

**MINUTES
CITY OF ISANTI
CITY COUNCIL
April 15, 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: 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, City Planner Lisa Krause, and CSO Officer Steve Wacha

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 Duff, second by Larson to approve the April 1, 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

Mayor Wimmer reported on the following:

- That he had recently attended the County EDA meeting and there was discussion on the Rail Industrial Park. There was discussion on what type of EDA they would be, if they would be their own EDA and working on their own projects; or if they will be partnering with the townships and cities on their individual projects. Mayor Wimmer reported on the initial sites for the Rail Industrial Park, the two that ranked highest are a site located just north of Cambridge and the site north of Isanti.
- That Cambridge Township may be placing a moratorium on development that may affect a number of projects as well as the development of the Rail Industrial Park.

- That the Personnel Committee had met to complete the LELS contract negotiations through a mediation process. Wimmer thanked Councilmember Larson for filling in for Councilmember Kolb who was unable to attend the meeting.
- That Isanti Custom Meats project to be located on 30 Main Street West will be on the EDA agenda for action. The store is expected to open in October.

Councilmember Larson reported she had attended the following meetings:

- Community Involvement Team meeting with the following events coming up:
 - VFW Bike Rodeo
 - Pet Clinic
- Special Meeting of the Ice Arena Board
- Downtown Sub-Committee
- Highway 65 Coalition and the upcoming projects planned for year 2008
- A Jim Oberstar Forum on transportation and technology

Councilmember Kolb reported the Sub-Committee for the Community Center held a public meeting on Saturday, April 12, 2008. Burbach Aquatics provided information on various projects they had worked on as well as information on financing. The meeting was well attended and good questions and positive comments were received.

Councilmember Duff reported on the Community Ed meeting that had recently met.

J. PUBLIC HEARINGS:

1. Nuisance Abatement – 607 Rum River Dr. SW

Wacha gave a staff report whereas on April 1, 2008 Council called for a public hearing to hear on the nuisance abatement property located at 607 Rum River Drive SW. The property owner was notified of the scheduled public hearing. Wacha stated the property owner at 607 Rum River Drive SW continues to be in violation of City Ordinance No. 123, Section 2.12 whereas the vehicle on the property is not properly licensed and is not in street operable condition. Letters were sent to the property owner relating to the violation.

Mayor Wimmer opened the public hearing at 7:10 p.m. to hear on the nuisance violation at 607 Rum River Drive SW. Hearing no comments or questions Mayor Wimmer closed the public hearing at 7:10 p.m.

a. Resolution No. 2008-106, a Resolution to Authorize Nuisance Abatement for Property Located at 607 Rum River Drive SW

Motion by Larson, second by Kolb to approve Resolution No. 2008-106 as presented.
Motion carried unanimously.

K. BUSINESS ITEMS:

K.1. Resolutions Approving Funding Requests:

a. Resolution No. 2008-090, a Resolution Authorizing Allocation of Funds in the Amount of \$500.00 from the 2008 Budget to the Initiative Foundation

Curt Hanson representing the Initiative Foundation requested financial support for their organization. Mr. Hanson expressed gratitude for past support received from the City, described the Foundation's model, and discussed its historical impact and current five-year strategic plan.

b. Resolution No. 2008-091, a Resolution Approving the Allocation of Funds in the amount of \$500.00 for Jubilee Days Events and Approving Request for Various City Services

John Bettendorf, President of the Isanti Area Chamber of Commerce introduced himself as the newly elected President for the Chamber of Commerce and briefly provided information on the current activities of the Chamber. Mr. Bettendorf requested financial support for the upcoming Jubilee Days festivities as well as requested the following for the purpose of facilitating the Jubilee Days activities to be held in July:

- Closure of Main Street between the Railroad Tracks and 1st Avenue from 6:00 am to 5:00 pm on Saturday July 12th.
- The City provide the availability of a Public Works staff employee on July 12th to assist with various maintenance activities.
- The use of the outside areas of the City Hall property that includes the grassy area east of City Hall and the City Hall parking lot to hold events and set up vendors.
- Waive the \$75.00 investigative fee for a peddler's permit.

