

**AGENDA  
CITY OF ISANTI  
CITY COUNCIL MEETING  
TUESDAY, JANUARY 7, 2020 – 7:00 P.M.  
CITY HALL**

- I. Citizens Input**
- II. City Council Agenda**

- A. Call to Order**
- B. Pledge of Allegiance**
- C. Roll Call**
- D. Adopt Agenda**

- E. Proclamations/Commendations/Certificate Award**
  - 1. City of Isanti- Recipient of MDH 2018 Water Fluoridation Quality Award

- F. Approve City Council Minutes**
  - 1. December 17, 2019- Regular Meeting of the City Council
  - 2. December 17, 2019- Committee of the Whole Meeting
  - 3. November 19, 2019- Planning Commission Meeting

- F. Announcements**

- 1. **CITY OFFICES CLOSED** Monday, January 20, 2020  
*(In Observance of Martin Luther King Jr. Day)*
- 2. Committee of the Whole Tuesday, January 21, 2020 at 5:00 p.m.
- 3. City Council Meeting Tuesday, January 21, 2020 at 7:00 p.m.
- 4. Planning Commission Meeting Tuesday, January 21, 2020  
*(Immediately following the City Council Meeting)*
- 5. Goal Setting Monday, January 27, 2020 at 6:00 p.m.
- 6. Park, Recreation & Culture Board Meeting Tuesday, January 28, 2020 at 6:00 p.m.

- H. Council Committee Reports**

- I. Public Hearings**

- J. Business Items**

- 1. Interview Applicant for Vacant Park, Recreation and Culture Board Seat
  - a. Resolution 2020-XXX Designating Committees and Representatives for City Commissions and Advisory Boards for 2020
- 2. Resolution 2020-XXX Designating an Official Newspaper, Appointing Depositories and Professional Services and Setting City Council Meetings for year 2020
- 3. Resolution 2020-XXX Authorizing Signatories for the Purpose of Accessing and Maintaining City Funds and Investments, Adding Authorization for Use of the City Credit Card

**City Administrator Josi Wood**

4. Ordinance-XXX Amending City Code Chapter 260, Sewers
5. Ordinance-XXX Amending City Code Chapter 325, Water
6. Ordinance-XXX Amending City Code Chapter 262, Sewer and Water Service Charges
7. Ordinance-XXX Amending City Code Chapter 227, Parking and Storage

**K. Approve Consent Agenda**

1. Accounts Payable in the Amount of \$729,034.21 Payroll in the Amount of \$98,195.07 and Fourth Quarter Payroll for Council/ Boards/ Commissions in the Amount of \$8,363.61
2. Resolution 2020-XXX Approving a Conditional Use Permit Application to Operate a Microbrewery at 2 Enterprise Ave Suite A3
3. Resolution 2020-XXX to Adopt City Mission, Vision, and Value Statements
4. Resolution 2020-XXX Authorizing Staff to Create a Sledding Hill in Bluebird Park
5. Resolution 2020-XXX Approving Operation of the Compost Site
6. Resolution 2020-XXX Approving Isantian Ad Rates and Sponsorship Packages
7. Resolution 2020-XXX Resolution to Extend Site Use Agreement Between the City of Isanti and Catholic Charities
8. Resolution 2020-XXX Approving Application for an Exempt Gambling Permit for Ruffed Grouse Society- Rum River Chapter
9. EDA Board Member Termination
10. Resolution 2020-XXX Offering the Position of PT CSO to Jeremy Roberts- Lethaby
11. Resolution 2020-XXX Offering the Position of FT Police Officer to Christopher Morgan

**L. Other Communications**

1. Review Conflict of Interest Policy

**Adjournment**

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL MEETING  
TUESDAY, DECEMBER 17, 2019 – 7:00 P.M.  
CITY HALL**

**F.1.**

Mayor Johnson called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited.

Members Present: Mayor Jeff Johnson, Councilors: Jimmy Gordon, Paul Bergley, Steve Lundeen and Dan Collison

Members Absent: None

Staff Present: City Administrator Josi Wood, Human Resources/ City Clerk Katie Brooks, Community Development Director Sheila Sellman, City Engineer Jason Cook and Chief of Police Travis Muyres

**D. Adopt Agenda**

Addendum:

**Add AP in the amount of \$4,658.70 to K.1**

Motion by Lundeen, second by Bergley to approve agenda with the modification listed above.

**E. Proclamations/Commendations/Certificate Awards**

None

**F. Approve City Council Minutes**

1. December 3, 2019- Regular Meeting of the City Council
2. October 1, 2019- Economic Development Authority
3. November 5, 2019- Economic Development Authority

Motion by Lundeen, second by Collison to approve minutes as presented. Motion passed 5-0. Motion carried.

**G. Announcements**

1. **CITY OFFICES CLOSED**  
Tuesday, December 24, 2019 (All day)  
*(In Observance of Christmas Eve)*  
Wednesday, December 25, 2019  
*(In Observance of Christmas Day)*  
Wednesday, January 1, 2020  
*(In Observance of New Year's Day)*
2. City Council Meeting  
Tuesday, January 7, 2020 at 7:00 p.m.
3. EDA Meeting  
Tuesday, January 7, 2020  
*(Immediately following City Council Meeting)*

**H. Council Committee Reports**

Councilor Lundeen shared that the Joint Powers Agreement that was approved by City Council at the previous City Council meeting on December 3, 2019 has been tabled at the Fire District meeting for further discussion.

**I. Public Hearings**

None

**J. Business Items**

1. **Resolution 2019-319** Authorizing Police Department to Accept the Knights of Columbus Winter Coat Donation for Children in Need *(Rick Dassinger)*

Rick Dassinger from Knights of Columbus shared that the Knights of Columbus has been doing the winter coat donation for about 6 years. Dassinger continued to share that the goal every year is to achieve 2 to 4 boxes of coats every year.

Mayor Johnson asked if the coats are brand new.

Dassinger stated that they are new coats and they go out to the garment manufacturers to achieve the best deal for coats.

Councilor Collison asked how many coats are in a box.

Dassinger stated that there are 26 coats per box.

A motion was made by Lundeen, seconded by Collison to approve the resolution as presented. Motion passed 5-0. Motion carried.

**City Administrator Josi Wood**

**2. Ordinance-714** Amending City Code Chapter 445 Zoning Ordinance Section 16 Signs

City Administrator Josi Wood shared that this ordinance was discussed at Committee of the Whole. Wood continued to share that this is an amendment to the Chapter 445 for section of signs to clarify the sign area will include the face of the sign and not all the faces.

A motion was made by Lundeen, seconded by Gordon to approve the Ordinance as presented. Motion passed 5-0. Motion carried.

**City Engineer Jason Cook**

**3. Resolution 2019-320** Authorizing Engineering Services for the 2020 Storm System Maintenance Project

City Engineer Jason Cook shared that this resolution is to continue the annual maintenance program that got identified during the study in 2015 where storm apron and ponds within the city were reviewed for compliance of the MS4 program. Cook continued to share that this coming year was slated to be culverts along Whiskey Road but after review, most of those culverts are sitting half a foot to a foot below the ditch bottom because the ditch is filled in. Cook further shared that he contacted the County to see what their timeline is for ditch maintenance and the County's response is that they do not currently have a schedule for that work. Cook stated that as it is not budgeted at this time and to buy a little more time, he recommends switching to the 2021 maintenance year. Cook stated that there was no specific reason for this segment being before or after the other but it was to break down the overall system. Cook additionally shared that there is no need to do one versus the other so to buy more time Cook recommended doing the northern region of Isanti this coming year.

A motion was made by Lundeen, seconded by Bergley to approve the resolution as presented. Motion passed 5-0. Motion carried.

**4. Resolution 2019-321** Authorizing Engineering Services for the 2020 Pavement Management Project

City Engineer Jason Cook shared that this is for the annual maintenance program that was identified during the pavement evaluations which created a 10 year program where the City is on its 3<sup>rd</sup> year of going through the system of streets that are identified as needing maintenance prior to bring too failed to perform the maintenance where larger projects would have to be done to rehabilitate them. Cook continued to share that the streets on the Northeast region of the City would be evaluated the need for seal-coat and mill and overlay.

A motion was made by Gordon, seconded by Lundeen to approve the resolution as presented. Motion passed 5-0. Motion carried.

**Community Development Director Sheila Sellman**

**5. Resolution 2019-322 SAC and WAC Deferral Program**

Community Development Director Sheila Sellman shared that this is a program that was created in 2015 to defer SAC and WAC payments and so far, it has been done on single family homes. Sellman continued to share that it defers the payment until a building permit is issued. Sellman further shared that this is approved every year by City Council and Sellman asked the City Council if they would like to approve indefinitely or would like it to still come back to City Council every year because the program expires December 31<sup>st</sup>, 2019.

A motion was made by Lundeen, seconded by Collison to approve SAC and WAC Deferral Program indefinitely. Motion passed 5-0. Motion carried.

**K. Approve Consent Agenda**

1. Consider Accounts Payable in the Amount of \$237,458.76 Payroll in the Amount of \$148,764.84
2. **Resolution 2019-323** Approving Part Time Deputy City Clerk/ Human Resources to Full Time Status
3. **Resolution 2019-324** Approving the Revised Job Description for the Position of Planner
4. **Resolution 2019-325** Approving the New Part Time Position of Community Service Officer (CSO)
5. **Resolution 2019-326** Accepting Part-Time Liquor Store Clerk Carla Scharber's Letter of Resignation
6. **Resolution 2019-327** Accepting Full-Time Police Officer Joseph Vogl's Letter of Resignation
7. **Resolution 2019-328** Approving 2020 Farmers Market Rules and Regulations and Vendor Application
8. **Resolution 2019-329** Approving the Purchase of a 1993 Water Truck from the City of Cambridge
9. **Resolution 2019-330** Approving the Sale of Surplus/Abandoned Property Held by the Police Department at Public Auction
10. **Resolution 2019-331** Approving Amendment to the 2019 Budget
11. Annual City Administrator Review Summary

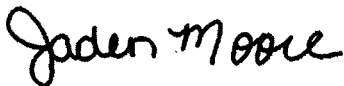
Motion by Bergley, second by Lundeen to approve Consent Agenda as presented. Motion passed 5-0. Motion carried.

**L. Other Communications**

1. Draft Minutes from the November 26, 2019 Parks, Recreation and Culture Board Meeting
2. November Police Department Report
3. November Code Enforcement Officer Report
4. November Building Inspector Report
5. December Engineering Project Status Report

**Adjournment**

Motion to adjourn by Lundeen, second by Bergley. Motion passed 5-0. Motion carried. The meeting was adjourned at 7:28 p.m.



Jaden Moore  
Deputy City Clerk/ Human Resources

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING  
TUESDAY, DECEMBER 17, 2019 – 5:00 P.M.  
CITY HALL**

Mayor Johnson called the meeting to order at 5:00 p.m.

Members Present: Mayor Jeff Johnson, Councilors: Jimmy Gordon, Paul Bergley, Steve Lundeen and Dan Collison

Staff Present: City Administrator Josi Wood, Human Resources/ City Clerk Katie Brooks, Assistant City Administrator/ Special Projects Don Lorsung, Chief of Police Travis Muyres, Public Services Director Matt Sylvester, Community Development Director Sheila Sellman and City Engineer Jason Cook

**D. Committee Meeting Items**

1. Public Works Updates
  - Information was shared with the Committee
2. Proposed City Mission, Vision and Value Statements
  - Recommendation from Committee is to move forward and bring to City Council meeting.
3. Administrative Permit Fees for Non-Profits (Deer Hide Boxes) Discussion
  - Recommendation from Committee is to move forward and bring to City Council meeting.
4. Draft ORD Amending Chapter 227- Parking and Storage
  - Recommendation from Committee is to move forward and post for 10 days and bring to City Council meeting.
5. Draft ORD Amending Chapter 68- Adult Use
  - Recommendation from Committee is for staff to gather legal information from attorney and bring back to Committee of the Whole for further discussion.
6. Draft ORD Amending:
  - a. Chapter 260- Sewers
  - b. Chapter 325- Water
  - c. Chapter 262- Sewer and Water Service Charges
  - Recommendation from Committee is to move forward and post 6.a, 6.b and 6.c for 10 days and bring to City Council meeting.
7. Sledding Hill Discussion
  - Recommendation from Committee is to move forward with Public Works constructing the sledding hill with dirt and bring to City Council meeting.

**8. Annexed Parcel Code Enforcement Discussion**

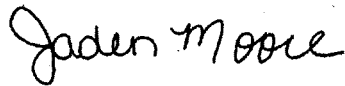
- Recommendation from Committee is to include permitting parcels of 2 acres or more up to 6 cars, 3 trailers, commercial vehicle weight up to 50,000 lbs. with a deadline of June 1<sup>st</sup>, 2020 for annexed residents to come into compliance and bring back to Committee of the Whole for further discussion.

**9. Goal Setting 2020 Meeting Time Discussion**

- Recommendation from Committee is to have Goal Setting meeting for 2020 on Monday, January 27<sup>th</sup>, 2020 at 6:00 p.m.

**E. Adjournment**

Meeting was adjourned at 6:34 p.m.

A handwritten signature in black ink that reads "Jaden Moore". The signature is written in a cursive, flowing style.

Respectfully Submitted,

Jaden Moore

Deputy City Clerk/ Human Resources

**City of Isanti  
Planning Commission Meeting Minutes  
November 19, 2019**

**Call to Order:** Chair Johnson called the meeting to order at 7:38pm.

**Roll Call:** Commission members present: Mayor Jeff Johnson, Paul Bergley, Jimmy Gordon, Steve Lundeen, Dan Collison, Aryssa Simon, Alexander Collins.  
Staff Present: Community Development Director Sheila Sellman, Assistant City Administrator/Special Projects Don Lorsung.

**Meeting Minutes:** Motion by Lundeen, second by Simon and Collins to approve meeting minutes from the September 17, 2019 meeting. Motion passed 7-0.

**Public Hearing**

A. A request from Art and Science Academy for a Conditional Use Permit Amendment under City Ordinance 445, Section 6, Article 3, subd 4C. Said request is for a temporary storage container at 1005 7<sup>th</sup> Avenue NE PID 16.145.0010. Sellman reviewed the staff report and explained that the findings of fact have not been met therefore staff recommended denial. Chair Johnson opened the public hearing, no one from the public spoke on this item except for the applicant, Kevin Fitton. Fitton explained that the school is at capacity and needs additional room for storage. The most cost-effective option for the school is the shipping container. When asked Fitton stated that the least amount of time for the storage container would be five years but he is requesting 7-10 years. The school plans to expand but needs funding and approvals. Lundeen explained that a few years back the city made an effort to remove storage containers from several properties in the city and it would not be fair to allow this now. The Commission suggested building a garage since they will need storage even after the school addition. Fitton said it was not feasible for them to do that. Gordon stated he could support the container for five years. Collins had concerns about the timeline to build the addition. Johnson closed the public hearing at 8:05pm.

Gordon motioned to approve the storage container for five years, Simon seconded the motion, the motion failed 5-2. AYE Gordon and Collins NAY: Johnson, Lundeen, Collison, Bergley and Simon.

Gordon made another motion to approve the storage container for three years, Simon seconded the motion. Motion failed 4-3. AYE: Gordon, Collins, Simon. NAY: Johnson, Collison, Bergley, Lundeen.

**Other Business**

A. Comprehensive Plan Update

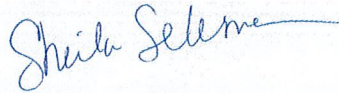
- a) Chapter 4 – The Economy: Lorsung reviewed the Economic Development efforts over the past 10-years and projected growth trends along with other key points of the chapter. The Commission had no questions or comments
- b) Chapter 5 – Natural Resources: Lorsung reviewed the goals to maintaining natural systems and other key points of the chapter. The Commission had no questions or comments.



B. Commissioner terms expire 12-31-119 (except for Collins 12-31-21): Sellman asked Simon if she wanted to be on the Commission again and she expressed interest. Simon will need to submit an application. Sellman also explained that we will advertise for the open seat.

Discussion Items: None

Adjournment: Motion by Lundeen, second by Bergley to adjourn, motion passed meeting adjourned at 8:30pm.



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Respectfully Submitted  
Sheila Sellman, Community Development Director



## City of Isanti Board Member Application

For consideration, please fill out the below information along with the attached conflict of interest statement signed and dated by you. Please submit all the information to:

Human Resources/City Clerk Katie Brooks. PO Box 428, Isanti, MN 55040 or  
kbrooks@cityofisanti.us, 763-444-5512

Name: Luke Merrill E-mail: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_

### Board Seat for which you are applying for:

Parks, Recreation, and Culture Board Economic Development Authority

Planning Commission

For Consideration on the Board you must circle at least one:

City of Isanti Resident Non-Resident of Isanti

### State:

Education and/or Knowledge that will be useful to the Board:

4 years on County Park Board

Bachelor Degree in Economics

Bachelor Degree in Psychology

many leadership roles in college (Econ President, Peer advisor team lead, Scholarship Committee, etc.)

Why you are interested on being on the Board?

I enjoy being involved and have been trying to get involved with city Business for a handful of years w/no real opportunity to do so.

What is your vision of Isanti?

Small town feel, w/ conveniences of a larger town/city

Any other pertinent information that might be taken into consideration. You may attach additional pages.

I've lived in Isanti for my entire life (minus my 4 years @ UMD).

Resume Attached



## Memo for Council Action

**To:** Mayor Johnson and Members of the City Council  
**From:** Katie Brooks- Human Resources/ City Clerk  
**Date:** January 7, 2020  
**Subject:** Appointments to Committees and Boards

### **Background:**

Appointments must be made for year 2020 for Advisory Committees, Commissions, and Boards. Attached for reference, is a blank Resolution prepared for year 2020.

### **Park, Recreation and Culture Board**

Two Board seats are open and one Student Representative position is also open. Advertisements were placed to seek interested candidates. An application was received from current Board member Aaron Zdon and one application was received from Luke Merrill. Both Open Board seats are 3-year terms extending to December 31, 2022. The Student Representative is a 1-year term. Attached are interview questions for applicant and the application.

### **EDA**

There is one seat open for an appointed member. The term for the open seat extends to December 31, 2024. No applications were received for the open EDA seat.

### **Planning Commission**

There is one open seat for an appointed member. An application was received from current Board member Arissya Simon. The Board seat is for a 3-year term extending to December 31, 2022

### **Request:**

Interview subject candidate that applied for open seat, and make appointments for Park, Recreation and Culture Board and Planning Commission. Make appointments for members and representatives for City Commission and Advisory Boards for year 2020.

### **Attachment:**

- Resolution 2020-XXX Designating Committees and Representative City Commissions and Advisory Boards for Year 2020
- Candidate Application

## RESOLUTION 2020-XXX

### DESIGNATING COMMITTEES AND REPRESENTATIVE CITY COMMISSIONS AND ADVISORY BOARDS FOR YEAR 2020

**WHEREAS**, the City is required to make certain official appointments at the beginning of each year; and,

**WHEREAS**, the City Council must appoint City Council members to represent the City on various City and County-wide organizations on an annual basis:

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Isanti, Minnesota as follows:

1. That the City Council appoints the following individuals to represent the City on the following commissions, boards and advisory committees for 2020:

Committee of the Whole	
Economic Development Authority	
Parks, Recreation & Culture Board	
Planning Commission	
Rum River BMX Association Board	
Community Education	
Cable TV Liaison	
Civil Defense Director	
Fire District	
ICICLE	
School Liaison	
Chamber of Commerce Liaison	
Bike Isanti County Committee	
C-I Bike/Walk Trail	
Public Works Labor Management Committee	
Weed Inspector	

2. That the City Council appoints the following to act as Mayor Pro-tem in the absence of the Mayor: Councilor \_\_\_\_\_.
3. That the Planning Commission, Economic Development Authority Board, and Park, Recreation and Culture Board shall meet on the date and times as designated as outlined on the attached schedule and posted at Isanti City Hall.

4. That the City Council designates the following individuals to the Park, Recreation and Culture Board for 2020:

Brian Thum	<i>(Appointed 8-7-2019; term expiration 12-31-2020)</i>
<b>Open Seat</b>	<i>(term expiration 12-31-2022)</i>
James Witte	<i>(Appointed 7-5-2016; term expiration 12-31-2021)</i>
<b>Open Seat</b>	<i>(term expiration 12-31-2022)</i>
<b>Open Seat</b>	<b>Council Representative</b> <i>(term expiration 12-31-2020)</i>
<b>Open Seat</b>	<b>Student Representative</b> <i>(term expiration 12-31-2020)</i>

5. That the City Council designates the following individuals to the Planning Commission for year 2020:

Mayor and City Council:

Jeffrey Johnson	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
Dan Collison	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
James Gordon	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
Paul Bergley	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
Steve Lundeen	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>

Appointed Members:

Alexander Collins	<i>(Appointed 5-7-2019; term expiration 12-31-2021)</i>
<b>Open Seat</b>	<i>(term expiration 12-31-2022)</i>

6. That the City Council Economic Development Authority Board membership terms are as follows for year 2020:

Mayor and City Council:

Jeffrey Johnson	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
Dan Collison	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
James Gordon	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
Paul Bergley	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>
Steve Lundeen	<i>(Appointed 1-7-2020; term expiration 12-31-2020)</i>

Appointed Members:

<b>Open Seat</b>	<i>(term expiration 12-31-2024)</i>
Jill Reller	<i>(Appointed 12-16-2018; term expiration 12-31-2020)</i>

This Resolution is hereby approved by the Isanti City Council this 7<sup>th</sup> day of January, 2020.

