

# MINUTES OF THE PROCEEDINGS OF THE CITY COUNCIL OF THE CITY OF NORTH BRANCH IN THE COUNTY OF CHISAGO AND IN THE STATE OF MINNESOTA

## REGULAR SESSION

August 11, 2015

CALL TO ORDER: The North Branch City Council met in regular session and Mayor Hagen-Kennedy called the meeting to order at 7:00 p.m.

### PLEDGE OF ALLEGIANCE:

ROLL CALL: Councilmembers present were Kathy Blomquist, Theresa Furman, Kirsten Hagen-Kennedy, Joyce Borchardt, and Robert Canada. Staff members present were City Administrator Konrad, Police Chief Meyer and City Attorney Squires.

### PUBLIC COMMENT:

Alex Bates, 38450 Lincoln Trail, addressed the Council and said he has always admired strong leaders who lead by doing. Mr. Bates said he encourages the Councilmembers to begin making good decisions as we head into an election year.

### CONSENT AGENDA:

- Claims
- Resolution No. 049-08-11-15 – Liquor Store Cashier Hires – Adair and Harvego
- Liquor Store – Budgeted Replacement for Surveillance System
- Minutes – May 26, 2015 Regular Meeting
- ~~Minutes – July 14, 2015 Regular Meeting~~
- Resolution No. 050-08-11-15 – Street Dance & Extension of Premises – JJ's Bowl & Lounge
- Contract Employee – Salary Increase

Konrad noted that Item 5E would be removed from the Consent Agenda.

Motion by Canada, seconded by Borchardt, to approve Consent Agenda as amended. All voted AYE. Motion carried.

### **Minutes – July 14, 2015 Regular Meeting**

Motion by Canada, seconded by Borchardt, to approve the July 14, 2015 Regular Session Minutes as presented. Members voted: Ayes – 4, Nays – 0, Abstain – 1 (Furman). Motion carried.

### PUBLIC HEARINGS:

**NONE**

### COMMITTEE/COMMISSIONS:

**7A PLANNING COMMISSION**

**NONE**

**7B ECONOMIC DEVELOPMENT AUTHORITY**

**NONE**

- i. **Meeting Update**  
Furman provided an overview of the meeting.

**7C PARK COMMISSION**

- i. **Meeting Update**  
Blomquist provided an overview of the meeting.

**7D WATER AND LIGHT COMMISSION**

- i. **Minutes**
- ii. **Meeting Update**  
Furman provided an overview of the meeting.

STAFF REPORTS:

**8A ENGINEERING/PUBLIC WORKS** **NONE**

**8B ADMINISTRATION** **NONE**

**8C BUILDING**  
i. **Activity Report** **INFO**

**8D FINANCE**  
i. **Financial Report** **INFO**  
ii. **Sewer Refund Policy**  
Konrad provided an overview of the proposed sewer refund policy.

Motion by Canada, seconded by Furman, to approve the sewer refund policy with corrections by Administrator Konrad.

Borchardt asked the attorney if there is an appeal process if denied by staff. City Attorney indicated there is no specific language but, as a practical matter, someone not getting satisfaction with staff can bring the matter before Council. Blomquist would prefer a limit of one refund per lifetime so the same people are not coming in repeatedly. Konrad said she used the word may to leave some discretion to deny the request. Hagen-Kennedy asked whether the refund the Council agreed to would have been given under this policy. Konrad indicated that staff would have denied the request but that does not prevent the resident from coming to the Council and asking for a refund.

After discussion member voted: Ayes – 3, Nays – 2 (Hagen-Kennedy/Blomquist). Motion carried.

**8E LEGAL**

City Attorney Squires indicated he has addressed the precedent issue on the sewer refund policy. Squires noted his office prepared a legal analysis memo and a fact finding report regarding members testifying at the Senate hearing. The question posed was about releasing the reports. Squires

indicated the legal analysis should not be released to the public but Council needs to make a determination on waiving privilege of the fact finding report. Hagen-Kennedy commented there were two separate issues on the recommendation to protect the City. Squires indicated that the legal memo should not be released but the fact finding report is up to the Council as to whether to release it. Borchardt asked whether the document should be released based on the threatened legal action. City Attorney indicated that would be up to the Council. Squire clarified the concerns with open meeting laws governing Facebook activity.

**8F PUBLIC SAFETY**

**i. Authorization to Advertise for Reserve Officers**

Chief Meyer provided an overview of the accomplishments of the Reserve Officers. Chief Meyer indicated that the Fire Relief Association has provided funds to assist with the Reserve Officer program.

Motion by Canada, seconded by Furman, to authorize advertisement for reserve officers as outlined by staff. All voted AYE. Motion carried.

**8G OTHER**

**NONE**

NOTICES AND COMMUNICATIONS:

**NONE**

UNFINISHED BUSINESS:

**NONE**

NEW BUSINESS:

**NONE**

MAYOR AND COUNCIL:

**a. Upcoming Agendas**

**INFO**

City Attorney assured the Council that Trevor Helmers is always up to speed on the issues and when he does attend meetings, he is able to engage and answer questions as they arise.

Motion by Furman, seconded by Canada to adjourn. All voted AYE. Motion carried.

ADJOURNED: at 7:32 p.m.

Respectfully submitted,

Bridgitte Konrad, City Administrator  
jrl/TOSS