

**MINUTES
CITY OF ISANTI
CITY COUNCIL
July 7, 2009
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, Council Members Jeffery Kolb, Jim Kennedy, Sue Larson, and Ross Lorinser.

Members Absent: None.

Staff Present: City Administrator Don Lorsung, Assistant City Administrator/City Clerk Irene Bauer, City Attorney Clark Joslin, Community Development Director Carla Vita, Finance Director Kristi Smith, Police Chief Ron Sager, and City Engineer Brad DeWolf.

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

E. Proclamations/Commendations/Certificate Awards

1. Mayor's Presentation of Great Yard Awards for the Month of June

Mayor Wimmer presented a certificate to Billy and Jessica Evers for the 1st place winner of the Great Yard Award for the month of June. The winners of the 2nd and 3rd places were not present to accept their certificates and are as follows:

- 2nd Place – Craig and Carla Nelson
- 3rd Place – David and Tara Hallberg

F. Approve Minutes

Motion by Kennedy, second by Larson to approve the minutes of the June 16, 2009 City Council Work Session, June 16, 2009 Regular Meeting of the City Council, June 30, 2009 Special Meeting of the City Council, and the June 30, 2009 Closed Meeting of the Special Meeting of the City Council. Motion carried unanimously.

G. Citizens Input – There was none.

H. Announcements - Announcements were read.

I. Council Committee Reports

Council Member Sue Larson reported on the following meetings she had attended:

- Public Works Committee
- Isanti Community Involvement Team
- East Central Regional Development Commission (ECRD) annual meeting
- Arena Board
- League of MN Cities (LMC) Annual Conference

Mayor Wimmer reported that Councilmember Larson was elected to serve on the LMC Board. Reported on the marketing flyers that have been printed and are being distributed at various locations in the City and reported on the Finance Committee meeting and that at this meeting there was discussion on mutual aid calls.

J. Public Hearings - There were none.

K. Business

1. Resolution No. 2009-153, a Resolution Re-Designating the Official City Newspaper for 2009

Bauer provided a brief overview whereas the City Council directed that the Official City Newspaper for the remainder of 2009 is rebid because the current Official Paper for the City, the Isanti-Chisago County Star changed their paper from a free newspaper to a subscription based newspaper and that may have had an effect on the number of newspapers that are distributed within the City of Isanti. Council had also directed that the bids received must include circulation numbers for the City of Isanti.

Bauer opened and read the bids that were received for the Official Newspaper for the remainder of year 2009 as follows:

Isanti County News: \$4.99 per column inch with a circulation of 4088 households in the 55040 zip code that includes all of the City of Isanti of approximately 2,000 households.

Isanti-Chisago County Star: \$1.84 per column inch with a circulation of 591 in the City of Isanti.

Joslin reviewed the statutory requirements for a qualified newspaper that is allowed to publish public notices.

There was discussion on the additional cost should the Isanti County News be selected to be the Official Newspaper for the balance of year 2009, whereas the cost would be three times higher than what the current Official Newspaper is charging that could equate to an additional cost of \$3-5,000. There was discussion that this is a service to the community and public notices should be distributed to as many households as possible.

Motion by Larson, second by Kolb to approve Resolution No. 2009-153 awarding the bid to Isanti County News to be the Official Newspaper for the balance of year 2009 based on the circulation whereas the Isanti Chisago County Star does reach all of the citizens in the City.

2. Resolution No. 2009-154, a Resolution to Amend the Bylaws of the Isanti Volunteer Fire Department Relief Association

Lorsung provided an overview of the request by the Isanti Volunteer Fire Relief Associations' request to consider amending their bylaws by incorporating Section VIII, Death Benefits and Pensions. Lorsung stated that City Attorney Joslin recommended that based on statutory language that the term "permanent" as used within the proposed resolution by the Relief Association is changed to "full-time" to follow State Statute..

Motion by Lorinser, second by Larson to approve Resolution No. 2009-154 as amended. Kolb abstained stating a conflict of interest. Motion carried unanimously.

3. Request to Waive Conditional Use Permit Application Fees / Library Link Agreement – Greg Owens, Representative of the Friends of the Library

Greg Owens, Representative of the Friends of the Library requested consideration to have the application fee plus costs waived for a Conditional Use Permit for the proposed library link to be located in City Hall.

Owens also discussed with Council the agreement between the City of Isanti, East Central Regional Library (ECRL) and the Isanti Area Friends of the Library. Owens stated that the Library Director has stated that they would want the agreement that has been developed to be between the City of Isanti and the ECRL, and that the Isanti Area Friends of the Library should not be a part of the agreement. The reason provided for this is that the City of Isanti and ECRL are governmental entities and that the Isanti Area Friends of the Library is an ad-hoc committee. There was comment made by the Council that the ECRL must communicate with the City so that this matter can be resolved. The Council requested that information in writing.

