

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL  
February 16, 2010  
Isanti 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, Councilors Jim Kennedy, Jeffery Kolb and Sue Larson. Councilor Ross Lorinser arrived at 7:02 p.m.

Members Absent: none.

Staff Present: Assistant City Administrator/City Clerk Irene Bauer, City Attorney Clark Joslin, Finance Director Kristi Smith, City Planner Lisa Krause, and Assistant City Engineer Justin Femrite.

Motion by Larson, second by Kennedy to approve the agenda as modified. Motion carried unanimously.

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

**F. Approve Minutes**

Motion by Kennedy, second by Larson to approve the minutes of the February 3, 2010 Regular meeting of the City Council as presented. Motion carried unanimously.

**G. Citizens Input**

**H. Announcements** - Announcements were read.

**I. Council Committee Reports**

Mayor Wimmer reported on the LGA cuts proposed by the Governor of 250 million dollars for cities. That the City's 2010 LGA had already been cut by \$210,000 and with the additional proposed cut of \$220,000 the 2010 LGA will be approximately \$94,000.

Mayor Wimmer stated that this will affect the 2011 budget as the 2010 LGA will not be used until year 2011. Mayor Wimmer stated that one of the established goals of the Council was to establish a list of budget cuts and suggested that this project should take place very soon.

Councilor Larson reported on the following meetings she had attended:

- Community Involvement Team
  - o Snowflake Skate is scheduled for 1-28-10
  - o Old Tyme Dance is scheduled for 3-13-10
- Community Ed
  - o Planning for Forum – April 8th
- Historic Downtown Committee
  - o Farmers Market

- Train Town
- Summer Flowers
- Flower Boxes
- County Road 5 Coalition
- Friends of the Isanti Area Library
  - Will have a table at the Business Expo
  - Fundraiser at Wintergreens
- Liquor Store Committee
  - Holiday Policy
  - Multiple Sales on the same day
- Business Expo
  - City will have a table
  - Census Count Committee will have a table
  - Friends of the Isanti Area Library will have a table

## **J. Public Hearings.**

### **1. Hearing on Nuisance Abatement**

Mayor Wimmer opened the public hearing at 7:09 p.m. and reported that the nuisance abatement had been resolved. Hearing no comment Mayor Wimmer closed the hearing at 7:09 p.m. No action was taken on this matter.

## **K. Business**

### **1. Resolution No. 2010-028, a Resolution Approving Special Event for Lionshare Enterprises LLC**

Motion by Kennedy, second by Larson to approve Resolution No. 2010-028 as presented. Motion carried unanimously.

### **2. Resolution No. 2010-029, a Resolution Approving Special Event for Community Pride Bank**

Motion by Kennedy, second by Larson to approve Resolution No. 2010-029 as presented. Motion carried unanimously.

### **3. Resolution No. 2010-030, a Resolution Approving One Day Consumption & Display Permit to the Isanti Area Chamber of Commerce**

Motion by Kennedy, second by Larson to approve Resolution No. 2010-030 as presented. Motion carried unanimously.

### **4. East Central Cable Commission Update**

Councilor Kolb gave an update on the Cable Commission whereas thirteen communities make up the Cable Commission. That the Cable Commission is fighting over \$22,000 and that more than \$17,000 has been spent in legal fees. Kolb stated that Cambridge is considering opting out of the Cable Commission. That the franchise contract with U.S. Cable expires in 2013 and that notice must be provided prior to December of a given year to opt out.

There was general discussion on considering if the City should opt out and partner with Cambridge and discussion on opening up the cable franchise to other providers.

It was noted that this is a revenue resource and the City must take time to address the best route to follow.

There was consensus of the Council to have the City Administrator work jointly with the City Administrator of Cambridge on options that would include opting out of the Cable Commission.

**4. Resolution No. 2010-031, a Resolution Requesting Isanti County to Install a School Speed Zone on CSAH 5 at the Location of the Intermediate School East of State Highway 65**

Councilor Lorinser stated that the City has the option to request a school speed 30 mph less than the posted speed. That the City had previously requested to Isanti County a speed reduction at the location of the Intermediate School located on County Road 5 and 8<sup>th</sup> Avenue NE to be posted at 40 mph. That in light of a recent accident at the location that there might be consideration to have the speed reduced to 30 or 35 mph.

There was brief review on the visual study that the County stated they would do and that the City Council should be updated in the near future on the status and outcome of this study.

Motion by Lorinser, second by Kennedy to approve Resolution No. 2010-031 as presented. Motion carried unanimously.

**6. Resolution No. 2010-032, a Resolution Approving Interim Use Permit to the Isanti Area Chamber of Commerce**

Krause gave a staff report whereas the Isanti Area Chamber of Commerce submitted an application for an Interim Use Permit that would allow for a Family Farmer's Market to be located on City owned property within the downtown area in the green space that is known as Eagle Park. Public parking surrounds Eagle Park.

Krause stated that the Park and Recreation Board have reviewed this use request and recommended its approval. That the Planning Commission held a public hearing on the use request on February 9<sup>th</sup>, 2010 and recommended its approval with conditions based on the Findings of Fact.

Krause stated that the applicant contacted City staff after the Planning Commission meeting to review some of the conditions that included the amplification of music, date of garbage and waste pickup, event dates, vendor parking, and number of vendors allowed per event.

There was discussion on each of the above stated conditions and resolution was made that amplification of music will be allowed within reason and shall not be a disturbance to neighboring parcels; garbage and waste pickup will be allowed to take place on Wednesday following the date of the event unless an incident arises that shows cause for an earlier pick-up day; event dates will begin the second Saturday in April through the last Saturday in October; vendor parking will be designated within the parking lots at the Community Center and City Hall; and the number of vendors allowed at each event was increased from twenty-five to forty-five.

