

**AGENDA
CITY OF ISANTI
CITY COUNCIL MEETING
TUESDAY, FEBRUARY 4, 2020 – 7:00 P.M.
CITY HALL**

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

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

- E. Proclamations/Commendations/Certificate Award**

- F. Approve City Council Minutes**
 - 1. January 21, 2020- Regular Meeting of the City Council
 - 2. January 21, 2020- Committee of the Whole Meeting
 - 3. December 17, 2019- Planning Commission Meeting
 - 4. January 27, 2020- Goal Setting Meeting

- G. Announcements**

- 1. **CITY OFFICES CLOSED**

Monday, February 17, 2020

(In Observance of President's Day)

- 2. Committee of the Whole

Tuesday, February 18, 2020 at 5:00 p.m.

- 3. City Council Meeting

Tuesday, February 18, 2020 at 7:00 p.m.

- 4. Planning Commission Meeting

Tuesday, February 18, 2020

(Immediately following the City Council Meeting)

- H. Council Committee Reports**

- I. Public Hearings**

- J. Business Items**

City Administrator Josi Wood

- 1. Ordinance-XXX Amending City Code Chapter 76, Possession, Sale and Consumption of Alcoholic Beverages
- 2. Ordinance-XXX Repealing and Replacing Ordinance No. 485, Adopted on May 5, 2010, and Titled Peddlers, Solicitors, and Transient Merchants
- 3. Ordinance-XXX Repealing and Replacing Ordinance No. 666 Adopted on January 3, 2017, and Titled Burning, Open
- 4. Ordinance-XXX Amending the Code for the City of Isanti, Chapter 8 City Council, Article III, Section 8-21 Order of Business and 8-26 Public Comment at Council Meetings and at Public Hearings
- 5. Ordinance-XXX Repealing Chapter 68 of the Isanti City Code of Ordinances Relating to Adult Uses and Adopting a New Chapter 68
- 6. Proposed Ordinance and Policy (Discussion Only)
 - a. City Code Chapter 276 Amendment
 - b. Draft Special Assessment Policy

7. Resolution 2020-XXX Amending the Isanti Legacy Recognition Policy

City Engineer Jason Cook

8. 6th Avenue Rehabilitation Preliminary Engineering Report
- a. Resolution 2020-XXX Receiving Feasibility Report and Calling Hearing on the 6th Avenue SW Rehabilitation Project
 - b. Resolution 2020-XXX Authorizing Preparation of Plans on the 6th Avenue SW Rehabilitation Project

Chief of Police Travis Muyres

9. Resolution 2020-XXX Authorizing Purchase of 2019 AWD Dodge Durango and Associated Equipment

Public Services Director Matt Sylvester

10. Resolution 2020-XXX Approving Boiler Replacement at the Public Works Shop

K. Approve Consent Agenda

1. Accounts Payable in the Amount of \$328,199.66 Payroll in the Amount of \$107,229.84
2. Resolution 2020-XXX Designating Northland Securities as Municipal Financial Advisors
3. Resolution 2020-XXX Approving the Promotion of Danyette Phelps for the Position of Liquor Store Clerk III
4. Resolution 2020-XXX Approving Staff to Submit Applications for Grants Pertaining to Community Development
5. Resolution 2020-XXX Approving City Hall Display Case Policy and Reservation/ Agreement Form
6. Resolution 2020-XXX Approving an Exempt Gambling Permit to the Cambridge-Isanti Rotary Club

L. Other Communications

1. Draft Minutes from the January 28, 2020 Parks, Recreation and Culture Board Meeting

Adjournment

**MINUTES
CITY OF ISANTI
CITY COUNCIL MEETING
TUESDAY, JANUARY 21, 2020 – 7:00 P.M.
CITY HALL**

F.1.

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

The Pledge of Allegiance was recited.

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

Members Absent: Jimmy Gordon

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

D. Adopt Agenda

Motion by Collison, second by Bergley to approve agenda as presented. Motion passed 4-0. Motion carried.

E. Proclamations/Commendations/Certificate Awards

None

F. Approve City Council Minutes

1. January 7, 2020- Regular Meeting of the City Council
2. December 3, 2019- Economic Development Authority

Motion by Bergley, second by Collison to approve minutes as presented. Motion passed 4-0. Motion carried.

G. Announcements

- | | |
|--|--|
| 1. Goal Setting | Monday, January 27, 2020 at 6:00 p.m. |
| 2. Park, Recreation, & Culture Board Meeting | Tuesday, January 28, 2020 at 6:00 p.m. |
| 3. City Council Meeting | Tuesday, February 4, 2020 at 7:00 p.m. |
| 4. EDA Meeting | Tuesday, February 4, 2020 |
- (Following the City Council Meeting)*

H. Council Committee Reports

Councilor Steve Lundeen shared that the Mayor and himself missed the last Fire District meeting. Lundeen continued to share that at the meeting the Joint Powers Agreement has been tabled again.

Councilor Steve Lundeen shared that there have been complaints about the City streets and sidewalks. Lundeen further shared that he drives in many cities for work and the City of Isanti streets are very good. Lundeen continued to share that there is a salt shortage but that Public Works is getting out there and doing a fabulous job.

I. Public Hearings

None

J. Business Items

1. **Resolution 2020-013** to Extend Partnership Agreement with ECRL and Isanti Friends of the Library
(Rachel Howell)

East Central Regional Library Assistant Director Rachel Howell shared that for the last 10 years the outreach site at City Hall has linked library services for the residents of Isanti. Rachel Howell further shared that Counties and the State help funds and City's help provide the space and through the year of 2019 the outreach library was open 49 ½ days for a total of 198 hours of service which is 2 ½ more days than 2018.

Motion by Bergley, second by Lundeen to approve resolution as presented. Motion passed 4-0. Motion carried.

2. **Resolution 2020-XXX** Approving Boiler Replacement at the Public Works Shop

Motion by Mayor Johnson, second by Bergley to table resolution. Motion passed 4-0. Motion carried.

K. Approve Consent Agenda

1. Accounts Payable in the Amount of \$270,046.87 Payroll in the Amount of \$105,775.29
2. **Resolution 2020-014** Accepting Resignation of Liquor Store Clerk Becky Whitman
3. Approving the New Job Description for Administrative Assistant Intern
4. **Resolution 2020-015** Approving Staff to Submit Applications for Grants Pertaining to the Parks, Recreation and Culture Department
5. **Resolution 2020-016** Approving 2020 Community Garden Handbook and Application
6. **Resolution 2020-017** Terminating the Contract for Consulting Services
7. **Resolution 2020-018** Approving Staff to Submit Applications for Grants Pertaining to Activities and Programs in Police Department for 2020
8. **Resolution 2020-019** Approving GeoTab Fleet Management GPS

Motion by Bergley, second by Collison to approve Consent Agenda as presented. Motion passed 4-0. Motion carried.

L. Other Communications

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

Adjournment

Motion by Bergley, second by Collison to adjourn. Motion passed 4-0. Motion carried. The meeting was adjourned at 7:16 p.m.

Jaden Moore

Jaden Moore
Deputy City Clerk/ Human Resources

**MINUTES
CITY OF ISANTI
CITY COUNCIL COMMITTEE OF THE WHOLE MEETING
TUESDAY, JANUARY 21, 2020 – 5:00 P.M.
CITY HALL**

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

Members Present: Mayor Jeff Johnson, Councilors: Paul Bergley (arrived at 5:10 p.m.), Steve Lundeen and Dan Collison

Members Absent: Jimmy Gordon

Staff Present: City Administrator Josi Wood, Human Resources/ City Clerk Katie Brooks, City Engineer Jason Cook, Public Services Director Matt Sylvester, Community Development Director Sheila Sellman, Chief of Police Travis Muyres, Finance Director Mike Betker and Parks, Recreation and Culture Manager Jenny Garvey

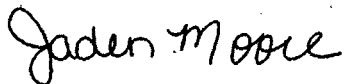
D. Committee Meeting Items

1. Amendment Discussion
 - Attorney Jim Thomson shared information with the Committee.
2. Recognition for Community Member or Activities within the Community
 - Recommendation from Committee is to move forward and bring to City Council meeting.
3. Veterans Donations
 - Information was shared with the Committee and recommendation from Committee is for staff to gather more information for veteran's discount and bring back to Committee of the Whole for further discussion.
4. Draft ORD Adult Use
 - Recommendation from Committee is to move forward and post Chapter 68 Draft Ordinance without zoning code ordinance verbiage for 10 days and bring to City Council meeting.
5. Draft ORD Chapter 8, Article III, Sections 8-21 and 8-26
 - Recommendation from Committee is to move forward and post for 10 days and bring to City Council meeting.
6. Review City Hall Display Case Policy
 - Recommendation from Committee is to move forward with policy with the additional verbiage to require items to be picked up in a certain amount of time and bring to City Council meeting.

7. Rum River BMX Special Event Paid Parking Agreement
 - Recommendation from Committee is to table until for further discussion at future Committee of a Whole meeting.
8. Delinquent Utilities Annexed Parcels
 - Recommendation from Committee is to remove late fees.
9. 2020 Budget Discussion
 - Item was removed until next Committee of the Whole meeting.
10. Doing Business with Isanti semi-Annual Update
 - Information was shared with Committee.
11. Clean-up Day Discussion
 - Recommendation from Committee is to move clean-up day to after city wide garage sales.
12. No Parking Along 8th Ave SE
 - Recommendation from Committee is to table for future Committee of the Whole meeting.
13. Draft ORD Chapter 245, Peddlers, Solicitors, and Transient Merchants
 - Recommendation from Committee is to move forward and post for 10 days and bring to City Council meeting.
14. Draft ORD Chapter 76, Alcoholic Beverages
 - Recommendation from Committee is to move forward and post for 10 days and bring to City Council meeting.
15. Draft ORD Chapter 119, Burning, Open
 - Recommendation from Committee is to move forward and post for 10 days and bring to City Council meeting.

E. Adjournment

Meeting was adjourned at 6:52 p.m.



Respectfully Submitted,
Jaden Moore
Deputy City Clerk/ Human Resources

City of Isanti
Planning Commission Meeting Minutes
December 17, 2019

Call to Order: Chair Johnson called the meeting to order at 7:33pm.

Roll Call: Commissioners present: Mayor Jeff Johnson, Paul Bergley, Jimmy Gordon, Steve Lundeen, Dan Collison, Aryssa Simon. Absent: Alexander Collins. Staff Present: Community Development Director Sheila Sellman

Meeting Minutes: Motion by Bergley 2nd by Collison to approve minutes from the November 19, 2019 Planning Commission Meeting. Motion passed 6-0

Public Hearings

- A. A request for a Conditional Use Permit for the operation of a Microbrewery at 2 Enterprise Ave Suite D4, PID 161320040: Sellman explained this CUP was issued in February 2018 and has expired. The public hearing was open and no one was present for this item. The hearing was closed and Lundeen motioned to approve, second by Bergley, motion passed 6-0.

Other Business

- A. Adoption of 2020 Planning Commission Calendar: Motion by Lundeen to approve, second by Bergley, motion passed 6-0.

Discussion Items

- A. Comprehensive Plan Update Open House Discussion: The Commission agreed to holding an open house and want to break into groups. Sellman suggested holding the open house on the regular meeting date of January 21, 2020 if no application are submitted for that date. Sellman will alert the Commission after the December 20th deadline on the open house date.

Adjournment: Motion by Bergley, 2nd by Simon to adjourn, motion passed 6-0.

Respectfully Submitted



Sheila Sellman, Secretary/ Community Development Director

**MINUTES
CITY OF ISANTI
CITY COUNCIL GOAL SETTING WORK SESSION
MONDAY, JANUARY 27, 2020
6:00 PM
CITY HALL**

F.4.

Mayor Johnson called the meeting to order at 6:00 p.m.

The Pledge of Allegiance was recited.

Members Present: Mayor Jeff Johnson, Councilors: Jimmy Gordon, Paul Bergley (arrived at 6:04 p.m.) and Steve Lundeen.

Members Absent: Dan Collison

Staff Present: City Administrator Josi Wood, Human Resources/ City Clerk Katie Brooks, Chief of Police Travis Muyres, Finance Director Mike Betker, Assistant City Administrator/ Special Projects Don Lorsung, Community Development Director Sheila Sellman, City Engineer Jason Cook, Parks, Recreation and Culture Manager Jenny Garvey, Public Services Director Matt Sylvester and Liquor Store Manager John Jacobi

City Administrator Josi Wood shared a PowerPoint Presentation of 2019 goals and the status of each goal. Wood further shared existing council approved plans to current date.

D. Goal Setting Discussion Items and Staff's Supporting Documentation

Memos provided on items #1 - 11

1. Performance Center/Amphitheater
 - Recommendation from City Council is for staff to present options for inclusion of the 2021 and future budgets utilizing available capital funds.
2. Lighting Infill
 - Recommendation from City Council is for staff to present options for inclusion of the 2021 and future budgets to set aside funds for future lighting infill projects.
3. City Electronic Reader Board Sign
 - Recommendation from City Council is for staff to bring to 2021 goal setting for future discussion.
4. Splash Pad
 - Recommendation from City Council is for staff to present options for potential funding to Committee of the Whole.

5. T.H. 65 Pedestrian Overpass
 - Consensus from City Council is to not move forward with pedestrian overpass.
6. PRC Community Events
 - Recommendation from City Council is for staff to move forward with updating 2020 events and bring more information regarding egg hunt, fireworks and parade events to Committee of the Whole.
7. Lodging Tax
 - Recommendation from City Council is for staff to present more information to Committee of the Whole regarding the specifics of implementing a lodging tax.
8. Housing Study
 - Recommendation from City Council is for staff to reach out to the East Central Regional Development Commission to determine if they will update the 2015 Housing Study and for staff to bring an update and potential cost to Committee of the Whole.
9. Isanti Fire District Lease and Building
 - Recommendation from City Council is for staff to meet with Fire Chief Jankovich to discuss their interest and possible appraisal of the building and bring to Committee of the Whole for further discussion regarding the Fire District lease and building.
10. Liquor Store Expansion
 - Recommendation from City Council is for Bolton and Menk, Inc. to evaluate the size of the lot and determine the maximum capacity and possible layout for a potential liquor store expansion.
11. Public Safety Building
 - Recommendation from City Council is for staff to present options for potential funding to Committee of the Whole.
12. Heritage/ East Dual Intersection Control
 - Recommendation from City Council is for staff to work with the County and present options to Committee of the Whole to achieve an intersection control signal.
13. Utility Rate Study
 - Recommendation from City Council is for staff to complete an in-house utility rate study and strive for ways to reduce water, sewer and storm charges.

14. Business Marketing – Acquiring New Businesses

- Recommendation from City Council is for staff to complete in-house to achieve new businesses.

15. Reducing Overall Budget

- Recommendation from City Council is to ensure all items fit within the budget.

16. Water Treatment

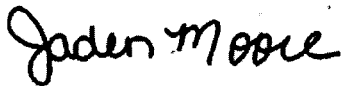
- No further action was taken.

17. New Items Added at Meeting

- No further items were added.

F. Adjournment

Motion by Lundeen, second by Bergley to adjourn. Motion passed 4-0. Motion carried. The meeting adjourned at 8:11 p.m.



Jaden Moore
Deputy City Clerk/ Human Resources



Memo for Council Action

To: Mayor Johnson and Members of the City Council
From: Don Lorsung, Assistant City Administrator/Special Projects
Date: January 28, 2020
Subject: City Code Chapter 76 – Alcoholic Beverages

Background:

Staff has finished a complete review and update of City Code Chapter 76, Alcoholic Beverages. Included in the update is new language for licensing of culinary class limited licenses, micro distilleries and microdistillery cocktail rooms, municipal liquor store, as well as updated language in other sections.

The City Attorney has reviewed the updated city code.

Recommendation:

Committee of the Whole reviewed the proposed updated City Code Chapter 76, Alcoholic Beverages and recommends approval as submitted.

Request:

Staff is requesting City Council action on this item.

Action Required:

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

1. Approve the amendments to City Code Chapter 76, Alcoholic Beverages

Attachments:

- Ordinance XXX – An Ordinance Regulating the Possession, Sale and Consumption of Alcoholic Beverages within the City of Isanti, Minnesota

ORDINANCE NO. _____

**AN ORDINANCE REGULATING THE POSSESSION, SALE AND CONSUMPTION OF
ALCOHOLIC BEVERAGES WITHIN THE CITY OF ISANTI, MINNESOTA**

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

The Code of the City of Isanti, Chapter 76, Alcoholic Beverages, is hereby deleted in its entirety and amended to read as follows:

Article I State Law, Definitions and Public Consumption

§ 76-1. Adoption of State Law by reference.

The provisions of Minn. Stat. § 340A, as they may be amended from time to time, with reference to the definition of terms, conditions of operation, restrictions on consumption, provisions relating to sales, hours of sale, and all other matters pertaining to the retail sale, distribution, and consumption of intoxicating liquor and 3.2 percent malt liquor are hereby adopted by reference and are made a part of this Chapter as if set out in full. It is the intention of the City Council that all future amendments to Minn. Stat. § Ch. 340A are hereby adopted by reference or referenced as if they had been in existence at the time this Chapter is adopted.

§76-2. City may be more restrictive than State Law.

The Council is authorized by the provisions of Minn. Stat. § 340A.509, as it may be amended from time to time, to impose, and has imposed in this Chapter, additional restrictions on the sale and possession of alcoholic beverages within its limits beyond those contained in Minn. Stat. § 340A, as it may be amended from time to time.

§ 76-3. Definitions.

In addition to the definitions contained in Minn. Stat. § 340A.101 as it may be amended from time to time, the following terms are defined for purposes of this Chapter:

AIDING AND ABETTING – Adults that are participating, aiding, allowing in any illegal activity related to the event or gathering.

ALCOHOL – Means ethyl alcohol, hydrated oxide of ethyl, or spirits of wine, whiskey, rum, brandy, gin or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.

ALCOHOLIC BEVERAGE - Alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine, or beer, and which contains one-half of 1 percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed, or combined with other substances.

APPLICANT- Any person making an application for a license under this article.

BEER – Malt liquor that contains not less than one half of 1 percent of alcohol.

BREWER – A person who manufactures malt liquor for sale.

BREW PUB – An establishment in which malt liquor is brewed or manufactured for sale and consumption on tap at the premises where the malt liquor is brewed or for sale and personal consumption off the brewer's premises. It is also a restaurant pursuant to the definition in this Section.

CLUB – An incorporated organization under the law of the state for civic, fraternal, social, or business purposes, for intellectual improvement or for the promotion of sports, or a congressionally chartered veteran's organization which has more than 50 members, has owned or rented a building or space in a building for more than one year that is suitable and adequate for the accommodation of its members, and is directed by a board of directors, executive committee, or other similar body chosen by the members at a meeting held for that purpose. No member, officer, agent or employee shall receive any profit from the distribution or sale of beverages to the members of the club, or their guests, beyond a reasonable salary or wages fixed and voted on each year by the governing body.

EVENT OR GATHERING - Any group of three or more persons who have assembled or gathered together for a social occasion or other activity.

GUEST – A person not a member of the club licensee but present on the club-licensed premises in the company of a host member.

HOST - To aid, conduct, allow, entertain, organize, supervise, control, or permit a gathering or event.

HOTEL – An establishment where food and lodging are regularly furnished to transients and which has:

- A. A dining room serving the general public at tables and having facilities for seating at least 30 guests at one time.
- B. At least 25 guest rooms.

INTOXICATING LIQUOR – Ethyl alcohol and distilled, fermented, spirituous, vinous, and malt beverages containing in excess of 3.2 percent alcohol by volume.

LICENSE – A document issued by the City to an applicant permitting them to carry on and transact the business stated therein.

LICENSE FEE- The money paid by the City pursuant to an application and prior to issuance of a license to transact and carry on the business stated therein.

LICENSED PREMISES – The premises described in the approved license application. The license may be issued only for a space that is compact and contiguous. In the case of a restaurant or a club licensed for on-sale of alcoholic beverages and located on a golf course, the term “licensed premises” includes the entire golf course, except for areas where motor vehicles are regularly parked or operated.

LIQUOR - As used in this ordinance, without modification by the words “intoxicating” or a “3.2 percent malt” includes both intoxicating liquor and 3.2 percent malt liquor.

3.2 PERCENT MALT LIQUOR – Any beer, ale, or other beverage made from malt by fermentation and containing not less than one half percent alcohol by volume and not more than 3.2 percent alcohol by weight.

MANUFACTURER – Every person who, by any process of manufacture, fermenting, brewing, distilling, refining, rectifying, or blending, or by the combination of different materials, prepares or produces intoxicating liquor for sale.

OFF-SALE – The sale of alcoholic beverages in original packages for consumption off the premises only.

ON-SALE- The sale of alcoholic beverages for consumption on the licensed premises.

PARENT - A person having legal custody of a juvenile:

- A. As natural, adoptive parent, or step-parent;
- B. As a legal guardian; or
- C. As a person to whom legal custody has been given by order of the court

PERSON - “Person” means any individual, partnership, co-partnership, corporation, or any association of one or more individuals.

RESIDENCE OR PREMISES - Any home, yard, farm, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park, or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.

RESTAURANT- An eating facility, other than a hotel, open to the general public under the control of a single proprietor or manager, where meals are regularly prepared on the premises, where full waitress/waiter table service is provided, where a customer orders food from printed menus and where the main food course is served and consumed while seated at a single location. To be a restaurant as defined by this section, an establishment shall have a license from the state as required by Minn. Stat. § 157.16, as it may be amended from time to time, and meet the definition of either a “small establishment,” “medium establishment” or “large establishment” as defined in Minn. Stat. § 157.16, subd. 3(d), as it may be amended from time to time. The facility shall have a minimum seating capacity for at least 30 guests. An establishment which serves prepackaged food that receives heat treatment and is served in the package or frozen pizza that is heated and served, shall not be considered to be a restaurant for purposes of this ordinance unless it meets the definitions of a “small establishment”, “medium establishment” or “large establishment”.

UNDERAGE PERSON- Any individual under twenty-one (21) years of age.

WHOLESALE – Any person who sells alcoholic beverages to persons to whom the sale is permitted under Minn. Stat. § 340A.310, from a stock maintained in a warehouse in the state.

§ 76-4. Consumption in public places.

No person shall consume intoxicating liquor or 3.2 percent malt liquor in a public park, on any public street, sidewalk, parking lot or alley, or in any public place other than on the premises of an establishment licensed under this ordinance, or where the consumption and display of liquor is lawfully permitted. Licenses for intoxicating liquor or 3.2 percent malt liquor as per section 76-4 of this chapter may be granted in conjunction with a special event permit, as approved by the city.

§ 76-5. Exceptions

A. Section 76-4 shall not apply to the extent that temporary license for the sale of 3.2 percent malt liquor have been granted or will be granted to clubs, charitable, religious, and non-profit organizations, which such licenses contemplate sale and consumption at any of the prohibited places set forth in Section 76-4 at the time and place for which the temporary license has been granted.

B. Section 76-4 shall not apply if the consumption of intoxicating liquor or 3.2 percent malt liquor occurs in any of the prohibited places designated therein if a valid license or permit has been issued.

C. Section 76-4 shall not apply if consumption of intoxicating liquor or 3.2 percent malt liquor occurs at the Isanti Community Center if arrangements for the use of the Community Center which contemplate such consumption have been properly made with the City Administrator or their designee, and all required fees for same have been paid.

ARTICLE II Licensing and Operation

§ 76-6. Raffles, Silent Actions, and fund-raising events for charitable purposes of wine, beer or intoxicating liquors.

No person shall conduct a silent auction, raffle or other fund-raising event pursuant to Minn. Stat. § 340A.707 with prizes or awards of wine, beer or intoxicating liquors without notifying the city clerk of the event at least ten days prior to the occurrence of the event. The event holder shall provide the city with the following information: the person or organization holding the event, the day, time and location of the event, type of fund raising event (silent auction, raffle or otherwise), type and amount of wine, beer, intoxicating liquor to be awarded as prizes, and the charitable purposes to which the event proceeds will be donated.

§ 76-7. Number of licenses which may be issued.

The Council may issue the number of licenses authorized by statute or restrict such number from time to time, as authorized by Minn. Stat. § 340A., as it may be amended from time to time.

§ 76-8. Term and Expiration of Liquor Licenses.

Each license shall be issued for a maximum period of one year. All licenses, except temporary licenses, shall expire on March 31 of each year. Temporary licenses expire according to their terms. Consumption and display permits issued by the Commissioner of Public Safety, and the accompanying city consent to the permit, shall expire on March 31 of each year.

§ 76-9. Kinds of Liquor Licenses.

The following types of licenses are issued under this Chapter.

A. 3.2 percent malt liquor on-sale licenses, which may be issued to drugstores, golf courses, restaurants, hotels, clubs, bowling centers, and establishments used exclusively for the sale of 3.2 percent malt liquor with the incidental sale of tobacco and soft drinks, and served for consumption on the premises only.

B. 3.2 percent malt liquor off-sale licenses, which may be issued to general food stores and drugstores and permit the sale of 3.2% malt liquor at retail in the original package for consumption off the premises only.

C. Temporary 3.2 percent malt liquor licenses which may be issued only to a club, charitable, religious, or nonprofit organization. The temporary license may authorize the sale of 3.2 percent malt liquor in any school or school building.

D. On-sale intoxicating liquor licenses, which may be issued to the following establishments as defined by Minn. Stat. § 340A.101, as it may be amended from time to time,

and this ordinance: hotels, restaurants, bowling centers, theaters, clubs or congressionally chartered veterans' organizations, theaters and exclusive liquor stores. Club licenses may be issued only with the approval of the Commissioner of Public Safety. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at a community festival held within the city under the provisions of Minn. Stat. § 340A.404, subd. 4(b) as it may be amended from time to time. The Council may in its sound discretion authorize a retail on-sale licensee to dispense intoxicating liquor off the licensed premises at any convention, banquet, conference, meeting, or social affair conducted on the premises of a sports, convention, or cultural facility owned by the City, under the provisions of Minn. Stat. § 340A.404, subd. 4(a) as it may be amended from time to time; however, the licensee is prohibited from dispensing intoxicating liquor to any person attending or participating in an amateur athletic event being held on the premises.

E. Sunday on-sale intoxicating liquor licenses may be issued only to a restaurant as defined in Section 76-3 of this ordinance, club, bowling center, or hotel which has a seating capacity of at least 30 guests, which holds an on-sale intoxicating liquor license, and which serves liquor only in conjunction with the service of food. Sunday sales licenses may be issued to Brew Pubs, Brewer Taprooms or Cocktail rooms meeting the definition of a restaurant.

F. Temporary on-sale intoxicating liquor licenses, with the approval of the Commissioner of Public Safety, which may be issued only in connection with a social event sponsored by a club, charitable, religious, or other nonprofit corporation that has existed for at least three years; a political committee registered under state law; or a state university. The City may not issue a license for more than 3 four-day, 4 three-day, 6 two-day or 12 one-day temporary licenses (in any combination) not to exceed 12 days total to any one organization or for any location in the City, within a 12-month period.

G. On-sale wine licenses, with the approval of the Commissioner of Public Safety to: theaters, restaurants that have facilities for seating at least 25 guests at one time and meet the criteria of Minn. Stat. § 340A.404, subd. 5, as it may be amended from time to time, and which meet the definition of restaurant in section 3; to licensed bed and breakfast facilities which meet the criteria in Minn. Stat. § 340A.4011, subd. 1, as it may be amended from time to time and to theaters that meet the criteria of Minn. Stat. § 340A.404, subd. 1(b) as it may be amended from time to time. The holder of an on-sale wine license who also holds an on-sale 3.2 percent malt liquor license is authorized to sell malt liquor with a content over 3.2 percent (strong beer) without an additional license.

H. One day consumption and display permits with the approval of the Commissioner of Public Safety to a nonprofit organization in conjunction with a social activity in the city sponsored by the organization.

I. Approval of the issuance of a consumption and display permit by the Commissioner of Public Safety. Consumption and display permits shall expire on March 31 of each year.

J. Culinary class limited on-sale licenses, pursuant to Minn. Stat. § 340A.4041, may be issued to a business establishment not otherwise eligible for an on-sale intoxicating liquor license that, as a part of its business, conducts culinary or cooking classes for which payment is made by each participant or advance registration is required. The license authorizes the licensee to furnish to each participant in each class, at no additional cost to the participant, up to a maximum of 6 ounces of wine or 12 ounces of intoxicating malt liquor, during and as part of the class, for consumption on the licensed premises only.

K. On-sale intoxicating liquor license for Brew Pubs, on-sale 3.2 percent malt liquor license with the approval of the Commissioner of Public Safety, may be issued to brewers who operate a restaurant in their place of manufacture and who meet the criteria established at Minn. Stat. § 340A.24, as it may be amended from time to time. Sales under this license at on-sale may not exceed 3,500 barrels per year. If a brew pub licensed under this section possesses a brew pub off sale license as per Paragraph K., the brew pub's total combined retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 500 barrels.

L. Brew pub off-sale malt liquor licenses, with the approval of the Commissioner of Public Safety, may be issued to a brewer that meets the criteria established at Minn. Stat. § 340A.24, as it may be amended from time to time. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. All malt liquor sold under this license shall be packaged in the manner required by Minn. Stat. § 340A.285 as it may be amended from time to time. Sales under this license may not exceed 500 barrels per year. If a brewer licensed under Paragraph L. of this section possesses a license under Paragraph J. above, the brewer's total retail sales at on-sale or off-sale may not exceed 3,500 barrels per year, provided that off-sales may not total more than 750 barrels.

M. Brewer off-sale malt liquor licenses may also be issued, with approval of the Commissioner, to a holder of a brewer's license under Minn. Stat. § 340A.301, subd. 6(c), (i) or (j) and meeting the criteria established by Minn. Stat. § 340A.28 as may be amended from time to time. The amount of malt liquor sold at off-sale may not exceed 750 barrels annually. Malt liquor sold off-sale must be removed from the premises before the applicable off-sale closing time at exclusive liquor stores. Packaging of malt liquor for off-sale under this license must comply with section 340A.285.

N. Brewer temporary on-sale intoxicating liquor licenses may be issued, with the approval of the Commissioner of Public Safety, to brewers who manufacture fewer than 3,500 barrels of malt liquor in a year for the on-sale of intoxicating liquor in connection with a social event within the municipality sponsored by the brewer.

O. A brewer taproom license may be issued to the holder of a brewer's license under M.S. § 340A.301 Subd. 6(c), (i) or (j) as it may amended from time to time. A brewer's taproom license authorizes on-sale of 3.2 percent or intoxicating malt liquor produced by the brewer for consumption on the premises of or adjacent to one brewery location owned by the brewer. A brewer may have only one taproom license and may not have an ownership interest in a brewer licensed under Minn. Stat. § 340A.301 Subd. 6(d) as it may be amended from time to time. A brewer taproom license may not be issued to a brewer that brews more than 250,000 barrels of malt liquor annually or a winery that produces more than 250,000 gallons of wine annually. Within ten days of issuing a brewer taproom license the City Clerk will inform the Commissioner of Public Safety of the licensee's name, address, trade name and the effective date and expiration date of the license. The City Clerk will inform the Commissioner of Public Safety of a license transfer, cancellation, suspension, or revocation during the license period.

P. A cocktail room license may be issued to the holder of a state microdistillery license if at least 50 percent of the annual production of the licensee is processed and distilled on premises. A microdistillery cocktail room license authorizes on-sale of distilled liquor produced by the distiller for consumption on the premises of or adjacent to one distillery location owned by the distiller. The holder of a microdistillery cocktail room license may also hold a license to operate a restaurant at the distillery. No more than one cocktail room license may be issued to any

distiller and a microdistillery cocktail room license may not be issued to any person having an ownership interest in a distillery licensed under Minn. Stat. § 340A.301 subd. 6 (a). No single entity may hold both a microdistillery cocktail room and taproom license and a microdistillery cocktail room and taproom license may not be co-located. Within ten days of the issuance of a microdistillery cocktail room license, the city shall inform the commissioner of public safety of the licensee's name and address and trade name, and the effective date and expiration date of the license. The city shall also inform the commissioner of public safety of a microdistillery cocktail room license transfer, cancellation, suspension, or revocation during the license period.

Q. A microdistiller off-sale license may be issued to the holder of a state microdistillery license if at least 50 percent of the annual production of the licensee is processed and distilled on premises. A microdistiller off-sale license authorizes off-sale of one 375 milliliter bottle per customer per day of product manufactured on-site provided the product is also available for distribution to wholesalers. Product must be removed from the premises before the applicable closing time.

R. A microdistiller temporary on-sale intoxicating liquor license may be issued to the holder of a state microdistillery license. A microdistillery temporary on-sale intoxicating liquor license authorizes on-sale of intoxicating liquor in connection with a social event within the city sponsored by the microdistillery.