Motion by Lorinser, second by Kolb to approve waiving the fee and associated costs for the Conditional Use Permit that is required to place the Library Link in City Hall. Motion carried unanimously.

4. Resolution Approving Neighborhood Stabilization Program Initial Property Set-Up Form and Neighborhood Stabilization Program Disbursement/Expenditure Request Form for 1111 Maplewood Avenue and Authorization for Release of Funds Prior to Inclusion on the Accounts Payable List

Vita gave a staff report whereas the City of Isanti has received its first request for assistance through the Neighborhood Stabilization Program (NSP) and that there must be Council action to approve the resolution approving the disbursement/expenditure request form and authorize the release of funds to the applicant. Mayor Wimmer stated that the recipient of the funding through the Neighborhood Stabilization Program provides for \$12,500 towards the down payment and up to \$21,500 for rehabilitation of the property. Mayor Wimmer introduced Mr. Mike Lemon as the first party in Isanti to be approved for NSP funding..

5. Resolution No. 2009-155, a Resolution Approving Memorial Giving / Donation Policy for the City of Isanti

Vita gave a staff report whereas the Park and Recreation Board have recommended approval of the Memorial Giving/Donation Policy. Vita stated that the Memorial Giving Policy covers a broad range of memorials and is not meant to be exhaustive.

Larson inquired if the policy provided for donations outside of Parks and Vita stated that the policy was intended for park memorials and donations.

Motion by Kennedy, second by Kolb to approve Resolution No. 2009-155 as presented. Motion carried unanimously.

6. Discussion on the Creation of an Arts and Culture Board

Mayor Wimmer reviewed the need to consider a group of individuals that would meet to review and consider the culture and history of the City. City Attorney Joslin stated that State Statute provides that an Arts and Culture Commission is allowed only for first class cities of which the City of Isanti is not a first class city.

There was discussion on allowing a group of people to act to preserve the culture of the City and that the group would not be an official City Board.

There was comment of how much time this would take from Staff and it was stated it would be minimal and that Staff would only assist in some areas of research.

There was a consensus of the Council to allow a group of people to meet with the purpose to preserve the culture and the history of the City.

7. Resolution No. 2009-156, a Resolution Authorizing Approval of the Monthly Energy and Maintenance and Installation of Lights for 3rd Avenue Northwest and an Electrical Transformer in the Northwest Quadrant of Bluebird Park

DeWolf gave a staff report whereas Staff has worked with Connexus Energy and the Development Advisory Committee (DAC) to lay out a lighting system along 3rd Avenue NE. DeWolf reviewed the lighting options and the funding sources whereas lighting north of Isanti Parkway includes installing lights on the east side of 3rd Avenue from Isanti Parkway to the north end of the soccer fields for a cost of \$17,483.00 and the funds for this lighting will come from the Letter of Credit draw from the Villages on the Rum 3 Development for the improvement of 3rd Avenue.

DeWolf stated that the lighting south of Isanti Parkway would be installed on the west side of the street between the existing curb and sidewalk. The cost to install five new lights mounted on new light poles is \$23,611.50 and will be funded from securities held from Iverson Real Estate Corporation for the Villages on the Rum 4th Addition.

DeWolf stated that the power supply to Bluebird Park would supply power in the northwest corner of Bluebird Park and that the cost for a 200-amp underground power source would cost \$4,500.00. The funding for this improvement would come from the Park and Recreation dedication fund.

There was brief discussion on the power supply in Bluebird Park and would it handle bands that may use it when the band shelter is installed in the park and it was noted that it would handle this type of use.

Motion by Lorinser, second by Larson to approve Resolution No. 2009-156 as presented. Motion carried unanimously.

8. Resolution No. 2009-157, a Resolution Accepting Bid for the 2009 Seal Coat Project

DeWolf stated that on Tuesday, June 30, 2009 four bids were received for the Seal Coating Improvements project. The engineer's estimate was \$123,350 and that the bids received ranged from a low bid of \$97,510.00 to a high bid of \$170,500.00. DeWolf recommended the bid is awarded to Asphalt Surface Technologies (ASTECH) of St. Cloud, Minnesota in the amount of \$97,510.00.

Motion by Larson, second by Kennedy to approve Resolution No. 2009-157 awarding the low bid to ASTECH in the amount of \$97,510.00. Motion carried unanimously.

9. Resolution 2009-158, a Resolution Awarding Quotes for the Construction of a Basketball Court in Bluebird Park

DeWolf stated that on June 30, 2009 the City accepted bids for the construction of a basketball court in Bluebird Park. Bids received ranged from a low bid of \$15,565.70 to a high bid of \$28,622.70 for the construction of the basketball court. Quotes were obtained for the basketball equipment that included two basketball hoops, two nylon nets, and two benches and that Midwest Playscapes submitted the low quote of \$2,494.23 and Minnesota/Wisconsin Playground quoted \$2,700.29 for this equipment.

