

**MINUTES
CITY OF ISANTI
CITY COUNCIL
April 20, 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, and Sue Larson.

Members Absent: Councilors Jeffery Kolb and Ross Lorinser.

Staff Present: City Administrator Don Lorsung, Assistant City Administrator/City Clerk Irene Bauer, City Attorney Clark Joslin, Finance Director Kristi Smith, Economic Development Director Sean Sullivan, City Planner Lisa Krause, Lieutenant Gene Hill, City Engineer Brad DeWolf and City Auditor Steve McDonald.

Motion by Larson, second by Kennedy to approve the agenda with the modification to remove Business item 6 from the agenda and place this matter on the May 4, 2010 agenda.. Motion carried unanimously.

E. Proclamations/Commendations/Certificate Awards

F. Approve Minutes

Motion by Larson, second by Kennedy to approve the minutes of the April 6, 2010 Regular meeting of the City Council as presented. Motion carried unanimously.

G. Citizens Input – There was none.

H. Announcements - Announcements were read.

I. Council Committee Reports

Councilor Larson reported on the following meetings she had attended:

- Historic Downtown Committee
 - o Flowers for downtown
 - o Market business for downtown
 - o Involve County Road 5 businesses; they are gateway to the downtown area
- Community Ed
 - o Forum was held on April 8th. The topic was on understanding your tax dollars.
 - o Community Ed Advisory Council met and would like to see the video of the forum and consider distributing out for others to view
 - o New brochure is out
- Liquor Store Committee
 - o Placing two flower boxes at the store
 - o Financials
 - o Maintenance needs

- Operations
- LMC Committee Meeting
 - Unfunded Mandates
 - Will be requesting list from Cities
 - Look at how to reduce or remove the mandates
 - Developing video and awareness program and the first video will be released in May; second video to be released in August
 - Booth in Education Building at the State Fair
 - Hubert Humphrey Institute
 - Research on projecting out cost factors for cities through 2025
- Friends of the Library
 - Community booth at the Farmer's Market
 - Received funds from Spencer Brook and Athens Townships; and from sale of books
 - Fundraiser at Wintergreens – April 21st – 4-9 p.m.
- Arena Board
 - Looking for cost saving energy costs
 - Grants
 - Stated that there is a State mandate to meet air quality. That the arena is all electric and the Board feels that these types of facilities should be exempt from the mandate.

J. Public Hearings

1. Annexation of 8.25 Acres – Request by Premier Bank

Krause gave a staff report whereas the property owner, Premier Bank, of 8.25 acres located at 29602 Jackson Street NE filed a petition for the annexation of the property. The reason for the requested annexation is to add this parcel to the adjacent existing Villages on the Rum III Development making it available for future single-family residential development.

Minnesota Statutes 414.033 permits unincorporated property abutting a municipality to be annexed to the municipality by Ordinance, providing the City Council declares by Ordinance that the land to be annexed to the municipality is deemed to be urban or suburban in character or about to become so if the land abuts the municipality and the area to be annexed is 120 acres or less, and the area to be annexed is not presently served by public wastewater facilities or public wastewater facilities are not otherwise available, and the municipality receives a petition for annexation from all the property owners of the land.

When a municipality annexes property, State Statute provides that property taxes that are payable on the annexed land shall continue to be paid to the affected township for the year in which the annexation becomes effective. The reimbursement must be in substantially equal payments over not less than two years but not more than eight years from the time of the annexation. The portion of taxes payable in 2010 for the township portion is \$475.49. The payment if spread over two years is \$237.75 for each of the two years.

Mayor Wimmer opened the Public Hearing at 7:10 p.m. Hearing no comment or questions, Mayor Wimmer closed the hearing at 7:10 p.m.

a. Ordinance No. 482, an Ordinance Extending the Corporate Limits of the City of Isanti to Include Certain Unincorporated Property (8.25 Acres) Owned by Ferraro and Iverson Inc. Abutting Upon the Limits of the City of Isanti in Isanti Township Pursuant to Minnesota Statutes 414.033, subd. 2(3)

Motion by Kennedy, second by Larson to adopt Ordinance No. 482 as presented with the two year payback to the township for the taxes. Motion carried unanimously.

