

AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 19, 2021 – 5:00 P.M.
CITY HALL

Seating may be limited. If you would like to send in a comment for Public Comment or a Public Hearing to be read on your behalf, please submit to the City Clerk
jstrand@cityofisanti.us or (763) 762-5759

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Policy(s) Discussion

- F. Adjournment**

AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, FEBRUARY 16, 2021 – 5:00 P.M.
CITY HALL

Seating may be limited. If you would like to send in a comment for Public Comment or a Public Hearing to be read on your behalf, please submit to the City Clerk jstrand@cityofisanti.us or (763) 762-5759

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Police Updates
 - 2. Liquor Updates
 - 3. Council Chamber Rental Policy
 - 4. Veterans Memorial Discussion
 - 5. Lighting and Snow Maker for Sledding Hill
 - 6. Irrigation Controller Program and Zoning Requirements
 - 7. Take Home Vehicle Use Policy
 - 8. Lighting Infill
 - 9. Holiday Lighting Event
 - 10. Easter Egg Hunt Event
 - 11. Mobile Food Truck Chapter 160; Fees Discussion

- F. Adjournment**



New Business:

1. Gross profit for the months of November - January was 28.07%. Our 2020 annual sales increased from the prior year by 27.95%. Sales were up \$868,409.15 over 2019
2. The following is a breakdown of some savings we can take advantage of before getting into the new store to help us transition and work out some issues early in the year.
 - a) Firewall- currently using Phoenix Sentry paying \$660 per year, our software tech is having a hard time navigating the system giving us delays to install updates and difficulty to fix issues with our server computer. An alternative is attached giving us 3 years of service costing us \$423/yr. for a 3- year subscription. (Initial cost with server and hardware totaling \$1,271.15). No charge for install as we have an unlimited contract with Zabinski Services.
 - b) Credit card processing currently using Heartland for our credit card processing as time progresses fees become the norm. See attached breakdown showing excess fees paying an additional \$224-\$248.67 per month. Marilyn Snyder (formerly a representative from Heartland) now with Card Connect has promised not to have those additional fees in the contract if we switch. If any additional fees end up on our statement an explanation will be made available.
 - c) Online and Curbside: Staff has been weighing our options for a website online ordering system using our current software cost to run this is \$800 setup and \$100 per month to keep up the online ordering system. This does not track inventory as the customer does not pay online. If we want online payment the startup cost would be \$3,000 and \$200 per month & 1% fee on online sales transactions. See attached for equipment used including card readers (Lane 3000 card readers are currently used) a Microsoft Tablet (Register 3) and stand-alone terminals to take credit card payments. In order to setup another register we will need to order a receipt printer a stand- alone printer and scanner as well as a cash drawer not listed on the estimate.
3. Product planning and replacement will be preformed by vendors and approved by me prior to new store opening. Moving of product I will find out what we can and cannot move over to the new location in the next committee meeting in May.




2a


Jamie's Service and Repair Inc.

125 N. Marshall Ave • P.O. Box 303 • Litchfield, MN 55355
T: (800) 310-0931 • <http://www.jsr-computers.biz>


Quote for: Isanti Municipal Liquor Store

Quote number: 669
Quote date: 2/5/2021
Quote created by: Jamie Bah

Qty	Product Description	Price	Ext. Price
1	 XG 115 rev.3 EnterpriseProtect Plus, 3-year (EU/JK/US power cord) Promotional pricing, save \$595 when purchasing 3 year subscription	\$881.17	\$881.17

1	 Sophos APX 120 Access Point (FCC) plain, no power adapter/PoE Injector	\$170.00	\$170.00
---	---	----------	----------

Subtotal for: \$1,051.17

Qty	Product Description	Price	Ext. Price
1	 Netgear 8-Port Gigabit Ethernet PoE+ Smart Managed Plus Switch - 8 Ports - Manageable - 2 Layer Supported - 123 W PoE Budget - Twisted Pair - PoE Ports - Wall Mountable, Desktop, Rack-mountable - 5 Year Limited Warranty	\$194.98	\$194.98

Subtotal for: \$194.98

Items Sub Total	\$1,246.15
Shipping Estimate	\$25.00
Quote Total (does not include tax)	\$1,271.15

Quotes expire 14 days from date above or if product is no longer available via distribution channels, prices subject to change if our vendor pricing changes. **Sales Tax not included in quote price.** Shipping prices subject to change.
Please review the quote and if you wish to order, please reference the quote number when you call with your approval. Note: if you approve this quote via email or phone, it will be ordered and you will be billed. By replying with approval, you agree to pay the amount due IN FULL, within the net terms agreement with your company or with you. If no terms have been established, you agree to PAYMENT UPON DELIVERY OR PICKUP. Delivery date will be determined by either delivery of product by Jamie's Service and Repair or by proof of delivery by shipper. Please Remit payment to: P.O. Box 441 Brownnton, MN 55312 - Past due amount(s) may be subject to additional charges if payment terms are not met.
***These terms can be changed by JSR at any time, please make sure to read this fine print before you approve the quote.** --revision 03/02/2015

2a



Zabinski Business Services, Inc.
P.O. Box 15
Annandale, MN 55302

Invoice

Date	Invoice #
9/1/2020	2374

Bill To	Ship To
Isanti Liquor (U) City of Isanti 400 West Dual Boulevard Isanti, MN 55040	Isanti Liquor City of Isanti 400 West Dual Boulevard Isanti, MN 55040

Due Date	P.O. No.	Terms	Project
9/1/2020		Due on receipt	

Item	Description	Quantity	Rate	Amount
Phoenix Sentry m...	Phoenix Sentry monthly charge	12	55.00	660.00

Subtotal	\$660.00
Sales Tax (6.875%)	\$0.00
Payments/Credits	\$0.00
Balance Due	\$660.00

Heartland

A Global Payments Company

early cancellation
all \$295⁰⁰
(3 yr)

Fee Summary

Fee Type	# of Trans	Total \$ Amount	Discount % Rate	DPI	Transaction Fee	Total Fee
MC Merchant Location Fee	1	\$0.00		-	-	\$1.25
MC NABU Fee	3,492	\$0.00		-	\$0.0195	\$68.09
Subtotal						\$2,029.16
American Express Pass-thru Fees						
American Express - Assessment Fee	96	\$3,260.85	0.1500	-	-	\$4.90
Amex - Prepaid Tier 1 Fee	2	\$68.09	1.3500	\$0.10	-	\$1.12
Amex - Retail Tier 1 Fee	90	\$2,714.88	1.6000	\$0.10	-	\$52.44
Amex - Retail Tier 2 Fee	4	\$477.88	1.9500	\$0.10	-	\$9.72
Subtotal						\$68.18
Discover Pass-thru Interchange & Fees						
DS Assessment Fee	102	\$3,555.32	0.1300	-	-	\$4.62
DS CR Commercial Electronic	15	\$431.95	2.3000	\$0.10	-	\$11.44
DS CR PSL - Retail Premium	18	\$804.85	1.7100	\$0.10	-	\$15.57
DS CR PSL - Retail Rewards	68	\$2,283.38	1.7100	\$0.10	-	\$45.84
DS CR PSL-Retail-PremPs	1	\$35.14	2.1500	\$0.10	-	\$0.85
DS Data Usage Fee	107	\$3,719.43		-	\$0.0195	\$2.09
DS Network Authorization Fee	107	\$3,719.43		-	\$0.0025	\$0.27
Subtotal						\$80.68
HPS Processing Fees						
American Express Discount Fee	96	\$3,260.85	0.1500	-	-	\$4.90
American Express Transaction Fee	96	\$0.00		-	-	\$3.84
Discover Transaction Fee	107	\$0.00		-	\$0.0400	\$4.28
DS Discount Fee	102	\$3,555.32	0.1500	-	-	\$5.34
MC Discount Fee	3,489	\$108,325.30	0.1500	-	-	\$162.52
MC Transaction Fee	3,492	\$0.00		-	-	\$139.68
Monthly PCI Non-Compliance Fee - Oct	1	\$0.00		-	\$0.0400	\$125.00
Service & Regulatory Mandate	1	\$0.00		-	-	\$25.00
Visa Transaction Fee	5,325	\$0.00		-	-	\$240.04
VS Discount Fee	5,352	\$160,049.82	0.1500	-	\$0.0400	\$923.60
Subtotal						\$5,349.90
Totals						
						\$5,349.90

Value Added Services Fee Summary

Fee Type	Quantity	Per Unit Fee	Total Fee
Customer Intelligence Suite	1	-	\$54.95
Heartland Analytics	1	-	\$0.00
Total Value Added Services Fees			\$54.95

Fees calculated on a per transaction basis, rounding differences may occur

Processing Summary - Settled by HPS

Card Type	# of Trans	\$ Sales Volume	# of Refunds	\$ Amount of Refunds	\$ Amount Net Sales	Average Ticket
Visa						
Credit	871	\$28,815.91	-	-	\$28,815.91	\$33.08
Prepaid	214	\$4,822.23	-	-	\$4,822.23	\$22.53
Signature (Non-PIN) Debit	4,267	\$126,411.68	-	-	\$126,411.68	\$29.63
MasterCard						
Credit	479	\$15,735.71	-	-	\$15,735.71	\$32.85
Prepaid	68	\$2,014.38	-	-	\$2,014.38	\$29.62
Signature (Non-PIN) Debit	2,942	\$90,575.21	7	(\$304.09)	\$90,271.12	\$30.79
American Express						
Credit	96	\$3,260.85	-	-	\$3,260.85	\$33.97

Merchant Statement

ISANTI LIQUOR
400 W DUAL BLVD
ISANTI, MN 55040

Statement Date: 11/30/2020
Statement Period: 11/01/2020 - 11/30/2020
DBA Name: ISANTI LIQUOR
Merchant Number: 650000010556887
Store Number:

Savings right now
42240

Heartland is committed to fair dealings and full disclosure. We continue to pass through 100% of the Durbin savings.

*** Contact Information ***
Customer Service: 1-888-963-3600
Heartland InfoCentral: https://infocentral.heartlandpaymentsystems.com Heartland Payment Systems One Heartland Way Jeffersonville, IN 47130

This Is Not A Bill

HPS Deposits & Fees At A Glance

Visa Deposits: Less Visa Pass-thru Interchange & Fees: <u>\$2,248.28</u> Total Visa Pass-thru Interchange & Fees: <u>\$2,248.28</u>	\$160,049.82
MasterCard Deposits: Less MasterCard Pass-thru Interchange & Fees: <u>\$2,029.16</u> Total MasterCard Pass-thru Interchange & Fees: <u>\$2,029.16</u>	\$108,021.21
American Express Deposits: Less American Express Pass-thru Fees: <u>\$68.18</u> Total American Express Pass-thru Fees: <u>\$68.18</u>	\$3,260.85
Discover Deposits: Less Discover Pass-thru Interchange & Fees: <u>\$80.68</u> Total Discover Pass-thru Interchange & Fees: <u>\$80.68</u>	\$3,555.32
Less Heartland Payment Systems Processing Fees: <u>\$923.60</u> Less Other Processing and One-Time Fees: <u>\$0.00</u> Total Processing and One-Time Fees: <u>\$923.60</u>	
Total Deposits: Total Credit Card Fees:	<u>\$274,887.20</u> \$5,349.90
Total Heartland Marketing Solutions: Total Fees:	\$54.95 <u>\$5,404.85</u>

gene

* More detailed processing fee information on the following pages. All Heartland fees automatically include transaction savings, if applicable.

2c

John Jacobi

From: Marilyn Snyder <marilyn.snyder@icloud.com>
Sent: Wednesday, January 27, 2021 8:13 PM
To: John Jacobi; Keith Lusk
Subject: Credit card processing (with Paul's info included)

Hi John and Keith,

- >
- > (In case I forgot anything we talked about just let me know!)
- >
- > 1. Lane 5000 card reader (for Paul's system) \$550.00 each plus tax
- > Lane 3000 card reader (for Paul's system) \$450.00 each plus tax.
- > 2. Stand-a-lone terminal \$185.00 (phone or internet)
- >
- > 3. Microsoft Surface tablet - Paul said to buy directly.
- > (I looked some up and they range from \$550 - \$750.)
- >
- > 4. No hookup or set up fees from me - don't know about Paul.
- >
- > 5. Savings is \$248.67 for the month of November - smaller volume months - savings will be smaller. In the larger months - the savings will be more - such as in your summer.



cardconnect.

OK response

Marilyn Snyder
Partner

msnyder1@cardconnect.com
Direct: 218.371.0133

1000 Continental Drive, Ste. 300
King of Prussia, PA 19406
www.cardconnect.com



Memo for Discussion

To: Mayor Johnson and Members of the City Council
From: Katie Brooks, Human Resources Director
Date: February 16, 2021
Subject: Adopting Public Use of Chambers Conference Room Policy

Occasionally staff get contacted in regards to renting out space for gatherings, meetings and other miscellaneous purposes. It has been determined an updated Municipal Conference Room Policy was necessary, as Resolution 2008-012 was outdated.

Staff has included additional language including requirements for damage deposit and updated tobacco use to the policy.

Request:

Staff is requesting discussion on this item.

Attachments:

- Resolution 2008-012
- Resolution 2021-XXX Adopting Public Use of Municipal Conference Rooms Policy

CITY OF ISANTI, MINNESOTA

RESOLUTION NO. 2008 – 012

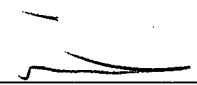
**RESOLUTION ADOPTING PUBLIC USE OF
MUNICIPAL CONFERENCE ROOMS POLICY**

WHEREAS, the City of Isanti finds it is the best interest for the general public to provide a facility conducive to conduct the public business, since public funds made these facilities possible.

WHEREAS, the City Council recognizes that a policy is necessary to promote orderly and appropriate use of these public facilities.


NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to adopt the policy that provides for the public use of municipal conference rooms and procedures thereof that is hereby attached as 'Exhibit A' and made a part of this resolution.

This resolution was duly adopted by the Isanti City Council this 15th day of January, 2008.



Mayor George A. Wimmer

Attest:



Irene J. Bauer
Assistant City Administrator/City Clerk

'Exhibit A'

CITY OF ISANTI

**PUBLIC USE OF MUNICIPAL CONFERENCE ROOMS
POLICIES AND PROCEDURES**

PURPOSE

The intent of this policy is to permit public use of City Hall conference rooms for public meeting purposes, civic purposes, and non-profit organizations whose membership largely consists of Isanti residents or whose purpose is to provide services to Isanti residents.

The City Hall facilities shall not be used for commercial enterprise, religious organizations conducting activities, or any profit making endeavors.

ROOM RESERVATIONS

City Council, official City Boards and Commissions, or other organizations whose meetings are sponsored by the City shall have priority in the use of City Hall facilities.

Please note the City reserves the right to cancel any and all reservations without providing any other accommodations in the event the City Hall facilities are needed for municipal government purposes. In the event of a change in availability, staff will make every effort to accommodate the organization by scheduling a different time or facility.

Meeting rooms are available Monday thru Friday from 8:00 a.m. – 4:30 p.m., with the exception that the conference room and Council Chamber will not be available for reservation on Tuesday afternoons. Meeting rooms in the City Hall are not available on the weekends or Holidays.

Applications for room reservations are available at the front desk from the Receptionist. Scheduling of room reservations will be recorded on a first come first serve basis. Applications will be reviewed and approved by the City Clerk before use of the facility is granted. Large groups will be permitted to utilize the conference room and Chamber as long as City Staff is present. Approval from Staff is required for use of City's equipment. Staff will assist with the setup of City's equipment in the Council Chambers and Conference Room A.

ROOMS AVAILABLE

Conference Room A

Capacity: 12-13 people

Equipment: projection screen, whiteboard, telephone

Council Chambers

Capacity: 50 people

Equipment: 9 tables

RULES AND REGULATIONS

- A. Pursuant to the Minnesota Clean Indoor Air Act, smoking is prohibited.
- B. The use of intoxicating liquor and non-intoxicating malt liquor beverages are prohibited in the City Hall facilities.
- C. The City assumes no liability for loss, damage, injury or illness incurred by the users of the facility.
- D. Noise must be controlled to a limited area. Children must be under the direct supervision of an adult at all times.
- E. Decorations, banners, or signs may not be pinned, taped, or otherwise affixed to the walls, ceiling or windows.
- F. Approval from City staff is required for permitted use of food in Council Chambers and Conference Room A.
- G. Person/organization reserving the room are permitted to make local calls only in Conference Room A and Council Chambers.
- H. Approval from Staff is required for use of City's equipment. Staff will assist with the setup of City's equipment in the Council Chambers and Conference Room A.
- I. The person/organization reserving the room is responsible for disposing of any garbage from the meeting and leaving the space used in a clean and orderly fashion and shutting off all lights. If the room/surrounding area is left in disarray, or damage occurs during use, the person/organization reserving the room will be held responsible for damages and may lose the privilege to use the meeting rooms.
- J. Council Room may be rearranged, but must be restored back to original order after use. A seating chart will be provided to assist person/organization reserving the room.
- K. All person/organizations must comply with the room reservations hours of 8:00 a.m. to 4:30 p.m.

Failure to conform to these policies and rules may be cause for forfeiture of future use privileges.

RESOLUTION 2021 – XXX

ADOPTING PUBLIC USE OF COUNCIL CHAMBERS POLICY

WHEREAS, the City of Isanti finds it is in the best interest for the public to have a facility available to conduct public business; and,

WHEREAS, the City Council recognizes that a policy is necessary to promote orderly and appropriate use of this public facility space; and,

WHEREAS, this resolution revised and supersedes resolution 2008-012;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to adopt the policy that provides for the public use of the Council Chambers and procedures thereof that is hereby attached as ‘Exhibit A’ and made a part of this resolution.

This resolution was duly adopted by the Isanti City Council this ___th day of _____, 2021.

Mayor Jeff Johnson

Attest:

Jaden Strand
City Clerk

'Exhibit A'

CITY OF ISANTI

**PUBLIC USE OF COUNCIL CHAMBERS MEETING ROOM
-POLICY AND PROCEDURES-**

PURPOSE

The intent of this policy is to provide regulation on the use of the City Hall Chambers meeting room for public meeting purposes. Use of the room must largely consist of Isanti residents or whose purpose is to provide services to Isanti residents.

The City Hall Chamber's room cannot be used for commercial or political enterprise, religious organizations conducting activities, or any profit-making endeavors.

ROOM RESERVATION

City Council, official City Boards and Commissions, or other organizations whose meetings are conducted on behalf of the City will have priority use of the Chambers meeting room

Please note the City reserves the right to cancel/ deny any and all reservations without providing any other accommodations in the event the Chambers meeting room is needed for municipal government purposes. In the event of a change in availability, staff will make every effort to accommodate the organization by scheduling a different time or facility.

The City Hall Chambers room is available for meeting reservations Monday through Friday from 8:00 a.m. – 4:30 p.m. and not available on weekends or Holidays. The cost for reservations is of no charge. A \$100 refundable damage deposit will be required when making a reservation.

Requests for Chamber reservations must be made in writing and received at least one (1) or more days prior to the meeting. The reservation is not confirmed unless a confirmation is received from the City Administrator or City Clerk. Scheduling of room reservations will be on a first-come first-serve basis. Staff can assist with the setup of City equipment in the Council Chambers if approved by the City Administrator.

Council Chambers

Max Capacity: 111 people

COUNCIL CHAMBERS MEETING ROOM RULES AND REGULATIONS

- A. The City of Isanti observes and supports the Minnesota Clean Indoor Air Act. All City buildings, are designated as tobacco free, meaning that smoking in any form (through the use of tobacco products such as pipes, cigars, and cigarettes) and form of “vaping” with e-cigarettes (without regard to the presence of nicotine) is prohibited while inside City Hall.
- B. The use of intoxicating liquor and non-intoxicating malt liquor beverages are prohibited.
- C. The City assumes no liability for loss, damage, injury or illness incurred by the users of the facility.
- D. Noise must be controlled to a limited area. Children must be under the direct supervision of an adult at all times.
- E. Signs may not be pinned, taped, or otherwise affixed to the walls, ceiling or windows.
- F. Approval from City Administrator is required for permitted use of food or drink in Council Chambers.
- G. Approval from City Administrator is required for use of City's equipment. Staff will assist with the setup of City's equipment in the Council Chambers if granted permission.
- H. The person/organization reserving the room is responsible for disposing of any garbage from the meeting and leaving the space in a clean and orderly fashion which may include vacuuming. If the room/surrounding area is left in uncleaned or in disarray, or damage occurs during use, the person/organization reserving the room can and will be held responsible for damages and will lose the privilege to use the meeting rooms. Costs incurred from any damage will be deducted from the damage deposit.
- I. Chamber’s room may be rearranged, but must be returned to original layout after use.
- J. All persons/organizations must comply with the room reservations hours of 8:00 a.m. to 4:30 p.m. Meetings outside of these hours must be approved by City Council.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Matt Sylvester, Public Services Director
Date: February 16, 2021
Subject: Sledding Hill Discussion

Background:

During goal setting on January 19, 2021 there was discussion on lighting for the newly constructed Sledding Hill as well as a snow making machine.

To install lighting at the Sledding Hill now it would cost approximately \$5104.00. This would be by installing two lights. One on each side of the sledding hill. The other option would be to wait until the Amphitheatre is constructed and to install lighting for both at that time.

Staff researched a snow making machine and found that a snow making machine would cost approximately \$1200.00. We would need to purchase a gas operated pressure washer to go with it at approximately \$1300.00 Total cost of approximately \$2500.00. This would make about 6" of snow in 8 hours at 20' F.

The funding source identified as Parks (500) for both items.

Request:

Staff would like direction to move forward on the lighting for the Sledding Hill this year or wait for the Amphitheatre to be constructed.

Staff would also like direction weather or not to purchase a snow making machine. If the direction is to purchase the snow making machine should that purchase be made this year.

Attachment:

- Sledding Hill Lighting design
- Snow Making machine







Memo for Discussion

To: Mayor Johnson and Members of the City Council
From: Josi Wood, City Administrator
Date: February 16, 2021
Subject: Irrigation Controller Reimbursement and Current Irrigation Requirements within Zoning

Irrigation Controller:

Consideration of an irrigation controller reimbursement program was discussed at Goal Setting January 19th, 2021 to reduce water usage for residents thus paying less and reducing the cost to the City to treat the water.

It was discussed that this program could be similar to the raingarden incentive program where there would be a maximum amount allocated per year. If Council desires to implement, Staff would create an account, 602-49400-495, titled "Rebates / Reimbursements". It would be a budget amendment to create the account and authorize the expenditure(s) for this current year or it could be implemented in 2022.

Zoning Requirements:

It was also asked that current irrigation zoning requirements be brought to Committee for review and discussion.

SECTION 15: FENCING, SCREENING, AND LANDSCAPING

Subdivision 5: Landscaping Requirements

Underground sprinkler systems.

- a. Sprinkler systems shall be provided as part of each new development for all landscaped areas, except those areas on the property that will be preserved in their natural state.
- b. Single-family and two-family dwellings as well as additions to existing structures, in which the addition will not exceed the floor area of the existing structure, are exempt from this provision.
- c. On all lots, the City may permit alternative landscaping options, which may not require an irrigation system. Such alternative options shall be reviewed by the Planning Commission. Alternative landscape options include, but are not limited to, rock gardens, natural prairie grass, and rain gardens.

SECTION 18: SITE PLAN REVIEW

Subdivision 9: Landscape Plan Requirements

G. Location and details of irrigation systems. Such systems are to be designed by a landscape designer or other qualified individual and approved by the Building Official.

Request:

Staff is requesting discussion and direction on these items.



Memo for Discussion

To: Mayor Johnson and Members of the City Council
From: Josi Wood, City Administrator
Date: February 16, 2021
Subject: Take Home Vehicle Use Discussion and Draft Policy

Background:

Take home vehicle use was discussed at the last COW meeting. It was decided that the Chief of Police and Police Lt. will be the positions for consideration as to whether to be assigned a take home vehicle. It was shared that a maximum distance that the employee can drive to/from their home should be considered. This was discussed and the Council and asked staff to bring back for information further discussion regarding costs.

Below are costs depending on radius round trip from the center of the City.

					CURRENT 10 YEAR LIFE	EACH YEAR OF REDUCTION = 0.2 VEHICLES	AVG 10 YEAR FUEL COST (2.85/GAL)	EST. \$0.10 PER MILE		
ROUND TRIP COMMUTE	WEEKLY MILES	ANNUAL MILES (50 WEEKS)	5 YEAR MILEAGE	10 YEAR MILEAGE	REVISED USEFUL LIFE	ADDTL 20 YR CIP COST	ADDTL FUEL COST PER YEAR	ADDTL MAINT COST PER YEAR	AVG ANNUAL COST	
10 MILES - 4 TIMES WEEKLY	40	2,000	10,000	20,000	9	\$ 12,222	\$ 475	\$ 200	\$ 1,286	
30 MILES - 4 TIMES WEEKLY	120	6,000	30,000	60,000	7	\$ 47,143	\$ 1,425	\$ 600	\$ 4,382	
50 MILES - 4 TIMES WEEKLY	200	10,000	50,000	100,000	5	\$ 110,000	\$ 2,375	\$ 1,000	\$ 8,875	
*Accepting the revised useful life within the table also assumes adding a vehicle that is currently used by PD into the CIP. ** The revised useful life is an assumption based off of a vehicle being used solely by a person with the represented RT mileage in the table. If the mileage to and from work are spread among the three admin police vehicles, it is possible that the useful life of the three admin police vehicles may not change as represented in the table.										

Recommendation:

Staff is recommending to approve a policy by Resolution for Take Home Vehicle Use, with this policy to also be incorporated into the next Personnel Policy update.

Request:

Staff is requesting discussion on this item and consideration of the attached draft policy.

Attachments:

- Draft policy by Resolution
- Distance map

RESOLUTION 2021-XXX

TAKE HOME VEHICLE USE POLICY

WHEREAS, the City Council has determined that it is in the best interest to have a policy that defines which city employees should be permitted to take a City vehicle home routinely due to the nature of their position in the City; and,

WHEREAS, such vehicles are provided for the purpose of enhancing effectiveness and efficiency and to provide better service to the community, the City and the Police Department; and,

WHEREAS, the assignment of take home vehicles shall be overseen by the City Administrator as approved by City Council in the City Personnel Policies; and,

WHEREAS, take home vehicles shall only be permitted and assigned for the Chief of Police and Police Lt. positions; and,

WHEREAS, take home vehicles are not a term and condition of employment and the City reserves the right to discontinue use unless written in the employee's employment contract; and,

WHEREAS, state and federal statutes and IRS regulations regarding take home vehicles must be followed at all times; and,

WHEREAS, employees living more than _____ radius miles from the City will not be permitted to take home a vehicle unless otherwise authorized by the City Administrator for occurrences on occasion;

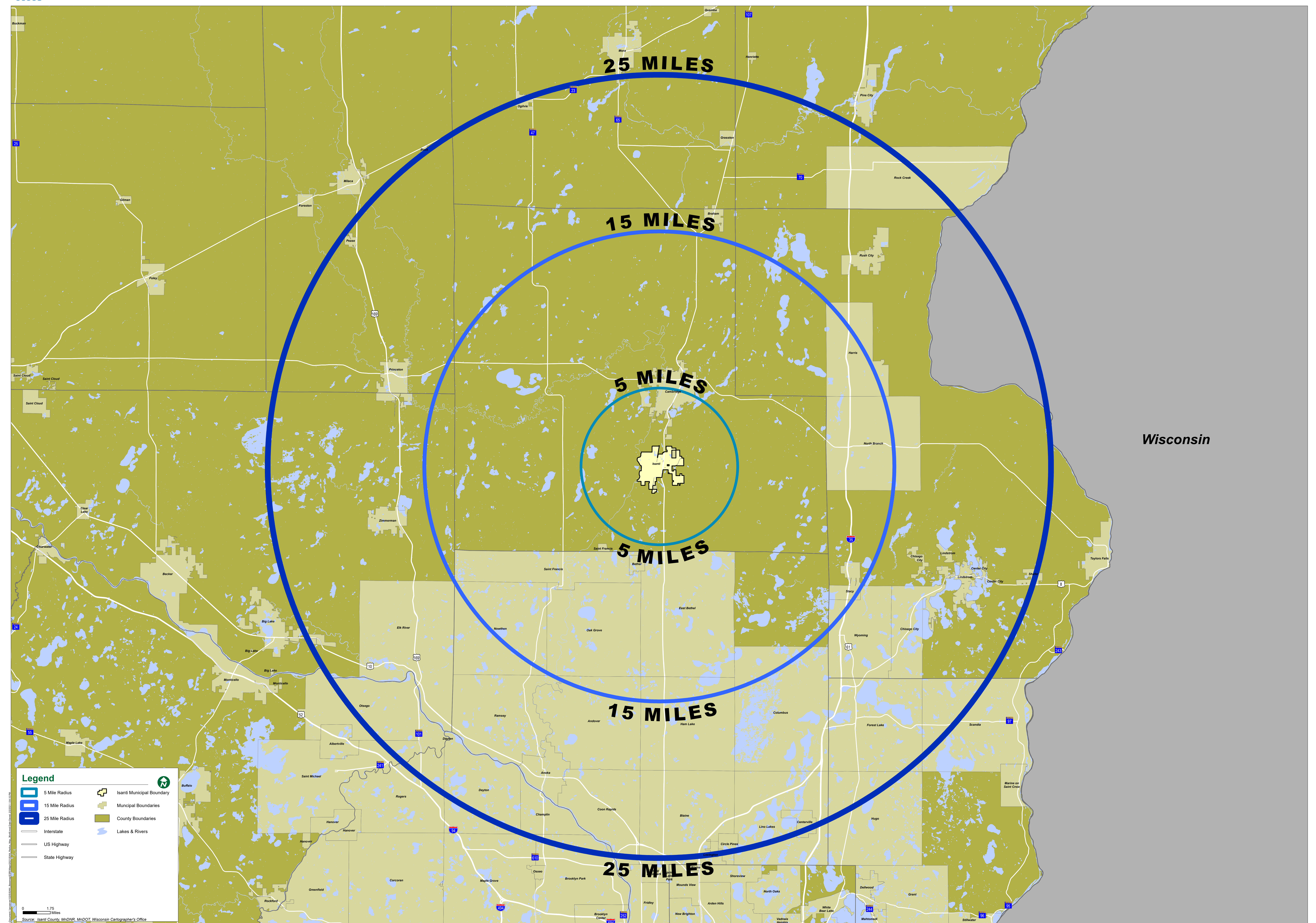
NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to approve the Take Home Vehicle Use Policy as outlined per this Resolution and implement such language in the next update of the City Personnel Policy.

This resolution was duly adopted by the Isanti City Council this 2nd day of March, 2021.

Mayor Jeff Johnson

Attest:

Jaden Strand
City Clerk



Legend

- 5 Mile Radius
- 15 Mile Radius
- 25 Mile Radius
- Isanti Municipal Boundary
- Municipal Boundaries
- County Boundaries
- Interstate
- US Highway
- State Highway
- Lakes & Rivers

0 1.75 Miles

Source: Isanti County M&DNR, MnDOT, Wisconsin Cartographer's Office

A Community For Generations.



Memo for Cow

To: Mayor Johnson and Members City Council
From: Matt Sylvester, Public Services Director
Date: February 16, 2021
Subject: City Street Lighting In-fill Discussion

Background:

The Capital Improvement Plan (CIP) for the years 2021- 2030 has funds available for lighting in-fill. Staff was asked to provide locations and a timeframe on when these lights could be installed per our CIP. Staff has identified 22 locations that would need additional lighting. Staff prioritized the lighting locations based on the following factors:

- Unlit intersections with high traffic flow with a crosswalk involved
- Unlit streets with high foot traffic that don't have a sidewalk or bike path
- Unlit sidewalks and bike paths with high traffic flow
- Unlit intersections with low foot traffic
- Cul-de-sacs over 300'
- Unlit sidewalks and bike paths with low foot traffic
- Unlit streets with high traffic flow
- Industrial areas

Staff has put together a plan with these criteria taken into consideration but also realizing there is a limited amount of money in the CIP each year for lighting in-fill. The lighting along Heritage Blvd would have lights staggered 200' feet apart on the north and south side utilizing existing poles when possible.

Lighting in-fill on newly annexed streets would have lighting installed when street improvements take place.

Request:

Staff is requesting direction on this item to move forward with the street lighting in-fill as provided.

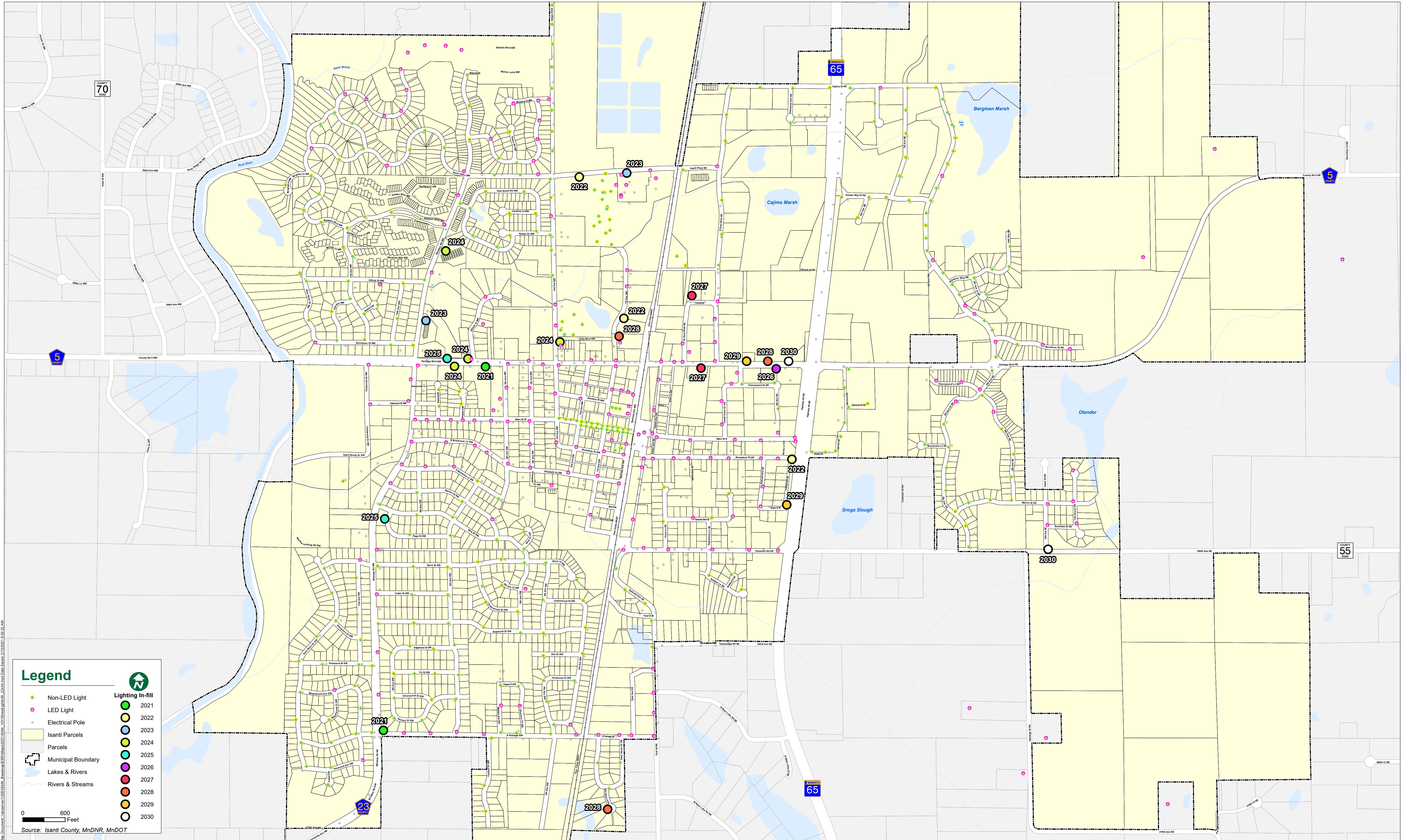
Attachments:

- Lighting in-fill spread sheet
- Lighting In-fill Map

Lighting in-fill

Location	Type	Cost	Note	Year
Whiskey Rd and South Passage SW	135W Shoebox Light	\$5,870.00		2021
Isanti Parkway West of 3rd Ave	135W Shoebox Light	\$6,700.00		2022
Isanti Parkway East of 1st Ave	135W Shoebox Light	\$2,100.00		2023
Whiskey Rd 600' North of Heritage	135W Shoebox Light	\$7,500.00		2023
Heritage Blvd East of Whiskey Rd S	135W Shoebox Light w/8' arm	\$3,800.00		2021
Heritage Blvd East Of Whiskey Rd S	135W Shoebox Light w/8' arm	\$3,000.00		2024
3rd Ave and Unity Blvd	135W Shoebox Light w/8' arm	\$2,000.00		2023
Whiskey Rd and Silver Ln	135W Shoebox Light	\$5,000.00		2024
Candy and Broadway SE	63W Cobra LED on 8' arm	\$2,200.00		2022
Heritage Blvd East of Whiskey Rd N	135W Shoebox Light w/8' arm	\$7,500.00		2025
Heritage Blvd West Of Hwy 65 S	135W Shoebox Light w/8' arm	\$13,000.00		2026
Heritage Blvd West Of Hwy 65 S	135W Shoebox Light w/8' arm	\$7,500.00		2027
Heritage Blvd and Hillock Ct	135W Shoebox Light w/8' arm	\$2,000.00		2024
Nina and Page St SW	48W Tradionaire	\$4,200.00		2025
Candy and Shawn St SE	63W Cobra LED on 8' arm	\$7,200.00		2029
Co Rd 55 and 10th Ave SE	Decorative Light	\$1,200.00		2030
300' North of Unity on 1st Ave	63W Cobra LED on 8' arm	\$1,100.00		2022
Deerhaven Ct SW	48W Tradionaire	\$2,200.00		2028
Unity and 1st Ave	135W Shoebox Light on a 14' arm	\$4,000.00		2028
Heritage Blvd West Of Hwy 65 N	135W Shoebox Light w/8' arm	\$3,800.00		2028
Heritage Blvd West Of Hwy 65 N	135W Shoebox Light w/8' arm	\$3,800.00		2029
Heritage Blvd West Of Hwy 65 N	135W Shoebox Light w/8' arm	\$3,800.00		2030
North Dual Blvd and West Dual Blvd	63W Cobra LED on 8' arm	\$2,200.00		2027

\$	9,670	2021
\$	10,000	2022
\$	11,600	2023
\$	10,000	2024
\$	11,700	2025
\$	13,000	2026
\$	9,700	2027
\$	10,000	2028
\$	11,000	2029
\$	5,000	2030



Legend

- Non-LED Light
 - LED Light
 - Electrical Pole
 - Isanti Parcels
 - ▭ Parcels
 - ▭ Municipal Boundary
 - ▭ Lakes & Rivers
 - ▭ Rivers & Streams
- Lighting In-fill**
- 2021
 - 2022
 - 2023
 - 2024
 - 2025
 - 2026
 - 2027
 - 2028
 - 2029
 - 2030
- 0 600 Feet
- Source: Isanti County, MnDNR, MnDOT

Map Document: \\nrc\mnt\GIS\Isanti_Mapping\SRM\Map\2021\Isanti_10YrStreetLightInfill_210214.mxd Date Saved: 2/10/2021 8:02:22 AM

Holiday Lights Decision Matrix

1) Site Selection

- a) River Bluff Park
- b) Legacy Park
- c) 1st Ave NW (Bluebird Park)
- d) Rodeo Grounds
- e) South IIA Green Space

2) Funding Structure - Revenues

- a) Fee
- b) Donation
- c) Free

3) Operating Structure - Expenditures

- a) Enterprise Fund
- b) Public/Private Partnership
- c) Private Endeavour

4) Display Format

- a) Accessibility
- b) Length
- c) Shape/Orientation
- d) Display Mix
 - i) Theory
 - ii) Intent
 - iii) Presentation

5) Display Logistics

- a) Setup
- b) Removal
- c) 10-month Storage

6) Timeline

1) Site Selection

a) River Bluff Park

- i) Pros – Natural Setting, Accessible Path, Walk-Thru Display
- ii) Cons – Lack of Parking, Adjacent Significant Residential Development

b) Legacy Park

- i) Pros – Natural Setting, Walk-Thru Display
- ii) Cons – Lack of Parking, Adjacent Significant Residential Development

c) 1st Ave NW (Bluebird Park)

- i) Pros – Drive-Thru Display, Socially Distant
- ii) Cons – Potential 5 Week Road Closure, Less Intimate

d) Rodeo Grounds

- i) Pros – Walk-Thru Display, Control Points, Fee-Friendly
- ii) Cons – Less Intimate Setting, Limited Future Growth/Size

e) South IIA Green Space

- i) Pros – Walk-Thru Display, Partially Handicap Accessible, Available Parking
- ii) Cons – Mixed Natural Setting, Potential Turf Repair, Train Traffic



2) Funding Structure – Revenues

a) Fee

- i) Sam's Christmas Village – Adult (\$12), Kid 4-10 (\$10), Kid 3 & Under (Free), Parking (\$10)
- ii) Above Rates with 1,000 vehicles, 1,500 adults and 750 kids would generate \$35,500
- iii) Fees minimize burden and risk to Isanti Taxpayers
- iv) Fees reduce accessibility to Isanti Residents

b) Donation

- i) Bentleyville – Donations Suggested, Parking (\$10)
- ii) Above Rate with 1,000 vehicles would generate \$10,000
- iii) Donations/Parking Fees reduce burden and risk to Isanti Taxpayers but less so than if admission fees are also collected
- iv) Donations/Parking Fees reduce accessibility to Isanti Residents but less so than a structure that includes admission fees

c) Free

- i) Visitors would not pay for admittance, donations would not be solicited
- ii) No Revenues Collected, Necessary funding would be either public and/or private and not tied to admission
- iii) Free admission/parking carries more potential burden and risk to Isanti Taxpayers
- iv) Free admission/parking maximizes accessibility to Isanti Residents

3) Operating Structure - Expenditures

a) Enterprise Fund

- i) Adopt Parking and Admission Fees
- ii) New City Enterprise Fund is Created
- iii) All Revenues and Expenditures assigned to newly created Fund
- iv) Fund must self-sustain as enterprise fund or be reclassified as special revenue fund
- v) Special Revenue Funds imply that at least some tax support is needed
- vi) Large Upfront Expenditure for Lights/Displays

b) Public/Private Partnership

- i) City Seeks to limit costs and forgo most aggressive rate structure
- ii) Donations/Parking Fees or Free admission/parking are potential funding structures
- iii) Private Donations or sponsorships would need to be solicited
- iv) City would function as organizer but not bare sole risk/reward
- v) Minimal but potentially significant upfront expenditure for portion of Lights/Displays

c) Private Endeavour

- i) City involvement likely limited to minor organizing and possible land use
- ii) City cost is likely limited to investment of limited staff time and associated wages
- iii) No new costs for city, simply different allocation of time for wages already budgeted
- iv) Possible expense to provide electricity on city property

4) **Display Format**

a) **Accessibility**

- i) **Adjacent Parking**
 - (1) Best if “nearby” and not in otherwise residential area
 - (2) Potential for future fee-based traffic control may be desired
- ii) **Handicap Accessibility**
 - (1) Complete Accessibility, from vehicle parking thru entire light experience
 - (2) Partial Accessibility, from vehicle to some portion of light experience
 - (3) No Accessibility, from accessible by any reasonable standard
- iii) **Walk-Thru vs Drive-Thru**
 - (1) Walk-Thru generally more intimate and better for building sense of community
 - (2) Drive-Thru, safer from Public Health perspective and fully Handicap Accessible
- iv) **Snow Removal**
 - (1) Who – Presumed that City Staff will remove snow from walk/drive path
 - (2) When – How frequently will snow be removed, minimum snowfall for action?
 - (3) Where – Certain levels of snowfall will require removal from site

b) **Length**

- i) Too short and it is not a viable attraction for out-of-town visitors
- ii) Too long and it is not a viable attraction for segments of population

c) **Shape/Orientation**

- i) Drive-Thru, to manage traffic flows layout should lend itself to differing enter/exit points
- ii) Walk-Thru, Layout should be either circle or narrow point horseshoe shape. Allowing visitors to enter and exit near the same point so as not to extend their return trip to vehicles by the length of the display path.

d) **Display Mix**

- i) Theory – Cost and Appeal are likely to rise and fall in tandem. A display that lacks investment is more likely to lack general appeal.
- ii) Intent – Council should consider if this display is intended primarily for City Residents or to more broadly draw visitors from a larger region
- iii) Presentation – A lighting display will need a larger footprint and grander aesthetic appeal to draw visitors from a large geographic area. A large “Centerpiece” display that can visually garner interest from a distance is more likely to increase attendance. A “Centerpiece” display that can be seen from a distance and appreciated from any direction would seem to have more value than a one-sided display.

5) Display Logistics

a) Setup

- i) Setup of a display of any significant size would likely require the use of part-time seasonal staff.

b) Removal

- i) Removal or teardown of the display may require more time than the initial setup as snow increases and temperatures drop. Leaving the display in place until more temperate weather arrives may reduce the risk of damage to light displays.

c) Multi-month Storage

- i) Regardless of when the light display is removed there will inevitably be months of required storage. Once the new PW building is complete in 2025, storage would likely not be an issue. Until then alternative arrangements will need to be made to protect the displays from harsh weather. A temporary storage building or a renting a storage unit are possible solutions in the interim.

6) Timeline

a) Purchases (Public or Private)

- i) Purchases of lights and displays are best made in the first quarter of each year. Vendors will provide discounts of 20-40% during that time of the year. Vendors are also quick to note that purchases made as late August may not be available ahead of the Holiday season if they require custom build or lighting.

b) Budgeting (Public or Private)

- i) Currently the City of Isanti has not budgeted any expenditures for a potential Holiday Light Display in 2021. Additionally, it is probably fair to assume that no private entities have done so either. Regardless of whether this is an entirely Public (City) endeavor or Private (Business/Resident) endeavor or some mix of each, it may be prudent to allow time for display planning and budgeting

Proposed Funding Structure

Seek donations for displays and prominently sign the display to note donating entity/individual.

Target date for display unveiling should be **Nov-Dec 2022**

Project Timeline

Mar-Dec 2021 - Establish Budget(s) and Public/Private partnership mix if any
Jan-Mar 2022 - Display Purchases – Purchases by City for max. discount, regardless of funding source
Sept 2022 - Site Layout Planning/Marking
Oct 2022 - Display setup Begins
Nov 24th 2022 - Lights on
Jan 1st 2023 - Light off



11 – 6ft LED Trees - \$459 each

8 – 8ft LED Trees - \$534 each

Total Display Cost - \$9,321 (Purchase Only)

<https://www.holidaylights.com/collections/trees>



4.75'H x 16.8'W Small Santa Sleigh and Reindeer Set - **\$1,673.50**

<https://www.holidaylights.com/collections/sleigh-and-reindeer-sets/products/small-santa-sleigh-and-reindeer-set>



25ft (8ft base & 4ft Star) Steel Frame LED Tree - **\$5,360**
<https://moscadesign.com/product/tree-of-lights/>



12 Foot LED Showmotion 3D Christmas Tree - **\$270.00 (discounted)**

<https://www.birddogdistributing.com/12-foot-led-showmotion-3d-christmas-tree/>

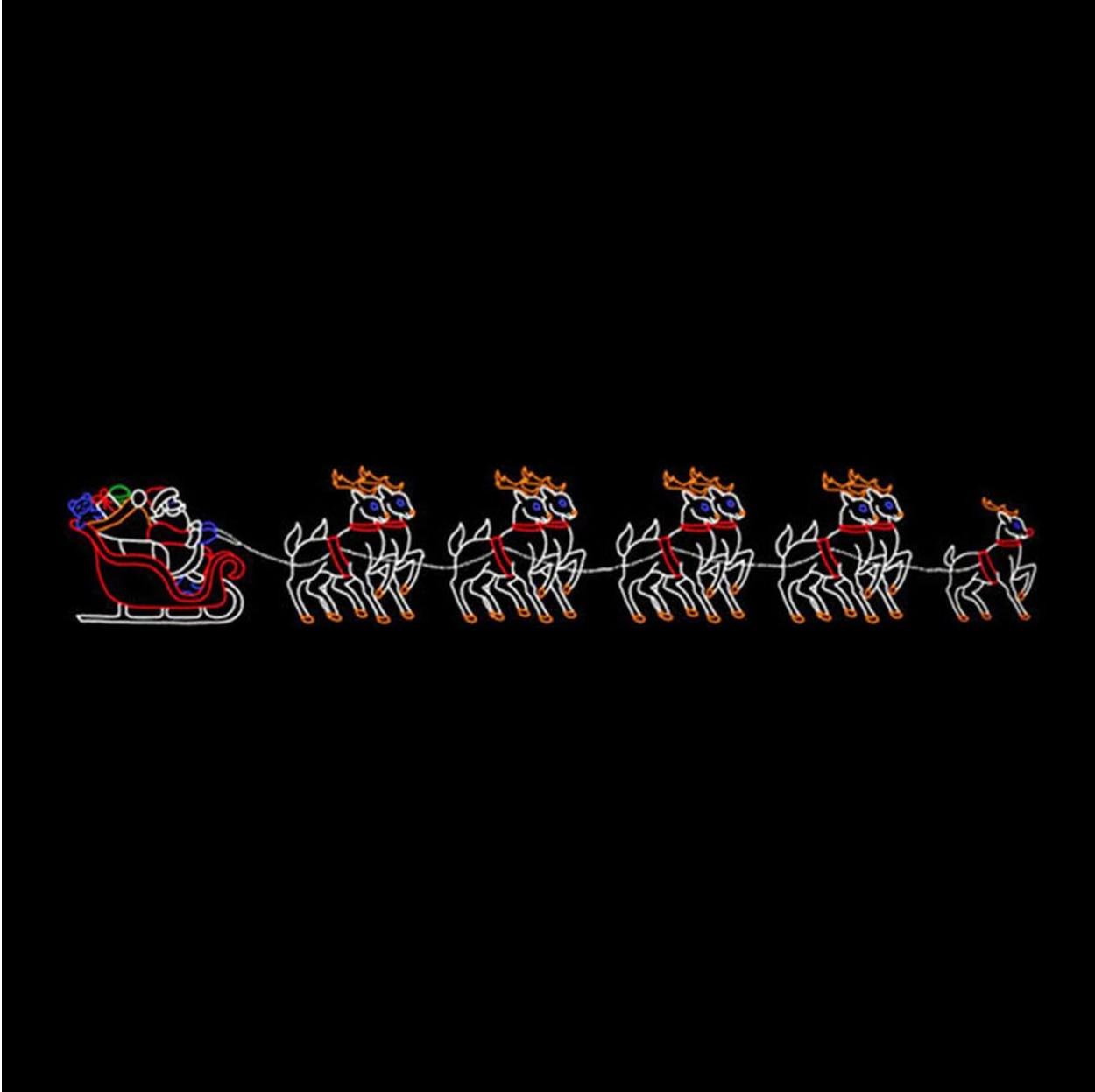


10 Foot Animated Toasty Snowman & Marshmallow Elf LED M5 Mini Light Motif - **\$730.00 (Discounted)**
<https://www.birddogdistributing.com/10-foot-animated-toasty-snowman-marshmallow-elf-led-m5-mini-light-motif/>



15 Foot Animated Sledding Kid LED M5 Mini Light Motif - **\$800.00 (Discounted)**

<https://www.birddogdistributing.com/15-foot-animated-sledding-kid-led-m5-mini-light-motif/>



45 Foot Santa's Sleigh & Reindeer LED M5 Mini Light Motif - **\$3,300 (Discounted)**

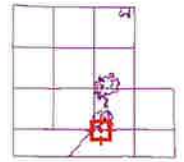
<https://www.birddogdistributing.com/45-foot-santas-sleigh-reindeer-led-m5-mini-light-motif/>



<https://www.creativedisplays.com/products/orb-tree/>



Overview



Legend

- Roads
 - <all other values>
 - MN Highway
- Streams
- Stream Name
- Lakes

Date created: 1/21/2021
 Last Data Uploaded: 1/21/2021 12:20:56 AM

Developed by  Schneider
 GEOSPATIAL

-  Photo Display
-  One Sided Display
-  Small Tree (6-12ft)
-  Large Tree (25-35ft)
-  Food Truck/Vendor
-  Walking Path (Est 270 meters)



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Matt Sylvester, Public Services Director
Date: February 16, 2021
Subject: Easter Egg Hunt Discussion

Background:

At 2020 Goal setting there was discussion on Isanti hosting an Easter Egg Hunt. Staff did not have enough time to put an Easter Egg Hunt together for 2020. The Isanti VFW does host an Easter Egg Hunt each spring and will likely have one again this year. The VFW has not set a date yet on when it will be.

If direction is to have an Easter Egg Hunt it would occur in Bluebird Park. Staff would plan for approximately 200 kids to come to the event.

Cost for the event would be approximately \$2000.00.

- Event Candy and Egg cost - \$1900.00
- Event Banner \$100.00

Request:

Staff would like direction on this item.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Jaden Strand, City Clerk
Date: February 16, 2021
Subject: Mobile Food Truck Chapter 160; Fees Discussion

Background:

During City Council meeting on February 2nd, 2021 there was discussion regarding mobile food truck fees. Staff has included information regarding fees in other cities as well as current and proposed mobile food truck fees.

Current Fees:

Background Investigation: \$75
 Per Day- \$25
 Per Month-\$75
 Seasonal (6 Months)- \$200

Proposed Fees:

Background Investigation: \$35
 Per Day- \$25
 Per Month- \$75
 Yearly- \$200

Request:

Staff is requesting the Committee review the proposed changes to be incorporated into Ordinance, Chapter 160; Fees.

Attachment:

- Other Cities Comparison

Cambridge:

\$25.00 Per day
\$75.00 Per Month
\$200.00 Seasonal (6 Months or Less)

Background Check: Yes, included in fee.

Elk River:

\$100.00 Per Year

Background Check: Yes, included in fee.

North Branch:

\$234.00 (6 Months)

Background Check: Yes, included in fee.

Coon Rapids:

\$15.00 Per day
\$40.00 Per week
\$105.00 Per Year (21 days or fewer)
\$310.00 Per Year (More than 21 days)

Background Check: No

Princeton:

\$30.00 Per Person for 5 consecutive Days
\$50.00 Per Person for 5 days of sales in any
3-month period
\$250.00 Annually
No Fee- Private Property

Background Check: Yes, included in fee.

Big Lake:

\$200.00 Annually- expires January 1st each
year
\$50.00 1-4 Day License (days do not need to
be concurrent)
\$100.00 5 to 10 Day License (days do not
need to be concurrent)

Background Check: Yes, included in fee.

St. Francis:

\$50.00 Per Calendar Year

Background Check: Yes, included in fee.

Columbia Heights:

\$100.00 Per Year

Background Check: Only for food trucks
that sell ice cream, popcorn or prepackaged
items as they go through neighborhoods and
work a lot with children.

Rogers:

\$120.00 Annually (Valid January-
December)
\$40.00 Per Event (3Days/Event)
\$15.00 Temporary License (Issued only for
community events.)

Background Check: \$50 Required for ice
cream vendors only.

Monticello:

\$50.00 Annually
\$10.00 Temporary License (up to 7 days)

Background Check: No

New Hope:

\$50.00 Calendar Year (Cannot stay in one
location longer than 21 days)

Background Check: \$100.00- Ice Cream
Truck Only

Maple Grove:

Not regulated with license.
- Will be looking into putting a food truck
license in place in near future.

White Bear Lake:

\$50.00 Per Month

Background Check: Yes, included in fee.

Forest Lake:

Regulated with State and/or County license.

Blaine:

\$100.00 Annually (**no parking-** vehicle must stop and go such as Ice Cream Truck. Otherwise, a special event permit is needed.)

Background Check: Yes, included in fee

Andover:

\$25.00 (10-day Temporary Food and Beverage License)

Background Check: Yes, included in fee
-Will be looking into putting a food truck license in place in the near future and will also require a background check.

***Ham Lake:**

Regulated by Anoka County.

Zimmerman:

No License required if on private property
\$250.00 Per Year (Transient Merchant License) if on street, park, public parking lots, etc.

Background Check: No

AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, MARCH 16, 2021 – 5:00 P.M.
CITY HALL

Seating may be limited. If you would like to send in a comment for Public Comment or a Public Hearing to be read on your behalf, please submit to the City Clerk jstrand@cityofisanti.us or (763) 762-5759.

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Liquor Store Bonding Options (*Jessica Green, Northland Securities 5-5:25 p.m.*)
 - 2. Public Works Updates
 - 3. Water Shut-Off Policy Discussion
 - 4. Address Changes by 911 Coordinator-Dispatcher
 - 5. City Council Agenda Request (*Josh S, Homepride Inc.*)

- F. Adjournment**



MEMORANDUM

To: Mike Betker, Finance Director, City of Isanti
From: Jessica Green, Managing Director
Date: March 16, 2021
Re: Municipal Liquor Store Financing Options

In preparation for the proposed construction of a new Municipal Liquor Store (the "Project") in the City of Isanti (the "City"), Northland has prepared this memo to provide information related to options for financing the above-mentioned project in terms of borrowing authority and methods of sale.

Financing Tools:

Lease-Revenue Bonds – Lease Revenue Bonds are used by cities to finance public facilities. There is no specific statutory authority for Lease Revenue Bonds. This form of financing combines two statutory powers. Economic development authorities (EDA) and housing and redevelopment authorities (HRA) have the authority to issue revenue bonds for their corporate purposes, including the construction of public facilities. The security for the Bonds and the revenue to pay debt service comes from a lease purchase agreement (i.e., Lease Purchase Financing) with the city.

As a general rule, the more essential the facility, the more marketable are the bonds. This is due to the perception of investors that the city is less likely to not appropriate and walk away from an essential facility.

The status of the tax levy to make lease payments is another consideration in the use of Lease Revenue Bonds. Under the most recent version of levy limits, the levy for Lease Revenue Bonds can be made of a special levy and outside of levy limits.

The special levy authority is to pay debt service of another political subdivision and the EDA is a political subdivision. Levies to make lease payments do not currently qualify as a special levy and, therefore, are subject to levy limits.

The taxing power of the EDA may also be pledged to Lease Revenue Bonds (see Limited Tax Obligation Bonds for information on EDA/HRA levy).

Financing Tools (continued...)

General Obligation Tax Abatement Bonds - Tax Abatement Bonds (Section 469.1814) may be used to finance a variety of development activities and public improvements. The statute allows proceeds of Tax Abatement Bonds be used to (1) pay for public improvements that benefit the property, (2) to acquire and convey land or other property, as provided under this section, (3) to reimburse the property owner for the cost of improvements made to the property, or (4) to pay the costs of issuance of the bonds.

These Bonds are often used to facilitate economic development in ways not allowed by tax increment financing. They have also evolved into a tool for financing community recreation and cultural facilities. The statutory authority creates an abatement levy based on the property value of parcels subject to the abatement. The authority to use tax abatement applies separately to each taxing jurisdiction. If other jurisdictions (county and school district) approve an abatement, this revenue may be pledged to bonds issued by the city. The principal amount of the Bonds may not exceed the sum of the authorized abatements. A debt service levy may be used to pay interest on the Bonds. The annual amount of all abatements cannot exceed the greater of 10% net tax capacity value of the jurisdiction or \$200,000. The parameters of the abatement and authorization for the Bonds are set by resolution. The resolution cannot be held until after a public hearing.

It should be noted that the City intends to use revenues from Liquor Store operations to fully support debt service related to the bonds, regardless of the type of bonds issued, and that any levy amounts certified at the time of issuance will be cancelled annually.

Methods of Sale: Competitive versus Negotiated

Competitive Sale

A competitive sale uses a bidding process to find the underwriter with the most favorable terms. The issuer (the City) sets terms for the bond issue and solicits bids from interested underwriters. The low-bid is typically determined based on True Interest Cost (TIC) of the underwriter's discount and interest expense. Results from a competitive sale are reflective of the underwriting firms that choose to submit a bid on the specified date and time of the sale (the sale date is typically set to coincide with the City's Council meeting dates). The interest of underwriters and their corresponding bids can be impacted by a number of reasons, such as:

- Size of the bond issue
- Other bond issues being sold at the same/similar date and time, or other considerations regarding the supply of municipal securities in the market
- Bond rating, rating changes, or other concerns about the stability of the rating
- Concerns about the security of the bonds
- Unusual or desirable/undesirable terms of the bond issue
- Uncertain market conditions
- Concerns about the current and/or future financial condition of the borrower

It should be noted that Northland is currently engaged as underwriter for the proposed project financing. Should the City choose to utilize a competitive sale process, Northland would resign the

position of underwriter and instead serve as Municipal Advisor to the City. In the capacity of Municipal Advisor, we would solicit bids from other underwriting firms.

Negotiated Sale

In a negotiated sale, the issuer selects an underwriter and directly negotiates the terms of the bond issue. A negotiated sale produces results based on market conditions and current interest rates. The underwriter needs to demonstrate that the terms are fair in context of current market conditions and the characteristics of the bond issue. An opinion of fairness will be provided from an independent financial advisor specific to the bond issue.

The negotiated sale has several important attributes:

- Timing is flexible - pricing occurs may occur on any business day, not on a predetermined sale date and time. If a pricing date is chosen and market conditions are not favorable (or for other considerations), the sale can be delayed for days or weeks, rather than being postponed until the next council meeting.
- Terms are flexible - as opposed to a competitive sale where the terms are set prior to the sale date, a negotiated bond issue can be changed during the sale process. This flexibility may allow the issuer to make changes that allow for lower borrowing costs or achieve other financial objectives.
- Market development - a negotiated sale process provides the opportunity to "tell the story" of the bond issue. Presale market development may help create investor interest and/or alleviate concerns from investors.

Conclusion of Options

The competitive sale process or the negotiated sale process can both be effective ways to issue bonds. The right process is the option that will produce the best results for the issuer.

The competitive sale process works best with good credits, straightforward bond issues, and stable market conditions. The negotiated sale process works best with credits that may not be as familiar to the market, bond issues that have some complexity or of a certain size, and when market conditions are less stable.

In determining whether to follow a competitive versus negotiated sale process, issuers can increase the chance of achieving the best results by:

- Understanding the potential market perception of the issuer and the particular bond issuance.
 - Identifying the elements of the bond issue that will be attractive or concerning to investors.
 - Considering potential bond market conditions at the time of sale.
 - Identifying the key outcomes of the bond sale, as determined by the issuer.
 - Understanding the degree of flexibility the issuer needs to maintain in setting terms prior to final bids or negotiation of pricing.
-

- Considering any other factors that may be unique to the issuer or the particular bond issuance.

In summary, there are a number of factors to consider when choosing a method of sale. Northland is prepared to assist the City with either type of sale. Information included in this memo is meant to be educational in nature and is not intended to be considered advice. The competitive/negotiated decision is solely at the discretion of the City and should be considered carefully.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Matt Sylvester, Public Services Director
Date: March 16, 2021
Subject: Public Works Updates

Streets:

- Public Works had to haul snow out of many cul-de-sacs and intersections this winter to make room for the continuing snow events that took place.
- Doors were posted again in January for tree trimming. Tree trimming is something that Public Works does every year during the winter months.
- With the warm weather we have received lately staff has been out doing yard repairs from plow damage.
- Staff has been out filling potholes and will continue to monitor and fill those as needed.
- Public Works took time to paint the breakroom and bathroom walls at the Public Works Shop.

Storm:

- Staff has also been out sweeping streets and will continue to sweep those weather permitting.
- Staff has been busy hauling brush out. Brush is taken to Central Landscaping in East Bethel.

Sewer:

- Annual maintenance of the Air Release Valves has been started for this year.
- Annual maintenance was completed at the Wastewater Treatment Plant. The filters were shocked and put back online. The pond aeration pumps had new belts, air filters, and an oil change completed.

Water:

- Annual Maintenance was also completed at the Water Plant for the MIOX machine.
- Staff has created an alarm call-back log for SCADA alarms. This call-back log will help as a training tool for newer staff. There are several alarms that don't happen very often. This log will help staff as a training tool so that the On-call person has an idea as to how to fix the alarm.
- Annual Water Hardness test was taken. The City Website has been updated with those results.

Parks:

- Alyssa Olson was hired as our New Parks Rec and Events Coordinator. We are very happy to have her on Board.
- Staff made some shelving at the ICC to store supplies. These items supplies include Christmas Decorations and Curious Creatures supplies.

Reports Completed:

- Water Conservation Reports (MPARS and ESPARS)
- Solid Waste Report (ReTrac)



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Sheila Sellman, Community Development Director
Date: March 16, 2021
Subject: Address Concerns

Background:

911 Coordinator-Dispatcher Robert Shogren has requested that the City of Isanti review address discrepancies that he has identified throughout the city. Per his list there are many addresses that are not following the odd/even requirements. Even numbers shall be assigned to lots on south side of streets running east-west and on the east side of avenues running north-south. Odd numbers shall be assigned to lots on the north side of streets running east-west and on the west side of avenues running north-south. The intersection of the Burlington Northern Railroad line and Main Street shall be considered the zero starting point for the purpose of the lot-numbering system,

Request:

Staff is requesting direction on this item.

Attachments:

- Shogren's list of addresses
- City Code Requirements for addressing

Railroad Ave. SE. aka Polk St. NE.

Two addresses, 28117 and 28153 Polk St. NE are located *north of South Passage*. The street sign at South Passage and Railroad Ave indicate Railroad is north of the intersection and Polk is south of the intersection. Because the sign is pointing Polk to the south, these two addresses in the township will be difficult to find for an out of area first responder.

Two possible solutions –

1. Readdress the identified Polk St addresses to a Railroad Ave SE address (city address)
2. Change the sign at South Passage indicating Polk goes both directions.

Heritage Blvd NE and NW

Addresses on Heritage Blvd NE and NW – Odd/Even mixed up on many addresses - even addresses should be on the north side of east-west running streets and odd numbers should be on the south side if east-west running streets.

Check 702, 790, and 791 for address range being too high as well odd/even problem. These addresses should be in the 600-699 address range on Heritage Blvd NE

6th Ave NE

Coburn's address is too low, would be better as 309

Member's Coop Credit Union address needs to be changed to an odd number, I would suggest 323

Appaloosa Ln/Pinto Ln/Buckskin Blvd/Shetland Ct

Consider readdressing all of the homes on these streets. All of the single numbered addresses need to be brought into city address system compliance.

Isanti Community Center

Eliminate all addresses with fractions. I would address the community center as either 110B 1st Ave NW or address it off of Railroad Ave NW.

Isanti Intermediate School

The address needs to even. Based on the other addresses on 9th Ave, I would suggest 125 9th Ave NE

Enterprise Ave NE

The single number addresses should be changed to addresses in the 900 block (901, 902, 904)

§ 284-6. Naming and numbering policy.

- A. City streets shall not be required to fall into any pattern of alphabetical sequence.
- B. Major emphasis shall be given to avoiding duplicate and similar sounding names.
- C. For all future developments, east-west streets will be designated as streets, and north-south streets will be designated as avenues. Upon approval by the City Council, other designations may be approved, such as parkways, boulevards, trails, courts, etc. **[Amended 4-16-2013 by Ord. No. 549]**
- D. Existing street names shall be extended where practical. Avenues shall be numbered and placed within sequential order from the zero starting point. **[Amended 4-16-2013 by Ord. No. 549]**
- E. The intersection of the Burlington Northern Railroad line and Main Street shall be considered the zero starting point for the purpose of the lot-numbering system. **[Amended 4-16-2013 by Ord. No. 549]**
- F. Numbers shall be assigned to each block in increments of 100 for each block progressing northerly, easterly, southerly, and westerly from said zero starting point.
- G. Even numbers shall be assigned to lots on the north side of streets running east-west and on the east side of avenues running north-south. **[Amended 12-1-2020 by Ord. No. 745]**
- H. Odd numbers shall be assigned to lots on the south side of streets running east-west and on the west side of avenues running north-south. **[Amended 12-1-2020 by Ord. No. 745]**
- I. Where, in the past, odd and/or even numbers have already been assigned along the majority of a street segment and they are not in accordance with the regulations provided in this article, the Community Development Director or his/her designee may continue to assign numbers in accordance with the existing numbers provided. **[Added 4-16-2013 by Ord. No. 549; 12-1-2020 by Ord. No. 745]**
- J. Ordinals shall be placed at the end of each street name, to include NW, SW, NE, or SE, depending upon the location of the street within the City of Isanti street grid system. **[Added 4-16-2013 by Ord. No. 549]**

- K. Street names located on the east side of Trunk Highway 65 shall be consistent with those street names located on the west side of Trunk Highway 65. **[Added 4-16-2013 by Ord. No. 549]**
- L. The City of Isanti has been granted authority through joint resolution with Isanti County to re-address in accordance with this article any property in the Tier One Area. When it has been identified by the appropriate public safety authority that public safety will be enhanced by renumbering and establishing new street names in accordance with this article, the Planning Commission will hold a public hearing to consider such proposals and make recommendations to the City Council for re-addressing in the Tier One Area. **[Added 4-16-2013 by Ord. No. 549]**



CITY OF ISANTI

110 First Avenue NW, P.O. Box 428, Isanti, MN 55040-0428

AGENDA REQUEST FORM

Instructions: If you want official action on an item not on the agenda, please complete this form and return it to the office of the City Clerk at City Hall. All applicable areas must be completed or the form will not be accepted. Your completed request will be presented at the next Committee of a Whole meeting.

1. Name (please print): Josh Savaryan
Organization (Required if Applicable): Homefide Inc.

2. Address (please print): xxx Cajma st.

3. Telephone No.: [Redacted]

4. Agenda item subject: Development
Early Building Permit

5. Action requested: Allow Building Permits
During Development Construction

6. Reasons for requested action: Allow Builders to Have
a model for Fall Parade of Homes

7. Signature (Required): [Signature]

CITY USE ONLY:

Date/Time Received: 2/16/21, 11:15 am/pm

Received by: Sheila Sellman

AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, APRIL 20, 2021 – 5:00 P.M.
CITY HALL

Seating may be limited. If you would like to send in a comment for Public Comment to be read on your behalf, please submit to the City Clerk jstrand@cityofisanti.us or (763) 762-5759.

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Public Comment

E. Committee Meeting Items

1. Arts and Science Academy Conduit Request (*Clyde Boyer and Kevin Fitton*)
2. City Council Agenda Request (*Brandon Heaton*)
3. Bee Farming Discussion
4. Richard Avenue Addressing
5. Vaccination Policy Discussion
6. Bluebird Park Amphitheater Discussion
7. Building Inspection Discussion

F. Adjournment



Memo for Committee

To: Mayor Johnson and Members of the City Council
From: Finance Director Betker
Date: April 20, 2021
Subject: Request for Support for Use of Conduit Debt

Background:

On March 29th a formal request was made by the Arts & Science Academy (ASA) seeking affirmation of the City's intent to issue conduit debt (5.6 million) to allow the ASA to buy out the leases on the two buildings they currently occupy and realize savings between the current lease payments and the projected debt service payment. The obligation would be assigned to First Bank & Trust at closing. At that point the City would have no role or obligation associated with the debt issue.

Per City Policy "The entity wishing assistance must first request the Finance Committee of the City review their proposal and provide the information and deposit the fee detailed below. After the Finance Committee reviews the proposal the applicant may then request that the City Council review their proposal and grant permission to move forward to the public hearing stage." However, in the absence of a Finance Committee, that role is now filled by the Committee of the Whole.

The ASA has signed the escrow agreement (attached) but has not paid the minimum amount due. If approved by the Committee the request would move next to the Council. Prior to Council consideration and per City policy, a minimum of \$3,000 would need to be paid into escrow before proceeding.

Recommendation:

Staff is recommending approval of the request and support for the ASA's request to use Kennedy & Graven as Bond Counsel on the condition that our Bond Counsel (Taft Stettinius & Hollister LLP) review the final documents for defect prior to closing.

Request:

The ASA is seeking affirmation of the City's willingness to issue conduit debt to allow the ASA to buy out their current leases and realize savings between the current lease payments and the projected debt service payment

Action Required:

The Committee may affirm a desire to participate and move further action to the full Council as early as May 4th 2021, or recommend that ASA pursue alternative funding.

Attachments:

- Generic Timeline of Events
- ASA Conduit Debt Financing Proposal and Escrow Agreement – Signed 3-26-21
- LMC Handbook – Debt and Borrowing (Excerpt)
- City of Isanti – Conduit Bond Policy – Res. 2009-216

Generic Timeline / Fastest Possible Sequence of Events

4-20-21	Seek Committee approval to move forward
5-4-21	ASA pays 3k minimum escrow
5-4-21	Council considers resolution in support of conduit debt
5-18-21	Official Council approval of issuance (Public Hearing)
June-21	Closing agreement, issue is immediately assigned to First Bank & Trust

ABC BUILDING SERVICES (ABCBS) CONDUIT FINANCING PROPOSAL

OVERVIEW

ABC Building Services (ABCBS) is pleased to submit this conduit financing proposal to the City of Isanti. This provides an overview for the nature of the request and a primer on the financials of the project.

The Objective

- Complete a proposed acquisition of properties for the Art and Science Academy (ASA) school complex to meet the needs for an increased student population to include a 9-12 high school.
- To partner with the City of Isanti in a tax conduit bank financing issue to lower costs for the school to finance the acquisition or alternatively for the City of Isanti to provide host approval for another city to be the sponsor of the tax conduit issuance.

Location Analysis

Currently both properties of Art and Science Academy are owned by the Charter School Development Corporation (CSDC) but will shortly become properties of ABCBS. ABCBS will become the long-term owner and lease manager of the properties for Art and Science. The two current properties operate under a P&Z conditional use permit that is allowed for public schools to operate in various zoning areas. The school currently leases use of the Elementary building to Grace Gospel Church for Sunday services and the school also leases a portion of the unused property north of the Middle School to a local farmer. This provides additional income streams to pay against the lease cost to CDSC, the remainder of the balance is paid through lease aid through the state and general funding from the school.

The Cambridge-Isanti area is growing at a substantial rate which includes over 50 housing permits in Isanti just in the past year and a similar amount in Cambridge nearby. With this growth comes additional families to the area which will increase the educational needs of this area for the foreseeable future. ASA and ABCBS see this as potential for steady growth in the area without the need to compete with the local school district for enrollment. Currently, ASA serves Cambridge, Isanti, and the immediate surrounding area in grades K-8.

Development Plan

ASA and ABCBS would be working together to implement the following plan:

- Step 1: Formation of an affiliated building corporation as the legal instrument to operating a charter school buildings per MN law. – Complete.
- Step 2: Line up financing and contact CDSC for purchase price of existing buildings. – In Progress.
- Step 3: Acquire buildings. Conclude business with CDSC. – On Hold, pending Step 2.
- Step 4: Once school fund balance reaches level for financial bonding (approx. 2-4 years), start the process to bond for building expansion of the Middle School into a 5-12 combined building. Bonding would roll over conduit loan for the acquisition of buildings into the bonding price for a single payment of long-term debt.
- Step 5: Commence construction of high school expansion and open to the public for school services.

Conduit Revenue Bond and Process

ABCBS wants to pursue this option for purchasing the properties because of the lower rates associated with tax exempt bonds vs conventional financing. Schools work within tight margins, so any way to reduce costs translates

into more funds to be able to turn back into programs and opportunities for students. Since ABCBS is representing a charter school, they do not have access to some of the bonding options that traditional districts have access to such as referendum-based tax obligation which require tax levy authority. However, as a 501(c)3 non-profit that provides services to the community, we do qualify for opportunities like the tax conduit bank financing as being outlined in this proposal. To that end, we are seeking City of Isanti approval to move ahead with this proposal or alternatively for the city to provide host approval so that we can approach another city that has loan capacity remaining.

ABCBS retains Jay Squires of Rupp, Anderson, Squires & Waldspurger for the school's real estate counsel. Jay has substantial experience representing schools for real estate transactions and is a certified Real Property Specialist in MN. ABCBS is fine with working with Northland Securities as the city's bond counsel. Alternatively, Kennedy&Graven or Fryberger of Duluth are acceptable as replacement bond counsel if needed. We understand there are associated costs as outlined in the conduit bond policy of the city and have attached our escrow agreement to this proposal.

ABCBS understands that a tax conduit bank financing requires the non-profit to assume all the risk of the debt payments and that the city cannot be held liable or responsible if any debt is issued. We are confident there would be no issues with this requirement as the school has been on time with its payments for years and as of the most recent financial audit had no significant findings or material issues.

Financials

ABCBS was created specifically for this purpose as the legal entity for ownership of the school properties (per MN law regarding ownership of charter school buildings). As such ABCBS does not have a financial history. Instead, listed below are the basic financials of ASA, which would be the tenant of the properties and who would be paying the lease to cover the associated costs. For a charter school seven years into operations, ASA is within the normal range financially. Typically, it is recommended by non-profit industry standards that charter schools maintain a fund balance in the 20-30% range.

	2019-20	2020-21 (est)	2021-22 (est)	2022-23 (est)
Enrollment	382	347	357	370
Revenues	\$4,957,804	\$5,697,253	\$4,882,691	\$5,103,004
Expenditures	\$4,515,393	\$4,958,576	\$5,028,709	\$5,171,978
Fund Balance	\$751,390	\$1,490,067	\$1,344,049	\$1,275,075
Fund Balance %	16.6%	30.1%	26.7%	24.7%

The current financing plan would be as follows:

	Funding	Costs	Total
Acquisition Costs (est)		\$6,378,976	
Conduit Financing (80%)	\$5,103,180.80		
Secondary Financing (20%)	\$1,275,795.20		
Total			\$6,378,976

ASA pays on a yearly lease with CSDC of approximately \$642k which includes a roughly 20% overhead for CSDC's costs. We anticipate that this overhead will make it essentially revenue/expenditure neutral in the new financing arrangement. Any additional costs beyond what is listed above would be paid for through school funds. The terms of the conduit financing would be looking at a ten-to-twenty-year term with the likelihood of it being rolled into a

long-term bond at approximately year six or seven. The bank ran an estimate on a 3% rate and came up with \$447,617 per year for the 80% conduit portion. The remaining 20% portion would generate an approximately \$111,904 yearly cost for a combined total of \$559,521. This is well within the current lease payments.

Projected Timeline

Key project dates are outlined below. Dates are best-guess estimates and are subject to change until a contract is executed.

Description	Start Date	End Date	Duration
Project Start	2019	NA	Approx 3-7 years
Formation of ABC	2019	2020	Complete
Acquisition of Properties	2020	2021	In Progress
Fund Balance for Bonding	2021	2023 or 2024	Pending
Financing of Expansion and Design	2024	2025	Approx 1 yr
Construction	2024 or 2025	2025 or 2026	Approx 8-15 mths
Opening	2025 or 2026	NA	

EXPECTED RESULTS

We expect that our proposed development plan will produce the following benefits:

Financial Benefits

- Increased land value around the school due to land improvements.
- Increased opportunity for growth in the area due to increased educational opportunities.
- More visible development in the town to spark additional interest in the area, especially the north side of town.
- A stable return/low risk since funding comes from school enrollment/state funding.
- The sponsoring city usually collects a fee for approving a resolution for the bond which brings in additional revenue with no financial risk.
- Lower financial costs for the school which translates into more funds being able to be turned back into educational programs.

Social Benefits

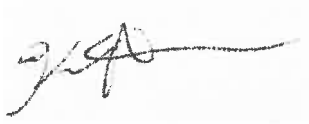
- Increased educational opportunities for the community.
- Increased social programs for students in the community.
- Increased avenues for access to social services (meals programs, family services, etc)

CONCLUSION

We look forward to hearing feedback regarding this proposal.

If you have questions on this proposal, feel free to contact Kevin Fitton at your convenience by email at kevin.fitton@asa.k12.mn.us or by phone at 763-444-0342.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'K. Fitton', with a long horizontal flourish extending to the right.

Kevin Fitton
Managing Director – ABCBS
Executive Director - ASA

Attachment A

Escrow Agreement with the City of Isanti

This Escrow Agreement pertains to the project known as Art and Science Academy Building Acquisition.

The escrowed funds described below shall be applied toward the City's actual cost of legal fees, engineering fees, filing fees, administrative expenses and other costs related to this project and the applicant's request for the issuance of conduit revenue bond financing.

All fees and costs incurred by the City in connection with this agreement shall be charged against and drawn by the City from said escrow which shall remain in effect until the completion of the proposed project or for one year after the project is withdrawn or the fails to proceed. Any funds remaining in this escrow account after such date shall be refunded to the applicant.

The applicant shall deposit in escrow with the City as provided above, the amount of *one fourth of one percent (1/4%) of the proposed issuance amount with a minimum deposit of \$3,000 and a maximum deposit of \$25,000. For host approval a deposit of \$3,000 is required.* In the event that the escrow amount is depleted, the applicant agrees to post additional sums of money to replenish the account to a minimum of \$1,500 (one thousand five hundred dollars) to cover City projected costs. The applicant agrees that the escrow account shall always have a balance of no less than \$1,500 for this portion of the project. If the account depletes to \$1,500 or below dollars in the account, the City may suspend work authorized under a permit or an approved project for non-payment of project expenses or depletion of escrow monies.

The applicant, upon request, shall be entitled to a current itemized statement of all costs and fees charged against this escrow account.

The City of Isanti Finance Department shall send the applicant statements on a quarterly basis, or at such other intervals as the City deems appropriate, showing the current balance and escrow account activity since the previous statement. The applicant shall promptly pay to the City any amounts due the City pursuant to any such statements submitted by the City to the applicant which show a balance due.

Through the below signature, the applicant agrees to pay in accordance with the terms of this agreement all development costs and deposits as outlined above.


Applicant

3-26-21
Date

Approved this ___ day of _____ 20__.

City of Isanti

By _____, its _____

RELEVANT LINKS:

See Section VIII-B
Governmental versus private activity.

[Minn. Stat. §§ 469.152 to 469.1651.](#)
[Minn. Stat. ch. 462C.](#)

See Section X *Participants in a bond sale.*

Note that bond investors have very little interest in how the proceeds are used, if the bonds are general obligations. Therefore, the classification by use of proceeds is mostly relevant from a standpoint of city policy and financial management.

IV. Bonds by user

The most commonly-issued bonds represent borrowing by a city to finance public assets—the city itself is the “user” of the proceeds. But Minnesota law authorizes cities to issue bonds where the proceeds are actually used by private parties. These bonds are referred to in most cases as “private activity bonds”—a name derived from federal tax law. Private activity bonds fall into two major categories, discussed in turn below.

A. Conduit bonds

Unlike almost all other bonds, “conduit bonds” are initiated by and issued for the benefit of private entities. Under the state statutes that authorize these bonds, the city issues the bonds and loans the proceeds to the private entity. That private entity repays the loan in an amount sufficient to pay principal and interest on the bonds. As a practical matter, the loan is (normally) handled entirely by a separate bond trustee (usually the trust division of a bank). After the bonds are issued, the city has almost no role in payment or administration of the bonds.

The bonds are revenue bonds—the city does not pay debt service or any other cost related to the transaction. As such, the bonds have no effect on the issuing city’s credit rating and are not counted against any statutory limitations on borrowing. When the bonds are sold, investors look only to the credit of the private borrower (and any related private security, such as mortgages and guarantees). While the city council must approve issuance of the bonds and all the bond documents, the transaction is largely handled by the private borrower and the underwriter that usually serves as the initial purchaser of the bonds. The bond counsel for conduit bonds may be the city’s regular bond counsel or may be retained by the private entity (this is a matter of city policy and practice).

The types of private activity bonds are governed primarily by federal tax law. Congress in effect created this kind of bond to provide tax-exempt (and therefore lower cost) borrowing to certain favored activities carried out by private entities.

Much of today’s tax law regarding these bonds originated with the Tax Reform Act of 1986, which sharply narrowed the scope of permissible private activity bonds (previously known as “industrial development revenue bonds” or “IDR bonds”).

RELEVANT LINKS:

[Minn. Stat. § 469.178.](#) [Minn. Stat. § 469.1814.](#)

See Handbook, [Community Development and Redevelopment](#).

The three most common conduit bonds in Minnesota are:

- *Qualified 501(c)(3) bonds*, where the user of bond proceeds is a nonprofit 501(c)(3) entity. Typical examples include nonprofits that own nursing homes, hospitals, senior and other affordable housing, and schools (from K-12 to college). But any nonprofit with 501(c)(3) status is eligible for this type of financing, so bonds have been issued for entities as diverse as the YMCA to Minnesota Public Radio.
- *Housing revenue bonds (exempt facilities)*, where the user of bond proceeds is a private for-profit entity that builds housing intended for occupancy by persons or families who meet specified low-income guidelines.
- *Small issue manufacturing bonds*, where the user of the proceeds is a manufacturing business that constructs manufacturing facilities that meet certain federal requirements.

There are other less common conduit bonds that cities may occasionally encounter, but the three listed above represent the bulk of this bond type.

B. Tax increment and abatement private activity bonds

The other category of common private activity bonds are those issued in the context of economic development and redevelopment. Cities may issue bonds secured by tax increments (all the increased taxes in a TIF district or portion thereof) or abatements (the taxes imposed by a participating taxing jurisdiction, usually just the issuing city).

The city *may* be the “user” of these bonds, for example, when proceeds finance public streets or other public infrastructure needed for a private development project. But bond proceeds may be delivered to a private developer to finance aspects of the private development permitted under law—such as land acquisition, excavation, and other eligible private improvements. In those cases, the private developer becomes the “user.”

In most cases, where the private developer is the user, the issuing city will also require the developer to provide additional security, such as an agreement to maintain a minimum value, or a guarantee to cover debt service if tax increments or abatements fall short of expectations. The result is that these bonds are treated as “private activity bonds,” and must be issued as taxable bonds.

By contrast, conduit bonds are tax exempt despite the fact that they are issued for the benefit of, and secured by, a private entity—but only because the private entity accomplishes some public purpose identified by Congress in federal tax law.

RESOLUTION NO. 2009-216

A RESOLUTION APPROVING THE CONDUIT BOND POLICY

WHEREAS, the City of Isanti has placed economic development as a primary goal for year 2009; and,

WHEREAS, the Finance Committee is recommending City Council approval of a Conduit Bond Policy; and,


WHEREAS, the Conduit Bond Policy is meant to clearly identify the City's roles in issuing the bonds for an entity; and,

WHEREAS, the City of Isanti believes that the Conduit Bond Policy is an important tool to bring additional businesses and / or entities to Isanti and to assist businesses expanding in Isanti.


NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of **Isanti, Minnesota** to approve the Conduit Bond Policy attached as 'Exhibit A'.