There was Council discussion that the 2008 budget provided \$5000 for funding requests and that there is currently \$1,000 left in the budget for these types of funding requests. There was consensus that the two groups present requesting funds on this date would receive an equal share of the balance.

Mayor Wimmer questioned the process for peddler's license and the investigation fee that the Chamber has requested is waived by the City. Bauer provided information as to the intent of the Ordinance that a License is issued to the Chamber and the Chamber is then allowed to determine the peddler's they would approve for the event.

There was discussion on having a Public Works Maintenance employee available all day versus having an employee on call. Duff questioned who pays for this service and it was noted this is a City cost and is considered as 'in-kind' service.

Motion by Duff, second by Larson to approve Resolutions No. 2008-090 and 2008-091 that allocates \$500.00 to the Initiative Foundation and \$500.00 to the Isanti Area Chamber of Commerce and approves various city services to the Isanti Area Chamber of Commerce that includes the closure of Main Street from 6 am to 5 pm on July 12th; and on the same date having a Public Works employee on-call; the use of the outside areas of the City Hall property; and waive the \$75.00 investigative fee for a peddler's permit. Motion carried unanimously.

K.2. Resolution No. 2008-092, a Resolution Accepting Wal-Mart Grant to the City

Pierce gave a staff report whereas the 2008 Police Department budget provides for the purchase of a portable radar unit that was based on receiving \$2000 in grants towards the purchase. On March 4th the Council approved Resolution No. 2008-055 that accepted a \$1000 donation from Community Charities. Wal-Mart Stores has provided a donation in the amount of \$1000 for Police Department equipment. Pierce stated these donations totaling \$2000 will be used towards the purchase of the radar equipment.

Motion by Larson, second by Duff to approve Resolution No. 2008-092 as presented.
Motion carried unanimously.

K.3. Resolution No. 2008-093, a Resolution Authorizing Compensation to City Council Members Appointed to Boards and Commissions

Pierce gave a staff report whereas through the process of the 2008 Budget work sessions, Council directed the Finance Committee develop a policy on pay to be received by Council Members who serve on city boards. The Finance Committee is recommending that City Council members are compensated who serve on the Boards and Commissions that make recommendations to the City Council.

Motion by Duff, second by Larson to approve Resolution No. 2008-093 that provides compensation for meetings attended for those City Council members appointed to serve on the EDA Board, Planning Commission, and Park & Recreation Board. Motion carried unanimously.

K.4. Resolution No. 2008-094, a Resolution Authorizing Transfer of Ownership of American General Life Contracts

Pierce gave a staff report whereas as a benefit to employees of the City, the City has adopted a Deferred Compensation Plan-Section 457(b) of the Internal Revenue Code that provides employees the option to participate in the Plan and defer a portion of their compensation. City funds are not used to contribute to these plans.

One of the Plan Providers offered to City employees is American General. The City and one affected employee who is Ron Sager have learned that the City is listed as owner and beneficiary of the deferred amounts. Ron Sager has requested the transfer of ownership to him from the City and Sager has acknowledged that he accepts any related tax consequences that he may incur from the transfer.

Motion by Johnson, second by Larson to approve Resolution No. 2008-094 as presented.
Motion carried unanimously.

K.5. Resolution No. 2008-095, a Resolution Offering Employees Participation in Deferred Compensation Plans

Pierce gave a staff report whereas MN Statute 352.96 entitles public employees to voluntarily defer part of their compensation. The City has adopted a Deferred Compensation Plan-Section 457(b) of the Internal Revenue Code that provides employees the option to participate in the Plan and defer a portion of their compensation. The Plan must be updated from time to time to ensure it meets current regulations.

The City amended the Plan in 1995 and the Plan has not been updated since that time to include new provisions under the Internal Revenue code. Estimates were obtained from agencies to update the Plan and they came in at \$5000 - \$7000.

The City currently offers employees to participate in one of three plans that include ICMA, Equitable, and American General. If the City authorizes continued participation in these Plans, the City will have to update its Plan.

