance. Councilor Sullivan asked if anyone present was opposed to the passing of the ordinance. No one present spoke in opposition to the ordinance. Mayor Carlson asked Director Buttacavoli if the county had passed T-21 yet and he stated they had not.

Councilor Sullivan motioned to adjourn the public hearing. Seconded by Councilor Kunshier and carried unanimously.

Mayor Carlson opened the regular council meeting at 7pm.

REGULAR BUSINESS

Approval of Minutes

Councilor Sullivan motioned to approve the minutes of the August 12, 2019 council meeting. Seconded by Councilor Knowles and carried unanimously.

Accepting of Agenda

Councilor Sullivan motioned to accept the agenda with the addition of Q under new business: DNR Grant Agreement for Fire Department Equipment. Seconded by Councilor Kunshier and carried unanimously.

Payment of Bills and Payroll

Councilor Knowles motioned to approve the payment of bills and payroll. Seconded by Councilor Sullivan and carried unanimously.

Police Report

Chief Baumgart reported on policy updates and meetings he has been involved in. Calls for service were at about 600. He provided the council information on current cases and investigations the department has been working on.

Government Updates

None.

Banking Transactions

Council reviewed the banking transactions provided by Administrator Hoy in the Administrator's Report.

8/6/19 Transferred \$6,009 from Lottery Checking to General Checking for reimbursement of Lottery payouts

8/7/19 Transferred \$3,150 from Designated Res. Savings to General Checking for the balance due on the concrete barriers

8/7/19 Transferred \$41,847.11 from East Central Cable Commission Checking to General Checking for reimbursement of the 2nd Qtr Cable Franchise Disbursements run through the City's A/Ps

8/29/19 Transferred \$8,359.50 from General Checking to Des. Reserve Savings from Street Maintenance Aid received in January for Dec. 2018 that has not been used for any 2019 Str. Maint expenses to date. Reserve it with the other Str. Maint. Reserve. The City has not received any 2019 Street Maint Aid from the State.

Councilor Kunshier motioned to approve the banking transactions. Seconded by Councilor Sullivan and carried unanimously.

Accepting of Donations

City only had 1 \$25.00 donation toward the flower baskets.

Mayor Carlson motioned to accept Resolution 19D-6. Seconded by Councilor Sullivan and carried unanimously.

OLD BUSINESS

Engineering

Tax-Forfeited Parcels:

Miller reviewed the four tax forfeited properties Isanti County notified the city about. 2 parcels are Horseshoe Meadows outlots. He recommends city take ownership of these parcels: Parcel 14.067.0510 is Horseshoe Meadows Outlot A covers the large wetland in the center of Horseshoe Meadows. This is not a useable parcel, but it would be advantageous for the city to take ownership as the stormwater runoff from Horseshoe Meadows primarily drains to this parcel.

Parcel 14.074.0060 is Outlot B. This is also mostly wetlands, but contains the walking path and utilities between Appaloosa Court and Pinto Circle. It contains the stormwater pond for Horseshoe Meadows 2nd. Miller recommends the city also take ownership of this parcel as well. It is not a useable parcel that would generate tax revenue.

Miller reported the 3rd parcel, 14.075.0010 is Lot 1, Block 1 of Horseshoe Meadows 4th. Hoy stated on the corner of 8th and Horseshoe. Miller stated not a very large portion of uplands here, so not a good buildable lot. There would be wetland impact, so he recommends the city direct the county to proceed with the sale.

A fourth parcel came up, there is nothing there which would support the city usage of it. It is not within the city limits but adjacent to city land. It is the Larry Propotnick property. If the city took ownership they would also have to take ownership of the cleanup. There is a lot of junk on the property. Miller recommends the city direct the county to proceed with the sale.

Councilor Sullivan motioned to accept the engineer's recommendations to purchase parcel 14.067.0510 and 14.074.0060. Seconded by Councilor Kunshier and carried unanimously.

