AGENDA

CITY OF ISANTI

CITY COUNCIL COMMITTEE OF THE WHOLE MEETING TUESDAY, OCTOBER 20, 2020 – 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. Water and Sewer Rate Studies
- 3. Liquor Store Preliminary Plans
- 4. 207 Richard Ave- Update
- 5. Draft ORD Chapter 216
- 6. Pedestrian Overpass/ Underpass- Possible Funding Sources- Update
- 7. School for All Season Request
- 8. Traffic Control at the Intersection of Rum River Drive SW/ Birch St.
- 9. Railroad Quiet Zone Estimate
- 10. Mainstreet Speed Discussion

F. Adjournment

Isanti Police Department

PROFESSIONALISM

PO Box 428, 401 First Ave NW, Isanti, MN 55040 763-444-4761

To: Mayor and City Council From: Chief Travis Muyres

Date:10/14/20

Subject: Police Department Updates

Staffing:

The Police Department recently hired two new FT Police Officers. Both Officers came with years of experience from other departments. They are currently in field training and expected to be on solo patrol in early November.

Fleet:

The 2021 Dodge Durango was put into service in August.

All 3 of the Dodge Durango patrol vehicles are operated 12 hours every day of the week. The older Ford explores are operated by SRO and CSO.

2021 Dodge Durango	Day patrol car
2020 Dodge Durango	Night patrol car
2020 Dodge Durango	Night patrol cat
2016 Ford Explorer	School Resource Officer
2015 Ford Explorer	CSO
2012 Impala	Investigator
2017 F150	Chief

Evidence Audit:

All evidence and property located at the Police Department was audited and entered into records management system. This was the first time that the audit and items were recorded into our records management system.

Evidence property room was updated with key fob access [in addition to analog key] in 2019. CCTV camera was installed on evidence/property room in September 2020. These upgrades enhance the integrity and security of property.

Isanti Police Department

PO Box 428, 401 First Ave NW, Isanti, MN 55040 763-444-4761



CITY OF ISANTI CRIME STATISTICS QUARTERS 1&2

January through June

Part 1 Offenses	2018	2019	2020
Rape	1	0	0
Robbery	1	0	0
Assault	2	2	0
Burglary	8	3	0
Larceny / Theft	46	30	. 33
Motor Vehicle Thefts	1	0	0
TOTALS	59	35	33
Part 2 Offenses	2018	2019	2020
Other Assaults	16	8	9
Forgery/Counterfeiting	5	0	1
Fraud	1	1	2
Stolen Property	0	1	2 3
Vandalism	2	0	9
Weapons	1	0	3
Drug Abuse Violations	10	7	9
Driving Under the Influence	10	8	7
Liquor Laws	4	1	3
Disorderly Conduct	7	4	24
All Other Offenses	14	7	9
TOTALS	70	37	79
GRAND TOTALS	129	72	112

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



October 2020 Water Rate Study

Prepared By: Finance Director Betker

Municipal Water Utility

Isanti City Code Chapter 262 Sewer and Water Service Rates, Article I, Section 2 states:

Sanitary sewer and water utility charges. Sanitary Sewer and Water Utilities service charges are fees collected from all system users and those who have reasonable access to the public sanitary sewer and water supply systems (sanitary sewer and water utilities). The City Council has determined that in order to pay for the cost of construction, reconstruction, repair, enlargement, improvement, maintenance, operation and use of the City's sanitary sewer and water utilities; the cost of new State and Federal regulations; principal and interest due on obligations issued or to be issued therefor; it is necessary to impose the following just and equitable charges for the use and availability of the sanitary sewer and water utilities service. Fees, as authorized by Minn. Statutes 444.075, for connection to and usage of the sanitary sewer and water utilities system are set based on the financial needs of the sanitary sewer utility and water utility.

Considerations

1) The best way to reduce utility rates is with more rate payers.

The more rate payers that contribute to a relatively finite amount of utility infrastructure, the cheaper it becomes to operate and maintain on a per capita basis.

2) Large future projects likely warrant a 40-year Funding Plan.

While paying cash upfront for a new water or wastewater treatment facility might be the most fiscally responsible option, by avoiding bond issuance and interest costs. It must also be understood that path likely means much higher rates for rate payers during a specific 20-year period, after which rates are likely to drop precipitously. Leaving some that paid higher rates ahead of the project to provide funding and potentially never actually receive the benefit of said project. The inverse would also be true if a municipality saved no cash and financed the entire project thru debt issuance. The only difference being that those subsequent rates would be even higher than they would have been if the project had been funding during the 20-year period leading up to the project.

A better and more equitable plan is to pay for half of the project in cash and finance the other half. Leaving rates more consistent and equitable over a 40-year period than either of the other two options.

 Comparisons with other Municipalities are difficult without knowing the service capacity and useful life of key centralized infrastructure.

A new water or wastewater facility serving 10,000 people with a capacity to serve 50,000 people will require higher rates than a facility with a 50,000 person service capacity servicing 25,000 people. Furthermore, a water or wastewater facility that is "nearing" capacity but still has a useful life of more than 20 years will, relatively, be the cheapest to operate on a per capita basis. A facility financed entirely with bonding and with minimal cash reserves will be the most expensive on a per capita basis to operate until the debt has been retired.

Without knowing the details about capacity, useful life and financing, rate comparisons are only marginally useful.

4) Current competitive standing should not dictate long term rate structure.

Regardless of current competitive standing the best course of action will always be to accurately identify long term capital expenditures, short term operating expenditures and to plan for major plant improvements in a way that balances fiscal concerns equitably across a 40-year time horizon.

The extent to which a municipality can achieve a multi decade solution effectively, will provide a corresponding competitive advantage that can only be lost or given up over a similarly long period of time.

Water Rates 2016 to Current

Year	2016	2017	2018	2019	2020
Consumption Rate (0 - 10,000)	\$2.99	\$2.99	\$3.08	\$3.17	\$3.27
Consumption Rate (10,001 - 25,000)	\$3.74	\$3.74	\$3.85	\$3.97	\$4.09
Consumption Rate (25,001 & Up)	\$4.67	\$4.67	\$4.81	\$4.95	\$5.10
Change From Prior Year		0.0%	3.0%	2.9%	3.2%
Base Rate	\$16.90	\$12.68	\$13.06	\$13.45	\$13.85
Change From Prior Year		-25.0%	3.0%	3.0%	3.0%
Water Access Charge (WAC)	\$3,677	\$3,787	\$2,537	\$2,613	\$2,692
Change From Prior Year		3.0%	-33.0%	3.0%	3.0%

Proposed Water Rates 2021 thru 2023

Option #1

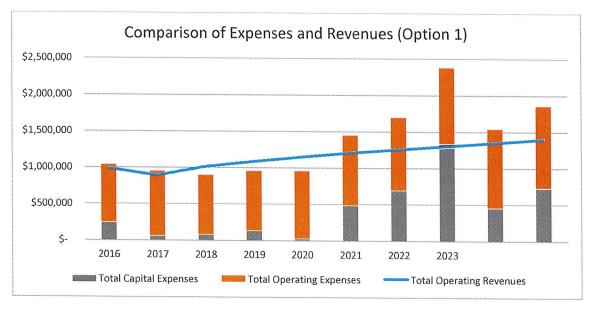
Year	2021	2022	2023
Consumption Rate (0 - 10,000)	\$2.94	\$3.03	\$3.12
Consumption Rate (10,001 - 25,000)	\$3.68	\$3.79	\$3.91
Consumption Rate (25,001 & Up)	\$4.59	\$4.73	\$4.87
Change From Prior Year	-10.0%	3.0%	3.0%
Base Rate	\$13.85	\$14.27	\$14.69
Change From Prior Year	0.0%	3.0%	3.0%
Water Access Charge (WAC)	\$2,827	\$2,968	\$3,116
Change From Prior Year	5.0%	5.0%	5.0%

Option #2

Year	2021	2022	2023
Consumption Rate (0 - 10,000)	\$3.11	\$3.11	\$3.11
Consumption Rate (10,001 - 25,000)	\$3.89	\$3.89	\$3.89
Consumption Rate (25,001 & Up)	\$4.85	\$4.85	\$4.85
Change From Prior Year	-5.0%	0.0%	0.0%
Base Rate	\$13.85	\$13.85	\$13.85
Change From Prior Year	0.0%	0.0%	0.0%
Water Access Charge (WAC)	\$2,827	\$2,968	\$3,116
Change From Prior Year	5.0%	5.0%	5.0%

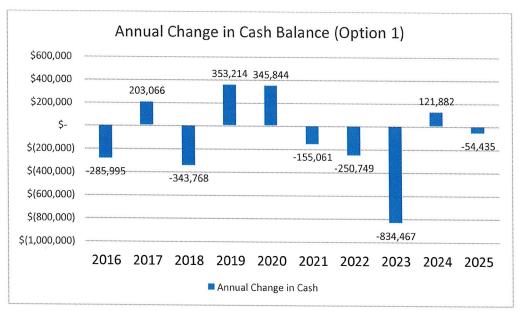
Expenses and Revenues

The proposed water rates for 2021-2023 are sufficient to cover known and projected operating and capital expenditures. Capital expenditures are based on the Water Utility 20-year Capital Improvement Plan prepared by Finance Director and presented to the Council in September of 2020. Operating expenditures are projected to rise an average of 4.00% annually.



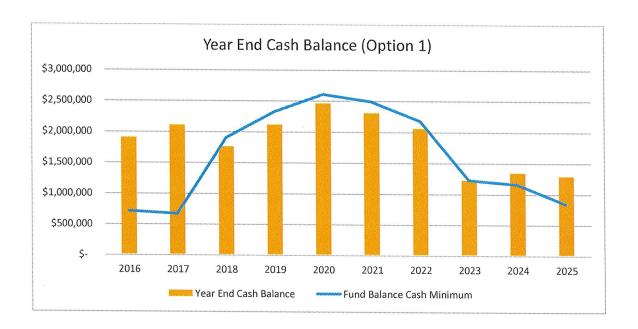
Annual Net Margin

The proposed rate structure reduces the cash position of the Water Fund by an average of \$413,426 per year from 2021 thru 2023, after operating and capital expenses have been considered. This average annual reduction in cash position will allow the City to continue to fund immediate Operating and Capital expenditures while maintaining adequate cash reserves for future capital expenditures.



Cash Position

The purpose of reducing the cash position of the Fund is to better align our rates with known future capital expenditures and projected operating expenses. During the 2019 Budget process the Council approved the first presentation of a 20-year Capital Improvement Plan. While the plan as presented is a 20-year plan, expenditures and cash flows have been calculated much further into the future. As that plan has been refined and implemented it is warranted that the Water Utility maintain only cash sufficient to meet Fund Balance policy obligations and known future Capital Reserve obligations. The proposed rates improve our annual cash position relative to the aforementioned criteria over 3 years even though the absolute cash balance is declining.