The City may opt to provide employees options to participate in the International City/County Management Association (ICMA) or Minnesota Deferred Compensation Plan (MN DCP) Plans. To allow participation in the two above stated Plans; the City would accept the Plans of these Plan Providers and the City would not have to own the Plan; therefore there would not be a need to update the current City Plan.

The Finance Committee has reviewed employee's participation in the various Plans and the cost to update the City Plan should the City allow employees to participate in the three current Plans. The Finance Committee has recommended that to minimize future attorney fees to update the City's current Plan that the City offer current and future employees participation in the ICMA and the MN DCP Plans as these Plan providers maintain their own Plans.

Motion by Johnson, second by Larson to approve Resolution No. 2008-095 as presented. Motion carried unanimously.

K.6. Resolution No. 2008-096, a Resolution Approving the Conditional Use Permit as Requested by Steve Lindell to Permit the Alteration and Movement of Land on the Property at 802 Winsome Way NE

Krause gave a staff report whereas Steve Lindell has submitted an application requesting a Conditional Use Permit (CUP) for the alteration and movement of land, which would enable Lindell to construct a pond on the property.

The Planning Review Committee met to review the request and there was concern that there appeared to be delineated wetland within the northeast corner of the property. The City Engineer expressed concerns as it appeared that a portion of the area to be disturbed as part of the project was located within the delineated wetland.

The surveyor Kyle Roddy, Anderson Passe & Associates and Isanti County Environmental Technical/Water Planner Wayne Anderson were contacted on this matter.

Mr. Roddy indicated that the wetland area as defined would not be disturbed. Should it be disturbed, fill would need to be removed or Lindell would be required to replace the impacted wetland at the 2:1 ratio requirement.

The Planning Commission heard on this matter at Public Hearing on April 8th and has recommended approval of the CUP as requested by Steve Lindell.

Motion by Larson, second by Johnson to approve Resolution No. 2008-096 with conditions as provided within the Resolution. Motion carried unanimously.

K.7. Variance Request – 1107 Maplewood Avenue

Krause gave a staff report whereas Nicholas Izzo, 1107 Maplewood Avenue has requested a Variance to permit a reduced side yard setback from ten feet to five feet which would allow for the construction of a deck.

The City Council was presented with this item at their December 18, 2007 meeting and the Council voted to table the item until Mr. Izzo could re-evaluate the proposal and provide more accurate information to the Council.

Mr. Izzo provided a drawing whereas he reconfigured the deck and is still seeking a five foot side yard setback variation. The revised drawings were reviewed by Council. Upon review of the drawings and discussion; Council noted it would appear that the deck could be built within the 10 foot setback as provided by ordinance and felt there has no undue hardship shown.

Motion by Larson, second by Kolb to deny the variance request by Nicholas Izzo, 1107 Maplewood Avenue based on the finding that there was no hardship found. Motion carried unanimously.

K.8. City Engineer Cost Estimates for Extension of Services to Parcels not within the City Limits

Krause gave a staff report whereas the City Engineer Brad DeWolf provided location and size of 'islands' of non-annexed properties within the City limits and estimated costs to make sanitary sewer and watermain service available to the properties. The costs included construction costs for sanitary sewer, watermain and surface restoration, contingencies, engineering and administration.

There was general discussion as to what the value would be to the City should it be determined to move forward with requiring annexation of the properties.

It was stated that the information received can be used as a tool when it is determined to move forward with this annexation process and to further review and consider as a project at the 2009 Goal Setting of the Council.

K.9. Review of the Draft Isanti County Comprehensive Plan

Krause gave a staff report whereas at the final meeting held on March 24, 2008 of the Citizen Advisory Committee; the Committee reviewed the draft of the Isanti County Comprehensive Plan. Krause provided an overview of the draft Plan.

