

**CITY OF ISANTI  
CITY COUNCIL MEETING  
TUESDAY, DECEMBER 20, 2016 – 7:00 P.M.  
CITY HALL**

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

The Pledge of Allegiance was recited.

Members Present: Mayor George Wimmer, Councilmembers: Paul Bergley, Dan Collison, Ross Lorinser and Steve Lundeen

Members Absent: None

Staff Present: City Attorney Clark Joslin, City Administrator Don Lorsung, Human Resources/City Clerk Lindsey Giese, Community Development Director Roxanne Achman, Assistant City Engineer Jason Cook and Police Chief Gene Hill

Others Present: Rob Doohen, James Harris, Diane Bjorklund, Craig Bjorklund, Bruce Yerigan, Kristine Yerigan

**D. Adopt Agenda**

The agenda was amended to include the addition of items K.3 and K.11.

Motion by Lorinser, second by Collison to adopt the amended agenda. Motion carried unanimously.

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

1. Employee Recognition – John Jacobi was recognized for Five Years of Service to the City of Isanti
2. Recognition of Karen Fedoryshyn for the Winning Entry in the *Tot Lot* Renaming Contest. The new name is *Isanti Hills Neighborhood Park*.

**F. Approve City Council Minutes**

1. December 6, 2016 – Regular Meeting of the City Council

Motion by Lundeen, second by Lorinser to approve Council Minutes of December 6, 2016 as presented. Motion carried unanimously.

**G. Citizens Input**

James Harris, 459 3<sup>rd</sup> Ave N, approached the podium in regards to a questionnaire. He asked why the Council would not answer the questions, stating he has been given different reasons. Mayor Wimmer explained that each person on the Council may or may not participate and they may each have their own reasons. The Mayor further responded he personally did not think it would be productive to respond to the questionnaire.

**H. Announcements**

1. **CITY OFFICES CLOSED** Friday, December 23, 2016 (*Beginning at Noon*)  
(*In observance of the Christmas Holiday*) Monday, December 26, 2016 (*All day*)
2. **CITY OFFICES CLOSED** Monday, January 2, 2017  
(*In observance of the New Years' Holiday*)
3. City Council Meeting Tuesday, January 3, 2017 at 7:00 p.m.
4. Economic Development Authority Meeting Tuesday, January 3, 2017  
(*Immediately following the City Council Meeting*)

The meeting date was changed due to the discussion which took place in regards to K. 3 below.

## **I. Council Committee Reports**

Councilor Lundeen reported that during a Fire District Meeting last Wednesday, it was brought to his attention that recently due to a methane fire at Ever Cat Fuels, three or four sets of turn-out gear were ruined. These cost about \$7,000. Ever Cat stated they are going to pay for the gear and they are also working with the Fire District to find grants to get special equipment to fight these specialty types of fires. The Mayor stated he is aware of only two fires in the past seven years. The Mayor requested that if the Council was going to be stating who has had a fire, we do it each and every time, so as not to point fingers. Councilor Lundeen stated that this was a specialty fire, which was why he brought it up, and stressed that Ever Cat Fuels has stepped forward and is working together with the Fire District to get the specialty equipment needed.

## **J. Public Hearings**

### **1. Ordinance Approving the Annexation and Zoning Request from Brennan and Rebecca Cox of Parcel No. 01.006.0505 into the City of Isanti and for such property to be Zoned Commercial Recreation**

Bruce Yerigan, property owner of 1426 Fourth Avenue SW, approached the podium to express his opposition to the annexation of this property for commercial use. He questioned the City's interest in doing so. It is his belief that it is his property which adjoins to it which actually allows this property to be annexed. He also questioned if annexed, if there is a plan to extend utilities and water through, and would there be an opportunity for a liquor license to be granted with that zoning classification? He explained when he purchased his property, they he had a preliminary plat on the property. The City had said they were interested in extending that preliminary plat beyond the termination date and when they approached the City to do that before it expired, the City decided then not to extend that agreement. Mr. Yerigan questioned why the City would approve annexing more property (which has to jump over his), when they were not interested in extending the plat. He also stated that according to his recollection one of the issues with his plat was the township road was coming to his property.