of Isant				OPT	ION #1 FINANC	IAI	LS						
ter Fund	(601)												
			Budget						Projected				
Reven	HAC		2020		2021	_	2022		2023		2024		2025
	Sales - Consumption	,	CEC 030	,	CF7.040								
····	Sales - Base Fees	\$	656,928		657,340	\$		\$	761,740		813,511		865,711
	NSF/Penalties/Reconnect Fees	\$	448,476		469,621	\$		\$	528,806	\$	558,180	\$	587,773
	V3F/Femalites/Reconnect Fees	\$	35,000	5	36,050	\$	37,132	\$	38,245	\$	39,393	\$	40,575
	Total Operating Powers		1 140 404		4 4 6 3 6 4 4								
	Total Operating Revenues	λ	1,140,404	\$	1,163,011	\$	1,243,945	\$	1,328,791	\$	1,411,084	\$	1,494,05
Expen	tac		······································										
	Personnel Services	\$	202 242										***************************************
······································	Supplies	\$	283,242 81,500	ķ	294,600	·····			318,700	····	331,400	\$	344,70
	Professional Services	\$	60,712		84,800	\$			91,700	\$	95,400	\$	99,20
	Communications	\$	3,801		63,100	\$		\$	68,200	\$	70,900	ļ	73,70
	nsurance	\$	11,025	·····	4,000			\$	4,400	\$	4,600		4,80
	Jtilities	\$	60,520	ç	11,500 62,900	\$ \$			12,500		13,000		13,50
	Repairs & Maintenance	\$	21,530	ļ	22,400	۶ \$			68,000	\$	70,700	\$	73,50
	Depreciation*	\$	400,000	·	416,000	۶ \$			24,200	\$	25,200	ļi	26,20
	Other	\$	-	\$	- 410,000	\$		\$	449,900	\$	467,900	\$	486,60
			······································	· ·		7		Α.	-	\$	-	\$	-
	Total Operating Expenses	Ś	922,330	ς.	959,300	\$	997,700	\$	1 027 600		1 070 100		1 100 -
	1001 Operating expenses		322,330	٠,	333,300	?	997,700	Þ	1,037,600	\$	1,079,100	\$	1,122,20
Opera	iting Income (Loss)	Ś	218,074	Ċ	203,711	\$	246,245	,	201 101	٠	224 084	_	274 0
		7	210,074	7	203,711	Ş	240,245	Þ	291,191	>	331,984	\$	371,85
Cash F	·······································			ļ	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	ļ		<u> </u>				ļ	
	Operating Income (Loss)	\$	218,074	\$	202 711		246 245					ļ	
	Depreciation*	\$	400,000	ţ	203,711	\$			291,191		331,984	\$	371,8
	Other Revenues	\$	8,000	·	416,000	<i>4</i>			449,900	\$	467,900		486,60
	Net Change in Assets	\$	32,000	ėi	8,240	·		\$	8,742		9,004		9,2
	Net Change in Deferred Outflows	\$		÷	(8,000)	÷	······································	.	32,000	\$	32,000		32,00
	Net Change in Liabilities	\$	10,000	*·····	12,500	\$i	······	şi	17,500	\$	20,000		22,50
	Net Change in Deferred Inflows	\$ \$	(10,000)	***************************************	(15,000)	····		ļi	(25,000)		(30,000)		(35,00
	Grant Funds	۶ \$	(3,000)		(3,750)	ş		·····	(5,250)		(6,000)	·	(6,7
	Oranic I dilicos	Ą		\$	-	\$	-	\$	-	\$	-	\$	
	Net Cash From Operating Activities	ė	GEE OZA	,	C12 701		700 000					ļ	
	receasi nom operating Activities	φ	655,074	\$	613,701	\$	709,832	\$	769,083	\$	824,888	\$	880,48
1	Net Transfers Out	\$	(6 124)		(6.010)	,	(4.504)					ļ	
	Connection Fees Received	۶ \$	(6,124) 200,000		(6,019)	\$		ş,		\$	-	\$	-
	Special Assessments Received	۶ \$	200,000	4	210,000	i.		\$	231,500	\$	243,100	· · · · · · · · · · · · · · · · · · ·	255,30
····-	Acquisition of Capital Assets	۶ \$	/24 220	\$	/400 4001	\$	•••••••••••••••••••••••••••••••••••••••	\$	-	\$		\$	-
	Proceeds From Bonds Issued		(24,320)	÷	(480,190)				(1,330,276)	9	(450,507)	·	(722,5
	Interest Paid on Bonds	\$ \$	(110 700)	\$		\$		\$		\$		\$	-
	Principal Paid on Bonds	\$	(110,786)	·	(99,553)	· • · · · · · · ·		ģ	(75,774)		(63,099)		(50,2
	Investment Income	\$	(408,000)	• • • • • • • • • • • • • • • • • • • •	(423,000)	·		4	(449,000)	·····	(455,000)		(440,0
	mivestinent income	>	40,000	\$	30,000	\$	32,500	Ş	20,000	\$	22,500	\$	22,5
Net C	ash Flow		245.044	-	/	1.		<u> </u>	•••••••••••••••••••••••••••••••••••••••			ļ	
11010	USII I I I I I I I I I I I I I I I I I I	\$	345,844	. >	(155,061)	١, >	(250,749)	Ş.	(834,467)	\$	121,882	\$	(54,4
Regin	ning Cash		3 100 205		2 452 400	-						ļ	
Degiii	innig Casii	\$	2,106,285	\	2,452,129	5	2,297,068	Ş	2,046,319	\$	1,211,852	\$	1,333,7
Endin	g Cash	_	2.452.400	_		-		<u> </u>		_			
Enuin	g Casii	\$_	2,452,129	\$	2,297,068	\$	2,046,319	\$	1,211,852	\$	1,333,734	\$	1,279,2
	Debt Service			ļ	·····	ļ		ļ		ļ		ļ	
	······································	\$	518,786		522,553	*******	***************************************	4	524,774	\$	518,099	\$	490,2
	Base Fees	\$	448,476	\$	469,621	Ş	498,560	\$	528,806	\$	558,180	\$	587,7
		<u> </u>				-				_		1	
	Total Operating Revenues		2020	١_	2021	Ι.	2022	Ļ	2023		2024		2025
	Total Operating Expenses	\$	1,140,404		1,163,011				1,328,791		1,411,084		1,494,0
	Total Operating Expenses Total Capital Expenses	\$	922,330		959,300			•	1,037,600	· · · · · · · · · · · · · · · · · · ·	1,079,100		1,122,2
		\$	24,320		480,190		·····		1,330,276	·	450,507	··	722,5
	Year End Cash Balance	\$	2,452,129		2,297,068		······································			·	1,333,734		1,279,2
	Annual Change in Cash	\$	345,844	\$	(155,061)) \$	(250,749)	\$	(834,467)	\$	121,882	\$	(54,4
	Fund Ralance Cach Affair-					.ļ		ļ		ļ			
······	Fund Balance Cash Minimum	\$	740,926		759,760			• • • • • • • • • • • • • • • • • • • •		4	806,209	\$	831,4
******************************	Forward CIP Cash Minimum	\$	1,854,024	-	1,718,104	-		_	415,919	-	336,962	\$	
	Total Cash Minimum	\$	2,594,950		2,477,864			_		\$	1,143,171	\$	831,4
	Total Cash Minimum +15%	\$	2,984,193	\$	2,849,543	\$	2,489,971	\$	1,396,696	\$	1,314,647	\$	956,2
		ļ		<u></u>				ļ				I	
	Excess	\$	(142,821	\$	(180,795)) \$	(118,873)	\$	(2,667)	\$	190,563	\$	447,8
	Excess at 15% Threshold	\$	(532,064	1 5	(552,475)	1 6	(443,652)	1		•	19,088		323,

r Fun	d (601)												
			dget		~			F	rojected		· · · · · ·		
		20	020		2021		2022		2023		2024		2025
Reve		·····				*************							
	Sales - Consumption	\$	656,928		694,276	\$	726,012	\$	757,865	\$	789,640	\$	821,4
	Sales - Base Fees	\$	448,476	\$	469,621	\$	483,820	\$	498,019	\$	512,219	\$	526,4
	NSF/Penalties/Reconnect Fees	\$	35,000	\$	36,050	\$	37,132	\$	38,245	\$	39,393	\$	40,5
								->					
,	Total Operating Revenues	\$	1,140,404	\$	1,199,947	\$	1,246,964	\$	1,294,130	\$	1,341,252	\$	1,388,4
Expe	nses							····					
	Personnel Services	\$	283,242	\$	294,600	\$	306,400	\$	318,700	\$	331,400	\$	344,7
	Supplies	\$	81,500		84,800	\$	88,200	\$	91,700	<u></u>	95,400		99,2
,	Professional Services	\$	60,712			\$	65,600	\$	68,200		······································		
	Communications	\$	3,801		4,000	\$	4,200	\$			70,900		73,
}	Insurance	\$	11,025			.			4,400	····i	4,600		4,8
	Utilities	\$			······································	\$	12,000	\$	12,500		13,000		13,5
		·····	60,520		······	\$	65,400	\$	68,000	\$	70,700	\$	73,5
·····	Repairs & Maintenance	\$	21,530	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,		\$	23,300		24,200	\$	25,200	\$	26,2
4	Depreciation*	\$	400,000		416,000	\$	432,600	\$	449,900	\$	467,900	\$	486,6
ļ	Other	\$		\$		\$	-	\$	-	\$	-	\$	
		<u> </u>											
ļ	Total Operating Expenses	\$	922,330	\$	959,300	\$	997,700	\$	1,037,600	\$	1,079,100	\$	1,122,2
						,,,,							-,,
Oper	ating Income (Loss)	\$	218,074	Ś	240,647	\$	249,264	Ś	256,530	\$	262,152	\$	266,7
				<u> </u>		-	_ 10,201	<u> </u>	20,000	Υ	-02,102	<u> </u>	200,
Cash	Flow	\$											***************************************
····	Operating Income (Loss)	\$	240.074	<u> </u>	240.647								
ş	Depreciation*		218,074	·····	240,647	\$	249,264	\$	256,530		262,152		266,
		\$	400,000		416,000	\$	432,600	,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	449,900		467,900	\$	486,
	Other Revenues	\$	8,000		8,240	<i>~~~</i>	8,487	\$	8,742	\$	9,004	\$	9,
	Net Change in Assets	\$	32,000	\$	(8,000)	\$	32,000	\$	32,000	\$	32,000	\$	32,0
	Net Change in Deferred Outflows	\$	10,000	\$	12,500	\$	15,000	\$	17,500	\$	20,000	\$	22,
	Net Change in Liabilities	\$	(10,000)	\$	(15,000)	\$	(20,000)	\$	(25,000)	\$	(30,000)	\$	(35,
	Net Change in Deferred Inflows	\$	(3,000)	\$	(3,750)	Ś	(4,500)		(5,250)		(6,000)		(6,
	Grant Funds	\$	<u>-</u>	\$	-	\$		\$	- · · · · · · · · · · · · · · · · · · ·	\$		\$	
						<u>T</u>		T		Y			
	Net Cash From Operating Activities	\$	655,074	\$	650,637	\$	712,851	ς	734,422	\$	755,056	\$	774
		T.		Υ	050,037	Y	712,031	٧	734,422	Ą	733,030	ə	774,
İ	Net Transfers Out	\$	(6,124)	ė	/C 010\		/4 FC &\	,			······		
·	Connection Fees Received	\$			(6,019)		(4,564)	***************************************		\$		\$	
ļ	Special Assessments Received	· 6 · · · · · · · · · · · · · · · · · ·	200,000	ç	210,000		220,500	· · · · · · · · · · · · · · · · · · ·	231,500	\$	243,100	\$	255,
ļ		\$		\$	-	\$	-	\$	-	\$		\$	·
·	Acquisition of Capital Assets	\$	(24,320)	4	(480,190)		(687,198)		(1,330,276)	\$	(450,507)	\$	(722,
ļ	Proceeds From Bonds Issued	\$	-	\$	-	\$	_	\$		\$	-	\$	
<u>.</u>	Interest Paid on Bonds	\$	(110,786)	\$	(99,553)	\$	(87,819)	\$	(75,774)	\$	(63,099)	\$	(50,
	Principal Paid on Bonds	\$	(408,000)	\$	(423,000)	\$	(434,000)	\$	(449,000)	\$	(455,000)	\$	(440,
	Investment Income	\$	40,000	\$	30,000	Ś	32,500	ģ	20,000		22,500	Ś	22,
				1	······					<u> </u>			
Net (Cash Flow	\$	345,844	ς	(118,125)	¢	(247,730)	ċ	(869,128)	خ	52,050	ح	/1/0
1			3 13,011		(110,123)	7	(247,730)	ļ.,	(603,126)	Ą	32,030	7	(160,
Begi	nning Cash	\$	2,106,285	ė	2,452,129	٠.	2 224 004		2 000 274		4 047 445		
			2,100,203		2,432,123	, 3	2,334,004	.	2,086,274	>	1,217,145	١ >	1,269,
Endi	ng Cash			-		<u> </u>		<u> </u>		<u> </u>			
LIIUI	iig Casiii	\$	2,452,129	>	2,334,004	\$	2,086,274	\$	1,217,145	Ş	1,269,195	Ş	1,109,
ļ				ļ		ļ		<u> </u>					
	Debt Service	\$	518,786		522,553	\$	521,819	\$	524,774	\$	518,099	\$	490,
	Base Fees	\$	448,476	\$	469,621	\$	483,820	\$	498,019	\$	512,219	\$	526,
										ļ		ļ	,,
<u>.</u>		2	2020		2021		2022		2023		2024		2025
	Total Operating Revenues	\$	1,140,404	\$	1,199,947	\$	1,246,964	Ś	1,294,130	Ś	1,341,252	S	1,388,
	Total Operating Expenses	\$	922,330	Ś	959,300	·····	997,700	·	1,037,600		1,079,100	·····	1,122,
	Total Capital Expenses	\$	24,320		480,190	\$	687,198	· · · · · · · · · · · · · · · · · · ·	1,330,276	·	450,507	ş	
	Year End Cash Balance	\$	2,452,129		2,334,004			· • • • • • • • • • • • • • • • • • • •					722,
·	Annual Change in Cash	\$	***************************************	·÷		······	2,086,274	· · · · · · · · · · · · · · · · · · ·	1,217,145		1,269,195		1,109
	runda change III Casil	7	345,844	\	(118,125)	۶	(247,730)	5	(869,128)	Ş	52,050	Ş	(160,
	Fund Delegan Co. L. N			ļ		ļ		ļ		ļ		ļ	
	Fund Balance Cash Minimum	\$	740,926		759,760		781,187	· · · · · · · · · · · · · · · · · · ·	798,600		806,209	\$	831
.ļ	Forward CIP Cash Minimum	\$	1,854,024	\$	1,718,104	\$	1,384,005	\$	415,919	\$	336,962	\$	
	Total Cash Minimum	\$	2,594,950	\$	2,477,864	\$	2,165,192	\$	1,214,519	+ -	1,143,171	•	831
	Total Cash Minimum +15%	\$	2,984,193	\$	2,849,543		2,489,971	$\overline{}$	1,396,696		1,314,647		956
T		·			_,_,_,_,	, T	_,,,,,,,	<u>'</u>	2,000,000	٧	1,014,047		330
1	Excess	\$	(142,821	٠, ۴	(143,860)	٠,	(78,918	-	2,627	-	126,024	-	
			1444.041	, ,	(145,800)	: 3	17X.41X		2.627	: `	176 07/1		277