Attest:

\_\_\_\_\_  
Mayor Jeff Johnson

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk



## Memo for Council Action

**To:** Mayor Johnson and Members of the City Council  
**From:** Katie Brooks- Human Resources/ City Clerk  
**Date:** January 7, 2020  
**Subject:** Designating Official Newspaper, Appointing Depositories, Professional Services and Setting City Council Meetings for the Year 2020

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### **Background:**

#### **Newspaper Bids, Appointment of Depositories and Professional Services**

Bids for the 2020 official city newspaper have been received from the Isanti-Chisago County Star and County News Review.

<b>County News Review</b>	<b>\$1.99 per column inch (11 lines/inch)</b> <b>408 distributions in the City of Isanti</b>
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<b>Isanti-Chisago County Star</b>	<b>\$2.00 per column inch; (9 lines/inch)</b> <b>1885 distributions in 55040</b>
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Attached is a Resolution designating the official City Newspaper, designation of depositories and appointment of professional services for the year 2020.

The Resolution also sets 2020 meeting schedules for all Boards and Committees per the attached schedule. Committee of the Whole meetings begin at 5:00 p.m., City Council meetings begin at 7:00 p.m. Planning Commission and Economic Development Authority meetings begin immediately following the City Council meeting and Park, Recreation and Culture Board meetings begin at 6:00 p.m.

## RESOLUTION 2020-XXX

### DESIGNATING AN OFFICIAL CITY NEWSPAPER, DEPOSITORIES, APPOINTMENT OF CITY ATTORNEY, CITY ENGINEER, CITY AUDITOR, PROFESSIONAL SERVICES AND SETTING CITY COUNCIL MEETINGS FOR YEAR 2020

**WHEREAS**, the City is required to make certain official appointments at the beginning of each year; and,

**WHEREAS**, the City requested and received bids for the designation of the official city newspaper for 2020; and,

**WHEREAS**, the following bids and distribution numbers were received by the City:  
County News Review \$1.99 per column inch (11 lines/inch) 408 distributions in the City of Isanti  
Isanti-Chisago County Star \$2.00 per column inch; (9 lines/inch) 1885 distributions in 55040; and,

**WHEREAS**, the City Council has determined that to best serve the City needs, two regular monthly meetings are required per month as MN. Stat. No. 412.191, subd. 2 allows for the City to have as many meetings as required to complete City business;

**NOW THEREFORE BE IT RESOLVED by the City Council of the City of Isanti, Minnesota as follows:**

1. That the City accepts and designates the \_\_\_\_\_ as the official newspaper for 2020 at a rate \_\_\_\_\_ per column inch, at \_\_\_\_ lines/inch, \_\_\_\_ point type.
2. That the following institutions and organizations are designated as follows:

Depositories: Falcon National Bank  
Minnco Credit Union  
RBC Wealth Management

City Engineer: Bolton & Menk, Inc.  
City Auditor: Abdo, Eick & Meyers, LLP  
Financial Advisor: Northland Securities, Inc.  
Bond Counsel: Briggs & Morgan

City Attorney: Ratwik Roszak & Maloney, P.A

3. The Regular City Council and Commission meetings are set forth for the year 2020 as attached. Exhibit A. Special meetings and work sessions will be posted as needed.

This resolution was duly adopted by the Isanti City Council this 7th day of January, 2020.

Attest:

\_\_\_\_\_  
Mayor Jeff Johnson

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk



**CITY OF ISANTI**  
**2020 MEETING SCHEDULES**  
 All meetings held at City Hall

Committee of the Whole (COW) meetings begin at 5:00 pm

City Council meetings begin at 7:00 pm

Planning Commission (PC) immediately follow City Council meetings

Economic Development Authority (EDA) immediately follow City Council meetings

Park Recreation and Culture Board (PRC) meetings begin at 6:00 pm

**January**

7<sup>th</sup> - City Council/ EDA

21<sup>st</sup> - COW/City Council/ PC

27<sup>th</sup> - Goal Setting 6:00pm

28<sup>th</sup> - Park, Recreation and Culture Board

**February**

4<sup>th</sup> - City Council/ EDA

18<sup>th</sup> - COW/City Council/ PC

25<sup>th</sup> - Park, Recreation and Culture Board

**March**

4<sup>th</sup> (Wed)- City Council, EDA

17<sup>th</sup> - COW/City Council/ PC

24<sup>th</sup> - Park, Recreation and Culture Board

**April**

7<sup>th</sup> - City Council/ EDA

21<sup>st</sup> - COW/City Council/ PC

28<sup>th</sup> - Park, Recreation and Culture Board

**May**

5<sup>th</sup> - City Council/ EDA

19<sup>th</sup> - COW/City Council/ PC

26<sup>th</sup> - Park, Recreation and Culture Board

**June**

2<sup>nd</sup> - City Council/ EDA

16<sup>th</sup> - COW/City Council/ PC

25<sup>th</sup> - Park, Recreation and Culture Board

**July**

7<sup>th</sup> - City Council/ EDA

21<sup>st</sup> - COW/City Council/ PC

28<sup>th</sup> - Park, Recreation and Culture Board

**August**

5<sup>th</sup> (Wed)- City Council/ EDA

18<sup>th</sup> - COW/City Council/ PC

25<sup>th</sup> - Park, Recreation and Culture Board

**September**

1<sup>st</sup> - City Council/ EDA

15<sup>th</sup> - COW/City Council/ PC

22<sup>nd</sup> - Park, Recreation and Culture Board

**October**

6<sup>th</sup> - City Council/ EDA

20<sup>th</sup> - COW/City Council/ PC

27<sup>th</sup> - Park, Recreation and Culture Board

**November**

4<sup>th</sup> (Wed)- City Council/ EDA

17<sup>th</sup> - COW/City Council/ PC

24<sup>th</sup> - Park, Recreation and Culture Board

**December**

1<sup>st</sup> - City Council/ EDA

15<sup>th</sup> - COW/City Council/ PC

**NO Park, Recreation and Culture Board Meeting**

## RESOLUTION 2020-XXX

**AUTHORIZING SIGNATORIES FOR THE PURPOSE OF ACCESSING AND  
MAINTAINING CITY FUNDS AND INVESTMENTS, ADDING AUTHORIZATION FOR  
USE OF THE CITY CREDIT CARD**

**WHEREAS**, the City of Isanti must account for receipts and payables as a part of maintaining accurate accounting procedures; and,

**WHEREAS**, City funds are maintained in financial institutions as designated by resolution and authorized by Council; and,

**WHEREAS**, it has been identified that these investments and funds must be accessed and maintained by authorized personnel; and,

**WHEREAS**, due to potential change in staff or appointments on the City Council, the City finds it is in the best interest of the City to redefine authorized personnel to place their signatures on investment and financial documents on an annual basis.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Isanti, Minnesota as follows: Effective January 7, 2020 the following are hereby authorized to place their signatures on such documents that are required to provide for the investments, transferring of funds and signing of checks for the purpose of maintaining city finances.

1. At Falcon National Bank, the following shall be listed as signatories:

Mayor	Jeffrey Johnson
Mayor Pro-Tem	Steve Lundeen
Finance Director	Mike Betker
City Administrator	Josi Wood
HR/City Clerk	Katie Brooks
Asst. City Administrator	Donald Lorsung

2. At Minnco Credit Union, the following shall be listed as signatories:

Mayor	Jeffrey Johnson
Mayor Pro-Tem	Steve Lundeen
Finance Director	Mike Betker
City Administrator	Josi Wood

- 3a. At Minnco Credit Union, the following are authorized to use the City Credit Card in conformance with City policies. The City Administrator, Finance Director and Assistant Finance Director are authorized to access information on the account;

- a. City Administrator Josi Wood
- b. Assistant City Administrator Don Lorsung
- c. Police Chief Travis Muyres
- d. Liquor Store Manager John Jacobi
- e. Finance Director Mike Betker

- f. Assistant Finance Director Pamela Dahlheimer
- g. Human Resources/City Clerk Katie Brooks
- h. Community Development Director Shelia Sellman
- i. Community Events and Parks Coordinator Jennifer Garvey

3. At RBC Wealth Management, the following shall be listed as signatories:

Finance Director	Mike Betker
City Administrator	Josi Wood

- 4. Mayor Pro-Tem signature is only required in absence of the Mayor.
- 5. The Assistant City Administrator's Signature is only required in the absence of the City Administrator, Human Resources/City Clerk or Finance Director.
- 6. This resolution shall supersede any past resolutions.

This Resolution is hereby approved by the Isanti City Council this 7th day of January, 2020.

Attest:

\_\_\_\_\_  
Mayor Jeffrey Johnson

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk



## Memo for Council Action

**To:** Mayor Johnson and Members of the City Council  
**From:** Don Lorsung, Assistant City Administrator/Special Projects  
**Date:** December 20, 2019  
**Subject:** City Code Chapter 260, Sewer & 325, Water Amendments and New City Code Chapter 262, Sewer and Water Service Charges

### **Background:**

Staff has finished a complete review of the City Code Chapters regarding Sanitary Sewer and Water Utilities. This complex review involved reviewing existing codes, in which a number of amendments had been added over the course of many years, with existing policy. It is staff's intent to make these codes clearer, consistent and easier to understand. Also, as previously discussed, hotel/motel base charges have been removed and those uses would be subject to commercial rate charges.

New Code Chapter 262:

As a part of this review it was determined that the majority of inquiries and information sought by citizens regard utility service charges. To address this need staff has prepared a draft New Code Chapter 262, Sewer and Water Charges. This new Chapter incorporates all applicable sections of city code chapters 260 and 325, as well as current utility billing policy.

The City Attorney has reviewed the City code amendments and new City Code Chapter.

### **Recommendation:**

Committee of the Whole reviewed the proposed City Code Chapter 260 & 325 Amendments and proposed new City Code Chapter 262 and recommends approval as submitted.

### **Request:**

Staff is requesting City Council action on this item.

### **Action Required:**

If the Council concurs, it should by motion, take the following actions:

1. Approve the amendments to City Code Chapter 260, Sewer & 325, Water.
2. Approve new City Code Chapter 262, Sewer and Water Service Charges

### **Attachments:**

- Ordinance XXX – An Ordinance to Amend the Code for the City Of Isanti, Chapter 260, Sewers
- Ordinance XXX – An Ordinance to Amend the Code for the City of Isanti, Chapter 325
- Ordinance XXX – An Ordinance to Amend the Code for the City of Isanti Adding Chapter 262, Sewer and Water Service Charges

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CODE FOR THE CITY OF ISANTI,  
CHAPTER 260, SEWERS**

**THE CITY COUNCIL OF THE CITY OF ISANTI HEREBY ORDAINS AS FOLLOWS:**

**The Code of the City of Isanti, Chapter 260, Sewers, is hereby deleted in its entirety and amended to read as follows:**

**Chapter 260**

**SEWERS**

**Article I Sewers, General Requirements**

- 260-1 Definitions
- 260-2 Administration
- 260-3 Destructive acts
- 260-4 Connection to public sanitary sewer system required
- 260-5 Authority to inspect
- 260-6 Liability
- 260-7 Waste disposal
- 260-8 Unlawful discharges
- 260-9 Toilet facilities
- 260-10 Conflict with additional requirements

**Article II Public Sewer Connections**

- 260-11 Standards
- 260-12 Trunk utility charges
- 260-13 Meters for private water supply systems
- 260-14 Permit required
- 260-15 Permit application
- 260-16 Permit classes
- 260-17 Accessibility charge
- 260-18 Usage charges
- 260-19 Owner responsible for all costs
- 260-20 Repairs
- 260-21 Separate building sewers
- 260-22 Existing building sewers
- 260-23 Connections/building sewers

**Article III On Site Sewage Treatment Systems**

- 260-24 Connection required, compliance
- 260-25 Permit required
- 260-26 Inspection
- 260-27 Compliance with Standards
- 260-28 Non-compliant system-connection to public sanitary sewer system
- 260-29 Point of sale inspection

**Article IV Use of Public Sanitary Sewer System**

- 260-30 Discharge to sanitary sewers
- 260-31 Use of storm drains prohibited
- 260-32 Prohibited discharges into public sanitary sewers
- 260-33 Waste interceptors
- 260-34 Maintenance at owner's expense, waste interceptor
- 260-35 Other prohibited discharges
- 260-36 Accidental discharges
- 260-37 Preliminary treatment
- 260-38 Maintenance at owner's expense, preliminary treatment facilities
- 260-39 Control manhole
- 260-40 Testing and analysis
- 260-41 Special agreements
- 260-42 Right to meter sewage flow/other meters
- 260-43 Other regulations for industrial users
- 260-44 Recovery of costs
- 260-45 Miscellaneous provisions
- 260-46 Violations and penalties

## **Article I Sewers, General Requirements**

### 260-1 Definitions.

**BUILDING DRAIN** -- The part of the lowest horizontal piping of a drainage system which receives the discharge from waste and other drainage pipes inside the building.

**BUILDING SEWER** -- The pipe extending from the building drain to the public sewer or another place of disposal.

**B.O.D. (Biochemical Oxygen Demand)** The quantity of oxygen utilized in the bio-chemical oxidation of organic matter under standardized laboratory procedure, expressed in parts per million by weight.

**CITY** -- The City of Isanti or its officers or employees authorized to perform the functions to which there is reference in the Chapter.

**NORMAL STRENGTH SEWAGE WASTE** -- Wastewater that is primarily introduced by residential users (domestic wastewater strength) with a BOD concentration not greater than 220 mg/l, a total suspended solids (TSS) concentration not greater than 240 mg/l, ammonia nitrogen concentration not greater than 25 mg/l, and total phosphorus concentration not greater than 8 mg/l.

**GARBAGE** -- Solid wastes from the preparation, cooking, and dispensing of food, and from the handling, storage, and sale of produce.

**INDIVIDUAL SEWAGE DISPOSAL SYSTEM** -- A sewage disposal system other than a public community system and which receives sewage from an individual establishment.

**INDUSTRIAL WASTE (Wastewater)** -- The liquid wastes from industrial processes and distinct from residential or domestic strength wastes, and exceeds normal domestic strength.

**NATURAL OUTLET** -- Any outlet into a watercourse, pond, ditch, lake or other body of surface or ground water.

**NOTICE** -- A notice in writing directed to the owner or other person affected for the time specified by the ordinance, stating briefly the condition that is the reason for the notice and the consequences that will result upon failure to comply with the terms of the notice. A notice shall be deemed given when either it is personally served on the person to whom it is directed or mailed to them at their last known address. If the owner or other person cannot be reached by mail so addressed, service may be made upon the occupant of the building or premises. Notification may also be made by posting the notice on the front door of the building.

NPDES PERMIT – National Pollutant Discharge Elimination System Permit (NPDES) is a permit issued by the MPCA, setting the limits on pollutants that a permittee may legally discharge into navigable waters of the United States pursuant to Sections 402 and 405 of the Act.

OWNER – The person, company, corporation, or their authorized agent, that owns a building or premises.

pH – The logarithm of the reciprocal of the concentration of hydrogen ions in terms of grams per liter of solution.

PREMISES – A platted lot or part thereof or unplatted parcel of land, either occupied or unoccupied and/or any building or structure on the property.

PROPERLY SHREDDED GARBAGE – The wastes from the preparation, cooking and dispensing of food that has been shredded to such a degree that all particles will be carried freely under the flow conditions normally prevailing in public sewers, with no particles greater than one-half inch in any dimension.

PUBLIC SANITARY SEWER SYSTEM – A sanitary sewer utility owned, maintained and controlled by the City.

SANITARY SEWAGE – Any water-carried domestic waste, exclusive of subsurface building or roof storm water drainage, of any residence, commercial or industrial establishment, whether treated or untreated, and includes domestic waste. Raw Sewage is sewage that has not been subjected to any treatment process.

SERVICE – Connection to the public sanitary sewer system controlled by the City.

SPECIAL ASSESSMENT – A charge for construction of public sanitary sewer system improvements pursuant to City Code Chapter 276, or a charge for any repair performed by the City or any fees and usage charges which; pursuant to State law, are certified to the County for collection with property taxes.

SEWAGE TREATMENT PLANT (Collection/Disposal System/Works) – An arrangement of any devices, facilities, structures, piping, equipment or processes owned or used by the City for collection and treatment of municipal, domestic and industrial sewage.

STORM SEWER- A sewer that carries storm and/or surface waters and drainage but excludes sanitary sewage and polluted wastes.

SUSPENDED SOLIDS – Solids that either float on the surface of, or are in suspension in water, sanitary sewage, or other liquids, and which are removable by filtering.

WATERCOURSE- A channel in which a flow of water occurs, either continuously or intermittently.

## 260-2 Administration.

The City Administrator or their designee shall have control and general supervision of all public sanitary sewer collection and treatment systems in the City and shall be responsible for administering the provisions of this Chapter.

## 260-3 Destructive acts.

No unauthorized persons shall maliciously, willfully, or negligently break, damage, destroy, uncover, deface, or tamper with any structure, appurtenance, or equipment which is part of the public sanitary sewer system. Said person(s) shall be subject to costs and/or penalties pursuant to Sections 260-44 and 260-46 of this Chapter.

## 260-4 Connection to public sanitary sewer system required.

All buildings and premises discharging sanitary sewage and located in the City and adjacent to any street, alley, public easement or right-of-way in which there is now located, or may in the future be located, a public sanitary sewer shall be required at their expense to install a suitable sanitary sewer service connection in accordance with the provisions of this Chapter.

- A. Where a parcel of property in the City has an available connection to the public sanitary sewer system, no owner or occupant shall construct a private sanitary sewage system (SSTS) on the property or make use of any existing private SSTS on the property. Existing SSTS can continue until such time as there is system failure or the system is non-compliant.
- B. Use of existing on-site private SSTS for treatment of sanitary sewage in existing buildings and premises where no public sanitary sewer is available in an adjacent right-of-way shall be permitted in accordance with the requirements of this Chapter.
- C. Any privy, septic tank, cesspool or other such facility intended or used for the disposal of sewage that is constructed or maintained in violation of any of the provisions of this section of this article is declared to be a public nuisance as per City Code Chapter 216-2 and the City may abate the same in the manner provided by law.

## 260-5 Authority to inspect.

The City Engineer, Building Official and other duly authorized employees of the City, bearing proper credentials and identification, shall be allowed to enter upon all buildings, premises or properties for the purposes of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Chapter. In the event that access is denied by the owner, authorized agent, or tenant the City may request an administrative search warrant to access the building, premises or property. Nothing in this section shall be construed as to limit the authority of the City to enter any building, premises or property in urgent emergency situations where there is imminent danger to protect the public health, safety and welfare.



#### 260-6 Liability.

In addition to any penalties in this Chapter, any persons or firms violating the provisions of this Chapter may become liable to the City for any expense, loss or damage by reason of such violation.

#### 260-7 Waste disposal.

It shall be unlawful for any person to place, deposit, or permit to be deposited in an unsanitary manner upon public or private property within the City, or in any area under jurisdiction, any human or animal excrement, garbage or objectionable waste.

#### 260-8 Unlawful discharges.

It shall be unlawful to discharge into any natural outlet or to any storm sewer or storm drain, or in any area under the jurisdiction of the City, any sanitary sewage, industrial wastes, or other polluted waters, except where suitable treatment has been provided in accordance with the provisions of this Chapter.

#### 260-9 Toilet facilities.

The owner of each building, dwelling or premises used for human occupancy, employment, recreation, or other purpose, is required at their expense to install and maintain suitable toilet facilities therein and connect such facilities directly to the public sanitary sewer system, unless connected to an existing private SSTS in accordance with the requirements of this Chapter.

#### 260-10 Conflict with additional requirements.

No statement in this Chapter shall be construed to interfere with any additional requirements that may be imposed by the MPCA or the Minnesota Department of Health.

### **Article II Public Sewer Connections**

#### 260-11 Standards.

- A. Connection. The connection of a sanitary sewer service into the public sanitary sewer system shall conform to the requirements of the Minnesota Building and Plumbing Code, as adopted by the City. All such connections shall be made gastight and watertight, and verified with the proper testing to prevent infiltration/inflow. All installation and materials shall be approved by the City.

- B. Capacity. New connection(s) to the public sanitary sewer utility system shall be permitted as long as sufficient capacity is available in the public sanitary sewer system, including capacity for flow, BODs, nutrient levels and suspended solids, as determined by the City Engineer.

#### 260-12 Trunk Utility Charges.

Trunk utility charges have been established for new subdivided areas of the City that did not pay for the original sanitary sewer system. No system connection shall be made to the City public sanitary sewer system unless all trunk utility charges have been paid and developer-installed public improvements have been accepted or, if applicable, the lot has been fully assessed for the cost of public sanitary sewer improvements.

#### 260-13 Meters for private water supply systems.

All users who operate and maintain a private water supply system shall install a meter for recording water used for domestic purposes and all water discharged to the public sanitary sewer system. The meter shall be provided by the City with the cost of the meter and installation by a licensed plumber paid by the owner.

#### 260-14 Permit required.

No person shall uncover, make any connections with or opening into, use, alter, repair or disturb any public sewer or appurtenance thereof without first obtaining a written permit from the Building Official or City Administrator or their designee and otherwise complying with the terms of this Chapter and the conditions accompanying the permit.

