

**MINUTES  
CITY OF ISANTI  
CITY COUNCIL  
AUGUST 21, 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 Michael Streiff

Members Absent: None

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

**D. Adopt Agenda**

1. Addendum - Add New K.5 Resolution Acknowledging Non-Payment of First Half Taxes and Penalties by C.L Hough LLC and Payment Thereof

Motion by Larson, second by Lundeen to approve the agenda with the addendum as presented. Motion carried unanimously.

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

None.

**F. Approve City Council Minutes**

Motion by Larson, second by Lundeen to approve the minutes of the August 8, 2012 regular meeting and budget work session of the City Council. Motion carried unanimously.

**G. Citizens Input**

None.

**H. Announcements**

Announcements were read.

**I. Council Committee Reports**

Councilor Larson reported on:

- **Community Education**
  - Drivers' Education
  - Impact of Community Education
- **East Central Regional Library Board**

- Preliminary Budget
- **Arena Board**
  - Emergency Maintenance Fixes
- **Friends of the Isanti Library**
  - Budget
  - Cuts in Library Services
- **Isanti Community Center Task Force**
  - Ballot Question
  - Capital Improvement Plan
- **LMC TIF Tax Force**

Mayor Wimmer reported on:

- **Foreclosure Reports**
  - Good Progress with Foreclosed Properties

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

None.

#### **K. Business Items**

1. **Resolution 2012-182 Approving the Special Event Application for Clay Stawski, on Behalf of, Wintergreens Golf and Grill**

Motion by Kennedy, second by Lundeen to approve Resolution No. 2012-182 as presented.  
Motion carried unanimously.

2. **Presentation on County Road 5 Sidewalk Improvements - Feasibility Report**

Mayor Wimmer announced the presentation by City Engineer DeWolf will look into the possibility and costs of doing a sidewalk improvement along County Road 5. It takes a look at whether the City can trade some of the space where the storm water pond is transferred so there would not be a negative impact to the businesses.

DeWolf stated the feasibility report determines necessary improvements, the need for right-of-way acquisition and gives a cost estimate and feasibility of the project.

The scope of project is a 5 foot concrete sidewalk on the south side of County Road 5 from Elim Lane to Credit Union Drive. The sidewalk would be right behind the curb.

There is currently a 5 foot sidewalk from Whiskey Road to Elim Lane and also an 8 foot trail from Credit Union Drive to Highway 65 - which was completed as part of a commercial development.

The drainage in front of the retail center would be able to be maintained the same.

A ditch would be placed in to maintain the storm water pond to not affect the retail parking lot.

The proposed improvements for the sidewalk would have pedestrian ramps built to ADA standards.

Easements would be needed along the retail center and also one small triangular easement would be needed by Credit Union Drive for a pedestrian ramp.

To proceed, a little bit of right-of-way is needed. This can be done without sustainably changing the sidewalk and would not affect the parking lot.

Currently, the total cost estimate for the sidewalk improvements is around \$74,000.00.

Mayor Wimmer stated he wants to have a connection to the north of County Road 5 included within the sidewalk improvement.

Mayor Wimmer stated it is anticipated that this improvement project would not cost the County any money.

Larson stated this has been a project the Council has been looking at for years.

Mayor Wimmer stated the sidewalk improvement project is critically important project for the City.

Larson inquired how the project would be funded.

Mayor Wimmer stated the project would be funded through the general fund.

Motion by Larson, second by Kennedy to authorize DeWolf to move forward in securing the right-of-way, obtain the necessary permits, and to provide an updated full total cost estimate for the sidewalk improvements. Motion carried unanimously.

**3. Resolution 2012-183 to Withdraw from the Isanti County EDA and to Prohibit the Isanti County EDA from Operating/Levying within the City of Isanti Boundaries**

Motion by Kennedy, second by Streiff to approve Resolution No. 2012-183 as presented. Motion carried unanimously.

**4. Resolution 2012-184 Calling for an Election on \$250,000 on General Obligation Bonds**

Lundeen inquired about the ongoing operating costs and how they will be maintained.

Mayor Wimmer stated that the current groups that use the community center for free could contribute to offsetting the costs of the community center by fundraising.

Mayor Wimmer added a friendly amendment to the resolution to have a 10 year payback for the general obligation bonds to ensure the debt will be paid off.