§ 76-10. License fees; pro rata.

A. No license or other fee established by the city shall exceed any limit established by Minn. Stat. Ch. 340A, as it may be amended from time to time, for a liquor license.

B. The Council may establish by ordinance licenses, and by resolution charges for the license fees; for any of the liquor licenses it is authorized by this Chapter to issue.

C. The fee for all licenses, except temporary licenses, granted after the commencement of the license year shall be prorated on a quarterly basis.

D. All license fees shall be paid in full at the time the application is filed with the city. If the application is denied, the license fee shall be returned to the applicant.

E. A refund of a pro rata share of an annual license fee may occur only if authorized by Minn. Stat. § 340A.408, subd. 5, as it may be amended from time to time.

§ 76-11. Council discretion to grant or deny a license.

The Council in its sound discretion may either grant or deny the application for any license or for the transfer or renewal of any license. No applicant has a right to a license under this ordinance.

§76-12. Application for license.

A. Form. Every application for a license issued under this ordinance shall be on a form provided by the city. Every application shall state the name of the applicant, the applicant's age, representations as to the applicant's character, with references as the Council may require, the type of license applied for, the business in connection with which the proposed license will

operate and its location, a description of the premises, whether the applicant is owner and operator of the business, how long the applicant has been in that business at that place, and other information as the Council may require from time to time. An application for an on-sale intoxicating liquor license shall be in the form prescribed by the Commissioner of Public Safety and shall also contain the information required in this section. The form shall be verified and filed with the city. No person shall make a false statement in an application.

B. Financial responsibility. Prior to acceptance of an application or renewal for a license the applicant must file their proof of financial responsibility with the City. The applicant shall demonstrate proof of financial responsibility as defined in Minn. Stat. § 340A.409, as it may be amended from time to time, with regard to liability under Minn. Stat. § 340A.801, as it may be amended from time to time. This proof will be filed with the city and the Commissioner of Public Safety. Any liability insurance policy filed as proof of financial responsibility under this section shall conform to Minn. Stat. § 340A.409, as it may be amended from time to time. Operation of a business which is required to be licensed by this ordinance without having on file with the city at all times effective proof of financial responsibility is a cause for revocation of the license.

§ 76-13. Description of Premises.

The application shall specifically describe the compact and contiguous premises within which liquor may be dispensed and consumed. The description may not include any parking lot or sidewalk.

§ 76-14. Applications for renewal.

At least 90 days before a license issued under this ordinance is to be renewed, an application for renewal shall be filed with the city. The decision whether or not to renew a license rests within the sound discretion of the Council. No licensee has a right to have the license renewed.

§ 76-15. Transfer of license.

No license issued under this ordinance may be transferred without the approval of the Council. Any transfer of stock of a corporate licensee is deemed to be a transfer of the license, and a transfer of stock without prior Council approval is a ground for revocation of the license. An application to transfer a license shall be treated the same as an application for a new license, and all of the provisions of this code applying to applications for a license shall apply.

§ 76-16. Investigation.

A. Preliminary background and financial investigation. On an initial application for a license, on an application for transfer of a license and, in the sound discretion of the Council that

it is in the public interest to do so, on an application for renewal of a license, the city shall conduct a preliminary background and financial investigation of the applicant or it may contract with the Commissioner of Public Safety for the investigation. The applicant shall pay with the application an investigation fee which shall be in addition to any license fee. The results of the preliminary investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license. No license may be issued, transferred, or renewed if the results of the investigation show, to the satisfaction of the Council, that issuance, transfer, or renewal would not be in the public interest.

B. Comprehensive background and financial investigation. If the results of a preliminary investigation warrant, in the sound discretion of the Council, a comprehensive background and financial investigation, the Council may either conduct the investigation itself or contract with the Commissioner of Public Safety for the investigation. The investigation fee for this comprehensive background and financial investigation to be paid by the applicant shall be \$500, less any amount paid for the initial investigation if the investigation is to be conducted within the state, and \$10,000, less any amount paid for the initial investigation, if the investigation is required outside the state. The unused balance of the fee shall be returned to the applicant whether or not the application is denied. The fee shall be paid in advance of any investigation and the amount actually expended on the investigation shall not be refundable in the event the application is denied. The results of the comprehensive investigation shall be sent to the Commissioner of Public Safety if the application is for an on-sale intoxicating liquor license or an on-sale wine license.

§ 76-17. Council Consideration and issuance.

The Council shall investigate all facts set out in the application and not investigated in the preliminary or comprehensive background and financial investigations. For applications for issuance or renewal of annual on-sale licenses for intoxicating and/or 3.2 percent malt liquor, the applicant or their agent must be present at the Council meeting where their application is on the meeting agenda for consideration. After due consideration of the application, background check and public safety report on annual on-sale license renewals; the Council shall in its sound discretion grant or deny the application. No license shall become effective until the proof of financial security has been approved by the Commissioner of Public Safety.

§ 76-18. Restrictions on issuance.

A. Each license shall be issued only to the applicant for the premises described in the application.

B. Not more than one license shall be directly or indirectly issued within the city to any one person.

C. No license shall be granted or renewed for operation on any premises on which taxes, assessments, utility charges, service charges, or other financial claims of the city are delinquent and unpaid.

D. No license shall be issued for any place or any business ineligible for a license under state law.

E. No license shall be granted within 500 feet of any school or church. The distance is to be measured from the closest side of the church to the closest side of the structure on the premises within which liquor is to be sold.

§ 76-19. Conditions of license.

The failure of a licensee to meet any one of the conditions of the license specified below shall result in a suspension of the license until the condition is met.

A. Within 90 days after employment, every person selling or serving liquor in an establishment which has an on-sale license shall receive training regarding the selling or serving of liquor to customers. The training shall be provided by an organization approved by the Council. Proof of training shall be provided by the licensee.

B. Every licensee is responsible for the conduct of the place of business and the conditions of sobriety and order in it. The act of any employee on the licensed premises is deemed the act of the licensee as well, and the licensee shall be liable to all penalties provided by this ordinance and the law equally with the employee.

C. Every licensee shall allow any peace officer, health officer, city employee, or any other person designated by the Council to conduct compliance checks and to otherwise enter, inspect, and search the premises of the licensee during business hours and after business hours during the time when customers remain on the premises without a warrant.

D. No on-sale establishment shall display liquor to the public during hours when the sale of liquor is prohibited.

E. Compliance with financial responsibility requirements of state law and of this ordinance is a continuing condition of any license.

§ 76-20. Hours and days of sale.

A. 3.2 percent malt liquor. No sale of 3.2 percent malt liquor shall be made between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday or between 1:00 a.m. and 12:00 p.m. on Sunday.

B. Intoxicating liquor, on-sale. Except as provided in Paragraph C of this section, no sale of intoxicating liquor for consumption on the licensed premises may be made between 1:00 a.m. and 8:00 a.m. on the days of Monday through Saturday, or after 8:00 p.m. on December 24, or after 1:00 a.m. on Sundays. These hours are applicable to all holders of on-sale licenses, including brew pubs, brewers tap rooms and micro distiller's cocktail rooms.

C. Intoxicating liquor, Sunday sales, on-sale. Sales of intoxicating liquor for consumption on a premise issued a Sunday on-sale license shall be permitted between the hours of 8:00 a.m. on Sundays and 1:00 a.m. on Mondays. These hours are applicable to all holders of Sundays on-sale licenses.

D. Intoxicating liquor, off-sale. No sale of intoxicating liquor may be made by exclusive liquor stores on Sundays, except between the hours of 11:00 a.m. and 6:00 p.m., before 8:00 a.m. or after 10:00 p.m. on Monday through Saturday, on Thanksgiving Day, on Christmas Day

(December 25) or after 8:00 p.m. on Christmas Eve (December 24). The Council may further limit the hours of sale of alcoholic beverages. These hours are applicable to all holders of off-sale licenses, including brew pubs, brewers and micro distillers.

F. Display of liquor. No licensee shall display liquor to the public during hours when the sale of liquor is prohibited.

76-21 Closing of premises after legal time of sale; removal of containers

A. It is unlawful for any person other than the on-sale licensee or a bona fide employee actually engaged in the performance of their duties to be on the premises licensed under this Chapter more than 30 minutes after the legal time for making licensed sales; provided, however, that this section shall not apply to licensees, employees of the licensee, and patrons on the licensed premises for the sole purpose of preparing, serving, or consuming food or beverages other than alcoholic beverages.

B. No person shall consume nor shall any on-sale licensee permit any consumption of intoxicating liquor or 3.2 percent malt liquor in an on-sale licensed premises more than 20 minutes after the time when a sale can legally occur.

C. No on-sale licensee shall permit any glass, bottle, or other container containing intoxicating liquor or 3.2 percent malt liquor to remain upon any table, bar, stool, or other place where customers are served, more than 20 minutes after the time when a sale can legally occur.

D. Any violation of any condition of this section may be grounds for revocation or suspension of the license.

§ 76-22. Nudity on the premises of licensed establishments prohibited.

A. The City Council finds that it is in the best interests of the public health, safety, and general welfare of the people of the city that nudity is prohibited as provided in this section on the premises of any establishment licensed under this ordinance. This is to protect and assist the owners, operators, and employees of the establishment, as well as patrons and the public in general, from harm stemming from the physical immediacy and combination of alcohol, nudity, and sex. The Council especially intends to prevent any subliminal endorsement of sexual harassment or activities likely to lead to the possibility of various criminal conduct, including prostitution, sexual assault, and disorderly conduct. The Council also finds that the prohibition of nudity on the premises of any establishment licensed under this ordinance, as set forth in this section, reflects the prevailing community standards of the city.

B. It is unlawful for any licensee to permit or allow any person or persons on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material. It is unlawful for any person to be on the licensed premises when the person does not have his or her buttocks, anus, breasts, and genitals covered with a non-transparent material.

C. A violation of this section is a misdemeanor punishable as provided by law, and is justification for revocation or suspension of any liquor, wine, or 3.2 percent malt liquor license or any other license issued under this ordinance or the imposition of a civil penalty under the provisions of this Chapter.

§ 76-23. Minors on premises.

A. No person under the age of 18 years shall be employed in any rooms constituting the place in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale, except that persons under the age of 18 may be employed as musicians or to perform the duties of a bus person, host or dishwashing services in places defined as a restaurant, hotel, motel or other multi-purpose building serving food in rooms in which intoxicating liquors or 3.2 percent malt liquor are sold at retail on sale.

B. No person under the age of 21 years may enter a licensed establishment except to work, consume meals on premises that qualify as a restaurant, or attend social functions that are held in a portion of the premises where liquor is not sold.

§ 76- 24. Restrictions on purchase, consumption and possession.

A. No person shall mix or prepare liquor for consumption in any public place of business unless it has a license to sell on-sale, or a permit from the Commissioner of Public Safety under the provisions of Minn. Stat. § 340A.414, as it may be amended from time to time, which has been approved by the Council, and no person shall consume liquor in any such place.

B. No person under the legal drinking age shall consume or possess with the intent to consume or receive delivery of intoxicating or 3.2 percent malt liquor except in the household of the minor's parent or guardian, and then only with the consent of such parent or guardian.

C. No person under the legal drinking age shall possess any intoxicating or 3.2 percent malt liquor. Possession of an alcoholic beverage by a person under the legal drinking age at a place other than the household of a parent or guardian is prima facie evidence of intent to consume it at a place other than the household of the person's parent or guardian.

§ 76-25. Suspension and revocation.

A. The Council shall either suspend for a period not to exceed 60 days or revoke any liquor license upon finding that the licensee has failed to comply with any applicable statute, regulation, or provision of this ordinance relating to liquor. Except in cases of lapse of proof of financial responsibility, no suspension or revocation shall take effect until the licensee has been afforded an opportunity for a hearing pursuant to the Administrative Procedures Act, Minn. Stat. §§ 14.57 to 14.70, as it may be amended from time to time. The Council may act as the hearing body under that act, or it may contract with the Office of Hearing Examiners for a hearing officer.

B. The following are the minimum periods of suspension or revocation which shall be imposed by the Council for violations of the provisions of this ordinance or Minn. Stat. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time:

1. For commission of a felony related to the licensed activity, sale of alcoholic beverages while the license is under suspension, sale of intoxicating liquor where the only license is for 3.2 percent malt liquor, or violation of Section 4, the license shall be revoked.

2. The license shall be suspended by the Council after a finding under division (A) that the licensee has failed to comply with any applicable statute, rule, or provision of this ordinance for at least the minimum periods as follows:

(a) For the first violation within any three-year period, at least one day suspension in addition to any criminal or civil penalties which may be imposed.

(b) For a second violation within any three-year period, at least three consecutive days suspension in addition to any criminal or civil penalties which may be imposed.

(c) For the third violation within any three-year period, at least seven consecutive days suspension in addition to any criminal or civil penalties which may be imposed.

(d) For a fourth violation within any three-year period, the license shall be revoked.

3. The Council shall select the day or days during which the license will be suspended.

C. Lapse of required proof of financial responsibility shall effect an immediate suspension of any license issued pursuant to this ordinance or state law without further action of the Council. Notice of cancellation or lapse of a current liquor liability policy shall also constitute notice to the licensee of the impending suspension of the license. The holder of a license who has received notice of lapse of required insurance or of suspension or revocation of a license may request a hearing thereon and, if a request is made in writing to the Clerk, a hearing before the Council shall be granted within ten days. Any suspension under this division (B) shall continue until the Council determines that the financial responsibility requirements of state law and this ordinance have again been met.

D. The provisions of Section 30 pertaining to administrative penalty may be imposed in addition to or in lieu of any suspension or revocation under this ordinance.

Article III Municipal Liquor Store

§ 76-26. Municipal liquor store continued.

If the city has in existence on the effective date of this ordinance a municipal liquor store for the sale of intoxicating liquor, the store is continued. Except as provided in Section 29, no intoxicating liquor may be sold at retail elsewhere in the city.

§ 76-27. Location.

The municipal liquor store shall be located at a suitable place in the city as the Council determines by motion. However, no premises upon which taxes, assessments, or other public charges are delinquent shall be leased for municipal liquor store purposes. The Council shall have the right to establish additional off-sale and on-sale stores at other locations as it may, from time to time, by motion, determine.

§ 76-28. Operation.

A. Manager. The municipal liquor store shall be in the immediate charge of a Liquor Store Manager selected by the Council and paid compensation as is fixed by the Council. The Manager

shall not be a person who would be prohibited by law or any provision of this ordinance from being eligible for an intoxicating liquor license. The Manager shall furnish a surety bond to the city, conditioned upon the faithful discharge of the duties of the office, in a sum as specified by the Council. The bond premium may be paid by the city or the Manager, in the discretion of the Council. The Manager shall operate the municipal liquor store under the Council's direction and shall perform those duties in connection with the store as may be established by the Council. The Manager shall be responsible to the Council for the conduct of the store in full compliance with this ordinance and with the laws relating to the sale of intoxicating liquor and 3.2 percent malt liquor.

B. Other employees. The Council may also appoint additional employees as may be required and shall fix their compensation. All employees, including the Manager, shall hold their positions at the pleasure of the Council. No person under the age of 18 shall be employed in the store. The Council may require the employees to furnish surety bonds conditioned for the faithful discharge of their duties in a sum as specified by the Council. The premium on the bond may be paid by the city or the employees, as the Council determines.

C. Municipal liquor store fund. All of the revenues received from the operation of a municipal liquor store shall be deposited in a municipal liquor store fund from which all ordinary operating expenses, including compensation of the Manager and employees, shall be paid. Surpluses accumulating in the fund may be transferred to the general fund of the city or to any other appropriate fund of the city by resolution of the Council, and may be expended for any municipal purpose. The handling of municipal liquor store receipts and disbursements shall comply with the procedure prescribed by law and charter for the receipts and disbursements of city funds generally.

D. Financial statement. The Council shall provide within 90 days following the end of the calendar year for publication a balance sheet using generally accepted accounting procedures and a statement of operations of the municipal liquor store for that year. The balance sheet and statement shall be published in accordance with the provisions of Minn. Stat. § 471.6985, as it may be amended from time to time.

E. Hours of operation. The hours during which the sale of intoxicating liquor may be sold shall be as provided in Section 76-21. No person, other than the Manager or a store employee, may remain in the municipal liquor store longer than one-half hour after the time when the sale of intoxicating liquor must cease.

§ 76-29. Proof of financial responsibility.

The city shall demonstrate proof of financial responsibility required by licensees of retail intoxicating liquor establishments under the provisions of Minn. Stat. § 340A.409, as it may be amended from time to time.

§ 76-30. Penalties.

A. Any person violating the provisions of this ordinance or Minn. Stat. Ch. 340A as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time is guilty of a misdemeanor and upon conviction shall be punished as provided by law.

B. The Council shall impose a civil penalty of up to \$2,000 for each violation of Minn. Stat. Ch. 340A, as it may be amended from time to time, and of this ordinance. Conviction of a violation in a court of law is not required in order for the Council to impose the civil penalty. A hearing under the Administrative Procedures Act, Minn. Stat. §§ 14.57 to 14.70, as it may be amended from time to time, is not required before the penalty is imposed, but the Council shall hold a hearing on the proposed violation and the proposed penalty and hear any person who wishes to speak. Non-payment of the penalty is grounds for suspension or revocation of the license. The following is the minimum schedule of presumptive civil penalties which must be imposed in addition to any suspension unless the license is revoked:

1. For the first violation within any three-year period, \$500.
2. For the second violation within any three-year period, \$1,000.
3. For the third and subsequent violations within any three-year period, \$2,000.

C. The term "violation" as used in Section 23 includes any and all violations of the provisions in this Chapter, or of Minn. Stat. Ch. 340A, as it may be amended from time to time or any rules promulgated under that chapter as they may be amended from time to time. The number of violations shall be determined on the basis of the history of violations for the preceding three-year period. Revocation shall occur within 60 days following a violation for which revocation is imposed.

Article IV Annual Rodeo Liquor Liability Insurance

76-31. Liability insurance policy limits

A. A condition to the granting of a temporary license for the on-sale of intoxicating liquor or 3.2 percent malt liquor for the Isanti Volunteer Fire Department Relief Association Annual Rodeo and associated events, the Isanti Volunteer Fire Department Relief Association shall have in place liquor liability insurance as per Minn. Stat. § 340A.409 as amended from time to time and liability insurance in the following amounts:

1. Per person (personal injury) \$1,000,000
2. Per occurrence: \$1,000,000
3. Property damage, per occurrence: \$100,000

B. Said insurance shall be in force during the entire period for which the license is issued.

76-32. Maintenance of policy limits every year

Said policy limits shall be maintained each and every year that the Isanti Volunteer Fire Department Relief Association sponsors the rodeo and associated events unless and until the required policy limits as set forth herein are changed by amendment of this article adopted the City Council.

Article V Social Host

§ 76-33. Purpose and Findings. The Isanti City Council intends to discourage underage possession and consumption of alcohol, even if done within the confines of a private residence, and intends to hold persons criminally responsible who host events or gatherings where persons under 21 years of age possess or consume alcohol regardless of whether the person hosting the event or gathering supplied the alcohol. The Isanti City Council finds that:

A. Events and gatherings held on private or public property where alcohol is possessed or consumed by persons under the age of twenty-one are harmful to those persons and constitute a potential threat to public health requiring prevention or abatement.

B. Prohibiting underage consumption acts to protect underage persons, as well as the general public, from injuries related to alcohol consumption, such as alcohol overdose or alcohol-related traffic collisions.

C. Alcohol is an addictive drug which, if used irresponsibly, could have drastic effects on those who use it as well as those who are affected by the actions of an irresponsible user.

D. Often, events or gatherings involving underage possession and consumption occur outside the presence of parents. However, there are times when the parent(s) is/are present and, condone the activity, and in some circumstances provide the alcohol.

E. Even though giving or furnishing alcohol to an underage person is a crime, it is difficult to prove, and an ordinance is necessary to help further combat underage consumption.

F. A deterrent effect will be created by holding a person criminally responsible for hosting an event or gathering where underage possession or consumption occurs.

§ 76-34. Authority. This ordinance is enacted pursuant to Minn. Stat. §145A.05 subdivision 1, as amended from time to time.

§ 76-35. Prohibited Acts.

A. It is unlawful for any person(s) to host, aid and abet or allow an event or gathering at any residence, premises, or on any other private or public property; where alcohol or alcoholic beverages are present when the person knows or reasonably should know that an underage person will or does 1) consume any alcohol or alcoholic beverage; or 2) possess any alcohol or alcoholic beverage with the intent to consume it; and the person fails to take reasonable steps to prevent possession or consumption by the underage person(s)

B. A person is criminally responsible for violating Subdivision 4(a) above if the person intentionally aids, advises, hires, counsels, or conspires with or otherwise procures another

to commit the prohibited act.

- C. A person who hosts an event or gathering does not have to be present at the event or gathering to be criminally responsible.

§ 76-36. Exceptions.

A. This ordinance does not apply to conduct solely between an underage person and his or her parents while present in the parent's household.

B. This ordinance does not apply to legally protected religious observances.

C. This ordinance does not apply to retail intoxicating liquor or 3.2 percent malt liquor licenses, municipal liquor stores, or bottle club permit holders who are regulated by Minn. Stat. §340A.503 Subd.1(a)(1), as amended from time to time.

D. This ordinance does not apply to situations where underage persons are lawfully in possession of alcohol or alcoholic beverages during the course and scope of employment.

§ 76-37. Enforcement. This ordinance can be enforced by any police officer or sheriff's deputy in the county.

§ 76-38. Severability. If any section, subsection, sentence, clause, phrase, word, or other portion of this ordinance is, for any reason, held to be unconstitutional or invalid, in whole, or in part, by any court of competent jurisdiction, such portion shall be deemed severable, and such unconstitutionality or invalidity shall not affect the validity of the remaining portions of this law, which remaining portions shall continue in full force and effect.

§ 76-39. Penalty. Violation of this Article is an Administrative offense punishable by an administrative fee of \$75.00, unless specifically charged and prosecuted as a misdemeanor.

§ 76-32. Summary approved.

The Council hereby determines that the text of the summary of this ordinance marked "Official Summary of Ordinance No _____," and a copy of which is attached to this ordinance, clearly informs the public of the intent and effect of this ordinance. The Council further determines that publication of the title and this summary will clearly inform the public of the intent and the effect of this ordinance. The Clerk shall file a copy of this ordinance and the summary in the Clerk's office which shall be available for inspection by any person during regular office hours. A copy of the ordinance shall be available in the community library, if there is one, or if not, in any other public location which the council designates.

EFFECTIVE DATE:

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

Adopted by the City Council this ____ day of _____, 2020.

Mayor Jeff Johnson

Attest:

Katie Brooks
Human Resources/City Clerk

Adopted on: _____, 2020
Published on: _____, 2020
Effective Date: _____, 2020



Memo for Council Action

To: Mayor Johnson and Members of the City Council
From: Don Lorsung, Assistant City Administrator/Special Projects
Date: January 28, 2020
Subject: City Code Chapter 245, Peddlers, Solicitors, Transient Merchants and Mobile Food Units

Background:

Staff has finished a complete review of the City Code Chapter 245, Peddlers, Solicitors, and Transient Merchants. Added new to this city code chapter is mobile food units. Items updated and new include:

- Extension of Solicitor and Peddler licenses to all zoning districts. Previously they had been restricted to residential districts.
- Fund raising activities with donation or payment in exchange for a product would be included in Solicitor licenses.
- Addition of Mobile Food Units in commercial areas on private property, with applicable regulations similar to area cities.
- Mobile Food units may operate in residential or park zoning districts or in City rights of way under a Special Event Permit.

The City Attorney has reviewed the City code amendments.

Recommendation:

Committee of the Whole reviewed the proposed City Code Chapter 245 amendments and recommends approval as submitted.

Request:

Staff is requesting City Council action on this item.

Action Required:

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

1. Approve the amendments to City Code Chapter 245, Peddlers, Solicitors, Transient Merchants and Mobile Food Units.

Attachments:

- Ordinance XXX – An Ordinance to Amend the Code for the City Of Isanti, Chapter 245, Peddlers, Solicitors, Transient Merchants and Mobile Food Units.

ORDINANCE NO. ____

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 485, ADOPTED
ON MAY 5, 2010, AND TITLED PEDDLERS, SOLICITORS, AND TRANSIENT
MERCHANTS**

The City Council of the City of Isanti, Minnesota ordains:

- **Section 1 – Repealer.** Ordinance No. 485, titled “Peddlers, Solicitors and Transient Merchants”, codified in Chapter 245 of the City Code, is hereby repealed in its entirety and replaced with the ordinance set forth below.

Section 2 – Ordinance. The following Chapter 245 is hereby adopted:

Chapter 245

Peddlers, Solicitors, Transient Merchants and Mobile Food Units

- | | |
|----------------------------------|--|
| 245-1. Definitions | 245-8. Investigation, Issuance, Denial. |
| 245-2. License Required | 245-9. Standards of Conduct. |
| 245-3. Exceptions. | 245-10. Mobile Food Units. |
| 245-4. Ineligible People. | 245-11. Exclusion by Placard. |
| 245-5. Application. | 245-12. Special Events. |
| 245-6. Photographs. | 245-13. Suspension; Revocation. |
| 245-7. Fees, Duration. | 245-14. Penalty, Enforcement. |

§ 245-1. Definitions.

Unless the context clearly indicates otherwise, the words below are defined for the purpose of this section as follows:

1. “Non-commercial door-to-door advocate” is a person who goes door-to-door for the primary purpose of disseminating religious, political, social or other ideological beliefs. For the purpose of this chapter, the term door-to-door advocate shall fall under the term solicitor and include door-to-door canvassing and pamphleteering and is intended for non-commercial purposes.
2. “Peddler” includes a person who goes from place-to-place exhibiting merchandise for sale, making sales, and delivering articles to purchasers.
3. “Transient Merchant” – A person who temporarily sets up business out of a vehicle, trailer, tent or other portable shelter or empty storefront in a commercial district where retail sales are a permitted or conditional use for the purpose of exposing or displaying for sale, selling or attempting to sell and delivering goods, wares, products, merchandise or other personal property and who does not remain or intend to remain in any location for more than 14 consecutive days.

4. "Solicitor" includes a person who goes from place-to-place soliciting orders for the sale of merchandise or personal services for future delivery or future performance, whether or not the person has a sample of the merchandise or is collecting advance payments for the orders. The word also includes activity that has as its ultimate purpose the obtaining of orders even though it may not initially purport to do so. For the purposes of this chapter, the term solicitor shall have the same meaning as the term canvasser.
5. "Regulated activity" means the activity of a peddler, transient merchant, solicitor or mobile food unit as defined in this chapter. The term only includes activities that involve the sale of a product or service. It does not include activities that involve only statements of opinion or belief or that request only a donation.
5. "Licensee" means an individual, partnership, corporation or association licensed within the city under this section and includes a person who is or will be conducting the regulated activity on behalf of the licensee.
6. "Person" means a natural person, a firm, partnership, corporation, any other association of people, and includes the manager or agent of that person or organization.
7. "Occupant" means a person living, staying, or working at a residence, including a guest.
8. "Mobile Food Unit" means a food and beverage service establishment that is a vehicle mounted unit or free-standing food stand.

§ 245-2. License Required.

A person engaging in a regulated activity within the city must first obtain a license from the City Clerk or designee.

§ 245-3. Exceptions.

A person engaging in the following activities is not required to obtain a license and an identification card from the city:

1. Selling personal property at garage sales, rummage sales, or estate sales. This includes persons participating in an organized multi-person bazaar or flea market.
2. Selling newspapers, newsletters, or other similar publications on an established customer delivery route, when attempting to establish a regular delivery route, or when publications are delivered to the community at large.
3. Selling products of the farm or garden grown or raised by the seller, including meat, but such activities must comply with applicable health regulations.
4. Selling at an auction conducted by a licensed auctioneer, or any officers of the court conducting a court ordered sale.
5. Calling upon residents in connection with a regular route service for the sale and delivery of perishable food and dairy products. This includes initial contacts to establish a customer delivery route. This exception does not relieve that person of the duty to comply with other applicable city requirements.

6. Sales or offers for sales by peddlers or solicitors who appear at the customer's home or place of business by an appointment which was made prior to such appearance are exempt from the provisions of this chapter.
7. Non-commercial door-to-door advocates. No license or registration shall be required of any person going from house to house, door to door, business to business, street to street or any other type of place-to-place when the activity is for the purpose of exercising that person's state or federal Constitutional rights, such as the freedom of speech, press, religion and the like, except that this exemption does not apply if the person's exercise of Constitutional rights is merely incidental to a commercial activity.
8. Any person selling or attempting to sell at wholesale any goods, wares, products, merchandise, or other personal property to a commercial retail seller of the items be sold by the wholesaler.

§ 245-4. Ineligible People.

The following people are not eligible for a license and from the city:

1. A person whose license for a regulated activity was revoked by the city or another governmental body within three years before the application date;
2. A person who has been denied a license for regulated activity by the city or another governmental body because of circumstances that occurred within three years before the application date;
3. A person who has violated, or whose representative has violated, a provision of this section within three years before the application date, or who violates a provision of this section during the application period pending issuance of the license;
4. A person who has been convicted within three years before the application date of a crime that adversely reflects on the person's ability to honestly, safely, or lawfully conduct the regulated activities, unless the individual can show sufficient evidence of rehabilitation as defined in Minn. Stat. § 364.03, subd. 3, as it may be amended from time to time; or
5. A person who has falsified information, or omitted material information, required by this section.
6. A person who produces documentation of identification that is torn, pasted, peeled, or otherwise damaged or altered.

§ 245-5. Application.

Application for a license must be made at least ten working days before the regulated activity is proposed to begin and must include an accurate, sworn statement in writing, on a form furnished by the city, that gives the information listed below and includes the required supporting documentation:

1. Full legal name and physical description of the applicant;

2. Complete home and local address of the applicant;
3. A brief description of the proposed activity, its location, and the merchandise or service involved;
4. The dates and hours of the day during which the activity will be conducted;
5. Name, address, and phone number of the person on whose behalf the orders are solicited, together with credentials establishing the applicant's relationship to the person;
6. The source of supply of merchandise proposed to be sold, where the goods are located at the time the application is filed and the proposed method of delivery;
7. Whether or not the applicant has been convicted of any crime other than petty traffic violations, the nature, time and location of the offense and the punishment or penalty imposed;
8. The last cities or other localities, not exceeding five, where the applicant conducted the proposed activity immediately preceding the date of the application and where within those areas the activity took place;
9. Make, model, year, color, and state license number of each motor vehicle to be used in connection with the proposed activity;
10. Social security number, date of birth, and drivers license or state or tribal identification card number;
11. Passport information and visa status if the applicant is not a United States Citizen;
12. The name, address and phone number of the person or company employing the individual, if different from the information in sub-paragraph 5 above; and
13. A copy of all documents to be used by the applicant in the regulated activity.
14. Phone number(s) for the applicant;
15. All names of employees or multiple persons under one license.
16. Mobile Food Unit Additional Requirements
 - a. Valid copies of all necessary licenses or permits required by the state or county.
 - b. Pictures of mobile food unit vehicle and a site plan showing location of vehicle on the property. Plans and specifications for non-vehicular mobile food stand or unit and a site plan showing the proposed of stand or unit on the property.
 - c. A copy of the written permission from the property owner or property owner's agent where the mobile food vendor will be conducting business.
 - d. A list of other communities or locations where the applicant has been a mobile food vendor.

§ 245-6. Photographs.

Each individual who will be conducting the regulated activity on behalf of the partnership or organizational applicant (including the applicant) must submit two copies of a recent photograph, showing the head and shoulders of the person in a clear and distinguishable manner. An application is not complete until the required photographs are supplied.

§ 245-7. Fees, Duration.

The application must be accompanied by the required license fees specified in the city fee schedule, which may be amended from time to time by action of the City Council. A license is valid only for the time periods in the calendar year in which it is issued. No fees are required of individuals taking orders for the shipment of goods through interstate commerce.

§ 245-8. Investigation, Issuance, Denial.

1. Within five working days after a complete application is submitted, the Police Department will conduct an investigation regarding the information provided in the application and the eligibility for a license. The City Clerk will issue a license only to eligible people. The license shall bear the name of the applicant; and in the case of additional employees or multiple persons, a copy of the license shall be issued that bears their name and photograph. That copy shall correspond to the copy of record retained by the City. Any alteration of that license and/or photograph invalidates the license.
2. The City Clerk may not issue a license if there are circumstances indicating that the intended recipient may not honestly, lawfully, and safely conduct the proposed regulated activity. The City Clerk must notify an applicant in writing of a denial of a license, specifying the reasons. The applicant may appeal the denial by submitting to the City Clerk a written request within ten days after the denial asking to address the City Council. The City Council may refer the matter to an independent hearing officer or may consider the appeal itself. The City Council or hearing officer may deny a license and/or identification card when they believe such action will protect the public health, safety, or welfare.