#### 260-15 Permit application.

Applications for permits shall be made in the name of the owner or authorized agent and the licensed plumber or contractor. The permit shall state the location, name of owner, street number of the building or premises to be connected and how occupied. No person shall extend any private building drain or sanitary service connection beyond the approved scope of work for which the sanitary sewer connection permit has been given.

#### 260-16 Permit classes.

- A. There shall be two classes of building sanitary sewer permits:
1. Residential or commercial service
  2. Establishments producing industrial wastes

- B. In either case, the application shall be supplemented by any plans, specifications or any other information considered pertinent in the judgement of the City. An industrial user, as a condition of permit issuance, must provide information describing its wastewater constituents, characteristics, volume and type of activity.

#### 260-17 Accessibility charge.

In addition to any usage fees, trunk fees or special assessments, the sewer access fee (SAC) established by the resolution of the City Council shall be payable prior to the issuance of a building permit. Any applicable building or connection permit fees shall also be paid at the time the permit application is submitted to the City.

#### 260-18 Usage charges.

Upon connection of any building or premises to the public sanitary sewer system, the owner shall pay usage charges each month at rates fixed by the City Council. The sewer service charge shall be payable as of the day of approval by the City of the connection between the building drain and building sewer or the connection between the building sewer and the public sanitary sewer system, whichever connection would permit use of the public sanitary sewer system. The owner is responsible for payment of usage charges and if unpaid shall be a lien on the property pursuant to Section 260-45(B)

#### 260-19 Owner responsible for all costs.

All costs and expense incidental to the installation and connection to the public sanitary sewer system shall be borne by the owner of the building or premises. The owner shall indemnify the City from any loss or damage to the public sanitary sewer system that may be directly or indirectly caused by the installation of the building sewer. Once installed, it shall be the responsibility of the owner to keep the sewer connection and building/premises sewer plumbing in working condition. New sanitary sewer service lines, upon approval by the City Administrator, may be placed under an existing driveway. The owner is liable for any repairs for the service line under the driveway.

#### 260- 20 Repairs.

After initial service connection has been made to the sanitary sewer main, the owner of the building or premises shall be liable for all repairs required to the sanitary sewer service. This includes all sewer connection plumbing and piping from the building drain and/or connection to the sanitary sewer main, including any driveway, landscaping, sidewalk and street repairs. This also includes the thawing of frozen service lines to the sanitary sewer service main. The owner shall complete all repairs as directed by the City. Each day after three calendar days that the owner neglects or fails to act to make or procure services for repairs shall constitute a separate violation of this Chapter. After three calendar days of no action by the owner, the City may then cause the work to be done and recover from the owner the costs of repair work, pursuant to Section 260-45 (B) of this Chapter.

#### 260-21 Separate building sewers.

Every building shall have its own independent connection with a private or public sanitary sewer collection system, except that a group of buildings on a single property may be connected to one or more manholes which are constructed on the premises and connected to a private or public sanitary sewer system. These connections and collection systems shall be approved by the City Engineer. Easements shall be granted to the City for any manhole or private sanitary collection system. When one or more buildings are served by a joint sanitary sewer service line and the opportunity to separate connections is made available by the City, the owner(s) shall connect to an independent connection at their cost and expense.

#### 260-22 Existing building sewers.

Existing older building sewers may be used in conjunction with new buildings or structures only when they are found, on examination and test by the Building Official or their designee, to meet all the requirements of this Chapter.

#### 260-23 Connections / building sewers.

Only an authorized licensed contractor, plumber, or City crews may tap or make connections from the building drain or building sewer into a public sanitary sewer service line.

A building sewer shall be constructed under the following conditions:

- A. OSHA Regulations Incorporated by Reference. The Safety and Health Regulations for Construction, Department of Labor, Occupational Safety and Health Administration regarding Excavations, Trenching and Shoring, are hereby adopted by the City and incorporated as part of this Chapter as completely as if set out here in full. If any personnel shall fail to comply with the requirements of the Regulations, the Building Official may, by written notice, stop all work in the trench until there is compliance, including sheeting and bracing if ordered. Each one-half hour of work in the trench after written directive to stop, shall constitute a separate violation herein.
- B. Construction. The size, slopes, alignment, materials of construction of a building sanitary sewer and methods of excavating, placing of the pipe, jointing, testing and backfilling of the trench shall all conform to the requirements of the State of Minnesota Building and Plumbing Code or other applicable rules and regulations of the City.
- C. Connection point. The connection of the building sewer with the public sewer shall be made at the "Y" branch designated for the property, if suitable. Any other location for the connection shall be only as directed by the City.
- D. Inspection. Before covering or backfilling such building sewer, the contractor or plumber must obtain inspection and approval of said sewer construction by the Building Official or their designee.

- E. Cost and liability. All costs and expenses incidental to the installation and connection of the building sewer shall be borne by the owner(s). The owner(s) shall indemnify the City from any loss or damage that may directly or indirectly be occasioned by the installation of the building sewer and/or sanitary sewer service line.

### **Article III On Site Sewage Treatment Systems**

#### **260-24 Connection required, compliance.**

When a service stub in the right of way or easement for the public sanitary sewer is not available as per Section 260-4(B) of this chapter, the building sanitary sewer shall be connected to a private on-site sanitary sewage treatment system (SSTS) complying with the provisions of this Chapter.

#### **260-25 Permit required.**

Prior to commencement of construction or repair of a SSTS, the owner shall first obtain a written permit from the City or its appointed agent. The applicant shall furnish any plans, specifications or other information as deemed necessary by the permitting agency.

#### **260-26 Inspection.**

A permit for a private wastewater disposal system shall not become effective until the installation is completed to the satisfaction of the City or its appointed agent. The City or its appointed agent shall be allowed to inspect the work at any stage of construction, and, in any event, the applicant for the permit shall notify the City or its appointed agent when work is ready for final inspection and before the underground portions are covered.

#### **260-27 Compliance with standards.**

The type, capacities, location, layout, operation, repair and abandonment of a SSTS shall comply with all requirements of MPCA MN Rules Chapters 7080, "Individual Subsurface Sewage Treatment System Standards" as amended from time to time. No septic tank, cesspool or system shall be permitted to discharge to a natural outlet.

#### **260-28 Non-compliant system - connection to public sanitary sewer system.**

In the event an existing SSTS system is non-compliant and a service stub in the right of way or easement for the public sanitary sewer main is available, the owner must connect to the public sanitary sewer utility system in the time frame set forth below at their cost and pay all applicable fees per this Chapter. The existing SSTS shall be abandoned and rendered unusable per the requirements of this Chapter.

- A. In the case of a failing system, the SSTS shall be upgraded, replaced, repaired, or use discontinued within 180 days of receiving written notice from the City or authorized agent.
- B. In the case of an SSTS whose failure is an imminent threat to public health or safety, the system shall be upgraded, replaced, repaired or use discontinued within 60 days of receiving written notice from the City.

260-29 Point of sale inspection.

- A. Compliance certificate. No owner of a building located in the City that is not served by the public sanitary sewer system, shall sell such building by conveyance or contract for conveyance without first obtaining a compliance inspection certificate of the SSTS from the City or it's appointed agent prior to the time of sale.
- B. Time of sale. Time of sale shall mean when a written purchase agreement is executed by the buyer or, in the absence of a purchase agreement, the time of execution of any document providing for the conveyance by deed or contract.
- C. Exception. Upon filing of an executed written agreement by the present and prospective owners, which agreement sets forth the date by which the new owner will complete the necessary corrective action and which agreement and corrective action dates are approved by the City or it's appointed agent, and deposit of sums representing 150% of the cost of the improvements, as estimated by a licensed SSTS designer, the occupancy may be permitted pending issuance of a the point of sale certificate of compliance.

**Article IV Use of Public Sanitary Sewer System**

260-30 Discharge to sanitary sewers.

No person shall discharge or cause to be discharged any storm water, surface water, ground water, subsurface drainage, sump pump water, cooling water, or unpolluted industrial process waters into any public sanitary sewer system.

260-31 Use of storm drains prohibited.

No person shall permit any sanitary sewage to flow into the public storm drain from any building or premises owned by them or under their control.

260-32 Prohibited discharges into public sanitary sewers.

- A. Except as hereinafter provided, no person shall discharge or cause to be discharged any of the following described waters or wastes in any public sewers:

1. Any liquid or vapor having a temperature higher than 150 degrees Fahrenheit.
2. Any water or waste which may contain more than 100 parts per million, by weight, of fat, oil, or grease.
3. Any gasoline, benzene, naphtha, fuel oil, petroleum product or other flammable or explosive liquid, solid or gas.
4. Any garbage that has not been properly shredded.
5. Any ashes, cinders, sand, mud, straw, shavings, metal, glass, rags, feathers, tar, plastics, wood, paunch manure, or any other solid or viscous substance capable of causing obstruction to the flow in sewers or other interference with the proper operation of the sewage works.
6. Any waters or waste having a pH lower than 6.0 or higher than 8.5 or having any other property to corrode or abrade, cause materials to be deposited or attached to the walls of sewers, or having any other property capable of causing damage or hazard to structures, equipment, and personnel of the sewage works.
7. Any waters or waste containing a toxic, poisonous, or radioactive substance in sufficient quantity to interfere with any sewage treatment process, constitute a hazard to humans, or create any hazard in the sewage treatment plant.
8. Any waters or wastes containing suspended solids of such character and quantity that unusual attention or expense is required to handle such materials at the sewage treatment plant.
9. Any noxious or malodorous gas or substance capable of creating a public nuisance.
10. Any wastewater containing toxic pollutants in sufficient quantity, either singly or by interaction with other pollutants, to inhibit or disrupt any wastewater treatment process, constitute a hazard to humans or animals or create a toxic effect in the receiving water of the wastewater disposal system. A toxic pollutant shall include but not be limited to any pollutant identified pursuant to Section 307(a) of the Clean Water Act.

#### 260-33 Waste interceptor.

Grease, oil and sand interceptors in excess of 100 parts per million shall be provided at the owners or premises expense when they are necessary for the proper handling of liquid wastes containing grease in excessive amounts or any flammable wastes, sand or other harmful ingredient; except that such interceptors shall not be required for residential buildings where there are no contributing commercial uses. All such interceptors shall be of a type and capacity approved by the City Engineer, and shall be located as to be readily available and easily accessible for cleaning and inspection. Waste interceptors are subject to inspection by the Building Official or their appointed agent.

#### 260-34 Maintenance at owner's expense, waste interceptor.

All grease, oil and sand interceptors shall be maintained by the owner, at their expense, in continuously efficient operation at all times. In the event of an emergency, the City reserves the right to perform or contract for any maintenance activities for private interceptors, with all costs to be paid by the owner. The City reserves the right to shut off flows from the building or facility

in event of non-compliance. Unpaid charges shall be a lien on the property pursuant to Section 260-45(B) of this Chapter.

#### 260-35 Other prohibited discharges.

The admission into the public sewers of any of the following waters or wastes is prohibited except upon the written approval of the City Engineer:

- A. The admission into the public sanitary sewer of any waters or wastes having:
  - 1. A five day Biochemical Oxygen Demand (BOD) greater than 300 parts per million by weight.
  - 2. Containing more than 350 parts per million by weight of suspended solids.
  - 3. Containing any quantity of substances having the characteristics described in Section 260-32.
  - 4. Having an average daily flow greater than 2% of the average daily sewage flow of the City is prohibited except upon written approval of the City Engineer.
  - 5. Containing in excess of 0.02 mg/l total identifiable chlorinated hydrocarbons.
  - 6. Containing phosphorus in excess of 15 parts per million by weight.

#### 260-36 Accidental discharges.

- A. Facilities. Where required by the City, the owner of any building or premises serviced by a public sanitary sewer shall provide protection from an accidental discharge of prohibited materials or other substances regulated by this Chapter. Where necessary, facilities to prevent accidental discharges shall be provided and maintained at the owner's expense.
- B. Notification to the City. The owner or their agent shall notify the City immediately upon having a slug or accidental discharge of substances or wastewater in violation of this Chapter to enable countermeasures to be taken by the City to minimize damage to the sewage treatment plant. The notification will not relieve the owner of liability for any expense, loss or damage to City treatment facilities or the sewage treatment process, or for any fines imposed on the City on account thereof under any state or federal law. The owner shall insure that all employees or occupants who may cause or discover such a discharge are advised of the emergency notification procedure.

#### 260-37 Preliminary treatment.

- A. The owner shall provide, at the owner's expense, preliminary treatment of waste as may be necessary to:
  - 1. Reduce the Biochemical Oxygen Demand (BOD) to 300 parts per million by weight.
  - 2. Reduce the suspended solids to 350 parts per million by weight.



3. Rectify any violation of Section 260-32.
4. Control the quantities and rates of discharge of such waters and wastes.
5. Comply with Section 260-35.
6. Comply with any MPCA permit limits.

B. Plans, specifications, and any other pertinent information relating to proposed preliminary treatment facilities must be submitted for the approval of the City Engineer and the Minnesota Pollution Control Agency (MPCA) and no construction of such facilities may be commenced until said approvals are obtained in writing.

#### 260-38 Maintenance at owner's expense, preliminary treatment facilities.

Where preliminary treatment facilities are provided, they shall be maintained continuously in satisfactory and effective operation by the owner. In the event of an emergency circumstance where the City has to perform or contract for any maintenance activities for pretreatment facilities, all such costs shall be paid by the owner. The City reserves the right to shut off flows from the building or premises in event of non-compliance. Unpaid charges shall be a lien on the property pursuant to Section 260-45(B) of this Chapter.

#### 260-39 Control manhole.

The owner of any building or premises served by a building sewer carrying industrial wastes shall install a suitable control manhole in the building sewer to facilitate observation, sampling and measurement of the wastes. The manhole may be used for placement of flow or waste measuring devices. The manhole shall be constructed in accordance with plans approved by the City Engineer. Such manhole shall be located in a public easement or right-of-way and shall be accessible by the City at all times. The manhole shall be installed by the owner at their expense, and be maintained to be safe and accessible at all times.

#### 260-40 Testing and analysis.

All measured tests and analysis of the characteristics of water and wastes to which reference is made in this Chapter or required by written agreement, shall be determined with methods employed by the Minnesota Department of Health and MPCA, based upon samples taken at the control manhole provided for in Section 260-39 of this Chapter. In the event that no control manhole has been required, the nearest downstream manhole in the public sanitary sewer system from the point where the building or premise is connected shall be considered the control manhole for the purposes of this Section.

#### 260-41 Special agreements.

No statement contained in this Chapter shall be construed as preventing any special agreement or arrangement between the City and any industrial concern whereby an industrial sanitary sewer waste of unusual strength or character may be accepted by the City for treatment, subject to payment by the industrial concern, providing that National Categorical Pretreatment Standards

and the City's NPDES and State Disposal Permit limitations are not violated. Special agreements shall be approved by resolution of the City Council.

#### 260-42 Right to meter sewage flow / other meters.

- A. Metering requirement. The City reserves the right to require metering of sewage flow or to base estimated flow on metered water usage. Any sewage flow metering system shall be approved by the City Engineer.
- B. Other meters. If an industrial user had discharges that are subject to Section 260-33 and/or Section 260-37, and also discharges normal strength sewage waste in the public sanitary sewage system, the City may permit or require the installation of other water meters to determine the quantities of normal strength sewage waste that can actually enter the public sanitary sewer system without pre-treatment or a special agreement.

#### 260-43 Other regulations for industrial users.

Any additional regulations or requirements promulgated by the City regarding industrial waste(s) shall be adopted by resolution of the City Council.

#### 260-44 Recovery of costs.

In addition to any penalties that may be imposed for violation of any provision of this Chapter, the City may charge, and if not paid, special assess against, any owner of a building or premises the cost of recovery, repairs or restoration of any portion of the public sanitary sewer system and facilities due to the negligence or non-compliance of the owner pursuant to Section 260-45(B) of this Chapter. This includes service connection installation or repair, and charges for use of the public sanitary sewer system.

#### 260-45 Miscellaneous provisions.

- A. Shut off by City only. No person, party or firm, without permission from the City, shall shut off the connection from the building drain or building sewer to the public sanitary sewer system. In emergency situations, in the event where fluid is entering a building or premises from the public sanitary sewer system, the system can be temporarily plugged.
- B. Certification of unpaid account balances with taxes. Unpaid sanitary sewer service charges or fees, interest and penalties on accounts shall be certified to the county auditor at least once annually and more often if deemed necessary. Prior to certification, a notice shall be sent by U.S. mail to the account holder and state the date that payment needs to be made prior to certification. The notice shall also inform the account holder of their right to a hearing before the City Council to dispute the amount owed. If approved by the City Council, all delinquent amounts, penalties and charges, including administrative fees, shall be certified to the County Auditor for collection with property taxes.

260-46 Violations and penalties.

Any person violating any provision of this Chapter shall, upon conviction therefore, be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding 90 days, or both, plus costs of prosecution in either case. A separate offense shall be deemed committed for each day the violation shall continue.

EFFECTIVE DATE:

This ordinance shall take effect upon its adoption and publication in the City's official newspaper.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_ 2020.

\_\_\_\_\_  
Mayor Jeff Johnson

ATTEST:

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk

Adopted on: \_\_\_\_\_  
Published on: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

## ORDINANCE NO. \_\_\_\_\_

### AN ORDINANCE TO AMEND THE CODE FOR THE CITY OF ISANTI, CHAPTER 325, WATER

THE CITY COUNCIL OF THE CITY OF ISANTI HEREBY ORDAINS AS  
FOLLOWS:

The Code of the City of Isanti, Chapter 325, Water, is hereby deleted in its entirety  
and amended to read as follows:

#### Chapter 325

##### Water

###### Article I Purpose and Establishment

- 325-1 Definitions
- 325-2 Water utility
- 325-3 Administration
- 325-4 Connection to the public  
water system required
- 325-5 Deficiency of water

###### Article II Connection and Regulations

- 325-6 Waterline connections
- 325-7 Installation of connections
- 325-8 Authority to inspect
- 325-9 Meters
- 325-10 Taking water without  
authority, operation of valve boxes
- 325-11 Responsibility for repairs
- 325-12 Certification of unpaid accounts  
with taxes

###### Article III Private Wells

- 325-13 Private wells
- 325-14 No Private wells without City  
authorization

###### Article IV Water conservation restrictions, critical water deficiency, lawn sprinkling, watering and irrigation

- 325-15 Intent
- 325-16 Water conservation Restrictions,  
critical water deficiency
- 325-17 Lawn sprinkling , watering and irrigation
- 325-18 Cross connections prohibited

###### Article V Violations and penalties

- 325-19 Violations and penalties

#### ARTICLE I Purpose and Establishment

##### 325-1 Definitions.

As used in this article, unless the context otherwise requires, the following terms shall  
have the meanings intended:

CITY – The City of Isanti or its officers or employees authorized to perform the  
functions to which there is reference in the Chapter.

DEPARTMENT - The city water department.

EMERGENCY - The declaration of a critical water deficiency by the Governor, and/or Mayor.

IRRIGATION - The watering of shrubs, trees, sod, seeded areas, gardens, lawns, or any other outdoor vegetation, except outdoor vegetation utilized for agricultural purposes.

NOTICE – A notice in writing directed to the owner, tenant or other person affected for the time specified by the ordinance, stating briefly the condition that is the reason for the notice, and the consequences that will result upon failure to comply with the terms of the notice. A notice shall be deemed given when either it is personally served on the person to whom it is directed or mailed to them at their last known address. If the owner, tenant or other person cannot be reached by mail, service may be made upon the occupant of the building or premises. Notification may also be made by posting the notice on the front door of the building.

NOTIFICATION TO THE PUBLIC - Notification through local media and city website.

OWNER – The person, company, corporation or their authorized agent that owns a building or premises.

PREMISES – A platted lot or part thereof or unplatted parcel of land, either occupied or unoccupied and/or any building or structure on the property.

PUBLIC WATER SUPPLIER - The city or other entity that owns, manages, or operates a public water supply, as defined in Minn. Statutes § 144.382, subdivision 4.

PUBLIC WATER SUPPLY SYSTEM – The public water supply and utility owned, managed and controlled by the City.

SPECIAL ASSESSMENT – A charge for construction of public water supply system improvements pursuant to City Code Chapter 276, or a charge for any repair performed by the City or any fees and usage charges which, pursuant to State law, are certified to the County for collection with property taxes.

RECLAIMED WATER - Water collected from rooftops, paved surfaces, or other collection devices and all water utilized more than once before re-entering the natural water cycle.

VALVE BOX – Curb stop valve or shut off valve installed on the water service line that controls the flow of water from the public water supply system to a building or premises.

WATER RECIRCULATION SYSTEM - Any system which enables a user to reuse water at least once prior to returning the water to the natural water cycle.

### 325-2 Water utility.

The City's public water system is to provide safe drinking water to City residents through a distribution system that has capacity for additional planned growth of Isanti. The public water system is only sustainable when there are proper requirements to connect to the system and set appropriate user fees for annual operations, capital improvements and system equipment replacement.

### 325-3 Administration.

The City Administrator or their designee shall have control and general supervision of the public water system in the City and shall be responsible for administering the provisions of this Chapter to ensure that a compliant, efficient and proper public water system is maintained.