October 2020 Sewer Rate Study

Prepared By: Finance Director Betker

Municipal Sanitary Sewer Utility

Isanti City Code Chapter 262 Sewer and Water Service Rates, Article I, Section 2 states:

Sanitary sewer and water utility charges. Sanitary Sewer and Water Utilities service charges are fees collected from all system users and those who have reasonable access to the public sanitary sewer and water supply systems (sanitary sewer and water utilities). The City Council has determined that in order to pay for the cost of construction, reconstruction, repair, enlargement, improvement, maintenance, operation and use of the City's sanitary sewer and water utilities; the cost of new State and Federal regulations; principal and interest due on obligations issued or to be issued therefor; it is necessary to impose the following just and equitable charges for the use and availability of the sanitary sewer and water utilities service. Fees, as authorized by Minn. Statutes 444.075, for connection to and usage of the sanitary sewer and water utilities system are set based on the financial needs of the sanitary sewer utility and water utility.

Considerations

1) The best way to reduce utility rates is with more rate payers.

The more rate payers that contribute to a relatively finite amount of utility infrastructure, the cheaper it becomes to operate and maintain on a per capita basis.

2) Large future projects likely warrant a 40-year Funding Plan.

While paying cash upfront for a new water or wastewater treatment facility might be the most fiscally responsible option, by avoiding bond issuance and interest costs. It must also be understood that path likely means much higher rates for rate payers during a specific 20-year period, after which rates are likely to drop precipitously. Leaving some that paid higher rates ahead of the project to provide funding and potentially never actually receive the benefit of said project. The inverse would also be true if a municipality saved no cash and financed the entire project thru debt issuance. The only difference being that those subsequent rates would be even higher than they would have been if the project had been funding during the 20-year period leading up to the project.

A better and more equitable plan is to pay for half of the project in cash and finance the other half. Leaving rates more consistent and equitable over a 40-year period than either of the other two options.

3) Comparisons with other Municipalities are difficult without knowing the service capacity and useful life of key centralized infrastructure.

A new water or wastewater facility serving 10,000 people with a capacity to serve 50,000 people will require higher rates than a facility with a 50,000 person service capacity servicing 25,000 people. Furthermore, a water or wastewater facility that is "nearing" capacity but still has a useful life of more than 20 years will, relatively, be the cheapest to operate on a per capita basis. A facility financed entirely with bonding and with minimal cash reserves will be the most expensive on a per capita basis to operate until the debt has been retired.

Without knowing the details about capacity, useful life and financing, rate comparisons are only marginally useful.

4) Current competitive standing should not dictate long term rate structure.

Regardless of current competitive standing the best course of action will always be to accurately identify long term capital expenditures, short term operating expenditures and to plan for major plant improvements in a way that balances fiscal concerns equitably across a 40-year time horizon.

The extent to which a municipality can achieve a multi decade solution effectively, will provide a corresponding competitive advantage that can only be lost or given up over a similarly long period of time.

Sewer Rates 2016 to Current

Year	2016	2017	2018	2019	2020
Consumption Rate (0 - 10,000)	\$7.26	\$7.26	\$7.48	\$7.70	\$7.93
Consumption Rate (10,001 - 25,000)	\$9.08	\$9.08	\$9.35	\$9.63	\$9.92
Consumption Rate (25,001 & Up)	\$11.34	\$11.34	\$11.68	\$12.03	\$12.39
Change From Prior Year		0.0%	3.0%	2.9%	3.0%
Base Rate	\$22.86	\$11.43	\$11.77	\$12.13	\$12.49
Change From Prior Year		-50.0%	3.0%	3.1%	3.0%
Sewer Access Charge (SAC)	\$4,306	\$4,435	\$3,185	\$3,281	\$3,379
Change From Prior Year		3.0%	-28.2%	3.0%	3.0%

Proposed Sewer Rates 2021 thru 2023

Option #1

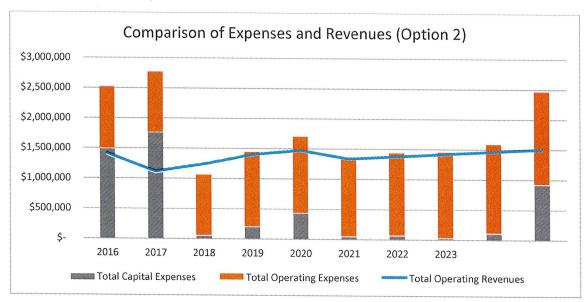
Year	2021	2022	2023
Consumption Rate (0 - 10,000)	\$6.34	\$6.53	\$6.73
Consumption Rate (10,001 - 25,000)	\$7.94	\$8.17	\$8.42
Consumption Rate (25,001 & Up)	\$9.91	\$10.21	\$10.52
Change From Prior Year	-20.0%	3.0%	3.0%
Base Rate	\$11.24	\$11.58	\$11.58
Change From Prior Year	-10.0%	3.0%	3.0%
Sewer Access Charge (SAC)	\$3,548	\$3,725	\$3,912
Change From Prior Year	5.0%	5.0%	5.0%

Option #2

Year	2021	2022	2023
Consumption Rate (0 - 10,000)	\$6.74	\$6.74	\$6.74
Consumption Rate (10,001 - 25,000)	\$8.43	\$8.43	\$8.43
Consumption Rate (25,001 & Up)	\$10.53	\$10.53	\$10.53
Change From Prior Year	-15.0%	0.0%	0.0%
Base Rate	\$11.87	\$11.87	\$11.87
Change From Prior Year	-5.0%	0.0%	0.0%
Sewer Access Charge (SAC)	\$3,548	\$3,725	\$3,912
Change From Prior Year	5.0%	5.0%	5.0%

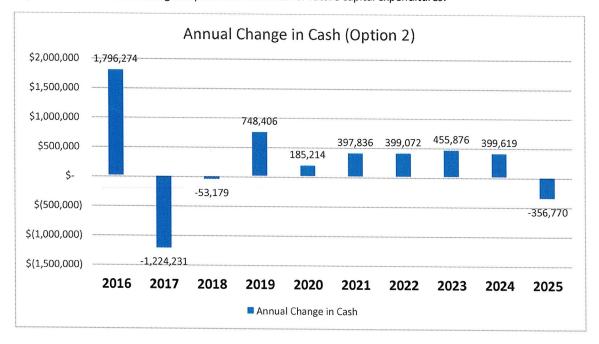
Expenses and Revenues

The proposed sewer rates for 2021-2023 are sufficient to cover known and projected operating and capital expenditures. Capital expenditures are based on the Sewer Utility 20-year Capital Improvement Plan prepared by Finance Director and presented to the Council in September of 2020. Operating expenditures are projected to rise an average of 4.00% annually.



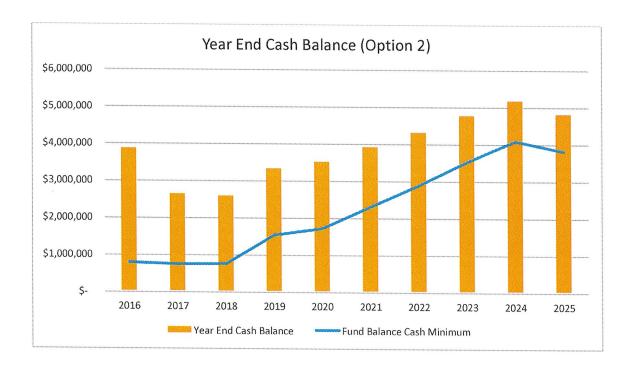
Annual Net Margin

The proposed rate structure improves the cash position of the Sewer Fund by an average of \$417,595 per year from 2021 thru 2023, after operating and capital expenses have been considered. This average annual improvement in cash position will allow the City to continue to fund immediate Operating and Capital expenditures while maintaining adequate cash reserves for future capital expenditures.



Cash Position

The purpose of improving the cash position of the Fund is to better align our rates with known future capital expenditures and projected operating expenses. During the 2019 Budget process the Council approved the first presentation of a 20-year Capital Improvement Plan. While the plan as presented is a 20-year plan, expenditures and cash flows have been calculated much further into the future. As that plan has been refined and implemented it is warranted that the Sewer Utility maintain only cash sufficient to meet Fund Balance policy obligations and known future Capital Reserve obligations. The proposed rates improve our annual cash position relative to the aforementioned criteria over 3 years. Over the next 20 years the Sewer Fund will need to accumulate \$8 million in cash to cover ½ of the project funding needed for a new mechanical wastewater treatment facility after a \$7 million state grant is considered. Leaving an \$8 million bond issue in 2040 to complete funding for that project.