Motion by Kennedy, second by Larson to approve Resolution No. 2012-184 with the amendment to have a 10 year payback for the general obligation bonds. Motion carried unanimously.

**5. Resolution 2012-185 Acknowledging Non-Payment of First Half Taxes and Penalties by C.L. Hough LLC and the Payment Thereof**

Mayor Wimmer announced when the City received the parcel of land back there were delinquent taxes on the property and wanted to Council to be aware the City would be paying those penalties, as it would cost more money to pursue getting delinquent taxes paid.

Motion by Larson, second by Lundeen to approve Resolution No. 2012-185 as presented.  
Motion carried unanimously.

**6. Resolution 2012-186 Adopting Road Signing Policy for “Watch for Children” Signs**

Mayor Wimmer stated requests come in every few years for “Watch for Children” signs and no signs have been put up.

Chief Sager reported that MNDOT does not recognize these signs and they are not seen as effective.

Chief Sager recommends a policy be put in place to not allow “Watch for Children” signs.

There was discussion that it costs \$100.00 a sign and there need to be more than one sign.

Motion by Larson, second by Streiff to approve Resolution No. 2012-186 as presented. Motion carried unanimously.

**7. 25 MPH Speed Limits**

Mayor Wimmer stated this item came from residents wanting slower speed limits within the City.

Chief Sager stated the downfall with the request is 20% of the City would not be able to be signed according to MNDOT regulations, and noted it is also expensive. For one section of the City to be signed there is a minimum requirement of 6 signs; 3 signs each direction: one sign notifying individuals of the speed, one sign stating the new speed, and one sign stating the end of the speed. This would have to be done for both directions, making a total of 6 signs needed per roadway section of the City.

Motion by Lundeen, second by Larson to approve no change to the speed limit in residential areas. Motion carried unanimously.

**8. Tabled Towing RFP’s**

Chief Sager reported the City went out for bids for towing services. Bids were received from Leaf’s Towing and Recovery, Team Transport Towing and Recovery and Gerdin Auto and Tire.

Chief Sager stated all three services are reputable.

Towing services were looked into for the City, as currently the City does not have a contract with towing services.

There was discussion that Leaf Towing services misinterpreted the request for proposal.

Mayor Wimmer asked which towing company had the best price.

There was discussion that there was not a clean breakdown of the quotes.

Lorsung stated it is important that one firm is able to tow large vehicles.

Mayor Wimmer suggested this item be brought back to the next Council meeting.

Motion by Larson, second by Lundeen to table this item and for staff to come back with a summary and clean tabulation of the quotes and look at the size of vehicles that can be towed. Motion carried unanimously.

#### **9. Commercial Insurance RFP**

Lorsung stated staff is requesting to go out for RFP's for commercial insurance agents, for a 5 year contract for services. Going out for RFP's allows staff to look at pricing and all services that commercial insurance agents offer.

Motion by Streiff, second by Larson to approve the commercial insurance RFP and allow staff to seek commercial insurance RFP's. Motion carried unanimously.

#### **10. Resolution 2012-187 Approving a Policy for Providing the Option of a Stipend to Department Heads for Use of Personal Cell Phones for City Related Business and Approval of Chief Sager and Lieutenant Hill to Use Personal Mobile Phones**

Mayor Wimmer stated the stipend was proposed by the Police Chief and Lieutenant and that the current phones do not have the best service. This would save the City some money.

Mayor Wimmer stated there are privacy concerns with using the employees' personal phones and asked the City Attorney to further explain these concerns.

City Attorney Joslin stated the issue that needs to be brought to the attention of the employees is that if there is recorded information on an employee's personal phone, if it is for City business, it is presumed to be public data under the data practices act. There are a number of statutory exceptions that define certain types of data as non-public, but the employees need to be aware in the event of a freedom of information request the employee would be required to respond and turn over any recorded information classified as public information. This may mean turning over their personal phone even to determine if the recorded information is public information.

Lorsung asked Joslin if it would make any difference, because it is state law, if a policy is set in place.

Joslin stated if the City does not advise the employees of this information, the employees' may not be aware. Joslin continued the intent staff had in putting together the policy was to make clear to employees under certain circumstances, if public data was retained, they would have to turn over their phone subject to the data practices act.

Mayor Wimmer requested that this advisement to employees be placed in the personnel policy and not to have a form for employees electing to use their personal phone; the election form appears contractual.