### 325-4 Connection to the public water system required.

All buildings and premises in the City, unless through a permitted private water supply for domestic use, shall be connected to the public water system. Where a building or premises in the City has connected to the public water system no owner, tenant or occupant shall:

- A. Construct any private water supply or well on the property for domestic use or potable water.
- B. Make use of an existing private water supply or well for domestic use or potable water not in compliance with the Chapter.
- C. Make use of any private water supply or well for commercial or industrial purposes, or as a commercial or industrial domestic or potable water supply without consent of the City.
- D. Create or continue a physical connection between a private water supply or well and the plumbing system connected to the public water system.
- E. Disconnect from the City water system, unless the disconnection is part of repair of the building or premises service line, or plumbing system.

### 325-5 Deficiency of water.

The City shall not be liable for any deficiency or failure in the supply of water to customers, whether occasioned by shutting water off for the purpose of making repairs or connections or from any other cause whatsoever. This includes replacement of damaged

equipment or repair of plumbing systems in a building or premises. In the case of fire, or alarm of fire, or in making repairs or construction of new water system improvements, water may be shut off at such time and kept off as long as necessary. In addition, the City Council or City Administrator shall have the right to place reasonable restrictions on the use of the public water system in emergency situations, in accordance with Article IV of this Chapter.

## **ARTICLE II Connection and Regulations**

### **325-6 Waterline connections.**

All connections to the public water system shall be in conformity with the following rules and regulations, except that the City Council may, by resolution, waive the same upon appeal by the owner, showing special conditions justifying such waiver.

- A. Separate connection required. Every building or premises served by the public water supply system shall have a separate water service line, valve box and water meter. In the case of existing combined connections between two or more properties, when the opportunity to separate the service connections is available through City or private development, the services shall be separated at the Owner's expense. In the case of a multi-unit building or premises with building units under separate lease or ownership, each unit shall have a separate valve box and meter. Multi-unit buildings without separate valve boxes shall have a shutoff valve accessible to the City.
- B. Water service line and valve box location. The water service line and valve box shall be located in boulevard areas in street right-of-way or easements. A setback of 10 feet shall be maintained on either side of the water service line that extends from the water main to the valve box, from any driveway, landscaping or other private improvements. Should a 10 foot setback not be possible due to the characteristics of the lot, the City Administrator or their designee has the authority to approve placement of the water service line and valve box with less than a 10 foot setback. In situations where there is not a 10 foot setback, the owner is responsible for repair of the water service from the water main to and including the valve box. In cases where there is a driveway and/or landscaping over the water service line from the water main to the valve box and repairs are needed, the owner is responsible for repair or replacement of any driveway, landscaping, sprinkler systems or other private improvements. Any existing valve box on the premises or property that is replaced due to a new relocated valve box shall be disconnected and removed. In all cases, the valve box shall be accessible at ground level and operable.

- C. Permit required. No owner, firm or corporation shall make any type of connection to the public water supply system without first obtaining a permit from the City. Applications shall include the legal description of the property to be served, the uses for which the connection is requested, the size of service to be used, full name and address of the owner, and when the connection will be made. All fees, including water accessibility charges (WAC) and residential equivalent connection (REC) charges, shall be paid at the time the application is filed. Failure to pay all fees voids the application.

#### 325-7 Installation of connections.

All connections to the public water system shall be in accordance with the following requirements.

- A. Licensed plumber required. No person, firm or corporation shall perform work on and/or connect any water service line to the public water supply system valve box unless such person, firm or corporation is a plumber duly licensed under the laws of the State of Minnesota.
- B. Pipe requirements. All service lines shall be either copper, polyvinyl chloride (PVC), or ductile iron pipes; lead free brass fittings are required. Use of PVC requires installation of tracer wire in accordance with Minnesota Rural Water Association specifications.
- C. Pressure and connections. All ductile iron, PVC or copper pipe must sustain a pressure of not less than 150 pounds per square inch. No person shall excavate in a public street to service a water main unless they obtain a permit from the City.

#### 325-8 Authority to inspect.

The City Engineer, Building Official, and other duly authorized employees of the City, bearing proper credentials and identification, shall be allowed to enter upon all buildings, premises, or properties for the purposed of inspection, observation, measurement, sampling and testing in accordance with the provisions of this Chapter. In the event that access is denied by the owner or authorized agent, or tenant, the City may request an administrative search warrant to access the building, premises or property. Nothing in this section shall be construed as to limit the authority of the City to enter any building, premises, or property in urgent emergency situations where there is imminent danger to protect the public health, safety and welfare.



### 325-9 Meters.

All water sold or used shall be measured by water meters, unless it is not possible or impractical to install meters as determined by the Public Services Director. Meters shall be installed in every building or premises prior to occupation and/or use of the public water system. All meters and remote readers are the property of the City of Isanti.

- A. Applications for meters. All applications for the installation of water meters shall be made to the Community Development Department. All new meters installed shall be purchased by the owner or contractor from the City. The cost of new meters and ancillary equipment shall be set by resolution of the City Council.
- B. Installation by licensed plumber. For all new services the water meter shall be installed by a licensed plumber. All meters, fittings, wiring and remote reading devices shall be installed in accordance with the requirements of the Building Official and Public Works Department.
- C. Access to meters. All water meters connected to the water system shall be accessible to the City Administrator, Public Works Department or their designee between the hours of 7:00 a.m. and 8:00 p.m. of any business day. Refusal by the owner, or tenant, to allow inspection of the water meter, after notification by the City that admission is required, shall constitute a violation of this Chapter.
- D. Repair and replacement of meters. In cases where a water meter needs repair the owner is responsible for such repair by a licensed plumber. Should the City make a repair, the owner shall reimburse the City for the expense of repairing or replacing any such meter. Failure to reimburse the City for water meter repair and service expenses may result in the water supply to the building or premises being shut off or collection through the use of special assessments, as best determined by the City pursuant to Section 325-12 of this Chapter.
- E. Bypass of meter. It shall be unlawful for any owner or tenant to tamper with, alter, bypass or in any manner whatsoever interfere with the proper use and functioning of any water meter within the City.
- F. Meter accuracy. If an owner questions the accuracy of the water meter and desires their meter to be tested, they shall pay a fee, established by resolution of the City Council. If the meter tests within a range of minus 3% to plus 5%, the meter is deemed accurate. If the meter reads high an adjustment to the water bill will be calculated by the City, in accordance with City Code Chapter 262-4 (G), Utility rate overcharge. In any case, if meter is not accurate and needs to be replaced, the owner shall pay the cost of replacement.
- G. Final reading. It shall be the responsibility of the owner to notify the city to request a final reading at the time of customer's building change.

- H. Meters for fire protection systems. The owner of a building or premises protected by a private fire protection system connected to the public utility shall, if directed by the City, install a meter purchased from the City on the fire service at their expense. If water from a fire service is being wasted or used for purposes other than fire protection, the owner or occupant will be notified and a charge may be made for the estimated amount of water so used. If such improper conditions are not corrected within 30 days, the water service may be terminated until proper corrections are made.
- I. Use of Hydrants – Meters. Appropriation of water from hydrants and use of meters shall be in accordance with the policy for use of City hydrants, as adopted by resolution of the City Council.
- J. Frozen meters. Owners shall be responsible for protecting water meters from freezing. If a meter freezes, the owner may be required to relocate the meter to a location approved by the City. If a meter is damaged by freezing, the replacement cost of the meter, per the Fee Schedule, is borne by the owner.

#### 325-10 Taking water without authority, operation of valve boxes

- A. Taking water without authority. Taking water without authority, tampering with valve boxes, water meters, water systems, or installation of meter bypasses is strictly prohibited, and if determined by the City Administrator or their designee that probable cause exists to believe that any such violation is occurring or has occurred, shall subject the owner or tenant, to immediate disconnection of service and an estimated bill will be issued for unmetered water use. Charges for disconnection and reconnection shall apply to any reinstatement of a water account under this Section. Repair and replacement of damaged meter equipment shall be charged. All fees, repair and replacement costs, personnel time and the bill for unmetered water use shall be paid in full prior to reinstatement of a water account and reconnection of water service.
- B. Operation of valve boxes. The operation of valve boxes and/or gate valves is strictly prohibited without prior approval by the City Administrator or their designee. In the case of a declared emergency, with prior approval as per this paragraph, valve boxes or gate valves may be operated by a licensed plumber.

#### 325-11 Responsibility for repairs.

It is the responsibility of the owner to maintain and repair all plumbing distribution lines, systems and fixtures in a building or premises.

- A. Service line repair – owner's responsibility. The cost for all repairs and replacement of the water service line from the valve box to the building or

premises shall be borne entirely by the owner. In the case of failure by the owner to repair any leak after 24 hours written notice by the City, the water may be shut off and will not be reconnected until the repairs are complete and all fees are paid. These fees include disconnection and reconnection fees. It is the City Administrator or their designee's decision to let the leak continue, throttle the valve to reduce flow, or shut off the service. When the waste of water is great, and there is a threat to property or infrastructure or when damage is likely to result from the leak, the water may be turned off if the repair is not completed immediately. The City reserves the right to make the repair if the owner fails to act after written notice by the City. If the repair or replacement of a service line and/or valve box that is the owner's responsibility is made by the City, the costs for labor, contractor and materials shall be billed to the owner. If these costs are unpaid, a lien will be made on the premises and property, pursuant to Section 325-12 of this Chapter.

- B. Service line repair – city responsibility. The City is responsible for repair of service line leaks from the watermain up to and including the valve box, if the service line and/or valve box were installed to City standards as per Section 325-6 (B) of this Chapter. The City is not responsible for replacing any infrastructure (lighting, sprinkler systems, etc.) on private property and items such as landscaping, trees, driveway surfacing, etc. in boulevard or easement areas. Boulevard and easement areas will be brought up to grade, raked out and seeded down with grass seed. Driveway areas will be brought up to grade with Class V material and it shall be the owner's responsibility to replace any surfacing.
- C. Service line repair – driveways. If the service line is extended and/or the valve box is located under a driveway, the owner assumes all responsibility and costs for maintenance and repair of the service line and/or valve box from the water main to the building or premises. This includes all costs of restoration, including driveway surfacing.
- D. Thawing of Water Lines. The City is not responsible for thawing the portion of service line for which the premises owner is responsible per Paragraph A of this Section. Policy regarding the thawing of frozen water service lines is per City resolution, as adopted by the City Council.

#### 325-12 Certification of unpaid accounts with taxes.

Unpaid accounts, charges and fees as per this Chapter shall be certified to the county auditor at least annually, and more often if deemed necessary. Prior to certification, a notice shall be sent by U.S. mail to the account holder and state the date that payment needs to be made prior to certification. The notice shall also inform the account holder of their right to a hearing before the City Council to dispute the amount owed. If approved by the City Council, all delinquent amounts, penalties and charges, including

administrative fees, shall be certified to the County Auditor for collection with property taxes.

### **ARTICLE III Private Wells**

#### **325-13 Private wells.**

The City Council finds that due to the threat of contamination of private wells used for human consumption, all private wells shall be tested on an annual basis. Private wells with water that is unfit for human consumption will be required to hook up to the public water system, if available.

- A. Annual testing. The City shall require annual testing of water quality from buildings or premises served by private wells in areas where the City water is reasonably available. If the owner objects to inclusion in such survey on the grounds that their building or premises cannot be served by City water, or on other grounds; they may appeal to the City Council within 10 days of receipt of notice of water testing, and the City Council shall thereupon hold a hearing to determine whether or not such premises should be deemed to be within the area where City water is reasonably available. The finding of the City Council shall be conclusive in this regard.
- B. Water quality standards. For the purposes of this article, in order for water from private wells located in the City of Isanti to be deemed fit for human consumption, the chemical analysis of such water must indicate that said water complies with the following quality standards:
  - 1. Bacteriological. The maximum contaminant level for coliform bacteria in water from private wells is zero.
  - 2. Nitrates. The concentration of nitrates (as N) in water from private wells shall not exceed 10 milligrams per liter.
- C. Well water testing; condemnation and replacement.
  - 1. The owner of each building or premises included in the above survey shall submit a sample of water from their private well to a recognized testing laboratory certified by the State of Minnesota Department of Health for a chemical analysis thereof, the cost of which shall be borne by each of the owners. The results of said chemical analysis indicating whether said water is fit for human consumption and certified to by said testing laboratory shall be submitted to the City Administrator or their designee on or before the first day of November of each year. Such a chemical analysis shall be performed and the results thereof submitted to

the City Administrator or their designee as above stated for so long as any of the premises included in the above survey continue to be served by a private well. In the event that test results are not provided to the City, the City has the right to collect a sample from the building or premises and shall have the water tested and a private well water testing fee, as set by resolution of the City Council, and specified in City Code Chapter A344 Fee Schedule, shall be billed to the owner. If the bill is unpaid, the charges shall become a lien on the property, and collected pursuant to Section 325-12 of this Chapter.

2. If the result of the above chemical analysis shows the water to be fit for human consumption, no further action is required until the annual test is due the next year. If the result of the chemical analysis shows the water to be unfit for human consumption, the City Administrator or their designee shall thereupon notify the owner of each premises affected regarding the test results and need for hookup to the public water supply system. If the well is failing as per Paragraph B (1) of this section, the owner will be allowed to disinfect their well and re-test the well water.

3. Upon their request the owners of said building or premises affected shall have an opportunity to be heard at a hearing held by the City Council. At such hearing, the City Council may resolve that such private well be condemned and that the owner of the affected premises apply immediately for hookup to the City water system, that upon failure or refusal of said owner or owners to so apply, the Council may order such hookup to be made and assess the costs and interest as determined by the City Council, against the premises affected as a special assessment payable in one lump sum with the real estate taxes due the following year as per Section 325-12 of this Chapter.

D. Certain private wells condemned. All private wells used to provide water for human consumption in the City of Isanti, that are included or includable in the survey set forth in Subsection A hereof and if at any time the water therefrom is found to be unfit for human consumption as a result of the chemical analysis of said water, are hereby declared to be a nuisance and are hereby condemned, and upon hearing and proper findings by the City Council, the owner of the building or premises served by such private well are required to apply for and hook up to the City water system, and upon failure or refusal by said owner to so apply and hook up, the Council may order such hookup and assess the costs and interest as determined by the City Council, against the premises affected as a special assessment payable in one lump sum with the real estate taxes due the following year as per Section 325-12 of this Chapter.

325-14. No new private wells without City Council authorization.

No new private wells for human consumption shall be constructed in the City in any area where the public water system is available. In cases of hardship where the public water system is not available, an owner may request an exemption from the City Council to construct a private well. The hardship shall no longer exist once a watermain and a water service line is extended to the parcel. On that date, the owner will have 60 months to connect to the public water supply system unless their well is found unfit for human consumption in accordance with the requirements of this Section.

#### **ARTICLE IV Water Conservation Restrictions, Critical Water Deficiency, Lawn Sprinkling, Watering and Irrigation**

325-15 Intent. This article establishes water conservation restrictions, and the plan will be in effect at any time the Governor, and/or Mayor, declares by executive order a critical water deficiency, pursuant to Minn. Statutes 103G.291. This article also regulates lawn sprinkling and irrigation to conserve water resources and prevent harmful and wasteful effects on water resources by limiting lawn sprinkling, lawn watering and irrigation during mid-day hours.

325-16 Water conservation restrictions, critical water deficiency

A. Application

1. This ordinance applies to all customers of public water suppliers who own or control water use on any premises.
2. No owner or person shall make, cause, use, or permit the use of water received from a public water supply for residential, commercial, industrial, governmental, or any other purpose in any manner contrary to any provision in this Article.
3. Mandatory emergency conservation measures shall be implemented based upon the declaration of a critical water emergency by the Governor, and/or Mayor.

B. Waste of water prohibited.

1. Customers or owners shall maintain taps, faucets, valves and other waste facilities so that water waste is eliminated from seeps, dripping faucets, etc.
2. No owner or person shall waste water deliberately by allowing irrigation or sprinkling water to run off onto the street or into the drains.

3. Water may be ran through approved water taps during specified time periods to keep service lines from freezing in accordance with the water tap policy, as adopted by resolution of the City Council.

C. Declaration of critical water deficiency.

Upon the declaration of a critical water deficiency by the Governor, and/ or Mayor, the public water supplier shall immediately post notice of the emergency declaration at the usual meeting place of the city council, or the official city bulletin board. The city shall provide notification to the public as quickly as possible or through established water supply plans, emergency response plans, or procedures.

D. Mandatory emergency water conservation measures.

Upon declaration of a water emergency and notification to the public, the following mandatory restrictions upon nonessential water use shall be enforced:

1. Outdoor irrigation of yards, gardens, golf courses, parklands, and other non-agricultural land, except for those areas irrigated with reclaimed water, is prohibited.
2. Washing or spraying of sidewalks, driveways, parking areas, tennis courts, patios, or other paved areas with water from any pressurized source, including garden hoses, except to alleviate immediate health or safety hazards, is prohibited.
3. The outdoor use of any water-based play apparatus connected to a pressurized source is prohibited.
4. Restaurants and other food service establishments are prohibited from serving water to their customers, unless water is specifically requested by the customer.
5. Operation of outdoor misting systems used to cool public areas is prohibited.
6. The filling of swimming pools, fountains, spas, or other exterior water features is prohibited.
7. The washing of automobiles, trucks, trailers, and other types of mobile equipment is prohibited, except at facilities equipped with wash water recirculation systems, and for vehicles requiring frequent washing to protect public health, safety, and welfare.

E. Variances.

The City Administrator, or his/her designee, is authorized to grant variances to this ordinance where strict application of its provisions would result in serious hardship to a customer. A variance may be granted only for reasons involving health or safety. An applicant may appeal the denial of a variance within five days of the decision by submitting a written appeal to the City Administrator. The City Council shall hear the appeal at the next City Council meeting. The decision of the City Council is final.

F. Violations.

1. Violations shall be determined and cited by the City Administrator or his/her designee.
2. Upon discovery of a first violation, the violator shall be issued, either personally or by mail, a warning letter that sets forth the violation and describes the remedy and fines for future violations.
3. Upon subsequent violations at the same location, the violator shall be issued, either personally or by mail, an administrative citation that sets forth the violation and shall describe the remedy. The City reserves the right to charge the violation as a misdemeanor violation, as per Article V of this Chapter.
4. A violator may appeal the citation within five days of its issuance by submitting a written appeal to the City. The City Council shall hear the appeal at the next City Council meeting. The decision of the City Council is final. Violators may be granted an administrative waiver if evidence is provided that equipment failure was the cause of the violation. A letter from a qualified vendor or invoice for equipment repair will be required to show proof of equipment failure.

G. Severability.

If any provision of this ordinance or the application of any provision to a particular situation is held to be invalid by a court of competent jurisdiction, the remaining portions of the ordinance and the application of the ordinance to any other situation shall not be invalidated.

325-17 Lawn sprinkling, watering and irrigation.

A. Use and regulation.

The use of the municipal water system or any private well or other source of water for lawn sprinkling, lawn watering or lawn irrigation purposes shall be regulated as provided in this article. In the event the City Administrator determines that a water shortage exists, the City Administrator is authorized to restrict the sprinkling, watering or irrigation of lawns within the City by posting a notice at City Hall setting forth the restrictions and providing notification to the public. Such restrictions may include a limitation as to which days of the week, dates of the months, or hours of the day during which lawn sprinkling, lawn watering and lawn irrigation is prohibited. In addition, the City Administrator may declare a total lawn sprinkling, lawn watering and lawn irrigation ban if the City Administrator determines that a water shortage of such magnitude as to threaten the public health or safety exists or will likely exist if such ban is not imposed.

B. Use of private wells.

The use of any private well or source of water other than the City's water system, for lawn sprinkling, lawn watering, or lawn irrigation purposes, shall be



exempt from any restrictions and the annual watering restrictions imposed pursuant to this Section if the owner has registered the private well or other source of water to be used for such purposes with the Public Works Department of the City of Isanti, obtained a water appropriation permit, if required under any applicable State or Federal law or regulation, and posted a sign provided by the Public Works Department that clearly informs the public of the alternative water source. If any owner claims the privilege of exemption from the restrictions otherwise applicable under this Section, a representative of the City may inspect the subject property during reasonable times to ensure compliance with this provision.

C. Annual restrictions.

During the period from May 1 through September 1 annually, all lawns on all property with addresses that end with an odd number may be sprinkled, watered or irrigated only on odd-numbered days, and all lawns on property with addresses that end with an even number may be sprinkled, watered or irrigated only on even-numbered days, provided, however, that during this time period, no lawn sprinkling, lawn watering nor lawn irrigation shall be allowed from 12:00 p.m. to 6:00 p.m. each day. This provision shall automatically apply unless superseded by action of the City Administrator as provided in this Section above imposing more restrictive measures. Notwithstanding the provisions of this Section, the City Administrator or his/her designee, may, upon request of an owner, authorize daily sprinkling, watering or irrigation of newly seeded or sodded lawn areas provided that such permission will not increase the risk of a water shortage of such magnitude as to threaten the public health or safety.

325-18 Cross connections prohibited

No owner, tenant or person shall construct, cause to be constructed or operate any device which provides a cross connection between the municipal water supply and a private well or the sewer system.

**Article V Violations and Penalties**

325-19 Violations and penalties

A. Any owner, tenant or person violating any provision of this Chapter shall, upon conviction thereof, be punished by a fine not exceeding \$1,000 or by imprisonment not exceeding 90 days, or both, plus costs of conviction in either case.