Motion by Kennedy, second by Kolb to approve Resolution No. 2010-032 as amended. Motion carried unanimously.

Council requested that the Isanti Area Chamber of Commerce provide an update on the Family Farmer's Market after the third or fourth event.

**7. Resolution No. 2010-033, a Resolution Authorizing Purchase of Squad Car**  
Lieutenant Hill gave a staff report whereas the Police Department has requested the replacement of a 2006 Dodge Charger squad car. The Finance Committee and Police Committee have reviewed the request for the purchase of a 2010 Dodge Charger and recommended its approval. Forfeiture funds will fund the purchase of the squad car and related equipment.

Motion by Lorinser, second by Kennedy to approve Resolution No. 2010-033 as presented. Motion carried unanimously.

**8. Resolution No. 2010-034, a Resolution Providing Payment Arrangement for Mr. Wayne Calander for 2009 Land Rent**

Smith gave a staff report whereas the Finance Committee met with Mr. Calander to set up a payment arrangement plan for the payment of outstanding land rent and have recommended its approval.

It was questioned what happens if Mr. Calander does not meet the payment deadlines and City Attorney Joslin stated that he would be in breach of his contract and that the City could then start eviction proceedings.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-034 as presented. Motion carried unanimously.

**9. Ordinance No. 477, an Ordinance Amending City Code Chapter 111, Building Construction**

Smith gave a staff report whereas an ordinance has been prepared that amends City Code Chapter 111, Building Construction that authorizes the building official the refunding of any fee paid that was erroneously paid or collected and a percentage of the fee based on conditions when no work has been done or a plan review is withdrawn or cancelled prior to staff having reviewed the plan.

Motion by Lorinser, second by Kolb to adopt Ordinance No. 477 as presented. Motion carried unanimously.

**10. Resolution No. 2010-035, a Resolution Amending the Holiday Policy as it Relates to the Liquor Store Policies**

Bauer gave a staff report whereas the Liquor Store Committee is recommending the approval to amend the Liquor Store holiday policy that includes that the store is open on Memorial Day and Labor Day along with other so designated holidays.

Motion by Kennedy, second by Lorinser to approve Resolution No. 2010-035 as presented. Motion carried unanimously.

**11. Ordinance No. 478, an Ordinance Amending City Code Chapter 76 Alcoholic Beverages**

Bauer gave a staff report whereas staff was made aware through the Liquor Control Board that the City can issue One Day Temporary Consumption & Display permits to non profit organizations in conjunction with a social activity that is sponsored by that organization. The current City Code relating to Alcoholic Beverages does not have a

provision for the issuance of One Day Temporary Consumption & Display permits and has been amended thereof. The proposed code would allow for the issuance of ten permits in any one calendar year and has a provision on the requirement of liquor liability insurance coverage.

Motion by Lorinser, second by Kennedy to adopt Ordinance No. 478 as presented. Motion carried unanimously.

**12. Resolution No. 2010-036, a Resolution Offering the Position of Economic Development Director to Mr. Sean Sullivan**

Mayor Wimmer introduced Mr. Sean Sullivan, the final candidate for the Economic Development Director position. Mr. Sullivan provided a brief background history on himself. Councilor Larson asked questions of Mr. Sullivan on his economic development experience and experience he has in rail.

Motion by Kennedy, second by Kolb to approve resolution No. 2010-036 as presented. Motion carried unanimously.

**L. Consent Agenda**

1. Accounts Payable in the Amount of \$439,338.06 and Payroll in the Amount of \$65,832.75
2. Approval of the January 12, 2010 Planning Commission Meeting Minutes
3. **Resolution No. 2010-037**, a Resolution Approving Neighborhood Stabilization Program Item

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

At 7:58 p.m. Wimmer announced that the Council would go into recess for five minutes to clear out the Chambers. Wimmer stated that the City Council would then go into Closed Session for the purpose of a personnel matter.

**N. Closed Session**

Mayor Wimmer stated that the City Council would be going into closed session to discuss a personnel matter relating to Public Works Maintenance Technician Mike Norling.

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

At 8:50 p.m. Council came out of closed session and Mayor Wimmer requested City Attorney Clark Joslin to provide a summary of the closed session.

Joslin stated that present in the Chambers when Council came back into open session and present were all members of the City Council, City Attorney Clark Joslin, Assistant City Administrator/City Clerk Irene Bauer, Lieutenant Hill, and Mike Norling.

Joslin stated that Council went into closed session to review and discuss allegations of misconduct including both current allegations that are under consideration and past disciplinary action that has been taken with regard to prior matters. Council discussed what occurred in an incidents, specifically a particular incident where misconduct was

alleged to occurred on December 26, 2009. Following this discussion Council came back into open session.

There was brief consideration based on the alleged misconduct and the pattern of behavior by the employee and if it warranted suspension or termination of the employee. It was noted that the employee had received previous verbal and written disciplinary notices.

Motion by Lorinser, second by Kolb to terminate Public Works Technician Mike Norling based on the facts that had been presented at the meeting. Motion carried unanimously.

Lorinser and Kolb were in consensus to amend the initial motion to include directing the City Administrator/designee to initiate the termination immediately and that would place the termination effective on February 17, 2010 and was approved unanimously by the City Council.

**Adjournment**

Motion by Kennedy, second by Larson to adjourn. Motion passed unanimously.

Meeting adjourned at 8:54 p.m.

Respectfully Submitted,

Irene J. Bauer  
Assistant City Administrator/City Clerk