K. Business

1. Use of Park Facility

Mr. Warren Thunstrom informed the Council that he would like clarification of city policy relating to reserving the use of the tennis courts. Mr. Thunstrom stated that he was using the tennis court and the school district showed up to use the court and informed him that they had an agreement with the City for its use. Later it was found out that the school district did not have an agreement but did come to the City to reserve the use of the tennis courts. Mr. Thunstrom expressed his concern that the school district has the right to its exclusive use based on the number of days in the week they reserved the use of the tennis courts; that they do not maintain the court and should not have the right to its exclusive use and that this reduces the availability for others to use the courts.

There was discussion on establishing as a part of the reservation policy perimeters of how many days a week an organization or other individuals can reserve the use of the tennis courts.

There was a consensus of the Council to send this matter to the Park and Recreation Board for their review and recommendation.

2. Usage Fee for the Isanti Softball Field

Mr. Jeff Andres on behalf of the Cambridge-Isanti Competitive Baseball Association requested the City waive the fees for year 2010 for their organization. Mr. Andres stated that they use the field an average of five times a week and it would cost their organization \$750 to \$1000 for its use.

There was discussion that the organizations that had been using the softball field in past years were notified in October 2009 of the new policy and the fees that were established; that would have allowed them time to plan on how they would cover the cost. It was noted that a reservation has been received for the current season and associated fees have been paid by another group for the use of the field. There was additional generalized discussion.

There was a consensus of the Council not to waive the fees for the Cambridge-Isanti Competitive Baseball Association for the use of the Unity Park softball field.

3. Resolution No. 2010-084, a Resolution Accepting the 2009 Annual Financial Report and Management Letter

City Auditor Steve McDonald gave an overview of the 2009 audit. McDonald stated that the audit included a single audit on Federal funds and that the audit came out clean. McDonald stated that the City was well prepared for the audit. McDonald reviewed the audit on the General Fund and the enterprise funds that included Water, Sewer, and Liquor Store. That the cash balance in the Sewer Fund has declined but is sufficient for the operations of the utility. That the Liquor Fund received less funds in year 2009, but

does have a positive cash flow. The City did transfer \$300,000 from the Liquor Fund in year 2009.

McDonald reviewed the comparison chart of the amount the City spends per capita in comparison to a 'peer' (other cities of similar size) group; and the spending was less in all areas except for public safety; the areas of spending included general government, public safety, public works, culture and recreation, and economic development.

The non-enterprise fund bonds debt per capita is at \$826.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-084 as presented. Motion carried unanimously.

4. Resolution No. 2010-085, a Resolution Approving Conditional Use Permit to MJS Services LLC

Krause gave a staff report whereas MJS Services, LLC has requested a Conditional Use Permit for the alteration and movement of land that would enable the applicant to grade the existing parcels located at 308 Whiskey Road NW and 710 County Road NW. The request included the construction of a stormwater pond on the property immediately to the east of the subject parcels.

Krause reported that the City has granted approval of this item on prior occasions; however the Conditional Use Permit in those instances had lapsed before the property owner completed the work.

The Planning Commission reviewed the Conditional Use Permit request in a public hearing at their April 13, 2010 meeting and recommended approval of the Conditional Use Permit.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-085 as presented. Motion carried unanimously.

5. Ordinance No. 483, an Ordinance Amending Zoning Ordinance No. 445, Section 21 – Administration and Enforcement, Article 5 Variances, Subdivision 4 Procedures (D)

Motion by Kennedy, second by Larson to adopt Ordinance No. 483 as presented. Motion carried unanimously.

6. Resolution No. 2010-086, a Resolution to Authorize Advertising to Fill Two Vacant Part-Time Police Officer Positions

Hill gave a staff report whereas the Police Department desires to fill two vacant part-time police officer positions. The cost to the City to fill the positions would be the cost of uniforms for the new part-time officers.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-086 as presented. Motion carried unanimously.

7. Resolution No. 2010-087, a Resolution Accepting Bid for the County Road 5 Lift Station Improvement Project

DeWolf gave a staff report whereas seven bids were received for the County Road 5 Lift Station Project. The bids ranged from a low bid in the amount of \$369,114.93 to a high

bid of \$445,492.00. The Engineer's estimate was \$540,000. DeWolf recommended the County Road 5 Lift Station Project be awarded to Kuechle Underground, Inc. of Kimball, Minnesota in the amount of \$369,114.93.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-087 awarding the County Road 5 Lift Station Project to Kuechle Underground, Inc. in the amount of \$369,114.93. Motion carried unanimously.