B. An owner, tenant or person violating any provision of Article IV shall be subject to a usage charge for the first, second and third violation occurring within a 12 month

period. The usage charge shall be as set by resolution of the City Council and specified in City Code Chapter A344, Fee Schedule. The usage charge shall be added to the monthly water bill. Any unpaid charges shall become a lien on the property, as per Section 325-12 of this Chapter. Further violations shall be punishable as a misdemeanor violation, as per paragraph A of this Article.

EFFECTIVE DATE:

This ordinance shall take effect upon its adoption and publication in the City's official newspaper.

Adopted by the City Council this \_\_\_\_ day of 2020.

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Mayor Jeff Johnson

ATTEST:

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Katie Brooks  
Human Resources/City Clerk

Adopted on: \_\_\_\_\_  
Published on: \_\_\_\_\_  
Effective Date \_\_\_\_\_

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE TO AMEND THE CODE FOR THE CITY OF ISANTI ADDING  
CHAPTER 262, SEWER AND WATER SERVICE CHARGES**

**THE CITY COUNCIL OF THE CITY OF ISANTI DOES ORDAIN:**

**Chapter 262**

**SEWER AND WATER SERVICE CHARGES**

**Article I Sanitary Sewer and Water Rates and Regulations**

**262-1 Definitions**

**262-2 Sanitary sewer and water utility charges**

**262-3 Sanitary sewer and water rate table**

**262-4 Sanitary sewer and water rates**

**262-5 Accounts and billing for services**

**262-6 Right to discontinue service**

**262-7 Miscellaneous provisions**

**Article II Special Sewer Treatment Fund**

**262-8 Special Sewer Treatment Fund**

**Article III Hook-up Charges for Commercial Malls**

**262-9 Intent and Purpose**

**262-10 Administrative standards**

**262-11 Hookup charges**

**262-12 Enforcement**

**Article IV Violations and Penalties**

**262-13 Violations and Penalties**

**Article I Sanitary Sewer and Water Rates and Regulations**

**262-1. Definitions**

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

CITY – The City of Isanti or its officers or employees authorized to perform the functions to which there is reference in the Chapter.

COMMERCIAL MALLS – A group of attached buildings, or a single building, containing a series of separate stores, offices, or establishments, that are engaged in retail, service, or similar occupations. Such commercial malls may also be known as mini-malls, strip malls, shopping centers, discount centers, or similar titles.

DEPARTMENT – The City sanitary sewer or water department, as a part of the Public Services Department.

IRRIGATION – Means the watering of shrubs, trees, sod and seeded areas.

NORMAL STRENGTH SEWAGE WASTE – Means wastewater that is primarily introduced by residential users with a BOD concentration not greater than 220 mg/l, a total suspended solids (TSS) concentration not great than 240 mg/l, ammonia concentration not greater than 25 mg/l, and total phosphorus concentration not great than 8 mg/l.

NOTICE – A notice in writing directed to the owner, tenant or other person affected for the time specified by the ordinance, stating briefly the condition that is the reason for the notice, and the consequences that will result upon failure to comply with the terms of the notice. A notice shall be deemed given when either it is personally served on the person to whom it is directed to or mailed to them at their last known address. If the owner, tenant or other person cannot be reached by mail service, service may be made upon the occupant of the building or premises. Notification may also be made by a posting the notice on the front door of the building.

OWNER – The person, company, corporation or their authorized agent that owns a building or premises.

PREMISES-A platted lot or part thereof or unplatted parcel of land, either occupied or unoccupied and/or any building or structure on the property.

PUBLIC SANITARY SEWER SYSTEM – The public sanitary sewer utility owned, maintained and controlled by the City.

PUBLIC WATER SUPPLY SYSTEM – The public water supply and utility owned, managed or controlled by the City.

SPECIAL ASSESSMENTS – Means a charge for construction of a public sanitary sewer system or public water supply system improvements pursuant to City Code Chapter 276, or a charge for any repair performed by the City, or any fees and usage charges which, pursuant to State law, are certified to the County for collection with property taxes.

VALVE BOX – Means curb stop or shut off valve installed on the water service line that controls the flow of water from the public water supply system to the building or premises.

## 262- 2 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.

## 262-3 Sanitary sewer and water rate table.

Sanitary sewer and water rate tables have been prepared to provide annual rates for sanitary sewer and water accessibility charges, base fees and usage rates, and are attached as a part of this Chapter. Accessibility charge rates, base fees and sewer rates shall be adjusted periodically, as per the rate table. New charges are applicable beginning on the date of the first meter reading in the month that rates are adjusted.

## 262-4 Sanitary sewer and water rates.

Sanitary sewer rates for users with normal strength sewage waste (NSSW) are listed in the Sewer Rate Table. Users are charged base fee(s) and usage charges (per gallon). Water rates for users are listed in the Water Rate Table.

### A. Base fees are charged as follows:

1. Single Family dwellings are charged one base fee per unit.
2. Apartment units are charged 80% of the base fee charge per unit.
3. Commercial and industrial structures shall be charged base fees per account based on water consumption. The base fee rate and base fee charges shall be set in the Commercial Base Fee Consumption Schedule of the Sanitary Sewer and Water Rate Table.
4. Irrigation meters, when used in conjunction with residential, commercial or industrial uses, are not subject to base fee charges. To be discussed

### B. Base fees – utility not connected or not in service. The owner of any building or premises to which the public sanitary sewer system or water system is available through a service stub in the City right-of-way or easement but either not connected, or installed but not in service, shall pay a monthly availability charge equivalent to 50% of the sewer base fee as provided in the Sewer Rate Table and availability charge equivalent to 50% of the water base fee as provided in the Water Rate Table. Failure by the owner to pay the fee, shall subject them to collection of the fee pursuant to Section 262-7(B) of this Chapter.

- C. Usage charge. Upon connection of any building or premises to the public sanitary sewer system and/or water system, the owner shall pay for sewage and water based on water used each month at rates listed in the Sewer Rate Table and Water Rate Table.
- D. Sewer charge options – Residential accounts. For the purpose of calculating the sewer usage charge, new residential accounts are billed a minimum of 3,500 gallons per month and charged according to the winter average method. This is calculated by taking the average of water used in the months of January, February and March of each year to get average monthly sewage use. Winter averages are updated annually on the April billing statement. The account holder has the option of electing billing based on actual water usage (gallon per gallon). The election to change sewer charge options shall be made by November 1<sup>st</sup> for the following year. If the option is to change back to the winter average method, a minimum usage of 3,500 gallons per month will be used until the average is calculated. Election to change calculation of sewer charges may be done annually. For any month during the averaging period that a property is vacant, that account shall be assigned a minimum usage of 3,500 gallons. In no case will the sewer charge exceed the actual metered water usage.
- E. Sewer – Commercial accounts. Commercial customers are charged for sewer usage based upon their monthly water usage. If an irrigation system is in place, the owner, at their own expense, may have a separate meter installed for the irrigation system. Only the water usage rate applies to the irrigation meter.
- F. Industrial charges. Sanitary sewer base fees, usage rates, or other fees for industrial users with waste flows in excess of normal strength sewage waste shall be set by Special Agreement and are calculated based upon their impact on the sewer plant's capacity and treatment system (BOD, TSS, phosphorus, ammonia, etc.) as outlined in their discharge permit.
- G. Accessibility charge. The accessibility charge for connection of a building or premises to the sanitary sewer system or water system is listed in the Sewer Rate Table as the SAC fee (Sewer Accessibility Charge) and the Water Rate Table as the WAC fee (Water Accessibility Charge). The accessibility charge for a single-family dwelling or equivalent shall be 100% of the full connection charge for each unit.
- H. Residential equivalency connection charge. Residential equivalency connection charges (RECs) will be established by the City for nonresidential users as per the City Engineer's recommendations.
- I. Trunk Utility Charges. Trunk utility charges have been established for new subdivided areas of the City that did not pay for the original sanitary sewer system and water system.

#### 262-5 Accounts and billing for services.

- A. Accounts. All accounts shall be carried in the name of the owner who personally, or by their tenant as authorized agent, are designated the account holder and shall apply for sanitary sewer service and/or water service. If the building or premises is rented, the

tenant, if so authorized by the owner, may carry the account in their name. The owner shall, at all times, be personally liable for sanitary sewer and water services used in the building or premises, whether they are occupying the same or not. Any unpaid charges shall become a lien on the property, as per Section 262-7 (B) of this Chapter.

- B. Deposit. The City reserves the right to request a deposit for sanitary sewer and water services. The deposit shall be in accordance with the City Fee Schedule. The deposit shall be held as a guarantee to hold the City free from any loss occasioned by failure of payment on the account as per this Chapter. If the deposit is used for payment of delinquent sanitary sewer service and/or water service charges, penalties and interest due, and the deposit is depleted; the sanitary sewer service and/or water service shall be discontinued. The account will be suspended until all delinquent charges and a new deposit are paid to the City.
- C. Billing cycle. Sanitary sewer and water service base fees, user charges, fees by special agreement shall be billed on a monthly basis. Bills on accounts for the past month's service are mailed on or about the last business day of the month. Bills are due by the 20<sup>th</sup> of the following month. If that day is on a holiday or weekend, the charges are due by the end of the next business day. Bills on accounts shall be paid within 5 calendar days of the due date for the account to remain current.
- D. Penalty charge and interest on unpaid bills. The monthly charges in this section shall be subject to penalties after the final due date. Unpaid accounts shall be subject to a penalty charge of interest at the rate of 1.5% per month, with a minimum penalty charge of \$5.00 per month for unpaid balances of \$10.00 or greater.
- E. Disconnection. All delinquent and unpaid accounts are subject to disconnection as per Section 260-6 of this Chapter, except as otherwise provided by law. At any time, accounts paid by a check without sufficient funds (non-sufficient funds check), upon discovery by the City, are considered delinquent. These accounts are subject to immediate disconnection unless precluded by state statute. No further notifications or posting will be given. All delinquent amounts, connection and disconnection fees, must be paid prior to sanitary sewer service and/or water service being restored. These accounts shall be required to pay with cash or credit card for delinquent and future account payments.
- F. Payment plan for delinquent accounts. The account holder may request a payment plan for the unpaid balance of a delinquent sanitary sewer and/or water utility account owed the City. All delinquent amounts, penalties and charges will be included in the payment plan. The term of repayment shall not exceed 90 days. During the time of the repayment plan, the account shall be kept current. If at any time during the time of repayment the account becomes delinquent by non-payment of charges, the City shall proceed to discontinue services as per Section 262-6 of this Chapter. If disconnected, charges per Section 262-6 will apply and no further payment arrangements will be extended to the account. The owner is responsible for all delinquent charges on the account and if unpaid shall be a lien on the property pursuant to 262-7 (B) of this Chapter. Account holders may utilize a payment plan once annually, and in no case more than 3 times in a 10 year time period.

- G. Utility rate overcharge. In the event it has been determined by the City that an account has been overcharged, the City will pay a credit to the account of the monthly overcharge for a period of up to 12 months, provided that the account is current. In the event that the account is delinquent, any credit shall be applied to the unpaid balance, any penalties or interest due the City. In the case where the overcharge in total exceeds \$1,000.00, a longer time period of credit shall be determined by the City Council.
- H. Utility rate undercharge. In the event an account has been undercharged through no fault of their own, the City will seek recovery for up to 12 months of undercharged use. At the request of the account holder, the City will provide a payment plan for the undercharged usage equivalent to the number of months being charged at no interest to the account holder, provided that payments by the account holder prior to discovery of the undercharge were current. If not current, undercharged usage charges are due upon discovery and notification of the account holder. If the undercharge in total exceeds \$1,000.00, a longer time period shall be determined by the City Council. The City reserves the right to collect these charges as per Section 262-7 (B) of this Chapter.

#### 262-6 Right to discontinue service.

- A. Notification. The City shall notify the owner or tenant; the account holder whose name the account has been placed in when a sanitary sewer service and/or water service account is 30 days past the due date. This notification shall be by U.S. Mail. This notification shall include:
1. The amount owed the City, including any interest or other appropriate charges.
  2. The date by which the account must be paid.
  3. Who the account holder may contact regarding this matter. This includes the right of the account holder to discuss the delinquent charge(s) and/or set up a payment plan if applicable as per Section 260-4(F).

If the account is not paid by the date that was in the first notification, the City shall hand deliver a notice to the dwelling or premises by posting on the front entry door. A delinquent posting notice fee, as per the City Fee Schedule, shall be charged to the delinquent party's account to cover administrative costs associated with the preparation and delivery of this notice. This second notice shall state that the delinquent account balance and door posting fee shall be paid by the specified time and date. It shall also state who the account holder may contact to appeal the shutoff. Any appeal must be made prior to the close of the last business day before the day the utility is shutoff. The appeal shall be made to the City Administrator or their designee. The notice shall also include all applicable charges to disconnect and to reconnect the service as per this Chapter and that these fees shall be applied to the account balance.

- B. Shutoff. Services will be discontinued to the accounts which have not made payment or arrangements with the City regarding the delinquent account. In the event of a sanitary sewer service in a building or premises served by a private well, if practical a removable plug be placed in the building drain or service connection. If not practical, sewage usage



shall be continued to be billed against the account. Shutoff of services shall not be done in the following situations:

1. The account holder's household has a member of the armed forces that has issued orders for active duty, for deployment, or for a permanent change in duty in accordance with Minn. Statutes 325E.028.
  2. In cases where the National Weather Service has issued an excessive heat watch, heat advisory or heat warning, and those warnings and watches are in effect, in accordance with Minn. Statutes 216.0975.
- C. Charges. The City shall charge a fee to disconnect services and a fee to reconnect services to a delinquent sanitary sewer service and/or water service account. These charges are due at the time the delinquent account balance is paid to the City.
- D. Shutoff by City only. No person, party or firm shall turn on or off the water supply at the valve box, gate valve or restrict a sanitary sewer service without permission of the City. In emergency situations, water may be shut off or turned on, with the City notified as soon as practical.
- E. Taking water without authority. Taking water without authority, tampering with valve boxes, water meters, public water systems, or installation of meter bypasses is strictly prohibited, and if determined by the City Administrator or their designee that probable cause exists to believe that any such violation is occurring or has occurred, shall subject the owner or tenant to immediate disconnection of service and an estimated bill will be issued for unmetered water use. Charges for disconnection and reconnection shall apply to any reinstatement of a water account. Repair and replacement of damaged meter equipment shall be charged. All fees, repair and replacement costs, personnel time and unmetered water use shall be paid in full prior to reinstatement of a water account and reconnection of water service.
- F. Shutoffs in multiunit buildings. In a situation where the water supply has been shut off to one or more units in a multiunit building by the City, water will not be turned on and/or a meter reinstalled if the account holder has delinquent accounts in other units in the same building.
- G. Delinquent account in shared connection. In the event that an account holder has an unpaid delinquent account in a building or premises that receives water service through a common waterline where the shutoff and/or water meter serve other account holders whose accounts are in good standing, the City shall not shutoff utility services. The delinquent account holder is responsible for disconnection and reconnection fees if the account is not paid prior to the disconnection date that the account would have been disconnected. If a monthly reoccurrence, disconnection and reconnection fees shall be charged every 3 month that the account is delinquent. The owner of the building or premises is responsible for all delinquent charges on the account, and if unpaid shall be made a lien on the property pursuant to Section 262-7 (B) of this Chapter.
- H. Request for disconnection. The account holder, owner or authorized agent, may request that their sanitary sewer and/or water service be discontinued. The City will then shut off the water and if necessary, remove the water meter. A disconnection fee will be charged and if reconnected, a reconnection fee will also be charged. When the sanitary sewer

service and/or water service is discontinued, a monthly fee equivalent to 50% of the sewer base and water base fee will be charged. The owner is responsible for the base fee charges, and if unpaid shall be a lien on the property pursuant to 262-7 (B) of this Chapter.

- I. Disconnection due to other utility disconnection and vacancy. If the account has the electric and/or gas utilities shut off during the time period between October 15 and April 15, and the City determines in good faith that the premises has been vacated by the former account holder and no transfer of the account has been made, the City reserves the right to discontinue sanitary sewer service and/or water service to the premises. The account shall be deemed delinquent and charges to reinstate the account as per this Chapter shall apply.

#### 262-7 Miscellaneous provisions.

- A. Refusal to allow access. If an owner refuses to give consent to the City to enter the building or premises served to inspect a meter and/or obtain a reading, the City will pursue an administrative search warrant to gain access.
- B. Certification of unpaid account balances with taxes. Unpaid sanitary sewer and/or water service charges, interest and penalties on accounts shall be certified to the county auditor at least once annually, and may be done more often if deemed necessary. Prior to certification, a notice shall be sent by U.S. mail to the account holder and state the date that payment needs to be made prior to certification. The notice shall also inform the account holder of their right to a hearing before the City Council to dispute the amount owed. If approved by the City Council, all delinquent amounts, penalties and charges, including administrative fees, shall be certified to the County Auditor for collection with property taxes.

## **Article II Special Sewer Treatment Fund**

#### 262-8 Special sewer treatment fund.

The funds received from the collection of connection charges authorized by this article shall be deposited in a fund to be known as the "Special Sewage Treatment Fund". The fund shall be administered by the City Council and shall be used for the following purposes, in the following priority:

- A. To meet the operational and maintenance costs of the sanitary sewer system.
- B. To be applied to the design and construction costs of a new sewage treatment plant, or an addition to the existing plant, and any capital charges represented by bonds or certificates of indebtedness or otherwise incurred in connection therewith.

C. For reasonable requirements for replacement or obsolescence.

### **Article III Hookup Charges for Commercial Malls**

262-9 Intent and purpose.

The intent and purpose of this article is to make certain that each user of the City sewer and water utility system shall pay a fair price for their proportional use of the service.

262-10 Administrative standards.

Whenever in the course of administration and enforcement of this article, it is necessary to make any administrative decision, unless other standards are so provided in this article, the decision shall be made so that the result will be consistent with the intent and purpose of this Article.

262-11 Connection charges.

The sanitary sewer and water connection charges for a commercial mall shall be one sanitary sewer access charge (SAC) or water access charge (WAC) per 3,000 square feet or fraction thereof of building. This shall include both finished and unfinished square footage.

262-12 Part of building permit.

These charges shall be made part of the building permit and payment for them shall be made at the time the building permit is paid for. Failure to pay the charges shall mean that the building permit shall not be issued.

### **Article IV Violations and Penalties**

262-13 Violations and penalties.

Any person violating any provision of this Chapter shall, upon conviction thereof, be punished by a fine not exceeding \$1,000.00 or by imprisonment not exceeding 90 days, or both, plus costs of conviction in either case. A separate offense shall be deemed committed for each day the violation shall continue.

EFFECTIVE DATE:

This ordinance shall take effect upon its adoption and publication in the City's official newspaper.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_, 2020.

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Mayor Jeff Johnson

ATTEST:

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Katie Brooks  
Human Resources/City Clerk

Adopted on: \_\_\_\_\_  
Published on: \_\_\_\_\_  
Effective Date: \_\_\_\_\_

A Community For Generations.



## Request for City Council Action Memo

**To:** Mayor Johnson and Members of the City Council  
**From:** Matt Sylvester, Public Services Director  
**Date:** January 7, 2020  
**Subject:** Ordinance 2020-XXX- Amending Chapter 227- Parking and Storage

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### **Background:**

As was reviewed and recommended by Committee of the Whole, staff has drafted an ORD to remove the No Parking on the west side of 9<sup>th</sup> Ave NE and add No Parking to both sides of 8<sup>th</sup> Ave NE from Heritage Blvd to the intersection of 9<sup>th</sup> Ave NE and then extending an additional 300' south on 8<sup>th</sup> Ave NE.

### **Staff Request:**

Staff is seeking action on this item.

### **Attachment:**

- ORD 2020-XXX

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 227 PARKING AND STORAGE**

**THE CITY COUNCIL OF THE CITY OF ISANTI DOES ORDAIN:**

**Sub-paragraph (5), Paragraph C., Parking, Stopping, and Standing Provisions, Section 227-2, Parking Regulations, Article II General Parking Regulations, of Chapter 227 of the Code of the City of Isanti is hereby amended to add the following text:**

**227-2. Parking regulations.**

**C. Parking, stopping and standing provisions.**

- (5) No parking is allowed on any of the following streets or highway:
  - (a) Along either side of Third Avenue NW beginning at its intersection with Isanti Parkway NW to the point at which the City of Isanti corporate boundary ends and Isanti Township begins (Jackson St NW).
  - (b) Along either side of Railroad Ave SE beginning at its intersection with Palomino Road SE to its intersection with Townsedge Road SE. Along the East side of Railroad Ave SE beginning at its intersection with Main Street E to its intersection with Palomino Road SE.
  - (c) Along either side of County Road 5 NE/NW beginning at its intersection with Trunk Highway 65 heading west to its intersection with Whiskey Road NW.
  - (d) Along either side of Fourth Ave SW from its intersection with Main Street W heading south to its intersection with Elizabeth St SW.
  - (e) Along either side of Elizabeth St SW from its intersection with Fifth Ave SW heading east to its intersection with Second Ave SW.
  - (f) Along either side of Fifth Ave SW from its intersection with Elizabeth St SW heading south to its intersection with S Brookview Ln SW.
  - (g) Along either side of Second Ave SW from its intersection with Main St W heading south to its intersection with Elizabeth St SW.
  - (h) Along either side of Isanti Parkway NW, from Third Avenue NW to East Dual Boulevard NE.
  - (i) Along either side of Broadway St SE, from Highway 65 NE to 6<sup>th</sup> Ave NE.
  - (j) Along either side of 6<sup>th</sup> Ave NE, from Broadway St SE to Heritage Blvd NE.
  - (k) Along the West side of Centennial Dr. NW, from Heritage Blvd NW extending South 905' (feet).

