

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL  
MARCH 20, 2012  
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, Sue Larson, Steve Lundeen and Ross Lorinser

Members Absent: None.

Staff Present: City Administrator/City Clerk Don Lorsung, City Attorney Clark Joslin, Human Resources/Deputy City Clerk Karissa Henning, Economic Development Director Sean Sullivan, Planning and Parks Director Lisa Wilson, City Engineer Brad DeWolf and Police Chief Ron Sager

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

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

None.

**F. Approve City Council Minutes**

Motion by Lorinser, second by Larson to approve the minutes of the March 6, 2012 City Council Meeting. Motion carried unanimously.

**G. Citizens Input**

None.

**H. Announcements**

Announcements were read.

**I. Council Committee Reports**

Councilor Larson reported on:

- **Liquor Committee**
  - Business of the Month for the Month of April at Community Pride Bank
  - Monthly Coupon Books in the Isanti County News
- **Community Education Advisory Council**
  - Not holding a Community Awareness Forum
  - Working with the schools regarding bullying issues
- **Friends of the Isanti Library**
  - Business Expo

- New Librarian
- **East Central Regional Library Board**
  - Staffing outreach programs
  - Funding issues
  - Volunteers
- **Chamber of Commerce**
  - Downtown Sign
  - Spring Fling on April 28<sup>th</sup>
  - Pet Clinic on April 28<sup>th</sup>
  - VFW Bike Rodeo is on June 2<sup>nd</sup>
- **Isanti Community Center Task Force**
  - Township Meetings
  - Capital Improvement Plan

Councilor Lorinser reported on:

- **Liquor Store**
  - In 2007, 2008 and 2009 profits were around 23%
  - Since the new manager was hired, profits have been consistently above 23%

Mayor Wimmer and Larson discussed the League of Minnesota Cities and getting Cities and the State on the same fiscal calendar.

## **J. Public Hearings**

None.

## **K. Business Items**

### **1. Spirit River Community Church (Resolution 2012-058)**

Reverend James Crecelius asked the Council for a 60 day extension on the back taxes owed on the Church property – formerly Spectacular Events. The Church was not aware of the back taxes until Herb Knutson, as well as the City, got in contact with the Church regarding unpaid taxes.

Reverend Crecelius continued that the Church was not aware they were to pay any taxes and that when the County was contacted it was found that the County did not have the proper address for the Church. Tax papers were never received and therefore the back tax issue was unknown.

The Church has a plan to pay the taxes back as soon as they can. The Minnesota Annual Conference of the United Methodist Church has agreed to put together a third of the taxes owed and would clear approval of this on March 29<sup>th</sup> at the board meeting. Reverend Crecelius will notify the City Council on March 30<sup>th</sup> if the first third of the property tax payment will be made. This payment is fully expected to be cleared. The Spirit River congregation would pay a third of the amount owed after the Church fund raiser which would be held on April 21<sup>st</sup>. Lastly, the renter, Herb Knutson would pay a third of the tax fees as well.

Mayor Wimmer inquired when Knutson would pay the last third of the back taxes. Knutson stated he would make the payment by the middle of May. Knutson stated there is a chance he would have the money before then, but in case he does not he is setting the date of payment

towards the middle of May. Knutson further explained there are upcoming events and additional sources in which he will be able to gather the money necessary to pay the last third of the property tax payment.

Mayor Wimmer clarified that the Church bought the property before July 1<sup>st</sup> of 2011 and these taxes owed are the taxes after July 1<sup>st</sup>. This was confirmed.

Mayor Wimmer made comment that he wanted it known that this is a new business unknowing of the taxes and unfamiliar with paying taxes, not an existing business that had just stopped paying their taxes.

Mayor Wimmer noted that the current City Council has never extended anything before and liquor licenses have in the past been denied because of back taxes or money owed to the City. The Mayor stated the Council tries to treat everyone fairly. Mayor Wimmer made comment that this situation is a little different because the Church is not used to paying taxes. Mayor Wimmer stated that if an extension were to happen, a clear plan needs to be made regarding the situation for payment and if any dates are missed the license and agreement will become void.

Mayor Wimmer questioned what will happen if the liquor license is not renewed. Knutson stated that the business and customers realize that events are scheduled and that this business has been closed before. Knutson predicts that customers might not continue using the business given it does not have a liquor license.

Mayor Wimmer announced the payment plan dates:

- March 30<sup>th</sup> – notification of first payment
- April 21<sup>st</sup> – notification of the second payment
- May 15<sup>th</sup> – final payment

Mayor Wimmer asked Knutson if the payment plan is manageable, knowing full well that another tax payment will be due shortly after the final payment on May 15<sup>th</sup>. Knutson confirmed knowing that another tax payment would shortly follow and agreed to the payment plan.