§ 245-9. Standards of Conduct.

1. Except for those people specified in section 245-4, a person may conduct regulated activity in the city only if they carry a license with attached photograph identifying the person has been issued a license and it has not been revoked, suspended, or impounded. The license and attached photograph must be shown upon request.
2. A licensee must not transfer its license to another person. A license that has the photograph removed is invalid. Use of that invalid license is a violation of this chapter.
3. A person must not use a license issued to someone other than that person.
4. A person conducting regulated activity must not go onto private property for that purpose when there are signs prominently posted indicating that trespassing and/or solicitation is unwelcome or prohibited.

5. A person must not be on a street, highway, or adjacent boulevard and direct regulated activity toward the occupants of any motor vehicle in transit and must not obstruct the free flow of vehicular or pedestrian traffic on any public street, sidewalk, or other public right-of-way.
6. A person must not conduct regulated activity in a manner that creates a health or safety hazard. No person shall call attention to their business or items to be sold by means of blowing a horn, whistle, bell, or crying out or by any other noise, so as to be unreasonably audible within an enclosed structure.
7. A person must conduct regulated activity in a reasonably courteous manner at all times, must not engage in offensive, obscene, or abusive language, must not push open a door not opened by an occupant, must not place any portion of the person's body through an opened doorway without the invitation of an occupant, and must not physically attempt to stop an occupant from closing a door.
8. A licensee must immediately leave private property when requested to do so by an occupant or owner and must leave immediately upon completion of a transaction or an unsuccessful attempt to contact an occupant.
9. A licensee entering onto residential property must go directly to a door of the house, unless there is an adult present outside of the house or in an open garage. At no time may a licensee go to a window or to the back yard, unless invited to do so by the occupant.
10. A person conducting regulated activity must not make untrue statements to the people contacted regarding the purpose of the contact, orders placed by the neighbors, or the goods and services offered.
11. A licensee must not make statements to the people contacted indicating or implying that the city license constitutes an endorsement of their activities or products by the city.
12. While conducting regulated activity, a licensee must not be accompanied by a person who is not licensed or is not listed in the license application.
13. No person shall conduct business in residential zoned areas before 10:00 a.m. or after 7:00 p.m.

§ 245-10. Mobile Food Units.

1. State License. Mobile food units shall hold a valid license from the State of Minnesota Department of Health or Department of Agriculture. A license is valid for one vehicle or stand. Any conditions of the State Health Department shall be incorporated into the license issued under this Section. A copy of the license shall be submitted to the City.

2. Insurance. A certificate of insurance evidencing the following forms of insurance. The certificate shall be submitted to the City:

- a. Commercial general liability insurance, including products and completed operations coverage, with a limit not less than one million dollars (\$1,000,000) for each occurrence / two million dollars (\$2,000,000) aggregate.

- b. Automobile liability insurance with a limit not less than one million dollars (\$1,000,000) combined single limit.
 - c. The City of Isanti shall be named as an additional insured and provided with a certificate of insurance.
 - d. A signed statement that the licensee shall defend and indemnify the City, its officers and employees for any claims for damage to property or injury to persons which may be occasioned by any activity carried on under the terms of the license.
3. Duration of sales and unit standards. A license shall be valid for one year. The license is valid for one vehicle or stand only. The mobile food unit can operate in the same location for a time period not to exceed 6 months. The unit, stand or vehicle must not have rust, peeling paint, dents and must be maintained in a professional manner. The vehicle or stand must be approved for aesthetics by the City. The license must be displayed in plain view on the vehicle/stand.
4. Overnight storage. No overnight storage of a mobile food truck on city property, including public rights of way, shall be permitted.
5. Signs. No mobile food unit shall use exterior signage (unless issued a temporary sign permit), flags, feathers, banners, bollards, or any other equipment not contained on or within the vehicle or stand.
6. Noise and Lighting. No shouting, blowing a horn, ringing a bell, or use of any sound devices upon any streets, alleys, parks, or other public places of the city or upon any private premises in the city. No vendor shall use or maintain any outside amplifying equipment, televisions, or similar entertainment devices. Lighting will be downcast, concealing light source from view, and must not spill onto adjacent properties and right of ways. Ice cream trucks traveling through a residential district may have outdoor music or noise-making devices to announce their presence.
7. Parking. Mobile food trucks must be located on a paved surface. A mobile food unit may not operate in a traffic lane, on a sidewalk, or in any location which causes an obstruction of traffic, such as queuing of patrons or advancement of vehicles. A pedestrian walkway of 6 feet must be maintained on the service side of the vehicle.
8. Hours of operation. Hours of operation shall be allowed from 8:00 a.m. to 10:00 p.m. In the case of an event authorized under a special event permit, the hours will match the time period indicated in the permit.
9. Waste disposal. Mobile food units shall provide waste disposal, clean up all litter and garbage generated by this use and maintain their site in a clean and hazard free condition. All waste liquids shall be kept in leak proof, nonabsorbent containers which shall be kept covered with tight fitting lids and properly disposed of. No waste liquids, garbage, litter or refuse shall be dumped or drained into the sidewalks, streets, gutters, drains or public trash receptacles. The licensee shall be responsible for all litter and garbage left by customers.
10. Self-containment. Mobile units can't connect to public utilities unless on private property through agreement with the property owner. No power, cable or equipment shall be extended at

any grade across any city street, alley, or sidewalk. Any generators must be self-contained and any noise created by their operation shall not cause a public nuisance, as per Chapter 216, Nuisances.

11. Inspections. Mobile units shall comply with all applicable Fire Codes and may be inspected by the City prior to operation.

12. Locations. Mobile food units shall only be allowed to operate on private property in zoning districts where retail sales are allowed as permitted or conditional uses under the City's zoning codes. Mobile food units may be allowed in public rights of way, residential or park zoning districts in conjunction with an approved special event permit.

13. The mobile food vendor shall not set-up in a manner so to create a traffic hazard and follow police orders. The mobile food unit shall not have a drive through. Ingress and egress to private property shall be through existing driveways only.

14. Mobile food units providing external seating must not block any sidewalk or driveway area or occupy any required parking spaces.

15. Ice cream novelty trucks are allowed to operate within the public right of way in residential districts.

16. Mobile food units are prohibited from vending activities within 150 feet of a food service building or within 500 feet of a community event, unless part of the sponsor license and/or special event permit for the event.

17. No mobile food unit shall sell alcoholic beverages.

18. Mobile food unit vendors shall maintain a fire extinguisher at all times.

19. Mobile food vendors shall maintain their immediate sales location in a clean and hazard free condition.

20. The mobile food vendor shall not operate in such a manner so as to constitute a public nuisance.

§ 245-11. Exclusion by Placard.

No peddler, solicitor or transient merchant, unless invited to do so by the property owner or tenant, shall enter the property of another for the purpose of conducting business when the property is marked with a sign or placard at least four inches long by four inches wide with print of at least 48 point in size stating "No Peddlers, Solicitors, or Transient Merchants" or "Peddlers, Solicitors and Transient Merchants Prohibited" or other comparable statement. No person other than the property owner or tenant shall remove, deface or otherwise tamper with any sign or placard under this section.

§ 245-12. Special Events.

The following standards shall apply to all events that are authorized by a special event permit.

1. It is not necessary for each transient merchant or mobile food unit to obtain a license under this chapter provided that the sponsor, promoter or organizer of the event obtains a

permit and maintains a list of all participants and assumes responsibility for their activities and conduct.

2. The sponsor, promoter or organizer of the event may designate where peddlers and transient merchants and mobile food unit set up their booths, sales stands or vehicles.

§ 245-13. Suspension; Revocation.

1. The city may suspend or revoke an identification card and/or license, if the person who is the acting on behalf of the licensee, or the licensee has:
 - a. Violated a provision of this section, or other local laws governing the same activity, during the license period;
 - b. Violated a criminal law during the license period that adversely reflects on the ability to honestly, safely, or lawfully conduct the regulated activity; or
 - c. Submitted false information or omitted material information in the licensing process required by this section.
2. If a license is revoked or suspended, all licenses issued to people acting on behalf of the licensee are automatically revoked or suspended.

§ 245-14. Penalty, Enforcement.

1. The Chief of Police, and their designees are authorized to enforce this ordinance. They may impound a license when a person has been found violating a provision of this chapter, when cause exists for suspending or revoking the license, or when the license has been suspended or revoked. When impounding a license, the official must send a notice to the licensee and at the address on the application form, giving the parties ten days to submit a written request for a hearing before the city council. Failure to timely request an appeal constitutes a waiver of that appeal and results in an automatic suspension of the license or card for three years.
2. Any person violating any provision of this chapter shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a maximum fine of \$1,000 or a term of imprisonment not to exceed 90 days, or both, plus costs of prosecution in either case.

Section 3 – Effective Date. This ordinance becomes effective on the date of its publication in the city's official newspaper.

Adopted by the City Council this _____ day of _____, 2020.

Attest:

Jeff Johnson, Mayor

Katie Brooks
Human Resources/City Clerk

Posting Date:
Reading Date:
Publication Date:
Effective Date:



Memo for Council Action

To: Mayor Johnson and Members of the City Council
From: Don Lorsung, Assistant City Administrator/Special Projects
Date: January 28, 2020
Subject: City Code Chapter 119, Burning, Open

Background:

Based on Council policy discussions, staff has finished a review and amendment of City Code Chapter 119, Burning, Open. In the revised code, fees for permits are eliminated and the Isanti Fire District will administer permits for open burning in the City of Isanti.

The City Attorney has reviewed the updated city code.

Recommendation:

Committee of the Whole reviewed the proposed revised City Code Chapter 119, Burning, Open and recommends approval as submitted.

Request:

Staff is requesting City Council action on this item.

Action Required:

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

1. Approve the amendments to City Code Chapter 119, Burning, Open.

Attachments:

- Ordinance XXX – An Ordinance Repealing Ordinance No. 666 Adopted on January 3, 2017, and Titled Burning, Open

ORDINANCE NO. _____

AN ORDINANCE REPEALING AND REPLACING ORDINANCE NO. 666 ADOPTED ON JANUARY 3, 2017, AND TITLED BURNING, OPEN

The City Council of the City of Isanti, Minnesota ordains:

Section 1 – Repealer. Ordinance No. 666 titled Burning, Open, codified in Chapter 119 of the City Code, is hereby repealed in its entirety and replaced with the ordinance set forth below.

Section 2 – Ordinance. The following Chapter 119 is hereby adopted:

Chapter 119

Burning, Open

ARTICLE I

General Provisions

119-1. Definitions

119-2. Provisions Adopted by Reference

119-3. Purpose.

119-4. Permit.

119-5. Denial

119.6. Permit Holder Responsibility

119.7. Revocation

119.8. Violations and Penalties

ARTICLE II

Open Burning

ARTICLE I

General Provisions

119-1. Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meaning ascribed to them in this section, except where the context clearly indicates a different meaning.

OPEN BURNING – The burning of any matter if the resultant combustion products are emitted directly to the atmosphere without passing through a stack, duct or chimney, except a recreational fire.

RECREATIONAL FIRE – A fire set with approved starter fuel no more than three feet in height, contained within the border of a recreational fire site using dry, clean wood; producing little detectable smoke, odor or soot beyond the property line; conducted with an adult tending the fire at all times; for recreational, ceremonial, food preparation or social purposes; extinguished completely before quitting the occasion; and respecting weather conditions, neighbors, burning bans, and air quality so that nuisance, health or safety hazards will not be created. Mobile cooking devices such as manufactured hibachis, charcoal grills, wood smokers and propane or natural gas devices are not defined as recreational fires.

119-2. Provisions adopted by reference.

The provisions of Minn. Stats. §§ 88.16 and 88.17 and Minnesota State Fire Code (where adopted), are adopted by reference and made a part of this Code as if fully set forth at this point.

ARTICLE II

Open Burning

119-3. Purpose.

The purpose of this article is to establish permitted categories of open burn events for residences and farms within the city and provide for a permitting process for residential and agricultural open burning, except when such open burning is defined as a "recreational fire" as prescribed in this article.

119-4. Permit.

- A. No person shall start or allow any open burning on any property in the city without first having obtained an open burn permit, except that a permit is not required for any fire that is a recreational fire as defined herein.
- B. Application ~~and Fees~~.
 - (1) Open burning permits shall be obtained by making application on a form prescribed by the department of natural resources (DNR). The DNR permit application shall be presented to the Isanti Fire District for review prior to the start of any open burning.
 - (2) DNR open burning applications are available free of charge at the Isanti Fire District office at 401 1st Ave NW in the City of Isanti.

119-5. Violations and Penalties.

Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punished 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 3 – Effective Date. This Ordinance takes effect upon its passage and publication in the official newspaper of the City of Isanti.

Adopted by the City Council this _____ day of _____, 2020.

Mayor Jeff Johnson

Attest:

Katie Brooks
Human Resources/City Clerk

Reading Date:
Publication Date:
Effective Date:



MEMO for City Council

To: Mayor Johnson and Members of the City Council
From: Josi Wood, City Administrator
Date: February 4, 2020
Subject: Ordinance to Amend Chapter 8, Article III, Sections 8-21 and 8-26

In consultation with the City Attorney, Staff has amended City Code Chapter 8, Article III, Sections 8-21 and 8-26 to include replacement of "Citizen's Input" with "Public Comment", inclusion within the Order of Business at City Council meetings, and amend subsections (3), (9), and (10) and remove subsection (13).

Recommendation:

Committee of the Whole has recommended approval of this Ordinance.

Attachment:

- ORD 2020-XXX

ORDINANCE NO. _____

**AN ORDINANCE TO AMEND THE CODE FOR THE CITY OF ISANTI, CHAPTER 8
CITY COUNCIL, ARTICLE III, SECTION 8-21 ORDER OF BUSINESS AND 8-26
PUBLIC COMMENT AT COUNCIL MEETINGS AND AT PUBLIC HEARINGS**

THE CITY COUNCIL OF THE CITY OF ISANTI DOES ORDAIN:

Chapter 8, Article III, Section 8-21:

Section 8-21. Order of Business, is amended as follows:

Section 8-21. Order of business. The order of business for all council meetings shall be:

- A. Call to Order
- B. Pledge of Allegiance
- C. Call of Roll
- D. Public Comment (as held)
- E. Adopt Agenda
- F. Proclamations/Commendations/Certificate Awards (if needed)
- G. Approval of minutes
- H. Announcements
- I. Council Committee reports
- J. Public hearings (when scheduled)
- K. Business items
- L. Consent agenda
- M. Other communications
- N. Closed Session (only if needed)
- O. Adjournment

Section 8-26. Public comment at Council meetings and at Public Hearings C. subparagraphs (3) (9) (10) are deleted and replaced and (13) is deleted as follows:

C. Public comment period. As a part of the regular meeting of the City Council, in accordance with Section 8-21 Order of Business, of this chapter; an informal forum titled "Public Comment" may be held. Public comments during this forum are subject to these limitations:

(3) The presiding officer may place a time limit on the public comment period, if necessary, to allow for the conduct of city business. If there is not sufficient time to hear all public comments, the comment period may be deferred to the next regular meeting or at a continued meeting.

(9) No Council action may take place during public comment. However, Council members may express their views or reaction to a presentation, or ask questions of the presenter. The Council may direct the City Administrator or designee to address specifics in nature, to research and report back at an upcoming regular meeting, or

request an amendment to the regular meeting agenda to further discuss, provide direction to staff or take action.

(10) Public comment items are restricted to City governmental topics, and are not a platform for private agendas, to make personal attacks, to air personality grievances, to make political endorsements, or for political campaign purposes.

EFFECTIVE DATE

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

Adopted by the City Council this 4th day of February 2020.

Mayor Jeff Johnson

Attest:

Katie Brooks
City Clerk / Human Resources

Posting Date:
Reading Date:
Publication Date:
Effective Date:

A Community For Generations.



Request for City Council Action

To: Mayor Johnson and Members of City Council
From: Sheila Sellman, Community Development Director
Date: February 4, 2020
Subject: Ordinance XXX Repealing Chapter 68 of the Isanti City Code of Ordinances Relating to Adult Uses and Adopting a New Chapter 68

Background:

Per the City Attorney, it has been determined that the current regulations regarding adult uses needs to be updated. The attached ordinance was drafted by the League of Minnesota Cities appointed attorney.

Chapter 68 regulates Adult Use; the proposed ordinance repeals the current ordinance and is replaced with the proposed language.

In addition, there will be a zoning ordinance amendment that removes adult uses from the business districts and only permits the use in Industrial zoned districts. This amendment also removes performance standards in the zoning code for adult use. These amendments will go before the Planning Commission at a public hearing on February 18, 2020 and then to the Council for consideration.

Request:

Consider adopting the proposed ordinance to repeal and replace Chapter 68.

Attachments:

- Ordinance-XXX

**AN ORDINANCE REPEALING CHAPTER 68 OF THE ISANTI CITY CODE OF
ORDINANCES RELATING TO ADULT USES AND ADOPTING A NEW CHAPTER 68**

The City Council of the City of Isanti hereby ordains:

Section 1. **The current Chapter 68 of the Isanti City Code of Ordinances for the City of Isanti is repealed.**

Section 2. **The following new Chapter 68 is adopted:**

CHAPTER 68. ADULT ESTABLISHMENTS

§ 68-1. Findings and Purpose.

Studies conducted by the Minnesota Attorney General and the Texas City Attorneys' Association, as well as the cities of St. Paul, Alexandria, and Rochester, Minnesota; Indianapolis, Indiana; Phoenix, Arizona; Los Angeles, California; Seattle, Washington; St. Croix County, Wisconsin; Adams County and the City of Denver, Colorado, have examined the impact that adult establishments have on their respective communities. These studies concluded that adult establishments have an adverse impact on surrounding neighborhoods. Those impacts include increased crime rates, lower property values, increased transiency, neighborhood blight and potential health risks. The City Council of the City of Isanti is relying on the studies, many of which were conducted in larger cities, recognizing that the same or similar adverse impacts could occur in a small city such as the City of Isanti. Based on these studies, the City Council makes the following findings regarding the need to regulate adult establishments:

- A. The public health, safety, morals and general welfare will be promoted by the city adopting regulations governing adult establishments.
- B. Adult establishments have adverse secondary impacts of the types set forth above.
- C. The adverse impacts caused by adult establishments tend to diminish if adult establishments are governed by location requirements, licensing requirements and health requirements.
- D. It is not the intent to prohibit adult establishments from having a reasonable opportunity to locate in the city.
- E. Many members of the public perceive areas within which adult establishments are located as less safe than other areas that do not have such uses.
- F. A reasonable licensing procedure is an appropriate mechanism to place the burden of reasonable regulation on the owners and the operators of the adult establishment. A licensing procedure will place an incentive on the operators to see that the adult establishment is run in a manner consistent with the health, safety and welfare of its patrons and employees, as well as the citizens of the City. It is appropriate to require reasonable assurances that the licensee is the actual operator of the sexually-oriented

business, fully in possession and control of the premises and activities occurring therein.

- G. The fact that an applicant for an adult use license has been convicted of a sexually-related crime leads to the rational assumption that the applicant may engage in that conduct in contravention of this Chapter.
- H. The general health, safety, and welfare of the community is promoted by prohibiting nudity in adult establishments. This prohibition is based on concerns of potential adverse effects such as prostitution, exposure to minors, and obscenity.
- I. Small cities experience many of the same adverse impacts of adult establishments present in larger communities.

§ 68-2. Definitions.

For the purposes of this chapter only, the words and phrases below are defined as follows:

- A. Adult Establishment. Any business that:
 - (1) devotes a substantial or significant portion of its inventory, stock-in-trade, or publicly-displayed merchandise, or devotes a substantial or significant portion of its floor area (not including storerooms, stock areas, bathrooms, basements, or any portion of the business not open to the public) to, or derives a substantial or significant portion of its gross revenues from items, merchandise, devices or other materials distinguished or characterized by an emphasis on material depicting, exposing, simulating, describing, or relating to Specified Sexual Activities or Specified Anatomical Areas; or
 - (2) engages in any Adult Use as defined in Paragraph (B) of this section.
- B. Adult Use. An adult use is any of the activities and businesses described below:
 - (1) Adult Bookstore or Videostore. An establishment or business used for the barter, rental, or sale of items consisting of printed matter, pictures, slides, records, audio tape, video, videotape, movies, or motion picture film if a substantial or significant portion of its inventory, stock in trade, or publicly-displayed merchandise consists of, or if a substantial or significant portion of its floor area (not including storerooms, stock areas, bathrooms, basements, or any portion of the business not open to the public) is devoted to, or if substantial or significant portion of its gross revenues is derived from items, merchandise, devices or materials that are distinguished or characterized by an emphasis on material depicting, exposing, simulating, describing, or relating to specified sexual activities or specified anatomical areas.
 - (2) Adult Entertainment Center. A business or establishment that provides dancing or other live entertainment distinguished or characterized by an

emphasis on the presentation, display, or depiction of "specified sexual activities" or "specified anatomical areas."

- (3) Adult Companionship Establishment. A business or establishment that provides the service of engaging in or listening to conversation, talk or discussion between an employee of the establishment and a customer, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- (4) Adult Conversation/Rap Parlor. A business or establishment that provides the service of engaging in or listening to conversation, talk or discussion, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- (5) Adult Health/Sport Club. A health/sport club, which is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- (6) Adult Hotel or Motel. Adult hotel or motel means a hotel or motel wherein material is presented which is distinguished or characterized by an emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."
- (7) Adult Massage Parlor, Health Club. A massage parlor or health club which provides the services of massage, if such service is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."
- (8) Adult Motion Picture Theater. A motion picture theater that as a prevailing practice presents movies distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas" for observation by patrons.
- (9) Adult Modeling Studio. An establishment whose major business is the provision, to customers, of figure models who are so provided with the intent of providing sexual stimulation or sexual gratification to such customers and who engage in "specified sexual activities" or display "specified anatomical areas" while being observed, painted, painted upon, sketched, drawn, sculptured, photographed or otherwise depicted by such customers.
- (10) Adult Motion Picture Arcade. Any place to which the public is permitted or invited wherein coin or slug-operated or electronically, electrically or mechanically controlled or operated still or motion picture machines, projectors or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by an emphasis on depicting or describing "specified sexual activities" or "specified anatomical areas."

- (11) Adult Novelty Business. A business which has as a principal activity the sale of devices which stimulate human genitals or devices which are designed for sexual stimulation.
- (12) Adult Sauna. A sauna that provides a steam bath or heat bathing room used for the purpose of bathing, relaxation or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent, if the service provided by the sauna is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

Adult Steam Room/Bathhouse Facility. A building or portion of a building used for providing a steam bath or heat bathing room used for the purpose of pleasure, bathing, relaxation, or reducing, utilizing steam or hot air as a cleaning, relaxing or reducing agent if the service provided by the steam room/bathhouse facility is distinguished or characterized by an emphasis on "specified sexual activities" or "specified anatomical areas."

C. "Nude" or "Specified Anatomical Areas" means:

- (1) The showing of the human male or female genitals, pubic area, buttocks, or anus with less than a fully opaque covering; the showing of the female breast with less than a fully opaque covering of any part of the nipple; the exposure of any device, costume, or covering which gives the appearance of or simulates the genitals, pubic hair, natal cleft, perineum anal region or pubic hair region; or the exposure of any device worn as a cover over the nipples and/or areola of the female breast, which device simulates and gives the realistic appearance of nipples and/or areola; or
- (2) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

D. "Specified Sexual Activities" means:

- (1) Actual or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, necrophilia, masochism, sadism or sadomasochism, fellatio or cunnilingus; or
- (2) Depiction or display of human genitals in the state of sexual stimulation or arousal; or
- (3) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

E. "Substantial or Significant portion" means: 25 % or more.

§ 68-3. Location.

Adult establishments may only be located as permitted in Section 8, Article 1, Subdivision 2 of the City Code.

§ 68-4. License Required.

No person, firm or corporation shall own or operate an adult establishment without having first secured a license as provided for in this chapter.

A. Applications. The application for an adult establishment license shall be submitted on a form provided by the city and shall include:

- (1) The name, residence, phone number and birth date of the applicant, if an individual; and if a corporation or partnership, the names, residences, phone number and birth dates of each partner and all officers, directors, and controlling stockholders for the business;
- (2) The name, address, phone number and birth date of the manager of such operation, if different from the owners;
- (3) Whether the applicant has ever used or has been known by a name other than the applicant's name, and if so, the name or names used and information concerning dates and places where used;
- (4) The address and legal description of the premises where the adult establishment is to be located;
- (5) A statement detailing each gross misdemeanor or felony relating to a sex offense, obscenity offense or offense related to the operation of adult uses and related activities of which the applicant, or in the case of a corporation or partnership, the owners, partners, officers, directors and controlling stockholders have been convicted, and whether or not the applicant has ever applied for or held a license to operate a similar type of business in other communities;
- (6) The activities and types of business to be conducted;
- (7) The hours of operation, which shall be limited to 8:00 a.m.-1:00 a.m.;
- (8) The provisions made to restrict access by minors;
- (9) A building plan of the premises detailing all internal operations and activities.

B. Fees.

- (1) Each application for a license shall be accompanied by a receipt from the city for payment in full of the required license fee. Upon rejection of any applications for a license, the Finance Director shall refund the amount paid.
- (2) All licenses shall expire at 12:00 midnight on March 31 of each year. Each license shall be issued for a period of one year, except that if a portion of the license year has elapsed when the application is made, a license may be issued for the remainder of the year for a pro-rated fee. In computing such fee, any unexpired fraction of a month shall be counted as one month.

- (3) The annual license fee for adult establishments shall be in the amount as set forth in the current City fee schedule.
- (4) No part of the fee paid for any license shall be refunded except in the following instances upon application to the City Council within 30 days from the happening of the event. There shall be refunded a pro rata portion of the fee for the unexpired period of the license, computed on a monthly basis, when operation of the licensed business ceases not less than one month before expiration of the license because of:
 - a. Destruction or damage of the licensed premises by fire or other catastrophe;
 - b. The licensee's illness;
 - c. The licensee's death;
 - d. A change in the legal status making it unlawful for the licensed business to continue.

C. Review and Action on License Application.

- (1) The City Council, or such persons as they designate, must complete their investigation within 30 days after the city receives a complete application and all license and investigative fees.
- (2) If the application is for a renewal, the applicant shall be allowed to continue business until the City Council has determined to renew or refuse to renew a license. Application for renewal must be submitted with the annual license fee not later than 30 days before the license expires.
- (3) If, after such investigation, it appears that the applicant and the place proposed for the business are eligible for a license under the criteria set forth in this subsection, then the license shall be issued by the City Council within 30 days after the investigation is completed. Otherwise the license shall be denied.
- (4) Each license shall be issued to the applicant only and shall not be transferable to another holder. Each license shall be issued only for the premises described in the application. No license may be transferred to another premise without the approval of the City Council. If the licensee is a partnership or a corporation, a change in identity of any of the principals of the partnership or corporation shall be deemed a transfer of the license.
- (5) An applicant for any license under this section shall deposit with the city at the time an original application is submitted, an amount as set forth in the current City fee schedule to cover the costs involved in verifying the license application and to cover the expense of any investigation needed to assure compliance with this section. If the investigation and verification process is conducted outside the state of Minnesota, the city may require the actual investigation costs not exceeding the amount set forth in the current City fee schedule.

D. Persons Ineligible for License. No license shall be granted to or held by any person:

- (1) Under 18.
- (2) Who has been convicted of a felony or of violating any federal law, state law or local ordinance relating to sex offenses, obscenity offenses or adult establishments, unless the applicant can show competent evidence of sufficient rehabilitation under Minn. Stat. § 364,05, subd. 3.
- (3) Who is not the proprietor of the establishment for which the license is issued.
- (4) Who has failed to supply all of the information requested on the license application;
- (5) Who gives false, fraudulent, or untruthful information on the license application;
- (6) Who has not paid the required license and investigation fees;
- (7) Who has been denied a license by the City or any other municipal corporation to operate an adult establishment, or such license has been suspended or revoked, within the preceding twelve (12) months.

E. Places Ineligible for License.

- (1) No license shall be granted for adult establishments on any premises where the owner or the applicant has been convicted of a violation of this chapter, or where any license hereunder has been revoked for cause, until one year has elapsed after such conviction or revocation.
- (2) Except for uses lawfully existing at the time of this ordinance adoption, no license shall be granted for any adult establishment, which is not in compliance with the city's zoning regulations or applicable building code.
- (3) Establishments holding an intoxicating liquor, beer or wine license are ineligible for a license.
- (4) No license shall be granted for operation on any premises upon which taxes, assessments, or installments thereof, or other financial claims of the city, are owed by the applicant and are delinquent and unpaid.

F. Conditions of License.

- (1) Every license shall be granted subject to the following conditions and all other provisions of this chapter, and of any applicable sections of the code of the city, state law, or federal law, whichever is more restrictive.
- (2) All licensed premises shall have the license posted in a conspicuous place at all times.
- (3) No minor shall be permitted on the licensed premises.
- (4) Any designated inspection officer of the city shall have the unqualified right to enter, inspect and search the premises of a licensee during business hours.

- (5) Every licensee shall be responsible for the conduct of his or her place of business and shall maintain conditions of order.
- (6) An adult establishment shall not sell or dispense non-intoxicating or intoxicating liquors nor shall it be located in a building which contains a business that sells or dispenses non-intoxicating or intoxicating liquors.

G. Hearing and Appeal Procedures.

Denials, non-renewals, suspensions and revocations of an adult establishment license are governed by this subsection.

- (1) Notice and Hearing. In the event that the City proposes to deny or not to renew, suspend or revoke a license, the City will notify the applicant/licensee in writing of the basis for the action. The Council will hold a hearing for the purpose of determining whether to deny, not renew, suspend, or revoke the license. The hearing must be within 30 days of the date of the notice. The City Council must make a decision within 30 days after the close of the hearing or within 60 days of the date of the notice, whichever is sooner. The Council must notify the applicant/licensee of its decision within that period.
- (2) Suspension or Revocation. If the Council determines to suspend or revoke a license, the suspension or revocation is not effective until 15 days after notification of the decision to the licensee. If, within that 15 days, the licensee files and serves an action in state or federal court challenging the Council's action, the suspension or revocation is stayed until the conclusion of such action.
- (3) Non-renewal. If the City Council determines not to renew a license, the licensee may continue its business for 15 days after receiving notice of such non-renewal. If the licensee files and serves an action in state or federal court within the 15 days for the purpose of determining whether the City acted properly, the licensee may continue in business until the conclusion of the action.
- (4) Prompt Judicial Review. After denial or non-renewal of an application, or suspension or revocation of any license, the applicant or licensee may seek prompt judicial review of such action in any court of competent jurisdiction. The court shall promptly review such action.

§ 68-5. Violations and Penalties.

Any person violating any provision of this chapter is guilty of a misdemeanor and upon conviction shall be punished not more than the maximum penalty for a misdemeanor as prescribed by state law.

The City may enforce any provision of this Chapter by mandamus, injunction, or any other appropriate civil remedy in any court of competent jurisdiction, regardless of the status of any related criminal prosecution.

§ 68-6. State Law Inapplicable.

Minnesota Statutes, section 617.242 shall not apply in the City.

§ 68-7. Severability.

The provisions of this chapter shall be severable. If any provision is found to be void, the remaining provisions of the law shall remain valid, unless the court finds the valid provisions of the law are so essentially connected with the void provisions so that the court cannot presume the Council would have enacted the remaining valid provisions without the void one; or unless the court finds the remaining valid provisions, standing alone are incomplete and incapable of being executed in accordance with the legislative intent.

Section 3. This ordinance shall take effect and be in force from and after its publication in the official newspaper of the City of Isanti.

Jeff Johnson, Mayor

ATTEST:

Katie Brooks, City Clerk



Memo for Council Discussion

To: Mayor Johnson and Members of the City Council
From: Don Lorsung, Assistant City Administrator/Special Projects
Date: January 30, 2020
Subject: Discussion Only - City Code Chapter 276 Amendment and Special Assessment Policy Update

Background:

City staff has prepared updates to the Special Assessment Policy. The updates regard aligning the policy to include funding options (ex. internal project funding), matching policy to current practice, and updates as recommended by the City Engineer, Finance Director and League of Minnesota Cities. As a part of this update, the city code chapter would be amended to include what is needed by ordinance, and a resolution adopted that encompasses the remainder of special assessment policies.

The City Attorney has reviewed the updated city code amendment and policy.

Recommendation:

Consider next steps to adopt the amended City Code (Ordinance) and Special Assessment Policy.

Request:

Staff is requesting City Council discussion and direction.

Action Required:

If the Council concurs, it should direct staff to post the Ordinance and place both the Ordinance and Special Assessment Policy Resolution on the next City Council meeting agenda for consideration.

