

**MINUTES
CITY OF ISANTI
CITY COUNCIL
March 18, 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, City Engineers Brad DeWolf and Ken Adolf, Finance Director Rita Pierce, Community Development Director Carla Vita, and City Planner Lisa Krause

Motion by Larson, second by Duff 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 Duff to approve the March 4, 2008 Regular City Council Meeting minutes as presented. Motion carried unanimously.

G. Citizens Input
There was none.

H. Announcements
Announcements were read.

I. Council Committee Reports

Councilmember Larson reported she had attended the following meetings and sub-committees:

- Community Involvement Team
 - Ice Arena Board
 - Isanti Friends of the Library
 - Downtown Subcommittee
 - upcoming events:
 - Pet Clinic, Bike Rodeo, Circus, Home Show, and Chamber Dinner

Larson stated City Administrator Lorsung and she spent the morning of March 18th at the 'Day at the Capital'.

Mayor Wimmer gave a report on the Finance Committee that had recently met.

Duff inquired about staffing the City booth at the Home Show and it was noted that there is a sign up sheet in the office area.

J. PUBLIC HEARINGS:

There was none.

K. BUSINESS ITEMS:

K.1. Consider Resolution 2008-061, a Resolution Approving the Conditional Use Permit (CUP) as Requested by Lisa Lovering for a Recreation Center and Children's Indoor Playground/Entertainment Center to be Located at 2 Enterprise Avenue NE, Suite A3 and A4

Krause gave a staff report whereas Lisa Lovering is requesting a Conditional Use Permit for the creation and operation of a center that will provide a location for children's birthday parties as well as a children's indoor playground entertainment center. The location of the proposed center is at 2 Enterprise Avenue, Suites 3 and 4.

The Planning Commission held a public hearing on the request at their March 11, 2008 meeting and recommended approval of the CUP.

Mayor Wimmer inquired about keeping the equipment clean. The petitioner was not present, however Krause stated she will follow-up on this item with the petitioner.

Motion by Johnson, second by Larson to approve Resolution No. 2008-061 as presented. Motion carried unanimously.

K.2. Consider Resolution No. 2008-062, a Resolution Approving the Variance as Requested by Faith Lutheran Church to Permit a Reduced Street Side Yard Setback from Twenty (20) feet to Two (2) Feet to Permit the Construction of an Elevator on the Property Located at 109 Second Avenue NW

Krause gave a staff report whereas Faith Lutheran Church is requesting a variation to permit a reduced street side yard setback from the required 20 feet to 2 feet to allow for the construction of an elevator on the north side of the existing building. The existing church and an addition to the church currently encroach into the setback areas required within the zoning district. The existing church is approximately 5 feet from the property line and the addition that was later constructed is approximately 10 feet from the property line. On this same side of the building the petitioner would be installing an elevator which would encroach to within 2 feet of the property line.

At the Planning Commission meeting a letter had been received from a property owner who lives at 201 2nd Avenue that was read into the minutes whereas the concern was the height of the structure.

The Planning Commission held a public hearing on the request at their March 11, 2008 meeting and recommended approval of the variance.

There was discussion on the height and if there had been review of other possible locations the elevator could be constructed. There was general discussion that this had been reviewed; and because of exterior elevations of the church structure and the concrete floor in the interior of the building, the most feasible location for the elevator structure is the area located on the north side of the building as shown on the sketch plan.

Motion by Kolb, second by Duff to approve Resolution No. 2008-061 as presented. Motion carried 3-0 (Johnson and Larson abstained stating they were members of the Church).

K.3. Consider Resolution No. 2008-063, a Resolution Authorizing and Directing the Planning Commission to Hold a Public Hearing on an Amendment to the Zoning Ordinance to Provide Language for Detached Accessory Garages

Krause gave a staff report whereas a request was received from Mr. Thayer to permit the construction of a detached garage on property located at 103 3rd Avenue NW. Mr. Thayer is looking to purchase the subject property and there is currently no attached garage for the home. Krause stated that in the past the City has permitted properties that do not have an attached garage to construct a detached garage on the property as long as it met all setbacks and lot coverage requirements.

City ordinances currently do not provide for permitting the construction of a detached garage. The Housing Task Force is looking at this issue and has made recommendations for proposed language changes to allow the use.

Staff requested the Council to call for a public hearing on behalf of the Planning Commission that is scheduled for April 8, 2008 to consider language changes to the ordinance that will allow permitting properties that do not currently have an attached or detached garage.

Motion by Larson, second by Duff to approve Resolution No. 2008-063 that authorizes a Public Hearing to be held at the Planning Commission Meeting on April 8th to review an amendment to the Zoning Ordinance. Motion carried unanimously.