er Fund	(002)												
ļ			ıdget						Projected				
<u> </u>		2	.020		2021		2022		2023		2024		2025
Revenu													
	ales - Consumption	\$	1,067,367	\$	886,761	\$	949,230	\$	1,014,905	\$	1,078,442	\$	1,142,
· · · · · · · · · · · · · · · · · · ·	ales - Base Fees	\$	385,016	\$	349,665	\$	365,974	\$	382,941	\$	399,470	\$	416,
N	ISF/Penalties/Reconnect Fees	\$	5,628	\$	5,797	\$	5,971	\$	6,150	\$	6,334	\$	6,
ļ ļ								***************************************					
	Total Operating Revenues	\$	1,458,011	\$	1,242,223	\$	1,321,175	\$	1,403,996	Ś	1,484,247	ς	1,565,
			••••••••••••••••••••••••••••••••••••							Y			1,303,
Expens	ses	***************************************											
P	ersonnel Services	\$	344,870	\$	358,700	\$	373,000	\$	387,900	\$	402.400		440
Sı	upplies	<u>T</u>	116,908		121,600		126,500			,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	403,400		419,
· · · · · · · · · · · · · · · · · · ·	rofessional Services	\$	37,594					\$	131,600		136,900		142,
·ģ	ommunications	\$ \$			39,100		40,700	\$	42,300		44,000		45,
·	nsurance		3,396		3,500	\$	3,600	\$	3,700		3,800	·····	4,
		\$	20,448	***************************************	21,300	,,,, , ,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,	22,200	\$	23,100	\$	24,000	\$	25,
· · · · · · · · · · · · · · · · · · ·	Itilities	\$	223,590		232,500		241,800	\$	251,500	\$	261,600	\$	272,
· · · · · · · · · · · · · · · · · · ·	epairs & Maintenance	\$	26,000		27,000	\$	28,100	\$	29,200	\$	30,400	\$	31,
·\$11.11.11.11.11.11.11.11.11.11.11.11.11.	Pepreciation	\$	490,000	\$	509,600	\$	530,000	\$	551,200	\$	573,200	\$	596,
0	Other	\$	-	\$	-	\$	-	\$	-	\$	-	\$	···········
<u> </u>											······································	T	
	Total Operating Expenses	\$	1,262,806	\$	1,313,300	\$	1,365,900	\$	1,420,500	\$	1,477,300	¢	1,536,
			,255		_,==5,000	т	_,555,560	.	±,720,000	٧	±,477,500	٧	1,550,
Operat	ting Income (Loss)	\$	195,205	¢	(71,077)	ć	/44 725)	ć	/1C FOA)	۲.	5.047	_	
		<u> </u>	133,203	7	(71,077)	ų.	(44,725)	٠	(16,504)	>	6,947	\$	28,
Cash FI	low	•										ļ	
												ļ <u></u>	······
	perating Income (Loss)	\$	195,205		(71,077)	\$	(44,725)	\$	(16,504)	\$	6,947	\$	28,
······································	Pepreciation	\$	490,000	\$	509,600	\$	530,000	\$	551,200	\$	573,200	\$	596,
. 0	Other Revenues	\$	8,000	\$	8,240	\$	8,487	\$	8,742	\$	9.004	Ś	9,
N	let Change in Assets	\$	56,670	\$	56,670	\$	56,670	\$	56,670	Ś	56,670	ς	56,
N	let Change in Deferred Outflows	\$	10,000	\$	12,500	Ś	15,000		17,500		20,000		22,
N	let Change in Liabilities	\$	(10,000)	Ś	(15,000)		(20,000)		(25,000)		(30,000)	g	······
N	let Change in Deferred Inflows	\$	(3,000)	·····	(3,750)	·····	(4,500)		(5,250)	ļ		····	(35,
7	Grant Funds	\$	(5),000)	\$	(3,730)	\$	(4,300)		(3,230)		(6,000)	<u> </u>	(6,
1 1		Y		٧		٦	-	\$		\$	-	\$	·····
1	Net Cash From Operating Activities	\$	746 076		407.400								
-	Met casiff for operating Activities	, ,	746,875	\$	497,183	\$	540,933	Ş	587,358	\$	629,821	\$	671,
	1++ T f O											ļ	
·\$	Net Transfers Out	\$	(6,124)		(6,019)	\$	(4,564)	\$	-	\$	-	\$	
	Connection Fees Received	\$	251,000	\$	263,600	\$	276,800	\$	290,600	\$	305,100	\$	320,
	pecial Assessments Received	\$	-	\$	-	\$	-	\$	-	\$	-	\$	······································
A	Acquisition of Capital Assets	\$	(424,830)	\$	(38,100)	\$	(59,078)	\$	(17,837)	Ś	(99,577)	·····	(913,
P	roceeds From Bonds Issued	\$	-	\$	-	\$	-	\$	-	\$		\$	
lr	nterest Paid on Bonds	\$	(66,708)	····	(59,561)	Ş	(51,973)		(43,820)	·	(35,320)	\$1	126
Р	rincipal Paid on Bonds	\$	(355,000)	į	(365,000)	 ,	(375,000)	·····	(380,000)			ģ	(26
lr.	nvestment Income	\$	40,000			·····	***************************************			····	(385,000)		(355
1 11			40,000	۶	30,000	٥	32,500	\$	20,000	5	22,500	\$	22,
Not C-	ish Flow		40= -:			ļ				ļ		ļ	
ivet Ca	ISH I IUW	\$	185,214	Ş	322,102	\$	359,618	\$	456,301	\$	437,524	\$	(280
ļ l						ļ					•		
Beginn	ning Cash	\$	3,321,193	\$	3,506,406	\$	3,828,509	\$	4,188,126	\$	4,644,427	\$	5,081
<u> </u>						<u> </u>							
Ending	g Cash	\$	3,506,406	\$	3,828,509	\$	4,188,126	\$	4,644,427	Ś	5,081,951	Ś	4,801
<u> </u>							,	·	, ,		-,,	<u> </u>	7,001
D	Pebt Service	\$	421,708	Š	424,561	7	426,973	٠.	423,820	٠.	420,320	٠,	204
	Base Fees	\$	385,016		349,665	Ş	365,974			·····			381
		· ·	303,010		343,003	,	303,974	γ	382,941	Þ	399,470	>	416
1			2020	-	2024	<u> </u>	2025					1	
T	otal Operating Revenues		2020	<u> </u>	2021	 _ _	2022	_	2023	<u> </u>	2024	<u> </u>	2025
	otal Operating Revenues Total Operating Expenses	\$	1,458,011	·····	1,242,223	········	1,321,175	\$	1,403,996	· · · · · · · · · · · · · · · · · · ·	1,484,247	4	1,565
		\$	1,262,806		1,313,300	·	1,365,900		1,420,500	\$	1,477,300	\$	1,536
	otal Capital Expenses	\$	424,830	÷i	38,100	· · · · · · · · · · · · · · · · · · ·	59,078	\$	17,837	\$	99,577	\$	913
··;············;···	ear End Cash Balance	\$	3,506,406	\$	3,828,509	\$	4,188,126		4,644,427	\$	5,081,951	· · · · · · · · · · · · · · · · · · ·	4,801
Δ	Annual Change in Cash	\$	185,214	\$	322,102	\$	359,618		456,301	********	437,524		(280
ļl.		L						····		*	/,0=1		,
] F	und Balance Cash Minimum	\$	868,931	Ś	896,436	Ś	922,160	Ś	948,810	7	958,969	7 .	931
	orward CIP Cash Minimum	\$	826,124		1,385,294		1,941,406			·•••••		••••••	
	Cash Minimum	\$	1,695,055		2,281,730				2,557,219	-	3,110,301	-	2,868
	Cash Minimum +15%			<u> </u>		; 	2,863,566	_	3,506,029	_	4,069,270		3,800
Jocai C	2031 WIII HIII T1370	\$	1,949,313	\$	2,623,990	Ş	3,293,101	\$	4,031,933	\$	4,679,660	\$	4,370
ļ		ļ		ļ		ļ				ļ	·····	1	
Excess		\$	1,811,352	\$	1,546,778	\$	1,324,560	\$	1,138,398	\$	1,012,681	\$	1,000
	s at 15% Threshold	\$	1,557,094		1,204,519	_	895,026		612,494				

er Fund (60	02)							•••••		***************************************			
		E	Budget			_			Projected				
			2020		2021		2022		2023		2024		2025
Revenues									2023	_	2024		2023
Sale	s - Consumption	\$	1,067,367	\$	942,653	\$	979,418	\$	1,016,447	\$	1,053,300	\$	1,090,3
Sale	s - Base Fees	\$	385,016	\$	369,507		375,241	\$	380,974	\$	386,708	\$	392,4
NSF	/Penalties/Reconnect Fees	\$	5,628	\$		\$	5,971	************	6,150	\$	6,334		592,. 6,!
											0,554		
	Total Operating Revenues	\$	1,458,011	\$	1,317,956	\$	1,360,630	\$	1,403,571	\$	1,446,343	Ś	1,489,
						<u>T</u>		¥	1,405,571	Ÿ	1,440,545	٠,	1,405,
Expenses		***************************************							······				
Pers	onnel Services	\$	344,870	ς	358,700	ς	373,000	\$	387,900	\$	400 400		
Sup	olies	\$	116,908		121,600	\$	126,500		······		403,400		419,
4	essional Services	\$	37,594		39,100	\$			131,600	\$	136,900		142,
· · · · · · · · · · · · · · · · · · ·	imunications	\$	3,396		3,500	\$	40,700	\$	42,300	\$	44,000		45,
· · · · · · · · · · · · · · · · · · ·	rance	\$	20,448	\$		\$	3,600	\$	3,700	\$	3,800	,,,,i,,,,,,,,	4,
Utili		\$	223,590		21,300	.	22,200	\$	23,100	\$	24,000		25,
÷	airs & Maintenance	\$	26,000		232,500	\$	241,800	\$	251,500	\$	261,600		272,
•	reciation	\$		\$	27,000	\$	28,100	\$	29,200		30,400	************	31,
Oth	······································		490,000	\$	509,600	\$	530,000	\$	551,200	\$	573,200		596,
- 000	= I	\$	-	\$	-	\$		\$	-	\$	-	\$	
	Total Opporting For	······	1 363 665										
1	Total Operating Expenses	>	1,262,806	\$	1,313,300	Ş	1,365,900	\$	1,420,500	\$	1,477,300	\$	1,536,
Operation	Throme (Less)	_											
operating	g Income (Loss)	\$	195,205	\$	4,656	\$	(5,270)	\$	(16,929)	\$	(30,957)	\$	(47,
ļi						.,,							
Cash Flov				,									***************************************
······	rating Income (Loss)	\$	195,205	\$	4,656	\$	(5,270)	\$	(16,929)	\$	(30,957)	\$	(47,
\$1000000000000000000000000000000000000	reciation	\$	490,000	\$	509,600	\$	530,000	\$	551,200	·····	573,200		596,
Oth	er Revenues	\$	8,000	\$	8,240	\$	8,487	\$	8,742	Ś	9.004		9,
Net	Change in Assets	\$	56,670	\$	56,670	\$	56,670	Ś	56,670		56,670		56,
Net	Change in Deferred Outflows	\$	10,000	\$	12,500	\$	15,000		·····	\$	20,000		22,
Net	Change in Liabilities	\$	(10,000)		(15,000)	********************	(20,000)		(25,000)	·····	(30,000)	·····	(35,
Net	Change in Deferred Inflows	\$	(3,000)		(3,750)		(4,500)		(5,250)	è	(6,000)	ķ	
Grai	nt Funds	\$		\$	(0,700)	\$	(4,500)	\$	(3,230)	\$	(6,000)		(6,
				<u>T</u>		Y		7		7	-	\$	
	Net Cash From Operating Activities	\$	746,875	ς	572,916	\$	580,387	\$	586,933		F01 017		
			7-10,075	¥	372,310	Y	300,367	Ą	360,933	\$	591,917	\$	595,
Net	Transfers Out	\$	(6,124)	Ċ	(6,019)	<u>.</u>	(A ECA)	٠					
·\$·····	nection Fees Received	\$	251,000				(4,564)			\$		\$	
	cial Assessments Received	\$	231,000	\$	263,600	\$	276,800		290,600	····	305,100		320,
1	uisition of Capital Assets	\$	/424 920\			\$		\$		\$	-	\$	
~·····································	ceeds From Bonds Issued	 \$	(424,830)		(38,100)		(59,078)		(17,837)	····	(99,577)	ģ	(913,
·\$1	rest Paid on Bonds		-	\$		\$	-	\$	-	\$	_	\$	
· •	cipal Paid on Bonds	\$	(66,708)		(59,561)		(51,973)		(43,820)		(35,320)	\$	(26,
· · · · · · · · · · · · · · · · · · ·		\$	(355,000)		(365,000)		(375,000)	\$	(380,000)	\$	(385,000)	\$	(355,
Inve	stment Income	\$	40,000	\$	30,000	\$	32,500	\$	20,000	\$	22,500	\$	22,
<u> </u>													
Net Cash	Flow	\$	185,214	\$	397,836	\$	399,072	\$	455,876	\$	399,619	\$	(356
<u> </u>			······································							l		Ĭ	
Beginnin	g Cash	\$	3,321,193	\$	3,506,406	\$	3,904,242	\$	4,303,315	\$	4,759,191	\$	5,158,
<u></u>										[·····	
Ending Ca	ash	\$	3,506,406	\$	3,904,242	\$	4,303,315	\$	4,759,191	\$	5,158,810	\$	4,802,
<u> </u>													
	t Service	\$	421,708	\$	424,561	\$	426,973	\$	423,820	\$	420,320	Ś	381,
Bas	e Fees	\$	385,016	\$	369,507	\$	375,241	şi	380,974		386,708	***********	392
								··········				T	
			2020		2021		2022		2023		2024		2025
Tota	al Operating Revenues	\$	1,458,011	\$	1,317,956	\$	1,360,630	\$	1,403,571	Ś	1,446,343	\$	1,489
Tota	al Operating Expenses	\$	1,262,806		1,313,300	·····	1,365,900	\$	1,420,500		1,477,300		1,536
Tota	al Capital Expenses	\$	424,830		38,100	\$	59,078	÷ · · · · · · · · · · · · · · ·	17,837		99,577	· · · · · · · · · · · · · · · · · · ·	913
Yea	r End Cash Balance	\$	3,506,406	·····	3,904,242		4,303,315	ţ	4,759,191	4	5,158,810	÷	
Ann	ual Change in Cash	\$	185,214	·····	397,836		399,072	\$	455,876	<i>\$</i>			4,802
					557,030	.	333,072	7	+33,6/0	Ą	399,619	7	(356,
Fun	d Balance Cash Minimum	\$	868,931	¢	896,436	ć	022.160	٠,	040 040	ė	050.000	ļ.,	
	ward CIP Cash Minimum	\$	826,124	· · · · · · · · · · · · · · · · · · ·		ţ	922,160	ģ	948,810	·}·····	958,969	÷	931
	h Minimum	\$ \$			1,385,294		1,941,406		2,557,219	+	3,110,301	+	2,868
	h Minimum +15%		1,695,055	-	2,281,730	_	2,863,566	-	3,506,029	_	4,069,270		3,800
TOTAL CAS	II WIIIIIIIIIIII +15%	\$	1,949,313	Ş	2,623,990	\$	3,293,101	\$	4,031,933	\$	4,679,660	\$	4,370
ļ				ļ		ļ		ļ					
Excess		\$	1,811,352	\$	1,622,512	\$	1,439,749	\$	1,253,162	\$	1,089,540	\$	1,001
1-	15% Threshold	\$											

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Our profits go back to the community!