Attachments:

- Draft Ordinance XXX – An Ordinance Repealing and Replacing Ordinance 161 Adopted on February 19, 1991 and Amended by Ordinance 257 on April 16, 2002 and Titled Special Assessments.
- Draft Special Assessment Policy

For Review and Discussion Only

**AN ORDINANCE REPEALING AND REPLACING ORDINANCE 161 ADOPTED
ON FEBRUARY 19, 1991 AND AMENDED BY ORDINANCE 257 ON APRIL 16,
2002, AND TITLED SPECIAL ASSESSMENTS**

The City Council of the City of Isanti, Minnesota ordains:

Section 1 – Repealer. Ordinance 161 and amending Ordinance 257, codified in Chapter 276 of the City Code is hereby replaced in its entirety and replaced with the ordinance set forth below.

Section 2 – Ordinance. The following Chapter 276 is hereby adopted:

SPECIAL ASSESSMENTS

276-1. Deferred assessments

276-1. Deferment of Special Assessments.

A. The Council may defer the payment of any special assessment on homestead property owned by a person who is 65 years of age or older, or a person who is retired by virtue of permanent and total disability, or military persons meeting the criteria under Minn. Statute § 435.193, as amended from time to time. The City Clerk is hereby authorized to record the deferment of special assessments where the following conditions are met:

1. The applicant must apply for the deferment not later than 90 days after the assessment is adopted by the City Council.
2. The applicant must be 65 years of age or older, retired by virtue of permanent and total disability, or meets the military deferral standard in Minnesota Statutes section 435.193.
3. The applicant must be the owner of the property.
4. The applicant must occupy the property as his principal place of residence.
5. The average annual payment for assessments levied against the subject property exceed one percent of the adjusted gross income of the applicant as evidenced by the applicant's most recent federal income tax return. The average annual payment of an assessment shall be the total cost of the assessment divided by the number of years over which it is spread.

B. The deferment shall be granted for as long a period of time as the hardship exists and the conditions aforementioned have been met. However, it shall be the duty of the applicant to notify the City Clerk of any change in status that would affect eligibility for deferment.

C. The entire amount of deferred special assessments shall be due within 60 days after loss of eligibility by the applicant. If the special assessment is not paid within the 60 days, the City Clerk shall add thereto interest at a per annum interest rate according to the terms and conditions of the original special assessments, and the total amount of principal and interest shall be certified to the County Auditor for collection with taxes the following year. Should the applicant demonstrate to the satisfaction of the Council, that full repayment of the deferred special assessment would cause the applicant particular undue financial hardship, the Council may order that the applicant pay within 60 days a sum equal to the number of installments of deferred special assessments outstanding and unpaid to date, including principal and interest, with the balance thereafter paid according to the terms and conditions of the original special assessments.

D. The option to defer the payment of special assessments shall terminate and all amounts accumulated plus applicable interest shall become due upon the occurrence of any one of the following:

1. The death of the owner when there is no spouse who is eligible for deferment.
2. The sale, transfer or subdivision of all or any part of the property.
3. Loss of homestead status on the property.
4. Determination by the Council for any reason that immediate or partial payment would impose no hardship.

Effective Date:

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

Adopted by the City Council this _____ of February, 2020.

Mayor Jeff Johnson

Attest:

Katie Brooks
Human Resources/City Clerk

Adopted on: _____
Published on: _____
Effective Date: _____

Discussion Only

SPECIAL ASSESSMENT POLICY

- Section 1. General policy statement.**
- Section 2. Improvements and maintenance costs eligible for special assessment.**
- Section 3. Initiation of public improvement projects.**
- Section 4. Public improvement procedures.**
- Section 5. Financing of public improvements.**
- Section 6. General assessment policies.**
- Section 7. Methods of assessment.**
- Section 8. Policies of re-assessment.**
- Section 9. Assessment computations.**
- Section 10. Deferrals on unimproved parcels**
- Section 11. Postponed assessments; apportionment; supplemental assessments.**

Section 1. General policy statement.

A. The purpose of this policy is to establish a fair and equitable manner of assessing the increase in market value (special benefit) associated with public improvements. The procedures used by the City for levying special assessments are those specified by Minnesota Statutes, Chapter 429, as amended from time to time, which provides that all or a part of the cost of improvements may be assessed against benefiting properties.

B. Three basic criteria must be satisfied before a particular parcel can be assessed. The criteria are as follows:

1. The land must have received special benefit from the improvement.
2. The amount of the assessment must not exceed the special benefit.
3. The assessment must be uniform in relation to the same class of property within the assessment area.

The assessment policy is intended to serve as a guide for a systematic assessment process in the City. There may be exceptions to the policy or unique circumstances or situations which may require special consideration and discretion by city staff and the City Council.

Section 2. Improvements and maintenance costs eligible for special assessments.

A. Public improvements and related acquisition, construction, extension, and maintenance of such improvements, authorized by Minn. Stat. § 429.021 and 459.14, subd. 7, as amended from time to time, are eligible for special assessment within the City.

B. The City is also authorized by ordinance to recover, through special assessment, unpaid special charges as provided in Minn. Stat. § 429.101.

Section 3. Initiation of public improvement projects.

A. Public improvement projects can be initiated in the following ways.

1. Public improvement projects may be initiated by petition of owners of at least 35% in frontage of the property abutting the proposed improvement.
2. Public improvements also may be initiated by the City Council when, in its judgment, such action is required.
3. A resolution ordering any improvements initiated by the Council or by owners of less than 35% of abutting property owners requires a four-fifths majority vote of all members of the Council. A resolution ordering any improvements initiated by owners of not less than 35% of abutting property owners requires a majority vote of all members of the Council. A resolution ordering any improvements initiated by all owners (100%) of abutting property, and assessing the entire cost against their property, may be adopted without a public hearing. All petitioned projects by property owners regarding development of land shall follow the Policies for Petitioned Projects, adopted as City Resolution 2007-240.

Section 4. Public improvement procedure.

A. The following is the general procedure followed by the City Council for all public improvement projects from initiation of such a project through certification of the assessment roll to the County Auditor. Formats for the various reports and resolutions referenced in this section are made a part of the policies and procedures of the City.

1. Staff reviews petition or Developer's request for submission to Council.
2. Council accepts or rejects petition or request. If based upon a petition, the Council adopts a resolution declaring whether the required percentage of property owners has signed. If the petition or request is accepted, Council orders preparation of feasibility report.
3. Staff prepares feasibility report. The report shall preliminarily evaluate whether the proposed improvement is necessary, cost-effective, and feasible and whether it should be made as proposed or in conjunction with another project. The report shall include an estimate of the

cost of the improvement as proposed. Council may refer the report to the Planning and Zoning Commission.

4. Council accepts or rejects feasibility report. If accepted, Council orders public hearing on the improvements.
5. Staff posts and publishes hearing notice and mails notices to affected property owners as provided in Minn. Stat. § 429.031(a), as amended from time to time.
6. Council conducts public hearing.
7. Within six (6) months of the hearing date, Council adopts or rejects resolution ordering improvement to be constructed and advertisement of bids as required in Minn. Stat. § 471.345. If adopted, staff prepares final plans, advertises for and opens bids as provided in Minn. Stat. § 429.041, as amended from time to time, prepares bid tabulation, makes recommendation to City Council for award, and prepares proposed assessment roll. Bonds to finance project costs may be issued at any time after the improvements are ordered.
8. Council reviews proposed assessment roll and orders assessment hearing.
9. Staff publishes hearing notice, mails notice of hearing date and proposed assessments to the affected property owners as provided in Minn. Stat. § 429.061, as amended from time to time.
10. Council conducts assessment hearing and adopts, revises, or rejects resolution determining the amount of the total expense the City will pay, if any, and establishing the assessment roll. If adopted, Council authorizes certification of the assessment to the County Auditor.
11. Council awards contract based on the bids received.
12. Staff certifies the assessment roll to the County Auditor.
13. Staff supervises construction and prepares payments.

Section 5. Financing of public improvements.

A. The City encourages public improvement projects as the area (s) benefiting and needing such improvements develop. Examples of this policy can be seen through the subdivision regulations, zoning ordinance, and building codes. Developers are required to provide the needed improvements and services before development occurs, thereby avoiding unexpected hardships on the property owners purchasing such property and the general public. However, it is recognized that certain areas of the City have developed without all needed public improvements (e.g. parks, water, sewer, and street improvements) and that methods must be found to provide these improvements without causing undue hardships on the general public or the individual property owner.

B. Special assessments are generally accepted as a means by which areas can obtain improvements or services; however, the method of financing these is a critical factor to both the City and the property owner. Full project costs spread over a very short term can cause an undue hardship on the property owner and, likewise, city costs and systems costs spread over a long period of time can produce an undue hardship on the general public of the City.

Section 6. General assessment policies.

A. The cost of any improvement shall be assessed upon property by the improvements based upon benefits received. The following general principles shall be used as a basis of the City's assessment policy:

1. **Project Cost.** The "project cost" of an improvement includes the costs of all necessary construction work required to accomplish the improvement, plus engineering, legal, administrative, financing and other contingent costs, including acquisition of right-of-way and other property. The finance charges include all costs of financing the project. These costs include but are not limited to financial consultant's fees, bond rating agency fee, bond attorney's fees, and capitalized interest. The interest charged to the project shall be included as financing charges.
2. **City Cost.** The "city cost" of an improvement is the amount of the total improvement expense the City will pay as determined by Council resolution. Where the project cost of an improvement is not entirely attributed to the need for service to the area served by said improvement, or where unusual conditions beyond the control of the owners of the property in the area served by the improvement would result in an inequitable distribution of special assessments, or for any other reason determined by the City, the City, through the use of other funds, may pay such "city cost."
3. **Assessable Cost.** The "assessable cost" of an improvement is equal to the "project cost" minus the "city cost."
4. **Interest.** The City will charge interest on special assessments at a rate specified in the resolution approving the assessment roll. If bonds were sold to finance the improvement project, the interest rate shall be one percent (1%) more than the true interest cost of the bonds, rounded to the nearest quarter of a percent. If no bonds were sold, the interest rate shall be set at one percent (1%) over current market rate for municipal bonds based on the city's current bond rating at the time of the final assessment hearing.
5. **Prepayment.** Property owners may pay their assessments in full interest free for a period of 30 days after the assessment hearing. After such period interest shall be computed from the date specified in the assessment resolution. The City will transmit a certified duplicate of the assessment roll with each installment, including interest, to the County Auditor, or in lieu of such certification, annually certify to the County Auditor by November 30 in each year, the total amount of installments of and interest on assessments on each parcel which are to become due in the following year. Prior to certification of principal and interest or the first installment thereof, to the County Auditor, a property owner may make a partial prepayment of the principal to the City. Such partial prepayment must be at least \$100.00. If the partial prepayment is made after the 30-day "interest free" period allowed by state law, interest will be charged on the amount of the partial prepayment from the date specified in the resolution and paid along with the partial prepayment. After the City has made the first certification of principal and interest to the County Auditor, prepayment will be accepted only for the total amount still owing including interest and must be made prior to November 15 of any year. If a parcel has two or more separate special assessments, prepayment of the remaining principal balance may be made on one or more assessment totals. Tax-exempt parcels such as churches and school properties may make only one partial prepayment to the first certification to the

County Auditor. The remaining principal after the partial prepayment will be paid in equal installments over the remaining term of the special assessments.

6. Extensions. Where an improvement is designed for service of an area beyond that receiving the initial benefit, the City may pay for increased project costs due to such provisions for future service extensions. The City will levy assessments to cover this cost when a new improvement is installed as an extension of the existing improvement upon identification of such additional amount in the notice of hearing for the extensions or new improvements. As an alternative, the City may assess these costs to the area of future benefit immediately.
7. Frontage Roads. Because frontage roads along highways or other arterial streets are deemed to be of benefit to commercial or industrial properties, the entire costs of any improvement on such frontage roads shall be assessable to the benefited properties, even if only those properties on one side of such frontage roads are benefited.
8. Project Assistance. If the City receives financial assistance from the Federal Government, the State of Minnesota, the County, or from any other source to defray a portion of the costs of a given improvement, such aid will be used to reduce the "city cost" of the improvement. The aid will not be used to reduce assessment amounts.
9. Assessable Property. Property owned by the City and other political subdivisions including municipal building sites, parks and playgrounds, but not including public streets, alleys, and right-of-way, shall be regarded as being assessable on the same basis as if such property was privately owned. Private right-of-way shall be assessable.
10. Individual Benefits. The City must construct improvements specifically designed for or shown to be of benefit solely to one or more properties. The costs for these improvements will be assessed directly to such properties, and not included in the assessments for the remainder of the project. An example of this would be utility service lines running from the main lines to the property.

Section 7. Methods of assessment.

A. General Statement. There are different methods of assessment: per lot, adjusted front foot, and area. The feasibility report will recommend one or a combination of these methods for each project, based upon which method would best reflect the benefit received for the area to be assessed. The City Council will select the preferred method of calculating the assessments at the time the project is ordered.

B. Policy Statement. The following methods of assessment, as described and defined below, are hereby established as methods of assessment in the City.

C. "Adjusted Front Footage" Method of Assessment.

The "cost per adjusted front foot" method of assessment shall be based on the quotient of the "assessable cost" divided by the total assessable frontage benefiting from the improvement. For the purpose of determining the "assessable frontage," all properties, including governmental agencies, shall have their frontages included in such calculation.

The actual physical dimensions of a parcel abutting an improvement (i.e., street, sewer, water, etc.) shall not be construed as the frontage utilized to calculate the assessment for a particular parcel. Rather, an “adjusted front footage” will be determined. The purpose of this method is to equalize assessment calculations for lots of similar size. Individual parcels by their very nature differ considerably in shape and area. The following procedures will apply when calculating adjusted front footage. The selection of the appropriate procedure will be determined by the specified configuration of the parcel. All measurements will be scaled from available plat and section maps and will be rounded down to the nearest foot dimension with any excess fraction deleted.

1. *Rectangular Interior Lots.* The rectangular lot is defined as having no more than 2.0 feet difference between the front and rear lot lines. The adjusted front footage is the actual front footage of the lot.
2. *Approximately Rectangular Lots.* For a lot which is approximately rectangular, the adjusted footage is computed by averaging the front and back sides of the lot.
3. *Odd Shaped Lots.* For odd shaped lots such as exist on cul-de-sacs and curved streets, the adjusted front footage is the width measured at the setback line of the lot.
4. *Corner Lot Adjustment.* The short side will be assessed the actual front footage. The long side will be assessed one-half the actual side footage or seventy-five (75) feet, whichever is greater. Where frontage curves so greatly as to give a general appearance of a corner, the lot shall be considered a corner lot.
5. *Neck lots and dead-ends.* A lot or parcel which has a small frontage on a street, with a narrow strip running back 120 feet or more, or a lot or parcel that is served by a street that is improved but either the street dead-ends or the improvement ends at the property line, is assigned an adjusted frontage of 75 feet. Where an improvement is subsequently extended, the lot or parcel that was assigned an adjusted frontage of 75 feet shall have the 75 feet deducted from the footage on the subsequent assessment.
6. Any parcel of land which is not capable of further subdivision pursuant to the applicable zoning ordinance and which has frontage in excess of 330 feet shall be assessed for a maximum adjusted front footage of 330 feet.

B. “Area” Method of Assessment.

The “area” method of assessment shall be based on the number of square feet or acres within the boundaries of the appropriate property lines of the areas benefiting from the project. The assessment rate (i.e., cost per square foot) shall be calculated by dividing the total assessable cost by the total assessable area. On large lots, the City Engineer may determine that only a portion of the lots receives the benefit and may select a lot area for the calculations equal to the benefit received.

All properties included in the benefited area, including other governmental areas, churches, etc., shall be assessable. The following items may not be included in area calculations: public right-of-ways, natural waterways, swamps and lakes and other wetlands designated by the Minnesota Department of Natural Resources, National Wetland Inventory, or the City. The City Engineer will make a recommendation on the boundaries or parameters of the benefited area in the feasibility report.

C. "Per Lot" Method of Assessment.

The "per lot" method of assessment shall be based on equal assessment of all lots within the benefited area. The "assessment per lot" shall be the quotient of the "assessable cost" divided by the total assessable lots or parcels benefiting from the improvement. For the purpose of determining the "lots" or "parcels" all parcels, including governmental agencies, shall be included in such calculations. For any lot that could be subdivided to City minimum lot size standards, said lot shall be assigned the number of lots it could subdivide to.

Section 8. Policies of re-assessment.

The City shall design public improvements to last for a definite period. The life expectancy or service life shall be as stated in the policy statement of this section, or if different, shall be as stated in the resolution ordering improvement and preparation of plans.

A. Policy Statement

The following are the "life expectancies" or "service lives" of public improvements except as may be otherwise stated in the resolution ordering improvement and preparation of plans.

1. Sidewalks - 20 years.
2. Street improvements, including surfacing and curb and gutter - 20 years.
3. Ornamental street lighting - 20 years.
4. Water Mains - 30 years.
5. Sanitary Sewers - 30 years.
6. Storm Sewers - 30 years.

Section 9. Assessment computations.

The following is the typical city assessment for various specified improvements.

A. Street and Curb and Gutter Improvements

1. *New Construction Projects.* New streets are assessed 100% to the abutting benefited properties. Street and curb and gutter improvements will normally be assessed by the adjusted front foot method, however other methods may be utilized if conditions warrant. Cost of construction of streets shall be assessed based on the City standard typical section for residential areas and 9-ton axle load in commercial and industrial areas. Oversizing costs which are incurred in excess of the above shall be 100% assessed to the City.
2. *Reconstruction and Reclamation Projects.* Street reconstructions and reclamations are assessed 25% to the abutting benefited properties. New curb and gutter are 100% assessed. Replaced curb and gutter are assessed 25% to the abutting benefitted properties.

3. *Gravel Streets.* Upgrading of existing gravel street by adding pavement, curb and gutter is considered new construction and all costs are assessed 100%.
4. *Seal Coats and Overlays.* Sealcoats and overlays are considered maintenance and shall not be assessed.
5. *Alleys.* Upgrading existing gravel alleys by adding pavement is assessed 100% to all lots abutting on the alley in the block being improved. Reconstructing existing paved alleys are 100% assessed also.
6. *Driveways.* New driveways are assessed 100% to the property owner. Reconstructed driveways are assessed 25% to abutting benefitted property owners.
7. The assessments for those parcels contained in a benefitted area but outside the City limits shall be deferred until such parcels have been annexed. The City Council may require properties to be annexed before providing City services to them.

B. Sidewalks and Trails

1. *New Construction projects.* In Commercial Districts, the total cost for the installation of new sidewalks or trails for new projects will be assessed 100% against the property owner. In Residential Districts the total cost shall be assessed 100% to the City if the City requires the sidewalk or trail to be built. If the sidewalk or trail is petitioned for by the residents of the street, it shall be assessed 100% to the benefiting property owners. A successful petition shall be one signed by property owners owning a minimum of 51% of the front footage of the street in question.
2. *Reconstruction projects.* 25% percent of the cost shall be assessed to the property owners in the project area and 75% shall be assessed to the City.

C. Storm Sewer Improvements

Policy Statement. The basis for a storm sewer or ditching assessment is not the installation of a pipe or ditch on a particular property but, rather, the installation of pipe or ditch in an area. The definition of these areas is determined by the City Engineer. When the installation of the pipe or ditch is completed in full in an area, the area is assessed in full. Any area which contributes water to this system, whether by ground runoff or by underground piping, is assessed up to the current rate per square foot.

New projects. The total cost for both storm sewers and ditches shall be 25% assessed to the City and 75% assessed to the benefitting property owners in districts involving a mixture of existing uses and vacant land. The total cost shall be assessed 100% to benefitting property owners in districts where all of the land is vacant.

Reconstruction projects. The total cost for both storm sewers and ditches shall be 75% assessed to the City and 25% assessed to the benefitting property owners for reconstruction, system maintenance, or ditch cleaning projects. In cases where the property owner has caused damage to a drainage system by their actions (for example, farming too close to a ditch or causing erosion into a ditch or waterway due to lack of maintenance of property), the property owner shall be assessed 100% of the costs for repairing the damage and reconstructing the drainage system.

D. Sanitary Sewer Assessments

Policy Statement. Sanitary sewers consist of a network of pipes and associated pumping stations, meter stations and appurtenances designed to transport sewage to the municipal waste treatment plant.

1. *Assessment method.* The total cost of an interceptor or trunk line is assessed equally per unit of area over the entire district served by the sewer main. The assessment is generally levied in the current year of construction of the interceptor or trunk sewer, and it is entirely likely that a large number of properties will be assessed which do not immediately have access to the sewer. However, it is considered that such properties do accrue immediate benefit from the interceptor or trunk sewer since it is available to receive lateral sewer connections, which may be initiated by petition of property owners. Sanitary sewer lift stations and additional construction shall be considered as part of the interceptor or trunk sewer and shall be assessed on the same basis.

2. *New projects.* The total cost of sanitary sewer laterals for new projects shall be 100% assessed to the benefitting property. In any new project requiring reconfigurations or additions to the existing sanitary sewer system, 100% of the cost of the project shall be assessed to the benefitting property owners.

3. *Reconstruction projects.* 25% of the cost shall be assessed to the property owners and 75% shall be assessed to the City.

4. *Sanitary sewer building service or hookup.* Sanitary sewer building service or hookup is the connection by the property owner to the City sewer service and is 100% assessable against the benefitting property. The hookup charge shall be determined by the City Council.

5. *Stub-out.* A stub-out is the connector attached to the sewer main that permits individual connection to the service. The cost for a stub-out for new projects is 100% assessable to the property owner.

Parcels outside the City. Reasonable costs for those parcels contained in the area or district served but located outside the City limits shall be deferred until such parcels have been connected to the system or annexed, whichever comes first. Such costs shall be payable to the City through reasonable service and connection charges. The City Council may require properties to be annexed before providing City services to them.

E. Water Main Assessments

Policy Statement. Water mains consist of a network of pressure pipes designed to deliver municipal water to homes within the City. The City Council shall determine the standard size and depth necessary for any particular pipe. If a business or home requires a diameter of pipe in excess of the standard size, then that business or home shall pay for the extra costs associated with oversizing. If the City Council requires a pipe in excess of the standard size, then the City shall pay for the extra costs associated with oversizing.

1. *Assessment method.* Water mains will be assessed on a per-lot or lot-unit basis. The assessment is generally levied in the current year of construction of the water main, and it is entirely likely that a large number of properties will be assessed which do not immediately have access to the water main. However, it is considered that such properties do accrue immediate benefit from the water main since it is available to receive water service connections, which may be initiated by petition of property owners.
2. *New projects.* The total cost of water main for new projects shall be 100% assessed to the benefiting property owners. In any new project requiring reconfigurations or additions to the existing water system, 100% of the cost of the project shall be assessed to the benefiting property owners.
3. *Reconstruction projects.* 25% of the cost shall be assessed to the property owners, and 75% shall be assessed to the City.
4. *Water main building service or hookup.* The connection by the property owner to the City water service is 100% assessable against the benefiting property. The hookup charge shall be determined by the City Council.
5. *Stub-out.* A stub-out is that connector attached to the water main that permits individual connection to the service. The cost for a stub-out for new projects is 100% assessed to the property owner.
6. *Water tower.* Water tower construction may be assessed to benefiting property owners should the City Council determine it necessary to do so.
7. *Parcels outside the City.* The assessments for those parcels contained in a benefitted area but outside the City limits shall be deferred until such parcels have been annexed. The City Council may require properties to be annexed before providing City services to them.

F. Street Boulevard Trees

All street boulevard trees installed as part of new street constructions or in reconstructing existing streets shall be included as part of the overall project costs included in the assessment calculations.

G. Street Lights

All costs for new streetlights installed as part of constructing new streets or streetlights relocated as part of reconstructing streets are included in the overall project costs and included in the assessment calculations. In new subdivisions, the City may require the developer to finance street light improvement rather than assessing the cost.

H. Other Improvements

Based on the City Council determination, any other improvements may be fully assessed or assessed in part.

276-10. Deferrals on unimproved parcels

Deferrals on unimproved parcels. (See Minn. Stat. § 429.061, Subd. 2., as amended from time to time) On improvement projects involving assessments on unimproved parcels, the City Council may decide to defer assessments at the request of the landowner, according to the following:

1. Activation of deferred assessment. Payment of the deferred assessment shall commence when one of the following events occurs:
 - a. The property is sold as a single parcel.
 - b. The property is subdivided pursuant to the applicable zoning ordinance, court order, or registered land survey, unless determined by the City Council that such event does not justify activation of the deferred assessments.
 - c. The property reverts to the State of Minnesota as a result of tax forfeiture.
 - d. The property or portion thereof is acquired by condemnation for a subsequent project.
 - e. At a time mutually agreeable to the property owner and the City.
2. Repayment of deferred assessments. Based upon the type of improvement, the repayment period for any bonds sold to finance the project, and the amount of individual assessments, the City Council shall, prior to the adoption of the assessment, determine the length of time over which the deferred assessments shall be paid and shall select one of the following options for payment of the interest on the deferred assessments:
 - a. Interest shall be added to the principal amount of the assessment when it first becomes payable; or
 - b. Interest shall be payable annually at the same times as the principal installments of the assessment would have been payable if not deferred. If the City Council and property owner agree, this interest may be deferred also. The unpaid principal balance of deferred assessments shall accrue interest at the same rate as the assessments not deferred.

276-11. Postponed assessments; apportionment; supplemental assessments.

A. Postponed assessments.

1. If the City advances its own funds to pay for improvement costs relating to property abutting on but not initially assessed for the improvement, the City may reimburse itself for all or any portion of this cost by levying assessments against such property upon notice and hearings provided for the assessments at a later date.
2. If the City advances its own funds to pay for improvement costs that benefit nonabutting property not initially assessed for it, but able to use it when extensions or other improvements are made, the City may include all or any portion of the City costs in assessments for later improvements if notice to that effect is included in the notice of hearing on the matter of undertaking the later extension or improvement.

B. Apportionment of assessments upon subdivision of land. If a special assessment is levied against a tract of land which is later subdivided, the installments remaining unpaid can be apportioned among the various lots and parcels in the tract upon a finding that such apportionment will not materially impair collection of the balance due. This may be done upon application of the property owner or by the City Council acting upon its own motion, but notice of such apportionment and of the right to appeal must be mailed to or personally served upon all owners of any part of the tract. The City Council may, and if the assessment has been pledged towards payment of improvement warrants the City Council must, require the owner or owners to furnish surety bonds.

C. Supplemental assessment and reassessment. The City Council may, subject to legal notice and hearing requirements, make supplemental assessments to correct omissions, errors, or mistakes in the assessment relating to the total cost of the improvement or any other particular item. If an assessment is set aside by a court for any reason or if the City Council finds that the assessment or any part of it is excessive or determines on advice of the City Attorney that it is or may be invalid for any reason, the City Council may upon notice and hearing as required for the original assessment, make a reassessment or a new assessment as to such parcel or parcels.

A Community For Generations.



Memo for Council Action

To: Mayor Johnson and Members of the City Council
From: Jenny Garvey – Parks, Recreation & Culture Manager
Date: February 4, 2020
Subject: Resolution to the Amend Isanti Legacy Recognition Policy

Background:

The COW reviewed the Isanti Legacy Recognition Policy at the January 21, 2020 meeting and asked staff to bring it back to council

Request:

Staff is requesting council approve the amended Isanti Legacy Recognition Policy

Attachment:

- Resolution 2020-XXX
- Exhibit A-Isanti Legacy Medal Recognition Policy

RESOLUTION 2020-XXX

AMENDING THE ISANTI LEGACY MEDAL RECOGNITION POLICY

WHEREAS, the City Council would like to honor those who, through their actions, have brought positive State or National recognition to the City of Isanti; and,

WHEREAS, the City Council would like to honor those who have served the City of Isanti with distinction; and,

WHEREAS, the Isanti Legacy Medal signifies the importance of City of Isanti residents, and those who are members of organizations within the City of Isanti, have had in building the legacy of Isanti;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota hereby adopts the Isanti Legacy Medal Recognition Policy, as provided in 'Exhibit A'.

This resolution was duly adopted by the Isanti City Council this 4th day of February 2020.

Mayor Jeff Johnson

ATTEST:

Katie Brooks
Human Resources/City Clerk



ISANTI LEGACY MEDAL RECOGNITION POLICY

Purpose

To honor those who, through their actions, have brought positive State or National recognition to the City of Isanti or those who have served the City of Isanti in a distinct or extraordinary way.

Policy

The Isanti Legacy Medal signifies the importance of City of Isanti residents, and those who are members of organizations within the City of Isanti, have had in building the legacy of Isanti.

Procedure for Nominating

The following procedure should be followed when nominating an individual(s) for the Isanti Legacy Medal:

- Request a nomination form from the City of Isanti or download off the City website.
- Return the nomination form to City Hall,.
- Nominations will be accepted through the Parks, Recreation and Culture Staff.
- Nominees will be reviewed by the d Committee of the Whole who will make recommendations to the City Council.
- Nominees selected may be recognized annually.

Criteria for Nominating

The following criteria should be followed when nominating an individual(s) for the Isanti Legacy Medal:

- The opportunity is open to all Isanti City residents or members of organizations based in the City of Isanti; no age requirement.
- The nominee has either received State or National recognition or served the City of Isanti with distinction.
- The name and address (home or organization) of the individual nominated shall be provided.
- The reason(s) why this person should be nominated.



Isanti Legacy Medal Nomination Form

The Isanti Legacy Medal recipient is an outstanding individual recognized for positively representing the City of Isanti either by State or National recognition or by having served the City of Isanti with distinction.

Nomination Requirements

Nominee

Name: _____

Organization (if applicable): _____

Address: _____

Phone: _____

Nominator

Name: _____

Address: _____

Phone: _____

Reason(s) for Nominating this Individual

RETURN NOMINATION FORM TO:

City of Isanti

Attn: PRC Staff

110 1st Ave NW, P.O. Box 428

Isanti, MN 55040

Email: isantiparks@cityofisanti.us

PRC Staff Reviewed:	COW Reviewed:
---------------------	---------------


**BOLTON
& MENK**

Real People. Real Solutions.

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

 Ph: [763] 433-2851
 Fax: [763] 427-0833
 Bolton-Menk.com

MEMORANDUM

Date: January 28, 2020

To: Josi Wood, City Administrator

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

Subject: 6th Avenue SW Rehabilitation
 - Preliminary Engineering Report, Call for Public Hearing, Project Engineering Services
 City of Isanti, MN
 Project No.: R13.120122

Pursuant to your authorization, we have prepared a Preliminary Engineering Report (PER) for the 6th Avenue SW Rehabilitation. Included in the report are exhibits depicting the proposed improvements, estimated costs and discussion regarding funding and the Minnesota State Statute No. 429 (MS-429) assessment procedure.

Should the Mayor and City Council elect to move forward with the improvements, Bolton & Menk, Inc proposes to complete the following scope of services to enable the project to be completed:

- Prepare documents for the required public hearing
- Prepare Plans and Specifications
- Advertise for bids
- Prepare the recommendation to Council to award bid
- Perform construction administration, observation and surveying during the project
- Prepare the final assessment roll and conduct the final assessment hearing

We recommend the following schedule to keep the project on schedule to be constructed this summer:

- 1) February 4, 2020 Mayor and City Council accepts Report calls for Hearing on the Improvement and Authorizes Preparation of Plans and Specifications.
- 2) March 4, 2020 Hold Public Hearing
- 3) March 4, 2020 Mayor and City Council approves plans and orders advertisement of bids
- 4) March 31, 2020 Open Bids
- 5) April 7, 2020 Mayor and City Council awards bid
- 6) June – October, 2020 Project construction
- 7) November 10, 2020 Conduct final assessment hearing

We propose to assist the City in completing the project in accordance with the scope of services, for an hourly, not-to-exceed fee of \$59,537.00 for plan and specification development through bidding and an hourly, not-to-exceed fee of \$54,957.00. These fees were included in the estimated project costs in the Preliminary Engineering Report.

In order to proceed with this project and assessment process, we recommend the City Council pass a resolution accepting the feasibility report, call for a public hearing, and authorize development of the plans and specifications.

I will be at the February 4, 2020 City Council meeting to present this report and respond to any questions you have concerning this project. Feel free to contact me with any questions prior to the meeting.



**BOLTON
& MENK**

Real People. Real Solutions.



6TH Avenue SW Rehabilitation Preliminary Engineering Report

City of Isanti, MN

January, 2020

Submitted by:

Bolton & Menk, Inc.
7533 Sunwood Drive NW, Suite 206
Ramsey, MN 545303
P: 763-433-2851
F: 763-427-0833

Certification

6TH Avenue SW Rehabilitation

For

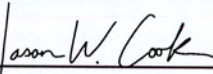
City of Isanti, Minnesota

Bolton & Menk

Project No. R13.120122

I hereby certify that this plan, specification or report was prepared by me or under my direct supervision, and that I am a duly Licensed Professional Engineer under the laws of the State of Minnesota.