This Resolution was duly adopted by the Isanti City Council this 1st day of September 2009.

ATTEST:



Mayor George A. Wimmer



Irene J. Bauer
Assistant City Administrator/City Clerk

(SEAL)

EXHIBIT A

City of Isanti, Minnesota Terms and Conditions for the Issuance of Conduit Debt

Municipalities may be asked by not-for-profit agencies and other entities to issue pass-through, conduit debt. These issues are not projects of the governmental unit but of a separate corporation. In order to expedite the assistance that City of Isanti can offer and to avoid a resource drain on the City, the City of Isanti requires the following:

The entity wishing assistance must first request the Finance Committee of the City review their proposal and provide the information and deposit the fee detailed below. After the Finance Committee reviews the proposal the applicant may then request that the City Council review their proposal and grant permission to move forward to the public hearing stage.

The applicant must provide to the Finance Director documentation about the entity requesting the assistance, the project, and the proposed financing method. The City also requires that the applicant assume all of the costs incurred by the City in examining the legal and fiscal aspects of the project as well as ongoing monitoring and reporting of outstanding bonds once issued. *The applicant must make a deposit of one fourth of one percent (1/4%) of the proposed issuance amount with a minimum deposit of \$3,000 and a maximum deposit of \$25,000.* The applicant must sign the City of Isanti Escrow Agreement, please see Attachment A. These funds will be applied against the costs incurred by the City for staff time, its consultants, and any other expenses caused by the proposal. If the application is denied, the deposit amount in excess of these costs will be refunded to the applicant. If the application is approved, the full deposit will be retained to additionally cover costs of issuance and future monitoring. In the event the City's actual costs exceed the deposit amount, the applicant will be required to reimburse these additional amounts.

In addition, the applicant agrees to reimburse the City for any costs incurred related to the City's bonds having to be designated as non-bank qualified bonds as a result of the applicants borrowing. The amount shall not exceed the State of Minnesota's restrictions on the amount of funds that maybe be bonded.

The entity should be prepared to demonstrate to the City how the proposed project will benefit the community. The applicant may request to be placed on the Finance Committee's agenda for City Council recommendation by contacting the City of Isanti Finance Department or by submitting a letter outlining the request, and appearing before the City when the request is heard.

If permission is granted by the City, the City's bond attorney must be consulted to review used for the issuance. The bond attorney for the issue must:

Provide to the City Council a written statement indicating that the documents have been appropriately prepared, all concerns of the City and points covered by this document have been addressed, and it is acceptable for the Council to adopt the

needed resolutions. No documents will be adopted by the Council or signed by Council members or staff without the attorney's statement.

Prepare a contract obligating the applicant requesting the debt (obligor) to repay to the City any interest margin for bank qualified bonds that the applicant uses and the City later needed on debt it issues for its own purposes.

Assure that any Official Statement or other offering document prominently displays in large, bold type that City of Isanti does not have any obligation to repay the debt and what the rating of the bond issue is, if any.

When the issue is complete and closed, provide two copies of the transcript and amortization schedules of the issue to the Finance Director on a timely basis.

The debt instrument issued must not place the City at risk in any way, financially or legally, in appearance or in fact. The Federal Government has also placed the burden of weighing the balance of "public purpose versus private benefit" upon the City Council for these conduit debt issues. The Council will consider risk, the public versus private benefit balance, and the recommendation of its staff. Because of the subjective nature of the issues it must weigh, the Council retains the right to refuse to authorize any issue at its sole discretion and without need to give cause. The obligor must indemnify the City against all future costs including but not limited to law suits, findings that the issue was not tax-exempt, or penalties of any kind. The documents must clearly reflect the indemnification of the City.

The City will not be responsible for any continuing disclosure or arbitrage calculations or rebate and the documents must clearly reflect that the obligor is responsible for these matters.

The applicant requesting the conduit debt and their advisors must arrange for the logistics of all document movement, timing, signature, publication, etc. It is very important to assure that the necessary individuals will be available for signatures on documents well in advance of needing the signatures. Signatures will be supplied at the convenience of the City.

City Administration places items on the Council agenda and obtains signed documents from the Council. The contact in that office is the Assistant City Administrator / City Clerk. It is the responsibility of the applicant to:

Inquire as to when Council meetings are scheduled (and to check again as necessary because meeting dates change without notice),

Inquire as to when documents must be delivered in order to be accepted for the agenda,

Provide the appropriate cover sheet (see sample attached) for the materials for inclusion in the Council agenda,

Arrange for copies which need to be signed and to provide the necessary envelopes and postage or other arrangements to move the documents when signed.

The documents are signed after the meeting at a time convenient to the Mayor, typically within a week after the meeting.

Arrange to move (envelopes/postage) any notices requiring publication to the appropriate newspaper, pay for the publication, and obtain any signed affidavits necessary (please contact City Staff as to the City's Official Newspaper).

Attend all necessary meetings, including, but not limited to Committee and City Council meetings to answer questions concerning the issue while the documents are being considered,

Arrange to have any other necessary documents delivered for signature by other City officials such as the City Attorney and the Finance Director and after signature have appropriate self addressed and stamped envelopes available for return. The officials should be notified in advance, by telephone, that documents are being sent for signature,

Arrange for all IRS and Federal or State filings and or fees,

Arrange to have all necessary professional fees paid directly to the professionals who did the work either out of bond proceeds or make other acceptable arrangement with the professionals doing the work.

The City will consider requests for tax exempt financing of projects in the City by other political subdivisions. In these cases the applicant must make a deposit of \$3,000. The applicant must sign the City of Isanti Escrow Agreement, please see Attachment A. These funds will be applied against the costs incurred by the City for staff time, its consultants, and any other expenses caused by the proposal. If the application is denied, the deposit amount in excess of these costs will be refunded to the applicant. If the application is approved, the full deposit will be retained to additionally cover costs of issuance and future monitoring. In the event the City's actual costs exceed the deposit amount, the applicant will be required to reimburse these additional amounts.

Attachment A

Escrow Agreement with the City of Isanti

This Escrow Agreement pertains to the project known as _____.

The escrowed funds described below shall be applied toward the City's actual cost of legal fees, engineering fees, filing fees, administrative expenses and other costs related to this project and the applicant's request for the issuance of conduit revenue bond financing.

All fees and costs incurred by the City in connection with this agreement shall be charged against and drawn by the City from said escrow which shall remain in effect until the completion of the proposed project or for one year after the project is withdrawn or the fails to proceed. Any funds remaining in this escrow account after such date shall be refunded to the applicant.

The applicant shall deposit in escrow with the City as provided above, the amount of *one fourth of one percent (1/4%) of the proposed issuance amount with a minimum deposit of \$3,000 and a maximum deposit of \$25,000. For host approval a deposit of \$3,000 is required.* In the event that the escrow amount is depleted, the applicant agrees to post additional sums of money to replenish the account to a minimum of \$1,500 (one thousand five hundred dollars) to cover City projected costs. The applicant agrees that the escrow account shall always have a balance of no less than \$1,500 for this portion of the project. If the account depletes to \$1,500 or below dollars in the account, the City may suspend work authorized under a permit or an approved project for non-payment of project expenses or depletion of escrow monies.

The applicant, upon request, shall be entitled to a current itemized statement of all costs and fees charged against this escrow account.

The City of Isanti Finance Department shall send the applicant statements on a quarterly basis, or at such other intervals as the City deems appropriate, showing the current balance and escrow account activity since the previous statement. The applicant shall promptly pay to the City any amounts due the City pursuant to any such statements submitted by the City to the applicant which show a balance due.

Through the below signature, the applicant agrees to pay in accordance with the terms of this agreement all development costs and deposits as outlined above.

Applicant

Date

Approved this ____ day of _____ 20__.

City of Isanti

By _____, its _____



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Sheila Sellman, Community Development Director
Date: April 20, 2021
Subject: Agenda Request -Brandon Heaton – Wind Turbine Discussion

Background:

Brandon Heaton, an Isanti resident, submitted an agenda request to discuss wind turbines in residential areas. His request is specifically to change Subdivision 21 of Section 13 to include low voltage turbines in residential areas. According to Heaton the motor is smaller than a football and this would be mounted to his roof.

Currently City Code has the following requirements:

Applicability. Wind Energy Conversion System (WECS) may be allowed as an accessory use in the B-2, I-I, T1-B, and T1-I Districts as a Conditional Use, subject to the provisions and regulations established within this Subdivision.

Specific Standards for small WECS

1. Building Mounted Systems
 - a. For all lots under two (2) acres in size, only building mounted systems are permitted, providing they are mounted on a monopole.
 - b. The height of a building mounted system shall be limited to fifteen (15) feet.
 - c. The building mounted system shall be safely and securely attached to the building in conformance with Building Code requirements. A written certification from a licensed structural engineer that the structure has the structural integrity to carry the weight and wind loads of the WECS and have minimal vibration impacts on the structure shall be submitted prior to construction.

This ordinance does not list Residential Districts for WECS therefore they are not permitted. Staff's research has concluded that most cities have a minimum lot size of 1 acre for WECS. A couple options if the council wants to allow WECS in residential districts are 1) Conditional Use Permit (CUP) this will require a public hearing and require approval from the Planning Commission and City Council. 2) Just a building permit no special permits/approvals, this option will not notify neighbors or require Council approval.

Community Development Specialist Ryan Saltis conducted research on this item his research is attached.

Request:

Staff is requesting direction on this item.

Attachments:

- Agenda Request Form
- Wind Turbine Specs and Graphics
- Research



CITY OF ISANTI

110 First Avenue NW, P.O. Box 428, Isanti, MN 55040-0428

AGENDA REQUEST FORM

Instructions: If you want official action on an item not on the agenda, please complete this form and return it to the office of the City Clerk at City Hall. All applicable areas must be completed or the form will not be accepted. Your completed request will be presented at the next Committee of a Whole meeting.

1. Name (please print): Brandon Heaton

Organization (Required if Applicable): _____

2. Address (please print): [REDACTED]

3. Telephone No.: [REDACTED]

4. Agenda item subject: Change subdivision Z1 (WECS) under section L to include low voltage turbines (12V/24V) that can be used for off grid

5. Action requested: See above ↑ it still protects the city from big commercial grade turbines since 12V or 24V is way too low in voltage.

6. Reasons for requested action: want to add a small turbine to my property to charge a ~~small~~ battery. The turbine motor is smaller than a football.

7. Signature (Required): Brandon Heaton

CITY USE ONLY:

Date/Time Received: 3/28/2021 , 9:04 am pm

Received by: Ryan Saltis



Roll over image to zoom in



Dyna-Living Wind Turbine Generator 500W DC 12V Wind Turbine 5 Blade Low Wind Speed Starting Bearings Garden Street Lights Wind Turbines with Charge Controller Garden

Visit the Dyna-Living Store

★★★★☆ ~ 43 ratings

Price: **\$194.99** & FREE Returns

Get \$50 off instantly: Pay \$144.99 upon approval for the Amazon Rewards Visa Card.

Available at a lower price from other sellers that may not offer free Prime shipping.

Color: **White**

 \$179.99

 **\$194.99**

- **High Quality Blade**-The blade is equipped with a copper inlay part that does not damage the nylon fiber when the bolt is tightened, and is not easily deformed or broken. At the same time, the blade is also designed with aerodynamics to make the rotor run smoothly, reliably and quietly. The working temperature is $-40^{\circ}\text{C} \sim 80^{\circ}\text{C}$, do not worry about the temperature is too low and cause the leaves to freeze.
- **Excellent Heat Resistance**-The coil is made of teflon wire, which is resistant to high temperatures and guarantees the power generation rate. It has effective regulation of current and voltage, high wind energy utilization factor, an increase of annual power generation.
- **Durable Parts**-It adopts three-phase AC permanent magnet synchronous generator, free running, low noise and long service life. teflon wire is heat resistant, which is not easy to damage the wire when the machine is

High Efficiency Low Pollution Power Generation Technology

Rated power: 500W
Maximum power: 510 W
Rated voltage: 12V
Start-up Wind Speed: 6.6 ft/s.
Rated wind speed: 42.7 ft/s.
Safe wind speed: 164 ft/s.
Main engine net weight: 19.8 lbs.
Wind wheel diameter: 4.43 ft.
Number of blades: 5 pieces



Wind Energy Conversion System (WECS) Research

Isanti:

Applicability. WECS may be allowed as an accessory use in the B-2, I-I, T1-B, and T1-I Districts as a Conditional Use, subject to the provisions and regulations established within this Subdivision.

G. Specific Standards for Small Wind Energy Conversion System (WECS).

1. Building Mounted Systems.

- a. For all lots under two (2) acres in size, only building mounted systems are permitted, providing they are mounted on a monopole.
- b. The height of a building mounted system shall be limited to fifteen (15) feet.
- c. The building mounted system shall be safely and securely attached to the building in conformance with Building Code requirements. A written certification from a licensed structural engineer that the structure has the structural integrity to carry the weight and wind loads of the WECS and have minimal vibration impacts on the structure shall be submitted prior to construction.

- Applicability section doesn't list Residential Districts for WECS
- Small WECS are not listed separately from large scale WECS in the applicability section so they aren't allowed in Residential Districts
- WECS must be given a Conditional Use Permit (must be approved by PC and CC)
- All cities researched have a minimum lot size of 1 acre (most are 5 acres minimum)
- How to allow for this specific type of wind energy conversion system:
 - Define "Small Wind Energy Conversion Systems" in Section 2 of the Zoning Ordinance
 - Allow Small WECS in the Residential Zoning Districts
 - Allow Small WECS with obtaining a building permit instead of a CUP (must follow submittal requirements listed in Subd. 21)

Cambridge:

§ 156.066 ALTERNATIVE ENERGY

WECS may be permitted as an interim use in the zoning districts identified

Zoning District	Permitted Use	Interim Use
R-1, SR, SSP, and SR-II Lots less than 4 acres		Less than 22' in height. If attached to an accessory structure, no higher than 10' above the wall height of the structure.
R-1, SR, SSP, and SR-II		X
I-3		X
RA		X

Setback. No part of a WECS shall be located within or above any required front, side or rear yard setback. In addition, WECS towers and accessory structures shall meet setback requirements equal to the height of the tower from all property lines; they shall be setback one foot (1') for every one foot (1') of system height.

- No information on Small Wind Energy Conversion Systems

St Francis:

Wind conversion systems may be allowed as an accessory use by a conditional use permit within specified zoning districts of the City, subject to the regulations and requirements of this Section, provided the property upon which the system is at least five (5) acres in size.

Setbacks:

1. Property Lines: One and one-half (1.5) times the total height.
2. Principal Structure: One and one-half (1.5) times the total height.
3. Other structures: One and one-half (1.5) times the total height.
4. Neighboring Dwellings: Three hundred (300) feet.
5. Rights-of-Way: One and one-half (1.5) times the total height.
6. Other existing WECS = To be considered, based upon:

- a. Relative size of the existing and proposed WECS;
 - b. Alignment of the WECS relative to the predominant winds;
 - c. Topography;
 - d. Property line setback of existing WECS; and
 - e. Other setbacks required.
- No information on Small Wind Energy Conversion Systems

Brainerd (Small Wind Energy Conversion Systems)

Wind Energy Conversion System, Small. A wind energy conversion system consists of a wind turbine and associated control or conversion electronics and is used primarily to reduce on-site consumption of utility power. Small wind energy conversion systems are an administrative accessory use in residential districts and shall be attached to an existing principal building. A small wind energy conversion system shall not exceed a rated capacity of 100 kWh.

- A. Wind energy conversion systems (WECS) may be allowed as an accessory, conditional use subject to the regulations and requirements of this Section, provided the property upon which the system is to be located is zoned R-A, B-1, B-2, B-3, B-4, B-5, I-1 or I-2 and is located on a parcel of land of at least five (5) acres in size.
- B. Small wind conversion systems as defined by Section 2 of this Ordinance may be allowed as an accessory use in residential districts provided the following conditions are met:
 - 1. The small wind conversion system meets the required principal building setbacks.
 - 2. The small wind conversion system extends no more than five (5) feet above the height of the principal building.
 - 3. The proposed small wind conversion system will not block, interfere or otherwise impair a scenic vista or corridor or the view of an adjoining residential building.
 - 4. The small wind conversion system meets all MPCA standards for noise emissions.
 - 5. The primary purpose of the small wind conversion system will be to provide power for the principal use of the property and shall not be for the generation of power for commercial purposes, although this provision shall not be interpreted

to prohibit the sale of excess power generated from the system back to the public utility.

6. Approval of an Administrative Permit in accordance with Section 9 of this Ordinance shall be required for installation of a small wind energy conversion system. Such application shall be accompanied by a site plan drawn in sufficient detail to clearly describe the following:
 - a. Property lines and physical dimensions of the site.
 - b. Location, approximate dimensions and types of existing buildings and structures on site.
 - c. Proposed location and elevation of the proposed system.
 - d. Location of all aboveground utility lines on site or within one radius of the total height of the system. e. Include make, model, picture and manufacturer's specifications, including noise decibels.

Princeton/East Bethel/North Branch/Blaine/Mora/Milaca:

No information of Wind Energy Conversion Systems



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Ryan Saltis, Community Development Specialist
Date: April 20, 2021
Subject: Bee Farming Discussion

Background:

There is an interest in beekeeping by several members of the community and the City of Isanti currently does not regulate the activity of beekeeping. Adopting an Ordinance allowing for bees to be kept in certain residential districts will provide regulations that will let residents safely handle bees in an urban environment.

Currently the city code lists regulations for chickens, racing pigeons, dogs and exotic animals. The city is seeking to add bees to this list of regulated animals to make requirements for zoning districts allowed, hive location, apiary setbacks, flyway barriers, number of colonies, and the size of the apiary. City staff has researched several cities directly surrounding Isanti as well as other suburban areas to determine what regulations are needed to safely keep bees in the community.

Staff suggests the following regulations for keeping bees:

87-1.3 Bees.

The city allows the keeping of bees on residential properties in the R1A, R-1, R-2, R-3A, and R-3B Zoning Districts, subject to the following requirements:

- A. Apiaries shall:
- (1) Be at least 20 feet from a side or rear property line.
 - (2) Be at least 30 feet from any residential dwelling on an adjacent property, public right-of-way or trail easement.
 - (3) Not be located in a front yard, drainage and utility easement, shoreland protection area or in a wetland setback area.
- B. If an apiary is located closer than 20 feet from a property line, a six-foot-tall flyway barrier consisting of a wall, fence, or vegetative barrier, or combination of materials is required.
- C. Beehives shall:
- (1) Have removable frames with a frame depth not exceeding 9-5/8 inches.
 - (2) Not consist of more than a 10-frame structure.
 - (3) Not exceed six feet in height.
 - (4) Be removed within 30 days once colonies are gone.

(5) Have a water source within 10 feet of the beehive.

D. The maximum number of colonies on properties are as follows:

½ acre or less	2
½ acre to ¾ acre	4
¾ acre to 1 acre	6
1 acre or larger	8

- A typical colony of bees can range from 20,000 – 60,000 bees depending on the season

E. Sale of Honey commercially is prohibited in residential districts.

F. Beekeeping equipment shall be maintained in good condition. Unused beekeeping equipment must be protected to prevent occupancy by swarming honeybees.

Request:

Staff is requesting direction on this item.

Attachments:

- Surrounding City Ordinances

Beekeeping Ordinance Research

<https://www.beelab.umn.edu/resources-beekeepers/ordinances>

- Several cities limit beekeeping to areas zoned “Agricultural” or have an acreage restriction (5+ Acres)
- If bees are allowed in agricultural zoned areas, most cities don’t provide specific bee regulations compared to other animals
- Beekeeping allowed with a permit either CUP or IUP
- Honey bees defined in some cities as a “farm animal” or “non-domestic animal”
- Some Permits limit the number of hives per sq ft of lot
- Setbacks apply for hive location (most are 20-25 ft from property lines)
- Some cities allow bees unless they become a public nuisance (allowed without listing specific regulations)

Cambridge/Princeton

- Listed as a farm animal, no specific regulations

Zimmerman/Milaca

- No regulations on bees

East Bethel

- Accessory Use in the Agricultural District
Accessory use
Barns and stables related to crop production and the raising of livestock, poultry, bees, rabbits, or game birds.
- No specific regulations for beekeeping

North Branch

1. The keeping of honeybees and/or up to five (5) domestic fowl on a lot that is smaller than five (5) acres does not require a City permit.
2. The total number of domestic fowl may not exceed 5 fowl per acre on a parcel that is less than five (5) acres in size and the coop and other structures must meet applicable setbacks.
3. The principal use of the property shall be single-family residential and contain a single-family residential structure. Honeybees and domestic fowl shall not be permitted on

vacant properties or those containing multi-family residential uses. Coop structures used to house domestic fowl that are greater than 120 square feet in size shall comply with the Accessory structure limitations on the number and size of residential accessory structures permitted by Chapter 66.

4. The keeping of honeybees and domestic fowl on lots smaller than five (5) acres shall comply with the following standards:
 - m) Honeybees and domestic fowl shall not be kept in such a manner as to constitute a public nuisance as defined by the City.
 - n) Honeybee hives shall meet the livestock setback requirements of this ordinance. The colony shall be maintained in good order and shall not be nuisance to any member of the public.
 - o) The City may enter and inspect any property, including the coop and back yard, at any reasonable time for the purpose of investigating a reported violation or to ascertain compliance or noncompliance with the City Code and Certificate of Compliance.

Lakeville

2. Honey bees and apiaries accessory to a single-family dwelling within agriculture/rural or residential districts, provided that:
 - a. Colony Density: The number of colonies allowed upon a lot shall be subject to the following limits:

Lot Area	Maximum Number Of Colonies
<25,000 square feet	2
25,000 square feet to <40,000 square feet	4
40,000 square feet to <5 acres	6
5 acres or greater	8

- b. Colony Location:
 - (1) A hive shall be located only within a rear yard.
 - (2) A hive shall be set back a minimum of twenty feet (20') from any lot line.
 - (3) A hive shall not encroach upon any wetland buffer or drainage and utility easement.

c. Performance Standards:

- (1) Honeybee colonies shall be kept in hives with removable frames, which frames shall be kept in sound and usable condition.
- (2) A solid fence, wall, or dense vegetative barrier capable of interrupting the direct flight of bees shall be used to redirect the bee's flight pattern and prevent a direct line of flight from the hive entry into neighboring properties. The barrier shall start at the ground, be a minimum of six feet (6') in height, and shall extend beyond the direct line of sight from the entrance to the hive to the adjacent property.
- (3) Each colony on the apiary site shall be provided with a convenient source of water located on the apiary site so long as colonies remain active outside the hive.
- (4) Materials from a hive or colony which might encourage the presence of honeybees, such as wax comb, shall be promptly disposed of in a sealed container or placed within a building or other bee-proof enclosure.
- (5) For each colony permitted to be maintained under this section, there may also be maintained upon the same apiary site, one nucleus colony in a hive structure not to exceed one standard nine and five-eighths inch ($9\frac{5}{8}$ ") depth ten-frame hive body, with no supers.
- (6) Beekeeping equipment shall be maintained in good condition. Unused beekeeping equipment must be protected to prevent occupancy by swarming honeybees.
- (7) Hives shall be continuously managed to provide adequate living space for their resident honeybees in order to control swarming.
- (8) In any instance in which a colony exhibits unusual aggressive behavior, it shall be the duty of the beekeeper to promptly implement appropriate actions to address the behavior. If requeening is required, queens shall be selected from European stock bred for gentleness and non-swarming characteristics.
- (9) Fruit trees and other flowering trees, which are located on an apiary site, shall not be sprayed, while in full bloom, with any substance which is injurious to honeybees.

Elk River

Sec. 30-803. - Animals.

(f) *Keeping of honeybees.* Honeybees are an asset to the community and important in the pollination of plants and in the production of honey and other products.

(1) *Purpose.*

- a. The purpose of this ordinance is to establish certain requirements for beekeeping within the city, to avoid issues which might otherwise be associated with beekeeping in populated areas.
- b. Compliance with this ordinance shall not be a defense to a proceeding alleging that a given colony constitutes a nuisance, but such compliance may be offered as evidence of the beekeeper's efforts to abate any proven nuisance.
- c. Compliance with this ordinance shall not be a defense to a proceeding alleging that a given colony violates applicable ordinances regarding public health, but such compliance may be offered as evidence of the beekeeper's compliance with acceptable standards of practice among hobby beekeepers in the State of Minnesota.

(2) *Colony density.*

- a. Every residentially zoned lot or parcel of land of at least one acre, but below five acres shall be permitted six colonies.
- b. There is no limit to the number of colonies for residentially zoned parcels five acres and above.
- c. If any beekeeper serves the community by removing a swarm or swarms of honeybees from locations where they are not desired, that person shall not be considered in violation of the colony density restrictions in this section if the following conditions are met:
 1. The person temporarily houses the honeybees at an apiary site of a beekeeper registered with the city,
 2. The bees are not kept for more than 30 days, and
 3. The site remains in compliance with the other provisions of this section.

(3) *Colony location.*

- a. Hives cannot be located in the front or side yards. Corner lots shall be considered to have two front yards. All hives must adhere to the below setbacks:

Parcel Size	Minimum Distance (feet)
Front	35
Side	20
Rear	20
Public Right-of-Way or Trail Easements	30
Adjacent Dwelling Units	30

- b. Hives cannot be located in any drainage and utility easements; floodway or regulated floodplain as defined in [division 11](#) of the city code; or the first 25 feet of the wetland buffer as defined in [section 30-1852](#) of the City Code.
- c. Except as otherwise provided in this section, in each instance where any part of a hive is kept within 25 feet of a lot line of the apiary site, a flyway barrier of at least six feet in height must be constructed.
 - 1. The flyway barrier must consist of a wall, fence, or dense vegetation that requires honeybees to fly over, rather than through, the barrier.
 - 2. If a dense vegetation flyway barrier is used, the initial planting may be a minimum of four feet in height, but the vegetation must reach a height of at least six feet within two years after installation.
 - 3. If a wall or fence flyway barrier is used, the materials must be decay resistant, maintained in good condition, and constructed in accordance with sections [30-796](#) of this code.
 - 4. The flyway barrier must continue parallel to the lot line of the apiary site for at least ten feet in both directions from the hive or must contain the hive or hives in an enclosure at least six feet in height.
 - 5. A flyway barrier is not required if the hive is located on a rooftop.

(4) *Additional requirements.*

- a. Honeybee colonies shall be kept in hives with removable frames, which shall be kept in sound and useable condition.
- b. Each colony on the apiary site shall be provided with a convenient and adequate source of water which must be located within ten feet of each active colony on the applicant's property.
- c. Materials from a hive such as wax combs or other materials that might encourage robbing by other bees shall be promptly disposed of in a sealed container or placed within a building or other bee and vermin proof enclosure.
- d. For each colony permitted to be maintained, there may also be maintained upon the same apiary lot, one nucleus colony in a hive structure not to exceed one standard 9 5/8 -inch depth box, ten frame hive body with no supers.

- e. Each beekeeper shall maintain his beekeeping equipment in good condition, including keeping the hives painted if they have been painted but are peeling or flaking, and securing unused equipment from weather, potential theft or vandalism and occupancy by swarms. It shall not be a defense to this ordinance that a beekeeper's unused equipment attracted a swarm and that the beekeeper is not intentionally keeping bees.
- f. Hives shall be continuously managed to provide adequate living space for their resident honeybees in order to prevent swarming.
- g. Honey may not be sold from any residential property unless a home occupation permit has been obtained and required conditions met in accordance with [section 30-801](#) of this Code.

(5) *Permit.*

- a. Each apiary site must apply for registration and receive approval prior to bringing any honeybees into the city.
- b. The application for a beekeeping permit must be upon a form provided by the city. All required information must be complete.
- c. Beekeeping training and education is required for the beekeeper prior to the issuance of the initial beekeeping permit by the city. At the time of application for registration, the beekeeper must submit a certificate of completion of a honeybee keeping course from an accredited institution.
- d. If the beekeeper relocates a hive or colony to a new apiary site, the beekeeper shall apply for an updated beekeeping permit, prior to the relocation, on the form provided by the city.
- e. The beekeeping permit shall be valid until March 31 of each calendar year following initial issuance and must be renewed by the registrant prior to expiration each year by submitting a renewal form on a form provided by the city.
- f. Upon receipt of a beekeeping permit for initial review, the city will send written notice to all owners of properties located within 350 feet of the property the apiary site(s) are identified on. Any objections to the registration must be made in writing and received within 14 days of mailing the notice. If any written objection is received, the beekeeping permit must be referred to the city administrator or designee.
 - 1. The beekeeping permit must be denied if the city receives a written objection from a resident living within the designated notification area that includes medical documentation by a licensed physician of an allergy to honeybee venom.
- g. The fees for the registration will be determined by the city council in the city's fee schedule.
- h. The property must be in compliance with all other applicable city regulations in order to receive approval and renewal.
- i. If the standards of practice are not maintained subsequent to issuance of a beekeeping permit, the permit may be revoked by the city administrator or designee.
- j. Beekeepers operating in the city prior to the effective date of the section will have until July 1, 2019 to apply for registration.

- (6) *Inspection.*
- a. Upon initial registration, renewal every two years or any updated registration, each beekeeper must allow for an inspection of the site.
 - b. A designated city official shall have the right to inspect any apiary for the purpose of ensuring compliance with this ordinance between 8:00 a.m. and 5:00 p.m. once annually upon 30 days notice to the owner of the apiary property.
 - c. In the case of a complaint regarding the apiary, the apiary site may be inspected without prior notice.

Shoreview

(E) Beekeeping.

- (1) Bee hives may be kept in the City limits on residential properties located in the RE, Residential Estate Zoning District and the R1, Detached Residential District, subject to the following conditions:
 - (a) Maximum Colony Density based on property size:
 - 1 acre or larger: 8
 - 1 acre – $\frac{3}{4}$ Acre: 6
 - $\frac{3}{4}$ Acre to $\frac{1}{2}$ Acre: 4
 - $\frac{1}{2}$ acre or less: 2
 - (b) Honeybee colonies shall be kept in hive bodies with removable frames, which shall be kept in sound and usable condition. The hive body structure shall not exceed one standard 9-5/8-inch depth 10-frame hive body with no supers. In no case shall it exceed 6 feet in height.
 - (c) The hive body must be removed within 30 days if no longer occupied by a colony. It shall be a violation of this section for unused equipment to attract a swarm, even if the beekeeper is not intentionally keeping honey bees.
 - (d) Each beekeeper shall ensure that a convenient source of water is available within 10 feet of the hive body at all times that the colonies remain active outside of the hive body.
 - (e) Each beekeeper shall ensure that no wax comb or other material that might encourage robbing by other bees are left exposed outdoors. Such materials must be stored in sealed insect-proof containers, or place within a building.
 - (f) No selling of honey permitted within an approved home occupation permit.

- (g) Hive bodies must be set back at least 15 feet from all property lines and at least 25 feet from a principal dwelling unit on an abutting lot. A Hive body may not be located in a front yard or a side yard abutting a street.
 - (h) A 6-foot-tall flyway barrier is required in each instance where a hive body is kept less than 25 feet from a property line, as measured from the nearest point on the hive to the property line. The flyway barrier may consist of a wall, fence, or a combination thereof, such that bees will fly over rather than through the material to reach the colony.
- (2) License. No person shall keep or maintain beehives on property located within the City of Shoreview unless a license is obtained pursuant to the provisions stated herein. Application shall be made on a form provided by the City Manager. The City Council shall from time to time set a fee by ordinance for the initial license and the biennial renewals.
 - (3) License requirements. Prior to issuance of a license the applicant shall complete a honeybee keeper training course. Proof of completion shall be provided as follows:
 - i) Providing a certification of completion from a honeybee keeping course from the University of Minnesota, Century College or the Three Rivers Park District.
 - ii) Requesting consideration and submit documentation for having completed a comparable course from another institution or instructor.
 - (4) Inspection. The City Manager will conduct an inspection of the property to determine compliance with the license and ordinance standards.
 - (5) License Fee. The license fee must be submitted with the application. The fee will be established by City Council ordinance.
 - (6) Duration of License. A license shall be issued for a period of two years.
 - (7) Issuance of License. Upon completion of the application form, certification of training and receipt of the license fee, the City Manager shall cause a license to be issued to the applicant.
 - (8) Notice. The City Manager shall provide written notification to property owners within 150 feet of the subject property upon issuance of the license. Failure to give a mailed notice or defects in the notice shall not invalidate the review process provided that a bona fide attempt has been made to contact the property owners.
 - (9) Change of Address. An applicant who has obtained a license shall notify the City Manager of the applicant's address changes within the corporate limits of the City within ten (10) days of an address change.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Sheila Sellman, Community Development Director
Date: April 20, 2021
Subject: Richard Avenue SE

Background:

The City has received a complaint from a resident about their address on Richard Avenue SE. This resident went to renew their driver's license with a Richard Avenue SE address and were denied their license because the "system" had Richard Lane and Avenue did not exist. The Isanti Post Office also has these addresses as Richard Lane. The County, City, 911 dispatch and Google maps has this road as Richard Avenue SE. The street sign also says Richard Avenue SE. The post office does not have documentation as to why they have Richard Lane in their system.

Staff has looked through old maps, resolutions and notices. In 2006, there was a street improvement for this area and the resolution for this improvement referenced Richard Avenue. In 2007, a notice of hearing on proposed assessments references Richard Avenue. In 2018, a resolution was approved for the extension of Richard Avenue SE from Broadway Street SE to Main Street E. Staff has not been able to find documentation of Richard Lane as the street name.

Since the 3 main entities have this road as Richard Avenue SE, staff suggests informing the post office that it is in fact Richard Avenue SE and have them change it in their system. There may be issues with doing this as some residents have changed their street to Lane and some have not. There are 11 properties on Richard. We will need to notify these people if there is a change. We can send a letter regarding the change and work with the post office to make sure it gets delivered to everyone. In 2007, an address change happened and the Council approved reimbursement for address stones there have been other address changes and there was not reimbursement for expenses.

Request:

Staff is requesting direction on this item.

Attachments:

- None



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Alyssa Olson, Parks, Recreation & Events Coordinator
Date: April 20, 2021
Subject: Bluebird Park Performance Center Discussion

Background:

In January 2020 the Council approved updated plans to move forward with the Amphitheater/Performance Center project in Bluebird Park. The estimated budget allocated for this project is \$248,230.

Staff recently received updated pricing on the preferred design by Cedar Forest Products labeled Band Shell #3 Kit. The unit would cost \$139,430 to purchase with shipping. This cost does not include groundwork or construction. The estimate on Site Work and Structure Fabrication by Minnesota/Wisconsin Playground is \$106,632. Electrical Service, Inspection, Walk & Testing estimated costs are \$20,500.

Staff would also recommend updates to the pre-fabricated structure plans: install a window in one of the dressing rooms to utilize the space for a rentable meeting room at an estimated cost of \$5,000 and install a centralized air unit to provide air conditioning and heat at an estimated cost of \$1,500. The total estimated cost to build the Performance Center is \$273,062.

The proposed site plan was developed to include the Performance Center, Restrooms (see attached Bolton & Menk January 10, 2020 Memorandum), and the future Splash Pad for foresight into how all facilities will work together within the Bluebird Park footprint. Staff recommends the design of each of these facilities be considered to create a cohesive look in the park and would like to recommend installing a maroon-colored roof, painting the pavilion roof to match and ensuring all future facilities match as well.

Lighting will also need to be installed at the Performance Center and at the Sledding Hill and would cost approximately \$15,000.00. This would be by installing two lights: one on each side of the sledding hill to match the lighting already in place in Bluebird Park. The recommendation from the Council in February 2021 was to wait to install lighting at the Sledding Hill until the Amphitheater was completed and both could be installed together.

Performance Center Estimated Costs

Band Shell #3 Kit	\$139,430
Site Work and Structure Fabrication	106,632
Electrical Service, Inspection, Walk & Testing	20,500
Meeting Room Window	5,000
Centralized Air Unit	1,500
Performance Center Estimated Cost	\$273,062

Bluebird Park Lighting Estimated Cost **\$15,000**

Restroom Estimated Costs

Option #1

Prefab Double Restroom Structure w/Concession Stand	\$125,000
Grading & Utility Extensions w/Grinder Pump	75,000

Restroom Estimated Cost **\$200,000**

Option #2

Alternate Single Vault Latrine	\$50,000
Convert Dressing Room to Concession Stand	5,000

Restroom Estimated Cost **\$55,000**

Request:

Staff would like direction on the following for the Performance Center:

- Confirmation of positioning and location (revised Site Plan will be provided at meeting).
- Converting one dressing room into a functional meeting space for future rentals.
- Confirmation of color of stain and roofing.
- Installation of lighting around Amphitheater and Sledding Hill.
- Approval to increase the budget limit to account for increased material costs.
- Approval to move forward with building of the preferred design this calendar year.

Staff would like direction on the following for Restrooms:

- Confirmation of structure style.
- Confirmation with or without attached concession stand.

Attachment:

- Bolton & Menk January 10, 2020 Memorandum
- Site Map



Real People. Real Solutions.

7533 Sunwood Drive NW
Suite 206
Ramsey, MN 55303-5119

Ph: (763) 433-2851
Fax: (763) 427-0833
Bolton-Menk.com

MEMORANDUM

Date: January 10, 2020
To: Josi Wood, City Administrator
From: Jason W Cook, P.E.
City Engineer
Subject: Performance Center – Cost Update with Restroom & Concession Stand
City of Isanti, MN
Project No.: R13.120117

Background:

The Park and Recreation Board began looking into this project in 2007. At that time, it was determined that there weren't funds available to construct the project.

In 2011, the project was revived. Site plan designs were approved, and the project went out for bids in August 2011. No bids were received. It was apparent at the time that the larger contractors were too busy to bid the work, and that the small contractors may not have been aware of the project. It does not appear any further attempts were made to construct the project at that time.

In 2019, interest has returned to evaluate the project. We have contacted the same company from 2011 for updated pricing on the preferred design the Park Board selected in 2011.

In addition to updating the costs of the 2011 project scope, We have also evaluated the additional cost to construct a seasonal bathroom and concession stand with the Performance Center.

2020 Cost Estimates:

Performance Center:

The Performance Center that was selected by the Park Board in 2011 is designed by Cedar Forest Products and is called Band Shell #3. It includes 2 dressing rooms (one on each side of a central performance area). It is a wood structure with a shingled roof over the performance area. See the attached image and structure schematic.

The supplier of the structure (Minnesota/Wisconsin Playground (MWP)) has provided updated pricing to deliver the kit of materials to the City. The site grading, concrete pad, and fabrication of the structure are additional costs that the City would need to hire a contractor to complete. MWP has also supplied a cost to perform this work.

Below are the project costs submitted by MWP to construct the Performance Center in 2020 dollars. Plus estimated costs for electrical, testing, access walk and inspection.

Band Shell #3 Kit	\$113,625.00
Site Work and Structure Fabrication	\$106,632.00
<u>Electrical Service, Inspection, Walk, & Testing</u>	<u>\$20,500.00</u>
Performance Center Total Project Cost:	\$240,757.00

Name: Performance Center – Update W/ Restroom & Concession Stand

Date: January 10, 2020

Page: 2

Restroom with Concession Stand:

The proposed site location (near the Performance Center) does not have sanitary sewer or water service readily available. These services would need to be extended 300-400 ft from an adjacent street. The facility would also require a grinder pump with a small force main to provide sanitary sewer service as it would be located in a low area that cannot be serviced with gravity sanitary sewer. The cost estimate is for a standard prefabricated concrete structure with male and female restrooms as well as an un-furnished central concession stand. It would be a seasonal unheated facility planned to be closed in the winter.

Prefab Double Restroom Structure W/ Concessions	\$125,000
<u>Grading & Utility Extensions W/ Grinder Pump</u>	<u>\$75,000</u>
Restroom & Concession Total Project Cost:	\$200,000

Alternate Restroom and Concession Stand Options:

Restroom:

Should the City elect to do a single vault latrine style facility water service could still be extended to the site, but the sewer service cost would not be required. A vault latrine would require regular pumping maintenance and may have scent issues. This would be a co-ed facility.

Concession Stand:

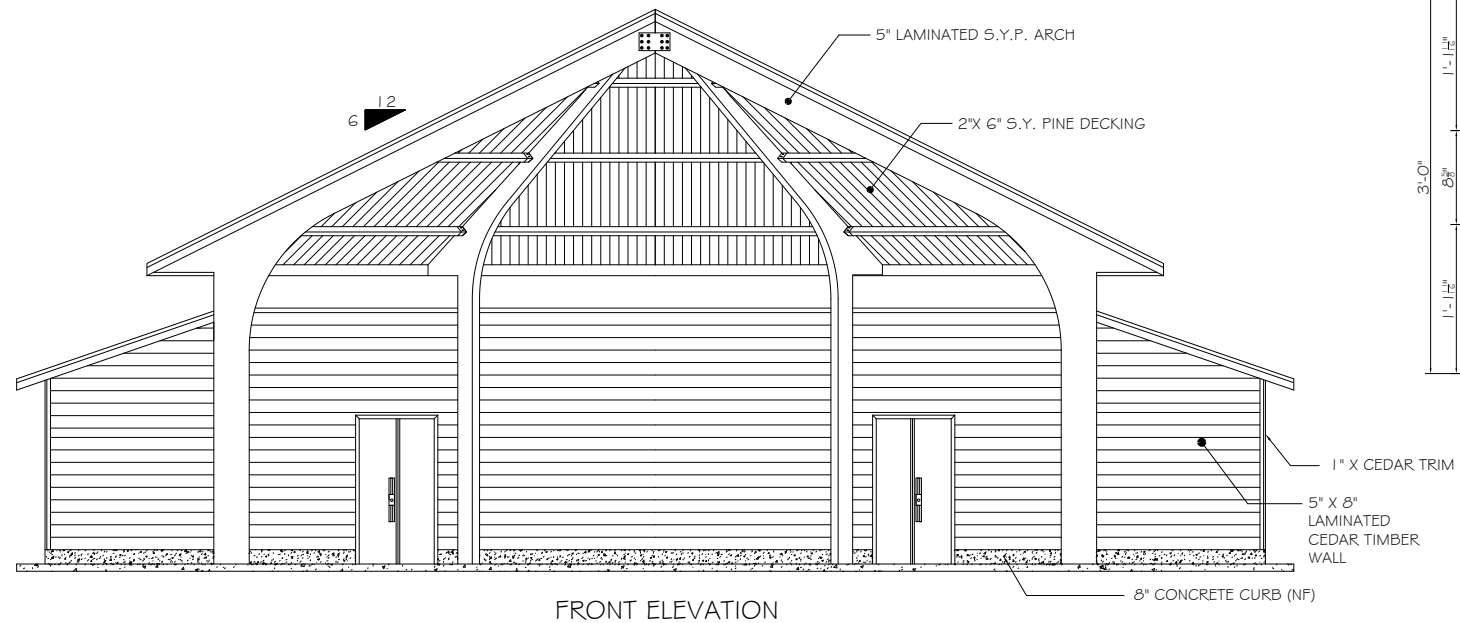
One of the dressing rooms on the primary Performance Center structure could be converted into a concession stand, however it would not have running water.

Single Stall Vault Latrine W/ Water Service	\$50,000
<u>Convert Dressing Room to Concession Window</u>	<u>\$5,000</u>
Total Alternate Restroom & Concession Option	\$55,000

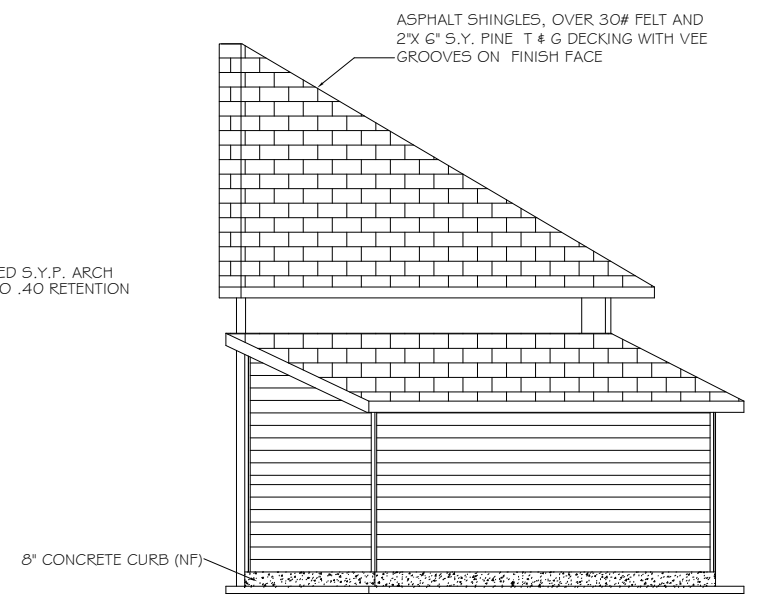
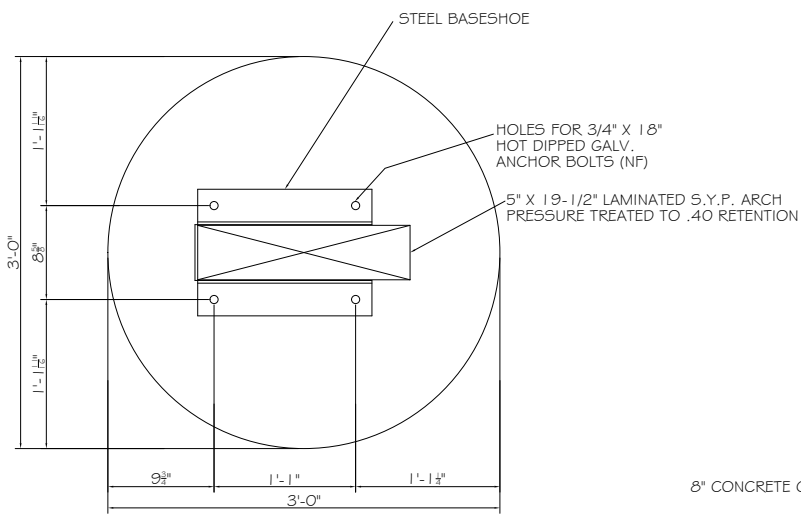
Please contact me if you have any questions.



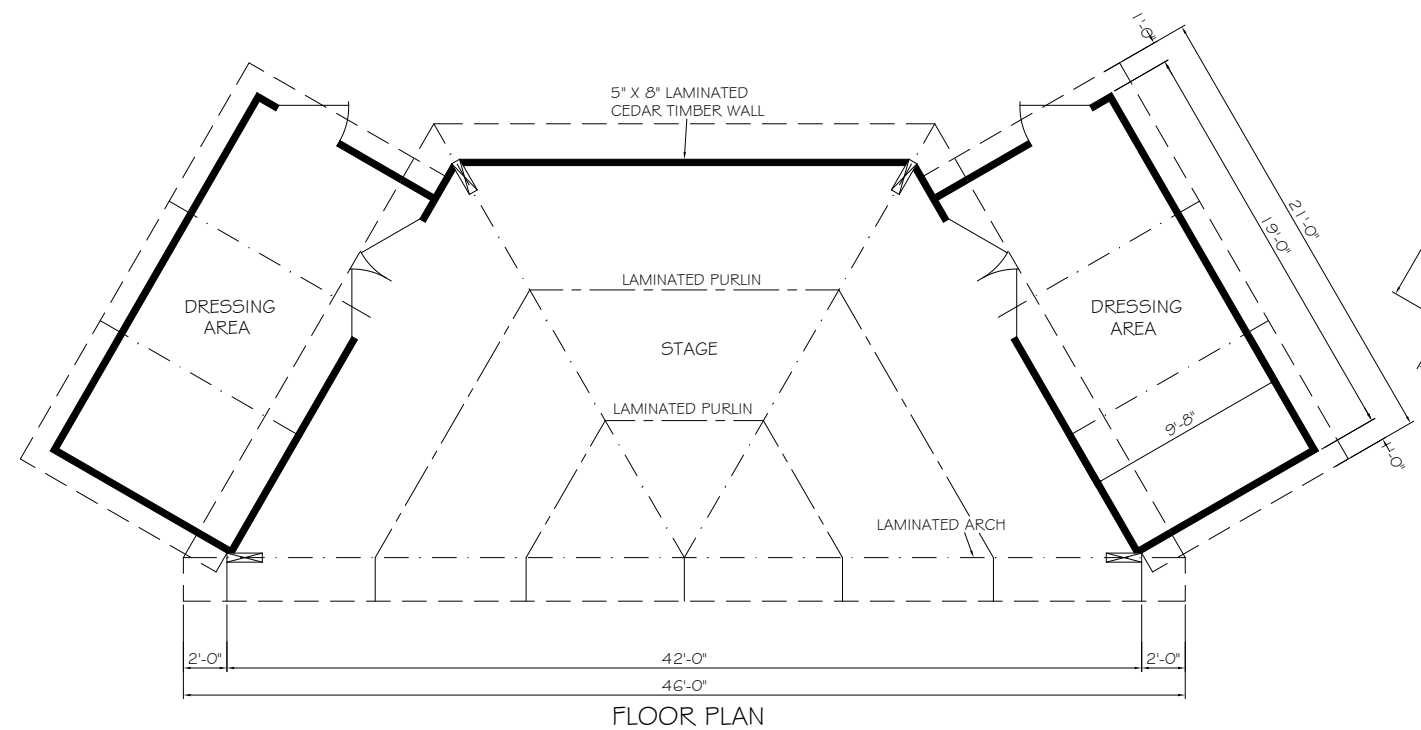
SCALE: NTS



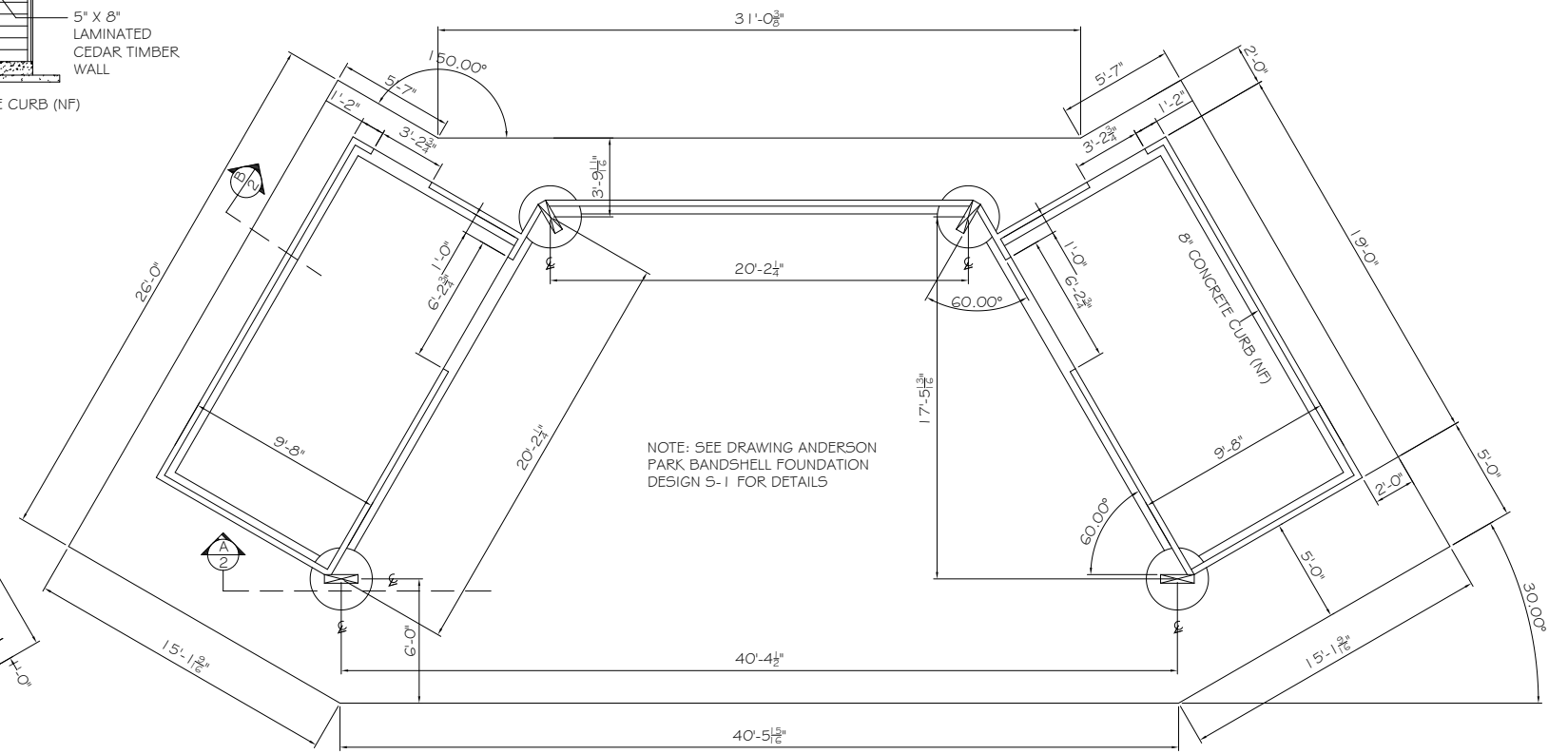
FRONT ELEVATION




RIGHT SIDE ELEVATION



FLOOR PLAN



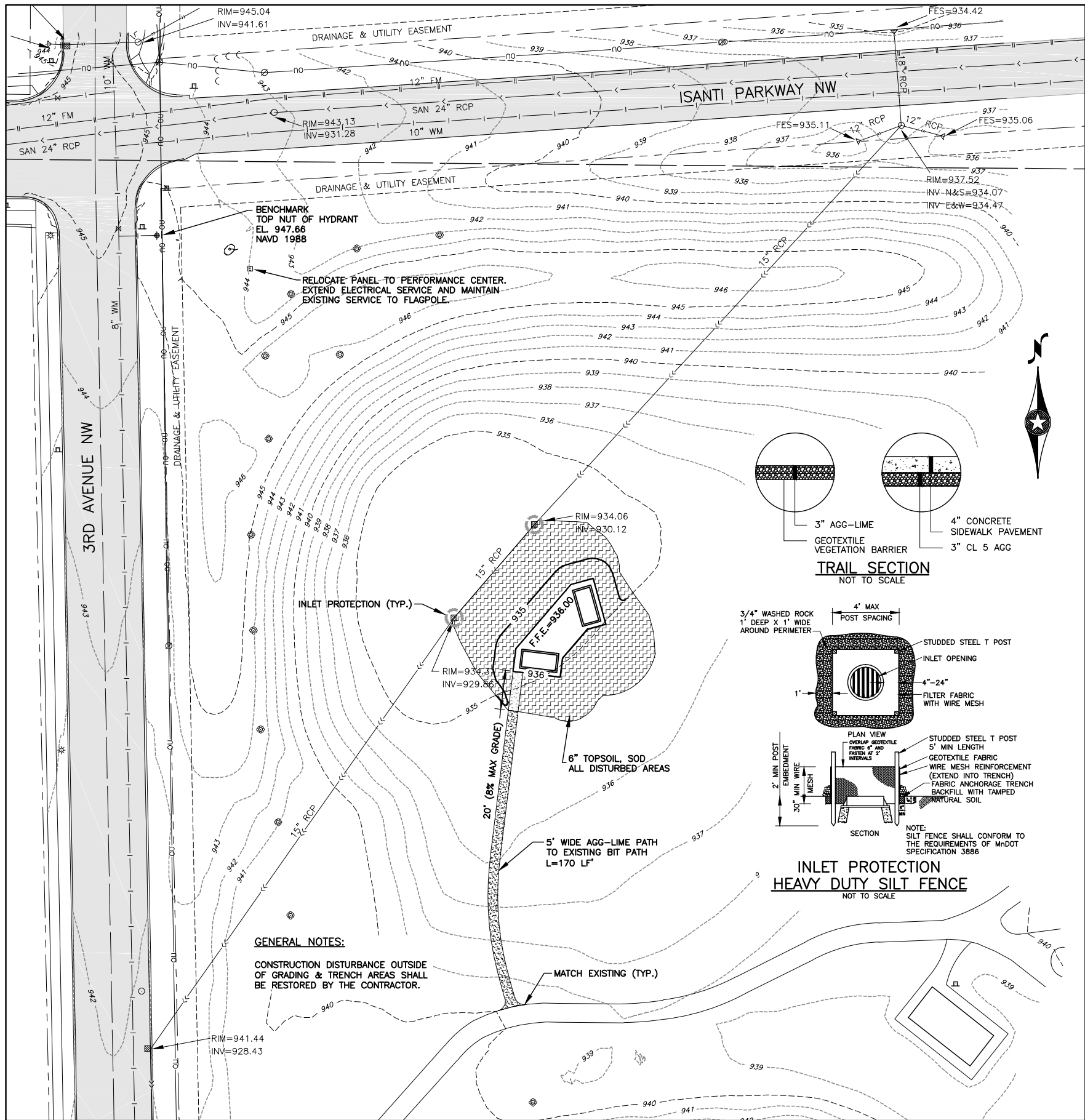
FOUNDATION PLAN


 P.O. BOX 145
 WEST OLIVE, MI 49460
 800-552-9495
 WWW.CEDARFORESTPRODUCTS.COM

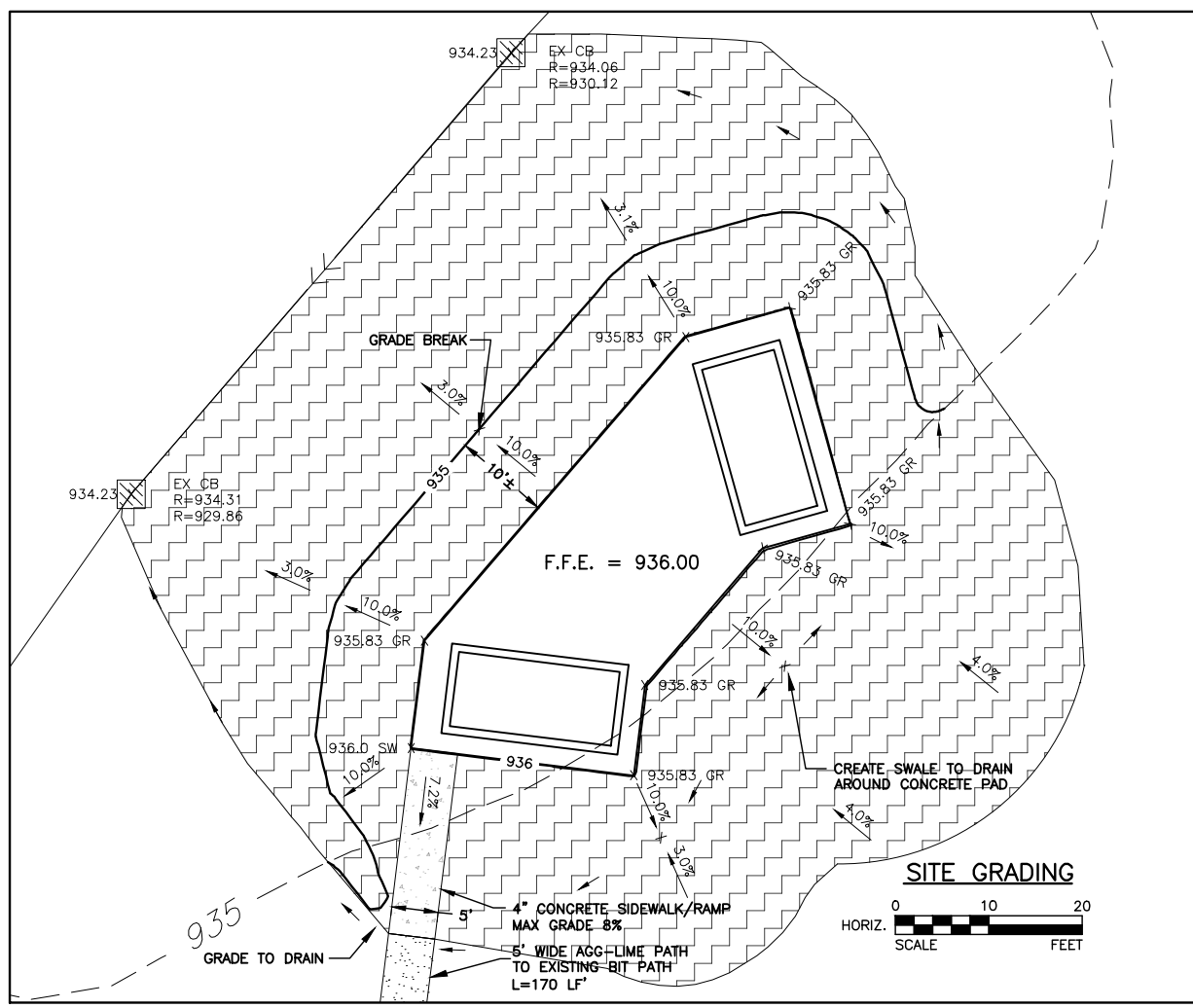
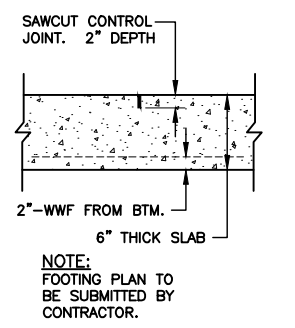
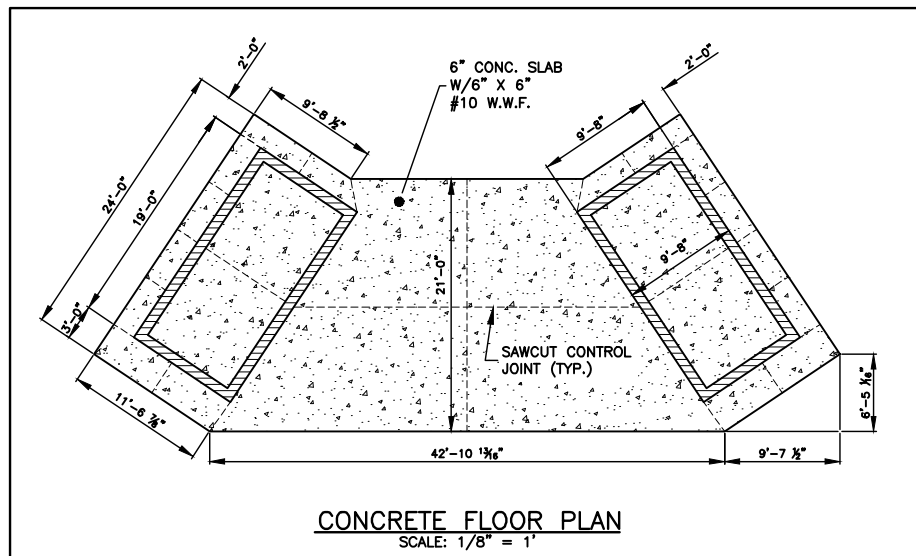
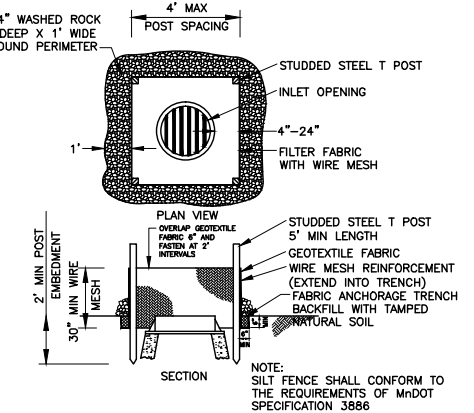
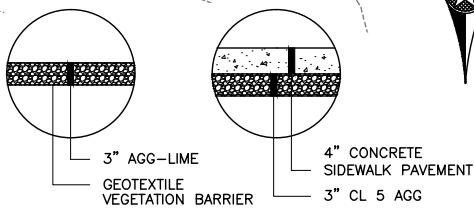
PRELIMINARY
NOT FOR CONSTRUCTION

© Copyright 2018 these drawings are the intellectual property of C.F.P. CD. and shall not be copied or disclosed to any unauthorized parties in part or its entirety without our written permission, and they shall not be used for construction unless approved by a C.F.P. Representative.

MODEL NUMBER:	BAND3	SHOWN WITH STANDARD OPTIONS	REVISION DATES	DRAWN BY:	DATE:
DESCRIPTION:	Band 3 - Standard Shelter		REV:	JES-585A	11-14-18
Possible Options:	<input type="checkbox"/> 29ga METAL ROOF <input type="checkbox"/> STANDING SEAM ROOF <input type="checkbox"/> CEDAR SHINGLES	<input type="checkbox"/> METAL BASE SHOES <input type="checkbox"/> STEEL COLUMNS <input type="checkbox"/> CUSTOM ROOF PITCH	<input type="checkbox"/> LIGHTNING PROTECTION <input type="checkbox"/> 2 TIER ROOF <input type="checkbox"/> CUPOLA	REV:	SHEET:
			REV:		1 OF 1



GENERAL NOTES:
 CONSTRUCTION DISTURBANCE OUTSIDE OF GRADING & TRENCH AREAS SHALL BE RESTORED BY THE CONTRACTOR.



LEGEND

	DENOTES EXISTING BITUMINOUS ROADWAY		EROSION PROTECTION AT INLET
	CONCRETE BUILDING PAD		CATCH BASIN
	TURF RESTORATION		DRAINAGE DIRECTION & GRADE
			SPOT ELEVATION



I HEREBY CERTIFY THAT THIS PLAN, SPECIFICATION, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED PROFESSIONAL ENGINEER UNDER THE LAWS OF THE STATE OF MINNESOTA.

Bradley C. DeWolf
 BRADLEY C. DEWOLF
 LIC. NO. 24000 DATE 8/19/2011

DESIGNED KFB
 DRAWN KGA
 CHECKED KFB

Isanti
 A Community for Generations

BOLTON & MENK, INC.
 Consulting Engineers & Surveyors
 MANKATO, MN FAIRMONT, MN SLEEPY EYE, MN
 BURNSVILLE, MN WILLMAR, MN CHASKA, MN
 RAMSEY, MN MAPLEWOOD, MN BRAINERD, MN AMES, IA

REV.	BY	DATE

CITY OF ISANTI, MINNESOTA
 BLUEBIRD PARK PERFORMANCE CENTER IMPROVEMENTS
 SITE PLAN - GRADING PLAN BID ALT NO. 1

Bluebird Park Park Shelter with Dressing Rooms Plan D9988H - Shelter Materials Only

City of Isanti
Attn: Jenny Garvey
100 Isanti Pkwy NW
Isanti, MN 55040
Phone: 763-444-5512
isantiparks@cityofisanti.us

Ship To Zip: 55040

Quantity	Part #	Description	Unit Price	Amount
1	BAND3	Cedar Forest Products - Band shell 3 40' x 19' standard with dressing rooms - <i>Price includes:</i> Roof pitch is 6:12, designed for a standard 30 PSF live load & 90 MPH wind speed Gothic arch, glulam SYP columns Zinc plated fasteners, powder coated steel plates Roof decking shall consist of 2" x 6" nominal #1 SYP single T&G with a V-joint 2" x 8" cedar fascia 8' eave height 30 year architectural grade shingle package and roofing felt Kiln dried cedar, double T&G, nominal 4" x 8" exterior walls 18 ga. metal exterior doors, 16 ga. metal frame - hardware included <i>Exclusions:</i> Unloading, storage or installation of material, clear coat or stain and gutters & downspouts. Installation, concrete pad or footings	\$108,225.00	\$108,225.00
1	ENGINEERING	Cedar Forest Products - Certified Engineering Drawings	\$1,650.00	\$1,650.00

SubTotal: \$109,875.00
Freight: \$3,750.00
Total Amount: \$113,625.00

This quotation is subject to current Minnesota/Wisconsin Playground policies as well as the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to Minnesota/Wisconsin Playground.

Payment terms: 50% deposit payable at time of order entry with the balance due by certified check upon delivery (C.O.D.)

Freight charges: Prepaid & added

Exclusions: unless specifically included, this quotation excludes all site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions or permits of any kind.



Bluebird Park Park Shelter with Dressing Rooms Plan D9988H - Shelter Materials Only

Order Information:

Bill To: _____

Ship To: _____

Company: _____

Project Name: _____

Attn: _____

Attn: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Contact: _____

Contact: _____

Tel: _____

Tel: _____

Fax: _____

Fax: _____

Acceptance of quotation:

Accepted By (printed): _____

P.O. No: _____

Signature: _____

Date: _____

Title: _____

Phone: _____

Facsimile: _____

Purchase Amount: **\$113,625.00**



Bluebird Park Park Shelter Plan D9988H - Shelter Installation and Services

City of Isanti
Attn: Jenny Garvey
100 Isanti Pkwy NW
Isanti, MN 55040
Phone: 763-444-5512
isantiparks@cityofisanti.us

Ship To Zip: 55040

Quantity	Part #	Description	Unit Price	Amount
1	EXCAVATION	Lump Sum - Excavation for 89 cubic yards	\$2,670.00	\$2,670.00
1	DISPOSAL	Lump Sum - Off site disposal for 89 cubic yards of material	\$3,840.00	\$3,840.00
1	AGG BASE	Lump Sum - Supply and install a 6" depth of Class 5 under slab - <i>1526 sq. ft. area</i>	\$3,296.00	\$3,296.00
1	CONCRETE PAD	Lump Sum - Concrete slab w/rebar at 6" depth - <i>1526 sq. ft. area</i>	\$18,312.00	\$18,312.00
1	WALL FOOTING	Lump Sum - 24"W x 8"D shelter wall footing - <i>QTY - 120 lin. ft.</i>	\$9,750.00	\$9,750.00
1	POURED WALL	Lump Sum - 8" x 44" poured concrete wall w/ rebar and 4" x 8" knockout ledge - <i>Qty - 120 lin. ft.</i>	\$18,300.00	\$18,300.00
1	FOOTINGS	Lump Sum - Quantity 4 - 36" diameter x 48" depth concrete footings w/rebar	\$4,320.00	\$4,320.00
1	INSTALL	Cedar Forest Products - Lump Sum - Installation for BAND 3 STANDARD 40' x 19' shelter with dressing rooms as shown per plan drawing. - <i>Includes all above ground work</i>	\$45,724.00	\$45,724.00
1	INSTALL	Cedar Forest Products - Lump Sum - Disposal of all shelter packaging and drayage	\$420.00	\$420.00
			SubTotal:	\$106,632.00
			Total Amount:	\$106,632.00

This quotation is subject to current Minnesota/Wisconsin Playground policies as well as the following terms and conditions. Our quotation is based on shipment of all items at one time to a single destination, unless noted, and changes are subject to price adjustment. Purchases in excess of \$1,000.00 to be supported by your written purchase order made out to Minnesota/Wisconsin Playground.

Payment terms: net 30 days for tax supported governmental agencies. Should this quotation be forwarded to an agency not listed on this quote, credit terms, as well as other terms and conditions herein, may be need to be altered. For instance, non-tax supported organization purchasing any or all products and/or services quoted herein may require full payment for that amount due at time of order entry. Remaining balance owed by tax supported agency, if any, shall still be net 30 days. A 1.5% per month finance charge will be imposed on all past due accounts. Equipment shall be invoiced separately from other services and shall be payable in advance of those services and project completion. Retainage not accepted.

Exclusions: unless specifically included, this quotation excludes all site work and landscaping; removal of existing equipment; acceptance of equipment and off-loading; storage of goods prior to installation; equipment assembly and installation; safety surfacing; borders and drainage provisions or permits of any kind.



Bluebird Park Park Shelter Plan D9988H - Shelter Installation and Services

Order Information:

Bill To: _____

Ship To: _____

Company: _____

Project Name: _____

Attn: _____

Attn: _____

Address: _____

Address: _____

City, State, Zip: _____

City, State, Zip: _____

Contact: _____

Contact: _____

Tel: _____

Tel: _____

Fax: _____

Fax: _____

Acceptance of quotation:

Accepted By (printed): _____

P.O. No: _____

Signature: _____

Date: _____

Title: _____

Phone: _____

Facsimile: _____

Purchase Amount: **\$106,632.00**







AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, MAY 18, 2021 – 5:00 P.M.
CITY HALL

Seating may be limited. If you would like to send in a comment for Public Comment to be read on your behalf, please submit to the City Clerk jstrand@cityofisanti.us or (763) 762-5759.

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Public Comment

E. Committee Meeting Items

1. City Council Agenda Request (*William and Sharon Snelling*)
2. Police Updates
3. Liquor Updates
4. Turkeys and Ducks Discussion
5. VFW Park Lease Termination Discussion
6. Wind Turbine Discussion
7. Well II Sand Discussion
8. Liquor Store Plaque Discussion
9. EDA Purchasing Old Liquor Store Discussion

F. Adjournment



CITY OF ISANTI

110 First Avenue NW, P.O. Box 428, Isanti, MN 55040-0428

AGENDA REQUEST FORM

Instructions: If you want official action on an item not on the agenda, please complete this form and return it to the office of the City Clerk at City Hall. All applicable areas must be completed or the form will not be accepted. Your completed request will be presented at the next Committee of a Whole meeting.

1. Name (please print): William & Sharon Snelling
Organization (Required if Applicable):

2. Address (please print): [Redacted], Isanti, MN 55040

3. Telephone No.: [Redacted]

4. Agenda item subject: Water/sewer bill

5. Action requested: Please see attached

6. Reasons for requested action: Please see attached
Covid-related situation

7. Signature (Required): Willi Snelling Sharon Snelling

CITY USE ONLY:

Date/Time Received: 5/18/2021, 10:10 am pm

Received by: [Signature]



New Business:

1. Gross Profit for the months of January-April was 26.96%.
2. Total sales for the months of January-April was \$1,155,968 in 2021. January-April sales for 2020 and 2019 were \$1,112,210 and \$867,512, respectively.
3. With Covid, sales in 2020 were up 28% over 2019 while customer count in 2020 increased by only 9.5%. Thus far in 2021 we have managed to stay ahead of the 2020 sales pace despite March of 2020 showing a 42% increase in sales over March of 2019. It will be interesting as the year progresses to see if we can stay ahead of 2020 sales figures even as the pandemic wanes.
4. Meeting with Louella Polzin at the end of June for a history lesson on Isanti and Isanti Liquor, and to find out what she'd like to see in reference to naming part of the new store for Bozo.
5. New Store Tasks and Timeline – *See Attached*

New Store Tasks and Timeline

TASK	LEAD	START	END	DURATION
CAMERA SYSTEM QUOTE/ACCEPTANCE/CONTRACT	JOSI	5/18	6/2	16
ORDER GONDOLA SHELVING - QUOTES/ACCEPTANCE/CONTRACT	MIKE	5/18	6/2	16
POS DEMOS	JOSI/MIKE	5/18	6/18	32
EXTERIOR SIGNAGE QUOTES/ACCEPTANCE/CONTRACT	JOSI/MIKE	5/18	7/21	65
POS QUOTES/ACCEPTANCE/CONTRACT	JOSI/MIKE	6/19	7/21	33
CC PROCESSOR - QUOTES/ACCEPTANCE/CONTRACT	KEITH/MIKE	6/19	7/21	33
INTERIOR SIGNAGE QUOTES/ACCEPTANCE/CONTRACT	KEITH/MIKE	6/19	7/21	33
PROPOSED SALES FLOOR LAYOUT	KEITH/MIKE	7/22	8/22	32
FOOD TRUCK SCHEDULE OPENING WEEK	SHEILA/INTERN	8/1	9/30	61
ONLINE ADVERTISING - GEO FENCING	KEITH/MIKE	8/1	9/30	61
FINAL SALES FLOOR LAYOUT	KEITH/MIKE	8/22	9/22	32
PROPOSED INVENTORY PORTFOLIO	KEITH/MIKE	9/22	10/6	15
FOR SALE/WE HAVE MOVED SIGN	PW	9/22	10/22	31
FINAL INVENTORY PORTFOLIO	KEITH/MIKE	10/7	10/22	16
CAMERA SYSTEM INSTALL	JOSI	10/18	10/19	2
EXTERIOR SIGNAGE INSTALL	JOSI/MIKE	10/18	10/21	4
PROPOSED RAIL COOLER LAYOUT	KEITH/MIKE	10/22	10/22	1
FINAL RAIL COOLER LAYOUT	KEITH/MIKE	10/22	10/22	1
RECEIVE GONDOLA SHELVING	PW	10/22	10/31	10
POS INSTALL	KEITH/MIKE	10/22	11/4	14
CC TERMINALS INSTALL	KEITH/MIKE	10/22	11/4	14
RUG SERVICE CHANGE	PAM	10/22	10/22	1
TRASH/RECYCLE SERVICE CHANGE	PAM	10/22	10/22	1
INTERNET SERVICE CHANGE	PAM	10/22	10/22	1
PHONE SERVICE CHANGE	PAM	10/22	10/22	1
ORDER/PURCHASE INVENTORY	KEITH/MIKE	10/23	11/1	10
BUILD TEMP RAIL COOLER SHELVING - OLD STORE	PW	10/28	11/3	7
BUILD BACKROOM SHELVING	PW	10/31	11/6	7
MOVE RAIL COOLER SHELVING - OLD TO NEW - SCR TO INSTALL	PW	11/4	11/4	1
INSTALL TEMP RAIL COOLER SHELVING - OLD STORE	PW	11/4	11/4	1
POS TRAINING	KEITH/MIKE	11/5	11/17	13
ASSEMBLE/INSTALL GONDOLA SHELVING	PW	11/10	11/12	3
INSTALL NEW BACKROOM SHELVING	PW	11/13	11/14	2
INTERIOR SIGNAGE INSTALL	KEITH/MIKE	11/13	11/14	2
RECEIVE INVENTORY & STOCK SHELVES	KEITH/MIKE	11/15	11/17	3
MOVE BACKROOM SHELVING - OLD TO NEW	PW	11/17	11/19	3
INVENTORY TRANSFER (VENDORS) - OLD TO NEW	KEITH/MIKE	11/17	11/19	3
FINAL ITEM TRANSFER - OLD TO NEW	PW	11/18	11/18	1
GRAND OPENING EVENT/RIBBON CUTTING	SHEILA/INTERN	11/18	11/18	1



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Ryan Saltis, Community Development Specialist
Date: May 18, 2021
Subject: Turkeys and Ducks Discussion

Background:

There has been interest by residents in the city to keep certain animals, specifically turkeys and ducks. The request would be to allow these domestic fowl in residential areas. Surrounding cities do not allow domestic fowl to be kept in residential areas. Some cities allow turkeys and ducks to be kept only in areas that are zoned agricultural and are considered farm animals by definition. Isanti's zoning district equivalent to agricultural land would be the R-1A Residential Rural District. This zoning district has a minimum lot size of 1 acre.

Currently City Code has the following requirements:

§ 87-1 Prohibited animals.

No person, firm or corporation shall keep, harbor, feed or raise cows, horses, hogs or any other livestock, chicks or poultry, not in accordance with this chapter, in the City of Isanti.

Turkeys and ducks would be considered poultry (domestic fowl) and are currently prohibited within the city.

Staff's research has concluded that most cities do not allow turkeys or ducks in residentially zoned areas that aren't agricultural. Nearby cities that do allow domestic fowl in agricultural zoned areas have minimum lot sizes of at least 3 acres.

A couple options if the council wants to allow turkeys and ducks in residential districts are:

- 1) Allow turkeys and ducks in certain residential districts in the city (would need City Council approval)
- 2) No change to the City Code (Poultry remains prohibited in the City of Isanti)

Community Development Specialist Ryan Saltis conducted research on this item his research is attached.

Request:

Staff is requesting direction on this item.

Attachments:

- Research

Turkeys / Ducks Research

Cambridge: Turkeys and ducks are considered farm animals, which shall only be allowed to be kept in an agricultural district of the city, or on a residential lot of at least 10 acres in size provided that no animal shelter will be closer than 300 ft of an adjoining property.

(3) Farm Animals. Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, farm animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, pigeons, and other animals associated with a farm, ranch, or stable.

Princeton: Turkeys and ducks are considered farm animals and are only allowed to be kept in an agricultural district of the city (similar to Cambridge).

East Bethel: Turkeys and ducks considered fowl or farm animals and are allowed as an Interim Use Permit for parcels of land 3 acres or larger. The number of certain animals is determined by a property's acreage:

(h) The following equivalents will apply when determining the animal units defined below:

Animal	Animal Units Per Acre
1 swine	0.4
1 goose or duck	0.2
1 goat or sheep	0.5
1 turkey	0.10
1 bovine	1.4
1 equine	1.0
1 chicken or pheasant/quail	0.01
1 emu or ostrich	1.0
1 alpaca or llama	1.0

Zimmerman: Subdivision 1. No person shall anywhere in the city keep, harbor, or maintain care, custody, or control over any small animal such as a rabbit, chinchilla, or mink, or any fowl such as a chicken, turkey, or duck, or any pigeon, without obtaining a permit therefore issued by the commissioner of health.

Milaca: Turkeys and ducks are considered farm animals and are only allowed to be kept in an agricultural district of the city (similar to Cambridge).

North Branch: Considered "Fowl". Animal Unit Chart below:

c) Animal equivalents. The following equivalents shall apply when determining animal units and animal densities per acre:

1. one mature dairy cow	1.4
2. one slaughter steer or heifer	1.0
3. one horse	1.0
4. one swine	0.4
5. one goose or turkey	0.2
6. one goat or sheep	0.1
7. one chicken, duck or pigeon	0.01

Elk River: Turkeys and Ducks are considered Agricultural Animals and are allowed only in the Agricultural Zoning District.

A Community For Generations.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Alyssa Olson, Parks, Recreation & Events Coordinator
Date: May 18, 2021
Subject: VFW Park Lease Termination Discussion

Background:

On May 19, 1987, Resolution #98-82 was passed by the City Council, entering into an agreement with the Veterans of Foreign Wars (VFW) Board of Directors of Rum River Post No. 2735 for the City of Isanti to lease and operate a portion of VFW property for the established VFW Park at a cost of \$1.00 per year.

In previous and ongoing conversations, the Parks, Recreation and Culture Board and the City Council have addressed opportunities to reduce the number of parks operated by the City. Staff have identified the VFW Park as a dated property that receives minimal use and requires continued maintenance and is a viable park to discontinue managing in order to meet these goals.

In review of the leasing agreement, the City may terminate this agreement at any time if the use is deemed incompatible with future goals by giving reasonable notice to the leasing party (VFW).

Request:

Staff is requesting direction on this item to continue leasing the VFW Park property or to terminate the agreement and discontinue the leasing and use of the park.

Attachments:

- Resolution #98-82

RESOLUTION #98-82

**RESOLUTION TO PROVIDE FOR PLACEMENT
OF TRAIL AND EQUIPMENT IN THE VFW PARK**

WHEREAS, a lease agreement dated May 19, 1987, a copy of which is attached hereto as "Exhibit A", between Rum River Post No. 2735, Veterans of Foreign Wars of the United States, Incorporated, (VFW), and the City of Isanti, Minnesota (City) sets forth the terms and conditions for use of the area commonly known as VFW park by the City of Isanti; and

WHEREAS, the City has developed a plan to install a bituminous surface trail into the park area, together with two parking spaces of bituminous surface, one of which shall be a handicap space and to install a piece of playground equipment in the park area; and

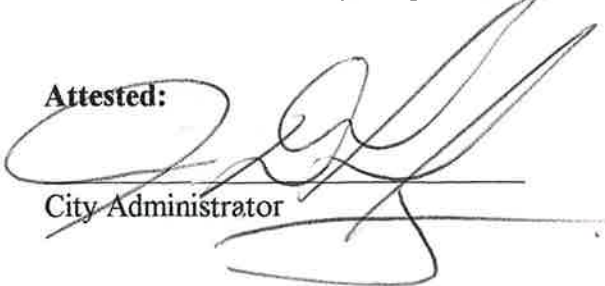
WHEREAS, the City wishes to obtain approval of the VFW to allow the installation of said trail, parking spaces, and playground equipment.

NOW THEREFORE BE IT RESOLVED, by the City Council of Isanti, Minnesota, that upon agreement of VFW as evidenced by execution of its approval of this resolution, the City shall proceed to install a bituminous surface trail into the park area, together with two parking spaces of bituminous surface, one of which shall be a handicap space, and to install a piece of playground equipment, all as shown on "Exhibit B", attached hereto; and

AND BE IT FURTHER RESOLVED, by the City Council of Isanti, Minnesota, that this resolution shall become effective upon its approval by the VFW.

This resolution was duly adopted by the Isanti City Council this 5th day of August 1998.

Attested:



City Administrator



Mayor

I hereby certify that the improvements proposed in the above resolution were approved and authorized by the affirmative vote of the Board of Directors of Rum River Post No. 2735, Veterans of Foreign Wars, Incorporated on the 10 day of August, 1998.



Dale Strike
Commander

Attest:



Quarter Master

LEASE AGREEMENT

This lease, made on May 19, 1987, between Rum River Post No. 2735, Veterans of Foreign Wars of the United States, Incorporated, hereinafter called the lessor, and the City of Isanti, County of Isanti, State of Minnesota, hereinafter called the lessee.

In consideration of the rents reserved and of the covenants and provisions expressed hereafter, the lessor agrees to lease to the lessee property located in the City of Isanti, County of Isanti, State of Minnesota, described as follows:

Commencing at the southeast corner of the Southeast Quarter of the Southeast Quarter (SE 1/4 of SE 1/4) of Section Thirty (30), Township Thirty-five (35), Range Twenty-three (23), thence North and along the east line of said Section 30 a distance of 100 feet; thence westerly and at right angles to said east line of said Section 30 a distance of 80 feet; thence southerly and parallel to said east line of said Section 30 a distance of 100 feet to the south line of said Section 30; thence easterly and along said south line of said Section 30 to the point of commencement and there to terminate. Subject to easements, restrictions, and reservations of record, if any.

Together with the full power to lay out, plant, improve, and maintain the property for the purpose of being used as a public playground. The property is to be held by the lessee, subject to any rights of way or other easements affecting the property, from June 1, 1987, until such time as the above-described premises ceases to be used as a public playground, solely for use as a public playground and recreation area for the City of Isanti, County of Isanti, State of Minnesota, and for no other purpose.

The lessee agrees to pay to the lessor a nominal rent of One and No/100 (\$1.00) Dollars per year so long as the lands are used for the purposes stated above. If the property or any part thereof is to be used for any purpose other than as a public playground, without the consent in writing of the lessor, then this lease may be terminated at the option of lessor upon the giving of written notice by lessor to lessee.

The lessee agrees that as soon as is reasonable practicable it will lay out the leased property as a playground for the use and enjoyment of the people of the City of Isanti, County of Isanti, State of Minnesota, and will keep and maintain the property for such purpose.

The lessee agrees that it will not assign or sublet the lease without first obtaining the consent in writing of the lessor.

The lessee shall erect a fence and gate along the west line of the above-described premises. The lessor shall erect a chain link fence five (5) feet in height along the east and south lines of the above-described premises. The lessee shall be responsible to maintain the fence and grounds during the term of this lease.

