

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL  
December 2, 2008**

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

The Pledge of Allegiance was recited.

Members Present: Mayor George Wimmer, Council Members Alan Duff, Ralph Johnson, Jeffery Kolb, and Sue Larson.

Members Absent: None.

Staff Present: City Administrator Don Lorsung, Assistant City Administrator/City Clerk Irene Bauer, City Attorney Clark Joslin, Community Development Director Carla Vita, Finance Director Kristi Smith, Police Chief Ron Sager, Community Service Officer Steve Wacha, and City Engineer Brad DeWolf.

Motion by Duff, second by Larson to approve the agenda as amended. Motion carried unanimously.

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

There were none.

**F. Approve Minutes**

Motion by Larson, second by Kolb to approve the November 18, 2008 Work Session and Regular City Council Meeting minutes as presented. Motion carried unanimously.

**G. Citizens Input**

Jennifer Larson, 110 Main Street East stated that she had issue with a charge on her utility bill in the amount of \$334 that was a catch up charge for her water usage because of a malfunction of the meter equipment. Ms. Larson stated that because this large catch up charge was due to the City's faulty equipment, she would like the City to compromise on the large amount owed.

Council directed that staff obtain the necessary documentation on this matter and bring back to the Finance Committee for further review; and that a twelve month payment plan can be set up in which to pay the large bill.

Monika Irwin, 806 4<sup>th</sup> Avenue SW stated that she had just moved into her home one and a half months ago and she has received a citation for parking on the grass on her property. There was review of the City Code whereas Code does not allow a property owner to park on the grass, but if Class 5 or bituminous is placed in the area where she parks her vehicle, parking would be allowed. Ms. Irwin stated that she has checked with the State

and they indicated to her that there is no environmental law that would prohibit her from parking on the grass.

Ms. Irwin brought up the storm water pond that is located behind her home and it is her understanding that the storm water pond is owned by all adjoining property owners. Ms. Irwin stated that there are weeds growing in the pond area and inquired as to what the City would be doing about this.

Council directed that a meeting is scheduled with Ms. Irwin to further discuss the parking code and the storm water pond issue.

#### **H. Announcements**

Announcements were read.

#### **I. Council Committee Reports**

Mayor Wimmer reported on the following:

- That the City's bond rating has been moved up to an A+ rating.
- The Finance Committee will be meeting to discuss the State deficit and the impact this may have on the City.
- Attended the Joint Bike-Walk Trail Meeting.

Councilmember Larson reported on the following meetings she had attended:

- Highway 65 Coalition
- Community Involvement Team
- LMC Regional Meeting
- Liquor Store Committee

#### **J. Public Hearings**

There were none.

#### **K. Business**

1. Resolution No. 2008-292, a Resolution Accepting Proposal on the Competitive Negotiated Sale of \$1,275,000 General Obligation Improvement Bonds, Series 2008A, Providing for their Issuance and Pledging Special Assessments for the Security Thereof and Levying a Tax for the Payment Thereof and Resolution No. 2008-293, a Resolution Accepting Proposal on the Competitive Negotiated Sale of \$570,000 General Obligation Water Revenue Bonds, Series 2008B, Providing for their Issuance and Pledging Net Revenues for the Security Thereof

Financial Advisor, Paul Donna, Northland Securities announced the City received a bond rating from the previous Baal rating to an A+ rating; this will save the City \$27,000 in interest on the above stated bond issues that were sold.

Donna presented the resolutions relating to the sale of the \$1,275,000 general obligation bonds for the 2008 Street Improvement and the 2007 SE Quadrant Street; and the second

general obligation bond sale in the amount of \$570,000 for the Water Fund's portion of the East Hwy 65 Improvement. Three bids were received for each of the bond sales.

The \$1,275,000 GO Improvement Bond, Series 2008A is a ten year bond and United Bankers' Bank, Bloomington, MN and Community Pride Bank, Isanti MN bid an interest rate of 3.67%.

Motion by Larson, second by Kolb to approve Resolution No. 2008-292 as presented and to award the sale to United Bankers' Bank, Bloomington, MN and Community Pride Bank, Isanti MN at an interest rate of 3.67%. Motion carried unanimously.