By:


Jason W. Cook, P.E.
License No. 47541

Date:

1/28/2020

Table of Contents

I.	PROJECT INTRODUCTION	2
A.	Background Information	2
B.	Scope	2
II.	MS 429 PROCESS AND PROPOSED SCHEDULE	2
III.	EXISTING CONDITIONS	3
A.	6 th Avenue SW	3
B.	Sidewalk.....	4
C.	Stormwater Management.....	4
D.	Sanitary Sewer.....	4
E.	Watermain.....	4
F.	Isanti Hills Park	5
IV.	PROPOSED IMPROVEMENTS.....	5
A.	Street Improvements – Full Reclamation.....	5
B.	Concrete Sidewalk.....	5
C.	Stormwater Management.....	6
D.	Sanitary Sewer.....	6
E.	Watermain.....	6
F.	Isanti Hills Park	7
V.	RIGHT-OF-WAY ACQUISITION	7
VI.	APPROVALS/PERMITS	7
VII.	PRELIMINARY COST ESTIMATES	7
VIII.	FUNDING AND ASSESSMENTS	8-9
IX.	RECOMMENDATION	10

Figures

Figure 1: Existing Street	3
Figure 2: Existing Utility Pole Conflicts with Proposed Sidewalk	6

Tables

Table 1: Estimated Project Costs	8
Table 2: Project Funding Sources.....	9

Appendix

Appendix A: LOCATION MAP
Appendix B: EXISTING CONDITIONS MAP
Appendix C: PROPOSED IMPROVEMENTS MAP
Appendix D: PARCEL OWNERSHIP & ASSESSABLE FRONTAGE
Appendix E: PRELIMINARY COST ESTIMATES
Appendix F: PRELIMINARY ASSESSMENT ROLL

I. PROJECT INTRODUCTION

This Preliminary Engineering Report prepared by Bolton & Menk, Inc., as authorized by the Isanti City Council, provides an initial analysis of the feasibility, cost-effectiveness, and necessity of proposed infrastructure improvements along 6th Avenue SW from South Brookview Lane SW to Edgewood Street SW. A portion of the improvement costs may be assessed to benefiting property owners. Public assessments applied to the properties described in this report are subject to the requirements of Minnesota State Statute, Chapter 429 (MS 429). This Preliminary Engineering Report is the first step in the special assessment process required by the MS 429 Statute if assessments are applied.

A. Background Information

6th Avenue SW was recognized as needing infrastructure improvements in the City's Pavement Management Plan (PMP), where it received a rating of 4 out of 10 using the Pavement Surface Evaluation and Rating (PASER) rating system for asphalt roads. 6th Avenue SW is part of the Municipal State-Aid-System (MSAS) and these improvements are eligible for MSAS funding.

B. Scope

This report addresses the necessity for street improvements along 6th Avenue South West. Included in this report is a description of proposed improvements, along with the estimated costs. The specific objectives of this report are to:

- Evaluate the need for the project.
- Determine the necessary infrastructure improvements.
- Prepare cost estimates for the proposed improvements.
- Determine the feasibility of the improvements.

II. MS 429 PROCESS AND PROPOSED SCHEDULE

As mentioned above, infrastructure improvements financed through the assessment of benefiting property owners are regulated by Minnesota Statute, Chapter 429 (MS 429). The process prescribed by MS Chapter 429 along with the proposed project schedule is described below.

The benefited parties submit a petition for the proposed improvements to the City Council or, as in this case; the improvement process was authorized by the City Council without a petition.

The City Council passed a *Resolution Ordering Preparation of Report on Improvement* and ordered a Preliminary Engineering Report (PER) for the proposed project.

This was passed on: November 5, 2019

After the City Council considers the Preliminary Engineering Report, the Council may pass a *Resolution Receiving Report and Calling Hearing on Improvement*, as well as a resolution ordering preparation of plans to indicate its plan to continue the process.

Estimated date: February 4th, 2020

A public hearing on the proposed improvements is held. **Estimated date: March 4th, 2020**

After the City Council considers the presentation of the plans and specifications, it may pass a *Resolution Approving Plans and Specifications and Ordering an Advertisement for Bids*.

Estimated date: March 4th, 2020

The advertisement for bids should be published in the official local newspaper and trade publication such as the "Construction Bulletin" at least three weeks prior to the bid opening date. **Estimated bid opening date: March 31st, 2020**

If the City Council wishes to continue with the improvements after consideration of bids, the City Council may pass a *Resolution Accepting Bid*. This resolution would award the project to the lowest responsible bidder and construction may begin. **Estimated date: April 7th, 2020**

Following completion of the proposed improvements, a public hearing is held to set the final assessment amounts. **Estimated date: November 10, 2020**

III. EXISTING CONDITIONS

The existing conditions are shown in Appendix B, and described in detail below.

A. 6th Avenue SW

The existing street is approximately 32 feet wide back of curb to back of curb with a D418 surmountable curb & gutter. The roadway is located within an existing 66-foot right-of-way. Currently the bituminous pavement is rated as 4 of 10 according to the PASER rating system in 2014, which has declined further over the past 5 years. A rating of 4 or below signifies the pavement condition is in a failed state and regular maintenance is not cost effective. The city has spent an extensive amount of time patching this roadway over the past few years to keep it in a functioning condition. The pavement shows a significant amount of major distress and is in need of reconstruction. The existing pavement section consists of two-inches (2") of bituminous pavement, and six-inches (6") of aggregate base. It was installed as part of the 1990 Brookview South 1st-3rd Additions. The existing curb & gutter is generally found to be in good condition with only isolated areas in poor condition in need of replacement as seen in the below photo.



Figure 1: Curb Raveling

B. Sidewalk

There is currently segmented sidewalk along the west side of 6th Avenue SW. There is existing concrete sidewalk north of Edgewood Street SW that ends after approximately 125'. There is also concrete sidewalk that runs south of South Brookview Lane that ends after approximately 140'.

The current City policy is to install sidewalk along the west side of 6th Avenue SW when new construction is proposed. The City has not added sidewalk on reconstruction projects in the past unless it is found to complete system looping or connect isolated trail segments. The addition of sidewalk along the west side of 6th Avenue will complete this system sidewalk loop.

C. Stormwater Management

The existing storm sewer system was installed in 1990 and consists of storm sewer piping and catch basins in 6th Avenue SW at the intersections of South Brookview Lane, Marion Street SW, and Nina Street SW. Mainline piping includes 24-inch pipe with most catch basin leads being 12-inch pipe. All pipes appear to be reinforced concrete with no history of sediment build up or failure.

There are multiple high points along 6th Avenue, where roadway drainage north and south of the high points gathers in surmountable curb and gutter, flows to catch basins, and continues in the storm sewer system until outletting. There are four valley gutters in the project limits at the intersections of Cedar Street SW and Birch Street SW. The valley gutters provide East to West drainage at both intersections. Roadway drainage between the intersection of Nina Street SW and Marion Street SW gather in surmountable curb and flows to catch basins and continues North East until outletting into a City pond. Roadway drainage between the intersections of Page Street SW and the West portion of Birch Street SW gathers in surmountable curb and gutter, flows to catch basins, and continues through the system until outletting into a City pond. The East portion of the intersection at Birch Street SW flows across two valley gutters to the West. The intersections of Cedar Street SW and Dogwood Street SW have roadway drainage outletting into a City pond with two valley gutters allowing drainage from Isanti Hills Park to flow across the intersection East to West. The southern portion of the intersection at Dogwood Street SW drains south into a city pond whilst the East portion of the intersection drains to a pond located east of the project.

D. Sanitary Sewer

The sanitary sewer system along 6th Avenue SW was constructed in 1990 with additions constructed in 1991-93. The system consists of 8-inch PVC sanitary sewer mains, with service lines typically 4 to 6-inch in diameter. The sanitary sewer pipe is generally 8 to 12 feet deep. There have been no reported breaks and no reported significant sanitary sewer maintenance issues within the project limits.

E. Watermain

Currently, there are 6-inch and 8-inch ductile iron pipe (DIP) watermain within the project limits that was originally construction as part of the 1990 Brookeview South 3rd and 5th additions, with additions constructed in 1990-1991. The DIP watermain has generally been found to be in good condition without a significant number of reported maintenance issues and no reported breaks or frozen pipes.

The 6-inch watermain is located between South Brookview Lane SW and Nina Street SW. All remaining watermain to the south in the project limits is 8-inches. A 10-inch watermain has been installed along 5th Avenue SW with a master plan to loop this trunk watermain to the 10-inch pipe in Nina Street SW. The only constriction in the system in this region at this time

is the 6-inch watermain. Should this be enlarged to an 8-inch main the master plan 10-inch loop can be delayed and system flow would improve.

F. Isanti Hills Park

Currently Isanti Hills Park has no parking lot or connection point to the park system from 6th avenue SW. There is a vacant lot at 706 6th Avenue SW which is being used as an access point with no existing easements in place. There is a 15-foot existing easement on the north side of 800 6th Avenue SW which could allocate space for improvements. The park currently has a bituminous trail with access from Cottonwood Street SW which ends on the West side of the park. There is currently no water service or sanitary service to the park.

IV. PROPOSED IMPROVEMENTS

The proposed street improvement is a full depth pavement reclamation of the roadway with spot curb repairs. The addition of 5-foot wide concrete sidewalk on the west side of 6th Avenue South West was also analyzed. The upsizing of watermain to complete the City wide loop of the watermain and some minor storm sewer work is proposed and no sanitary sewer work is proposed with this project. The proposed improvements are shown in Appendix C and described in detail below.

A. Street Improvements – 6th Avenue SW Full Reclamation

The proposed street would maintain the existing roadway width and design speed. This design would also keep the existing curb in place with only spot repairs as needed. The existing width meets State Aid requirements providing for two 11-foot wide traffic lanes, one 8-foot wide parking lane, and two feet of reaction distance to the curb where there is no parking. Per the State Aid requirements this road is not wide enough to provide parking on both sides of the street so a no parking resolution will need to be passed by the City Council and signage will be required to be installed. We recommend posting no parking on the east side of 6th Avenue. This will provide the largest separation between pedestrians and vehicle traffic while allowing users of the sidewalk to park adjacent to the walk. The proposed pavement section would consist of three and a half-inches (3.5") of bituminous pavement and six-inches (6") of reclaimed aggregate, which would be adequate for a 9-ton design.

The pavement will be reclaimed 9.5-inches deep, grinding the existing 2-inch bituminous section with the top 6-inches of existing aggregate base and one and a half-inches (1.5") of select granular base. The reclaimed material will be salvaged off site to prevent contamination during the watermain installation and 3.5-inches of the reclaimed material will be excavated and hauled away. Once the excavation is complete the salvaged reclaimed material would be brought back and placed as roadway base material.

B. Concrete Sidewalk

A 5-foot wide concrete sidewalk is proposed on the west side of the street. This concrete sidewalk will be constructed with a 6 foot boulevard and will connect the sidewalk ending near South Brookview Lane SW and Edgewood St SW. The installation of sidewalk will require the relocation of five utility poles and require coordination with the power company.

This sidewalk would be a safety improvement reducing vehicle/pedestrian conflicts and completing the system wide loop.



Figure 2: Existing Utility Pole Conflicts with Proposed Sidewalk

C. Stormwater Management

The existing storm sewer system will have three catch basins relocated to accommodate space for the sidewalk pedestrian ramps as well as 100 feet of pipe connecting into the existing structures.

The storm sewer has had some drainage issues, however, no existing storm sewer is located near the project that could be extended to 6th Avenue SW. Storm manhole and catch basin castings will be adjusted to fit the proposed surface as needed.

Best Management Practices (BMP's), as required by the Minnesota Pollution Control Agency (MPCA), will be utilized during construction to minimize erosion and sediment runoff from the construction site. These BMP's may include silt fence, stabilized construction exits, and storm water inlet protection.

D. Sanitary Sewer

Sanitary sewer within the project limits appears to be in adequate condition and is expected to last for the life expectancy of the proposed street improvements. Therefore, it is proposed the sanitary sewer system remain in-place, adjusting manhole castings as needed to fit the proposed surface.

E. Watermain

Proposed watermain improvements include upsizing the mainline from the existing 6-inch to an 8-inch pipe size. The current City watermain system has a 6-inch main section between S Brookeview Lane SW and Nina Street SW. Upsizing the watermain to 8-inch along the project limits would complete a major City wide looping initiative that began in 1989.

To address concerns from the City Public Works staff, any non-functioning valves will be repaired. One water service would be replaced to the Right-of-Way where the 8-inch water main is replaced. A curb patch will be required at the service installation location. The watermain is located under the existing curb so its trench will also require replacing the full curb along the east side of the 6th Avenue SW from South Brookeview Lane SW to Nina Street SW.

F. Isanti Hills Park

a. Parking Lot Alternate

The proposed improvements to the access from 6th Avenue SW would include B618 curb and gutter and a bituminous parking lot with 5 stalls. An easement would be required to be obtained from 706 6th Avenue SW to construct these improvements. The existing trail would be extended to the edge of the parking lot. A water service and sewer service would also be installed to the right of way of the park to provide service for a future facility. The additional run-off would drain to the west and follow the valley gutters at the intersection of Cedar Street SW. See Figure D for the concept layout.

b. Bituminous Trail Alternate

The proposed improvements would extend the existing bituminous trail to a new pedestrian ramp on 6th Avenue SW. This trail could fit within the existing easement on 800 6th Avenue SW. There will be no services installed with this alternative. See Figure E for the concept layout.

V. RIGHT-OF-WAY ACQUISITION

Additional Right-of-Way is not expected for the proposed 6th Avenue improvements. An access easement would be required for the Isanti Hills parking lot alternate. No additional permanent easements are anticipated for the bituminous trail alternate. The need for temporary construction easements will be evaluated during the final design process.

VI. APPROVALS/PERMITS

Approvals and permits are required from various public agencies for the construction of this project. They include:

- Minnesota Pollution Control Agency (MPCA) NPDES Stormwater Permit
- Minnesota Department of Health (MDH) Watermain Permit
- Minnesota Department of Transportation (MnDOT) State Aid

VII. PRELIMINARY COST ESTIMATES

The estimated project cost for the improvements is summarized in Table 1, and described in detail in Appendix E. The unit prices for the items of work have been estimated based on similar types of projects completed in the past. The costs shown are estimates that include construction, contingencies, and engineering costs. Actual construction cost would be determined through a competitive bidding process.

Table 1: Estimated Project Costs

6th Avenue IMPROVEMENTS	EST. PROJECT COST
FULL DEPTH RECLAIM	\$297,300
WATERMAIN	\$67,800
SIDEWALK & DRIVEWAYS	\$212,300
TOTAL	\$577,400

Isanti Hills Park Parking Lot Alternate	EST. PROJECT COST
PARKING LOT	\$48,800
WATERMAIN	\$6,500
SANITARY	\$7,400
TOTAL	\$62,700

Isanti Hills Park Bituminous Trail Alternate	EST. PROJECT COST
TRAIL	\$25,400
TOTAL	\$25,400

VIII. FUNDING AND ASSESSMENTS

Funding for the project could come from a variety of sources and is broken down as shown in Table 2 and described in detail in Appendix F. Special assessments could be levied in accordance with City Code, Chapter 276 – Special Assessments which states up to 25% of the proposed roadway improvements can be assessed to adjacent land owners at a per front foot basis. It also states that new sidewalk can only be assessed if it is petitioned for by the residents.

MSAS funding allows an advance of up to five years of the City’s annual construction allotment of \$212,916.00. After the 2020 allotment the City currently has an advance of approximately \$61,300 and would be eligible to request up to approximately \$1,000,000.00 in additional advanced funding. The City finance department would need to determine how requesting the advance will affect budgeting and bonding.

The proposed concrete sidewalk would not be assessed, as it is new and was not petitioned for by the residents, but it could come out of the State Aid advanced funds. City special assessment ordinance states that new sidewalk can only be assessed if it is petitioned for by the residents.

The water system work is for City-wide improvements and would not be assessed but could come out of the water fund.

Table 2: Funding Sources

6th Ave Reconstruction

Funding Source	Amount	% of Total
Assessments	\$74,300	13%
MSAS STREET	\$223,000	38%
MSAS WALK	\$212,300	37%
Water Fund	\$67,800	12%
General Fund	\$0	0%
TOTAL	\$577,400	100%

Assessment Breakdown	Per Front Foot	Total Frontage
Assessment	\$ 32.57	2,282 ft

Average Assessment	\$2,752.77
High Assessment	\$3,582.70
Low Assessment	\$2,442.75

Isanti Hills Park Option A- Parking Lot

Funding Source	Amount	% of Total
Water Fund	\$6,500	10%
Sanitary Fund	\$7,400	12%
General Fund	\$0	78%
Total	\$62,700	100%

Isanti Hills Park Option B- Bituminous Trail

Funding Source	Amount	% of Total
General Fund	\$25,400	100%
Total	\$25,400	100%

IX. RECOMMENDATION

6TH Avenue Reconstruction and Sidewalk

Based on the findings presented in this report, the proposed street improvements are cost effective, necessary, and feasible from an engineering perspective. The concrete sidewalk will be a public safety enhancement and benefit to the City trail system. The watermain improvements would complete the City wide trunk loop and would benefit the City water system. Should the City finance department determine these improvements are financially feasible we recommend that the City Council approve this report, call for a public hearing to follow the MS-429 process, and authorize the preparation of final plans and specifications. We recommend posting no parking on the east side of 6th Avenue. This will provide the largest separation between pedestrians and vehicle traffic while allowing users of the sidewalk to park adjacent to the walk.

Isanti Hills Park

Based on the findings presented in this report, the proposed improvements are cost effective, necessary, and feasible from an engineering perspective. If the City would like to proceed with either park improvement option, it could be added to the overall 6th Avenue improvement project at this time, or be budgeted for in the future.

Appendix A: LOCATION MAP

6TH AVE SW STREET IMPROVEMENTS

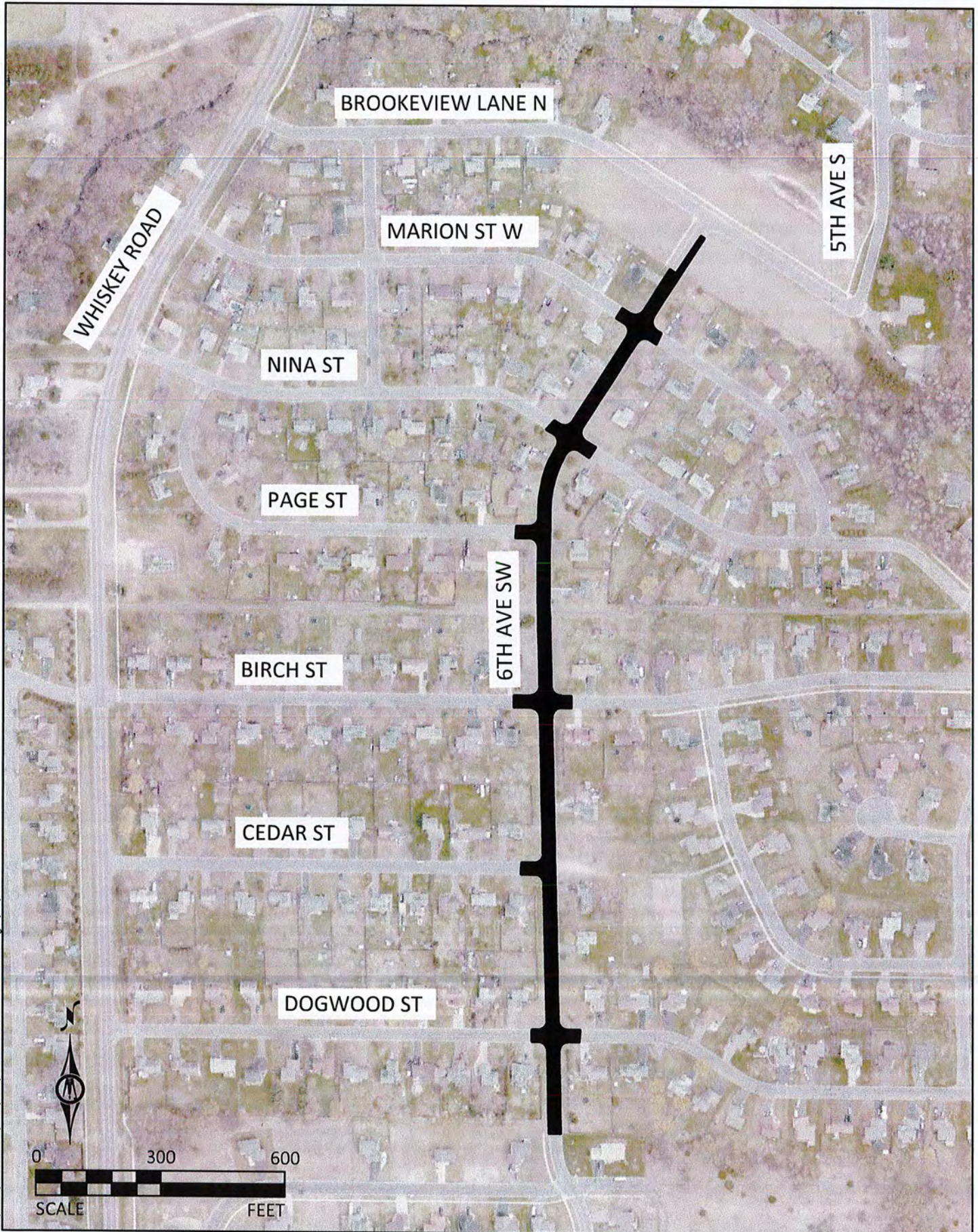
ISANTI, MN

Figure A

DECEMBER 2019

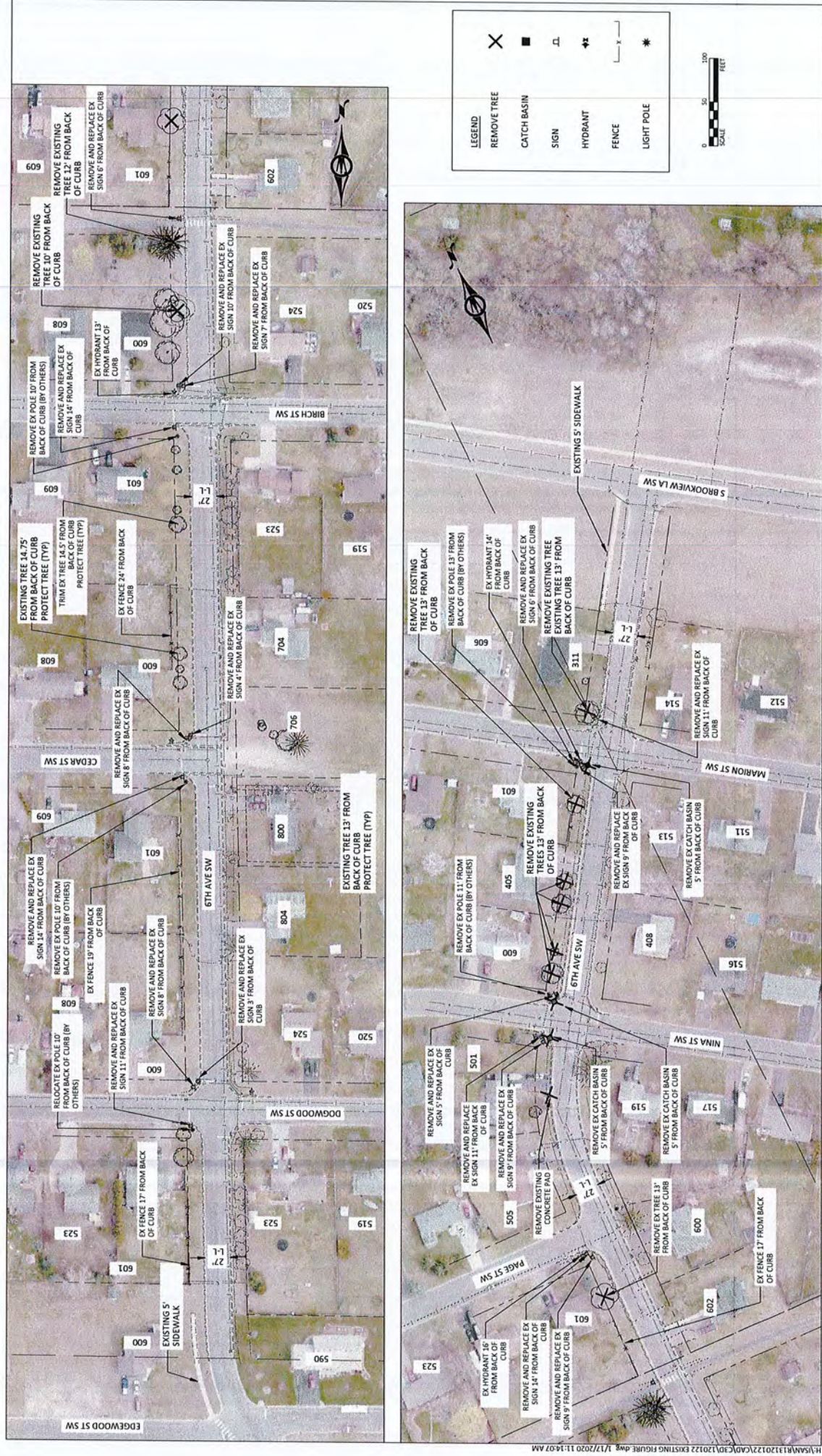


H:\ISANTI\13120122\CAD\C3D\120122 LOCATION FIGURE.dwg 1/16/2020 10:06:11 AM

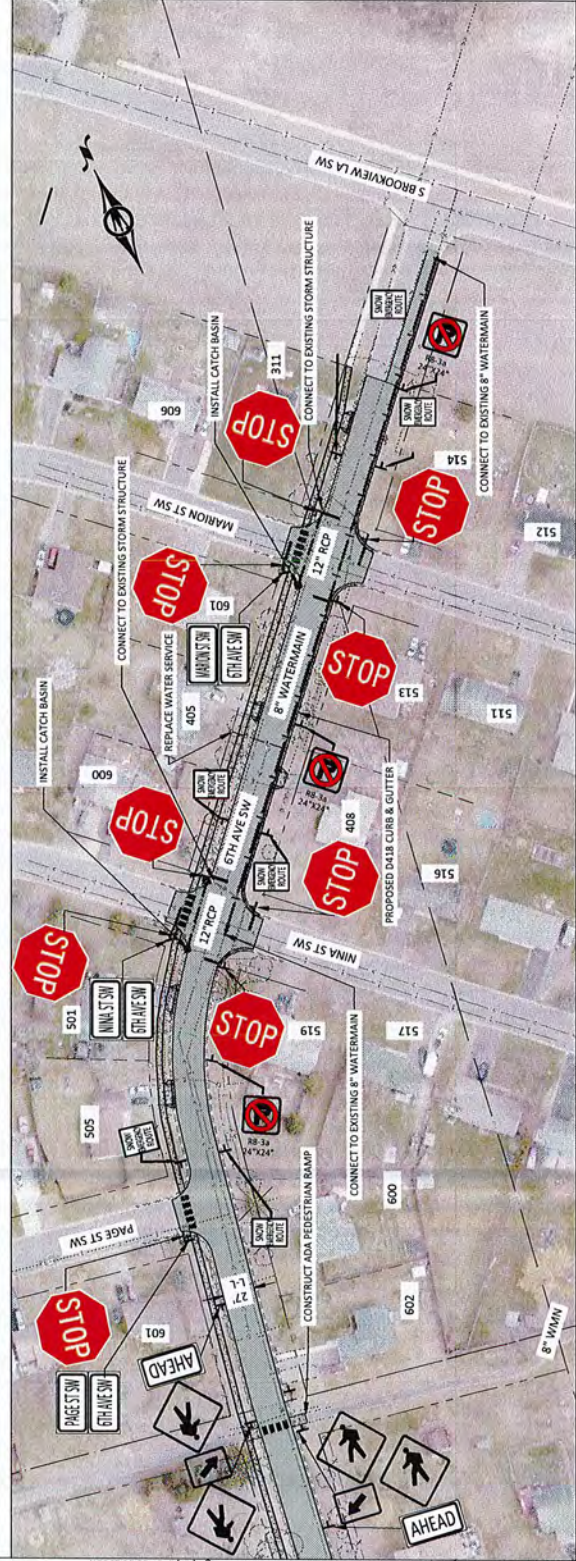


Appendix B: EXISTING CONDITIONS MAP

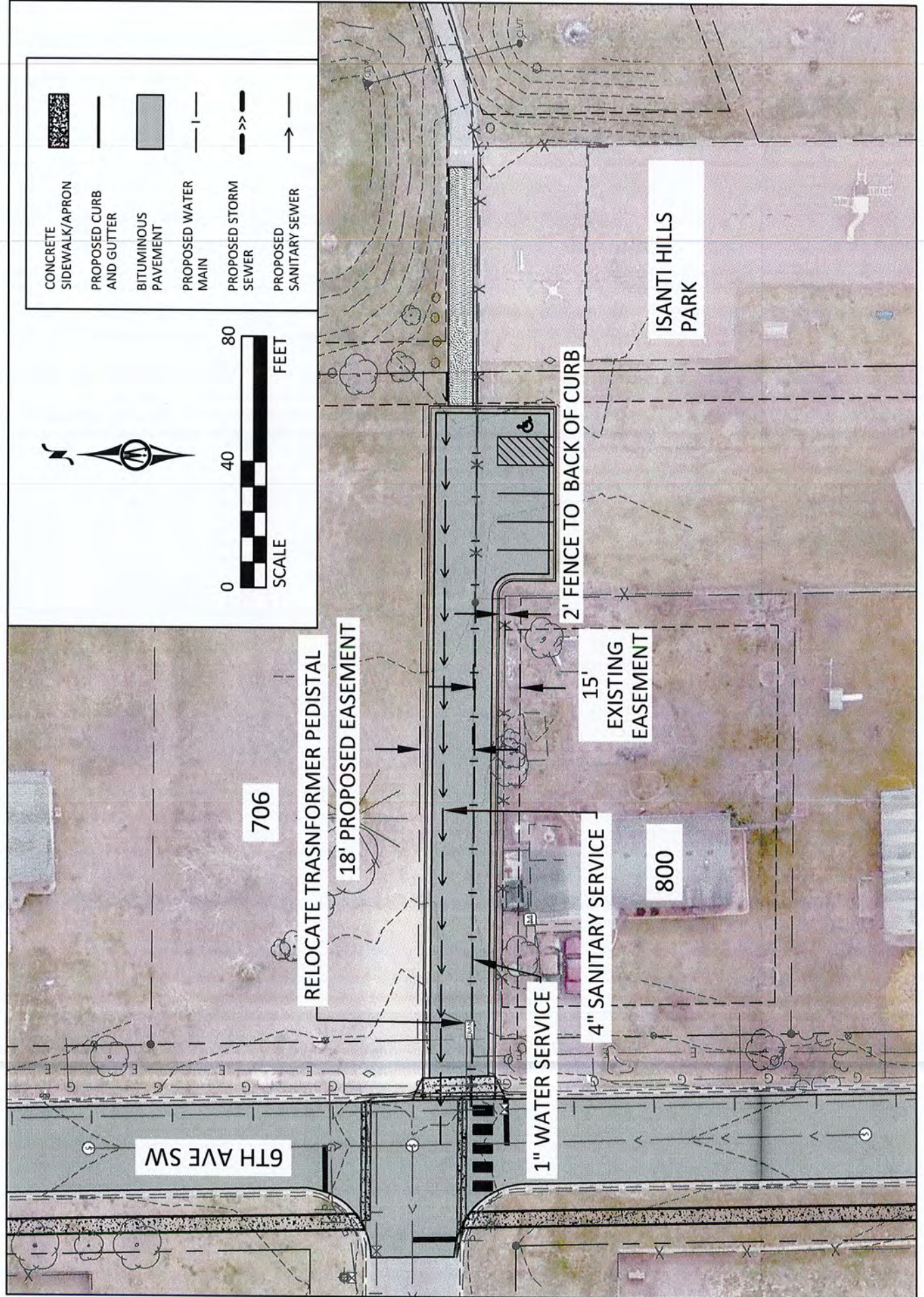
Figure B
January 2020

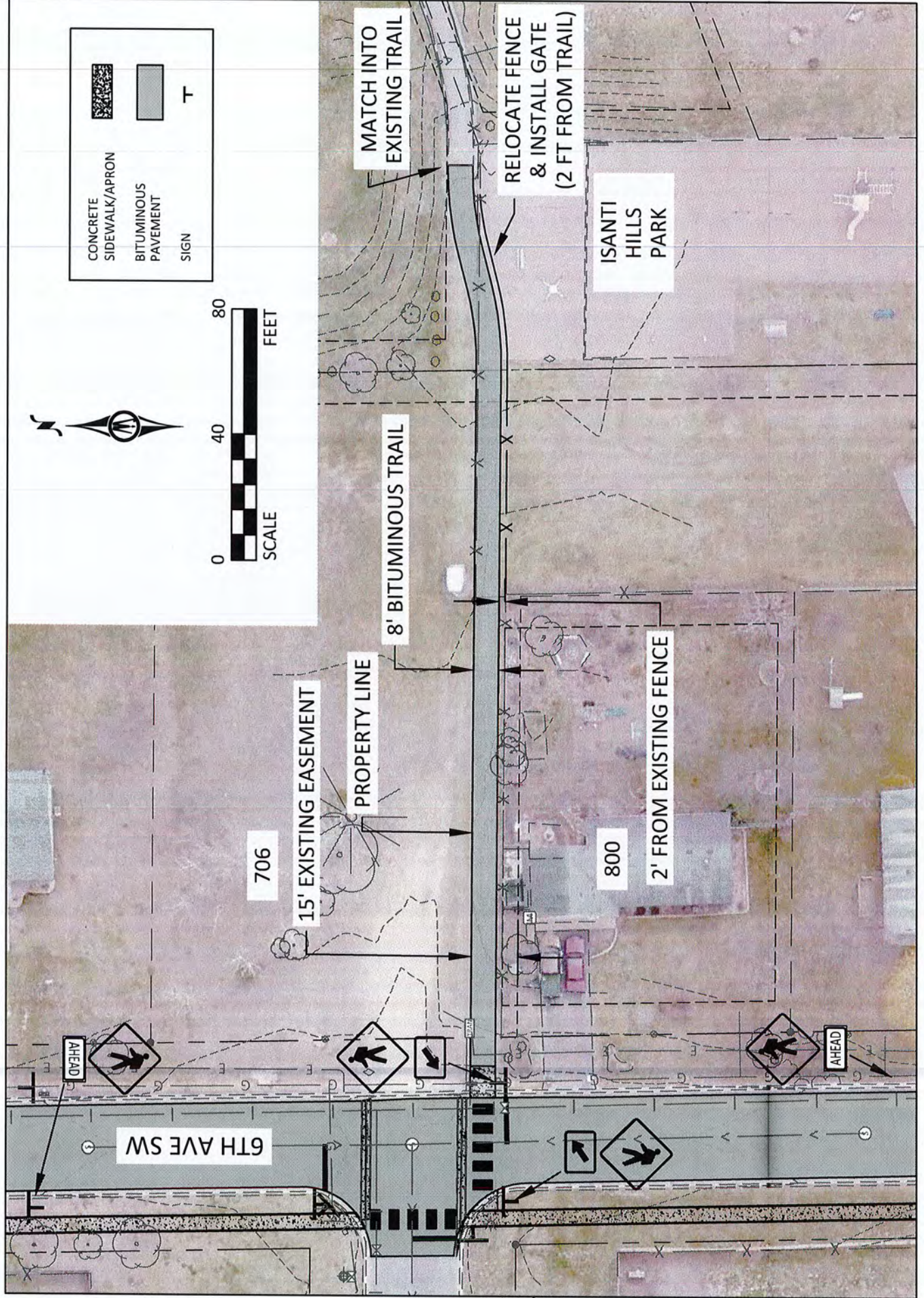


Appendix C: PROPOSED IMPROVEMENTS MAP



A horizontal scale bar with alternating black and white segments. It is labeled '0', '50', and '100' at the top, and 'SCALE' and 'FEET' at the bottom.