The lessee shall maintain public liability insurance that applies to the above-described premises with liability limits equivalent to such insurance as is maintained on other municipal recreation areas within the City of Isanti.

It is understood by and between the parties that this Lease shall not adversely affect any present or future plans of the Lessor to build or expand its facilities. In the event the use of the subject premises shall hereafter become incompatible, as a matter of law or in the opinion of either party, with the use of the adjacent premises by lessor, this Lease may be terminated upon reasonable notice.

This Lease may be terminated at the option of the lessor if it ceases to be used as a public playground or becomes a public nuisance.

IN WITNESS WHEREOF, the parties have executed this agreement in Isanti, Minnesota, the day and year first above written.

LESSOR:

RUM RIVER POST NO. 2735,
VETERANS OF FOREIGN WARS,
INCORPORATED

By [Signature] QM
Quartermaster

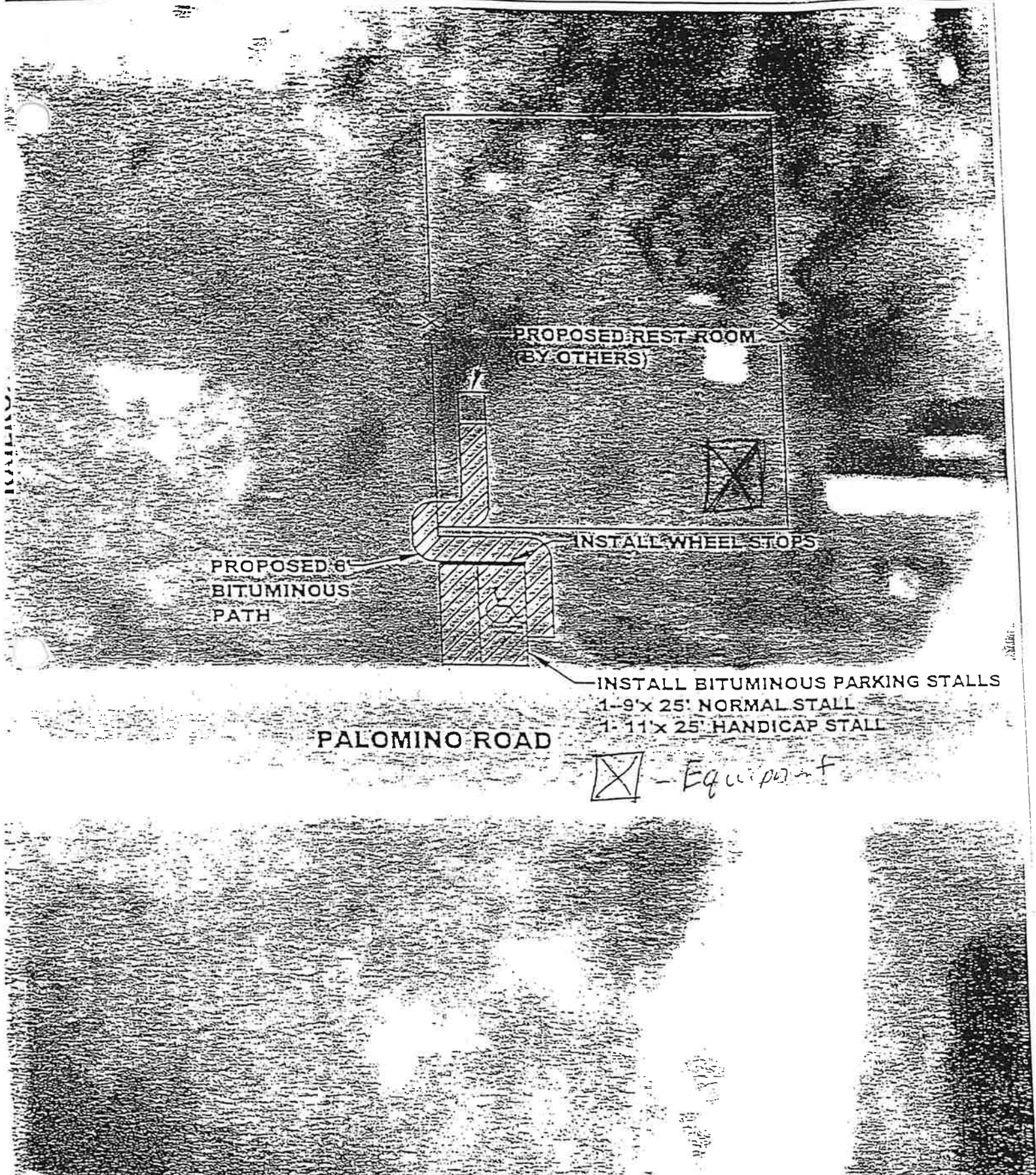
By [Signature]
Commander

LESSEE:

CITY OF ISANTI

By [Signature]
Mayor

By [Signature]
Clerk/Administrator




PROPOSED REST ROOM
(BY OTHERS)

PROPOSED 8'
BITUMINOUS
PATH

INSTALL WHEEL STOPS

INSTALL BITUMINOUS PARKING STALLS
1- 9'x 25' NORMAL STALL
1- 11'x 25' HANDICAP STALL

PALOMINO ROAD

 - Equipment

SHEET 3
OF 3
PROJECT NO. 98205

ISANTI, MINNESOTA
PARK
PROJECT NO. 98205
BITUMINOUS TRAIL
GENERAL PROJECT LOCATION

REVISIONS
DATE





Memo for COW

To: Mayor Johnson and Members of the City Council
From: Sheila Sellman, Community Development Director
Date: May 18, 2021
Subject: Agenda Request -Brandon Heaton – Wind Turbine Discussion

Background:

Brandon Heaton, an Isanti resident, submitted an agenda request to discuss wind turbines in residential areas. His request is specifically to change Subdivision 21 of Section 13 to include low voltage turbines in residential areas. According to Heaton the motor is smaller than a football and this would be mounted to his roof. The size of the wind turbine is roughly the size of a boot, as shown in the attachment pictures. The noise that would be produced from a small wind turbine of this size would be 40 decibels at the turbines top speed, similar to a running refrigerator.

Currently City Code has the following requirements:

Applicability. Wind Energy Conversion System (WECS) may be allowed as an accessory use in the B-2, I-1, T1-B, and T1-I Districts as a Conditional Use, subject to the provisions and regulations established within this Subdivision.

Specific Standards for small WECS

1. Building Mounted Systems
 - a. For all lots under two (2) acres in size, only building mounted systems are permitted, providing they are mounted on a monopole.
 - b. The height of a building mounted system shall be limited to fifteen (15) feet.
 - c. The building mounted system shall be safely and securely attached to the building in conformance with Building Code requirements. A written certification from a licensed structural engineer that the structure has the structural integrity to carry the weight and wind loads of the WECS and have minimal vibration impacts on the structure shall be submitted prior to construction.

This ordinance does not list Residential Districts for WECS therefore they are not permitted. Staff's research has concluded that most cities have a minimum lot size of 1 acre for WECS. A couple options if the council wants to allow WECS in residential districts are 1) Conditional Use Permit (CUP) this will require a public hearing and require approval from the Planning Commission and City Council. 2) Just a building permit no special permits/approvals, this option will not notify neighbors or require Council approval.

Community Development Specialist Ryan Saltis conducted research on this item his research is attached.

Request:

Staff is requesting direction on this item.

Attachments:

- Agenda Request Form
- Wind Turbine Specs and Graphics
- Research



CITY OF ISANTI

110 First Avenue NW, P.O. Box 428, Isanti, MN 55040-0428

AGENDA REQUEST FORM

Instructions: If you want official action on an item not on the agenda, please complete this form and return it to the office of the City Clerk at City Hall. All applicable areas must be completed or the form will not be accepted. Your completed request will be presented at the next Committee of a Whole meeting.

1. Name (please print): Brandon Heaton

Organization (Required if Applicable):

2. Address (please print): [Redacted]

3. Telephone No. [Redacted]

4. Agenda item subject: Change subdivision Z1 (WECS) under section L to include low voltage turbines (12V/24V) that can be used for off grid

5. Action requested: See above ↑ it still protects the city from big commercial grade turbines since 12V or 24V is way too low in voltage.

6. Reasons for requested action: want to add a small turbine to my property to charge a battery. The turbine motor is smaller than a football.

7. Signature (Required): [Signature]

CITY USE ONLY:

Date/Time Received: 3/28/2021, 9:04 am (pm)

Received by: Ryan Sallis



Dyna-Living Wind Turbine Generator 500W DC 12V Wind Turbine 5 Blade Low Wind Speed Starting Bearings Garden Street Lights Wind Turbines with Charge Controller Garden

Visit the Dyna-Living Store

★★★★☆ - 43 ratings

Price: **\$194.99** & FREE Returns

Get \$50 off instantly: Pay \$144.99 upon approval for the Amazon Rewards Visa Card.

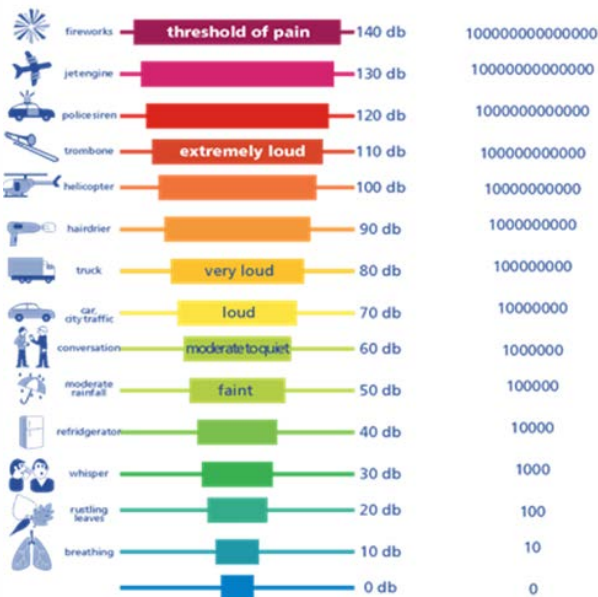
Available at a lower price from other sellers that may not offer free Prime shipping.

Color: **White**

\$179.99

\$194.99

- **High Quality Blade**-The blade is equipped with a copper inlay part that does not damage the nylon fiber when the bolt is tightened, and is not easily deformed or broken. At the same time, the blade is also designed with aerodynamics to make the rotor run smoothly, reliably and quietly. The working temperature is $-40^{\circ}\text{C} \sim 80^{\circ}\text{C}$, do not worry about the temperature is too low and cause the leaves to freeze.
- **Excellent Heat Resistance**-The coil is made of teflon wire, which is resistant to high temperatures and guarantees the power generation rate. It has effective regulation of current and voltage, high wind energy utilization factor, an increase of annual power generation.
- **Durable Parts**-It adopts three-phase AC permanent magnet synchronous generator, free running, low noise and long service life. teflon wire is heat resistant, which is not easy to damage the wire when the machine is



High Efficiency Low Pollution Power Generation Technology

Rated power: 500W
Maximum power: 510 W
Rated voltage: 12V
Start-up Wind Speed: 6.6 ft/s.
Rated wind speed: 42.7 ft/s.
Safe wind speed: 164 ft/s.
Main engine net weight: 19.8 lbs.
Wind wheel diameter: 4.43 ft.
Number of blades: 5 pieces



Wind Energy Conversion System (WECS) Research

Isanti:

Applicability. WECS may be allowed as an accessory use in the B-2, I-I, T1-B, and T1-I Districts as a Conditional Use, subject to the provisions and regulations established within this Subdivision.

G. Specific Standards for Small Wind Energy Conversion System (WECS).

1. Building Mounted Systems.

- a. For all lots under two (2) acres in size, only building mounted systems are permitted, providing they are mounted on a monopole.
- b. The height of a building mounted system shall be limited to fifteen (15) feet.
- c. The building mounted system shall be safely and securely attached to the building in conformance with Building Code requirements. A written certification from a licensed structural engineer that the structure has the structural integrity to carry the weight and wind loads of the WECS and have minimal vibration impacts on the structure shall be submitted prior to construction.

- Applicability section doesn't list Residential Districts for WECS
- Small WECS are not listed separately from large scale WECS in the applicability section so they aren't allowed in Residential Districts
- WECS must be given a Conditional Use Permit (must be approved by PC and CC)
- All cities researched have a minimum lot size of 1 acre (most are 5 acres minimum)
- How to allow for this specific type of wind energy conversion system:
 - Define "Small Wind Energy Conversion Systems" in Section 2 of the Zoning Ordinance
 - Allow Small WECS in the Residential Zoning Districts
 - Allow Small WECS with obtaining a building permit instead of a CUP (must follow submittal requirements listed in Subd. 21)

Cambridge:

§ 156.066 ALTERNATIVE ENERGY

WECS may be permitted as an interim use in the zoning districts identified

Zoning District	Permitted Use	Interim Use
R-1, SR, SSP, and SR-II Lots less than 4 acres		Less than 22' in height. If attached to an accessory structure, no higher than 10' above the wall height of the structure.
R-1, SR, SSP, and SR-II		X
I-3		X
RA		X

Setback. No part of a WECS shall be located within or above any required front, side or rear yard setback. In addition, WECS towers and accessory structures shall meet setback requirements equal to the height of the tower from all property lines; they shall be setback one foot (1') for every one foot (1') of system height.

- No information on Small Wind Energy Conversion Systems

St Francis:

Wind conversion systems may be allowed as an accessory use by a conditional use permit within specified zoning districts of the City, subject to the regulations and requirements of this Section, provided the property upon which the system is at least five (5) acres in size.

Setbacks:

1. Property Lines: One and one-half (1.5) times the total height.
2. Principal Structure: One and one-half (1.5) times the total height.
3. Other structures: One and one-half (1.5) times the total height.
4. Neighboring Dwellings: Three hundred (300) feet.
5. Rights-of-Way: One and one-half (1.5) times the total height.
6. Other existing WECS = To be considered, based upon:

- a. Relative size of the existing and proposed WECS;
 - b. Alignment of the WECS relative to the predominant winds;
 - c. Topography;
 - d. Property line setback of existing WECS; and
 - e. Other setbacks required.
- No information on Small Wind Energy Conversion Systems

Brainerd (Small Wind Energy Conversion Systems)

Definition:

Wind Energy Conversion System, Small. A wind energy conversion system consists of a wind turbine and associated control or conversion electronics and is used primarily to reduce on-site consumption of utility power. Small wind energy conversion systems are an administrative accessory use in residential districts and shall be attached to an existing principal building. A small wind energy conversion system shall not exceed a rated capacity of 100 kWh.

- A. Wind energy conversion systems (WECS) may be allowed as an accessory, conditional use subject to the regulations and requirements of this Section, provided the property upon which the system is to be located is zoned R-A, B-1, B-2, B-3, B-4, B-5, I-1 or I-2 and is located on a parcel of land of at least five (5) acres in size.
- B. Small wind conversion systems as defined by Section 2 of this Ordinance may be allowed as an accessory use in residential districts provided the following conditions are met:
 - 1. The small wind conversion system meets the required principal building setbacks.
 - 2. The small wind conversion system extends no more than five (5) feet above the height of the principal building.
 - 3. The proposed small wind conversion system will not block, interfere or otherwise impair a scenic vista or corridor or the view of an adjoining residential building.
 - 4. The small wind conversion system meets all MPCA standards for noise emissions.
 - 5. The primary purpose of the small wind conversion system will be to provide power for the principal use of the property and shall not be for the generation of power for commercial purposes, although this provision shall not be interpreted

to prohibit the sale of excess power generated from the system back to the public utility.

6. Approval of an Administrative Permit in accordance with Section 9 of this Ordinance shall be required for installation of a small wind energy conversion system. Such application shall be accompanied by a site plan drawn in sufficient detail to clearly describe the following:
 - a. Property lines and physical dimensions of the site.
 - b. Location, approximate dimensions and types of existing buildings and structures on site.
 - c. Proposed location and elevation of the proposed system.
 - d. Location of all aboveground utility lines on site or within one radius of the total height of the system. e. Include make, model, picture and manufacturer's specifications, including noise decibels.

Princeton/East Bethel/North Branch/Blaine/Mora/Milaca:

No information of Wind Energy Conversion Systems



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Matt Sylvester, Public Services Director
Date: May 18, 2021
Subject: Well II Sand Discussion

Background:

During the Well II Rehab work, there was approximately 300 yards of sand removed from the Mt Simon Aquifer. The sand that was removed is very fine. Because it is so fine its uses are somewhat limited. The biggest problem with the sand is it is not compactable. It is not the type of sand you could use to build up a lot and then build on or does it make very good sand for a sandbox or a Volleyball Ct either. I asked the contractor who did the sand removal what it's most used for. They said the sand is normally hauled away and used as fill. To have the sand hauled away it would cost about \$10.00 a yard. In our situation we had a location to store the sand which saved us money.

The question now is what happens with the sand. I have been approached by residents and non-residents asking what the City plans to do with the sand. They have asked if they can purchase some or all of the sand.

Recommendation

Staff is recommending that we sell the sand in its entirety per our surplus property policy.

Request:

Staff would like direction on what to do with the sand.

Attachment:

- Resolution 2016-197 Surplus Property Policy

RESOLUTION NO. 2016-197

**RESOLUTION REPLACING ALL PREVIOUS POLICIES AS IT MAY RELATE
TO DECLARING PROPERTY AS SURPLUS AND ITS DISPOSAL;**

AND THE DISPOSAL OF FORFEITURE VEHICLES

WHEREAS, on occasion the City of Isanti incurs or obtains supplies, equipment and other property from any source that is not of use for departments within the City; and

WHEREAS, any and all property collected, acquired or obtained during performance on the job therefore becomes city property; and

WHEREAS, this property is considered surplus property and its disposal is subject to this policy, and

WHEREAS, through the course of the Police Department duties, the Department obtains forfeiture vehicles and finds that they must dispose of the vehicles; and

WHEREAS, it has been determined that an amended policy should be established for the disposal of surplus and forfeiture property.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF
THE CITY OF ISANTI, MINNESOTA** the following:

1. The guidelines shall be followed in the disposal of surplus property as provided on the attached 'Exhibit A' and is hereby made a part of this resolution.
2. That the City Administrator or City Clerk, shall have the authority to sign all necessary paper work to allow for the process for the disposal of surplus property.
3. This resolution supersedes all previous resolutions regulating the disposal of surplus and or forfeiture property.

This resolution was duly adopted by the Isanti City Council this 7th day of June 2016.

Mayor George A. Wimmer

Attest:

Lindsey McInnis
Human Resources/City Clerk

Exhibit A

GENERAL

- A. The City Administrator/Designee and Department Head are herewith authorized to dispose of surplus property that has a value of less than \$500.00 as determined by staff as follows:
1. The Department Head shall have approved by the City Administrator/Designee any surplus property that has a value of \$500.00 or less for disposal unless further designated by policy (i.e. scrap metal or forfeiture vehicles).
 2. A list of said surplus property shall be prepared by the Department Head and brought before the Council to declare the property as surplus.
 3. The surplus property shall be advertised for sale to the general public as follows:
 - a. The City Clerk shall place a list of the surplus property on the City Web site and in the City Newsletter (if publication is timely with-the disposal of said surplus property).
 - b. The City Clerk shall post a list of the surplus property at the Post Office and City Hall.
 4. The Department Head and City Clerk are hereby authorized to accept from any party, a reasonable offer for the surplus property as advertised.
- B. A list of surplus property that has a value of more than \$500.00 unless further designated by policy (i.e. scrap metal or forfeiture vehicles); so determined by staff, shall be prepared by each Department Head and brought before the Council to declare the property as surplus and disposed of as follows:
1. The City Clerk shall advertise in the designated newspaper a list of the surplus property and request sealed bids; with the ad to indicate the City of Isanti reserves the right to reject any and/or all bids.
 2. The City Clerk shall post a copy of the advertisement at the Post Office and City Hall.
 3. Staff shall open and read out loud all bids as received.
 4. A copy of all bids shall be brought before the City Council; at which time they shall determine if the bids are acceptable and award the sale to the highest bidder.
- C. It may be determined that certain property may best be sold at a public auction unless further designated by policy (i.e. scrap metal or forfeiture Vehicles), whereas the City Administrator and Department Head are hereby authorized for its disposal as follows:
1. Should the surplus property be determined by the City Administrator/Designee and Department Head to have a value of less than \$500.00 the property shall be placed in a public auction and shall be advertised as outlined in General. A. Steps 1 through 4.
 2. Should the surplus property be determined by the City Administrator/Designee and Department Head to have a value of more than \$500.00 the list shall be approved by City Council; and upon approval, an ad shall be placed in the City designated newspaper to inform the public of location, date and time of the public auction and a list providing the items to place on auction.

SCRAP METAL

All scrap metal shall be determined to be surplus property by action of the City Council and shall follow the following procedure:

1. The Public Works Director shall submit to the City Clerk notice of scrap metal for Council action to declare as surplus.
2. After declaration is approved by the City Council:
 - a. The Public Works Director and Finance Director shall find two vendors and obtain verbal quotes on a per pound basis for the sale of the scrap metal.
 - b. Upon having obtained two verbal quotes, the Public Works Department shall have the authority to transport the surplus scrap metal to the salvage yard providing the highest quote and sell the metal.
 - c. A receipt shall be obtained with the sale proceeds for accounting of funds received and shall be given to the Finance Department.

FORFEITED PROPERTY

Through the course of the Police Department duties, the Department obtains forfeiture vehicles and finds that they must dispose of the forfeiture vehicles and the process for disposal shall be according to the following procedure:

1. Forfeited vehicles may be sold at a public auction, whereas the City Administrator and Department Head are hereby authorized for its disposal as follows:
 - a. Approval by Resolution of the City Council to place forfeited vehicle/s on public auction.
 - b. The City Clerk shall place in the City designated newspaper an ad to inform the public of location, date, and time of the public auction and a list providing the items to be placed on auction.
 - c. In the event the Police Chief finds a forfeited vehicle is in great disrepair and/or not repairable, is of an age the vehicle has little or no value and would not be worth repairing, etc.; that the only value the vehicle has is scrap value and the vehicle is of no use to the City; that by approval of a Resolution of the City Council the vehicle may be sold to a local scrap yard as follows:
 - The Police Chief/Designee and Finance Director shall find two vendors and obtain verbal quotes for the sale of the scrap vehicle.
 - Upon having obtained two verbal quotes, the Police Department shall have the authority to sell the vehicle to the scrap yard providing the highest quote.
 - A receipt shall be obtained with the sale proceeds for accounting of funds received and shall be given to the Finance Department

AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, JUNE 15, 2021 – 5:00 P.M.
CITY HALL

A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Public Comment

E. Committee Meeting Items

1. Public Works Updates

2. American Rescue Funds Discussion

3. Small Small Business Request (*Steve Fredlund*)

4. Park Archery Range (*Councilmember Gordon*)

5. Editorial and Legal Analysis Review and Modifications to Ordinances

6. Speed Limit Sign and Crosswalk on 3rd Avenue Discussion (*Mayor Johnson*)

7. Ducks Discussion

F. Adjournment



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Matt Sylvester, Public Services Director
Date: June 15, 2021
Subject: Public Works Updates

Streets:

- Staff began fogging for mosquitoes last week.
- Staff has been busy spraying for weeds in bike paths and parking lots.
- Hot patching has been completed for now.
- Street painting has begun. This year we will be painting the Parade Route and high traffic areas.
- An early spring has left us with 400 tons of leftover salt that will be able to use next year.

Storm:

- Staff has swept the entire town. We will sweep again on rainy days and before Jubilee Days begin.

Sewer:

- Staff received some odor complaints that were coming from the Wastewater Treatment Plant. Although it is normal to have odors in the spring as the ponds turn over these lingered longer than normal. The odors were coming from pond 1. It is likely we received a shock from somewhere in the system that Pond 1 could not keep up with. Staff responded by taking the pond out of service. We then did some valve adjustments to give the pond more oxygen to help it recover. A pump was also brought in to create turbulence in the water which in turn creates more oxygen as well. The pond was out of service for about two weeks and is now back to normal operation.
- New pumps were installed at the 8th Ave lift station.

Water:

- We have been setting record pumping levels at the Water Treatment Plant with the warm weather. We pumped 1.558 million gallons in a single day last week which is an all-time high. For the month of June we are averaging 1.28 million gallons per day. Last year in June we averaged 1.07 million gallons per day.
- The Well II Rehab work was completed on schedule and in time for Water Main Flushing.

Parks:

- The Farmers Market opened on May 28.
- New bleachers have been installed at Unity Park.
- Curious Creatures was held at Bluebird Park today.



Memo for Committee

To: Mayor Johnson and Members of the City Council
From: Josi Wood, City Administrator
Date: June 15, 2021
Subject: Editorial and Legal Analysis Review and Modifications to Ordinances

Background:

Staff has continued to review City Code Chapters for the following:

- Correct and updated MN Statute references
- Consistencies of terminology within the Chapters and among the Chapters
- Legal analysis for compliance
- Inserting policies by Resolution that should be within Ordinance

As a part of the City Code project update that was initiated in 2020, General Code went through all the codified Chapters for an Editorial and Legal analysis (E & L). The purpose of the Editorial and Legal Analysis is to give City officials an overview of the codification project and to give an in-depth, chapter -by- chapter review of the City's Code. It is a guide to help facilitate areas of question and give an opportunity to have the City make revisions to legislation, if desired. Their complete analysis document, 204 pgs., was provided to Committee through your City email.

Staff is making the following recommendations:

1. Remove Chapter 29, Newsletter, as it is not necessary and no longer applicable. Current Ch 29 attached.
2. Repeal and Replace Chapter 312, Unclaimed Property. Replacement Ch 312 attached.
3. Repeal and Replace Chapter 257, Right of Way Management, includes Small Cell Wireless collocation and aesthetic guidelines. Redline changes and final replacement Ch 257 attached as well as the following documents:
 - Revised ROW Permit Application
 - Drafted Small Cell Wireless/Pole Attachment Permit Application
 - Amendment to Chapter 160, Fees, to include Small Cell Wireless and supporting fees
4. Uncodify Chapter A343, Gas Distribution Franchise, to a stand-alone Chapter (similar to other franchise agreements) and update as it is currently expired.
5. Review and discuss Staff's recommended Code revisions as provided in the E & L Analysis and summarized in the E & L Overview document. Attached.

ORDINANCE NO. XXX

**AN ORDINANCE AMENDING ORDINANCE NO. 146, ADOPTED ON JANUARY 17, 1989
AND TITLED UNCLAIMED PROPERTY**

THE CITY COUNCIL OF ISANTI DOES ORDAIN:

Section 1 – Repealer. Ordinances 146, titled Unclaimed Property, codified in Chapter 312 of the City Code, are hereby repealed in their entirety and replaced with the ordinance set forth below.

Section 2 – Ordinance. The following Chapter 312 is hereby adopted:

**Chapter 312
Unclaimed Property**

§ 312-1 Custody of Property.

§ 312-2 Disposition of Property.

§ 312-3 Summary Disposal.

§ 312-4 Disposition of Funds.

§ 312-5 Special Provisions: Police Department.

§ 312-6 Disposition of Abandoned Motor Vehicles.

§ 312-1 Custody of Property.

The chief of police or designee will take custody of all personal property, including lost money, lawfully coming into the possession of the city and city employees in the course of municipal operations and remaining unclaimed by the owner. The chief of police or designee must retain the property in a safe place for a period of at least 90 days, unless claimed by the true owner with satisfactory proof of ownership. The chief or designee must keep a record of the property, including its disposition.

§ 312-2 Disposition of Property.

Property held in custody by the chief of police or designee and not claimed by the true owner within 90 days will be deemed abandoned. The chief of police or designee may dispose of abandoned property in one of the following ways:

- A. sell the property at public sale following 10 days published notice in the official newspaper;
- B. return lost property to its finder;
- C. convert usable property to city use; or

D. donate the property to a tax-exempt, non-profit organization.

Property not purchased at a sale may then be disposed of by the chief or designee in any reasonable manner.

§ 312-3 Summary Disposal.

The chief of police or designee may dispose of unclaimed property without notice and in a summary manner when he/she believes this to be in the public interest and if he/she determines that the property:

- A. is of a dangerous or perishable nature;
- B. is contraband;
- C. has no resale value; or
- D. cannot be legally or safely sold at public sale.

§ 312-4 Disposition of Funds.

Together with found money that has been held for three months, the chief of police or designee must deliver all money that was received from the sale of abandoned property to the finance director. If no claim has been made by the former owner with satisfactory proof of ownership, found money may be returned to the finder; otherwise, the money will revert to the city's general fund.

§ 312-5 Special Provisions: Police Department.

Money and other property lawfully seized by, or voluntarily surrendered to, the city at the scene of a crime or during an official police investigation must be retained by the chief of police or designee in a safe place for at least 90 days. If not lawfully claimed by the true owner with adequate proof of ownership during that time, non-monetary property may be sold at public sale after 10 days published notice, converted to city use, or given to a tax-exempt, non-profit organization. Sale proceeds and seized money may then be deposited in the police department forfeiture and seizure account to be used only for law enforcement purposes.

§ 312-6 Disposition of Abandoned Motor Vehicles.

The chief of police or designee must dispose of abandoned motor vehicles by following the procedure in Minn. Stat. § 168B.01 through §168B.101.

Section 3 -Effective Date.

This ordinance shall take effect upon its passage and publication in the official City newspaper.

Adopted by the City Council this ____ day of _____ 2021

Mayor Jeff Johnson

Attest:

Jaden Strand
City Clerk

Posted on:
Adopted on:
Published on:
Effective Date:

ORDINANCE NO. XXX

AN ORDINANCE AMENDING ORDINANCE NO. 693, ADOPTED ON AUGUST 8, 2018 AND TITLED RIGHT-OF-WAY MANAGEMENT

THE CITY COUNCIL OF ISANTI DOES ORDAIN:

Section 1 – Repealer. Ordinance 693, titled Right-Of-Way, codified in Chapter 257 of the City Code, are hereby repealed in their entirety and replaced with the ordinance set forth below.

Section 2 – Ordinance. The following Chapter 257 is hereby adopted:

Chapter 257

RIGHT-OF-WAY MANAGEMENT

- | | |
|--|--|
| §257-1. Findings, purpose and intent. | §257- 145 . Supplementary applications. |
| §257-2. Election to manage public rights-of-way. | §257- 156 . Other obligations |
| §257-3. Definitions. | §257- 167 . Denial or revocation of permit. |
| §257-4. Administration. | §257- 178 . Installation requirements. |
| §257-5. <u>Permit requirement.</u> | §257- 189 . Inspection |
| Registration and right-of-way occupancy. | §257- 1920 . Work done without permit. |
| §257-6. <u>Registration information</u> <u>Permit applications.</u> | §257- 201 . Supplementary notification. |
| §257-7. Reporting obligations <u>Small cell wireless permit applications.</u> | §257- 212 . Revocation of permits. |
| §257-8. Permit requirement <u>Action on small cell wireless permit applications.</u> | §257- 223 . Mapping data. |
| §257-9. Permit applications. | §257- 234 . Location and relocation of facilities. |
| §257- 910 . Issuance of permit; conditions. | §257- 245 . Pre-excavation facilities location. |
| §257- 101 . Action on small wireless facility permit application <u>Small cell facility agreement.</u> | §257- 25 . <u>Small cell location requirements.</u> |
| §257- 112 . Right-of-way work <u>& small cell wireless</u> permit fees. | §257- 26 . <u>Aesthetic requirements for small cell wireless facilities</u> |
| §257- 123 . Right-of-way patching and restoration. | §257- 276 . Damage to other facilities. |
| §257- 134 . Joint applications. | §257- 287 . Right-of-way vacation. |
| | §257- 298 . Indemnification and liability. |
| | §257- 3029 . Abandoned and unusable facilities. |
| | §257- 3130 . Appeal. |

§257-321. Reservation of regulatory and police powers.

§257-332. Severability.

§ 257-1

Findings, purpose, and intent.

- A. To provide for the health, safety, and welfare of its citizens, and to ensure the integrity of its streets and the appropriate use of the rights-of-way, the City of Isanti strives to keep its rights-of-way in a state of good repair and free from unnecessary encumbrances.

- B. ~~Accordingly,~~ The City of Isanti hereby enacts this ~~new~~ chapter of this code relating to right-of-way ~~and small cell wireless~~ permits and administration. This chapter imposes reasonable regulation on the placement and maintenance of facilities and equipment currently within its rights-of-way or to be placed therein at some future time. It is intended to complement the regulatory roles of state and federal agencies. Under this chapter, persons ~~constructing~~, excavating and obstructing the rights-of-way will bear financial responsibility for their work. Finally, this chapter provides for recovery of out-of-pocket and projected costs from persons using the public rights-of-way.

- C. This chapter shall be interpreted consistently with 1997 Session Laws, Chapter 123, substantially codified in Minn. Stat. §§ 237.16, 237.162, 237.163, 237.79, 237.81, and 238.086 (the "Act") and 2017 Minnesota Laws, Chapter 94, Article 9, amending the Act, and the other laws governing applicable rights of the City and users of the right-of-way. This chapter shall also be interpreted consistent with Minnesota Rules 7819.0050 - 7819.9950 and Minnesota Rules, Chapter 7560 where possible. To the extent any provision of this chapter cannot be interpreted consistently with the Minnesota Rules, that interpretation most consistent with the Act and other applicable statutory and case law is intended. This chapter shall not be interpreted to limit the regulatory and police powers of the City to adopt and enforce general ordinances necessary to protect the health, safety, and welfare of the public.

§ 257-2

Election to manage public rights-of-way.

Pursuant to the authority granted to the City under state and federal statutory, administrative and common law, the City hereby elects, pursuant to Minn. Stat. § 237.163 Subdivision 2(b), to manage rights-of-way within its jurisdiction.

§ 257-3

Definitions.

The following definitions apply in this chapter. References hereafter to "sections" are, unless otherwise specified, references to sections in this chapter. Defined terms remain defined terms, whether or not capitalized.

ABANDONED FACILITY

A facility no longer in service or physically disconnected from a portion of the operating facility, or from any other facility, that is in use or still carries service. A facility is not abandoned unless declared so by the right-of-way user.

APPLICANT

Any person requesting permission to excavate or obstruct a right-of-way or requesting permission to collocate a small cell wireless facility.

CITY

The City of Isanti, Minnesota. For purposes of § 257-29, "City" also means the City's elected officials, officers, employees, and agents.

COL-LOCATE OR COL-LOCATION

To install, mount, maintain, modify, operate, or replace a small wireless facility on, under, within, or adjacent to an existing wireless support structure or utility pole that is owned privately, or by the City or other governmental unit.

COMMISSION

The State of Minnesota Public Utilities Commission.

CONGESTED RIGHT-OF-WAY

A crowded condition in the subsurface of the public right-of-way that occurs when the maximum lateral spacing between existing underground facilities does not allow for construction of new underground facilities without using hand digging to expose the existing lateral facilities in conformance with Minn. Stat. § 216D.04, Subdivision 3, over a continuous length in excess of 500 feet.

CONSTRUCTION PERFORMANCE BOND

Any of the following forms of security provided at permittee's option and approved by the City:

- A. Individual project bond;
- B. Cash deposit;
- C. Security of a form listed or approved under Minn. Stat. § 15.73, Subdivision 3;
- D. Letter of credit, in a form acceptable to the City;
- E. Self-insurance, in a form acceptable to the City;
- F. A blanket bond for projects within the City, or other form of construction bond, for a time specified and in a form acceptable to the City.

DELAY PENALTY

The penalty imposed as a result of unreasonable delays in right-of-way excavation, obstruction, patching, or restoration as established by permit.

DEPARTMENT

The Public Works or Engineering Department of the City of Isanti.

DIRECTOR

~~The City Administrator, or her or his designee.~~

EMERGENCY

A condition that:

- A. Poses a danger to life or health, or of a significant loss of property; or
- B. Requires immediate repair or replacement of facilities in order to restore service to a customer.

EQUIPMENT

Any tangible asset used to install, repair, or maintain facilities in any right-of-way.

EXCAVATE

To dig into or in any way remove or physically disturb or penetrate any part of a right-of-way.

EXCAVATION PERMIT

~~The permit which, pursuant to this chapter, must be obtained before a person may excavate in a right-of-way. An excavation permit allows the holder to excavate that part of the right-of-way described in such permit.~~

EXCAVATION PERMIT FEE

~~Money paid to the City by an applicant to cover the costs as provided in § 257-13.~~

FACILITY or FACILITIES

Any tangible asset in the right-of-way required to provide utility service.

FIVE-YEAR PROJECT PLAN

Shows projects adopted by the City for construction within the next five years.

HIGH DENSITY CORRIDOR

A designated portion of the public right-of-way within which telecommunications right-of-way users having multiple and competing facilities may be required to build and install facilities in a common conduit system or other common structure.

HOLE

An excavation in the pavement, with the excavation having a length less than the width of the pavement.

LOCAL REPRESENTATIVE

A local person or persons, or designee of such person or persons, authorized by an applicant or permittee~~registrant~~ to accept service and to make decisions for that ~~registrant~~applicant or permittee regarding all matters within the scope of this chapter.

MANAGEMENT COSTS

The actual costs the City incurs in managing its rights-of-way, including such costs, if incurred, as those associated with registering applicants; issuing, processing, and verifying right-of-way or small wireless facility permit applications; inspecting job sites and

restoration projects; maintaining, supporting, protecting, or moving user facilities during right-of-way work; determining the adequacy of right-of-way restoration; restoring work inadequately performed after providing notice and the opportunity to correct the work; and revoking right-of-way or small wireless facility permits. Management costs do not include payment by a telecommunications right-of-way user for the use of the right-of-way, unreasonable fees of a third-party contractor used by the City including fees tied to or based on customer counts, access lines, or revenues generated by the right-of-way or for the City, the fees and cost of litigation relating to the interpretation of Minnesota Session Laws 1997, Chapter 123; Minn. Stat. § 237.162 or 237.163; or any ordinance enacted under those sections, or the City fees and costs related to appeals taken pursuant to § 257-31 of this chapter.

OBSTRUCT

To place any tangible object in a right-of-way so as to hinder free and open passage over that or any part of the right-of-way.

~~OBSTRUCTION PERMIT~~

~~The permit which, pursuant to this chapter, must be obtained before a person may obstruct a right of way, allowing the holder to hinder free and open passage over the specified portion of that right of way, for the duration specified therein.~~

~~OBSTRUCTION PERMIT FEE~~

~~Money paid to the City by a permittee to cover the costs as provided in § 257-13.~~

PATCH or PATCHING

A method of pavement replacement that is temporary in nature. A patch consists of the compaction of the subbase and aggregate base, and the replacement, in kind, of the existing pavement for a minimum of two feet beyond the edges of the excavation in all directions. A patch is considered full restoration only when the pavement is included in the City's five-year project plan.

PAVEMENT

Any type of improved surface that is within the public right-of-way and that is paved or otherwise constructed with bituminous, concrete, aggregate, or gravel.

PERMIT

~~Has the meaning given "right of way permit" in Minn. Stat § 237.162. The permit which, pursuant to this chapter, must be obtained before a person may excavate or obstruct in a right-of-way or collocate a small cell wireless facility. An permit allows the permittee to work in that part of the right-of-way and do such work described and approved in such permit.~~

PERMIT FEE

Money paid to the City by an applicant to cover the costs as provided in § 257-11.

PERMITTEE

Any person to whom a permit to excavate, ~~or~~ obstruct or collocate in the a right-of-way has been granted by the City under this chapter.

PERSON

An individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political.

PROBATION

The status of a person that has not complied with the conditions of this chapter.

PROBATIONARY PERIOD

One year from the date that a person has been notified, in writing, that they have been put on probation.

PUBLIC RIGHT-OF-WAY or RIGHT-OF-WAY

The area on, below, or above a public roadway, highway, street, alley, bicycle path, or public sidewalk in which the City has an interest, including other dedicated rights-of-way for travel purposes and utility easements of the City. This includes all public grounds. A right-of-way does not include the airwaves above a right-of-way or public grounds with regard to cellular or other non-wire telecommunications or broadcast service.

REGISTRANT

~~Any person who:~~

- ~~A. Has or seeks to have its equipment or facilities located in any right-of-way; or~~
- ~~B. In any way occupies or uses, or seeks to occupy or use, the right-of-way or place its facilities or equipment in the right-of-way.~~

RESTORATION COST

The amount of money paid to the City by a permittee to achieve the level of restoration according to plates 1 to 13 of Minnesota Public Utilities Commission Rules.

RESTORE or RESTORATION

The process by which an excavated right-of-way and surrounding area, including pavement and foundation, is returned to the same condition and life expectancy that existed before excavation.

RIGHT-OF-WAY PERMIT

Either the excavation permit or the obstruction permit, or small wireless facility, depending on the context, required by this chapter.

RIGHT-OF-WAY USER

- A. A telecommunications right-of-way user as defined by Minn. Stat., § 237.162, Subdivision 4; or
- B. A person owning or controlling a facility in the right-of-way that is used or intended to be used for providing utility service, and who has a right under law, franchise, or ordinance to use the public right-of-way.

SERVICE LATERAL

An underground facility that is used to transmit, distribute or furnish natural gas, electricity, communications, and water from a common source to an end-use customer. A service

lateral is also an underground facility that is used in the removal of wastewater from a customer's premises.

SERVICE or UTILITY SERVICE

Includes:

- A. Those services provided by a public utility as defined in Minn. Stat. § 216B.02, Subdivision 4 and 6;
- B. Services of a telecommunications right-of-way user, including transporting of voice or data information;
- C. Services of a cable communications systems as defined in Minn. Stat. Chapter 238;
- D. Natural gas or electric energy or telecommunications services provided by the City;
- E. Services provided by a cooperative electric association organized under Minn. Stat. Chapter 308A; and
- F. Water and sewer, including service laterals, steam, cooling, or heating services.

SMALL WIRELESS FACILITY

A wireless facility that meets both of the following qualifications:

- A. Each antenna is located inside an enclosure of no more than six cubic feet in volume or could fit within such an enclosure; and
- B. All other wireless equipment associated with the small wireless facility provided such equipment is, in aggregate, no more than 28 cubic feet in volume, not including electric meters, concealment elements, telecommunications demarcation boxes, battery backup power systems, grounding equipment, power transfer switches, cutoff switches, cable, conduit, vertical cable runs for the connection of power and other services, and any equipment concealed from public view within or behind an existing structure or concealment.

SUPPLEMENTARY APPLICATION

An application made to excavate or obstruct more of the right-of-way than allowed in, or to extend, a permit that had already been issued.

TELECOMMUNICATIONS RIGHT-OF-WAY USER

A person owning or controlling a facility in the right-of-way, or seeking to own or control a facility in the right-of-way that is used or is intended to be used for providing wireless service, or transporting telecommunication or other voice or data information. For purposes of this chapter, a cable communication system defined and regulated under Minn. Stat. Chapter 238 and telecommunication activities related to providing natural gas or electric energy services, a public utility as defined in Minn. Stat. § 216B.02, a municipality, a municipal gas or power agency organized under Minn. Stat. Chapter 453 and 453A, or a cooperative electric association organized under Minn. Stat. Chapter 308A are not telecommunications right-of-way users for purposes of this chapter except to the extent such entity is offering wireless service.

TEMPORARY SURFACE

The compaction of subbase and aggregate base and replacement, in kind, of the existing pavement only to the edges of the excavation. It is temporary in nature except when the replacement is of pavement included in the City's two-year plan, in which case it is considered full restoration.

TRENCH

An excavation in the pavement, with the excavation having a length equal to or greater than the width of the pavement.

TWO YEAR PROJECT PLAN

Shows projects adopted by the City for construction within the next two years.

UTILITY POLE

A pole that is used in whole or in part to facilitate telecommunications or electric service.

WIRELESS FACILITY

Equipment at a fixed location that enables the provision of wireless services between user equipment and a wireless service network, including equipment associated with wireless service, a radio transceiver, antenna, coaxial or fiber-optic cable, regular and backup power supplies, and a small wireless facility, but not including wireless support structures, wireline backhaul facilities, or cables between utility poles or wireless support structures, or not otherwise immediately adjacent to and directly associated with a specific antenna.

WIRELESS SERVICE

Any service using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or by means of a mobile device, that is provided using wireless facilities. Wireless service does not include services regulated under Title VI of the Federal Communications Act of 1934, as amended, including cable service.

WIRELESS SUPPORT STRUCTURE

A new or existing structure in a right-of-way designed to support or capable of supporting small wireless facilities, as reasonably determined by the City. Also referred to as a pole.

§ 257-4

Administration.

The City Administrator or her/his designee is the principal City official responsible for the administration of the rights-of-way, right-of-way permits, small cell wireless permits and the ordinances related thereto. The City Administrator or her/his designee may delegate any or all of the duties hereunder.

~~**§ 257-5**~~

~~**Registration and right of way occupancy.**~~

~~**A. Registration.** Each person who occupies or uses, or seeks to occupy or use, the right of way or place any equipment or facilities in or on the right of way, including persons with installation and maintenance responsibilities by lease, sublease, or assignment, must register with the City. Registration will consist of providing application information.~~

~~B. Registration prior to work. No person may construct, install, repair, remove, relocate, or perform any other work on, or use any facilities or any part thereof, in any right-of-way without first being registered with the City.~~

~~C. Exceptions. Nothing herein shall be construed to repeal or amend the provisions of a City Code permitting persons to plant or maintain boulevard plantings or gardens in the area of the right-of-way between their property and the street curb, in conformance with the Zoning Ordinance. However, nothing herein relieves a person from complying with the provisions of the Minn. Stat. Chapter 216D, Gopher One Call Law.~~

~~§ 257-6~~

~~Registration information:~~

~~A. Information required. The information provided to the City at the time of registration shall include, but not be limited to:~~

~~(1) Each registrant's name, Gopher One Call registration certificate number, address and email address, if applicable, and telephone and facsimile numbers.~~

~~(2) The name, address, and email address, if applicable, and telephone and facsimile numbers of a local representative. The local representative or designee shall be available at all times. Current information regarding how to contact the local representative in an emergency shall be provided at the time of registration.~~

~~(3) Certificate of insurance.~~

~~a) A certificate of insurance or self insurance:~~

~~1. Verifying that an insurance policy has been issued to the registrant by an insurance company licensed to do business in the state of Minnesota, or a form of self insurance acceptable to the City;~~

~~2. Verifying that the registrant is insured against claims for personal injury, including death, as well as claims for property damage arising out of the use and occupancy of the right-of-way by the registrant, its officers, agents, employees, and permittees, and placement and use of facilities and equipment in the right-of-way by the registrant, its officers, agents, employees, and permittees, including, but not limited to, protection against liability arising from completed operations, damage of underground facilities, and collapse of property;~~

~~3. Naming the City as an additional insured as to whom the coverages required herein are in force and applicable and for whom defense will be provided as to all such coverages;~~

~~4. Requiring that the City be notified 30 days in advance of cancellation of the policy or material modification of a coverage term; and~~

~~5. Indicating comprehensive liability coverage, automobile liability coverage, workers' compensation and umbrella coverage established by~~

~~the City in amounts sufficient to protect the City and the public and to carry out the purposes and policies of this chapter.~~

- ~~b) The City may require a copy of the actual insurance policies.~~
- ~~e) If the person is a corporation, a copy of the certificate is required to be filed under Minn. Stat. § 300.06 as recorded and certified to by the secretary of state.~~
- ~~d) A copy of the person's order granting a certificate of authority from the Minnesota Public Utilities Commission or other authorization or approval from the applicable state or federal agency to lawfully operate, where the person is lawfully required to have such authorization or approval from said commission or other state or federal agency.~~

~~**B.** Notice of changes. The registrant shall keep all of the information listed above current at all times by providing to the City information as to changes within 15 days following the date on which the registrant has knowledge of any change.~~

~~§ 257-7~~

~~**Reporting obligations.**~~

~~**A.** Operations:~~

- ~~(1) Each registrant shall, at the time of registration and by December 1 of each year, file a construction and major maintenance plan for underground facilities with the City. Such plan shall be submitted using a format designated by the City and shall contain the information determined by the City to be necessary to facilitate the coordination and reduction in the frequency of excavations and obstructions of rights of way. The plan shall include, but not be limited to, the following information:
 - ~~a) The locations and the estimated beginning and ending dates of all projects to be commenced during the next calendar year (in this section, a "next year project"); and~~
 - ~~b) To the extent known, the tentative locations and estimated beginning and ending dates for all projects contemplated for the five years following the next calendar year (in this section, a "five year project").~~~~
- ~~(2) The term "project" in this section shall include both next year projects and five-year projects.~~
- ~~(3) By January 1 of each year, the City will have available for inspection in the City's office a composite list of all projects of which the City has been informed of the annual plans. All registrants are responsible for keeping themselves informed of the current status of this list.~~
- ~~(4) Thereafter, by February 1, each registrant may change any project in its list of next year projects, and must notify the City and all other registrants of all such~~

~~changes in said list. Notwithstanding the foregoing, a registrant may at any time join in a next year project of another registrant listed by the other registrant.~~

~~**B.** Additional next year projects. Notwithstanding the foregoing, the City will not deny an application for a right of way permit for failure to include a project in a plan submitted to the City if the registrant has used commercially reasonable efforts to anticipate and plan for the project.~~

§ 257-58

Permit requirement.

~~**A.** Right of way work p~~Permit required. Except as otherwise provided in this code, no person may obstruct or excavate any right-of-way, or install or place facilities in the right-of-way, without first having obtained the appropriate right-of-way work or small cell wireless permit from the City to do so.

~~**A.B.**~~ Right-of-way work permits cover the following activities:

- (1) Excavation. A right-of-way permit is required by a registrant to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing facilities described therein, to the extent and for the duration specified therein.
- (2) Obstruction. A right-of-way permit is required by a registrant to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way, to the extent and for the duration specified therein. An additional permit for obstruction is not required if a person already possesses a valid right-of-way permit for excavation with the same project.

~~(3) Small wireless facility. A right of way permit is required by a registrant to erect or install a wireless support structure, to co-locate a small wireless facility, or to otherwise install a small wireless facility in the specified portion or the right of way, to the extent specified therein, provided that such permit shall remain in effect for the length of time the facility is in use, unless lawfully revoked.~~

~~**C.** Small cell wireless/pole attachment permits cover the following activity:~~

- (1) ~~A Small cell wireless/pole attachment permit is required by a registrant to erect or install a wireless support structure, to co-locate a small wireless facility, or to otherwise install a small wireless facility in the specified portion or the right-of-way, to the extent specified therein, provided that such permit shall remain in effect for the length of time the facility is in use, unless lawfully revoked.~~

~~**B.D.**~~ Permit extensions. No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless such person makes a supplementary application for another right-of-way permit before the expiration of the initial permit, and a new permit or permit extension is granted.

Formatted

Formatted: Indent: Left: 0.5", No bullets or numbering

~~C.E.~~ Delay penalty. In accordance with Minnesota Rules 7819.1000, Subpart 3, and notwithstanding Subsection B of this section, the City shall establish and impose a delay penalty for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration. The delay penalty shall be established from time to time by City Council resolution.

~~D.F.~~ Permit display. Permits issued under this chapter shall be conspicuously displayed or otherwise available at all times at the indicated work site and shall be available for inspection by the City.

~~§ 257-69~~

Right-of-Way Permit applications.

Application for a permit is made to the City. Right-of-way permit applications shall contain, and will be considered complete only upon compliance with, the requirements of the following provisions:

~~A. Registration with the City pursuant to this chapter.~~

~~B.A.~~ Submission of a completed permit application form, including all required attachments, and scaled drawings showing the location and area of the proposed project and the location of all known existing and proposed facilities.

~~C.B.~~ Payment of money due the City for:

- (1) Permit fees, estimated restoration costs, and other management costs;
- (2) Prior obstructions or excavations;
- (3) Any undisputed loss, damage, or expense suffered by the City because of applicant's prior excavations or obstructions of the rights-of-way or any emergency actions taken by the City;
- (4) Franchise fees or other charges, if applicable.

~~D.C.~~ Payment of disputed amounts due to the City by posting security or depositing in an escrow account. Escrow amount determined in the City Fee Schedule. an amount equal to at least 110% of the amount owing.

~~E.D.~~ Posting an additional or larger construction performance bond for additional facilities when applicant requests an excavation permit to install additional facilities and the City deems the existing construction performance bond inadequate under applicable standards.

§ 257-7 Small Cell Wireless Permit Applications.

Prior to placing, installing, modifying, relocating or removing a small wireless facility or wireless support structure in the ROW, or to collocating a wireless facility on an existing wireless support structure in the ROW, the operator shall apply for and receive a permit from the City. The City may require additional information as reasonably necessary to evaluate the application and the impact of the proposed installation(s) on the public health, safety and welfare or on use or management of the ROW.

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

A. Proof of agent designation (if applicable). If the applicant is serving as an agent of a small wireless operator, the applicant must provide written documentation of the agent designation signed by the operator.

Formatted: Font: Not Bold

B. Map. The applicant must include an aerial map showing the location of the proposed or existing support structure to which the small wireless facility is proposed to be attached, or from which a small wireless facility is proposed to be removed.

Formatted: Font: Not Bold

Formatted: Font: Not Bold

Formatted: Font: Not Bold

C. Photo simulations. For all applications to locate small wireless facilities in the ROW, the applicant shall provide photo simulations from at least two reasonable line-of-site locations near the proposed project site. The photo simulations must be taken from the viewpoints of the greatest pedestrian or vehicular traffic.

Formatted: Font: Not Bold

Formatted: Font: Not Bold

D. Consolidated applications. An applicant seeking to construct, modify, collocate or replace more than one small wireless facility or more than one wireless support structure within the City may file a consolidated application for multiple small wireless facility requests or wireless support structure requests; provided the requests grouped on a consolidated application only address substantially the same type of small wireless facilities or substantially the same type of wireless support structures. (Note: The City may treat each request individually during application review and processing and when issuing a determination or applying these guidelines.)

Formatted: Font: Not Bold

Formatted: Font: Not Bold

E. Site and other plans and structural calculations. The applicant must include fully dimensioned site plans, elevation drawings and structural calculations that depict any known existing wireless facilities with all existing transmission equipment and other improvements, the proposed facility with all proposed transmission equipment and other improvements, and the legal boundaries of the existing right-of-way and any associated access and utility easements. Fully dimensioned site plans shall indicate the spacing from existing curb, driveways, sidewalks, light poles and any other poles or appurtenances.

Formatted: Font: Not Bold

Formatted: Font: Not Bold

F. Full description of number and dimensions of facilities and/or structures to be installed. The applicant must include a full description of the number and dimensions of all small wireless facilities proposed to be installed and the wireless support structure, either new or existing, to be utilized for each small wireless facility. For all equipment proposed to be installed, the applicant must include: (1) the manufacturer's name and model number; (2) physical dimensions, including without limitation, height, width, depth and weight with mounts and other necessary hardware; and (3) the ambient noise level generated from the equipment, if any.

Formatted: Font: Not Bold

Formatted: Font: Not Bold

G. Owner's authorization. For any application to attach a small wireless facility to a wireless support structure that is not owned by the City, the applicant must submit evidence sufficient to show that either: (1) applicant owns the proposed support structure; or (2) applicant has obtained the owner's written authorization to file the application.

Formatted: Font: Not Bold

Formatted: Indent: Left: 0.5", Hanging: 0.25"

Formatted: Font: Not Bold

§ 257-8 Action on small cell wireless permit applications.

A. Deadline for action. The City shall approve or deny a small wireless facility permit application within 90 days after filing of such application. The small wireless facility permit, and any associated building permit application, shall be

deemed approved if the City fails to approve or deny the application within the review periods established in this section.

B. Consolidated applications.

(1) An applicant may file a consolidated small wireless facility permit application addressing the proposed co-location of up to 15 small wireless facilities, or a greater number if agreed to by a local government unit, provided that all small wireless facilities in the application:

a) Are located within a two-mile radius;

b) Consist of substantially similar equipment; and

c) Are to be placed on similar types of wireless support structures.

(2) In rendering a decision on a consolidated permit application, the City may approve some small wireless facilities and deny others, but may not use denial of one or more permits as a basis to deny all small wireless facilities in the application.

C. Tolling of deadline. The ninety-day deadline for action on a small wireless facility permit application may be tolled if:

(1) The City receives applications from one or more applicants seeking approval of permits for more than 30 small wireless facilities within a seven-day period. In such case, the City may extend the deadline for all such applications by 30 days by informing the affected applicants, in writing, of such extension.

(2) The applicant fails to submit all required documents or information and the City provides written notice of incompleteness to the applicant within 30 days of receipt the application. Upon submission of additional documents or information, the City shall have 10 days to notify the applicant, in writing, of any still-missing information.

(3) The City and a small wireless facility applicant agree, in writing, to toll the review period.

§ 257-~~910~~

Issuance of permit; conditions.

- A. Permit issuance. If the applicant has satisfied the requirements of this chapter, the City shall issue a permit.
- B. Conditions. The City may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use. In addition, a permittee shall comply with all requirements of local, state, and federal laws, including but not limited to Minn. Stat. §§ 216D.01 to 216D.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560.
- C. Small wireless facility conditions. In addition to Subsection B, the erection or installation of a wireless support structure, the co-location of a small wireless

facility, or other installation of a small wireless facility in the right-of-way, shall be subject to the following conditions:

- (1) A small wireless facility shall only be co-located on the particular wireless support structure, under those attachment specifications, and at the height indicated in the applicable permit application.
- (2) No new wireless support structure installed within the right-of-way shall exceed 50 feet in height without the City's written authorization, provided that the City may impose a lower height limit in the applicable permit to protect the public health, safety and welfare or to protect the right-of-way and its current use, and further provided that a registrant may replace an existing wireless support structure exceeding 50 feet in height with a structure of the same height subject to such conditions or requirements as may be imposed in the applicable permit.
- (3) No wireless facility may extend more than 10 feet above its wireless support structure.
- (4) Where an applicant proposes to install a new wireless support structure in the right-of-way, the City may impose separation requirements between such structure and any existing wireless support structure or other facilities in and around the right-of-way.
- (5) Where an applicant proposes co-location on a decorative wireless support structure, sign or other structure not intended to support small wireless facilities, the City may impose reasonable requirements to accommodate the particular design, appearance or intended purpose of such structure.
- (6) Where an applicant proposes to replace a wireless support structure, the City may impose reasonable restocking, replacement, or relocation requirements on the replacement of such structure.

D. Limitations. ~~While the City fully intends to apply the guidelines established in Chapter 257 uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In this case, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this Chapter.~~

D. **§ 257-10. Small wireless facility agreement.**

- A. A small cell wireless facility shall only be co-located on a small wireless support structure owned or controlled by the City, or any other City asset in the right-of-way, after the applicant has executed a standard small wireless facility co-location agreement with the City. ~~The City shall collect rental, maintenance and electrical service fees as per the City Fee Resolution.~~

Formatted: List Paragraph, Indent: Hanging: 0.75", Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.75" + Indent at: 1"

Formatted: List Paragraph, Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.25" + Indent at: 0.5"

Formatted: Font: Bold

Formatted: Normal, No bullets or numbering

- B. The standard col-location agreement shall be in addition to, and not in lieu of, the required small cell wireless facility permit; provided, however, that the applicant shall not be additionally required to obtain a license or franchise in order to co-locate. Issuance of a small cell wireless facility permit does not supersede, alter or affect any then-existing agreement between the City and applicant.

~~§ 257-11~~

~~Action on small wireless facility permit applications.~~

- ~~A. Deadline for action. The City shall approve or deny a small wireless facility permit application within 90 days after filing of such application. The small wireless facility permit, and any associated building permit application, shall be deemed approved if the City fails to approve or deny the application within the review periods established in this section.~~
- ~~B. Consolidated applications:~~
- ~~(1) An applicant may file a consolidated small wireless facility permit application addressing the proposed co-location of up to 15 small wireless facilities, or a greater number if agreed to by a local government unit, provided that all small wireless facilities in the application:
 - ~~a) Are located within a two-mile radius;~~
 - ~~b) Consist of substantially similar equipment; and~~
 - ~~c) Are to be placed on similar types of wireless support structures.~~~~
 - ~~(2) In rendering a decision on a consolidated permit application, the City may approve some small wireless facilities and deny others, but may not use denial of one or more permits as a basis to deny all small wireless facilities in the application.~~
- ~~C. Tolling of deadline. The ninety-day deadline for action on a small wireless facility permit application may be tolled if:~~
- ~~(1) The City receives applications from one or more applicants seeking approval of permits for more than 30 small wireless facilities within a seven-day period. In such case, the City may extend the deadline for all such applications by 30 days by informing the affected applicants, in writing, of such extension.~~
 - ~~(2) The applicant fails to submit all required documents or information and the City provides written notice of incompleteness to the applicant within 30 days of receipt of the application. Upon submission of additional documents or information, the City shall have 10 days to notify the applicant, in writing, of any still missing information.~~
 - ~~(3) The City and a small wireless facility applicant agree, in writing, to toll the review period.~~

~~§ 257-112~~

~~Right-of-way work and small cell wireless permit fees.~~

A. Excavation. The City shall impose a right-of-way work permit fee in an amount sufficient to recover City management costs for excavations. The fee shall be per the City fee schedule.

B. Obstruction. The City shall impose a right-of-way work permit fee in an amount sufficient to recover City management costs for obstructions (unless combined with a permit for excavations).

~~B.C.~~ Street Cutting. The City shall impose fees for street cutting and an escrow in addition to the right-of-way work permit per the City Fee Schedule.

~~C.D.~~ Small wireless facility. The City shall impose a ~~right-of-way work~~ small cell wireless permit fee for a small wireless facility in an amount sufficient to recover:

(1) Management costs; and

(2) City engineering, make-ready, and construction costs associated with collocation of small wireless facilities.

~~(2)~~(3) Engineering fees are calculated on actual engineering staff time. Additional time necessary to review based upon complexity of application may be billed to the applicant.

~~D.E.~~ Payment of permit fees. No excavation permit or obstruction permit shall be issued without payment of excavation or obstruction permit fees. The City may allow applicant to pay such fees within 30 days of billing.

~~E.F.~~ Nonrefundable. Permit fees that were paid for a permit that the City has revoked for a breach as stated in § 257-231 are not refundable.

~~F.G.~~ Application to franchises. Unless otherwise agreed to in a franchise, management costs may be charged separately from and in addition to the franchise fees imposed on a right-of-way user in the franchise.

§ 257-123

Right-of-way patching and restoration.

A. Timing. The work to be done under the excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited as unseasonal or unreasonable under § 257-167.

B. Patch and restoration. The permittee shall patch its own work. The City may choose either to have the permittee restore the right-of-way or to restore the right-of-way itself.

(1) City restoration. If the City restores the right-of-way, permittee shall pay the costs thereof within 30 days of billing. If, following such restoration, the pavement settles due to permittee's improper backfilling, the permittee shall

Formatted: Not Highlight

pay to the City, within 30 days of billing, all costs associated with correcting the defective work.

(2) Permittee restoration. If the permittee restores the right-of-way itself, it shall at the time of application for an excavation permit post a construction performance bond in accordance with the provisions of Minnesota Rules 7819.3000.

C. Standards. The permittee shall perform excavation, backfilling, patching, and restoration according to the standards and with the materials specified by the City and shall comply with Minnesota Rules 7819.1100.

D. Duty to correct defects. The permittee shall correct defects in patching or restoration performed by permittee or its agents. The permittee upon notification from the City, shall correct all restoration work to the extent necessary, using the method required by the City. Said work shall be completed within five calendar days of the receipt of the notice from the City, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unseasonable or unreasonable under § 257-176.

E. Failure to restore. If the permittee fails to restore the right-of-way in the manner and to the condition required by the City, or fails to satisfactorily and timely complete all restoration required by the City, the City at its option may do such work. In that event the permittee shall pay to the City, within 30 days of billing, the cost of restoring the right-of-way. If the permittee fails to pay as required, the City may exercise its rights under the construction performance bond.

§ 257-134

Joint applications.

A. Joint application. ~~Registrants~~ Applicants may jointly apply for permits to excavate or obstruct the right-of-way at the same place and time.

B. Shared fees. Applicants ~~Registrants~~ who apply for permits for the same obstruction or excavation, which the City does not perform, may share in the payment of the obstruction or excavation permit fee. In order to obtain a joint permit, Applicants ~~registrants~~ must agree among themselves as to the portion each will pay and indicate the same on their applications.

C. With City projects. Applicants ~~Registrants~~ who join in a scheduled obstruction or excavation performed by the City, whether or not it is a joint application by two or more registrants or a single application, are not required to pay the excavation or obstruction and degradation portions of the permit fee, but a permit would still be required.

§ 257-145

Supplementary applications.

A. Limitation on area. A right-of-way or small cell wireless permit is valid only for the area of the right-of-way specified in the permit. No permittee may do any work outside the area specified in the permit, except as provided herein. Any

permittee which determines that an area greater than that specified in the permit must be obstructed or excavated must, before working in that greater area, make application for a permit extension and pay any additional fees required thereby, and be granted a new permit or permit extension.

- B. Limitation on dates. A right-of-way or small cell wireless permit is valid only for the dates specified in the permit. No permittee may begin its work before the permit start date or, except as provided herein, continue working after the end date. If a permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs, and receive the new permit or an extension of the old permit before working after the end date of the previous permit. This supplementary application must be submitted before the permit end date.

§ 257-156

Other obligations.

- A. Compliance with other laws. Obtaining a right-of-way or small cell wireless permit does not relieve the permittee of its duty to obtain all other necessary permits, licenses, and authority and to pay all fees required by the City or other applicable rule, law or regulation. A permittee shall comply with all requirements of local, state and federal laws, including but not limited to Minn. Stat. §§ 216D.01 to 216D.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560. A permittee shall perform all work in conformance with all applicable codes and established rules and regulations, and is responsible for all work done in the right-of-way pursuant to its permit, regardless of who does the work.
- B. Prohibited work. Except in an emergency, and with the approval of the City, no right-of-way obstruction or excavation may be done when seasonally prohibited or when conditions are unreasonable for such work.
- C. Interference with right-of-way. A permittee shall not so obstruct a right-of-way that the natural free and clear passage of water through the gutters or other waterways shall be interfered with. Private vehicles of those doing work in the right-of-way may not be parked within or next to a permit area, unless parked in conformance with City parking regulations. The loading or unloading of trucks must be done solely within the defined permit area unless specifically authorized by the permit.
- D. Trenchless excavation. As a condition of all applicable permits, permittees employing trenchless excavation methods, including but not limited to horizontal directional drilling, shall follow all requirements set forth in Minn. Stat. Chapter 216D and Minnesota Rules Chapter 7560 and shall require potholing or open cutting over existing underground utilities before excavating, as determined by the Director.

§ 257-167

Denial or revocation of permit.

- A. Reasons for denial. The City may deny a permit for failure to meet the requirements and conditions of this chapter or if the City determines that the denial is necessary to protect the health, safety, and welfare of the public or when necessary to protect the right-of-way and its current use.
- B. Procedural requirements. The denial or revocation of a permit must be made in writing and must document the basis for the denial. The City must notify the applicant or right-of-way user, in writing, within three business days of the decision to deny or revoke a permit. If an application is denied, the right-of-way user may address the reasons for denial identified by the City and resubmit its application. If the application is resubmitted within 30 days of receipt of the notice of denial, no additional application fee shall be imposed. The City must approve or deny the resubmitted application within 30 days after submission.

§ 257-178

Installation requirements.

The excavation, backfilling, patching and restoration, and all other work performed in the right-of-way shall be done in conformance with Minnesota Rules 7819.1100 and 7819.5000 and other applicable local requirements, in so far as they are not inconsistent with the Minn. Stat. §§ 237.162 and 237.163. Installation of service laterals shall be performed in accordance with Minnesota Rules Chapter 7560 and these ordinances. Service lateral installation is further subject to those requirements and conditions set forth by the City in the applicable permits and/or agreements referenced in § 257-23B of this chapter.

§ 257-189

Inspection.

- A. Notice of completion. When the work under any permit hereunder is completed, the permittee shall furnish a completion certificate in accordance Minnesota Rules 7819.1300 if requested by the City.
- B. Site inspection. The permittee shall make the work site available to the City and to all others as authorized by law for inspection at all reasonable times during the execution of and upon completion of the work if requested by the City.
- C. Authority of ~~Director~~City.
 - (1) At the time of inspection, the ~~Director~~City Administrator or Designee may order the immediate cessation of any work which poses a serious threat to the life, health, safety, or well-being of the public.
 - (2) The City Administrator or Designee ~~Director~~ may issue an order to the permittee for any work that does not conform to the terms of the permit or other applicable standards, conditions, or codes. The order shall state that failure to correct the violation will be cause for revocation of the permit. Within 10 days after issuance of the order, the permittee shall present proof to the Director that the violation has been corrected. If such proof has not been presented within the required time, the City Administrator or Designee ~~Director~~ may revoke the permit pursuant to § 257-213.

Formatted: Not Highlight

§ 257-~~192~~**0**

Work done without permit.

A. Emergency situations.

- (1) Each ~~registrant~~ applicant shall immediately notify the City Administrator or Designee Director of any event regarding its facilities that it considers to be an emergency. The registrant may proceed to take whatever actions are necessary to respond to the emergency. Excavators' notification to Gopher State One Call regarding an emergency situation does not fulfill this requirement. Within two business days after the occurrence of the emergency, the registrant shall apply for the necessary permits, pay the fees associated therewith, and fulfill the rest of the requirements necessary to bring itself into compliance with this chapter for the actions it took in response to the emergency.
- (2) If the City becomes aware of an emergency regarding a registrant's applicant's facilities, the City will attempt to contact the local representative of each ~~registrant~~ applicant affected, or potentially affected, by the emergency. In any event, the City may take whatever action it deems necessary to respond to the emergency, the cost of which shall be borne by the registrant applicant whose facilities occasioned the emergency.

Commented [JW1]: Not sure if this is the correct terminology for this section

- B. Nonemergency situations.** Except in an emergency, any person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit and, as a penalty, pay additional fees double the normal fee for said permit, pay double all the other fees required by the City determined in the City Code Fee Schedule, Chapter 160, deposit with the City the fees necessary to correct any damage to the right-of-way, and comply with all of the requirements of this chapter.

§ 257-~~201~~

Supplementary notification.

If the obstruction or excavation of the right-of-way begins later or ends sooner than the date given on the permit, the permittee shall notify the City of the accurate information as soon as this information is known.

§ 257-~~212~~

Revocation of permits.

- A. Substantial breach.** The City reserves its right, as provided herein, to revoke any right-of-way permit without a fee refund, if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by the permittee shall include, but shall not be limited to, the following:
- (1) The violation of any material provision of the right-of-way permit.
 - (2) An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the City or its citizens.

- (3) Any material misrepresentation of fact in the application for a right-of-way permit.
- (4) The failure to complete the work in a timely manner, unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the permittee's control.
- (5) The failure to correct, in a timely manner, work that does not conform to a condition indicated on an order issued pursuant to § 257-~~1920~~.

Formatted: Not Highlight

- B.** Written notice of breach. If the City determines that the permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation, or any condition of the permit, the City shall make a written demand upon the permittee to remedy such violation. The demand shall state that continued violations may be cause for revocation of the permit. A substantial breach, as stated above, will allow the City, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.
- C.** Response to notice of breach. Within 24 hours of receiving notification of the breach, the permittee shall provide the City with a plan, acceptable to the City, that will cure the breach. The permittee's failure to so contact the City, or the permittee's failure to timely submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan shall be cause for immediate revocation of the permit. Further, the permittee's failure to so contact the City, or the permittee's failure to submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan shall automatically place the permittee on probation for one full year.
- D.** Cause for probation. From time to time, the City may establish a list of conditions of the permit, which if breached will automatically place the permittee on probation for one full year, such as, but not limited to, working out of the allotted time period or working on right-of-way grossly outside of the permit authorization.
- E.** Automatic revocation. If a permittee, while on probation, commits a breach as outlined above, the permittee's permit will automatically be revoked and the permittee will not be allowed further permits for one full year, except for emergency repairs.
- F.** Reimbursement of City costs. If a permit is revoked, the permittee shall also reimburse the City for the City's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with such revocation.

§ 257-~~223~~

Mapping data.

- A.** Information required. Each ~~registrant and~~ permittee shall provide mapping information required by the City in accordance with Minnesota Rules 7819.4000

and 7819.4100. ~~Within 90 days of~~ Following completion of any work pursuant to a permit, the permittee shall provide the ~~City Administrator or Designee Director~~ accurate maps and drawings certifying the "as-built" location of all equipment installed, owned, and maintained by the permittee upon request. Such maps and drawings shall include the horizontal and vertical location of all facilities and equipment and shall be provided consistent with the City's electronic mapping system, when practical or as a condition imposed by the ~~City Administrator or Designee Director~~. Failure to provide maps and drawings pursuant to this subsection ~~shall may~~ be grounds for ~~revoking the permit holder's registration denying future permit applications~~.

B. Service laterals. All permits issued for the installation or repair of service laterals, other than minor repairs as defined in Minnesota Rules 7560.0150, Subpart 2, shall require the permittee's use of appropriate means of establishing the horizontal locations of installed service laterals and the service lateral vertical locations in those cases where the ~~City Administrator or Designee Director~~ reasonably requires it. Permittees or their subcontractors shall submit to the ~~City Administrator or Designee Director~~ evidence satisfactory to the ~~City Administrator or Designee Director~~ of the installed service lateral locations. Compliance with this subsection and with applicable Gopher State One Call law and Minnesota Rules governing service laterals installed after December 31, 2005, shall be a condition of any City approval necessary for:

- (1) Payments to contractors working on a public improvement project, including those under Minn. Stat. Chapter 429; and
- (2) City approval under development agreements or other subdivision or site plan approval under Minn. Stat. Chapter 462. The ~~City Administrator or Designee Director~~ shall reasonably determine the appropriate method of providing such information to the City. Failure to provide prompt and accurate information on the service laterals installed may result in the revocation of the permit issued for the work or future permits to the offending permittee or its subcontractors.

§ 257-234

Right-of-way Location and relocation of facilities.

- A.** Placement, location, and relocation of facilities must comply with the Act, with other applicable law, and with Minnesota Rules 7819.3100, 7819.5000, and 7819.5100, to the extent the rules do not limit authority otherwise available to the City.
- B. Corridors.**
 - (1) The City may assign a specific area within the right-of-way, or any particular segment thereof as may be necessary, for each type of facility that is or, pursuant to current technology, the City expects will someday be located within the right-of-way. All excavation, obstruction, or other permits issued by the City involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue.

(2) Any ~~registrant-permittee~~ who has facilities in the right-of-way in a position at variance with the corridors established by the City shall, no later than at the time of the next reconstruction or excavation of the area where the facilities are located, move the facilities to the assigned position within the right-of-way, unless this requirement is waived by the City for good cause shown, upon consideration of such factors as the remaining economic life of the facilities, public safety, customer service needs, and hardship to the ~~registrant-permittee~~.

~~C. Nuisance. One year after the passage of this chapter, any facilities found in a right of way that have not been registered shall be deemed to be a nuisance. The City may exercise any remedies or rights it has at law or in equity, including, but not limited to, abating the nuisance or taking possession of the facilities and restoring the right of way to a useable condition.~~

~~D.C.~~ Limitation of space. To protect the health, safety, and welfare of the public, or when necessary to protect the right-of-way and its current use, the City shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making such decisions, the City shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the right-of-way, and future City plans for public improvements and development projects which have been determined to be in the public interest.

~~§ 257-24~~5

Pre-excavation facilities location.

In addition to complying with the requirements of Minn. Stat. §§ 216D.01 to 216D.09 ("One Call Excavation Notice System"), before the start date of any right-of-way excavation, each ~~registrant-permittee~~ who has facilities or equipment in the area to be excavated shall mark the horizontal and vertical placement of all said facilities. Any ~~registrant-permittee~~ whose facilities are less than 20 inches below a concrete or asphalt surface shall notify and work closely with the excavation contractor to establish the exact location of its facilities and the best procedure for excavation.

§ 257-25 Small cell location requirements

A. Most preferable locations.

The following are the most preferred areas for new small wireless facilities in the order of preference (1 being most preferable):

- (1) Industrial Districts if not adjacent to a park, residential district or historic district.
- (2) Highway Rights of Way areas if not adjacent to a park, or residential district.
- (3) Commercial Districts if not adjacent to a park, or residential district.

Formatted: Normal, Right: 0.44"

Formatted: List Paragraph

B. Collocation preference. It is the City's strong preference that whenever an applicant proposes to place a new small wireless facility that the applicant collocate the same on existing wireless support structures.

Formatted: Numbered + Level: 2 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57"

C. Least preferable locations. The following are the least preferred areas for new small wireless facilities in the order of preference (2 being least preferable).

Formatted: Space Before: 0.05 pt, Numbered + Level: 2 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57", Tab stops: 0.57", Left

(1) Residential Districts

(2) Parks

D. Consideration of alternate locations. The City reserves the right to propose an alternate location for a small wireless facility and/or wireless support structure to the location proposed in the application within one hundred feet of the proposed location or within a distance that is equivalent to the width of the ROW in or on which the small wireless facility and/or wireless support structure is proposed, whichever is greater, which the operator shall use if it has the right to use the alternate location on reasonable terms and conditions and the alternate location does not impose technical limits or additional costs.

Formatted: Space Before: 0.4 pt, Numbered + Level: 2 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57", Tab stops: 0.57", Left

E. Guidelines on placement. The City desires to promote cleanly organized and streamlined facilities using the smallest and least intrusive means available to provide wireless services to the community. Generally, a small wireless facility and/or wireless support structure shall match and be consistent with the materials and finish of the wireless support structure, adjacent City poles, and of the surrounding area adjacent to their location. In the absence of adjacent City poles, the wireless support structure shall match the materials and finish of the adjacent utility poles.

Formatted: Space Before: 0.5 pt, Numbered + Level: 2 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57", Tab stops: 0.57", Left

The following additional guidelines on placement shall apply:

(1) Small wireless facilities and wireless support structures shall be located no closer than 150 feet away, radially, from another small wireless facility and wireless support structure.

(2) A combination wireless support structure and streetlight pole should only be located where an existing pole (usually Connexus Energy or East Central Energy) can be removed and replaced, or at a new location where it has been identified that a streetlight is necessary.

(3) Small wireless facilities and wireless support structures shall be located in a manner that does not impede, obstruct, or hinder usual public pedestrian or vehicular travel or public safety on a ROW.

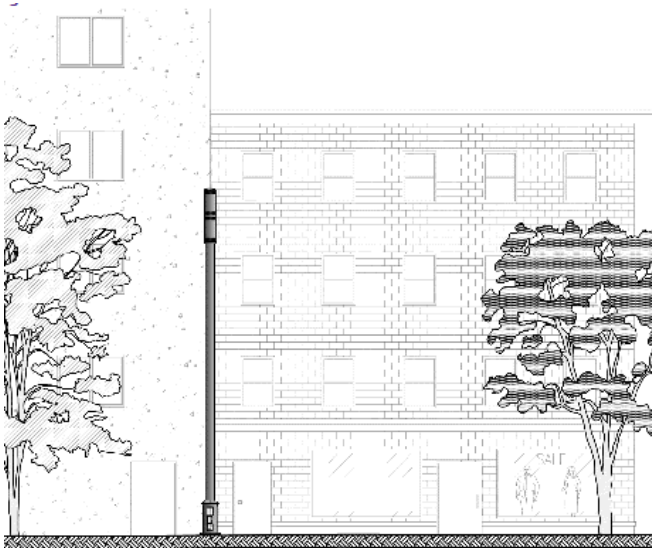
(4) Small wireless facilities and wireless support structures shall be

- located in a manner that does not obstruct the legal use of a ROW by a utility provider.
- (5) Small wireless facilities and wireless support structures shall be located in a manner that does not violate the federal Americans with Disabilities Act.
 - (6) Small wireless facilities and wireless support structures shall be located in a manner that does not negatively impact the structural integrity of the associated wireless support structure.
 - (7) Small wireless facilities and wireless support structures shall be located in alignment with existing trees to the extent there are Blvd trees to be in alignment with, utility poles, and streetlights.
 - (8) Small wireless facilities and wireless support structures shall be located equal distance between trees when possible, with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree.
 - (9) Small wireless facilities and wireless support structures shall be located with applicable clearance from existing utilities.
 - (10) Small wireless facilities and wireless support structures shall be located so as not to be located along the frontage of any building deemed to be of historic significance on a federal, state, or local level.
 - (11) Small wireless facilities and wireless support structures shall not be located within vision triangles at street intersections.
 - (12) New wireless poles shall not be located directly in front of any existing residential, commercial or industrial structure. (Figure 1)
 - (13) To the greatest extent possible, new wireless poles shall be located in line with existing lot lines or an equidistance from any two existing structures. In areas of the City where multiple poles abut each other and/or where no side lot setback requirements exist, new wireless poles shall not be located directly in front of an entrance or window of any existing structure. (Figure 2)

Figure 1 – Example of Acceptable Location Between Residential Homes:



Figure 2 – Example of Acceptable Location Between Commercial Buildings:



F. Limitations. While the City fully intends to apply the guidelines established in this policy uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In these case, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this policy.

Formatted: Font: Bold
Formatted: List Paragraph, Level 1, Indent: Left: 0.07", Numbered + Level: 2 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57", Tab stops: 0.57", Left + 0.57", Left

§ 257-26 Aesthetic requirements for small cell wireless facilities
A. Antennas

Formatted: Font: Bold
Formatted: List Paragraph

(1) Each small wireless antenna shall be located entirely within a shroud or canister type enclosure.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

(2) The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless support structure. The enclosure shall not exceed six cubic feet in volume.

Formatted: Left, Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

(3) All antenna enclosures shall either be mounted to the top of the wireless support structure pole and aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure with the height of the side mounted antenna being at a location on the wireless support structure noted in the application and approved by the City, but at least 10 feet above ground level at its lowest point. Antennas must not exceed the building height requirements in their respective zoning district by more than ten 10' feet, with a maximum height of 50' feet.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82", Tab stops: 0.82", Left

(4) Tree "topping" or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs or other landscaping already existing in the ROW must be noted in the application and must be approved by the City.

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

B. Cables and wires. All cables, wires and connectors related to the small wireless facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure. There shall be no external cables and wires related to the small wireless facility hanging off or otherwise exposed on the wireless support structure.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57", Tab stops: 0.57", Left

C. Colors. All colors shall match the background of any wireless support structure that the facilities are located upon, including equipment cabinets. Notwithstanding the foregoing, in the case of existing wood utility poles, finishes of conduit shall be zinc, aluminum or stainless steel, or colored to match those metal finishes, and equipment cabinets shall be the color of brushed aluminum.

Formatted: Numbered + Level: 1 + Numbering Style: A, B, C, ... + Start at: 1 + Alignment: Left + Aligned at: 0.32" + Indent at: 0.57", Tab stops: 0.57", Left

Formatted: Underline

D. Equipment enclosures/ concealment/ maintenance.

(1) Equipment enclosures, including electric meters, shall be as small as possible, but in no event larger than 28 cubic feet in volume. Ground-mounted equipment shall incorporate concealment elements into the proposed design matching color and materials of the wireless support structure, unless other materials or colors are approved by the City. Concealment may include, but shall not be limited to, landscaping, strategic

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

placement in less obtrusive locations and placement within existing or replacement street furniture.

(2) Radio equipment shall be fully enclosed within an equipment cabinet or concealed within the antenna shroud enclosure matching the color and materials of the wireless support structure, unless other materials or colors are approved by the City.

(3) Landscaping concealing equipment enclosures shall be planted in such quantity and size such that 100% screening is achieved within two years of installation.

(4) All equipment enclosures shall be maintained in good condition. They shall be completely sealed with a secured access. The small cell company and/or right-of-way user must take reasonable care and measures to prevent damage to their facilities. Open, broken or unsealed enclosures shall be considered a public nuisance under City Code Chapter 216.

E. Signage/ logos/ lights/ decals/ cooling fans.

(1) Signage. The small wireless facility permittee shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the small wireless facility that is visible to the public. Signage required under this section shall not exceed 4 inches by 6 inches, unless otherwise required by law (e.g. radio-frequency (RF) ground notification signs) or the City. If no cabinet exists, the signage shall be placed at the base of the pole.

(2) Lights. New small wireless facilities and wireless support structures shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.

(3) Logos/ Decals. The small wireless facility operator/permittee shall remove or paint over unnecessary equipment manufacturer decals. The color shall match or shall be as approved by the City. Small wireless facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state or local agency. The small wireless facility operator/permittee shall utilize the smallest and lowest visibility RF warning sticker required by government or electric utility regulations. Placement of the RF sticker shall be as close to the antenna as possible.

(4) Cooling Fans. In residential areas, the small wireless facility

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

Formatted: Numbered + Level: 1 + Numbering Style: 1, 2, 3, ... + Start at: 1 + Alignment: Left + Aligned at: 0.57" + Indent at: 0.82"

operator/permittee shall use a passive cooling system. In the event that a fan is needed, the small wireless facility operator/permittee shall use a cooling fan with a low noise profile.

§ 257-276

Damage to other facilities.

When the City does work in the right-of-way and finds it necessary to maintain, support, or move a ~~registrant's~~ permittee's facilities to protect it, the City shall notify the local representative as early as is reasonably possible. The costs associated therewith will be billed to that ~~registrant~~ permittee and must be paid within 30 days from the date of billing. Each ~~registrant~~ permittee shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damage. Each ~~registrant~~ permittee shall be responsible for the cost of repairing any damage to the facilities of another ~~registrant~~ permittee caused during the City's response to an emergency occasioned by that ~~registrant's~~ permittee's facilities.

§ 257-287

Right-of-way vacation.

Reservation of right. If the City vacates a right-of-way that contains the facilities of a ~~registrant~~ permittee, the ~~registrant's~~ permittee's rights in the vacated right-of-way are governed by Minnesota Rules 7819.3200.

§ 257-298

Indemnification and liability.

By ~~registering with the City, or by~~ accepting a permit under this chapter, a ~~registrant or~~ permittee agrees to defend and indemnify the City in accordance with the provisions of Minnesota Rules 7819.1250.

§ 257-3029

Abandoned and unusable facilities.

- A. Discontinued operations. A ~~registrant~~ permittee who has determined to discontinue all or a portion of its operations in the City must provide information satisfactory to the City that the ~~registrant's~~ permittee's obligations for its facilities in the right-of-way under this chapter have been lawfully assumed by another ~~registrant~~ permittee.
- B. Removal. Any ~~registrant~~ permittee who has abandoned facilities in any right-of-way shall remove it from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the City.

§ 257-310

Appeal.

