

**AGENDA  
CITY OF ISANTI  
CITY COUNCIL MEETING  
TUESDAY, DECEMBER 1, 2020 – 7:00 P.M.  
CITY HALL**

Pursuant to Minn Statute 13D.02, the public body has determined that the Isanti City Council will not be able to hold the meeting in person due to the pandemic COVID-19. Pursuant to Minn Statute 13D.021, The Isanti City Council will be holding the City Council meeting via telephone, by using Zoom.

**The public can comment at the City Council meeting by visiting this website:**

<https://zoom.us/j/94946586118?pwd=TUlrYmlhdEdyRkJUcWZ3UHc2R25qZz09>

or by calling into this number +1 312 626 6799 US with this meeting ID: 949 4658 6118 and passcode 023560

**To mute and unmute during meeting press \*6**

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

**F. Proclamations/ Commendations/ Certificate Award**

**G. Approve City Council Minutes**

- 1. November 17, 2020- Regular Meeting of the City Council
- 2. November 17, 2020- Committee of the Whole Meeting
- 3. November 17, 2020- Canvass Board Meeting
- 4. October 20, 2020- Planning Commission Meeting

**H. Announcements**

- 1. Committee of the Whole
  - 2. City Council Meeting
  - 3. Planning Commission Meeting
- Tuesday, December 15, 2020 at 5:00 p.m.  
Tuesday, December 15, 2020 at 7:00 p.m.  
Tuesday, December 15, 2020  
*(Immediately following the City Council Meeting)*

**I. Council Committee Reports**

**J. Public Hearings**

**K. Business Items**

**Finance Director Mike Betker**

**Truth-In-Taxation (Presentation, Public Comment)**

- 1. Resolution 2020-XXX Adopting the 2021 Final Budget
- 2. Resolution 2020-XXX Adopting Final 2020 Tax Levy, Collectable 2021
- 3. Resolution 2020-XXX Adopting Final 2021 Enterprise Fund Budgets
- 4. Resolution 2020-XXX Approving a Cost of Living Adjustment (COLA) for Non-Union Employees
- 5. Consider Debt Levy Variance from Original Bond Register

- A. Resolution 2020-XXX Reducing Debt Levy Requirements for GO Bond 2010B
- B. Resolution 2020-XXX Reducing Debt Levy Requirements for GO Bond 2011A

**City Administrator Josi Wood**

- 6. Ordinance-XXX Amending City Code, Chapter 300 Trails
- 7. Ordinance-XXX Repealing and Replacing Chapter 230, Parks and Recreation Areas
- 8. Ordinance-XXX Amending City Code Chapter 65, Administrative Penalties
- 9. Ordinance-XXX Repealing and Replacing Chapter 216, Public Nuisances Affecting, Peace, Safety and General Welfare
- 10. Ordinance-XXX Amending City Code Chapter 284, Streets and Sidewalks
- 11. Liquor Store RFP Fee Proposal
- 12. Liquor Store Engineering & Architectural Services Proposal (Postponed from 11-17-2020 Meeting)

**Community Development Director Sheila Sellman**

- 13. Development Agreement Amendment Legacy Pines

**L. Approve Consent Agenda**

- 1. Accounts Payable in the Amount of \$285,240.16 Payroll in the Amount of \$108,975.88
- 2. Sign Consideration for Best Western
- 3. Resolution 2020-XXX Awarding Quote and Authorizing to Enter into a Contract for Copier Services

**M. Closed Session**

- 1. City Administrator Performance Review

*The City Council will resume in open session following each or any Closed Session matter. After reopening the meeting, the Council may take such action, if any as it deems appropriate pertaining to the matter discussed in closed session.*

**Adjournment**

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL MEETING  
TUESDAY, NOVEMBER 17, 2020 – 7:00 P.M.  
CITY HALL**

**G.1.**

**This meeting was held virtually via Zoom.**

Mayor Johnson called the meeting to order at 7:02 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, Chief of Police Travis Muyres, City Engineer Jason Cook and Finance Director Mike Betker

**E. Adopt Agenda**

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

**F. Proclamations/ Commendations/ Certificate Awards**

None

**G. Approve City Council Minutes**

1. November 4, 2020- Regular Meeting of the City Council
2. October 6, 2020- Economic Development Authority

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

**H. Announcements**

**CITY OFFICES CLOSED**

Thursday, November 26 and Friday November 27

*(In Observance of Thanksgiving and Day After*

*Thanksgiving)*

1. Park, Recreation, & Culture Board Meeting
2. City Council Meeting
3. EDA Meeting

Tuesday, November 26, 2020 at 6:00 p.m.

Tuesday, December 1, 2020 at 7:00 p.m.

Tuesday, December 1, 2020

*(Following the City Council Meeting)*

**I. Council Committee Reports**

None

**J. Public Hearings**

None

**K. Business Items**

**Finance Director Mike Betker**

1. **Resolution 2020-203** Approving Certification of Delinquent Charges for City Services Collectible in 2021  
Finance Director, Mike Betker, shared that this is the annual assessment for delinquent utilities and this year is a longer list and a higher dollar amount than in the past due to no shutoffs and penalty fees. Betker shared that even if council approves the list for certification payable in 2021, a fair number of people will pay theirs before it

goes to the County or before the end of the year. He will update the County and the charges would not show up on their property tax statement.

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

**Community Development Director Sheila Sellman**

**2. Sale of EDA and City Land PID 16.029.1400 and 16.053.0151 to UPS**

Community Development Director, Sheila Sellman, shared that the Economic Development Authority (EDA) reviewed the purchase agreement at their last meeting and recommended approval. Per the City Attorney, the City is looking to sell two parcels of land to UPS so they can expand. During that process, EDA will need to deed land to the City and the City will do the land combination with UPS and sell it to them for their expansion.

Motion by Lundeen, second by Bergley to approve the sale of EDA and City land PID 16.029.1400 and 16.053.0151 to UPS. Motion passed 4-0. Motion carried. (Councilmember Collison exited room prior to Council action)

**City Engineer Jason Cook**

**3. Liquor Store Engineering & Architectural Services Proposal**

City Engineer Jason Cook shared that this is the next step in the Liquor Store process now that the land is purchased and it has began being surveyed. This proposal is for the site design and construction of the new store at 10- 6<sup>th</sup> Avenue SE. Bolten & Menk proposes for them to perform the site design, project management, construction surveying and construction inspection needed to facilitate the completion of the proposed parking lot and utility extension for the new liquor store. Cook further shared at the last meeting it was discussed to have a pitched roof and the cost estimate from Brunton Architects for a pitched roof is roughly \$150,000, but with a pitch the HVAC system cannot sit on the roof and has to move into the building and changes the site and all the engineering that goes with it is for an approximate \$250,000-\$300,000.

Councilmember Lundeen addressed his concerns regarding a flat roof in Minnesota. He also addressed his concern for the cost regarding the HVAC being put in a different location other than the roof due to a pitched roof.

Councilmember Collison stated that in the cities they put HVAC systems on the roof to reduce theft but he did not see the need for that in Isanti.

Motion by Lundeen, second by Collison to postpone to December 1<sup>st</sup> meeting for further discussion and for Bolten-Menk to bring proposal for RFP to the December 1<sup>st</sup> meeting. Motion passed 5-0. Motion carried.

**L. Approve Consent Agenda**

1. Consider Accounts Payable in the Amount of \$466,656.57 Payroll in the Amount of \$116,584.10
2. **Resolution 2020-204** Approving the Engagement Letter for the 2020 Audit
3. **Resolution 2020-205** Offering the Position of Part-Time Liquor Store Clerk to Jennafer Horgen
4. **Resolution 2020-206** Approval of Promotion for Liquor Store Clerk III to Christy Bonczek
5. Accepting 2020 Position Classification and Compensation Study Report Presented 11.4.2020

Motion by Lundeen, second by Bergley to approve the consent agenda as presented. Motion passed 5-0. Motion carried.

**M. Other Communications**

1. October Police Department Reports
2. October Code Enforcement Officer Report
3. October Building Inspector Report
4. November Engineering Project Status Report

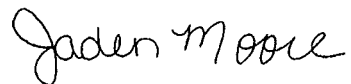
**Adjournment**



Motion by Lundeen, second by Collison to adjourn. Motion passed 5-0. Motion carried.

Meeting adjourned at 7:30 p.m.

Respectfully Submitted,

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

Jaden Moore  
Deputy City Clerk/Human Resources

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING  
TUESDAY, NOVEMBER 17, 2020 – 5:00 P.M.  
CITY HALL**

**This meeting was held virtually via Zoom.**

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

The Pledge of Allegiance was recited.

Members Present: Mayor Jeff Johnson, Councilors: Jimmy Gordon, Paul Bergley (via telephone), 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, Chief of Police Travis Muyres, Liquor Store Manager John Jacobi and Parks, Recreation and Culture Board Manager Jenny Garvey

**D. Public Comment**

**E. Committee Meeting Items**

**1. Liquor Updates**

- Gross profit for the months of August through October was approximately 27.23% sales during the same time frame have been continually above 30%. Sales have been over \$300,000 every month since March.
- Liquor Store Manager John Jacobi completed 6 years on the MMBA Board of Directors and 5 years as Vice President of the MMBA, John Jacobi has developed some great relationships with many stores.
- Personal goals for 2020-2021 are as follows:
  - Continue working through wines, liquor and mixes that are not selling or out of stock and introduce new lines that have better movement.
  - Pull up movement reports and weed out slow sellers.
  - Plan for a larger online presence getting more involved with promotion and online email blasts.
  - Keep a consistent gross profit above 24% and continue to monitor monthly.
  - Plan to conduct online ordering for curbside ordering for curbside pickup abilities for the future location.
  - Work with committee on Fall/ Holiday Tasting Events and continue doing an in-store tasting the first three Thursdays in October post Covid.
  - Conduct a wine and food pairing training for all employees post Covid.
  - Develop a “Holiday Focus Wine List” for employees to help customers with food and wine pairings.

- Plan on utilizing beer tastings with breweries to help promote new local craft beers post Covid.
- Plan and direct Full-Time department responsibilities utilizing department assignments for 2 Full-Time positions.
- Continue to run an ad in the Scotsman every month for 2021.
- Continue the Facebook page for the liquor store with some boosting opportunities in 2021.
- The MMBA Food Drive ran through the month of October. Customers donated over \$200 in cash. Which will be donated to Family Pathways of Isanti County.

## 2. Proposed 2021 Fee Schedule Changes

- Highlighted changes to the fee schedule include:
  - Flat fees for deck permit and lower level finishes with deck a \$300 flat fee and basement finish a \$300 flat fee as well.
  - No investigation fee for a Non-profit Peddler's Permit.
  - No fee for a Non-profit Administrative Permit.
  - Councilmember \$50 compensation per meeting and board member \$25 compensation per meeting per.

## 3. Proposed 2021 Budget Updates

- The Isanti City Council approved the 2021 preliminary budget on September 1<sup>st</sup>, 2020. Since then a number of items have warranted further review and consideration. Changes recommended by the Committee will be represented in the 2021 final budget to be considered by the Council on December 1<sup>st</sup>, 2020.
- The following proposed changes have been broken down into two broad categories. The first is compensation related. These changes include proposed implementation of the compensation study and also hiring a Building Official and ending the contract with MNSpect.
- The second category is simply all other budget related items.
- Highlighted changes to the proposed budget include:
  - The second category is simply all other budget related items.
  - Portable radios will be taken off of the Capital Improvements plan for next year as Covid funds has allowed for them to be purchased. It will stay on the rotation so it is scheduled for its purchase at the end of its life cycle.
  - Towns Edge Road and Isanti Hills will be moved to 2026 and 2025.
  - Increase budget of \$44,000 for Stormwater Maintenance Program.
  - Water Meter Network Infrastructure and Water Meter Radios on the existing meters to 2022.
  - Take out all of the old water meters in 2028.

## 4. Ordinance Drafts for Discussion and Consideration

- Chapter 284 Streets and Sidewalks proposed changes include:
  - Removal of the language referring to an official map as there is no official map. There is City maps such as streets map and addressing map that is updated by the Community Development Director or designee but no official map.

- Placement of numbers on buildings has been changed reflect fire code as the numbers were not large enough.
- Address numbers have been updated due to typos.
- Adding language to what the practice is for damaged sidewalks.
- Snow Removal section has been reevaluated for all chapters to say the same thing where Public Works does it then the resident needs to do it and also have align with Chapter 216, Nuisances.
- Materials on streets, alleys, sidewalks, or public way has language removed and simply references Chapter 216.
- Chapter 227 Parking and Storage proposed changes include:
  - Adjustments to definitions within the chapter.
  - Add parking along the East side of 9<sup>th</sup> Avenue from 8<sup>th</sup> Ave NE extending South 500 feet.
  - Add parking along both sides of 8<sup>th</sup> Avenue NE extending South from Heritage Blvd NE to the intersection of 8<sup>th</sup> Ave NE and 9<sup>th</sup> Ave NE
  - Add parking along both sides of 8<sup>th</sup> Avenue NE extending 300 feet Southwest from intersection of 9<sup>th</sup>.
  - Add Parking along the West side of 3<sup>rd</sup> Avenue NW extending 170 feet North from Heritage Blvd NW continuing along the West side of 3<sup>rd</sup> Avenue NW 550 feet North between the hours of 3:15 and 4:15 Monday thru Friday.
  - Add parking along the east side of 6<sup>th</sup> Avenue SW from South Brookview Lane SW to Edgewood Street SW.
  - Add Section 2, number 10 to include no motorized vehicle permitted to stay stationary on street, roadway or in a municipal parking lot for more than 7 consecutive days without prior approval from the City Administrator or Police Chief or designee.
- Chapter 270 Snowmobiles and Special Vehicles
  - Current Ordinance states that operation can only be done on private property with permission.
  - Recommendation from Committee is to include language to allow for snowmobiles to go to and from trails on roadways.
- Recommendation from Committee is to bring all 3 Ordinances back to Committee of the Whole with changes for further discussion.

## 5. Discussion on Isanti Community Center Phone

- The Isanti Community Center has a landline phone that is located in the kitchen. This phone is used for Senior Dining Program that is run by Catholic Charities.
- Catholic Charities advertises for people to call Monday-Friday 10:30 a.m.-1:30 p.m., however the phone rings at all hours of the day.
- The phone will ring during other renters' events and staff has received complaints.
- The phone line does have to remain for the fire system, but it does not need to be a line that rings out via a phone.
- With advanced technology and cell phones, this would be an alternative for Catholic Charities to have for their needs.
- The needs of the facility do not warrant a public phone to use.

- If the public phone does stay, Catholic Charities is requesting to place a phone with an answering machine in the kitchen. This will not eliminate the phone from ringing during any renters' event, this will only allow their staff to get messages from their users.
- Another alternative option would be to have their users call Catholic Charities phone number and they can relay the message to their own employees.
- Recommendation from Committee is to remove phone and transfer phone number to Catholic Charities.

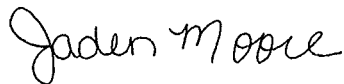
**6. Goal Setting**

- Consensus from Committee is to have goal setting within the January Committee of the Whole meeting.

**F. Adjournment**

Meeting was adjourned at 7:00 p.m.

Respectfully Submitted,

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

Jaden Moore  
Deputy City Clerk/ Human Resources

**MINUTES  
CITY OF ISANTI  
CANVASS BOARD OF THE CITY COUNCIL  
TUESDAY, NOVEMBER 17, 2020  
*Immediately following the City Council Meeting*  
CITY HALL**

**This meeting was held virtually via Zoom.**

Mayor Johnson called the meeting to order at 7:38 p.m.

The Pledge of Allegiance was recited.

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, Community Development Director Sheila Sellman and Chief of Police Travis Muires

**D. Adopt Agenda**

Motion by Bergley, second by Gordon to approve agenda as presented. Motion passed 5-0. Motion carried.

**E. Business Items**

**1. Resolution 2020-207** Canvassing Returns for the Municipal General Election

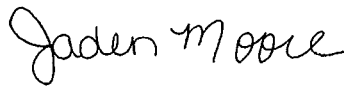
Mayor Johnson presented the Abstract of Votes Cast for the Municipal General Election held on August 3<sup>rd</sup>, 2020 and the Council review the results of the election.

**Adjournment**

Motion by Lundeen, second by Gordon to adjourn. Motion passed 5-0. Motion carried.

Meeting adjourned at 7:40 p.m.