- (l) Along the South side of Palomino Road SE, from Railroad Avenue SE to Trunk Highway 65.
- (m) Along the West side of Dahlin Ave NE, from Heritage Blvd NE to Main St E.
- (n) Along the south side of Main Street East, east of the Elim Street NE intersection to Highway 65 NE.
- (o) Along the east side of 9<sup>th</sup> Ave from 8<sup>th</sup> Ave NE extending south 500' (feet).
- (p) Along both sides of 8<sup>th</sup> Ave NE extending south from Heritage Blvd NE to the intersection of 8<sup>th</sup> Avenue NE and 9<sup>th</sup> Ave NE.
- (q) Along both sides of 8<sup>th</sup> Ave NE extending 300' (feet) southwest from the intersection of 9<sup>th</sup> Ave NE.

**EFFECTIVE DATE**

This Ordinance takes effect upon its passage and publication in the official newspaper of the City of Isanti.

Adopted by the City Council this \_\_\_\_ day of \_\_\_\_\_.

\_\_\_\_\_  
Mayor Jeff Johnson

Attest:

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk

Reading Date:  
Publication Date:  
Effective Date:

City of Isanti

Check Register - Mayor/Council Approval  
Check Issue Dates: 12/18/2019 - 12/18/2019

Dec 18, 2019 12:15PM

## Report Criteria:

Report type: Summary

Check Type = {&lt;&gt;} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
12/19	12/18/2019	52610	2251	TITLE SMART INC	601-20200	56.80
12/19	12/18/2019	52611	494	ALLINA HEALTH SYSTEM	101-20200	242.00
12/19	12/18/2019	52612	2030	ARTISAN BEER COMPANY	609-20200	65.20
12/19	12/18/2019	52613	395	BCA	101-20200	995.00
12/19	12/18/2019	52614	9	BERNICKS PEPSI-COLA	609-20200	822.10
12/19	12/18/2019	52615	2319	BREAKTHRU BEVERAGE	609-20200	8,105.99
12/19	12/18/2019	52616	2537	BROOKS, KATIE	101-20200	280.60
12/19	12/18/2019	52617	1815	CENTURYLINK	609-20200	883.19
12/19	12/18/2019	52618	1108	CITY OF BRAHAM	101-20200	2,775.35
12/19	12/18/2019	52619	309	CITY OF CAMBRIDGE	101-20200	2,680.95
12/19	12/18/2019	52620	2522	COMMUNITY TITLE & ESCROW	601-20200	67.77
12/19	12/18/2019	52621	2817	COTE, TIM & ANNELI	601-20200	26.57
12/19	12/18/2019	52622	1472	CRAWFORDS EQUIPMENT INC	101-20200	73.50
12/19	12/18/2019	52623	8	DAHLHEIMER DISTRIBUTING CO	609-20200	12,843.90
12/19	12/18/2019	52624	2478	EAST CENTRAL ENERGY	101-20200	42.19
12/19	12/18/2019	52625	55	ECM PUBLISHERS INC	101-20200	289.55
12/19	12/18/2019	52626	912	FASTENAL COMPANY	601-20200	60.15
12/19	12/18/2019	52627	160	HAWKINS INC	602-20200	4,306.21
12/19	12/18/2019	52628	2847	IRLBECK, DYLAN	601-20200	50.19
12/19	12/18/2019	52629	188	ISANTI COUNTY SHERIFF	101-20200	1,683.11
12/19	12/18/2019	52630	7	JOHNSON BROTHERS LIQUOR CO	609-20200	4,204.06
12/19	12/18/2019	52631	5	KAWALEK TRUCKING	609-20200	415.80
12/19	12/18/2019	52632	2727	LEGACY TITLE	601-20200	20.42
12/19	12/18/2019	52633	2727	LEGACY TITLE	601-20200	39.81
12/19	12/18/2019	52634	2648	LEPAGE & SONS	101-20200	760.00
12/19	12/18/2019	52635	17	MCDONALD DISTRIBUTING CO	609-20200	9,841.60
12/19	12/18/2019	52636	616	MENARDS - CAMBRIDGE	602-20200	169.00
12/19	12/18/2019	52637	281	MINNCO CREDIT UNION	101-20200	2,265.17
12/19	12/18/2019	52638	1604	MINNESOTA UI FUND	101-20200	25.00
12/19	12/18/2019	52639	2080	MVTL LABORATORIES INC	602-20200	159.58
12/19	12/18/2019	52640	2170	NHH ROOFING PLUS	226-20200	8,325.00
12/19	12/18/2019	52641	44	PHILLIPS WINE & SPIRITS INC	609-20200	902.29
12/19	12/18/2019	52642	2848	PHILPOT, BRAD & MARY BENESCH	601-20200	68.42
12/19	12/18/2019	52643	2827	RATWIK, ROSZAK & MALONEY, P.A.	602-20200	5,730.54
12/19	12/18/2019	52644	2613	Servion Title	601-20200	28.29
12/19	12/18/2019	52645	2396	SOUTHERN GLAZERS OF MN	609-20200	12,907.94
12/19	12/18/2019	52646	1361	STAPLES ADVANTAGE	101-20200	345.68
12/19	12/18/2019	52647	96	STREICHERS	101-20200	825.34
12/19	12/18/2019	52648	1762	THE TITLE GROUP	601-20200	24.62
12/19	12/18/2019	52649	1740	TOSHIBA FINANCIAL SERVICES	108-20200	313.24
12/19	12/18/2019	52650	42	VIKING COCA-COLA BOTTLING CO	609-20200	219.25
12/19	12/18/2019	52651	1286	VINOCOPIA INC	609-20200	1,337.00
12/19	12/18/2019	52652	4	WATSON CO INC	609-20200	1,248.88
12/19	12/18/2019	52653	780	WINE MERCHANTS	609-20200	204.00
12/19	12/18/2019	52654	2009	WOOD, JOSEPHINE	101-20200	188.84
12/19	12/18/2019	52655	2849	YAGGY, MICHELLE	601-20200	13.07

Grand Totals:

86,933.16



City of Isanti

Check Register - Mayor/Council Approval  
Check Issue Dates: 12/26/2019 - 12/26/2019Page: 1  
Dec 26, 2019 05:15PM

## Report Criteria:

Report type: Summary

Check.Type = {&lt;&gt;} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
12/19	12/26/2019	52659	1503	7-UP BOTTLING	609-20200	119.60
12/19	12/26/2019	52660	2343	ADVANTAGE SIGNS	101-20200	178.92
12/19	12/26/2019	52661	2850	BEAUDRY OIL & PROPANE	601-20200	1,774.72
12/19	12/26/2019	52662	53	BELLBOY CORPORATION	609-20200	4,323.10
12/19	12/26/2019	52663	9	BERNICKS PEPSI-COLA	609-20200	1,070.90
12/19	12/26/2019	52664	1500	BOLTON & MENK INC	505-20200	20,378.80
12/19	12/26/2019	52665	309	CITY OF CAMBRIDGE	920-20200	2,000.00
12/19	12/26/2019	52666	120	CONNEXUS ENERGY	101-20200	18,591.19
12/19	12/26/2019	52667	2685	COX, BRENNAN	001-20200	184.00
12/19	12/26/2019	52668	2760	CREATIVE SERVICES OF NEW ENGLAND	101-20200	216.95
12/19	12/26/2019	52669	918	CRYSTAL SPRINGS ICE	609-20200	77.76
12/19	12/26/2019	52670	8	DAHLHEIMER DISTRIBUTING CO	609-20200	2,631.50
12/19	12/26/2019	52671	2720	DEFIANT DISTRIBUTORS	609-20200	903.17
12/19	12/26/2019	52672	55	ECM PUBLISHERS INC	101-20200	321.95
12/19	12/26/2019	52673	346	EDAM	108-20200	295.00
12/19	12/26/2019	52674	2794	EMERGENCY EQUIPMENT CONNECTION, INC	101-20200	1,657.40
12/19	12/26/2019	52675	2028	FURTHER	861-20200	167.90
12/19	12/26/2019	52676	596	GRAFIX SHOPPE	101-20200	235.00
12/19	12/26/2019	52677	1684	ISANTI COUNTY AUDITOR-	411-20200	10,327.30
12/19	12/26/2019	52678	7	JOHNSON BROTHERS LIQUOR CO	609-20200	6,776.88
12/19	12/26/2019	52679	5	KAWALEK TRUCKING	609-20200	239.60
12/19	12/26/2019	52680	17	MCDONALD DISTRIBUTING CO	609-20200	14,377.17
12/19	12/26/2019	52681	2364	METERING & TECHNOLOGY	601-20200	1,822.92
12/19	12/26/2019	52682	1536	MINNESOTA DEED	219-20200	833.33
12/19	12/26/2019	52683	329	MN RURAL WATER ASSN	602-20200	250.00
12/19	12/26/2019	52684	2231	NORTH 65 CHAMBER OF COMMERCE	108-20200	15.00
12/19	12/26/2019	52685	617	PAUSTIS & SONS	609-20200	846.50
12/19	12/26/2019	52686	44	PHILLIPS WINE & SPIRITS INC	609-20200	5,820.87
12/19	12/26/2019	52687	2851	PROFESSIONAL TURF & RENOVATION INC	104-20200	18,500.00
12/19	12/26/2019	52688	2341	RED BULL DISTRIBUTION	609-20200	140.50
12/19	12/26/2019	52689	2473	RITEWAY BUSINESS FORMS	603-20200	1,822.62
12/19	12/26/2019	52690	2396	SOUTHERN GLAZERS OF MN	609-20200	1,590.25
12/19	12/26/2019	52691	1442	ST. LOUIS MRO INC	101-20200	22.50
12/19	12/26/2019	52692	1361	STAPLES ADVANTAGE	101-20200	12.94
12/19	12/26/2019	52693	2834	SUN MECHANICAL, INC.	601-20200	418.30
12/19	12/26/2019	52694	626	THE WINE COMPANY	609-20200	218.00
12/19	12/26/2019	52695	2561	TM JOHNSON BROS INC	101-20200	223.00
12/19	12/26/2019	52696	42	VIKING COCA-COLA BOTTLING CO	609-20200	129.15
12/19	12/26/2019	52697	4	WATSON CO INC	609-20200	1,477.08
Grand Totals:						120,991.77

City of Isanti

Check Register - Mayor/Council Approval

Page: 1

Check Issue Dates: 1/2/2020 - 1/2/2020

Jan 02, 2020 03:42PM

## Report Criteria:

Report type: Summary

Check.Type = {&lt;&gt;} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
01/20	01/02/2020	52698	1141	ASSURANT EMPLOYEE BENEFITS	101-20200	22.69
01/20	01/02/2020	52699	2221	C & L DISTRIBUTING	609-20200	149.80
01/20	01/02/2020	52700	1629	CITY OF ISANTI	226-20200	13,196.09
01/20	01/02/2020	52701	1736	COMM OF MMB, TREAS DIV	101-20200	860.00
01/20	01/02/2020	52702	918	CRYSTAL SPRINGS ICE	609-20200	151.47
01/20	01/02/2020	52703	8	DAHLHEIMER DISTRIBUTING CO	609-20200	24,500.60
01/20	01/02/2020	52704	1941	DELTA DENTAL	861-20200	2,610.20
01/20	01/02/2020	52705	55	ECM PUBLISHERS INC	101-20200	126.63
01/20	01/02/2020	52706	1682	FERGUSON WATERWORKS	601-20200	164.44
01/20	01/02/2020	52707	2028	FURTHER	861-20200	1,006.37
01/20	01/02/2020	52708	267	GALLS, LLC	101-20200	380.99
01/20	01/02/2020	52709	739	HACH COMPANY	601-20200	446.13
01/20	01/02/2020	52710	1435	ISANTI TOWNSHIP	101-20200	1,368.82
01/20	01/02/2020	52711	7	JOHNSON BROTHERS LIQUOR CO	609-20200	11,312.82
01/20	01/02/2020	52712	5	KAWALEK TRUCKING	609-20200	197.00
01/20	01/02/2020	52713	17	MCDONALD DISTRIBUTING CO	609-20200	6,180.55
01/20	01/02/2020	52714	1044	MINNEAPOLIS FINANCE	101-20200	109.80
01/20	01/02/2020	52715	1945	MN DEPT OF LABOR	101-20200	2,165.07
01/20	01/02/2020	52716	2080	MVTL LABORATORIES INC	602-20200	159.58
01/20	01/02/2020	52717	1165	NORTHLAND TRUST	602-20200	428,856.25
01/20	01/02/2020	52718	617	PAUSTIS & SONS	609-20200	686.75
01/20	01/02/2020	52719	44	PHILLIPS WINE & SPIRITS INC	609-20200	3,463.25
01/20	01/02/2020	52720	1401	ROAD MACHINERY &	101-20200	39.43
01/20	01/02/2020	52721	1361	STAPLES ADVANTAGE	101-20200	64.81
01/20	01/02/2020	52722	96	STREICHES	101-20200	125.99
01/20	01/02/2020	52723	1290	THE AMBLE GROUP	101-20200	48.40
01/20	01/02/2020	52724	97	TOTAL CONTROL SYSTEMS INC	602-20200	18,092.18
01/20	01/02/2020	52725	1878	TOWMASTER	101-20200	23.32
01/20	01/02/2020	52726	42	VIKING COCA-COLA BOTTLING CO	609-20200	247.23
01/20	01/02/2020	52727	1286	VINOPIA INC	609-20200	275.00
01/20	01/02/2020	52728	4	WATSON CO INC	609-20200	1,059.62
01/20	01/02/2020	52729	2475	WHITE BEAR IT SOLUTIONS, LLC	101-20200	2,682.00
01/20	01/02/2020	52730	780	WINE MERCHANTS	609-20200	336.00
Grand Totals:						521,109.28

## City of Isanti

Gross Payroll	84,738.06
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Social Security & Medicare	4,766.55
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Public Employees Retirement	8,690.46
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Total City Expense	<u>98,195.07</u>
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Pay Date	12/27/2019
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Pay Period	26 (12/8-12/21/19)
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## City of Isanti

Gross Payroll	7,769.25
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Social Security & Medicare	594.36
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Total City Expense	<u>8,363.61</u>
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Pay Date	12/31/2019
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Pay Period:	Q4CCPay19 (10/1-12/31/19)
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## Request for City Council Action

TO: Mayor Johnson and Members of the City Council

FROM: Sheila Sellman, Community Development Director

DATE: January 7, 2020

SUBJECT: Resolution 2020-XXX approving a Conditional Use Permit to operate a microbrewery at 2 Enterprise Ave

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### Overview/Background

The applicant was approved for a Conditional Use Permit (CUP) on February 7, 2018, for a microbrewery at this proposed location. According to City Code Section 21 Subd. 7 if within one year after a CUP has been granted, the permitted work is not completed, the permit shall become null and void. The CUP expired February 7, 2019. The applicant is preparing to open and therefore needs a new CUP.

### Analysis of Application

*Zoning:* The subject property is located at 2 Enterprise Ave NE, and is part of a larger existing building. This property falls within the TH-65 Overlay District of the B-2 Zoning Code. 'Microbrewery' is a Conditional Use in the TH-65 Overlay District.

*Parking and Traffic:* The parcel is already developed. According to the applicant, there will be up to 50 seats for patrons and up to four employees at a given time. Sit-down restaurants require one stall per 3 seats and 1 space per employee. In this case, 20 stalls would be required. The parking is shared in this location; however, the additional stalls should be striped.

Section 21, Article 2, Subd. 4 addresses performance standards for Conditional Use Permit. The standards and staff responses (*italicized*) are below:

- A. The use and the site in question shall be served by a street of sufficient capacity to accommodate the type and volume of traffic which would be generated an adequate public right-of-way shall be provided.  
*Staff believes that the existing street is of sufficient capacity to accommodate the type and volume of traffic as a result of this development.*
- B. The site design for access and parking shall minimize internal as well as external traffic conflicts and shall be in compliance with Section 17 of this Ordinance.

*The proposed CUP will be in an existing building that already is designed for access and parking. All parking is met under Section 17 of this Ordinance.*

- C. If applicable, a pedestrian circulation system shall be clearly defined and appropriate provisions made to protect such areas from encroachment by parked or moving vehicles.  
*Parking for this development does not impact pedestrian circulation.*
- D. Adequate off-street parking and off-street loading shall be provided in compliance with Section 17 of this Ordinance.  
*Adequate off-street parking and off-street loading is provided in accordance with section 17 of this ordinance.*
- E. Loading areas and drive-thru facilities shall be positioned so as to minimize internal site access problems and maneuvering conflicts, to avoid visual or noise impacts on any adjacent residential use or district, and provided in compliance with Section 17 of this Ordinance.  
*This section is met.*
- F. Whenever a non-residential use is adjacent to a residential use or district, a buffer area with screening and landscaping shall be provided in accordance with the provisions of Section 15 of this Ordinance.  
*This area is surrounded by commercial and industrial uses. This section is met.*
- G. General site screening and landscaping shall be provided in compliance with Section 15 of this Ordinance.  
*This section is met.*
- H. All exterior lighting shall be directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts, and shall be in compliance with Section 14 of this Ordinance.  
*Existing lighting complies with our zoning code. This section is met.*
- I. The site drainage system shall be subject to the review and approval of the City Engineer.  
*This is an already developed site, existing stormwater management has been reviewed and approved.*
- J. The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing and potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.  
*The building already exists, and as such, is compliant with our zoning code.*
- K. Provisions shall be made for daily litter control, an interior location for recycling and trash handling and storage or an outdoor, enclosed receptacle area shall be provided in compliance with Section 14 of this Ordinance.  
*Existing garbage facilities will be used for trash and recycling purposes.*

- L. All signs and informational or visual communication devices shall be in compliance with Section 16 of this Ordinance.  
*The applicant will need to submit a sign permit for review and approval prior to any signage associated with this development being installed.*
- M. The use and site shall be in compliance with any federal, state, or county laws or regulations that are applicable and any related permits shall be obtained and documented to the City.  
*The applicant will be required to obtain all proper licensing from the City, State, County, and Federal Governments as deemed necessary. To date applications have been sent into the state and city liquor licenses have been applied for.*
- N. Any applicable business licenses mandated by City Code are approved and obtained.  
*The applicant may be required to obtain proper licensing from the City, State, County, and Federal Government as deemed necessary. To date applications have been sent into the state and city liquor licenses have been applied for.*
- O. The hours of operation may be restricted when there is judged to be an incompatibility with a residential use or district.  
*This property is in a commercial district, and as such, this section is non-applicable.*
- P. The use complies with the applicable performance standards of the zoning district in which it is located and where applicable, any non-conformities shall be eliminated.  
*This use complies with the performance standards of the zoning district.*
- Q. Additional Stipulations. All conditions pertaining to a specific site are subject to change when the City Council, upon investigation in relation to a formal request, finds that the general public health, safety, and welfare, can be served as well or better by modifying or expanding the conditions set forth herein.  
*Any additional stipulations will be included in the final resolution passed by the City Council.*

### **Planning Commission Recommendation**

The Planning Commission held a public hearing at their regular meeting of December 17, 2019. No one from the public was present for this item. The Commission recommend approval as presented.

### **Staff Recommendation**

Staff recommends approval with the following conditions:

- 1) The additional parking stalls along the south parking lot shall be painted as approved in the original development.
- 2) Any applicable licensing and permits shall be obtained from the proper City, State, County, and Federal Governments as deemed necessary.
- 3) Signage to be applied for and reviewed by the City prior to installation.

**Attachments:**

Resolution 2020-XXX  
Findings of Fact  
Conditional Use Permit



## **RESOLUTION 2020-XXX**

### **A RESOLUTION APPROVING THE CONDITIONAL USE PERMIT APPLICATION TO OPERATE A MICROBREWERY AT 2 ENTERPRISE AVE NE SUITE A3**

**WHEREAS**, Warren and Brett Thunstrom (applicants) have requested a Conditional Use Permit approval for the operation of a Microbrewery at 2 Enterprise Avenue NE Suite A3 in the City of Isanti (PID 16.132.0040); and,

**WHEREAS**, the property is located within the “B-2” General Business District and the “TH-65” Overlay District, of which requires a Conditional Use Permit to operate a Microbrewery in said zoning districts; and,

**WHEREAS**, the City of Isanti Planning Commission conducted a public hearing on the proposed Conditional Use Permit on December 17, 2019; and,

**NOW, THEREFORE, IT IS HEREBY RESOLVED, by the City Council of the City of Isanti, Minnesota** that it adopts the Findings of Fact and Conclusion related to the requested Conditional Use Permit, and that the requested Conditional Use Permit for a Microbrewery located at the property described within this resolution, be hereby approved with the following conditions:

- 1) Install (paint) 24 additional parking stalls along the south parking lot as approved in the original development.
- 2) Obtain any applicable licensing and permits from the proper City, County, State, and Federal Governments as deemed necessary.
- 3) Obtain sign permit approval from the City prior to any signage being installed.

