

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, JANUARY 23, 2017**

**CALL TO ORDER**

The regular meeting of the Zimmerman City Council was called to order at 7:00 p.m. at City Hall by Mayor Earenfight, followed by the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Earenfight, Council Members Brisbin, Nathe, Smith and Whiting. Also present were Clerk/Treasurer Tillmann, Public Works Director Johnson and Attorney Schutt.

**AGENDA APPROVAL**

**Smith/Nathe unanimous to approve the agenda with the following changes:**

- Delay Consideration of Consent Agenda Item M, Solicitor's Application
- Discuss Annual County Ditch #1 Meeting with Sherburne County

**APPROVAL OF MINUTES**

**Whiting/Smith unanimous to approve the minutes of the January 9, 2017 Regular Meeting as presented.**

**CONSENT AGENDA**

**Brisbin/Nathe unanimous to approve the consent agenda with the exception of item m. License Application – Solicitor's License – Brain Freeze Inc Cream, which will be considered at a future meeting:**

- a. Approve the payment of claims (check #38757 - #38784) in the amount of \$10,668.70, and electronic payments (e-check #1434 – #1438) in the amount of \$31,043.62 as presented.
- b. Approve payment to Hawkins, Inc., in the amount of \$8,582.40 (ck #38785) for bulk chemicals to be used at the Wastewater Treatment Plant as identified on Invoice #4003795, as recommended by staff, to be paid from the SBR budget in the Sewer Fund.
- c. Approve the interfund loan payment to the Sewer Fund (Fund 602) in the amount of \$9,173.51, for redevelopment purposes, as authorized in City Council Resolution #2014-10-03 and EDA Resolution #2014-10-02.
- d. Approve the interfund loan payment to the Water Fund (Fund 601) in the amount of \$9,120.00, for the purchase of a New Holland Tractor, as authorized in City Council Resolution #2014-11-02.
- e. Accept the November 2016 Investment/Funds Report as presented.
- f. Accept the November 2016 Budget Report as presented.
- g. Adopt **RESOLUTION #17-01-05**, approving the Application for Exempt Permit for Zimmerman Ducks Unlimited Wigeons Chapter #309 for a gambling event to be held at a banquet at the Kriesel-Jacobsen American Legion Post 560, 12674 Fremont Avenue, Zimmerman, on April 27, 2017.
- h. Adopt **RESOLUTION #17-01-06**, approving the Application for Exempt Permit for Post 560 Sons of the American Legion for gambling events to be held at the Kriesel-Jacobsen American Legion Post 560, 12674 Fremont Avenue, Zimmerman, as follows:
  - March 18, 2017
  - May 27, 2017
  - November 22, 2017
- i. Approve the license application for three (3) Billiard Tables for the period of January 1 – December 31, 2017, for ZBG/Angeno's Pizza, Pasta and Bar, 13100 Fremont Avenue, Zimmerman, as requested.
- j. Approve the license application for a Bingo Operator for ZBG/Angeno's Pizza, Pasta and Bar, 13100 Fremont Avenue, Zimmerman, for the period of January 1 – December 31, 2017, as requested.
- k. Approve the license application for six (6) Electronic Entertainment Devices for the period of January 1 – December 31, 2017, for ZBG/Angeno's Pizza, Pasta and Bar, 13100 Fremont Avenue, Zimmerman, as requested.

1. Approve the Sewer & Water Installer License Application for Dennis Jensen, dba North Pine Aggregate, 14551 Lake Drive, Columbus, MN 55025, for the period of January 1 – December 31, 2017.

### **OPEN FORUM**

There was no one present to address the Council during Open Forum.

### **PARK BOARD REPORT**

#### Presentation – Eagle Scout Service Project Report

**Tim Gruis, Boy Scout Troop #91, 11049 - 261<sup>st</sup> Avenue, Zimmerman**, was present to address Council regarding his completed Eagle Scout Project in the City Park. Gruis and volunteers constructed baseball dugouts on Ron Ehley Field to help protect players from potential injuries by foul and stray baseballs. Gruis received donations from several community groups and businesses, including funds from the Zimmerman/Livonia Fire District and R & T Concrete, who donated blocks, mortar and employees to help with project construction. The project was completed over several months in the Summer and Fall of 2016. The dugouts were painted to match the school colors of Zimmerman High School.

**RESOLUTION #17-01-07 Whiting/Brisbin unanimous to adopt RESOLUTION #17-01-07, thanking Eagle Scout Candidate Tim Gruis of Boy Scout Troop #91 for the coordination of the project and his donation of time, and expresses their appreciation for his efforts to complete this Eagle Scout community project in the City of Zimmerman.**

The **January 3, 2017 Park Board Report** was presented by Park Board Member Ron Mathison. The Park Board is considering hosting a “Party in the Park” as a fundraiser for the Park Fund. Further discussion of a potential event will be held at the February meeting. Discussion was held regarding installation of baby changing stations in the men’s and women’s restrooms at the Civic Building. Public Works Director Johnson will investigate pricing and purchase and install as the Department schedule allows.