Respectfully Submitted,



Jaden Moore  
Deputy City Clerk/Human Resources

## CITY OF ISANTI

### PLANNING COMMISSION MEETING

TUESDAY, October 20, 2020

Immediately following the 7:00 P.M City Council Meeting;

#### 1. Meeting Opening

- A. Call to Order: Chair Johnson called the meeting to order at 7:15 p.m.
- B. Pledge of Allegiance
- C. Roll Call: Members present: Jeff Johnson, Steve Lundeen, Jimmy Gordan, Paul Bergley, Arissya Simon.  
Members Absent: Dan Collison, Alexander Collins  
Staff present: Community Development Director Sheila Sellman, Community Development Specialist Ryan Saltis, City Engineer Jason Cook
- D. Agenda Modifications: None

#### 2. Meeting Minutes

- A. Approval of Minutes from October 20, 2020 Planning Commission Meeting motion by Bergley, second by Collison motion passes 5-0.

#### 3. Public Hearing

- A. Ordinance Amending the City Code, Chapter 253 Rental Dwellings. Saltis explained that the rental dwelling section of City Code needs to be amended to update residency requirements and introduce fees for late submitted rental paperwork. Currently the code restricts owners of rental properties or their agents to reside in adjacent counties to Isanti County. This requirement is proposed to be removed to allow owners, landlords and agents to reside wherever. The advancements of technology and availability of local contractors make it easy to maintain a rental property remotely. The next amendment to the rental dwelling section involved introducing fees for rental paperwork submitted past deadlines. Currently in code, there are no late fees for submitting rental license renewal applications past the deadline, and it is proposed to add these fees to enforce a penalty for late submissions of paperwork. No one from the public was present to speak at the public hearing. The Planning Commission recommended approval of the ordinance amendments. Motion for approval of the ordinance amendments by Lundeen, 2<sup>nd</sup> by Gordon, motion passed 5-0.
- B. Ordinance Amending the City Zoning Code, Chapter 536 Subdivision. Sellman explained that the Subdivision ordinance should be amended to reflect current positions held by city staff. This would remove the language “City Planner and Zoning Administrator” and replace it with “Community Development Director or designee”. The final plats for subdivisions should only be reviewed by the City Council for approval, as the ordinance currently states that the Planning

Commission has to review final plats, which delays the approval process by one month. No one from the public was present to speak at the public hearing. Motion for approval to amend the Subdivision ordinance by Bergley, 2<sup>nd</sup> by Lundeen, motion passed 5-0.

**4. Other Business:** None

**5. Discussion Item:** Concept Plan. Sellman introduced a concept plan for a possible development located on County Rd 5 that would accommodate home buyers at all stages of life. The lot breakdown as well as current and future zoning of the parcels was discussed. Jay Roos from Paxmar Land Development was present at the meeting and spoke on behalf of the project. The planning commission asked questions to the developer regarding the project and seemed open to allowing for the future land use for the parcels to change from commercial to residential.

**6. Adjournment:** Motion by Lundeen, 2<sup>nd</sup> by Bergley to adjourn, motion passed 5-0 meeting adjourned at 7:31 p.m.

Respectfully submitted by Ryan Saltis, Community Development Specialist





## MEMO

**To:** Mayor Johnson & City Council Members

**From:** Finance Director Betker

**Date:** December 1, 2020

**Subject:** 2021 Final Budget and Levy Adoption

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### **Background:**

The proposed final property tax levy is \$3,025,763 and reflects an increase in the taxable market value for 2021 of 12.03%.

The proposed final property tax rate is 61.18%. An increase of 0.0% from 2020 and a decrease of 28.81% from the 2017 tax rate of 85.93%. The 15-year average tax rate from 2006 thru 2020 is 67.63%

General Fund expenditures have been adjusted based on prior year actual costs, current year expenditures thru October, actual maintenance agreements and contracted costs. All wages include a 3% COLA for 2021 and include the necessary step increases, where applicable. Dental Insurance, Worker's Compensation, Property/Liability/Volunteer Insurance, and Life/AD&D Insurance have all been adjusted to reflect premiums paid in 2020 and any necessary inflationary factor was applied. Health Insurance premiums increased, depending on plan structure, between 13.6% and 14.3%.

### **Current Action:**

Consider Final 2021 Budget and Associated Resolutions

### **Attachments:**

2021 Final Operating and Capital Budgets  
Resolution Adopting the 2021 Final Budget  
Resolution Adopting the Final 2020 Tax Levy Collectible 2021  
Resolution Adopting the Final 2021 Enterprise Fund Budgets  
Resolution Approving Cost of Living Adjustment for Non-Union Employees

## RESOLUTION NO. 2020-XXX

### RESOLUTION ADOPTING THE 2021 FINAL BUDGET

**BE IT RESOLVED**, by the City Council of the City of Isanti, Minnesota, that the following budget for 2021 is approved:

<b>TOTAL</b>	<b>GENERAL FUND REVENUES</b>	<b>\$4,094,505</b>
	<b>COUNCIL</b>	<b>38,719</b>
	<b>ELECTIONS</b>	<b>200</b>
	<b>FINANCIAL ADMINISTRATION</b>	<b>561,411</b>
	<b>PLANNING AND ZONING</b>	<b>150,093</b>
	<b>MUNICIPAL BUILDING</b>	<b>39,654</b>
	<b>POLICE ADMINISTRATION</b>	<b>1,743,608</b>
	<b>FIRE PROTECTION</b>	<b>257,990</b>
	<b>BUILDING INSPECTION ADMIN</b>	<b>192,707</b>
	<b>CODE ENFORCEMENT</b>	<b>12,383</b>
	<b>CIVIL DEFENSE</b>	<b>2,140</b>
	<b>ANIMAL CONTROL</b>	<b>3,091</b>
	<b>GENERAL CITY MAINTENANCE</b>	<b>58,436</b>
	<b>HWYS, STREETS, &amp; ROADS</b>	<b>382,948</b>
	<b>STREET LIGHTING</b>	<b>51,130</b>
	<b>SANITATION ADMINISTRATION</b>	<b>24,875</b>
	<b>PARK, REC, CULTURE</b>	<b>371,307</b>
	<b>TRANSFERS</b>	<b>113,944</b>
	<b>MISCELLANEOUS</b>	<b>13,852</b>
<b>TOTAL</b>	<b>GENERAL FUND EXPENDITURES</b>	<b>\$ 4,018,487</b>

The City Clerk is hereby instructed to transmit a certified copy of the resolution to the Isanti County Auditor, Isanti County, Minnesota.

This resolution is duly adopted by the Isanti City Council this 1<sup>st</sup> day of December, 2020.

Attest:

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

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

## RESOLUTION NO. 2020-XXX

### ADOPTING THE FINAL 2020 TAX LEVY, COLLECTIBLE IN 2021

**BE IT RESOLVED**, by the City Council of the City of Isanti, Minnesota that the following sums be levied for the current year, collectible in 2021, upon the taxable property in the City of Isanti, for the following purposes:

<b>101</b>	<b>General Fund</b>	<b>\$ 1,919,300</b>
<b>920</b>	<b>Capital Maintenance</b>	<b>438,700</b>
<b>425</b>	<b>Street Construction</b>	<b>286,500</b>
<b>108</b>	<b>EDA</b>	<b>86,201</b>
<b>101</b>	<b>Abatement Levy</b>	<b>13,432</b>
<b>930</b>	<b>2011A GO Improvement Bond</b>	<b>9,367</b>
<b>931</b>	<b>2014A GO Tax Abatement Bond</b>	<b>222,036</b>
<b>932</b>	<b>2014B GO Improvement Bond</b>	<b>50,227</b>
	<b>Total Levy</b>	<b>\$ 3,025,763</b>

The City Clerk is hereby instructed to transmit a certified copy of the resolution to the Isanti County Auditor, Isanti County, Minnesota.

This resolution is duly adopted by the Isanti City Council this 1<sup>st</sup> day of December, 2020.

Attest:

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

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

## RESOLUTION NO. 2020-XXX

### ADOPTING THE FINAL 2021 ENTERPRISE FUND BUDGETS

**BE IT RESOLVED**, by the City Council of the City of Isanti, County of Isanti, Minnesota that the following budget for the year 2021 is approved:

<u>Enterprise Fund</u>	<u>Revenues</u>	<u>Expenditures</u>
Water Fund	\$ 1,575,139	\$ 1,967,825
Sewer Fund	\$ 1,985,609	\$ 1,877,628
Storm Water Fund	\$ 386,150	\$ 456,684
Liquor Fund	\$ 3,213,605	\$ 3,244,519

This resolution is duly adopted by the Isanti City Council this 1<sup>st</sup> day of December, 2020.

Attest:

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

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

## RESOLUTION NO. 2020-XXX

### APPROVING A COST OF LIVING ADJUSTMENT (COLA) FOR NON-UNION EMPLOYEES

**WHEREAS**, Section 6 of the Personnel Policy provides that employees may receive a cost of living adjustment (COLA) to their wage on January 1<sup>st</sup> of each year if the COLA has been approved by resolution of the City Council for the given budget year; and

**WHEREAS**, the 2021 budget includes a COLA of 3.0% for non-union employees; and

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Isanti, **Minnesota** to hereby approve a 3.0% Cost of Living Adjustment to all non-union employees for budget year 2021.

This resolution was duly adopted by the Isanti City Council this 1<sup>st</sup> day of December, 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:** Finance Director Betker  
**Date:** December 1<sup>st</sup> 2020  
**Subject:** Debt Levy Variance from Original Bond Register

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### **Background:**

At its September 1<sup>st</sup> 2020 meeting the Isanti City Council approved the preliminary levies payable in 2021. Debt levies for two bond issues; 2010B and 2011A, were approved at levels that varied from the amounts detailed in the original bond documents. The two bond issues, the originally scheduled levy for 2021 and actual certified levy for 2021 are shown below.

BOND ISSUES	ORIGINAL PRINCIPAL	DATE ISSUED	ORIGINAL 2021 DEBT LEVY	CERTIFIED 2021 DEBT LEVY	AMOUNT OF VARIANCE FROM ORIGINAL SCHEDULE
<b>2010B GO Imp. Bonds</b>	\$ 1,825,000	12/1/2010	\$ 205,884	\$ -0-	\$ (205,884)
<b>2011A GO Imp. Bonds</b>	\$ 790,000	9/6/2011	\$ 53,040	\$ 9,367	\$ (43,673)

County auditors are required to maintain bond registers that have information relating to any bonded debt issued by local taxing authorities in the county (Minnesota Statutes 475.62). For bonds that have tax levies pledged for payment of all or part of the debt, the county auditor must certify that the debt has been entered in the bond register and that any required tax levies have been made (Minnesota Statutes 475.63). It is the responsibility of the county auditor to make sure that debt levies as noted in the original bond resolution are made according to the levy schedule (Minnesota Statutes 475.64). If the municipality fails to make the needed debt service levy and has not provided a resolution to reduce/increase the levy as provided in statute, the county auditor has the obligation of making the levy for debt service.

To reduce/increase the debt levy, the taxing authority must certify that they are making an irrevocable appropriation of funds actually on hand to the debt service account or that there exists excess funds in the debt service account for payment of the debt (Minnesota Statutes 475.61, subd. 3). The certification should take the form of a resolution appropriating the funds and reducing/increasing the debt levy. The funds must already be on hand, it is not sufficient to anticipate receiving funds in the future.

Both levy amounts were the recommendation of a 2014/2015 Debt Service Financial Analysis by Northland Securities Inc. approved by resolution 2013-149.

### **Action Required:**

Consider attached resolutions that will bring the City of Isanti into compliance with State Statutes 475.61, subd. 3 thru 475.64.

### **Attachments:**

- Res 2020-XXX – Authorize Reduction of 2010B Scheduled Debt Levy
- Res 2020-XXX – Authorize Reduction of 2011A Scheduled Debt Levy

**RESOLUTION NO. 2020-XXX**

**REDUCING DEBT LEVY REQUIREMENTS FOR GENERAL OBLIGATION  
IMPROVEMENT BONDS; 2010B**

**WHEREAS**, the City of Isanti approved the issuance General Obligation Improvement Bonds; 2010B on December 1<sup>st</sup>, 2010 in the amount of \$1,825,000; and,

**WHEREAS**, Isanti County has a schedule of bonded debt levy payments on file for the City of Isanti for 2010B General Obligation Bonds in the amount of \$205,884; and,

**WHEREAS**, Resolution 2013-149 approved financial planning services from Northland Securities, Inc; and,

**WHEREAS**, the scheduled debt levy for taxes payable in 2021 for the 2010B General Obligation Bonds was recommended in the amount of \$0.00.

**WHEREAS**, the City of Isanti has sufficient cash funds to pay the bonded debt due in 2021.

**NOW THEREFORE BE IT RESOLVED BY THE City Council of the City of Isanti, Minnesota** to reduce the scheduled debt levy for taxes payable in 2021 for the 2010B General Obligation Bonds to \$0.00.

This resolution is duly adopted by the Isanti City Council this 1<sup>st</sup> day of December 2020.

**Attest:**

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

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

RESOLUTION NO. 2020-XX

**K.5. .B.**

**REDUCING DEBT LEVY REQUIREMENTS FOR GENERAL OBLIGATION  
IMPROVEMENT BONDS; 2011A**

**WHEREAS**, the City of Isanti approved the issuance General Obligation Improvement Bonds; 2011A on September 6th, 2011 in the amount of \$790,000; and

**WHEREAS**, Isanti County has a schedule of bonded debt levy payments on file for the City of Isanti for 2011A General Obligation Bonds in the amount of \$50,040; and

**WHEREAS**, Resolution 2013-149 approved financial planning services from Northland Securities, Inc; and,

**WHEREAS**, the scheduled debt levy for taxes payable in 2021 for the 2011A General Obligation Bonds was recommended in the amount of \$9,367.

**WHEREAS**, the City of Isanti has sufficient cash funds to pay the bonded debt due in 2021.

**NOW THEREFORE BE IT RESOLVED BY THE City Council of the City of Isanti, Minnesota** to reduce the scheduled debt levy for taxes payable in 2021 for the 2011A General Obligation Bonds to \$9,367.

This resolution is duly adopted by the Isanti City Council this 1<sup>st</sup> day of December 2020.

**Attest:**

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

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





## Memo for City Council

**To:** Mayor Johnson and Members of the City Council  
**From:** Josi Wood, City Administrator  
**Date:** December 1, 2020  
**Subject:** Ordinance 2020- XXX Trails, Amending Chapter 300

---

### **Background:**

Chapter 300, Trails, has been drafted as an amendment with minor changes. The changes included bituminous trails will be plowed when snow is more than 2 inches per the Snow Policy and other minor revisions to clarify the chapter intent.

The Ordinance has been posted for the required 10- day notice period.

### **Request:**

Staff is requesting action on this item.

### **Attachment:**

- ORD 2020-XXX

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

AN ORDINANCE AMENDING ORDINANCE NO. 273, ADOPTED ON NOVEMBER 6, 2002  
AND ORDINANCE NO. 341, ADOPTED ON MAY 3, 2005 AND ORDINANCE NO. 524,  
ADOPTED ON FEBRUARY 8, 2012 AND TITLED TRAILS

THE CITY COUNCIL OF ISANTI DOES ORDAIN:

Section 1 – Amendment. Ordinance 273, Ordinance 341, Ordinance 524, Ordinance codified in  
Chapter 300 of the City Code, are hereby amended as follows:

Chapter 300

TRAILS

§ 300-1. Purpose.

§ 300-2. Trail location.

§ 300-3. Snow removal on trails.

§ 300-4. Construction.

§ 300-4. Motorized transportation  
prohibited.

§ 300-5. Cambridge-Isanti Bike/Walk Trail.

§ 300-6. Violations and penalties.

§ 300-1. Purpose.

The purpose of this chapter is to ensure the proper location, construction, operation, and maintenance of both City and regional trails. This will allow our citizens the ability to walk, bicycle, and other means of nonmotorized use to go from place to place within the City and region. We recognize the importance of trails in and around our City for the safety of our citizens, the health of our citizens, and for the betterment of our community.

§ 300-2. Trail location.

Trails shall be placed as shown on the most current Trail Map. City staff can modify the location of trails to the other side of the roadway in order to promote contiguous nonmotorized movement. All new subdivisions/ developments are expected to install trails, at the developer's expense. Trails may be located in any zone.

§ 300-3. Snow removal on trails.

Snow removal on bituminous trails is the responsibility of the City Public Works Department. It is understood that snow removal along these routes does not take precedence to snow removal along streets. Trails will be plowed when snow is more than two (2) inches and in accordance with the City's Snow Plowing Policy by Resolution. Earthen, woodchip or gravel trails will not have snow removal.

§ 300-4. Construction.

A. Trails shall be at least eight feet wide.

B. Trails must be constructed of portland-concrete or bituminous. In some instances, the City may allow for a wood chip trail especially along environmentally sensitive areas. Trails

through wetlands may be constructed to boardwalk/bogwalk requirements as indicated in the City Engineering standards in lieu of filling in wetlands or wetland mitigation.

