

**MINUTES
CITY OF ISANTI
CITY COUNCIL
August 4, 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, Jeffery Kolb, 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, Finance Director Kristi Smith, Economic Development Director Sean Sullivan, Police Chief Ron Sager, and City Engineer Brad DeWolf.

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

E. Proclamations/Commendations/Certificate Awards

1. Mayor's July Great Yard Awards

Mayor Wimmer announced the winners of the Mayor's July Great Yard Awards as follows:

First Place	Muriel & Clement Stine
Second Place	Shannon Krizan
Third Place	Jeffrey Strom

F. Approve Minutes

Motion by Kennedy, second by Lorinser to approve the minutes of the July 20, 2010 Budget Work Session and Regular City Council meeting 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 and announced upcoming events:

- Chamber Sponsored Sidewalk Sale Event – August 20 & 21
- Arena Board
 - o Ice is being made
- Highway 65 Coalition
 - o New booklet - Drive Safely

- Road work on Highway 65
- Northern Lights Express Open House
 - Passenger train from Minneapolis to Duluth
 - Reviewed routes and project projections
- GPS 45:93
 - Bringing companies to the region
- Fire District
 - Meetings are now held on Wednesday nights
 - Station 3 will be located at County Roads 9 and 45
- Election Memo
 - Employers must give employees time off to vote
- Foreclosure Roundtable
 - Look before you leap message
 - Public awareness
- League of MN Cities
 - Resides on three policy committees and reported what the committees are working on.

Mayor Wimmer reported on the following:

- Preliminary 2011 Budget will be considered at the September 7, 2010 Council meeting
- Attended Business meeting – Isanti is competitive
- TIF funds are generating a number of prospects

Public Hearings. There were none.

J. Business

1. Agenda Request – Number of Dogs Allowed per Household

Launa Hollen, 37 Buckskin Blvd. requested consideration that the City Code is amended to allow for four dogs per household versus the permitted two as provided in City Code. Hollen stated that she has taken in a rescue dog and that to keep the dog in addition to her current dogs would require her to obtain an Interim Use Permit and that the cost for the Permit is very costly. Hollen stated that she felt more residents would license their dogs if they know they would not have to disclose that they have more than the two allowed dogs per household. Hollen suggested increasing the cost of dog licenses that would provide more revenue for the City in place of a high Interim Use Permit fee. Ms. Hollen suggested Council consider testing a code change for a period of five years that would allow the change from two to four dogs per household and revisit the code after the five year trial period.

Kolb stated that he would like the request to allow for more dogs per household to be further reviewed by the Planning Commission.

There was much discussion on this matter and included that there would be residents who would not license no matter how many dogs were permitted, the issues that arise from the number of dogs kept, and that the City has ongoing issues relating to nuisance dogs.

Motion by Lorinser, second by Larson to deny the request by Ms. Hollen to increase the number of dogs allowed per household. Motion carried 3-2 (Kennedy and Kolb opposed).

2. Special Event Permit Application

a. Resolution No. 2010-190, a Resolution Approving Special Event Request

There was brief review of the Special Event Permit request submitted by Ms. Susan Gudim, 1112 Maplewood Court SW to allow her to block off the street for a block party on August 14, 2010. Staff stated that all requirements have been met as provided within policy.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-190 as presented. Motion carried unanimously.

3. Agenda Request – Uncompleted Sidewalks

Sidney Nelson, 606 Park Brook stated that he rides his bicycle to McDonalds two times a day. Nelson stated that it is dangerous to ride his bike on County Road 5 because the sidewalks do not run the full distance to the stated location; that he has been informed by many individuals that they have almost hit him and that it is dangerous to ride a bicycle on County Road 5.

Nelson inquired when the sidewalk system along County Road 5 would be completed. Council informed him that at this time there is no funding in the budget and the City must also work with the County because the sidewalks would be placed on County right-of-way. There is not sufficient right-of-way at this time.

Nelson inquired if the City could sell bonds for the project and there was review on bonds and grants.

There was comment from Council that the County Road 5 sidewalk project and other similar sidewalk projects are addressed when there is an area improvement planned or there is grant funding for the project.

There was review and discussion on alternate routes that may be a safer route to McDonalds because they are not high traffic routes.

4. Resolution No. 2010-191, a Resolution Replacing Resolution 2010-145; Approving an On-Sale Liquor and Sunday Liquor License to Captains on Long Lake, Inc. for DJ's Grill House in the City of Isanti

Mr. Herb Knutson, Captains on Long Lake, Inc. was present. There was discussion on the request by Mr. Herb Knutson to waive the previous requirement within Resolution No. 2010-145 that provided that Knutson must provide a copy of a contract or lease agreement between Nationwide Asset Management Group and Captains on Long Lake, Inc. that gives Captains the authority to operate DJ's Grill House. Knutson was present and he stated that he is unable to get the agreement from the bank because of the backlog they are working with on foreclosure properties.

There was discussion if Knutson would provide an indemnification of liability to the City in place of the previously required contract or agreement. Knutson stated that he would

sign an indemnification document. City Attorney Joslin agreed to prepare the required document.