An ~~applicant or permittee~~ right-of-way user that has been denied ~~registration; has been~~ denied a permit; has had a permit revoked; believes that the fees imposed are not in conformity with Minn. Stat. § 237.163, Subdivision 6; or disputes a determination of the Director regarding § 257-24B of this chapter may have the denial, revocation, fee

imposition, or decision reviewed, upon written request, by the City Council. The City Council shall act on a timely written request at its next regularly scheduled meeting, provided the right-of-way user has submitted its appeal with sufficient time to include the appeal as a regular agenda item. A decision by the City Council affirming the denial, revocation, or fee imposition will be in writing and supported by written findings establishing the reasonableness of the decision.

§ 257-3~~21~~

Reservation of regulatory and police powers.

A permittee's rights are subject to the regulatory and police powers of the City to adopt and enforce general ordinances as necessary to protect the health, safety, and welfare of the public.

§ 257-3~~32~~

Severability.

If any portion of this chapter is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof. Nothing in this chapter precludes the City from requiring a franchise agreement with the applicant, as allowed by law, in addition to requirements set forth herein.

Section 3 – Effective Date.

This ordinance shall take effect upon its passage and publication in the official City newspaper.

Adopted by the City Council this _____ day of _____ 2021.

Mayor Jeff Johnson

Attest:

Jaden Strand
City Clerk

Posted on:
Adopted on:
Published on:
Effective Date:

ORDINANCE NO. XXX

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 693, ADOPTED ON AUGUST 8, 2018 AND TITLED RIGHT-OF-WAY MANAGEMENT

THE CITY COUNCIL OF ISANTI DOES ORDAIN:

Section 1 – Repealer. Ordinance 693, titled Right-of-Way Management, as amended, codified in Chapter 257 of the City Code, is hereby repealed in its entirety and replaced with the ordinance set forth below.

Section 2 – Ordinance. The following Chapter 257 is hereby adopted:

Chapter 257

RIGHT-OF-WAY MANAGEMENT

- | | |
|---|--|
| §257-1. Findings, purpose and intent. | §257-17. Installation requirements. |
| §257-2. Election to manage public rights-of-way. | §257-18. Inspection |
| §257-3. Definitions. | §257-19. Work done without permit. |
| §257-4. Administration. | §257-20. Supplementary notification. |
| §257-5. Permit requirement. | §257-21. Revocation of permits. |
| §257-6. Permit applications. | §257-22. Mapping data. |
| §257-7. Small cell wireless permit applications. | §257-23. Location and relocation of facilities. |
| §257-8. Action on small cell wireless permit applications. | §257-24. Pre-excavation facilities location. |
| §257-9. Issuance of permit; conditions. | §257-25. Small cell location requirements. |
| §257-10. Small cell facility agreement. | §257-26. Aesthetic requirements for small cell wireless facilities |
| §257-11. Right-of-way work & small cell wireless permit fees. | §257-27. Damage to other facilities. |
| §257-12. Right-of-way patching and restoration. | §257-28. Right-of-way vacation. |
| §257-13. Joint applications. | §257-29. Indemnification and liability. |
| §257-14. Supplementary applications. | §257-30. Abandoned and unusable facilities. |
| §257-15. Other obligations | §257-31. Appeal. |
| §257-16. Denial or revocation of permit. | §257-32. Reservation of regulatory and police powers. |
| | §257-33. Severability. |

§ 257-1 Findings, purpose, and intent.

- A. To provide for the health, safety, and welfare of its citizens, and to ensure the integrity of its streets and the appropriate use of the rights-of-way, the City of Isanti strives to keep its rights-of-way in a state of good repair and free from unnecessary encumbrances.

- B. The City of Isanti hereby enacts this chapter relating to right-of-way and small cell wireless permits and administration. This chapter imposes reasonable regulation on the placement and maintenance of facilities and equipment currently within its rights-of-way or to be placed therein at some future time. It is intended to complement the regulatory roles of state and federal agencies. Under this chapter, persons constructing within, excavating and obstructing the rights-of-way will bear financial responsibility for their work. Finally, this chapter provides for recovery of out-of-pocket and projected costs from persons using the public rights-of-way.

- C. This chapter shall be interpreted consistently with Minn. Stat. §§ 237.16, 237.162, 237.163, 237.79, 237.81, and 238.086 (the "Act"), and the other laws governing applicable rights of the City and users of the right-of-way. This chapter shall also be interpreted consistent with Minnesota Rules 7819.0050 - 7819.9950 and Minnesota Rules, Chapter 7560 where possible. To the extent any provision of this chapter cannot be interpreted consistently with the Minnesota Rules, that interpretation most consistent with the Act and other applicable statutory and case law is intended. This chapter shall not be interpreted to limit the regulatory and police powers of the City to adopt and enforce general ordinances necessary to protect the health, safety, and welfare of the public.

§ 257-2 Election to manage public rights-of-way.

Pursuant to the authority granted to the City under state and federal statutory, administrative and common law, the City hereby elects, pursuant to Minn. Stat. § 237.163 Subdivision 2(b), to manage rights-of-way within its jurisdiction.

§ 257-3 Definitions.

The following definitions apply in this chapter. References hereafter to "sections" are, unless otherwise specified, references to sections in this chapter. Defined terms remain defined terms, whether or not capitalized.

ABANDONED FACILITY

A facility no longer in service or physically disconnected from a portion of the operating facility, or from any other facility, that is in use or still carries service. A facility is not abandoned unless declared so by the right-of-way user.

APPLICANT

Any person requesting permission to excavate or obstruct a right-of-way or requesting permission to collocate a small cell wireless facility.

CITY

The City of Isanti, Minnesota. For purposes of § 257-29, "City" also means the City's elected officials, officers, employees, and agents.

COLLOCATE OR COLLOCATION

To install, mount, maintain, modify, operate, or replace a small wireless facility on, under, within, or adjacent to an existing wireless support structure or utility pole that is owned privately, or by the City or other governmental unit.

COMMISSION

The State of Minnesota Public Utilities Commission.

CONGESTED RIGHT-OF-WAY

A crowded condition in the subsurface of the public right-of-way that occurs when the maximum lateral spacing between existing underground facilities does not allow for construction of new underground facilities without using hand digging to expose the existing lateral facilities in conformance with Minn. Stat. § 216D.04, Subdivision 3, over a continuous length in excess of 500 feet.

CONSTRUCTION PERFORMANCE BOND

Any of the following forms of security provided at permittee's option and approved by the City:

- A. Individual project bond;
- B. Cash deposit;
- C. Security of a form listed or approved under Minn. Stat. § 15.73, Subdivision 3;
- D. Letter of credit, in a form acceptable to the City;
- E. Self-insurance, in a form acceptable to the City;
- F. A blanket bond for projects within the City, or other form of construction bond, for a time specified and, in a form, acceptable to the City.

DELAY PENALTY

The penalty imposed as a result of unreasonable delays in right-of-way excavation, obstruction, patching, or restoration as established by permit.

DEPARTMENT

The Public Works or Engineering Department of the City of Isanti.

EMERGENCY

A condition that:

- A. Poses a danger to life or health, or of a significant loss of property; or
- B. Requires immediate repair or replacement of facilities in order to restore service to a customer.

EQUIPMENT

Any tangible asset used to install, repair, or maintain facilities in any right-of-way.

EXCAVATE

To dig into or in any way remove or physically disturb or penetrate any part of a right-of-way.

FACILITY or FACILITIES

Any tangible asset in the right-of-way required to provide utility service.

FIVE-YEAR PROJECT PLAN

A document listing projects adopted by the City for construction within the next five years.

HIGH DENSITY CORRIDOR

A designated portion of the public right-of-way within which telecommunications right-of-way users having multiple and competing facilities may be required to build and install facilities in a common conduit system or other common structure.

HOLE

An excavation in the pavement, with the excavation having a length less than the width of the pavement.

LOCAL REPRESENTATIVE

A local person or persons, or designee of such person or persons, authorized by an applicant or permittee to accept service and to make decisions for that applicant or permittee regarding all matters within the scope of this chapter.

MANAGEMENT COSTS

The actual costs the City incurs in managing its rights-of-way, including such costs, if incurred, as those associated with registering applicants; issuing, processing, and verifying right-of-way or small wireless facility permit applications; inspecting job sites and restoration projects; maintaining, supporting, protecting, or moving user facilities during right-of-way work; determining the adequacy of right-of-way restoration; restoring work inadequately performed after providing notice and the opportunity to correct the work; and revoking right-of-way or small wireless facility permits. Management costs do not include payment by a telecommunications right-of-way user for the use of the right-of-way, unreasonable fees of a third-party contractor used by the City including fees tied to or based on customer counts, access lines, or revenues generated by the right-of-way or for the City, the fees and cost of litigation relating to the interpretation of Minnesota Session Laws 1997, Chapter 123; Minn. Stat. § 237.162 or 237.163; or any ordinance enacted under those sections, or the City fees and costs related to appeals taken pursuant to § 257-31 of this chapter.

OBSTRUCT

To place any tangible object in a right-of-way so as to hinder free and open passage over that or any part of the right-of-way.

PATCH or PATCHING

A method of pavement replacement that is temporary in nature. A patch consists of the compaction of the subbase and aggregate base, and the replacement, in kind, of the existing

pavement for a minimum of two feet beyond the edges of the excavation in all directions. A patch is considered full restoration only when the pavement is included in the City's five-year project plan.

PAVEMENT

Any type of improved surface that is within the public right-of-way and that is paved or otherwise constructed with bituminous, concrete, aggregate, or gravel.

PERMIT

The permit which, pursuant to this chapter, must be obtained before a person may excavate or obstruct in a right-of-way or collocate a small cell wireless facility. An permit allows the permittee to work in that part of the right-of-way and do such work described and approved in such permit.

PERMIT FEE

Money paid to the City by an applicant to cover the costs as provided in § 257-11.

PERMITTEE

Any person to whom a permit to excavate, obstruct or collocate in the right-of-way has been granted by the City under this chapter.

PERSON

An individual or entity subject to the laws and rules of this state, however organized, whether public or private, whether domestic or foreign, whether for profit or nonprofit, and whether natural, corporate, or political.

PROBATION

The status of a person that has not complied with the conditions of this chapter.

PROBATIONARY PERIOD

One year from the date that a person has been notified, in writing, that they have been put on probation.

PUBLIC RIGHT-OF-WAY or RIGHT-OF-WAY

The area on, below, or above a public roadway, highway, street, alley, bicycle path, or public sidewalk in which the City has an interest, including other dedicated rights-of-way for travel purposes and utility easements of the City. This includes all public grounds. A right-of-way does not include the airwaves above a right-of-way or public grounds with regard to cellular or other non-wire telecommunications or broadcast service.

RESTORATION COST

The amount of money paid to the City by a permittee to achieve the level of restoration according to plates 1 to 13 of Minnesota Public Utilities Commission Rules.

RESTORE or RESTORATION

The process by which an excavated right-of-way and surrounding area, including pavement and foundation, is returned to the same condition and life expectancy that existed before excavation.

RIGHT-OF-WAY PERMIT

Either the excavation permit or the obstruction permit, or small wireless facility, depending on the context, required by this chapter.

RIGHT-OF-WAY USER

- A. A telecommunications right-of-way user as defined by Minn. Stat., § 237.162, Subdivision 4; or
- B. A person owning or controlling a facility in the right-of-way that is used or intended to be used for providing utility service, and who has a right under law, franchise, or ordinance to use the public right-of-way.

SERVICE LATERAL

An underground facility that is used to transmit, distribute or furnish natural gas, electricity, communications, and water from a common source to an end-use customer. A service lateral is also an underground facility that is used in the removal of wastewater from a customer's premises.

SERVICE or UTILITY SERVICE

Includes:

- A. Those services provided by a public utility as defined in Minn. Stat. § 216B.02, Subdivision 4 and 6;
- B. Services of a telecommunications right-of-way user, including transporting of voice or data information;
- C. Services of a cable communications systems as defined in Minn. Stat. Chapter 238;
- D. Natural gas or electric energy or telecommunications services provided by the City;
- E. Services provided by a cooperative electric association organized under Minn. Stat. Chapter 308A; and
- F. Water and sewer, including service laterals, steam, cooling, or heating services.

SMALL WIRELESS FACILITY

A wireless facility that meets both of the following qualifications:

- A. Each antenna is located inside an enclosure of no more than six cubic feet in volume or could fit within such an enclosure; and
- B. All other wireless equipment associated with the small wireless facility is, in aggregate, no more than 28 cubic feet in volume, not including electric meters, concealment elements, telecommunications demarcation boxes, battery backup power systems, grounding equipment, power transfer switches, cutoff switches, cable, conduit, vertical cable runs for the connection of power and other services, and any equipment concealed from public view within or behind an existing structure or concealment.

SUPPLEMENTARY APPLICATION

An application made to excavate or obstruct more of the right-of-way than allowed in, or to extend, a permit that had already been issued.

TELECOMMUNICATIONS RIGHT-OF-WAY USER

A person owning or controlling a facility in the right-of-way, or seeking to own or control a facility in the right-of-way that is used or is intended to be used for providing wireless service, or transporting telecommunication or other voice or data information. For purposes of this chapter, a cable communication system defined and regulated under Minn. Stat. Chapter 238 and telecommunication activities related to providing natural gas or electric energy services, a public utility as defined in Minn. Stat. § 216B.02, a municipality, a municipal gas or power agency organized under Minn. Stat. Chapter 453 and 453A, or a cooperative electric association organized under Minn. Stat. Chapter 308A are not telecommunications right-of-way users for purposes of this chapter except to the extent such entity is offering wireless service.

TEMPORARY SURFACE

The compaction of subbase and aggregate base and replacement, in kind, of the existing pavement only to the edges of the excavation. It is temporary in nature except when the replacement is of pavement included in the City's two-year plan, in which case it is considered full restoration.

TRENCH

An excavation in the pavement, with the excavation having a length equal to or greater than the width of the pavement.

TWO YEAR PROJECT PLAN

Shows projects adopted by the City for construction within the next two years.

UTILITY POLE

A pole that is used in whole or in part to facilitate telecommunications or electric service.

WIRELESS FACILITY

Equipment at a fixed location that enables the provision of wireless services between user equipment and a wireless service network, including equipment associated with wireless service, a radio transceiver, antenna, coaxial or fiber-optic cable, regular and backup power supplies, and a small wireless facility, but not including wireless support structures, wireline backhaul facilities, or cables between utility poles or wireless support structures, or not otherwise immediately adjacent to and directly associated with a specific antenna.

WIRELESS SERVICE

Any service using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or by means of a mobile device, that is provided using wireless facilities. Wireless service does not include services regulated under Title VI of the Federal Communications Act of 1934, as amended, including cable service.

WIRELESS SUPPORT STRUCTURE

A new or existing structure in a right-of-way designed to support or capable of supporting small wireless facilities, as reasonably determined by the City. Also referred to as a pole.

§ 257-4 Administration.

The City Administrator or her/his designee is the principal City official responsible for the administration of the rights-of-way, right-of-way permits, small cell wireless permits and the ordinances related thereto. The City Administrator or her/his designee may delegate any or all of the duties hereunder.

§ 257-5 Permit requirement.

- A. Permit required. Except as otherwise provided in this code, no person may obstruct or excavate any right-of-way, or install or place facilities in the right-of-way, without first having obtained the appropriate right-of-way work or small cell wireless permit from the City to do so.
- B. Right-of-way work permits cover the following activities:
 - (1) Excavation. A right-of-way permit is required by a registrant to excavate that part of the right-of-way described in such permit and to hinder free and open passage over the specified portion of the right-of-way by placing facilities described therein, to the extent and for the duration specified therein.
 - (2) Obstruction. A right-of-way permit is required by a registrant to hinder free and open passage over the specified portion of right-of-way by placing equipment described therein on the right-of-way, to the extent and for the duration specified therein. An additional permit for obstruction is not required if a person already possesses a valid right-of-way permit for excavation with the same project.
- C. Small cell wireless/pole attachment permits cover the following activity:
 - (1) A Small cell wireless/pole attachment permit is required to erect or install a wireless support structure, to co-locate a small wireless facility, or to otherwise install a small wireless facility in the specified portion of the right-of-way, to the extent specified therein, provided that such permit shall remain in effect for the length of time the facility is in use, unless lawfully revoked.
- D. Permit extensions. No person may excavate or obstruct the right-of-way beyond the date or dates specified in the permit unless such person makes a supplementary application for another right-of-way permit before the expiration of the initial permit, and a new permit or permit extension is granted.
- E. Delay penalty. In accordance with Minnesota Rules 7819.1000, Subpart 3, and notwithstanding Subsection B of this section, the City shall establish and impose a delay penalty for unreasonable delays in right-of-way excavation, obstruction, patching, or restoration. The delay penalty shall be established from time to time by City Council resolution.

- F. Permit display. Permits issued under this chapter shall be conspicuously displayed or otherwise available at all times at the indicated work site and shall be available for inspection by the City.

§ 257-6 Right-of-Way Permit applications.

Application for a permit is made to the City. Right-of-way permit applications shall contain, and will be considered complete only upon compliance with, the requirements of the following provisions:

- A. Submission of a completed permit application form, including all required attachments, and scaled drawings showing the location and area of the proposed project and the location of all known existing and proposed facilities.
- B. Payment of money due the City for:
 - (1) Permit fees, estimated restoration costs, and other management costs;
 - (2) Prior obstructions or excavations;
 - (3) Any undisputed loss, damage, or expense suffered by the City because of applicant's prior excavations or obstructions of the rights-of-way or any emergency actions taken by the City;
 - (4) Franchise fees or other charges, if applicable.
- C. Payment of disputed amounts due to the City by posting security or depositing in an escrow account. Escrow amount determined in the City Fee Schedule.
- D. Posting an additional or larger construction performance bond for additional facilities when applicant requests an excavation permit to install additional facilities and the City deems the existing construction performance bond inadequate under applicable standards.

§ 257-7 Small Cell Wireless Permit Applications.

Prior to placing, installing, modifying, relocating or removing a small wireless facility or wireless support structure in the ROW, or to collocating a wireless facility on an existing wireless support structure in the ROW, the operator shall obtain a permit from the City. The City may require additional information as reasonably necessary to evaluate the application and the impact of the proposed installation(s) on the public health, safety and welfare or on use or management of the ROW.

- A. Proof of agent designation (if applicable). If the applicant is serving as an agent of a small wireless operator, the applicant must provide written documentation of the agent designation signed by the operator.
- B. Map. The applicant must include an aerial map showing the location of the proposed or existing support structure to which the small wireless facility is proposed to be attached, or from which a small wireless facility is proposed to

be removed.

- C. Photo simulations. For all applications to locate small wireless facilities in the ROW, the applicant shall provide photo simulations from at least two reasonable line-of-site locations near the proposed project site. The photo simulations must be taken from the viewpoints of the greatest pedestrian or vehicular traffic.
- D. Consolidated applications. An applicant seeking to construct, modify, collocate or replace more than one small wireless facility or more than one wireless support structure within the City may file a consolidated application for up to 15 small wireless facility requests or wireless support structure requests, provided the requests grouped on a consolidated application only address substantially the same type of small wireless facilities or substantially the same type of wireless support structures, and provided that all small wireless facilities in the application are located within a two-mile radius. (Note: The City may treat each request individually during application review and processing and when issuing a determination or applying these guidelines.)
- E. Site and other plans and structural calculations. The applicant must include fully dimensioned site plans, elevation drawings and structural calculations that depict any known existing wireless facilities with all existing transmission equipment and other improvements, the proposed facility with all proposed transmission equipment and other improvements, and the legal boundaries of the existing right-of-way and any associated access and utility easements. Fully dimensioned site plans shall indicate the spacing from existing curb, driveways, sidewalks, light poles and any other poles or appurtenances.
- F. Full description of number and dimensions of facilities and/or structures to be installed. The applicant must include a full description of the number and dimensions of all small wireless facilities proposed to be installed and the wireless support structure, either new or existing, to be utilized for each small wireless facility. For all equipment proposed to be installed, the applicant must include: (1) the manufacturer's name and model number; (2) physical dimensions, including without limitation, height, width, depth and weight with mounts and other necessary hardware; and (3) the ambient noise level generated from the equipment, if any.
- G. Owner's authorization. For any application to attach a small wireless facility to a wireless support structure that is not owned by the City, the applicant must submit evidence sufficient to show that either: (1) applicant owns the proposed support structure; or (2) applicant has obtained the owner's written authorization to file the application.

§ 257-8 Action on small cell wireless permit applications.

- A. Deadline for action. The City shall approve or deny a small wireless facility permit application within 90 days after filing of such application. The small wireless facility permit, and any associated building permit application, shall be

deemed approved if the City fails to approve or deny the application within the review periods established in this section.

B. Consolidated applications.

(1) In rendering a decision on a consolidated permit application, the City may approve some small wireless facilities and deny others, but may not use denial of one or more permits as a basis to deny all small wireless facilities in the application.

C. Tolling of deadline. The ninety-day deadline for action on a small wireless facility permit application may be tolled if:

(1) The City receives applications from one or more applicants seeking approval of permits for more than 30 small wireless facilities within a seven-day period. In such case, the City may extend the deadline for all such applications by 30 days by informing the affected applicants, in writing, of such extension.

(2) The applicant fails to submit all required documents or information and the City provides written notice of incompleteness to the applicant within 30 days of receipt of the application. Upon submission of additional documents or information, the City shall have 10 days to notify the applicant, in writing, of any still-missing information.

(3) The City and a small wireless facility applicant agree, in writing, to toll the review period.

§ 257-9 Issuance of permit; conditions.

A. Permit issuance. If the applicant has satisfied the requirements of this chapter, the City shall issue a permit.

B. Conditions. The City may impose reasonable conditions upon the issuance of the permit and the performance of the applicant thereunder to protect the health, safety, and welfare or when necessary to protect the right-of-way and its current use. In addition, a permittee shall comply with all requirements of local, state, and federal laws, including but not limited to Minn. Stat. §§ 216D.01 to 216D.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560.

C. Small wireless facility conditions. In addition to Subsection B, the erection or installation of a wireless support structure, the co-location of a small wireless facility, or other installation of a small wireless facility in the right-of-way, shall be subject to the following conditions:

(1) A small wireless facility shall only be co-located on the particular wireless support structure, under those attachment specifications, and at the height indicated in the applicable permit application.

- (2) No new wireless support structure installed within the right-of-way shall exceed 50 feet in height without the City's written authorization, provided that the City may impose a lower height limit in the applicable permit to protect the public health, safety and welfare or to protect the right-of-way and its current use, and further provided that a registrant may replace an existing wireless support structure exceeding 50 feet in height with a structure of the same height subject to such conditions or requirements as may be imposed in the applicable permit.
- (3) No wireless facility may extend more than 10 feet above its wireless support structure.
- (4) Where an applicant proposes to install a new wireless support structure in the right-of-way, the City may impose separation requirements between such structure and any existing wireless support structure or other facilities in and around the right-of-way.
- (5) Where an applicant proposes co-location on a decorative wireless support structure, sign or other structure not intended to support small wireless facilities, the City may impose reasonable requirements to accommodate the particular design, appearance or intended purpose of such structure.
- (6) Where an applicant proposes to replace a wireless support structure, the City may impose reasonable restocking, replacement, or relocation requirements on the replacement of such structure.

D. Limitations. While the City fully intends to apply the guidelines established in Chapter 257 uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In this case, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this Chapter.

§ 257-10. Small wireless facility agreement.

- A. A small cell wireless facility shall only be collocated on a small wireless support structure owned or controlled by the City, or any other City asset in the right-of-way, after the applicant has executed a standard small wireless facility co-location agreement with the City.
- B. The standard collocation agreement shall be in addition to, and not in lieu of, the required small cell wireless permit; provided, however, that the applicant shall not be additionally required to obtain a license or franchise in order to co-locate. Issuance of a small cell wireless permit does not supersede, alter or affect any then-existing agreement between the City and applicant.

§ 257-11 Right-of-way work and small cell wireless permit fees.

- A. Excavation. The City shall impose a right-of-way work permit fee in an amount sufficient to recover City management costs for excavations. The fee shall be per the City fee schedule.

- B. Obstruction. The City shall impose a right-of-way work permit fee in an amount sufficient to recover City management costs for obstructions (unless combined with a permit for excavations).
- C. Street Cutting. The City shall impose fees for street cutting and require an escrow in addition to the right-of-way work permit per the City Fee Schedule.
- D. Small wireless facility. The City shall impose a small cell wireless permit fee for a small wireless facility in an amount sufficient to recover:
 - (1) Management costs; and
 - (2) City engineering, make-ready, and construction costs associated with collocation of small wireless facilities.
 - (3) Engineering fees are based on actual engineering staff time. Additional time necessary to review based upon complexity of application may be billed to the applicant.
- E. Payment of permit fees. No excavation permit or obstruction permit shall be issued without payment of excavation or obstruction permit fees. The City may allow applicant to pay such fees within 30 days of billing.
- F. Nonrefundable. Permit fees that were paid for a permit that the City has revoked for a breach as stated in § 257-21 are not refundable.
- G. Application to franchises. Unless otherwise agreed to in a franchise, management costs may be charged separately from and in addition to the franchise fees imposed on a right-of-way user in the franchise.

§ 257-12 Right-of-way patching and restoration.

- A. Timing. The work to be done under the excavation permit, and the patching and restoration of the right-of-way as required herein, must be completed within the dates specified in the permit, increased by as many days as work could not be done because of circumstances beyond the control of the permittee or when work was prohibited as unseasonal or unreasonable under § 257-16.
- B. Patch and restoration. The permittee shall patch its own work. The City may choose either to have the permittee restore the right-of-way or to restore the right-of-way itself.
 - (1) City restoration. If the City restores the right-of-way, permittee shall pay the costs thereof within 30 days of billing. If, following such restoration, the pavement settles due to permittee's improper backfilling, the permittee shall pay to the City, within 30 days of billing, all costs associated with correcting the defective work.
 - (2) Permittee restoration. If the permittee restores the right-of-way itself, it shall at the time of application for an excavation permit post a construction

performance bond in accordance with the provisions of Minnesota Rules 7819.3000.

- C. Standards. The permittee shall perform excavation, backfilling, patching, and restoration according to the standards and with the materials specified by the City and shall comply with Minnesota Rules 7819.1100.
- D. Duty to correct defects. The permittee shall correct defects in patching or restoration performed by permittee or its agents. The permittee upon notification from the City, shall correct all restoration work to the extent necessary, using the method required by the City. Said work shall be completed within five calendar days of the receipt of the notice from the City, not including days during which work cannot be done because of circumstances constituting force majeure or days when work is prohibited as unseasonable or unreasonable under § 257-16.
- E. Failure to restore. If the permittee fails to restore the right-of-way in the manner and to the condition required by the City, or fails to satisfactorily and timely complete all restoration required by the City, the City at its option may do such work. In that event the permittee shall pay to the City, within 30 days of billing, the cost of restoring the right-of-way. If the permittee fails to pay as required, the City may exercise its rights under the construction performance bond.

§ 257-13 Joint applications.

- A. Joint application. Applicants may jointly apply for permits to excavate or obstruct the right-of-way at the same place and time.
- B. Shared fees. Applicants who apply for permits for the same obstruction or excavation, which the City does not perform, may share in the payment of the obstruction or excavation permit fee. In order to obtain a joint permit, Applicants must agree among themselves as to the portion each will pay and indicate the same on their applications.
- C. With City projects. Applicants who join in a scheduled obstruction or excavation performed by the City, whether or not it is a joint application by two or more registrants or a single application, are not required to pay the excavation or obstruction and degradation portions of the permit fee, but a permit would still be required.

§ 257-14 Supplementary applications.

- A. Limitation on area. A right-of-way or small cell wireless permit is valid only for the area of the right-of-way specified in the permit. No permittee may do any work outside the area specified in the permit, except as provided herein. Any permittee which determines that an area greater than that specified in the permit must be obstructed or excavated must, before working in that greater area, make application for a permit extension and pay any additional fees required thereby, and be granted a new permit or permit extension.
- B. Limitation on dates. A right-of-way or small cell wireless permit is valid only for the dates specified in the permit. No permittee may begin its work before the

permit start date or, except as provided herein, continue working after the end date. If a permittee does not finish the work by the permit end date, it must apply for a new permit for the additional time it needs, and receive the new permit or an extension of the old permit before working after the end date of the previous permit. This supplementary application must be submitted before the permit end date.

§ 257-15 Other obligations.

- A. Compliance with other laws. Obtaining a right-of-way or small cell wireless permit does not relieve the permittee of its duty to obtain all other necessary permits, licenses, and authority and to pay all fees required by the City or other applicable rule, law or regulation. A permittee shall comply with all requirements of local, state and federal laws, including but not limited to Minn. Stat. §§ 216D.01 to 216D.09 (Gopher One Call Excavation Notice System) and Minnesota Rules Chapter 7560. A permittee shall perform all work in conformance with all applicable codes and established rules and regulations, and is responsible for all work done in the right-of-way pursuant to its permit, regardless of who does the work.
- B. Prohibited work. Except in an emergency, and with the approval of the City, no right-of-way obstruction or excavation may be done when seasonally prohibited or when conditions are unreasonable for such work.
- C. Interference with right-of-way. A permittee shall not so obstruct a right-of-way that the natural free and clear passage of water through the gutters or other waterways shall be interfered with. Private vehicles of those doing work in the right-of-way may not be parked within or next to a permit area, unless parked in conformance with City parking regulations. The loading or unloading of trucks must be done solely within the defined permit area unless specifically authorized by the permit.
- D. Trenchless excavation. As a condition of all applicable permits, permittees employing trenchless excavation methods, including but not limited to horizontal directional drilling, shall follow all requirements set forth in Minn. Stat. Chapter 216D and Minnesota Rules Chapter 7560 and shall require potholing or open cutting over existing underground utilities before excavating, as determined by the Director.

§ 257-16 Denial or revocation of permit.

- A. Reasons for denial. The City may deny a permit for failure to meet the requirements and conditions of this chapter or if the City determines that the denial is necessary to protect the health, safety, and welfare of the public or when necessary to protect the right-of-way and its current use.
- B. Procedural requirements. The denial or revocation of a permit must be made in writing and must document the basis for the denial. The City must notify the applicant or right-of-way user, in writing, within three business days of the decision to deny or revoke a permit. If an application is denied, the right-of-way user may address the reasons for denial identified by the City and resubmit its

application. If the application is resubmitted within 30 days of receipt of the notice of denial, no additional application fee shall be imposed. The City must approve or deny the resubmitted application within 30 days after submission.

§ 257-17 Installation requirements.

The excavation, backfilling, patching and restoration, and all other work performed in the right-of-way shall be done in conformance with Minnesota Rules 7819.1100 and 7819.5000 and other applicable local requirements, in so far as they are not inconsistent with the Minn. Stat. §§ 237.162 and 237.163. Installation of service laterals shall be performed in accordance with Minnesota Rules Chapter 7560 and these ordinances. Service lateral installation is further subject to those requirements and conditions set forth by the City in the applicable permits and/or agreements referenced in § 257-23B of this chapter.

§ 257-18 Inspection.

- A. Notice of completion. When the work under any permit hereunder is completed, the permittee shall furnish a completion certificate in accordance with Minnesota Rules 7819.1300 if requested by the City.

- B. Site inspection. The permittee shall make the work site available to the City and to all others as authorized by law for inspection at all reasonable times during the execution of and upon completion of the work if requested by the City.

- C. Authority of City.
 - (1) At the time of inspection, the City Administrator or Designee may order the immediate cessation of any work which poses a serious threat to the life, health, safety, or well-being of the public.

 - (2) The City Administrator or Designee may issue an order to the permittee for any work that does not conform to the terms of the permit or other applicable standards, conditions, or codes. The order shall state that failure to correct the violation will be cause for revocation of the permit. Within 10 days after issuance of the order, the permittee shall present proof to the Director that the violation has been corrected. If such proof has not been presented within the required time, the City Administrator or Designee may revoke the permit pursuant to § 257-21.

§ 257-19 Work done without permit.

- A. Emergency situations.
 - (1) Each facility owner shall immediately notify the City Administrator or Designee of any event regarding its facilities that it considers to be an emergency. The facility owner may proceed to take whatever actions are necessary to respond to the emergency. Excavators' notification to Gopher State One Call regarding an emergency situation does not fulfill this requirement. Within two business days after the occurrence of the emergency, the facility owner shall apply for the necessary permits, pay the fees associated therewith, and fulfill the rest of the requirements necessary to bring

itself into compliance with this chapter for the actions it took in response to the emergency.

- (2) If the City becomes aware of an emergency regarding right-of-way facilities, the City will attempt to contact the local representative of each facility owner affected, or potentially affected, by the emergency. In any event, the City may take whatever action it deems necessary to respond to the emergency, the cost of which shall be borne by the facility owner whose facilities occasioned the emergency.
- B. Nonemergency situations. Except in an emergency, any person who, without first having obtained the necessary permit, obstructs or excavates a right-of-way must subsequently obtain a permit and, as a penalty, pay additional fees required by the City as set forth in the City Fee Schedule, Chapter 160, deposit with the City the fees necessary to correct any damage to the right-of-way, and comply with all of the requirements of this chapter.

§ 257-20 Supplementary notification.

If the obstruction or excavation of the right-of-way begins later or ends sooner than the date given on the permit, the permittee shall notify the City of the accurate information as soon as this information is known.

§ 257-21 Revocation of permits.

- A. Substantial breach. The City reserves its right, as provided herein, to revoke any right-of-way permit without a fee refund, if there is a substantial breach of the terms and conditions of any statute, ordinance, rule or regulation, or any material condition of the permit. A substantial breach by the permittee shall include, but shall not be limited to, the following:
- (1) The violation of any material provision of the right-of-way permit.
 - (2) An evasion or attempt to evade any material provision of the right-of-way permit, or the perpetration or attempt to perpetrate any fraud or deceit upon the City or its citizens.
 - (3) Any material misrepresentation of fact in the application for a right-of-way permit.
 - (4) The failure to complete the work in a timely manner, unless a permit extension is obtained or unless the failure to complete work is due to reasons beyond the permittee's control.
 - (5) The failure to correct, in a timely manner, work that does not conform to a condition indicated on an order issued pursuant to § 257-19.
- B. Written notice of breach. If the City determines that the permittee has committed a substantial breach of a term or condition of any statute, ordinance, rule, regulation, or any condition of the permit, the City shall make a written demand upon the permittee to remedy such violation. The demand shall state that

continued violations may be cause for revocation of the permit. A substantial breach, as stated above, will allow the City, at its discretion, to place additional or revised conditions on the permit to mitigate and remedy the breach.

- C. Response to notice of breach. Within 24 hours of receiving notification of the breach, the permittee shall provide the City with a plan, acceptable to the City, that will cure the breach. The permittee's failure to so contact the City, or the permittee's failure to timely submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan shall be cause for immediate revocation of the permit. Further, the permittee's failure to so contact the City, or the permittee's failure to submit an acceptable plan, or the permittee's failure to reasonably implement the approved plan shall automatically place the permittee on probation for one full year.
- D. Cause for probation. From time to time, the City may establish a list of conditions of the permit, which if breached will automatically place the permittee on probation for one full year, such as, but not limited to, working out of the allotted time period or working on right-of-way grossly outside of the permit authorization.
- E. Automatic revocation. If a permittee, while on probation, commits a breach as outlined above, the permittee's permit will automatically be revoked and the permittee will not be allowed further permits for one full year, except for emergency repairs.
- F. Reimbursement of City costs. If a permit is revoked, the permittee shall also reimburse the City for the City's reasonable costs, including restoration costs and the costs of collection and reasonable attorneys' fees incurred in connection with such revocation.

§ 257-22 Mapping data.

- A. Information required. Each permittee shall provide mapping information required by the City in accordance with Minnesota Rules 7819.4000 and 7819.4100. Following completion of any work pursuant to a permit, the permittee shall provide the City Administrator or Designee accurate maps and drawings certifying the "as-built" location of all equipment installed, owned, and maintained by the permittee upon request. Such maps and drawings shall include the horizontal and vertical location of all facilities and equipment and shall be provided consistent with the City's electronic mapping system, when practical or as a condition imposed by the City Administrator or Designee. Failure to provide maps and drawings pursuant to this subsection may be grounds for denying future permit applications.
- B. Service laterals. All permits issued for the installation or repair of service laterals, other than minor repairs as defined in Minnesota Rules 7560.0150, Subpart 2, shall require the permittee's use of appropriate means of establishing the horizontal locations of installed service laterals and the service lateral vertical locations in those cases where the City Administrator or Designee reasonably requires it. Permittees or their subcontractors shall submit to the City

Administrator or Designee evidence satisfactory to the City Administrator or Designee of the installed service lateral locations. Compliance with this subsection and with applicable Gopher State One Call law and Minnesota Rules governing service laterals installed after December 31, 2005, shall be a condition of any City approval necessary for:

- (1) Payments to contractors working on a public improvement project, including those under Minn. Stat. Chapter 429; and
- (2) City approval under development agreements or other subdivision or site plan approval under Minn. Stat. Chapter 462. The City Administrator or Designee shall reasonably determine the appropriate method of providing such information to the City. Failure to provide prompt and accurate information on the service laterals installed may result in the revocation of the permit issued for the work or the denial of future permits to the offending permittee or its subcontractors.

§ 257-23 Right-of-way Location and relocation of facilities.

- A. Placement, location, and relocation of facilities must comply with the Act, with other applicable law, and with Minnesota Rules 7819.3100, 7819.5000, and 7819.5100, to the extent the rules do not limit authority otherwise available to the City.
- B. Corridors.
 - (1) The City may assign a specific area within the right-of-way, or any particular segment thereof as may be necessary, for each type of facility that is or, pursuant to current technology, the City expects will someday be located within the right-of-way. All excavation, obstruction, or other permits issued by the City involving the installation or replacement of facilities shall designate the proper corridor for the facilities at issue.
 - (2) Any person who has facilities in the right-of-way in a position at variance with the corridors established by the City shall, no later than at the time of the next reconstruction or excavation of the area where the facilities are located, move the facilities to the assigned position within the right-of-way, unless this requirement is waived by the City for good cause shown, upon consideration of such factors as the remaining economic life of the facilities, public safety, customer service needs, and hardship to the facility owner.
- C. Limitation of space. To protect the health, safety, and welfare of the public, or when necessary, to protect the right-of-way and its current use, the City shall have the power to prohibit or limit the placement of new or additional facilities within the right-of-way. In making such decisions, the City shall strive to the extent possible to accommodate all existing and potential users of the right-of-way, but shall be guided primarily by considerations of the public interest, the public's needs for the particular utility service, the condition of the right-of-way, the time of year with respect to essential utilities, the protection of existing facilities in the

right-of-way, and future City plans for public improvements and development projects which have been determined to be in the public interest.

§ 257-24 Pre-excavation facilities location.

In addition to complying with the requirements of Minn. Stat. §§ 216D.01 to 216D.09 ("One Call Excavation Notice System"), before the start date of any right-of-way excavation, each permittee who has facilities or equipment in the area to be excavated shall mark the horizontal and vertical placement of all said facilities. Any permittee whose facilities are less than 20 inches below a concrete or asphalt surface shall notify and work closely with the excavation contractor to establish the exact location of its facilities and the best procedure for excavation.

§ 257-25 Small cell location requirements

A. Most preferable locations.

The following are the most preferred areas for new small wireless facilities in the order of preference (1 being most preferable):

- (1) *Industrial Districts* if not adjacent to a park, residential district or historic district.
- (2) *Highway Rights of Way* areas if not adjacent to a park, or residential district.
- (3) *Commercial Districts* if not adjacent to a park, or residential district.

B. Collocation preference. It is the City's strong preference that whenever an applicant proposes to place a new small wireless facility that the applicant collocate the same on existing wireless support structures.

C. Least preferable locations. The following are the least preferred areas for new small wireless facilities in the order of preference (2 being least preferable).

- (1) Residential Districts
- (2) Parks

D. Consideration of alternate locations. The City reserves the right to propose an alternate location for a small wireless facility and/or wireless support structure to the location proposed in the application within one hundred feet of the proposed location or within a distance that is equivalent to the width of the ROW in or on which the small wireless facility and/or wireless support structure is proposed, whichever is greater, which the operator shall use if it has the right to use the alternate location on reasonable terms and conditions and the alternate location does not impose technical limits or additional costs.

E. Guidelines on placement. The City desires to promote cleanly organized and streamlined facilities using the smallest and least intrusive means available to provide wireless services to the community. Generally, a small wireless facility

and/or wireless support structure shall match and be consistent with the materials and finish of the wireless support structure, adjacent City poles, and of the surrounding area adjacent to their location. In the absence of adjacent City poles, the wireless support structure shall match the materials and finish of the adjacent utility poles.

The following additional guidelines on placement shall apply:

- (1) Small wireless facilities and wireless support structures shall be located no closer than 150 feet away, radially, from another small wireless facility and wireless support structure.
- (2) A combination wireless support structure and streetlight pole should only be located where an existing pole (usually Connexus Energy or East Central Energy) can be removed and replaced, or at a new location where it has been identified that a streetlight is necessary.
- (3) Small wireless facilities and wireless support structures shall be located in a manner that does not impede, obstruct, or hinder usual public pedestrian or vehicular travel or public safety on a ROW.
- (4) Small wireless facilities and wireless support structures shall be located in a manner that does not obstruct the legal use of a ROW by a utility provider.
- (5) Small wireless facilities and wireless support structures shall be located in a manner that does not violate the federal Americans with Disabilities Act.
- (6) Small wireless facilities and wireless support structures shall be located in a manner that does not negatively impact the structural integrity of the associated wireless support structure.
- (7) Small wireless facilities and wireless support structures shall be located in alignment with existing trees to the extent there are Blvd trees to be in alignment with, utility poles, and streetlights.
- (8) Small wireless facilities and wireless support structures shall be located equal distance between trees when possible, with a minimum of 15 feet separation such that no proposed disturbance shall occur within the critical root zone of any tree.
- (9) Small wireless facilities and wireless support structures shall be located with applicable clearance from existing utilities.
- (10) Small wireless facilities and wireless support structures shall be located so as not to be located along the frontage of any building deemed to be of historic significance on a federal, state, or local level.

- (11) Small wireless facilities and wireless support structures shall not be located within vision triangles at street intersections.
- (12) New wireless poles shall not be located directly in front of any existing residential, commercial or industrial structure. (Figure 1)
- (13) To the greatest extent possible, new wireless poles shall be located in line with existing lot lines or an equidistance from any two existing structures. In areas of the City where multiple poles abut each other and/or where no side lot setback requirements exist, new wireless poles shall not be located directly in front of an entrance or window of any existing structure. (Figure 2)

Figure 1 – Example of Acceptable Location Between Residential Homes:

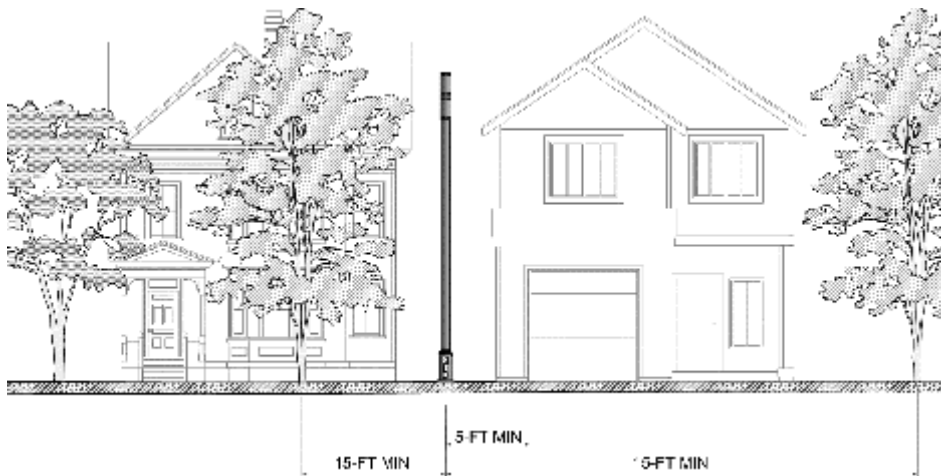
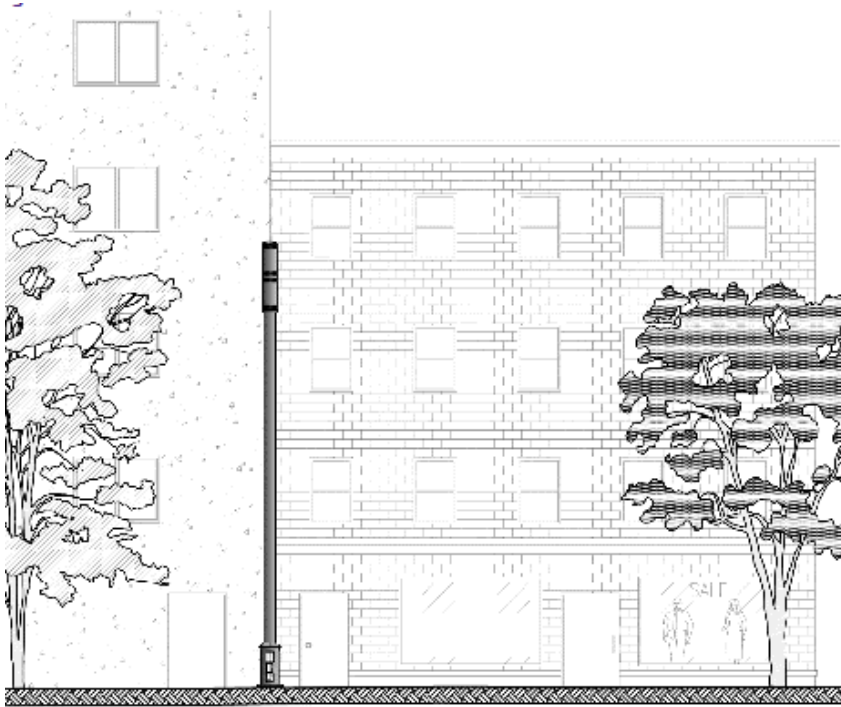


Figure 2 – Example of Acceptable Location Between Commercial Buildings:



F. **Limitations.** While the City fully intends to apply the guidelines established in this policy uniformly to all small wireless facility applications, there may be circumstances where not every specific guideline may be met. In these case, City staff will use its reasonable discretion in approving small wireless facilities permit applications that deviate from the strict application of this policy.

§ 257-26 Aesthetic requirements for small cell wireless facilities

A. Antennas

- (1) Each small wireless antenna shall be located entirely within a shroud or canister type enclosure.
- (2) The diameter of the antenna enclosure at its widest point should not be wider than two times the diameter of the top of the wireless support structure. The enclosure shall not exceed six cubic feet in volume.
- (3) All antenna enclosures shall either be mounted to the top of the wireless support structure pole and aligned with the centerline of the wireless support structure, or mounted to the side of the wireless support structure such that the vertical centerline of the antenna enclosure shall be parallel with the wireless support structure with the height of the side mounted antenna being at a location on the wireless support structure noted in the application and approved by the City, but at least 10 feet above ground level at its lowest point. Antennas must not exceed the building height requirements in their respective zoning district by more than ten 10' feet, with a maximum height of 50' feet.

- (4) Tree “topping” or the improper pruning of trees is prohibited. Any proposed pruning or removal of trees, shrubs or other landscaping already existing in the ROW must be noted in the application and must be approved by the City.
- B. Cables and wires. All cables, wires and connectors related to the small wireless facility must be fully concealed on the wireless support structure and shall match the color of the wireless support structure. There shall be no external cables and wires related to the small wireless facility hanging off or otherwise exposed on the wireless support structure.
- C. Colors. All colors shall match the background of any wireless support structure that the facilities are located upon, including equipment cabinets. Notwithstanding the foregoing, in the case of existing wooden utility poles, finishes of conduit shall be zinc, aluminum or stainless steel, or colored to match those metal finishes, and equipment cabinets shall be the color of brushed aluminum.
- D. Equipment enclosures / concealment / maintenance.
- (1) Equipment enclosures, including electric meters, shall be as small as possible, but in no event larger than 28 cubic feet in volume. Ground-mounted equipment shall incorporate concealment elements into the proposed design matching color and materials of the wireless support structure, unless other materials or colors are approved by the City. Concealment may include, but shall not be limited to, landscaping, strategic placement in less obtrusive locations and placement within existing or replacement street furniture.
 - (2) Radio equipment shall be fully enclosed within an equipment cabinet or concealed within the antenna shroud enclosure matching the color and materials of the wireless support structure, unless other materials or colors are approved by the City.
 - (3) Landscaping concealing equipment enclosures shall be planted in such quantity and size such that 100% screening is achieved within two years of installation.
 - (4) All equipment enclosures shall be maintained in good condition. They shall be completely sealed with a secured access. The small cell company and/or right-of-way user must take reasonable care and measures to prevent damage to their facilities. Open, broken or unsealed enclosures shall be considered a public nuisance under City Code Chapter 216.

E. Signage / logos / lights / decals / cooling fans.

- (1) Signage. The small wireless facility permittee shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the small wireless facility that is visible to the public. Signage required under this section shall not exceed 4 inches by 6 inches, unless otherwise required by law (e.g. radio-frequency (RF) ground notification signs) or the City. If no cabinet exists, the signage shall be placed at the base of the pole.
- (2) Lights. New small wireless facilities and wireless support structures shall not be illuminated, except in accord with state or federal regulations, or unless illumination is integral to the camouflaging strategy such as design intended to look like a street light pole.
- (3) Logos/ Decals. The small wireless facility operator/permittee shall remove or paint over unnecessary equipment manufacturer decals. The color shall match or shall be as approved by the City. Small wireless facilities and wireless support structures shall not include advertisements and may only display information required by a federal, state or local agency. The small wireless facility operator/permittee shall utilize the smallest and lowest visibility RF warning sticker required by government or electric utility regulations. Placement of the RF sticker shall be as close to the antenna as possible.
- (4) Cooling Fans. In residential areas, the small wireless facility operator/permittee shall use a passive cooling system. In the event that a fan is needed, the small wireless facility operator/permittee shall use a cooling fan with a low noise profile.

§ 257-27 Damage to other facilities.

When the City does work in the right-of-way and finds it necessary to maintain, support, or move a permittee's facilities to protect it, the City shall notify the local representative as early as is reasonably possible. The costs associated therewith will be billed to that permittee and must be paid within 30 days from the date of billing. Each permittee shall be responsible for the cost of repairing any facilities in the right-of-way which it or its facilities damage. Each permittee shall be responsible for the cost of repairing any damage to the facilities of another permittee caused during the City's response to an emergency occasioned by that permittee's facilities.

§ 257-28 Right-of-way vacation.

Reservation of right. If the City vacates a right-of-way that contains the facilities of a permittee, the permittee's rights in the vacated right-of-way are governed by Minnesota Rules 7819.3200.

§ 257-29 Indemnification and liability.

By accepting a permit under this chapter, a permittee agrees to defend and indemnify the City in accordance with the provisions of Minnesota Rules 7819.1250.

§ 257-30 Abandoned and unusable facilities.

- A. Discontinued operations. A permittee who has determined to discontinue all or a portion of its operations in the City must provide information satisfactory to the City that the permittee’s obligations for its facilities in the right-of-way under this chapter have been lawfully assumed by another permittee.

- B. Removal. Any permittee who has abandoned facilities in any right-of-way shall remove it from that right-of-way if required in conjunction with other right-of-way repair, excavation, or construction, unless this requirement is waived by the City.

§ 257-31 Appeal.

An applicant or permittee that has been denied a permit; has had a permit revoked; believes that the fees imposed are not in conformity with Minn. Stat. § 237.163, Subdivision 6; or disputes a determination of the City Administrator or Designee regarding provisions of this chapter may have the denial, revocation, fee imposition, or decision reviewed, upon written request, by the City Council. The City Council shall act on a timely written request at its next regularly scheduled meeting, provided the right-of-way user has submitted its appeal with sufficient time to include the appeal as a regular agenda item. A decision by the City Council affirming the denial, revocation, or fee imposition will be in writing and supported by written findings establishing the reasonableness of the decision.

§ 257-32 Reservation of regulatory and police powers.

A permittee's rights are subject to the regulatory and police powers of the City to adopt and enforce general ordinances as necessary to protect the health, safety, and welfare of the public.

§ 257-33 Severability.

If any portion of this chapter is for any reason held invalid by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portions thereof. Nothing in this chapter precludes the City from requiring a franchise agreement with the applicant, as allowed by law, in addition to requirements set forth herein.

Section 3 – Effective Date.

This ordinance shall take effect upon its passage and publication in the official City newspaper.

Adopted by the City Council this _____ day of _____ 2021.

Mayor Jeff Johnson

Attest:

Jaden Strand
City Clerk

Posted on:
Adopted on:
Published on:
Effective Date:



City of Isanti

Small Cell Wireless/ Pole Attachment Permit Application

APPLICANT		APPLICANT PHONE (direct)		APPLICANT FAX	
APPLICANT EMAIL					
COMPANY NAME		COMPANY PHONE		COMPANY FAX	
BILLING ADDRESS		CITY		STATE	ZIP
GOPHER STATE ONE-CALL REGISTRATION NUMBER			24-HOUR EMERGENCY CONTACT NUMBER		
LOCATION LIMITS (describe specific sites on page two, up to 15 sites/permit)					
DESCRIPTION OF WORK (attach additional pages if needed)					
CONSTRUCTION START		DAYS OF CONSTRUCTION		COMPLETION DATE	
<p>ACKNOWLEDGMENT</p> <p><i>By signing this application, I (the applicant/company) hereby acknowledge that I must adhere to all provisions of City of Isanti Chapter 257 Right-of-Way Management and any other applicable city ordinances and state and federal laws, including Minnesota Statutes Sections 237.162 and 237.163, in addition to the terms and conditions which are attached to this document. The applicant shall also comply with the regulations of all other governmental agencies for the protection of the public.</i></p> <p>SIGNATURE: _____ DATE: _____</p> <p>TITLE: _____</p>					

REQUIRED DOCUMENTS TO APPLY (Check that they are enclosed):

- | | |
|---|---|
| <input type="checkbox"/> Permit Fee | <input type="checkbox"/> Structural study |
| <input type="checkbox"/> (2) sets of construction plans signed by a Professional Engineer and (1) electronic copy | <input type="checkbox"/> Radio frequency study |
| <input type="checkbox"/> Performance bond on file and proof of insurance | <input type="checkbox"/> Copy of permit from pole owner if owned by an agency other than the City of Isanti (if applicable) |
| <input type="checkbox"/> Design plan/route for backhaul, signed by P.E. | <input type="checkbox"/> Certificate of Insurance |

FOR OFFICE USE ONLY			
APP REC'D:	PERMIT FEE REC'D: / /	CHECK <input type="checkbox"/> # _____ CC <input type="checkbox"/>	PERMIT NUMBER:
	AMOUNT:		PERMIT ISSUE DATE:
SIGNATURE:			
TITLE:			APPROVED <input type="checkbox"/> DENIED <input type="checkbox"/>

SMALL CELL WIRELESS PERMIT NOT VALID UNLESS SIGNED BY CITY OF ISANTI ENGINEERING STAFF

SITE SUMMARY

*By statute, applicant may collocate up to 15 small wireless facilities if they are within a two mile radius, Consists of substantially similar equipment, and are to be placed on similar types of wireless support structures.
Note, Please See City Ordinances Referencing Collocation Requirements.*

SITE	DESCRIPTION	FEE PER POLE For Administration purposes only
01		
02		
03		
04		
05		
06		
07		
08		
09		
10		
11		
12		
13		
14		
15		
TOTAL PERMIT /POLE FEE DUE FOR LOCATION		\$

POLE PERMIT TERMS AND CONDITIONS

1. INSTALLATION OF EQUIPMENT

1.1. Permits

- 1.1.1. Small Cell Wireless/Pole Permit: Prior to the approval of installation of equipment, APPLICANT shall submit to the City Administrator or designee, a sketch of the proposed location for the new equipment ("Equipment Plan"). The City Engineer or designee will review the sketch to determine whether the wireless support structure is owned by the City.
- 1.1.2. The Small Cell Wireless/Pole Permit Application shall include the following:
 - 1.1.2.1. Completed permit application and fee;
 - 1.1.2.2. Performance bond on file and proof of insurance;
 - 1.1.2.3. Construction plans as described in section 1.2 below;
 - 1.1.2.4. Structural study described in section 1.2.2. below;
 - 1.1.2.5. Design plan and/or route for backhaul facilities, signed by a P.E.; and
 - 1.1.2.6. Copy of permit from wireless support structure owner if owned by an agency other than the City of Isanti (if applicable).
- 1.1.3. APPLICANT must obtain a radio frequency interference study carried out by an independent professional radio frequency engineer ("RF Engineer") showing that APPLICANT's intended use will not interfere with any existing, licensed communications facilities, as well as CITY's licensed and unlicensed communications facilities, which are located on or near the structure. The RF Engineer shall provide said evaluation no later than forty-five (45) days after frequencies are provided by CITY. APPLICANT shall not transmit or receive radio waves at the wireless support structure until such evaluation has been satisfactorily completed.
- 1.1.4. Upon Request of CITY, APPLICANT shall hire an RF Engineer to conduct a radio frequency emissions survey of the wireless support structure following APPLICANT's initial RF transmissions. APPLICANT shall be responsible for all costs of such survey.
- 1.1.5. APPLICANT shall implement all measures at the transmission site required by FCC regulations, including but not limited to posting signs and markings. CITY shall cooperate with APPLICANT to fulfill its Radio Frequency exposure obligations. CITY agrees that in the event any future party causes the entire site to exceed FCC Radio Frequency radiation limits, as measured on the wireless support structure, CITY shall hold such future party liable for all such later-arising non-compliance.
- 1.1.6. Other City Permits: In addition to the Pole Attachment Permit, which is only approved to attach equipment to a wireless support structure, the APPLICANT must apply for any additional permits for all appurtenant equipment or facilities required for the Pole Application. Said permits may include, but not necessarily be limited to: Right-of-Way obstruction/excavation; Building; Electrical; Stormwater; etc.
- 1.1.7. Other Applicable Permits: It is the APPLICANT's responsibility to determine if permits are required by other governmental agencies and apply for those permits.
- 1.1.8. Applicable fees for all permits shall be borne by the APPLICANT and the APPLICANT shall be bound by the requirements of said permits.

1.2. Construction Plans

For Small Cell Wireless/ Pole Attachment Permit application, or additions thereto, APPLICANT shall provide the City Engineer or designee as set forth in Section I. A(2), each with two (2) sets of construction plans ("Construction Plans") consisting of the following:

- 1.2.1. CAD drawings showing the location and materials of all planned installations, including field verified existing utilities;
- 1.2.2. Structural Study: Complete an analysis of the existing wireless support structure or replacement pole to determine if the structure/pole has sufficient strength to support the small wireless facility which is propose to be attached/affixed to it. Study shall have affixed to it the signature of the APPLICANT's Engineer who shall be licensed in Minnesota pursuant Minnesota Rule 1800.4200 and Minnesota Statutes Chapter 326.
- 1.2.3. Construction Specifications and Product Specifications for all planned installations;
- 1.2.4. Diagrams and Shop Drawings of proposed small wireless facility; and
- 1.2.5. A complete and detailed inventory of all equipment and personal property of APPLICANT actually placed on the wireless support structure. CITY retains the right to survey the installed equipment.

Construction Plans shall be easily readable, no construction shall commence until permit is granted by the City Engineer or designee. Final Plans shall have affixed to them the signature of the APPLICANT's Engineer who shall be licensed in Minnesota pursuant Minnesota Rule 1800.4200 and Minnesota Statutes Chapter 326.

1.3. Construction Inspection

All construction activity shall be subject to inspection and approval by the CITY's representative(s). Inspection will be performed at project

completion. An inspection appointment must be made by calling the City Building Official. APPLICANT shall be solely responsible for all costs, in excess of those included in the permit fee, associated with said inspection and approval of construction work by CITY.

1.4. Exposed Antenna Facilities

1.4.1. APPLICANT must ensure that all Antenna Facilities which have exterior exposure shall match the color of the wireless support structure. For exposed cables, wires, or appurtenances, the APPLICANT shall ensure that cables, wires or appurtenances are placed in conduit which shall match the color of the wireless support structure.

1.5. Damage by APPLICANT

1.5.1. Any damage to the right of way, or CITY's equipment thereon caused by APPLICANT's permitted installation or operations shall be repaired or replaced at APPLICANT's expense and to CITY's reasonable satisfaction.

1.6. As-Built Drawings ("As-Built" or "As-Builts")

1.6.1. Within thirty (30) days after APPLICANT activates the small wireless facility, APPLICANT shall provide CITY with a shape file containing GPS coordinates and As-Built drawing in PDF and in CAD format consisting of As-Built drawings of the small wireless facility installed on each permitted location and any improvements installed on the wireless support structure, which shall show the actual location of all equipment and improvements. Said drawings shall be accompanied by a complete inventory of all equipment and Antenna Facilities. For additional details on the shape file requirements please contact the City Engineer at 763-200-2444.

2. MAINTENANCE AND REPAIR OF EQUIPMENT

2.1. Emergency Maintenance and Repair

The CITY retains the right to shut off power for the Antenna Facilities at the source in any and all cases of emergency, as determined by the CITY.

2.2. Wireless Support Structure Reconditioning and Repair

2.2.1. CITY reserves the right to take any action it deems necessary, in its sole and reasonable discretion, to repair, maintain, alter, or improve the right of way in connection with CITY's Operations ("ROW Work"). From time to time, CITY paints, reconditions, or otherwise improves or repairs the wireless support structure in a substantial way ("Reconditioning Work"). APPLICANT shall cooperate with CITY to carry out ROW and Reconditioning Work.

2.2.2. Except in cases of emergency, prior to commencing ROW or Reconditioning Work, CITY shall provide APPLICANT with not less than thirty (30) days prior written notice thereof. City will send notice to the address provided on this permit application. It shall be the sole responsibility of APPLICANT to provide adequate measures to cover or otherwise protect APPLICANT's Antenna Facilities from the consequences of such activities, including but not limited to paint and debris fallout. CITY reserves the right to require APPLICANT to remove all Antenna Facilities from the wireless support structure and right of way during ROW or Reconditioning work.

2.2.3. During CITY's ROW or Reconditioning Work, APPLICANT may request a mobile site on the right of way. If site will not accommodate mobile equipment, it shall be APPLICANT's responsibility to locate auxiliary sites.

2.3. Relocation of Wireless Support Structure

When directed by the City, a right-of-way user shall relocate all of its facilities within the rights-of-way according to Isanti City Code Chapter 257 as amended from time to time.

3. CONDITION OF WIRELESS SUPPORT STRUCTURE

3.1.1. The CITY will keep and maintain the wireless support structure in good repair as required for the CITY's intended use and in the ordinary course of business as the CITY budget permits. CITY makes no guarantee as to the condition of any wireless support structures with regard to APPLICANT's intended use, if the W.S.S. is owned by the applicant.

3.1.2. APPLICANT shall, at its own cost and expense, maintain the small wireless facility in good and safe condition, and in compliance with applicable fire, health, building, and other codes. The APPLICANT shall obtain from the CITY any and all permits required for the purposes of maintaining the installation. Applicable fees for any permits shall be borne by the APPLICANT and the APPLICANT shall be bound by the requirements of said permits.

4. INDEMNIFICATION

- 4.1.1. APPLICANT shall, to the extent permitted by law, indemnify and hold CITY harmless against any claim of liability or loss from personal injury or property damage resulting from or arising out of the negligence or willful misconduct of the APPLICANT, its employees, contractors or agents, except to the extent such claims or damages may be due to or caused by the negligence or willful misconduct of the CITY, or its employees, contractors or agents.

5. INSURANCE

- 5.1. **Worker's Compensation:** The APPLICANT must maintain Workers' Compensation insurance in compliance with all applicable statutes. The policy shall also provide Employer's Liability coverage with limits of not less than \$500,000 Bodily Injury by harm, each employee.
- 5.2. **General Liability:** The APPLICANT must maintain occurrence form commercial general liability coverage.
- 5.2.1.1. Such coverage shall include, but not be limited to, bodily injury, property damage – broad form, and personal injury, for the hazards of Premises/Operation, broad form contractual liability, property damage liability, and independent contractors.
- 5.2.1.2. The APPLICANT must maintain aforementioned commercial general liability coverage with limits of liability not less than \$1,500,000 for each occurrence; \$3,000,000 minimum general aggregate and \$2,000,000 products and completed operations aggregate. These limits may be satisfied by the commercial general liability coverages.
- 5.2.1.3. APPLICANT will maintain Completed Operations coverage for a minimum of two (2) years after the construction is completed.
- 5.2.1.4. For towers collocated on City ROW or property, a certificate of insurance naming the City as an additional insured must be provided. The certificate must include a 30-day notification to the City if the insurance is cancelled.
- 5.3. **Automobile Liability:** The APPLICANT must carry Automobile Liability coverage. Coverage shall afford total liability limits for Bodily Injury Liability and Property Damage Liability in the amount of \$1,500,000 per accident. The liability limits may be afforded under the Commercial Policy, or in combination with an Umbrella or Excess Liability Policy provided coverage of rides afforded by the Umbrella Excess Policy are not less than the underlying Commercial Auto Liability coverage.
- 5.3.1.1. Coverage shall be provided by Bodily Injury and Property Damage for the ownership, use, maintenance or operation of all owned, non-owned and hired automobiles.
- 5.3.1.2. The Commercial Automobile Policy shall include at least statutory personal injury protection, uninsured motorists and underinsured motorists coverages.
- 5.4. **APPLICANT Property Insurance:** The APPLICANT must keep in force for the duration of the Permit a policy covering damages to its property in the right of way. The amount of coverage shall be sufficient to replace the damaged property, loss of use and comply with any ordinance or law requirements. APPLICANT may self-insure this coverage and will provide written verification of said self-insurance to the City, prior to the execution of the Agreement.
- 5.5. **Adjustment to Insurance Coverage Limits:** The APPLICANT's coverage limits set forth herein shall be increased every five years following installation of the small wireless facility by twenty-five percent (25%) over the preceding five years. Alternatively, instead of such periodic coverage limit increases, during the entire term of this Agreement, APPLICANT may maintain an umbrella or excess liability insurance policy with a combined single limit of \$5,000,000.00 per occurrence, and CITY will be named as an additional insured under such policy.
- 5.6. **Additional Insured – Certificate of Insurance:** The APPLICANT shall provide, prior to tenancy, evidence of the required insurance in the form of a Certificate of Insurance issued by a company (rated B+ (VIII) or better), licensed to do business in the State of Minnesota, which includes all coverage required in this Section 5. **APPLICANT will name the CITY as an Additional Insured on the General Liability and Commercial Automobile Liability Policies.** Applicant shall provide at least thirty (30) days prior written notice to the CITY of cancellation or non-renewal of any required coverage that is not replaced. APPLICANT will provide a certificate of insurance naming the City as an Additional insured as required above with any new company.
- 5.7. **Defense and Indemnification:** APPLICANT agree to defend, indemnify, and hold harmless CITY and its elected officials, directors, officers, employees, agents, and representatives, from and against any and all claims, costs, losses, expenses, demands, actions, or causes of action, including reasonable attorneys' fees and other costs and expenses of litigation, which may be asserted against or incurred by CITY or for which CITY may be liable in the performance of this Agreement, except those which arise solely from negligence or willful misconduct of CITY, its elected officials, directors, officers, employees, agents, representatives or contractors.

5.7.1. APPLICANT shall defend, indemnify, and hold CITY, its agents, employees and officials harmless against all claims arising out of APPLICANT's use of the right of way, including its installation, operation, use, maintenance, repair, removal, or presence of APPLICANT's facilities, structures, equipment or other types of improvements, including Antenna Facilities, in the right of way except to the extent arising from or related to the sole negligence or willful misconduct of CITY, its elected officials, officers, employees, agents, and representatives.

6. LIMITATION OF LIABILITY

6.1.1. CITY shall not be liable to the APPLICANT, or any of its respective agents, representatives, employees for any lost revenue, lost profits, loss of technology, rights or services, incidental, punitive, indirect, special or consequential damages, loss of data, or interruption or loss of use of service, even if advised of the possibility of such damages, whether under theory of contract, tort (including negligence), strict liability or otherwise.

7. INTERFERENCE

7.1.1. APPLICANT agrees to install equipment of the type and frequency which will not cause harmful interference which is measurable in accordance with then existing industry standards to any equipment of CITY or other users of the wireless support structure which existed on the wireless support structure prior to the date this Permit is issued. In the event any of APPLICANT's equipment causes such interference, and after CITY has notified APPLICANT in writing of such interference, APPLICANT will take all steps necessary to correct and eliminate the interference, including but not limited to, at CITY's option, having the APPLICANT power down its equipment and later power up its equipment for intermittent testing.

8. TERM OF PERMIT

8.1.1. The term of this permit is from the date the permit is issued by the City to the time the small wireless facility is no longer in use, unless earlier revoked due to a substantial breach of the terms and conditions of statute, ordinance, rule or regulation or any material condition of this permit.

9. REMOVAL AT END OF TERM OR UPON PERMIT REVOCATION

9.1.1. APPLICANT shall, within ninety (90) days after any termination of this Permit, remove its equipment, conduits, fixtures and all personal property and restore the wireless support structure to its original condition, reasonable wear and tear expected. If applicant removed a City owned street light pole to install a W.S.S. the applicant must install a replacement street light pole upon removal of the W.S.S. CITY agrees and acknowledges that all of the equipment, conduits, fixtures and personal property of APPLICANT shall remain the personal property of APPLICANT and APPLICANT shall have the right to remove the same at any time during the Term. All poles, conduit and pole boxes are and shall remain property of the CITY. If such time for removal causes APPLICANT to remain on the wireless support structure after termination, APPLICANT shall pay rent at the then existing monthly rate or on the existing monthly pro-rata basis until such time as the removal of the antenna structure, fixtures and all personal property are completed. All rentals paid prior to said termination date shall be retained by CITY.

10. ASSIGNMENT

10.1.1. This Permit, and all rights thereunder, may not be sold, assigned, or transferred without the written consent of the CITY, such consent not to be unreasonably withheld, conditioned or delayed.

11. CASUALTY

11.1.1. In the event of damage or casualty to the wireless support structure that cannot reasonably be expected to be repaired or replaced due to winter frost conditions, or if the structure is damaged so that such damage may reasonably be expected to disrupt APPLICANT's operations for more than 120 days, then APPLICANT may, provided CITY has not completed the restoration or replacement of the structure, terminate the Permit upon fifteen (15) days prior written notice to CITY.



Application for Right-Of-Way Permit

Return to the City of Isanti
 Attn: Matt Sylvester, Public Services Director
 110 1st Avenue NW, PO Box 428, Isanti, MN 55040
 msylvester@cityofisanti.us
 Phone 763.762.5757 Fax: 763.444.5560

PERMIT TO WORK WITHIN RIGHT-OF-WAY/EASEMENTS

(Check all that apply)

EXCAVATION _____ OBSTRUCTION _____

STREET CUTTING _____ <1,000 LF _____ >1,000 LF _____

1. Location _____
 (Street, property, or legal address; or distance and direction from nearest public street intersection)

2. Nature of work _____

3. Indicate below items to be affected/disturbed and include a scale of work to be done.

Excavation:

- | | |
|---|--|
| <input type="checkbox"/> Boulevard
<input type="checkbox"/> Curb & Gutter
<input type="checkbox"/> Drainage
<input type="checkbox"/> Driveway
<input type="checkbox"/> Established Turf
<input type="checkbox"/> Pond/Wetlands | <input type="checkbox"/> Private Utilities (elec, gas, etc.)
<input type="checkbox"/> Public Utilities (sewer, water)
<input type="checkbox"/> Trail/Sidewalk
<input type="checkbox"/> Trees: Number of trees: _____
<input type="checkbox"/> Street Surface
<input type="checkbox"/> Other _____ |
|---|--|

Obstruction:

- Exact Location(s) _____
- Pole/Pedestal
- Structure/Buildings
- Traffic Control Devices/Signs

4. Method of installation or construction _____

SUPPLEMENTAL DOCUMENTATION: Please attach a detailed description and scaled drawing of the proposed project and project work including identification of obstructions to be placed and size and depth of excavation. Include a traffic control plan if street cutting is necessary. Submit pavement mix design one (1) week prior to paving.

5. Work to start on or after: _____ and shall be completed by: _____ unless an extension granted to:
 _____ by _____.
 Date Staff

6. Will lane closures or detouring of traffic be necessary? _____ If yes, state duration and provide detour plan for each instance:

DETOURS: All detour plans are required as part of this permit and must be pre-approved in writing by the City Public Works Department. The City Public Services Director shall be notified in writing at least three (3) working days in advance of any approved detour being established, changed or discontinued.

PRIOR TO WORK COMMENCING: The Public Services Director shall be notified one (1) week prior to arriving on site by phone (763) 762-5757 or email msylvester@cityofisanti.us.

Name Of Applicant _____ Phone _____

Please Print

Address _____

Street

City

State

Zip

Name Of Party Or Organization Performing Work _____

Gopher One Call Registration # _____

E-Mail Address: _____

Contact Person: _____

Emergency Phone (24 Hr.): _____

Address: _____

Day Phone _____

Street

City

State

ZIP

The undersigned herewith accepts the terms and conditions of this permit by the City of Isanti as herein contained and agrees to fully comply therewith to the satisfaction of the City of Isanti. The undersigned also declares that he/she has read, understands, and will comply with all relevant City Ordinances and all Right of Way Regulations as stated in the following pages. **A Certificate of Insurance or Self Insurance verifying coverage has been provided to the City of Isanti. (CITY OF ISANTI TO BE NAMED AS AN ADDITIONAL INSURED)**

Signed: _____ Title: _____ Date: _____

All legal requirements shown on attached pages to be complied with. The Public Services Director must be notified one week prior to the start date. The date when work is completed must be reported in writing to the Public Services Director.

Return the Permit Application via mail or email:

City of Isanti - Attn: Matt Sylvester

110 1st Avenue Northwest – PO Box 428

Isanti, MN 55040

msylvester@cityofisanti.us

AUTHORIZATION OF PERMIT

Fee: _____ To be submitted to the City of Isanti

In consideration of agreement to comply in all respects with the regulations and codes of the City of Isanti covering such operations, and pursuant to authorization duly given by said City of Isanti, permission is hereby granted for the work to be done as described in the above application with said work to be done in accordance with Right of Way Regulations hereby attached: Approved By: City Engineer / Public Services Director

By: _____ Date: _____

Notes and/or Additional Operations that Must be Abided by:

- All disturbed surfaces shall be restored within 3 working days

FOR CITY USE ONLY

Financial Security Amount: _____

Type: _____

(Cash, bond, LOC, etc.)

Fee: \$ _____ Receipt No. _____ Permit No. _____ Escrow: \$ _____ Receipt No. _____

CITY OF ISANTI RIGHT OF WAY REGULATIONS

SAFETY

1. Traffic shall be allowed to pass and to be protected at all times. If it is not possible to allow traffic to pass, a detour must be preapproved by the City Public Works Dept. Notification must be in writing 3 working days prior to commencement.
2. Traffic control devices shall be in accordance to MMUTCD “Field Manual” (1998). When a trail or roadway/ drive has been cut, appropriate signage must be kept in place and maintained until restoration is complete.
3. Excavations must be shored or sheeted, as required by O.S.H.A., when necessary to prevent under-mining of roadways, trailways, utilities, or for safety reasons. Stock piling of excavated material shall not occur within the public-right-of-way without proper traffic control.
4. Guys or stays shall not be attached to trees on right-of-way or private property nor obstruct roadways, sidewalks, trails, driveways, etc.
5. Flaggers and/or warning lights at night shall be furnished by the party or organization performing the work whenever the work being done creates a hazard either to the traffic using said road or the personnel engaged in the construction, or when directed to do so by the City.

OPERATIONS

1. **Permit on Job – Permits or copies (including approved detour plans) shall be kept on the work site while it is in progress and in the custody of the individual in charge, and shall be exhibited upon request made by any City official.**
2. Conditions of permit - No person may excavate or obstruct the public right-of-way after the date specified in the permit, unless the person obtains a new permit or permit extension before the expiration of the original permit. The permit is valid only for the area of the public right-of-way specified in the permit; no permittee shall do any work outside the area specified in the permit, except as noted herein.
3. If the obstruction or excavation of the public right-of-way begins later or ends sooner than the dates specified in the permit, the permittee shall promptly notify the City Public Works Department.
4. When possible, the permittee shall coordinate project work and installation of facilities in co-locations with other public right of way users.
5. The permittee shall locate property lines abutting public right-of-ways and replace any destroyed property corners with the services of a Minnesota-licensed surveyor.
6. Provisions and Specifications – These general provisions and specifications shall be considered as forming an integral part of each and every permit issued for operations within Isanti. Installation, placement, location, and relocation of equipment and facilities shall comply with all federal, state, and local laws. The work authorized by this permit shall be done at such time and in such manner as shall be consistent with the safety of the public and shall conform to all requirements and standards of the City. If at any time it shall be found by the City that the work is not being or has not been properly performed, the permittee, upon being notified by the City, shall immediately take the necessary steps, at his own expense, to place the work in condition to conform to said requirements or standards.
 - A. Public right-of-way alignment and grade shall be maintained, unless otherwise authorized by the City.
 - B. Unless otherwise approved by the City, fiber facilities shall be buried in a proper conduit and at a depth of no less than three (3) feet deep and no more than four (4) feet; copper facilities below concrete or bituminous paved roadway surfaces shall be buried no less than three (3) feet deep and no more than four (4) feet deep, and all other copper facilities shall be buried no less than thirty (30) inches deep and no more than four (4) feet deep.
 - C. Unless otherwise approved by the City, all underground facilities which cross streets or hard surfaced driveways shall be directional bored and installed in conduit of a type determined by the permittee.

- D. When utilizing trenchless installation methods to cross an area in which a City utility is located or when directed by the City, the permittee shall excavate an observation hole over the City utility to ensure that the City utility is not damaged.
 - E. If the project work involves open cut, the permittee shall install visual tracers at twelve (12) inches over buried facilities. If other construction methods are used, substitute location methods may be used upon approval by the City.
 - F. During plowing or trenching of facilities, a warning tape shall be placed at a depth of twelve (12) inches above copper cables with over two hundred (200) pairs and all fiber facilities. A locating wire or conductive shield shall be installed above buried telecommunication facilities, except for di-electric cables.
 - G. Compaction in any **trench** or hole outside of any hard surface shall be ninety-five percent (95%) of Standard Proctor. Compaction under any hard surface (sidewalks, trails, and streets) shall be 100% of Standard Proctor to a depth of 36" below base. Backfill must be placed in 12" layers and material shall be subject to the approval of the City. Material from the excavation may be acceptable provided such material is primarily granular in nature. Compacted backfill shall be brought to bottom of the gravel of the approved street section. Compaction shall be accomplished with hand, pneumatic or vibrating compactors as appropriate. **Restoration of boulevards shall include a minimum of 4" of topsoil and sod, unless otherwise approved.**
 - H. The permittee is required to have compaction testing to be conducted by an independent firm at locations approved by the City as required at the sole discretion of the City. Copies of test results shall be submitted to the City. All testing will be at the expense of the Permittee. If compaction densities are not in compliance with City standards, re-compaction and testing shall be completed.
 - I. All facilities shall be located so as to not interfere with existing & potential future traffic signals and signs.
 - J. All above ground appurtenances shall be located no closer than ten (10) feet to hydrants, waterline valves, manholes, lift stations or catch basins unless approved by the City, and shall not be installed in front of or within visual sight lines of any City signs, monuments or amenities for facilities or parks. Minimum offsets from sidewalks and trails shall be 2 feet unless approved by the City.
 - K. Underground facilities shall not be installed between a hydrant and an auxiliary valve.
 - L. Underground facilities shall not be installed within five (5) feet of hydrants, waterline valves, lift stations, manholes or catch basins where utility easements exist beyond the roadway surface area of the public right-of-way and space is available therein. In those areas in which no utility easement exists, placement of an underground facility shall be between the edge of pavement and no closer than three (3) feet to an existing City utility appurtenance, unless approved by the City.
 - M. In projects where an extensive effort to determine the location of City utilities lines will be required to determine the proper location and installation of private facilities, the permittee shall contact the City's Utility Representative at least two (2) weeks prior to the beginning of the work and shall cooperate to determine the location of the City utilities.
 - N. The location and installation of telecommunications facilities shall comply with the National Electric Safety Code, as incorporated by reference in Minnesota
7. Execution – The permittee shall use diligence in the execution of the work authorized under this permit in order not to endanger the public or unnecessarily obstruct travel along any road or right of way. Operations shall be so conducted as to permit safe and free travel over the roads and trailways at all times within the limits of the work herein prescribed. All safety measures for the free movement of traffic shall be provided by the permittee at his own cost.
The permittee shall notify abutting property owners prior to commencement of any project work that may disrupt the use of and access to the abutting property.
8. Conformity to Laws – The installation shall be made in conformity with all applicable laws, regulations, and codes covering said installations. All installations shall be made in conformity with regulations of governmental agencies for the protection of the public.

- A. File with the City a liability insurance policy or certificate of such insurance issued by an insurance company authorized to do business in the State. The policy shall be kept in effect until the termination of a permit granted pursuant to this section.
 - B. Except for the negligent acts of the City, its agents and its employees, the permittee shall assume all liability for, and save the City, its agents and its employees, harmless and defend same at its sole cost and expense from any and all claims for damages, actions or causes of action arising out of the work to be done herein and the continuing uses by the permittee, including but not limited to the placing, constructing, and reconstructing, maintaining, protecting and use of said facility under this application and permit for construction.
9. Existing Facilities – The utility facility and installations shall not interfere with any existing utility facility on the City’s right-of-way or easements. It is the responsibility of the applicant to call for timely, necessary locations of existing utilities. (Gopher State One Call 800-252-1166).
 10. Private Property – The work permit or permit for construction as issued does not in any way imply an easement or right to enter private property.
 11. Quality of Work – **All disturbed surfaces shall be restored within 3 working days.** Finished surface, base and sub-base of all disturbed surfaces upon completion of work shall be at least equal to or better than current City specs for similar construction. New surfaces must match existing roads or trailways.
 12. Cutting Trees – The permission herein granted does not confer upon the permittee the right to cut, remove, or destroy trees or shrubbery within the legal limits of the right-of-way or easements that are not specifically identified on the plan attached to this permit or relieve permittee from obtaining any consent otherwise required from the owner of the property adjacent thereto. The permittee shall protect the root growth of significant trees and shrubbery within the public right-of-way adjacent thereto. The permittee shall comply with the City’s Tree Ordinance, if applicable.
 13. Drainage – All waterways and overland drainage shall remain operative. Proper erosion control shall be established and maintained throughout the construction and restoration.
 14. Pole anchors – Pole anchors, anchors, braces or other construction may be permitted within right-of-way or easements and must be approved on a case-by-case basis.
 15. Driving Limitations:
 - A. Driving or parking on City trails or sidewalks shall only be permitted for those operations requiring direct access to the boulevard area where adequate shoulder width is not available. Vehicles within the right of way area shall utilize their warning flashers at all times.
 - B. Vehicles driving on trails or sidewalks shall not operate in excess of 5 miles per hour. Vehicles shall operate at slower speeds when weather conditions, trail conditions, poor visibility, obstructed sightlines or other conditions require special precautions to ensure the safety of trail users and the general public.
 - C. Vehicles shall not be parked on trails or sidewalks in such a manner as to unnecessarily impede the safe and efficient use of trailways by the general public.
 - D. When City load limits are active, vehicles will not be permitted on trails and sidewalks.
 16. Vehicles or equipment traversing roads or trailway surfaces shall not utilize studded or chained tires, caterpillar traction, or any other form of traction that will result in damage to the surface.
 17. Clean-Up – Street, trailways and affected right-of-way shall be cleaned at the end of each workday and cleaned after construction is completed and left in a neat and presentable condition. Any sediment or debris from improvement shall be removed from sanitary or storm sewer systems, including drainage swales and ponds, as needed.
 18. Trees and Vegetation – Burning or discing operations and/or the use of chemicals to control or destroy trees, brush and other vegetation is prohibited without prior approval from the City.
 19. Replacement of Sod – Wherever topsoil and sod are disturbed, they **shall be replaced and maintained satisfactorily until the turf is established.** Any turf that fails to be established shall be replaced and satisfactorily re-established. **Restoration of boulevards shall include a minimum of 4” of topsoil.**

20. Sanitary Sewer and Water Services – Any questions regarding the sanitary sewer or water services connections shall be made to the City Public Works Department (763) 444-0459. **Prior to any backfill of sanitary sewer and/or water services, the permittee shall have the workmanship inspected by the respective authority.** For sanitary sewer or water service inspection within the public right-of-way contact: Isanti City Building Dept. (763) 762-5763.
21. All equipment enclosures installed shall be maintained in good condition. Open, broken or unsealed enclosures shall be considered a public nuisance under City Code Chapter 216.

RIGHT-OF-WAY FEES

Base Permit Fee - 1,000 LF or less	\$125.00
In Addition to Base Permit Fee:	
Over 1,000 LF	\$65.00 / 1,000 LF
Street Cut (must provide traffic control plan)	\$125.00 + \$5,000.00 in Escrow
Unauthorized Work	\$250.00 plus up to double the permit fee
Individual Residential Hook-ups	No fee

ORDINANCE NO. 746

AN ORDINANCE AMENDING ORDINANCE 727, ADOPTED ON 4-7-2020 AND TITLED FEES

The City Council of the City of Isanti, Minnesota ordains:

Section 1-Amendment. Ordinance 727, titled fees, codified in Chapter 160 of the City Code, are hereby amended as follows:

Chapter 160

FEES

§ 160-1. Purpose.

§ 160- 2. Enumeration of fees.

§ 160- 3. Other fees.

§ 160-4. Summary publication of chapter authorized.

§160-1. Purpose.

The City Council has determined that it is in the best interest of the residents of the City that a Fee Schedule is established that lists items that fees shall be charged for by the City of Isanti.

§160-2. Enumeration of fees.

A. Administration.

1. Administrative Citations – City Code Violations

(a) Chapter 87-5.1, Animal Litter	\$75.00
(b) Chapter 216, Nuisances	\$200.00
(c) Chapter 230, Park and Recreation Areas	\$200.00
(d) Chapter 227, Parking and Storage	\$200.00
(e) Chapter 256, Residential Property Maintenance Standards	\$200.00
(f) Chapter 284, Streets and Sidewalks	\$200.00
(g) Chapter 295, Tobacco, et al	\$75.00
(h) Chapter 325, Water	\$200.00
(i) Ordinance #445, Zoning Ordinance	\$200.00
(j) Ordinance #445, Section 16 Signs	\$100.00
(k) Ordinance #670, Storm Water 1 st Time	\$200.00
(l) Ordinance #670, Storm Water 2 nd Time	\$400.00
(m) Ordinance # 670, Storm Water 3 rd Time	\$600.00
2. Administrative Hearing Filing Fee	\$75.00
3. Adult Use Fee	\$2,500.00

Fines and penalties will be removed from the Fee Schedule and included within Chapter 65 or applicable City Code Chapter.