This resolution was duly adopted by the Isanti City Council this 7<sup>th</sup> day of January, 2020

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Mayor Jeff Johnson

Attest:

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Katie Brooks  
Human Resources/City Clerk

## FINDINGS OF FACT AND CONCLUSION

### **Request**

Request from Warren and Brett Thunstrom (applicants) for a Conditional Use Permit to operate a Microbrewery at the property addressed as 2 Enterprise Avenue NE Suite A3 (PID 16.132.0040) in the City of Isanti.

### **Findings of Fact**

1. The applicants are requesting approval of a Conditional Use Permit for the property described under 'Request.'
2. The property is zoned "B-2" General Business District and included in the "TH-65" Highway 65 Overlay District.
3. The applicants applied for a CUP on February 7, 2018, since the use has not been established said permit expired on February 7, 2019.
4. A public hearing on the matter was scheduled before the City of Isanti Planning Commission on December 17, 2019 at 7:00 p.m. at City Hall within the City Council Chambers.
5. Notice of the Conditional Use Permit application was published with the *Isanti County News* on December 5, 2019. Notices were sent to all property owners located within 350 feet of the aforementioned address.
6. Section 21, Article 2: Conditional Use Permits, Subdivision 3(D) of the Zoning Ordinance establishes factors that the judgement of the Planning Commission shall be based upon when reviewing a Conditional Use Permit request as well as Section 21, Article 2: Conditional Use Permits, Subdivision 4 General Performance Standards of the Zoning Ordinance establishes additional general standards that shall be used to evaluate any proposed Conditional Use Permit request.

### **Conclusions**

1. In review of the standards established in Section 21, Article 2, Conditional Use (D); the following conclusions have been made (*conclusions to each requirement are shown in italics*):
  - A. The proposed action has been considered in relation to the specific policies and provisions of and has been found to be consistent with the goals and objectives of the Comprehensive Plan, including public facilities and capital improvement plans.  
*The proposed use for the site is consistent with the goals and objectives of the comprehensive plan.*
  - B. The proposed action meets the purpose and intent of this Ordinance and the underlying zoning district.  
*The proposed use meets the purpose and intent of the "B-2" & "TH-65" zoning districts*

- C. The establishment, maintenance or operation of the conditional use will promote and enhance the general public welfare and will not be detrimental or endanger the public health, safety, morals, or comfort.  
*The proposed use is in a commercial and industrial area. Staff believes that will not be detrimental or endanger the public health, safety, morals, or comfort.*
  - D. The conditional use will not be injurious to the use and enjoyment of other property within the immediate vicinity for the purposes already permitted; nor substantially diminish or impair property values within the neighborhood.  
*Staff does not believe that the proposed use will be injurious to the use and enjoyment of the other properties within the immediate vicinity.*
  - E. The establishment of the conditional use will not impede the normal and orderly development and improvement of surrounding property for uses permitted in the district.  
*The conditional use will not impede the normal and orderly development and improvement of the surrounding properties. The use will be located within an existing structure.*
  - F. Adequate public facilities and services are available or can be reasonably provided to accommodate the use which is proposed.  
*Adequate public facilities and services are currently available.*
  - G. The conditional use shall, in all other respects, conform to the applicable regulations of the district in which it is located.  
*The conditional use complies to all other regulations within the district in which it is located.*
  - H. The conditional use complies with the general and specific performance standards as specified by within this Article.  
*The conditional use complies with the general and specific performance standards as specified within this article, as stated by this document.*
2. Section 21, Article 2, Subd. 4 addresses performance standards for Conditional Use Permit. The standards and staff responses (*italicized*) are below:
- A. The use and the site in question shall be served by a street of sufficient capacity to accommodate the type and volume of traffic which would be generated an adequate public right-of-way shall be provided.  
*Staff believes that the existing street is of sufficient capacity to accommodate the type and volume of traffic as a result of this development.*
  - B. The site design for access and parking shall minimize internal as well as external traffic conflicts and shall be in compliance with Section 17 of this Ordinance.  
*The proposed CUP will be in an existing building that already is designed for access and parking. All parking is met under Section 17 of this Ordinance.*

- C. If applicable, a pedestrian circulation system shall be clearly defined and appropriate provisions made to protect such areas from encroachment by parked or moving vehicles.  
*Parking for this development does not impact pedestrian circulation.*
- D. Adequate off-street parking and off-street loading shall be provided in compliance with Section 17 of this Ordinance.  
*Adequate off-street parking and off-street loading is provided in accordance with section 17 of this ordinance.*
- E. Loading areas and drive-thru facilities shall be positioned so as to minimize internal site access problems and maneuvering conflicts, to avoid visual or noise impacts on any adjacent residential use or district, and provided in compliance with Section 17 of this Ordinance.  
*This section is met.*
- F. Whenever a non-residential use is adjacent to a residential use or district, a buffer area with screening and landscaping shall be provided in accordance with the provisions of Section 15 of this Ordinance.  
*This area is surrounded by commercial and industrial uses. This section is met.*
- G. General site screening and landscaping shall be provided in compliance with Section 15 of this Ordinance.  
*This section is met.*
- H. All exterior lighting shall be directed so as not to cast glare toward or onto the public right-of-way or neighboring residential uses or districts, and shall be in compliance with Section 14 of this Ordinance.  
*Existing lighting complies with our zoning code. This section is met.*
- I. The site drainage system shall be subject to the review and approval of the City Engineer.  
*This is an already developed site, existing stormwater management has been reviewed and approved.*
- J. The architectural appearance and functional design of the building and site shall not be so dissimilar to the existing and potential buildings and area so as to cause a blighting influence. All sides of the principal and accessory structures are to have essentially the same or coordinated, harmonious exterior finish materials and treatment.  
*The building already exists, and as such, is compliant with our zoning code.*
- K. Provisions shall be made for daily litter control, an interior location for recycling and trash handling and storage or an outdoor, enclosed receptacle area shall be provided in compliance with Section 14 of this Ordinance.  
*Existing garbage facilities will be used for trash and recycling purposes.*
- L. All signs and informational or visual communication devices shall be in compliance with Section 16 of this Ordinance.

*The applicant will need to submit a sign permit for review and approval prior to any signage associated with this development being installed.*

- M. The use and site shall be in compliance with any federal, state, or county laws or regulations that are applicable and any related permits shall be obtained and documented to the City.

*The applicant will be required to obtain all proper licensing from the City, State, County, and Federal Governments as deemed necessary.*

- N. Any applicable business licenses mandated by City Code are approved and obtained.

*The applicant may be required to obtain proper licensing from the City, State, County, and Federal Government as deemed necessary. To date applications have been sent into the State and city liquor license has been applied for.*

- O. The hours of operation may be restricted when there is judged to be an incompatibility with a residential use or district.

*This property is in a commercial district, and as such, this section is non-applicable. To date applications have been sent into the State and city liquor license has been applied for.*

- P. The use complies with the applicable performance standards of the zoning district in which it is located and where applicable, any non-conformities shall be eliminated.

*This use complies with the performance standards of the zoning district.*

- Q. Additional Stipulations. All conditions pertaining to a specific site are subject to change when the City Council, upon investigation in relation to a formal request, finds that the general public health, safety, and welfare, can be served as well or better by modifying or expanding the conditions set forth herein.

*Any additional stipulations will be included in the final resolution passed by the City Council.*

### **Decision**

The City of Isanti Planning Commission reviewed the request after a public hearing was held on December 17, 2019. The meeting minutes, staff memo, and attachments shall be made part of the Findings of Fact and Conclusion.

Planning Commission Recommendation: Motion by Lundeen, seconded by Bergley to recommend approval of the Conditional Use Permit with conditions. Motion passed unanimously.

STATE OF MINNESOTA  
COUNTY OF ISANTI  
CITY OF ISANTI

ISANTI CITY COUNCIL  
CONDITIONAL USE PROCEEDINGS

In the matter of a microbrewery for First Draft Brewery located at 2 Enterprise Ave. N.E., Suite A3, Isanti, Minnesota 55040.

Request: A Conditional Use Permit for a Micro-brewery in the Highway 65 Overlay District

**CONDITIONAL USE PERMIT**

The above referenced application for a Conditional Use Permit was heard before the City of Isanti Planning Commission on December 17, 2019 and the Isanti City Council on January 7, 2019 pursuant the Isanti Zoning Ordinance, for the following described property:

2 Enterprise Avenue N.E., suite A3, Isanti, legally described as Towns Edge Business Center CIC 2010-1 [PID 16.132.0040].

IT IS HEREBY approved that a Conditional Use Permit be granted at the above described property subject to the following conditions:

- 1) The additional 24 parking stalls along the south parking lot shall be painted as approved in the original development.
- 2) Any applicable licensing and permits shall be obtained from the proper City, State, County, and Federal Governments as deemed necessary.
- 3) Signage to be applied for and reviewed by the City prior to installation.

\_\_\_\_\_  
Mayor Jeff Johnson

Date: \_\_\_\_\_

Attest:

\_\_\_\_\_  
Human Resources/City Clerk



## MEMO

**To:** Mayor Johnson and Members of the City Council  
**From:** Josi Wood, City Administrator  
**Date:** January 7, 2020  
**Subject:** Resolution to Adopt City Mission, Vision and Value Statements

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One of the 2019 Goal Setting items was to establish a city Mission statement. Through great collaboration with Staff, the below statements were proposed.

Committee of the Whole reviewed the statements at their Dec 17<sup>th</sup> meeting and recommends approval.

**Mission:**

To provide a safe healthy vibrant community and manage our resources to enhance the quality of life. We are dedicated to cost-effective governance, professional management and excellent public services.

**Vision:**

To support and engage the community through leadership, professionalism and integrity to ensure Isanti continues to be a community for generations.

**Core Values:**

Leadership: To encourage innovation, creativity, and initiative.

Service: To be fair, friendly, helpful and customer-service oriented.

Ethics and Integrity: To be truthful, accountable, responsible, professional, and with good moral standards.

Collaboration: To recognize that our people are our most valuable resource.

Community: To respect and promote our community and share opportunities to succeed.

Stewardship: To consider the long-term consequences of actions, protect our assets, and invest in the future.

**Request:**

Staff is requesting action on this item.

**Attachment:**

- Res 2020-XXX

## **RESOLUTION 2020-XXX**

### **RESOLUTION TO ADOPT CITY MISSION, VISION, AND VALUE STATEMENTS**

**WHEREAS**, 2019 Council Goal Setting expressed interest in having a City Mission Statement developed; and,

**WHEREAS**, Staff worked collaboratively to write the following Mission, Vision and Value Statements:

**Mission:**

To provide a safe healthy vibrant community and manage our resources to enhance the quality of life. We are dedicated to cost-effective governance, professional management and excellent public services.

**Vision:**

To support and engage the community through leadership, professionalism and integrity to ensure Isanti continues to be a community for generations.

**Core Values:**

Leadership: To encourage innovation, creativity, and initiative.

Service: To be fair, friendly, helpful and customer-service oriented.

Ethics and Integrity: To be truthful, accountable, responsible, professional, and with good moral standards.

Collaboration: To recognize that our people are our most valuable resource.

Community: To respect and promote our community and share opportunities to succeed.

Stewardship: To consider the long-term consequences of actions, protect our assets, and invest in the future.

**WHEREAS**, the Council Committee of the Whole reviewed the statements at the December 17<sup>th</sup> meeting and recommended adoption as presented;

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Isanti, Minnesota to adopt the City Mission, Vision and Value Statements per this Resolution.

This Resolution is hereby approved by the Isanti City Council this 7<sup>th</sup> day of January, 2020.

Attest:

\_\_\_\_\_  
Mayor Jeff Johnson

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk





## Request for City Council Action- MEMO

**To.** Mayor Johnson and Members of City Council  
**From:** Matt Sylvester, Public Services Director  
**Date:** January 7<sup>th</sup>, 2020  
**Subject:** Consider a Resolution Authorizing Public Works Staff to Create a Sledding Hill in Bluebird Park

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### **Background:**

Committee of the Whole met and discussed creating a sledding hill in Bluebird Park. The sledding hill would be built in the NW corner of Bluebird Park using existing dirt on hand. The sledding hill would be 120' long by 50' wide with 10' by 20' flat staging area on top. The hill would have an approximate slope of 4:1 for sledding and a 6:1 slope on the sides and back. It will take 3 Public Works employees 80 hours to create the hill and additional \$500.00 for seeding.

### **Request:**

It is requested that City Council review and take action on this item.

### **Attachment:**

- Resolution 2020-XXX – Resolution Authorizing Public Works Staff To Create a Sledding Hill in Bluebird Park

**RESOLUTION NO. 2020-XXX**

**A RESOLUTION AUTHORIZING PUBLIC WORKS STAFF TO CREATE A SLEDDING HILL IN BLUEBIRD PARK**

**WHEREAS**, Committee of the Whole discussed creating a sledding hill in Bluebird Park; and,

**WHEREAS**, the sledding hill would be in the NW corner of Bluebird Park; and,

**WHEREAS**, the sledding hill would be 120' long and 50' wide with a 10' by 20' flat staging area on top; and,

**WHEREAS**, the sledding hill would have a 6:1 slope on the sides and back and a 4:1 slope for sledding in the front; and,

**WHEREAS**, the Public Works Dept. would be creating the sledding using existing dirt on hand; and,

**WHEREAS**, the cost to build the hill will be 3 Public Works employees at approximately 80 hours coded to wages and salaries; and,

**WHEREAS**, there will be an additional cost of \$500 for seeding coded to PRC-400;

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Isanti, Minnesota** to authorize Public Works staff to create a sledding hill in the NW corner of Bluebird Park using existing dirt on hand per this resolution.

Adopted by the Isanti City Council this 7<sup>th</sup> day of January, 2020.

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Mayor Jeff Johnson

ATTEST:

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Katie Brooks  
Human Resources/City Clerk

(SEAL)

A Community For Generations.



## CITY COUNCIL MEMO

**To:** Mayor Johnson and Members of City Council  
**From:** Matt Sylvester, Public Services Director  
**Date:** January 7, 2020  
**Subject:** Resolution 2020-XXX Approving Compost Facility Operation

**Background:**

The City Council has reviewed the compost facility hours and operation and the hiring of seasonal public works staff on an annual basis. Below are the proposed days/hours of operation for the 2020 season. The recommended season open date would be Tuesday, April 21 and season close date would be Sunday, November 8 with hours the same as the 2019 season. As discussed at Committee of the Whole, the 2020 open dates would include adding the first and last 3 Saturday's of the season.

**2020 Proposed Compost Hours of Operation:**

April 21<sup>st</sup> – November 8<sup>th</sup>

Sunday – Noon – 5:00pm

Monday – Closed

Tuesday – 1:00pm – 7:00pm \*or sunset

Wednesday – Closed

Thursday – 1:00pm – 7:00pm \*or sunset

Friday – Closed

Saturday – Open Noon -5:00pm -April 25<sup>th</sup>, May 2<sup>nd</sup>, May 9<sup>th</sup>, Oct 24<sup>th</sup>, Oct 31<sup>st</sup>, and Nov 7<sup>th</sup>.

Closed in Observance of Holidays

- Sunday, May 24 – Memorial Day
- Sunday, July 5 – 4<sup>th</sup> of July
- Sunday, September 6 – Labor Day

**Seasonal Staff:**

The 2020 budget has funds for three public works seasonal employees.

**Requests:**

Staff is seeking action on this item to post compost facility hours and approval to post for seasonal public works employees.

**Attachments:**

- Res – XXX

**RESOLUTION NO. 2020-XXX**

**APPROVING OPERATION OF THE COMPOST SITE**

**WHEREAS**, the compost facility will open for the 2020 season and be staffed by an attendant to monitor that only grass and leaves be accepted per our permit; and,

**WHEREAS**, the compost site will also be open the first 3 Saturdays of the season from noon to 5:00 beginning on April 25<sup>th</sup> and the last 3 Saturdays of the season beginning on October 24<sup>th</sup>; and,

**WHEREAS**, the compost site will be open to the public for residential yard waste including grass clippings and leaves when the site is staffed Tuesdays and Thursdays 1:00 p.m. to 7:00 p.m. or sunset and Sundays noon to 5:00 p.m. beginning April 21 and closing November 8; and,

**WHEREAS**, the compost site will be closed for the following days in observance of the Holiday: May 24, July 5, September 6 and,

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ISANTI, MINNESOTA AS FOLLOWS:**

1. Staff may post the hours the compost site will be open when it is staffed Tuesdays and Thursdays 1:00 p.m. to 7:00 p.m. or sunset, and the first and last 3 Saturdays of the season and Sundays noon to 5:00 p.m.
2. Staff may post the dates the site is open for the season; April 21 - November 8.

This resolution was duly adopted by the Isanti City Council this 7<sup>th</sup> day of January, 2020.

**Attest:**

\_\_\_\_\_  
Mayor Jeff Johnson

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk



## Memo

**To:** Mayor Johnson and Members of the City Council  
**From:** Jenny Garvey, Parks, Recreation and Culture Manager  
**Date:** January 7, 2020  
**Subject:** Resolution Approving Isantian Ad Rates and Sponsorship Packages

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### **Background:**

The City of Isanti offsets some of the expense of printing the quarterly Isantian newsletter by selling advertising space. There are 2.75" x 1.5" standard ads and one half-page ad available. The City emails the rate sheet to past ad purchasers, and City of Isanti businesses. The City also offers sponsorship packages for City programs including the Farmers' Market, Community Garden, and Street Dances. Community Partnership Packages have been developed for local businesses to easily support all of these initiatives. Pricing is as follows:

- Standard Ad: \$400/year (runs 4 times)
- Half Page Ad: \$1200/year (runs 4 times)
- Tier 1: \$650
- Tier 2: \$1100
- Tier 3: \$1350

Package details are listed in "Exhibit A" of the attached resolution.

### **Staff Request:**

Staff requests City Council approval of the Isantian ad and sponsorship package rates.

### **Attachment:**

- Resolution 2020- XXX
  - Isantian Ad Rate Sheet and Contract

**RESOLUTION NO. 2020-XXX**

**RESOLUTION APPROVING ISANTIAN AD RATES AND SPONSORSHIP PACKAGES**

**WHEREAS**, in 2017, the City of Isanti began handling the advertisements in the Isantian newsletter in-house; and,

**WHEREAS**, revenue from advertisements supports the cost of publishing the newsletter; and,

**WHEREAS**, the standard size ad rate will be \$400 with twelve (12) ad spaces available, and the half page rate will be \$1200 (one available).

**WHEREAS**, the City of Isanti also seeks local businesses and organizations each year to participate in sponsorship programs for the Street Dances and Farmers' Market/Community Garden (the Cultivate Wellness program); and,

**WHEREAS**, to encourage business involvement in the community, the City of Isanti will be offering limited time discounted sponsorship packages with purchase of a standard ad in the Isantian newsletter as follows:

- Tier 1: \$650
- Tier 2: \$1100
- Tier 3: \$1350

**WHEREAS**, participating businesses will be required to submit an order form and contract, attached to this Resolution as "Exhibit A,"

**NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Isanti, Minnesota** to hereby approve the Isantian ad rates and sponsorship packages, effective January 8th, 2020.

**AND FURTHERMORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota** to authorize City staff to sign participant contracts as they are submitted.

This resolution was duly adopted by the Isanti City Council this 7<sup>th</sup> day of January, 2020.

\_\_\_\_\_  
Mayor Jeff Johnson

ATTEST:

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk

# Isantian Ad Rates

There are many great ways for Isanti businesses to support our community. For a limited time, businesses may select a discounted sponsorship package with purchase of a standard ad in the Isantian. All ads will run 4 times in the Spring, Summer, Fall, and Winter editions of the newsletter. Isantian's are delivered to over 2000 homes and businesses in Isanti.

Ad commitments and content must be submitted by **FEBRUARY 1, 2020**.  
Sponsorship pricing not guaranteed after the deadline.

<b><u>Standard Isantian Ad: \$ 400</u></b> <b>1.5" x 2.75" - Full Color</b> <b><u>12</u> ad</b> <b>spaces available</b>	<b><u>HALF PAGE Isantian Ad: \$1200</u></b> <b>5" x 7.5" - Full Color</b> <b><u>1</u> ad</b> <b>space available</b>
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## OR

### Community Partnership Packages

	Tier 1	Tier 2	Tier 3
Cultivate Wellness (Farmers Market & Community Garden)	\$50	\$100	\$200
Street Dances	\$250	\$700	\$1000
Standard Isantian Ad	\$400	\$400	\$400
Savings	\$50	\$100	\$250
Your Price	\$650	\$1100	\$1350
<b>Your Benefits</b>	Business name and link on cityofisanti.us Community Garden, Farmers Market and Street Dance pages and social media post	Business cards/promo on information table at Farmers Market, able to distribute promos at Street Dances, name and logo on Street Dance posters	Full color logo on Street Dance marketing materials and stage banner, name announced by Street Dance bands, Full color logo on Farmers' Market bag
		Plus lower level benefits	Plus lower level benefits

To purchase a standard ad or community partnership package, complete the attached form. Contact Jenny Garvey, the Parks, Recreation, and Culture Manager at [isantiparks@cityofisanti.us](mailto:isantiparks@cityofisanti.us) or 763-444-5512 with any questions.