Appendix D: PARCEL OWNERSHIP & ASSESSABLE FRONTAGE



Appendix E: PRELIMINARY COST ESTIMATES

1/28/2020

OPINION OF PROBABLE COST

CITY OF ISANTI

2020 ISANTI HILLS PARKING LOT OPTION A

BMI PROJECT NUMBER - R13.120122

1/17/2020

ITEM NO.	BID ITEM	UNIT	TOTAL QUANTITY	UNIT PRICE	TOTAL COST
1	MOBILIZATION	LUMP SUM	1	\$3,000.00	\$3,000.00
2	REMOVE CURB & GUTTER	LIN FT	45	\$5.00	\$225.00
3	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	61	\$3.00	\$183.00
4	RELOCATE MAILBOX	EACH	1	\$150.00	\$150.00
5	REMOVE FENCE	LIN FT	130	\$5.00	\$650.00
6	INSTALL FENCE & GATE	LIN FT	130	\$10.00	\$1,300.00
7	COMMON EXCAVATION (EV) (P)	CU YD	12	\$12.00	\$144.00
8	SUBGRADE EXCAVATION (EV)	CU YD	12	\$15.00	\$180.00
9	TYPE SP 9.5 WEAR COURSE MIX (2,B), 1.5" THICK	SQ YD	547	\$5.35	\$2,926.45
10	TYPE SP 12.5 NON WEAR COURSE MIX (2,B), 2" THICK	SQ YD	547	\$8.00	\$4,376.00
11	B618 GURB & GUTTER	LIN FT	484	\$20.00	\$9,680.00
12	6" CONCRETE DRIVEWAY	SQ YD	22	\$58.00	\$1,276.00
12	CONNECT TO EXISTING WATER MAIN	EACH	1	\$950.00	\$950.00
13	1" CORPORATION STOP	EACH	1	\$350.00	\$350.00
14	1" CURB STOP & BOX	EACH	1	\$350.00	\$350.00
15	1" TYPE K COPPER PIPE	LIN FT	233	\$25.00	\$5,825.00
16	4" SANITARY WYE	EACH	1	\$300.00	\$300.00
17	4" PVC	LIN FT	245	\$26.00	\$6,370.00
18	TRUNCATED DOMES	SQ FT	16	\$65.00	\$1,040.00
19	TRAFFIC CONTROL	LUMP SUM	1	\$500.00	\$500.00
20	SILT FENCE, TYPE MS	LIN FT	300	\$2.50	\$750.00
21	STABILIZED CONSTRUCTION EXIT	LUMP SUM	1	\$700.00	\$700.00
22	LOAM TOPSOIL BORROW (LV)	CU YD	37	\$18.00	\$666.00
23	SEEDING	ACRE	0.07	\$2,500.00	\$175.00
24	SEED MIXTURE 25-131	LB	11	\$5.00	\$55.00
25	FERTILIZER TYPE 3 (22-5-10)	LB	25	\$2.50	\$62.50
26	HYDRAULIC BONDED FIBER MATRIX	LB	245	\$1.75	\$428.75
27	4" SOLID YELLOW EPOXY	LIN FT	108	\$1.50	\$162.00
CONSTRUCTION SUBTOTAL					\$42,774.70
10% CONTINGENCY					\$4,277.47
ESTIMATED CONSTRUCTION COST					\$47,052.17
ENGINEERING & ADMINISTRATION					\$10,693.68
MATERIAL TESTING					\$5,000.00
TOTAL CONSTRUCTION COST					\$62,700

OPINION OF PROBABLE COST

CITY OF ISANTI

2020 ISANTI HILLS PARK TRAIL ALTERNATE OPTION B

BMI PROJECT NUMBER - R13.120122

1/17/2020

ITEM NO.	BID ITEM	UNIT	TOTAL QUANTITY	UNIT COST	TOTAL COST
1	MOBILIZATION	LUMP SUM	1	\$1,000.00	\$1,000.00
2	REMOVE CURB & GUTTER	LIN FT	45	\$5.00	\$225.00
3	SAWING BITUMINOUS PAVEMENT (FULL DEPTH)	LIN FT	61	\$3.00	\$183.00
4	RELOCATE MAILBOX	EACH	1	\$150.00	\$150.00
5	REMOVE FENCE	LIN FT	130	\$5.00	\$650.00
6	INSTALL FENCE & GATE	LIN FT	130	\$10.00	\$1,300.00
7	COMMON EXCAVATION (EV) (P)	CU YD	12	\$12.00	\$144.00
8	SUBGRADE EXCAVATION (EV)	CU YD	12	\$15.00	\$180.00
9	TYPE SP 9.5 WEAR COURSE MIX (2,B), 3" THICK	SQ YD	255	\$14.00	\$3,570.00
10	PAVEMENT PATCH	SQ YD	20	\$35.00	\$700.00
11	4" CONCRETE WALK	SQ FT	115	\$6.00	\$690.00
12	TRUNCATED DOMES	SQ FT	30	\$65.00	\$1,950.00
13	TRAFFIC CONTROL	LUMP SUM	1	\$500.00	\$500.00
14	CROSSWALK AHEAD SIGN	EACH	2	\$150.00	\$300.00
15	CROSSWALK SIGN	EACH	2	\$150.00	\$300.00
16	SILT FENCE, TYPE MS	LIN FT	300	\$2.50	\$750.00
17	STABILIZED CONSTRUCTION EXIT	LUMP SUM	1	\$700.00	\$700.00
18	LOAM TOPSOIL BORROW (LV)	CU YD	37	\$18.00	\$666.00
19	SEEDING	ACRE	0.07	\$2,500.00	\$175.00
20	SEED MIXTURE 25-131	LB	11	\$5.00	\$55.00
21	FERTILIZER TYPE 3 (22-5-10)	LB	25	\$2.50	\$62.50
22	HYDRAULIC BONDED FIBER MATRIX	LB	245	\$1.75	\$428.75
23	CROSSWALK EPOXY	SQ FT	90	\$5.00	\$450.00
CONSTRUCTION SUBTOTAL					\$15,129.25
10% CONTINGENCY					\$1,512.93
ESTIMATED CONSTRUCTION COST					\$16,642.18
ENGINEERING & ADMINISTRATION					\$3,782.31
MATERIAL TESTING					\$5,000.00
TOTAL CONSTRUCTION COST					\$25,400

Appendix F: PRELIMINARY ASSESSMENT ROLL

2020 6th Avenue SW Rehabilitation Preliminary Assessment Roll Bolton & Menk Project # R13.120122 01/27/20									
No.	PID	Property Owner	Site Address	Mailing Address if Different than Site Address	Assessable Frontage (LF)	Improvement Frontage (LF)	Side Frontage (LF)	Notes	Assessed Street Cost Per Front Footage \$32.57
1	16-063-0120	KRISTEN LENDWAY	311 6TH AVENUE SW		75.0	125.0	85.0	2	\$2,442.75
2	16-065-0120	BBC HOLDINGS LLC	405 6TH AVENUE SW	PO BOX 1361, MINNETONKA, MN 55345	82.0	82.0			\$2,670.74
3	16-068-0190	BRUCE SPILMAN	408 6TH AVENUE SW		75.0	125.0	87.0	2	\$2,442.75
4	16-065-0210	MEGAN OLSON	501 6TH AVENUE SW		75.0	116.0	103.0	1, 2	\$2,442.75
5	16-066-0110	JEROME COLE	505 6TH AVENUE SW	1104 BIRCH STREET SW, ISANTI, MN 55040	75.0	106.0	99.5	1, 2	\$2,442.75
6	16-068-0210	URSULA REINHART	600 6TH AVENUE SW		88.0	88.0		1	\$2,866.16
7	16-068-0200	RYAN L GALLMEIER	602 6TH AVENUE SW		85.0	85.0			\$2,768.45
8	16-045-0650	MARILYN LANCASTER	704 6TH AVENUE SW	PO BOX 484, ISANTI, MN 55040	110.0	110.0			\$3,582.70
9	16-045-0660	ROY E WADEWITZ	706 6TH AVENUE SW	317 KNOPP VALLEY DRIVE, WINONA, MN 55987	95.0	95.0			\$3,094.15
10	16-071-0190	LEIGH DULON	800 6TH AVENUE SW		102.0	102.0			\$3,322.14
11	16-071-0200	JOHN BELL RICHARD	804 6TH AVENUE SW		103.0	103.0			\$3,354.71
12	16-068-0090	SCOTT HOFFMAN	513 MARION STREET SW	23239 HIGHWAY 65 NE, EAST BETHEL, MN 55005	75.0	128.0	87.0	2	\$2,442.75
13	16-068-0010	DENISE LINDBERG	514 MARION STREET SW		75.0	122.0	90.0	2	\$2,442.75
14	16-063-0180	SARAH SCHOENING	601 MARION STREET SW		81.0	81.0	135.0		\$2,638.17
15	16-068-0220	CREATE-N-RENOVATE LLC	519 NINA STREET SW	35974 NACRE STREET NW, PRINCETON, MN 55371	78.5	157.0	75.0	1, 2	\$2,556.75
16	16-065-0110	JASON R IVERSON	600 NINA STREET SW		84.0	84.0	124.0		\$2,735.88
17	16-066-0200	TYLER TAPPLIN	601 PAGE STREET SW		75.0	140.0	89.0	2	\$2,442.75
18	16-070-0080	KEITH CARLSON	523 BIRCH STREET SW		90.0	180.0	106.0	2	\$2,931.30
19	16-070-0060	BREANN PADDEN	524 BIRCH STREET SW		82.5	165.0	106.0	2	\$2,687.03
20	16-070-0050	GERALD VENBURG	600 BIRCH STREET SW		83.5	167.0	80.0	2	\$2,719.60
21	16-045-0200	GARY A SONNESON	601 BIRCH STREET SW		84.5	169.0	104.0	2	\$2,752.17
22	16-045-0210	RYAN INBERG	600 CEDAR STREET SW		82.0	164.0	103.0	2	\$2,670.74
23	16-071-0180	LEVI E KLANDE	601 CEDAR STREET SW		83.5	167.0	81.0	2	\$2,719.60
24	16-073-0270	MARILYN PELZ	523 DOGWOOD STREET SW		100.0	200.0	105.0	2	\$3,257.00
25	16-073-0130	NEVIN FRITZ	524 DOGWOOD STREET SW		75.0	143.0	104.0	2	\$2,442.75
26	16-073-0120	ZACHARY SCHMITT	600 DOGWOOD STREET SW		84.0	168.0	89.0	2	\$2,735.88
27	16-073-0260	KENNETH W BECK	601 DOGWOOD STREET SW		83.5	167.0	82.0	2	\$2,719.60
Totals					2,282.0	3,539.0			\$74,324.77

NOTES:

- (1) Odd Shaped Lot, Frontage Calculation
- (2) Corner Lot with Long Side on Improvement

Assessed Street Cost

AVERAGE	\$2,752.77
HIGH	\$3,582.70
LOW	\$2,442.75

Total Assessed Cost	\$74,324.77
Total Street Cost	\$297,300.00
Percent Assessed	25%

RESOLUTION 2020-XXX

J.8.a.

RECEIVING FEASIBILITY REPORT, AND CALLING HEARING
ON THE 6TH AVENUE SW REHABILITATION PROJECT

WHEREAS, pursuant to Resolution 2019-288 of the City Council adopted November 5, 2019, a report has been prepared by Bolton & Menk, Inc. with reference to the improvement of 6th Avenue SW from South Brookview Lane SW to Edgewood Street SW. The improvement shall consist of street reconstruction, sidewalk construction, and the installation of watermain. This report was received by the Council on February 4, 2020, and;

WHEREAS, the report provides information regarding whether the proposed project is necessary, cost-effective, and feasible;

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

1. The Council will consider the proposed improvement in accordance with the report and the assessment of benefited property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429, at an estimated total cost of the improvement of \$577,400.
2. A public hearing shall be held on such proposed improvement at approximately **7:00 p.m.** on the **4th** day of **March 2020**, in the Council Chambers at Isanti City Hall, 110 1st Avenue NW, Isanti MN, and the City Clerk shall give mailed and published notice of such hearing and improvement as required by law.

This resolution was duly adopted by the Isanti City Council this 4th day of February 2020.

Attest:

Mayor Jeff Johnson

Katie Brooks
Human Resources/City Clerk

RESOLUTION 2020-XXX

J.8.b.

**AUTHORIZING PREPARATION OF PLANS
ON THE 6TH AVENUE SW REHABILITATION PROJECT**

WHEREAS, pursuant to Resolution 2019-288 of the City Council adopted November 5, 2019, a report has been prepared by Bolton & Menk, Inc. with reference to the improvement of 6th Avenue SW from South Brookview Lane SW to Edgewood Street SW. The improvement shall consist of street reconstruction, sidewalk construction, and the installation of watermain. This report was received by the Council on February 4, 2020, and;

WHEREAS, as recommended in the Preliminary Engineering Report, in order to keep the proposed project on schedule for a March 2020 bid opening, it is recommended that development of plans and specifications begin in advance of the public hearing;

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

Bolton & Menk, Inc., as the City Engineer, is hereby designated as the engineer for this improvement and shall prepare plans and specifications for the making of such improvement.

This resolution was duly adopted by the Isanti City Council this 4th day of February 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: Travis Muyres, Chief of Police
Date: February 4, 2020
Subject: Authorizing Purchase of 2019 AWD Dodge Durango and Associated Equipment

Background:

The Isanti Police Department has a fleet plan to purchase patrol vehicle in 2020 in accordance to Capital Improvement Plan. The 2020 budget for Fund 920 has allocated \$46,350 for this purchase.

Dodge Durango AWD V8	29985
Emergency Equip And setup	11809.38
Printer	441.99
Radar	2966
Graphics	960
Watchgaurd system	6230
Radio	3837.5
Toughbook computer	3496.5
	59726.37

Request:

Staff is requesting action on this item.

Action Required:

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

1. Approve purchase of 2020 Dodge Durango AWD and associated equipment and authorize the Finance Director to amend the budget accordingly.

Attachments:

- Res 2020-XXX
- Vehicle and Equipment Quotes

RESOLUTION 2020- XXX

AUTHORIZING PURCHASE OF 2019 DODGE DURANGO AWD AND EQUIPMENT

WHEREAS, the police department capital improvement plan approves purchase of police vehicle and equipment for 2020; and,

WHEREAS, the purchase quote for vehicle was utilized under state bid and quotes to equip vehicle as follows:

Dodge Durango AWD V8	29,985.00
Emergency Equip And setup	11,809.38
Printer	441.99
Radar	2,966.00
Graphics	960.00
Watchgaurd camera system	6,230.00
Radio	3,837.50
Toughbook computer	3,496.50
TOTAL	59,726.37

WHEREAS, the total purchase amount of vehicle and equipment is \$59,726.37; and,

WHEREAS, funding for purchase would be Capital Outlay 101-42110-500;

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

1. The purchase of a 2020 Dodge Durango AWD V8 pursuit vehicle.
2. To purchase necessary emergency equipment and outfit said vehicle.
3. Authorize the Finance Director to make necessary budget adjustments based on actual final cost.
4. Authorize staff to sign required documentation for the purchase of vehicle and equipment .
5. Authorize payment, if needed at the time of delivery prior to inclusion on Accounts Payable listing.

This resolution was duly adopted by the Isanti City Council the 4th day of February 2020

Attest:

Mayor Jeff Johnson

Katie Brooks
Human Resources / City Clerk

**Dodge Of Burnsville
12101 Hwy 35W South
Burnsville MN 55337**

State Contract Number 165958 From Dodge of Burnsville

Allow 12-18 weeks for delivery from order date

Anticipated order cutoff date of 8-1-20

2020 Durango Pursuit AWD

Note: Please select options

Options

V8 LDEE75 22Z Package

Base Vehicle Contract Price

\$ 29,435.00

Extra OEM Key Each \$215 How Many?

\$ 215-

Options:

Copy and Paste Price to add options

Skid Plate Group	ADL	\$ 263.00		263.
Trailer Tow Group IV	AHX	\$ 752.00		
Blind Spot Cross Path Detection	XAN	\$ 441.00		

Sound Sytem Components

Single Disc Remote CD Player	RH1	\$ 441.00		
SiriusXM Satellite Radio	RSD	\$ 174.00		

Additional Features

Daytime Running Headlamps Low Beam	LM1	\$ 36.00		36
Engine Block Heater	NHK	\$ 85.00		

Color Options

Billet Clear Coat	PSC	\$ -		
DB Black Clear Coat	PXJ	\$ -		
Destroyer Grey Clear Coat	PDN	\$ -		
Granite Clear Coat	PAU	\$ -		
Reactor Blue Pearl Coat	PBF	\$ -		
Redline 2 Pearl Coat	PRM	\$ -		
Vice White	PWD	\$ 530.00		
White Knuckle Clear Coat	PW7	\$ -		

Total Delivered Price with options Per Contract

\$ 29,435.00

29,985



**EMERGENCY AUTOMOTIVE
TECHNOLOGIES, INC.**

**2755 Geneva Ave. North
Oakdale, MN 55128**

Quote

Date	Quote #
1/21/2020	DL012120-10

Name / Address
ISANTI PD P O BOX 428 ISANTI, MN 55040

Ship To
ISANTI PD 401 1ST AVE. NORTH ISANTI, MN 55040

P.O. No.	Terms	Due Date	Account #	Rep	FOB
	NET 30	2/20/2020		DLL	Oakdale, MN

Qty	Item	Description	U/M	Price	Total
1	VEHICLE	tmuyers@cityofisanti.us LT. TRAVIS			
1	1K0574DUR11	MUYERS 763-444-4761. 763-233-1337		0.00	0.00
		2020 DODGE DURANGO		809.25	809.25
1	PK0316DUR112ND	SETINA 6VS SPT SINGLE PRISONER			
		PARTITION SYSTEM FOR 2011+ DODGE			
		DURANGO		359.25	359.25
1	475-0191	SETINA #12VS COATED SCRATCH			
		RESISTANT POLYCARBONATE REAR			
		PARTITION FOR 2011+ DODGE			
		DURANGO		279.776	279.78
1	SC-920-MS-KSG	PATRIOT PRODUCTS - GR9-AR-BLM-V -			
		SINGLE WEAPON PARTITION MOUNT			
		VERTICAL GUN RACK - FLAT OR			
		RECESSED HOUSING - HCK HANDCUFF			
		KEY		227.2425	227.24
1	WK0595DUR11	SC-920-MS-KSG SANTA CRUZ GUN LOCK			
		TO FIT 12GA KELTEK KSG			
1	BK0534DUR11	SETINA POLY WINDOW BARRIERS FOR	ea	216.75	216.75
		2011+ DODGE DURANGO			
1	FK0400DUR11	SETINA PB400VS ALUMINUM	ea	299.25	299.25
		PUSHBUMPER FOR 2011+ DODGE			
		DURANGO		299.25	299.25
1	EMPS2SMS4D	SETINA ALUMINUM FENDER WRAPS	ea		
		FOR PB300/400 - FOR 2011+ DODGE			
		DURANGO		99.96	99.96
1	EMPS2SMS4E	SOUNDOFF MPOWER 4" 12-LED			
		SURFACE MOUNT LIGHTHEAD -			
		RED/WHITE. **SIDE PB LIGHT**			
		SOUNDOFF MPOWER 4" 12-LED			
		SURFACE MOUNT LIGHTHEAD -			
		BLUE/WHITE. **SIDE PB LIGHT**		99.96	99.96



**EMERGENCY AUTOMOTIVE
TECHNOLOGIES, INC.**

2755 Geneva Ave. North
Oakdale, MN 55128

Quote

Date	Quote #
1/21/2020	DL012120-10

Name / Address
ISANTI PD P O BOX 428 ISANTI, MN 55040

Ship To
ISANTI PD 401 1ST AVE. NORTH ISANTI, MN 55040

P.O. No.	Terms	Due Date	Account #	Rep	FOB
	NET 30	2/20/2020		DLL	Oakdale, MN

Qty	Item	Description	U/M	Price	Total
1	CCSRN3	WHELEN CEN-COM SAPPHIRE REMOTE SIREN/SWITCHING SYSTEM - INCLUDES CONTROL HEAD, 20 FT CABLE AND MICROPHONE		695.00	695.00
1	ULB28 CUSTOM	SVP LINEUM X FULL-WIDTH PHANTOM INTERIOR UNDERCOVER LIGHTBAR - DUAL COLOR - SPECIFY COLORS AND MOUNT KIT		681.204	681.20
1	274-ULB21-DU	ULB28 MOUNTING HARDWARE KIT FOR SPLIT PHANTOM FOR DODGE DURANGO		0.00	0.00
1	IONV3B	WHELEN IONV3 LIGHTHEAD - V-SHAPED WARNING LIGHT WITH 3 SUPER-LED ALLEY LIGHTS AND LED PUDDLE LIGHTING - INCLUDES BASIC PEDESTAL BRACKET - BLACK HOUSING - BLUE		157.18	157.18
1	IONV3R	WHELEN IONV3 LIGHTHEAD - V-SHAPED WARNING LIGHT WITH 3 SUPER-LED ALLEY LIGHTS AND LED PUDDLE LIGHTING - INCLUDES BASIC PEDESTAL BRACKET - BLACK HOUSING - RED		157.18	157.18
1	SA315P	WHELEN 100 WATT COMPOSITE HOUSING SIREN SPEAKER - BRACKETS SOLD SEPARATELY		190.24	190.24
1	SAK54	WHELEN SAK54 - SA315 MOUNTING BRACKET FOR 2013-2019 DODGE DURANGO		23.78	23.78
1	VTX609B	WHELEN VERTEX HIDEAWAY LED MODULE, SELF CONTAINED SINGLE LAMP WITH 9' CABLE - BLUE		65.54	65.54
1	VTX609R	WHELEN VERTEX HIDEAWAY LED MODULE, SELF CONTAINED SINGLE LAMP WITH 9' CABLE - RED		65.54	65.54



**EMERGENCY AUTOMOTIVE
TECHNOLOGIES, INC.**

2755 Geneva Ave. North
Oakdale, MN 55128

Quote

Date	Quote #
1/21/2020	DL012120-10

Name / Address
ISANTI PD P O BOX 428 ISANTI, MN 55040

Ship To
ISANTI PD 401 1ST AVE. NORTH ISANTI, MN 55040

P.O. No.	Terms	Due Date	Account #	Rep	FOB
	NET 30	2/20/2020		DLL	Oakdale, MN

Qty	Item	Description	U/M	Price	Total
4	IONB	WHELEN ION 6 SUPER LED LIGHTHEAD WITH BRACKET - BLUE		81.20	324.80
4	IONR	WHELEN ION 6 SUPER LED LIGHTHEAD WITH BRACKET - RED		81.20	324.80
1	IONBKT1	WHELEN ION LICENSE PLATE BRACKET - HORIZONTAL MOUNT		19.175	19.18
1	FN-0616D RBW	FENIEX FUSION LIGHT STICK - 6 HEAD - DUAL COLOR - HALF RED, HALF BLUE		435.68	435.68
2	FN-4016	PRIMARY, ALL WHITE SECONDARY FENIEX FUSION LIGHT STICK		5.25	10.50
1	7170-0721-02	L-BRACKETS GAMBER JOHNSON CONSOLE BOX WITH CUPHOLDER AND PRINTER		600.00	600.00
1	7160-0339	ARMREST (7160-0430) KIT FOR 2018+ DODGE DURANGO		0.00	0.00
1	7160-0321	GAMBER JOHNSON FULL SIZE FACEPLATE FOR MCS CONSOLE FOR WHELEN CEN-COM GOLD CONTROL		0.00	0.00
1	7160-0323	HEAD SOUND OFF SIGNAL 400 SERIES GAMBER JOHNSON FULL SIZE FACEPLATE FOR MCS CONSOLE FOR XTL-5000/2500 REMOTE HEAD RADIO		90.60	90.60
1	DS-LOWER-9	GAMBER JOHNSON COMPUTER MOUNT BASE FOR 2011+ JEEP GRAND CHEROKEE/2011-2017 DODGE DURANGO.			
1	7160-0178	GAMBER JOHNSON 9" LOWER POLE	ea	37.80	37.80
1	7160-0230	GAMBER JOHNSON 7" UPPER POLE ASSEMBLY - CENTER PIVOT POINT	ea	54.60	54.60
1	7160-0220	GAMBER JOHNSON SHORT SUPPORT BRACE 10.3" - 16.3"		48.60	48.60
1	7160-0220	GAMBER JOHNSON MONGOOSE 9" LOCKING SLIDE-ARM WITH 360 DEGREE TILT-SWIVEL	ea	212.40	212.40



**EMERGENCY AUTOMOTIVE
TECHNOLOGIES, INC.**

2755 Geneva Ave. North
Oakdale, MN 55128

Quote

Date	Quote #
1/21/2020	DL012120-10

Name / Address
ISANTI PD P O BOX 428 ISANTI, MN 55040

Ship To
ISANTI PD 401 1ST AVE. NORTH ISANTI, MN 55040

P.O. No.	Terms	Due Date	Account #	Rep	FOB
	NET 30	2/20/2020		DLL	Oakdale, MN

Qty	Item	Description	U/M	Price	Total
1	CG-X	HAVIS CHARGEGUARD PROGRAMMABLE AUTO ON/OFF TIMER 12V NEG GROUND. PROGRAMMABLE FROM 5 SECONDS TO ETERNITY.	ea	71.379	71.38
1	14.0434	SHO-ME MULTI PORT ACCESSORY BOX - WITH (3) 12V OUTLETS AND (4) 5V USB PORTS	ea	36.75	36.75
1	47769	AMBER LOW-COST LED PRISONER COMPARTMENT LIGHT		9.1875	9.19
1	ETFBSSN-P	SOUNDOFF SOLID STATE TAIL LIGHT FLASHER - 12 WIRE - ISOLATED POSITIVE OUTPUTS	ea	39.27	39.27
1	DS-PAN-111	HAVIS PORT REPLICATING DOCKING STATION FOR PANASONIC CF-30/31 WITH NO RF PASS-THROUGH - DOES NOT INCLUDE POWER SUPPLY - USE LPS-104	ea	601.426	601.43
1	LPS-104	12VDC POWER SUPPLY FOR HAVIS DS-PAN-101/111 DOCKING STATION F/CF30/31 *****REQUIRED FOR CF-31*****	ea	154.882	154.88
1	BR-355-S4-5HZ	SIRFIV GPS RECEIVER - 15' CABLE, 5 HERTZ. THE BR-355-S4 REQUIRES EITHER THE USB, OR SERIAL RS232/PS2 CABLE SETS TO FUNCTION (SOLD SEPERATELY) VIA USB		111.15	111.15
1	BR-305	USB INTERFACE CABLE FOR BULKHEAD MOUNT GPS RECEIVER		18.75	18.75
1	NMO58AU-NC	NMO ANTENNA BASE WITH 17 FT CABLE WITHOUT CONNECTOR (REPLACES BM-NC) NMO58AU-NC	ea	13.7475	13.75
1	TRA6927M3NB-TS1	526355 LAIRD 4G/3G MULTI BAND PHANTOM ANTENNA, BLACK NMO BASE		35.77	35.77



**EMERGENCY AUTOMOTIVE
TECHNOLOGIES, INC.**

2755 Geneva Ave. North
Oakdale, MN 55128

Quote

Date	Quote #
1/21/2020	DL012120-10

Name / Address
ISANTI PD P O BOX 428 ISANTI, MN 55040

Ship To
ISANTI PD 401 1ST AVE. NORTH ISANTI, MN 55040

P.O. No.	Terms	Due Date	Account #	Rep	FOB
	NET 30	2/20/2020		DLL	Oakdale, MN

Qty	Item	Description	U/M	Price	Total
1	ETRAB8063	ETRAB8063 ANTENNEX PHANTOM ELITE ANTENNA (FIN STYLE) 800-866 MHZ BLACK (MDC)		38.144	38.14
1	MAGNETIC MIC CLIP	MAGNETIC MIC CLIP		34.95	34.95
1	330GM-0002	SPOTLIGHT. UNITY 330 GM-0002. BLACK		123.20	123.20
1	189	BRACKET UNITY # 189		39.20	39.20
1	P46FLC	WHELEN P46FLC - PAR 46 SUPER LED SPOTLIGHT - 12 VOLT - 8 DEGREE BEAM		150.80	150.80
3.5	LABOR MSP CONTRACT	LABOR TO INSTALL SPOTLIGHT.	hr	90.00	315.00
1	CAT5 25 FOOT	GENERIC 25 FOOT CAT5 CONNECTION CABLE - STRAIGHT THROUGH - JACKET COLOR MAY VARY		9.95	9.95
1	453440	ANTENNA BASE, 3/4 MOUNT 0-6 GIGAHERTZ , LARSEN NMOKHFUDFME		17.992	17.99
1	20.1850.C	SHO-ME MICROTHIN EXTERIOR STROBE - CLEAR - WITH 15 FT CABLE - ORDER 90.6108 FLASHBACK SHIELD SEPARATELY		147.518	147.52
1	401-1228-PREHI	TOMAR HIGH PRIORITY OPTICOM COMPATIBLE STROBE EMITTER POWER SUPPLY WITH STD AMP CONNECTOR, EPOXY SEALED UNIT 401-1228-PRE		205.00	205.00
1	EX-MISC SUPPLY	STANDARD SHOP SUPPLIES FEE FOR GENERAL INSTALLATION AND WIRING MATERIALS		350.00	350.00
1	46985	CIRCUIT BREAKER - 100AMP - MANUAL RESET - MANUAL TRIP	ea	0.00	0.00
1	BOSCH75551	75551 BOSCH 75A SPST RELAY, FOUR TERMINAL DUAL CONTACT	ea	0.00	0.00
1	46096	POWER DISTRIBUTION MODULE - 2 FUSED OUTPUTS - J-CASE FUSE HOLDER WITH STUD INPUTS AND OUTPUTS		0.00	0.00
18	C - STANDARD UNCUT	C - STANDARD HARNESS - PER FOOT		0.00	0.00

E.A.T.I.D.
EMERGENCY AUTOMOTIVE
TECHNOLOGIES, INC.
 2755 Geneva Ave. North
 Oakdale, MN 55128

Quote

Date	Quote #
1/21/2020	DL012120-10

Name / Address
ISANTI PD P O BOX 428 ISANTI, MN 55040

Ship To
ISANTI PD 401 1ST AVE. NORTH ISANTI, MN 55040

P.O. No.	Terms	Due Date	Account #	Rep	FOB
	NET 30	2/20/2020		DLL	Oakdale, MN

Qty	Item	Description	U/M	Price	Total
20	B-LINK FRONT UNCUT	B-LINK A HARNESS, FRONT WIRE HARNESS / BLNK - FRONT / UNDERHOOD TO TRUNK UNCUT/BY THE FOOT	ft	0.00	0.00
1	93F4564	89C8233 OMAN TF SERIES MINATURE SNAP ACTING SWITCHES/NORMAL OPEN AND CLOSED LONG THROW V-15G3-1C24-K		0.00	0.00
1	LABOR GOVMNT FLEET	GOVERNMENT FLEET LABOR RATE FOR SERVICES	hr	2,400.00	2,400.00
1	CUST SUPPLIED PART	PART: WATCHGUARD 4RE, RADIO, RADAR,		0.00	0.00

If you would like to turn this quote into an order, please let your sales rep know ASAP!

