

**MINUTES**  
**CITY OF ISANTI**  
**CITY COUNCIL MEETING**  
**TUESDAY, JULY 7, 2020 – 7:00 P.M.**  
**CITY HALL**

Mayor Johnson called the meeting to order at 7:00 p.m.

The Pledge of Allegiance was recited

Members Present: Mayor Jeff Johnson, Councilors: Jimmy Gordon, Paul Bergley, Steve Lundeen and Dan Collison

Staff Present: City Administrator Josi Wood, Human Resources/ City Clerk Katie Brooks, Chief of Police Travis Muyres and Community Development Director Sheila Sellman

Others Present: Joanne Albin, Rick Albin, Scott Boerlke, Mike Colbaugh and Mary Colbaugh

**D. Public Comment**

Rick Albin, 941 Winsome Way NW, shared his concern for fireworks within the city and what can be done to stop it.

Chief of Police, Travis Muyres shared that last weekend there were approximately six or seven fireworks calls and out of those six or seven only two contacts were made.

Mayor Johnson stated that if the police are not called, they do not know about it.

Chief Muyres stated the issue is that it is hard to pin point where the violations are and it helps when the caller specifies the exact location.

Johnson stated the caller can stay anonymous if they prefer.

**E. Adopt Agenda**

Addendum:

**Remove L.12**

Motion by Lundeen, second by Bergley to approve to the agenda with the modifications listed above. Motion passed 5-0. Motion carried.

**F. Proclamations/Commendations/Certificate Award**

None

**G. Approve City Council Minutes**

1. June 16, 2020- Regular Meeting of the City Council
2. June 16, 2020- Committee of the Whole Meeting
3. May 19, 2020- Planning Commission Meeting
4. February 25, 2020- Parks, Recreation and Culture Board Meeting

Motion by Lundeen, second by Collison to approve minutes as presented. Motion passed 5-0.  
Motion carried.

#### **H. Announcements**

- |                                |   |
|--------------------------------|---|
| 1. Committee of the Whole      | Tuesday, July 21, 2020 at 5:00 p.m.   |
| 2. City Council Meeting        | Tuesday, July 21, 2020 at 7:00 p.m.   |
| 3. Planning Commission Meeting | Tuesday, July 21, 2020<br><i>(Immediately following the City Council Meeting)</i> |

#### **I. Council Committee Reports**

City Administrator Josi Wood shared that it is anticipated that Isanti County Public Health will be issuing an order regarding 207 Richard Ave. Once the letter is received, staff will be taking steps with the City Attorney regarding the property, as it has been a concern of Council and the residents of Isanti.

Mayor Johnson stated that the police department closed down a house involved with making methamphetamine at 207 Richard Ave. Johnson further shared that the house is now being deemed as a public health risk.

#### **J. Public Hearings**

- 1. Resolution 2020-121** To Authorize Nuisance Abatement for Property Located at 105 Rail Road Ave

Community Development Director, Sheila Sellman, shared that at the June 16<sup>th</sup> City Council Meeting, council called for a Public Hearing for consideration of a nuisance abatement for 105 Railroad Ave. Sellman continued to share that the owners have had some time to replace the roof and siding and there has been progress made on the roof, but no progress on the siding.

Motion by Councilmember Lundeen to postpone the public hearing to August 5th.

Mayor Johnson asked how long it has been going on.

Sellman stated since August of 2019.

Councilmember Collison stated he would be willing to wait two more weeks and there is no reason that the work should not be completed in two more weeks.

Councilmember Bergley asked if Community Development Director Sheila Sellman has followed the progress.

Sellman stated that yes, progress has been made since notice of the public hearing and the tarp has been removed that was covering up the holes. However, the order has not been completed as of today. Sellman further shared that she has not heard from the owners, but she understood they were in attendance.

Lundeen stated that he strongly recommends that the owners communicate with Sellman.

Owner, Mary Colbaugh, 105 Railroad Ave, shared that the issue is that they do not know how long it is going to take until the roof is stripped and the shingles are off to see what is in there. Colbaugh continued to share if they do not get a few days of non-rain and strip the roof before that there is thousands of dollars' worth of machinery and products inside the building that need to be moved.

Councilmember Gordon seconded the motion to postpone the public hearing to August 5<sup>th</sup>. Motion passed 5-0. Motion carried.

## **K. Business Items**

### **City Administrator Josi Wood**

#### **1. Resolution 2020-122** Approving a Special Event Permit for the 2020 Summer Spectacular Car Show (*Amy Davis*)

Amy Davis, Rum River Rods, shared that the Summer Spectacular Car Show is on August 8<sup>th</sup> in downtown Isanti 10:00 a.m. to 3:00 p.m. and they are expecting a few hundred cars at the event.

Motion by Lundeen, second by Bergley to approve resolution as presented. Motion passed 5-0. Motion carried.