- C. Trails shall be constructed as the City Engineer dictates.
- D. Concrete pedestrian curb ramps ~~for the handicapped~~ per ADA compliance shall be installed on all street corners according to MNDOT and City Engineer specifications.
- E. The City Engineer and/or Building Official, or their designee, shall ~~must~~ inspect trail construction.
- F. All materials, workmanship, and details of the construction of trails on the public rights-of-way of the City shall be in accordance with the current city engineering standards, plans and specifications of the Public Services Works Director or assigned personnel.

#### **§ 300-5. Motorized transportation prohibited.**

Due to the wear on the trail, ~~and the noise they make, and dangers they induce to bikers and walkers, no motorized vehicles are allowed on City trails, such as, to adjoining property owners, no mopeds, four-wheelers, snowmobiles, motorcycles or similar types of motorized transportation, are allowed on City trails.~~ This does not refer to designated four-wheel or snowmobile trail routes on City streets.

#### **§ 300-6. Cambridge-Isanti Bike/Walk Trail.**

The implementation and enforcement of rules and regulations governing the use of the Cambridge-Isanti Bike/Walk Trail shall apply as approved by resolution of the City Council, as amended from time to time.

#### **§ 300-7. Violations and penalties.**

Violators of this chapter shall be guilty of a misdemeanor punishable by a fine of not to exceed \$1,000 or imprisonment for a period not to exceed 90 days, or both, plus costs of prosecution in either case.

#### **Section 2 -Effective Date.**

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

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

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

ATTEST:

\_\_\_\_\_  
Katie Brooks

Human Resources/City Clerk

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



## Memo for City Council

**To:** Mayor Johnson and Members of the City Council  
**From:** Josi Wood, City Administrator  
**Date:** December 1, 2020  
**Subject:** Ordinance 2020-XXX Parks and Recreation Areas, Repealing and Replacing Chapter 230

---

### **Background:**

Chapter 230, Parks and Recreation Areas, has been drafted as a repeal and replacement. The following significant changes are included in the draft:

- Include Sledding Hill rules.
- Simplify the Chapter to have one section on “Purpose; applicability”, “Violations” and “Enforcement”.
- Include language regarding special event permits.
- Include language for geocaching.
- Include language for not golfing in park areas.
- Include language for not interfering with games/recreation.
- Include language for not camping unless permitted with a permit.
- Include language for not destroying trees or plantings.
- Include language for not removing wood unless permitted by CA or designee.

The Ordinance has been posted for the required 10- day notice period.

### **Request:**

Staff is requesting action on this item.

### **Attachment:**

- ORD 2020-XXX

**AN ORDINANCE AMENDING ORDINANCE NO. 227, ADOPTED ON MARCH 4, 2003 AND  
ORDINANCE NO. 313, ADOPTED ON APRIL 6, 2004 AND ORDINANCE NO. 602, ADOPTED ON APRIL  
21, 2015 AND ORDINANCE NO. 701, ADOPTED ON MAY 7, 2019 AND TITLED PARKS AND  
RECREATION AREAS**

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

**Section 1 – Repealer.** Ordinances 273, 341, and 524, titled Parks and Recreation Areas, codified in Chapter 230 of the City Code, are hereby repealed in their entirety and replaced with the ordinance set forth below.

**Section 2 – Ordinance.** The following Chapter 230 is hereby adopted:

**Chapter 230  
Parks and Recreation Areas**

§ 230-1. **Purpose; applicability.**

§ 230-2. **Park rules and regulations.**

§ 230-3. **Dog park rules and regulations.**

§ 230-4. **Skatepark rules and regulations.**

§ 230-5. **Pleasure rink rules and regulations.**

§ 230-6. **Sledding hill rules and regulations.**

§ 230-7. **Violations.**

§ 230-8. **Enforcement.**

§ 230-1 **Purpose; applicability.**

- A. The purpose of this chapter is to ensure the safety of people using the park system and their amenities.
- B. This article shall apply to all park and recreation areas controlled by the City of Isanti.

§ 230-2 **Park rules and regulations.**

- A. There shall be no alcoholic beverages, unless otherwise permitted by the City Clerk through the City Council of Isanti.
- B. No littering. All refuse and trash related to park use shall be placed in trash and recycle receptacles; provided, however, that residential, commercial, or construction trash or debris shall in no event be placed in such receptacles.
- C. There shall be no use of vehicles except on park roads unless otherwise authorized.
- D. Pets must be leashed and in compliance with Chapter 87-4.
- E. All pet owners are responsible for the proper disposal of pet waste.
- F. In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to use any restroom in any park in other than a clean and sanitary manner.
- G. A permit is required if a person wants the exclusive use of a specific area, building, shelter, other park

facility or for a special event. Any person with a permit must follow rules and regulations within this Chapter as well as any special conditions listed on the permit.

- H. Disturbing, harassing or interfering with any person in possession of a valid permit is prohibited.
- I. A permit is required for the use of tents, large canopies, inflatables, large games and rides, dunk tanks, etc in park areas.
- J. Registration is required for all caches placed in City parks related to a geocaching program.
- K. Park hours are 7:00 a.m. to 10:00 p.m. unless posted otherwise.
- L. In any park and recreation area, including trails, it shall be unlawful for any person, firm, company, or corporation to:
  - (1) Possess or discharge firearms, air rifles, BB guns, sling shots, bows and arrows, other weapons, explosives or fireworks.
  - (2) Be present in a park or recreation area after 10:00 p.m. or before 7:00 a.m. on any day unless permitted through a special event permit issued by City Council.
  - (3) Camp in, or erect, a tent or other structure, unless permitted through a special event permit issued by the City Council.
  - (4) Bring in, dump, deposit, leave in or on, or burn on any park land or water or water contiguous to any park any glass bottles, broken glass, discarded vegetation, trash, waste, rubbish, etc.
  - (5) Advertise, sell or attempt to sell, or solicit for private gain or cause, or operate non-authorized commercial operations without the City's approval.
  - (6) Start or maintain a fire, except in grills provided as part of the park facility, unless permitted for a city sponsored event approved through City Council. A person responsible for a fire must safely and completely extinguish the fire before leaving.
  - (7) Possess controlled substances.
  - (8) Engage in offensive, obscene, or abusive language, or in boisterous or noisy conduct tending reasonably to arouse alarm, anger or resentment in others; or to engage in brawling or fighting; or to engage in conduct creating or tending to create a disturbance or annoyance to other park users, or that interferes with their use or enjoyment of park lands and waters.
  - (9) Remove, break, destroy, injure, mutilate, deface or in any way damage any structure, monument, fence, flagpole, vehicle, bench, natural growth, ruin, relic, geological formation, or any other City of Isanti park property located in or on City of Isanti parks and park system.
  - (10) Not clean up after pets.
  - (11) Injure, molest, pursue or endanger wildlife on any park land and park system land in the City of Isanti.
  - (12) Hunt or trap on any park land owned by the City of Isanti.

- (13) Use of recreational vehicles, including, but not limited to, all-terrain vehicles, snowmobiles, and motorcycles, on parks or park system land.
- (14) Non- motorized bicycles in park areas or trails, natural or paved, that are not signed as permitted.
- (15) Use a golf club to hit, drive, or otherwise propel a golf ball or other object into or onto City park land.
- (16) Interfere with the orderly conduct of games or other recreational activity in a park or park facility.
- (17) Overnight parking unless permitted by the City Administrator or designee.
- (18) Disturbing, damaging, or destroying any trees or planted areas.
- (19) Removal of wood from natural park areas unless permitted by the City Administrator or designee.
- (20) Park on grass or other non-designated parking areas unless requested and approved for special events.

**§ 230-3 Skatepark rules and regulations.**

- A. Helmets are required to be worn at all times in the skatepark.
- B. Knee and elbow pads are suggested to be worn at all times in the skatepark.
- C. Altering of skatepark ramps or equipment is prohibited.
- D. No bikes are allowed in the skatepark.
- E. Users assume risk of injury
- F. All other rules for park and recreation areas in the City apply to the skatepark facility.

**§ 230-4 Dog park rules and regulations.**

- A. Dog park hours are 7:00 a.m. to 10:00 p.m.
- B. Dogs must be in visual sight and voice control of their handler or owner at all times.
- C. All pet waste must be cleaned up and disposed of in designated waste receptacles.
- D. Dogs must be on leash when entering or exiting the fenced dog park facility.
- E. No aggressive dogs are allowed in the dog park facility. At first sign of aggression, dogs must be leashed and removed.
- F. Declared dangerous dogs are not allowed in the dog park facility.
- G. Female dogs in heat and dogs under the age of four months are prohibited from the dog park facility.
- H. Users of the dog park facility do so at their and their dog's own risk. The City is not responsible for any injury or damage caused by or to a person or their dog in the off-leash area.
- I. The limit for dogs under one handler or owner is three dogs for each visit or use of the dog park facility.

- J. All children under the age of 14 shall be supervised by an adult.
- K. All personal property brought in the dog park facility shall be removed when the handler or owner has completed their visit or usage. In no case shall the personal property remain on site for over one day and must be removed by park closure at 10:00 p.m. that day.
- L. Dogs are not permitted to dig or otherwise damage the dog park facility. Dogs identified performing this damage shall be prohibited from using the dog park facility.
- M. All other rules for park and recreation areas in the City apply to the dog park facility.

**§ 230-5 Outdoor pleasure rink rules and regulations.**

- A. Outdoor Pleasure rink hours are 7:00 a.m. to 10:00 p.m.
- B. No offensive, obscene or abusive language.
- C. No abusive behavior either verbal or physical.
- D. No hockey or broomball while people are open skating.
- E. No bikes, sleds, cars, or snowmobiles on the ice.
- F. No fighting or snowball throwing.
- G. No pushing other skaters.
- H. Users assume risk of injury.

**§ 230-6 Sledding hill rules and regulations.**

- A. Users assume risk of injury
- B. Adults must supervise children
- C. Use caution
- D. Be considerate of others
- E. Do not sled when icy
- F. Do not alter sledding hill
- G. Sled in designated areas only

**§ 230 Violations.**

Violators of this chapter shall be guilty of a misdemeanor.

**§ 230-12 Enforcement.**

- A. The City Administrator and his/her designees may, in connection with their duties imposed by law, enforce the provisions of this chapter, and the City Administrator or his/her designees shall have the authority to:
  - (1) Eject from any park a person acting in violation of this chapter. In addition to immediate removal from a park following a chapter violation, the City Administrator or his/her designee may continually exclude



such person(s) from any or all City of Isanti park and park system areas.

- (2) Seize and confiscate any property, animal, thing or device in any park used in violation of any of the provision in this chapter.

- B. The City Administrator or his/her designees are specifically authorized to issue administrative citations, and City of Isanti Peace Officers may issue citations for violations of this chapter.

**Section 3 -Effective Date.**

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

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

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

ATTEST:

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

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



**K.8.**

## **Memo for Council**

**To:** Mayor Johnson and Members of the City Council  
**From:** Josi Wood, City Administrator  
**Date:** December 1, 2020  
**Subject:** Ordinance 2020 - XXX Administrative Penalties, Amending City Code Chapter 65

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### **Background:**

Ordinances 576, 690, 705, codified in Chapter 65 of the City Code were amended to clarify the process and to be in compliance with State Laws.

The Ordinance has been posted for the required 10- day notice period.

### **Request:**

Staff is requesting action on this item.

### **Attachment:**

- Ordinance 2020-XXX Administrative Penalties

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

**AN ORDINANCE AMENDING ORDINANCE NO. 576, ADOPTED ON APRIL 16, 2014 AND ORDINANCE NO. 690, ADOPTED ON JUNE 5, 2018 AND ORDINANCE NO. 705, ADOPTED ON JUNE 4, 2019 AND TITLED ADMINISTRATIVE PENALTIES**

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

**Section 1 – Amendment.** Ordinance 576, Ordinance 690 and Ordinance 705, codified in Chapter 65 of the City Code, are hereby amended as follows:

**Chapter 65**

**ADMINISTRATIVE PENALTIES**

**§66-1 Purpose**

**§65-2 Alternative methods of Enforcement**

**§65-3 General Provisions**

**§65-4 Authority to issue order to correct  
letters and administrative citations**

**§65-5 Administrative citations**

**§65-6 Administrative hearing**

**§65-7 Recovery of civil penalties**

**65-1. Purpose.**

The City Council determined that there is a need for alternative methods of enforcing the City Code. While criminal fines and penalties have been the most frequent enforcement mechanism, there are certain negative consequences for both the City and the accused. The delay inherent in that system does not ensure prompt resolution. Citizens resent being labeled as criminals for violations of administrative regulations. The higher burden of proof and the potential of incarceration do not appear appropriate for most administrative violations. Accordingly, the City Council finds the use of administrative citations and the imposition of civil penalties a legitimate and necessary alternative method of enforcement. This method of enforcement is in addition to any other legal remedy that may be pursued for City Code violations.

**65-2. Alternative methods of enforcement.**

- A. The administrative hearing process provided for within this Article shall be in addition to any other legal or equitable remedy available to the City for City Code violations.
- B. The City may initiate a civil enforcement action to obtain code compliance before, during or after an administrative enforcement proceeding.
- C. If the final adjudication in the administrative penalty procedure is a finding of no violation, then the City may not prosecute a criminal violation in district court based on the same set of facts. This does not preclude the City from pursuing an administrative penalty or a criminal conviction for a violation of the same provision of the City Code based on a different set of facts. A different date of violation shall constitute a different set of facts and a separate offense.

**65-3. General provisions.**

- A. A violation of a provision of the City Code or a violation of the terms and conditions of a City approval, including permits and licenses, required and granted under this Code is an

administrative offense that may be subject to an administrative citation and civil penalties. Each day a violation exists constitutes a separate offense.

- B. An offense may be subject to a civil penalty not exceeding one thousand (\$1,000) dollars per separate offense.
- C. The City Council will adopt by Ordinance a schedule of penalties for offenses initiated by administrative citations. The City Council is not bound by the schedule when a matter is appealed to it for administrative review.
- D. The City Council may adopt a schedule of fees to be paid to administrative hearing officers for their services.

**65-4. Authority to issue order to correct letters and administrative citations.**

The following City employees and agents are authorized to issue compliance letters and administrative citations for violation of the City Code and other associated Ordinances:

- A. Licensed peace officers of the Isanti Police Department;
- B. Reserve Officers of the Isanti Police Department;
- C. Community Development Director;
- D. Community Development Specialist;
- E. Animal Control Officer;
- F. Building Official;
- G. MS4 Technician;\_or
- H. Community Service Officer.

**65-5. Administrative citations.**

- A. A person authorized to enforce provisions of the City Code may issue an administrative citation upon belief that a code violation has occurred. The citation must be issued in person or by first class mail to the person responsible for the violation. The citation must state the date, time, and nature of the offense, the identity of the person issuing the citation, the amount of the scheduled fine, and the manner for paying the fine or appealing the citation. The administrative citation shall be deemed served upon deposit in the U.S. mail to the address of the violator. A certificate of service shall be completed by the official issuing the citation. If the City seeks to impose more than one fine for a continuing violation, a separate citation shall be issued for each violation date.
- B. The person responsible for the violation must either pay the scheduled fine or request a hearing within ten (10) calendar days after issuance of the citation. Payment of the fine constitutes admission of the violation. A late payment fee of ten (10%) percent of the scheduled fine amount will be imposed. The fines may be rescinded if compliance is achieved by the compliance date provided.
- C. A hearing request must be made in writing and executed by the property owner or person with an ownership interest in the property. It must minimally state the name and mailing address of that person, the person's relationship to the property involved, and a brief statement why the citation is in error and a hearing is being requested. A filing fee, as set forth in the City Fee Schedule,

shall accompany the application. The application is not valid unless the fee is paid. The filing fee is non-refundable.

- D. A property owner may request an extension to come into compliance, which may be granted or denied by the City. If an extension to come into compliance is requested and granted, and the property owner does not come into compliance by the extension date, the administrative fine imposed with the citation for the violation shall not be rescinded. Additionally, a request for an extension to the compliance deadline shall constitute an admission to the violation, and a waiver of a right to request a hearing under subpart C above.