To:

Mayor Johnson and Members of the City Council

From:

Keith Lusk, Asst. Liquor Manager and John Jacobi, Liquor Manager

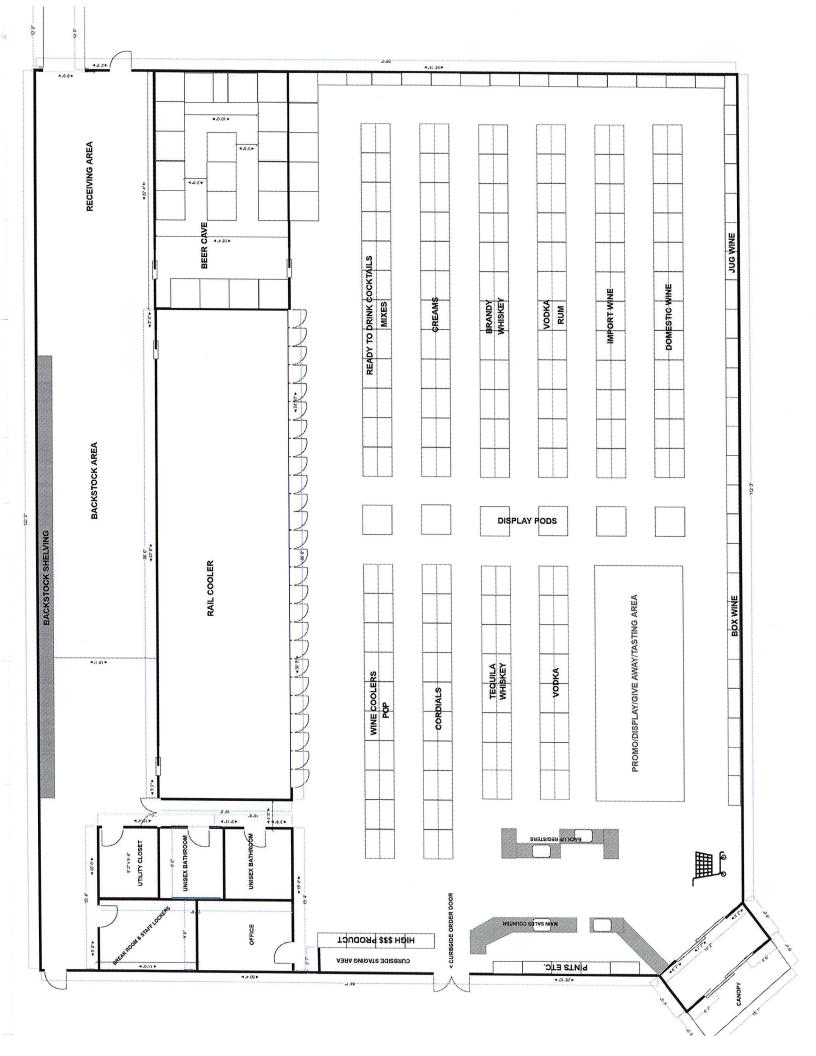
Date:

October 20, 2020

Subject:

Items for consideration of the proposed Liquor Store

- Enclosed is the proposed rough layout. Dimensions are fairly accurate, but not 100% to scale. It is not the architect's draft.
 - o Highlights of the new design include:
 - A twenty-six-door rail cooler (much larger selection)
 - A large beer cave to guarantee cold case beer on demand, without having to spend a lot of staff time re-stocking
 - A larger area for backstock, which will not only allow for bigger buys and better deals, but increase staff safety as well
 - A designated area to stage curbside pickup orders
 - Adequate warm shelf space to stock a wider selection of product
 - Promo/Display/Give Away/Tasting Area will allow us the flexibility to promote sales items, display give away items, hold tasting events, etc
 - The proposed location of the sales counter will still allow us to greet every customer as they enter the store
- We would like the exterior to match existing city buildings. This will help us communicate to customers, staff, and community members alike, that our profits go back to the community.
- Staff continue to work hard to find the least expensive, yet appropriate interior and exterior options. Our goal is to be as cost efficient as possible.
- Pallet racking will be used on the sales floor to merchandise beer below, and overstock above.
- The design will allow us to not only expand our selection, but our services as well. We are planning on catching a big chunk of the traffic coming north up highway 65 by offering an online order curbside pickup service.
- Pictures of other liquor stores, both municipal and privately owned are available
 for review by City Council. These pictures are meant to give you an idea as to
 what we are looking for in interior designs. Please see Josi or John if you'd like
 to review the pictures.





MEMO for Committee

To:

Mayor Johnson and Members of the City Council

From:

Josi Wood, City Administrator

Date:

October 20, 2020

Subject:

Draft ORD Amendment - Chapter 216

Staff has drafted changes they are recommending to Chapter 216 to be consistent with the League's model policy, policies that were previously adopted by Resolution and for Code Enforcement to have more definition of what is considered a nuisance violation.

Significant changes include:

- Detailed definitions of noxious weeds, grass and other rank growths.
- Nuisance for grass over 8".
- Inclusion of snow and sidewalk clearing to be consistent with the snow plowing policy.
- Inclusion of objects causing obstructions, wire and limbs that are hazards, obstructing water flow, and building condition.
- Detailed language for the notice and abatement process and procedures.

The City Attorney will be reviewing the draft prior to being presented to Council.

Attachment:

• Draft ORD 2020-XXX

ORDINANCE NO. XXX

AN ORDINANCE AMENDING THE CITY CODE AMENDING CHAPTER 216 NUISANCES

THE CITY OF ISANTI DOES ORDAIN AS FOLLOWS:

I. AMENDMENT

Sections 216-2, 216-4 216-5, 216-6, 216-7, are hereby amended as follows:

§ 216-1 Public nuisance defined.

As used in this chapter, the following terms shall have the meanings indicated:

DYNAMIC BRAKING DEVICE

Any device primarily used on trucks, for the conversion of the engine from an internal combustion engine to an air compressor for the purpose of braking without the use of wheel brakes; also commonly referred to as Jacob's brakes, Jake brakes, engine brakes, or compression brakes.

GRAFFITI

Any unauthorized inscription, work, figure, painting, symbol, or other defacement that is written, etched, marked, scratched, sprayed, drawn, or engraved upon any surface of public or private property.

NOISE

Any sound not occurring in the natural environment, which shall include, but is not limited to, sounds produced by aircraft, highways, motor vehicles, and/or emanating from residential, commercial, and industrial sources.

PUBLIC NUISANCE

That who ever by his act or failure to perform a legal duty intentionally does any of the following is guilty of maintaining a public nuisance, which is a misdemeanor.

§ 216-2 Public nuisances affecting health, safety, comfort or repose.

The following are hereby declared to be nuisances affecting health:

- A. Exposed accumulation of decayed or unwholesome food or vegetable matter. This includes all composting consisting of yard waste and/or kitchen waste which has been left unattended and which causes offensive odors, attracts rodents and/or pests or is unsightly and does not meet the requirements of Chapter 273, Article II. [Amended 8-8-2012 by Ord. No. 538]
- B. All diseased animals running at large.

- C. All ponds or pools of stagnant water.
- D. Carcasses of animals not buried or destroyed within 24 hours after death.
- E. Accumulations of manure, refuse, or other debris. An accumulation of tin cans, bottles, trash, uprooted tree stumps, logs, limbs, brush, and other cut vegetative debris, or other debris of any nature or description and the throwing, dumping or depositing of any dead animals, manure, garbage, waste, decaying matter, ground, sand, stones, ashes, rubbish, or other material of any kind on private property.
- F. Privy vaults and garbage cans which are not rodent-free or fly_tight or which are so maintained as to constitute a health hazard or to emit foul or disagreeable odors.
- G. The pollution of any public well or cistern, stream, or body of water by sewage, industrial waste, or other substances.
- H. All noxious weeds <u>grass in excess of 8 inches</u> and other rank growths of vegetation upon public or private property.
- (1) Noxious weeds and rank vegetation shall include but not be limited to: alum (allium), Buckthorn, Bur Cucumber, Canada Thistle, Corncockle, Cressleaf Groundsel, Curly Dock, Dodder, Field Bindweed, French Weed, Hairy Whitetop, Hedge Bindweed, Hoary Cress, Horsenettle, Johnson grass, Leafy Spurge, Mile-A-Minute Weed, Musk Thistle, Oxeye Daisy, Perennial Sow thistle, Poison Hemlock, Purple Loosestrife, Quack grass, Russian Knapweed, Russian Thistle, Serrated Tussock, Shatter Cane, Sorghum, Wild Carrot, Wild Garlic, Wild Mustard, Wild Onion, Wild Parsnip;
- (2) Grapevines when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years;
- (3) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding 12 inches.
- (4) Rank vegetation includes the uncontrolled, uncultivated growth of annuals and perennial plants.
- (5) The term Weeds does not include shrubs, trees, cultivated plants or crops.
- (6) In no event shall cultivated plants or crops include plants which have been defined by state statute or administrative rule as being noxious or detrimental plants.
- (7) Property owners are responsible for mowing adjacent to their property in the right -of-way to the curb if there is a sidewalk or boulevard.

- I. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities.
- J. All public exposure of persons having a contagious disease.
- K. Any offensive trade or business as defined by statute not operating under local license.
- L. Any outside storage of rubbish, salvage materials, junk, vehicles without current license plates, not in street operable condition, or not currently insured; or miscellaneous refuse when the same is construed by the City Council to be a menace or a nuisance to the public health, safety, or general welfare and to have a depressing influence on property values in the area.
- M. Outdoor smoking near the entrances to buildings. Outdoor smoking areas shall meet the following regulations:
- (1) Smoking is prohibited within 15 feet of any entrance, exit, or open window to a building and within 15 feet of a public sidewalk.
- (2) Appropriate receptacles for rubbish, garbage, cigarette paraphernalia, etc., shall be provided.
- N. Any obstruction to the free flow in a natural waterway or a public street drain, gutter, or ditch with trash, grass, other yard waste or other materials. [Added 8-8-2012 by Ord. No. 538]
- O. Depositing or storage of garbage or refuse on a public right-of-way, public property, or on adjacent private property. [Added 8-8-2012 by Ord. No. 538]
- Q. Snow clearing or removal from a private property must be contained within the property of which the snow originated or hauled and deposited in an approved location.

§ 216-3 Public nuisances affecting morals and decency.

The following are hereby declared to be nuisances affecting public morals and decency:

- A. All gambling devices, slot machines, and punch boards, except as otherwise authorized by ordinance.
- B. Betting, bookmaking, and all apparatus used in such occupations.
- C. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses.