K.4. Annexation of Non-Incorporated Properties within the City Limits

Krause gave a staff report whereas the City of Isanti has grown around several pockets within the community that are not part of the current City limits. Krause stated the City is responsible for zoning as well as providing other City services to these general areas. These areas and/or parcels have not requested annexation to the City, nor has the City requested the annexation of these properties.

The Planning Commission reviewed and discussed this at their March 11, 2008 meeting. Based on their discussion, Planning Commission recommended Staff and the City Engineer compile information that included the following: 1) identify the locations of the

non-annexed areas ‘islands’ and the availability of city services to these properties; 2) determine how much it will cost each property to either extend services to and/or connect to City services.

Motion by Johnson, second by Larson to direct the City Engineer to work with staff on an hourly basis on this project to work with Staff to identify the non-annexed areas ‘islands’ within the City limits and costs to extend and/or connect to City services. Motion carried unanimously.

K.5. Consider Resolution No. 2008-064, a Resolution Rescinding Resolutions 2007-248 and 2007-249, Resolutions Relating to the Villages on the Rum 3 Addition, Phase 4 and 4th Addition Development Agreements

Vita gave a staff report whereas Mr. Iverson has not paid the required fees and has not signed the amendment to the Development Agreements for Villages on the Rum Third Addition, Phase Three and Villages on the Rum Third Addition, Phase Four as approved by Council in October 2007 based on Mr. Iverson’s request for the amendments. Staff sent notice of this outstanding situation to Mr. Iverson on February 26, 2008 whereas he was also informed this matter would be brought before Council on March 18, 2008 for review if the required fees were not paid and the documents were not signed.

Staff is requesting Council consideration to rescind Resolutions 2007-248 & 249 due to the failure of Mr. Iverson to pay the required fees and sign the amendments to his Development Agreements.

Motion by Duff, second by Larson to approve Resolution No. 2008-064 as presented. Motion carried unanimously.

K.6. Consider Proposed Rental Ordinance Open House

Vita gave a staff report whereas the Development Advisory Committee (DAC) has been working on a rental ordinance since 2007. Staff has had to deal with absentee landlords ensuring that their properties are kept orderly and neat; as well as deal with nuisance complaints. Another purpose is to ensure that the people renting are in a safe home without numerous code violations.

DAC has reviewed rental ordinances from other communities and met with a company that performs the inspections as well as their inspector that assisted the City in the development of an ordinance for Isanti.

DAC is requesting Council consideration to allow them to schedule an open house to obtain public comment and discussion on the proposed rental ordinance.

Motion by Duff, second by Larson to direct Staff and the Development Advisory Committee (DAC) to plan an open house that relates to the proposed rental ordinance. Motion carried unanimously.

K.7. Consider EDAM Economic Development Awards Nomination for the Ever Cat Fuels Project

Vita gave a staff report whereas annually the Economic Development Association of Minnesota gives awards in economic development excellence. For 2008 the awards are for “Business Retention/Expansion” and “Business Recruitment”. Staff is recommending Ever Cat Fuels project is nominated for an award for “Business Recruitment”.

Motion by Larson, second by Duff to direct Staff to work on the nomination and submit the materials by the deadline of April 18, 2008. Motion carried unanimously.

K.8. Consider Awarding Animal Control and Kennel Services

- a. **Resolution No. 2008-065, a Resolution Awarding Quote and Authorizing to Enter into a Contract for On-Call Dog Catcher (Animal Control) Services**
- b. **Resolution No. 2008-066, a Resolution Awarding Quote and Authorizing to Enter into a Contract for Kennel Services**

Bauer gave a staff report whereas a request for quotes was placed in the Official Newspaper and posted for Animal Control and Kennel Services for a period of two years from April 1, 2008 through March 31, 2010. One quote was received; the quote was from Marline Skinner, owner of Countryside Animal Impound.

Mayor Wimmer inquired on the process used when contacting or requesting the services of the Dog Catcher. Marline Skinner was present and she stated most of the calls go through the Sheriff’s office. Chief Sager stated that most of the calls do go through the Sheriff’s office and he would like to see all calls go to the Sheriffs’ office. This would allow for a record of all calls.

There was general discussion on the process and procedure to use when a call for the Dog Catcher is made. It was stated that a notice that provides for the procedure is to be placed on the City’s Web site.

Motion by Larson, second by Johnson to approve Resolution No’s. 2008-065 and 2008-066 as presented and to direct staff to provide notice to the residents that all contacts and requests for Dog Catcher services are to go through the Sheriff’s office. Motion carried unanimously.