4. Adult Use Investigation Fee	\$300.00
5. Affidavit of Candidacy	\$15.00
6. Copies – Standard Printed	\$.25 per page
7. Copies – Large Format Printed	\$5.00 per page
	\$20.00 per plan set
8. Dog Bite	Actual cost
9. Dog Boarding (at Impound)	Per Contract
10. Dog Impound 1 st Time	Per Contract
11. Dog Impound 2 nd Time	Per Contract
12. Dog Impound 3 rd Time	Per Contract
Additional Fee for Pick up (7pm-8am & Holidays)	Per Contract
13. Dog License (Replacement)	\$5.00
14. Dog License (Spay/Neutered)	\$10.00
15. Dog License (Intact)	\$15.00
16. Dog License Late Fee	\$5.00
17. Dog License Lifetime	\$50.00
18. Economic Development Authority Per Diem	\$25.00 per meeting
19. Euthanasia / Disposal	Actual cost
20. FAX - in	\$.25 per page
21. FAX - out	\$.25 per page
22. Gambling Permits – Application & Gambling Investigative Fee	\$50.00
23. Kennel License (Commercial)	\$100.00 per year
24. Kennel License (Residential)	\$50.00 per year
25. Lawn Sprinkling 1 st Violation	\$20.00
26. Lawn Sprinkling 2 nd Violation	\$35.00
27. Lawn Sprinkling 3 rd Violation	\$50.00
28. Meeting Minutes – Copy on Flash Drive	\$10.00
29. Mowing Abatement	Per mowing contract
30. Non-Compliance Fee	\$25.00
31. Notary	\$5.00 per document
32. Pawnbroker/Shop	\$1,500.00
33. Pawnshop Investigation Fee	\$1,500.00
Initial Application Only, does not apply to Renewal	
34. Pawnshop Transaction Fee	\$1.30
35. Parks, Recreation and Culture Board Per Diem	\$25.00 per meeting
36. Peddler & Mobile Food Unit Permit	
(a) Day	\$25.00
(b) Month	\$75.00
(b) Seasonal (6 months or less)	\$200.00
37. Peddler or Mobile Food Unit Application Investigation Fee	\$75.00
38. Peddler Permit and Investigation Fee – Nonprofit	No Charge
39. Planning Commission Per Diem	\$25.00 per meeting
40. Retail Fire Works Permit – Application Fee	\$15.00
41. Retail Fire Works Permit – Permit Fee	\$25.00
42. Returned Checks	\$30.00
43. Secondhand Goods Dealer	\$1,500.00
44. Secondhand Goods Dealer Investigation Fee	\$1,500.00

Initial Application only, not for renewals

- 45. Secondhand Goods Dealer, Temporary \$750.00
- 46. Secondhand Goods Dealer Transaction Fee \$1.30
- 47. Small ~~Cell Wireless Facility Collocation Rental and Maintenance Fee~~
 (a) Annual ~~Rent Fee~~ per ~~Support Structure/ Pole~~ \$150.00

- (b) Annual Maintenance Fee per ~~Support Structure/ Pole~~ ~~Support~~ \$25.00
- 48. Small ~~Cell~~ Wireless Facility Electrical Service Fee
 - (a) Per radio node less than or equal to 100 watts \$73.00 annually
 - (b) Per radio node over 100 max watts: or \$182.00 annually
 Actual cost of electricity annually, if costs exceed either of the above amounts

- 49. ~~Small Cell Wireless/ Pole Attachment Permit Fee~~ \$250.00 plus actual engineering costs if additional review is required

- 50. Special Assessment Fee \$30.00 per assessment
 Unpaid Utility Bills, Code Enforcement Violations, Etc.
- 50. Special Meeting Request \$500.00
- 51. Special Vehicle Permit \$25.00
- 52. Staff Time (not specified elsewhere) Actual hourly wage multiplied by 145%

B. Building Inspections.

1. Valuation Fee Schedule for Isanti.

Value of Work	Value Based Permit Fee (<i>Residential & Commercial</i>)
\$501 - \$2,000	\$50 MIN. \$25 for first \$500 + \$3.50/ each additional \$100 or fraction thereof
\$2,001 – \$25,000	\$78 for first \$2,000 + \$15/ each additional \$1,000 or fraction thereof
\$25,001 - \$50,000	\$425 for first \$25,000 + \$11/ each additional \$1,000 or fraction thereof
\$50,001 - \$100,000	\$700 for first \$50,000 + \$8/ each additional \$1,000 or fraction thereof
\$100,001 - \$500,000	\$1,100 for first \$100,000 + \$6/ each additional \$1,000 or fraction thereof
\$500,001 - \$1,000,000	\$3,500 for first \$500,000 + \$5/ each additional \$1,000 or fraction thereof
\$1,000,001 +	\$6,000 for first \$1,000,000 + \$4/ each additional \$1,000 or fraction thereof

- 2. Building Permit Per Valuation Fee Schedule
- 3. Basement Finishes/ Remodel Permit \$300.00 (Includes plan review)
- 4. City Utility Services under Driveway \$100.00
- 5. Commercial Landscape Escrow \$8,000.00 per site
- 6. Deck Permit \$300.00 (Includes plan review)

7. Demolition Permit	Minimum of \$100.00 or 1.27% of contract price
8. Right of Way Work Permit	
(a) Single Residential Hookup	no fee
(b) Base Fee – up to 1,000 LF	\$125.00
(c) Fees in addition to base fee Work >1,000 LF	\$65.00 per 1,000 LF
9. Street Cut	\$125.00 plus \$5,000.00 in escrow
10. ROW Unauthorized Work	\$250.00 plus up to double the permit fee
11. Fence Permit (Fences >7')	Per Valuation Fee Schedule
12. Fire Suppressant Permit – Commercial/Multi-Family	1.5% of project value
13. Gas Line (with mechanical permit)	\$12.50 per gas line, \$25.00 minimum
14. Gas Line (without mechanical permit)	\$50.00
15. Grade Survey Check	
(a) Commercial	\$50.00
(b) Residential	\$50.00
16. Grading Permit	\$150.00
17. Inspections outside of normal business hours	\$75.00 (2 hr. minimum plus mileage)
18. Inspections, hourly rates	
(a) Building Official	\$125/hour
(b) Senior Building Official	\$95/hour
(c) Fire Inspector	\$90/hour
(d) Building Inspector	\$75/hour
(e) Other Staff	\$75/hour
19. Investigative Fee	100% of permit fee
20. Lawn Irrigation Permit	\$80.00
21. License Verification Fee	\$5.00
22. Mechanical Permit	\$75.00 per unit
23. Mechanical Permit – Commercial/Multi-Family	1.5% of project value
24. Minimum Permit Fee	\$50.00
25. Permit Renewal after 6 mos. Of expiration	50% of original permit fee
26. Plan Check Fee	65% of calculated permit fee, when applicable
27. Plan Check Fee – Duplicate Plans	Duplicate plan fees reduced to 25% of Master Plan Review
28. Plan Review (Additional)	\$75.00 (1/2 hr minimum)
29. Plumbing Permit Basic (up to 4 fixtures)	\$54.00
30. Plumbing Permit – job valuation > \$500 or more than 4 fixtures	\$94.00
31. Plumbing Permit – Commercial/Multi-Family	1.5% of project value
32. Pre-Final Inspection Fee (Residential)	\$60.00

- 33. Re-Roof Permit \$80.00
- 34. Re-Siding Permit \$80.00
- 35. Residential Driveway Escrow \$2,000.00
- 36. Residential Landscape Escrow \$6,000.00
- 37. Residential Rental License Fee
 - (a) 1 Unit \$150.00-Reinstatement \$300
 - (b) 2-4 Units \$175.00 Reinstatement \$350
 - (c) 5-12 Units \$225.00 Reinstatement \$450
 - (d) 13-20 Units \$240.00 Reinstatement \$480
 - (e) 21-50 Units \$250.00 Reinstatement \$500
 - (f) 51 + Units \$300.00-Reinstatement \$600
- 38. Rental Additional Inspections Per Inspections Hourly Rate
- 39. Rental License Late Fee 100% of rental license fee
- 40. S.E.C.- Residential \$20.00
- 41. S.E.C. – Commercial/Industrial \$50.00
- 42. SAC/WAC Inspection Fee \$37.50
- 43. State Surcharge Applied to all permits
- 44. Swimming Pool Permit \$80.00
- 45. Water/Sewer Line Repair Inspection Fee \$80.00
- 46. Window/Door Replacement Permit \$80.00
- 47. Electrical Inspection Fees

All Services		Circuits and Feeders	
Residential Service Change \$100.00, this includes one inspection. Or the below rates.		The inspection fee for the installation, addition, alteration, or repair of each circuit, feeder, feeder tap, or set of transformer secondary conductors:	
0 to 300 amp	\$50	0 to 30 amp	\$8
400 amp	\$58	31 to 100	\$10
500 amp	\$72	101 to 200 amp	\$15
600 amp	\$86	300 amp	\$20
800 amp	\$114	400 amp	\$25
1000 amp	\$142	500 amp	\$30
1100 amp	\$156	600 amp	\$35
1200 amp	\$170	700 amp	\$40
Add \$15.00 for each additional 100 amps		Add \$5.00 for each additional 100 amps	
Minimum permit fee is \$50.00 plus \$1.00 state surcharge. This is for one inspection only. Minimum fee for rough-in inspection and final is \$100.00 plus \$1.00 state surcharge.			
Maximum fee for single family dwelling not over 200 amps is \$150.00 plus \$1.00 state surcharge. Maximum of 30 circuits. Maximum of 2 rough-in inspections and one final inspection.			
Apartment Buildings: Maximum fee per unit of an apartment or condominium complex is \$100.00. This does not cover service and house wiring. A separate permit must be issued for house wiring.			
Swimming Pools: \$100.00 this includes 2 inspections			
Traffic Signals: \$10.00 per each standard			
Street Lighting: \$5.00 per each standard			

Transformers/Generators: \$10.00 per unit + \$0.50 per KVA

Retro Fit Lighting: \$0.75 cents per fixture

Sign Transformer: \$10.00

Remote Control/Signal Circuits: \$1.00 per device

Re-inspection Fees: \$50.00

*Fees are doubled if the work starts before the permit is issued

C. Community Center.

- | | |
|--|--|
| 1. Cleaning Fee (if elected by renter) | \$125.00 |
| 2. Damage Deposit | \$250.00 |
| 3. Damage Fees | |
| (a) Cleaning | \$35.00 per hour minimum |
| (b) Tables | \$100 each |
| (c) Chairs | \$20.00 each |
| (d) Unreturned keys | \$250.00 |
| (e) Smoking Non-Designated Areas | \$200.00 |
| (f) Other Items | To be determined based on replacement cost |
| 4. Equipment Available to Rent (larger deposit may be required) | |
| (a) LCD Home Theater Projector on Cart | \$50.00 |
| (b) 9' Portable Screen | \$20.00 |
| (c) Blu-Ray DVD Player | \$15.00 |
| (d) Speakers & Microphone | \$15.00 |
| (Includes tripod stands if requested) | |
| (e) Podium | \$10.00 |
| 5. Non-Profit Organizations | \$50.00 (full day)
\$25.00 (4 hours or less) |
| 6. Private (less than 50 individuals) or For-Profit Organizations | \$100.00 (full day)
\$50.00 (4 hours or less) |
| 7. Special Events | \$275.00 |
| Includes use of the kitchen. Dishes and utensils not provided. With or without alcohol. Greater than 50 individuals in attendance. | |
| 8. Monthly Rental Fees | |

Fee Arrangements – When Requested

Non-Profit Monthly Rental Rates (less than 4 hour rentals)

Non-profit**

Reservations per month	Monthly Fee	Fee Per Reservation
------------------------	-------------	---------------------

1	\$25.00	\$25.00
2	\$48.80	\$24.40
3	\$71.70	\$23.90
4	\$93.20	\$23.30
5	\$113.50	\$22.70
6	\$133.20	\$22.20
7	\$151.20	\$21.60
8	\$168.00	\$21.00
9	\$184.50	\$20.50
10	\$199.00	\$19.90
11	\$212.30	\$19.30
12	\$225.60	\$18.80
13	\$236.60	\$18.20
14	\$246.40	\$17.60
15	\$255.00	\$17.00
16	\$264.00	\$16.50
17	\$270.30	\$15.90
18	\$275.40	\$15.30
19	\$281.20	\$14.80
20	\$284.00	\$14.20
21	\$285.60	\$13.60
22	\$288.20	\$13.10
23	\$287.50	\$12.50

** Groups storing belongings at the facility may be subject to a monthly storage fee.

Fee Arrangements – When Requested
For-Profit and Private Monthly Rental Rates (less than 4 hour rentals)
Private/For-Profit**

Reservations per month	Monthly Fee	Fee Per Reservation
1	\$50.00	\$50.00
2	\$97.80	\$48.90
3	\$143.10	\$47.70
4	\$186.40	\$46.60
5	\$227.50	\$45.50
6	\$265.80	\$44.30
7	\$302.40	\$43.20
8	\$336.00	\$42.00
9	\$368.10	\$40.90
10	\$398.00	\$39.80
11	\$424.60	\$38.60
12	\$450.00	\$37.50
13	\$473.20	\$36.40
14	\$492.80	\$35.20

15	\$511.50	\$34.10
16	\$528.00	\$33.00
17	\$540.60	\$31.80
18	\$552.60	\$30.70
19	\$560.50	\$29.50
20	\$568.00	\$28.40
21	\$573.30	\$27.30
22	\$574.20	\$26.10
23	\$575.00	\$25.00

**All other fees and deposits for the rental of the facility apply.

D. Economic Development Authority.

1. Assignment & Assumption Agreement	\$1,000.00 plus costs
2. Development Agreement (Non-Abatement or TIF)	\$1,000.00 plus costs
3. Establishment of New TIF District	\$4,800.00 or actual cost
4. Host Approval of Conduit Debt	\$3,000.00 escrow
5. Issuance of Conduit Debt	1/4% of the proposed issuance amount, \$3,000.00 minimum, \$25,000.00 maximum escrow
6. Revolving Loan Fund Application Fee	1% origination fee
7. SAC/WAC Repayment Agreement and Mortgage	Current cost of filing document(s) at Isanti County to be paid by Developer.
8. TIF Development Agreement	\$2,500.00 plus costs
9. Tax Abatement Application Fee	\$1,000.00 plus costs

E. Liquor/Beer Licenses.

1. Background Check & Investigation Fee	
(a) For Partnership – Corporation – Association	\$300.00
(b) For Individual	\$100.00
Initial Application only, does not apply for Renewals	
2. Beer Off-Sale (3.2)	\$150.00
3. Beer On-Sale (3.2)	\$250.00
4. Brewers Off-Sale Malt Liquor	\$310.00
5. Brewers Tap Room On-Sale	\$500.00
6. Brew Pub Off-Sale Malt Liquor	\$310.00
7. Club License (Max dictated by MN State Statutes)	\$500.00
8. Intox Liquor On-Sale	\$2,500.00
9. Intox Liquor Sunday On-Sale	\$200.00
10. Consumption and Display Permit (Annual)	\$200.00
11. Temporary Consumption and Display Permit	\$25.00
12. Temporary On-Sale 3.2 Beer License (1-4 Days)	\$50.00
13. Temporary One-Day On-Sale Intox Liquor License	\$25.00
14. Temporary On-Sale Intoxicating Liquor License (Includes Beer and Wine, 2-4 days one event)	\$50.00

15. Temporary On-Sale Intoxicating Liquor License (Multiple events)	\$500.00
16. Wine On-Sale	\$300.00

F. Parks, Recreation, and Culture ~~Department~~.

1. Copy of Comprehensive Park Plan	\$10.00
2. Community Garden – Ground Plot (Season Fee)	\$15.00
3. Community Garden – Raised Bed (Season Fee)	\$20.00
4. Farmer’s Market – Membership Fee (Annual)	\$10.00
5. Farmer’s Market – Stall Fee	
(a) Full Season	\$100.00
(b) Half Season	\$60.00
6. Farmers Market - Single Day	\$10.00
7. Park Dedication Fee (Residential)	\$1,500.00 per unit
8. Park Dedication Fee – Multi Family with Recreational Amenities – Up to 25% Reduction of \$1,500 per unit fee	
9. Park Dedication Fee (All Others)	\$1,500.00 per Commercial/Industrial Acre
10. Park Shelter Electric Box Deposit	\$50.00
11. Park Shelter Fee	
(a) Resident	No Charge
(b) Non-Resident or Business	\$10.00
(c) Non-Profit	\$5.00
12. Special Event Cleanup Deposit	\$100.00
13. Tennis Court Usage	
Resident (Individual)	
(a) 1 court	No Charge
(b) 2 courts	\$6/hr.
Non-Resident (Individual)	
(a) 1 court	\$6/hr.
(b) 2 courts	\$12/hr.
Group, League, Business, Industry	\$15/hr.
Non-Profit	
(a) 1 court	\$3/hr.
(b) 2 courts	\$6/hr.
Per season single court only – rates to be determined on a case-by-case basis by the Parks, Recreation, and Culture Board and City Council.	
14. Unity Park Softball Field Usage	
(a) Resident	\$15.00 per day
(b) Non-Resident	\$25.00 per day
(c) Non-Profit	\$7.50 per day

G. Planning & Zoning ~~Department~~.

1. Administrative Appeals	\$200.00 plus costs
2. Administrative Permit	\$75.00
3. Administrative Permit – Non-profit	No charge
4. Administrative Subdivision	\$275.00 plus costs

5. Annexation/De-Annexation	\$100.00 plus costs
6. Comprehensive Plan Amendment	\$325.00 plus costs
7. Conditional Use Permit	\$325.00 plus costs (\$1,000.00 escrow)
8. Conditional Use Permit Amendment	\$275.00 plus costs (\$500.00 escrow)
9. Copy of Comprehensive Plan	\$50.00
10. Copy of Zoning Ordinance	\$25.00
11. Copy of Engineer Design Standards	\$35.00
12. Development Agreement	\$10,000.00 (<u>minimum</u>) escrow
13. Development Agreement (Minor)	\$5,000.00 (<u>minimum</u>) escrow
14. Easement Application	\$200.00 plus costs
15. EAW & EIS Review	\$600.00 plus costs
16. Final Plat	\$325.00 plus \$10.00 per lot/unit plus costs (\$1,500.00 escrow)
17. Interim Use Permit	\$325.00 plus costs
18. Minor Subdivision Plat	\$325.00 plus costs (\$1,000.00 escrow)
19. Planned Unit Development – Final Plan	\$325.00 plus costs (\$1,500.00 escrow)
20. Planned Unit Development – General Plan	\$500.00 plus costs (\$1,500.00 escrow)
21. Preliminary Plat	\$500.00 plus costs (\$1,500.00 escrow)
22. Rezoning Request	\$325.00 plus costs
23. Sign Permit (permanent)	\$75.00
24. Sign Permit (temporary)	\$50.00
25. Signal Light Fee (Residential)	\$119.00 per residential unit
26. Signal Light Fee (Commercial)	\$0.10 per sq. ft. of usable Commercial lot platted
27. Site Plan Review	\$325.00 plus costs (\$1,000.00 escrow)
28. Site Plan Review Financial Surety	125% of estimated cost of site (Commercial/Industrial) improvements (driveway, parking and loading areas)
29. Text Amendment	\$275.00
30. Vacation Request	\$275.00 plus costs
31. Variance Request	\$325.00 plus costs
32. Wetlands Replacement Plan Review	\$500.00
33. Zoning Permits	\$80.00
34. Zoning Verification Letter	\$30.00

H. Police ~~Department~~.

1. Administrative Citation	\$60.00
----------------------------	---------

2. Alcohol Screening	\$3.00 per time or \$75.00 per year
3. Chemical Disposal (small amount)	Cost of Disposal
4. Chemical Disposal (large Amount)	Cost of Disposal
5. Cleaning of Crime Scene	Cost of Cleanup
6. Copy of Photo	\$5.00
7. Copy of Police Report	\$.25 per page
8. Copy of Video and/or Audio, or Secured E-Delivery	\$25.00
9. Fee for Returned Check listed under Administration	
10. Fingerprinting	\$15.00 per non-resident or non-Isanti business, \$0.00 for Isanti resident or business
11. Parking Ticket	\$20.00
12. Police Records Search	\$35.00
13. Professional Hire of Police Office (min. 3 hours)	Actual hourly wage multiplied by 150%
14. Reschedule Hearing on Administrative Citation	\$50.00
15. Storage Fees	\$20.00 per day
16. Towing	As per towing contract fee schedule
17. Unjust Hearing	150% of cost of hearing

I. Sewer and Water ~~Department~~.

1. Delinquent Posting Notice Fee	\$15.00
2. Water Meter - New Construction:	
(a) Meter (5/8 & 3/4 inch)	Cost included in permit fee
(b) Meter (larger, > 3/4 inch, diameter)	Cost minus \$265.00
(c) Replacement or additional:	
Meter (5/8 & 3/4 inch)	
Full Meter (Radio and Body)	\$ 240.00
Radio	\$ 95.00
Body	\$ 145.00
(d) Horn	\$ 100.00
(e) Meter (larger, > 3/4 inch, diameter)	Cost plus \$25.00
3. Meter Connections/Fittings	Cost
4. Meter Replacement Administrative Fee for Non-Compliance	\$75.00/month
5. Private Metered Water Sales Deposit	\$2,000.00 (refundable deposit) \$10.00 minimum and up to 1 st 1000 gallons; as per rate study per/1,000 thereafter
6. Private Well Water Testing	\$45.00
7. Sewer Access Fee (SAC)	Per Ordinance per unit based on REC assessment
8. Sewer Rates	Per Ordinance
9. Storm Water Rates	Per Ordinance

10. Storm Water Escrow Commercial	\$3,000.00
11. Storm Water Escrow Residential	\$1,000.00
12. Trunk Utility Charge Residential	\$1,000.00/unit if more than one unit based on REC schedule or per Development Agreement
13. Trunk Utility Charge Commercial/Industrial	\$2,050.00 per Commercial/Industrial acre or per Development Agreement
14. Unpaid Water and Sewer	\$5.00 per month
15. Valve Plate Cover	\$100.00
16. Water Access Charge (WAC)	Per Ordinance per unit based on REC assessment
17. Water Disconnect/ Reconnect	\$50.00
18. Water Disconnect / Reconnect (After hours)	\$100.00 minimum per person, after one hour
	\$100.00 per hour per person
19. Water Meter History Report	\$50.00
20. Water Meter Testing	1 Hour Public Works Staff plus Costs
21. Water Rates	Per Ordinance

J. Streets ~~Department~~.

1. Bobcat/Tractor Charge with Operator	\$100.00 per Hour
2. Labor – During work hours	\$50.00 per Hour, half hour minimum
3. Labor – After Hours	\$100.00 per Hour, 2 hour minimum
4. Mow Charge with Operator	\$90.00 per Hour
5. Sidewalk Snow Removal	\$30.00
6. Street Cut Permit	\$1,200.00
7. Weed Whip Charge with Operator	\$75.00 per Hour
8. MINNESOTA WARN RATES	Equipment Charges Are Per Hour with Operator
	<u>Business Hours</u> <u>Non-Business Hours</u>
Road Grader with Wing, Dump Truck with Snowplow and Wing, Wheel Loader	\$160.00 \$180.00
Air Compressor with Accessories and Pickup, Pickup, One Ton Trucks, Tractors	\$90.00 \$110.00
Vactor with Pickup (Requires Two Operators) There is an additional charge of \$.35 per lineal foot for sewer cleaning.	\$135.00 \$145.00
Single Axle Truck, Street Sweeper, Single Axle Dump Truck with Snowplow,	\$125.00 \$145.00
Skidsteer, Self-propelled Mower/Snow Blower/ V Plow/Broom/Brush Hog/Grapple Bucket	\$90.00 \$105.00

Attachment		
All Other Equipment Such As Chain Saw, Push Mower and Weed Whips	\$75.00	\$95.00

K. Fire.

- | | |
|---|----------------------|
| 1. Fire Extinguisher Service Deposit Fee | \$25.00 (refundable) |
| 2. Fire Extinguisher – Administrative Fee | \$3.00 |

§160-3. Other fees.

This is not an all-inclusive fee schedule for fees that may be charged by the City. The City Council is solely responsible for the setting and establishment of fees, whether listed in this Chapter or in an ordinance, a resolution or negotiated in an agreement. Sales and Use tax applied in addition to fees as required by State Statute.

§160-4. Summary publication of chapter authorized.

The City Council authorizes this Chapter to be published in summary form, with copies of the fee schedule available to the public at city hall at no charge.

Section 2- Effective date.

This ordinance takes effect upon its passage and publication in the official City newspaper.

Adopted by the Isanti City Council this ____th day of _____ 2021.

Attest:

Mayor Jeff Johnson

Jaden Strand
City Clerk

Date Posted:
Date Adopted:
Date Published:
Effective Date:

City Code Editorial and Legal Analysis Summary

Chapter 1 General Provisions Article 1 General Penalty § 1-1 Violations and penalties

- Revise to read “imprisonment for a period not to exceed 90 days” in § 1-1.

Chapter 1 General Provisions Article II Adoption of Code

- Language will be updated following approval of editorial and legal analysis

Chapter 1 General Provisions Article II Adoption of Code § 1-3 Definitions

- Move § 1-3 and 1-4 to Article I of Chapter 1 and titled “Construction and Penalties” as it is not related to adoption of code.
- Remove “Treasurer” in § 1-3 and change “Treasurer” in § 312-6B to “Finance Director.”

Chapter 8 City Council Article I Advisory Boards § 8-1 Establishment of advisory bodies

- Revise title Article I to “Advisory Bodies”

Chapter 8 City Council Article I Advisory Boards § 8-2 Appointment and number of members

- Revise § 8-2A to read “Any City staff member, as deemed necessary or advisable by the City Council, may be appointed to be an ex officio member of the advisory body.”
- Revise § 8-2B to read “Sixty days prior to the expiration of the term of a member of an advisory body, for which reappointment or a new appointment would be required, City staff is authorized to publish for such vacancy.”

Chapter 8 City Council Article I Advisory Boards § 8-6 Planning Commission

- Revise § 8-6C to read “the Mayor and four City Council members.”
- Revise § 8-6E (2) to read “The Mayor and four Council members shall serve on the Planning Commission for a one-year term to expire on December 31 of each year.”

Chapter 8 City Council Article II Salaries §8-10 Per diem fee for service on boards

- Revise § 8-10 to reference committees and boards in Chapter § 8-29A (2)

Chapter 8 City Council Article-- III Rules of Organization § 8-17 Rules of order and procedure

- Revise § 8-17A (3) to read “Advisory bodies shall organize themselves, elect a Chair and Vice Chair, and determine their meeting dates by majority vote of members.”

Chapter 8 City Council Article III Rules of Organization § 8-22 Agenda

- Revise § 8-22A to read “An agenda will be prepared for all regular Council meetings by the City Administrator or designee.”

Chapter 8 City Council Article III Rules of Organization § 8-25 Public hearings

- Revise § 8-28B (3) to read “Staff presentation (including the Clerk, Administrator, Attorney and engineering reports, if any).”
- Revise § 8-25C to read “However, the presiding officer may allow additional time for speakers and additional time for speakers shall be allowed by majority vote of the City Council.”

Chapter 8 City Council Article III Rules of Organization § 8-27 Procedure for resolution and ordinance adoption

- Revise to remove “by resolution” so the sentence reads “Unless otherwise provided by law, all ordinances shall be adopted by a majority vote of Council members present at the Council meeting.”

Chapter 8 City Council Article III Rules of Organization § 8-29 Committees

- Revise § 8-29A (1) to read “The City Administrator or their designee shall convene Committee of the Whole meetings and introduce Committee agenda items.”
- Revise § 8-29A (2) to incorporate Planning Commission, Parks, Recreation and Culture Board and Economic Development Authority.
- Revise “EDA” to “Economic Development Authority” in § 8-29(C).
- Revise “Park, Recreation and Culture Board” to “Parks, Recreation and Culture Board” in § 8-29(C).

Chapter 8 City Council Article III Rules of Organization § 8-35 Suspension or amendment of rules

- Remove § 8-32 and § 8-35.

Chapter 18 Elections Article II Primaries §18-3 Date

- Revise § 8-13 to incorporate “A municipal primary general election is to be held for the purpose of electing officers.”

Chapter 18 Elections Article II Primaries § 18-4 Names on ballot

- Revise § 18-4 to read “When more than one council member is to be elected for full terms at the same election, the candidates’ names shall be placed under one office on the ballot with the number to be elected to the office specified directly underneath the title and identification of the office.”

Chapter 18 Elections Article III Vacancies In Elected Offices §8-17 Vacancies in Council

- Revise § 18-7A (3) to read “Failure to attend regular meetings of the Council for a 90-day period without being excused by the Council.”

Chapter 18 Elections Article III Vacancies In Elected Offices § 18-8 Procedures to fill Council vacancies by special election

- Revise § 18-8C(3)(f) to remove “of \$2” after “filing fee.”

Chapter 18 Elections Article IV Filing Fees for Affidavit of Candidacy § 18-12

- Revise § 18-12 to remove “and resolution of the City Council.”

Chapter 29 Newsletter

- Remove chapter 29 in its entirety.

Chapter 33 Officers and Employees Article I Administrator § 33-2 Appointment; removal; hearing

- Revise § 33-2 to read “If he/she has served as City Administrator for one year, written charges and a public hearing on the charges before the City Council shall be provided, if requested by the City Administrator within seven days of notification of the Council’s intent to remove him/her.”

Chapter 47 Police Reserve § 47-6 Compensation

- Revise § 47-6 to read “Members of the Reserve shall receive no compensation for their services, except that they shall be covered by worker’s compensation while on duty.”

Chapter 65 Administrative Penalties § 65-5 Administrative citations

- Remove language from § 65-5B “A late payment fee of 10% of the scheduled fine amount will be imposed.”

Chapter 65 Administrative Penalties § 65-6 Administrative hearing

- Remove § 65-6D and renumber § 65-6E, F and G as §65-6D, E and F
- Revise § 65-6F to read “Any fines or penalties imposed must be paid within 10 days of the date of the Hearing Officer’s order.”

Chapter 65 Administrative Penalties § 65-7 Recovery of civil penalties

- Revise § 65-7A (4) to read “If a civil penalty is not paid within the time specified, it constitutes: A lien upon the real property upon which the violation occurred, if the property owner was found responsible for that violation and the lien can be assessed under Minn. Stats. § 429.101, as amended from time to time.”

Chapter 68 Adult Establishments §68-4 License required

- Statute revision in § 68-4D (2) to incorporate Minn. Stat § 364.03, Subd. 3, Evidence of rehabilitation.

Chapter 68 Adult Establishments § 68-5 Violations and penalties

- Revise § 68-5A to read “Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punished by not more than the maximum penalty for a misdemeanor as prescribed by state law.”
- Revise § 68-5A to refer to the general penalty in Chapter 1, Article 1.

Chapter 71 Aircraft, Use of Unmanned § 71-1 Purpose

- Revise § 71-1 to read “This chapter is enacted for the purpose, and with the intent, to control and regulate the use of private unmanned aircrafts, also known as ‘drones’ (rotary or fixed wing), to prevent them from disturbing, disrupting, harassing, or endangering another person or property. This chapter is also enacted to control and direct the use of unmanned aircrafts while departments within the City of Isanti are performing their official duties.”

Chapter 71 Aircraft, Use of Unmanned § 71-2 Use

- Revise § 71-2 to read “This chapter shall be enforced for both recreational and commercial use of unmanned aircrafts typically weighing less than 55 pounds including its payload. Public safety officials using unmanned aircrafts while performing their

official duties or when directed by the Chief of Police or their designee are exempt from the provisions of this chapter.”

Chapter 71 Aircraft, Use of Unmanned § 71-3 Definitions

- Removal of the terms “airspace,” “altitude,” “area of command,” “autonomous system,” “data collection” and “remote control.”

Chapter 71 Aircraft, Use of Unmanned §71-4 Unmanned aerial systems limitations

- Revise § 71-4G to read “No person shall knowingly operate an unmanned aircraft over critical infrastructure within the City as defined by the Chief of Police or their designee. Critical infrastructure includes, but not limited to: water treatment and storage facilities, wastewater treatment, railroad tracks, gas plants, gas supply, public buildings, power stations and transmission lines, radio towers or other land areas defined as or containing critical infrastructure.”

Chapter 71 Aircraft, Use of unmanned § 71-5 Information, notices and markings

- Removal of language “of their flight” in § 71-5.

Chapter 71 Aircraft, Use of Unmanned § 71-8 Violation a misdemeanor

- Language change in §71-8 to refer to the general penalty in Chapter 1, Article 1.

Chapter 76 Alcoholic Beverages Article I State Law, Definitions and Public Consumption §76-3 Definitions

- Revise § 76-3 to read “Adults that are participating in, aiding, or allowing any illegal activity related to the event or gathering.”
- Revise the definition of “club” for § 76-3 to match definition in Minn. Stat. § 340A.101 of 30 members.
- Revise the definition of “hotel” for § 76-3 to match definition in Minn. Stat. § 340A.101 to “at least 10 guest rooms.”
- Revise the definition of “intoxicating liquor” for § 76-3 to match definition in Minn. Stat. § 340A.101 of “3.2% of alcohol by weight.”
- Revise § 76-3 to read “The money paid to the City pursuant to an application and prior to issuance of a license to transact and carry on the business stated therein.”
- Revise the definition of “restaurant” for § 76-3 to match definition in Minn. Stat. §157.16, Subd. 3(d) “Category 1 establishment,” “Category 2 establishment” and “Category 3 establishment.”

Chapter 76 Alcoholic Beverages Article I State Law, Definitions and Public Consumption § 76-4 Consumption in public places

- Revise § 76-4 to incorporate reference to § 76-9.

Chapter 76 Alcoholic Beverages Article II Licensing and Operation §76-9 Kinds of liquor licenses

- Removal of “bowling center” in § 76-9 as it is not defined in Minn. Stat. § 340A.101.
- Removal of repeated word “theaters” in § 76-9D.
- Revise § 76-9D to read “clubs, including congressionally chartered veterans’ organizations.”

- Revise § 76-9F to read “The City may not issue more than three four-day, four three-day, six two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any one organization or for any location in the City, within a twelve-month period.”
- Revise language in § 76-9G to incorporate “Have facilities for seating at least 30 guests at one time.”
- Revise language to match Minn. Stat § 340A.24 to read “If a brewer licensed under Subsection L of this section possesses a license under Subsection J above, the brewer’s total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 750 barrels.”
- Revise "Subsection J above" to read "Subsection K above" in § 76-9L.

Chapter 76 Alcoholic Beverages Article II Licensing and Operation § 76-10 License fees; pro rata

- Revise § 76-10B to read “The Council may establish by ordinance license fees for any of the liquor licenses it is authorized by this chapter to issue.”

Chapter 76 Alcoholic Beverages Article II Licensing and Operation § 76-16 Investigation

- Move comprehensive background and financial investigation fees to Chapter 160, § 160-2E

Chapter 76 Alcoholic Beverages Article II Licensing and Operation § 76-25 Suspension and revocation

- Revise § 76-25A to read “The Council may act as the hearing body under that act, or it may contract with the Office of Administrative Hearing” and update the reference to the statutes § 14.57 to § 14.69.
- Remove language “or violation of Section 4” in § 76-25B (1).
- Revise reference of “Subsection B” to “this subsection” in § 76-25C

Chapter 76 Alcoholic Beverages Article III Municipal Liquor Store § 76-26 Municipal liquor store continued

- Revise reference of “Section § 76-29” to “§ 76-27” in § 76-26.

Chapter 76 Alcoholic Beverages Article III Municipal Liquor Store §76-28 Operation

- Revise § 76-28C to read “The handling of municipal liquor store receipts and disbursements shall comply with the procedure prescribed by law for the receipts and disbursements of City funds generally.”
- Revise § 76-26E to read “The hours during which intoxicating liquor may be sold shall be as provided in § 76-20.”

Chapter 76 Alcoholic Beverages Article III Municipal Liquor Store § 76-30 Violations and penalties

- § 76-30, Violations and penalties, applies to all of Chapter 76; move to a separate article at the end of the chapter.
- Revise reference of “Subsection 23” to “§ 76-30.”

Chapter 76 Alcoholic Beverages Article IV Annual Rodeo Liquor Liability Insurance § 76-31
Liability insurance policy limits

- Revise § 76-31A to read “As a condition to the granting of a temporary license for the on-sale of intoxicating liquor or 3.2% malt liquor for the Isanti Volunteer Fire Department Relief Association Annual Rodeo and associated events, the Isanti Volunteer Fire Department Relief Association shall have in place liquor liability insurance as per Minn. Stat. § 340A.409, as amended from time to time, and liability insurance in the following amounts:”

Chapter 76 Alcoholic Beverages Article V Social Host § 76-34 Authority

- Revise reference of “§ 145A.05” to “§ 412.221, Subd. 32” in § 76-36C.

Chapter 76 Alcoholic Beverages Article V Social Host § 76-36 Exceptions

- Revise § 76-36C to read “This article does not apply to retail intoxicating liquor or 3.2% malt liquor licensees, municipal liquor stores, or bottle club permit holders who are regulated by Minn. Stat, § 340A.503, Subd. 1(a)(1), as amended from time to time.”

Chapter 76 Alcoholic Beverages Article V Social Host § 76-39 Violations and penalties

- Revise “an administrative fee of \$75” to read “a civil penalty of \$75” in § 76-39.

Chapter 87 Animals Article I Keeping of Certain Animals § 87-1.1 Chickens

- Revise § 87-1.1J to read “Chickens are prohibited in multifamily structures and/or homes.”

Chapter 87 Animals Article I Keeping of Certain Animals § 87-2 Violations and penalties

- Revise §87-2 to refer to the general penalty in Chapter 1, Article I.

Chapter 87 Animals Article II Dogs § 87-3 Definitions

- Revise term “Animal Warden” to read “Animal Control Officer” in Article II.
- Remove language "provided that the provisions of this article shall not apply to duly authorized hospitals or clinics conducted for the treatment of small animals" from the definition of "nuisance dog."

Chapter 87 Animals Article II Dogs §87-5.1 Removal of excrement; exceptions

- Revise § 87-5.1 to read “A. Any person who owns, keeps, harbors, or has charge of an animal shall immediately collect and remove any and all feces deposited by the animal on public or private property. B. The owner or person in control of an animal not permit such animal to be on public property or the property of another without having in the possession of the owner or person in control of the animal a device equipment for the immediate removal of feces material deposited by the animal as well as a container for the transport of such fecal material to an appropriate disposal receptable located on the property of the owner or person in control of the animal. The owner or person in control of such animal shall be responsible for removing such material from public or private property of another to a proper disposal receptable located on the property of the owner or person in control of the animal. C. The premises on which any animal is kept shall be

kept in a clean and sanitary condition and shall not be a harbor for rodents, flies or insects.”

Chapter 87 Animals Article II Dogs § 87-6 Licensing

- Revise “penalty” to “late fee” in § 87-6C.

Chapter 87 Animals Article II Dogs § 87-7 Kennels

- Revise "kennel permit" in Subsection G to read "kennel license"; "license or permit" in Subsections F, G to read "license"; and "licensee or permit holder" in Subsection G changed to read "licensee" in § 87-7.
- Revise to read "The applicant's name, address, phone number, and e-mail address" § 87-7B (2).

Chapter 87 Animals Article II Dogs § 87-11 Redemption of impounded animals by owner

- Revise term “Finance Department” to “Finance Director” in § 87-11.
- Revise term “pound keeper” to “animal shelter” in § 87-12A.

Chapter 87 Animals Article II Dogs § 87-15 Confinement of certain dogs

- Revise §87-15 to read “The owner of a dangerous dog or potentially dangerous dog, as defined in Minn. Stat. § 347.50, shall comply with all requirements of Minn. Stat. § 347.50 through 347.565, which are incorporated in this article by reference.”

Chapter 87 Animals Article II Dogs § 87-18 Violations and penalties

- Revise § 87-18 to refer to the general penalty in Chapter 1, Article I.

Chapter 87 Animals Article III Exotic Animals §87-23 Grandfather clause

- Remove fee in § 87-23C.

Chapter 87 Animals Article III Exotic Animals § 87-25 Seizure

- Change reference to § 346.155, Subd. 5, Subsection (f)(1) and (2).
- Revise "has violated article" to read "has violated this article" in § 87-25.

Chapter 87 Animals Article III Exotic Animals §87-26 Violations and penalties

- Revise §87-26 to refer to the general penalty in Chapter 1, Article I.

Chapter 99 Bicycles, Roller Blades and Skateboards §99-4 Violations and penalties

- Revise § 99-4 to refer to the general penalty in Chapter 1, Article I.

Chapter 111 Building Construction Article I Pipeline Safety Setback § 111-4 Variances

- Remove provisions not applying to the City in §111-4.

Chapter 111 Building Construction Article II State Building Code § 111-5 Code adopted by reference

- Revise references to the “Commissioner of Administration” to the “Commissioner of Labor” and Industry and the reference to “Building Codes and Standards Division” changed to the “Department of Labor and Industry in § 115-5.”

Chapter 111 Building Construction Article II State Building Code § 111-6 Application, administration and enforcement

- Remove Subsections B and C as covered by Subsection A.
- Revise both "Department of Building Safety" and "Building Inspection Department" to "Community Development Department."

Chapter 119 Burning, Open Article II Open Burning § 119-4 Permit

- Revise reference to "Isanti Fire District" to "Isanti Fire District or Fire Agency."

Chapter 119 Burning, Open Article II Open Burning § 119-5 Violations and penalties

- Revise § 119-5 to refer to the general penalty in Chapter 1, Article I.

Chapter 125 City Name, Seal and Logo § 125-4 Penalties

- Revise § 125-4 to refer to the general penalty in Chapter 1, Article I.

Chapter 135 Curfew § 135-2 Minors under 18 years of age

- Revise curfew to start at 10:00 p.m.

Chapter 135 Curfew § 135-7 Violations and penalties

- Penalty meant to apply to § 135-4 and § 135-5 relating to parents.

Chapter 143 Drug Lab and Chemical Dump Sites §143-4 Definitions

- Revise "Minnesota Pollution Control" to read "Minnesota Pollution Control Agency" and the reference to the "Isanti County Health Department" to the "Isanti County Public Health Department."
-

Chapter 143 Drug Lab and Chemical Dump Sites § 143-7 Notice of public health nuisance to concerned parties

- Revise "declaration of public health notice" should read "declaration of public health nuisance" in § 143-7.

Chapter 143 Drug Lab and Chemical Dump Sites § 143-12 Violations and penalties

- Revise § 143-12 to refer to the general penalty in Chapter 1, Article I.

Chapter 144 Drug Paraphernalia § 144-5 Penalties

- Revise § 144-5 to refer to the general penalty in Chapter 1, Article I.

Chapter 149 Environmental Review § 149-1 Applicability of state Environmental Review Program

- Revise "6MCAR 3.021 to 3.047" to "Minnesota Rules Chapter 4410" in § 149-1.

Chapter 149 Environmental Review §149-2 Cost of preparation and review

- Revise § 149-2B to read "The applicant for a permit for any action for which an environmental assessment worksheet (EAW) is required either by state law or rules of the City Council shall, upon the request of and in the manner prescribed by the ERP

Coordinator, prepare a draft EAW and supply all information necessary to complete that document."

- Revise "6MCAR 3.042" to "Minnesota Rules Chapter 4410" in § 149-2D.

Chapter 149 Environmental Review § 149-3 Administration

- Revise the reference of "6MCAR 3.024" to "Minnesota Rules § 4410.1000" in § 149-3B.
- Revise the reference of "6MCAR 3.025" to "Minnesota Rules § 4410.2000" in § 149-3E.

Chapter 149 Environmental Review § 149-5 Enforcement, violations and penalties

- Revise § 149-5 to refer to the general penalty in Chapter 1, Article I.

Chapter 160 Fees § 160-2 Enumeration of fees

- Revise § 160-2 to read "established by the City Council"; eliminate "by resolution."
- § 160-2A (1), Administrative citations, contains fines; move this subsection out of Chapter 160, Fees, and include it in Chapter 65, Administrative Penalties.
- Move per diem payments to Chapter 8, Article I, Advisory Boards.
- Move fines for lawn sprinkling violations to Chapter 65, Administrative Penalties, and list under Chapter 325, Water.
- Revise title of § 160-2F to read "Parks, Recreation and Culture."
- Move parking ticket administrative fine to Chapter 65.

Chapter 160 Fees § 160-3 Other fees

- Revise to read "Sales and use tax shall be applied in addition to fees as required by state statute" in § 160-3.

Chapter 171 Fireworks § 171-5 Exportation from City

- Remove "by the United States Department of Transportation" in §171-5.

Chapter 178 Gambling § 178-3 Definitions

- Revise definition in § 178-3 to read "Includes exempt or excluded bingo and raffles as defined in the Minnesota Statutes."

Chapter 178 Gambling § 178-11 Violations and penalties

- Revise § 178-11 to refer to the general penalty in Chapter 1, Article I.

Chapter 188 Hunting and Firearms §188-3 Violations and penalties

- Revise § 188-3 to refer to the general penalty in Chapter 1, Article I.

Chapter 216 Nuisances § 216-1 Public nuisance defined

- Revise to read "No person shall use a dynamic braking device or motor vehicle brakes that are in any way operated or activated by the compression of the engine in any motor vehicle upon any public ways located within the City limits of Isanti, including, but not limited to, highways, streets, alleys, easements, or right-of-way" in § 216-4B(4)(j).
- Revise to read "Whoever by his act or failure to perform a legal duty does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor: A. Maintains or permits a condition which unreasonably annoys, injures, or endangers the

safety, health, morals, comfort, or repose of any considerable number of members of the public; B. Interferes with, obstructs, or renders dangerous for passage any public highway or right-of-way; or C. Is guilty of any other act or omission declared by law or this Code to be a public nuisance and for which no sentence is specifically provided” in § 216-1.

Chapter 216 Nuisances § 216-2 Public nuisances affecting health, safety, comfort or repose

- Revise “ground” to read “gravel” in § 216-2E.
- Remove § 216-25H (3) and add new subsection § 216-2H (8)

Chapter 216 Nuisances §216-3 Public nuisances affecting morals and decency

- Revise to read "of any building" to "on any public street, alley, sidewalk or floor of any building where the public gathers or has access" in § 216-3G (1).

Chapter 216 Nuisances § 216-4 Public nuisances affecting peace, safety and general welfare

- Remove § 216-4A (13).
- Remove § 216-4A (14).
- Remove § 216-4A (16).
- Revise “comfort’s repose” to “comfort, repose” in § 216-4B (1).
- Revise “distinctly and audible manner” to read "distinctly audible manner” in § 216-4B(4)(b).
- Revise "quiet, comfort, or of persons" to read "quiet, comfort, or repose of persons" in § 216-4B(4)(d).
- Revise to read “Schools, courts, churches, hospitals. It is unlawful for any person to create any excessive noise on a street, alley or public grounds adjacent to any school, institution of learning, court, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of the institution” in § 216-4B(4)(i).
- Revise to read “unless such brakes are necessarily used in an emergency situation. The prohibition contained in this subsection shall not apply to fire, police, EMS and/or other emergency vehicles” in § 216-4B(4)(j).

Chapter 216 Nuisances § 216-8 Violations and penalties

- Revise § 216-8 to refer to the general penalty in Chapter 1, Article I.

Chapter 227 Parking and Storage Article III Parking and Storage of Vehicle and Other Equipment § 227-12 Violations and Penalties

- Revise § 227-12 to refer to the general penalty in Chapter 1, Article I.

Chapter 230 Parks and Recreation Areas

- Revise to read "All pet owners are responsible for the proper disposal of pet waste, subject to the exceptions in § 87-5.1D" in § 230-2E.
- Revise to read "Not clean up after pets, subject to the exceptions in § 87-5.1D" in § 230-2L (10).
- Revise to read "All pet waste must be cleaned up and disposed of in designated waste receptacles, subject to the exceptions in § 87-5.1D" in § 230-4C.
- Revise to read "In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to use any restroom in any park in other than a clean and sanitary manner" in § 230-2F.
- Revise language in Subsection L (13), (14), (17), (18) and (19) to read “L. In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to: (13) Use of recreational vehicles, including, but not limited to, all-terrain vehicles, snowmobiles, and motorcycles, on parks or park system land. (14) Use

nonmotorized bicycles in park areas or trails, natural or paved, that are not signed as permitted. (17) Overnight parking Park overnight unless permitted by the City Administrator or designee. (18) Disturbing, damaging, or destroying Disturb, damage or destroy any trees or planted areas. (19) Removal of Remove wood from natural park areas unless permitted by the City Administrator or designee” in § 230-2L.

Chapter 230 Parks and Recreation Areas § 230-4 Dog park rules and regulations

- Revise § 230-4 to read "In no case shall the personal property remain on site for over one day. and Personal property must be removed by park closure at 10:00 p.m. that day" in § 230-4K.

Chapter 230 Parks and Recreation Areas § 230-7 Violations and penalties

- Revise §230-7 to refer to the general penalty in Chapter 1, Article I.

Chapter 233 Pawn Shops § 233-6 License fees

- Revise to read "License fees will be prorated if the license is applied for and issued after April 1" in § 233-6B.
- Revise to read "Billable transaction fees shall be billed monthly [,] and are due and payable within 30 days. Failure to do so pay billable transaction fees within 30 days is a violation of this chapter" in § 233-6D.

Chapter 233 Pawnshops § 233-8 Application requirements

- Revise to read “Has been convicted of any crime directly related to the occupation licensed as prescribed by Minn. Stat. § 364.03, Subd. 2, as amended from time to time, and has not shown competent evidence of sufficient rehabilitation and present fitness to perform the duties of a licensee under this chapter as prescribed by Minn. Stat. 364.03, Subd. 3, as amended from time to time” in §233-8E (2).

Chapter 233 Pawn Shops § 233-11 Reports to Isanti Police Department

- Revise to read “Effective no later than 60 days after the Isanti Police Department provides licensees with the current version of the automated pawn interchange file specification format or similar automated record system that may be specified by the City[,], licensees must submit every reportable transaction to the Isanti Police Department daily in the following manner:” in § 233-11A.

Chapter 233 Pawn Shops § 233-13 Redemption period

- Change redemption period in § 233-13 from 90 days to 60 days.

Chapter 233 Pawn Shops § 233-18 Prohibited acts

- Revise to read "state or providence of residency" to "state or province of residency" in § 233-18C.

Chapter 233 Pawn Shops § 233-19 Denial, suspension or revocation

- Revise to read "The proposed use does not comply with any applicable law or rule, including applicable zoning laws” in § 233-19A.
- Revise to read "a crime involving moral turpitude." Perhaps this sentence could be revised to read as follows: "Violation within the preceding five years of any law relating to theft, damage or trespass to property, sale of a controlled substance, or operation of a business, or any other crime involving moral turpitude" in § 233-19G.

Chapter 233 Pawn Shops § 233-22 Violations and penalties

- Revise § 233-22 to refer to the general penalty in Chapter 1, Article I.

Chapter 245 Peddlers, Solicitors, Transient Merchants and Mobile Food Units § 245-4 Ineligible people

- Revise § 245-4 to read "The following people are not eligible for a license from the City."

Chapter 245 Peddlers, Solicitors, Transient Merchants and Mobile Food Units § 245-5 Application

- Revise to read "a site plan showing the proposed location of the stand or unit on the property" in § 245-5P (2).

Chapter 245 Peddlers, Solicitors, Transient Merchants and Mobile Food Units § 245-10 Mobile food units

- Revise to read "A certificate of insurance evidencing the following forms of insurance shall be submitted to the City" in § 245-10B.
- Revise to read "No shouting, blowing a horn,
- ringing a bell, or use of any sound devices upon any streets, alleys, parks, or other public places of the City or upon any private premises in the City shall be permitted" in § 245-10F.
- Revise "zoning codes" to read "Zoning Ordinance" in § 245-10L.
- Revise to read "Mobile food units may be allowed in public rights-of-way, residential zoning districts or park zoning districts in conjunction with an approved special event permit" in § 245-10L.
- Revise to read "The mobile food vendor shall not set up in a manner so as to create a traffic hazard and shall follow police orders" in § 245-10M.

Chapter 245 Peddlers, Solicitors, Transient Merchants and Mobile Food Units § 245-13 Suspension; revocation

- Revise "who is the acting on behalf of" to read "who is acting on behalf of" in § 245-13A.

Chapter 245 Peddlers, Solicitors, Transient Merchants and Mobile Food Units § 245-14 Violations and penalties; enforcement

- Revise § 245-14B to refer to the general penalty in Chapter 1, Article I.

Chapter 253 Rental Dwellings § 253-3 License required; term; renewals

- Revise definition to include "or living unit" in § 253-3.

Chapter 253 Rental Dwellings § 253-7 Inspections, investigations and maintenance

- Revise "rental housing dwelling" to read "rental dwelling" in § 253-7D.

Chapter 253 Rental Dwellings § 253-9 Conduct of licensed property

- Revise to read "the applicant for the rental dwelling license" in § 253-9D(2)(b).

Chapter 253 Rental Dwellings § 253-11 Fire control regulations

- Revise "Fire Code of the City" to read "State Fire Code" in § 253-11.

Chapter 253 Rental Dwellings § 253-12 License revocation or suspension

- Revise to read "Failure to pay any application, penalty, reinspection, or reinstatement fee or any penalty required by this chapter" in § 253-12A (2).

Chapter 253 Rental Dwellings § 253-18 Violations and penalties

- Revise § 253-18 to refer to the general penalty in Chapter 1, Article I.

Chapter 256 Residential Property Maintenance Standards Article I General Provisions § 256-1 Definitions

- Revise definition to read "MANUFACTURED HOME – As defined in the City Zoning Ordinance and shall include all buildings used or intended for use as part of the equipment of the manufactured home, whether a charge is made for the use of a manufactured home park and its facilities or not. A manufactured home shall be considered a dwelling under the provisions of this chapter" in § 256-1.

Chapter 256 Residential Property Maintenance Standards Article II Administration and Enforcement § 256-7 Compliance and enforcement; violations and penalties

- Revise to remove "and pay an additional penalty of \$5" so this sentence reads "Each day the violation continues in existence shall be deemed a separate violation" in § 256-7B.

Chapter 256 Residential Property Maintenance Standards Article III Minimum Standards

- Review in progress.

Chapter 256 Residential Property Maintenance Standards Article III Minimum Standards § 256-11 Basic services and utilities in manufactured home parks

- Revise "mobile home" to read "manufactured home" in § 256-11B.

Chapter 258 Secondhand Goods Dealers § 258-2 Definitions

- Revise "Minnesota Department of Motor Vehicles" to read "Department of Public Safety" in § 258-2.

Chapter 258 Secondhand Goods Dealers § 258-4 License or registration application

- Revise to read "the applicant's Social Security number or individual taxpayer identification number and Minnesota business identification number, as required by Minn. Stat. § 270C.72." in § 258-4A(4)(1).
- Revise to remove § 258-5E as covered by § 258-11B.

Chapter 258 Secondhand Goods Dealers § 258-15 Denial of license or registration

- Revise "permit" to read "license or registration" in § 258-15.

Chapter 260 Sewers Article I Sewers, General Requirements §260-1 Definitions

- Revise §260-1 to add definition "MPCA – The Minnesota Pollution Control Authority."

- Revise reference in § 260-1 for NPDES Permit to read "Sections 402 and 405 of the Clean Water Act, 33 U.S.C. § 1342 and §1345."

Chapter 260 Sewers §260-4 Connection to public sanitary sewer system required

- Revise to read "sanitary sewage treatment system (SSTS)" in § 260-4A.

Chapter 260 Sewers Article I Sewers, General Requirements §260-7 Waste disposal

- Revise § 260-7 to read "or in any area under the jurisdiction of the City."

Chapter 260 Sewers Article II Public Sewer Connections § 260-11 Standards

- Revise references to the "Minnesota Building and Plumbing Code" to read "the Minnesota Building and Plumbing Codes" in § 260-11A and § 260-23B.

Chapter 260 Sewers Article II Public Sewer Connections § 260-18 Usage charges

- Revise § 260-18 to read "The owner is responsible for payment of usage charges, and if unpaid the charges shall be a lien on the property pursuant to § 260-45B."

Chapter 260 Sewers Article IV Use of Pubic Sanitary Sewer System § 260-46 Violations and penalties

- Revise § 260-46 to refer to the general penalty in Chapter 1, Article I.

Chapter 262 Sewer and Water Service Charges Article I Sanitary Sewer and Water Rates and Regulations § 262-1 Definitions

- Remove definition of "Department" in § 262-1.

Chapter 262 Sewer and Water Service Charges Article I Sanitary Sewer and Water Rates and Regulations § 262-5 Accounts and billing for services

- Revise § 262-5F to read "The owner is responsible for all delinquent charges on the account, and if unpaid the charges shall be a lien on the property pursuant to § 262-7B."
- Revise § 262-6G to read "The owner of the building or premises is responsible for all delinquent charges on the account, and if unpaid the charges shall be made a lien on the property pursuant to § 262-7B of this chapter."
- Revise § 262-6H to read "The owner is responsible for the base fee charges, and if unpaid the charges shall be a lien on the property pursuant to § 262-7B of this chapter."

Chapter 262 Sewer and Water Service Charges Article I Sanitary Sewer and Water Rates and Regulations §262-6 Right to discontinue service

- Remove "in accordance with Minn. Stat. § 216B.0975" in § 262-6B (2).

Chapter 262 Sewer and Water Service Charges Article II Special Sewer Treatment Fund § 262-8 Special Sewer Treatment Fund

- Revise title to read "Special Sewer Treatment Fund" in § 262-8.

Chapter 262 Sewer and Water Service Charges Article IV Violations and Penalties § 262-13 Violations and penalties

- Revise § 262-13 to refer to the general penalty in Chapter 1, Article I.

Chapter 264 Shade Tree Disease Control Article I Shade Tree Pest Control § 264-1 Definitions

- Revise § 264-1 and § 264-10A to read “Parks, Recreation and Culture.”

Chapter 264 Shade Tree Disease Control Article I Shade Tree Pest Control § 264-5 Nuisances declared

- Revise "legs" to "limbs" in § 264-5.

Chapter 264 Shade Tree Disease Control Article I Shade Tree Pest Control § 264-15 Violations and penalties

- Revise "Penalties and violations shall be imposed" to read "Penalties for violations shall be imposed" in § 264-15.

Chapter 264 Shade Tree Disease Control Article I Shade Tree Pest Control § 264-19 Storage/consumption prohibited

- Revise "consumption of diseased trees" to read “possession of diseased trees” in § 264-19.

Chapter 270 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-3 Operation restrictions

- Revise to read “Where permitted, snowmobiles shall not be operated as follows: A. On or across any street within the City at a speed in excess of 20 miles per hour or in any location at a speed greater than deemed reasonable for the conditions” in § 270-3A.

Chapter 270 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-5 Violations and penalties

- Revise § 270-5 to refer to the general penalty in Chapter 1, Article I.

Chapter 270 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-7 General provisions; definitions

- Revise to remove "as provided in this article" after "emergency conditions" in § 270-7A (7).

Chapter 270 Snowmobiles and Special Vehicles Article I Snowmobiles § 270-8 Violations and penalties

- Revise § 270-8 to refer to the general penalty in Chapter 1, Article I.

Chapter 273 Solid Waste Article I Unwarranted Disposal § 273-1 Use of disposal containers

- Remove § 273-1D.

Chapter 278 Special Events §278-11 Permit revocation

- Revise "license" to read "permit" in § 278-11.

Chapter 278 Special Events § 278-12 Violations and penalties

- Revise § 278-12 to refer to the general penalty in Chapter 1, Article I

Chapter 281 Stormwater Article I Stormwater Drainage Utility § 281-4 Calculation of fee

- Revise to read "The stormwater ERU rate shall be evaluated on an annual basis" in § 281-4B.

Chapter 281 Stormwater Article I Stormwater Drainage Utility § 281-5 Billing and payment

- Revise reference in § 281-5A (1) to § 262-5F.

Chapter 284 Streets and Sidewalks Article I Street Naming and Numbering § 284-1 Treatment of existing street names

- Revise "Street Naming and Lot Number Map" to read "Street Naming and Lot Numbering Map" in § 284-1.

Chapter 284 Streets and Sidewalks Article I Street Naming and Numbering § 284-8 Violations and penalties

- Revise § 284-8 to refer to the general penalty in Chapter 1, Article I

Chapter 284 Streets and Sidewalks Article II Location and Maintenance of Sidewalks § 284-14 Snow removal

- Revise to read "the Department of Public Works" in § 284-14.

Chapter 284 Streets and Sidewalks Article II Location and Maintenance of Sidewalks § 284-16 Materials on streets, alleys, sidewalks, or public way

- Revise to read "This section does not apply when an obstruction permit has been issued in accordance with Chapter 257, Right-of-Way Management, of the City Code" in § 284-16B.
- Revise to read "Any such items not removed shall be deemed to be rubbish unless such items have an obvious market value in excess of \$100, and any cost incurred by the City and billed to the responsible owner, renter, or occupant for removal of such items may be assessed against the adjacent lot, parcel, or building, if not promptly paid by the responsible party" in § 284-16A.

Chapter 284 Streets and Sidewalks Article II Location and Maintenance of Sidewalks § 284-17 Violations and penalties

- Revise § 284-17 to refer to the general penalty in Chapter 1, Article I

Chapter 290 Tattooing and Body Piercing

- Revise to include "and subject to a penalty as provided in Chapter 1, Article I, of the City Code" in § 290-4.

Chapter 295 Tobacco and Related Delivery Products Article I Smoking § 295-4 Violations and penalties

- Revise to read "Any person who shall do or commit any act which is forbidden by the provisions of this article shall be guilty of a petty misdemeanor and, upon conviction thereof, shall be punished by a fine not to exceed \$300, plus costs of prosecution" in § 295-4.

Chapter 300 Trails § 300-3 Snow removal on trails

- Revise § 300-3 to read "the City's Snow Plowing Policy adopted by resolution."

Chapter 300 Trails § 300-7 Violations and penalties

- Revise § 300-7 to refer to the general penalty in Chapter 1, Article I.

Chapter 320 Vehicles, Recreational §320-1 Provisions of state law adopted

- Revise reference to Minn. Stat. §§ 84.92 to 84.928 in §320-1.

Chapter 320 Vehicles, Recreational §320-2 Definitions

- Revise "snowmobile" to read "recreational vehicle" in the definition of "owner" in § 320-2.

Chapter 320 Vehicles, Recreational §320-13 Violations and penalties

- Revise to read "The person shall be punished as for a misdemeanor under Minnesota law (maximum fine of \$1,000 or imprisonment for term not to exceed 90 days, or both, plus costs of prosecution in either case); where a violation is committed in a manner or under circumstances so as to endanger or be likely to endanger any person or property, the person shall be punished as for a misdemeanor under Minnesota law; where the person stands convicted of violation of any provision of this chapter, exclusive of violations relating to the standing or parking of an unattended vehicle, for the third or subsequent time within the immediately preceding twelve-month period, the person shall be punished as for a misdemeanor under Minnesota law" in §320-13A.

Chapter 325 Water Article I Purpose and Establishment § 325-1 Definitions

- Revise § 325-1 to read "The City Public Works Department."

Chapter 325 Water Article III Private Wells §325-13 Private wells

- Revise reference to Chapter A344 (fee schedule) to Chapter 160, Fees in § 325-13C (1).

Chapter 325 Water Article V Violations and Penalties §325-19 Violations and penalties

- Revise §325-19 to refer to the general penalty in Chapter 1, Article I.
- Revise to read "The usage charge shall be as provided in the Water Rate Table in Chapter 262, Sewer and Water Service Charges, of the City Code" in § 325-19B.

Chapter A344 Fee Schedule

- Remove Chapter A344.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Ryan Saltis, Community Development Specialist
Date: June 15, 2021
Subject: Ducks Discussion

Background:

There has been interest by residents in the city to keep certain animals, specifically ducks. The request would be to allow these domestic fowl in residential areas. Surrounding cities do not allow domestic fowl to be kept in residential areas. Some cities allow ducks to be kept only in areas that are zoned agricultural and are considered farm animals by definition. Isanti's zoning district equivalent to agricultural land would be the R-1A Residential Rural District. This zoning district has a minimum lot size of 1 acre.

The Committee of the Whole discussed regulations for keeping turkeys and ducks in residential areas at the previous COW meeting on May 18th, 2021. It was determined that turkeys should not be allowed within city limits and that there needed to be more research on ducks before a decision is made to allow them or not.

Currently City Code has the following requirements:

§ 87-1 Prohibited animals.

No person, firm or corporation shall keep, harbor, feed or raise cows, horses, hogs or any other livestock, chicks or poultry, not in accordance with this chapter, in the City of Isanti.

Turkeys and ducks would be considered poultry (domestic fowl) and are currently prohibited within the city. Staff's research has concluded that most cities do not allow ducks in residentially zoned areas that aren't agricultural. Nearby cities that do allow domestic fowl in agricultural zoned areas have minimum lot sizes of at least 3 acres.

The following is a draft of regulations to allow for ducks to be kept in City Limits if the Council chooses to allow them, this is similar to the chickens ordinance:

§ 87-1.3 Ducks.

The City allows the keeping of ducks on residential properties in the R1A, R-1, R-2, R-3A, and R-3B Zoning Districts, subject to the following requirements:

- A. Ducks shall not be kept inside the principal structure.
- B. Ducks shall not be kept in such a manner as to constitute a public nuisance as defined by the City.
- C. Coops or enclosures are required and shall:
 - (1) Meet all setback requirements for the zoning district of the property.
 - (2) Be at least 10 feet from a side or rear property line.

- (3) Not be located in a drainage or utility easement or in a shoreland protection area or in a wetland setback area.
- (4) Shall be at least 30 feet from any residential dwelling on any adjacent property.
- D. The owner must keep the ducks in a coop or fenced in area and shall be contained within the owner's parcel at all times.
- E. The property owner shall maintain the coop or enclosures such that they are in good shape, not unsightly and free from major defects.
- F. The property owner shall properly store all animal feed such to ensure that it does not attract insect or rodents.
- G. The property owner shall dispose of all animal waste in an appropriate manner on a weekly basis.
- H. Are prohibited in multifamily structures and/or homes.
- I. Sale of eggs commercially is prohibited in residential districts.
- J. All coops or enclosures shall be kept at least 10 feet or further from any primary structure
- H. The maximum total number of ducks allowed on properties are as follows:

Lot Size (Acres)	Maximum Number Allowed
Less than 3 acres	6 ducks
More than 3 acres	12 ducks

The options for the Committee of the Whole are as follows:

- 1) Accept regulations for ducks (Requires an ordinance amendment)
- 2) No change to the City Code (All poultry besides chickens remain prohibited in the City of Isanti)

Community Development Specialist Ryan Saltis conducted research on this item his research is attached.

Request:

Staff is requesting direction on this item.

Attachments:

- Duck Research

Turkeys / Ducks Research

Cambridge: Turkeys and ducks are considered farm animals, which shall only be allowed to be kept in an agricultural district of the city, or on a residential lot of at least 10 acres in size provided that no animal shelter will be closer than 300 ft of an adjoining property.

(3) Farm Animals. Those animals commonly associated with a farm or performing work in an agricultural setting. Unless otherwise defined, farm animals shall include members of the equestrian family (horses, mules), bovine family (cows, bulls), sheep, poultry (chickens, turkeys), fowl (ducks, geese), swine (including Vietnamese pot-bellied pigs), goats, bees, pigeons, and other animals associated with a farm, ranch, or stable.

Princeton: Turkeys and ducks are considered farm animals and are only allowed to be kept in an agricultural district of the city (similar to Cambridge).

East Bethel: Turkeys and ducks considered fowl or farm animals and are allowed as an Interim Use Permit for parcels of land 3 acres or larger. The number of certain animals is determined by a property's acreage:

(h) The following equivalents will apply when determining the animal units defined below:

Animal	Animal Units Per Acre
1 swine	0.4
1 goose or duck	0.2
1 goat or sheep	0.5
1 turkey	0.10
1 bovine	1.4
1 equine	1.0
1 chicken or pheasant/quail	0.01
1 emu or ostrich	1.0
1 alpaca or llama	1.0

Zimmerman: Subdivision 1. No person shall anywhere in the city keep, harbor, or maintain care, custody, or control over any small animal such as a rabbit, chinchilla, or mink, or any fowl such as a chicken, turkey, or duck, or any pigeon, without obtaining a permit therefore issued by the commissioner of health.

Milaca: Turkeys and ducks are considered farm animals and are only allowed to be kept in an agricultural district of the city (similar to Cambridge).

North Branch: Considered "Fowl". Animal Unit Chart below:

c) Animal equivalents. The following equivalents shall apply when determining animal units and animal densities per acre:

1. one mature dairy cow	1.4
2. one slaughter steer or heifer	1.0
3. one horse	1.0
4. one swine	0.4
5. one goose or turkey	0.2
6. one goat or sheep	0.1
7. one chicken, duck or pigeon	0.01

Elk River: Turkeys and Ducks are considered Agricultural Animals and are allowed only in the Agricultural Zoning District.

AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, JULY 20, 2021 – 5:00 P.M.
CITY HALL

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Police Updates
 - 2. TIF Discussion
 - 3. American Rescue Funds Discussion
 - 4. Archery Range Discussion
 - 5. North 65 Chamber of Commerce Collaboration

- F. Adjournment**

A Community For Generations.



MEMO

To: Committee of the Whole
From: Finance Director Betker
Date: July 20th 2021
Subject: Use of American Rescue Plan Funds

Background:

The American Rescue Plan Act of 2021, also called the COVID-19 Stimulus Package or American Rescue Plan was signed into law on March 11, 2021. In part, the Act provides funding to local governments. Among the eligible uses for local governments identified by the Department of the Treasury (31CFR Part 35, RIN 1505-AC77) is water and sewer infrastructure. The Treasury Guidance States in part:

“The ARPA provides funds to State, local, and Tribal governments to make necessary investments in water and sewer infrastructure. (Section 602(c)(1)(D), 603(c)(1)(D) of the Act) By permitting funds to be used for water and sewer infrastructure needs, Congress recognized the critical role that clean drinking water and services for the collection and treatment of wastewater and stormwater play in protecting public health. Understanding that State, local, and Tribal governments have a broad range of water and sewer infrastructure needs, the interim final rule provides these governments with wide latitude to identify investments in water and sewer infrastructure that are of the highest priority for their own communities, which may include projects on privately-owned infrastructure.”

Research:

Investments in water and sewer infrastructure are critical and necessary. An investment in water and sewer infrastructure provides a broad and enduring benefit to all within City limits. Using ARPA funding to make such an investment will have long term impact on utility rates and potentially tax rates.

Request:

Staff is seeking authorization to identify water and sewer infrastructure projects to utilize ARPA funds. Staff would seek to utilize the funds within the 2022 budget cycle.

A Community For Generations.



Memo for COW

To: Mayor Johnson and Members City Council
From: Alyssa Olson, Parks, Recreation and Events Coordinator
Date: July 20, 2021
Subject: Archery Range Discussion

Background:

Upon a request from Council member Gordon to add an archery range to the Isanti Parks amenities, staff has conducted research on the subject and has identified two options that would be suitable for developing an archery range within City limits:

Option 1. Utilizing available space to the South of the Dog Park. This space would allow for a 170'L x 140'W range consisting of up to 14 lanes of varying distances. Archers would be facing South toward the woods and railroad tracks, limiting foot traffic and reducing the need to install a backstop to catch missed arrows. A 10' fence could be erected and back netting installed to further increase safety measures. The South-facing position would result in obstructed viewing on sunny days.

Estimated Costs:

Materials	\$3,500	(Targets, signs, waste, picnic table)
<u>Annual Maintenance</u>	<u>1,000</u>	
Total Estimated Cost:	\$4,500	
+ Perimeter Fencing		
<u>and Backstop</u>	<u>14,500</u>	
Total with Fencing	\$19,000	

Option 2. Incorporating a range into the fenced-in compost site along the Northern fence line on the property. This space would allow for a 120'L x 160'W range consisting of up to 16 lanes of varying distances. Archers would be facing North toward the existing fence line. The existing fencing and waste water clarifiers provide a barrier to any foot traffic, and the hill at the fence line would act as a backstop. A 10' fence line could be added along the East and West sides of the range to further enclose the activity space.

As this space is enclosed in the Compost Site, the range would only be available for use during operational hours on select Sundays, Tuesdays, Thursdays and Saturdays from April to November. The Compost Site attendant would be able to monitor use of the range.

Estimated Costs:

Materials	\$3,500	(Targets, signs, waste, picnic table)
<u>Annual Maintenance</u>	<u>1,000</u>	
Total Estimated Cost:	\$4,500	
+ Fencing	10,000	
Total with Fencing	\$14,500	

Request:

Staff is requesting action on the following:

- Direction to move the Archery Range discussion to Council

- Confirmation of which option should be considered further
- Installation of fencing, back netting and additional safety measures

Attachments:

- Aerial View of Site Options

Aerial View Site Options





Memo for COW

To: Mayor Johnson and Members of the City Council
From: Sheila Sellman, Community Development Director
Date: July 20, 2021
Subject: North 65 Chamber of Commerce Collaboration

Background:

The North 65 Chamber of Commerce has asked the Community Development Director to periodically attend their board meeting in order to share new developments or happenings within the city. As part of this discussion Community Development Director Sellman asked the Board if they were doing anything in the business community to celebrate Grace McCullum's Olympic Journey. The Board was not aware of anything but would like to do something to show their support. Sellman mentioned that she had seen a sign of support at Kwik Trip and suggested that the Chamber and City partner to provide supportive signs to the businesses in Isanti. The Chamber said they would print them and then we can work together on handing them out to businesses and have some at city hall incase other people wanted them, and they would have some at the Chamber office as well. Attached is a very rough draft of what the sign would look like. It would be a small window sign.

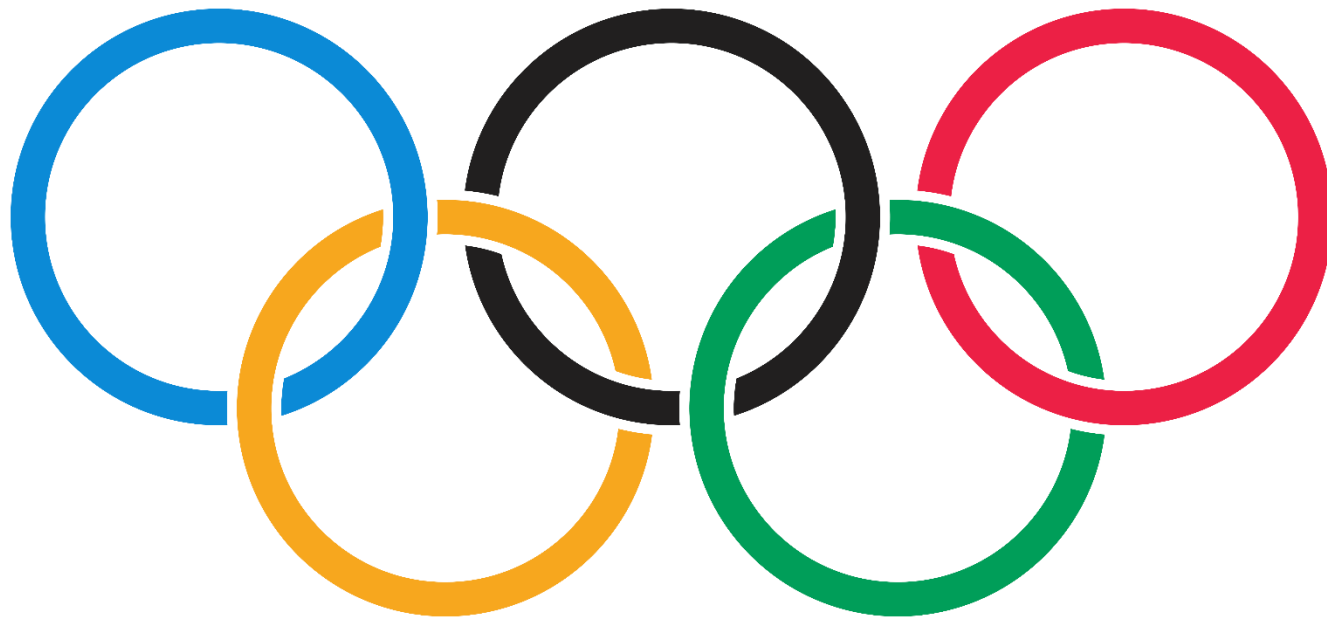
In addition to the signage does the Council want to do anything else to show our support?

Request:

Staff is requesting direction on this item.

Attachments:

- Rough draft of sign



Congratulations Grace McCallum
2021 Olympics

City of Isanti and its Business Community Supports you
Good Luck!



AGENDA
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, AUGUST 17, 2021 – 5:00 P.M.
CITY HALL

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Liquor Updates
 - 2. Permit Penalty Discussion (*Councilmember Gordon*)
 - 3. Councilmember Request (*Councilmember Bergley*)

- F. Adjournment**



New Business:

1. Introduction along with my background and philosophies regarding Managing a Municipal Liquor Operation.
2. Sales for May/June/July 2021 versus same time period 2020 are (-\$38,699.88).
3. Sales for the year through July are (-\$8,928.78) compared to the same time period 2020
4. Daily sales have increased lately due to a neighboring Municipal Liquor operation going through a remodeling project.
5. We are beginning the process of letting some of the slower moving product (mostly wine) run down in preparation for moving. We are also preparing for the dismantling of the gravity shelving inside the reach-in cooler by moving some product into the beer cave. We will have to "hibernate" some of the slower moving beer packages as we will not have the same number of temporary shelves.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Sheila Sellman, Community Development Director
Date: August 17, 2021
Subject: Permit Penalty Discussion

Background:

Councilmember Gordon requested staff provide information on penalties for not properly applying for permits. A few of the recent issues of working without permits have been caught after the work was complete or started and have required variances. It is a challenge to make findings for practical difficulties for the majority of variances and even harder on something that is already built without any approvals. State Statute 462.357 Sub 2 regulates variances “Variances may be granted when the applicant for the variance establishes that there are practical difficulties in complying with the zoning ordinance. “Practical difficulties” as used in connection with the granting of a variance, means that the property owner proposes to use the property in a reasonable manner not permitted by the zoning ordinance; the plight of the landowner is due to circumstances unique to the property and not created by the landowner; and the variance if granted will not alter the essential character of the locality. Economic considerations alone do not constitute practical difficulties. Practical difficulties include, but are not limited to, inadequate access to direct sunlight for solar energy systems”

Section 1300.30140 of the building code: Violations

It is unlawful for any person, firm, or corporation to erect, construct, alter, extend, repair, move, remove, demolish, or occupy any building, structure, or equipment regulated by the code, or cause any of those actions, in conflict with or in violation of the code. The building official may serve a notice of violation or order on the person responsible for the erection, construction, alteration, extension, repair, moving, removal, demolition, or occupancy of a building or structure in violation of the code, or in violation of a permit or certificate issued under the code. The order shall direct the discontinuance of the illegal action or condition and the abatement of the violation.

1300.0150 Violations, Penalty

A violation of the code is a misdemeanor under Minnesota Statutes, Section 326B.082.

Work without zoning approval (CUP, IUP, Site Plan etc) is a Misdemeanor, and upon conviction thereof, shall be fined and/or imprisoned as provided for misdemeanor violations under MN State Law.

1300.0160 Fees

Subp. 8. Work commencing before permit issuance.

If work for which a permit is required by the code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work. An investigation fee established by the municipality shall be collected whether or not a permit is issued and is in addition to the required permit fees, but it may not exceed the permit fee. The investigation fee must comply with requirements for fees in subpart 2.

The intent of the code is to charge an “investigative fee” that is proportionate to the level of resources that staff would use to determine and solve the violation(s) that occurred. This is where the term “double fee” was removed from the building code and replaced with “investigate fee.” According to our fee schedule the investigation fee is 100% of permit fee, which is essentially a double fee.

While the above information addresses work without a building permit it does not address zoning issues such as conducting business where a Conditional Use Permit (CUP) is required. Our fee schedule lists Zoning ordinance violations as a \$200 fine. While it doesn’t happen often this fine could be imposed when this type of violation exists in addition to them applying for the CUP, as an example.

Request:

Staff is requesting direction on this item.

Attachments:

- Summary of other cities

Building Permit Penalty Fees – Other Cities

City	Work without a permit	Work without zoning approval (CUP, IUP, Site Plan etc)	Notes
Isanti	Investigative fee	Misdemeanor, and upon conviction thereof, shall be fined and/or imprisoned as provided for misdemeanor violations under MN State Law	Fee Schedule lists Zoning Ordinance Violation as a \$200 fine Investigative Fee: 100% of permit fee
Cambridge	Special Investigation Fee	Misdemeanor	Special Investigation Fee - \$75
Princeton	Double Permit Fee	Misdemeanor	
North Branch	Investigation Fee	Misdemeanor	Investigation Fee Permit Issuance (not to exceed the permit fee): \$47 per hour
East Bethel	Double Fee	Misdemeanor	
Brainerd	Double Fee	Misdemeanor	pay both the fee provided for the permit and an inspection fee equal to the fee provided for the permit and is subject to the penalty provisions of this Code.
Milaca	Investigation Fee	Misdemeanor	An investigation fee shall be collected and is in addition to the required permit fee, which is equal to the permit fee.

Building Permit Penalty Fees – Other Cities

Blaine	Double Permit Fee	Misdemeanor	
East Bethel	Double Permit Fee		Paying the fee does not relieve a person from fully complying with building code or other city ordinances

The Building Code states that “If work for which a permit is required by the code has been commenced without first obtaining a permit, a special investigation shall be made before a permit may be issued for the work. An investigation fee established by the municipality shall be collected whether or not a permit is issued and is in addition to the required permit fees, but it may not exceed the permit fee. The investigation fee must comply with requirements for fees in subpart 2.” Our fee schedule adheres to this code and we cannot fine more than what we already are, based on the Building Code.

Councilmember Heineman introduced the following resolution and moved for its adoption:

RESOLUTION #21-067

RESOLUTION INSTRUCTING THAT NO CITY RESOURCE BE UTILIZED IN THE ENFORCEMENT OF EXECUTIVE ORDER 20-81

WHEREAS, Section 1 of the 14th Amendment states that: All persons born or naturalized in the United States and subject to the jurisdiction thereof, are citizens of the United States and of the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws; and

WHEREAS, We and other elected officials took an oath to uphold the constitutions of the United States and the State of Minnesota (City Code Chap.12, Sec. 12.2), and Governor Walz' executive orders in response to the Covid-19 pandemic have broadly undermined the basic human rights of our neighbors, our families, and ourselves and; conflict with and do not release the city of Ramsey from its' obligation to operate in harmony with the constitutions of this state and of the United States and with the statutes of this state (City Code Chap.1, Sec.1.2 and State Statute 609.735, Chap.12, Sec. 12.39, Chap. 144, Sec.144.651, Chap. 363A, Sec, 363A.11).

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF RAMSEY, ANOKA COUNTY, STATE OF MINNESOTA, as follows:

- 1) The Ramsey City Council hereby orders that CITY RESOURCES, whether physical, financial or otherwise, including but not limited to law enforcement, city staff and personnel, city contractors and subcontractors or assistance of any kind tied to the city, or any cooperation to any government including federal, state, or county, SHALL NOT be used to enforce any of Governor Walz's Emergency Executive Orders, including but not limited to, Executive Order 20-81 and any other orders that infringe on people's constitutionally protected rights, especially as it related to COVID-19.

The motion for the adoption of the foregoing resolution was duly seconded by Councilmember Howell, and upon vote being taken thereon, the following voted in favor thereof:

Councilmember Heineman
 Councilmember Howell
 Councilmember Musgrove
 Councilmember Specht

and the following voted against the same:

Mayor Kuzma
 Councilmember Riley
 Council Wostehoff


and the following abstained:

None

and the following were absent:


None

Whereupon said resolution was declared duly passed and adopted by the Ramsey City Council this the 9th day of March, 2021.



Mayor

ATTEST:



City Clerk

AGENDA
CITY OF ISANTI
COMMITTEE OF THE WHOLE MEETING

TUESDAY, SEPTEMBER 21, 2021 – 5:00 P.M.
CITY HALL



Pursuant to Minn Statute 13D.02, Councilmember Gordon will be participating in the meeting from Subway, 903 Poplar St Leadville, CO 80461.

The public can view the City Council meeting in person or by visiting this website: <https://us06web.zoom.us/j/82736198494?pwd=bmtXcHNvQkZzMFQ1TytYLlRZQU5lUT09> or by calling into this number +1 312 626 6799 US with this meeting ID: 827 3619 8494 and passcode 174343.

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Public Works Updates
 - 2. Holiday Lights Event
 - 3. Sewer and Water Oversizing Policy Discussion
 - 4. Digital Agenda Packets for All Boards and Committees Discussion
 - 5. Anti-Mask Mandate Discussion (*Councilmember Bergley*)
 - 6. VFW Park Fence Discussion
 - 7. Water Meter Replacement Update
 - 8. Gravel Road Maintenance Discussion
 - 9. Bandshell Naming and Celebration Discussion

- F. Adjournment**

AGENDA
CITY OF ISANTI
COMMITTEE OF THE WHOLE MEETING

TUESDAY, OCTOBER 19, 2021 – 5:00 P.M.
CITY HALL



- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Police Updates
 - 2. Park Naming Policy
 - 3. Amphitheater Naming Discussion
 - 4. Bow Hunting Regulations
 - 5. 2022 Street Dance Location Discussion
 - 6. Finance Related Polices
 - 7. Resolutions to Repeal Policies
 - 8. Police and Liquor Staffing Changes
 - 9. Storm Water Rate Study

- F. Adjournment**

Isanti Police Department

PO Box 428, 401 First Ave NW, Isanti, MN 55040 763-444-4761



1.

Memo for Committee

To: Mayor Johnson and Members of the City Council
From: Travis Muyres, Police Chief
Date: October 19th, 2021
Subject: Police Updates

Staffing:

All positions are filled and training completed. 6 patrol officers, Investigator, Lieutenant, Chief and CSO.

Officer wellness:

Two Officers have been certified in peer support. All officers are required to see selected provider for mental health wellness check in by the end of the year. Our selected provider, Marie Ridgeway provided all staff a two hour wellness training at the police department.