Total

\$11,809.38

Introducing My CDW Advantage: save 5% on products when you [create an account](#).

X



800.800.4239


brother.
 at your side.
brother mobile solutions, inc.

Brother PocketJet PJ-722 - Vehicle Kit - printer - monochrome - direct ther

Mfg.Part: PJ722-VK | CDW Part: 4302799 | UNSPSC: 43212108

Availability: In Stock

Get it Thursday, January 23 to **55006**

If ordered within 3 hrs 19 mins.

Warranties

- ☐ None
- ☐ Include: [BROTHER MOBILE SOLUTIONS 2 Year Warranty](#) - \$47.99
- ☐ Include: [BROTHER MOBILE SOLUTIONS 3 Year Warranty](#) - \$66.99
- ☐ Include: [CDW 1 Year Warranty](#) - \$39.99

[View More](#)**\$441.99** Advertised Price
Claim Your 5% Discount
 Create an account to get My CDW Advantage today.

Lease Option (\$13.36/month) ⓘ

Product Details

- Vehicle Kit
- printer
- monochrome
- thermal paper
- A4/Legal
- 203 x 200 dpi
- up to 8 ppm

Product Overview

Main Features

- Vehicle Kit
- printer
- monochrome
- thermal paper
- A4/Legal
- 203 x 200 dpi
- up to 8 ppm
- USB 2.0

Cover your on-the-go printing requirements with the Brother PocketJet PJ-722 Direct Thermal Printer with vehicle kit. With a black and white maximum resolution of 200 dpi, this full-page thermal printer delivers crisp documents. It efficiently prints A4, Legal, Letter A size and Roll media types at a rate of 8 ppm. The monochrome printer is powered and connected to a choice of computer through USB 2.0 interface. When not connected to any system, an optional Li-ion battery in this Brother portable thermal printer provides a run-time 600 pages on a single charge.

- Mobile thermal printer for quick and easy ready to print experience
- USB 2.0 connectivity for flexible and reliable connection
- Car power adapter to power the printer directly from your vehicle

Tech Specs

Specifications are provided by the manufacturer.



applied concepts, inc.

855 E. Collins Blvd
Richardson, TX 75081
Phone: 972-398-3780
Fax: 972-398-3781

National Toll Free: 1-800- STALKER

Inside Sales Partner: Donna Russell
972-801-4803

QUOTE
#2035627

Page 1 of 1
Date: 01/15/20

Reg Sales Mgr: Paul Spano
972-489-6701

Effective From : 01/15/2020

Valid Through: 04/14/2020

Lead Time: 21 working days

Bill To: Isanti Police Department PO Box 428 Isanti, MN 55040-0428	Customer ID: 107048 Accounts Payable	Ship To: Isanti Police Department 401 1st Ave N Isanti, MN 55040-7123	UPS Ground Lieutenant Travis Muyres
--	---	---	--

Grp	Qty	Package	Description	Wrrnty/Mo	Price	Ext Price
1	1	806-0022-00	DSR 2 Antenna Radar	36	\$2,895.00	\$2,895.00
Ln	Qty	Part Number	Description		Price	Ext Price
1	1	200-0999-20	DSR Enhanced Counting Unit, 1.5 PCB			\$0.00
2	1	200-1000-30	DSR Modular Display, Bright LEDs			\$0.00
3	2	200-1237-00	DSR Ka Antenna			\$0.00
4	1	200-0921-00	DSR Ergonomic Remote Control w/Screw Latch			\$0.00
5	1	200-0769-00	25 MPH/40 KPH KA Tuning Fork			\$0.00
6	1	200-0770-00	40 MPH/64 KPH KA Tuning Fork			\$0.00
7	1	200-0243-00	Counting/Display Tall Mount			\$0.00
8	1	200-0244-00	Antenna Dash Mount			\$0.00
9	1	200-0245-00	Antenna Tall Deck Mount			\$0.00
10	1	200-0648-00	Display Sun Shield			\$0.00
11	1	155-2055-08	Antenna Cable, 8 Ft			\$0.00
12	1	155-2055-20	Antenna Cable, 20 Ft			\$0.00
13	1	200-0622-00	VSS Cable Kit			\$0.00
14	1	200-0821-00	DSR Documentation Kit			\$0.00
15	1	035-0361-00	Shipping Container, Dash Mounted Radar			\$0.00
16	1	060-1000-36	36 Month Warranty			\$0.00
17	1	155-2211-00	Remote Display Interconnect Cable		\$71.00	\$71.00
Group Total						\$2,966.00

Product	\$2,966.00	Sub-Total:	\$2,966.00
Discount	\$0.00	Sales Tax 0%	\$0.00
Payment Terms: Net 30 days		Shipping & Handling:	\$0.00
		Total: USD	\$2,966.00

Vehicle Information:
2020 Dodge Durango

001

This Quote or Purchase Order is subject in all respects to the Terms and Conditions sent along with the Quote.



3240 Mike Collins Drive
Eagan, MN 55121
888-683-9665 Toll free
651-683-9740 Fax

Quotation

Date	Estimate #
1/27/2020	21346

Bill To
Isanti Police Department Attn: Accounts Payable 401 1st Ave. N. PO Box 428 Isanti, MN 55040

Ship To
Isanti Police Department Chief Travis Muyres 401 1st Ave. N. Isanti, MN 55040

Terms	Est. Delivery from art approval	Rep	Project Name	
Net 30	2 Weeks	Shawn	2020Dodge Chargers	
Qty	Description		Price	Total
1	ULT-2149 Reflective Kit for a White 2020 Dodge Durango Unit Number TBD POLICE & Unit Number on Tailgate 1080 Gloss Black Stripe with Reflective POLICE, Unit Numbers and 911		575.00	575.00
1	Install of STANDARD KIT at EAT Date TBD		385.00	385.00

This estimate is based on plans and specifications provided at the time the estimate was given. Changes requested by the customer may cause a change in the quoted price. Freight will be added to the invoice unless other arrangements are made. This quote is valid for 30 days.

Authorization Signature and Date

X _____

Subtotal	\$960.00
Sales Tax (6.875%)	\$0.00
Total	\$960.00



4RE/VISTA Price Quote

CUSTOMER: Isanti Police Department

ISSUED: 1/21/2020 10:02 AM

EXPIRATION: 3/23/2020 10:00 AM

Attn: Accounts Payable,
PO Box 428,
Isanti, MN, United States,
55040

TOTAL PROJECT ESTIMATED AT:
\$6,230.00

ATTENTION: LT McCarty

SALES CONTACT: Michelle Oleari

PHONE: 763-444-4761

DIRECT:

E-MAIL:

E-MAIL:

michelle.oleari@motorolasolutions.com

4RE and VISTA Proposal VISTA HD Cameras and Options

Part Number	Detail	Qty	Direct	Discount	Total Price
VIS-EXT-WIF-BUN	VISTA HD WiFi and 4RE System Bundle. Includes 4RE Standard DVR Camera System with integrated 200GB automotive grade hard drive, ZSL camera, 16GB USB removable thumb drive, rear facing cabin camera, GPS, hardware, cabling and your choice of mounting bracket. It will also include the VISTA HD Wi-Fi Extended Capacity Wearable Camera with 9 hours continuous HD recording, one camera mount, 32 GB of storage, Wi-Fi docking base, Power over Ethernet Smart Switch	1.00	\$5,550.00	\$0.00	\$5,550.00

VISTA HD Warranties

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-VIS-CAM-1ST	Warranty, VISTA 1st Year (Months 1-12) Included	1.00	\$0.00	\$0.00	\$0.00

Evidence Library 4 Web Software and Licensing

Part Number	Detail	Qty	Direct	Discount	Total Price
KEY-EL4-DEV-004	Evidence Library 4 Web VISTA Combo-Discount Device License Key	1.00	\$75.00	\$0.00	\$75.00
KEY-EL4-DEV-001	Evidence Library 4 Web 4RE In-Car Device License Key	1.00	\$150.00	\$0.00	\$150.00

4RE In-Car System and Options

Part Number	Detail	Qty	Direct	Discount	Total Price
CAM-4RE-PAN-NHD	Additional Front Camera, 4RE, HD Panoramic	1.00	\$200.00	\$0.00	\$200.00

Wireless Video Transfer and Networking Options

Part Number	Detail	Qty	Direct	Discount	Total Price
4RE-WRL-KIT-101	4RE In-Car 802.11n Wireless Kit, 5GHz (2.4 GHz is available by request)	1.00	\$200.00	\$0.00	\$200.00

4RE Hardware Warranties

415 E. Exchange Parkway • Allen, TX • 75002
Toll Free (800) 605-6734 • Main (972) 423-9777 • Fax (972) 423-9778
www.WatchGuardVideo.com



4RE/VISTA Price Quote

Part Number	Detail	Qty	Direct	Discount	Total Price
WAR-4RE-CAR-1ST	Warranty, 4RE, In-Car, 1st Year (Months 1-12)	1.00	\$0.00	\$0.00	\$0.00

WatchGuard Video Technical Services

Part Number	Detail	Qty	Direct	Discount	Total Price
Freight	Shipping/Handling and Processing Charges	1.00	\$55.00	\$0.00	\$55.00
					\$6,230.00

Total Estimated Tax, may vary from State to State \$0.00

Configuration Discounts	\$0.00
Additional Quote Discount	\$0.00

NOTE: This is only an estimate for 4RE & VISTA related hardware, software and WG Technical Services. Actual costs related to a turn-key operation requires more detailed discussion and analysis, which will define actual back-office costs and any costs associated with configuration, support and installation. Please contact your sales representative for more details.

To accept this quotation, sign, date and return with Purchase Order: _____ DATE: _____

1/21/2020

To: Motorola Solutions Inc.
1309 E. Algonquin Rd.
Schaumburg, IL 60196

Re: Purchase of Motorola radio communications equipment -**MN Contract # #119587**

This letter serves as authorization for Motorola Solutions to place an order for the communications equipment on the attached sheet for a purchase price of \$3,837.50. The City of Isanti agrees to pay Motorola Solutions for the equipment "Net 30 days upon shipment" to:

Granite Electronics
535 N 31st Ave.
St Cloud MN 56303

When Motorola Solutions invoices the City of Isanti, the invoice should reference 800 MHz Radios and be sent to Chief Gene Hill at the following address:

City of Isanti
Po Box 428
Isanti MN 55040
Attn: Police Chief Travis Muyres
(NO e-Invoicing)

For taxation purposes, even if tax-exempt, the equipment sold to City of Isanti will ultimately reside at the following address:

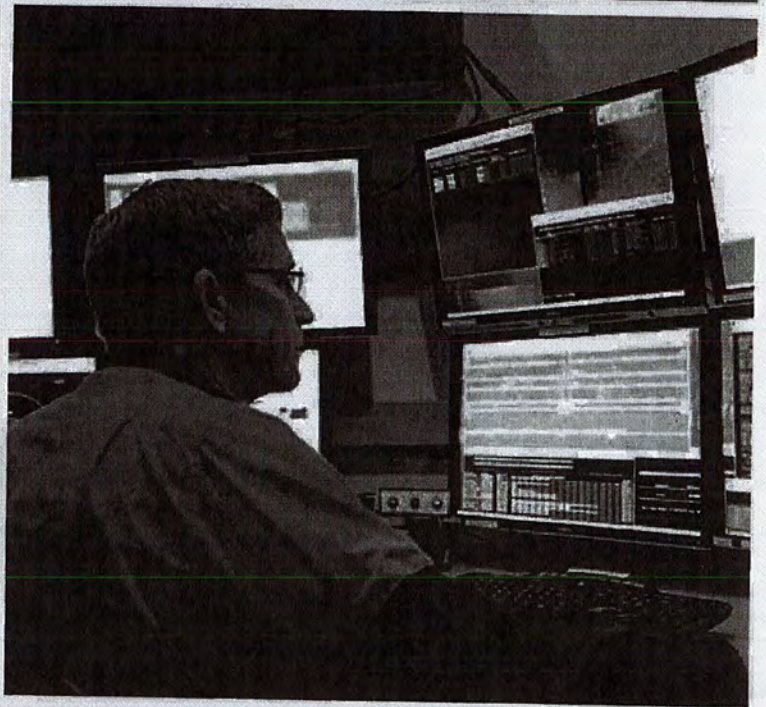
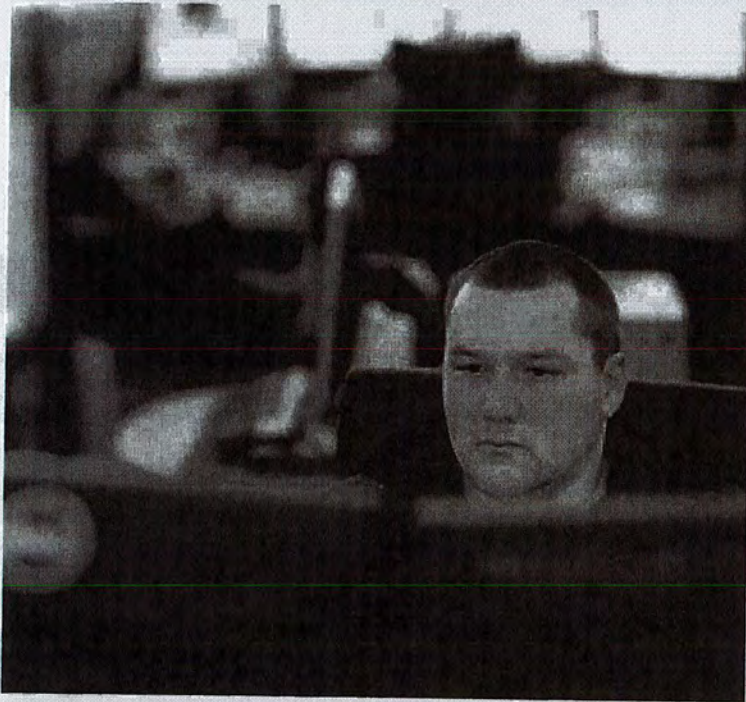
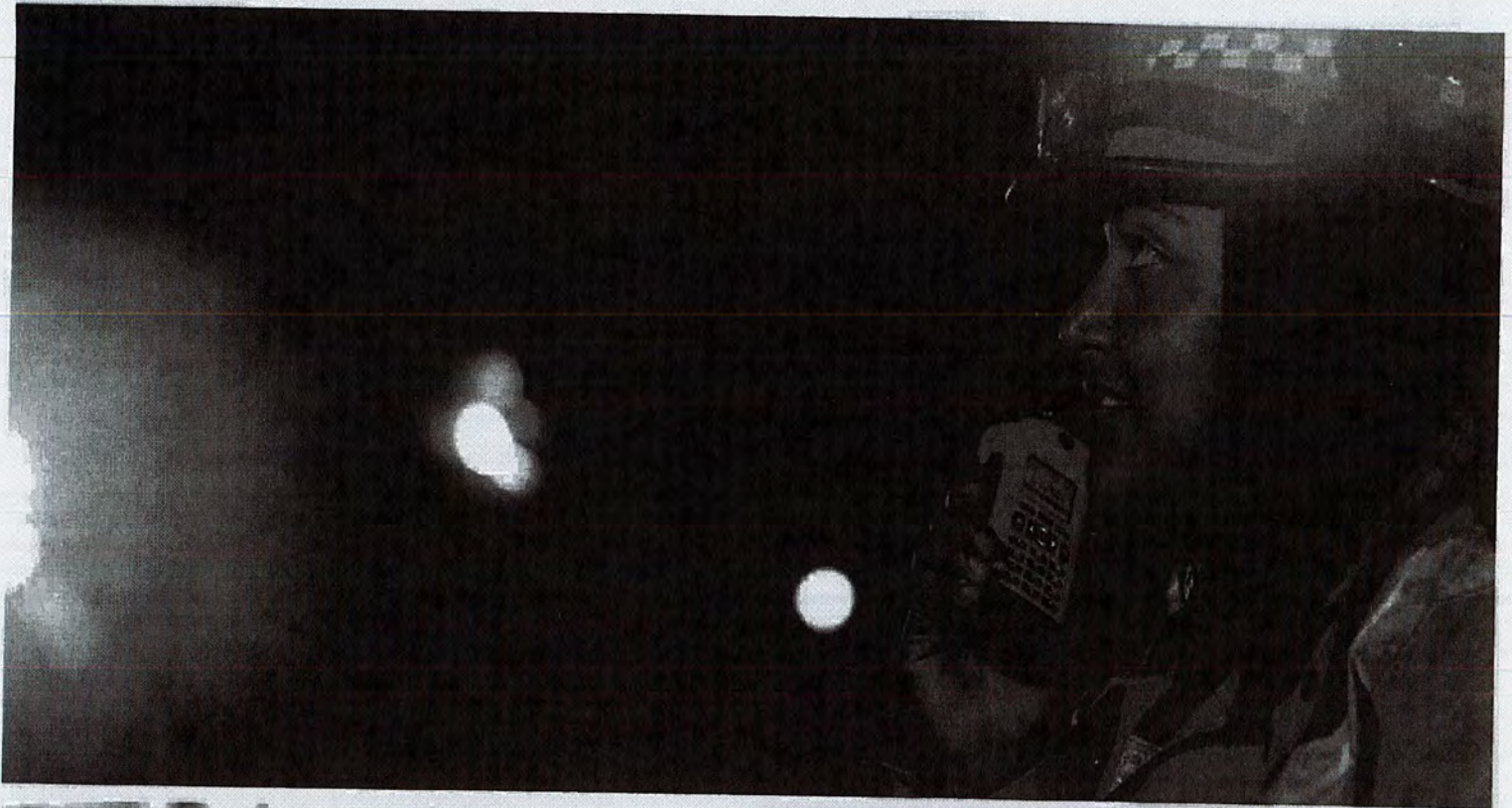
City of Isanti
401 1st Ave N.
Isanti MN 55040

Payments can be authorized solely on this document. I submit that I am a duly authorized official of our entity and that my signature makes this a legal and binding document and that funding has been encumbered for this order. If you have any questions regarding this order, please feel free to contact Travis Muyres at 763-444-4761.

Sincerely yours,

By: _____
Travis Muyres
Police Chief

Cc: Michael Kahl



ISANTI, CITY OF

01/21/2020



Billing Address:
ISANTI, CITY OF
PO BOX 428
ISANTI, MN 55040
US

Shipping Address:
Michael Kahl
535 N 31st Ave
St Cloud, Minnesota 56303
United States

Quote Date:01/21/2020
Expiration Date:04/20/2020
Quote Created By:
Michael Kahl
MikeK@GraniteElectronics.com

Customer:
ISANTI, CITY OF
Travis Muires
TMuires@CityofIsanti.us
7630444-4761

Contract: 20927 - MN DOT 119587

Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
	APX™ 6500 Series	APX6500/LI				
1	M25URS9PW1AN	APX6500 7/800 MHZ	1	\$2,438.00	\$1,758.00	\$1,758.00
1a	GA00235AA	ADD: NO GPS ANTENNA NEEDED APX	1	\$0.00	\$0.00	\$0.00
1b	QA02756AC	ENH: 9600 OR 3600 SINGLE SYSTEM DIGITAL TRUNKING	1	\$1,570.00	\$1,177.50	\$1,177.50
1c	G78AT	ENH: 3 YEAR ESSENTIAL SVC	1	\$168.00	\$168.00	\$168.00
1d	B18CR	ADD: AUXILIARY SPKR 7.5 WATT APX	1	\$60.00	\$45.00	\$45.00
1e	G442AJ	ADD: APX O5 CONTROL HEAD	1	\$432.00	\$324.00	\$324.00
1f	G444AE	ADD: APX CONTROL HEAD SOFTWARE	1	\$0.00	\$0.00	\$0.00
1g	W22BA	ADD: STD PALM MICROPHONE APX	1	\$72.00	\$54.00	\$54.00
1h	G67CW	ADD: REMOTE MOUNT O5 MID POWER	1	\$297.00	\$222.75	\$222.75
1i	G174AD	ADD: ANT 3DB LOW-PROFILE 762-870	1	\$43.00	\$32.25	\$32.25



Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products.



Line #	Item Number	Description	Qty	List Price	Sale Price	Ext. Sale Price
2	LSV00Q00202A	DEVICE PROGRAMMING	1	\$56.00	\$56.00	\$56.00

Grand Total**\$3,837.50(USD)**

Motorola's quote is based on and subject to the terms and conditions of the valid and executed written contract between Customer and Motorola (the "Underlying Agreement") that authorizes Customer to purchase equipment and/or services or license software (collectively "Products"). If no Underlying Agreement exists between Motorola and Customer, then Motorola's Standard Terms of use and Purchase Terms and Conditions govern the purchase of the Products.



14090 FM 2920, Ste. G-303
Tomball, TX 77377

Tel: 480-568-8691
Ofc:
sean.mctamane@cis-sales.com

Sales Quotation

Quotation No.:1167
Page 1 of 1

Order Date: 01/15/2020
Valid Until: 02/15/2020
Customer Number: C1251
Rep: Sean McTamane
Terms: CIS Net 30
Customer Ref:

Bill To:
Isanti Police Department
Chief Gene Hill
PO Box 428

Isanti MN 55040
USA
763-444-4761

Ship To:
Isanti Police Department
Lt. Travis Muyres #5802
401 First Avenue NW

Isanti MN 55040
USA
763-444-4761

Shipping Method: Best Way (cheapest available)

Item Code	Description	Condition	Quantity	Price	Total
CF-318B718VM	Windows 10 Pro, Intel Core i5-7300U 2.60GHz, 13.1" XGA Touchscreen LCD, 256GB Solid State Drive, 16GB (8+8), Wi-Fi, Bluetooth, 4G LTE-Advanced Multi Carrier (EM7455), Dual Pass (Ch1:WWAN/Ch2:Selectable), Flat, DVD Super MULTI Drive, TPM 2.0, Backlit Emissive Keyboard, No PC/ExpressCard, 3 Year Panasonic Warranty	NEW	1	3,467.00	3,467.00
				Freight	\$29.50
				Tax	\$0.00
				Total	\$3,496.50

12 In Stock

Terms and Conditions

- * Any refunds, for any reason (including cancellations), if payment was made with American Express, refund will be less 4% American Express merchant processing charge.
- * All shipments are FOB Destination, Freight Prepaid & Add, unless using customer shipping account, if freight not shown on quote, it will be added to invoice.
- * Payment must be made in U.S. dollars.
- * Pricing and quantities are subject to change.
- * THIG, LLC reserves the right to substitute products of equal or greater specifications.
- * Invoices are subject to late payment charges of 18% per year computed monthly after due date.
- * All products are sold "AS IS"
- * No credit allowed for goods returned without prior approval.
- * ALL RETURNS MUST BE ACCOMPANIED BY A RETURN MATERIAL AUTHORIZATION NUMBER AND ARE SUBJECT TO A 20% RESTOCKING/HANDLING FEE; IF A SPECIAL ORDER PART, ADDITIONAL VENDOR RESTOCKING/HANDLING FEES MAY APPLY.
- * Claims for loss or damage in shipment must be made to the carrier by the Customer. All others must be made to THIG, LLC within 2 days of receipt of Goods. All goods shipped at the buyer's risk.
- * Customer also agrees to pay such attorney's fees and costs as are actually incurred for the collection of this amount whether or not suit is instituted.
- * All product and services on this invoice will remain the property of THIG, LLC and will be fully encumbered until full payment has been remitted.

THIG, LLC strives to bring our customers the best possible price everyday.



Request for City Council Action

To: Mayor Johnson and Members of the City Council
From: Matt Sylvester, Public Services Director
Date: February 4, 2020
Subject: Resolution 2020-XXX Approving Boiler Replacement at the Public Works Shop

Background:

In December of 2019 the shop boilers broke down and were not functioning. We called TM Johnson Brothers out to make repairs. TM Johnson Brothers informed us that the boilers were not repairable and would need to be replaced.

The boilers are listed on the 20 year capital improvement plan as “In-floor Heat Boilers (2)” in fund 920 in the Streets department. The boilers had been scheduled for replacement in 2022 at an estimated cost of \$26,225. Unfortunately they need to be replaced now as we are only running on the make-up air unit. To accept the recommended quote, Council would authorize by resolution, acceptance of the quote and also authorize the Finance Director to amend the 2020 budget to allow for the expenditure. Future 20 year Capital Improvement Plans will then reflect that change and the estimated 25 year useful life would remain unchanged. Future replacement of the boilers would be planned for year 2045.

Staff reached out to five different vendors for quotes.

- Sun Mechanical
- AIRESERV
- Deans Heating
- TM Johnson Brothers
- Precision Plumbing and Heating

Recommendation:

Staff is recommending Deans Heating due to their expertise and willingness to solve the issues we have with the shop boilers.

Request:

Staff would like action on this item to replace the Boilers at the Public Works Shop.

Attachments:

- Resolution 2020-XXX
- Quote- Sun Mechanical
- Quote AIRESERV
- Quote- Deans Heating
- Quote- TM Johnson Bros
- Quote -Precision Plumbing and Heating

RESOLUTION 2020-XXX

AUTHORIZING THE INSTALLATION OF NEW SHOP BOILERS

WHEREAS, the Public Works shop boilers are broke down and are unrepairable and in need of replacement: and,

WHEREAS, the following quotes were received:

Vendor	Quote
Sun Mechanical	\$47,798.00
Precision Plumbing and Heating	\$43,125.00
Deans Heating	\$31,775.00
AIRSERV	\$31,175.00
TM Johnson Brothers	\$25,175.00

WHEREAS, the purchase is unbudgeted, the funding source is defined as Capital Replacement Fund (Fund 920) fund balance, increasing budgeted expenditures to 920-43100-500 Capital Outlay; and,

WHEREAS, the vendor will take the old boilers back with them for recycling;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to approve the quote from _____ in the amount of _____ and allow the Finance Director to make the necessary budget adjustments.

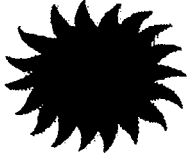
This resolution was duly adopted by the Isanti City Council this 4th day of February 2020.

Attest:

Mayor Jeff Johnson

Katie Brooks
Human Resources/City Clerk

SUN MECHANICAL, INC.



10834 178TH CIRCLE NW

ELK RIVER, MN 55330

PHONE: 763-274-2866 FAX: 763-274-2871

Jan, 15 2020

WE ARE CERT WBE, AND DBE FOR MnUCP PROJECTS!

To: Matt Sylvester

Att:

Project: Isanti Public works Boiler Replacement

Subject:

Dear Sir:

We are pleased to provide you with this proposal for plumbing and/or piping work as outlined below.

I. Pricing.

A. Base bid..... **\$47,798.00**

II. What's Included.

- A. Demolition of old boiler system, piping, pumps, tanks, wiring and controls.
- B. Flushing and cleaning of old system piping.
- C. New Boiler package/system/pumps, hydraulic separator, expansion tank ect.
- D. New hydronic piping in copper.
- E. New gas connection to Boiler.
- F. New Manifold pairs.
- G. New glycol @ 30% mixture.
- H. New hydronic pipe insulation with labels.
- I. New zone control system panel /control valves/ thermostats.
- J. New electrical wiring.
- K. New control/low voltage wiring.

III. What's not included.

- Temporary heating.
- Overtime.
- Cut/patch of floors, walls, ceilings, roof.
- Dumpsters.
- Testing agency costs.
- Gas Company fees.
- Security costs.
- Asbestos abatement.
- Dust control.
- Liquidated damages.
- PVC jackets.
- Coordination drawings.

Thank you for giving us this opportunity to quote you. If you have any questions about our proposal, please call.

Sincerely,

Clark J. Grotte, Vice President.

AIRESERV™

HEATING & AIR CONDITIONING

6194 Main Street North Branch, MN 55056 651-674-4782 office 651-237-0314 fax

Proposal Submitted To:

Name: CITY OF ISANTI

Address: 100 ISANTI PARKWAY NW
ISANTI MN 55040

Date: 1/3/2020

Job: Same

We propose to:

DRAIN DOWN EXISTING SYSTEMS (2)

REMOVE EXISTING BOILERS (2)

REMOVE EXISTING VENTING SYSTEM

FLUSH EXISTING SYSTEMS (2)

INSTALL 2 HTP 95% EFFICIENT MODULATING 220,000 BTU BOILERS IN CASCADE CONFIGURATION

INSTALL NEW PVC VENTING TO EXTERIOR (2)

REPLACE 6 EXISTING CIRCULATOR PUMPS

INSTALL NEW ISOLATION VALVES FOR PUMPS

REPLACE EXISTING EXPANSION TANK AND AIR RELIEF VALVE ON SECOND LEVEL

INSTALL NEW T&P FILL VALVE

REFILL SYSTEM WITH CODE RATED GLYCOL

TEST SYSTEM FOR PROPER OPERATION

INCLUDES GASSING, ELECTRICAL AND LABOR

WARRANTY IS 2 YEARS LABOR AND 5 YEARS PARTS

PERMIT

TOTAL TO AIRESERV: \$31,125.00

NO IMPLIED WARRANTY ON ITEMS NOT REPLACED BY AIRESERV

All material is guaranteed to be as specified, and the above work to be performed in accordance with specifications submitted and in compliance with local codes.

With payments to be made as follow: 50% down and payment in full when work is completed if not financed

Any alteration or deviation from above specifications involving extra cost, will be executed only upon written orders, and will become an extra charge over and above the estimate.

Respectfully submitted: AIRESERV Breathe Easy Per: BILL PETERS

Note this proposal may be withdrawn by AIRESERV if not accepted within 30 days.

ACCEPTANCE OF PROPOSAL

The above prices, specifications and conditions are satisfactory and hereby accepted. AIRESERV is authorized to do the work as specified. Payment will be made as outline above.

Date _____

Signature _____

Precision Plumbing & Heating, Inc.
12255 43rd St NE
St. Michael, MN 55376

Estimate

Date	Estimate #
1/29/2020	6331

Phone 763-497-7486

Fax 763-497-7052

Name / Address
Isanti City Offices 100 Isanti Pkwy West Isanti, MN 55040

Description	Qty	Cost	Total
<p>Thanks for the opportunity to provide and estimate to replace the boiler heating system in the facility. Looking at the system it does need to be completely replaced. This estimate will include all components / equipment to be fully functional and efficient update to the system in place. We are basing this on a 42 BTU's per sq. ft. calculation. System will be flushed and refilled up to 75 gallons of Glycol City of Isanti Permits allowance</p> <p>Note: We are not responsible for the integrity of existing piping underneath the slab or existing manifolds.</p> <p>BASE BID HEATING:</p> <p>Please examine this estimate carefully. We agree to provide the products on this estimate. Errors are subject to change. This estimate is effective for 30 days from the date of estimate. Payment is 100% due upon completion. An annual interest rate of 18% will be applied to all invoices not paid within 30 days of the invoice date.</p> <p>I have read and understand the above notice and agree to these terms.</p> <p>X_____</p>	1	235.00	235.00
	1	42,890.00	42,890.00
Have a great day!		Total	\$43,125.00



4081 307th Lane NW, Cambridge, MN 55008
Phone: (763)444-3517 Fax: (763)444-6783
Email: comfort@deansheatingandac.com Web: www.deansheatingandac.com

PROPOSAL SUBMITTED TO

Name: City of Isanti

Street:

City: Isanti

Telephone : Matt Sylvester 763-772-5850 email: msylvester@cityofisanti.us

WORK TO BE PERFORMED AT

Date: December 26, 2019

Name: Public Works Building

Address: 100 Isanti Pkwy S, Isanti

We hereby propose to furnish all materials and perform all the labor necessary for the completion of Heating Venting and Air Conditioning for the public works building.