- D. All places where intoxicating liquor is manufactured or disposed of in violation of law or where, in violation of law, persons are permitted to resort for the purpose of drinking intoxicating liquor, or where intoxicating liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining such a place.
- E. Any vehicle used for the transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.
- F. Graffiti.
- (1) Use of graffiti prohibited. It shall be unlawful to apply graffiti to any natural or man-made surface on any publicly or privately owned property without the owner's permission.
- (2) Graffiti as nuisance. The existence of graffiti on public or private property shall be declared a nuisance, which is destructive to the rights and values of property owners as well as the entire community and is subject to removal and abatement procedures.
- (3) Removal by owner. It shall be the duty of the owner of the property upon which any graffiti is placed to remove such graffiti within 90 days upon written receipt of notice issued by the City to remove the graffiti.
- (4) Removal by City. If the property owner fails to remove graffiti within the time allotted, the City shall abate and remove the graffiti. The property owner shall be billed for the cleanup.
- G. Public urination prohibited. [Added 8-8-2012 by Ord. No. 538]
- (1) Any person who urinates or defecates on any public street, alley, sidewalk or floor of any building or of any building where the public gathers or has access, or in any other place, whether public or private, where such act could be observed by any member of the public, except in such place that has been designated as a restroom, is guilty of a misdemeanor.
- (2) The enforcement provision of this subsection shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:
- (a) Children five years of age or younger;
- (b) Persons of any age who violate this section due to a verified medical condition.

§ 216-4 Public nuisances affecting peace, safety and general welfare. [Amended 3-6-2012 by Ord. No. 525]

A. Prohibited nuisances affecting public safety and peace. [Amended 8-8-2012 by Ord. No.

538; 6-4-2013 by Ord. No. 553; 6-20-2017 by Ord. No. 676; 10-1-2019 by Ord. No. 710]

- (1) All snow and ice <u>that is</u> not removed from public sidewalks <u>within</u> 48 hours after public works has completed removal of a snow event or other precipitation causing the condition has ceased to fall. It is the adjacent property owner's responsibility to keep the sidewalk clear of snow and hazardous ice and apply de-icing agents if necessary.
- (2) Use of the municipal water system for lawn sprinkling in noncompliance with regulations regarding such usage.
- (3) Any well, hole, or excavation left uncovered or in such condition as to constitute a hazard to a child or other person, being or coming upon the premises where the same is located, or any discarded or unused device formerly used for refrigeration purposes that restricts the free flow of air, or other similar device or object, which is left outside or in such condition as to be accessible to any child or other person being or coming upon the premises where the same is located. [Added 8-8-2012 by Ord. No. 538]
- (4) Materials placed on streets, alleyways, sidewalks, and other public ways which encumber, interfere with, or impede the free flow of pedestrian or vehicular traffic and/or impede the unobstructed lawful use thereof, as prohibited pursuant to § 284-16. [Added 6-4-2013 by Ord. No. 553]
- (5) All commercial parking lot facilities shall be maintained and operated in compliance with applicable engineering design and safety standards, including, but not limited to, applicable provisions of the Americans with Disabilities Act (ADA). Any such parking lot that fails to meet said standards as to surfacing, curbing, drainage system, lighting or accessibility, or is otherwise in such disrepair so as to be reasonably deemed to constitute a public safety hazard, as determined by the City Engineer or his or her designee, is hereby declared to be a nuisance. Nuisances constituting an immediate safety hazard shall be subject to immediate abatement. Otherwise, alleviation of nuisances shall be in conformance with timeframes set by the City Engineer or his or her designee. [Added 6-20-2017 by Ord. No. 676]
- (6) All trees, hedges, billboards, or other obstructions which prevent people from having a clear view of all traffic approaching an intersection.
- (7) All wires and limbs of trees that are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles.
- (8) Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks, or public grounds, except under conditions as are permitted by this ordinance or other applicable law.
- (9) Any use of property abutting on a public street or sidewalk or any use of a public street or

- sidewalk that causes large crowds or people to gather, obstructing traffic and the free use of the street or sidewalk.
- (10) All hanging signs, awnings, and other similar structures over streets and sidewalks, so situated as to endanger public safety, or not constructed and maintained as provided by ordinance.
- (11) The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.
- (12) Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies or other materials in a manner conducive to the harboring of rats, mice, snakes, or vermin, or the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health, or other safety hazards from such accumulation.
- (13) Any well, hole, or similar excavation that is left uncovered or in such other condition as to constitute a hazard to any child or other person coming on the premises where it is located.
- (14) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.
- (15) The placing or throwing on any street, sidewalk, or other public property of any glass, tacks, nails, bottles, or other substances that may injure any person or animal or damage any pneumatic tire when passing over such substance.
- (16) The depositing of garbage or refuse on a public right-of-way or on adjacent private property.
- (17) Reflected glare or light from private exterior lighting exceeding 0.5 footcandles as measured on the property line of the property where the lighting is located when abutting any residential parcel, and one footcandle when abutting any commercial or industrial parcel.
- (18) All other conditions or things that are likely to cause injury to the person or property of another.
- (19) Building Maintenance and Appearance: Buildings, fences, and other structures which have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they: 1) are unsightly, 2) decrease adjoining landowners and occupants enjoyment of their property and neighborhood, and 3) adversely affect property values and neighborhood pattern.
- B. Prohibited noise affecting public <u>health</u>, peace, <u>safety or welfare</u>. [Amended 2-17-2009 by Ord. No. 452

- (1) General prohibition. It is unlawful for any person to make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort's repose, health, peace, safety, or welfare of any persons; precludes their enjoyment of property; affects their property's value; affects the peace and quiet of any neighborhood; or which cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area. [Amended 10-1-2019 by Ord. No. 710]
- (2) All obnoxious noises in violation of Minnesota Rules Chapter 7030, as it may be amended from time to time, which are hereby incorporated by reference into this code, are declared to be nuisances affecting public peace and safety.
- (3) Additional standards may be considered when determining a violation of this section, which include, but are not limited to, the following:
- (a) Volume of the noise;
- (b) Intensity of the noise;
- (c) Whether the nature of the noise is usual or unusual;
- (d) Volume and intensity of background noise, if any;
- (e) Proximity of the noise to residential sleeping;
- (f) Nature and zoning of the area within which the noise emanates;
- (g) Density of inhabitation of the area within which the noise emanates;
- (h) Time of day or night the noise occurs;
- (i) Duration of the noise;
- (i) Whether the noise is recurrent, intermittent, or constant; and
- (k) Whether the noise is produced by a commercial or noncommercial activity.
- (4) Specific noises prohibited. The following noises shall be declared to be nuisance noises in violation of this chapter. This listing shall not be deemed to be exclusive.
- (a) Horns, signaling devices, sirens, etc. It is unlawful for any to sound any horn, siren, or other signaling device on any vehicle except as a warning sign or emergency.

- (b) Radios, phonographs, television sets, and similar devices. It is unlawful for any person to use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinctly and audible manner as to disturb the peace, quiet and comfort of any person nearby. Operation of any such device as outlined within Subsection **B** in a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent or at a distance of 100 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section.
- (c) Loudspeakers, amplifiers, and sound trucks. It is unlawful for any person to operate or permit the use or operation of any loudspeaker, sound amplifier or other device for the production or reproduction of sound on a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment or vehicle.
- (d) Human noise. Yelling, shouting, hooting, whistling, or singing at any time or place so as to annoy or disturb the quiet, comfort, or of persons in any office, or in any dwelling, hotel/motel, or other place of residence, or in the vicinity of the source.
- (e) Exhaust. It is unlawful for any person to discharge the exhaust, or permit the discharge of the exhaust of any steam engine, stationary combustion engine, motor boat, motor vehicle or snowmobile, except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations.
- (f) Defective vehicles or loads. It is unlawful for any person to use any vehicle so out of repair or so loaded as to create loud or unnecessary grating, grinding, rattling or any other noise.
- (g) Loading, unloading, and packing. It shall be unlawful for any person to create loud or excessive noise in connection with loading or unloading or unpacking any vehicle; or the opening and destruction of bales, boxes, crates, and containers.
- (h) Loud parties or gatherings. It shall be unlawful for any person to participate in any party or gathering of people giving rise to noise, disturbing the peace, quiet, or repose of another person during the hours of 10:00 p.m. to 7:00 a.m. weekdays and 11:00 p.m. and 8:00 a.m. weekends. It shall be prima facie evidence of a violation of this section if the sound of the party or gathering is clearly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent or at a distance of 100 feet if the source is located outside a building, or if the noise meets the standards as presented in Subsection **B(3)**. Any person who participates in a party or gathering which generates nuisance noise shall be guilty of maintaining a public nuisance. Every owner or tenant of the premises who has knowledge of the disturbance shall make every effort to see that the disturbance is

stopped.

- (i) Schools, courts, churches, hospitals. It is unlawful for any person to create any excessive noise on a street, alley or public grounds to any school, institution of learning, 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.
- (j) Dynamic braking systems. No person shall use 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.
- (k) Domestic power equipment. No person shall operate a power lawn mower, power hedge clipper, chainsaw, mulcher, garden tiller, edger, drill or similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 9:00 p.m. on any weekday or between the hours of 8:00 a.m. to 9:00 p.m. on any weekend or holiday. Snow removal and street sweeping equipment is exempt from this subsection.
- (l) Refuse handling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 6:30 a.m. and 6:00 p.m. on any weekday or between the hours of 8:00 a.m. and 6:00 p.m. on any weekend or holiday.
- (m) Construction activities. No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas powered machine or other power equipment, manual tools, movement of equipment, and other activities except between the hours of 7:00 a.m. and 9:00 p.m. on any weekday or between the hours of 8:00 a.m. and 8:00 p.m. on any weekend or holiday.
- (5) Exceptions. The following shall be declared to be exceptions from the provisions of this Subsection **B**. This listing shall not be deemed to be exclusive.
- (a) Emergency work. Operations and acts performed exclusively for emergency work to preserve the safety, welfare or public health of the citizens of the City or for emergency work necessary to restore public service or to eliminate a public hazard shall be exempt from the provisions of this subsection. Persons having performed emergency work under this subsection shall inform the Police Department at the time of the need to initiate the work or if during nonbusiness hours of the City offices than upon resumption of business hours of the City. Any person responsible for emergency work shall take all reasonable actions to minimize the amount of noise pollution or vibration.

- (b) Approved work. Upon timely application being made and the necessity therefore being established, the City Council may suspend the operation of this section for a specific purpose at a specific location and for a specific length of time by Council action and by giving public notice of the nature and limits of the suspension. The City Engineer may also authorize an exception for dewatering, mass grading, road construction, and other activities for Council approved projects.
- C. Prohibited nuisances affecting general welfare.
- (1) A violation of any provision of Ordinance No. 445, Zoning, or of a condition imposed under the authority of Ordinance No. 445, Zoning, is considered a public nuisance affecting the general welfare. Such public nuisance may be abated pursuant to the abatement provisions provided within this chapter.
- (2) A violation of any provisions of Chapter 227, Parking and Storage, Article III, Parking and Storage of Vehicles and Other Equipment, is considered a public nuisance affecting the general welfare. Such public nuisance may be abated pursuant to the abatement provisions provided within this chapter. [Added 8-8-2012 by Ord. No. 538]

§ 216-5 Duties of City officers.

The Police Department or other designated official shall enforce the provisions of this chapter relating to nuisances affecting public health, peace, deceney, morals, and safety. The Police Department shall enforce provisions relating to other nuisances and shall assist the other designated officer(s) in the enforcement of provisions relating to nuisances affecting public safety. Such officers shall have the power to inspect private premises upon consent of the property owner or through the issuance of a search warrant and take all reasonable precautions to prevent the commission and maintenance of public nuisances. City officials may apply and enforce any provision of this ordinance relating to public nuisances within this jurisdiction. Any peace officer, community service officer or other designated city official shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances. Except in emergency situations of imminent danger to human life and safety, no peace officer or designated city official will enter private property for the purpose of inspecting or preventing public nuisances without the permission of the owner, resident, or other person in control of the property, unless the officer or person designated has obtained a warrant or order from a court of competent jurisdiction authorizing entry.

§ 216-6 Abatement Process.

A. Process for general nuisance abatement. [Amended 6-17-2014 by Ord. No. 580]

A.(1) <u>Procedure.</u> Whenever the officer charged with enforcement determines that a public nuisance is being maintained or exists on premises in the City, the officer shall notify, in writing, the owner or occupant of the premises of such fact and order that such nuisance be terminated and abated. The notice shall be served in person or by certified or registered

mail. If the premises is not occupied and the owner is unknown, the notice may be served by posting it on the premises. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding 30 days, within which the nuisance is to be abated. If the notice is not complied with within the time specified, the enforcing officer shall report that fact forthwith to the Council. Thereafter, the Council may, after notice to the owner or occupant and an opportunity to be heard, provide for abating the nuisance by the City.