Motion by Larson, second by Kennedy to approve Resolution 2010-192 that approves the Liquor License for DJ's Grill House and the conditions as previously set forth in Resolution No. 2010-145 with an amendment that Mr. Knutson provides a document indemnifying the City from any liability as it pertains to his operation of DJ's Grill House. Motion carried unanimously.

5. Resolution No. 2010-192, a Resolution Amending the Revolving Loan Fund Policy and Transferring Funds to the EDA Marketing Budget

Motion by Kennedy, second by Larson to approve Resolution No. 2010-192 that approves the Revolving Loan Fund Policy that extends the allowable term to ten years to match sources and uses of financing and to authorize \$26,000 to be transferred from the Revolving Loan Fund to the EDA Marketing budget line. Motion carried unanimously.

6. Rail Industrial Park Concept Plan

City Engineer DeWolf presented the Isanti Rail Industrial Park conceptual layout plan. The plan includes two wetland areas that are four acres each; four industrial lots of approximately twenty acres each; and four lots of approximately 1.85 acres that can be used as either commercial or industrial lots. The plan also included sanitary sewer and a twelve inch watermain to be installed in the proposed 200 foot wide right-of-way that is proposed on the westerly side of the plan. Wetlands in the center of the prime development area are proposed to be mitigated to another location on the site.

There was discussion on the following: accessing the proposed rail park via Isanti Parkway and 299th street; closing of the railroad crossing at 301st Street; placement of the switches as proposed versus looping the rail through the park; benefit and cost to change from a pond wastewater treatment facility to a mechanical facility and cost to move the rail park to the north of the proposed site to allow retaining the current wastewater facility; and placement of the Northern Lights Rail and if that would affect the proposed Rail Industrial Park plan.

Motion by Kennedy, second by Larson to direct Staff and the City Engineer to move forward with the Rail Industrial Park Plan in gathering more facts and providing different configurations for the park plan. Motion carried unanimously.

7. Resolution No. 2010-193, a Resolution Approving Bow Hunting Regulations

Motion by Kennedy, second by Lorinser to Approve Resolution No. 2010-193 as presented. Motion carried unanimously.

8. Resolution No. 2010-194, a Resolution to Recommended Approval of Bid for the Construction of the Cambridge-Isanti Bike/Walk Trail

Lorsung gave a staff report whereas the Bike-Walk Trail Committee has been working over the last several months to make the bike-walk trail a reality. The group has taken the next steps that include selecting a construction engineering firm and requesting bids from contractors for the construction of the project. The anticipated start of construction is August 23rd with a completion date set for July 1, 2011. In June, representatives from the City of Isanti, City of Cambridge, and Isanti County interviewed several construction

engineering firms. Based on the proposal submitted and the information provided the group chose Stonebrooke Engineering to provide the construction engineering for an amount of \$159,860.

Construction bids were let and the low bidder was Knife River with a total cost of \$1,208,829.14. State and Federal funds have been allocated for the project as well as local funds. A 5% contingency of \$60,441.45 is projected and it was stated that there are available funds of \$25,034 which leaves \$35,407 that the Cities of Isanti and Cambridge would have to pick up. The language provided within the Joint Agreement provides that both cities would need to give half of that amount (17,703.71) for the initial overrun costs. It was reported that there could be additional overrun costs that exceed the 5% contingency amount.

Mayor Wimmer reported that the Cambridge City Council approved a resolution recommending to award the bid and that their City would fund the \$35,407 5% contingency amount.

There was discussion on how the bid was let and City Engineer DeWolf stated that the bid was let on a per unit basis which is typical for this type of project. There was discussion of funding overruns that would exceed the 5% contingency amount and it was stated that should that happen those change orders must first be approved by the Bike/Walk Trail Committee and the City of Isanti and Cambridge would have to share in those costs.

Motion by Kennedy, second by Larson to approve Resolution No. 2010-194 as presented and that the award of said bid is subject to the condition that the City of Cambridge shall pay the 5% contingency amount (\$35,407.45) for any construction cost overruns that is not already covered by the available project funds. Motion carried unanimously.

L. Consent Agenda

1. Approval of Kuechle Underground, Inc. Pay Estimate No. 2 in the amount of \$39,653.79 for Work Completed on the County Road 5 Lift Station Improvement Project
2. Approval of Accounts Payable in the Amounts of \$676,860.43; Payroll in the Amount of \$67,669.60
3. **Resolution No. 2010-195**, a Resolution Approving Neighborhood Stabilization Program Items
4. Approval of June 22, 2010 Park and Recreation Board Minutes
5. Approval of May 25, 2010 Economic Development Authority Board Minutes
6. **Resolution No. 2010-196**, a Resolution Authorizing Payment of Membership Dues for GPS 45:93
7. Approval of Street Addressing Change
8. Approval of Park Naming Contest
9. **Resolution No. 2010-197**, a Resolution Authorizing to Enter into an Agreement between the City of Isanti and Judicial Administrative Support Services (JASS) for the Driving Diversion Program

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

Adjournment

Motion by Kolb, second by Lorinser to adjourn. Motion passed unanimously. Meeting adjourned at 8:28 p.m.

Respectfully Submitted,

Irene J. Bauer
Assistant City Administrator/City Clerk