Motion by Larson, second by Streiff to approve Resolution No. 2012-187 with the removal of the election policy form and to solely have the \$30 stipend given to the Chief and Lieutenant and allow the termination of the T-Mobile contract. Motion carried unanimously.

#### **11. Liquor Code Amendment - Add Multiple Events License**

- a. Ordinance 539 Amending City Code Chapter 76 - Alcoholic Beverages**
- b. Ordinance 540 to Amend to Code for the City of Isanti, Chapter 160, Fees**
- c. Resolution 2012-188 Adopting Fees Within the City of Isanti**

Lorsung stated the Blaine Jaycee's contacted the City earlier this summer requesting a multiple event permit because of the number of 3.2 licenses they need each year for all of their events, and the expense per license.

Staff looked into this, the Finance Committee reviewed, and it is recommended to add the option of multiple event license, amend the city code and charge a \$500 fee for multiple event licenses.

Lorsung added this is an annual license, for one location, for up to 20 events.

Mayor Wimmer noted this covers the cost for the license and also saves time for staff processing each license.

Motion by Larson, second by Lundeen to approve Ordinance No 539, Ordinance No 540 and Resolution No. 2012-188 as presented. Motion carried unanimously.

#### **12. Contractor Maintenance Services**

- a. Resolution 2012-189 Awarding Quote for Electrical Maintenance Services**
- b. Resolution 2012-190 Awarding Quote for Plumbing and Mechanical Maintenance Services**

Lundeen abstained himself from the meeting for this discussion as Lundeen is the owner of SDL services; SDL services submitted a quote to the City for plumbing and mechanical services.

Lorsung reported staff gathered more information regarding after hour/emergency rates and the availability of the service providers.

Mayor Wimmer stated he still is unsure why the City should go into a contract with vendors versus a preferred contact list.

Larson asked Joslin if the City cannot use SDL Services under a preferred vendor list.

Joslin stated the contact for SDL services would have to be approved each time in order to meet the criteria so it does not appear that the City is giving preference to the Council member.

Mayor Wimmer noted that staff went out for bids for both electrical and plumbing and mechanical services, and the first time around no bids were received. The second time the City went out for bids, Lundeen sent in a bid and was the only service provider that sent in a bid for plumbing and mechanical services.

Mayor Wimmer stated if the contracts are approved he wants to add the following stipulations:

1. It is to be noted in the resolution for plumbing and mechanical services that the City received no bids the first time around, and the second time the City went out for bids, SDL Services was the only service provider that submitted a bid
2. All issues/ management of services are handled through the City Administrator and Mayor
3. If services cannot be fulfilled (at any time) the contract can be terminated by the Council
4. A 6 month review on the services after the effective date that the contracts begin
5. Remove the option of the City's ability to go from Isanti Electric to Fries Electric for electric services

Motion by Larson, second by Kennedy to approve Resolution 2012-189 and Resolution 2012-190 accordingly for Isanti Electric for Electric Services and SDL Services for Plumbing and Maintenance Services, with the addition of the above stated stipulations to the resolutions. Motion carried unanimously.

**13. Resolution 2012-191 Approving Contract for the Position of Planning and Parks Director/ Assistant City Administrator for Lisa Wilson**

Motion by Larson, second by Streiff to approve Resolution No. 2012-191 as presented. Motion carried unanimously.

**L. Approve Consent Agenda**

1. Consider Accounts Payable in the Amount of \$195,283.91 and Payroll in the Amount of \$70,199.42
2. **Resolution 2012-192 Authorizing to Enter Into an Agreement Between the City of Isanti and Owls Hockey Club to Allow Parking a Motor Coach on City Property**
3. **Resolution 2012-193 Authorizing an Amendment to the City of Isanti's Liquor Store Policy**
4. **Resolution 2012-194 Approving HR/Deputy Clerk Henning to Join an HR Association**
5. **Resolution 2012-195 Accepting Donation for the City of Isanti**
6. **Resolution 2012-196 Approving Donation Box at Liquor Store**
7. Final Minutes of the July 10, 2012 Planning Commission Meeting

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

**Adjournment**

Motion by Kennedy, second by Lundeen to adjourn. Motion passed unanimously. Meeting adjourned at 8:01 p.m.

Respectfully Submitted,

Karissa Henning  
Human Resources/Deputy City Clerk