Motion by Kennedy, second by Larson to approve Resolution No. 2009-158 awarding the bid for the construction of the basketball court to Rum River Contracting for a bid of \$15,565.70 and awarding the quote for the basketball equipment to Midwest Playscapes, Inc. for a quote of \$2,494.23. Motion carried unanimously.

DeWolf stated that orientation of the basketball court to be constructed shall be parallel to First Avenue for placement in a northerly-southerly direction.

10. Resolution No. 2009-159, a Resolution Adopting Towing Policy for the Police Department

Sager gave a staff report whereas the Minnesota State Supreme Court has made changes to the law of how and when an officer can tow a vehicle. Sager stated that the new policy complies with state regulations and that the Police Committee has reviewed the amended policy and has recommended its approval.

Motion by Kennedy, second by Lorinser to approve Resolution No. 2009-159 as presented. Motion carried unanimously.

11. Resolution No. 2009-159-A, a Resolution Authorizing Staff to Enter into a Services Agreement Between the State of Minnesota, Tenth Judicial District and the City of Isanti Police Department for Implementation of the Electronic Citation Interface System

Motion by Kennedy, second by Ross to approve Resolution No. 2009-159-A as presented. Motion carried unanimously.

13. Appointments to East Central Cable Commission

Lorsung stated that some cities that are members of the East Central Cable Commission have been reviewing the Joint Powers Agreement (JPA) that created the Commission. That as a part of the review they have looked at their own membership appointments to the Commission. Lorsung stated that the JPA states that the City Council of each member city shall be entitled by resolution to appoint two directors and respective alternates to the Commission and that at least one of the appointed directors and their alternate shall be a member of the City Council. Lorsung stated that the other director could be a member of the City Council or a qualified voter residing in that municipality and that the JPA states that directors serve for a term of two years.

Lorsung stated that the City Council has appointed Councilmember Jeff Kolb to serve as a Director on the Commission and that the Council could at its discretion appoint an additional director from the City Council or a qualified citizen. Lorsung stated that Mr. Clell Bone has served on the Commission for a number of years and that the Council could appoint him to continue his service if Mr. Bone was agreeable to the appointment.

There was general discussion on Mr. Bone's involvement on the Commission. There was discussion on voting rights and there was consensus to keep Mr. Bone on the Commission as a Director and that Councilmember Kolb would retain the voting rights and Mr. Bone could vote in Kolb's absence.

Motion by Kolb, second by Kennedy to appoint Mr. Bone to serve as a Director on the East Central Cable Commission for the remainder of year 2009 and that Mr. Bone shall have the authority to vote when Councilmember Kolb is absent from a meeting. Motion carried unanimously.

L. Consent Agenda

1. Approve Douglas-Kerr Underground Pay Estimate No. 4 in the amount of \$22,495.12 for Work Completed on the 2008 Street Improvement Project
2. Approve C & L Excavating Pay Estimate No. 3 in the amount of \$17,328.29 for Work Completed on the Fairway Greens Commercial Improvements Project
3. **Resolution No. 2009-160**, a Resolution Accepting Final Pay Request for the WWTF Painting Project and Placing in a Two Year Warranty Period
4. Approve C & L Excavating Pay Estimate No. 1 in the amount of \$18,476.91 for Work Completed on the Sun Prairie Storm Sewer Improvements.
5. Accounts Payable in the Amounts of \$266,183.81 and Payroll in the Amount of \$74,652.72
6. Approval of April 28 and May 26, 2009 Park & Recreation Board Meeting Minutes
7. Approval of May 26, 2009 EDA Minutes
8. Approve 2009 Audit Contract
9. **Resolution No. 2009-161**, a Resolution Terminating the Employment of a Part Time Liquor Store Clerk
10. Approve the Isanti Police Reserves to accept the offer to use a Donated ATV Gator for Rodeo/Jubilee Days
11. **Resolution No. 2009-162**, a Resolution Rescinding Resolution 2007-021 and Removing Community Development Director Vita from the East Central Regional Development Commission Transportation Advisory Committee and Recommending Her Replacement with City Engineer DeWolf
12. Approve NSP Policy Modification
13. **Resolution No. 2009-163**, a Resolution Approving Neighborhood Stabilization Program Disbursement/Expenditure Request Administration Costs Only
14. **Resolution No. 2009-164**, a Resolution Accepting Donation for the Mayor's Great Yard Award Project

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

Adjournment

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

Meeting adjourned at 8:00 p.m.

Respectfully Submitted,

Irene J. Bauer
Assistant City Administrator/City Clerk