**65-6. Administrative hearing.**

- A. The hearing officer shall be a neutral third party appointed by the City Council. The hearing officer is authorized to hear and determine any controversy relating to administrative offenses of the City Code.
- B. Notice of the hearing must be served in person or by mail to the person responsible for the violation at least ten (10) calendar days in advance of the hearing, unless a shorter time is accepted by all parties.
- C. The hearing officer shall conduct an informal hearing to determine if a violation occurred. The hearing may be recorded but official minutes of the proceeding will not be taken. At the hearing, the parties will have the opportunity to present testimony and question any witnesses, but strict rules of evidence will not apply. The hearing officer must receive testimony and exhibits. The officer must receive and give weight to evidence, including hearsay evidence, which possesses probative value commonly accepted by reasonable and prudent people in the conduct of affairs.
- D. The hearing officer has the authority to determine that a violation occurred, to dismiss a citation, to impose or modify (increase or decrease) the scheduled fine, and to modify, stay, or waive a scheduled fine either unconditionally or upon compliance with appropriate conditions. When imposing a penalty for a violation, the hearing officer may consider any or all of the following factors:
  - 1. The duration of the violation;
  - 2. The frequency or reoccurrence of the violation;
  - 3. The history of the violation;
  - 4. The seriousness of the violation;
  - 5. The violator's conduct after issuance of the notice of hearing;
  - 6. The good faith effort by the violator to comply;
  - 7. The economic impact of the penalty on the violator;
  - 8. The impact of the violation upon the community; and
  - 9. Any other factors appropriate to a just result.
- E. The hearing officer's decision and supporting reasons are final and as practically as possible be provided in writing to both parties within ten (10) days of the hearing. Any fines or penalties imposed must be paid no later than ten (10) days of the date of the Hearing Officer's order.

- F. The failure to attend the hearing constitutes a waiver of the violator's rights to an administrative hearing and an admission of the violation. A hearing officer may waive this result upon good cause shown. Examples of "good cause" are death or incapacitating illness of the accused; a court order requiring the accused to appear for another hearing at the same time; and lack of proper service of the citation or notice of the hearing. "Good cause" does not include forgetfulness and intentional delay.

**65-7. Recovery of civil penalties.**

- A. If a civil penalty is not paid within the time specified, it constitutes:
1. A personal obligation of the violator in all cases;
  2. An obligation of the person or business conducting an activity on the property if the violation relates to that activity;
  3. An obligation of the owner of the property on which the violation occurred; and
  4. A lien upon the real property upon which the violation occurred, if the property owner was found responsible for that violation and the lien can be assessed under Minnesota Statutes 429.101, as amended from time to time. Prior to assessing the lien against the property, the City must attempt to obtain voluntary payment of the administrative penalty and provide the property owner listed on the tax record with notice and an opportunity to be heard.
- B. The personal obligation or lien may include the administrative, collection agency and legal costs incurred by the City in connection with collecting the unpaid administrative penalty.
- C. A personal obligation may be collected by any appropriate legal means, including use of a collection agency.
- D. A late payment fee of ten (10%) percent of the fine will be assessed for each thirty (30) day period, or part thereof, that the fine remains unpaid after the due date.
- E. During the time that a civil penalty remains unpaid, no City approval will be granted for a license, permit, or other City approval sought after by the violator or for the property.
- F. Failure to pay a fine is grounds for suspending, revoking, denying, or not renewing a license or permit associated with the violation.
- G. The City reserves the authority to use the abatement process as outlined within Chapter 216 Nuisances, in lieu of or in addition to the process outlined within this Chapter.
- H. In the event of unpaid civil penalties, the City reserves the right to pursue a criminal penalty under the applicable section of the City Code.

**EFFECTIVE DATE**

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

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

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Mayor Jeff Johnson

ATTEST:

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Katie Brooks  
Human Resources/City Clerk

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



## MEMO for Council

**To:** Mayor Johnson and Members of the City Council  
**From:** Josi Wood, City Administrator  
**Date:** December 1, 2020  
**Subject:** Ordinance 2020- XXX Public nuisances affecting, peace, safety and general welfare, Repealing and Replacing Chapter 216

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

Significant changes include:

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

The Ordinance has been reviewed by the City Attorney and has been posted for the required 10 – day notice.

**Recommendation:**

Committee of the Whole recommends approval as presented.

**Attachment:**

- ORD 2020-XXX



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

**AN ORDINANCE AMENDING ORDINANCE NO. 123, ADOPTED ON SEPTEMBER 18, 1984 AND ORDINANCE NO. 170, ADOPTED ON NOVEMBER 17, 1992 AND ORDINANCE NO. 209 ADOPTED ON FEBRUARY 17, 1998 AND ORDINANCE NO. 389 ON FEBRUARY 6, 2007 AND ORDINANCE NO. 411 ADOPTED ON AUGUST 30, 2007 AND ORDINANCE NO. 424 ADOPTED ON DECEMBER 27, 2007 AND ORDINANCE NO. 425 ADOPTED ON JANUARY 24, 2008 AND ORDINANCE NO. 431 ADOPTED ON FEBRUARY 19, 2008 AND ORDINANCE NO. 452 ADOPTED ON FEBRUARY 17, 2009 AND ORDINANCE NO. 538 ADOPTED ON AUGUST 8, 2012 AND ORDINANCE NO. 553 ADOPTED ON JUNE 4, 2013 AND ORDINANCE NO. 580 ADOPTED ON JUNE 17, 2014 AND ORDINANCE NO. 676 ADOPTED ON JUNE 20, 2017 AND ORDINANCE NO. 710 ADOPTED ON OCTOBER 1, 2019 AND TITLED NUISANCES.**

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

**Section 1 – Repealer.** Ordinance 123, 170, 209, 389, 411, 424, 425, 431, 452, 538, 553, 580, 676 and 710, codified in Chapter 216 of the City Code, are hereby repealed in their entirety and replaced with the ordinance set forth below.

**Section 2 – Ordinance.** The following Chapter 216 is hereby adopted:

**Chapter 216**

**NUISANCES**

- §216-1. Definitions.**
- §216-2. Public nuisances affecting health, safety, comfort or repose.**
- §216-3. Public nuisances affecting morals and decency.**
- §216-4. Public nuisances affecting peace, safety and general welfare.**
- §216-5. Public Nuisance.**
- §216-6. Duties of City officers.**
- §216-7. Abatement.**
- §216-8. Recovery of cost.**
- §216-9. Violations and penalties**

**§ 216-1 Definitions.**

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

**DYNAMIC BRAKING DEVICE**

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

**GRAFFITI**

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

## **NOISE**

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

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

The following are hereby declared to be nuisances affecting health:

- A. Exposed accumulation of decayed or unwholesome food or vegetable matter. This includes all composting consisting of yard waste and/or kitchen waste which has been left unattended and which causes offensive odors, attracts rodents and/or pests or is unsightly and does not meet the requirements of Chapter 273, Article II.
- B. All diseased animals running at large.
- C. All ponds or pools of stagnant water.
- D. Carcasses of animals not buried or destroyed within 24 hours after death.
- E. Accumulations of manure, refuse, or other debris. An accumulation of tin cans, bottles, trash, uprooted tree stumps, logs, limbs, brush, and other cut vegetative debris, or other debris of any nature or description and the throwing, dumping or depositing of any dead animals, manure, garbage, waste, decaying matter, ground, sand, stones, ashes, rubbish, or other material of any kind on private property.
- F. Privy vaults and garbage cans which are not rodent-free or fly-tight or which are so maintained as to constitute a health hazard or to emit foul or disagreeable odors.
- G. The pollution of any public well or cistern, stream, or body of water by sewage, industrial waste, or other substances.
- H. All noxious weeds grass in excess of 8 inches and other rank growths of vegetation upon public or private property.
  - (1) Noxious weeds and rank vegetation shall include but not be limited to: alum (allium), Buckthorn, Bur Cucumber, Canada Thistle, Corncockle, Cressleaf Groundsel, Curly Dock, Dodder, Field Bindweed, French Weed, Hairy Whitetop, Hedge Bindweed, Hoary Cress, Horsenettle, Johnson grass, Leafy Spurge, Mile-A-Minute Weed, Musk Thistle, Oxeye Daisy, Perennial Sow thistle, Poison Hemlock, Purple Loosestrife, Quack grass, Russian Knapweed, Russian Thistle, Serrated Tussock, Shatter Cane, Sorghum, Wild Carrot, Wild Garlic, Wild Mustard, Wild Onion, Wild Parsnip;
  - (2) Grapevines when growing in groups of 100 or more and not pruned, sprayed, cultivated, or otherwise maintained for two consecutive years;

- (3) Any weeds, grass, or plants, other than trees, bushes, flowers, or other ornamental plants, growing to a height exceeding 12 inches.
- (4) Rank vegetation includes the uncontrolled, uncultivated growth of annuals and perennial plants.
- (5) The term *Weeds* does not include shrubs, trees, cultivated plants or crops.
- (6) In no event shall cultivated plants or crops include plants which have been defined by state statute or administrative rule as being noxious or detrimental plants.
- (7) Property owners are responsible for mowing adjacent to their property in the right -of-way to the curb if there is a sidewalk or boulevard.
  - I. Dense smoke, noxious fumes, gas and soot, or cinders, in unreasonable quantities.
  - J. All public exposure of persons having a contagious disease.
  - K. Any offensive trade or business as defined by statute not operating under local license.
  - L. Any outside storage of rubbish, salvage materials, junk, vehicles without current license plates, not in street operable condition, or not currently insured; or miscellaneous refuse when the same is construed by the City Council to be a menace or a nuisance to the public health, safety, or general welfare and to have a depressing influence on property values in the area.
  - M. Outdoor smoking near the entrances to buildings. Outdoor smoking areas shall meet the following regulations:
    - (1) Smoking is prohibited within 15 feet of any entrance, exit, or open window to a building and within 15 feet of a public sidewalk.
    - (2) Appropriate receptacles for rubbish, garbage, cigarette paraphernalia, etc., shall be provided.
  - N. Any obstruction to the free flow in a natural waterway or a public street drain, gutter, or ditch with trash, grass, other yard waste or other materials.
  - O. Depositing or storage of garbage or refuse on a public right-of-way, public property, or on adjacent private property.
  - Q. Snow clearing or removal from a private property must be contained within the property of which the snow originated or hauled and deposited in an approved location.

**§ 216-3 Public nuisances affecting morals and decency.**

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

- A. All gambling devices, slot machines, and punch boards, except as otherwise authorized by ordinance.
- B. Betting, bookmaking, and all apparatus used in such occupations.

- C. All houses kept for the purpose of prostitution or promiscuous sexual intercourse, gambling houses, houses of ill fame, and bawdy houses.
  - D. All places where intoxicating liquor is manufactured or disposed of in violation of law or where, in violation of law, persons are permitted to resort for the purpose of drinking intoxicating liquor, or where intoxicating liquor is kept for sale or other disposition in violation of law, and all liquor and other property used for maintaining such a place.
  - E. Any vehicle used for the transportation of intoxicating liquor, or for promiscuous sexual intercourse, or any other immoral or illegal purpose.
  - F. Graffiti.
    - (1) Use of graffiti prohibited. It shall be unlawful to apply graffiti to any natural or man-made surface on any publicly or privately owned property without the owner's permission.
    - (2) Graffiti as nuisance. The existence of graffiti on public or private property shall be declared a nuisance, which is destructive to the rights and values of property owners as well as the entire community and is subject to removal and abatement procedures.
    - (3) Removal by owner. It shall be the duty of the owner of the property upon which any graffiti is placed to remove such graffiti within 90 days upon written receipt of notice issued by the City to remove the graffiti.
    - (4) Removal by City. If the property owner fails to remove graffiti within the time allotted, the City shall abate and remove the graffiti. The property owner shall be billed for the cleanup.
  - G. Public urination – prohibited.
    - (1) Any person who urinates or defecates on any public street, alley, sidewalk or floor of any building or of any building where the public gathers or has access, or in any other place, whether public or private, where such act could be observed by any member of the public, except in such place that has been designated as a restroom, is guilty of a misdemeanor.
    - (2) The enforcement provision of this subsection shall not apply to the following individuals who may not be able to adequately control the bodily functions that control urination or defecation:
      - (a) Children five years of age or younger;
      - (b) Persons of any age who violate this section due to a verified medical condition.
- § 216-4 **Public nuisances affecting peace, safety and general welfare.**
- A. Prohibited nuisances affecting public safety and peace.
    - (1) All snow and ice that is not removed from public sidewalks within 48 hours after public works has

completed removal of a snow event. It is the adjacent property owner's responsibility to keep the sidewalk clear of snow and hazardous ice and apply de-icing agents if necessary. Reference Chapter 284-14.

- (2) Use of the municipal water system for lawn sprinkling in noncompliance with regulations regarding such usage.
- (3) Any well, hole, or excavation left uncovered or in such condition as to constitute a hazard to a child or other person, being or coming upon the premises where the same is located, or any discarded or unused device formerly used for refrigeration purposes that restricts the free flow of air, or other similar device or object, which is left outside or in such condition as to be accessible to any child or other person being or coming upon the premises where the same is located.
- (4) Materials placed on streets, alleyways, sidewalks, and other public ways which encumber, interfere with, or impede the free flow of pedestrian or vehicular traffic and/or impede the unobstructed lawful use thereof, as prohibited pursuant to § 284-16.
- (5) All commercial parking lot facilities shall be maintained and operated in compliance with applicable engineering design and safety standards, including, but not limited to, applicable provisions of the Americans with Disabilities Act (ADA). Any such parking lot that fails to meet said standards as to surfacing, curbing, drainage system, lighting or accessibility, or is otherwise in such disrepair so as to be reasonably deemed to constitute a public safety hazard, as determined by the City Engineer or his or her designee, is hereby declared to be a nuisance. Nuisances constituting an immediate safety hazard shall be subject to immediate abatement. Otherwise, alleviation of nuisances shall be in conformance with timeframes set by the City Engineer or his or her designee.
- (6) All trees, hedges, billboards, or other obstructions which prevent people from having a clear view of all traffic approaching an intersection.
- (7) All wires and limbs of trees that are so close to the surface of a sidewalk or street as to constitute a danger to pedestrians or vehicles.
- (8) Obstructions and excavations affecting the ordinary public use of streets, alleys, sidewalks, or public grounds, except under conditions as are permitted by this ordinance or other applicable law.
- (9) Any use of property abutting on a public street or sidewalk or any use of a public street or sidewalk that causes large crowds or people to gather, obstructing traffic and the free use of the street or sidewalk.
- (10) All hanging signs, awnings, and other similar structures over streets and sidewalks, so situated as to endanger public safety, or not constructed and maintained as provided by ordinance.
- (11) The allowing of rainwater, ice, or snow to fall from any building or structure upon any street or sidewalk or to flow across any sidewalk.
- (12) Accumulations in the open of discarded or disused machinery, household appliances, automobile bodies or other materials in a manner conducive to the harboring of rats, mice, snakes, or vermin, or

the rank growth of vegetation among the items so accumulated, or in a manner creating fire, health, or other safety hazards from such accumulation.

- (13) Any well, hole, or similar excavation that is left uncovered or in such other condition as to constitute a hazard to any child or other person coming on the premises where it is located.
- (14) Obstruction to the free flow of water in a natural waterway or a public street drain, gutter, or ditch with trash or other materials.
- (15) The placing or throwing on any street, sidewalk, or other public property of any glass, tacks, nails, bottles, or other substances that may injure any person or animal or damage any pneumatic tire when passing over such substance.
- (16) The depositing of garbage or refuse on a public right-of-way or on adjacent private property.
- (17) Reflected glare or light from private exterior lighting exceeding 0.5 footcandles as measured on the property line of the property where the lighting is located when abutting any residential parcel, and one footcandle when abutting any commercial or industrial parcel.
- (18) All other conditions or things that are likely to cause injury to the person or property of another.
- (19) Building Maintenance and Appearance: Buildings, fences, and other structures which have been so poorly maintained that their physical condition and appearance detract from the surrounding neighborhood are declared to be public nuisances because they: 1) are unsightly, 2) decrease adjoining landowners and occupant's enjoyment of their property and neighborhood, and 3) adversely affect property values and neighborhood pattern.