## Advertisement Agreement and Order Form

### Isantian Newsletter

Company: \_\_\_\_\_ Contact Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_ Website: \_\_\_\_\_

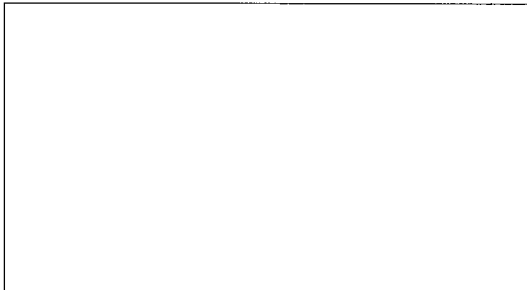
This agreement (the "Agreement") for advertising in the Isantian is made as of \_\_\_\_\_, by and between \_\_\_\_\_ (the "Client") and the \_\_\_\_\_ (date) (Your name or company name)

City of Isanti, 110 1<sup>st</sup> Avenue NW, PO Box 428, Isanti, MN 55040.

- Services:** Subject to the terms and conditions of this Agreement, the City agrees to provide advertisement in the form and quantity marked below and print (the "Advertisement") to be distributed to the residents and businesses of the City of Isanti in 2020. The Isantian is distributed to Isanti residents and businesses 4 times per year.
- Ad content needs to be emailed to [isantiparks@cityofisanti.us](mailto:isantiparks@cityofisanti.us) . Ad content shall be provided in high resolution with .PDF or .EPS preferred formatting. Subject line needs to say "City of Isanti Advertising." The print ready and ad copy sized correctly ad needs to be received by **FEBRUARY 1, 2020**. Additional design work or proofs will result in additional charges as agreed upon by the Client and City or its designee before work is performed. The City of Isanti reserves the right not to run the ad if the quality and content of the ad is not of high quality and content. Call 763.444.5512 or email for ad size requirements.**
- Payment and Terms:** Client will pay to the City of Isanti the sum of \$ \_\_\_\_\_, for the Advertisement in the Isantian Newsletter and / or Community Partnership Package in the type and quantities as marked below. Payment for this advertising is due upon signing this Agreement. Payment must be cash or check.
- Release and Waiver:** Client further agrees to release, indemnify, and hold harmless the EDA and the City of Isanti, its employees, agents, contractors or suppliers against any and all losses, expenses, and claims resulting in whole or part, directly or indirectly, from the Advertisement. Client agrees that in no event shall the City of Isanti, its employees, agents, contractors or suppliers total and aggregate liability under this agreement exceed the amount of fees paid by Client. Client agrees that the City of Isanti does not and cannot guarantee success or any particular result. The City of Isanti can make no warranty or guarantee expressed or implied as to the success of your Advertisement.

This Agreement contains the entire Agreement of the parties, and there are no other promises or conditions in any other agreement whether oral or written. This Agreement shall be governed by the laws of the State of Minnesota.

#### Sample Size of 2.75" X 1.5" Ad



#### Advertising Type and Rates

Advertisement Type (s)	Cost
<input type="checkbox"/> 2.75" X 1.5" Ad in Isantian (4 ads/year)	\$400
<input type="checkbox"/> ½ Page ad on back of Isantian (4 ads/year)	\$1200
<input type="checkbox"/> Tier 1 Community Partnership Package	\$650
<input type="checkbox"/> Tier 2 Community Partnership Package	\$1200
<input type="checkbox"/> Tier 3 Community Partnership Package	\$1350

#### Signatures:

You should read and understand this agreement. It is a legal and binding contract.

Client Signature: \_\_\_\_\_

City Staff Signature: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_

Printed Name: \_\_\_\_\_ Date: \_\_\_\_\_





## Request for City Council Action- MEMO

To: **Mayor Johnson and Members of the City Council**  
From: Jenny Garvey - Parks, Recreation and Culture Manager  
Date: January 7, 2020  
Subject: Resolution to Extend Site Use Agreement Between the City of Isanti and Catholic Charities

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### **Background:**

Catholic Charities wishes to continue operating Senior Dining out of the Isanti Community Center in 2020. Per Resolution 2018-285, there is to be a 3% annual increase to the monthly fee for this use. Therefore, the 2020 rate will be \$114.73 per month.

Staff recommends approving all other terms of the contract as presented.

### **Staff Request:**

Staff requests City Council approval of the Site Use Agreement with Catholic Charities with the amendment to the monthly rate.

### **Attachment:**

- Resolution 2020- XXX
  - Catholic Charities Senior Dining Program Site Use Agreement

**RESOLUTION 2020- XXX**

**RESOLUTION TO EXTEND SITE USE AGREEMENT BETWEEN  
THE CITY OF ISANTI AND CATHOLIC CHARITIES**

**WHEREAS**, Catholic Charities requests the City enter into a 2020 Site Use Agreement;  
and,

**WHEREAS**, the agreement allows Catholic Charities Senior Dining Program to partner  
with the City to provide meals for seniors in Isanti and the surrounding communities; and,

**WHEREAS**, the Isanti Community Center is the site location for the service; and,

**WHEREAS**, the hours of operation for the service are from 10:30 a.m. to 1:30 p.m.; and,

**WHEREAS**, due to increased costs associated with the operations of the facility, the City  
of Isanti will require a 3% annual increase in the monthly fee to Senior Dining; and,

**WHEREAS**, the 2020 monthly rate will be \$114.73,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of  
Isanti, Minnesota, to approve entering into the 2020 Site Use Agreement with Catholic Charities,  
attached to this resolution as 'Exhibit A.'

This Resolution is hereby approved by the Isanti City Council this 7<sup>th</sup> day of January, 2020.

Attest:

\_\_\_\_\_  
Mayor Jeff Johnson

\_\_\_\_\_  
Katie Brooks  
Human Resources/City Clerk

Exhibit A

**CATHOLIC CHARITIES SENIOR DINING PROGRAM  
SITE USE AGREEMENT**

This site use agreement has been prepared for the purpose of defining the rules of the agencies involved in the development and operation of the Senior Dining Program in Isanti, Minnesota.

This agreement made this 1<sup>st</sup> day of January, 2020 by and between Isanti Community Center, 110 1<sup>st</sup> Ave, N, PO Box 428, Isanti, MN 55040 hereafter referred to as the Company and the Catholic Charities Senior Dining Program, 157 Roosevelt Road, Suite 200, City of St. Cloud and the State of Minnesota, hereafter called Senior Dining, in consideration of costs, covenants and agreements herein reserved and contained, do hereby agree each with the other as follows:

I. TERM OF AGREEMENT: The term of this agreement shall be in effect January 1, 2020 and continuing until either party deems it necessary to change specifications stated in the agreement. The agreement may be changed by either party upon 60 days written notice thereof to the other.

II. The Senior Dining Program agrees to pay \$114.73 per month to help offset the costs of the operation.

III. All correspondence regarding this agreement will be between the Senior Dining Program Director and City of Isanti City of Isanti Community Events and Parks Coordinator. Any issues/concerns regarding this contract can be referred to Ruth Hunstiger, Director of Community Services, at 320-229-4592.

IV. Senior Dining agrees and shall abide, conform to and comply with all the laws of the United States and the State of Minnesota, and all of the ordinances of the City of Isanti Minnesota, together with all the rules and requirements of the Police and Fire Department of the City of Isanti, Minnesota. In addition, all rules and regulations by the Minnesota Department of Health will be complied with. A restaurant license, if required, will be procured yearly by Senior Dining.

V. Senior Dining usually observes the following holidays: New Year's Day, Good Friday, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day. Other days of closing will be determined by Senior Dining and the Company. Other dates Senior Dining will not occupy the facility are: February 27<sup>th</sup>, Blood Drive, March 3<sup>rd</sup> Primary, March 18<sup>th</sup> Chamber Event, April 23<sup>rd</sup> Blood Drive, June 17<sup>th</sup> Mayor's Event, June 25<sup>th</sup> Blood Drive, August 11<sup>th</sup> Primary, August 20<sup>th</sup> Blood Drive, October 15<sup>th</sup> Blood Drive, November 3<sup>rd</sup> Elections, December 10<sup>th</sup> Blood Drive and December 12-20<sup>th</sup> Isanti Lion's Christmas Project.

VI. Senior Dining agrees to restore the used facilities to ordinary cleanliness after use. Ordinary cleanliness is defined as leaving facilities in the same condition as they were prior to entering. Basic custodial services such as floor maintenance, window washing, cleaning of restrooms, washing and/or painting of walls, and snow removal are the responsibility of the Company. Senior Dining will be responsible for daily set up of the facility according to its preference.

VII. Senior Dining shall at it's own expense procure and maintain comprehensive general combined single limit liability coverage of One Million Dollars (\$1,000,000.00) and Workers Compensation Insurance on all staff relating to the site mentioned above. Senior Dining shall hold the building owner harmless for damages or injury occurring on the rented premises for which Senior Dining is found liable.

VIII. The Company agrees to assume sole financial responsibility for the facility due to mechanical and electrical problems and to repair damage as a result of the above. Maintenance and repair costs of equipment owned by the Company will be the responsibility of the Company.

IX. In the event Senior Dining or the Company must cancel all or part of the terms of this agreement, both parties will provide the other agency sixty (60) days notice in writing. Upon written receipt by the Company from Catholic Charities Senior Dining, this agreement is subject to immediate termination by Senior Dining should federal, state or local dollars be reduced or withdrawn.

X. Senior Dining may use the kitchen and dining room during the hours of 10:30 a.m. to 1:30 p.m. Monday through Friday.

XI. The Company agrees to furnish Senior Dining information about insurance coverage and dollar value of each type of coverage carried which relates to the facility and persons using the facility.

XII. Other:

CATHOLIC CHARITIES  
SENIOR DINING PROGRAM

*Luth Heenstiger*  
Program Director

Date 12/18/19

OWNER/OPERATOR

\_\_\_\_\_

Date \_\_\_\_\_

## RESOLUTION 2020-XXX

### APPROVING APPLICATION FOR AN EXEMPT GAMBLING PERMIT FOR RUFFED GROUSE SOCIETY – RUM RIVER CHAPTER

**WHEREAS**, the City has received an application for an exempt gambling permit from the Ruffed Grouse Society – Rum River Chapter to hold a fundraiser event on March 20, 2020 at The Hall at Spirit River, 1321 Heritage Blvd, Isanti, MN; and,

**WHEREAS**, the applicant estimates the value of prizes to be awarded is more than \$1,500; and,

**WHEREAS**, the City of Isanti has no objection to the conduct of lawful gambling by the applicant, in accordance with law, at the designated location,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Isanti, Minnesota that the Ruffed Grouse Society – Rum River Chapter application for an exempt gambling permit is approved for the following date:

Friday, March 20, 2020  
At The Hall at Spirit River; and,

**BE IT FURTHER RESOLVED**, that approval is subject to:

- a. A successful background check has been received from the Police Department.
- b. The approval for such permits under the laws of the State of Minnesota and their compliance with all laws.

This Resolution is hereby approved by the Isanti City Council this 7<sup>th</sup> day of January 2020.

Attest:

\_\_\_\_\_  
Mayor Jeff Johnson

\_\_\_\_\_  
Katie Brooks  
Human Resources / City Clerk

A Community For Generations.



## APPLICATION FOR LOCAL GAMBLING PERMIT

City of Isanti  
110-1<sup>st</sup> Avenue North  
PO Box 428  
Isanti, MN 55040  
Phone: 763.444.5512  
Fax: 763.444.5560

### Applicant Instructions:

1. Fee upon application is \$50.00 and must be made payable to City of Isanti.

Name of Organization: Ruffed Grouse Society - Rum River Chapter

Address of  
Organization:

Name and address of the officers and person accounting for receipts, expenses, and profits for the event:

James Govednick

Name

Address

Phone No.

Name

Address

Phone No.

Name

Address

Phone No.

Type of Event: Banquet

Date of event: 03-20-2020

Location and address of event:

Hall at Spirit River

1321 Heritage Blvd., Isanti, MN 55040

Estimated value of prizes to be awarded: \$5,000.00

Name of applicant: James Govednick

Applicant's phone number:

Signature of applicant: [Signature]

Date: 12-26-2019

Approved by City Council \_\_\_\_\_ Resolution # \_\_\_\_\_



## Memo for Council Action

**To:** Mayor Johnson and Members of the City Council  
**From:** Katie Brooks- Human Resources/ City Clerk  
**Date:** January 7, 2020  
**Subject:** EDA Board Member Termination

### **Background:**

The City of Isanti follows federal guidelines for the completion of paperwork for all Employees, Elected Officials, and Board Members. Federal requirements for specific forms require completion within (3) three days of start. Clark Johnson was appointed to an open seat for Economic Development Authority on November 5, 2019 with an official start date on December 3, 2019. After many failed attempts to obtain required documentation from Clark Johnson to complete paperwork, the City must terminate his appointment effective immediately.

### **Request:**

Staff is requesting action on this item to terminate Clark Johnson's appointment.

## RESOLUTION 2020-XXX

### OFFERING THE POSITION OF PART-TIME COMMUNITY SERVICE OFFICER (CSO) TO JEREMY ROBERTS-LETHABY

**WHEREAS**, the City Council of the City of Isanti is required to approve all new employees; and,

**WHEREAS**, the City Council approved to advertise and accept applications to Community Service Officer position; and,

**WHEREAS**, the Interviewing Panel selected Jeremy Roberts- Lethaby as the most qualified candidate for the open Part-Time CSO position. Offers are contingent on successfully passing a background check and reference check. If any of the mentioned contingencies are not met, the offer can and will be rescinded.

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Isanti, Minnesota, as follows:

1. That Human Resources is hereby directed to offer the Part-Time Liquor Store Clerk position to Jeremy Roberts- Lethaby for the City of Isanti and that he shall be eligible to start in that position on or after January 8<sup>th</sup> 2020.
2. That Jeremy Roberts- Lethaby shall start at Step 1 of the wage scale at \$17.63 per hour without benefits.
3. That Jeremy Roberts- Lethaby shall be on probationary status per the Personnel Policy in the position of the Community Service Officer.
4. That Human Resources is directed to complete all required documentation for the completion of the employment offer.
5. That Human Resources is directed to forward an executed copy of this resolution to the employee and place a copy in the employee's personnel file for future reference.

This Resolution is hereby approved by the Isanti City Council this 7<sup>th</sup> day of January 2020.

Attest:

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Mayor Jeff Johnson

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Katie Brooks  
Human Resources/City Clerk



## RESOLUTION 2020-XXX

### OFFERING THE POSITION OF FULL-TIME POLICE OFFICER TO CHRISTOPHER MORGAN

**WHEREAS**, the City Council of the City of Isanti is required to approve all new employees; and,

**WHEREAS**, the City Council approved to advertise and accept applications to fill a Full-Time Police Officer position; and,

**WHEREAS**, the Interviewing Panel selected Christopher Morgan as the most qualified candidate for an open Full-Time Police Officer position; and,

**WHEREAS**, the candidate's offer is contingent on successfully completing and passing a Police Officer background investigation and reference check, medical evaluation, drug test and psychological evaluation,

**NOW, THEREFORE, IT IS HEREBY RESOLVED** by the City Council of the City of Isanti, Minnesota, as follows:

1. That Human Resources has offered the Full-Time Police Officer position to Christopher Morgan for the City of Isanti and that he shall be eligible to start in that position after successfully meeting all conditions of pre-employment evaluations.
2. That Christopher Morgan shall start at Step 5 of the Wage Scale at \$34.50 per hour.
3. That Christopher Morgan shall be on probationary status per the Personnel Policy in the position of the Full-Time Police Officer position.
4. Christopher Morgan's start date is effective after January 7, 2020, and will be determined when all above conditions have been met and paperwork is completed.
5. That Human Resources is directed to complete all required documentation for the completion of the employment offer.
6. That Human Resources is directed to forward an executed copy of this resolution to the employee and place a copy in the employee's personnel file for future reference.

This Resolution is hereby approved by the Isanti City Council this 7<sup>th</sup> day of January 2020.

Attest:

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Mayor Jeff Johnson

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Katie Brooks  
Human Resources/City Clerk



## Memo

**To:** Mayor Johnson and Members of the City Council  
**From:** Katie Brooks- Human Resources/ City Clerk  
**Date:** January 7, 2020  
**Subject:** Conflict of Interest Policy Annual Review

### **Background:**

The Conflict of Interest Policy is reviewed annually and all members of the City Council and Board Members are required to fill out the Conflict of Interest Disclosure Form provided by the City Clerk.

### **Request:**

Staff is requesting City Council review this policy and then filling out the Conflict of Interest form.

### **Attachments:**

Conflict of Interest Policy

# CONFLICT OF INTEREST POLICY

## Purpose

The City Council of the City of Isanti confirms its determination that ethical standards by the employees of the City (Public Officials) are essential to the proper conduct of City affairs. By eliminating conflicts of interest and providing a guide for conduct in City matters, the City Council strives to promote the faith and confidence of the citizens of the City in their government. The following standards of conduct are intended to serve as a guideline for Public Officials in carrying out their responsibilities. This Policy is in addition to any statutory requirements, Attorney General opinions or court rulings, which prescribe allowable actions for Public Officials.

## Definition

Public Officials will be defined as follows:

- All employees of the City of Isanti
- Police Reserves

## Standards of Conduct

### 1. Public Officials:

- a. Must not use their positions to secure special privileges or exemptions for themselves or others to intentionally jeopardize the position of employment of others;
- b. Must not engage in, solicit, negotiate for, or promise to accept private employment nor will they render services for private interests or conduct a private business when such employment, service, or business creates a conflict with or impairs the proper discharge of their official duties;
- c. Must not participate in deliberations in any matter before the Council, Board or Commission, which affects that Public Official's, Public Official's spouse or minor child's financial interests directly or indirectly or those of a business, profession or occupation with which the Public Official is associated. Whenever such conflict is recognized, the affected Public Officials must disclose in writing such interest prior to any discussion or vote and disqualify themselves from any further involvement pertaining to the issue;
- d. Must not act as agent or attorney for another in any matter before the Council or any Board or Commission or before any court or administrative board in any matter in which the City is a party;
- e. Must not directly or indirectly receive, or agree to receive, any compensation, gift or reward or gratuity as an inducement to support or influence any matter or proceeding connected with, or related to, the duties of the office; The following types of gifts are permitted under exceptions to the law:
  1. Lawful campaign contributions.
  2. Services to assist an official in the performance of official duties.
  3. Services of insignificant monetary value.
  4. A plaque or similar item.
  5. A trinket or item of insignificant monetary value.
  6. Informational material of unexceptional value.

7. Food or beverage given at a reception, meal, or meeting by an organization before whom the recipient makes a speech or answers questions as part of a program (this exception is only available if the location of the reception, meal, or meeting is away from the recipient's place of work).
8. Gifts given because of the recipient's membership in a group.
9. Gifts between family members.
- f. Must not participate in drawings or raffles at events, conferences, or seminars while attending as a City employee where financial participation is required.
- g. Must not disclose to others or use to further their personal interest confidential information acquired by them in the course of their official duties.
2. Any Public Official who is an officer, director, partner, agent, proprietor or employee of any firm or has a proprietary interest of 10 percent (10%) or more in any company, business, enterprise or corporation, partnership, labor union or association doing business with the City will make known that interest in writing as provided in the disclosure section of this Policy.
3. No Public Official nor business entity that the Public Official has a financial interest in, in excess of 10 percent (10%), will enter into any contract with the City unless otherwise authorized by law.
4. Public Officials must disclose to the governing body any relationship to another person or entity in any instance where there is a conflict of interest or could be the appearance of a conflict of interest.
5. Public Officials will not have a personal financial interest in any sales, lease, or contract that they are authorized to make in their official capacities.
6. A Public Official will not hold two positions if the positions' functions are incompatible with one another.

### **Disclosures**

Public Officials, elected or appointed, must, no later than thirty (30) days following election or appointment to office and each year thereafter by February 1, complete the Disclosure Form and return it to the City Clerk. All subsequent applicants for appointment on Boards and Commissions will file a completed Disclosure Form together with the application form. Within thirty (30) days after the acquisition or sale of any property, each Public Official will file as a public record with the City Administrator, a list of all real property in the City owned by such person, that person's spouse, or minor child, or in which the Public Official has a beneficial interest, disclosing each individual item held, and by whom. Homestead will be excluded from the above disclosure. Each Public Official must disclose all positions as officer, director, partner, agent, proprietor or employee of any firm in which such Public Official has a proprietary interest of ten percent (10%) or more in any company, business, enterprise, corporation, partnership, labor union or association doing business with the City, and indicate with respect to each such relationship whether services are gratuitous or for compensation.

### **Disclosure Form**

The disclosure information required by this Policy will be set forth on a form made available by the City Clerk or designee.

**Discipline**

Upon a signed written complaint of any person questioning adherence to this Policy or on the Council's own volition, the Council will refer the matter to the City Attorney for investigation and the City Attorney will report the results of the investigation to the Council within forty-five (45) days thereafter. A copy of such report will be furnished to the person complained against. Such person may request a hearing on this matter before the Council which request will be filed with the City Administrator not later than ten (10) days following receipt by such person of the City Attorney's report.

Upon receipt of the City Attorney's report and at the conclusion of any hearing on the matter, the Council by majority vote may dismiss the complaint as having no merit, may adopt a resolution of censure, or with respect to members of Boards and Commissions, the Council may remove a member from such Board or Commission. In the event the complaint is against a member of the Council, such member will not participate in the Council's deliberations or vote on the issue.

**Violations**

Any Public Official who violates the Conflict of Interest Law can be found guilty of a gross misdemeanor, be fined up to \$3,000, and imprisoned for up to one year. Any contract that has been made illegally is void.