Update on 218 Street/Utility Project:

Miller reported he sat down with Kevin Foster from Hardrives on the quantities on the 2018 Street Project. They came to an agreement on Payment 3 final payment. Miller gave the council details on the change orders. The total payment amount is \$46,913.23 and they do have a couple of items to complete. He recommends the council approve the payment subject to the completion of the missing items and clean-up.

Mayor Carlson motioned to pay Hardrives the third and final payment of \$46,913.23 contingent on completion of outstanding items identified by the Engineer. Seconded by Councilor Kunshier and carried unanimously.

Pinto Circle Irrigation System:

Miller received a request from Brian Belkholm about installing an irrigation system for the homes on Pinto Circle. He is requesting permission to allow the system to come off one of the service lines. Concern is for the one property owner and pressure. He recommends approving this as long as Belkholm provides the association's by-laws to the City as Belkholm stated the by-laws show the water is the association's concern, not the individual home owner.

Councilor Sullivan motioned to allow the request for Pinto Circle's irrigation system to come off a service line subject to receiving a copy of the bylaws showing the association is responsible. Seconded by Councilor Knowles and carried unanimously.

Lyons Drainage Plan:

Miller proposes piping the water to the north. They would have to survey to shoot elevations. It would be a small line to limit the flow and it would need to be cleaned every year. He would also recommend getting an easement from the property owners downstream. Cost would be about \$18,000 for directional drilling, plus engineering fees. Next step would be to shoot the elevations.

Councilor Sullivan motioned to direct engineering to shoot the elevations. Seconded by Councilor Knowles and carried unanimously.

Adoption of Tobacco Ordinance #287

Councilor Sullivan motioned to adopt Tobacco Ordinance 287. Seconded by Councilor Kunshier and carried unanimously.

Sanitation Service Proposals

The city received RFPs from four different sanitation services. Mayor Carlson reported they opened the RFPs on Thursday, August 29, 2019. Mayor Carlson would like to hold over so the council has more time to discuss with the business customers about the issues they have had. Carlson stated they may schedule a special meeting.

Councilor Knowles motioned to hold over the sanitation service proposals for review at the next meeting. Seconded by Councilor Kunshier and carried unanimously.

TZD Update

Sarah Motl, Isanti Community Health Supervisor updated the council on the TZD (Toward Zero Death) program.

Resignation of Part-Time Liquor Store Clerk

Councilor Sullivan motioned to accept the resignation of part-time liquor store clerk Steve Horbul. Seconded by Councilor Knowles and carried unanimously.

Resolution 19-14 Adopting the 2020 Preliminary Levy

Budget committee met August 13, 2019 and is recommending a 2020 Preliminary Levy of \$644,225. This is a 3.8% increase over 2019, although with new taxes coming in from Elmhurst Commons TIF 2-5 decertifying 12/31/19, and 11 new home built in 2018 that will be added to the tax roll in 202, the City's levy impact on the property taxes in Braham should actually wash.

Councilor Knowles asked how building looks for this year. Hoy responded that there were 11 new houses last year and 8 this year. So those built last year will show their best value in 2020.

Councilor Sullivan motioned to approve Resolution 19-14 adopting the 2020 Preliminary Levy. Seconded by Councilor Kunshier and carried unanimously.

Resolution 19-15 Adopting the 2020 Preliminary Budget and Salary Schedule

If you review the administrator's report, you will see the highlights of the major changes in the 2020 Preliminary Budget. It includes a 2% COL increase, plus the normal 3% increase between steps 1-8, which follows the police union contract. According to the League of MN Cities, the COL for the Midwest increased 1.5%, we just went to 2%.

The Personnel Committee met with Chief Baumgart in July, and based on his performance are recommending a 2 step increase for him in 202. They are doing some restructuring Baumgart may want to elaborate on, but basically Detective Stahl will be

moved to a Lieutenant with a \$.50/hr increase over his normal 2020 increases and Lieutenant Lance Olson will be promoted to Deputy Chief with no change in pay over the normal 2020 increases.

