

MINUTES OF THE REGULAR MEETING  
OF THE BRAHAM CITY COUNCIL  
TUESDAY, MARCH 7, 2016  
7:00 P.M.

The regular council meeting was called to order with the following present: Mayor Patricia Carlson; Council Members Wayne Seiberlich, Jeremy Kunshier, and Traci Leaf; and City Administrator Sally Hoy. Council Member Vicky Ethen was absent.

The meeting began with The Pledge of Allegiance.

Carlson moved, and Leaf seconded to approve the minutes from the February 2, 2016 Street Improvement Public Hearing and Regular Council Meeting. Motion carried 4-0.

Carlson moved, and Seiberlich seconded to accept the agenda as amended. Motion carried 4-0.

Leaf moved, and Kunshier seconded to approve payment of the February bills and payrolls as presented. Motion carried 4-0.

There was no police report.

BANKING TRANSACTIONS

Leaf moved, and Seiberlich seconded to approve the following banking transaction:

2/22/16 Transferred \$4,885 from Lottery Checking to General Checking to reimburse for January lottery payouts

Motion carried 4-0.

ENGINEERING

Res. 16-2 Ordering Improvement and Preparation of Plans – 2016 Street Improve Project

The council reviewed Res. 16-2 ordering the improvements and preparation of plans & specs on the 2016 Street Improvement Project. City Engineer Brian Miller noted that most of the plans and specs were done. Because of the timeline, he requested the council also authorize the advertisement for bids on the project.

Seiberlich moved, and Leaf seconded to adopt Res. 16-2 ordering the 2016 street improvement and preparation of plans. Motion carried 4-0.

Seiberlich moved, and Kunshier seconded to authorize MSA Professional Services to advertise for bids on the project. Motion carried 4-0.

## NORTH TRUNK HWY 65 CORRIDOR COALITION MEMBERSHIP-MEMBERSHIP DUES

Council Member Seiberlich updated the council on the North Trunk Hwy Corridor Coalition meeting he attended. He said he'd questioned the benefit to Braham should Braham join again. He said he listened to people from the Coalition from Blaine, East Bethel, Ham Lake area up to Mora, and what he got out of this was that the Coalition is a lobbyist group that gets together, and the more voices they have, the better chance for legislation to improve the highways. He said the Coalition is in the beginning stages. He said that for the \$250 to join the Coalition for the year, Braham can work with the other member cities and townships. He stated that the Hwy 107/65 intersection is going to be an issue for awhile, and that they are talking about a huge round-a-bout and different things like that, but he really focuses on the Rice Lake Cemetery, Co Rd 4 and Hwy 65 intersection, because in the event that the City gets more businesses in the industrial park, something needs to change there.

Seiberlich also recommended the City pay the \$250 for membership dues to join the Coalition again and try it out for the year and see what happens, and if it turns out to not be for Braham, they can re-evaluate it next year.

Seiberlich moved, and Leaf seconded to pay the \$250 membership dues to join the Coalition for 2016. Motion carried 4-0.

## BID RESULTS FOR NEW FIRE DEPARTMENT TANKER RES. 16-7 AUTHORIZING DEBT

Administrator Hoy reported that the City received one bid on the new fire truck, which was from Custom Fire in the amount of \$219,875 with an optional Pump System for an additional \$10,325. The bid also included a discount of (\$3,600) if the City paid \$200,000 at contract signing when the truck is ordered, which she said she had cleared with the City Auditors, and a discount of (\$4,000) if the Braham and Cambridge trucks were ordered at the same time, which she said is their intention to do as well.

Res. 16-7 authorizes the new debt in the amount of \$228,000 to cover the purchase of the truck, the additional pump, and the financing costs.

Leaf moved, and Seiberlich seconded to adopt Resolution 16-7 authorizing the debt in the amount of \$228,000. Motion carried 4-0.

## WELCOME TO BRAHAM SIGNAGE – HORIZONS GROUP

This item was taken off the agenda.

REQUEST TO PLACE NO PARKING SIGNS DURING PARADE  
BRAHAM AREA CHAMBER OF COMMERCE

Kyla Nelson from the Braham Area Chamber of Commerce requested the council allow them to place “No Parking during Parade” signs, without any enforcement, along the parade route, with the exception along Hwy 107.

Carlson moved, and Kunshier seconded to grant the request for the Chamber to place the no signs during the parade. Motion carried 4-0.

INTERIM USE PERMIT APPLICATION – RYSDAMS PIZZA PUB

Zoning Administrator Marshall Lind reported that Rysdam’s Pizza Pub has done this for four years, with their hours having changed a little this time, and they’ve had no problems in the past. He said the same contingencies remain on the permit as in the past years.

Kunshier moved, and Seiberlich seconded to approve the Interim Use Permit for Rysdam's Pizza Pub of Braham with the same contingencies as in the past permits. Motion carried 4-0.