- B.(2) Notice. Thereafter, the Council may, after notice to the owner or occupant and an opportunity to be heard, provide for abating the nuisance by the City. Written notice of the violation; notice of the time, date, place, and subject of any hearing before the City Council; notice of the City Council order; and notice of motion for summary enforcement hearing shall be served by a peace officer or designated official on the owner of record and occupant of the premises either in person or by regular, certified or registered mail. If the premise is not occupied, the owner of record is unknown, or if the owner of record or occupant refuses to accept notice, notice of the violation shall be served by positing it on the premises. The notice shall be serviced in the same manner as notice by the enforcing officer is served and shall be given at least 10 days before the date stated in the notice when the Council willconsider the matter. If notice is given by posting, at least 14 days shall elapse between the day of posting and the hearing. In the event a nuisance is abated to the satisfaction of the City but recurs within 180 days after such abatement, such recurrence shall be deemed to be a continuation of the same nuisance, and the council may proceed without additional notice or hearing to provide for abatement of said nuisance by the City. In such event, the Cityshall be entitled to recovery costs in the same manner as for the original abatement, as proved for in § 216-7 of this chapter.
- C. Emergency procedure; summary enforcement. In cases of emergency, where delay in abatement required to complete the procedure and notice requirements as set forth in subdivisions A. and B. of this section will permit a continuing nuisance to unreasonably endanger public health, safety, or welfare, the City Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the peace officer or other designated official shall determine that a public nuisance exists or is being maintained on premises in the city and that delay in abatement will unreasonably endanger public health, safety, or welfare. The officer or designated official shall notify in writing the occupant or owner of the premises of the nature of the nuisance, whether public health, safety, or welfare will be unreasonably endangered by delay in abatement required to complete the procedure set forth in subdivision A. of this section and may order that the nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the City Council may order summary enforcement and abate the nuisance.
- D. **Immediate abatement.** Nothing in this section shall prevent the city, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety.

- E. Unlawful parties or gatherings. When law enforcement determines that a gathering is creating such a noise disturbance as prohibited under Section Four, Subdivision B, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disburse immediately. No person shall refuse to leave after being ordered to do so by law enforcement. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped.
- <u>F.B.</u>—<u>Process for a A</u> batement of noxious weeds, <u>and rank</u> vegetation, <u>and tall grasses</u>. <u>In accordance with the notification requirements of § 216-6 of this chapter:</u>
- (1) Notice. Written notice of the violation; notice of time, date, location, nuisance, which may include a height measurement of grass, will be sent to the property owner of record of the nuisance lot by posting a notice on the premises door and by mail. 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 weed, vegetation, or grass nuisance abatement. The notice will identify a date certain for which the property must be mowed not to exceed 7 working days. The notice will also include the date of which a 7 working day re-inspection will occur.
- (2) Abatement Process. If the owner of the property fails to comply within 7 days, the City shall provide for the abatement of the nuisance and authorize the City contracted mowing service or public works to mow the lot. The officer charged with enforcement shall keep records of the cost of abatement and shall provide information to the City Administrator or designee for assessment against the property in accordance with § 216-7.
- (2) Reoccurrence. Once the nuisance has been abated on the property, the property will be monitored by re-inspection on a reoccurring 7 day cycle. If the property has no further noxious weed, rank vegetation or tall grass violations after being re-inspected twice, it will no longer be monitored. If the property continues to have the violation, the property will be abated every 7 days without written notification.
- F. **Judicial remedy**. Nothing in this section shall prevent the city from seeking a judicial remedy when no other adequate administrative remedy exists.

§ 216-7 **Recovery of cost.**

A. Personal liability. The owner of the premises on which a nuisance has been abated by the City, or a person who has caused a public nuisance on property not owned by that person, shall be personally liable for the cost to the City of the abatement, including administrative

costs. As soon as the work has been completed and the cost determined, the City Clerk Administrator or other city official designated by the Council shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City ClerkAdministrator.

B. Assessment. After notice and hearing as provided in Minn. Stat. § 429.061, as it may be amended from time to time, Fif the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of noxious weeds and rank or tall vegetation on private property or outside the traveled portion of streets, or unsound or insect-infected trees, and noncompliant lawn sprinkling, the Clerk-City Administrator or designee shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges along with all other such charges as well as other charges for current services to be assessed under Minn. Stat. § 429.101 against each separate lot or parcel to which the charges are attributable. The Council may then spread the charges against such property under that statute and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installment, not exceeding 10, as the Council may determine in each case.

§ 216-8 Violations and penalties.

Any person convicted of violating any provisions of this chapter is guilty of a misdemeanor and shall be punished by a fine not to exceed \$1,000 or imprisonment for not more than 90 days, or both, plus the costs of prosecution in either case.

HEFFECTIVE DATE

This ordinance becomes effective on the date of its publication, or upon the publication of a summary of the ordinance as provided by Minn. Stat., § 412.191, subd. 4, as it may be amended from time to time, which meets the requirements of Minn. Stat. § 331A.01, subd. 10, as it may be amended from time to time.

Adopted by the City Council thisth day of November, 2020.		
Attest:		
	Mayor Jeff Johnson	
Katie Brooks, Human Resources/ City Clerk		
		Date Posted:
		Date Adopted:
		Date Published:
		Effective Date:



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

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MEMORANDUM

Date:

October 13, 2020

To:

Josi Wood, City Administrator

From:

Jason W Cook, P.E.

City Engineer

Subject:

Pedestrian Overpass/Underpass – Possible Funding Sources - Update

City of Isanti, MN

Project No.: R13.120117

It has recently been brought to our attention that the \$2.15 million awarded to the City though the Omnibus Appropriations Act in 2010 is still available to the City for use on the pedestrian overpass project that was last evaluated in 2010-2011. It was proposed to cross TH 65 at Broadway Street and extend a trail across a wetland to 8th Avenue SE. With the completion of the hotel at this location, the alignment and design of the trail and overpass/underpass may need to be re-evaluated. In addition to the pedestrian crossing itself, this trail alignment will require easement acquisitions and wetland mitigation to construct the eastern trail section. The 2010 concept layout and rendering are attached.

The original concept was to construct a pedestrian overpass. It has been requested to evaluate the possibility of constructing a pedestrian underpass as an alternative. Until a full study is completed, both options appear viable. The extent of retaining walls and ramp lengths will determine which is most cost effective, and the City will need to make a determination as to which type of crossing they prefer once the feasibility of each has been studied.

The pedestrian overpass cost estimate has been updated to current 2020 construction costs and is estimated at a total project cost of \$4.25 million dollars. The underpass option may prove to have a cost savings, depending on the crossing location selected.

2025 is the earliest anticipated fiscal year the below funding sources could all apply and meet all application deadlines. The application year listed below is the anticipated year the application would need to be submitted to request funds for a 2025 construction project.

Recommendations and Cost Estimate

The initial estimated cost to the City in 2021, to begin the evaluation of the project, is estimated at \$64,000 which includes the creation of a feasibility report and the first three funding applications that would be needed in 2021. Depending on which applications are successful, in 2022 there would be 1 to 3 more applications to complete for \$6,000 - \$26,000.

It is highly unlikely to succeed in receiving all the below funds. We anticipate a best-case scenario would be to receive approximately \$1,700,000 in additional funds, leaving \$400,000 in local funds required to cover ineligible project costs such as right of way acquisition and design fees plus the cost of the feasibility report (\$42,000) and funding applications (\$48,000) for a total estimated minimum cost to the City of \$490,000.

Name: Pedestrian Overpass/Underpass

Date: October 13, 2020

Page: 2

Because many of the below funding sources are dependent on a bonding bill being passed, we recommend that the city pursue the current Transportation Alternatives Program (TAP) solicitation and the DNR Local Trail grant due in March 2021.

Following is a summary of state and federal grants that the pedestrian overpass/underpass project is anticipated to be competitive for. All listed programs can be applied for and funds can be combined to deliver the project. If any federal funds are secured, the city will be required to provide a minimum 20% match of the total project cost with non-federal dollars. State sources can be used to meet this match requirement.

MnDOT Local Partnership Program (LPP)

This is a state funded program intended to pay for a portion of the Trunk Highway eligible construction costs of the project and up to 8% of the construction engineering costs (for inspection, contract administration, surveying and materials testing as applicable, based on the Trunk Highway eligible costs. This program is for locally led projects that are not large scale enough to be led by MnDOT. Funds can be used for trail projects that increase pedestrian safety along or crossing Trunk Highways.

Applications for this program are typically due early summer and grant awards announced by early fall. The City has had success with this program on the RCUT project.

Max Award Request: \$750,000

Application Year 2022 - Fee Estimate: \$6,000

MnDOT Local Road Improvement Program (LRIP)

This is a state funded program intended to pay for local road construction or reconstruction projects with local, regional, or statewide significance that cannot reasonably be funded through other revenue sources. The LRIP funds must be used outside Trunk Highway right-of-way and do not require a set local match.

Applications for this program are typically due early summer and grant awards announced by early fall. If this is awarded, it is unlikely the LRIP Bond Request would also be awarded.

Max Award Request: \$1,000,000

Application Year 2021 - Fee Estimate: \$6,000

LRIP Bond Request

This is a formal application request to have the project included in upcoming state bonding bill and is intended to pay for public facility construction or reconstruction projects with local, regional, or statewide significance.

Applications for this request are typically due in June and inclusion in the proposed bonding bill announced between later summer through the following early spring. This is the least likely to be awarded and requires significant political support. It is also unlikely to be awarded if the above LRIP program is awarded.

Anticipated Request: \$2,000,000

Application Year 2022 (Bonding Bill Needed to Fund Program) - Fee Estimate: \$12,000

Transportation Alternatives Program (TAP)

This is a federally funded program intended to pay for pedestrian and bicycle facilities, historic preservation, Safe Routes to School, and more. The primary purpose must be transportation (not recreational). Awards for this program require a 20 percent local match.

Applications for this program are typically due early January and grant awards announced by early spring. If this is awarded, it is unlikely the Safe Routes to School program would also be awarded.

Name: Pedestrian Overpass/Underpass

Date: October 13, 2020

Page: 3

Max Award Request: \$365,000

Application Year 2021 (Letter of Intent Due Oct 30,2020) - Fee Estimate: \$8,000

MnDOT Safe Routes to School (SRTS)

The SRTS program is federally funded and administered by the Minnesota Department of Transportation. The purpose of this program is to enable and encourage children to walk and bike to school in a safe and appealing manner and to improve safety and reduce traffic, fuel consumption and air pollution in the vicinity of schools. Awards for this program require a 20 percent local match. The award amounts vary but typically do not exceed \$200,000.

The SRTS application period typically occurs in June. This program was not funded in the last bonding cycle but is anticipated to be funded in the 2020 cycle this spring. If this is awarded, it is unlikely the Transportation Alternatives Program would also be awarded.

Max Award Request: \$200,000

Application Year 2022 - Fee Estimate: \$8,000

Local and Regional Trail Grant Programs

These programs are administered by the DNR and intended to develop local trail connections and regionally significant trails by local units of government outside of the seven-county metro area and act as complements to the state trail system. The city would only be able to apply to one program for the same project. We will work with DNR program administrators to determine which is the best fit for the pedestrian bridge project. Local governments complete the project and are reimbursed for up to 50 percent of total eligible costs, with a maximum award of \$250,000. All work funded with FY 2021 appropriations must be completed no later than June 30, 2022.

