

MINUTES OF THE REGULAR MEETING
OF THE BRAHAM CITY COUNCIL
TUESDAY, OCTOBER 4, 2016
7:00 P.M.

The 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.

Julia Parent was present from the Isanti County News.

Police Chief Robert Knowles was present.

The meeting began with The Pledge of Allegiance.

Carlson moved, and Seiberlich seconded to approve the minutes from the Sept. 6, 2016 meeting as corrected. Motion carried 4-0.

Kunshier moved, and Seiberlich seconded to accept the agenda as amended with the addition of the Isanti County Sheriff Office update. Motion carried 4-0.

Seiberlich moved, and Leaf seconded to approve payment of the September 2016 bills and payrolls. Motion carried 4-0.

Chief Knowles gave the police report to the council. He reported 358 calls for service in September 2016, the same as September 2015.

Seiberlich moved, and Leaf seconded to adopt Res. 16D-6 accepting the September 2016 donations as presented. Motion carried 4-0.

BANKING TRANSACTIONS

Leaf moved, and Kunshier seconded to approve the following banking transactions:

9/14/16 Transferred \$50 from Lottery Checking to General Checking to cover the donation for the Halloween Party at the Braham Area Elementary School.

9/20/16 Transferred \$6,445 from Lottery Checking to General Checking for reimbursement of August Lottery payouts

Motion carried 4-0.

ENGINEERING

City Engineer Brian Miller presented two resolutions for council action at this meeting. He updated the council on the project costs, noting that the price per unit on Southview would be less, going from the \$2,900 projected at the May 2016 public hearing, to about \$2,400.

Res. 16-25 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessments

The council reviewed Res. 16-25 declaring the cost to be assessed to benefitting property owners and ordering the preparation of proposed assessments on the 2016 Street Improvement Project. Seiberlich moved, and Kunshier seconded to adopt Res. 16-25 Declaring Cost to be Assessed and Ordering Preparation of Proposed Assessments. Motion carried 4-0.

Res. 16-26 Calling for Assessment Hearing

The council reviewed Res. 16-26 calling for the Public Hearing on the Proposed Assessments. Kunshier moved, and Seiberlich seconded to adopt Res. 16-26 Calling for the Public Hearing on the Proposed Assessments for the 2016 Street Improvement Project. Motion carried 4-0.

Miller noted the piping to fill in the ditch had basically doubled from the amount originally estimated, and would now be in the range of \$17,000. Administrator Hoy noted that this piping was added after the project began, and if bond proceeds did not cover it, the money would have to come out of reserves. Miller noted that they were hoping to still come close to budget on the project.

Mayor Carlson asked about the timeline on finishing the sidewalk, and Miller replied he would be talking to the contractor on Wednesday about their delay in working on it and finishing the project.

ISANTI COUNTY SHERIFF'S OFFICE UPDATE
SHERIFF CHRIS CAULK AND SGT BOB DOWD, DISPATCH SUPERVISOR

Isanti County Sheriff Chris Caulk and Sergeant Bob Dowd, Dispatch Supervisor, updated the council on the Sheriff's Office expansion, a draft policy for Body Worn Cameras, and how the 911 system works.

ORD. # 276 AMENDING ZONING ORDINANCE #199 OPTING OUT OF MN 462.3593
RE: TEMPORARY FAMILY HEALTH CARE DWELLINGS

Administrator Hoy noted that at the September 6, 2016 council meeting, the council voted to opt out of MS 462.3593 which defines and regulates Temporary Family Health Care Dwellings, and that Ordinance #276 amends Zoning Ordinance #199 opting out of MN Statute 462.3593 that would allow Temporary Family Health Care Dwellings.

Zoning Administrator Marshall Lind addressed the council, noting that the public hearing and Planning Commission meeting were held, and the Planning Commission voted to recommend that the council opt of the Temporary Family Health Care Dwellings.

Carlson moved, and Kunshier seconded to adopt Ordinance #276 Amending Zoning Ordinance #199 Opting Out of MS 462.3593 RE: Temporary Family Health Care Dwellings. Motion carried 4-0.

BUILDING CODE ENFORCEMENT - ERCOA BUILDING

Building Official Marshall Lind addressed the council regarding the hazardous condition of the old Ercoa building. He presented pictures of the building, and reported that the sides are collapsing and presents a public hazard and safety concern. He is asking if the council wanted him to initiate the process to require Cambridge State Bank to demolish the building under the building code enforcement, and if so, what timeline to use for their response.

Discussion took place. Seiberlich moved, and Leaf seconded to authorize Lind to move forward with the enforcement, giving the bank no more than 30 days to respond. Motion carried 4-0.

RES. 16-24 CERTIFYING DELINQUENT BILLS TO THE TAX ROLL

The council reviewed Res. 16-24 certifying the 2016 delinquent bills to the tax roll payable in 2017.

Carlson moved, and Kunshier seconded to adopt Res. 16-24, and as amended, certifying the 2016 delinquencies to the 2017 tax roll. Motion carried 4-0.

CITY INSURANCE WAIVER OF STATUTORY LIABILITY LIMITS & PURCHASE OF EXCESS LIABILITY COVERAGE

Administrator Hoy reported that each year with the City's annual insurance renewal, the City has the option of waiving the \$300,000 Statutory Tort Liability Limits and purchasing excess liability coverage. She'd noted that the reason the City would want to continue to waive the tort liability limits is for more funds to be available for the injured party/parties, and the reason the City would want to continue to purchase excess liability coverage would be in a situation where the statutory limits aren't there to protect the City because they don't apply to the type of claim or the courts overturn the statutory limits, and the City is therefore liable for an amount over the \$1M max the primary liability insurance covers. If the insurance amount doesn't cover the liability, the City would need to come up with the money, most likely resulting in a tax levy.

Seiberlich moved, and Leaf seconded to waive the statutory liability limits and purchase the excess liability coverage. Motion carried 4-0.

SET SPECIAL MEETING IN NOVEMBER TO CANVAS VOTES FROM MUNICIPAL ELECTION:

Administrator Hoy noted that State Statute requires the City Council is required to canvas the results of the Municipal Election between November 11-18. Carlson moved, and Seiberlich seconded to call a Special Meeting to canvas the votes for 1:30 p.m. on Thursday, Nov. 17, 2016. Motion carried 4-0.

RAFFLE PERMIT APPLICATION – SONS OF NORWAY (RES. 16-26)

The council reviewed the Raffle Permit Application from Sons of Norway to hold a raffle on October 25, 2016 at the Braham Event Center. Administrator Hoy noted that because the prizes are under \$1,500 no State permit is required, but City ordinance still requires a local permit. She noted that the City Attorney's Office drafted a permit form to be used for these occasions when a State permit is not required.

Kunshier moved, and Seiberlich seconded to adopt Res. 16-26 approving the Raffle Permit for The Sons of Norway for October 25, 2016. Motion carried 4-0.

Seiberlich moved, and Leaf seconded to adjourn. Motion carried 4-0. The meeting adjourned at 8:15 p.m.

Respectfully Submitted,

Sally A. Hoy
City Administrator