**B. Prohibited noise affecting public health, peace, safety or welfare.**

- (1) General prohibition. It is unlawful for any person to make or cause to be made any distinctly and loudly audible noise that unreasonably annoys, disturbs, injures or endangers the comfort's repose, health, peace, safety, or welfare of any persons; precludes their enjoyment of property; affects their property's value; affects the peace and quiet of any neighborhood; or which cause discomfort or annoyance to any reasonable person of normal sensitivity residing in the area.
- (2) All obnoxious noises in violation of Minnesota Rules Chapter 7030, as it may be amended from time to time, which are hereby incorporated by reference into this code, are declared to be nuisances affecting public peace and safety.
- (3) Additional standards may be considered when determining a violation of this section, which include, but are not limited to, the following:
  - (a) Volume of the noise;
  - (b) Intensity of the noise;
  - (c) Whether the nature of the noise is usual or unusual;

- (d) Volume and intensity of background noise, if any;
  - (e) Proximity of the noise to residential sleeping;
  - (f) Nature and zoning of the area within which the noise emanates;
  - (g) Density of inhabitation of the area within which the noise emanates;
  - (h) Time of day or night the noise occurs;
  - (i) Duration of the noise;
  - (j) Whether the noise is recurrent, intermittent, or constant; and
  - (k) Whether the noise is produced by a commercial or noncommercial activity.
- (4) Specific noises prohibited. The following noises shall be declared to be nuisance noises in violation of this chapter. This listing shall not be deemed to be exclusive.
- (a) Horns, signaling devices, sirens, etc. It is unlawful for any to sound any horn, siren, or other signaling device on any vehicle except as a warning sign or emergency.
  - (b) Radios, phonographs, television sets, and similar devices. It is unlawful for any person to use or operate or permit the use or operation of any radio receiving set, musical instrument, phonograph, paging system, machine or other device for the production or reproduction of sound in a distinctly and audible manner as to disturb the peace, quiet and comfort of any person nearby. Operation of any such device as outlined within Subsection B in a manner as to be plainly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent or at a distance of 100 feet if the source is located outside a structure or building shall be prima facie evidence of a violation of this section.
  - (c) Loudspeakers, amplifiers, and sound trucks. It is unlawful for any person to operate or permit the use or operation of any loudspeaker, sound amplifier or other device for the production or reproduction of sound on a street or other public place for the purpose of commercial advertising or attracting the attention of the public to any commercial establishment or vehicle.
  - (d) Human noise. Yelling, shouting, hooting, whistling, or singing at any time or place so as to annoy or disturb the quiet, comfort, or of persons in any office, or in any dwelling, hotel/motel, or other place of residence, or in the vicinity of the source.
  - (e) Exhaust. It is unlawful for any person to discharge the exhaust, or permit the discharge of the exhaust of any steam engine, stationary combustion engine, motor boat, motor vehicle or snowmobile, except through a muffler or other device that effectively prevents loud or explosive noises therefrom and complies with all applicable state laws and regulations.

- (f) Defective vehicles or loads. It is unlawful for any person to use any vehicle so out of repair or so loaded as to create loud or unnecessary grating, grinding, rattling or any other noise.
- (g) Loading, unloading, and packing. It shall be unlawful for any person to create loud or excessive noise in connection with loading or unloading or unpacking any vehicle; or the opening and destruction of bales, boxes, crates, and containers.
- (h) Loud parties or gatherings. It shall be unlawful for any person to participate in any party or gathering of people giving rise to noise, disturbing the peace, quiet, or repose of another person during the hours of 10:00 p.m. to 7:00 a.m. weekdays and 11:00 p.m. and 8:00 a.m. weekends. It shall be prima facie evidence of a violation of this section if the sound of the party or gathering is clearly audible at the property line of the structure or building in which it is located, in the hallway or apartment adjacent or at a distance of 100 feet if the source is located outside a building, or if the noise meets the standards as presented in Subsection B(3). Any person who participates in a party or gathering which generates nuisance noise shall be guilty of maintaining a public nuisance. Every owner or tenant of the premises who has knowledge of the disturbance shall make every effort to see that the disturbance is stopped.
- (i) Schools, courts, churches, hospitals. It is unlawful for any person to create any excessive noise on a street, alley or public grounds to any school, institution of learning, church or hospital when the noise unreasonably interferes with the working of the institution or disturbs or unduly annoys its occupants or residents and when conspicuous signs indicate the presence of the institution.
- (j) Dynamic braking systems. No person shall use motor vehicle brakes that are in any way operated or activated by the compression of the engine in any motor vehicle upon any public ways located within the City limits of Isanti, including, but not limited to, highways, streets, alleys, easements, or right-of-way.
- (k) Domestic power equipment. No person shall operate a power lawn mower, power hedge clipper, chainsaw, mulcher, garden tiller, edger, drill or similar domestic power maintenance equipment except between the hours of 7:00 a.m. and 9:00 p.m. on any weekday or between the hours of 8:00 a.m. to 9:00 p.m. on any weekend or holiday. Snow removal and street sweeping equipment is exempt from this subsection.
- (l) Refuse handling. No person shall collect or remove garbage or refuse in any residential district except between the hours of 6:30 a.m. and 6:00 p.m. on any weekday or between the hours of 8:00 a.m. and 6:00 p.m. on any weekend or holiday.
- (m) Construction activities. No person shall engage in or permit construction activities involving the use of any kind of electric, diesel, or gas powered machine or other power equipment, manual tools, movement of equipment, and other activities except between the hours of 7:00 a.m. and 9:00 p.m. on any weekday or between the hours of 8:00 a.m. and 8:00 p.m. on any weekend or holiday.
- (5) Exceptions. The following shall be declared to be exceptions from the provisions of this Subsection



B. This listing shall not be deemed to be exclusive.

- (a) Emergency work. Operations and acts performed exclusively for emergency work to preserve the safety, welfare or public health of the citizens of the City or for emergency work necessary to restore public service or to eliminate a public hazard shall be exempt from the provisions of this subsection. Persons having performed emergency work under this subsection shall inform the Police Department at the time of the need to initiate the work or if during nonbusiness hours of the City offices than upon resumption of business hours of the City. Any person responsible for emergency work shall take all reasonable actions to minimize the amount of noise pollution or vibration.
- (b) Approved work. Upon timely application being made and the necessity therefore being established, the City Council may suspend the operation of this section for a specific purpose at a specific location and for a specific length of time by Council action and by giving public notice of the nature and limits of the suspension. The City Engineer may also authorize an exception for dewatering, mass grading, road construction, and other activities for Council approved projects.

C. Prohibited nuisances affecting general welfare.

- (1) A violation of any provision of Ordinance No. 445, Zoning, or of a condition imposed under the authority of Ordinance No. 445, Zoning, is considered a public nuisance affecting the general welfare. Such public nuisance may be abated pursuant to the abatement provisions provided within this chapter.
- (2) A violation of any provisions of Chapter 227, Parking and Storage, Article III, Parking and Storage of Vehicles and Other Equipment, is considered a public nuisance affecting the general welfare. Such public nuisance may be abated pursuant to the abatement provisions provided within this chapter.

**§ 216-5 Public Nuisance.**

Whoever, by act or omission, causes a nuisance as defined in sections 216-2, 216-3 or 216-4 is guilty of maintaining a public nuisance and may be subject to abatement and/or prosecution as provided herein.

**§ 216-6 Duties of City officers.**

City officials may apply and enforce any provision of this ordinance relating to public nuisances within this jurisdiction. Any peace officer, community service officer or other designated city official shall have the power to inspect private premises and take all reasonable precautions to prevent the commission and maintenance of public nuisances. Except in emergency situations of imminent danger to human life and safety, no peace officer or designated city official will enter private property for the purpose of inspecting or preventing public nuisances without the permission of the owner, resident, or other person in control of the property, unless the officer or person designated has obtained a warrant or order from a court of competent jurisdiction authorizing entry.

**§ 216-7 Abatement Process.**

- A. **Procedure.** Whenever the officer charged with enforcement determines that a public nuisance is being maintained or exists on premises in the City, the officer shall notify, in writing, the owner or occupant of the premises of such fact and order that such nuisance be terminated and abated. The notice shall specify the steps to be taken to abate the nuisance and the time, not exceeding 30 days, within which the nuisance is to be abated. If the notice is not complied with within the time specified, the enforcing officer shall report that fact forthwith to the Council. Thereafter, the Council may, after notice to the owner or occupant and an opportunity to be heard, provide for abating the nuisance by the City.
- B. **Notice.** Written notice of the violation; notice of the time, date, place, and subject of any hearing before the City Council; notice of the City Council order; and notice of motion for summary enforcement hearing shall be served by a peace officer or designated official on the owner of record and occupant of the premises either in person or by regular, certified or registered mail. If the premise is not occupied, the owner of record is unknown, or if the owner of record or occupant refuses to accept notice, notice of the violation shall be served by positing it on the premises. In the event a nuisance is abated to the satisfaction of the City but recurs within 180 days after such abatement, such recurrence shall be deemed to be a continuation of the same nuisance, and the council may proceed without additional notice or hearing to provide for abatement of said nuisance by the City. In such event, the City shall be entitled to recovery costs in the same manner as for the original abatement, as proved for in § 216-8 of this chapter.
- C. **Emergency procedure; summary enforcement.** In cases of emergency, where delay in abatement required to complete the procedure and notice requirements as set forth in subdivisions A. and B. of this section will permit a continuing nuisance to unreasonably endanger public health, safety, or welfare, the City Council may order summary enforcement and abate the nuisance. To proceed with summary enforcement, the peace officer or other designated official shall determine that a public nuisance exists or is being maintained on premises in the city and that delay in abatement will unreasonably endanger public health, safety, or welfare. The officer or designated official shall notify in writing the occupant or owner of the premises of the nature of the nuisance, whether public health, safety, or welfare will be unreasonably endangered by delay in abatement required to complete the procedure set forth in subdivision A. of this section and may order that the nuisance be immediately terminated or abated. If the nuisance is not immediately terminated or abated, the City Council may order summary enforcement and abate the nuisance.
- D. **Immediate abatement.** Nothing in this section shall prevent the city, without notice or other process, from immediately abating any condition that poses an imminent and serious hazard to human life or safety. Property/item(s) valued over \$100, as determined by the enforcing officer, will be held by the City for seven (7) days. Recovery of all costs incurred for the abatement must be paid by the owner prior to collecting any property/item(s).
- E. **Unlawful parties or gatherings.** When law enforcement determines that a gathering is creating such a noise disturbance as prohibited under Section Four, Subdivision B, the officer may order all persons present, other than the owner or tenant of the premises where the disturbance is occurring, to disburse immediately. No person shall refuse to leave after being ordered to do so by law enforcement. Every owner or tenant of such premises who has knowledge of the disturbance shall make every reasonable effort to see that the disturbance is stopped.
- F. **Abatement of noxious weeds, rank vegetation, and tall grasses.**

- (1) **Notice.** Written notice of the violation; notice of time, date, location, nuisance, which may include a height measurement of grass, will be sent to the property owner of record of the nuisance lot by posting a notice on the premise door and by mail. On identified foreclosed properties, a property contact will be attempted if the City has record of a party that is involved with the property. This contact is not necessary to effect establishment of a date certain for weed, vegetation, or grass nuisance abatement. The notice will identify a date certain for which the property must be mowed not to exceed 7 working days. The notice will also include the date of which a 7 working day re-inspection will occur.
  - (2) **Abatement Process.** If the owner of the property fails to comply within 7 days, the City shall provide for the abatement of the nuisance and authorize the City contracted mowing service or public works to mow the lot. The officer charged with enforcement shall keep records of the cost of abatement and shall provide information to the City Administrator or designee for assessment against the property in accordance with § 216-8.
  - (2) **Reoccurrence.** Once the nuisance has been abated on the property, the property will be monitored by re-inspection on a reoccurring 7 day cycle. If the property has no further noxious weed, rank vegetation or tall grass violations after being re-inspected twice, it will no longer be monitored. If the property continues to have the violation, the property will be abated every 7 days without written notification.
- G. **Judicial remedy.** Nothing in this section shall prevent the city from seeking a judicial remedy when no other adequate administrative remedy exists.

**§ 216-8 Recovery of cost.**

- A. **Personal liability.** The owner of the premises on which a nuisance has been abated by the City, or a person who has caused a public nuisance on property not owned by that person, shall be personally liable for the cost to the City of the abatement, including administrative costs. As soon as the work has been completed and the cost determined, the City Administrator or other city official shall prepare a bill for the cost and mail it to the owner. Thereupon the amount shall be immediately due and payable at the office of the City Administrator.
- B. **Assessment.** After notice and hearing as provided in Minn. Stat. § 429.061, as it may be amended from time to time, if the nuisance is a public health or safety hazard on private property, the accumulation of snow and ice on public sidewalks, the growth of weeds and rank or tall vegetation on private property or outside the traveled portion of streets, or unsound or insect-infected trees, and noncompliant lawn sprinkling, the City Administrator or designee shall, on or before September 1 next following abatement of the nuisance, list the total unpaid charges along with all other such charges as well as other charges for current services to be assessed under Minn. Stat. § 429.101 against each separate lot or parcel to which the charges are attributable. The Council may then spread the charges against such property under that statute and other pertinent statutes for certification to the County Auditor and collection along with current taxes the following year or in annual installment, not exceeding 10, as the Council may determine in each case.

**§ 216-9 Violations and penalties.**

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

**Section 3 – Effective Date.**

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

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

Attest:

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

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

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



# K.10.

## Memo for Council

**To:** Mayor Johnson and Members of the City Council  
**From:** Josi Wood, City Administrator  
**Date:** December 1, 2020  
**Subject:** Ordinance 2020- XXX Streets and Sidewalks, Amending City Code Chapter 284

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### **Background:**

Staff has drafted changes to Chapter 284, Streets and Sidewalks. Significant changes are as follows:

- Clarify language to be consistent with process by Resolutions.
- Updated addressing language to be consistent with Fire Code.
- Updated staff titles.
- Materials on the street have been removed from this section and referenced within Ch 216.

The Ordinance has been posted for the required 10- day notice period.

### **Recommendation:**

Committee of the Whole recommends approval as presented.

### **Request:**

Staff is requesting action on this item.

### **Attachment:**

- Ordinance 2020-XXX

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

AN ORDINANCE AMENDING ORDINANCE NO. 109, ADOPTED ON OCTOBER 20, 1984 AND ORDINANCE NO. 256, ADOPTED ON MAY 7, 2002 AND ORDINANCE NO. 502, ADOPTED ON MARCH 16, 2011 AND ORDINANCE NO. 553, ADOPTED ON APRIL 4, 2013 AND ORDINANCE NO. 549, ADOPTED ON APRIL 16, 2013 AND ORDINANCE NO. 600, ADOPTED ON APRIL 7, 2015 AND ORDINANCE NO. 605, ADOPTED ON APRIL 21, 2015 AND TITLED STREETS AND SIDEWALKS

THE CITY COUNCIL OF ISANTI DOES ORDAIN:

**Section 1 – Amendment.** Ordinance 109, Ordinance 256, Ordinance 502, Ordinance 553, Ordinance 549, Ordinance 600, Ordinance codified in Chapter 284 of the City Code, are hereby amended as follows:

**Chapter 284  
Streets and Sidewalks**

**ARTICLE I  
Street Naming and Numbering**

- §284-1. Treatment of existing street names.
- §284-2. Official Map.
- §284-3. Type and placement of numbering on buildings.
- §284-5. Street naming plan to be shown on preliminary plats.
- §284-6. Naming and numbering policy.
- §284-7. Powers of the Zoning Administrator or his/her designee.
- §284-8. Violations and penalties.

**ARTICLE II  
Location and Maintenance of Sidewalks**  
§284-9. Purpose.

- §284-10. Sidewalk location; exemption.
- §284-11. Maintenance required; replacement of damaged sidewalks.
- §284-12. Notice to repair.
- §284-13. Failure to repair; cost of repair made by City.
- §284-14. Snow removal.
- §284-15. Construction specifications.
- §284-16. Materials on streets, alleys, sidewalks, or public way.
- §284-17. Violations and penalties.

**ARTICLE III  
Traffic Regulations**

- §284-18. Minnesota Statutes adopted by reference.
- §284-19. Exhibition driving.
- §284-20. Violations and penalties.

**Article I**  
**Street Naming and Numbering**

**§ 284-1 Treatment of existing street names.**

All of the present names of the streets and public ways within the corporate limits of the City of Isanti as assigned and the designations formerly applied to said streets and ways, and whether the same have been fixed by dedication of plats as they appear on file in the office of the County Recorder of Isanti County or by common consent, or otherwise, are hereby revoked, set aside, and extinguished to the extent they are in conflict with the City of Isanti Street Naming and Lot Number Map referenced below.

**§ 284-2 Map.**

- A. From and after the adoption, approval, and publication of this article, there is hereby established a City of Isanti Street Naming and Lot Numbering Map (hereinafter sometimes referred to as the "map"), which will be updated from time to time and is the responsibility of the Community Development Director or his/her designee to maintain. This map will be on permanent file for public inspection in the office of the Community Development Director or his/her designee. It shall be the responsibility of the City to maintain said map
- B.