K.9. Consider Resolution No. 2008-067, A Resolution Awarding Quote and Authorizing to Enter into a Contract for Window Washing Services Quote

Bauer gave a staff report whereas a request for quotes was placed in the Official Newspaper and posted for Window Washing Services for a period of two years from April 1, 2008 through March 31, 2010. One quote was received; the quote was from Darrell Rehling, Ole’s Window Cleaning.

There was brief discussion on the quote received. It was questioned if the quote included services for the Community Center. Bauer stated because this service was not budgeted for in the Community Center 2008 Budget; the specifications did not include services for

the Community Center. Johnson stated he would like to see the quote awarded to Ole's Window Cleaning including the \$15.00 per time window cleaning services for the Community Center.

Motion by Larson, second by Johnson to approve Resolution No. 2008-067 and to include window washing services for the Community Center at \$15.00 per time. Motion carried unanimously.

K.10 Consider 2008 COL Increase for Non-Union Employees

Lorsung gave a staff report whereas the Finance Committee has reviewed and is recommending that non-union City employees receive a 3% cost of living (COL) increase in their base compensation for fiscal year 2008. The increase would be retroactive to the beginning of the year. The 2008 Budget contains the necessary funds in personnel compensation for the increase.

Motion by Larson, second by Kolb to authorize a 3% Cost of Living (COL) increase to all non-union employees retroactive to January 1, 2008. Motion carried unanimously.

K.11. Consider Resolution No. 2008-068, a Resolution Authorizing Approval to Enter into an Agreement for Professional Engineering Services

Lorsung gave a staff report whereas Council appointed at their March 4th meeting Bolton & Menk, Inc. to serve as the City Engineer and directed the City Attorney and City Administrator to work with Bolton and Mink, Inc. on a contract for services. Lorsung presented a proposed contract for professional engineering services between the City of Isanti and Bolton & Menk, Inc.

Motion by Johnson, second by Larson to approve Resolution No. 2008-068 as presented. Motion carried unanimously.

K.12. 2008 Street & Utility Improvement Open House

Lorsung gave a staff report whereas Brad DeWolf, Bolton & Menk, is requesting City Council consideration of having an Open House meeting on the 2008 Street & Utility Improvement project. The open house would provide City Engineer DeWolf, Council members and staff the opportunity to meet with property owners and interested parties on the improvement project in an informal setting.

Motion by Duff, second by Larson to authorize a 2008 Street Improvement Open House for Tuesday, April 1, 2008 from 5:00 p.m. to 6:30 p.m. Motion carried unanimously.

K.13. Consider Resolution No. 2007-069, A Resolution Authorizing to Enter into an Agreement for Publishing Services by ECM Publishers, Inc. and the City of Isanti

Lorsung gave a staff report whereas on February 5th Council awarded a quote to ECM Publishers for the publication of the 'Isantian' (City newsletter); and directed Staff to

negotiate an agreement between the City and ECM Publishers, Inc. for the publication services. Lorsung presented the agreement for Council review and consideration of approval.

Motion by Larson, second by Johnson to approve Resolution No. 2008-069 as presented. Motion carried unanimously.

L. Consent Agenda

The following consent agenda was considered:

1. Consider Final Pay Request from Larson Excavating in the Amount of \$8,247.68 on the SE Quadrant Sewer Extension Project; and **Resolution No. 2008-070 – a Resolution Accepting the SE Quadrant Sewer Extension Improvement Project and Placing in a Two-Year Warranty Period**
2. Consider Accounts Payable in the Amounts of \$111,436.42 and Payroll in the Amount of \$67,257.14
3. Consider **Resolution No. 2008-071, a Resolution Adopting Use of Force Policy for the Police Department**
4. Consider **Resolution No. 2008-072, a Resolution Accepting Grant from the Minnesota Office of Traffic Safety**
5. Consider Request to Hire Part-Time Police Officers
6. Approve February 12, 2008 Planning Commission Meeting Minutes
7. Consider **Resolution No. 2008-073, a Resolution Approving the Consent for Corrective Grant of Easement for Isanti County Document #386866** from Iverson Real Estate Corporation to the City of Isanti.
8. Consider Authorizing Labor Management Training

Motion by Duff, second by Larson to approve the above stated Consent Agenda as presented. Motion carried unanimously.

M. Other Communication

Other communication was reviewed as presented.

Adjournment

Motion by Johnson second by Larson to adjourn. Motion passed unanimously.

Meeting adjourned at 7:45 p.m.

Respectfully Submitted,

Irene J. Bauer
Assistant City Administrator/City Clerk