#### **2. Resolution 2020-123** Expenditure Policy for Coronavirus Relief Funds

City Administrator Josi Wood shared that a component of the Cares Act allocated \$454,377.00 of Coronavirus Relief Funds to the City of Isanti. The funds are to be used for Covid-19 related expenses that occurred due to the public health emergency because of Covid-19. Wood went on to share that the expenses need to be non-budgeted expenses as well as would have had to be incurred between the dates of March 1<sup>st</sup>, 2020 and December 30<sup>th</sup>, 2020. With recommendation from the League of Minnesota Cities, staff has drafted a policy on how to spend the funds. The monies shall be used for technology upgrades, COVID testing, disinfection supplies, telework capabilities and medical supplies. Any money that is not utilized will be sent to the County for utilization and if there are still funds left it will be sent back to the federal government.

Councilmember Lundeen asked if the funds could be utilized for when City Hall was closed to the public and some staff were on paid leave.

Wood stated that staff that had to use Covid sick leave because they needed childcare services because they were quarantined may be reimbursable. Wood further stated that if staff stayed at home to telework, they are not. However, reimbursable expenses are still being developed.

Councilmember Bergley asked if the city is going to be doing COVID-19 testing.

Wood stated that medical supplies for testing will not be purchased, but the ability to get reimbursed for going to any testing center would be.

Motion by Lundeen, second by Collison to approve resolution as presented. Motion passed 5-0. Motion carried.

### **Community Development Director Sheila Sellman**

#### **3. Resolution 2020-124** Approving a Conditional Use Permit for 2 Drive-thru's at 801 Highway 65 PID 16.020.1100

Community Development Director Sheila Sellman shared that the request is for 2 drive-thru windows at 801 Highway 65 which is the CBD Joint building. The one on the northwest corner of the building will serve the existing CBD Joint retail space and the one on the east side is for a future tenant. A public hearing was held at the June 16<sup>th</sup> Planning Commission meeting where no one from the public spoke. Sellman further shared that because they are part of the Highway 65 overlay, a conditional use permit is required. Planning Commission and staff recommended approval.

Motion by Lundeen, second by Gordon to approve resolution as presented. Motion passed 5-0. Motion carried.

**4. Resolution 2020-125** Approving Conditional Use Permit for Commercial Recreation at 16 Main Street W PID 16.050.0490

Community Development Director Sheila Sellman shared that in the B-1 Central Business Zoning District, commercial recreation requires a conditional use permit. Therefore, the applicant is requesting a conditional use permit for a gymnasium type use for children. A public hearing was held on June 16<sup>th</sup> at the Planning Commission meeting. Planning Commission and staff recommended approval.

Motion by Lundeen, second by Collison to approve resolution as presented. Motion passed 5-0. Motion carried.

**5. Resolution 2020-126** Approving a Variance for Falcon National Bank for an Additional Freestanding Sign at 905 6<sup>th</sup> Ave Ct NE PID 16.113.0010

Community Development Director Sheila Sellman shared that Falcon National Bank is requesting a variance to allow an additional freestanding sign. The proposed sign is for name and address purposes and is 12 square feet. Sellman further shared that the bank is requesting the additional sign because the current sign along highway 65 is not visible on the entrance side of the property and it is confusing to users as to where the bank actually is. Sellman continued to share that the bank meets the requirements for the variance. Planning Commission held a public hearing on June 16<sup>th</sup>. Planning Commission and staff recommended approval.

Councilor Bergley asked if the sign is temporary.

Sellman stated it would be a permanent sign.

Motion by Collison, second by Lundeen to approve the resolution as presented. Motion passed 5-0. Motion carried.

**6. Resolution 2020-127** Approving a Preliminary Plat, Final Plat and PUD Amendment for property legally described as outlot A Legacy Pines 2<sup>nd</sup> Addition, Isanti County, Isanti Minnesota

Community Development Director Sheila Sellman shared that the applicant Everpine Land Holdings is requesting a preliminary plat, final plat and PUD amendment for Legacy Pines 2<sup>nd</sup> Addition and this will finish the project. Sellman continued to share that the plat contains 96 single family lots. The setbacks requested in the amendment change the house setback from 10 feet to 7.5 feet on both sides. The Planning Commission held a public hearing on June 16<sup>th</sup>. Planning Commission and staff recommended approval.

Motion by Lundeen, second by Bergley to approve resolution as presented. Motion passed 5-0. Motion carried.

**7. Ordinance-734** Amending the City Zoning Code, Ordinance 445, Section 13, Article 4 Subd 1(d) Accessory Structure Location

Community Development Director Sheila Sellman shared that complaints have been received from residents and right now the way the zoning code is written, accessory structures need to be 10 feet from the principal structure on the property. With lots that have odd shapes and large utility easements the property owners are not able to do it. Staff is recommending to update the zoning code by removing the 10 foot requirement and replacing it to refer the setback location to the State Building Code (which is currently 3 ft), it will reduce the need for future amendments from the city, and ease the restrictions from where an accessory structure can be located on a property. The Planning Commission held a public hearing on June 16<sup>th</sup>. Planning Commission and staff recommended approval.