Baumgart discussed the restructuring and how Stahl will be able to pick up some of the duties Baumgart needed performed from Olson and he is unavailable to do. Baumgart addressed the efficiency of letting Stahl take his car home with him. There is an expense, but for the better service the fuel to overtime pay is close. Baumgart is reviewing mutual aid with other surrounding units going forward and looking into the best way to provide service and cost efficiency going forward. Council asked if this was in the budget and Hoy confirmed this was all in the preliminary budget. Baumgart updated the council a little more on projects he is working on going forward.

Councilor Sullivan motioned to approve Resolution 19-15 adopting the 2020 Preliminary Budget and Salary Schedule. Seconded by Councilor Knowles and carried unanimously.

Hoy noted the Budget is recapped in the Administrator's Report.

Advertise Sale of Old Ercoa Property

Hoy asked if the council wants to market. If they council sells it for economic development, DEED will forgive up to 50% of the loan. Loan amount is \$125,723. Sullivan asked who decides what is economic development. Hoy stated normally what they are looking for is job creation. Mayor Carlson asked if we could market it as for sale for economic development. The council suggested reaching out to Jordan Zeller and the Chamber. Carlson suggested putting up a sign.

Councilor Sullivan motioned to approve marketing and selling the Ercoa lot for Economic Development. Seconded by Councilor Kunshier and carried unanimously.

Date for Truth in Taxation Meeting

If you want it with the December meeting it would be at 7pm with meeting to follow.

Councilor Knowles motioned to set Truth in Taxation Meeting for 7pm, December 3, 2019 with regular meeting to follow. Seconded by Councilor Kunshier and carried unanimously.

Ordinance 288 Setting Mayor and Council Salaries (Effective 1/1/2021)

Hoy stated Council has not had a pay increase since 2006 when the economy bottomed out and it has never been revisited. The ordinance would increase the mayor's annual salary from \$1,716 to \$2,787. It would increase council's annual salaries from \$1,304 to \$2,145. It would also increase mayor/council per diems from \$25 to \$30, and

committee per diems from \$15 to \$25. As per state statute, the salary increase cannot to go into effect after the next Municipal Election which would be January 1, 2021.

Councilor Kunshier motioned to move forward with Ordinance 288 and place it on the October agenda for adoption. Seconded by Councilor Knowles and carried unanimously.

Resolution 19-16 Amending Records Management Police Res 14-4E Police Records Retention Schedule

Chief Baumgart recommended an amendment to the City's Record Retention Policy for police records in order to hold some police records longer than the State's Retention Schedule. They have run into a couple of situations because cases are not solved before the records retention calls for removal of documentation. He wants to expand retention to cover situations like these and where they have not yet gone to court. It keeps the system from automatically purging the documents and they can still manually purge. Sullivan asked if the department has enough data storage to do this. Baumgart stated yes and no, but they are working it out.

Councilor Sullivan motioned to move to adopt Resolution 19-16 Amending Records Management Police Res 14-4E Police Records Retention Schedule. Seconded by Councilor Knowles and carried unanimously

Resolution 19-17 Amending Data Practices Policy Res 19-11 RE: Responsible Authority and Compliance Officer

Hoy reported this is just shifting it over to Angela Grafstrom as the new administrator.

Mayor Carlson motioned to move to adopt Resolution 19-17 Amending Data Practices Policy Res 19-11 RE: Responsible Authority and Compliance Officer. Seconded by Councilor Sullivan and carried unanimously.

Amend 2019 Appointments and Delegations

Hoy reported this does the same taking Hoy off and placing Grafstrom on.

Councilor Knowles motioned to amend the 2019 Appointments and Delegations to replace Hoy with Grafstrom. Seconded by Councilor Kunshier and carried unanimously

Resolution 19-18 Approving Raffle Permit for Rumelva Sons of Norway Lodge

Hoy reported this is not new, they have done this event in the past.