The Mayor addressed Mr. Yerigan's concerns. He explained the usage of this property would be zoned commercial/recreation. That the Cox's are looking to have a retreat/event center which would host corporate retreats, weddings and a number of other similar types of events. Mr. and Mrs. Cox have petitioned to come into the City of Isanti. They could apply for a City liquor license once they are in the City, and they would have to comply with the rules and regulations for the liquor license. The Mayor also explained they would not have utilities and water extended initially. The City does not extend utilities unless more areas would be developed, and there would be a need to have utilities extended. If that occurs, each individual developer would need to extend the utilities. There are many variables/options in how and when it would be extended. So, at this point, the City is not planning the property to be on city water and sewer. The Mayor explained the City has a number of properties within the City which are not on City sewer and water. The Mayor further expressed that the City looks at this as a favorable property to bring into the City and the property owner has petitioned to do so.

Mr. Yerigan questioned why the City views it as benefit to bring in a property that would not be hooked to City water and sewer, asking the Council what it is that is favorable? Mayor Wimmer answered yes, and explained that Isanti is very much an event type city. That this property and the proposed commercial/recreation use would be beneficial to the area. Mr. Yerigan questioned whether there were any

other facilities within the City that could be used for the same purpose? The Mayor responded the City does not currently have any commercial/recreation zoned property in the City of Isanti. But it will help the City by drawing people into the area. Mr. Yerigan asked if this is a new zoning classification. The Mayor explained it is nothing new being created, this zoning has been in the comp plan since approximately 2008. Mr. Yerigan finished by stating he wanted it to be on record that he is opposed to the City annexing this property for that use. He is concerned that the noise, assuming with an event center there would more than likely be some sort of music etc., the possibility of a liquor license and what it all means to the residents around that area which is now a rural setting.

Craig Bjorklund, 27072 Polk Street, approached the Council at the podium. Mr. Bjorklund informed the Council that he owns the land just south of the proposed annexed property. He expressed concern of the road system. He questioned, if approved, what would be done with the road? Mr. Bjorklund stated where you enter there is a curve, there is no turn lane, and no acceleration lane. Based on the proposed use of the property, he felt there could be hundreds of cars in and out of there. Since that road has been tarred, there have been a lot of children riding bike and playing in the road. He said that families use that road to walk their dogs, etc. He does not believe the road where you enter is going to be able to handle the traffic. He asked what restrictions does the City have with moving forward? The Mayor explained it is a township road and we don't control those roads, just as we don't control State or County roads. Mr. Bjorklund questioned how many commercial properties are on township roads. The Mayor believed this to be the first. He added that townships also have commercial properties on township roads. Mr. Bjorklund stated that the City would be jumping over residential and Isanti Township to put something in that we don't even have the right roadways to service. If you are going to put something in like this, it needs to have turn lanes, and acceleration lanes. The Mayor reiterated that it is the property owner that is petitioning to come into the City, not the City trying to grab this property and that it is a good project. Mr. Bjorklund commented that it is probably a good project, but it is not in the right location. He does not believe safety has been looked at with the project.

Kristine Yerigan, property owner of 1426 Fourth Avenue, approached the podium. She asked how far away the nearest commercial property is to this proposed annexed property? Mayor Wimmer estimated it would be up near Railroad, probably the VFW. Ms. Yerigan commented that it seems like the zoning is disorderly. The Mayor explained it is recreational/commercial the intensity of use is different. He further explained that we have not received any negative input from Athens Township itself, unlike other townships input when we annexed other property. Ms. Yerigan requested to have someone further explain commercial/recreational zoning. She wanted clarification on what is allowed and what is not allowed. Roxanne Achman, Community Development Director for the City of Isanti, explained that a commercial/recreational district is a park with additional amenities. For instance, we would allow animals on property zoned for commercial/recreation. It is not something we would want right in our commercial business district, only something we would want in a commercial/recreational district. There is the ability to have businesses, not elaborate businesses, but smaller businesses that are related to the recreational use. Ms. Yerigan asked if the zoning allows campers, or could there be overnight stays. Ms. Achman did not think they had that in the zoning code. The Mayor explained it would depend on if there were structures that would allow overnight stays. The Mayor added that they cannot say the zoning will never change, but that is not the intention of this project.