PLANNING COMMISSION RECOMMENDATION  
CUP REQUEST – EAST CENTRAL ENERGY (Res. 16-12)

The council reviewed the Conditional Use Permit from East Central Energy. Marshall Lind reported that the Planning Commission did not have a quorum for its meeting, so there was not a recommendation to the council. He said they did hold a public hearing, and there was some public in attendance. He said ECE’s request was to bring in more than 400 c.y. of fill allowed, which required a conditional use permit. He said they were looking at adding 1,500 c.y of fill sand and 1,500 c.y. of Class 5 gravel to expand their pole yard 250’ to the south and 200’ wide. He said they planned to move their pole yard areas straight to the south. Lind recommended approving the CUP on the condition that the water runoff does not impact the surrounding properties.

Administrator Hoy referred the council to a memo from Council Member Vicky Ethen, ex-officio for the Planning Commission, who was at the Public Hearing and Planning Commission meeting, and supported the CUP as long as it does not impact drainage issues on other property.

Seiberlich moved, and Kunshier seconded to approve the CUP for East Central Energy. Motion carried 4-0.

PLANNING COMMISSION RECOMMENDATION  
VARIANCE REQUEST – MANLO PROPERTIES (Res. 16-13)

The council reviewed the Variance Request from Manlo Properties. Zoning Administrator Lind reported the Variance Request was to change the old Braham VFW into commercial use for a

dinner theatre with commercial kitchen, to be approved by the MDH, which would be used on occasion to compliment KBK 95.5 FM events. Lind reported that they initially requested rezoning, but the City cannot rezone the property because it was not located next to the General Business or the Central Business Districts. He reported that this type of business is not allowed by conditional use in the R-1 Zoning District.

He said without a quorum, the Planning Commission could not take formal action, but they did hold the public hearing. He reported everyone in the audience was in support of the variance. One letter against the variance was received.

Administrator Hoy directed the council to Council Member Vicky Ethen's memo of support of granting the variance request.

Shawn Sullivan addressed the council, as a local business owner, president of the Braham Chamber of Commerce, employee of KBK, but first and foremost a resident of Braham and neighbor to the property. He said he fully supports this, as well as the neighbors he's talked to. He said the only argument would be the parking, and the truth of the matter is there is plenty of parking just as with the VFW when they did their pancake breakfasts, and the church before that. He said he understood the parking lot one block up adjacent to the church is also public parking. He noted that Braham didn't need an empty building and there were people now taking a step up to help make it into something, and he did not see any reason the council would not support this.

Seiberlich moved, and Kunshier seconded to approve the Variance for Manlo properties as requested. Motion carried 4-0.

#### ECE FENCE PERMIT

The council reviewed ECE's fence permit application. Zoning Administrator Lind directed the council to a map of the ECE property in the packets with their application. He said the fence will be 10-15 feet off the property line. He said the City's fence ordinance requires that it be screened. He asked for council direction on what type of screening of the fence will be required.

Mayor Carlson asked the representatives from ECE what type of screening they were planning, which they replied black fabric mesh on the east. Mayor Carlson noted that the only other thing ever talked about was a tree berm wall or some type of screening, but with them already moving the fence 10-12 feet, the berm wall would push it in even further. She noted that the black screen does work, and it works better than the slats do.

Carlson moved, and Leaf seconded to approve the ECE Fence Permit with the screening. Motion carried 4-0.

#### BRAHAM EDA RECOMMENDATION – INDUSTRIAL PARK LOT PRICING

Administrator Hoy reported that the City has been contacted by someone interested in purchasing one of the Braham Industrial Park lots, but the developer said the special assessment

amounts on the lots was a deal breaker. She reported that when the special assessments were first set up for the Ind. Park in 2006, it was right before the downturn of the economy, and the lot prices were set to recover the land cost, plus the special assessments, which were set to increase 5.5% annually (1% above the City's bond interest rate). As a note, the City's bond was refunded in 2011 down to 2.98%. The accumulation of 5.5% interest over the past 10 years has put the lot prices out of range for today's economy. She reported that even recalculating them to drop to 2.98% from 2011 forward still puts the lot prices out of reach.

Hoy reported she contacted David Drown, the City's financial advisor who originally drafted the assessment schedule, and asked him if it was possible for the City to reduce the lot prices and assessments. She said his response was that at this point, he thought the City should be setting lot prices in the industrial park at levels that are workable for business owners, and that he'd noted, *"The price schedule with accumulated interest is probably well above market prices now, so there is no sense in pretending that lots will sell at these levels."* She reported he said the goal of the industrial park was always to bring industry and jobs to town.

Hoy reported she then called together the Braham EDA for a meeting to re-evaluate the lot prices and to come up with a recommended revision to the schedule. Current Braham EDA members are Loren Nelson, Businessman; Seth Zeltinger, Banker; and Mayor Tish Carlson and Wayne Seiberlich from council. She reported they discussed the current lot prices and reviewed what some of the area cities were selling lots for. Because Phase 2 is not developed yet, they focused on the lot prices for Phase 1.