Mayor Wimmer asked Joslin if this agreement could legally be set in to place. Joslin read the applicable ordinance set in the City Code, Section 76-25 B, Denial; delinquent taxes or assessments; illegal acts on licensed premises, stating that the Council, in its discretion, has the right to refuse to issue or renew a license for the sale of intoxicating liquor on any premises on which taxes, assessment or other financial claims of the City are delinquent or unpaid. Delinquent or unpaid taxes, assessments or other financial claims of the City on the premises for which the license has been issued shall be grounds for the revocation of an intoxicating liquor license. Joslin proceeded to read Section 76-26, Conditional licenses, stating that notwithstanding any provision of law to the contrary, the Council may, upon finding of the necessity therefor, place such special conditions and restrictions, in addition to those stated in this article, upon any license issued under this article as it, in its discretion, may deem reasonable and justified. Joslin stated that, in his opinion, the Council may impose such conditions on the continuation of the license as the Council finds necessary and appropriate.

Lorsung stated that if the Council passes the 60 day extension, staff will get all of the required documents out to the state the next day, however, he cannot guarantee that the state will process everything by the 31<sup>st</sup> as staff cannot control this.

Given the unique situation where the entity is a new business, not familiar with taxes, and with the payment plan in place, it was motioned by Kennedy, second by Larson to approve Resolution 2012-058; contingent upon the information provided above and that the agreement will become void if any of the payment plan dates are missed. Motion carried unanimously.

**2. Ordinance No. 527 Amending Ordinance No. 445 Zoning; Section 8 Industrial Districts, Article 1 “I-1” Industrial Park District, Subdivision 4 Interim Uses**

The amended ordinance removes part C of section 8 from ordinance 445.

Motion by Kennedy, second by Lorinser to approve Ordinance No. 527 as presented. Motion carried unanimously.

**3. Cambridge-Isanti Competitive Baseball Request – Unity Field Maintenance**

Mayor Wimmer asked the President of Cambridge-Isanti Baseball Association if there was a preference between the two options provided. The President stated he would prefer option two; however, the association is more than willing to do option one. The cost of option two would be around \$5,000. The City would contribute to half of the total cost to place aglime on the field, for the entire field it is estimated be to around \$1,600.00, along with an additional estimated \$3,100.00 for light bulb adjustments.

Lorinser stated that if the City is charging a fee for a field, the field needs to have set maintenance standards.

Lorinser questioned if the lights have been looked at. Wilson stated that Public Works Director Meyer turned on the lights on March 19<sup>th</sup> and found five lights on four posts that were not working. The President of the Baseball Association noted he found seven lights on the four posts that were not working. Lorinser made comment that the cold can affect the lights.

Motion by Kennedy, second by Lundeen to approve option two for the Cambridge-Isanti Competitive Baseball Request as presented. Motion carried unanimously.

**4. Ordinance No. 528 Amending the Code for the City of Isanti, Chapter 8, City Council**

There was a concern regarding the number of excused absences that would be permitted for advisory board members. The Development Advisory Committee reviewed and recommends the prepared amendment to the Isanti City Code. The amendment states no more than three absences of any kind, excused or unexcused shall be permitted.

Motion by Kennedy, second by Larson to approve Ordinance No. 528 as presented. Motion carried unanimously.

**5. Resolution 2012-068 Approving a Management Agreement and Operating Policy Between the City of Isanti and Vision Wake Parks Corp, a Minnesota Corporation, Doing Business as 10K Wakes for Operation of a Cable Wakeboard Facility Located Within Bluebird Park**

Lorinser asked if the Council had any issues with the agreement. The Council did not have any issues with the agreement.

Mayor Wimmer stated staff has been working with the County regarding this as a taxable property and the amounts. A discussion regarding the taxes will happen moving forward. This agreement may come back with the tax dollar amounts at a later date. The current agreement presented will get things moving forward for the time being.

Larson inquired about available parking. 10K wakes said there can only be six individuals in the water at a time, so parking should not be an issue. If there are any additional cars it would be cars of spectators. Wilson stated if 10K Wakes became very successful there could become an issue in the summer.

Motion by Kennedy, second by Lundeen to approve Resolution No. 2012-068 as presented. Motion carried unanimously.

**6. Ordinance No. 529 Amending City Code Chapter 325, Water**

Staff reviewed the code chapter and made changes to update the code, and revised areas that were inconsistent or conflicted with other areas in the chapter and current operating policy. The City Attorney has reviewed the proposed updates and Finance Committees recommends Council's consideration of the changes.

Motion by Lorinser, second by Larson to approve Ordinance No. 529 as presented. Motion carried unanimously.

**7. Resolution 2012-069 Accepting Donations for Historic Downtown Directional Sign**

The City has received donations from individuals and organizations for the manufacturing and installation of a Historical Downtown Directional Sign.

Motion by Kennedy, second by Lundeen to approve Resolution No. 2012-069 as presented. Motion carried unanimously.

**L. Approve Consent Agenda**

1. Consider Accounts Payable in the Amount of \$199,064.18 and Payroll in the Amount of \$68,640.11
2. Approval of the February 28, 2012 Park and Recreation Board Meeting Minutes
3. Approval of the February 28, 2012 EDA Meeting Minutes
4. **Resolution 2012-070** Authorizing a Dog Clinic Sponsored by the City of Isanti Police Department

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

**Adjournment**

Motion by Lundeen, second by Kennedy to adjourn. Motion passed unanimously. Meeting adjourned at 7:31 p.m.

Respectfully Submitted,

Karissa Henning  
Human Resources/Deputy City Clerk