Bruce Yerigan, approached the podium again. He pointed out that the commercial property they own in Isanti (brought up previously in the discussion) was built before there were any houses around it. He said there were houses built around it after the fact, in this commercial zoning area (industrial). There was enough concern with what they were allowed to do in their building, that they had to spend several thousands of dollars to fight to keep their zoning in a commercial area. Mr. Yerigan stated there was such a

concern about disruption for the residential neighborhood, that the city actually changed the zoning. He pointed out that if there is a concern about noise into residential area, what benefit would it be to the city to add this commercial property into a residential neighborhood.

Councilor Lorinser explained that to his knowledge, the zoning was changed in the last comp plan because the industrial district moved to the north end of the City, and that we didn't want to continue to add industrial businesses to that area. In his recollection, it had nothing to do with the noise of the businesses. The businesses that were already there, can be there and continue to operate status quo. Lorinser explained that we just didn't want to have that area expand because we have an industrial district to the north. The Mayor explained again that the recreational/commercial is vastly different than just a commercial area. A majority of the area will be an open, natural area. In regards to the noise, there are noise ordinances that would still apply. That a special event permit would be needed if they wanted to go beyond the designated hours of the noise ordinance. Mr. Yerigan also agreed with Mr. Bjorklund in the safety issue of the roads and thought that the Council should take that into consideration as well.

Diane Bjorklund, 27072 Polk Street, approached the podium. She also expressed her opposition to the annexation of this property. She attended every meeting at Athens Township and she did not believe that there was anyone from the city in attendance of those to hear what was going on. She stated that it is not wanted in the area. That it is a residential area and there are a lot of kids that use those roads to ride their bikes, walk, rollerblade, etc. She believes that if anyone on the Council lived there, that they wouldn't want it, and she does not want it. She did not have a problem with them annexing the property, she has a problem with what they are proposing to do on the property. She understands why the city wants to bring it in, that it's more tax money. The usage is the problem she is concerned with. Councilor Bergley asked Ms. Bjorklund if she knew how many attended the Athens Township Meeting. She answered "Quite a few, it got very hot and heated." Councilor Lorinser commented that it is surprising to hear because Athens Township has said nothing to Isanti.

Mr. Yerigan approached the podium again and said he was told from the Athens Township Board Representatives that they had limitations as to what they can even say at a City Council Meeting to oppose it. Mayor Wimmer replied that was not even remotely accurate. Years ago, when there was an annexation issue with Isanti Township, every single board member was here and were vehemently opposed to it. He added it was the only time in ten years he had to use his gavel. The City was jam packed with township people. So, that is not an accurate statement.

Mayor Wimmer then closed the public hearing.

Councilor Lundeen asked how this would affect the surrounding property, would they be annexed in too? The Mayor responded it would be up to the individual property owners. If they would like to petition to be annexed into the city, they would be welcome to do so. Lundeen thought it would create a donut hole (being surrounded by township properties). The Mayor explained it would not, if it were, we could not annex it. That this property is connected to the City. Councilor Bergley wanted to confirm by voting on this, we are only voting to annex this property into the city, it has nothing to do with roads, usage, etc. Lorinser added that as the property is developed we would look at items such as safety. That we do not know at this point if it would be a several cars to a lot of cars, we don't have that information yet. Lorinser reiterated that we are not going to put the public's safety at risk for traffic coming in and out of that business, and that it will be dealt with when further proposals come in. Mr. Yerigan then repeatedly interrupted and was escorted out of the meeting. Councilor Lorinser continued stating that the safety will be dealt with through the normal process of approval of requested uses and permits. We will not allow mass traffic to go out to that property being uncontrolled and will make sure there is safe travel on that road.

Motion by Lorinser, second by Collison to approve the annexation and zoning request from Brennan and Rebecca Cox of Parcel No. 01.006.0505 into the City of Isanti and for such property to be zoned commercial recreation. Motion carried unanimously.