Councilor Sullivan motioned to adopt Resolution 19-18 approving Raffle Permit for Rumelva Sons of Norway Lodge. Seconded by Councilor Knowles and carried unanimously.

Purchase of Excess Liability Coverage and Waiver of Statutory Liability Limits

Hoy reported the city does this every year with the insurance renewal

Councilor Knowles motioned to purchase excess liability coverage and complete the waiver of statutory liability limits. Seconded by Mayor Carlson and carried unanimously.

New Legislation RE: Local Speed Limit Authority

Hoy reported this is an FYI only. The City received an email from the City Attorney informing the city of the new legislation that allows cities to lower the speed limit to 25 mph on city streets without requiring a traffic study. To change the speed limit to 25 mph will require simple council action. No action was taken.

Job Descriptions for Deputy Chief and Lieutenant

Chief Baumgart and Sally Hoy drafted the descriptions and forwarded them to the City Attorney. Updates from the attorney were incorporated. Mayor Carlson confirmed the copies on the table were the updated versions of the job description.

Councilor Sullivan motioned to approve the job descriptions as presented for the Deputy Chief and the Lieutenant positions. Seconded by Councilor Kunshier and carried unanimously.

Knowles brought up the need for permits, or some way to regulate the use of four wheelers on city streets. He is not saying restrict them all together, but we need some sort of control. Chief Baumgart suggested a committee to examine this. Baumgart suggested a fee. Carlson was wondering if the fee would be per cart or four wheeler. Knowles said he sees 5 or 6 a day racing on his street and they don't stop at stop signs. Grafstrom mentioned four wheelers and golf carts were permitted by the city in Hallock if they were under the weight required to get licensed by the state. It also requires a proof of insurance. It was suggested a committee be formed. The committee will be Councilor Kunshier, Chief Baumgart, and Administrator Grafstrom to look into this.

Councilor Sullivan motioned to approve forming a committee consisting of Councilor Kunshier, the Police Chief and the City Administrator to look into the regulation of four wheelers and golf carts on city streets. Motion was seconded by Mayor Carlson and carried unanimously.

Resolution 19-19 Updating the City's Fee Schedule

Hoy asked for council action to move forward with updating the city's fees schedule. Approving the adopting the changes that have been set tonight and move forward with updating it.

Councilor Knowles motioned to adopt Resolution 19-19 updating the Fee Schedule. Motion seconded by Councilor Kunshier and carried unanimously.

Resolution 19-20 Premise Permit for B.A.C.K to Conduct Charitable Gambling at Raven Properties, DBA Rysdam' s Pizza Pub of Braham

Councilor Sullivan motioned to adopt Resolution 19-20 approving Premise Permit for B.A.C.K. to conduct charitable gambling at Raven Properties, DBA Rysdam' s Pizza Pub of Braham. Seconded by Councilor Kunshier and carried unanimously.

DNR Grant Agreement for Fire Department Equipment

They applied for a grant for water movement items and breathing apparatus. Requires council approval. They have been awarded and the contract needs council approval.

Councilor Kunshier moved to approve the DNR grant agreement for fire department equipment. Motion seconded by Sullivan and carried unanimously.

At this time Mayor Carlson addressed Sally Hoy saying that before they adjourn the council meeting with Sally at their side the council would like to thank her for being part of the community and the city administrator. Carlson went on to say that Hoy has infused the city with her knowledge and grace. They appreciate everything she has done and she will always be in their hearts. Carlson presented Hoy with a quilt and some flowers.

Hoy stated it has been her honor.

Councilor Sullivan moved to adjourn the regular council meeting of September 3, 2019. Motion was seconded by Councilor Knowles and carried unanimously. Meeting adjourned.

Submitted by Angela Grafstrom
City Administrator