**§ 284-3 Type and placement of numbers on buildings.**

- A. New and existing buildings shall have approved address numbers, building numbers or approved building identification placed in a position that is plainly legible and visible from the street or road fronting the property. These numbers shall contrast with their background. Where required by the fire code official, address numbers shall be provided in additional approved locations to facilitate emergency response. Address numbers shall be Arabic numbers or alphabetical letters. Numbers shall be a minimum of 4 inches (101.6 mm) high with a minimum stroke width of 0.5 inch (12.7 mm). Where access is by means of a private road and the building cannot be viewed from the public way, a monument, pole or other sign or means shall be used to identify the structure. Address numbers shall be maintained.
- B. In case a principal building is occupied by more than one business or family dwelling unit, each separate front entrance of such principal building shall bear a separate number, to include a unit number or suite number, if so assigned.

**§ 284-5 Street naming plan to be shown on preliminary plats.**

The developer, builder, or person making application for preliminary plat shall submit a street naming plan as hereinabove set forth, for review by the Community Development Director or his/her designee. The assignment of names and numbers by the Community Development Director or his/her designee shall be final.

**§ 284-6 Naming and numbering policy.**

- A. City streets shall not be required to fall into any pattern of alphabetical sequence.
- B. Major emphasis shall be given to avoiding duplicate and similar sounding names.
- C. For all future developments, east-west streets will be designated as streets, and north-south streets will be designated as avenues. Upon approval by the City Council, other designations may be approved, such as parkways, boulevards, trails, courts, etc.
- D. Existing street names shall be extended where practical. Avenues shall be numbered and placed within sequential order from the zero starting point.
- E. The intersection of the Burlington Northern Railroad line and Main Street shall be considered the zero starting point for the purpose of the lot-numbering system.
- F. Numbers shall be assigned to each block in increments of 100 for each block progressing northerly, easterly, southerly, and westerly from said zero starting point.

- G. Even numbers shall be assigned to lots on the north side of streets running east-west and on the east side of avenues running north-south.
- H. Odd numbers shall be assigned to lots on the south side of streets running east-west and on the west side of avenues running north-south.
- I. Where, in the past, odd and/or even numbers have already been assigned along the majority of a street segment and they are not in accordance with the regulations provided in this article, the Community Development Director or his/her designee may continue to assign numbers in accordance with the existing numbers provided.
- J. Ordinals shall be placed at the end of each street name, to include NW, SW, NE, or SE, depending upon the location of the street within the City of Isanti street grid system.
- K. Street names located on the east side of Trunk Highway 65 shall be consistent with those street names located on the west side of Trunk Highway 65.
- L. The City of Isanti has been granted authority through joint resolution with Isanti County to re-address in accordance with this article any property in the Tier One Area. When it has been identified by the appropriate public safety authority that public safety will be enhanced by renumbering and establishing new street names in accordance with this article, the Planning Commission will hold a public hearing to consider such proposals and make recommendations to the City Council for re-addressing in the Tier One Area.

**§ 284-7 Powers of the Community Development Director or his/her designee.**

- A. The Community Development Director or his/her designee shall keep an up-to-date record of all names and numbers assigned under this article.
- B. The Community Development Director or his/her designee shall assign to any property owner in the City of Isanti, upon request, a number for each principal building or separate front entrance to such building. In doing so, he/she shall assign only those names and numbers assigned under the provisions of this article; provided, however, that the Community Development Director or his/her designee may assign additional names or numbers in accordance with the system established on the City of Isanti Street Naming and Lot Numbering Map whenever the property has been subdivided, a new front entrance opened, or undue hardship has been worked upon any property owner.

**§ 284-8 Violations and penalties.**

Violation of this ordinance shall be a misdemeanor and may be punishable by a fine not to exceed \$1,000 or imprisonment not to exceed 90 days, or both, plus costs of prosecution in either case.

## **Article II**

### **Location and Maintenance of Sidewalks**

**§ 284-9 Purpose.**

The purpose of this article is to ensure the proper placement, location and maintenance of sidewalks. This will allow our citizens the ability to walk, bicycle, and other means of nonmotorized vehicle use to go from place to place within the City.

**§ 284-10 Sidewalk location; exemption.**

- A. Sidewalks shall be placed on the west side and the north side of every street, cul-de-sac, or other necessary area within the City. City staff can modify the location of sidewalks to the other side of the roadway in order to promote contiguous sidewalks and safer pedestrian movement.
- B. Industrial Zones are exempt from placing sidewalks, but placing City trails is allowed.



**§ 284-11 Maintenance required; replacement of damaged sidewalks.**

It is the duty of the property owner abutting on any sidewalk to maintain said sidewalk in a clear, safe and walkable condition.

**§ 284-12 Notice to repair.**

Whenever any public sidewalk becomes broken, cracked, raised or otherwise in disrepair so as to constitute a hazard to the public passage, the Public Works Department shall give notice in writing of such condition to the owner of the premises abutting the sidewalk. The owner of the property shall be given 30 days from the receipt of the notice to make repairs.

**§ 284-13 Failure to repair; cost of repair made by City.**

- A. If the owner of the premises fails to make such repair within 30 days of being so notified, the Council shall order the necessary repairs made.
- B. The cost of such repairs shall constitute a lien against the premises. If the cost of such repair is not paid to the City by September 15 following the making of repairs, the cost shall be certified to the County Auditor as a special assessment against the premises, to be collected in the same manner as any other special assessment.

**§ 284-14 Snow removal.**

Unless exempted by the City Council, no person shall permit an accumulation of snow or ice to build up or remain on any public sidewalk abutting or otherwise serving lots or parcels located in the City of Isanti 48 hours after public works has completed the removal of a snow event. For the purposes of this section, "person" means the owner of record of the lots or parcels or in the event that the premises of any given parcel is under the control of a person other than the owner through a lease or rental agreement, then in that event the lessee or renter shall be responsible for the snow removal required in this article, unless by written agreement the owner is obligated to remove snow and ice from affected sidewalks. If snow or ice is not removed, the City will consider this a nuisance violation in accordance with Chapter § 216. Depending on the severity, the City may have public works or hire a company to remove the snow accumulation and/or ice and bill the property owner for such cost. Any snow and/or ice events less than 2 inches, in which case the Public Works may not clear, is the property owner's responsibility.

**§ 284-15 Construction specifications.**

- A. Sidewalks shall be five feet wide with six-foot boulevards.
- B. Sidewalks must be constructed of portland concrete four inches thick; five inches thick where the sidewalk is part of the driveway.
- C. Sidewalks shall be constructed on a three-inch sand cushion. The sand shall be equal to MNDOT regulations and the Isanti engineering design standards.
- D. Pedestrian curb ramps for ADA compliance shall be installed on all corners according to MNDOT and City Engineer specifications.
- E. The City Engineer and/or Building Official must inspect sidewalk construction.
- F. All materials, workmanship, and details of the construction of sidewalks on the public rights-of-way of the City shall be in accordance with the current plans and specifications of the City Administrator or designee.

**§ 284-16 Materials on streets, alleys, sidewalks, or public way.**

- A. No person shall encumber any street, alley, sidewalk, or other public way with barrels, boxes, cans, articles, or any other substances or objects that interfere with the free and unobstructed use thereof. For the purposes of this section, "person" means the responsible owner of record, renter, or occupant of the abutting lot parcel, or building. Such items shall be immediately removed, upon notice from the City to do so. Any such encumbrance shall be deemed a public nuisance in accordance with Chapter § 216 of City Code. Any items deemed to constitute a serious and immediate public health or safety concern may be immediately abated by removal by the City, without prior notice of such abatement, provided notice of such abatement shall be provided to the offending owner of record, renter or occupant of the adjacent lot, parcel or building as soon thereafter as reasonably practicable.
- B. Exceptions. Authorized commercial loading zones and community events approved through the appropriate City process and which utilize public streets, alleys, sidewalks, or other public ways are exempt from these

provisions.

**§ 284-17 Violations and penalties.**

Violation of this article shall constitute a misdemeanor punishable by a fine of not to exceed \$1,000 or imprisonment for a period not to exceed 90 days, or both, plus costs of prosecution in either case.

**Article III**  
**Traffic Regulations**

**§ 284-18 Minnesota Statutes adopted by reference.**

Except as otherwise provided in this chapter, the regulatory and procedural provisions of the Minnesota Statutes, Chapters 168 and 169 (commonly referred to as the "Highway Traffic Regulation Act") and Chapter 171 as amended are hereby incorporated herein and adopted by reference, including the penalty provisions hereof.

**§ 284-19 Exhibition driving.**

- A. Prima facie evidence. It shall be prima facie evidence of exhibition driving when a motor vehicle stops, starts, accelerates, decelerates, or turns at an unnecessary rate of speed so as to cause the tires to squeal, or gears to grind, or sand, gravel or soil to be thrown or an engine to backfire or fishtailing or skidding, or as to two- three- or four-wheeled vehicles, the front tire(s) to lose contact with the ground or roadway surface.
- B. Unlawful act. It shall be unlawful for any person to do any exhibition driving on any street, parking lot, or other public or private property, except when an emergency creates necessity for such operation to prevent injury to persons or damage to property; provided that this section does not apply to driving on a licensed racetrack with permission and under the auspices and direction of the licensee.

**§ 284-20 Violations and penalties.**

Violation of this article shall constitute a petty misdemeanor punishable by a fine not exceeding \$300, plus the costs of prosecution.

**Section 2 -Effective Date.**

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

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

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

ATTEST:

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

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



Real People. Real Solutions.

# K.11.

7533 Sunwood Drive NW  
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Bolton-Menk.com

## MEMORANDUM

**Date:** November 20, 2020

**To:** Honorable Mayor Johnson and Members of the City Council  
City of Isanti

**From:** Jason W Cook, P.E.  
City Engineer

**Subject:** Proposal to Write and Administer a Request For Proposals for General Architectural Services for the Liquor Store Building  
City of Isanti, MN

As directed by the City Council at the November 17, 2020 council meeting, Bolton & Menk will write a Request for Proposal (RFP) to obtain general architectural design services for the proposed liquor store building. This will request general building design services, not actual construction services. The construction contractors will bid on the plans and specifications created by the selected design firm.

The proposed building will be designed to meet city zoning requirements. The building can generally be described as a 11,750 square foot building housing the proposed liquor store facilities depicted in the initial layout sketch. Bolton & Menk will serve as the Civil Engineer on this project and complete the site and utility design through a separate proposal.

The proposed scope of work will be described in the RFP and a lump sum fee will be requested to include the following services: cost estimating, structural engineering design, mechanical engineering design, electrical engineering design, plumbing design, HVAC design, fire sprinkling design, exterior design & interior design, and other related design services from pre-design to project closeout.

**Separate proposals for each individual design service will not be requested, as the City does not plan to act as the General Contractor on this project.**

Our scope of work to solicit these proposals will include the following:

- Write a Request for Proposal detailing the specific needs and desired type of building the City has conceptualized.
  - o Incorporate City Staff, City Council, and City Attorney comments into the RFP.
- Hold one pre-bid meeting to discuss specifics of the project with bidders.
- Respond to bidder questions.
- Issue addenda as needed to address bidder issues or requested changes.
- Receive and compile proposals.
- Compare and contrast proposals for Council to make a selection.
- Assist with contract documents between the City and the selected firm.
- Hold one kickoff meeting with the City and the selected firm.

Should the City elect to proceed with this request for proposal, we propose to complete the above tasks for a lump sum fee of \$4,740.

The RFP will be brought to the December 15, 2020 council meeting for approval to be advertised. It is recommended to solicit proposals from up to 5 selected firms. Should the City elect to make this RFP



publicly available, it is recommended to advertise for a minimum of 3 weeks due to the upcoming holiday season.

The received proposals will be brought to the January 19, 2021 council meeting for consideration. Plans and specifications are estimated to be ready for construction contractors to bid in April 2021 with a bid opening in May and construction starting in June 2021 at the earliest.

The contract will be prepared by the City Attorney and be between the City and the selected firm. Bolton & Menk does not warrant the selected firm will meet budgeted project costs, timelines, or desired quality or results.

15 months from award of the contract is the earliest anticipated building occupancy date. Should the City elect to award the Brunton Architects fee proposal previously presented at the November 17, 2020 Council Meeting, the project schedule could be expedited by 3-4 months and the cost to go through this RFP process would not be incurred.

Please contact me at (763) 200-2444 if you have any questions or need additional information prior to the meeting.





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# K.12.

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

## MEMORANDUM

**Date:** November 10, 2020  
**To:** Honorable Mayor Johnson and Members of the City Council  
City of Isanti  
**From:** Jason W Cook, P.E.  
City Engineer  
**Subject:** Engineering Services Proposal to Complete Liquor Store Design &  
Construction  
City of Isanti, MN

Bolton & Menk, Inc. is pleased to present this proposal for engineering services for the building and site design of the proposed liquor store at 10 6<sup>th</sup> Avenue SE.

The proposed parking lot and building will meet City zoning requirements. The building can generally be described as a 11,750 square foot building housing the proposed liquor store facilities depicted in the initial layout sketch attached.

### Site Design & Construction:

We propose for Bolton & Menk to perform the site design, project management, construction surveying and construction inspection needed to facilitate the completion of the proposed parking lot and utility extension for the new liquor store building.

We propose to complete the site design and specifications, through bidding, for an hourly, not to exceed, fee of \$35,000.

We propose to complete site construction staking, project management, and site inspection services, for an hourly, not to exceed, fee of \$30,000. This does not include building inspections.

### Building Design & Construction:

We proposed to bring Brunton Architects onto the project team to perform the building design through construction. Their proposed scope of work and lump sum fee is attached and includes cost estimating, interior design, structural, mechanical, plumbing, electrical, and fire sprinkling design services from pre-design to project construction and project close out. Bolton & Menk will not add on any overhead fees to take on Brunton Architects as a sub-consultant.

Assumptions made in determining the scope of Brunton Architect's fees:

- Prefabricated concrete walls will be used to reduce project cost and engineering design costs.
- A non-pitched deck roof will be used as the base design.
  - A pitched metal roof would add approximately \$300,000 in total project cost and require space inside the building to be taken up by typically roof mounted equipment such as HVAC.

Brunton Architects scope and fees in the attached document are proposed as a lump sum fee of \$192,000. These fees are at industry standard and include interior design and alternate building renderings.

The proposed total engineering fees are significantly lower than the budgeted amount for these services.

Please contact me at (763) 200-2444 if you have any questions or need additional information.

Bolton & Menk is an equal opportunity employer.

**MANKATO**

225 BELGRADE AVE  
NORTH MANKATO, MN 56001

**HOPKINS**

1040 SIXTH ST SOUTH  
HOPKINS, MN 55343

November 10, 2020

Mr. Jason Cook, PE  
Bolton & Menk, Inc.  
7533 Sunwood Drive, NW  
Suite #206  
Ramsey, MN 55303  
[Jason.Cook@Bolton-Menk.com](mailto:Jason.Cook@Bolton-Menk.com)

RE: Professional Design Services for a New Retail/Municipal Liquor Store in Isanti, MN

Dear Jason:

All of us at Brunton Architects & Engineers are truly honored to be submitting a proposal that encompasses the extent of our professional design services offered. We believe it is the attention to detail that determines the difference between a good project and a great one. Our staff of architects, interior designers, and engineers are dedicated to working side by side with our clients while guiding them through the entire design process from beginning to end.

Brunton Architects & Engineers has assembled a design team with skills best suited for the municipal liquor store project planned for Isanti, Minnesota. Our team is ready and excited to provide architectural design, interior design, mechanical engineering, plumbing design, electrical engineering and structural design engineering services to ensure that the project is custom tailored to your client's specific needs. It is our understanding that the civil design engineering will be provided by Bolton & Menk and are not included as a part of this fee proposal.

### **Project Understanding**

Design services included in this proposal are for an architectural precast concrete building with one steel beam and column line in the middle of the building to help reduce total construction costs. The building is being planned as having 23 ft sidewall heights, steel bar joist roof structure, metal deck, sloped structure with rigid insulation, and polished concrete floors in the retail areas of the building. The proposed building size is approximately 11,750 SF in its footprint. The building will be used as Municipal Liquor Store located in Isanti, MN and is to be located on a City owned commercial



lot. Design services included in this proposal are Architectural, Interior Design (color and material selections), Structural, Mechanical, & Electrical engineering. Preliminary cost estimating will also be provided by Brunton for use in helping to establish construction and FF&E Budgets. Civil design services will be employed directly by the City of Isanti.

At Brunton Architects & Engineers, we look at all design projects from owner, end user, and contractor viewpoints. We pride ourselves on being a design driven firm that is detail oriented in everything we do.