Hoy said their recommendation to council is to charge \$34,800 for Lots 7, 8 & 10. They based this upon charging 75% of the County's EMV for Lot 7, and because Lots 8 & 10 were the about the same size for buildable land as Lot 7, to charge the same amount for 8 & 10 as well. For Lot 9, they recommended charging \$44,700, which is 75% of the County's EMV for 2016. Their recommendation is that no TIF or special assessments would be offered with these prices. That way, the City will not only be paid up front for the lots, but will also start collecting taxes right away instead of returning the taxes to the developer for the remaining years of the TIF District. These are 2016 prices and will need to be re-evaluated annually as the EMV changes.

**Phase 1 – 2016 Info.**

LOT #	SIZE	CURRENT PRICE	COUNTY EMV	EDA RECOMMENDATION
Lot 1	1.24 Ac	Sold		
Lot 7	2.54 Ac	\$104,221	\$57,100	\$34,800
Lot 8	2.99 Ac	\$125,066	\$57,400	\$34,800
Lot 9	2.99 Ac	\$259,297	\$59,600	\$44,700
Lot 10	1.14 Ac	\$95,050	\$46,000	\$34,800

Hoy reported she then ran the Braham EDA's recommendation past David Drown, and he said the City has the ability to adjust assessment amounts, or accept a cash offer and cancel the assessments entirely. He said if the plan is just to forget about the deferred assessments (which he said he thought made a lot of sense at this point in time) the proper thing to do is to hold a supplemental assessment hearing and cancel them.

Hoy reported that if the council accepts the Braham EDA's recommendation, Resolution 16-9 calls for a supplemental assessment hearing to cancel the deferred assessments on the Industrial Park lots. The lot prices would be paid up front, with no TIF and no special assessments.

Seiberlich moved, and Kunshier seconded to adopt Res. 16-9 calling for a supplemental assessment hearing to cancel the deferred assessments on the Industrial Park Lots. Motion carried 4-0.

**RES. 16-5 APPROVING THE JOINT POWERS AGREEMENT BETWEEN THE CITY AND THE STATE OF MN, AND THE COURT AMENDMENT ON BEHALF OF THE CITY PROSECUTING ATTORNEY AND POLICE DEPARTMENT**

Seiberlich moved, and Leaf seconded to adopt Res. 16-5 renewing the City's current Joint Powers Agreement with the State of Minnesota and current Court Amendment on behalf of the City's prosecuting attorney and Police Department. Motion carried 4-0.

**RES. 16-8 MN COURT SYSTEM DATA ACCESS AGREEMENT**

Carlson moved, and Kunshier seconded to adopt Res. 16-8 entering into agreement with the Minnesota Court Data System for the Braham Police Department. Motion carried 4-0.

**2016 W/S CONTRACTOR LICENSE – MUDDY GAP HOLLOW INC**

Leaf moved, and Kunshier seconded to approve the 2016 W/S Contractor License for John Sutcliffe of Muddy Gap Hollow Inc, who is licensed with the State. Motion carried 4-0.

**APPOINTMENTS TO BRAHAM PLANNING COMMISSION**

Mayor Carlson recommended the appointment of Shawn Sullivan and Gary Skarsten to the Planning Commission. Leaf moved, and Seiberlich seconded to approve the appointments as recommended. Motion carried 4-0.

**APPOINTMENT TO BRAHAM EDA**

Mayor Carlson recommended the appointment of Becky Turnquist to the Braham EDA. Carlson moved, and Seiberlich seconded to approve the appointment as recommended. Motion carried 4-0.

**BRAHAM PARK BOARD**

With three members of the Braham Park Board resigning at the end of 2015, leaving less than a quorum; the council consensus to use park reserves for the play equipment at the High Point Park in 2016 and correcting the problem of the sinking skateboard park equipment in the NW Park in 2016, and the City facing budget increases in 2017 & 2018 for the new debts for both the Fire Department Tanker and the 2016 Street Improvement Project which won't allow budgeting any money for a park board to work with, it was the recommendation of Mayor Carlson to have the council absorb the park board. Carlson moved, and Leaf seconded for the council to absorb the Braham Park Board. Motion carried 4-0.

#### FUNDING REQUEST – EAST CENTRAL HOUSING ORGANIZATION

Administrator Hoy reported that the City of Braham participated in an East Central Regional Housing Study in 2015. After this study was completed, the East Central Housing Organization (ECHO) was formed. She said it consists of a collaboration of organizations interested in housing within the 7E region—Lakes & Pines, ECRDC, Central MN Housing Partnership, A Place for You, Mille Lacs Corporate Ventures, Mora HRA, 7 County Senior Federation, and Central MN Council on Aging. Hoy reported they were asking for funding to help develop a website where people can search for housing resources and services.

Carlson moved, and Kunshier seconded to approve a payment of \$100. Motion carried 4-0.

Leaf moved, and Kunshier seconded to adjourn. Motion carried 4-0. Meeting adjourned at 7:35 p.m.

Respectfully Submitted,

Sally A. Hoy  
City Administrator