**K. Business Items**

1. **Report on Library Link and Extension of Agreements for 2017 (*Barbara Misselt, Library Director*)**
  - a. **Resolution 2016-359 Approving Partnership Agreements Between the City of Isanti and the East Central Library and the Isanti Area Friends of the Library**

Barbara Misselt reported on the Library Link Site which provides a link to the library services at East Central Regional Library. Isanti's outreach librarian is Tim Olson. On Wednesdays, he is Isanti; Mondays, Braham; and Tuesdays, Onamia. He also does bi-weekly service to Giese, Duquette, Jacobson, Hill City and McGrath. This is a specialized service. People can call in and tell him their request for a specific book or similar, and he will bring it the next time he's at their location. The operations are funded by the Cities, Counties and the State. The citizen volunteer group called "The Friends" also provide support. An annual evaluation to determine the continued value of the service is a requirement of the Agreement. The most recent evaluation demonstrates there has been a slight increase in usage. In 2016, Isanti has averaged about 25 visits per day. In 2015 we averaged 23 visits per day. We provide books, but also provide information and answers questions. Mr. Olson has answered 279 of those 'hard' questions in 2016. The Mayor wanted to reiterate that communication regarding changes needs to be between ECRL and "the Friends" and it is not a City Staff issue. Mayor also stated that the agreement with Library Link has been very successful and beneficial. Councilor Bergley stated he visits at least monthly and agrees Tim is very helpful. Councilor Lorinser added that this is a perfect example of multiple entities looking outside the box to make something happen. This is a product due to lack of funding for a building in Isanti, and then progressed to the idea of a link site. Now there are eight communities serviced with a library.

Motion by Lundeen, second by Bergley to approve Resolution 2016-359 as presented. Motion carried unanimously.

2. **Discussion on the Third Amendment to the Joint and Cooperative Agreement for the Cambridge-Isanti Bike Walk Trail (*Mayor Wimmer*)**

Mayor Wimmer informed the Council that the reason this topic was brought back is because Cambridge has decided not to vote to approve the amendment they had asked us to work on, and that our attorney had put together. It is the Mayor's belief that they want to see what the County is doing with their trail. At this point he is asking the Council to rescind our approval of support and then just leave our bike-trail committee the way it is, and to not look at it again until they have already approved it.

Motion by Lorinser, second by Lundeen to rescind our approval of support for the Third Amendment to the Joint and Cooperative Agreement for the C-I Bike Walk Trail. Motion carried unanimously.

- a. **Update on Isanti County Trail & Bikeway Master Plan Process**

Mayor Wimmer gave an update on the Master Plan Process. In April or May, they are hoping to have a basic overlay of where they would like to see trails within Isanti County and then connecting to other trails from other counties. Congressman Nolan is on board with the idea and is looking at a five-county overlay as well down the road. Our push is a connection over to North Branch that ties into Sunrise Trail which is part of Route 41 which goes from the Cities, all the way up to Grand Portage. Mayor is pushing for the connection to North Branch from Isanti, which would make us the hub. It makes sense to connect to the trails that are already there and done.

3. **Discussion Regarding Planning Commission**

The Mayor stated that we currently have three vacancies on the current Planning Commission board. It was previously discussed and approved to change from a seven-member to a five-member commission because

we had people leave and could not find replacements. Now, we have two members that had terms end, and those members did not reapply. We have also not received any new applicants. Currently if a member cannot make it, we would not have a quorum and planning would be held up for another month. The Mayor proposed to change membership to reflect that of Economic Development Authority. He proposed having the five city council members along with two citizen members. We would then move the Planning Commission meeting to the third week of the month (currently it is held the second). It would immediately follow the second city council meeting of the month.

Motion by Lundeen, second by Bergley to approve changing the Planning Commission. Motion carried unanimously.

City Administrator Don Lorsung asked for confirmation that with this motion, City Staff is directed to prepare the necessary amendments and notices and bring them back to the next City Council Meeting. The Mayor confirmed that was correct.

**City Administrator Don Lorsung**

**4. Consider Amendments to the City Code and Fee Schedule**

- a. Ordinance 662 to Amend the Code for the City of Isanti, Chapter 160, Fees**
- b. Resolution 2016-360 Adopting Fees Within the City of Isanti**

Motion by Lundeen, second by Lorinser to approve Ordinance No. 662 and Resolution 2016-360 as presented. Motion carried unanimously.

**5. Consider Ordinances Approving Water & Sanitary Sewer Rate Reductions**

- a. Ordinance 663 to Amend the Code for the City of Isanti, Chapter 325, Water**
- b. Ordinance 664 to Amend the Code for the City of Isanti, Chapter 260, Sewer**

Motion by Lundeen, second by Bergley to approve Ordinance No. 663 and Ordinance No. 664 as presented. Motion carried unanimously.