Below is a brief summary of our understanding of the project;

#### Project Description – Municipal Liquor Store

- |                         |  |
|-------------------------|--|
| 1. Number of Buildings: | One  |
| 2. Size:                | roughly 11,750 SF                                    |
| 3. Height/Stories:      | One Story  |
| 4. Construction Type:   | Precast Concrete Walls and bar joist and deck roof** |
| 5. Use:                 | Retail   |
| 6. Location:            | Isanti, Minnesota                                    |

\*\*An optional metal joist and standing seam metal roofing system can be explored for additional design fees as it greatly increases the design requirements of the project. Its estimated that the increase in construction costs for the different roof structure and roofing system, along with HVAC design requirements might be around \$250,000-\$350,000. As previously mentioned, the HVAC systems would need to convert to an air handling system and be ground mounted requiring more site area for the units to sit within in an enclosed area. If chosen, the design fee will increase by \$36,000 due to additional detailing and engineering needed for all the trades effected.

#### **ARTICLE 1     Scope of Services**

##### **1.1     Schematic Design Phase**

1.11     The development of refined concept floor plans, a site plan, and exterior/design aesthetics will be developed based on the approved scope. In addition, design solutions will be provided for various exterior elevation studies that face the street.

1.12     Exterior renderings will be produced for review and approval by the City.





1.13 Building code analysis and review of site requirements.

1.14 Hold a meeting for review and approval of the Schematic Design Phase documents and drawings with associated costs.

1.2 Design Development Phase

1.21 Prepare necessary drawings to convey the next level of detail based on the approved Schematic Design Phase. Brunton Architects & Engineers will refine the design and our interior design department will prepare color and material options for your review and approval.

1.22 Coordination with civil, architectural, structural, mechanical, electrical, and plumbing design teams.

1.3 Construction Document Phase

1.31 Preparation and coordination of detailed civil, architectural, interiors, structural, mechanical, and electrical specifications and drawings in preparation for permit review and City approval.

1.32 Final construction documents meeting for review and approval with you and the City.

1.33 Final Review of the International Building Code and Minnesota State Building and ADA accessibility code compliance.

1.4 Bidding & Construction Administration Phase

1.41 Provide Bidding & Construction Administration services for overseeing the construction phase and for compliance with the approved building permit and construction documents.

1.42 Prepare required addendums, as necessary, during bidding.

1.43 Assist in the review of bid results from General Contractors (GC) and/or value engineering. Make recommendation for award of bid to a GC.





1.44 Perform site visits to ensure compliance with construction documents.

1.45 Provide a review of all submitted architectural and engineering shop drawing submittals.

1.46 Generate a list of items in need of repair / replacement at project close out.

1.47 Perform 1-year walk-through with you (12 months from date of completion) to verify that the finished product continues to meet your expectations.

## **ARTICLE 2 COMPENSATION**

2.1 Total fee for project phases listed below.

Professional Fee = \$192,000 Lump sum/Not to Exceed\*  
(\*includes Pre-design cost estimating, architectural, interior design, mechanical, plumbing, fire sprinkling, structural, and electrical design engineering)

Schematic Design	25% of Professional Fee
Design Development	20% of Professional Fee
Construction Documentation	45% of Professional Fee
Bidding and Negotiating	5% of Professional Fee
Construction Administration	5% of Professional Fee

## **ARTICLE 3 REIMBURSABLE EXPENSES**

3.1 Reimbursable expenses shall include postage, shipping, messenger services, printing, and reproduction (printing for in-house use by architect and engineer is included).

3.2 All other requested services shall be billed at the following rates.

Senior Architect/Principal	\$194.00
Project Architect 2	\$142.00



Project Architect 1	\$131.00
Project Manager	\$132.00
Sr. Mechanical Engineer 2	\$168.00
Sr. Mechanical Engineer 1	\$157.00
Architectural Technician 2	\$115.00
Architectural Technician 1	\$105.00
Interior Designer 2	\$125.00
Interior Designer 1	\$110.00
Interior Design Intern	\$ 65.00
Mechanical Technician	\$105.00
Clerical	\$ 68.00
Mileage Charge	\$ 00.58 per mile
Consultants	1.10 times cost
Printing Reproduction	1.10 times cost
Postage	1.10 times cost

\*Rates are valid for the 2020/2021 calendar year and are adjusted annually as dictated by market conditions.

#### **ARTICLE 4     PAYMENT**

4.1     Billing shall be monthly based on the percentage of the work complete on the last day of the month. Payment shall be due no later than 30 days after the statement date.

4.2     Late charges shall be added at a rate of 1-1/2 percent of the past due amount beginning on the thirty-first day after the statement date.

4.3     A retainer payment of \$5,000.00 shall be made upon execution of this agreement and is the minimum payment under this agreement. The retainer amount shall be credited to the Owner's account in the final invoice. Remit all payments to the office of Brunton Architects & Engineers in North Mankato, MN.

#### **ARTICLE 5     MISCELLANEOUS PROVISIONS**

5.1     The prices quoted herein shall be in effect until thirty days past the date of the proposal and are subject for review and revision for any work not authorized to be completed after that date.



5.2 Drawings shall remain the property of Brunton Architects and are to be used for the construction of this project only.

#### **ARTICLE 6 MECHANIC'S LIENS**

6.1 Any person or company supplying labor or materials for this project may file a lien against your property if that person or company is not paid for the contributions.

6.2 Under Minnesota law, you have the right to pay persons who supplied labor or materials for this project directly and deduct this amount from our contract price, or withhold the amounts due them from us until 120 days after completion of the project unless we give you a lien waiver signed by persons who supplied any labor or material for the project and who gave you timely notice.

Thank you again for the opportunity to present this proposal for your consideration. Please call our office at 507.386.7996 with any questions or concerns regarding the information contained in this document.

Sincerely,



Corey Brunton, AIA / Principal / Owner  
Brunton Architects & Engineers

---

Signature of Authorization & Date





# K.13.

## Request for City Council Action

**To:** Mayor Johnson and Members of City Council  
**From:** Sheila Sellman, Community Development Director  
**Date:** December 1, 2020  
**Subject:** Development Agreement Amendment – Legacy Pines

### **Background:**

The City has entered into a development agreement with Everpine Land Holdings, LLC (developer) for the development of Legacy Pines 2<sup>nd</sup> and 3<sup>rd</sup> Addition. As part of each development agreement a Letter of Credit (or cash) is collected as a financial guarantee for the project in the amount equal to 125% of the estimated amount of the required Developer Installed Improvements. According to the agreement “the City shall have the right to retain the financial guarantee until the Developer Installed Improvements have been completed to the satisfaction of the City. The Developer has a right to request reduction of the escrow, or letter of credit (LOC) amount as work on the Developer Installed Improvements progresses. Specifically, the Developer shall send a written request to the City’s Engineer for a specific reduction in the amount of the escrow, or letter of credit. The City Engineer shall review that request and make a recommendation to the City as to whether or not the escrow, or letter of credit should be reduced and if so, to what amount. The City shall then decide whether or not to reduce the escrow, or letter of credit. The City, however, will not reduce the escrow, or letter of credit, below 20% of the estimated cost of the Developer Installed Improvements until after submittal of record plan documents as required by paragraph 25, or below ten percent (10%) of the total construction cost of the Developer Installed Improvements until two (2) years following acceptance of the Developer Installed Improvements. At that point, the escrow, or letter of credit shall be released or refunded, as the case may be, assuming no warranty work remains to be done.”

At the developers request the Letter of Credit for the 3<sup>rd</sup> Addition was broken into phases to reduce the cost of the LOC.

The developer has requested to reduce the LOC balance and amend the terms of the development agreement. The table below represents the current amount being held, City Engineers recommended amount to hold and the developers requested amount to hold:

Legacy Pines Phase	Current LOC/Cash	Engineer Recommendation	Developer Requested balance
2 <sup>nd</sup> Addition	\$84,006.42	\$84,006.42	\$20,000
3 <sup>rd</sup> Addition Phase 1	\$366,782.13	\$172,787.35	\$80,000
3 <sup>rd</sup> Addition Phase 2	\$351,025.72	139,946.89	\$80,000
Total	\$801,814.27	396,740.66	\$180,000

Please refer to the City Engineer’s memo dated November 19, 2020 for his recommendations. There is still outstanding work to be done in each phase. Going against the Engineer recommendation requires a

development agreement amendment for each phase and is not supported by staff. Reducing the LOC puts the city at risk. The LOC is for the city to complete the work if the developer does not.

**Request:**

Consider the LOC reduction presented in the table above. Staff is not in support of the proposed amendment. If Council would like to amend the agreements, the direction would be to direct staff to work with the City Attorney to draft the amendments.

**Attachments:**

- City Engineer's memo
- Everpine Land Holding Letter



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Bolton-Menk.com

## MEMORANDUM

**Date:** November 19, 2020  
**To:** Sheila Sellman, Community Development Director  
**From:** Jason W Cook, P.E.  
City Engineer  
**Subject:** Legacy Pines Letter of Credit Adjustments  
City of Isanti, MN  
Project No.: R13.117438

### Legacy Pines 2<sup>nd</sup> Addition:

The Developer has requested a reduction to the remaining Letter of Credit for Legacy Pines 2<sup>nd</sup> Addition.

We do not recommend reducing the Letter of Credit any further at this time as there are remaining items to complete (signage, striping, turf establishment, updated record drawings, contractor lien waivers) before the Letter of Credit should be lowered to the warranty period levels called out in the Development Agreement.

### Legacy Pines 3<sup>rd</sup> Addition:

The Developer has requested a reduction to the Letters of Credit for Legacy Pines 3<sup>rd</sup> Addition Phase 1, Phase 2 Utilities, and Phase 2 Street.

They have paid Kuechle Underground for work completed to date, including the installation of all underground utility work, curb & gutter, and the first lift of pavement planned for Phase 1 and Phase 2 of this development. Remaining work items include wear course, sidewalk, lighting, signage & striping.

The work to date has been found to be in compliance with City standards and all tests have passed.

The Development Agreement requires the City retain 125% of any remaining work and 20% of all completed work to date on these phases until the warranty period begins where the Letter of Credit reduces to 10% of the construction cost.

We have calculated the required minimum balances for each Letter of Credit and have the following recommendations:

**Phase 1 - Letter of Credit:** Recommend reducing Letter of Credit to a balance of **\$172,787.35**.

- Hold 125% of remaining work (\$111,150.25) and 20% of completed work (\$61,637.10).

**Phase 2 Utilities - Letter of Credit:** Recommend reducing Letter of Credit to a balance of **\$44,285.14**.

- Hold 20% of completed work (\$44,285.14).

**Phase 2 Street - Letter of Credit:** Recommend reducing Letter of Credit to a balance of **\$95,661.75**.

- Hold 125% of remaining work (\$70,982.69) and 20% of completed work (\$24,679.06).

The remaining balances of the Letters of Credit are in compliance with the Development Agreement and are anticipated to be sufficient to complete the project as proposed while covering any incurred overhead costs including testing, inspection, and contract administration.

Please contact me if you have any questions.

Everpine Land Holdings, LLC  
4655 Nicols Road, Suite 106  
Eagan, MN 55122

November 19, 2020

Sheila Sellman  
City of Isanti  
110 1<sup>st</sup> Avenue NW  
P.O. Box 400  
Isanti, MN 55040

RE: Legacy Pines Subdivision  
Amendment Request to Development Agreement

Dear Sheila:

Please see the attached analysis and request concerning the cash sureties in relation to the Legacy Pines development.

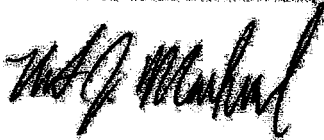
I'm asking that this be put before the Isanti City Council at the earliest time possible. I believe that meeting will be December 1<sup>st</sup>. Just an advance notice for you - I would very much like to attend that meeting to answer any questions that may arise surrounding this request but I already know that I will be out of town that date. I can make myself available at any earlier date or time if that would work.

Please let me know if you require anything further from me or have any additional questions.

Thank you for your assistance with handling this request.

Sincerely,

EVERPINE LAND HOLDINGS, LLC



Robert J. Machacek  
Chief Operating Officer

**Legacy Pines Development  
Summary of Cash Sureties**

<u>Development Addition/Phase</u>	<u>Amount Currently Being Held</u>	<u>Proposed - Your Review</u>	<u>Everpine Land Request</u>
Legacy Pines 2nd Addition	\$ 84,006.42	\$ 84,006.42	\$ 20,000.00
Legacy Pines 3rd Addition - Phase 1	\$ 256,282.13	\$ 172,787.35	\$ 50,000.00
Legacy Pines 3rd Addition - Phase 2	\$ 353,025.72	\$ 139,546.89	\$ 30,000.00
<b>Totals</b>	<b>\$ 693,314.27</b>	<b>\$ 396,340.66</b>	<b>\$ 100,000.00</b>

**Work Items Remaining - Per Email of November 17 from Jason Cook, Engineer for the City:**

**Legacy Pines 2nd Addition:**

- \* Turf Establishment by the City Park parking lot
- \* Some striping
- \* Some signage missing

**Legacy Pines 3rd Addition - Phases 1 & 2:**

- \* Bituminous Wear Course
- \* Sidewalk & Ped Ramps
- \* Signage & Striping
- \* Turf Establishment & some erosion control
- \* 1/4 mobilization and traffic control items
- \* Street Lights (I have already paid for these - just waiting for Connexus Energy to install)

\* Jason's Email notes a total of approximately \$145,000 of incomplete work exists

**MY REQUEST:**

I have done what I said I would do.

We have made a huge investment in the City of Isanti and deployed a large amount of capital here for the City to retain approximately \$400,000 over the next 6 "dead" winter months (when there's not even \$150,000 of work to complete per bids) is a very costly and unnecessary deployment of capital. I believe this project has benefited the City greatly.

We will complete all current incomplete work next Spring along with constructing the 3rd and final phase of the 3rd Addition.

I respectfully submit this request to the Isanti City Council and request an amendment to the current Development Agreement. I am requesting this change and am asking that the current amounts being held be reduced to the amounts shown above in the "Everpine Land Request" column. I hope that the City Council will consider all the various aspects surrounding this request.

Thank you for your consideration.



City of Isanti

Check Register - Mayor/Council Approval  
Check Issue Dates: 11/18/2020 - 11/18/2020

Page: 1

Nov 18, 2020 04:21PM

## Report Criteria:

Report type: Summary

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

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
11/20	11/18/2020	54813	1231	ACE SOLID WASTE INC	101-20200	545.95
11/20	11/18/2020	54814	692	ARC IRRIGATION LLP	104-20200	545.95
11/20	11/18/2020	54815	1141	ASSURANT EMPLOYEE BENEFITS	861-20200	607.73
11/20	11/18/2020	54816	53	BELLBOY CORPORATION	609-20200	7,341.88
11/20	11/18/2020	54817	9	BERNICKS PEPSI-COLA	609-20200	852.14
11/20	11/18/2020	54818	2221	C & L DISTRIBUTING	609-20200	570.65
11/20	11/18/2020	54819	1815	CENTURYLINK	609-20200	775.54
11/20	11/18/2020	54820	1108	CITY OF BRAHAM	101-20200	5,107.88
11/20	11/18/2020	54821	309	CITY OF CAMBRIDGE	101-20200	1,851.04
11/20	11/18/2020	54822	8	DAHLHEIMER DISTRIBUTING CO	609-20200	12,158.24
11/20	11/18/2020	54823	2478	EAST CENTRAL ENERGY	101-20200	42.85
11/20	11/18/2020	54824	912	FASTENAL COMPANY	920-20200	215.95
11/20	11/18/2020	54825	2028	FURTHER	861-20200	5,020.00
11/20	11/18/2020	54826	949	GRAINGER INC	101-20200	431.04
11/20	11/18/2020	54827	739	HACH COMPANY	601-20200	436.02
11/20	11/18/2020	54828	160	HAWKINS INC	602-20200	9,531.26
11/20	11/18/2020	54829	188	ISANTI COUNTY SHERIFF	101-20200	2,877.34
11/20	11/18/2020	54830	107	ISANTI COUNTY TREASURER	101-20200	12,564.41
11/20	11/18/2020	54831	7	JOHNSON BROTHERS LIQUOR CO	609-20200	5,164.57
11/20	11/18/2020	54832	2994	JONES, NICOLE	101-20200	53.69
11/20	11/18/2020	54833	2762	LEGACY SECURITY TECHNOLOGY INC	601-20200	3,569.80
11/20	11/18/2020	54834	131	MACQUEEN EQUIPMENT INC	603-20200	502.57
11/20	11/18/2020	54835	17	MCDONALD DISTRIBUTING CO	609-20200	12,503.65
11/20	11/18/2020	54836	616	MENARDS - CAMBRIDGE	101-20200	30.16
11/20	11/18/2020	54837	1536	MINNESOTA DEED	219-20200	833.33
11/20	11/18/2020	54838	176	MN DEPT OF REVENUE	101-20200	32,499.00
11/20	11/18/2020	54839	2080	MVTL LABORATORIES INC	602-20200	159.58
11/20	11/18/2020	54840	2450	NORTHERN HOLLOW WINERY	609-20200	240.48
11/20	11/18/2020	54841	2995	PARIS, JENAE	505-20200	250.00
11/20	11/18/2020	54842	617	PAUSTIS & SONS	609-20200	300.00
11/20	11/18/2020	54843	2993	PERRON, MARTIN	101-20200	107.38
11/20	11/18/2020	54844	44	PHILLIPS WINE & SPIRITS INC	609-20200	682.56
11/20	11/18/2020	54845	2341	RED BULL DISTRIBUTION	609-20200	144.00
11/20	11/18/2020	54846	2518	SEMLER CONSTRUCTION	505-20200	6,928.50
11/20	11/18/2020	54847	315	ST.PAUL STAMP WORKS	101-20200	19.40
11/20	11/18/2020	54848	73	STAR	101-20200	1,013.00
11/20	11/18/2020	54849	73	STAR	425-20200	16.50
11/20	11/18/2020	54850	1290	THE AMBLE GROUP	101-20200	65.45
11/20	11/18/2020	54851	1740	TOSHIBA FINANCIAL SERVICES	108-20200	189.88
11/20	11/18/2020	54852	2524	US BANK EQUIPMENT FINANCE	101-20200	63.00
11/20	11/18/2020	54853	42	VIKING COCA-COLA BOTTLING CO	609-20200	344.25
11/20	11/18/2020	54854	1286	VINOCOPIA INC	609-20200	1,302.40
11/20	11/18/2020	54855	4	WATSON CO INC	609-20200	2,162.70
11/20	11/18/2020	54856	780	WINE MERCHANTS	609-20200	204.00