Officer Retention:

One of the greatest challenges facing law enforcement organizations today is the successful recruitment and retention of highly qualified employees. Community safety can be compromised when substantial experience and training is lost through staff turnover and vacancy.

The most effective way to build departmental commitment and loyalty is to demonstrate how the department values employees by providing them with the support and tools to effectively do their jobs. Any effort by management to transition employees into the department effectively and stress appreciation of their work will increase satisfaction and reduce turnover.

Job satisfaction is the number one factor in retention. Good employees start to look elsewhere when they are not happy, and retaining employees is just as important as recruiting.

Isanti Police core principles for retention of employees:

- 1. Practice effective leadership: maintain administration's support for employees.**
- 2. Offer employees an attractive and competitive pay package.**
- 3. Establish rigorous wellness programs that provide adequate opportunities for police officers to get help when they need it.**
- 4. Establish growth opportunities within the organization that allow officers to expand their knowledge and experience.**

The mission of the Isanti Police Department is to work in collaboration with the citizens of Isanti to enhance the quality of life by engaging, protecting, and serving the community with respect integrity and professionalism

Isanti Police Department

PO Box 428, 401 First Ave NW, Isanti, MN 55040 763-444-4761



5. **Employee development: Offering cutting-edge training allows officers to perform at their best.**
6. **Equip officers with modern and efficient equipment and technology**



The mission of the Isanti Police Department is to work in collaboration with the citizens of Isanti to enhance the quality of life by engaging, protecting, and serving the community with respect integrity and professionalism

Isanti Police Department Monthly Reports - January Through June

Reported Crime	2017	2018	2019	2020	2021
Theft	69	73	47	54	50
Assault	20	22	11	10	25
Vandalism/Damage to Property	38	27	17	18	28
Narcotics	18	18	16	23	21
Burglary	3	8	5	1	6
Domestics	39	57	38	37	34
Crim Sex	4	5	1	2	7
Robbery	0	1	0	0	0
Loud Party/Disturbance	62	54	55	87	34
Medical	158	180	165	219	194
Permit to Purchase	55	45	39	57	59
Security Check / Extra Patrol		1041	1512	2255	2286
Traffic Offenses	2017	2018	2019	2020	2021
No Insurance	39	72	30	27	31
DUI	7	10	8	7	9
Accidents	35	57	52	36	53
Hit & Run	4	8	7	3	0
Warrant P/U	30	28	20	12	26
Speed	91	103	116	137	96
DAR/DAS	37	36	27	28	24
Administrative Citations (Including Speed)	66	310	128	61	57

Best Practices Guide



International Association of Chiefs of Police

Smaller Police Departments
Technical Assistance Program

Recruitment, Retention, and Turnover of Law Enforcement Personnel

by W. Dwayne Orrick

This project supported by a grant from:



BJA
Bureau of Justice Assistance
U.S. Department of Justice

Best Practices Guide for Recruitment, Retention, and Turnover of Law Enforcement Personnel

W. Dwayne Orrick

Recruiting sufficient numbers of qualified applicants to meet the staffing needs of an agency is the most fundamental human resource process in a police department. The success of the department's recruitment efforts impacts every other function in the agency.

For years, law enforcement agencies offered good, stable employment. A readily available workforce enabled many police leaders to ignore the importance of recruitment. Today, employers nationwide, including police departments, report having difficulty attracting and retaining sufficient numbers of qualified employees. There are a number of factors both inside and outside the organization contributing to this condition.

The purpose of this guide is to provide an overview of the issues that impact an agency's ability to recruit sufficient numbers of qualified persons who are a 'good fit' within a police agency and the processes to successfully attract these individuals. In addition, factors contributing to increased levels of employee attrition and processes for developing a high retention environment will be identified.

Recruitment

Police departments are service organizations. The quality of their service delivery is directly linked to the quality of personnel they recruit, hire, and retain. Failing to recruit and retain personnel that 'fit' with the agency will have a direct impact on the organization's ability to serve their community. The process of attracting potential employees is more complex than merely convincing a large number of persons to submit an application for employment. To be more effective, agencies must view recruitment in a comprehensive manner. Before a department begins to recruit officers, the number of officers and the needs of the department should be identified through a staffing analysis and a review of the average turnover rates.

Once the number of employees that are needed is identified, the core values of the organization and the unique aspects, or 'employer brand', should be clarified. This information is critical for establishing the caliber of officers needed and what the department has to offer employees. In addition, leaders must designate specific individuals to act as official department recruiters, but every officer can be enlisted to help with the search. Finally, the process of actually recruiting employees should make use of a variety of recruitment strategies.

Staffing Analysis

To determine the number of officers required to serve the needs of the community, the department should conduct a staffing analysis. There are several formulas available for projecting the number of employees needed. Assuming the department receives appropriations to fund additional positions, the projected need is added to the number of current vacancies. At the same time, the average turnover should be determined. To estimate the anticipated vacancies, planned and unplanned turnover must be considered. Planned attrition includes persons who are known to be leaving the department in the next 12 –18 months (i.e. retirement). Reviewing the average number of persons who resigned in the past 24 – 36 months can be used to estimate the number of unplanned turnover. Combined, the staffing projection, current vacancies, and estimated turnover provide recruiters with the approximate number of new officers that will need to be recruited.

Identifying Core Values

The process of identifying the core values of a police department is often viewed as being the ‘softer’ side of law enforcement that has little affiliation with ‘real police work.’ However, the statement of core values is actually the bedrock of the department’s operations. Serving as its constitution, the core values clarify why the department exists, what it represents, and how it conducts itself. While there are many similarities between law enforcement agencies, there are distinct differences between each community’s expectations and how its department provides services.

Every agency has a set of values, regardless of whether they have been formally articulated and pronounced. Identifying the core values helps to determine what beliefs an individual should possess to fit well within the organization. This is important because many leaders have been led to believe that a person who passes the various selection procedures is the most qualified person for the department. In reality, an officer who works well in one department may not fit well in another.

The core values establish the standard for evaluating the recruitment and selection of employees. When organizations fail to identify core values and make them an integral part of the recruitment, selection, and operational procedures, they tend to repeatedly make the same hiring mistakes.¹

Finally, when employees’ personal values are similar to those represented by the police department the individual is more likely to identify with the agency’s purpose and be anchored to that organization.² This results in lower attrition rates.

Developing an Employer Brand

As agencies place greater emphasis on recruiting and retaining employees, they should examine their employer brand. An employer brand communicates the message of what it is like to work in the organization. Every department has a reputation as a place to work that may be positive or negative. For example, a department may be well-known for providing higher salaries, maintaining excellent performance standards, or having the best equipment available. At the same time, a department may also be known for poor relationships between management and line officers or low salaries and benefits.

Agencies that develop a strong, positive employer brand have a special allure as a great place to work and are considered employers of choice.³ This designation gives agencies a competitive advantage when recruiting officers. As a result, departments are more likely to have a greater number of high-quality candidates apply for positions. Branding also helps lower the cost-per-hire and increases the level of retention by initially attracting candidates who are more likely to be a good fit for the department.⁴

As departments seek to develop a strong employer brand, they should go through a facilitated process to gain employee participation, identify what candidate’s desire, assess the department’s current brand, and clarify the agency’s unique characteristics. Having completed this process, agencies can work to develop the department’s desired image. Once established, a strategic plan to move from the current brand to the desired image can be developed. This process is not easy and cannot be accomplished overnight. Once the desired brand is created, the agency must constantly work to maintain it. In addition, they must ensure how the employees act and the public’s perception of the department are synonymous with the brand. Agencies that successfully complete this effort find they have better relations in the community, successfully recruit top quality candidates, and are in a stronger position to retain quality candidates.

Recruiter Selection

Many agencies fail to recognize and subsequently stress the importance of the recruitment function. As a result, those persons who would probably be the best individuals for the position do not submit their name for consideration. To overcome this, organizational leaders must develop a perception throughout the department that recruitment is one of the most important functions in the agency.

To ensure the recruiting function is considered an important function and an organizational priority, individuals should be formally assigned the responsibility of specific recruiting functions. In a larger organization this may require a team of officers. In smaller agencies, this responsibility will likely be completed by one individual on a part-time basis. Regardless, a thorough process of identifying, selecting, training, and evaluating recruiters should be completed.

Persons assigned as recruiters must be among the brightest in the department and the position should be viewed as a sought after position. Individuals must possess the social astuteness to read non-verbal signals from others' body language and adjust their responses to meet the needs of the individual. At the same time, the recruiter must be able to assess the potential candidate's ability to meet the department's employment standards. The best recruiters are known, liked, and respected as credible individuals throughout the community. They are always seeking opportunities to sell the agency and establish new networks.

Once officers are selected as recruiters, they should be provided with training to ensure their success. In some cases, this training can be provided internally. If the department is starting a new program, it may be necessary to seek training outside the department.

Finally, objective performance standards should be established to measure the recruiter's success and hold them accountable for meeting these standards.

Recruitment Techniques

If departments continue to use the same recruitment processes they have always used, they will continue recruiting the same types of employees, with the same results. In order to recruit diverse, high-quality candidates, departments must upgrade their recruitment programs and employ a variety of recruitment techniques to reach this new group of candidates.

Employee Referral System (ERS) - When law enforcement agencies search for a suspect, they do not have one person to conduct the hunt for the entire department. Instead, every available person is tasked with helping to conduct the search. So why should an agency have one or two persons doing all of the recruiting? Every officer in the department is a potential recruiter.

Employee referral systems are the most effective recruitment techniques available. Much of the success of referral systems is attributed to officers doing some form of informal assessment of the individual to determine if he or she can perform well within the organization before approaching them or making a recommendation to the agency. In addition, millennial employees voice a desire to work with their friends. Research has consistently found that officers who are recruited through employee referral systems are more likely to succeed in the selection process and be retained by the agency. Having learned about the agency first hand from an officer, referred candidates have a more realistic view of the job they are coming in to.

When beginning an ERS, guidelines for the program's operation should be established. First, officers should be informed of the department's personnel needs and goals, and have them focus their efforts on addressing these needs. Second, a process must be established to track officers' referrals. To prevent them from becoming frustrated and discouraged, employees who make a referral should be provided periodic updates of the candidate's progress. In addition, the agency must continually communicate the need for new recruits, benefits for recruiting a new employee, and about officers who have successfully attracted a new recruit.

In many departments, officers who refer a candidate who is hired by the agency receive some form of bonus. A determination should be made of the type and value of the bonus. The bonus may be a non-cash award

such as days off or a gift (i.e. television, laptop computer, etc.). Other departments provide cash payments ranging from 100 to 5,000 dollars; a sort of “finder’s fee”. When providing cash bonuses, many departments provide one-half upon employment of the recruit and the second half when the individual completes their probationary period. This installment program maximizes the motivational benefits of the program. In addition, the referring officer is more likely to serve as a mentor to help the new employee succeed.

Finally, employees are likely to attract other people who are similar to them. If the department does not have a diverse workforce or has a dysfunctional culture. Implementation of this system may perpetuate these problems. Under these circumstances, leaders may limit the use of an employee referral system.

Internet – The Internet is the second most effective approach for recruiting potential candidates. It is available to potential applicants 24 hours a day, seven days a week. It is less expensive and easier to customize than many other recruitment techniques. Making use of the Internet also provides agencies with greater opportunity to expand their brand message and eliminate their dependency on traditional media.

The department website allows the agency to communicate the services they provide, project a solid image, and describe various career opportunities. Recruiters and leaders should assume that all serious job seekers will examine the department website to research the agency and learn about its operations. Because of this, the site should provide an accurate reflection of the department’s personality and values.

To provide an informative, high impact website, designers must maintain a dynamic and interactive site. The use of photographs and video bring the site to life. These images should be representative of the department and demonstrate diversity in the workforce. The website should include a prominently positioned link entitled ‘Career Opportunities’ that lists available jobs, requirements for each position, and a description of the selection process. Access to this link should be possible within three clicks. When composing an Internet announcement, designers should avoid using traditional job descriptions. Position announcements should capture the reader’s attention with the image that the department is a great place to work and enables the individual to do meaningful work. The agency may consider including testimonials from employees of what attracted them to the job and what they enjoy about working with the agency. The most effective sites make it possible for individuals to download and submit applications. It is also suggested the page include a link to email the recruiter as well as a direct phone number. All requests for information should be answered within 24 hours.

Another alternative is to use on-line employment sites such as the IACP’s Discoverpolicing.com. Many state law enforcement agencies, municipal associations, United States Military, and state labor departments also provide websites for posting vacancies at no cost.

Third, departments should work to develop and maintain a strong presence in social media including Facebook, YouTube, and Twitter. These programs provide greater interaction with potential candidates and increase the opportunity to peak their interest

News Media – The impact of social media has radically changed role of the traditional media - radio, television, and newspapers. The influence of newspapers and classified ads have experienced the greatest decline. Transitioning to a digital format continues to cause rapid and dynamic changes in how the traditional media seeks to meet consumer needs. Law enforcement agencies must continue to work with the media to leverage the latest information sources to serve their communities, present their brand image, and attract officers.

Law enforcement agencies have an advantage over other employers in that they have frequent access to reporters. Using these relationships, agencies can work to publish human-interest stories about officers and the department’s recruitment efforts. These articles are a great way for the agency to bring attention to the department as well as provide greater details of career opportunities.

Former Officers – Many departments are finding they have a group of officers who compose the core of their operations. At the same time, another group of ‘transient’ employees, who may leave and return to the agency one or more times before they begin to completely identify with the core group and become long-term employees.

High performing officers who left the agency for ‘greener pastures’ often find the opportunity that pulled them out of the department did not provide them everything they expected. If given the opportunity many will jump at the chance to return. Recognizing they really belong with the department these persons often return to become long-term employees.

‘Boomerang’ officers provide many advantages for both the department and officer. The department and the officer are familiar with each other, so there are fewer risks for each. The officer is familiar with the department’s expectations and operational procedures, so the transition is smooth and training is limited. These officers have explored other alternatives and appreciate the opportunities within that particular agency more. They are likely to spread this to other officers who are considering other opportunities and potentially limit turnover.

Target Female Candidates – Women are the most under-represented protected class in law enforcement today. While they make up 51% of the population¹, they occupy only 11.6% of positions across the nation². This is not to suggest all women would make good officers any more than to say all men would make good officers. Nor should departments lower legitimate hiring standards to attract more women, this would only discount the value quality candidates bring to the workplace. Generally female officers possess many unique characteristics that make them exceptional officers. For example, women officers are more likely to be better educated. In 2013, women earned 61% of associate and 57% of bachelor degrees.³ They are less likely to use force, excessive force, or be named in a lawsuit than male officers.⁴ In addition, they have better oral communication skills and are more empathetic than men. As traditional gender roles continue to evolve, increasing the focus on female candidates will offer an abundant source of highly qualified and capable employees. Failure to do so will adversely impact agencies to reach their recruiting goals and serve their communities in the future.

Viral Recruitment – Top quality candidates are likely to be associated with similarly qualified persons. While recruitment efforts may not be successful with one individual, the candidate may likely associate with another person who would be open to opportunities offered by the agency. Recruiters should provide good candidates with several copies of brochures and other recruitment materials. If the person is not interested,

¹ U. S. Department of Commerce, U. S. Census Bureau, Age and Sex Composition: 2010, “Table 1 Population by Sex and Selected Age Groups: 2000 and 2010”, (May 2011), p. 2, <http://www.census.gov/prod/cen2010/briefs/c2010br-03.pdf>

²Federal Bureau of Investigation, Uniform Crime Reports -2013, Table 74: Full-time Law Enforcement Employees by Population Group, Percent Male and Female, 2013 (http://www.fbi.gov/about-us/cjis/ucr/crime-in-the-u.s/2013/crime-in-the-u.s.-2013/tables/table-74/table_74_full_time_law_enforcement_employees_by_population_group_percent_male_and_female_2013.xls), (October 2014).

³ Perry, Mark J., “Stunning College Degree Gap: Women have earned almost 10 million more college degrees than men since 1982”, American Enterprise Institute,(May, 2013), <http://www.aei.org/publication/stunning-college-degree-gap-women-have-earned-almost-10-million-more-college-degrees-than-men-since-1982/> (Accessed: May 22, 2015)

⁴ Lonsway, Kim, Margaret Moore, Penny Harrington, Eleanor Smeal, and Katherine Spillar, “Hiring and Retaining More Women: The Advantages to Law Enforcement Agencies”, National Center for Women and Policing, (Spring 2003), p. 4.

ask them to pass the agency's materials around to friends and colleagues. Recruiters can also encourage candidates to share recruitment links and information on their social media accounts. Other departments are asking applicants to list several friends who they think may be interested in becoming a police officer. This information is then forwarded to recruiters to conduct follow-up interviews.

Career Fairs – There are a variety of job fairs available for recruiters to meet with potential recruits including law enforcement, military, college and public events. Many departments have experienced limited success with participating in job fairs. Despite this, participating in career fairs provides departments with many benefits. Persons attending the events are seeking a career change and are looking at all the different opportunities. Because of this, recruiters have the opportunity to meet larger numbers of potential candidates at once. At the same time, the competition for job seekers attention is great, allowing job searchers to be easily distracted.

Working at a booth at a career fair requires recruiters to have a positive attitude and active listening skills. When talking with job seekers, recruiters only have a few minutes to talk with interested persons before they move on to the next booth. To prepare for this, recruiters should practice approaching and interacting with potential candidates. In addition, a system should be established for rating potential leads at the event and, following the event, the effectiveness of its recruitment potential.

Religious and Cultural Organizations – Networking with various religious organizations has proved very effective for police departments in attracting successful candidates, particularly minorities. In larger communities, some church and religious organizations operate job centers or other career preparation services. These organizations have close relationships with their members, and partnering with them can help break down trust barriers and add credibility to your recruitment efforts

Youth and Apprentice Programs – One study found that 50% of new recruits knew they wanted to be an officer in the 12th grade⁵. To capitalize on this, agencies should consider developing long-term recruiting programs that will identify and nurture those persons interested in law enforcement and anchor them to the agency. Various programs including summer day camps, Explorer posts, internships, and community service positions serve as a realistic job preview for these future officers. At the same time, participation in the program gives the agency an opportunity to interact with individuals and observe their personalities and work ethic. As a result, many of these programs result in the successful recruitment of participants.

Turnover

External Factors

The employer-employee relationship is a product of the market economy. Such that, during economic downturns or recessions, there are fewer jobs available for the employees. During these periods, employers have greater control of the relationship. Conversely, when the economy is doing well, employees have more opportunities and greater control of the relationship. During the recent economic recession, some agencies were forced to cut staffing or make reductions in force. During this period, incumbent officers had fewer employment alternatives and agencies experienced lower turnover rates.

As the economy rebounds, experienced officers who postponed retirement now have new opportunities for second careers. Others who become dissatisfied with the progress of their careers may seize newly found opportunities. Unfortunately for the agency, the first persons to leave are often the best employees simply because they have better skills and abilities to offer new employers.

⁵ Switzer, Merlin E. "Recruitment and Retention: Best Practices Update", California Commission on Peace Officer Standards and Training, April 2006, p. 40.

This problem is compounded by a number of factors. Departments that were not permitted to fill vacancies have fewer seasoned officers to take the place of senior staff and fewer persons view law enforcement as a viable career. In the next five years, the exodus of baby boomers will dramatically reduce the number of persons in the labor market. Together with a recovering economy, these conditions will result in heavy competition for talent talented candidates. If agencies do not take aggressive steps to mitigate this issue, a serious imbalance will likely form in many departments between the number of experienced officers and newer recruits. Over time, agencies with higher turnover and less experienced officers will suffer a reduction in productivity and lower quality of service delivery.

A number of studies have documented the level of turnover and contributing causes. Still, little research has been done to establish a benchmark of 'acceptable' or 'normal' turnover rate for law enforcement agencies.

- In 1999, the Florida Department of Law Enforcement reported 14 percent of state and county officers and 20 percent of municipal officers left within the first 18 months of employment.⁷ Between 1983 and 1997, the state of Alaska averaged a 35 percent turnover in its Village Public Safety Officer positions.⁸
- In 2003 the North Carolina Department of Criminal Justice assessed the level of turnover in municipal and sheriff's officer positions and found attrition in municipal agencies ranged from zero to 87 percent with an average of 14.2 percent.⁹ At the same time, sheriff's personnel had a turnover rate of zero to 60 percent with an average of 12.7 percent.¹⁰
- A study of attrition of Vermont law enforcement agencies between 2001 and 2006 found counties averaged 8.9 percent, while municipalities experienced 8.25 percent.¹¹
- A 2010 staffing study conducted by the Glendale (AZ) Police Department analyzed many inter and intra agency factors in addition to turnover. According to the study, sworn personnel departures decreased by 32%, from 25 to 17 departures between 2008 and 2009.¹⁷ The turnover rate for sworn personnel dropped from 6.0% in 2008 to 4.2% in 2009.¹⁷ Three of the 17 departures in 2009 were voluntary resignations, which led to a voluntary turnover rate of 0.7%, down from 2.2% in 2008. The voluntary turnover rates in the department were slightly above the 0.4% national rate as reported by the U.S. Department of Labor in 2010.¹⁷

Law enforcement attrition is a complex and difficult issue to manage. In many instances, the turnover occurs in trends. To identify these trends, agencies must track when officers resign from the department. Using this information, charts can be developed to help illustrate the severity of the problem and how to coordinate retention efforts at critical times. Before an agency can determine the retention strategies to be initiated, it is critical to know the specific reasons why officers are leaving an agency. As departments seek to find the causes for attrition, officers must have an integral role in the process. One of the most important areas to clarify in this phase is to ask employees what is important to them and their opinion of why employees are leaving. Several techniques can be used to capture this information, including confidential surveys, personal interviews, exit interviews, and focus groups.

Internal Factors

Salary – The most frequently cited reason by police executives of why officers leave is salary. There are a number of reasons for this claim. In many cases the level of salary, benefits, and working conditions offered by local and state governments trail those found in the private sector or nearby agencies. Second, employees who do not want to burn bridges with an employer frequently tell their bosses they are receiving a better salary in their new position. Third, if the individual is making more money in his or her new position, it is easy to say they left for a higher salary. Finally, relying on salary increases allows executives to give a simple

answer to a potentially complex problem without making any hard analysis of the problems or conditions within their agencies.

Money is not a motivator, but absence of money is a de-motivator. When an individual does not have enough money to pay his or her expenses, salary becomes more important. As a general rule of thumb, persons who are struggling to pay their bills will leave for less than a 5 percent increase in salary. Unhappy employees will leave for 5 percent, and satisfied employees generally require a 20 percent increase before they consider resigning.¹³ The issue of compensation is more inclusive than just salary and includes a number of benefits such as health insurance, vacation, retirement, schedules, and equipment. Deficiencies or perceived inequities in any of these areas can contribute to turnover.

Poor Supervisors or Leadership – People do not leave jobs, they leave managers.¹⁴ The number one internal factor affecting an employee's decision to stay or leave a job is the relationship with their immediate supervisor. One of the greatest crises facing law enforcement agencies in the near future is the failure to develop leadership potential of officers throughout the entire organization. Too often persons are promoted to a supervisor position and not given any training of how to effectively perform their new responsibilities. As a result, they treat employees the same way they saw their supervisors treat officers years before.

Poor Job Fit – Another contributor for officer attrition is a poor person-job fit. Even though the individual has the knowledge, skills, and abilities to perform the job, many do not like the work or fit within the agency. Several states have found that at least 25 percent of officers leave their department within the first 18-36 months on the job. Field training officers or supervisors often hear the officer say, "This job is not what I thought it was." This same person may work very well in another department; they just do not work well within that particular agency.

Higher Ordered Needs – In recent years, the police profession has placed emphasis on the professionalism of working within law enforcement agencies. Departments spend enormous efforts attracting better-educated, well-rounded individuals. As a result, today's applicants are looking to satisfy higher-ordered needs of belongingness, self-esteem, and self-actualization. This translates into officers wanting to feel a part of the organization, be proud of what they do, and make a difference. Despite this, the organizational culture of some agencies has not evolved beyond the survival mentality aspects of police work. Basic and advanced training classes emphasize the need to go home at the end of the day as their measure of success. This is not to minimize the dangerous aspects of a career in law enforcement or the need to exercise appropriate care in performing their duties in a safe manner. The officers being recruited today are seeking challenging work environments and problem solving opportunities. When these needs go unmet for an extended period of time, it causes internal conflict for the individual. As a result, when these individuals are placed in an environment that constantly focuses on the lower-ordered needs, the individuals will soon look for work environments that offer those opportunities and conditions.

Role Conflict - Many departing officers note the disparity in the interpretation and consistent application of policy between supervisors as a leading cause of their dissatisfaction. For example, a chief may hear officers state that how they perform a task varies according to their shift assignment. Some may take this to mean every shift does different things because of the type of activity that occurs. Instead, these officers are voicing displeasure with doing the same thing differently depending upon their supervisor. Over time, they develop a perception there is no consistency in the operations and no matter what they do it is wrong.

Dysfunctional Organizational Cultures – Many agencies are still characterized by silo management styles, hierarchical organizational structures with a dependence on strict operational procedures. This compliance, rule-based environment is based upon a transactional leadership style. Employees today are seeking an intrinsically motivating work environment. To accomplish this, leaders must engage the minds and hearts of their officers. Officers must take ownership of the various projects in which they are assigned to participate.

When leaders fail to do this, they are limiting the organization's success and contributing to the attrition problems within their agency.

Generational Differences – Generation theory proposes there are four stages in a cycle. Each stage is identified as being a different cohort or generation. The 'personality' of each generation is developed by the events occurring in society during the formative years. The manner in which each generation treats and raises children differs because of changes in values and perspectives. These changes ensure the cycle continues its evolution. No generation is really any better or worse than another; each is different with its own strengths and weaknesses. The secret for leaders is to be aware of these differences and develop the leadership strategies that are needed to reach out to the individuals at their current level of development.

Lack of Career Growth or Better Opportunities – Officers often cite limited opportunities to grow or 'move up' as a reason for leaving their current position. This is particularly true for millennial employees. For years, larger agencies have successfully used more opportunities in a larger agency as a way to poach exceptional officers from smaller departments.

Inadequate Feedback – Providing frequent feedback is a critical link to having a contented workforce. Employees want to know how they are performing and are anxious to improve. Supervisors who do not provide frequent feedback allow poor work habits to form that result in unnecessary mistakes, citizen complaints, and managerial problems.

Inadequate Recognition – Positive reinforcement is the easiest, least expensive, and best way to improve good performance. When individuals do not receive this recognition, the exceptional performance will likely diminish.

Inadequate Training – Police officers' work environment is constantly changing and providing new challenges. Today's officers view training as an opportunity to improve their skills and make them more effective. Training is critical for providing officers with the skills they need to achieve their personal career objectives. When officers do not receive sufficient training, they make more mistakes, lose cases, and feel less confident. This also causes more lawsuits, negative publicity, and poorer organizational performance. Agencies that ignore this need are failing to meet the individual's desire to improve. If the department does not provide these opportunities, officers will look for agencies that will.

Equipment – Officers consider the type of equipment they receive as being indicative of their value to the community. For example, if all of the patrol units have 150,000 miles, officers have to share portable radios, or computers are slow and in need of replacement, the department may be viewed as having little concern for its employees. At the same time, keeping officers equipped with well-functioning cruisers and upgrading or replacing equipment on a regular basis will result in the department more likely being viewed as being an attractive employer.

Retention Strategies

The overarching goal of any department's retention efforts should be to maximize factors pulling employees into an organization while limiting the factors pushing employees out of the department.

As agencies attempt to identify the reasons for employee attrition, they should also try to determine the reasons why others stay. By surveying and conducting 'stay' interviews with high performing veteran employees, the agency can likely determine factors that influence their decisions to remain in the agency. As part of this process, the goal is to determine factors that are pulling individuals into the agency as well as individual traits in persons who are more likely to stay and fit within the agency. The agency should identify what employees want and provide it.

Successful retention begins before the officer is selected. The selection process should be considered a two-part process. In the first stage, processes are designed to identify individuals who pass minimum qualifications. Standard selection devices to eliminate individuals who do not meet minimum established standards typically include: preliminary interviews, basic skills exams, physical ability tests, and background investigations. In the second phase, qualified personnel are evaluated to identify those candidates who fit with the agency.¹⁵ While most agencies perform very similar activities, every department has its own personality or organizational culture. Too often it is assumed the person who scores the highest on selection exams are the best persons for employment. This pursuit of a fair system limits the agency's ability to attract those persons who are more likely to stay with the agency.

Behaviorally Based Interviews – One of the best techniques to determine if an individual identifies with the agency is the use of behaviorally-based interviews. These interviews are based upon the premise that past performance is the best indicator of how an individual will perform. Interview questions focus on critical tasks or values within the agency. Individuals are asked to describe incidents they have been involved in and how they responded. For example, if the agency has a core value that all persons are treated with dignity and respect; an individual may be asked to “Describe a situation in which you had to interact with a person in a work-related situation who you felt was acting in an unreasonable manner. How did you respond to this person? What did you learn from that situation?”

Agencies should avoid the use of questions such as “Where do you want to be five years from now?” or questions that allow the individual to provide a rote or prepared response. The behaviorally based question requires the individual to explain how they've responded in the past and what he or she may have learned from the experience.

Realistic Job Previews – Too often departments trying to attract recruits focus all of their attention on the positive, sensational, or exciting aspects of law enforcement. To ensure a strong ‘employee-job fit’, departments should provide a realistic understanding of what it is like to work in the agency. Realistic job previews may be provided in several formats, online, through video, or in-person. This preview may be accomplished by a supervisor providing a candid description of what is required of new officers. Some departments require potential applicants to complete an established number of ride-alongs before a conditional offer of employment is provided. IACP's Discover Policing program offers a series of realistic job preview videos for use in recruitment. Regardless of the approach used, both the agency and the recruit should have an accurate perception of what will be required of the individual and what each will provide in return.

Compensation – To attract and retain good employees, departments must provide competitive salaries that match or exceed the market average. Compensation, however, means more than just salaries. Compensation packages include benefits other than salary including health insurance, retirement, leave, schedules, and equipment. As people mature, the priority of different benefits change. Because of this, compensation must be considered on a sliding scale. For example, officers who are under 35 years of age generally place greater emphasis on salary, while officers over 35 place increasing levels of emphasis on other benefits such as retirement.

Training – Today's employees view training as a highly regarded benefit and an issue of career development. Departments should bombard their officers with training opportunities. Quality training should be designed to ensure officers perform to established competency levels and build their confidence. A variety of techniques should be used including computer-based programs, roll-call training, classroom lectures and discussions, self-paced programs, practical exercises, webinars, micro training, and scenario-based exercises. Officers who receive increased levels of training feel valued and are more likely to stay.

Feedback – “Feedback is the breakfast of champions.”¹⁵ For feedback to be meaningful, it must be timely, specific, behavioral, and job-related. A basketball or football coach does not wait until the end of the year to correct a player’s performance. They pull the player to the sideline, explain what they need to improve, and keeps the guidance focused on the game. The same is true for the best police leaders. By immediately reinforcing good behavior and addressing poor performance before it becomes a problem, supervisors make sure their officers are working at peak performance, building their self-confidence, and anchoring them to the department.

Supervisor Development – With poor relationships between employees and their immediate supervisor being a leading cause for employee attrition, it is critical for leaders to make supervisor selection and development a priority. This training should be provided prior to their appointment to a supervisory position. Second a field training program, should partner high performing, seasoned supervisors with newly appointed supervisors to teach them how to apply their new skills. Third, comprehensive performance standards should be developed and required of all supervisors. Individuals who fail to meet the established standards should be given a reasonable period of time to correct their behavior or be replaced.

Recognition – Feeling valued is a basic human need and good behavior which is recognized is more likely to be repeated. Leaders must seek out opportunities to recognize good behavior through personal contact, regular meetings, passing information on to senior leadership, and informal gatherings. Supervisors frequently use letters of commendation, achievement, recognition, and thank you notes.

Morale or pride meetings provide opportunities for social interaction to improve communication and trust among officers. During these meetings, supervisors can announce officers who achieved advanced certifications, are being promoted in the career ladder, or performed well in various instances. These meetings also provide a good opportunity to highlight creative or innovative procedures to address a problem. The entire focus of these meetings is on the positive activities being completed by officers and the department.

Career Assessment and Counseling – In an effort to determine the specific training and work experiences officers need to improve their individual performance and anchor them to an agency, they should submit to a combination of assessment tools. There are a number of processes available for organizations to complete these assessments, including paper and pencil assessments, 360° evaluations, assessment centers, and mentoring programs. Using information gathered from these development programs and diagnostic exams, leaders should work with the individual to compose a personalized development plan. This plan may include work experiences, training, formal education, and the need to prepare them for short and long term career objectives. This plan should include benchmarks for evaluating progress along with responsibility assignments for the officer and the department.

Dual Career Ladders – Traditionally in law enforcement agencies, the only way to move up was to assume a supervisory position. Unfortunately in many smaller agencies these vacancies only become available when someone leaves. Law enforcement today is much more challenging and broader than ever before. Many persons who are great officers do not have the personal attributes to be, or interest in becoming a supervisor. This does not minimize their importance to the organization. At the same time, experienced officers note that there is no way for the public to differentiate a ten-year veteran from a one-year rookie. To address these concerns many departments are developing alternative career opportunities for officers as a reward for increased levels of training and experience. As persons reach established levels, they are provided with increased salaries along with increases in rank designation (i.e. private, private first class, or Officer I, Officer II, Intermediate Officer).

Enhanced Work Experiences – While training is important for developing staff, the more senses that an individual uses when learning a new skill, the more likely that skill is to be retained. One of the best ways to learn a new task or skill is by actually performing in the job. There are a variety of ways to provide expanded work, including job shadowing, job rotation, and cross training.

Committee/Task Forces – Appointing individuals to work on committees and task forces demonstrates that the department respects their opinions and abilities. This process also provides officers with a valuable opportunity to work with others, develop networking skills, and learn new techniques to perform their jobs. Task forces and committees may be internal to the agency, community-based, regional, or state-wide in focus, offering opportunities to broaden the officer’s perspective.

Teaching – Officers who develop an interest or expertise in an area can share their knowledge by teaching classes to other officers. This instruction helps to solidify their knowledge base and establish them as recognized experts.

Environmental Strategies – Agencies with a strong employee retention program have an organizational environment with high standards of performance. Unsuitable personnel are removed and the work is intrinsically motivating.

One of the most effective measures for developing a strong retention environment is to hold employees accountable when they are not performing to reasonable standards. Officers know who the mediocre officers are who are not performing to standard. These persons should be given a reasonable opportunity to improve their performance. Those who can not or will not perform to established standards should be removed. Leaders are often amazed at how a few cynical officers can adversely impact an entire unit.

Finally, leaders must develop an environment that constantly reinforces how officers are serving a purpose greater than themselves. This sense of meaningfulness forges an inseparable bond among officers.

Provide a Team Environment – We refer to law enforcement agencies as departments, suggesting they are set apart from others. In reality the agency is a team with each unit providing special activities toward successful accomplishment of its mission. A team can only be as strong as its weakest member or unit. Team members care about each other, want everyone to be their best, and support them in their personal journey toward excellence. Officers spend more time with their co-workers than they do with their families and need to know that the people they work with care about them on a personal level. It is easy for leaders to get caught up in the day-to-day operations and not contact persons who may be experiencing personal hardships such as health problems or family emergencies. Scheduling time to visit or call individual officers guarantees it gets done and provides the officer with a sense of belonging and reassurance.

Departments may also build a caring environment by providing access to various services and classes such as health/wellness screenings, offering gym memberships, smoking cessation classes, stress management classes, and financial planning, to name a few.

Responding to Departing Officers

In the past, when an officer submitted their resignation, supervisors congratulated the individual on their new position and wished them well in all future endeavors. In some instances, the employees were told they could leave work and draw their accumulated leave during the final two weeks. This approach sends the message, both to the departing officer and others within the department that officers are not valued and can be easily replaced.

To curb the churn of attrition, organizational leaders should develop a process of responding to officers who may be considering other employment opportunities. To accomplish this, supervisors must identify employees who may be considering leaving. In some cases, the first indication an individual is leaving is when they submit a letter of resignation. In most instances, however, persons will send subtle clues they are considering other opportunities. As adults mature, they enter transitional phases in which they re-evaluate

their lives. During these times, individuals are more likely to make significant changes. These phases may be linked with the birth of a child, graduation of children from high school or college, divorce, or purchase of a new home.

Other possible signs an employee may be considering other employment opportunities include:

- Prolonged disappointment of being passed over for a transfer or promotion;
- A close friend went to another job and is perceived as having better opportunities;
- Individuals reviewing personnel/training records to update their resume; or
- Making inquiries of human resources about early retirement or transfers of benefits.

When a supervisor learns an officer is considering other employment opportunities, he or she should take time to meet privately with the officer. Depending on the relationship, the supervisor may feel comfortable asking the individual directly if he or she is considering alternative opportunities. The officer may mention they are considering another offer.

When responding to a departing employee, the supervisor should conduct an exit interview. Remember that changing jobs is an emotional time for the officer. Ask the individual to describe their new job. If the officer asks any questions, the supervisor should respond candidly and honestly.

When the opportunity is presented, the supervisor should inquire about potential challenges the officer perceives they may experience with the new position. Also the supervisor should ask about the factors that caused the officer to look for alternatives or that may have lured him or her away.

If the supervisor is aware of problems within the other agency, it would be appropriate to suggest that every department has many of the same problems, just in varying degrees. The supervisor may comment on opportunities that they currently have that are not available in other departments, such as career development, training, salary, equipment, and good relationships with fellow officers.

If the individual chooses to leave the agency, remind them that they will always be a part of the agency and offer to help in any way possible in the future. Remind them that they will always have a home in the department and will be missed by fellow officers. After the individual has been gone for about three to six weeks, the supervisor or another officer who had a close relationship with the officer should give them a call. It is an important gesture to check and see how things are going; indicate that the officer is still considered a valued employee who would be welcomed back into the department, and that they should not hesitate to reconsider their decision to leave.¹⁶

Summary

Never before has the recruitment and retention of police personnel been as critical or as challenging for police organizations as it is today. To address these challenges successfully, law enforcement leaders must examine the process in an entirely different manner. This process will require a constant review of the labor market, compensation systems, leadership, recruiting techniques, supervision of recruiters, employer brands, leadership and operational management systems, and retention systems. Quite simply – when recruiting and retaining personnel, every detail is important and deserves attention.

¹ Lin Gensing-Pophal, “Hiring to Fit your Corporate Culture”, *HR Magazine*, August 1999.

² James M. Kouzes and Benny Z. Posner, *The Leadership Challenge, 3rd Edition*, (San Francisco: Jossey-Bass), 2002, p. 50.

- ³ Davis Advertising, “8 Things You Should Know about Branding”, www.Recruiersnetwork.org/articles.cfm?ID=1418. Accessed: July 18, 2007.
- ⁴ Katherine Woodall, “Survival: Can Branding Save Your Organization”, *Communication World*, (December 1, 2002), Internet: http://findarticles.com /p/article/mi _m4422/is_1_20/ai_96513664 Accessed: 11/9/1005.
- ⁵ Gina Ruiz, Survey: Newspaper Ads Still Important to Job Seekers, (Workforce Management Online, January 2, 2007), Internet: <http://www.workforce.com/section/00/article/24/62/06.htmlarticle/24/62/06.html>.
- ⁶ Bruce Taylor, Bruce Kirby, Lorie Fridell, Carter Rees, Tom Jordan, and Jason Chaney, The Cop Crunch: The Recruiting and Hiring Crunch in Law Enforcement (Part III), Police Executive Research Forum, May 2006, p.10.
- ⁷ “Criminal Justice Attrition Study”, Report by the Florida Department of Law Enforcement Criminal Justice Standards and Training Commission, (December, 2003), pp. 7-8.
- ⁸ Darryl Wood, “Employment Turnover Among Alaska Native and Non-Native Village Public Safety Officers”, (November, 2000), pp. 4 – 5.
- ⁹ Douglas L. Yearwood, Recruitment and Retention Study Series: Sworn Police Personnel, Report by the North Carolina Criminal Justice Analysis Center, (April, 2003) pp. 1-13.
- ¹⁰ Douglas L. Yearwood, Recruitment and Retention Study Series: Sworn Sheriff’s Personnel, Report by the North Carolina Criminal Justice Analysis Center, (April, 2003) pp. iv - v.
- ¹¹ Christopher D. Litcher, Devan Reister, and Christopher Mason, Statewide Law Enforcement Officer Retention Study - 2001 – 2005 State of Vermont, Report by I/O Solutions, (January 2006), p. 13.
- ¹² Daniel E. Hecker, “Occupational Employment Projections to 2014”, Monthly Labor Review, November 2005, p. 89.
- ¹³ Leigh Branham, The 7 Hidden Reasons Employees Leave, (New York: AMACOM, 2005) p. 25.
- ¹⁴ Beverly Kaye and Sharon Jordon-Evans, Love’em or Lose’em Getting Good People to Stay, (San Fransico: Barrett-Koehler Publishers, 1999).
- ¹⁵ Jonathon A. Segal, “Brains in a Jar – Employee Recruitment”, HR Magazine, April 1999.
- ¹⁶ John Sullivan, “A Blocking Strategy for Increasing Retention, Part 2”, Intenet: <http://www.ere.net/articles/db/7684136CC0724F06A157CD185653FB BB.asp> Accessed: January 11, 2007.
- ¹⁷ Kline, Bruce, and Joan Campbell. Glendale Police Staffing Study 2010. Rep. LACP Net. Web. pp. 63

About the Author

W. Dwayne Orrick has more than 34 years law enforcement experience including 22 years as a police chief and public safety director. He holds a Bachelors of Arts in Criminal Justice and Masters of Public Administration from the University of Georgia. Orrick is a graduate of the 186th Session of the FBI National Academy. He also authored Recruitment, Retention, and Turnover of Police Personnel; Reliable, Practical and Effective Solutions, Charles C. Thomas Publishers, Ltd. (2008).

LOCAL

Minnesota police look to combat crisis of statewide shortage in potential recruits

Chiefs try new tactics on recruiting and retaining.

By Libor Jany (<https://www.startribune.com/libor-jany/6134700/>) Star Tribune

DECEMBER 13, 2018 — 5:34AM

Top law enforcement officials from across the metro area warned that the difficulty of attracting and keeping new police officers is reaching “crisis” proportions, a worrisome trend that one chief likened to the nursing shortage sweeping the country over the past few years.

The cautionary views emerged as the Minnesota Chiefs of Police Association met to discuss strategies to recruit and retain cops amid a flourishing economy and a marked shift in public attitudes toward the profession.

“Quite frankly we are at a point of crisis, in terms of public safety, and men and women joining this very honorable profession,” said Minneapolis Police Chief Medaria Arradondo, comparing it to the nursing industry’s aging workforce, which has seen vacancy rates soar as baby boomers reach retirement and many younger nurses leave the field out of frustration. He said that fewer women were applying to the Police Department than in years past, a trend that was also present in the city’s burgeoning Latino population.

In efforts to step up recruitment, the chiefs association launched a six-month public relations campaign dubbed “Wear the Badge,” touting the community service aspect of police work through a series of videos and advertisements on its website and outlets like School Space Media, which streams high school sporting events. The campaign’s website also contains research and other resources for people interested in going into policing.

It comes at a time when law enforcement agencies large and small are struggling with a shortage of officers nationally. Officials blame the shortage on low pay, high turnover and unflattering news coverage in the wake of high-profile police shootings. According to the Bureau of Labor Statistics, the median pay for police officers and detectives nationally is \$62,960. In Minnesota, the average yearly salary is \$64,700 for police officers and sheriff’s deputies, while detectives and front line supervisors make about \$87,970.

Recently released data from the Minnesota Peace Officer Standards and Training Board shows the number of people taking the statewide peace officer licensing exam has fallen to 764 in 2018, which puts it on pace to be the lowest total in at least a decade. Fewer applicants also are passing the test, although the rate of licensure has remained stable, the data show.

In a report released this year, the Bureau of Justice Statistics found that the number of police officers nationally has largely failed to keep up with the growing U.S. population. Researchers found that while the number of sworn officers increased by 52,000 between 1997 and 2016, the rate of officers per 1,000 citizens decreased by 11 percent.



LIBOR JANY - STAR TRIBUNE

Minneapolis Police Chief Medaria Arradondo joined colleagues from around the state Wednesday to discuss the challenges of

ADVERTISEMENT

Bloomington Police Chief Jeff Potts couldn't offer an explanation for the shortage but warned that it's not warranted by less crime.

"We've seen a decline in some of the crime statistics, but I would caution the community in thinking that would reduce the need for police officers," Potts, who serves as vice president of the Chiefs Association, said at the news conference. Even as crime has fallen, Bloomington police are increasingly responding to calls involving people with mental illness, he said, pointing out that such calls had nearly doubled, from 850 in 2014 to 1,500 so far this year.

Some small town chiefs complained of struggling to fill vacancies of officers who take jobs with bigger departments.

"We hire them, we train them, we put them on the streets, they gain a little experience, and then they move on to larger police departments," said Hutchinson Police Chief Daniel Hatten, adding that the \$25,000 cost of hiring, recruiting and training a new officer, only to lose him or her to another agency, is a serious drain on the 23-member department's resources. He said that while smaller departments like his want to

diversify their ranks, they found themselves competing for the same pool of qualified minority candidates, who may be reluctant to live in the mostly white communities of outstate Minnesota.

Others worried that law enforcement may not appeal to a younger generation.

ADVERTISEMENT

“The roles are reversed ... to the point where we have to put visions in their head of how they could see themselves in our agency,” said Matt Gottschalk, director of public safety in Corcoran, Minn., a city of roughly 6,000 residents in western Hennepin County. “This is a generation that thrives on creativity and flexibility, and seeing how they thrive in a paramilitary organization is something that we’re facing here.”

Monica Rice, a second-year law enforcement student at Alexandria Technical & Community College, spoke on a panel at the Chiefs Association forum. She said that younger officer candidates learn differently from their older predecessors, favoring more scenario-based training over traditional classroom exercises. They also tend to have greater cultural literacy, allowing them to engage with residents of all backgrounds, she said.

But some things never change, she added, namely the fear of being publicly disgraced for an on-the-job decision.

“One of the biggest things that we’ve kind of been talking about in school right now is authorized use of force,” she said. “A lot of people are worried about if they have to do that, are they going to be in the media.”

In Minneapolis, officials blamed the shrinking candidate pool on decreasing interest in the profession, lower enrollment and graduation rates from area college law enforcement programs, and “internal issues with the application, testing and hiring processes,” according to the city coordinator’s office.

ADVERTISEMENT

CAMBRIDGE MOTORS BUICK
IN CAMBRIDGE, MN.

VIEW

Lt. Bob Kroll, head of the union that represents the city’s rank-and-file officers, said that when he came on the force in the late 1980s, the department regularly had from 500 to 1,000 people taking the entrance exam.

“And now those numbers are down to less than 200,” he said.

St. Paul police launched its Law Enforcement Career Path Academy in 2017 to boost recruitment. The 2½-year program is aimed at mentoring candidates from diverse backgrounds who face financial, educational and employment obstacles.

Deputy Chief of Support Services Mary Nash said tackling the problem involves deliberate outreach, one-on-one mentorship and getting to candidates early.

“We have been doing things to get ahead of it for the last year if not more,” Nash said. “I’ve spent 30 years trying to get ahead of it by reaching out. There’s not a student that will e-mail that I don’t respond to. Mentoring and encouraging has been a 30-year career for me.”

ADVERTISEMENT

Staff writers Chao Xiong and Liz Sawyer contributed to this report.

Libor Jany is the Minneapolis crime reporter for the Star Tribune. He joined the newspaper in 2013, after stints in newsrooms in Connecticut, New Jersey, California and Mississippi. He spent his first year working out of the paper’s Washington County bureau, focusing on transportation and education issues, before moving to the Dakota County team.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Alyssa Olson, Parks, Recreation & Events Coordinator
Date: October 19, 2021
Subject: Park Naming Policy Discussion

Background:

Staff has reviewed a number of City policies pertaining to the naming of City parks, features, and memorials stemming back to 2002. Some of the information in these policies is out of date and others are too vague to provide clear guidance on naming policies.

Staff is recommending these policies be combined into one naming policy to provide clear guidance for the naming of future parks, features, and associated contributions from residents and organizations. Staff also recommends the addition of language to outline criteria for naming rights.

Request:

Staff would like direction on the attached amended Park Naming Policy.

Attachments:

- Amended Park and Feature Naming Policy

POLICY ON NAMING PARKS AND PARK FEATURES

Adopted 4-2-2002

Amended 4-5-2016

Amended 10-19-2021

Introduction:

The naming of parks and park features is a thoughtful process that requires careful analysis. A park name remains with a property long after any knowledge of its origin has passed. The selection of a name for a park and park feature should be purposeful and systematic, resulting in a name that is both meaningful and symbolic.

A park name may honor a person of significant stature within the community, recognize an organization or group that has contributed significantly to the development of the facility, or appreciate a natural aspect of the park. Park names should be apolitical and honor a community contribution to the park, rather than an affiliation with a political party or action group.

The following procedures are meant as a systematic process to develop meaningful and creative names for the City of Isanti parks and park system. The procedures are intended to simplify the process, ensure consistency in park and facility naming, remove emotional motivations and encourage creativity. The City of Isanti's future park names will exhibit balance, diversity and creativity.

Timing:

The park naming process is lengthy by design. It is intended to minimize the emotional impact of the naming process or a naming request. All involved have time to consider long-term implications of the name.

A working name may be used before development. The working name should be nondescript and should not resemble a possible permanent name. When acquiring land for future parks, the assignment of a permanent park name may be delayed significantly. A temporary identification will be needed until development. A permanent name will be recommended by the Parks, Recreation and Culture Board for adoption by the City Council.

Park Features:

Park features can be any amenity that is added to a park. These include but are not limited to structures, pavilions, shelters, climbing features, amphitheaters, community garden, ballfields, soccer fields, picnic tables and benches.

Procedures for Naming Parks and Park Features:

The following procedures may be followed in the naming of parks. The City Council reserves the right to select a name for a City park or park feature:

1. Staff will prepare a list of potential names and rationale based on input from appropriate sources, including a public notice asking for citizen input; or a contest. The list will be filtered based on the criteria in this policy.

2. The Parks, Recreation and Culture Board will review the potential names. The commission will discuss each name and its merits. Names may be added or eliminated for the list at this time. No decision will be made at this point.
3. Staff should provide information requested by the commission at their next meeting. At this meeting, the commission will limit the list to three names.
4. At their next meeting, the Parks, Recreation and Culture Board shall debate the remaining names and select a name to be recommended to the City Council.
5. The proposed park name will then be submitted to the City Council for their approval at their next regular City Council meeting. If not approved, the City Council will return the issue to the Parks, Recreation and Culture Board with direction.

Park and Park Feature Naming Criteria:

The following criteria should be used to generate a list of potential names for consideration:

1. The name of the development.
2. The name of the neighborhood.
3. A name associated with a former school in the City.
4. Local points of interest or focal point near the park.
5. A stream, creek or body of water near the park.
6. A hill, valley, or topographic feature associated with the park.
7. An event or historical occurrence associated with the park.
8. A creative name based on an impression of the site.
9. A name based on vegetation or ecology of the area.
10. A dominant feature of the site.

Naming Rights:

Allowing naming rights to a park or park feature is a way to continue to enhance our ability to provide parks and recreation facilities and services with the support of businesses, individuals and or non-profit partners who share a passion for enriching the community through parks and recreation.

The following criteria should be used to determine eligibility:

1. A person, organization, business or group who contributes a significant portion of the cost of developing, renovating or adding land, depending on the size of the park.
2. A person, organization, business or group who contributes the majority of the cost of the park structure or park feature.
3. If the City bonded for the park or park feature, naming rights are subject to approval by the bonding agent.
4. The City Council may use discretion in determining naming rights and must approve by vote of the Council.

Renaming Park Facilities:

Parks should be renamed only after careful consideration. Renaming a park should be considered if one or more of the following criteria is met:

1. The park name is the working name assigned prior to development.

2. A person or group contributes a significant portion of the cost of acquiring, developing, renovating or adding land.
3. A park can be renamed for a living person or in memory of someone who has significantly contributed to the community. The honoree should have completed at least ten years of services. A waiting period is required of six months from the conclusion of service or death.

Memorial Giving / Donation Policy:

The City of Isanti supports the needs and principles of allowing memorials in parks and green space areas throughout the community. However, the City is also mindful that those facilities have many uses and are enjoyed by a wide range of people for varying types of activities. Therefore, the City of Isanti desires to manage and regulate memorials for the mutual benefit of all. It is the intention that the Memorial Giving Policy only covers a broad range of memorials and is not meant to be exhaustive. Memorial proposals outside of the scope of this policy may be considered and require the approval of the City Council.

As a tribute to a deceased resident, a person or group may donate a memorial such as a tree or planting with a plaque; or a bench, picnic shelter, or other park structure. The donor must pay the cost of the memorial, plus installation. Planting and location plans must be submitted in advance for approval by the City Administrator or designee. Plaque size must be no larger than 15 inches by 15 inches. City Staff will supervise the installation of memorials.

The City of Isanti reserves the right to decline financial contributions, equipment, and/or any other item from individuals, groups or businesses which it reasonably believes promotes acts, viewpoints, or beliefs contrary to the City of Isanti's public policy of promoting the public health, safety and general welfare of the community.

General Information:

1. Applications will be accepted from next of kin or an executor of estate.
2. All memorials are to be paid for by the applicant before installation.
3. Memorials will be positioned to maximize the benefit to an area. The City will attempt to accommodate the wishes of the applicant.
4. The number of memorials shall not detract from the prime recreational purposes of an area and to do so, the City may limit the number of memorials in a particular area.
5. The City accepts no liability for damage to any memorials from vandals, third parties, or while carrying out maintenance activities as specifically noted.
6. The City reserves the right to remove any memorials that have been damaged and, in the view of the appointed officer, beyond repair.
7. The City will determine the level of maintenance required for the donated property based upon available budget funding and the type of care needed to reasonably maintain the donation.

Memorial Trees:

1. The memorial tree program plants a 2 ½ inch caliper balled and burlapped tree in the donor's park of choice. All trees shall be in accordance with the approved Tree List for the City of Isanti.

2. The donor can choose the general vicinity of the planting location within a park; the exact placement of the tree is dependent upon existing site conditions and shall be determined by the appointed officer.
3. No additional mementos, e.g. vases, statutes, etc. will be permitted at the location of the tree.
4. The cost of a memorial tree is \$500. The health of the tree is guaranteed for three (3) years (replaced once).

Memorial Bench:

1. A memorial bench may be dedicated in the donor's park of choice.
2. The donor can choose the general placement within a park. The exact location of the bench is dependent upon existing site conditions and shall be determined by the appointed officer.
3. Benches will be of high-quality design. The bench will be installed by the City.
4. No additional mementos, e.g. vases, statutes, etc. will be permitted at the location.
5. The cost of a memorial bench is \$1,000. A bench is guaranteed for 10 years.

Memorial Picnic Table:

1. A memorial picnic table may be dedicated in the donor's park of choice.
2. The donor can choose the general placement within a park. The exact location of the table is dependent upon existing site conditions and shall be determined by the appointed officer.
3. Tables will be of high-quality design. The table will be installed by the City.
4. No additional mementos, e.g. vases, statutes, etc. will be permitted at the location.
5. The cost of a memorial table is \$1,500. A table is guaranteed for 10 years.

Recognition Plaques:

1. For all amenities, except trees, plaques may be provided.
2. The customer is responsible for purchasing the plaque from a private vendor.
3. Verbiage must be approved by the City prior to the plaque being made. Language is limited to ten (10) words, including names, in a maximum of three (3) lines. If the plaque is in memorial of a deceased person or persons, dates indicating the lifetime of a deceased person or persons will not be permitted.
4. Placement of the plaque on the item donated will be determined by the City.
5. Recognition plaques will remain in place as long as it exists in good condition.
6. The customer is responsible for any repairs or replacements to the plaque. The City is not responsible for the condition or continuing existence of the plaque.

Non-memorial Amenity Donations

Other individuals and groups have the opportunity to assist in maintaining, replacing, or adding to park amenities through donations as well. Individuals or groups are permitted to donate a variety of items to include money, equipment, and materials.

To make a donation or to request a memorial, please contact Parks, Recreation and Culture at (763) 444-5512 or via e-mail at isantiparks@cityofisanti.us.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Alyssa Olson, Parks, Recreation & Events Coordinator
Date: October 19, 2021
Subject: Amphitheater Naming Discussion

Background:

The Isanti Lions Club has offered to contribute a total of \$10,000 to the amphitheater project with a \$7,500 monetary contribution and approximately \$2,500 in seating (5-6 select benches) to support the amphitheater.

The Lions have suggested the building be named “Isanti Lions Amphitheater” or “Lions Amphitheater”.

Staff has also suggested the following names:

- Bluebird Park Amphitheater
- Bluebird Park Stage
- Isanti Amphitheater
- Isanti City Stage

Request:

Staff would like direction on this item. The selected name will be announced at the Ribbon Cutting on Saturday, October 23.

Attachments:

- Isanti Lions Activities and Contributions

ISANTI LIONS

ACTIVITIES AND CONTRIBUTIONS

Minnesota Lions Eye Bank
Children's Eye Clinic
Kids Eye Sight
Eye Glasses
Leader Dogs for the Blind
Hearing Foundation
Hearing Aids
Hearing Dogs
Veteran Patriotic Dog
Service Dog
Red Bird Baseball Park
Rodeo Park Shelter
City Park
Softball Park
Tennis Court
Ice Hockey Rink
Camp New Hope
Courage Center
Camp Friendship
Cub Scouts
Boy Scouts
St. Francis Wrestling
State Fair Volunteers

Isanti Community Center
Isanti Lions Christmas Project
Isanti County Veterans Office
Isanti County Historical Society
Isanti County Task Force
Isanti Fire Department
Lions Drug Awareness Program
Jaws of Life
Safety & Rescue
Fire Victims
Memorial Ambulance
Memorial Hospital
American Cancer Society
Cambridge Regional Center
L.C.I.F. -Melvin Jones Award
Senior Citizens
Wheel Chairs
Corn Feed
Turtle Races
Pancake Breakfast
Help for Numerous Families
County Fair Volunteers
And MUCH, MUCH MORE

Isanti Police Department

PO Box 428, 401 First Ave NW, Isanti, MN 55040 763-444-4761



4.

Memo for Committee for Discussion

To: Mayor Johnson and Members of the City Council
From: Travis Muyres, Police Chief
Date: October 19th, 2021
Subject: Bowhunting regulations

Background:

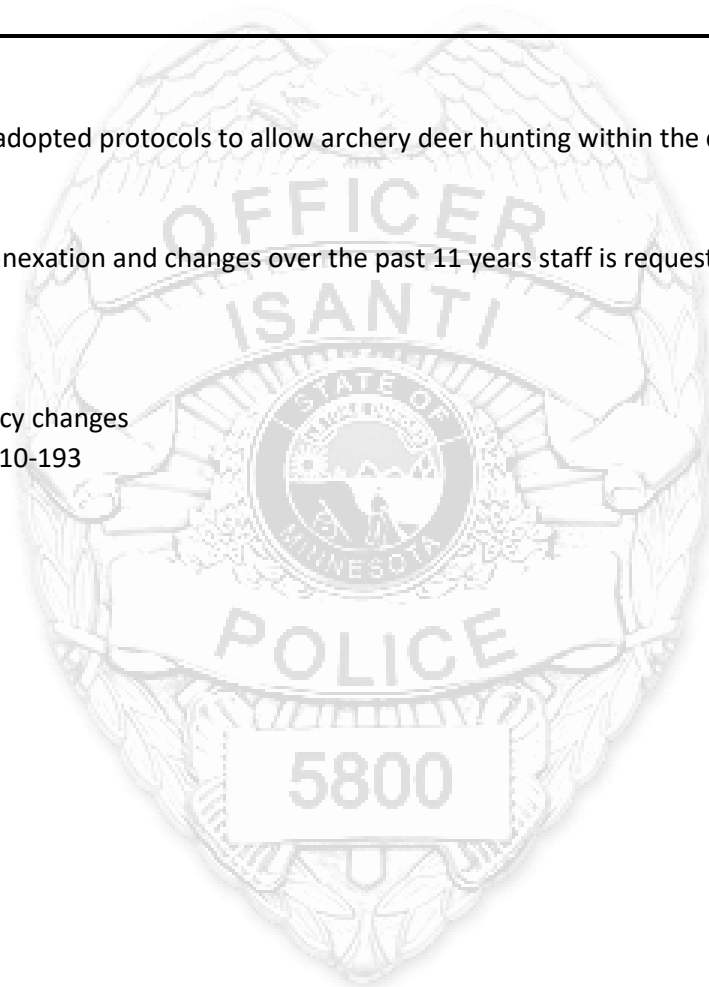
Resolution 2010-193 adopted protocols to allow archery deer hunting within the city limits of Isanti.

Request:

With new property annexation and changes over the past 11 years staff is requesting council discussion on proposed changes.

Attachments:

- Proposed policy changes
- Resolution 2010-193

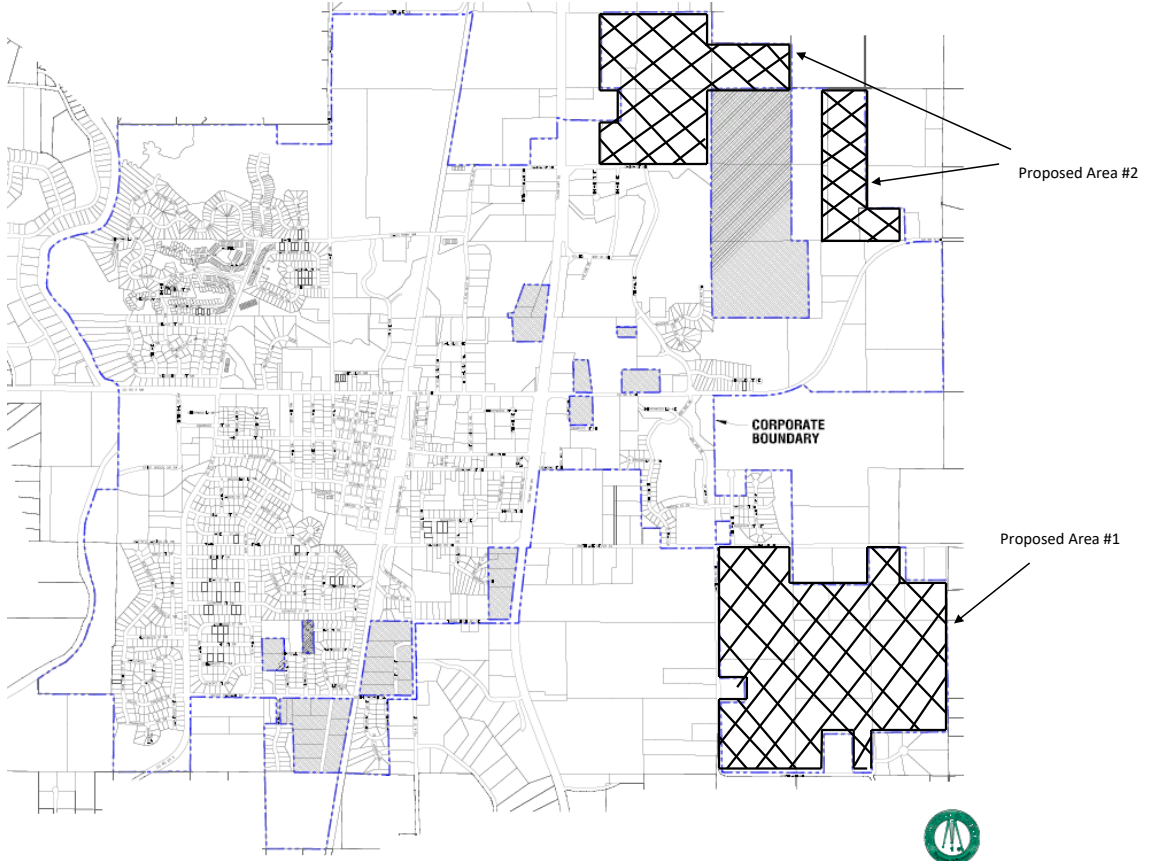


The mission of the Isanti Police Department is to work in collaboration with the citizens of Isanti to enhance the quality of life by engaging, protecting, and serving the community with respect integrity and professionalism

11.06 Bow Hunting Regulations

1. Areas open for bow hunting of deer shall be single parcels larger than 40 contiguous acres ~~be set by resolution of the City Council. Attached to this Exhibit is the map outlining Area #1 and Area #2 that are open of the bow hunting of deer.~~
2. Signed written permission from the property owner(s) of the tract that will be hunted. A map will be provided by the hunter to the City identifying the tracts, boundaries and closest residential structures. All hunting must be performed on those tracts.
3. Each Area is limited to two (2) bow hunting permits per each open bow season as set by the Minnesota Department of Natural Resources. If more than 2 hunters apply for permission from the City of Isanti to hunt in a designated area, a random drawing conducted by the City shall be used to select the hunter(s) for that area.
4. All hunting shall be conformance with regulations of the Minnesota Department of Natural Resources.
5. Hunting for deer is limited to utilization of an elevated tree stand. The stand shall be a minimum of 15 feet in height from the ground elevation. No still hunting or use of ground blinds shall be allowed. A map shall be provided to the City identifying the location of the elevated tree stand.
6. The hunter shall follow all State requirements for distance for discharge of a bow from residential dwellings, commercial structures and road right of ways.
- ~~7. All hunters shall have completed training for the Metro Deer Hunt and shall utilize those practices in hunting. They shall provide certification to the City that they have completed the coursework. Hunters shall also be required to demonstrate their proficiency with use of a bow to a City representative.~~
- ~~8.7.~~ The City Administrator or Police Chief may suspend hunting activities in the event of emergency in the City of Isanti.
- ~~9.8.~~ These hunting activities shall be administered by the Isanti Police Department.

**Exhibit B:
Bow Hunting
Areas**



Adopted by Resolution 2010-193
Council Meeting of August 4, 2010

RESOLUTION NO. 2010-193

A RESOLUTION APPROVING BOW HUNTING REGULATIONS

WHEREAS, the City of Isanti has regulations regarding hunting pursuant to City Code Chapter 188; and,

WHEREAS, requests have been made to the City of Isanti to bow hunt whitetail deer in the City; and,

WHEREAS, the Police Committee has reviewed this matter and has made a recommendation to the City Council to allow bow hunting for whitetail deer only; in specified areas on private land with conditions set by the City of Isanti and in conformance with hunting regulations specified by the Minnesota Department of Natural Resources;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of Isanti, Minnesota to approve bow hunting in the City of Isanti as follows:

1. Under specific conditions attached as 'Exhibit A'.
2. In specified areas of Isanti, as shown on the map attached as "Exhibit B"
3. Bow hunting in the City of Isanti shall be administered by the Isanti Police Department.

This Resolution was duly adopted by the Isanti City Council this 4th day of August, 2010.

ATTEST:

Mayor George A. Wimmer

Irene J. Bauer
Assistant City Administrator/City Clerk

(SEAL)

EXHIBIT A

1. Areas open for bow hunting of deer shall be set by resolution of the City Council. Attached to this Exhibit is the map outlining Area #1 and Area #2 that are open of the bow hunting of deer.
2. Signed written permission from the property owner(s) of the tract that will be hunted. A map will be provided by the hunter to the City identifying the tracts, boundaries and closest residential structures. All hunting must be performed on those tracts.
3. Each Area is limited to two (2) bow hunting permits per each open bow season as set by the Minnesota Department of Natural Resources. If more than 2 hunters apply for permission from the City of Isanti to hunt in a designated area, a random drawing conducted by the City shall be used to select the hunter(s) for that area.
4. All hunting shall be conformance with regulations of the Minnesota Department of Natural Resources.
5. Hunting for deer is limited to utilization of an elevated tree stand. The stand shall be a minimum of 15 feet in height from the ground elevation. No still hunting or use of ground blinds shall be allowed. A map shall be provided to the City identifying the location of the elevated tree stand.
6. The hunter shall follow all State requirements for distance for discharge of a bow from residential dwellings, commercial structures and road right of ways.
7. All hunters shall have completed training for the Metro Deer Hunt and shall utilize those practices in hunting. They shall provide certification to the City that they have completed the coursework. Hunters shall also be required to demonstrate their proficiency with use of a bow to a City representative.
8. The City Administrator or Police Chief may suspend hunting activities in the event of emergency in the City of Isanti.
9. These hunting activities shall be administered by the Isanti Police Department .



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Alyssa Olson – Parks, Recreation and Events Coordinator
Date: October 19, 2021
Subject: 2022 Street Dance Location

Background

The Downtown Isanti Street Dances have traditionally taken place at Main Street and 1st Avenue. With the construction of the new amphitheater in Bluebird Park, the City has the opportunity to move the Street Dances to the Park for 2022, as has previously been discussed.

In order to move forward with plans for the 2022 events, the location will need to be determined.

Request

City staff is requesting direction on this item.



Memo for Committee

To: Mayor Johnson and Members of the City Council
From: Finance Director Betker
Date: October 19th 2021
Subject: Updates to Finance Policies

Background:

Finance Director Betker has been reviewing Finance related policies. There are some policies that are no longer applicable, some that need to be updated with relatively minor language changes, some that need to be significantly updated and others that need to be written for the first time.

Request:

Consider repeal of the following Policies:

- Grant Management Guide (Res. 2010-230) – All aspects of this guidance are accounted for in other policies except for some specifics regarding Federal Grants. However those shortcomings are better addressed in a new policy; “Single Audit Policy”, which is addressed later in this agenda item.
- Use of Municipal Liquor Store Net Profits (Res. 1997-34) – This addressed annually within the budget process
- Liquor Store Funds for Special Events (Res. 1996-18) – This would be addressed annually within the budget process or by approval of a budget amendment by the Council within a budget cycle
- Liquor Store Cash Balance (Res. 2010-249 & 1997-34) – This would be addressed with a larger Fund Balance policy later in this agenda item.
- Transferring Surplus Funds from Previous Year (Res. 1995-10) – This is not applicable. Capital Expenses can simply be rebudgeted for the next year if unspent. Operating expenses are moved to the current year using journal entries as part of the Accounts Payable Audit procedures. Any other outlying circumstances would be best addressed by a budget amendment as needed.
- Fee Policy on Existing Home, Commercial or Industrial Buildings (Res. 2007-230) – Clarifies that existing structures either currently in city limits or thru future annexation would not be subject to development fees except for SAC/WAC fees, if the parcel the building is on is subdivided. Development fees would be negotiated within the Development Agreement and SAC/WAC fees always apply on new connections already, making this policy unneeded.

Consider minor Language changes to the following Policies:

- Tax Abatement Business Assistance Policy – Remove all language regarding a five year limit for assistance since we already did that for the hotel project.

Consider material changes, entire rewrites or initial adoption of the following Policies:

- Fund Balance Policy – Largely the same however enterprise funds are now included within the policy and the General Fund target Fund Balance would now be 30% to 70%.
- Investment Policy – Entirely rewritten but with many of the same features, much of which is based on state statute. Biggest change is that the new policy would give the Finance Director additional discretion to invest in a slightly broader portfolio of investments. Matches state statute with the exception of commercial paper, which is not included in this policy. Also clarifies that working with multiple brokers is acceptable and eliminates the need to use the RFP process to make that determination.
- Purchasing Policy – Update Committee reference language, revise dollar threshold limits for administrative approval, and move needed unbudgeted expenditures from Finance Committee oversight and authorization to City administrator authorization and oversight and other minor language changes.
- Single Audit Policy – Entirely new policy written at the recommendation of the City auditors.

Action Required:

Consensus to move forward and bring these changes before the Council.

7.17 Tax Abatement Business Assistance

Purpose:

The purpose of this policy is to provide a guide to be used in the processing and reviewing of requests from private businesses locating in or expanding in the City of Isanti for tax abatement business assistance. This policy was developed as a method to assist in business expansion, location and relocation within the City of Isanti. This policy is intended to be a guide only and the City has the right to depart from the guidelines set forth herein in its sole discretion.

Proposed Abatement Funding:

The City of Isanti will work to obtain tax abatement for a successful project, with the County of Isanti and the Cambridge - Isanti School District. We also believe this tool should be considered available in a modified format for Businesses that would provide significant development in our area, but that this outline is for the "normal" business attraction to our area.

Tax Abatement business assistance program is intended to be limited to a maximum of five (5) year. It is believed that a company coming to the community should be a good tax paying corporate neighbor, but to assist in the first few years of a company's move, etc may attract companies who are fiscally sound with future long lasting benefits to the entire region. The five

(5) year length is also consistent with the requirement by State Statute in certain business subsidies as discussed in "Salutory Limits."

Tax Abatement for a project shall not exceed of new taxes:

Year One:	50%
Year Two:	40%
Year Three:	30%
Year Four:	20%
Year Five:	10%

Per governmental organization.

Abatement Evaluation and Approval Criteria:

Upon a business submitting a request to City Staff; City Staff shall forward the request for evaluation to the City of Isanti Economic Development Authority (EDA). The project will be scored using the information provided by the business requesting a business subsidy. The scores will assist in making a decision if the project qualifies for tax abatement.

The EDA will forward a recommendation to the City Council with the score of the project. The City Council will make the final decision on what, if any, business assistance will be provided for a project. The information provided by the business requesting the assistance will be used in determining if the limited tax abatement shall be used on the project.

Some criteria, by their very nature, may be subjective. However, wherever possible "when the proposal may meet one or more "benchmark" criteria does not mean that it is entitled to funding under this policy. The determination to grant or not grant a subsidy for a business rests in the sole discretion of the City.

Eligibility of Businesses to Obtain Business Assistance:

The business assistance shall be provided with the applicable State legislative restrictions, State Auditor interpretation, debt limit guidelines, and other appropriate financial requirements and policies. The criteria for a business to obtain tax abatement business assistance is outlined in the tax abatement formula worksheet that is updated

yearly by the City and stated below:

- A) Eligibility to receive tax abatement business subsidy per all governmental laws and policies.
- B) Proposals shall create jobs within Isanti or relocate jobs from another community.
- C) Type of business requesting the assistance.
- D) Increase the tax base of the City of Isanti.
- E) Diversification of the tax base of the City of Isanti.
- F) To assist in redevelopment costs.
- G) To determine consistency with the City of Isanti Comprehensive Plan and City Planning and Zoning Ordinances.
- H) Environmental and City Service demands.
- I) Job retention, increasing the local job base and diversification of the job base.
- J) Evaluate the wages for the retained and/ or increased jobs.
- K) Location of the project.
- L) Priority of the project as determined by the EDA and City Council.
- M) To not support speculative industrial, commercial and office projects.
- N) To encourage additional unsubsidized private development in the area, either directly, or through secondary "spin-off" development.
- O) Business assistance will not be used when the developer's credentials, in the judgment of the City, are inadequate due to past track record relating to: timeliness and quality level of completed projects, general reputation, bankruptcy, credit worthiness or other relevant considerations by the City.
- P) Business assistance will not be used for projects that would generate significant environmental problems in the opinion of the local, state, or federal governmental entities.
- Q) Business assistance may not be allocated due to the following factors: projects that fail to meet good public policy criteria as determined by the EDA and City Council, including, poor project quality; projects that are not in accordance with the comprehensive plan, zoning, redevelopment plans and city policies; projects that provide no benefit or improvement to surrounding land uses, the neighborhood, and/ or the City; projects that do not have significant new, or retained employment; projects that do not meet financial feasibility criteria established by the City; and projects that do not provide for the highest and best desired use for the property.

Statutory Limits:

The City of Isanti shall follow the statutory limits on the use of tax abatement as stated by State Statute. Any grant of \$25,000+ or loan of \$75,000+ shall have a business subsidy agreement and meet certain wage and job goals and stay in business for at least 5 years. (Per Minnesota Statute Sections 116J.993 to 116J.995). The business subsidy agreement and City Council resolution shall state the length of the business assistance.

Policy Review:

This policy shall be evaluated on a yearly basis to ensure its applicability and to establish priority economic development projects to the following year.

Pre-Application for Business Assistance Financing

Legal Name of Applicant: _____
Address: _____
Telephone Number: _____
E-mail Address: _____
Business Website: _____
Name of Contact Person: _____

Requested Information:

Please submit the following information to Staff for your business subsidy review:

- 1) A map showing the exact boundaries of the property requested to be abated.
- 2) Describe the project that you propose to take place at the property. Please include building size, business type/ use; existing parking/ parking needs; proposed project timing; estimated market value of the project upon completion. Parcel numbers and/ or legal description.
- 3) Existing Comprehensive Future Land Use designation of the property.
- 4) Current zoning of the property.
- 5) A statement identifying how the increment assistance will be used and why it is necessary to undertake the project.
- 6) A statement identifying the public benefits of the proposal including estimated increase in property valuation, new jobs created or relocated, hourly wages and other community assets.
- 7) A written description of the developer's business, principals, history and past projects.

I understand that the application fee of \$1000 will be used for the City of Isanti and consultant costs and may be partially refundable if the request for assistance is withdrawn. Refunds will be made at the discretion of the City Council and may be based on the cost uncuffed by the City prior to the withdrawal of the request for assistance. If the initial application fee is insufficient, I will be responsible for additional deposits.

Applicant Signature:.....

Date:

Application for Business Assistance Financing

General Information:

Business Name: _____ Date: _____ Address: _____

Web Address: _____ Type
(partnership, etc.): _____ Authorized Representative:

Phone: _____ E-mail: _____
Description of Business: _____

Legal Counsel: _____ Address: _____ Phone: _____

Financial Background:

- 1) Have you ever filed for bankruptcy? _____
- 2) Have you ever defaulted on any loan commitment? _____
- 3) Have you applied for conventional financing for a project? _____
- 4) List Financial references:
 - a. _____
 - b. _____
 - c. _____
- 5) Have you ever used Business Assistance financing before? _____
If yes, what, where and when? _____

Project Information:

- 1) Location of proposed project: _____
 - 2) Amount of Business Assistance requested: _____
 - 3) Need for Business Assistance:
 - 4) Present ownership of site: _____
 - 5) Number of permanent jobs created as a result of project: _____
 - 6) Estimated annual sales: Present: _____ Future: _____
- Market value of project following completion: _____
- Anticipated start date: _____
- 7) Anticipated completion date: _____

Financial Information:

- 1) Estimated project related costs:
 - a) Land Acquisition: \$ _____
 - b) Site development: _____
 - c) Building cost: _____
 - d) Equipment: _____
 - e) Architectural / Engineering fees: _____
 - f) Legal fees: _____
 - g) Off-site development costs: _____
 - h) Public infrastructure costs: _____
 - i) Other (explain):

2) Source of financing:

Amount:

- | | | |
|-----------------------------------|-------|-------|
| a) Private Financing Institution: | _____ | _____ |
| b) Tax Abatement Funds: | _____ | _____ |
| c) Other Public Funds (identify): | _____ | _____ |
| d) Developer Equity: | _____ | |

Please Include:

- 1) Preliminary financial commitment from bank.
- 2) Plans and drawing of project.
- 3) Background material of company.
- 4) Pro Forma analysis.
- 5) Financial statements.
- 6) Statement of property ownership or control.
- 7) Payment of application fee of: \$1000.00 (one thousand dollars.)

Adopted by Resolution 2008-083

Council Meeting of April 1, 2008

CITY OF ISANTI, MN
FUND BALANCE POLICY
Adopted November 2nd 2021

I. PURPOSE

The purpose of this policy is to establish specific guidelines the City of Isanti will use to maintain an adequate level of fund balance to provide for cash flow requirements and contingency needs because major revenues, including property taxes and other government aids are received in the second half of the City's fiscal year.

The purpose of this policy is to also establish specific guidelines the City of Isanti will use to classify fund balances into categories based primarily on the extent to which the City is bound to honor constraints on the specific purposes for which amounts in these funds can be spent.

II. CLASSIFICATION OF FUND BALANCE/PROCEDURES

1. Nonspendable

- This category includes fund balance that cannot be spent because it is either (i) not in spendable form or (ii) is legally or contractually required to be maintained intact. Examples include inventories and prepaid amounts.

2. Restricted

- Fund balance should be reported as restricted when constraints placed on those resources are either (i) externally imposed by creditors, grantors, contributors, or laws or regulations of other governments or (ii) imposed by law through constitutional provisions or enabling legislation.

3. Committed

- Fund balance that can only be used for specific purposes pursuant to constraints imposed by formal action of the government's highest level of decision-making authority. The committed amounts cannot be used for any other purpose unless the government removes or changes the specified use by taking the same type of action it employed to commit those amounts.
- The City's highest level of decision-making authority (City Council) will annually or as deemed necessary commit specific revenue sources for specified purposes by resolution. This formal action must occur prior to the end of the reporting period, however, the amount to be subject to the constraint, may be determined in the subsequent period.

II. CLASSIFICATION OF FUND BALANCE/PROCEDURES – CONTINUED

- To remove the constraint on specified use of committed resources the City Council shall pass a resolution

4. Assigned

- Amounts that are constrained by the government's intent to use for specified purposes, but are neither restricted nor committed. Assigned fund balance in the General fund includes amounts that are intended to be used for specific purposes.
- The City Council has delegated the authority to assign and remove assignments of fund balance amounts for specified purposes to the Finance Director or City Administrator.

5. Unassigned

- Unassigned fund balance represents the residual classification for the General fund. Includes amounts that have not been assigned to other funds and that have not been restricted, committed, or assigned to specific purposes within the General fund. The General fund should be the only fund that reports a positive unassigned fund balance amount.
 - i. The City will seek to maintain a maximum unassigned fund balance in the General fund of 70% of the next year's budgeted expenditures of the General fund. This will assist in maintaining an adequate level of fund balance to provide for cash flow requirements and contingency needs because major revenues, including property taxes and other government aids are received in the second half of the City's fiscal year. Additionally this will assist in maintaining a stable tax rate even in times of significantly reduced taxable market value. Fund balance in excess of 70% shall be utilized to reduce the tax rate in the subsequent budget year(s). Use of fund balance to reduce the tax rate should be guided by the City's desire to avoid double digit increases or decreases in the tax rate, as measured by percent against the prior year's certified tax rate.
 - ii. The City will seek to maintain a minimum unassigned fund balance in the General fund of 30% of the next year's budgeted expenditures of the General fund. In the event that fund balance falls below 30% the Council will determine a plan to restore the fund balance first to the minimum 30% threshold and then subsequently toward the 70% maximum threshold. Any such plan shall be guided by the City's desire to avoid double digit increases or decreases in the tax rate, as measured by percent against the prior year's certified tax rate.

III. STABILIZATION ARRANGEMENTS

Stabilization arrangements are defined as formally setting aside amounts for use in emergency situations or when revenue shortages or budgetary imbalances arise.

The City will set aside amounts by resolution as deemed necessary that can only be expended when certain specific circumstances exist. The resolution will identify and describe the specific

circumstances under which a need for stabilization arises. The need for stabilization will only be utilized for situations that are not expected to occur routinely.

IV. MONITORING AND REPORTING

The City Administrator and Finance Director shall annually prepare the status of fund balance in relation to this policy and present to the City Council in conjunction with the development of the annual budget.

When both restricted and unrestricted resources are available for use, it is the City's policy to first use restricted resources, and then use unrestricted resources as they are needed.

When committed, assigned or unassigned resources are available for use, it is the City's policy to use resources in the following order; 1.) committed 2.) assigned and 3.) unassigned.

A negative residual amount may not be reported for restricted, committed, or assigned fund balances in the General fund.

V. ENTERPRISE FUNDS

The City will seek to maintain cash balances sufficient to cover 6 months of operating expenses, the next year's debt service obligations as well as future identified capital outlay needs. In the event that cash balances fall below the above prescribed level, the Council will determine a plan to restore the deficient cash balance. Any such plan shall be guided by the City's desire to avoid double digit increases in service rates, as measured by percent against the prior year's service rate.

INVESTMENT POLICY

FOR

CITY OF ISANTI

Adopted October XX, 2021

PURPOSE

The purpose of this policy is to establish the specific guidelines for the investment of all public funds of City of Isanti. This policy is designed to ensure the prudent management of public funds, the availability of operating and capital funds when needed, and an investment return commensurate with the City's investment risk constraints and cash flow characteristics of the portfolio.

OBJECTIVES

The objective of this policy is to establish standards for governing the investment of the funds of the City. These funds will be invested in accordance with this policy and Minnesota Statute 118A. The City has determined that its funds shall be invested based on the following three objectives, listed in priority order:

- SAFETY OF PRINCIPAL – Safety of principal is the foremost objective of the City. Investments shall be undertaken in a manner that seeks to ensure preservation of capital in the overall portfolio. Avoiding capital losses shall be the primary objective of each investment transaction.
- MAINTENANCE OF ADEQUATE LIQUIDITY – The portfolio will remain sufficiently liquid to enable the City to meet all operating and capital requirements that might be reasonably anticipated. A portion of the portfolio may be placed in money market mutual funds or local government investment pools, which offer same-day liquidity.
- MAXIMIZATION OF RETURN ON INVESTMENT –Following the satisfaction of liquidity and maturity needs, the balance of the funds available for investment will be placed with institutions that offer the highest rate of return consistent with preservation of principal.

SCOPE

This policy applies to all financial assets of City of Isanti. While separate investment funds are created to accommodate reporting on certain bonded indebtedness, individual investments are purchased using a pooled approach for efficiency and maximum investment opportunity. The City's funds are defined in the City's *Comprehensive Annual Financial Report* and include all *Governmental, Enterprise, Internal Service and Agency funds* and any new funds created by the City, unless specifically exempted by the City Council through resolution.

POOLING OF FUNDS: Except for cash in certain restricted and special funds, the City will consolidate cash balances from all funds to maximize investment earnings. Investment income will be allocated to the various funds based on their respective participation and in accordance with generally accepted accounting principles.

STANDARDS OF CARE

1. PRUDENCE

The prudent person standard shall be applied to the management of the portfolio. This standard states: “Investments shall be made with judgement and care, under circumstances then prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment, considering the probable safety of their capital as well as the expected income to be derived.”

Investment officers acting in accordance with written procedures and this investment policy and exercising due diligence shall be relieved of personal responsibility for an individual security’s credit risk or market price changes, provided deviations from expectations are reported in a timely fashion and the liquidity and the sale of securities are carried out in accordance with the terms of this policy.

2. ETHICS AND CONFLICTS OF INTEREST

Any city official involved in the investment process shall refrain from personal business activity that could conflict with proper execution of the investment program, or that could impair their ability to make impartial decisions. Investment officials shall disclose any material interests in financial institutions with which they conduct business. Employees and officers shall refrain from undertaking personal investment transactions with the same individual with which business is conducted on behalf of the City.