The \$570,000 GO Water Revenue Bond, Series 2008B is a twenty year bond and United Bankers' Bank, Bloomington, MN and Community Pride Bank, Isanti MN bid an interest rate of 4.96%.

Motion by Johnson, second by Larson to approve Resolution No. 2008-293 as presented and to award the sale to United Bankers' Bank, Bloomington, MN and Community Pride Bank, Isanti MN at an interest rate of 4.96%. Motion carried unanimously.

**2. Resolution No. 2008-294, a Resolution Approving the Adoption of the Isanti County All-Hazard Mitigation Plan**

Mari DeLage, Director of Isanti County Homeland Security and Emergency Management, briefly reviewed the Isanti County all-Hazard Mitigation Plan. Ms. DeLage stated that the cities of Cambridge and Braham have already adopted the Plan; Isanti County will be adopting the Plan at their December 3<sup>rd</sup> meeting, and that with the adoption of the plan, the County and the cities that adopt the Plan will be eligible for grant funds. A summary of plan corrections and updates regarding the City of Isanti information was attached to the Plan. These items will be included in the final plan document.

Motion by Duff, second by Larson to approve Resolution No. 2008-294 as presented. Motion carried unanimously.

**3. Resolution No. 2008-295, a Resolution to Order Public Hearing to Consider Nuisance Abatement for Property in Violation of Nuisance Ordinance No. 123 and Parking Ordinance No. 397**

Wacha gave a staff report whereas after serving the required notices to the property owner, property located at 509 Nina Street SW continues to be in violation of Ordinance No. 123 whereas the property has junk and debris in the yard and is in violation of Ordinance No. 397 whereas there is a vehicle with expired license tabs parked in the back yard.

Motion by Kolb, second by Larson to approve Resolution No. 2008-295 that sets a public hearing to hear on the nuisance located at 509 Nina Street SW at approximately 7:00 p.m. on Tuesday, December 16, 2008. Motion carried unanimously.

**3.1. Resolution No. 2008-296, a Resolution to Order Public Hearing to Consider Nuisance Abatement for Property in Violation of Nuisance Ordinance No. 123 and Parking Ordinance No. 397**

Wacha gave a staff report whereas after serving the required notices to the property owner, property located at 702 4<sup>th</sup> Avenue SW continues to be in violation of Ordinance No. 123 and Ordinance 297 Section 3 whereas the property has an unlicensed vehicle parked on the property.

Motion by Larson, second by Johnson to approve Resolution No. 2008-296 that sets a public hearing to hear on the nuisance located at 702 4<sup>th</sup> Avenue SW at approximately 7:00 p.m. on Tuesday, December 16, 2008. Motion carried unanimously.

**4. Resolution No. 2008-297, a Resolution Authorizing the Execution of an Assignment and Assumption Agreement and Amendment to Purchase and Development Agreement with RWL Properties, LLC and Diamond Welding**

Vita gave a staff report whereas RWL had entered into a Business Subsidy Agreement with the City in 2005; since that time RWL split the property via a recorded document without the approval of the City. To come into compliance requires RWL to enter into an Assignment and Assumption Agreement that thereby amends the Purchase and Development Agreement and Business Subsidy Agreement.

RWL has met their job goals as stated within the Development Agreement and all taxes are current on the subject property.

Motion by Larson, second by Wimmer to approve Resolution No. 2008-297 as presented. Motion carried unanimously.

**5. Consider Business Subsidy Project in Default**

Vita gave a staff report whereas over the past months, City Council has been reviewing the Three Star Holdings property as it relates to their delinquent tax and assessments. Action on this item was tabled at the November 5 and November 18, 2008 City Council meetings. City Council was informed at those meetings that discussions were occurring with the Three Star Holding property concerning a business possibly locating at the site. Vita reported that the property owner and the proposed business are working on language for a lease agreement; however she has received no communication from Three Star Holdings that the agreement has been signed.

There was general discussion on this item. It was stated that the benefit that is received by the property owner is that the Developer Agreement provides that the property owner receives a rebate of his special assessments on an annual basis when they are paid for that year.

Motion by Kolb, second by Duff to dissolve the agreement that is held with Three Star Holdings based on the following findings:

- Not paying taxes
- Default of Development Agreement
- No plan to make them whole

- No Business in operation within the building  
Motion carried unanimously.