Motion by Collison, second by Bergley to approve ordinance as presented. Motion passed 5-0. Motion carried.

**8. Ordinance-735** Amending the City Zoning Code, Ordinance 445, Section 3, Subd 1 Zoning Districts and Section 6 Adding R-1 A Rural Residential Zoning District

Community Development Director Sheila Sellman shared that as directed by City Council staff has prepared a zoning district “R-1A Rural Residential” for annexed properties and properties in town south of Palomino that are over 1-acre. Sellman continued to share that it is to address outdoor storage issues and the impervious surface. Sellman further shared that this has to be done in two steps where this is the ordinance creating the district and the next Planning Commission meeting will be the actual rezoning of the properties. A neighborhood meeting will be held on July 14<sup>th</sup> to discuss this matter. The Planning Commission held a public hearing on June 16<sup>th</sup> and Planning Commission and staff recommended approval.

Motion by Lundeen, second by Collison to approve ordinance as presented. Motion passed 5-0. Motion carried.

**9. Ordinance-736** Amending the City Zoning Code, Ordinance 445, Section 15 Subd E Fence Setbacks

Community Development Director Sheila Sellman shared that this ordinance is to amend the fencing requirements and right now the zoning code states that privacy fences that abut public right-of-way need to be setback 15 feet from the public right-of-way. Sellman continued to share that staff is recommending to take the language out and the property owners can go up to their property line as the 15 feet setback takes up most property owners’ backyards. Sellman further shared that if a property abuts a sidewalk, the fence needs to be setback a minimum of 2 feet from any sidewalk. Planning Commission held a public hearing and Planning Commission and staff recommend approval.

Councilmember Lundeen asked if Public Services Director Matt Sylvester was okay with 2 feet from the sidewalk.

Sellman stated that Sylvester is fine with 2 feet from any sidewalk.

Motion by Lundeen, second by Gordon to approve ordinance as presented. Motion passed 5-0. Motion carried.

**L. Approve Consent Agenda**

1. Accounts Payable in the Amount of \$503,597.10 Payroll in the Amount of \$99,051.55 and Second Quarter Payroll for Council/ Boards/ Commissions in the Amount of \$8,175.21
2. **Resolution 2020-128** Accepting Donation for Isanti Redbirds and Authorizing Expenditure of Same
3. **Resignation 2020-129** Accepting Cassandra Emmel Letter of Resignation
4. Approving Request for Proposals for Codification Services
5. **Resolution 2020-130** to Declare Certain Property as Surplus and Authorize its Sale by Public Surplus Online Public Auction
6. **Resolution 2020-131** Appointing Election Judges for the 2020 Primary Election
7. **Resolution 2020-132** Release of Development Agreement for Dollar General
8. **Resolution 2020-133** Amending a Donation from the Rotary Club of Cambridge & Isanti
9. **Resolution 2020-134** Approving Installation of CCTC Security Camera System at City Hall, Water Treatment Facility and Police Department
10. **Resolution 2020-135** Offering the Position of Part-Time Liquor Store Clerk to Krista Milne
11. **Resolution 2020-136** Offering the Position of Part-Time Liquor Store Clerk to Courtney Welfring
- ~~12. **Resolution 2020-XXX** Offering the Position of Part-Time Liquor Store Clerk to Hailee Elmer-Nelson~~

Motion by Bergley, second by Collison to approve Consent Agenda as presented. Motion passed 5-0. Motion carried.

**M. Other Communications**

1. Draft Minutes from the June 23, 2020 Parks, Recreation and Culture Board Meeting

**N. Closed Session**

1. Discussion regarding consideration to purchase Real Property pursuant to Minn. Stat. 13D.05, subd. 3(c) for PID 16.0292.100 and 16.5020.050.

Mayor Johnson announced the Council was going into closed session at 7:47 p.m. regarding purchase of real property pursuant to Minn. Stat. 13D.05, subd. (3) for PID 16.0292.100 and 16.5020.050.

Mayor Johnson reopened the meeting for a decision. A motion was made by Lundeen directing staff into negotiations on PID 16.0292.100, seconded by Collison. Motion passed 4-1 with Gordon voting nay.

**Adjournment**

Motion to adjourn by Bergley, second by Collison. Motion passed 5-0. Motion carried. The meeting was adjourned at 7:50 p.m.

Respectfully Submitted,

A handwritten signature in black ink that reads "Jaden Moore". The signature is written in a cursive style with a large initial "J" and "M".

Jaden Moore  
Deputy City Clerk/ Human Resources