3. DELEGATION OF AUTHORITY

The Finance Director is designated as the Investment Officer of the City and is responsible for investment management decisions and activities. The Finance Director through assistance of staff and consultants shall develop and maintain written administrative procedures for the operation of the investment program, monitoring diversification and risk as well as a system of controls to regulate the activities of subordinate officials. Procedures should include references to:

safekeeping, investment accounting, repurchase agreements, wire transfer agreements and collateral/depository agreements. No person may engage in an investment transaction except as provided under the terms of this policy and procedures established by the Investment Officer.

4. INTERNAL CONTROLS

The investment officer is responsible for establishing and maintaining an internal control structure designed to ensure that the assets of the City are protected from loss, theft or misuse. The internal control structure shall be designed to provide reasonable assurance that these objectives are met. The concept of reasonable assurance recognizes that (1) the cost of a control should not exceed the benefits likely to be derived and (2) the valuation of costs and benefits requires estimates and judgments by management.

Accordingly, the investment officer shall establish a process for an annual independent review by an external auditor to assure compliance with policies and procedures. The internal controls shall address the following points:

- Control of collusion
- Separation of transaction authority from accounting and record-keeping
- Safekeeping account
- Avoidance of physical delivery securities
- Clear delegation of authority to subordinate staff members
- Written confirmation of transactions for investments and wire transfers
- Development of a wire transfer agreement with the lead bank and third-party custodian

FINANCIAL INSTITUTIONS AND SAFEKEEPING

1. *AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS*

The Finance Director is authorized, as allowed under State Statute, to designate depositories and broker-dealers for City Funds. The Finance Director will maintain a list of financial institutions authorized to provide investment services to the City. All broker/dealers who desire to become qualified bidders for investment transactions must supply the Finance Director or Designee with:

- audited financial statements (a current audited financial statement is required to be on file for each financial institution)
- proof of National Association of Security Dealers (NASD) certification,

-
- proof of Minnesota registration
 - Broker Notification and Certification form required by Minnesota Statutes 118A prior to any investment transactions with the City. The Broker Notification must be updated annually.
 - The Official Broker/Dealer Questionnaire must be on file for each broker the City is currently doing business with.
 - Authorized institutions must maintain an investment office within the Twin Cities metropolitan area and have other Minnesota local government clients.

The purchase of all investments must be from institutional brokers. An annual review of the financial condition and registration of qualified financial institutions and brokers/dealers will be conducted by the investment officer.

2. *SAFEKEEPING*

Investments shall be safe kept in the City's name. Certificates will be held at the financial institution in the City's name. All securities should be a risk category one according to the Governmental Accounting Standard No. 3.

SUITABLE AND AUTHORIZED INVESTMENTS

Consistent with Minnesota Statute 118A, the following investments will be permitted by this policy:

- U.S. Treasury Obligations (bills, notes, bonds);
- U.S. Government Agency and Federally Sponsored Agency Securities, excluding mortgage backed securities that fail the FFEIC test;
- General obligations of any state or local government with taxing powers which is rated "A" or better by a national bond rating service, or revenue obligation securities of any state or local government with taxing powers which is rated "AA" or better by a national bond rating service;
- Certificates of deposit with federally insured institutions that are collateralized or insured in excess of the amount provided by the Federal Deposit Insurance Corporation coverage limit;
- Bankers Acceptances that are eligible for purchase by the Federal Reserve;
- Repurchase Agreements which conform to the requirements stated in 118A.05, sub. 2 of the statutes;
- Guaranteed Investment Contracts that meet the requirements of M.S. 118A;

-
- Local government investment pools, either state-administered or through joint powers statutes and other intergovernmental agreement legislation;
 - Shares of an investment company which is registered under the Federal Investment Company Act of 1940 and which holds itself out as a money market fund meeting the conditions of rule 2a-7 of the Securities and Exchange Commission and is rated in one of the two highest rating categories for money market funds by at least one nationally recognized statistical rating organization;
 - Shares of an investment company which is registered under the Federal Investment Company Act of 1940, and whose shares are registered under the Federal Securities Act of 1933, as long as the investment company's fund receives the highest credit rating and is rated in one of the two highest risk rating categories by at least one nationally recognized statistical rating organization and is invested in financial instruments with a final maturity no longer than 13 months.

INVESTMENT PARAMETERS

1. DIVERSIFICATION

The investments shall be diversified by:

- Limiting investments to avoid overconcentration in securities from a specific issuer or business sector (excluding U.S. Treasury securities),
- Limiting investment in securities that have higher credit risks,
- Investing in securities with varying maturities, and
- Continuously investing a portion of the portfolio in readily available funds such as local government investment pools, money market funds or overnight repurchase agreements to ensure that appropriate liquidity is maintained in order to meet ongoing obligations.

2. MAXIMUM MATURITIES

To the extent possible, the City should attempt to match its investments with anticipated cash flow requirements. Unless matched to a specific cash flow, the City will not directly invest in securities maturing more than 10 years from the date of purchase.

REPORTING

1. METHODS

The Finance Director shall prepare an investment report at least quarterly to the City Administrator, including a

management summary that provides an analysis of the status of the current investment portfolio and transactions made over the last quarter. This management summary will be prepared in a manner which will allow the City Administrator to ascertain whether investment activities during the reporting period have conformed to the investment policy. The report will include the following:

- Listing of individual securities held at the end of the reporting period,
- Realized and unrealized gains for losses resulting from appreciation or depreciation by listing the cost and market value of securities over one-year,
- Average yield to maturity of portfolio on investments as compared to applicable benchmarks,
- Listing of investment by maturity date,
- Percentage of the total portfolio which each type of investment represents.

2. PERFORMANCE STANDARDS

The investment portfolio will be managed in accordance with the parameters specified within this policy. The portfolio should seek to obtain a market average rate of return during an economic environment of stable interest rates.

3. MARKING TO MARKET

The market value of this portfolio shall be calculated at least quarterly and a statement of the market value of the portfolio shall be issued to the City Administrator at least quarterly. This will ensure that review of the investment portfolio, in terms of value and price volatility, has been performed consistent with the recommended practice.

POLICY CONSIDERATIONS

The City's investment policy shall be adopted by resolution by the City Council and will be reviewed on an annual basis. Any changes must be made in consultation with the Finance Director and approved by the City Council.

Any investment currently held that does not meet the guidelines of this policy shall be exempted from the requirements of this policy. At maturity or liquidation, such monies shall be reinvested only as provided by this policy.

STATUTORY AUTHORITY

Specific investment parameters for the investment of public funds by the City are found in Minnesota Statutes Chapters 118A. Copy attached to this policy.

LIST OF ATTACHMENTS

The following documents, as applicable, are attached to this policy:

- Relevant investment statutes and ordinances.

INVESTMENT POLICY APPROVAL

This policy was accepted and approved by the City Council on November 2, 2021.

CITY OF Isanti, MINNESOTA

APPENDIX A

LISTING OF AUTHORIZED BROKER/DEALERS AND FINANCIAL INSTITUTIONS
AND LIST OF AUTHORIZED PERSONNEL

AS OF 11/02/2021

Financial Institution

RBC Capital Markets

Falcon National Bank

Authorized Personnel

Finance Director

City Administrator

CITY OF Isanti, MINNESOTA
APPENDIX B
RELEVANT INVESTMENT STATUTES AND ORDINANCES
AS OF 11/02/2021

118A.01 DEFINITIONS.

Subdivision 1. Application.

The definitions in this section apply to sections **118A.01** to **118A.06**.

Subd. 2. Government entity.

(a) "Government entity" means a county, city, town, school district, hospital district, public authority, public corporation, public commission, special district, any other political subdivision, except an entity whose investment authority is specified under chapter 11A or 356A.

(b) For the purposes of sections **118A.02** and **118A.03** only, the term includes an American Indian tribal government entity located within a federally recognized American Indian reservation.

Subd. 3. Financial institution.

"Financial institution" means a savings association, commercial bank, trust company, credit union, or industrial loan and thrift company.

Subd. 4. Public funds.

"Public funds" means all general, special, permanent, trust, and other funds, regardless of source or purpose, held or administered by a government entity, unless otherwise restricted.

History:

1996 c 399 art 1 s 2; 1999 c 151 s 39

118A.02 DEPOSITORIES; INVESTING: SALES, PROCEEDS, IMMUNITY.

Subdivision 1. Designation; delegation.

(a) The governing body of each government entity shall designate, as a depository of its funds, one or more financial institutions.

(b) The governing body may authorize the treasurer or chief financial officer to:

(1) designate depositories of the funds;

(2) make investments of funds under sections **118A.01** to **118A.06** or other applicable law;

or

(3) both designate depositories and make investments as provided in this subdivision.

118A.02 DEPOSITORIES; INVESTING: SALES, PROCEEDS, IMMUNITY. (CONTINUED)

Subd. 2. Sale; proceeds; immunity, if loss.

(a) The treasurer or chief financial officer of a government entity may at any time sell obligations purchased pursuant to this section and the money received from such sale, and the interest and profits or loss on such investment shall be credited or charged, as the case may be, to the fund from which the investment was made.

(b) Neither such official nor government entity, nor any other official responsible for the custody of such funds, shall be personally liable for any loss sustained from the deposit or investment of funds in accordance with the provisions of sections **118A.04** and **118A.05**.

History:

1996 c 399 art 1 s 3

118A.03 WHEN AND WHAT COLLATERAL REQUIRED.

Subdivision 1. For deposits beyond insurance.

To the extent that funds on deposit at the close of the financial institution's banking day exceed available federal deposit insurance, the government entity shall require the financial institution to furnish collateral security or a corporate surety bond executed by a company authorized to do business in the state. For the purposes of this section, "banking day" has the meaning given in Federal Reserve Board Regulation CC, Code of Federal Regulations, title 12, section 229.2(f), and incorporates a financial institution's cutoff hour established under section **336.4-108**.

Subd. 2. In lieu of surety bond.

The following are the allowable forms of collateral in lieu of a corporate surety bond:

- (1) United States government Treasury bills, Treasury notes, Treasury bonds;
- (2) issues of United States government agencies and instrumentalities as quoted by a recognized industry quotation service available to the government entity;
- (3) general obligation securities of any state or local government with taxing powers which is rated "A" or better by a national bond rating service, or revenue obligation securities of any state or local government with taxing powers which is rated "AA" or better by a national bond rating service;
- (4) general obligation securities of a local government with taxing powers may be pledged as collateral against funds deposited by that same local government entity;
- (5) irrevocable standby letters of credit issued by Federal Home Loan Banks to a municipality accompanied by written evidence that the bank's public debt is rated "AA" or better by Moody's Investors Service, Inc., or Standard & Poor's Corporation; and
- (6) time deposits that are fully insured by any federal agency.

118A.03 WHEN AND WHAT COLLATERAL REQUIRED. (CONTINUED)

Subd. 3. Amount.

The total amount of the collateral computed at its market value shall be at least ten percent more than the amount on deposit at the close of the financial institution's banking day, except that where the collateral is irrevocable standby letters of credit issued by Federal Home Loan Banks, the amount of collateral shall be at least equal to the amount on deposit at the close of the financial institution's banking day. The financial institution may furnish both a surety bond and collateral aggregating the required amount.

Subd. 4. Assignment.

Any collateral pledged shall be accompanied by a written assignment to the government entity from the financial institution. The written assignment shall recite that, upon default, the financial institution shall release to the government entity on demand, free of exchange or any other charges, the collateral pledged. Interest earned on assigned collateral will be remitted to the financial institution so long as it is not in default. The government entity may sell the collateral to recover the amount due. Any surplus from the sale of the collateral shall be payable to the financial institution, its assigns, or both.

Subd. 5. Withdrawal of excess collateral.

A financial institution may withdraw excess collateral or substitute other collateral after giving written notice to the governmental entity and receiving confirmation. The authority to return any delivered and assigned collateral rests with the government entity.

Subd. 6. Default.

For purposes of this section, default on the part of the financial institution includes, but is not limited to, failure to make interest payments when due, failure to promptly deliver upon demand all money on deposit, less any early withdrawal penalty that may be required in connection with the withdrawal of a time deposit, or closure of the depository. If a financial institution closes, all deposits shall be immediately due and payable. It shall not be a default under this subdivision to require prior notice of withdrawal if such notice is required as a condition of withdrawal by applicable federal law or regulation.

Subd. 7. Safekeeping.

All collateral shall be placed in safekeeping in a restricted account at a Federal Reserve bank, or in an account at a trust department of a commercial bank or other financial institution that is not owned or controlled by the financial institution furnishing the collateral. The selection shall be approved by the government entity.

History:

1996 c 399 art 1 s 4; 2003 c 51 s 15,16; 2004 c 151 s 1,2; 2004 c 174 s 2; 2007 c 44 s 7; 2007 c 57 art 3 s 39; 2008 c 154 art 10 s 1; 2014 c 292 s 1

NOTE: The amendments made to subdivisions 1 and 3 by Laws 2004, chapter 151, sections 1 and 2, are effective retroactively from the beginning of a government entity's fiscal year 2003 and apply to each fiscal year thereafter. Laws 2004, chapter 151, section 3.

118A.04 INVESTMENTS.

Subdivision 1. **What may be invested.** Any public funds, not presently needed for other purposes or restricted for other purposes, may be invested in the manner and subject to the conditions provided for in this section.

Subd. 2. **United States securities.** Public funds may be invested in governmental bonds, notes, bills, mortgages (excluding high-risk mortgage-backed securities), and other securities, which are direct obligations or are guaranteed or insured issues of the United States, its agencies, its instrumentalities, or organizations created by an act of Congress.

Subd. 3. **State and local securities.** Funds may be invested in the following:

(1) any security which is a general obligation of any state or local government with taxing powers which is rated "A" or better by a national bond rating service;

(2) any security which is a revenue obligation of any state or local government which is rated "AA" or better by a national bond rating service;

(3) a general obligation of the Minnesota housing finance agency which is a moral obligation of the state of Minnesota and is rated "A" or better by a national bond rating agency; and

(4) any security which is an obligation of a school district with an original maturity not exceeding 13 months and (i) rated in the highest category by a national bond rating service or (ii) enrolled in the credit enhancement program pursuant to section 126C.55.

Subd. 4. **Commercial papers.** Funds may be invested in commercial paper issued by United States corporations or their Canadian subsidiaries that is rated in the highest quality category by at least two nationally recognized rating agencies and matures in 270 days or less.

Subd. 5. **Time deposits.** Funds may be invested in time deposits that are fully insured by the Federal Deposit Insurance Corporation or bankers acceptances of United States banks.

Subd. 6. **High-risk mortgage-backed securities.** For the purposes of this section and section 118A.05, "high-risk mortgage-backed securities" are:

(1) interest-only or principal-only mortgage-backed securities; and

(2) any mortgage derivative security that:

(i) has an expected average life greater than ten years;

(ii) has an expected average life that:

(A) will extend by more than four years as the result of an immediate and sustained parallel shift in the yield curve of plus 300 basis points; or

(B) will shorten by more than six years as the result of an immediate and sustained parallel shift in the yield curve of minus 300 basis points; or

(iii) will have an estimated change in price of more than 17 percent as the result of an immediate and sustained parallel shift in the yield curve of plus or minus 300 basis points.

118A.04 INVESTMENTS. (CONTINUED)

Subd. 7. **Temporary general obligation bonds.** Funds may be invested in general obligation temporary bonds of the same government entity issued under section 429.091, subdivision 7, 469.178, subdivision 5, or 475.61, subdivision 6.

Subd. 8. **Debt service funds.** Funds held in a debt service fund may be used to purchase any obligation, whether general or special, of an issue which is payable from the fund, at such price, which may include a premium, as shall be agreed to by the holder, or may be used to redeem any obligation of such an issue prior to maturity in accordance with its terms. The securities representing any such investment may be sold by the government entity at any time, but the money so received remains part of the fund until used for the purpose for which the fund was created. Any obligation held in a debt service fund from which it is payable may be canceled at any time unless otherwise provided in a resolution or other instrument securing obligations payable from the fund.

Subd. 9. **Broker; statement and receipt.** (a) For the purpose of this section and section 118A.05, the term "broker" means a broker-dealer, broker, or agent of a government entity, who transfers, purchases, sells, or obtains securities for, or on behalf of, a government entity.

(1) Prior to completing an initial transaction with a broker, a government entity shall provide annually to the broker a written statement of investment restrictions which shall include a provision that all future investments are to be made in accordance with Minnesota Statutes governing the investment of public funds.

(2) A broker must acknowledge annually receipt of the statement of investment restrictions in writing and agree to handle the government entity's account in accordance with these restrictions. A government entity may not enter into a transaction with a broker until the broker has provided this written agreement to the government entity.

(3) The state auditor shall prepare uniform notification forms which shall be used by the government entities and the brokers to meet the requirements of this subdivision.

History: 1996 c 399 art 1 s 5; 2013 c 143 art 12 s 1; 2014 c 292 s 2,3

118A.05 CONTRACTS AND AGREEMENTS.

Subdivision 1. May enter into.

In addition to other authority granted in sections 118A.01 to 118A.06, government entities may enter into contracts and agreements as follows.

stat.118A.05.2

Subd. 2. Repurchase agreements.

Repurchase agreements consisting of collateral allowable in section 118A.04, and reverse repurchase agreements may be entered into with any of the following entities:

- (1) a financial institution qualified as a "depository" of public funds of the government entity;
- (2) any other financial institution which is a member of the Federal Reserve System and whose combined capital and surplus equals or exceeds \$10,000,000;
- (3) a primary reporting dealer in United States government securities to the Federal Reserve Bank of New York; or
- (4) a securities broker-dealer licensed pursuant to chapter 80A, or an affiliate of it, regulated by the Securities and Exchange Commission and maintaining a combined capital and surplus of \$40,000,000 or more, exclusive of subordinated debt.

118A.05 CONTRACTS AND AGREEMENTS.

118A.05 CONTRACTS AND AGREEMENTS. - Continued

Reverse agreements may only be entered into for a period of 90 days or less and only to meet short-term cash flow needs. In no event may reverse repurchase agreements be entered into for the purpose of generating cash for investments, except as stated in subdivision 3.

stat.118A.05.3

Subd. 3. Securities lending agreements.

Securities lending agreements, including custody agreements, may be entered into with a financial institution meeting the qualifications of subdivision 2, clause (1) or (2), and having an office located in Minnesota. Securities lending transactions may be entered into with entities meeting the qualifications of subdivision 2 and the collateral for such transactions shall be restricted to the securities described in this section and section **118A.04**.

§

Subd. 4. Minnesota joint powers investment trust.

Government entities may enter into agreements or contracts for:

- (1) shares of a Minnesota joint powers investment trust whose investments are restricted to securities described in this section, section **118A.04**, and section **118A.07**, subdivision 7;
- (2) units of a short-term investment fund established and administered pursuant to regulation 9 of the Office of the Comptroller of the Currency, in which investments are restricted to securities described in this section and section **118A.04**;
- (3) shares of an investment company which is registered under the Federal Investment Company Act of 1940 and which holds itself out as a money market fund meeting the conditions of rule 2a-7 of the Securities and Exchange Commission and is rated in one of the two highest rating categories for money market funds by at least one nationally recognized statistical rating organization; or
- (4) shares of an investment company which is registered under the Federal Investment Company Act of 1940, and whose shares are registered under the Federal Securities Act of 1933, as long as the investment company's fund receives the highest credit rating and is rated in one of the two highest risk rating categories by at least one nationally recognized statistical rating organization and is invested in financial instruments with a final maturity no longer than 13 months.

stat.118A.05.5

Subd. 5. Guaranteed investment contracts.

Agreements or contracts for guaranteed investment contracts may be entered into if they are issued or guaranteed by United States commercial banks, domestic branches of foreign banks, United States insurance companies, or their Canadian subsidiaries, or the domestic affiliates of any of the foregoing. The credit quality of the issuer's or guarantor's short- and long-term unsecured debt must be rated in one of the two highest categories by a nationally recognized rating agency. Agreements or contracts for guaranteed investment contracts with a term of 18 months or less may be entered into regardless of the credit quality of the issuer's or guarantor's long-term unsecured debt, provided that the credit quality of the issuer's short-term unsecured debt is rated in the highest category by a nationally recognized rating agency. Should the issuer's or guarantor's credit quality be downgraded below "A", the government entity must have withdrawal rights.

History:

1996 c 399 art 1 s 6; 1997 c 219 s 1; 2000 c 493 s 1; 2005 c 152 art 1 s 2; 2010 c 234 s 1; 2010 c 385 s 4; 2013 c 143 art 12 s 2; 2014 c 292 s 4

118A.06 SAFEKEEPING; ACKNOWLEDGEMENTS.

- (a) Investments, contracts, and agreements may be held in safekeeping with:
- (1) any Federal Reserve bank;
 - (2) any bank authorized under the laws of the United States or any state to exercise corporate trust powers, including, but not limited to, the bank from which the investment is purchased;
 - (3) a primary reporting dealer in United States government securities to the Federal Reserve Bank of New York; or
 - (4) a securities broker-dealer, or an affiliate of it, that meets the following requirements:
 - (i) it is registered as a broker-dealer under chapter 80A or is exempt from the registration requirements;
 - (ii) it is regulated by the Securities and Exchange Commission; and
 - (iii) it maintains insurance through the Securities Investor Protection Corporation or excess insurance coverage in an amount equal to or greater than the value of the securities held.
- (b) The government entity's ownership of all securities under paragraph (a) must be evidenced by written acknowledgments identifying the securities by the names of the issuers, maturity dates, interest rates, CUSIP number, or other distinguishing marks.

History:

1996 c 399 art 1 s 7; 2010 c 234 s 2

118A.07 ADDITIONAL INVESTMENT AUTHORITY.

118A.07 ADDITIONAL INVESTMENT AUTHORITY.**stat.118A.07.1****Subdivision 1. Authority provided.**

As used in this section, "governmental entity" means a city with a population in excess of 200,000, a county that contains a city of that size, or the Metropolitan Council. If a governmental entity meets the requirements of subdivisions 2 and 3, it may exercise additional investment authority under subdivisions 4, 5, and 6.

stat.118A.07.2**Subd. 2. Written policies and procedures.**

Prior to exercising any additional authority under subdivisions 4, 5, and 6, the governmental entity must have written investment policies and procedures governing the following:

- (1) the use of or limitation on mutual bond funds or other securities authorized or permitted investments under law;
- (2) specifications for and limitations on the use of derivatives;
- (3) the final maturity of any individual security;
- (4) the maximum average weighted life of the portfolio;
- (5) the use of and limitations on reverse repurchase agreements;
- (6) credit standards for financial institutions with which the governmental entity deals; and
- (7) credit standards for investments made by the governmental entity.

stat.118A.07.3**Subd. 3. Oversight process.**

Prior to exercising any authority under subdivisions 4, 5, and 6, the governmental entity must establish an oversight process that provides for review of the governmental entity's investment strategy and the composition of the financial portfolio. This process shall include one or more of the following:

- (1) audit reviews;
- (2) internal or external investment committee reviews; and
- (3) internal management control.

Additionally, the governing body of the governmental entity must, by resolution, authorize its treasurer to utilize the additional authorities under this section within their prescribed limits, and in conformance with the written limitations, policies, and procedures of the governmental entity.

If the governing body of a governmental entity exercises the authority provided in this section, the treasurer of the governmental entity must annually report to the governing body on the findings of the oversight process required under this subdivision. If the governing body intends to continue to exercise the authority provided in this section for the following calendar year, it must adopt a resolution affirming that intention by December 1.

stat.118A.07.4

Subd. 4.Repurchase agreements.

A governmental entity may enter into repurchase agreements as authorized under section **118A.05**, provided that the exclusion of mortgage-backed securities defined as "high-risk mortgage-backed securities" under section **118A.04, subdivision 6**, shall not apply to repurchase agreements under this authority if the margin requirement is 101 percent or more.

stat.118A.07.5

Subd. 5.Reverse repurchase agreements.

Notwithstanding the limitations contained in section **118A.05, subdivision 2**, the governmental entity may enter into reverse repurchase agreements to:

- (1) meet cash flow needs; or
- (2) generate cash for investments, provided that the total securities owned shall be limited to an amount not to exceed 130 percent of the annual daily average of general investable monies for the fiscal year as disclosed in the most recently available audited financial report. Excluded from this limit are:
 - (i) securities with maturities of one year or less; and
 - (ii) securities that have been reversed to maturity.

There shall be no limit on the term of a reverse repurchase agreement. Reverse repurchase agreements shall not be included in computing the net debt of the governmental entity, and may be made without an election or public sale, and the interest payable thereon shall not be subject to the limitation in section **475.55**. The interest shall not be deducted or excluded from gross income of the recipient for the purpose of state income, corporate franchise, or bank excise taxes, or if so provided by federal law, for the purpose of federal income tax.

stat.118A.07.6

Subd. 6.Options and futures.

A governmental entity may enter into futures contracts, options on futures contracts, and option agreements to buy or sell securities authorized under law as legal investments for governmental entities, but only with respect to securities owned by the governmental entity, including securities that are the subject of reverse repurchase agreements under this section that expire at or before the due date of the option agreement.

§

Subd. 7.Negotiable certificates of deposit.

A Minnesota joint powers investment trust may invest funds in negotiable certificates of deposit or other evidences of deposit, with a remaining maturity of three years or less, issued by a nationally or state-chartered bank, a federal or state savings and loan association, or a state-licensed branch of a foreign bank, except that for obligations with a maturity of one year or less, the debt obligations of the issuing institution or its parent are rated in the top short-term rating category by at least two nationally recognized statistical ratings organizations and for obligations with a maturity in excess of one year, the senior debt obligations of the issuing institution or its parent are rated at least A or its equivalent by at least two nationally recognized statistical ratings organizations. Investments in these instruments shall not be subject to the collateralization requirements of section **118A.03**.

History:

1996 c 399 art 1 s 8; 2014 c 292 s 5

118A.08 NO SUPERSEDING EFFECT.

Except as provided in Laws 1996, chapter 399, article 1, section 11, sections **118A.01** to **118A.06** shall not supersede any general or special law relating to the deposit and investment of public funds.

History:

1996 c 399 art 1 s 9

RESOLUTION 2021-XXX

ADOPTING AMENDMENT TO THE PURCHASING POLICY

WHEREAS, the City of Isanti requires quality goods and services to meet the need of its citizens; and

WHEREAS, the annually adopted final budget provides the basis for spending in a year while a purchasing policy gives direction to staff on the internal controls required at differing expenditure levels; and

WHEREAS, guidelines are necessary for governing the process in which goods and services are purchased; and

WHEREAS, Resolution 2007-083 authorized a Purchasing Policy; and Resolutions 2009-010, 2009-309, 2011-194, 2014-125, 2016-093, 2017-022 authorized amendments to the Purchasing Policy; and,

WHEREAS, this Resolution supercedes;

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL of the City of Isanti, Minnesota, hereby approves the Purchasing Policy as amended and attached as ‘Exhibit A’.

This Resolution hereby approved by the Isanti City Council this 19th day of October 2021.

Attest:

Mayor Jeff Johnson

Jaden Strand
City Clerk

‘Exhibit A’

**City of Isanti
Purchasing Policy
Amended January 6, 2009
Amended December 15, 2009
Amended August 16, 2011
Amended June 3, 2014
Amended March 15, 2016- Addendum
Amended January 17, 2017
Amended October 19, 2021**

PURPOSE

The City of Isanti will support a purchasing policy that provides quality goods and services that meet the need of the City. These goods and services will be acquired in a manner to maximize the value received for each tax dollar spent. Purchasing policies are designed to facilitate the effective delivery of municipal services while maintaining adequate financial controls.

All purchasing by local government units is regulated by State Law. Consequently, these laws will govern each employee’s responsibility in all purchasing processes.

The primary basis for the City’s system of internal control is the City’s annual budget. The budget, as adopted by the City Council, serves as the basis for the City’s spending for that year. All purchases must be within a Department’s annually adopted final operating or capital budget.

It will be the responsibility of each City employee to adhere to the purchasing process and procedures for the actual ordering/purchasing of goods and services, procedures for receiving and reporting purchases and procedures for payment of vendor invoices.

The City of Isanti encourages its staff to consider local purchasing when all factors are relatively equal.

GUIDELINES

It is the policy of the City of Isanti that the following ethical principles shall govern the conduct of every employee involved, directly or indirectly, in the City procurement process.

1. All purchases must be within a Department’s annually adopted final operating or capital budget. .
2. Employees will avoid activities which would compromise or give the perception of compromising the best interests of the City of Isanti. Employees will not knowingly use confidential proprietary information for actual or anticipated personal gain.

3. Employees will avoid any activity that would create a conflict between their personal interest and the best interest of the City. Conflicts exist in any relationship where a person is not acting in the City's best interest and may be acting in their own interest or the interest of someone associated with them. Such conflicts of interest would include being involved in any procurement in which:
 - a. The employee or any member of the employee's family has a financial interest pertaining to the City procurement process.
 - b. A business or organization in which the employee, or any member of the employee's family, has a financial interest pertaining to the City procurement process.
 - c. Any other person, business, or organization with whom the employees or a member of the employee's family is negotiating or has an arrangement concerning prospective employment.

If such conflicts of interest exist, the employee will notify the City Administrator in writing and will remove him/herself from the City procurement process.

4. Employees will avoid the appearance of unethical or compromising practices in relationship, actions, and communications regarding the procurement process.
5. Employees will never solicit or accept money, loans, gifts, favors, or anything of value, from present or potential contractors which might influence or appear to influence a purchasing decision. If anyone is in doubt about whether a specific transaction complies with this policy, the person should disclose the transaction to the City Administrator for a determination of compliance.
6. The City of Isanti shall be environmentally conscious by encouraging the use of recycled products whenever reasonably practical and in the best interest of the City.
7. It is City policy not to endorse or in any way permit an employee's name, position or the City's name to be used and advertised as supporting a product or vendor. This does not apply to giving references for products or services used by the City.
8. No individual shall be allowed to make any purchases for personal use through the City.
9. Effective January 1, 2014, the City, with the exception of the Liquor Store, is exempt from paying sales tax on most goods and services. Reference Minnesota Statutes for current guidelines on Local Government Sales and Use Tax Exemptions.

PURCHASING PROCEDURES

These policies regulating the degree of formality are to be followed in the purchase of goods and services, depending on the costs of the items to be purchased. The splitting of purchases

into smaller orders to avoid these requirements is strictly prohibited.

<u>Purchase Level</u>	<u>Quotes/Bids</u>	<u>Approving Authority</u>
\$0 - \$2,500	Invoice	Department Head
\$2,500.01 - \$10,000	2 Written Quotes*	Finance Director
\$10,000.01 - \$20,000	2 Written Quotes*	City Administrator
\$20,000.01 - \$100,000	3 Written Quotes *	City Council
Over \$100,000	Bids	City Council

**Written quotes or a completed quote form is to be attached where there is more than one feasible source*

All purchases must be within a Department’s annually adopted final operating or capital budget.

Purchases Under \$2,500. Department heads are authorized to purchase directly from vendors for any purchase under \$2,500. It is the responsibility of each Department head to insure complete control over this segment of the purchasing process. It is recommended that equipment purchases under \$2,500 should have two (2) quotations to confirm competitive pricing. Department heads should designate employees who will be allowed to make purchases and to provide internal control procedures to ensure that all purchases are for legitimate public purposes and all purchases accounted for.

Purchases from \$2,500.01 to \$10,000. Purchase requisitions for goods or services having a value of \$2,500 to \$10,000 must be submitted for approval by the City Finance Director prior to placing an order with a vendor. Before submitting a purchase requisition, Department heads must obtain two (2) or more written quotations for the goods or services required. The quotations may be in any written format and signed by an authorized representative of the vendor. The purchase requisition awarding the purchase to the lowest responsible bidder should then be forwarded to the City Finance Director who will check to ensure that the quotation form has been completed correctly and that funds are available in the appropriate budget. If Department heads are unable to secure two (2) quotations, a notation explaining why less than two (2) qualified vendors were available should be made on the quotation form, attached to the purchase order and forwarded to the City Finance Director. When seeking two (2) quotes, the practice of “auctioneering” should be avoided by refusing to disclose to a vendor the price quoted by competitors. Purchase requisition and quotation request form will be attached to the appropriate City Council bill list.

Purchases from \$10,000.01 to \$20,000 The same procedures apply as when purchasing from \$2,500 to \$10,000 except that once approved by the Finance Director further approval must be made by the City Administrator.

Purchases from \$20,000.01 to \$100,000 Prior to processing a purchase requisition to secure goods or services valued at \$20,000 to \$100,000, Department heads must obtain three (3) written quotations. For purchases over \$25,000 the State of Minnesota’s Cooperative Purchasing Venture (CPV) must be considered. If Department Heads are unable to secure three (3) written quotations a memo explaining why less than three (3) qualified vendors were available as well as the Quotation Request form should be attached to the purchase order and forwarded to the

City Clerk/Assistant for placement on the City Council agenda. All purchases over \$20,000 require City Council approval. The Quotation Request form requires appropriate planning to ensure that adequate lead time is available to satisfy the purchasing requirements. For local improvement contracts that are paid for with special assessments the purchases over \$100,000 process must be used if the estimated costs of the contract exceed \$50,000.

Purchases over \$100,000 Department heads anticipating the purchase of goods or services valued over \$100,000 should prepare specifications based upon standards appropriate to meet the City's needs. For local improvement contracts that are paid for with special assessments the purchases over \$100,000 process must be used if the estimated cost of the contract exceeds \$50,000. Specifications should be forwarded to the City Clerk. The City Clerk will then direct the preparation of the necessary bid packet, public notices and advertisements to meet the City's purchasing policy and will also send invitations to bid to qualified vendors. Department heads should submit a list of such vendors along with the specifications. A bid packet containing an invitation to bid, specifications, and general bid documents will be sent to these vendors, as well as those that respond to the legal notice. Formal bids will be advertised for at least ten (10) business days prior to bid opening.

After the bids are opened, the bids will be referred to the Department head for review. The Department head will prepare a written tabulation of all bids and draft a memo to the City Clerk that will be placed on the next City Council Agenda, which will include the Department heads recommendation for the bid award. All purchases over \$20,000 must be awarded by the City Council. The award will normally be made to the low bidder meeting specifications. If not, documentation should be made to list the reasons why other than the low bidder was selected in the best interest of the City. Performance bonds and payments bonds are required for all public work contracts over \$75,000. Bid bonds may be requested. Workers compensation insurance and general insurance certificates may also be required with the City of Isanti named as an additional insured.

Independent Contractor Exemption Certificate (ICEC) Residential and commercial building construction or improvement service independent contractors carrying on a trade or business as a sole proprietor must present an ICEC when submitting a quote or bid. In accordance with state law if a sole proprietor does not have an ICEC the individual becomes an employee of the City of Isanti. Payments made to a sole proprietor are subject to 2% withholding for Minnesota income tax if the work was performed in the State of Minnesota and the total payments during the year exceed \$600.

State of Minnesota Cooperative Purchasing Program All requirements of this policy are deemed to be met if purchases are made through this State Program. Depending upon purchase level of item appropriate approvals still apply. All purchases over \$25,000 require consideration of the Cooperative Purchasing Venture (CPV).

Cumulative Purchases The same purchase level guidelines under PURCHASING GUIDELINES remain effective for the total amount purchased throughout the year, however purchases for the same product may be made by a department by obtaining quotes/bids once during the year. Example: Sand/salt purchases for public works.

Emergency Purchases An “emergency” is defined as an unforeseen combination of circumstances that calls for immediate action to prevent a “disaster” from developing or occurring. A “disaster” is defined as a situation that creates an actual or imminent serious threat to the health and safety of persons, or a situation that has resulted or is likely to result in catastrophic loss to property or the environment, and for which traditional sources of relief and assistance within the affected area are unable to repair or prevent the injury or loss.

A “public health emergency” means an occurrence or imminent threat of an illness or health condition in Minnesota where there is evidence that the cause of the illness or health condition is bioterrorism, or an airborne infectious agent or toxin and that the illness poses a high probability of a large number of deaths or disabilities or widespread exposure to an airborne infectious agent that poses a significant risk to a large number of people.

Unbudgeted Expenditures by Department Heads may be permitted with approval from the City Administrator in amounts up to \$1,000 provided the expenditure is deemed necessary by the City Administrator and does not leave the Department’s aggregate budget over the annually approved budget amount. If the latter occurs a budget amendment may be required at the direction of the Finance Director.

Professional Services are considered to be unique and are not subject to the bid law even though the contract amount may exceed \$100,000. This group includes: architects, engineers, construction managers, attorneys, accountants, consultants, and other services requiring technical, scientific or professional training

A REQUEST FOR PROPOSAL (RFP) can be prepared much the same way as specifications including requirements and minimum standards for the services to be provided. RFP’s should be submitted to the city council for review and approval prior to distribution. When a RFP is approved, a limited number of qualified professionals will be invited to submit a proposal setting forth their interest, qualifications and how they can meet the City’s needs. In securing professional services it is the primary goal of the City to obtain the services of a professional who has a proven record of providing in a professional way those services required. A contract will be negotiated with the professional deemed to best meet the City’s needs.

Contracts Only the city council may make contracts on behalf of the city. Individual council members, council committees, and city administrative officers may not enter into these contracts.

The following purchases are exempt from this purchasing policy:

Utility invoices-telephone, electric, natural gas, gasoline, mileage, products purchased for resale, emergency purchases, maintenance and repairs, schools, conferences and meeting reimbursements.

Major capital repairs beyond normal maintenance are NOT exempt from the purchasing policy.

Environmental Sustainability is promoted by Conserving natural resources, minimizing

environmental impacts, such as pollution and supporting strong recycling markets. Increasing the use and availability of environmentally preferable products that protect the environment. Rewarding manufacturers and vendors that reduce environmental impacts in their production and distribution systems. Creating a model for successfully purchasing environmentally preferable products that encourages other purchasers in our community to adopt similar goals. Lowering overall costs by addressing full cost accounting (purchase, maintenance, disposal, staff time, and labor) and leveraging buying power.

The following guidelines are to be followed as practicable by the City of Isanti:

1. Recycled Paper Products and Recycled-Content Products. Per Minnesota Statute 16B.122 and per the Federal Environmental Protection Agency's (EPA) requirements, the City of Isanti will endeavor to purchase paper products containing the highest postconsumer content practicable, but no less than 30% recycled-content for copy paper (which is the minimum recycled content standard established by the EPA Comprehensive Procurement Guidelines: www.epa.gov). The City should purchase other products made with recycled material whenever possible and economically feasible.
2. Waste Minimization. The City should buy in bulk whenever practicable to reduce packaging. Packaging that is reusable, recyclable or compostable is preferred, when suitable uses and programs exist.
3. Energy Saving Products. All appliances and products purchased by the City, for which the US EPA Energy Star certification is available, will meet Energy Star certification, provided such products are available and financially feasible (www.energystar.gov). This would include lighting systems, exhaust fans, water heaters, computers, exit signs, and appliances, such as refrigerators, dishwashers, and microwave ovens.
4. Water Saving Products. Water saving products purchased by the City will meet the WaterSense certification when such products are available and financially feasible (www.epa.gov.) This includes, but is not limited to, high-performing fixtures, such as toilets, waterless urinals, low-flow faucets and aerators, and upgraded irrigation systems.
5. Cleaning Products. Cleaning products purchased by the City will meet Green Seal, EcoLogo, and/or U.S. EPA Design for the Environment cleaning product standards, if such products are practicable, available, and perform to an acceptable standard.
6. Lighting. The City should purchase and install LED lighting on any new construction, retrofits, remodels or replacement projects, including street lighting.

When purchasing products and services for the City, staff will:

1. Ensure that specifications support the use of reusable, recycled, or environmentally preferable products by following these guidelines.
2. Evaluate environmentally preferable products to determine the extent to which they may

be used by the department and its contractors.

3. Facilitate data collection on purchases of designated environmentally preferable products by the department in order to determine the effectiveness of the products and services.
4. Use a standard of accepting a 10% increased cost for these items. Financial incentives should be taken into consideration in cost comparisons.

5. All City departments are responsible for implementation of this policy and to ensure their respective employees are fully aware and supportive of the City's policy to purchase environmentally preferable goods and services. City staff will implement environmental sustainability guidelines in conjunction with the city's normal purchasing procedure and with consideration of the above price differential

Attachments:

Quotation Request Form
Purchase Requisition

Federal Grants Administration

Goal

The goal of the City Council is to establish administrative requirements and cost principles for Federal grant awards received by the City of Isanti and the Economic Development Authority of the City of Isanti that comply with Key Policy Areas identified by the Office of Management and Budget.

Objective

The objective of the City Council in meeting this goal is to ensure compliance with OMB Uniform Grant Guidance:

- a. Have effective controls in place to manage Federal awards and show compliance with Federal Statutes, regulations and terms and conditions of the award by identifying how compliance is evaluated and monitored.
- b. Have reasonable procedures in place to protect personally identifiable information (PII) and other information identified as sensitive by Federal agency or pass-through entity.

Procedures

1. Segregation of Duties

- a. Personally identifiable information (PII) and sensitive data as defined by a Federal Agency or pass-through entity shall be accessible only by employees who have been determined to have need for the information. The City Administrator and the Finance Director will determine which city staff members need access to personally identifiable information that may be acquired through various Federal grant processes.
- b. Only those staff members who are required to access personally identifiable information will be authorized to access it when needed to produce accurate and complete financial data for reliable and timely financial and management reports.
- c. The Department Head for the department receiving a Federal Grant Award shall be the primary responsible person to review and approve all costs associated with the Grant.

- d. All required reports related to a Federal Grant shall be prepared by the responsible Department Head and reviewed and signed by the City Administrator and any other official as required in the Grant document.

2. Accounting Controls

- a. The financial accounting system must identify all federal awards in all accounts that are received and expended by:
 - i. CFDA number and title
 - ii. Federal award ID and year
 - iii. Name of federal awarding agency
 - iv. Pass-through entity's name
- b. The payment process shall follow the accounting procedures for Accounts Payable.
- c. The Department Head assigned responsibility for a federal grant shall review and approve all requests for payment under the federal grant in accordance with Subpart E Cost Principles as well as the terms and conditions of the federal grant award.
- d. Federal grant payments received shall be disbursed according to the terms and conditions of the federal grant award. If grant disbursement guidelines are not included the grant proceeds shall be disbursed within 30 days of receipt.
- e. Payments to sub recipients are:
 - i. Not required to be maintained in separate depository accounts for federal awarded funds.
 - ii. Required to be accounted for by receipt, obligation and expenditure of federal funds.
- f. Travel costs must be consistent with Section 905 of the City of Isanti Personnel Policy.
- g. Personnel compensation from Federal grant awards shall follow the accounting procedures for Payroll to ensure accurate recording of an employee's time activities associated with a federal award.
- h. Complete payroll documentation must be maintained for all employees whose salaries are paid in full or in part by a federal award (200.430 (i) (1)); and used in meeting cost sharing or matching requirements on Federal awards (200.430 (i) (4)).
- i. Contracts using Federal grant funds shall be with responsible contractors that can perform successfully meeting the requirements and terms and conditions of contract award based on:

- i. Contractor integrity
 - ii. Compliance with public policy
 - iii. Record of past performance
 - iv. Financial and technical resources
- j. Conflict of interest disclosure:
 - i. Conflict of Interest forms shall be reviewed to determine if any conflict of interest exists in regard to a Federal Grant Award.
 - ii. Any potential conflict of interest that an employee may have relating to a Federal Grant Award must be disclosed in writing to the City Administrator and the Grant issuing Federal Agency.
 - iii. Any violation of Federal criminal law that involves fraud, bribery or gratuities that could affect a Federal Grant Award must be disclosed in writing to the City Administrator and Grant issuing Federal Agency.
 - iv. Any contractual or administrative issues, which may include disputes, protests and source evaluations, must be referred to the office of the City Attorney who must provide guidance and facilitate a legal solution to the issue.
- k. Procurement of items to be purchased using Federal grant funds shall follow the Purchasing Policy contained in this manual and shall follow all state and federal rules and regulations.
 - i. Reasonable effort must be made to avoid purchasing unnecessary or duplicative items.
 - ii. Records must be maintained with sufficient detail to provide a historical or audit trail for the procurement.
 - iii. Employees who have a conflict of interest relating to the selection of a contractor who will be paid from Federal Grant funds must disclose such conflict of interest to the City Administrator who shall name another employee to select an appropriate contractor.
- l. Performance reporting will require:
 - i. Financial data to be related to performance of accomplishments.
 - ii. Oversight and monitoring must cover each program or activity.
 - iii. Quantifiable data when available.
 - iv. Trend data or data analysis
 - v. Explanation of reasons why goals were not met or explanation of any cost overruns.
- m. Prior written approval must be received from the Federal Grant Award Agency for indirect costs or the incurrence of special or unusual costs and the Federal Agency approval should include timeframe or written agreement.

- n. Report Certification for the Authorizing Official for any Federal Grant Award must sign a certification on the annual and final fiscal report or voucher requesting payments that includes the following language:

“By signing this report, I certify to the best of my knowledge and belief that the report is true, complete, and accurate, and the expenditures, disbursements and cash receipts are for the purposes and objective set forth in the terms and conditions of the Federal award. I am aware that any false, fictitious, or fraudulent information, or the omission of any material fact, may subject me to criminal, civil or administrative penalties for fraud, false statements, false claims or otherwise. (U.S. Code Title 18, Section 1001 and Title 31, Sections 3729-32730 and 3801-3812).”



Memo for Discussion

To: Mayor Johnson and Members of the City Council
From: Josi Wood, City Administrator
Date: October 19, 2021
Subject: Resolutions to Repeal as Policies are no longer Applicable

Background:

The City Administrator has been reviewing all City Policies. There are a number of policies that are no longer applicable due to changes in state statute, superseded by City Code, new policies were written or subsequent policies were already included in the Personnel Policy, Policy Manual or Lexipol.

Staff is also requesting a revised policy for Plan and Permit Fee Refunds that would supercede the previous Resolution 2004-089.

Request:

- Staff is requesting to repeal the following policies:
 - 1999-135 Business Subsidy
 - 2017-286 Council Mtg Procedures
 - 2009-078 PW Procedures
 - 2014-017 Sidewalk Snow Policy
 - 2016-210 Nuisance Lot Mowing
 - 2016-279 Nuisance Abatement
 - 2015-297 Outdoor Hockey Rink
 - 2009-078 PW Policies and Procedures
 - 2012-254 Water disconnect Policy
 - 2018-277 Language Change Dom. Abuse
 - 2013-054 Panic Button Security
 - 2007-057 Travel Reimbursement
 - 2009-080 Temperature Settings
 - 2013-210 Veteran Bid Preference
 - 2007-194 Development Agreement Process
 - 2003-110 Street Closure Application

There may be a few more once the final review has taken place.

Attachments:

- Resolutions listed in this memo.
- Draft Resolution for Plan and Permit Fee Refunds

RESOLUTION 2021-XXX

AUTHORIZING THE ESTABLISHMENT OF A PERMIT AND PLAN REVIEW FEE REFUND POLICY

WHEREAS, the City of Isanti’s Building Official is responsible for plan review and building inspections; and,

WHEREAS, per MN Rules Chapter 1300.0160 Subp. 9, the City is authorized to implement a policy for permit and plan review refunds; and

WHEREAS, this Resolution supercedes 2004-089;

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Isanti, Minnesota as follows:

1. The Building Inspections Department shall be authorized to refund fees for permits in which no work has been done and no inspections have been made.
2. Requests for refunds must be in writing and signed by the permit holder. The Building Official will review the request for refund and make a determination to approve or deny the request. The City shall retain the following as described in the table below:

City Retains	Timeframe
\$50.00 – Fees less than \$50.00 are non-fundable	For requests made within 30 days
\$50.00 or 20% of the permit fee whichever is greater	For requests made within 60 days
\$50.00 or 40% of the permit fee whichever is greater	For requests made within 90 days
\$50.00 or 60% of the permit fee whichever is greater	For requests made within 120 days
\$50.00 or 80% of the permit fee whichever is greater	For requests made within 180 days

3. No refunds will be approved or granted after 180 days from the date the permit was issued. No refunds will be approved or granted for the following: Plan Review Fees, State Surcharge Fees, Re-inspection Fees, and any other services that have previously been rendered.

This resolution was duly adopted by the Isanti City Council this ___th day of November 2021.

Attest:

Mayor Jeff Johnson

Jaden Strand
City Clerk

RESOLUTION NO. 2003-110

A RESOLUTION APPROVING THE POLICY AND PROCEDURES FOR STREET CLOSURE FOR RECREATIONAL EVENTS

WHEREAS, the City of Isanti has received numerous requests to block off streets for recreational events, especially block parties and family functions; and

WHEREAS, the City of Isanti recognizes that these types of events can build a positive community; and

WHEREAS, having a City policy and procedure gives clear direction to the Citizens and City Staff to make these events safe; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota that the attached Policy and Procedures for Street Closure and application is approved.

Adopted by the Isanti City Council on this 1st day of July 2003.

Attest:

Mayor David E. Apitz

Irene J. Bauer, City Clerk-Treasurer

(SEAL)

RESOLUTION NO. 2007-057

**RESOLUTION APPROVING TRAVEL / REIMBURSEMENT POLICY
FOR CITY OF ISANTI**

WHEREAS, from time to time city employees request to attend conferences, seminars, and other training that provides education and information that enhances the employee in his position and benefits the City of Isanti: and

WHEREAS, a policy has been developed for the City of Isanti to establish guidelines and procedure for employees to request attending conferences and/or training and reimbursement of expenses.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL of the City of Isanti, Minnesota hereby approves the Travel and Reimbursement Policy and attached as 'Exhibit A'.

This resolution is duly adopted by the Isanti City Council this 6th day of March 2007.

Attest:

Mayor George A. Wimmer

Irene J. Bauer
Assistant City Administrator/City Clerk

RESOLUTION 2007-194

**A RESOLUTION ADOPTING A POLICY ON THE
DEVELOPMENT AGREEMENT PROCESS**

WHEREAS, the City of Isanti requires development agreements to be composed and approved for Industrial projects and all platting; and,

WHEREAS, the City of Isanti does not have a formal policy on the process to compose development agreements; and,

WHEREAS, outlining the development agreement process assists both the City and the developer on the project.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL of the City of Isanti, Minnesota , hereby approves the Development Agreement Process Policy as attached with 'Exhibit A'.

This Resolution hereby approved by the Isanti City Council this 17th day of July 2007.

Attest:

Mayor George A. Wimmer

Irene J. Bauer
Assistant City Administrator/City Clerk
(SEAL)

EXHIBIT A

City of Isanti, Minnesota City Council Policy on the Development Agreement Process

I. Purpose

To set forth guidelines and criteria governing the Development Agreement Process. The City of Isanti desires a clear process to ensure that all development agreements are handled in a consistent manner.

II. Development Agreement Team

The Development Agreement team shall consist of: the City Attorney, Community Development Director and City Administrator. In the instance of a TIF or Abatement agreement the Attorney may someone other than the City Attorney.

III. Process

- 1) Developer submits the development agreement fee as established by City Council.
- 2) The Development Agreement team shall work in unison to draft a development agreement, using the City's model. The City shall have three model development agreements: One for Residential development, one for Commercial development, and one for Industrial development.
- 3) The draft development agreement is presented to the Development Advisory Committee (DAC) to obtain feedback to any questions or issues from the Development Agreement team.
- 4) The Development Advisory Committee shall approve of the draft development agreement.
- 5) The Development Agreement team shall present the draft approved by the Development Advisory Committee to the developer for any comments or proposed amendment that they may have.
- 6) As the Development Agreement is based on a model from the City, minor changes (for example: typographical and formatting) can be made by the Development Agreement Team, but any other changes need Development Advisory Committee approval. All proposed changes will be noted on the draft to the DAC.
- 7) Upon agreement with the DAC and DA team, the Development Agreement shall be brought forth to the City Council for their approval. At times issues may arise that the DA team, the DAC and the developer will not agree upon. The developer can bring their concerns to the City Council for their final decision.

8) Upon City Council approval, the developer has 90 days to sign the development agreement otherwise it is null and void and they have to re-submit the development agreement fee and re-start the process.

CITY OF ISANTI, MINNESOTA

RESOLUTION NO. 2009 – 078

RESOLUTION ADOPTING PROCEDURES AND POLICIES FOR THE
PUBLIC WORKS DEPARTMENT


WHEREAS, the City of Isanti finds it is the best interest of its citizens that there are written procedures and policies to better serve the community; and

WHEREAS, Staff has worked with the Public Works Director to develop procedures for private metered water sales, a procedure for the disposal of scrap metal, and a policy on rental and borrowing of city equipment; and

WHEREAS, the Public Works Committee has reviewed the procedures and policies as attached as Exhibit 'A' and recommend their approval.


NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to adopt the Public Works Department Procedures and Policies that is hereby attached as 'Exhibit A' and made a part of this resolution.

This resolution was duly adopted by the Isanti City Council this 7th day of April 2009.

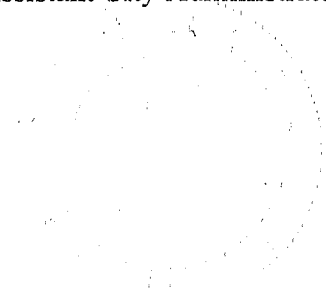


Mayor George A. Wimmer

Attest:



Irene J. Bauer
Assistant City Administrator/City Clerk



“Exhibit A”

PUBLIC WORKS DEPARTMENT PROCEDURES AND POLICIES

PRIVATE METERED WATER SALES

All contractors and the general public who desire to purchase water from the City that is metered from a hydrant must follow the following procedures:

1. Make application at City Hall for the purchase of metered water from a hydrant.
2. Complete form – ‘Agreement for the Purchase of Water from the City of Isanti’.
2. Make a deposit either by check or cash based on the current fee schedule.
3. Provide a copy of the ‘Agreement’ to the Public Works Department.
4. Public Works Department coordinates the installation of the water meter and sale of water.
5. Public Works provides the start and end usage on the ‘Agreement’ and submits to City Hall.
6. City Hall bills out the usage amount to the Customer according to the fee schedule,
7. Customer has 30 days from the date of the invoice to make payment.
8. If payment is received within the designated 30 days, the deposit will be returned.
9. If full payment for the purchase of water is not made within the designated 30 days, the deposit will be applied toward the purchase of water.
10. The remainder of the deposit shall then be reimbursed to the Customer, if applicable.

SCRAP METAL

All scrap metal shall be determined to be surplus property by action of the City Council and shall follow the following procedure:

1. The Public Works Director shall submit to the City Clerk notice of scrap metal for Council Action to declare as surplus.
2. After declaration is approved by the City Council:
 - a. Public Works Director and Finance Director shall find two vendors and obtain verbal quotes on a per pound basis for the sale of the scrap metal.
 - b. Upon having obtained two verbal quotes, the Public Works Department shall have the authority to transport the surplus scrap metal to a salvage yard and sell the metal.
3. A receipt shall be obtained with the sale proceeds for accounting of funds received and shall be given to the Finance Department.

CITY EQUIPMENT RENTAL AND BORROWING

1. No City Employee shall use, borrow, or take out City equipment for their own personal use.
2. No City equipment shall be let out, borrowed, or rented out to the public or other government entities without the express written authorization of the City Administrator, per City Council policy.
 - a. All equipment shall be leased out according to the rental and labor rates as provided within the current fee schedule.
 - I. The Public Works Director shall determine the need to provide staff.

CITY OF ISANTI, MINNESOTA

RESOLUTION NO. 2009 – 078

RESOLUTION ADOPTING PROCEDURES AND POLICIES FOR THE
PUBLIC WORKS DEPARTMENT


WHEREAS, the City of Isanti finds it is the best interest of its citizens that there are written procedures and policies to better serve the community; and

WHEREAS, Staff has worked with the Public Works Director to develop procedures for private metered water sales, a procedure for the disposal of scrap metal, and a policy on rental and borrowing of city equipment; and

WHEREAS, the Public Works Committee has reviewed the procedures and policies as attached as Exhibit 'A' and recommend their approval.


NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to adopt the Public Works Department Procedures and Policies that is hereby attached as 'Exhibit A' and made a part of this resolution.

This resolution was duly adopted by the Isanti City Council this 7th day of April 2009.

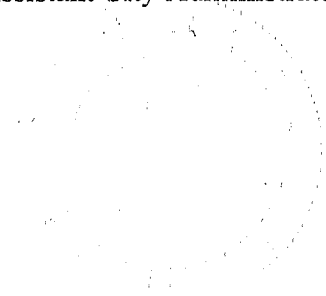


Mayor George A. Wimmer

Attest:



Irene J. Bauer
Assistant City Administrator/City Clerk



“Exhibit A”

PUBLIC WORKS DEPARTMENT PROCEDURES AND POLICIES

PRIVATE METERED WATER SALES

All contractors and the general public who desire to purchase water from the City that is metered from a hydrant must follow the following procedures:

1. Make application at City Hall for the purchase of metered water from a hydrant.
2. Complete form – ‘Agreement for the Purchase of Water from the City of Isanti’.
2. Make a deposit either by check or cash based on the current fee schedule.
3. Provide a copy of the ‘Agreement’ to the Public Works Department.
4. Public Works Department coordinates the installation of the water meter and sale of water.
5. Public Works provides the start and end usage on the ‘Agreement’ and submits to City Hall.
6. City Hall bills out the usage amount to the Customer according to the fee schedule,
7. Customer has 30 days from the date of the invoice to make payment.
8. If payment is received within the designated 30 days, the deposit will be returned.
9. If full payment for the purchase of water is not made within the designated 30 days, the deposit will be applied toward the purchase of water.
10. The remainder of the deposit shall then be reimbursed to the Customer, if applicable.

SCRAP METAL

All scrap metal shall be determined to be surplus property by action of the City Council and shall follow the following procedure:

1. The Public Works Director shall submit to the City Clerk notice of scrap metal for Council Action to declare as surplus.
2. After declaration is approved by the City Council:
 - a. Public Works Director and Finance Director shall find two vendors and obtain verbal quotes on a per pound basis for the sale of the scrap metal.
 - b. Upon having obtained two verbal quotes, the Public Works Department shall have the authority to transport the surplus scrap metal to a salvage yard and sell the metal.
3. A receipt shall be obtained with the sale proceeds for accounting of funds received and shall be given to the Finance Department.

CITY EQUIPMENT RENTAL AND BORROWING

1. No City Employee shall use, borrow, or take out City equipment for their own personal use.
2. No City equipment shall be let out, borrowed, or rented out to the public or other government entities without the express written authorization of the City Administrator, per City Council policy.
 - a. All equipment shall be leased out according to the rental and labor rates as provided within the current fee schedule.
 - I. The Public Works Director shall determine the need to provide staff.

CITY OF ISANTI, MINNESOTA

RESOLUTION NO. 2009 – 080

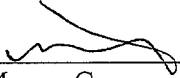
RESOLUTION ADOPTING A POLICY RELATING TO TEMPERATURE
SETTINGS FOR MUNICIPAL BUILDINGS

WHEREAS, the City of Isanti finds it is the best interest of its citizens to conserve energy whenever it is feasible; and

WHEREAS, through work of the Building and Grounds Committee, a recommendation has been made to establish a policy that provides for cooling and heating temperature settings for municipal buildings.

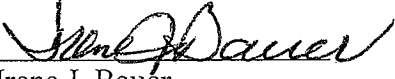
NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to adopt the policy that provides for temperature settings for municipal buildings that is hereby attached as 'Exhibit A' and made a part of this resolution.

This resolution was duly adopted by the Isanti City Council this 7th day of April 2009.

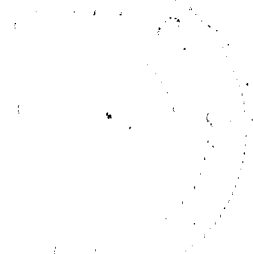


Mayor George A. Wimmer

Attest:



Irene J. Bauer
Assistant City Administrator/City Clerk



'Exhibit A'

CITY OF ISANTI

MUNICIPAL BUILDINGS TEMPERATURE SETTINGS

PURPOSE

The intent of this policy is to establish temperature settings for all municipal buildings that will conserve the use of energy and our natural resources.

Temperature Settings are hereby established as follows:

CITY HALL			
North Offices & Main Office Area			
Day of Week	Heating	Cooling	Time
Monday, Wednesday, Thursday & Friday	68 degrees	74 degrees	7:00 am to 5:30 pm
	62 degrees	80 degrees	5:30 pm to 7:00 am
Tuesday	68 degrees	74 degrees	7:00 am to 7:00 pm
	62 degrees	80 degrees	7:00 pm to 7:00 am
Weekends	60 degrees	80 degrees	5:30 pm Friday to 7:00 am Monday
South Meeting Rooms & Council Chambers	60 degrees – Staff will adjust to 68 degrees prior to meetings/room usage.	80 degrees – Staff will adjust to 74 degrees prior to meetings/room usage	
Lobby			
Monday thru Friday	68 degrees	74 degrees	7:00 am to 4:30 pm
	60 degrees	80 degrees	4:30 pm to 7:00 am
Weekends	60 degrees	80 degrees	4:30 pm Friday to 7:00 am Monday

POLICE DEPT.			
Weekdays and Weekends	68 degrees	74 degrees	24 hours
LIQUOR STORE			
Weekdays and Weekends	68 degrees	68 degrees	24 hours
COMMUNITY CENTER	68 degrees	71 degrees	24 hours
PUBLIC WORKS			
Break Room and Office Areas in all facilities	68 degrees	74 degrees	24 hours
Shop	65 degrees	N/A	24 hours
WWTF and WTP Facilities	60 degrees	N/A	24 hours

RESOLUTION NO. 2012-254

RESOLUTION ADOPTING WATER DISCONNECT POLICY

WHEREAS, the current City Code does not specifically outline the steps that City Staff takes in discontinuing water service; and,


WHEREAS, on the occasion there have been concerns expressed and clarification needed; and,

WHEREAS, the Finance Committee reviewed this matter and have suggested implementing a policy to further address discontinuance of water service.


NOW THEREFORE BE IT RESOLVED by the City Council of the City of Isanti, Minnesota to adopt the Water Disconnect Policy (attached as Exhibit A).

This resolution was duly adopted by the Isanti City Council this 7th day of November 2012.

Attest:



Mayor George A. Wimmer



Donald C. Loring
City Administrator/City Clerk

(SEAL)

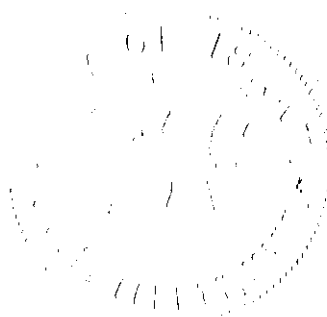


EXHIBIT A

Water Disconnect Policy

Per Chapter 325-9 of The Code of the City of Isanti, rights are reserved to discontinue service as follows:

A. Notice. The City of Isanti shall notify any customer who has a sewer/water account 30 days past due.

The notification shall include:

- (1) The amount owed to the City including interest and other appropriate charges.
- (2) Date by which the account must be paid.
- (3) Service Shutoff date.
- (4) If the customer does not contact the City by the date by which the account must be paid, the City shall hand deliver a shutoff notice to the delinquent party's premises. A delinquent posting notice fee as set by resolution of the City Council and specified in City Code Chapter A344, Fee Schedule, shall be charged to the delinquent party's account to cover administrative costs associated with the preparation and delivery of this notice.

B. Shutoff. Services will be discontinued to accounts that have not made arrangement with the City regarding the payment of delinquent account.

C. Charges. The City shall charge a fee to discontinue services and a fee to reinstate services to a delinquent account.

Furthermore, per Chapter 325-4:

F. Payment plan for delinquent accounts. The holder of a delinquent account may request a payment plan for the unpaid balance owed to the City. The amount owed shall include any unpaid penalties and charges. The term of repayment shall not exceed 90 days. During the time of repayment the account shall be kept current. If at any time during the time of repayment the account becomes delinquent by nonpayment of charges, the City shall proceed to discontinue service as per Chapter 325-9 of The Code of the City of Isanti.

In addition to the above the following management process has been put in place:

1. Payment arrangements for delinquent accounts may not exceed 90 days as noted above. Customers may arrange or re-arrange payment on an account a maximum of three times. In the event of a broken payment arrangement, City Staff will proceed to discontinue service as per Chapter 325-9 to The Code of the City of Isanti. Account must be paid in full to avoid disconnect.
2. After City Staff has hand delivered a shutoff notice to a delinquent party's premises, payment arrangement will no longer be accepted on the account.
3. In the event a payment is returned NSF on a delinquent account, City Staff will proceed to discontinue service as per Chapter 325-9 of The Code of the City of Isanti. Account must be paid in full to avoid disconnect. Checks will no longer be accepted as a form of payment.
4. Payment to avoid disconnect will include the delinquent balance and well as posting fee as noted above.
5. Payment to reinstate services will include the full account balance, including any late fees, posting fees, and the fees charged to discontinue and reinstate services to the account.

RESOLUTION NO. 2013-054

A RESOLUTION APPROVING A CITY EMPLOYEE SAFETY POLICY AND THE PURCHASE OF A PANIC BUTTON SECURITY SYSTEM FOR THE CITY OF ISANTI CITY HALL

WHEREAS, staff looked into the creation of a City Employee Safety Policy along with the purchase of a panic button for City Hall after discussion regarding the occasional angry customer in City Hall and employee concerns on how to handle a situation if it were to get out of hand; and

WHEREAS, Finance Committee reviewed the City Employee Safety Policy and different panic button security systems and recommends Akers Home Security's cell dialer panic button system.

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Isanti, Minnesota hereby approves the City Employee Safety Policy and the purchase of a panic button security system for at City Hall from Akers Home Security.

This resolution was duly adopted by the Isanti City Council this 19th day of March 2013.

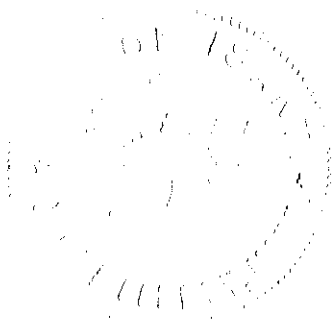
Attest:



Mayor George A. Wimmer



Donald C. Lorusso
City Administrator/City Clerk



City Employee Safety Policy

The purpose of this policy is to provide guidelines for employee safety in performance of their duties when confronted with an angry, abusive or perceived dangerous individual or customers in the workplace. This policy is for addressing such parties at a City building, either at the front counter or at other public areas on City property.

De-escalation of Situation – Some individual's communication style includes talking loudly or angrily to vent frustrations. Remember that 90-95% of people can be talked down.

De-escalation Techniques:

- Speak slowly and quietly
- Look the party in the eyes and be firm, but not confrontational
- Call the person "Sir" or "Ma'am" and continue to treat them with respect. Try not to raise your voice. Call or code the phone system for a manager or another staff person to be with you. You should continue to do the talking.
- Hear the person out. Allow him/her to speak.
- Ask questions, let silence do the rest.
- If the person continues to focus on what he/she cannot have, switch the focus. Provide an insistent, persistent message. Get back to the issue at hand. If a manager is present they should at this time verbally support your position.
- If you cannot change or close the conversation, announce that there is nothing more that you can do, and that the conversation is over. If the party will not leave, press the panic button, and physically remove yourself(s) from the area.
- At any time in this situation where the party's behavior escalates out of control through verbal abuse or using inappropriate language, the employee should announce that this is not acceptable and that the conversation has ended.

If during the conversation, the employee feels physically threatened; a quick assessment of the situation and appropriate response must be made by the employee. They should move beyond trying to de-escalate the situation and take the following steps:

- At any time, if an employee feels threatened by an individual or customer they are serving at a counter area in a public building, they should press the panic button.
- Announce that you need to review this matter further with another staff person and calmly, physically remove yourself from the situation keeping an eye on the individual as you move away. Do not turn your back on the party. If you have a cell phone, take it with you. If you are outside or in an unsecured area of a building, move to an inside secured area or automobile. Lock the doors. If in an automobile calmly drive away from the area. Contact law enforcement as soon as possible.

- In the event where the party will not leave City Hall, but has moved physically away from the front desk area, the employee should lower the metal closure and move away from the front counter area. Do not open the counter area to the public until law enforcement personnel have cleared the public areas.
- In no case in the above situation, shall an employee allow the party into the secured staff office area of City Hall.

Points to Remember:

1. De-escalate
2. Call in support from co-workers
3. Ask the customer to leave
4. Press the panic button (City Hall)
5. Call 911

***If at any time you don't feel comfortable you should press the panic button or call 911.*

***Leave the area at any time if you feel threatened for your life and get as many co-workers out as you can. Remember to bring your cell phone with if readily available and there is time.*

RESOLUTION NO. 2013-210

RESOLUTION AUTHORIZING ESTABLISHMENT OF A VETERAN OWNED SMALL BUSINESS CONTRACTING POLICY

WHEREAS, The City Council of the City of Isanti (City) desires to recognize the service of personnel who have served our Country and to aid in addressing disproportionate unemployment rates of qualified United States Service Veterans. Adoption of this Veteran-Owned Small Business Contracting policy will serve to:

- a. Facilitate the transition of veterans from military to civilian life;
- b. Prevent under-utilization of qualified, military-trained personnel suitable for and capable of contracting to provide services under City construction contracts expending local funds for City projects;
- c. Facilitate the participation of Veteran-Owned Small Business as vendors to the City in the City bid construction projects with costs in excess of \$100,000;

NOW THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota, as follows:

1. This Policy sets forth the conditions under which the City of Isanti will award a three percent (3%) bid preference for contracts for construction projects for documented Veteran-Owned Small Businesses (V-OSB).
2. This Policy and Procedure is authorized pursuant to Minnesota Statutes, 375.771 (2012), and the provisions of the Laws of Minnesota 2013, Chapter 143, Article 4, Section 10;

I. POLICY GUIDELINES

1. Definitions:
 - a. *“Award” means the granting of a construction project contract in accordance with all applicable laws and rules governing competitive bidding, except as otherwise provided in this section;*
 - b. *“Construction Contract” means an agreement entered into between a business entity and the City for City bid projects for construction contracts with estimated costs of \$100,000 or more, except when prohibited by the federal government as a condition of receiving federal funds.*

- c. "Subcontractor" means a business entity that enters into a legally binding agreement with another business entity that is a party to a construction contract as defined above in paragraph 'b.'
- d. "Veteran" shall have the definition as set forth in Minn. Stat. 197.447; specifically, "a citizen of the United States or a resident alien who has been separated under honorable conditions from any branch of the armed forces of the United States after having served on active duty for 181 consecutive days or by reason of disability incurred while serving on active duty, or who has met the minimum active duty requirements as defined by Code of Federal Regulations, title 38, section 3.12a, or who has active military service certified under section 401, Public Law 95-202. The active military service must be certified by the United States Secretary of Defense as active military service and a discharge under honorable conditions must be issued by the Secretary."
- e. "Veteran-Owned Small Business (V-OSB)" means a business designated under Minnesota Statutes, 16C.16, Subd. 6a (1), (2) or (3); specifically, certified small businesses with principal place of business in Minnesota and that are majority-owned and operated by:

-
- (1) Recently separated veterans who have served in active military service, at any time on or after September 11, 2001, and who have been discharged under honorable conditions from active service, as indicated by the person's United States Department of Defense form DD-214 or by the commissioner of Veterans Affairs;
 - (2) Veterans with service-connected disabilities, as determined at any time by the United States Department of Veterans Affairs; or
 - (3) Any other veteran-owned small businesses certified under Minnesota Statutes, section 16C.19, paragraph (d).

- 2. Applicability: The provisions of this policy and procedure shall apply to construction contracts or agreements as specified in this policy, which are awarded or entered into by the City, except as may be prohibited by federal law.
- 3. Implementation:
 - a. Any City department seeking to enter into a contract for a City bid construction project, with estimated costs in excess of \$100,000, shall comply with this policy.
 - b. Award of Preference: Upon receipt of verification that a Contractor or Vendor qualifies as a V-OSB, said Contractor or Vendor shall be awarded a three percent (3%) bid preference in calculating the lowest responsible bidder for awarding the construction contract.

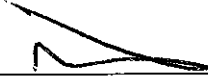
4. Procedures:

a. When the City seeks bids for City construction projects when the estimated cost is in excess of \$100,000, efforts shall be made to include notice of Veteran's Preference in public notices seeking bids.

b. Contractor Designation:

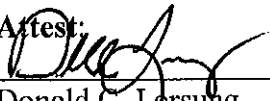
- (1) A Contractor or Vendor may qualify as a V-OSB if the Contractor or Vendor and each listed subcontractor, if any, qualifies as a V-OSB, as defined above. The V-OSB Contractor shall be listed on the Federal Center for Veterans Enterprise Website (www.vip.vetbiz.gov) or State Website as a V-OSB Contractor at time of award of the agreement or contract.
- (2) Designation as V-OSB may be achieved by the Contractor or Vendor by submitting at the time of submitting the proposal, bid or quote, the necessary verification, including, but not limited to a DD-214 for the owner of a V-OSB to support the designation as a V-OSB. The bid shall also include the necessary verification for any subcontractor included. Failure of the Contractor or Vendor to comply with the verification and provide supporting documentation will result in loss of any claimed bid preference.

This resolution was duly approved by the Isanti City Council this 15th day of October, 2013.

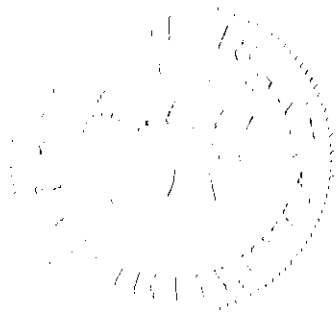


Mayor George A. Wimmer

Attest:



Donald C. Lørsung
City Administrator / City Clerk



RESOLUTION NO. 2014-017

**A RESOLUTION PROVIDING A NEW POLICY ON
SNOW REMOVAL FROM SIDEWALKS**

WHEREAS, City Code Chapter 284 - 14 has been amended to state: "Unless exempted by the City Council, no person shall permit an accumulation of snow or ice to build up or remain on any public sidewalk abutting or otherwise serving lots or parcels located in the City of Isanti" and,

WHEREAS, to date both Sidewalk Routes to School and Sidewalks meeting the exemption policy due to no development, have been exempted from City Code Chapter 284-14, and

WHEREAS, the City Council desires that the all of the public sidewalks in the City of Isanti shall be exempted from the policy for removal of accumulations of snow, and

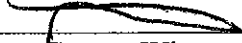
WHEREAS, that the City shall remove snow from all public sidewalks as follows;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City of Isanti, Minnesota, that the snow removal process be the following:

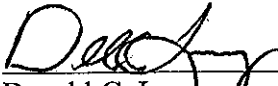
- 1) Accumulations of snow shall be removed from all public sidewalks by the City of Isanti in accordance with Resolution No. 2013-217. Further removal of nuisance ice and/or snow on that sidewalk shall be the responsibility of the adjacent property owner and shall be removed within 48 hours from date of notification by the City.
- 2) The City shall remove snow from public sidewalks in accordance with snow removal operations in Paragraph C. Snow Plowing, Resolution No. 2013-217.
- 3) The Public Works Committee on an annual basis, prior to the next year's snow season shall review sections of sidewalk that due to lack of development do not provide a connecting link between private and public facilities, residences and commercial/industrial businesses. Those sections of sidewalk identified in the review and approved for exemption by the City Council, shall not be required to have snow removed that snow season.
- 4) The exemption does not apply to sidewalk systems in private association areas and those associations remain responsible for snow and ice removal in accordance with City Code 284-14.
- 5) This resolution supersedes and replaces Resolution 2011-059

This Resolution hereby approved by the Isanti City Council this 5th day of February, 2014.

Attest:

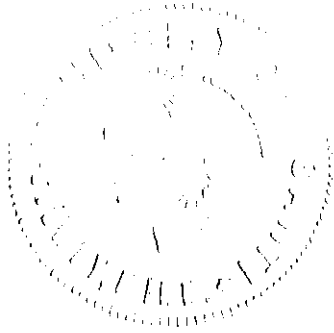


Mayor George Wimmer



Donald C. Loring
City Administrator/City Clerk

(SEAL)



RESOLUTION NO. 2015-297

**A RESOLUTION TO AMEND THE POLICY ON THE USE AND MAINTENANCE OF THE
OUTDOOR HOCKEY RINK**

WHEREAS, on November 8, 2006, the City of Isanti and the Cambridge – Isanti Hockey Association had both approved Resolution No. 2006-273; which outlined the policy regarding the use of the outdoor hockey rink; and,

WHEREAS, Resolution No. 2009-281 was approved, which established new maintenance responsibilities for the Cambridge-Isanti Hockey Association, pertaining to the outdoor hockey rink located within Bluebird Park; and,

WHEREAS, Resolution No. 2009-306 was adopted, replacing the previous agreement to address additional concerns of maintenance presented by the C-I Hockey Association; and,

WHEREAS, discussions were held regarding the C-I Hockey Association's involvement in maintaining the rink ice at the Parks, Recreation and Culture Board meeting and ultimately at the December 3, 2013 Council meeting. It was determined by the C-I Hockey Association representative that the C-I Hockey Association could not commit at that time to maintaining the ice. The City maintained the ice for the 2014 season; and,


WHEREAS, the previously identified hockey rink as described in the policy with the C-I Hockey Association attached as 'Exhibit A' is hereby amended and identified as a public skating rink and attached as 'Exhibit B'; and,

WHEREAS, the current posted rink sign states there are exclusive hours for the hockey association, therefore, staff may proceed with making a public skating rink sign with rules to post at the rink observing language as stated within Ordinance No. 277; not to exceed \$100.00; and,

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ISANTI, MINNESOTA, that Resolution No. 2015-297 supersedes Resolution No. 2009-360 in its entirety and hereby amends the policy as written in 'Exhibit B'; and

BE IT FURTHER RESOLVED by the City Council of the City of Isanti, Minnesota to hereby approve to purchase and post a sign at the public skating rink in the amount, not to exceed, \$100.00 from PRC funding source 101-45300-226.

This resolution was duly adopted by the Isanti City Council this 15th day of December 2015.



Mayor George A. Wimmer

ATTEST:



Don C. Lorusong
City Administrator

'Exhibit A'

City of Isanti Policy on the Use and Maintenance of the Outdoor Hockey Rink

Intent

The purpose of this policy is for the City of Isanti and the Cambridge – Isanti Youth Hockey Organization to have an understanding of the use and maintenance responsibilities of the outdoor hockey rink in Bluebird Park. This policy may be amended at any time, and from time to time, by action of the Isanti City Council. Nothing herein shall be deemed to require the City to continue to operate an outdoor hockey rink in Bluebird Park. The City shall use its best efforts to notify the Cambridge – Isanti Hockey Association whenever this policy is discussed in the future.

Youth Hockey Hours of Use

The youth hockey will have exclusive use of the outdoor hockey rink on Monday, Tuesday, Wednesday, and Thursday from 6:00 p.m. to 9:00 p.m., November 1st to February 15th of each winter season; for a total of twelve (12) hours per week reserved.

City Hours of Use

All other times not mentioned in the Youth Hockey Hours of Use.

City Additional Agreement

The City of Isanti agrees to erect a sign at the Outdoor Hockey rink reaffirming the following rules that are written in Ordinance No. 277:

1. No alcohol use.
2. No littering.
3. No controlled substances.
4. No offensive, obscene or abusive language.
5. No brawling or fighting.

The sign will also include the hours, days, and times as identified above identifying the times when the ice is reserved by the Youth Hockey organization; in an effort to ensure that members of the community understand the agreement.

Warming House Use

The warming house, when open and / or available, is allowed to be used by the Youth Hockey participants to when preparing to skate, warm up, or exit the park.

Maintenance of Ice and Other Equipment

The City of Isanti will initially flood and create ice for the outdoor rink. The Youth Hockey Association will hold the sole responsibility of maintaining the ice throughout the duration of the season. The City of Isanti Public Works staff shall provide direct training to those individuals of the Youth Hockey Association that will be responsible for flooding the ice beyond the initial flooding.

The Youth Hockey Association will also be responsible for minor repairs to the boards, nets, and other equipment provided for the outdoor hockey rink.

The City of Isanti will take responsibility for the lighting at the outdoor hockey rink facility as well as will provide water for the flooding of the rink at no charge to the Youth Hockey Association.

'Exhibit B'

City of Isanti Policy on the Use and Maintenance of the Outdoor Public Rink

Rink Hours of Use

The public rink is open during park hours; daily 7:00 a.m. to 10:00 p.m.

Rink Rules

The public ice rink rules are as follows reaffirming the rules that are written in Ordinance No. 277:

1. No tobacco, drugs, alcohol or other controlled substances.
2. No offensive, obscene or abusive language.
3. No abusive behavior either verbal or physical.
4. No hockey or broomball while people are open skating.
5. No bikes, sleds, cars, or snowmobiles on the ice.
6. No fighting or snowball throwing.
7. No loitering.
8. No pushing other skaters.
9. No littering.

Warming House Hours of Use

The warming house is open during park hours; daily 7:00 a.m. to 10:00 p.m. This is subject to change without notification due to unforeseen circumstances.

Maintenance of Ice

The City of Isanti Public Works will flood, with consistent cold temperatures, and maintain ice at the outdoor rinks. Public Works staff shall remove snow in accordance with the City Snow Plowing Policy.

RESOLUTION NO. 2016-210

RESOLUTION ADOPTING AMENDMENT TO NUISANCE LOT MOWING POLICY

WHEREAS, the City of Isanti has recognized the need to regulate the growth of noxious weeds and rank growths of vegetation on property in the City, declaring them as a Public Nuisance Affecting Health and providing the ability through City Ordinance to abate such situations; and,

WHEREAS, the City Council has identified that both developed lots and vacant lots adjacent to developed properties within the City have growths of noxious weeds and rank vegetation that require abatement under City Ordinance; and,

WHEREAS, the City Council recognizes that a policy is necessary to provide the process and steps necessary for the mowing of such nuisance lots; and,

WHEREAS, the City Council of the City of Isanti adopted Resolution No. 2012-218, which established a new nuisance lot mowing policy and Resolution 2014-133, which amended the nuisance mowing policy; and,

WHEREAS, since the adoption of Resolution No. 2014-133, there are concerns regarding the timeframe for second and subsequent mowing of property that continue to be nuisance properties; and,

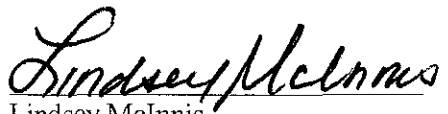
NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Isanti, Minnesota to hereby approve the amended Nuisance Lot Mowing:


1. City staff receives a nuisance complaint or non-compliance is observed by City staff for rank growths of grass and vegetation. The complaint is forwarded in writing to the Code Enforcement / Zoning Tech (CE/ZT). If the property is identified as a vacant foreclosed property and other nuisances are identified on said property, these will also be forwarded to the CE/ZT for review.
2. The CE/ZT performs a site visit to verify the complaint. A minimum height of eight (8) inches of weeds, grass or a combination is required on the lot, or any portion of the lot, in order to be declared a nuisance lot to be mowed. Documentation of the height of the weeds, grass, or combination will be kept on file with the CE/ZT.
3. Upon verification of the nuisance, the CE/ZT identifies the property owner, owner of record, or a property contact. On identified foreclosed properties, a property contact will be attempted if the City has record of a party that is involved with the property. This contact is not necessary to effect establishment of a date certain for nuisance abatement.
4. The CE/ZT posts a notice on the door or sends a letter to the property owner, property contact, or owner of record giving a date certain that the property must be mowed. The initial notice of violation letter will include information regarding the cyclical ~~fourteen (14)~~ seven (7) day re-check, and potential subsequent mowing that may take place should the property be non-compliant on the date provided within the letter.
5. The CE/ZT tracks the date that the property must be mowed by.
6. On the date that the property must be mowed, the CE/ZT performs a second site visit. The CE/ZT will document the conditions found on the property.
7. If the nuisance remains, the CE/ZT will notify the mowing contractor hired by the City to mow the property and remove the nuisance situation. Once an invoice is received for the mowing contractors' services, the list of properties abated will be sent to the Utility Billing Clerk. City staff will bill the property owner, property contact, or owner of record for the costs of mowing.

8. Once a nuisance has been abated on the property by the City, the property will be re-checked on a cyclical basis (every ~~fourteen~~(14) seven (7) days).
 - a. If the property has no further nuisance situation after being re-checked twice, it will be removed from the list. Another formal complaint, as provided in Step 1, will need to be filed on the property for the City to take any further action.
 - b. If the property continues to have a nuisance situation upon re-check, the property will continue to be mowed every ~~fourteen~~(14) seven (7) days.

This resolution was duly adopted by the Isanti City Council this 21st day of June 2016.

Attest:


Lindsey McInnis
Human Resources/City Clerk



George A. Wimmer
Mayor

RESOLUTION NO. 2016-279

RESOLUTION UPDATING A PROCESS FOR CODE ENFORCEMENT AND NUISANCE ABATEMENT

WHEREAS, the City of Isanti had desired a more efficient and effective process for the abatement of City Code violations and nuisance complaints; and,

WHEREAS, Resolution No. 2007-025 was adopted by the City Council on February 6, 2007; which established a nuisance abatement process; and,

WHEREAS, since the adoption of Resolution No. 2007-025, several actions by the City Council have further amended and re-defined this process. This resulted in adoption of Resolution 2014-096 which clarified and standardized the enforcement process; and,

WHEREAS, the process now includes action against repeat nuisance violations within a twelve (12) month period; and,

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota that this Resolution No. 2016-279 Replaces Resolution No. 2014-096, in its entirety as well as nullifies any subsequent action previously taken by the City Council to amend the original nuisance abatement process outlined in Resolution No. 2007-025.