Price Includes the Following:

Replacement of in-floor heating system to include boiler, piping (near boiler and to manilods), pumps, controls, and flushing and freeze control (to -30 degrees) of system. Correcting the piping and control of the system is necessary to facilitate proper operation of system. Simply replacing the existing boilers with piping as is will result in the system not heating properly and short system life of the boilers.

Boiler will be an NTI TFT399, 94% AFUE, modulating boiler.

All piping, venting, gas piping, and control wiring completed.

All material is guaranteed to be as specified, and the above work performed in accordance with the drawings and specifications submitted for the above work and completed in a substantial workmanlike manner for the sum of: **DOLLARS(\$31,775.00)**

Payment as follows- 60% upon acceptance of proposal, balance on completion.

RESPECTFULLY SUBMITTED: ___Loren___ Per Dean's Heating and Air Conditioning Inc.

NOTE: this proposal may be withdrawn by us if not accepted within 90 days.

Any alteration or deviation from the above specifications involving extra costs, will be executed only upon written orders, and will become an extra charge over and above the estimate. Owner to carry fire, tornado and other necessary insurance. Workman's Compensation and Public Liability insurance on above work to be taken out by Dean's Heating and Air Conditioning Inc.

ACCEPTANCE OF PROPOSAL:

The above priced specifications and conditions are satisfactory and are hereby accepted You are authorized to do the work as specified. Payment will be made as outlined above.

SIGNATURE

DATE

T M JOHNSON BROS. INC.

645 Emerson Street N
Cambridge, MN 55008
763-689-3141

JOB PROPOSAL

Date: 12/13/19 Revised 12/20/19

Proposal Submitted to: City of Isanti

Address: PO Box 428

City, MN Zip: Isanti, MN 55040

Phone: 763-772-5850 (Matt)

Quote for boilers at Public works building 100 Isanti Parkway W

Replacement of 2 cast iron slant fin boilers and existing pumps with:

2 – Navien NHB-150 wall mount 95% AFUE natural gas boilers

- All new boiler pumps and piping including floor pumps and all related piping to be revised as necessary to have entire system work properly
- System water treatment and boiler antifreeze
- New expansion tank
- PVC vent and intake piping
- Gas piping to existing gas service
- New electrical wiring for 2 new boilers and all new pumps
- City of Isanti permit and inspection fees
- Removal and disposal of old boilers and all scrap

Note: These new boilers will qualify for Centerpoint rebate, exact amount determined by Centerpoint not reflected in this quote

We propose hereby to furnish material and labor – complete in accordance with above specifications, for the sum of: **\$ 25,175.00**

Payment to be made as follows: In full upon completion of work

All material is guaranteed to be specified. All work to be completed in a workmanlike manner according to standard practices. Any alteration or deviations from above specifications involving extra costs will be executed only upon written orders and will become an extra charge over and above the quote. All agreements are contingent upon strikes, accidents or delays beyond our control. Homeowner agrees to carry fire, tornado and other necessary insurance. Our workers are fully covered by Workman's Compensations Insurance. Unless specified differently above, proposal is valid for 30 days from date on top of this page.

Acceptance of Proposal—The above prices, specifications and conditions are satisfactory and are hereby accepted. You are authorized to do the work as specified. Payment will be made as outlined above.

Signature:

Date:

City of Isanti

Check Register - Mayor/Council Approval

Check Issue Dates: 1/22/2020 - 1/31/2020

Jan 22, 2020 02:55PM

Report Criteria:

Report type: Summary

Check.Type = {<>} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
01/20	01/22/2020	52831	2030	ARTISAN BEER COMPANY	609-20200	32.60
01/20	01/22/2020	52832	1141	ASSURANT EMPLOYEE BENEFITS	602-20200	551.68
01/20	01/22/2020	52833	2850	BEAUDRY OIL & PROPANE INC	601-20200	2,099.47
01/20	01/22/2020	52834	9	BERNICKS PEPSI-COLA	609-20200	1,431.72
01/20	01/22/2020	52835	2319	BREAKTHRU BEVERAGE	609-20200	9,385.87
01/20	01/22/2020	52836	2221	C & L DISTRIBUTING	609-20200	82.50
01/20	01/22/2020	52837	2487	CAPITOL BEVERAGE SALES	609-20200	439.08
01/20	01/22/2020	52838	1815	CENTURYLINK	609-20200	874.30
01/20	01/22/2020	52839	309	CITY OF CAMBRIDGE	920-20200	10,840.00
01/20	01/22/2020	52840	1985	CIVIC SYSTEMS, LLC	609-20200	5,352.00
01/20	01/22/2020	52841	918	CRYSTAL SPRINGS ICE	609-20200	45.36
01/20	01/22/2020	52842	8	DAHLHEIMER DISTRIBUTING CO	609-20200	18,505.32
01/20	01/22/2020	52843	1941	DELTA DENTAL	861-20200	3,077.15
01/20	01/22/2020	52844	2478	EAST CENTRAL ENERGY	101-20200	42.85
01/20	01/22/2020	52845	55	ECM PUBLISHERS INC	609-20200	156.00
01/20	01/22/2020	52846	346	EDAM	108-20200	295.00
01/20	01/22/2020	52847	1920	EVIDENT INC	101-20200	813.89
01/20	01/22/2020	52848	1682	FERGUSON WATERWORKS	601-20200	700.86
01/20	01/22/2020	52849	2028	FURTHER	861-20200	228.52
01/20	01/22/2020	52850	300	HASSER GARAGE DOORS	101-20200	125.00
01/20	01/22/2020	52851	2859	HAWK, JOSEPH	101-20200	40.00
01/20	01/22/2020	52852	160	HAWKINS INC	602-20200	9,993.20
01/20	01/22/2020	52853	2209	INNOVATIVE OFFICE SOLUTIONS, INC	101-20200	81.32
01/20	01/22/2020	52854	188	ISANTI COUNTY SHERIFF	101-20200	1,000.00
01/20	01/22/2020	52855	113	ISANTI TIRE & AUTO CARE INC	101-20200	24.00
01/20	01/22/2020	52856	7	JOHNSON BROTHERS LIQUOR CO	609-20200	3,644.00
01/20	01/22/2020	52857	5	KAWALEK TRUCKING	609-20200	169.40
01/20	01/22/2020	52858	2824	KELLER, MICHAEL, PH.D.	101-20200	650.00
01/20	01/22/2020	52859	130	MARCO TECHNOLOGIES LLC	101-20200	185.96
01/20	01/22/2020	52860	17	MCDONALD DISTRIBUTING CO	609-20200	9,748.25
01/20	01/22/2020	52861	616	MENARDS - CAMBRIDGE	101-20200	120.06
01/20	01/22/2020	52862	1536	MINNESOTA DEED	219-20200	833.33
01/20	01/22/2020	52863	1445	MN PUBLIC FACILITIES AUTHORITY	601-20200	49,768.24
01/20	01/22/2020	52864	2597	MNSPECT, LLC.	101-20200	8,035.95
01/20	01/22/2020	52865	2858	N & M TRANSFER CO, INC.	602-20200	165.44
01/20	01/22/2020	52866	1165	NORTHLAND TRUST	931-20200	2,675.00
01/20	01/22/2020	52867	2553	O'REILLY	101-20200	43.96
01/20	01/22/2020	52868	617	PAUSTIS & SONS	609-20200	551.42
01/20	01/22/2020	52869	44	PHILLIPS WINE & SPIRITS INC	609-20200	1,383.23
01/20	01/22/2020	52870	2341	RED BULL DISTRIBUTION	609-20200	294.00
01/20	01/22/2020	52871	1113	RJM DISTRIBUTING INC	609-20200	114.90
01/20	01/22/2020	52872	2756	SELLMAN, SHEILA	603-20200	19.03
01/20	01/22/2020	52873	554	STEVES TIRE INC	101-20200	188.77
01/20	01/22/2020	52874	96	STREICHERS INC	101-20200	165.98
01/20	01/22/2020	52875	2834	SUN MECHANICAL, INC.	226-20200	287.54
01/20	01/22/2020	52876	1290	THE AMBLE GROUP	101-20200	231.28
01/20	01/22/2020	52877	42	VIKING COCA-COLA BOTTLING CO	609-20200	184.80
01/20	01/22/2020	52878	4	WATSON CO INC	609-20200	1,560.26
Grand Totals:						147,238.49

City of Isanti

Check Register - Mayor/Council Approval

Page: 1

Check Issue Dates: 1/29/2020 - 1/29/2020

Jan 29, 2020 01:02PM

Report Criteria:

Report type: Summary

Check Type = {<>} "Adjustment"

GL Period	Check Issue Date	Check Number	Vendor Number	Payee	Check GL Account	Amount
01/20	01/29/2020	52879	26	AMERICAN PLANNING ASSOCIATION	101-20200	473.00
01/20	01/29/2020	52880	2030	ARTISAN BEER COMPANY	609-20200	32.60
01/20	01/29/2020	52881	598	ASPEN MILLS INC	101-20200	1,229.65
01/20	01/29/2020	52882	2521	AXON ENTERPRISE INC.	920-20200	4,260.00
01/20	01/29/2020	52883	2861	BAUMEL, BONNIE	601-20200	732.40
01/20	01/29/2020	52884	53	BELLBOY CORPORATION	609-20200	3,776.11
01/20	01/29/2020	52885	9	BERNICKS PEPSI-COLA	609-20200	928.89
01/20	01/29/2020	52886	1500	BOLTON & MENK INC	505-20200	35,875.00
01/20	01/29/2020	52887	2020	BOYLE, EUGENE	101-20200	2,742.00
01/20	01/29/2020	52888	2321	C EMERY NELSON INC	602-20200	672.00
01/20	01/29/2020	52889	1241	CENTRAL WOOD PRODUCTS	101-20200	190.00
01/20	01/29/2020	52890	2161	COMPASS MINERALS INC	101-20200	16,394.48
01/20	01/29/2020	52891	2428	CONCIERGE TITLE INC	601-20200	3.06
01/20	01/29/2020	52892	120	CONNEXUS ENERGY	101-20200	17,657.78
01/20	01/29/2020	52893	8	DAHLHEIMER DISTRIBUTING CO	609-20200	2,204.45
01/20	01/29/2020	52894	2355	EASY LIVING HOMES	601-20200	36.31
01/20	01/29/2020	52895	2860	HITESMAN & WOLD, P.A.	101-20200	2,800.00
01/20	01/29/2020	52896	1891	ISANTI AREA JOINT	101-20200	59,519.38
01/20	01/29/2020	52897	586	ISANTI COUNTY LAW	101-20200	250.00
01/20	01/29/2020	52898	7	JOHNSON BROTHERS LIQUOR CO	609-20200	8,545.40
01/20	01/29/2020	52899	5	KAWALEK TRUCKING	609-20200	163.40
01/20	01/29/2020	52900	136	LEAGUE OF MN CITIES	101-20200	275.00
01/20	01/29/2020	52901	1331	MAGER, JIM	101-20200	179.99
01/20	01/29/2020	52902	17	MCDONALD DISTRIBUTING CO	609-20200	9,113.33
01/20	01/29/2020	52903	2500	METRO SALES INC.	101-20200	102.55
01/20	01/29/2020	52904	2080	MVTL LABORATORIES INC	602-20200	468.73
01/20	01/29/2020	52905	2231	NORTH 65 CHAMBER OF COMMERCE	108-20200	90.00
01/20	01/29/2020	52906	44	PHILLIPS WINE & SPIRITS INC	609-20200	3,287.80
01/20	01/29/2020	52907	2630	RAPP, JORDAN	101-20200	89.99
01/20	01/29/2020	52908	2827	RATWIK, ROSZAK & MALONEY, P.A.	108-20200	4,414.96
01/20	01/29/2020	52909	2625	RESULTS TITLE	601-20200	41.77
01/20	01/29/2020	52910	2862	SHEEHAN, KATHY	601-20200	46.65
01/20	01/29/2020	52911	1361	STAPLES ADVANTAGE	101-20200	561.06
01/20	01/29/2020	52912	73	STAR	602-20200	674.00
01/20	01/29/2020	52913	96	STREICHERS INC	101-20200	61.98
01/20	01/29/2020	52914	1290	THE AMBLE GROUP	101-20200	281.52
01/20	01/29/2020	52915	1959	THE MUSIC WORKS INC	101-20200	600.00
01/20	01/29/2020	52916	1762	THE TITLE GROUP	601-20200	46.61
01/20	01/29/2020	52917	42	VIKING COCA-COLA BOTTLING CO	609-20200	190.40
01/20	01/29/2020	52918	1286	VINOCOPIA INC	609-20200	341.00
01/20	01/29/2020	52919	4	WATSON CO INC	609-20200	1,450.57
01/20	01/29/2020	52920	1976	WEST TITLE	601-20200	53.35
01/20	01/29/2020	52921	780	WINE MERCHANTS	609-20200	104.00
Grand Totals:						180,961.17

City of Isanti

Gross Payroll	92,842.27
---------------	-----------

Social Security & Medicare	5,175.51
----------------------------	----------

Public Employees Retirement	9,212.06
-----------------------------	----------

Total City Expense	<u>107,229.84</u>
--------------------	-------------------

Pay Date	1/24/2020
----------	-----------

Pay Period	2 (1/5-1/18/20)
------------	-----------------

A Community For Generations.



Request for City Council Action

To: Mayor Johnson and Members of City Council
From: Sheila Sellman, Community Development Director
Date: February 4, 2020
Subject: Resolution 2020-XXX Designating Northland Securities as Municipal Financial Advisors

Background:

In 2014 the City designated Northland Securities for TIF/Abatement consulting services with a 5-year service contract. The contract has expired and Northland has proposed a new agreement. The following terms have been proposed:

Effective Date: January 2020 through December 31, 2024.

Service	Proposed Rates	2014-2019 Rates
New Tax Increment District-Economic Development District	Hourly - \$175/hour, not to exceed \$5,500	Hourly - \$160/hour not to exceed \$4,800
New Tax Increment District – all other districts	Hourly - \$175/hour, not to exceed \$9,000	Hourly - \$160/hour not to exceed \$3,200
New Abatement Project	Hourly - \$174/hour, not to exceed \$3,500	
Economic Development Services	\$175/hour	

Staff recommends approving the proposed service contract with the understanding that we are not solely limited to using Northland's services and we may use other advisors as we see fit.

Request:

Consider resolution of approval.

Attachments:

- Resolution 2020-XXX
- Service Contract

RESOLUTION 2020-XXX

SELECTING NORTHLAND SECURITIES FOR TIF/ABATEMENT CONSULTING SERVICES

WHEREAS, the 5-year term of the TIF / Abatement Consulting Services contract has concluded in 2019; and,

WHEREAS, TIF / Abatement Consulting Services are necessary to assure that TIF/Abatement and other development projects are managed properly by City Staff and/or Consultant; and,

WHEREAS, Northland Securities has met expectations for TIF / Abatement Consulting Services for the 5-year contract and has submitted a proposal (Exhibit A) to continue those services for the City for another 5-year term according to the attached proposal; and

WHEREAS, entering into this agreement does not preclude the city from seeking other advisors dependent on the project;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota, to hereby select Northland Securities for TIF/Abatement Consulting Services according to the terms outlined in the attached service agreement (Exhibit A).

This Resolution hereby approved by the Isanti City Council this 4th Day of February 2020.

Attest:

Mayor Jeff Johnson

Katie Brooks
Human Resources/City Clerk

NORTHLAND SECURITIES

MEMORANDUM

To: Sheila Sellman, Community Development Director
City of Isanti
From: Jessica Green, Managing Director
Public Finance
Date: January 2, 2020
Re: Tax Increment Financing and Tax Abatement Services

It is been our pleasure to work with the City of Isanti on tax increment financing and tax abatement projects. We believe Northland has been a valuable asset to the City over the past many years and we hope to continue our relationship with the City in the years ahead.

Northland's current Economic Development Services Agreement expired as of December 31st, 2019 and we would propose to enter into a new agreement for professional services with the City. To that end, we propose the following compensation for our services, effective January 1, 2020 through December 31, 2024.

<u>Service</u>	<u>Proposed</u>
New Tax Increment District – Economic Development District	Hourly - \$175/hour / Not to exceed \$5,500
New Tax Increment District – All other district types	Hourly - \$175/hour / Not to exceed \$9,000
New Abatement Project	Hourly - \$175/hour / Not to exceed \$3,500
Economic Development Services	\$175/hour

As you can see, our compensation approach provides upside cost protection, but allows the City to benefit if and when projects require less time (and expense).

In addition, the following factors apply:

1. Services for the creation of new TIF districts cover the activities needed to prepare the tax increment financing plan and to conduct the statutory approval process. It does not include services related to the creation of development agreements.
2. No additional compensation is due for the authorization of tax abatement directly related to the issuance of Tax Abatement Bonds.

Subject

Date

Page 2

3. Northland will provide a scope of work and not to exceed cost for work performed on an hourly basis.
4. These terms apply as long as Northland provides debt issuance and management services to the City. At such time that Northland no longer provides such services, all work will be billed at the then current hourly rates subject to a scope of work and budget approved by the City.

I will be the lead staff person for these services in Isanti, and Tammy Omdal will provide support as necessary, as determined by the scope of each project.

Should you have any questions regarding this memo, please do not hesitate to let me know.

RESOLUTION 2020-XXX

OFFERING THE INTERNAL POSITION OF LIQUOR STORE CLERK III TO DANYETTE PHELPS

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

WHEREAS, the Liquor Store Clerk III posting was made available to all internal Liquor store staff; and,

WHEREAS, interviews were conducted for the Liquor Store Clerk III position and the interview panel deemed current Part-time Liquor Store Clerk employee Danyette Phelps to be the best candidate for the position; and,

WHEREAS, the position of Liquor Store Clerk III is a part-time and not benefit eligible; and,

WHEREAS, the promotion for Danyette Phelps will open an open position for a part-time Liquor Store Clerk that staff is directed to fill;

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

1. That Human Resources has offered the Liquor Store Clerk III position to Danyette Phelps for the City of Isanti and that she will be eligible to start in that position effective immediately.
2. That Danyette Phelps shall start at step 1 of the wage scale at \$14.60 per hour.
3. Human Resources are authorized to complete all required documentation for the position change.
4. That Human Resources is directed to forward an executed copy of this resolution to the employee and place a copy in the employee's personnel file for future reference

This resolution was duly adopted by the Isanti City Council this 4th day of February 2020.

Attest:

Mayor Jeff Johnson

Katie Brooks
Human Resources/City Clerk

A Community For Generations.



Request for City Council Action

To: Mayor Johnson and Members of City Council
From: Sheila Sellman, Community Development Director
Date: February 4, 2020
Subject: Resolution 2020-XXX Approving staff to submit applications for grants pertaining to Community Development

Background:

Staff has been made aware that the City would be eligible to apply for funding of grant dollars to help support the Community Development Department. Due to short notice of when staff is made aware of potential grant opportunities, staff may need to apply in a short timeframe not allowing time to get City Council approval to apply. This resolution is keeping in line with the resolution that was recently approved for The Parks, Recreation and Culture Department.

Staff is recommending approval to apply for grant opportunities based upon discretion of the Community Development Director as it pertains to Community Development, which includes economic development and to complete the work to submit applications by the deadline of each grant.

Request:

Consider resolution for approval.

Attachments:

- Resolution 2020-XXX

RESOLUTION 2020-XXX

**APPROVING STAFF TO SUBMIT APPLICATIONS FOR GRANTS PERTAINING TO
COMMUNITY DEVELOPMENT**

WHEREAS, City staff is continually notified of eligible grant opportunities; and,

WHEREAS, the City of Isanti has been awarded grants for Community Development including Economic Development projects in the past; and,

WHEREAS, each year there are grants available specific to the types of activities conducted by the Community Development Department through organizations like DEED, EDAM, East Central Regional Development Commission, MN Economic Development Foundation and other organizations; and,

WHEREAS, City staff has approval for submission of applications to grants listed above and to future grant opportunities that pertain to the Community Development department. Submittal of grants that fit within the described areas will be based upon City staff's discretion and their ability to complete the background work to submit the application; and,

WHEREAS, if awarded funding through grant opportunities as outlined in this resolution, funds would be accepted through City Council and distributed through the EDA or the City.

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota, to hereby approve City staff to apply for grant opportunities that pertain to Community Development on a continual basis as needed.

This Resolution hereby approved by the Isanti City Council this 4th day of February 2020.

Mayor Jeff Johnson

Attest:

Katie Brooks
Human Resources/City Clerk



Memo for Council Action

To: Mayor Johnson and Members of City Council
From: Jenny Garvey - Parks, Recreation, and Culture Manager
Date: February 4, 2020
Subject: Resolution Approving City Hall Display Case Policy and Reservation/Agreement Form

Background

Staff presented a draft policy at the January 21, 2020 Committee of the Whole meeting with direction to bring a final version to council.

Staff Request

City staff is requesting that Council approve the city hall display case policy (Exhibit A) and reservation/agreement form (Exhibit B).

Attachments

- Resolution 2020-XXX
- Exhibit A - City Hall Display Case Policy
- Exhibit B - City Hall display case reservation and agreement form

RESOLUTION 2020-XXX

**RESOLUTION APPROVING CITY HALL DISPLAY CASE POLICY AND
RESERVATION/AGREEMENT FORM**

WHEREAS, City Council was presented with a request from a local non-profit group to display items within a city facility; and,

WHEREAS, the City of Isanti has determined that it is in the City's best interest to develop a policy for the city hall display case; and,

WHEREAS, the Committee of the Whole reviewed a draft policy on November 19, 2019 and January 21, 2020 and recommends approval; and,

WHEREAS, Staff has developed a city hall display case policy and reservation/agreement form 'Exhibit A and B', respectively;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to hereby approve the city hall display case policy and reservation/agreement form, 'Exhibit A and B'.

This resolution was duly adopted by the Isanti City Council this 4th day of February 2020.

Attest:

Mayor Jeff Johnson

Katie Brooks
Human Resources/City Clerk

(SEAL)



CITY OF ISANTI DISPLAY CASE POLICY

The City of Isanti offers a designated display case, located in the front lobby of city hall to non-profit groups based in the City of Isanti for the display of civic, cultural, educational, and public information exhibits. Use of the display case is subject to the following rules and regulations:

1. A Display Case Reservation and Agreement Form must be completed and signed prior to any public use of the display case.
2. Permission to a group to use the display case does not constitute the city's endorsement of the policies or beliefs, or organization represented in the display.
3. The City assumes no responsibility or liability for the preservation, protection, loss of or damage to any part of a display at any time. All items brought to and placed in the display case are done so at the owner's risk.
4. The display case may not be used for:
 - a) Promotion or representation of partisan or individual candidates' political meetings or events (such as political rallies, demonstrations, movies, fundraisers, promotion, protesting, or endorsement of political candidates or agenda).
 - b) Promotion or representation of specific religious or philosophical/motivational groups
 - c) Promotion or representation of personal or family interests
 - d) Promotion or representation of a for-profit business
 - e) Displays of a polemic or discriminatory nature
 - f) Display of material which is obscene, defamatory, invades a particular person's privacy, or incites violence.
 - g) Promotion or representation of any activity or purpose that is in violation of local, state, or federal ordinances or laws, including copyright and public performance laws.
5. The city's display case is not available to individual political parties, candidates, or to individuals or groups who wish to use it to support or oppose political parties or candidates.
6. The determination of the appropriateness of the display or material for posting is solely the decision of city staff or delegated representative.
7. All proposed displays must be artistically pleasing and professionally executed.
8. A sign explaining the display and/or organization should appear "professional" and be done on a computer in a font that is large enough to read or in some sort of stencil.

9. The city display case is kept locked at all times except during setup and removal.
10. No display materials may be left anywhere at city hall in preparation for the setting up or removal of a display. Set up and removal must take place during regular city hall office hours.
11. No hardware, equipment, or objects are allowed in display or in the setting up of the display that may result in the damaging of any of the display case. If such damage occurs, the group or individual responsible for the display will be held responsible. The potential for any such damage may be considered grounds for denial of the display case application. If the setting up of the display would interfere with normal city activities and work, the display will not be permitted.
12. The display case that is designated for the public use display case may contain one group's items at a time.
 - a) The area for displaying items will be delegated to each group by the city.
13. A display may remain in the case for six (6) calendar months.
 - a) If no other group requests to display items, the group that is currently in the case may extend their time by another 6 months.
14. The use of a city display case is a privilege -- not a right -- and is subject to the City's sole and exclusive discretion. Accordingly, the city reserves the right to deny the use of the display case to any group or individual.
15. The city reserves the right to cancel any scheduled display providing the organization receive a 7 days' notice.
16. If a group or an individual violates the policies or procedures associated with the display case, future use of the display case will not be permitted.
17. If an organization is denied the use of the display case, it can appeal to the City Council.
18. The display case must be restored to its original condition.
19. Groups are required to pick up item(s) after the display time has ended within 2 weeks. If items are not collected within 2 weeks, items will be discarded.



City of Isanti

City Hall Display Case Reservation and Agreement Form

Applicant's Name and Contact Information	
Organization Name:	
Name:	
Address:	
Primary Phone:	
Dates you wish to reserve display case:	
<i>(Case is booked by calendar month only)</i>	
Briefly describe the nature and purpose of the display.	
<p>I, the representative of the Exhibit, have reviewed, understand, and agree to abide by the City of Isanti Display case policy, which governs the reservation and use of the display case within Isanti city hall. I agree to assume responsibility for the display and to insure that it is mounted and removed on time and that its contents and design are consistent with the requirements and guidelines set forth in the above-mentioned policy.</p> <p>I, the representative of the Exhibit, agree that the City of Isanti accepts no responsibility for theft or damage of any display exhibited at the Isanti city hall display case, and certify that all persons submitting work for this display understand and agree to this waiver.</p> <p><i>I have read and will comply with the City of Isanti Display case policy.</i></p>	
Signature of Representative of organization	Date
<i>For office use only:</i>	
Date received:	Dates approved for display:

RESOLUTION 2020-XXX

APPROVING AN EXEMPT GAMBLING PERMIT TO THE CAMBRIDGE-ISANTI ROTARY CLUB

WHEREAS, the Cambridge-Isanti Rotary Club has applied for an Exempt Gambling Permit for a fundraising event to be held on March 26, 2020 at Spirit River Community Center located at 1005 Highway 5 NE., Isanti, MN 55040; and,

WHEREAS, the value of prizes is estimated to be \$750; and,

WHEREAS, proceeds from the fundraiser are to be used for supporting community organizations and initiatives in the Cambridge-Isanti Arena; and,

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

WHEREAS, the gambling permit is contingent upon a successful background check by the Isanti Police Department;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Isanti, Minnesota to approve an Exempt Gambling Permit to the Cambridge-Isanti Rotary Club to hold a fundraiser on March 26, 2020 at the Spirit River Community Center.

This Resolution is hereby approved by the Isanti City Council this 4th day of February 2020.

Attest:

Mayor Jeff Johnson

Katie Brooks
Human Resources/City Clerk



City of Isanti
110-1st Avenue NW
PO Box 428
Isanti, MN 55040
Phone: 763.444.5512
Fax: 763.444.5560

APPLICATION FOR AN EXEMPT GAMBLING PERMIT

Applicant Instructions:

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

Name of Organization: Cambridge - Isanti Rotary

Address of Organization: PO Box 631, Cambridge, MN 55008

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

Shannon Kirkeide Cambridge, MN
Name Address Phone No.

Jean Anderson "
Name Address Phone No.

Dan Johnson "
Name Address Phone No.

Type of Event: Fundraiser Date of event: Mar 26, 2020

Use of Proceeds: Support community organizations & initiatives in the C-I area

Location and address of event:

Spirit River Event Ctr, Isanti MN

Estimated value of prizes to be awarded: \$750

Name of applicant: Shannon Kirkeide Applicant's phone number:

Signature of applicant: [Signature]

Date: 1.30.20

Approved by City Council _____ Resolution # _____

POS = 3 / 311

C:\Users\admin\data\clerk\AppData\Local\Microsoft\Windows\Temporary Internet Files\Content.Outlook\LCCS2M5N\Exempt Gambling Application.docx

**CITY OF ISANTI
PARKS, RECREATION, AND CULTURE BOARD MEETING MINUTES
January 28, 2020**

Call to Order: Jenny Garvey – PRC Manager called the meeting to order at 6:02 p.m.

Roll Call: Members Present: James Witte, Aaron Zdon, Council Member Jimmy Gordon and Brian Thum
Staff Present: Jenny Garvey, Parks, Recreation, and Culture Manager

Agenda/Modifications: None added, motion by Zdon, second by Witte to approve the agenda for January 28, 2020. Motion passed 4-0.

2. Oath of Office: recited by Zdon. Election of chair motion by Witte to nominate Zdon for chair position, seconded by Gordon. Zdon accepted and motion passed 4-0. Witte volunteered to be Vice chair. Thum motioned to nominate Witte to vice chair and seconded by Gordon. Motion passed 4-0. Secretary is assigned to staff, Jenny Garvey (PRC Manager) will be secretary. The annual review of the conflict of interest forms for two members: Brian Thum and James Witte, to be handed back into staff by end of night.

3. Meeting Minutes: Motion by Witte, second by Gordon to approve meeting Minutes from November 26, 2019. Motion passed 4-0.

4. Review of the Parks, Recreation and Culture Board meeting dates: Garvey reviewed the 2020 dates along with the material submittal dates for 2020 and reminded the board members that if they have an item they would like added to an agenda these are the dates to have items in to staff by. Council already approved schedule not need for motion.

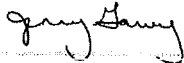
5. Review of Adopt A Park Program Policy and Forms:

In March 2019, staff presented this to the PRC board to review and to come back with changes. Garvey reviewed and updated those changes and is now bringing this back to the board to review. Zdon asked about how this program is being promoted. Garvey responded that staff will utilize Facebook, the city website and the Isantian (city newsletter) to promote this program. Staff was not sure how this was promoted in the past besides just being on the website. Witte also suggested the bulletin board at Coborn's or flyers in the schools. Thum suggested signs at the parks themselves to help promote this program. Thum motioned to approve the Adopt A Park program policy and forms, seconded by Witte. Motion passed 4-0.

6. Department Updates:

Garvey said that movie night went well with 40 in attendance in December and in January with 31 in attendance and both nights were hosted by Northern Elements Cheer. Movie night for February will be hosted by Isanti Ambassadors. Thum asked if groups have to be specifically located in Isanti. Staff was unsure if they had to be within the city, but noted that a group within the city would have precedence over an outside group and would look more into the detail of this. Staff will review this more and get back to the board. The pleasure rink opened on December 20 for the season and the ice has been maintained by Public Works and has been able to use the new water truck to make smooth ice, even with the temperature fluctuations and staff has noticed that the public is using it and have seen users on the ice. Thum replied that he has used it and the ice is the best it has been in years. Garvey reviewed that curious creatures has been revamped a bit with a new time of 9-10am and utilizing the Isanti Community Center for the winter months to be able to have it go with bad weather days and will still have the option to have the kids go outside. Staff reviewed that the cost will go from \$3 to \$2 with the decrease in the timeframe of the program. Zdon asked if it affected the cost, staff responded that it would not and this fee is only for non-resident. The board agreed that this was ok with this change of cost. Garvey reviewed that the city had an open house for the city master comp plan. Garvey is still in the process of compiling the PRC comp plan, which is a separate item than the master city comp plan. Staff reviewed the 2020 goal setting from the previous night, staff will move forward with the new programs of a medallion hunt, kids fun day at jubilee days, free tennis lessons, rocket building, candy cane flashlight hunt, family day in winter and daytime movies. Staff will continue for further review are an egg hunt, parade float and fireworks.

Adjournment: Motion by Witte, second by Thum to adjourn the January 28, 2020 meeting of the Parks, Recreation, and Culture Board. Motion passed 4-0, meeting adjourned at 6:30 p.m.



Respectfully Submitted

Jenny Garvey

Parks, Recreation, and Culture Manager

DRAFT