The Mayor and Council had the following concerns and comments relating to the draft Isanti County Comprehensive Plan:

- The data and statistics used for the Plan were from years 2000-2002.
- The Plan is lacking a Vision Statement.
- The Plan lacks detail on the preservation of the County's natural amenities.
- The Land Use portion of the Plan was drafted after the adoption of the Transportation Plan. The concern was if the Transportation Plan matches the road use based on the Plan and how this affects land use and densities.
- The Plan states language of 'transition of agricultural to rural' with Council comment that Isanti County is an excerpt of the Twin Cities area.
- The Plan should include capitalizing on existing urban infrastructure needs.
- The need to develop ordinances based on the Plan.
- A moratorium for the area is needed until ordinances are in place to handle the impact of the Plan.

Johnson made further comment on the development of a County Industrial Park with the concern if the development will actually take place.

K.10. Resolution No. 2008-097, a Resolution Approving the Specifications for Public Works Building and Wastewater Treatment Facility (WWTF) Paint Project and Ordering Advertisement for Bids

Bauer gave a staff report whereas revised specifications for the Public Works Building and Wastewater Treatment Facility paint project have been prepared. Upon acceptance of the specifications, an ad will be placed in the official newspaper to request bids for the project.

Duff inquired of City Engineer Brad DeWolf if he had reviewed the specifications and had any comments. DeWolf stated he saw a minor change to the specifications and will contact Public Works Director Meyer on this.

Motion by Johnson, second by Larson to approve Resolution No. 2008-097 as presented. Motion carried unanimously.

K.11. Approval to Advertise for Public Works Seasonal Part-time Staff

Mayor Wimmer stated Council might want to consider discussion of K.11 and K. 12. simultaneously as one may relate to the other.

K.12. Mowing Nuisance Properties

There was general discussion if the additional mowing that may occur due to the increase of foreclosure properties should be outsourced or if an additional Part-Time Seasonal person should be hired that might do this work.

There was discussion on the size of the equipment and that seasonal help are limited based on the size of the equipment they can operate.

There was much discussion of the cost of hiring versus the cost of outsourcing. There was also discussion on when a contractor is paid; where the funds come from and how long does it take to get these funds back.

Motion by Duff, second by Kolb to send the above two items; hiring of Seasonal employees and mowing nuisance properties back to the Public Works Committee for further review and directed they bring their recommendation back to the May 6th Council meeting for consideration. Motion carried unanimously.

K.13. Resolution No. 2008-098, a Resolution Authorizing the Acceptance of the Labor Agreement Between the City of Isanti, MN and Law Enforcement Labor Services, Inc. Local #217

Joslin reviewed the terms of the agreement between the City and LELS as previously discussed in closed session.

Motion by Larson, second by Kolb to approve Resolution No. 2008-098 as presented. Motion carried unanimously.

L. Consent Agenda

The following consent agenda was considered:

1. Accounts Payable in the Amounts of \$162,938.17 and Payroll in the Amount of \$70,137.21
2. **Resolution No. 2008-099, Resolution Adopting Pursuit Policy for the Police Department**
3. **Resolutions No. 2008-100, 101, & 102, Approving Hire of the following Part-Time Police Officers**
 - a. Chris Caulk
 - b. Ryan Vandenheuvel
 - c. Michael Vogel
4. March 11, 2008 Planning Commission Meeting Minutes
5. **Resolution No. 2008-103, a Resolution Authorizing an On-Sale 3.2 Percent Malt Liquor License and Sunday License to Patlok Design, Inc.; (Sanbrook Golf Course)**
6. Approve the City Does Not Maintain Membership in the National League of Cities
7. May Council Workshop – Move to May 6, 2008

8. **Resolution No. 2008-104, a Resolution Authorizing the Hanging of Banners on Twelve Downtown Street Poles and the Placement of Benches and Planting Urns on the Sidewalks**
9. Approval of IEDC Economic Excellence Award for the Ever Cat Fuels Project
10. **Resolution No. 2008-105, a Resolution Approving Specifications for the Liquor Store Remodeling Project and Authorizing to Request Bids**
11. Consider Authorizing Out of State Training Request for Employee Lisa Krause

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

Meeting adjourned at 8:35 p.m.

Respectfully Submitted,

Irene J. Bauer
Assistant City Administrator/City Clerk