**6. Resolution No. 2008-298, a Resolution Approving the Scope of Services and Quote as Presented by Bolton and Menk for the County Road 23 Storm Sewer Drain Tile Project.**

DeWolf gave a staff report whereas Council had directed that Bolton and Menk submit the proposed costs for the County Road 23 Storm Sewer Drain Tile project. DeWolf stated the project consists of installing a perforated drain tile in the ditch bottom between the sidewalk and the roadway from Main Street to North Brookview Lane. This tile system would allow the stormwater to drain to the south and flow into the culvert under North Brookview Lane.

Two quotes were received; Diversified Images, Inc. in the amount of \$5,600 and C & L Excavating, Inc. in the amount of \$9,630.00. Project administration and engineering for the project were estimated at \$3,500 for a total project cost estimated at \$9,100.

Financing for the project will come from the 2006 Street Improvement Funds that have been placed in the debt service fund.

It was stated that the project will be done in the spring; County permits will be obtained this winter so work can proceed at that time.

Motion by Johnson, second by Larson to approve Resolution No. 2008-298 that awards the low quote to Diversified Images, Inc. in the amount of \$5,600 and approves Bolton and Menk's engineering estimated cost of \$3,500 for a total project cost of \$9,100.  
Motion carried unanimously.

**7. Resolution No. 2008-299, a Resolution Certifying Delinquent Sewer and Water Charges Collectable in 2009**

Smith gave a staff report whereas the current list of unpaid water and sewer bills to be certified to the County is in the amount of \$67,652.87 plus the \$30.00 assessment fee in the amount of \$6,810.

Motion by Kolb, second by Larson to approve Resolution 2008-299 as presented.  
Motion carried unanimously.

**8. Resolution No. 2008-300, a Resolution Certifying Unpaid Lot Mowing and Snow Removal Charges Collectable in 2009**

Smith gave a staff report whereas the current list of unpaid charges for lot mowing is \$7,602.15 plus the \$30.00 assessment fee for each account in the amount of \$1,500 and the unpaid charges for snow removal charges is \$2,460 plus the \$30.00 assessment fee for each account in the amount of \$2,220.

Motion by Larson, second by Duff to approve Resolution No. 2008-300 as presented.  
Motion carried unanimously.

**9. Resolution No. 2008-301, a Resolution Receiving and Awarding Bid for the Disposal of Liquor Store Surplus Property**

Bauer gave a staff report whereas no bids were received from the initial ad that was placed for the Liquor Store surplus property that included 25 sections of 4-foot shelving units and a compressor. A second ad was placed in the official paper and one bid was received for the shelving unit from David Whitney in the amount of \$45.00

Motion by Duff, second by Larson to approve Resolution No. 2008-301 that provides that the bid for the Liquor Store surplus shelving units is awarded for the bid amount of \$45.00 to Mr. David Whitney. Motion carried unanimously.

**L. Consent Agenda**

1. Accounts Payable in the Amounts of \$421,512.85 and Payroll in the Amount of \$66,639.85
3. Approve the October 28, 2008 EDA Minutes
4. Approve the October 28, 2008 Park & Recreation Board Minutes
4. **Resolution No. 2008-302**, a Resolution Ordering Public Hearing on Proposed Vacation of that Certain Public Drainage and Utility Easement Referenced as "Easement A" presently Located on Northland 66 Premium Stores, LLC Property
5. **Resolution No. 2008-303**, a Resolution Ordering Public Hearing on Proposed Vacation of Certain Public Drainage and Utility Easements Dedicated to the City of Isanti on the Plat of Villages on the Rum Third Addition
6. **Resolution No. 2008-304**, a Resolution Ending Probationary Period and Promotion to Permanent Employee Status for Receptionist/Utility Clerk Anna Vick

Motion by Kolb, second by Larson to approve the consent agenda as presented. Motion carried unanimously.

**M. Other Communication**

Other communication was reviewed as presented.

**Adjournment**

Motion by Johnson, second by Duff to adjourn. Motion passed unanimously.

Meeting adjourned at 7:52 p.m.

Respectfully Submitted,

Irene J. Bauer  
Assistant City Administrator/City Clerk