Grand Totals:

130,825.72

M = Manual Check, V = Void Check

City of Isanti

Check Register - Mayor/Council Approval  
Check Issue Dates: 11/24/2020 - 11/24/2020Page: 1  
Nov 24, 2020 03:38PM

## Report Criteria:

Report type: Summary

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

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11/20	11/24/2020	54857	1503	7-UP BOTTLING	609-20200	258.90
11/20	11/24/2020	54858	2343	ADVANTAGE SIGNS INC	101-20200	111.90
11/20	11/24/2020	54859	953	ALL AMERICAN TITLE CO,INC.	601-20200	77.18
11/20	11/24/2020	54860	2999	ANDRUS, SCOTT &	601-20200	40.49
11/20	11/24/2020	54861	2850	BEAUDRY OIL & PROPANE INC	101-20200	1,519.95
11/20	11/24/2020	54862	2998	BERGMAN, SHANNON MARIE	601-20200	107.91
11/20	11/24/2020	54863	9	BERNICKS PEPSI-COLA	609-20200	962.87
11/20	11/24/2020	54864	1500	BOLTON & MENK INC	101-20200	32,204.80
11/20	11/24/2020	54865	2020	BOYLE, EUGENE	101-20200	3,720.00
11/20	11/24/2020	54866	2319	BREAKTHRU BEVERAGE	609-20200	816.00
11/20	11/24/2020	54867	1474	CDW GOVERNMENT INC	614-20200	2,040.36
11/20	11/24/2020	54868	120	CONNEXUS ENERGY	101-20200	18,040.24
11/20	11/24/2020	54869	8	DAHLHEIMER DISTRIBUTING CO	609-20200	250.09
11/20	11/24/2020	54870	3000	DEMMON, DANIELLE	601-20200	12.68
11/20	11/24/2020	54871	897	DVS RENEWAL	101-20200	55.25
11/20	11/24/2020	54872	55	ECM PUBLISHERS INC	609-20200	216.00
11/20	11/24/2020	54873	2209	INNOVATIVE OFFICE SOLUTIONS, INC	101-20200	127.49
11/20	11/24/2020	54874	352	ISANTI COUNTY PUBLIC HEALTH	609-20200	150.00
11/20	11/24/2020	54875	7	JOHNSON BROTHERS LIQUOR CO	609-20200	10,707.30
11/20	11/24/2020	54876	3002	JOHNSON, TRACY	601-20200	5.00
11/20	11/24/2020	54877	5	KAWALEK TRUCKING	609-20200	420.40
11/20	11/24/2020	54878	1338	KNIFE RIVER	920-20200	415.00
11/20	11/24/2020	54879	3004	LAKESIDE TITLE INC	601-20200	85.66
11/20	11/24/2020	54880	2435	LINDBERG LAW OFFICE PA	601-20200	21.74
11/20	11/24/2020	54881	17	MCDONALD DISTRIBUTING CO	609-20200	11,995.20
11/20	11/24/2020	54882	928	MINNEAPOLIS OXYGEN CO	101-20200	173.02
11/20	11/24/2020	54883	2116	MINUTEMAN PRESS	101-20200	495.18
11/20	11/24/2020	54884	2597	MNSPECT, LLC.	101-20200	32,693.98
11/20	11/24/2020	54885	3001	OHLSSON, LADD & LYNNE	601-20200	122.52
11/20	11/24/2020	54886	3003	PETERSON, JERALD & RENEE	601-20200	51.85
11/20	11/24/2020	54887	44	PHILLIPS WINE & SPIRITS INC	609-20200	6,991.21
11/20	11/24/2020	54888	2996	PRUNICK, JESSICA	101-20200	107.38
11/20	11/24/2020	54889	2997	RETAIL STRATEGIES LLC	108-20200	10,000.00
11/20	11/24/2020	54890	1113	RJM DISTRIBUTING INC	609-20200	408.70
11/20	11/24/2020	54891	2614	S. W. WOLD CONSTRUCTION INC	505-20200	6,000.00
11/20	11/24/2020	54892	2396	SOUTHERN GLAZERS OF MN	609-20200	8,586.40
11/20	11/24/2020	54893	2396	SOUTHERN GLAZERS OF MN	609-20200	641.13
11/20	11/24/2020	54894	1442	ST. LOUIS MRO INC	101-20200	22.50
11/20	11/24/2020	54895	1361	STAPLES ADVANTAGE	101-20200	89.18
11/20	11/24/2020	54896	73	STAR	108-20200	5.00
11/20	11/24/2020	54897	1290	THE AMBLE GROUP	101-20200	128.91
11/20	11/24/2020	54898	1762	THE TITLE GROUP	601-20200	18.71
11/20	11/24/2020	54899	2944	UNIFIRST CORPORATION	101-20200	866.08
11/20	11/24/2020	54900	4	WATSON CO INC	609-20200	2,650.28
Grand Totals:						154,414.44

M = Manual Check, V = Void Check

City of Isanti

Check Register - Mayor/Council Approval  
Check Issue Dates: 11/24/2020 - 11/24/2020

Page: 2

Nov 24, 2020 03:38PM

Dated: \_\_\_\_\_

Mayor: \_\_\_\_\_

City Council: \_\_\_\_\_

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City Recorder: \_\_\_\_\_

Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"

## City of Isanti

Gross Payroll	93,687.00
Social Security & Medicare	5,095.94
Public Employees Retirement	10,192.94
Total City Expense	<u>108,975.88</u>

Pay Date 11/27/2020

Pay Period 24 (11/8-11/21/20)



## Request for City Council Action

**To:** Mayor Johnson and Members of City Council  
**From:** Sheila Sellman, Community Development Director  
**Date:** December 1, 2020  
**Subject:** Sign Consideration for Best Western

---

**Background:** Best Western is requesting consideration of a pylon sign that was denied by previous administration.

The Development Operations and Advisory Committee (DOAC) met in November 2019 to discuss Best Western's freestanding sign. The DOAC has since been dissolved but at that time they reviewed the pylon sign and denied the sign Best Western proposed. The memo is attached for reference. The memo is from the previous Community Development Director he states the Community Development Department "has enforced strict pylon sign regulations to enhance the aesthetics of the TH-65 corridor. All signs either have a brick base or a brick pole cover."

Best Western is located in the TH-65 Overlay District. Highway 65 provides the main entrance into Isanti from the north and south. It is the purpose of this district to enhance the first impression of Isanti through development of a corridor that is inviting, visually appealing and a place that community members want to visit and passersby want to stop. This district is designed and intended to promote the development of an attractive view of the community from Highway 65 through architectural and signage controls, landscaping, screening, building orientation and other features. However, the sign code does not provide design specifics. The code allows a 200 square foot freestanding sign with a maximum height of 45 feet. Based on the purpose of this district it makes sense to hold the signage to a higher standard. Past administration has required freestanding signage along the corridor to have a brick base or brick pole cover and required the same for Best Western.

Best Western recognizes the desire of the district but it is not a code requirement nor called out in their development agreement to provide a sign with a brick base. They have proposed a compromise with the proposed sign. They propose to do a pylon sign that has aluminum skirting on the base, not brick. This is similar in appearance to Strikes Funeral Home's sign.

**Planning Commission:** The Planning Commission reviewed this request at their November 17, 2020 meeting. No one from the public commented on this item. A representative for the hotel was present for the discussion. The Planning Commission in general liked the sign that was presented, but wanted to keep the signage more in-line with what was approved along TH 65, with a brick base. The Planning Commission asked the hotel to compromise and put a 3-4-layer brick base around the sign and landscaping. The Motion passed 4-2 Gordon and Bergley no.

**Request:**

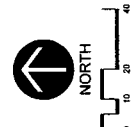
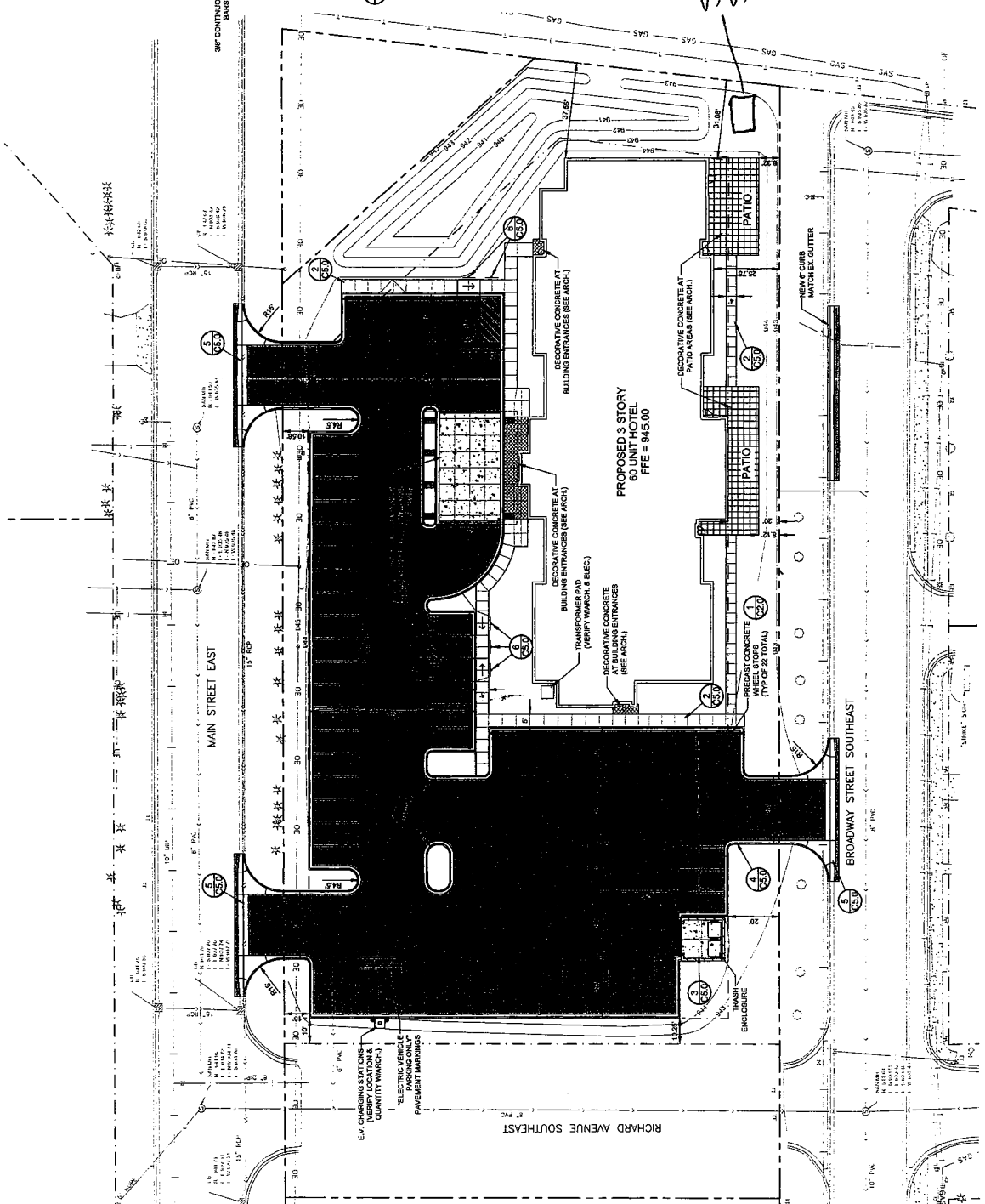
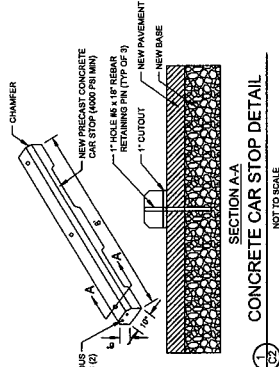
Consider approving the sign as proposed with the Planning Commission's recommendation of adding 3-4-layers of brick at the base and landscaping.

**Attachments:**

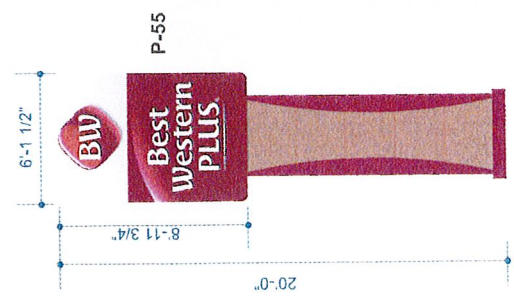
- Proposed Sign

**SYMBOL LEGEND**

- NEW 4" BITUMINOUS PAVEMENT OVER EXISTING 4" CRUSHED AGGREGATE BASE (SEE DETAIL 302.0)
- NEW 6" CONCRETE SIDEWALK OVER EXISTING 4" CRUSHED AGGREGATE BASE (SEE DETAIL 302.0)
- NEW 8" CONCRETE SIDEWALK OVER EXISTING 4" CRUSHED AGGREGATE BASE (SEE DETAIL 302.0)
- NEW 10" CONCRETE SIDEWALK OVER EXISTING 4" CRUSHED AGGREGATE BASE (SEE DETAIL 302.0)







DRAWING NO:  
103605.00  
ARTIST: AAJ DATE: 08-15-20  
SHEET 3 OF 5

BEST WESTERN PLUS 24145  
409 MAIN STREET EAST  
ISANTI, MN

Rev. #4  
Rev. #5  
Rev. #6

Rev. #1  
Rev. #2  
Rev. #3

CUSTOMER APPROVAL  
DATE: \_\_\_\_\_

THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED FOR YOUR PERSONAL USE. IN CONNECTION WITH THIS PROJECT, PLANNED FOR YOUR PERSONAL USE ONLY. IT IS NOT TO BE REPRODUCED, COPIED OR EXHIBITED IN ANY FASHION, UNLESS AUTHORIZED IN WRITING BY A.I. OFFICER OF CUMMINGS.



THIS DESIGN REMAINS OUR EXCLUSIVE PROPERTY AND CANNOT BE REPRODUCED WITHOUT WRITTEN CONSENT

RESOLUTION 2020-XXX

AWARDING QUOTE AND AUTHORIZING TO ENTER INTO A CONTRACT FOR  
COPIER SERVICES

**WHEREAS**, Staff solicited and received quotes for copier services from three companies supporting six different copier vendors due to extended service and performance concerns with the current copier provider; and,

**WHEREAS**, Staff evaluated the quotes received for costs of overall service and cost per page; and,

**WHEREAS**, the lowest overall monthly estimated cost is Loffler with the Canon unit which holds State Contract pricing; and,

**WHEREAS**, incorporation of the new unit will also allow for color printing of materials internally and decommissioning City Hall's current color printer which is cost prohibitive to maintain;

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

1. Hereby award the contract for copier services to Loffler.
2. That the City Administrator is hereby authorized to enter into an agreement with Canon for the copier unit and with Loffler for copier services for the City of Isanti for a five year period.
3. That the City Administrator is hereby authorized to terminate the current contract with Toshiba.

This resolution was duly adopted by the Isanti City Council this 1<sup>st</sup> day of December, 2020.

**Attest:**

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

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