8. Resolution No. 2010-088, a Resolution Accepting State Bid for a Public Works Pickup

Smith gave a staff report whereas on April 2, 2010 the Finance Committee reviewed quotes received for the budgeted purchase of a public works truck and reviewed where the funding would come from for the purchase of the truck that included funds from the water fund, sewer fund, streets capital replacement fund and parks capital replacement fund.

Smith stated that the pickup being replaced will be retained by Public Works and utilized as a paint truck.

Motion by Larson, second by Kennedy to approve Resolution No. 2010-088 as presented. Motion carried unanimously.

9. Resolution No. 2010-089, a Resolution Authorizing 2010 Budget Amendments

Smith gave a staff report whereas due to the change in staffing from a Community Development Director position to an Economic Development Director position a budget amendment is necessary to would allow for the reallocation of the salary and benefit allocation for the position.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-089 as presented. Motion carried unanimously.

10. Resolution No. 2010-090, a Resolution Awarding Quote for Outsourcing the Mowing of Nuisance Weed/Grass Abatement Lots

Lorsung gave a staff report whereas three quotes were received for nuisance weed/grass abatement lot mowing. The low quote was submitted by Cory's Complete Lawn Care and Snow Removal for a quote of \$32.00 per lot and a \$2.00 mobilization charge if the owner has already cut his grass.

Lorsung recommended that the 2010 fee that is charged for properties abated using a private vendor would be the actual cost charged by the vendor to the City for the service and the \$25.00 administrative charge as designated in the City Fee Schedule.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-090 as presented and to charge the properties abated using a private vendor the actual cost charged by the vendor and the \$25.00 administrative charge. Motion carried unanimously.

11. Update on Website Issues

Lorsung gave a staff report whereas the City has continued to work with Mr. Branden Apitz on the operation of the website. Apitz has informed staff that the website may need a dedicated server for the site because of the size of usage for the site. Apitz stated that

he is unable to provide the dedicated server and should the City decide to request proposals for a new host that he will assist the City with the transition.

There was comment that Apitz provided the City with a good website design. It was questioned if there would be additional costs for a new host.

Motion by Larson, second by Kennedy to go out for RFP's for a new website host and to continue to work with Mr. Apitz until the transition has been made. Motion carried unanimously.

L. Consent Agenda

1. Accounts Payable in the Amount of \$157,958.01 and Payroll in the Amount of \$64,588.55
2. Approval of the March 9, 2010 Planning Commission Meeting Minutes
3. **Resolution No. 2010-091**, a Resolution to Move the August Planning Commission Meeting to Wednesday, August 11, 2010 Due to the Primary Election to be Held on Tuesday, August 10, 2010
4. Approval of PAC Letter of Support
5. **Resolution No. 2010-092**, a Resolution Amending the 'Use of Force' Policy
6. **Resolution No. 2010-093**, a Resolution Approving Application for Exempt Gambling Permit to the National Wild Turkey Federation – Triple Gobble
7. **Resolution No. 2010-094**, a Resolution Approving Neighborhood Stabilization Program Item
8. **Resolution No. 2010-095**, a Resolution Declaring Certain Property as Surplus and Authorize it's Disposal
9. Approval of Training and Travel Request – Councilor Larson

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

At 7:45 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 a status report on the Local 49 negotiations.

N. Closed Session

1. Collective Bargaining

Wimmer re-convened the meeting back into open session at 8:00 p.m. Wimmer stated that Mr. Joslin, City Attorney, would provide comment on what was discussed in Closed Session.

Joslin stated that the Closed Session was held for the purpose of updating Council and discussing the status of negotiations with regard to the International Union of Operating Engineers Local No. 49.

Joslin stated that the Local 49'ers rejected the first proposal and there was discussion on the position the City has taken. That the next step would be to go back into mediation.

Council had brief discussion that the City must try to move forward with the mediation process but must also look at alternate ways to provide services at a cost the City can afford.

There was brief discussion on the position the Council had taken to authorize the hiring of two Public Works Maintenance Technicians and if this should be placed on the next City Council agenda for further review and consideration.

Council had brief discussion on the current negotiation process that has been taken and to take the current position held on the health benefits.

Motion by Larson, second by Kennedy to move forward with the negotiation process supporting the position of the health benefits that have been a part of the negotiations to date.

Adjournment

Motion by Kennedy, second by Larson to adjourn. Motion passed unanimously.
Meeting adjourned at 8:03 p.m.

Respectfully Submitted,

Irene J. Bauer
Assistant City Administrator/City Clerk