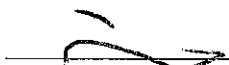
NOW, THEREFORE, BE IT FURTHER RESOLVED by the City Council of the City of Isanti, Minnesota to hereby approve the following code enforcement and nuisance abatement process:

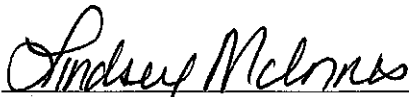
1. Enforcement of the Nuisance Ordinance and other City Code violations can be either complaint driven or inspection based. Complaints received against property owners that have been deployed, City staff is granted discretion and due diligence when dealing with these residents.
2. A letter is sent to the property owner(s) and/or tenant(s) responsible for the City Code violation. The property owner(s) and/or tenant(s) are given fourteen (14) consecutive calendar days to comply with City Ordinances.
3. After fourteen (14) days, the property will be re-inspected. If the cause of the violation has not been corrected and the property fails to comply with City Ordinances, the property owner(s) and/or tenant(s) may be issued an Administrative Citation. In addition, the matter may be referred to the City Council for abatement and/or the Police Department and City Attorney in the event that criminal action is necessary.
4. The property owner and/or occupant is given ten (10) days to pay the Administrative Citation fine and bring the property into compliance, or contact the City to request an Administrative Hearing at which time the property owner and/or occupant will be found guilty or not guilty of the violation. In the event that the property owner and/or occupant are found not guilty, the City reserves the right to pursue an administrative penalty or a criminal conviction for a violation of the same provision of the City Code based on a different set of facts.
5. In the case, the matter is referred to the City Council for consideration of abatement, the proceedings are as provided in 216-6 of the Code of the City of Isanti.
6. In the event of a repeat violation of the same, or of a similar nature, which was previously cleared, occurring within a twelve (12) month period on the same property, owned by the same property owner, the violator will be immediately issued an Administrative Citation.
7. The City Council priority for enforcement of City Ordinances is as follows:
 - a. Health and safety issues constituting a violation of City, State, or Federal law shall be abated immediately utilizing any and all law enforcement procedure that is available.
 - b. Clean-up of junk, debris, discarded material, and hazardous situations. This includes

- garbage, outdoor refrigerators, salvage materials, etc.
- c. Address long grass, weeds or other deteriorating situations; to include snow shoveling as well.
 - d. Address vehicles and trailers without current license, particularly if they are inoperable. This would also include broken down machinery, disassembled machinery, wrecked vehicles, etc.
 - e. Address vehicles and trailers parked in the yard, not on the driveway. This also includes parking of machinery/vehicles not on impervious or unimproved surface, property locations, etc.
 - f. All other items, to include farm animals, sprinkling, etc.
7. Large lot mowing, nuisance mowing, and sidewalk snow/ice violations, shall follow the process and procedures as adopted by Resolution of the City Council.

This resolution was duly adopted by the Isanti City Council this 20th day of September 2016.

Attest:


George A. Wimmer
Mayor


Lindsey McInnis
Human Resources/City Clerk

(SEAL)

RESOLUTION 2017-286

**RESOLUTION AMENDING COUNCIL MEETING PROCEDURES TO CLARIFY
AGENDA REQUESTS PROCESS**

WHEREAS, the City Council, on March 1, 2005, adopted Resolution No. 2005-023, Council Meeting Procedures; and

WHEREAS, as a part of Council Meeting Procedures, an Agenda Request Form was developed for individuals to complete to have an item placed before the City Council for action; and

WHEREAS, Agenda Request Forms were put in place to further the decorum and order at City Council meetings by providing the name of the individual, subject to be placed on the agenda, requested action, and reasons for the requested action. Other information necessary from requesting parties was added through City Council Resolution 2012-230; and

WHEREAS, The Development and Operations Advisory Committee has reviewed the need to add further definition regarding the process for considering Agenda Request Forms;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota that:

1. Agenda Request Forms, submitted by a party, shall be reviewed by the City Clerk as to completeness. Completed forms shall be forwarded to the Development & Operations Advisory Committee for consideration of addition to the business agenda of the regular City Council meeting. If approved, the City Clerk shall add it the Business Agenda of the City Council meeting.
2. Any Party whose request is not included in the City Council Agenda may appeal that decision directly to the City Council at their regular meeting.

This Resolution is hereby approved by the Isanti City Council this 21th day of November, 2017.

Attest:


Katie Brooks
Human Resources/City Clerk


Mayor George A. Wimmer

RESOLUTION NO. 2018-277

**RESOLUTION AUTHORIZING THE WRITTEN POLICY LANGUAGE CHANGE
AS IT RELATES TO THE DOMESTIC ABUSE POLICY WITHIN ITS POLICE
DEPARTMENT**

WHEREAS, the Minnesota Peace Officers Training and Standards (POST) Board requires all law enforcement to have model policies governing the handling of certain crimes; and

WHEREAS, the Minnesota Legislature adds and deletes statutory language requirements that affect these model policies; and


WHEREAS, added definitional language has been added and required to be in the POST Board model policy to be compliant with the model policy standards:

Qualified domestic violence-related offense (QDVRO) has the meaning given it in Minn. Stat. 609.02, subd. 16 and includes a violation of or an attempt to violate a domestic abuse order for protection; first or second degree murder; first through fifth degree assault; domestic assault; female genital mutilation; domestic assault by strangulation; first through fourth degree criminal sexual conduct; malicious punishment of a child; terroristic threats; violation of harassment restraining order; stalking; interference with an emergency call; nonconsensual dissemination of private sexual images; and violation of domestic abuse no contact order; and similar laws of other states, the United States, the District of Columbia, tribal lands, and United States territories. If a person arrested for a domestic crime has a prior QDVRO, the new offense may be chargeable as a higher-level crime

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to authorize and accept the proposed written policy #171 change as it is written to be the Isanti Police Departments Domestic Abuse Policy governing its use within the department and in accordance to federal and state law.

This resolution was duly adopted by the Isanti City Council this 4th day of December, 2018.

Attest:



Katie Brooks
Human Resources/City Clerk



Mayor George A. Wimmer



RESOLUTION NO. 99-135

**RESOLUTION ADOPTING A BUSINESS SUBSIDY POLICY
FOR THE CITY OF ISANTI**

WHEREAS, this past legislative session, a bill was passed establishing new guidelines for communities relating to their financial participation in business development; and

WHEREAS, the bill is referred to as the Corporate Subsidy Law and it came into effect on August 1, 1999; and

WHEREAS, the Isanti Economic Development Authority (EDA) posted and published notice of a public hearing to hear on the Business Subsidy Policy on October 21, 1999; and

WHEREAS, the EDA upon hearing from interested parties present duly adopted the Business Subsidy Policy on October 21, 1999; and

WHEREAS, the City Council has posted and published that the City Council of the City of Isanti, Minnesota, will hold a public hearing on November 3, 1999, at a meeting of the City Council beginning at approximately 7:00 p.m., Central Time, in the Isanti City Hall on the proposed adoption of the City's Business Subsidy Policy under Minnesota Statutes, Sections 116J.993 through 116J.995; and

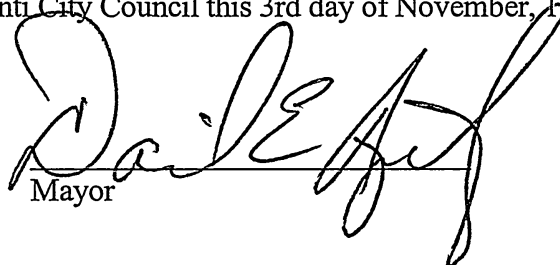
WHEREAS, in hearing all persons in regards to the proposed Business Subsidy Policy the City Council must consider the adoption of the City's Business Subsidy Policy.


NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City Of Isanti, Minnesota as follows:

1. The Business Subsidy Policy as hereto attached is hereby adopted.
2. Administrative Staff is hereby directed to execute and file the document.

This resolution was duly adopted by the Isanti City Council this 3rd day of November, 1999.

Attest:


Mayor


City Administrator
(SEAL)



Memo for Discussion

To: Mayor Johnson and Members of the City Council
From: Josi Wood, City Administrator
Date: October 19, 2021
Subject: Police Dept and Liquor Store Staffing Change

Police Department –

The staffing needs of the department has grown recently due to demand to meet minimum levels of service. The recent implementation of a part-time secretary position has assisted in the work load, however, has brought to light another position that needed to be reviewed. As the other PD staff office positions were reviewed, it was found that the full-time secretary position was doing the workload and tasks equivalent to a lead, specialist or manager position which warrants a higher point and grade level when input into the matrix for all City position. Below are also the comparative salaries for similar cities. The current full-time PD secretary position is a Grade level 9.

The comparatives of pay are as follows:

City	Minimum salary	Maximum salary
Isanti (current position)	\$45,281	\$57,324
Cambridge	44,720	58,906
North Branch	55,628	73,266
St. Francis	57,179	71,150
Princeton	45,843	57,346
Little Falls	50,627	60,444
Minnetrista	47,231	63,445
Medina	51,334	66,352
Buffalo	53,144	63,460
Wyoming	50,565	61,464
Average	\$45,852	\$64,021

Staff is recommending that the current full-time secretary position be retitled to Police Support Specialist with points assigned at 194, Grade level 10, and the below salary range:

2022	Points assigned	Points range		Grade level	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Police Support Specialist	194	182	209	10	24.3370	25.0691	25.8223	26.5968	27.3924	28.2093	29.0581	29.9280	30.8298

2021	Points assigned	Points range		Grade level	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Police Support Specialist	194	182	209	10	23.6282	24.3389	25.0702	25.8221	26.5946	27.3877	28.2117	29.0563	29.9318

Liquor Store –

With the new store opening right around the corner and recruitment of part-time staff at an all-time low, Staff is recommending to hire one additional full-time Clerk to the staffing roster. The additional full-time clerk hours would replace part-time hours in the budget. Adding one additional full-time clerk would result in the following full-time staff:

- 1 Manager
- 1 Assistant Manager
- 2 Clerks

The Clerk position wage scale is as follows:

2022	Points assigned	Points range		Grade level	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
Clerk	124	119	124	5	16.1681	16.6561	17.1548	17.6746	18.2050	18.7461	19.3084	19.8919	20.4860

2021													
Clerk	124	119	124	5	15.6972	16.1710	16.6551	17.1598	17.6748	18.2001	18.7460	19.3125	19.8893

Request:

Staff is requesting to approve the retitling and pay scale for full-time Police Secretary and the addition of a full-time clerk at the liquor store.

Attachment:

- Draft Job Description for Police Support Specialist

City of Isanti
POSITION DESCRIPTION

POLICE SUPPORT SPECIALIST

DEPARTMENT:	Police
FLSA CLASSIFICATION:	Non-Exempt
REPORTS TO:	Chief of Police
SUPERVISES:	Police Department Office Staff

DEFINITION: The Police Support Specialist is a full-time position that performs skilled administrative support and technical supervision of office staff for the Police Department. They perform high level secretarial support and confidential secretarial duties for the Police Chief and other staff of the Police Department as directed.

To perform this job successfully, an individual must be able to perform each duty satisfactorily. The requirements listed below are representative of the knowledge, skill and abilities required. The Essential functions listed below are intended as illustrations of the various types of work that may be performed. The omission of specific duties does not exclude them if the work is similar, related or a logical assignment to the position.

ESSENTIAL FUNCTIONS OF THE JOB:

- Serves as a lead to staff to include assigning and monitoring work and providing direction.
- Oversees the general work flow of the office to ensure tasks are completed in a timely manner.
- Transcribes and assists the investigator as requested. Assists Investigator with Child Maltreatment reports and MAARC reports.
- Performs skilled administrative support work including: typing a variety of documents, letters, reports and memos and retrieves documents as needed.
- Supervises the Data Clerk and Secretary, assists in hiring, assigns and reviews work, advises and handles the more complex questions or requests, coaches and trains and conducts performance reviews, subject to approval by the Chief.
- Assists the Chief with BCA related tasks and security trainings. Assists with Triennial Audit with BCA (Hot file, CCH-III, Administrative audit).
- Assists the police officer assigned to the evidence room by reviewing and disposing of property and recording for chain of possession.
- Maintains POR database.
- Greet the public as they enter the department and assist with questions or complaints.
- Answer phones and assist citizens with questions or complaints.
- Process all citations to courts and prosecuting authorities as well as search warrants.
- Process all Part A and Part B offenses to the State and Federal Bureau of Investigation.
- Code, input incident reports, transfer information to BCA (CJRS).
- Oversee the maintenance of police files, records, and related documents and ensure accuracy.
- Process and review requests for LE data/ reports
- Oversee processing requests for discovery from prosecution and/or defense.
- Provide all services for 'Bad Checks', including paperwork and documentation.
- Provide services for 'Record Checks' – Criminal History.
- Review and make changes to the MN State ID's provided by MNCJSS daily notification.
- Process Court Dispositions received by Daily Disposition Bulletin
- Designated Records Manager for the department.
- Maintain dispositions for review of Squad and Body Cam video evidence
- Manage all police records including Squad and Body video evidence for retention.
-

- Assist Code Enforcement as needed.
- Oversee orders for supplies for the Police Department.
- Oversee and assist process and complete background investigations and record checks.
- Manage the inventory of office supplies, phone system set up, speed dials and set up for new hires.
- Agency TAC (Terminal Agency Coordinator); liaison between agency and BCA on matters related to FBI CJIS and BCA MNJIS access. Which includes fingerprinting all users prior to access, ensure all officers are allowed access to proper applications with BCA and have completed security training prior to access of CJIS. Ensure requirements are up to date and training is documented within the records management system.
- Performs other related duties as assigned or apparent.

EQUIPMENT USED:

This position uses a variety of equipment typical to a traditional office setting. Such equipment may include, but is not limited to, personal computers, printers, telephones, fax machines and copy machines.

REQUIRED KNOWLEDGE AND ABILITIES:

- Knowledge and ability to operate computers and computer software and department radios.
- Knowledge and ability to maintain files and records; and knowledge of record retention.
- Knowledge of Data Privacy Laws.
- Knowledge of city, state and federal laws and regulations.
- Ability to provide excellent written and oral communication and interpersonal skills.
- Ability to have respectful interaction with coworkers, supervisor, the general public.
- Ability to proactively greet customers; be friendly, professional, polite and helpful in dealing with the public and employees.
- Ability to represent the City in a positive and professional manner at all times.
- Ability to read maps and give directions.
- Ability to produce quantity, quality and accurate work with strong attention to detail.
- Ability to 10- key and type efficiently.
- Ability to maintain confidentiality with private data.
- Ability to organize work and utilize work time productively and multi-task.
- Ability to consistently have strong customer service and a positive attitude.
- Ability to work independently and as a team player.
- Ability to effectively solve problems and have strong analytical skills.
- Ability to perform essential functions during required hours of work.

MINIMUM QUALIFICATIONS:

- High school degree or equivalent.
- Two (2) or more years of police administrative or police records management experience.
- **Three (3) years of increasingly responsible office support work including records management, data entry, word processing and customer service.**
- **Previous government experience**

PREFERRED QUALIFICATIONS:

- Associates degree in business or related field.
- Two (2) or more years in an administrative supervisory role.
- Experience in law enforcement, military or government settings

CONDITIONS OF EMPLOYMENT:

- Must possess a valid Minnesota Driver's License or the ability to obtain within thirty (30) days of employment.
- Must represent the City in a respectful, professional manner with positive interactions with the public.
- Must satisfactorily pass a criminal background examination.
- Must comply with organizational and departmental policies.

WORK SCHEDULE:

The typical work schedule for this position is Monday-Friday, hours are subject to current personnel policy. Additional hours may be required on occasion.

WORK ENVIRONMENT/PHYSICAL DEMANDS:

The work environment characteristics described here are representative of those an employee encounters while performing the essential functions of this job.

This position requires the employee to work alone, with others, around others and have contact with the public. This position will work inside in an office.

Activities that will **occur continuously**, 5-8 hours: Sitting, walking, verbal communication, hearing, repetitive motions, handling, typing, light physical effort.

Activities that will **occur frequently**, 2-5 hours: problem solving, written communication, reaching, interpersonal skills, standing, pulling.

Activities that **occur occasionally**, up to 2 hours: reaching, hand/eye/foot coordination, balancing, temperature changes, loud noises.

Activities that **occur infrequently**, less than 1 hour: lifting, bending, stooping, kneeling, reaching at, above, and below shoulder level with the right, left, and both shoulders, carrying, and lifting and carrying up to 24 pounds.

This position will require the ability to drive an automobile.

This job description does not constitute an employment agreement between the employer and employee and is subject to change by the employer as the needs of the employer and requirements of the job change.

The City of Isanti is an Equal Opportunity Employer. In compliance with the Americans with Disabilities Act, reasonable accommodations are offered to qualified individuals with disabilities. Prospective and current employees are encouraged to discuss potential accommodations with the employer.

ACKNOWLEDGEMENT:

I have read this job description and fully understand the requirements set forth herein. I understand that this is to be used as a guide and that I will be responsible for performing other duties as assigned. I further understand this job description does not constitute an employment contract with the City of Isanti.

Employee Signature

Printed Name

Date



October 2021

Storm Water Rate Study

Prepared By: Finance Director Betker

Storm Water Drainage Utility

The storm water fund was created by resolution in September of 2013 to manage and fund the construction and maintenance of the storm water drainage system. In creating the Storm Water Drainage Utility, Council directed that the Utility shall not provide financing for past due debt or generate a return on investment for the City. Charges for parcels within city limits are based on Equivalent Residential Units, or ERU's. One ERU is defined as the average impervious area of a 100 parcel random sample of R-1 zoned developed lots. One ERU was found to equal 3,765 square feet.

Developed Residential Lots are assigned one ERU. The Non-Residential Lot ERU is determined based on actual impervious area on the parcel divided by 3,765. A minimum of .25 ERU is assigned to all parcels (City Code 281-4 B). Each parcel pays a monthly or semiannual fee based on calculated ERU's for that parcel at a rate of \$8.12 per ERU per month.

City projects have included repair and maintenance of drainage systems, storm water ponds, and other wetland outlets. Increasingly strict state mandates, intended to improve water quality, have increased costs for the Storm Water Utility.

Thru 2035 the City anticipates spending more than \$1,197,000 for capital outlay needs associated with the utility.

On February 25th, 2015 the City received notice from the Minnesota Pollution Control Agency (MPCA) that per the designation as a Municipal Separate Storm Sewer System (MS4) community, a permit application would need to be completed. MS4 communities are required to develop and implement a storm water pollution prevention program (SWPPP) to reduce the discharge of pollutants from their storm sewer system. The costs associated with compliance are significant. The City has budgeted more than \$17,500 in 2021 to pay for assistance from City Engineer; Bolton and Menk, to maintain compliance with the regulations set forth by the MS4 designation and required general permit.

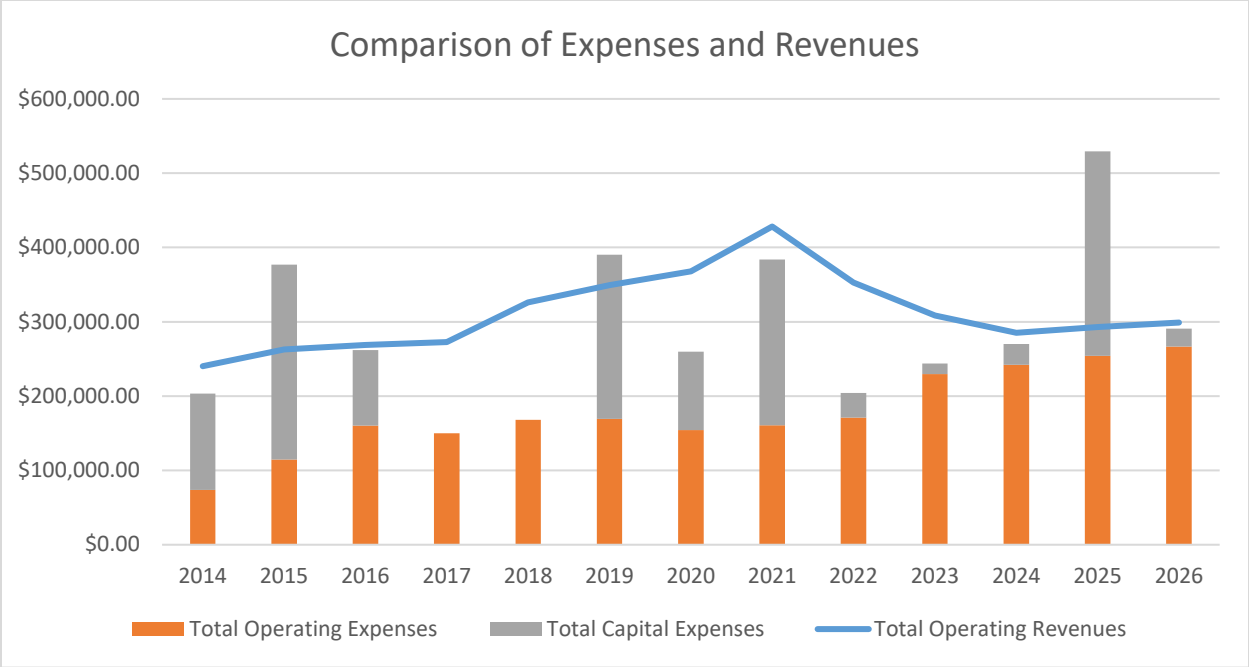
Proposed Storm Water Rates

Year	2017	2018	2019	2020	2021	2022	2023	2024
Rate per ERU per month	\$6.43	\$7.43	\$7.65	\$7.88	\$8.12	\$6.50	\$5.52	\$4.97
Change from prior year		+ 15.5%	+ 3%	+ 3%	+ 3%	- 20%	- 15%	- 10%

This proposed rate structure is projected to allow the City to leave future rates unchanged beginning in 2025 thru 2035.

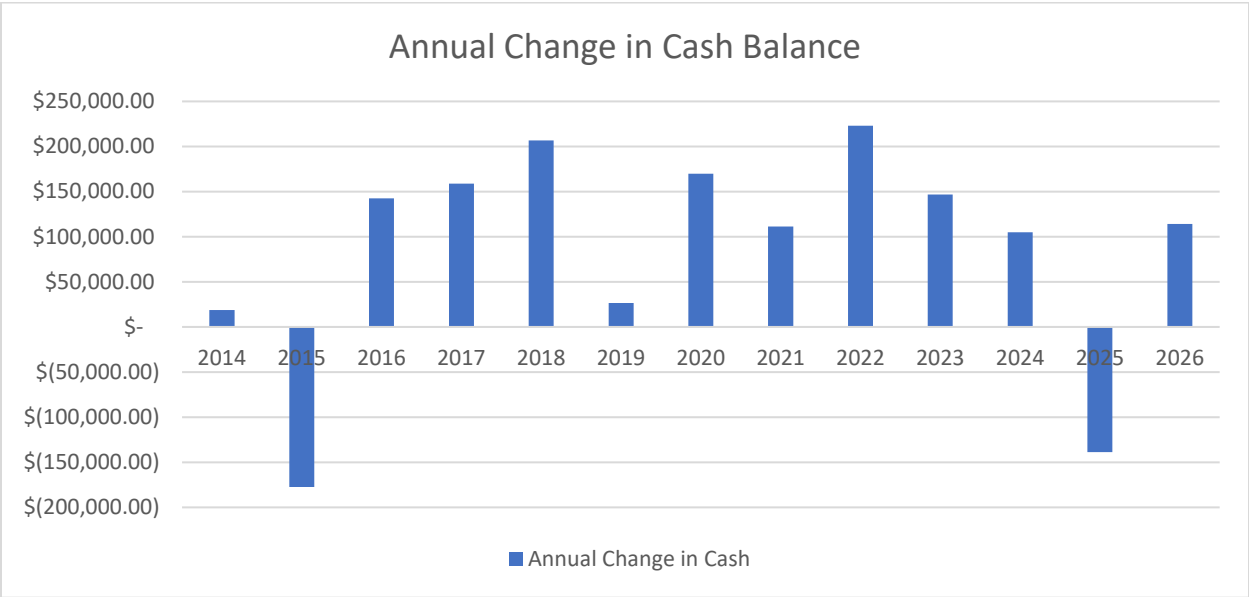
Expenses and Revenues

The proposed storm water rates for 2022-2024 are sufficient to cover known and projected operating and capital expenditures. Capital expenditures have been identified in the 20-year Capital Improvement Plan. Operating expenditures are projected to rise an average of 3.00% annually, and account for the possible addition of a full-time hire with half of those wages and benefits being covered by the Stormwater Utility. An additional \$50,000 per year has been allocated for mitigate future legislative risk. Which is risk the City faces that the State Legislature may mandate additional action and hence expenses. Furthermore an additional \$14,000 per year has been allocated for possible cost sharing on future County led projects.



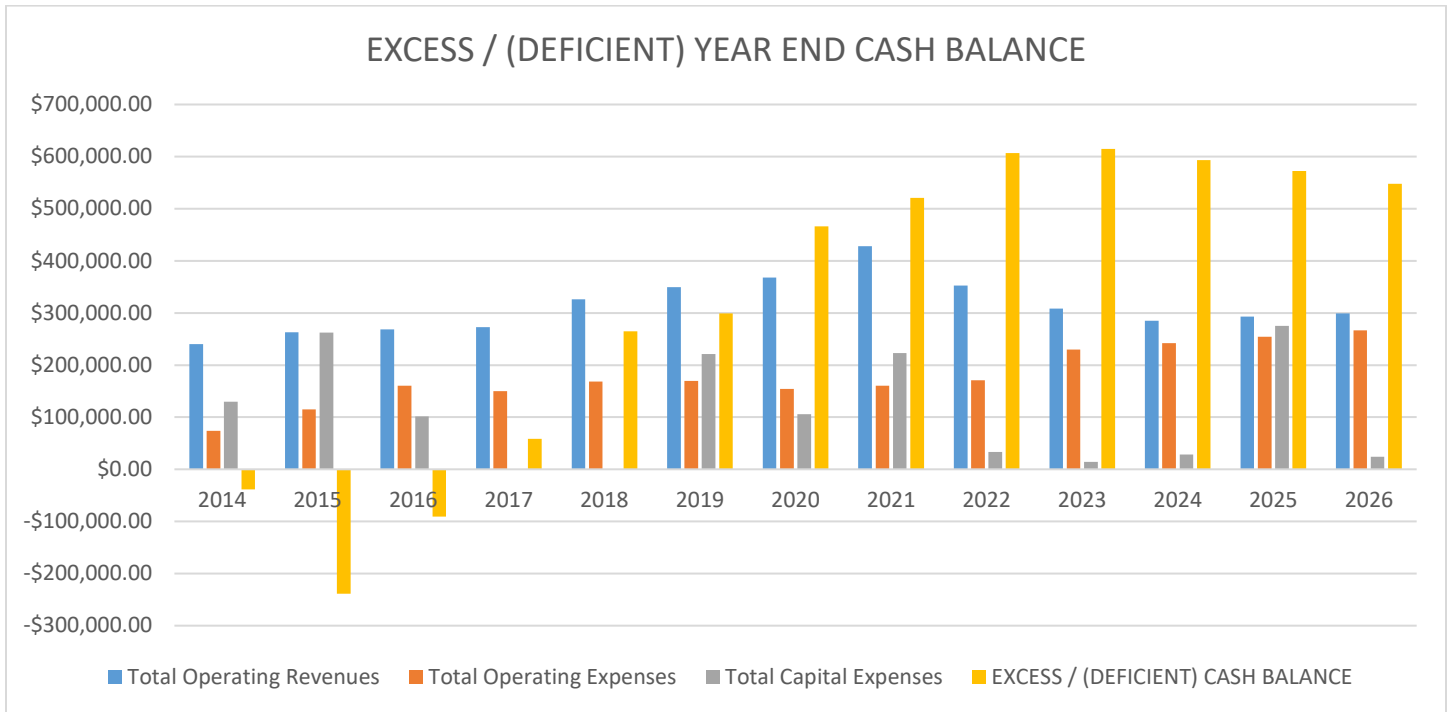
Annual Net Margin

The proposed rate structure improves the cash position of the Storm Water Fund by an average of \$158,244 per year from 2022 thru 2024, after operating and capital expenses have been considered. This average annual improvement in cash position will allow the City flexibility to adjust to unforeseen requirements of the MS4 permit process annually, without having to revisit the rate structure prior to 2024.



Cash Position

The purpose of maintaining a strong cash position for the Fund is to allow the City to fund routine improvements; capital or otherwise, with cash on hand, avoiding the use of debt for major improvements. Borrowing costs can be significant; paying 125k in interest on a 500k bond issue is possible. Furthermore, incurring debt and the associated costs moves the burden of storm water expense forward in time, thereby asking future residents to pay for past improvements. This is not inherently adverse but should be understood. Additionally currently this proposed rate structure may allow the City to leave future rates unchanged beginning in 2025 thru 2035.



City of Isanti												
Stormwater Fund (603)												
Average Monthly ERU's	3,397	3,715	3,800	3,857	3,993	4,152	4,245	4,396	4,524	4,653	4,782	4,911
Stormwater Monthly Fee Per ERU	\$ 6.43	\$ 6.43	\$ 6.43	\$ 6.43	\$ 7.43	\$ 7.65	\$ 7.88	\$ 8.12	\$ 6.50	\$ 5.52	\$ 4.97	\$ 4.97
Revenue Change				0.00%	15.55%	3.00%	3.00%	3.00%	-20.00%	-15.00%	-10.00%	0.00%
	Per Financial Statements								Preliminary	Budget	Projected	
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Revenues												
Sales	\$ 240,275.00	\$ 262,741.00	\$ 268,770.00	\$ 272,806.00	\$ 326,336.00	\$ 349,533.00	\$ 368,039.00	\$ 428,244.91	\$ 352,645.85	\$ 308,291.41	\$ 285,150.46	\$ 292,838.65
Total Operating Revenues	\$ 240,275.00	\$ 262,741.00	\$ 268,770.00	\$ 272,806.00	\$ 326,336.00	\$ 349,533.00	\$ 368,039.00	\$ 428,244.91	\$ 352,645.85	\$ 308,291.41	\$ 285,150.46	\$ 292,838.65
Expenses												
Personnel Services	\$ 42,685.00	\$ 52,670.00	\$ 41,057.00	\$ 47,076.00	\$ 53,211.00	\$ 78,636.00	\$ 52,096.00	\$ 53,700.00	\$ 55,300.00	\$ 105,000.00	\$ 108,200.00	\$ 111,400.00
Supplies	\$ 4,321.00	\$ 6,690.00	\$ 13,425.00	\$ 3,916.00	\$ 11,103.00	\$ 6,458.00	\$ 2,991.00	\$ 3,100.00	\$ 3,200.00	\$ 3,300.00	\$ 3,400.00	\$ 3,500.00
Professional Services	\$ 12,353.00	\$ 27,040.00	\$ 58,295.00	\$ 33,149.00	\$ 51,696.00	\$ 24,324.00	\$ 18,459.00	\$ 19,000.00	\$ 19,600.00	\$ 20,200.00	\$ 20,800.00	\$ 21,400.00
Communications	\$ -	\$ 588.00	\$ -	\$ (553.00)	\$ 618.00	\$ 636.00	\$ 704.00	\$ 700.00	\$ 700.00	\$ 700.00	\$ 700.00	\$ 700.00
Insurance	\$ 194.00	\$ 711.00	\$ 936.00	\$ 1,145.00	\$ 797.00	\$ 374.00	\$ 273.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00	\$ 300.00
Utilities	\$ 3,008.00	\$ 3,746.00	\$ 3,587.00	\$ 3,653.00	\$ 4,074.00	\$ 4,444.00	\$ 4,648.00	\$ 4,800.00	\$ 4,900.00	\$ 5,000.00	\$ 5,200.00	\$ 5,400.00
Repairs & Maintenance	\$ 5,265.00	\$ 2,962.00	\$ 5,954.00	\$ 21,024.00	\$ 5,782.00	\$ 13,473.00	\$ 12,264.00	\$ 12,600.00	\$ 13,000.00	\$ 13,400.00	\$ 13,800.00	\$ 14,200.00
Depreciation	\$ 5,872.00	\$ 20,409.00	\$ 36,991.00	\$ 40,416.00	\$ 40,999.00	\$ 41,000.00	\$ 62,905.00	\$ 66,411.57	\$ 74,136.18	\$ 81,860.79	\$ 89,585.39	\$ 97,310.00
Other	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Operating Expenses	\$ 73,698.00	\$ 114,816.00	\$ 160,245.00	\$ 149,826.00	\$ 168,280.00	\$ 169,345.00	\$ 154,340.00	\$ 160,611.57	\$ 171,136.18	\$ 229,760.79	\$ 241,985.39	\$ 254,210.00
Operating Income (Loss)	\$ 166,577.00	\$ 147,925.00	\$ 108,525.00	\$ 122,980.00	\$ 158,056.00	\$ 180,188.00	\$ 213,699.00	\$ 267,633.34	\$ 181,509.67	\$ 78,530.62	\$ 43,165.07	\$ 38,628.65
Cash Flow												
Operating Income (Loss)	\$ 166,577.00	\$ 147,925.00	\$ 108,525.00	\$ 122,980.00	\$ 158,056.00	\$ 180,188.00	\$ 213,699.00	\$ 267,633.34	\$ 181,509.67	\$ 78,530.62	\$ 43,165.07	\$ 38,628.65
Depreciation	\$ 5,872.00	\$ 20,409.00	\$ 36,991.00	\$ 40,416.00	\$ 40,999.00	\$ 41,000.00	\$ 62,905.00	\$ 66,411.57	\$ 74,136.18	\$ 81,860.79	\$ 89,585.39	\$ 97,310.00
Other Receipts	\$ 944.00	\$ 174.00	\$ 1,484.00	\$ 105.00	\$ 3,320.00	\$ 847.00	\$ 118.00	\$ -	\$ -	\$ -	\$ -	\$ -
Net Change in Assets	\$ (32,638.00)	\$ (3,782.00)	\$ 4,827.00	\$ (2,566.00)	\$ (5,284.00)	\$ (438.00)	\$ (3,853.00)	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00
Net Change in Deferred Outflows	\$ -	\$ 421.00	\$ (10,656.00)	\$ 6,429.00	\$ 2,076.00	\$ 1,576.00	\$ (556.00)	\$ (2,500.00)	\$ (2,500.00)	\$ (2,500.00)	\$ (2,500.00)	\$ (2,500.00)
Net Change in Liabilities	\$ 7,768.00	\$ 15,909.00	\$ (591.00)	\$ (11,682.00)	\$ 1,966.00	\$ 10,310.00	\$ (4,481.00)	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00	\$ 750.00
Net Change in Deferred Inflows	\$ -	\$ (1,727.00)	\$ (730.00)	\$ 2,790.00	\$ 745.00	\$ 1,875.00	\$ (1,079.00)	\$ (1,250.00)	\$ (1,250.00)	\$ (1,250.00)	\$ (1,250.00)	\$ (1,250.00)
Grant Funds	\$ -	\$ -	\$ 105,111.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Capital Acquisition	\$ (129,502.00)	\$ (262,079.00)	\$ (101,515.00)	\$ -	\$ -	\$ (220,913.00)	\$ (105,470.00)	\$ (223,100.00)	\$ (33,263.54)	\$ (14,086.22)	\$ (28,205.65)	\$ (275,252.74)
Investment Income	\$ (294.00)	\$ (273.00)	\$ (900.00)	\$ 536.00	\$ 4,912.00	\$ 12,081.00	\$ 7,389.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Transfers	\$ -	\$ (94,368.00)	\$ -	\$ -	\$ -	\$ -	\$ 1,311.00	\$ -	\$ -	\$ -	\$ -	\$ -
Net Cash Flow	\$ 18,727.00	\$ (177,391.00)	\$ 142,546.00	\$ 159,008.00	\$ 206,790.00	\$ 26,526.00	\$ 169,983.00	\$ 111,444.91	\$ 222,882.31	\$ 146,805.19	\$ 105,044.81	\$ (138,814.09)
Beginning Cash	\$ -	\$ 18,727.00	\$ (158,664.00)	\$ (16,118.00)	\$ 142,890.00	\$ 349,680.00	\$ 376,206.00	\$ 546,189.00	\$ 657,633.91	\$ 880,516.23	\$ 1,027,321.41	\$ 1,132,366.22
Ending Cash	\$ 18,727.00	\$ (158,664.00)	\$ (16,118.00)	\$ 142,890.00	\$ 349,680.00	\$ 376,206.00	\$ 546,189.00	\$ 657,633.91	\$ 880,516.23	\$ 1,027,321.41	\$ 1,132,366.22	\$ 993,552.14
50% OF NEXT YR BUDGETED EXPENDITURES	\$ 57,408.00	\$ 80,122.50	\$ 74,913.00	\$ 84,140.00	\$ 84,672.50	\$ 77,170.00	\$ 80,305.79	\$ 85,568.09	\$ 114,880.39	\$ 120,992.70	\$ 127,105.00	\$ 133,267.30
AVAILABLE FOR CIP	\$ (38,681.00)	\$ (238,786.50)	\$ (91,031.00)	\$ 58,750.00	\$ 265,007.50	\$ 299,036.00	\$ 465,883.21	\$ 572,065.82	\$ 765,635.83	\$ 906,328.72	\$ 1,005,261.22	\$ 860,284.83
CIP REQUIRED								\$ 51,442	\$ 94,808.48	\$ 163,282.26	\$ 219,696.61	\$ 31,603.87
LEGISLATIVE RISK MITIGATION									\$ 50,000.00	\$ 100,000.00	\$ 150,000.00	\$ 200,000.00
COUNTY COST SHARE									\$ 14,000.00	\$ 28,000.00	\$ 42,000.00	\$ 56,000.00
EXCESS / (DEFICIENT) CASH BALANCE	\$ (38,681.00)	\$ (238,786.50)	\$ (91,031.00)	\$ 58,750.00	\$ 265,007.50	\$ 299,036.00	\$ 465,883.21	\$ 520,623.80	\$ 606,827.35	\$ 615,046.46	\$ 593,564.62	\$ 572,680.97
	2014	2015	2016	2017	2018	2019	2020	2021	2022	2023	2024	2025
Total Operating Revenues	\$240,275.00	\$262,741.00	\$268,770.00	\$272,806.00	\$326,336.00	\$349,533.00	\$368,039.00	\$428,244.91	\$352,645.85	\$308,291.41	\$285,150.46	\$292,838.65
Total Operating Expenses	\$73,698.00	\$114,816.00	\$160,245.00	\$149,826.00	\$168,280.00	\$169,345.00	\$154,340.00	\$160,611.57	\$171,136.18	\$229,760.79	\$241,985.39	\$254,210.00
Total Capital Expenses	\$ 129,502.00	\$ 262,079.00	\$ 101,515.00	\$ -	\$ -	\$ 220,913.00	\$ 105,470.00	\$ 223,100.00	\$ 33,263.54	\$ 14,086.22	\$ 28,205.65	\$ 275,252.74
Year End Cash Balance	\$ 18,727.00	\$ (158,664.00)	\$ (16,118.00)	\$ 142,890.00	\$ 349,680.00	\$ 376,206.00	\$ 546,189.00	\$ 657,633.91	\$ 880,516.23	\$ 1,027,321.41	\$ 1,132,366.22	\$ 993,552.14
Annual Change in Cash	\$ 18,727.00	\$ (177,391.00)	\$ 142,546.00	\$ 159,008.00	\$ 206,790.00	\$ 26,526.00	\$ 169,983.00	\$ 111,444.91	\$ 222,882.31	\$ 146,805.19	\$ 105,044.81	\$ (138,814.09)

AGENDA
CITY OF ISANTI
COMMITTEE OF THE WHOLE MEETING

TUESDAY, NOVEMBER 16, 2021 – 5:00 P.M.
CITY HALL



A. Call to Order

B. Pledge of Allegiance

C. Roll Call

D. Public Comment

E. Committee Meeting Items

1. Liquor Updates

2. Developer's Agreement Amendment Request (*Josh Savageau*)

3. County Road 5/ 8th Ave Intersection- Discussion

4. Office Space at City Hall

5. Park Alterations- Discussion

6. Fee Schedule Review

7. Amphitheater Rental Fees

F. Adjournment



New Business:

1. Sales YTD through September 30th total \$2,986,609
 - That's up \$34,834 from 2020
2. Customer Count through September 30th is up 1,839 from 2020.
3. The new store is being stocked and merchandised, and will be ready for the Grand Opening events.
 - We've been utilizing our Facebook page and help from the Parks Department to build some excitement around the new store and the Grand Opening.
 - Liquor Store staff were trained on the new POS system November 15th and will continue to provide great customer service at the new store.
 - We want to acknowledge and thank all City staff that have helped in numerous ways with the new store set up, especially Community Development, Parks, and Public Works staff, as well as Josi and Mike.
4. The "Bozo and LouElla Polzin Beer Cave" signage will be up in time for the Grand Opening.
5. We've filled the Assistant Store Manager and the newly created full-time position.



Memo for Committee

To: Mayor Johnson and Members of the City Council
From: Josi Wood, City Administrator
Date: November 16th 2021
Subject: Development Agreement Amendment Request

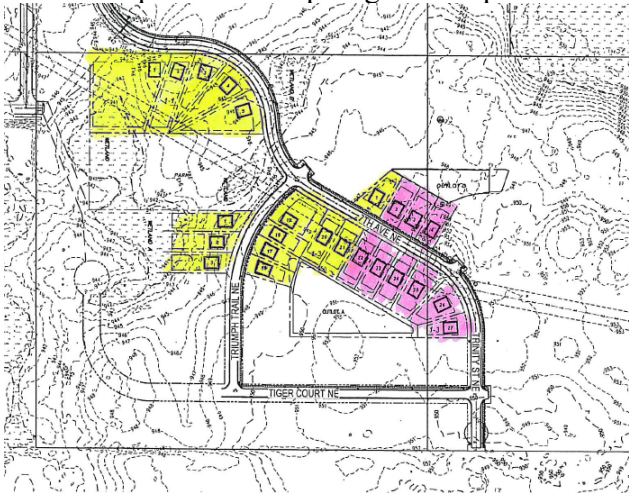
Background:

The City Council approved a Development Agreement (DA) that was signed September 3rd, 2021. The Developer is requesting an amendment to the DA to build on lots that have no curb or bituminous complete. This has not been allowed in the past.

The DA section that references curb and bit is Section 21:

- a. No building or other permits shall be issued until the Final Plat has been recorded with the Isanti County Recorder; all street signs have been erected by the Developer (as determined by the City); and curb, gutter and the bituminous base course has been placed. This provision specifically requires that the surface water drainage system must be completed and functioning to the satisfaction of the City.

Request per the Developer's email – "The lots in yellow have curb and 1st layer of asphalt. The lots in Pink are the lots we were not able to finish as planned due to weather. These are the lots I would like to discuss amending the developer's agreement to allow building to start. We would have the rest of the work done per the developer agreement prior to a buyer moving into the property or a co being issued."



Request:

Staff is requesting direction on this item. The Developer, Josh Savageau, will be present at the meeting.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Alyssa Olson – Parks, Recreation and Events Coordinator
Date: November 16, 2021
Subject: Park Alterations Discussion

Background

The City Council was approached by two residents that live on the border of Mattson Park about using a portion of the park near their yards for a flower garden. The Council requested that staff look further into this request to see what options are available for residents to alter park properties.

Staff is recommending an option for alterations be added to the Adopt-A-Park Program so that residents have an avenue to request changes or additions to the parks. A draft application packet is attached for review. Tying it into the Adopt-A-Park Program would ensure that the resident assumes some responsibility for the requested feature, at the discretion of Council, and would support the upkeep of the parks in general.

If added to the Adopt-A-Park Program, alteration requests would be submitted to Council for review and approval, as needed. This process would also inform Council of the costs involved with the project, in addition to costs the City might incur to restore or maintain the feature when the residents stop participating in the program.

Request

City staff is requesting direction on this item.

Attachments

- Adopt-A-Park Program Packet



Adopt-A-Park Program

The goal of the Adopt-A-Park Program is to provide interested individuals, groups, or organizations with a public service opportunity that allows volunteers to help maintain the City of Isanti Park System. The program encourages and promotes community involvement, but also enables the City to further beautify and improve park areas. The Adopt-A-Park Program duties and responsibilities supplement the work of City staff; and by working together we hope to help area residents, businesses, and service organizations to become better connected to the community in which they live, work, and recreate.

Time Commitment

1. A commitment of a minimum of one year is required.
2. By adopting a park, the volunteer(s) or participant(s) can clean-up as frequently as they so choose. However, clean-up should occur at least three (3) times each year, preferably one time each in the spring, summer, and fall.
3. The adoption commitment period begins April 1st and concludes October 31st of each year.

Program Guidelines

1. All Adopt-A-Park projects should aim to benefit the majority of park users.
2. Participation in the Adopt-A-Park Program is on a first-come, first served basis. Applications are accepted throughout the year.
3. All participants under the age of 18 must have adult supervision and must submit a parental release form prior to performing any duties associated with the Adopt-A-Park Program.
4. All groups must have a designated supervisor who is able to meet the responsibilities noted for the position.
5. Adopt-A-Park activities should occur during the daylight hours of park open times (7:00 a.m. to 10:00 p.m.) and during good weather conditions.
6. Work responsibilities associated with Adopt-A-Park activities can be physically demanding. All participants should be in good physical condition and able to complete the tasks.
7. The group supervisor shall contact Isanti Parks, Recreation & Culture (PRC) at (763) 444-5512 or at isantiparks@cityofisanti.us at least one (1) week in advance of the date that the group will be performing tasks outlined in the Adopt-A-Park Program materials.
8. Participants may not modify or add to the existing landscape or site design without receiving prior authorization from the City Council.
9. The City may contact volunteer groups for special project assistance, when needed. Participation by group members is voluntary.
10. The city of Isanti will provide bags, gloves and safety vests to the assigned group to perform tasks assigned under the Adopt-A-Park Program. All items and materials can generally be picked up within 48 hours of the group's scheduled clean-up date. Borrowed and unused supplies must be returned to Isanti City Hall within the following week of clean up. The group shall report any vandalism or potential safety hazards to the PRC supervisor.

Parks Available for Adoption

Academy	Legacy	River Bluff Preserve	Whisper Ridge
Bluebird	Mattson	Rum River Meadows	
Isanti Hills Neighborhood	Riverside	Unity	

Possible Tasks Associated with Adopt-A-Park Program

Litter pick - up	Weeding	Planting/watering of flowers/trees	Painting
Raking	Sweeping	Mulching	Buckthorn Removal

Safety Tips

Each participant in the Adopt-A-Park Program must review the information regarding the program as well as these safety guidelines before performing services at the adopted site and abide by them while performing such services/duties.

1. Participants must abide by all state and local laws, rules and regulations, all written and verbal guidelines, directions and instructions from city staff.
2. Work only during daylight hours and in appropriate weather conditions.
3. Stay away from areas that may have recently applied chemical pesticides.
4. Participants should be aware of extreme conditions, under which they may be working, to include but is not limited to heat, insects, sun, natural environments, etc. Participants should wear protective clothing and equipment including work gloves, durable shoes and long sleeve shirts/pants to prevent injury from sharp objects, insect stings/bites, sunburn, and poison ivy. Light colored clothing is recommended as it is most visible.
5. Do not overexert yourself. Take needed breaks and drink plenty of water.
6. Participants should never pick up any heavy, large, or hazardous materials, park equipment or operate/move park maintenance equipment. Notify the city staff for pick-up of these types of materials or items.
7. Use caution in areas where hazardous conditions may exist such as: along roadways, in parking lots, on bridges, near/on construction sites, near open water, and other areas where mowing, tree trimming, or pest control is in progress.
8. Be aware of your surroundings to ensure your safety and the safety of others (group members/park patrons). Be especially careful when using tools.
9. Do not wear earphones or headsets, engage in horseplay, or other types of conduct that may divert your attention from your work or impair your ability to perceive hazardous or dangerous situations.

Group Supervisor Responsibilities

1. Identify in writing to the PRC Department the projects to be completed and date of the proposed clean-up. Such information shall be provided at least one (1) week prior to the clean-up day.
2. If intended projects would result in modifications, changes, or additions to the park landscape or design; those shall be provided to PRC staff in advance using the Alteration Request Form, so as to be reviewed by the Parks, Recreation, and Culture Board and approved by the City Council.
3. Submit a complete roster with all group volunteers.
4. Return all completed and signed Adoption Registration Form and Adoption Agreement as well as Liability Waivers and/or Parental Release Forms for each participant.
5. Provide a first aid kit on the day of the event for participants and have emergency contact numbers available.



Adopt-A-Park Registration Form

Name of Group or Individual: _____

Address: _____

Phone Number: _____ Email: _____

Primary Contact Person

Name: _____

Address: _____

Phone Number: _____ Email: _____

Secondary Contact Person

Name: _____

Address: _____

Phone Number: _____ Email: _____

Adoption Information

Name of Preferred Park: _____

Second Park Option: _____

Can you commit to a one-year term: YES NO

Please list task(s) you are interested in accomplishing: _____

Any other information that you would like for us to know about your organization/group.

Group Participants

Name	Address	Age (if under 18 years)
1.		
2.		
3.		
4.		
5.		
6.		
7.		
8.		
9.		
10.		
11.		
12.		
13.		
14.		
15.		



Adopt-A-Park Agreement Form

The City of Isanti, acting by and through its Parks, Recreation & Culture Department, Public Works Department, and _____ (“volunteer/participant”) agree to the terms set forth in this Agreement which governs the services the Volunteer(s)/Participant(s) will perform at _____ (Park Location).

Recital

The City desires to provide interested persons and organizations with an opportunity for community involvement through voluntary participation in an Adopt-A-Park Program.

Agreement

1. The Participant(s) will provide the services designated on the possible tasks associated with the Adopt-A-Park Program. All services performed under this Agreement shall be performed on an uncompensated basis by Individual/Group volunteers. The Individual/Group will perform any activity which the City has previously approved and will not subcontract or hire others to perform services hereunder. The City may perform or cause others to perform the activities listed in the possible tasks associated with the Adopt-A-Park Program at its discretion.
2. The participant(s) will use only non-motorized hand tools to perform services under this Agreement and will take all reasonable precautions to protect its participating members and the public against injury and against damage to property.
3. The participant(s) shall abide by the Safety Tips. The representative (“group supervisor”) who signs this Agreement, or his or her designee, shall ensure that each person to perform services under this Agreement will read and abide by the Safety Tips and will sign a Liability Waiver in the form accompanying this Agreement.
4. The participant(s) will not discriminate against any person desiring to perform services under this Agreement due to the person’s race, color, creed, religion, national origin, disability, age, gender, affectional preference, marital status or status with regards to public assistance.
5. All participant(s) and any other persons who may perform any activities covered under this Agreement shall not be considered employees of the City. Accordingly, the City is not responsible or liable for any injury or any other claims, expenses, or losses sustained by such persons while engaged in any of the activities covered under this Agreement.

6. The participant(s) shall defend, indemnify and hold harmless the City of Isanti, its officials, employees and agents, from any and all claims, causes of action, lawsuits, damages, losses or expenses, including attorney fees, arising out of or resulting from the volunteer's (including volunteer, officials, agents or employees) performance of the duties required under this Agreement.
7. Either party may terminate this Agreement at any time upon written notice to the other party.

Group Supervisor

Date

Parks, Recreation & Culture Manager

Date



Adopt-A-Park Liability Waiver Form

The waiver must be signed by each person participating in the Isanti Adopt-A-Park Program. If the participant is under the age of 18, the Adopt-A-Park Parental Release Form must be completed and returned by the participant's parent or guardian.

Participant's Name

Participant's Home Address (Street, City, State, and Zip Code)

Name of Park where Participant will perform services

Group Name

I intend to participate in the Isanti Adopt-A-Park Program either individually or with an assigned group. I agree that my participation is completely voluntary and that I am not entitled to payment for any services rendered.

I confirm that I am 18 years or older.

I understand that participation involves actual maintenance of a public park area and acknowledge that possible risks involved in the nature of the work. I have read and agree to comply with the provisions of the Adopt-A-Park Program.

I agree that the City of Isanti shall not be liable for any claims, injuries, damages or causes of action incurred by me as a result of my participation in the City of Isanti Adopt-A-Park Program. I also agree to waive and hold harmless the City of Isanti, its officials, employees, and agents, from and against, any and all claims, injuries, damages, and all causes of action of any nature incurred by me arising out of my participation in the Isanti Adopt-A-Park Program. This includes any injuries or other related claims that may result from the condition of the City of Isanti property where services are rendered.

Signature of Participant

Date



Adopt-A-Park Parental Release Form

Name of Participant: _____

Date of Birth: _____

Address: _____

Name of Group: _____

I hereby give my permission for _____, a minor, to participate in the City of Isanti Adopt-A-Park Program either individually or as a member of the above named group. I agree that participation is completely voluntary and that the participant is not entitled to payment for any services rendered.

I understand that participation involves actual maintenance of a public park area and acknowledge that possible risks involved in the nature of the work. I have read and agree to comply with the provisions of the Adopt-A-Park Program.

I agree that the City of Isanti shall not be liable for any claims, injuries, damages or causes of action incurred by me as a result of my participation in the City of Isanti Adopt-A-Park Program. I also agree to waive and hold harmless the City of Isanti, its officials, employees, and agents, from and against, any and all claims, injuries, damages, and all causes of action of any nature incurred by me arising out of my participation in the Isanti Adopt-A-Park Program. This includes any injuries or other related claims that may result from the condition of the City of Isanti property where services are rendered.

Signature of parent/guardian

Date

Contact information for parent/guardian

Address _____

Phone _____

E-mail _____



Adopt-A-Park Alteration Request Form

To request a modification, change or addition to your designated park property, fill out the below request form and attach any supporting documents to reinforce your request. All requests are reviewed by PRC staff and subsequently by the PRC Board and City Council for necessary approval.

Name of Participant/Group: _____

Today's Date: _____ Name of Park: _____

Requested Park Alteration: _____

How would this alteration serve the community?: _____

Would this alteration be temporary, seasonal or permanent? Please describe the intended length of use.: _____

What support, equipment, and/or processes would be needed to maintain this alteration?:

Are you/your group willing to maintain this alteration for the intended time period or for the remainder of your program participation? _____

Please submit this completed form along with the Alteration Request Agreement to the PRC supervisor at isantiparks@cityofisanti.us. Any additional materials or necessary adjustments will be requested by the supervisor.



Adopt-A-Park Alteration Request Agreement

In submitting this alteration request, I, _____, hereby acknowledge that in approving this request, responsibility for the upkeep and maintenance of the approved alteration may become the responsibility of the adoptee in the sole discretion of the City Council, and the Council retains the right to restore the park to its original condition if doing so is in the best interest of the City. I understand that participation is completely voluntary and that I am not entitled to payment for any services rendered pursuant to this Agreement. This Agreement is an amendment to the original Adopt-A-Park agreement.

I understand that participation involves actual maintenance of a public park area and acknowledge that possible risks may be involved in the nature of the work. I have read and agree to comply with the provisions of the Adopt-A-Park Program with the amendment to include this approved alteration.

I agree to defend and indemnify the City of Isanti from any claims, injuries, damages or causes of action of third parties resulting from my actions or omissions relating to Adopt-A-Park Program, including the additional responsibilities provided with this alteration. I also agree to waive any and all claims for my injuries arising out of my participation in the Isanti Adopt-A-Park Program. This includes claims for injuries that result from the condition of the City of Isanti property where services are rendered, except to the extent caused by the gross negligence or intentional misconduct of the City, its employees or agents.

Signature of Participant

Date



Memo for Committee

To: Mayor Johnson and Members of the City Council
From: Finance Director Betker
Date: November 16th 2021
Subject: Annual Fee Schedule Review

Background:

Annually the Fee Schedule is reviewed for warranted changes. Recommendations are made by staff and the City Attorney. Prior to year-end, revised Fee Schedule will be presented to the Council that will incorporate General Code updates/revisions as well.

Recommendations by Fee Identifier:

Remove

G.25 & G.26 – Remove Signal Light Development Fees per City Attorney recommendation

B.18 – Remove Senior Building Official from hourly rate matrix, not applicable

I.14 – Remove Unpaid Water and Sewer Fee, already included in Chapter 262

Modify/Update

B.35 - Increase Residential Driveway Escrow from \$2,000 to \$3,000

B.33 - Modify to delineate Residential Re-Roof Permit (fee unchanged) and Commercial Re-Roof Permit which should be a valuation-based fee

B.34 - Modify to delineate Residential Re-Siding Permit (fee unchanged) and Commercial Re-Siding Permit which should be a valuation-based fee

I.2 - Update Meter Pricing to reflect 2022 prices, when available

Add

Fire Alarm Permit – \$100 fee as limited plan review is needed prior to issuance

Solar Photovoltaic Permit - \$100 fee as limited plan review is needed prior to issuance

Request:

Staff is requesting consensus approval or specific direction on this item.

Attachments:

- Ord 727 – Current Fee Schedule

ORDINANCE NO. 760

AN ORDINANCE AMENDING ORDINANCE 727, ADOPTED ON 4-7-2020 AND TITLED FEES

The City Council of the City of Isanti, Minnesota ordains:

Section 1-Amendment. Ordinance 727, titled fees, codified in Chapter 160 of the City Code, are hereby amended as follows:

Chapter 160

FEES

§ 160-1. Purpose.

§ 160- 2. Enumeration of fees.

§ 160- 3. Other fees.

**§ 160-4. Summary publication
of chapter authorized.**

§160-1. Purpose.

The City Council has determined that it is in the best interest of the residents of the City that a Fee Schedule is established that lists items that fees shall be charged for by the City of Isanti.

§160-2. Enumeration of fees.

A. Administration.

1. Administrative Hearing Filing Fee	\$75.00
2. Adult Use Fee	\$2,500.00
3. Adult Use Investigation Fee	\$300.00
4. Affidavit of Candidacy	\$15.00
5. Copies – Standard Printed	\$.25 per page
6. Copies – Large Format Printed	\$5.00 per page \$20.00 per plan set
7. Dog Bite	Actual cost
8. Dog Boarding (at Impound)	Per Contract
9. Dog Impound 1 st Time	Per Contract
10. Dog Impound 2 nd Time	Per Contract
11. Dog Impound 3 rd Time	Per Contract
Additional Fee for Pick up (7pm-8am & Holidays)	Per Contract
12. Dog License (Replacement)	\$5.00
13. Dog License (Spay/Neutered)	\$10.00
14. Dog License (Intact)	\$15.00
15. Dog License Late Fee	\$5.00

16. Dog License Lifetime	\$50.00
17. Economic Development Authority Per Diem	\$25.00 per meeting
18. Euthanasia / Disposal	Actual cost
19. FAX - in	\$.25 per page
20. FAX - out	\$.25 per page
21. Gambling Permits – Application & Gambling Investigative Fee	\$50.00
22. Kennel License (Commercial)	\$100.00 per year
23. Kennel License (Residential)	\$50.00 per year
24. Lawn Sprinkling 1 st Violation	\$20.00
25. Lawn Sprinkling 2 nd Violation	\$35.00
26. Lawn Sprinkling 3 rd Violation	\$50.00
27. Meeting Minutes – Copy on Flash Drive	\$10.00
28. Mowing Abatement	Per mowing contract
29. Non-Compliance Fee	\$25.00
30. Notary	\$5.00 per document
31. Pawnbroker/Shop	\$1,500.00
32. Pawnshop Investigation Fee	\$1,500.00
Initial Application Only, does not apply to Renewal	
33. Pawnshop Transaction Fee	\$1.30
34. Parks, Recreation and Culture Board Per Diem	\$25.00 per meeting
35. Peddler License	
(a) Day	\$25.00
(b) Month	\$75.00
(b) Seasonal (6 months or less)	\$200.00
36. Peddler or Mobile Food Unit Application Investigation Fee	\$35.00
37. Peddler Permit and Investigation Fee – Nonprofit	No Charge
38. Mobile Food Unit License	
(a) Day	\$10.00
(b) Month	\$50.00
(c) Yearly	\$130.00
39. Planning Commission Per Diem	\$25.00 per meeting
40. Retail Fire Works Permit – Application Fee	\$15.00
41. Retail Fire Works Permit – Permit Fee	\$25.00
42. Returned Checks	\$30.00
43. Secondhand Goods Dealer	\$1,500.00
44. Secondhand Goods Dealer Investigation Fee	\$1,500.00
Initial Application only, not for renewals	
45. Secondhand Goods Dealer, Temporary	\$750.00
46. Secondhand Goods Dealer Transaction Fee	\$1.30
47. Small Cell Wireless	
(a) Annual Fee per Support Structure/ Pole	\$150.00
(b) Annual Maintenance Fee per Support Structure/ Pole	\$25.00
48. Small Cell Wireless Facility Electrical Service Fee	
(a) Per radio node less than or equal to 100 watts	\$73.00 annually
(b) Per radio node over 100 max watts: or	\$182.00 annually
Actual cost of electricity annually, if costs exceed either of the above amounts	

49. Small Cell Wireless/ Pole Attachment Permit Fee	\$250.00 plus actual engineering costs if additional review is required
50. Special Assessment Fee Unpaid Utility Bills, Code Enforcement Violations, Etc.	\$30.00 per assessment
51. Special Meeting Request	\$500.00
52. Special Vehicle Permit	\$25.00
53. Staff Time (not specified elsewhere)	Actual hourly wage multiplied by 145%

B. Building Inspections.

1. Valuation Fee Schedule for Isanti.

Value of Work	Value Based Permit Fee (<i>Residential & Commercial</i>)
\$501 - \$2,000	\$50 MIN. \$25 for first \$500 + \$3.50/ each additional \$100 or fraction thereof
\$2,001 – \$25,000	\$78 for first \$2,000 + \$15/ each additional \$1,000 or fraction thereof
\$25,001 - \$50,000	\$425 for first \$25,000 + \$11/ each additional \$1,000 or fraction thereof
\$50,001 - \$100,000	\$700 for first \$50,000 + \$8/ each additional \$1,000 or fraction thereof
\$100,001 - \$500,000	\$1,100 for first \$100,000 + \$6/ each additional \$1,000 or fraction thereof
\$500,001 - \$1,000,000	\$3,500 for first \$500,000 + \$5/ each additional \$1,000 or fraction thereof
\$1,000,001 +	\$6,000 for first \$1,000,000 + \$4/ each additional \$1,000 or fraction thereof

2. Building Permit	Per Valuation Fee Schedule
3. Basement Finishes/ Remodel Permit	\$300.00 (Includes plan review)
4. City Utility Services under Driveway	\$100.00
5. Commercial Landscape Escrow	\$8,000.00 per site
6. Deck Permit	\$300.00 (Includes plan review)
7. Demolition Permit	Minimum of \$100.00 or 1.27% of contract price
8. Right of Way Work Permit	
(a) Single Residential Hookup	no fee
(b) Base Fee – up to 1,000 LF	\$125.00
(c) Fees in addition to base fee Work >1,000 LF	\$65.00 per 1,000 LF
9. Street Cut	\$125.00 plus \$5,000.00 in escrow
10. ROW Unauthorized Work	\$250.00 plus up to double the permit fee

11. Fence Permit (Fences >7')	Per Valuation Fee Schedule
12. Fire Suppressant Permit – Commercial/Multi-Family	1.5% of project value
13. Gas Line (with mechanical permit)	\$12.50 per gas line, \$25.00 minimum
14. Gas Line (without mechanical permit)	\$50.00
15. Grade Survey Check	
(a) Commercial	\$50.00
(b) Residential	\$50.00
16. Grading Permit	\$150.00
17. Inspections outside of normal business hours	\$75.00 (2 hr. minimum plus mileage)
18. Inspections, hourly rates	
(a) Building Official	\$125/hour
(b) Senior Building Official	\$95/hour
(c) Fire Inspector	\$90/hour
(d) Building Inspector	\$75/hour
(e) Other Staff	\$75/hour
19. Investigative Fee	100% of permit fee
20. Lawn Irrigation Permit	\$80.00
21. License Verification Fee	\$5.00
22. Mechanical Permit	\$75.00 per unit
23. Mechanical Permit – Commercial/Multi-Family	1.5% of project value
24. Minimum Permit Fee	\$50.00
25. Permit Renewal after 6 mos. Of expiration	50% of original permit fee
26. Plan Check Fee	65% of calculated permit fee, when applicable
27. Plan Check Fee – Duplicate Plans	Duplicate plan fees reduced to 25% of Master Plan Review
28. Plan Review (Additional)	\$75.00 (1/2 hr minimum)
29. Plumbing Permit Basic (up to 4 fixtures)	\$54.00
30. Plumbing Permit – job valuation > \$500 or more than 4 fixtures	\$94.00
31. Plumbing Permit – Commercial/Multi-Family	1.5% of project value
32. Pre-Final Inspection Fee (Residential)	\$60.00
33. Re-Roof Permit	\$80.00
34. Re-Siding Permit	\$80.00
35. Residential Driveway Escrow	\$2,000.00
36. Residential Landscape Escrow	\$6,000.00
37. Residential Rental License Fee	
(a) 1 Unit	\$150.00-Reinstatement \$300
(b) 2-4 Units	\$175.00 Reinstatement \$350
(c) 5-12 Units	\$225.00 Reinstatement \$450
(d) 13-20 Units	\$240.00 Reinstatement \$480
(e) 21–50 Units	\$250.00 Reinstatement \$500
(f) 51 + Units	\$300.00-Reinstatement \$600

38. Rental Additional Inspections	Per Inspections Hourly Rate
39. Rental License Late Fee	100% of rental license fee
40. S.E.C.- Residential	\$20.00
41. S.E.C. – Commercial/Industrial	\$50.00
42. SAC/WAC Inspection Fee	\$37.50
43. State Surcharge	Applied to all permits
44. Swimming Pool Permit	\$80.00
45. Water/Sewer Line Repair Inspection Fee	\$80.00
46. Window/Door Replacement Permit	\$80.00
47. Electrical Inspection Fees	

All Services		Circuits and Feeders	
Residential Service Change \$100.00, this includes one inspection. Or the below rates.		The inspection fee for the installation, addition, alteration, or repair of each circuit, feeder, feeder tap, or set of transformer secondary conductors:	
0 to 300 amp	\$50	0 to 30 amp	\$8
400 amp	\$58	31 to 100	\$10
500 amp	\$72	101 to 200 amp	\$15
600 amp	\$86	300 amp	\$20
800 amp	\$114	400 amp	\$25
1000 amp	\$142	500 amp	\$30
1100 amp	\$156	600 amp	\$35
1200 amp	\$170	700 amp	\$40
Add \$15.00 for each additional 100 amps		Add \$5.00 for each additional 100 amps	
Minimum permit fee is \$50.00 plus \$1.00 state surcharge. This is for one inspection only. Minimum fee for rough-in inspection and final is \$100.00 plus \$1.00 state surcharge.			
Maximum fee for single family dwelling not over 200 amps is \$150.00 plus \$1.00 state surcharge. Maximum of 30 circuits. Maximum of 2 rough-in inspections and one final inspection.			
Apartment Buildings: Maximum fee per unit of an apartment or condominium complex is \$100.00. This does not cover service and house wiring. A separate permit must be issued for house wiring.			
Swimming Pools: \$100.00 this includes 2 inspections			
Traffic Signals: \$10.00 per each standard			
Street Lighting: \$5.00 per each standard			
Transformers/Generators: \$10.00 per unit + \$0.50 per KVA			
Retro Fit Lighting: \$0.75 cents per fixture			
Sign Transformer: \$10.00			
Remote Control/Signal Circuits: \$1.00 per device			
Re-inspection Fees: \$50.00			

*Fees are doubled if the work starts before the permit is issued
--

C. Community Center.

- | | |
|--|--|
| 1. Cleaning Fee (if elected by renter) | \$125.00 |
| 2. Damage Deposit | \$250.00 |
| 3. Damage Fees | |
| (a) Cleaning | \$35.00 per hour minimum |
| (b) Tables | \$100 each |
| (c) Chairs | \$20.00 each |
| (d) Unreturned keys | \$250.00 |
| (e) Smoking Non-Designated Areas | \$200.00 |
| (f) Other Items | To be determined based on replacement cost |
| 4. Equipment Available to Rent (larger deposit may be required) | |
| (a) LCD Home Theater Projector on Cart | \$50.00 |
| (b) 9' Portable Screen | \$20.00 |
| (c) Blu-Ray DVD Player | \$15.00 |
| (d) Speakers & Microphone | \$15.00 |
| (Includes tripod stands if requested) | |
| (e) Podium | \$10.00 |
| 5. Non-Profit Organizations | \$50.00 (full day)
\$25.00 (4 hours or less) |
| 6. Private (less than 50 individuals) or For-Profit Organizations | \$100.00 (full day)
\$50.00 (4 hours or less) |
| 7. Special Events | \$275.00 |
| Includes use of the kitchen. Dishes and utensils not provided. With or without alcohol. Greater than 50 individuals in attendance. | |
| 8. Monthly Rental Fees | |

Fee Arrangements – When Requested

Non-Profit Monthly Rental Rates (less than 4 hour rentals)

Non-profit**

Reservations per month	Monthly Fee	Fee Per Reservation
1	\$25.00	\$25.00
2	\$48.80	\$24.40
3	\$71.70	\$23.90
4	\$93.20	\$23.30
5	\$113.50	\$22.70
6	\$133.20	\$22.20
7	\$151.20	\$21.60
8	\$168.00	\$21.00
9	\$184.50	\$20.50

10	\$199.00	\$19.90
11	\$212.30	\$19.30
12	\$225.60	\$18.80
13	\$236.60	\$18.20
14	\$246.40	\$17.60
15	\$255.00	\$17.00
16	\$264.00	\$16.50
17	\$270.30	\$15.90
18	\$275.40	\$15.30
19	\$281.20	\$14.80
20	\$284.00	\$14.20
21	\$285.60	\$13.60
22	\$288.20	\$13.10
23	\$287.50	\$12.50

** Groups storing belongings at the facility may be subject to a monthly storage fee.

**Fee Arrangements – When Requested
For-Profit and Private Monthly Rental Rates (less than 4 hour rentals)
Private/For-Profit****

Reservations per month	Monthly Fee	Fee Per Reservation
1	\$50.00	\$50.00
2	\$97.80	\$48.90
3	\$143.10	\$47.70
4	\$186.40	\$46.60
5	\$227.50	\$45.50
6	\$265.80	\$44.30
7	\$302.40	\$43.20
8	\$336.00	\$42.00
9	\$368.10	\$40.90
10	\$398.00	\$39.80
11	\$424.60	\$38.60
12	\$450.00	\$37.50
13	\$473.20	\$36.40
14	\$492.80	\$35.20
15	\$511.50	\$34.10
16	\$528.00	\$33.00
17	\$540.60	\$31.80
18	\$552.60	\$30.70
19	\$560.50	\$29.50
20	\$568.00	\$28.40
21	\$573.30	\$27.30
22	\$574.20	\$26.10
23	\$575.00	\$25.00

****All other fees and deposits for the rental of the facility apply.**

D. Economic Development Authority.

1. Assignment & Assumption Agreement	\$1,000.00 plus costs
2. Development Agreement (Non-Abatement or TIF)	\$1,000.00 plus costs
3. Establishment of New TIF District	\$4,800.00 or actual cost
4. Host Approval of Conduit Debt	\$3,000.00 escrow
5. Issuance of Conduit Debt	1/4% of the proposed issuance amount, \$3,000.00 minimum, \$25,000.00 maximum escrow
6. Revolving Loan Fund Application Fee	1% origination fee
7. SAC/WAC Repayment Agreement and Mortgage	Current cost of filing document(s) at Isanti County to be paid by Developer.
8. TIF Development Agreement	\$2,500.00 plus costs
9. Tax Abatement Application Fee	\$1,000.00 plus costs

E. Liquor/Beer Licenses.

1. Background Check & Investigation Fee	
(a) For Partnership – Corporation – Association	\$300.00
(b) For Individual	\$100.00
Initial Application only, does not apply for Renewals	
2. Beer Off-Sale (3.2)	\$150.00
3. Beer On-Sale (3.2)	\$250.00
4. Brewers Off-Sale Malt Liquor	\$310.00
5. Brewers Tap Room On-Sale	\$500.00
6. Brew Pub Off-Sale Malt Liquor	\$310.00
7. Club License (Max dictated by MN State Statutes)	\$500.00
8. Intox Liquor On-Sale	\$2,500.00
9. Intox Liquor Sunday On-Sale	\$200.00
10. Consumption and Display Permit (Annual)	\$200.00
11. Temporary Consumption and Display Permit	\$25.00
12. Temporary On-Sale 3.2 Beer License (1-4 Days)	\$50.00
13. Temporary One-Day On-Sale Intox Liquor License	\$25.00
14. Temporary On-Sale Intoxicating Liquor License (Includes Beer and Wine, 2-4 days one event)	\$50.00
15. Temporary On-Sale Intoxicating Liquor License (Multiple events)	\$500.00
16. Wine On-Sale	\$300.00

F. Parks, Recreation, and Culture.

1. Copy of Comprehensive Park Plan	\$10.00
2. Community Garden – Ground Plot (Season Fee)	\$15.00
3. Community Garden – Raised Bed (Season Fee)	\$20.00
4. Farmer’s Market – Membership Fee (Annual)	\$10.00

5. Farmer's Market – Stall Fee	
(a) Full Season	\$100.00
(b) Half Season	\$60.00
6. Farmers Market - Single Day	\$10.00
7. Park Dedication Fee (Residential)	\$1,500.00 per unit
8. Park Dedication Fee – Multi Family with Recreational Amenities – Up to 25% Reduction of \$1,500 per unit fee	
9. Park Dedication Fee (All Others)	\$1,500.00 per Commercial/Industrial Acre
10. Park Shelter Electric Box Deposit	\$50.00
11. Park Shelter Fee	
(a) Resident	No Charge
(b) Non-Resident or Business	\$10.00
(c) Non-Profit	\$5.00
12. Special Event Cleanup Deposit	\$100.00
13. Tennis Court Usage	
Resident (Individual)	
(a) 1 court	No Charge
(b) 2 courts	\$6/hr.
Non-Resident (Individual)	
(a) 1 court	\$6/hr.
(b) 2 courts	\$12/hr.
Group, League, Business, Industry	\$15/hr.
Non-Profit	
(a) 1 court	\$3/hr.
(b) 2 courts	\$6/hr.
Per season single court only – rates to be determined on a case-by-case basis by the Parks, Recreation, and Culture Board and City Council.	
14. Unity Park Softball Field Usage	
(a) Resident	\$15.00 per day
(b) Non-Resident	\$25.00 per day
(c) Non-Profit	\$7.50 per day

G. Planning & Zoning.

1. Administrative Appeals	\$200.00 plus costs
2. Administrative Permit	\$75.00
3. Administrative Permit – Non-profit	No charge
4. Administrative Subdivision	\$275.00 plus costs
5. Annexation/De-Annexation	\$100.00 plus costs
6. Comprehensive Plan Amendment	\$325.00 plus costs
7. Conditional Use Permit	\$325.00 plus costs (\$1,000.00 escrow)
8. Conditional Use Permit Amendment	\$275.00 plus costs (\$500.00 escrow)
9. Copy of Comprehensive Plan	\$50.00
10. Copy of Zoning Ordinance	\$25.00
11. Copy of Engineer Design Standards	\$35.00

12. Development Agreement	\$10,000.00 (minimum) escrow
13. Development Agreement (Minor)	\$5,000.00 (minimum) escrow
14. Easement Application	\$200.00 plus costs
15. EAW & EIS Review	\$600.00 plus costs
16. Final Plat	\$325.00 plus \$10.00 per lot/unit plus costs (\$1,500.00 escrow)
17. Interim Use Permit	\$325.00 plus costs
18. Minor Subdivision Plat	\$325.00 plus costs (\$1,000.00 escrow)
19. Planned Unit Development – Final Plan	\$325.00 plus costs (\$1,500.00 escrow)
20. Planned Unit Development – General Plan	\$500.00 plus costs (\$1,500.00 escrow)
21. Preliminary Plat	\$500.00 plus costs (\$1,500.00 escrow)
22. Rezoning Request	\$325.00 plus costs
23. Sign Permit (permanent)	\$75.00
24. Sign Permit (temporary)	\$50.00
25. Signal Light Fee (Residential)	\$119.00 per residential unit
26. Signal Light Fee (Commercial)	\$0.10 per sq. ft. of usable Commercial lot platted
27. Site Plan Review	\$325.00 plus costs (\$1,000.00 escrow)
28. Site Plan Review Financial Surety	125% of estimated cost of site (Commercial/Industrial) improvements (driveway, parking and loading areas)
29. Text Amendment	\$275.00
30. Vacation Request	\$275.00 plus costs
31. Variance Request	\$325.00 plus costs
32. Wetlands Replacement Plan Review	\$500.00
33. Zoning Permits	\$80.00
34. Zoning Verification Letter	\$30.00

H. Police.

1. Administrative Citation	\$60.00
2. Alcohol Screening	\$3.00 per time or \$75.00 per year
3. Chemical Disposal (small amount)	Cost of Disposal
4. Chemical Disposal (large Amount)	Cost of Disposal
5. Cleaning of Crime Scene	Cost of Cleanup
6. Copy of Photo	\$5.00
7. Copy of Police Report	\$.25 per page
8. Copy of Video and/or Audio, or Secured E-Delivery	\$25.00
9. Fee for Returned Check listed under Administration	

10. Fingerprinting	\$15.00 per non-resident or non-Isanti business, \$0.00 for Isanti resident or business
11. Parking Ticket	\$20.00
12. Police Records Search	\$35.00
13. Professional Hire of Police Office (min. 3 hours)	Actual hourly wage multiplied by 150%
14. Reschedule Hearing on Administrative Citation	\$50.00
15. Storage Fees	\$20.00 per day
16. Towing	As per towing contract fee schedule
17. Unjust Hearing	150% of cost of hearing

I. Sewer and Water.

1. Delinquent Posting Notice Fee	\$15.00
2. Water Meter - New Construction:	
(a) Meter (5/8 & 3/4 inch)	Cost included in permit fee
(b) Meter (larger, > 3/4 inch, diameter)	Cost minus \$265.00
(c) Replacement or additional:	
Meter (5/8 & 3/4 inch)	
Full Meter (Radio and Body)	\$ 240.00
Radio	\$ 95.00
Body	\$ 145.00
(d) Horn	\$ 100.00
(e) Meter (larger, > 3/4 inch, diameter)	Cost plus \$25.00
3. Meter Connections/Fittings	Cost
4. Meter Replacement Administrative Fee for Non-Compliance	\$75.00/month
5. Private Metered Water Sales Deposit	\$2,000.00 (refundable deposit) \$10.00 minimum and up to 1 st 1000 gallons; as per rate study per/1,000 thereafter
6. Private Well Water Testing	\$45.00
7. Sewer Access Fee (SAC)	Per Ordinance per unit based on REC assessment
8. Sewer Rates	Per Ordinance
9. Storm Water Rates	Per Ordinance
10. Storm Water Escrow Commercial	\$3,000.00
11. Storm Water Escrow Residential	\$1,000.00
12. Trunk Utility Charge Residential	\$1,000.00/unit if more than one unit based on REC schedule or per Development Agreement
13. Trunk Utility Charge Commercial/Industrial	\$2,050.00 per Commercial /Industrial acre or per Development Agreement

14. Unpaid Water and Sewer	\$5.00 per month
15. Valve Plate Cover	\$100.00
16. Water Access Charge (WAC)	Per Ordinance per unit based on REC assessment
17. Water Disconnect/ Reconnect	\$50.00
18. Water Disconnect / Reconnect (After hours)	\$100.00 minimum per person, after one hour \$100.00 per hour per person
19. Water Meter History Report	\$50.00
20. Water Meter Testing	1 Hour Public Works Staff plus Costs
21. Water Rates	Per Ordinance

J. Streets.

1. Bobcat/Tractor Charge with Operator	\$100.00 per Hour	
2. Labor – During work hours	\$50.00 per Hour, half hour minimum	
3. Labor – After Hours	\$100.00 per Hour, 2 hour minimum	
4. Mow Charge with Operator	\$90.00 per Hour	
5. Sidewalk Snow Removal	\$30.00	
6. Street Cut Permit	\$1,200.00	
7. Weed Whip Charge with Operator	\$75.00 per Hour	
8. MINNESOTA WARN RATES	Equipment Charges Are Per Hour with Operator	
	<u>Business Hours</u>	<u>Non-Business Hours</u>
Road Grader with Wing, Dump Truck with Snowplow and Wing, Wheel Loader	\$160.00	\$180.00
Air Compressor with Accessories and Pickup, Pickup, One Ton Trucks, Tractors	\$90.00	\$110.00
Vactor with Pickup (Requires Two Operators) There is an additional charge of \$.35 per lineal foot for sewer cleaning.	\$135.00	\$145.00
Single Axle Truck, Street Sweeper, Single Axle Dump Truck with Snowplow,	\$125.00	\$145.00
Skidsteer, Self-propelled Mower/Snow Blower/ V Plow/Broom/Brush Hog/Grapple Bucket Attachment	\$90.00	\$105.00
All Other Equipment Such As Chain Saw, Push Mower and Weed Whips	\$75.00	\$95.00

K. Fire.

1. Fire Extinguisher Service Deposit Fee	\$25.00 (refundable)
2. Fire Extinguisher – Administrative Fee	\$3.00

§160-3. Other fees.

This is not an all-inclusive fee schedule for fees that may be charged by the City. The City Council is solely responsible for the setting and establishment of fees, whether listed in this Chapter or in an ordinance, a resolution or negotiated in an agreement. Sales and Use tax applied in addition to fees as required by State Statute.

§160-4. Summary publication of chapter authorized.

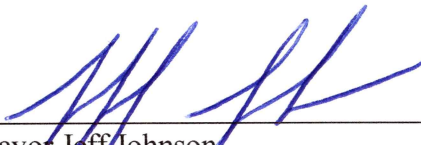
The City Council authorizes this Chapter to be published in summary form, with copies of the fee schedule available to the public at city hall at no charge.

Section 2- Effective date.


This ordinance takes effect upon its passage and publication in the official City newspaper.

Adopted by the Isanti City Council this 20th day of July 2021.

Attest:



Mayor Jeff Johnson



Jaden Strand
City Clerk

Date Posted: 6/30/2021
Date Adopted: 7/20/2021
Date Published: 7/29/2021
Effective Date: 7/29/2021



AGENDA
CITY OF ISANTI
COMMITTEE OF THE WHOLE MEETING

TUESDAY, DECEMBER 21, 2021 – 5:00 P.M.
CITY HALL



- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Public Comment**

- E. Committee Meeting Items**
 - 1. Public Works Updates
 - 2. Water and Sewer Base Fee Charges Discussion
 - 3. Council Chambers Rental Discussion
 - 4. Goal Setting Meeting Date Discussion
 - 5. Farmer's Market Location Discussion
 - 6. Economic Development Authority, Planning Commission and Parks, Recreation and Culture Board Minutes Discussion

- F. Adjournment**



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Matt Sylvester, Public Services Director
Date: December 21, 2021
Subject: Public Works Updates

Streets:

- Crews have been working on a tree trimming list. This list is generated over the summer when trees are at their fullest and is completed annually as a winter project.
- With the lack of snow we received in November Public Works was able to help out with the Liquor store move. They helped move different things from the old store to the new store, install shelving in the retail area, stock shelves, build wooden shelving for product storage, and prepared the old store for the new owners.

Storm:

- The 2021 Storm System Management Project is now completed.
- Staff will be doing some brush cutting in other storm ponds over winter when the ground is frozen as routine maintenance only.

Sewer:

- Sewer Jetting was completed this fall. This year they jetted more than usual as a training exercise for some of the newer team members concentrating on gravity areas out to the main lift station.
- The clarifiers at the WWTF have been drained and cleaned. The WWTF is now in winter mode where the clarifiers and UV bulbs are not in use.
- Fall maintenance was completed at the WWTF including oil changes on the backwash pumps, sludge pumps and the aeration blowers.

Water:

- Private well water testing is almost complete. Residents who have a private well are required to provide sample to be tested for Bacteria (Bac-T) and Nitrates in their private well. The limit is 0 for the Bac-t test and 10 mg/l in the Nitrates sample. This year we had 9 residents who did not submit their sample results. Public works is working on gathering those samples and getting those samples submitted.

Parks:

- Public Works was able to make a "Snow Making Machine". Staff has made a few modifications to it since the initial use with the cold temperatures. It be used as needed when the temperatures are cold enough.
- The Compost Site closed on November 7. Last years' compost was screened leaving residents with some composted dirt for gardening this coming spring.
- The Santa Event was held at the ICC on December 10 beginning with Santa Claus followed by the movie "Jingle all the Way".
- On December 12 Alyssa held the "Candy Cane Flashlight Hunt" in Legacy Park both events were well attended.

A Community For Generations.



Memo for COW

To: Mayor Johnson and Members of the City Council
From: Alyssa Olson, Parks, Recreation & Events Coordinator
Date: December 21, 2021
Subject: Farmers Market Location Discussion

Background:

With the selling of the old liquor store land, the Isanti Family Farmers Market will need to re-locate ahead of the 2022 season, which will begin in May. A few City-owned locations have been reviewed as options, including the new liquor store, Bluebird Park, and Eagle Park. For space planning, the 2021 Market had an average of 15 vendors each week, with a max of 21.

Liquor store:

The original plan was to utilize the strip of land at the north end of the parking lot, but as that has been posted for sale, there is no guarantee that the area will be available for the Market season. Therefore, staff has looked at the south end of the lot that is reserved for RV parking. The grass area would provide sufficient spacing for 13-15 vendors each week, but parking for both vendors and customers would be an issue. In this space, the Market would take over most of the RV spaces to use for both Market parking and a pedestrian safety zone. However, the Market would be able to capitalize on built-in traffic, reducing the need for amplified marketing efforts. Because of this, if we utilize this space, Liquor Store management has asked to avoid Thursdays-Saturdays when RV traffic is heaviest.

Bluebird Park:

There is ample room in the open green space at the north end of the park to hold the Farmers Market. This space could also easily hold additional activities to amplify the Market, including live music, food trucks and kids programming. The parking lots would also easily hold the vehicles for Market vendors and customers. The park, however, offers very limited visibility from cross streets and does not have existing traffic to capitalize on. Attendance at the Market would almost fully depend on weekly marketing to drive enough traffic to the Market to support the vendors.

Eagle Park:

With the expansion of Eagle Park, there is room to move vendors onto the grass and reserve parking spaces for both vendors and customers. Similar to Bluebird Park, visibility is limited, however, there is more built-in traffic due to the proximity to Main Street businesses and the need for additional marketing would be minimal. Vendors have previously voiced concerns over moving back to the Eagle Park location, but the revised park would offer more space than was available previously.

With these obstacles, staff has also looked at changing the date of the Market to accommodate the traffic needs at these locations. Wednesday appears to be a valuable day for many Markets around the metro and would not compete with any area Markets. A Wednesday Market at the new liquor store would allow Market customers and vendors to utilize parking spaces without disrupting the general store traffic. It could also drive traffic to the store on a slower day. A Wednesday Market at Eagle Park might capitalize on higher traffic in the downtown area; Bluebird Park traffic is fairly consistent regardless of the day.

Recommendation:

Staff is recommending the Market be moved to Wednesday evenings and located at the Liquor Store. The Liquor Store location offers the best visibility for the Market and moving to a low-traffic night could help increase business on days when the store isn't as active. Keeping the location tied to the store can also help with marketing efforts as many customers and vendors already assumed the Market would move with the store.

Request:

Staff is requesting direction on the new Farmers Market location and day of the week.