**6. Resolution 2016-361 Approving the Request from First Fruits Land Development LLC for Preliminary Plat Approval of Sun Prairie Third and Fourth Addition**

Motion by Lundeen, second by Bergley to approve Resolution 2016-361 as presented. Motion carried unanimously.

**7. Resolution 2016-362 For Extension of SAC and WAC Deferral Program for 2017**

Motion by Lundeen, second by Bergley to approve Resolution 2016-362 as presented. Motion carried unanimously.

**8. Resolution 2016-363 Approving Purchasing Advertisement in North Highway 65 Chamber of Commerce Map**

Motion by Lundeen, second by Lorinser to approve Resolution 2016-363 as presented. Motion carried unanimously.

**9. Resolution 2016-364 Authorizing Targeted Community Survey**

Motion by Bergley, second by Lundeen to approve Resolution 2016-364 as presented. Motion carried unanimously.

**10. Resolution 2016-365 Authorizing Design and Purchase of City of Isanti Community Map with bid going to Minuteman Press**

Motion by Lundeen, second by Lorinser to approve Resolution 2016-365 authorizing Minuteman Press the award of the bid for services. Motion carried unanimously.

**11. Resolution 2016-366 to Extend Site Use Agreement Between the City of Isanti and Catholic Charities for Three Months**

Motion by Lundeen, second by Collison to approve Resolution 2016-366 as presented. Motion carried unanimously.

**Police Chief Gene Hill**

**12. Resolution 2016-367 Approving Joint Powers Agreement – Regional Criminal Tracking and Analysis (RCTAG) with Sherburne County Sheriff's Office**

Motion by Lundeen, second by Bergley to approve Resolution 2016-367 as presented. Motion carried unanimously.

**L. Approve Consent Agenda**

1. Consider Accounts Payable in the Amount of \$522,278.60 and Payroll in the amount of \$89,850.73
2. Contractor's Pay Request No. 04 Wastewater Treatment Improvements in the Amount of \$365,954.00
3. Final Meeting Minutes for the November 1, 2016 Economic Development Authority Meeting
4. Final Meeting Minutes for the November 9, 2016 Planning Commission Meeting
5. **Resolution 2016-368 Approving a Check Be Written to South Isanti Baptist Church for Volunteering at the Community Movie Night**
6. **Resolution 2016-369 Approving the Engagement Letter for the 2016 Audit**
7. **Resolution 2016-370 Approving Addendum to Snow Plowing Policy**
8. **Resolution 2016-371 for Approval of Revised Right-of-Way Permit Application**
9. **Resolution 2016-372 for Approval of Backup Street Snow Removal Service**
10. **Resolution 2016-373 to Purchase and Installation of Real Estate Sign for 100 Dahlin Ave NE**

Motion by Lundeen, second by Lorinser to approve the Consent Agenda as presented. Motion carried unanimously.

**M. Other Communications**

1. Draft Minutes of the December 6, 2016 Economic Development Authority Meeting
2. Draft Minutes of the December 13, 2016 Planning Commission Meeting
3. November Building Permit Report
4. November Police Department Report
5. November Code Enforcement Officer's Report
6. December Engineering Project Status Report

Mayor Wimmer announced that the Council would go into a brief recess and instructed those at the meeting to clear the Chambers. Council would then go into closed session to discuss Labor Negotiations.

**N. Closed Session**

1. Labor Negotiations

Council went into closed session at 8:05 p.m.

At 8:15 p.m. Council came out of closed session. Mayor Wimmer requested that Labor Attorney Frank Madden to provide a summary of the closed session. Attorney Madden explained what was discussed was the tentative agreement for a three-year contract between the city and LELS. It is subject for ratification by


the union and subject to formal approval by the Council in a public setting. Without getting into great detail about it, it is a settlement that is for three years with standardized wage increases, a few new items, and a few problems items were corrected, with one in particular relating to tuition reimbursement. There is a consensus in favor.

Motion by Lorinser, second by Lundeen to approve the tentative agreement as presented by Labor Attorney Frank Madden. Motion carried unanimously.

**Adjournment**

Motion by Lundeen, second by Bergley to adjourn. Motion carried unanimously. The meeting was adjourned at 8:17 p.m.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Lindsey Giese".

Lindsey Giese  
Human Resources/City Clerk