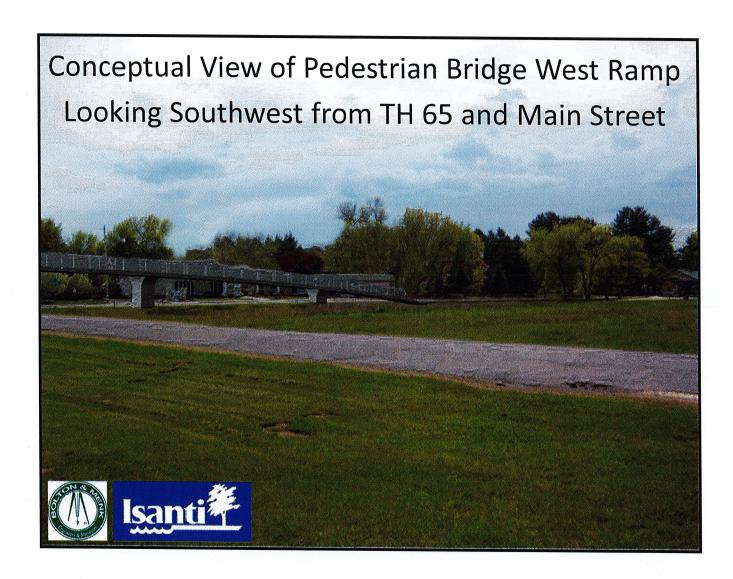
Applications for this program are due by March. This is very competitive, and this project may not have the highest likelihood of being awarded.

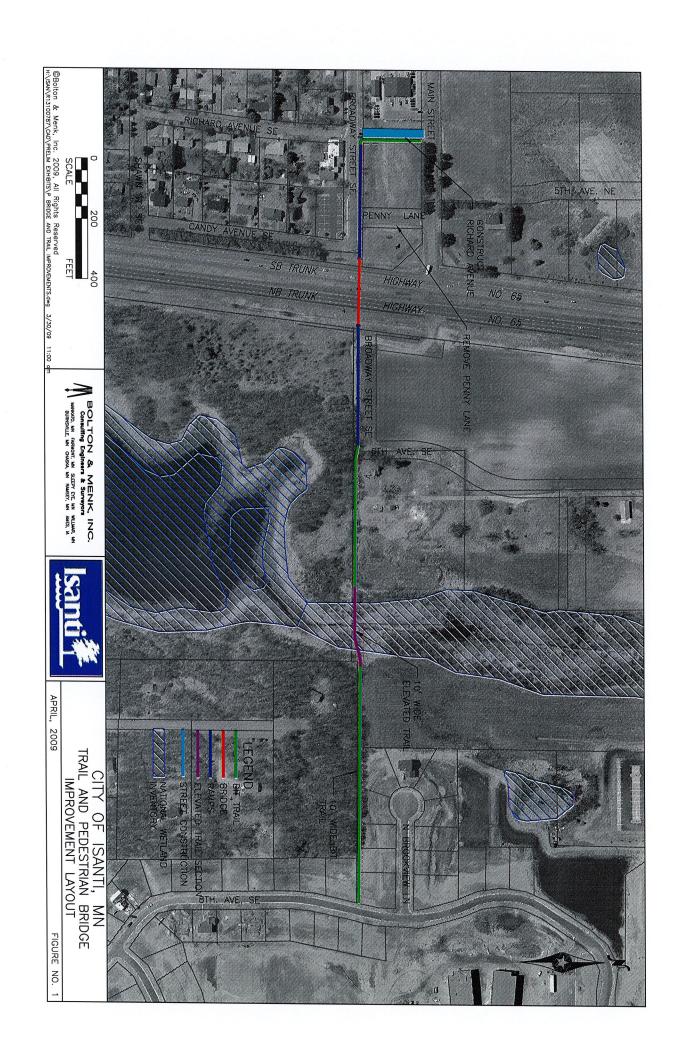
Max Award Request: \$250,000

Application Year 2021 - Fee Estimate: \$8,000

Summary

- The earliest anticipated construction season is 2025.
- A feasibility study will need to be completed to determine the location the crossing should occur and if an overpass or underpass will be most cost effective or preferred. This report will also streamline the funding application process.
- \$490,000 in local funds are anticipated to be required at a minimum.
 - o \$64,000 in 2021
 - o \$26,000 in 2022
 - o \$400,000 in construction cost (minimum)
- Applications will need to begin being completed in 2021 to maximize funding opportunities for a 2025 construction season.





Dear Mayor,

My name is Sharon Grace, and I am the third grade teacher at School For All Seasons in Isanti, MN. My students and I have been talking about citizenship in class. We talked about being part of a community and what that entails. We also talked about our community and the pros and cons of living here. We brainstormed ideas of things that they thought might make our community a better place to live. The majority of them decided that a community center, which might contain an indoor pool, a rock climbing wall, a gym for basketball or volleyball, a workout area, and a daycare area as well as possible other things, would be a good addition to our community. These things are more or less that of a YMCA type area. Since we discussed who is in charge of our local government, mainly you and your council members, we decided to reach out to you with these letters. If you are able, and/or willing to have a Zoom or Goolge type meet, please contact me, so something can be arranged. I look forward to hearing back from you. If you are unable to do a "meet" perhaps you could at least send back a letter, so my students know that you read their letters. I know that you are extremely busy, but my students are excited to hear back from you.

Sincerely,

Sharon Grace SFAS 101 9th Ave. NE Isanti, MN 55040 763-552-8822 Dear Mr. Johnson,
My name is Avery. I am a 3rd
grader in Mrs. Grace's Class. In our social
Studies class, we've been talking about being
good citizens. We decided it would be nice if
our town had a community center. As a
3rd grader there's not much to do around
here. Please talk to the city council and
see if this could happen. I look
forward to hearing back from you. We
would like to do a zoom meeting with
you if possible.

Sincerey, Avery

Dear Mr. Johnson

My name is Noah I'm a single of in Mrs. Grace's class, In our social studies class, We've ben talking about being a good citizens. We decided it would be nice if our town had a community center. As a 3rd gracer there's not make to to a round here. Please talk to the city council and see if this could happen. I look forward to hearing from you. We' would like to to a zoom meeting With you it follows.

sincerely Nowh

Dear Mr. Johnson,

My name is Abby. I am a 3rd glader in Mrs graces class. In our Social Studies class, we've been talking about being good citizens. We decided it would be nice if Our town had a cummunity center as a 3rd grader theres hot much to so around here.

Please talk to the city council and see if this could happen. I work-formers to hering from you. We would like to do a zoom meating with you if Possible.

Sinselly Aboy Dear Mr. Johnson,

My name is Kaitlyn. I may
grader in Miss. Graces class I our
Social Studies class We've been
talking about being good citizens.
We decided it would be nice if we
had a Commendy Center. As a 3"grader
there's not much to do around here.
Please talk to the City council and see
if this could happen. I look forward
to hearing back from you. We would
like to do a zoom meeting with youif
possible.

Sincerely, Kaitlyn

September 21,

Dear: Mr. Johnson,

My name is Noella. I am a 3rd grader in Mrs. Grace's class. In our social studies class, we've been talking about being good citazens. We decided it would be nice if our town had a community center. As a 3 grader ther's not much to do around mere. Please talk to the city councit and see if it can happen. We would like to do a zoom meeting with you if possible.

Sincerley, Noella

September 21,2020

Dear Mr. Johnson,
My hame is Jack
I a 3rd grader in Mrs.
Graces class. In our social
Studies class we've been
talking about being good
Citizens, we decided it would
be hice if our town had a community
center As a 3rd arguer there's not
much to do around here please talk
to the city coun cill and see if
this coald happen. I Look forward
To hearing from your we would
like to do a zoom meeting
Withyou if possible.

Sih (erely)

Jack

in letter

Dear Mr. Johnson, Septemer/21/20
My name is Jakek, schener. Im a 3rd
grader in MB. Chaces class. In social
Studies we've been talking about being
good citizens. We decided it would be
be nice if our town had a
community center. As a 3rd grader in
there's not much to do around here
Please talk to the city council
and see if this could happen. I look
forward to hearing back from you.
We would like to do a zonn
Meeting with you if possible.

Sencerely. Jarely

Dear Mr. Johnson,
My name is Ryann. I as 3rd grader
in Mrs. Grace's Class. In our sound to account being
end ct. ens. We be a cymmunity center.
As a 3rd grader there's not much to do
around here. Please talk to the city conancil
and see if this could happen. I look forward to
hearing back from you. We would like to do
a zoom meeting with you if possible.

Sincerely, Ryann Dear Mr. Johnson,
My name is Josie. I am a 3rd grader in Mrs. Grace's class. In our Social Studies class, we've been talking about being good citizens. We dicided it would be nice if our town had a community center. As a 3rd grader there's not much to do around here. Please talk to the city council and see if this could happen. I look forward to hearing back from you. We would like to do a zoom meeting with you if possible.

Sincerly
Josie

September 21, 2020

Dear Mr. Johnson,
My name is Auburn I'm a 3rd grader in mrs. Grace's class in our social studies class we've been talking about being good citizens we decided it would be nice to have a community center is a 3rd grader theres not much to do around here. plea talk to the city council and see if this could happen I look forward to hearing back from you we would like to do a 200m meeting with you if possible.

Sincerely, Auburn

ScPtember 22 2020

Dear Mr Johnson,
My name is Nathanici. I'm a 3rd

grader in Mrs Grace's Class. I jour

Social Studies Class we've been talking

abut being good citizens. We

decded it would be nice if our town had a

Community Center As a 3rd grader there's

Not much to do around here. Please talk to the

City Council and see if this could happen."

I look forward to hearing back from you. We

Would like to do a Zoo'm meeting

With you if possible.

Sincerely, Nathaniel



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

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

MEMORANDUM

Date:

October 13, 2020

To:

Josi Wood, City Administrator

From:

Jason W Cook, P.E.

City Engineer

Subject:

Railroad Quiet Zone Estimate

City of Isanti, MN

Project No.: R13.120117

Trains are required to blow their horns as they cross roadways that do not meet their quiet zone intersection controls, such as raised medians, ped crossing maze, additional crossing arms, new planking, and Continuous Warning System controls. The Continuous Warning System is needed at all quiet zone crossings and is part of the control system used at the crossing. If the existing controls do not already have the Continuous Warning System it would need to be added for an estimated cost of \$100,000 per intersection where it is needed. To determine if this is needed at each crossing an initial onsite diagnostic meeting would need to be held with the Railroad.

There are 4 railroad crossings within City limits. Each crossing will need different improvements to meet quiet zone requirements. For this project cost estimate, we will assume worst case scenario anticipated at each intersection.

South Passage: \$225,000

- Ped Maze, Additional Arms, Raised Median, Continuous Warning System

Main Street: \$350,000

- Close 1 Ped Crossing, Ped Maze, Raised Median, New Planking, Continuous Warning System

Heritage Boulevard: \$225,000

- Raised Median, Continuous Warning System

Isanti Parkway: \$225,000

- Raised Median, Continuous Warning System

Total project cost is estimated at \$1,025,000. If all four intersections already have the Continuous Warning System the estimated cost would be \$625,000.

If the City would like to evaluate each intersection in more detail we can coordinate an Initial Onside Diagnostic Meeting with the Railroad to define the actual improvements required, and if any of the existing crossing already have the Continuous Warning System controls.

Please let me know if you have any questions.



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MEMORANDUM

Date:

October 13, 2020

To:

Josi Wood, City Administrator

From:

Jason W Cook, P.E.

City Engineer

Subject:

Main Street Speed Evaluation

City of Isanti, MN

Project No.: R13.120117

The speed limit on Main Street from 3rd Avenue to Elim Lane is currently 30 mph. This segment of roadway is treated as the City's downtown with an emphasis on pedestrian walkability throughout this downtown overlay district.

It has been requested that we evaluate the speed limit through this area to determine if a reduced speed is warranted.

The City of Isanti, Pursuant to Minnesota Statute 169.14 Subd 5h, is authorized to establish speeds limits as long as it is implemented in a consistent and understandable manner and communicated through the placement of appropriate signs. The City must develop procedures based on safety, engineering, and traffic analysis to identify the appropriate speed limit for a Main Street study area.

For this evaluation we will review existing traffic speed and volume, identify any safety issues, review crash history, identify any recommendations for crossing enhancements, and conduct an engineering study to establish the appropriate speed limit.

We can complete this evaluation for an hourly, not to exceed fee, of \$8,000.

Should a speed limit of 25 mph be the recommended speed, the council will simply need to pass a resolution adopting this speed limit and post the speed limit at all cross streets, this would include the installation of approximately 11 speed limit signs and 2 end speed limit signs.

Should the recommendation be to reduce the speed limit below 25 mph, the resolution would need to be submitted to the Commissioner of Transportation for approval before it can be posted and enforced.

Please let me know if you have any questions.