**Brisbin/Smith unanimous to accept the January 3, 2017 Park Board Minutes as presented.**

### **LAW ENFORCEMENT REPORT**

**Patrol Captain Bob Stangler, Sherburne County Sheriff’s Department**, provided an overview of activities for the month of December, 2016, highlighting the number of traffic related fatalities throughout the state in 2016. Driver distraction is the leading cause of pedestrian fatalities and has increased in recent years. The Sheriff’s Department is also experiencing an uptick in financial scams targeting senior citizens. In the month of December, the Sheriff’s Department received 287 calls for service, including 68 traffic stops, as opposed to 313 calls for service in the same time period in 2015 and 324 calls in 2014. There were 36 citations issued, not including long form complaints or in-custody arrests. One burglary and 5 thefts were reported in month with one suspect charged, 1 case closed, 2 determined to be civil and one case dropped because it was not actually a theft. Eleven property damage vehicle crashes were reported, and the department received 3 property damage complaints.

**Council accepted the Law Enforcement Report for December, 2016, by unanimous consensus as presented.**

#### Use of Sheriff’s Reserves for Wild West Days Traffic Control

Captain Stangler advised that the Sheriff’s Department would charge the City \$30 per hour per Reserve Officer if the Sheriff’s Reserves were used for security type details or traffic control on private property during the Wild West Days event in 2017.

Discussion was held regarding stronger protective measures that could be put in place to enhance safety during the event. Council discussed immovable barricades and how that might affect the response of emergency personnel if needed. **Margaret Genung, Owner, Uptown Off –Sale, 25965 Main Street**, provided information on how many people she staffs at her business to monitor her parking lot. Mayor Earenfight and Administrator

Piasecki will meet at the event site with Captain Stangler and Genung in the near future to discuss potential solutions.

**PUBLIC WORKS REPORT** – presented by Public Works Director Johnson

Change Order #1 – Lift Station #1 Rehabilitation

Johnson reported that Northern Plains Contracting, the contractor doing the Lift #1 Rehabilitation Project, has requested an extension for the substantial and final completion of the project to February 24, 2017 due to conditions beyond their control. Construction of the pump and controls is taking longer than anticipated and those items will not be delivered until after the original contract substantial completion and final completion dates. There will be no change in the contract price with an extension to the completion date. Staff and the City Engineer recommend approval of the request.

**RESOLUTION #17-01-08      Smith/Whiting unanimous to adopt RESOLUTION #2017-01-08, accepting Change Order #1 to extend the date of substantial completion for the Lift Station #1 Rehabilitation Project to February 24, 2017, with no change to the cost of the project, as requested and as recommended by staff.**

Sherburne County Ditch #1 Meeting

The City has received notice from Sherburne County that the annual County Ditch #1 meeting has been scheduled for Tuesday, February 21<sup>st</sup>. The agreement specifies that the committee includes a City Council representative, and in the past, former Councilmember Mathison attended the meeting with staff on behalf of the Council. Mayor Earenfight agreed to attend as the City Council representative.

**FINANCE REPORT** – presented by Clerk/Treasurer Tillmann

Social Media Use and Policy

Staff has been discussing the creation of a City Facebook page as another way to dispense information to residents and community members. Attorney Schutt drafted a Social Media policy which was provided to Council for review with packet materials for the meeting.

**Whiting/Brisbin unanimous to adopt the City of Zimmerman Social Media Policy as presented.**

**Nathe/Brisbin unanimous to authorize the establishment of a Facebook page for the City of Zimmerman, to be operated according to the City of Zimmerman Social Media Policy.**

**ATTORNEY’S REPORT**

Zimmerman-Livonia Fire District Joint Powers Agreement Overview

Attorney Schutt was present to provide an overview of the formation and function of the Joint Powers Agreement (JPA) with Livonia Township that created the Zimmerman-Livonia Fire District. The City and Township entered into the JPA in 2004 creating the joint Fire District from what used to be a City only Fire Department. Schutt advised that the Fire District is separate from a Special Service District. The Fire Board has some of the same powers as both the City of Zimmerman and Livonia Township, including the ability to purchase and acquire property and personal property. The District has limited ability to bond for debt. Funds collected by the District for operating expenses primarily come from property tax revenue collected by the City and the Township. The City provides 2 members to sit on the Fire Board representing the City, as does Livonia Township. In the event of a tie decision of the Board, members would appoint a neutral third party to help determine the outcome of a decision. Discussion was held regarding the reasons the Fire District was originally created and the drafting of the Joint Powers Agreement.

Recently, the Fire Department requested the District consider the purchase of a parcel of land for future construction of a new Fire Hall. Whiting questioned the need for a new Fire Hall and staff reported that space for

parking and training is tight at the current location, according to the Fire Chief. Extensive discussion was held regarding the financing of such a purchase and the potential financial impact on the City's taxpayers. Council questioned why the Fire Board was interested in purchasing the full 34-acre parcel, or if 10-acres or less would be sufficient to meet the Department's needs, noting the asking price of \$500,000 for the parcel was extremely high when the parcel was valued at significantly less. The Department has stated that Fire Relief gambling proceeds would be used to finance the purchase of the land, depending on the number of acres purchased. Member Smith also suggested the District consider soil testing of the parcel before purchasing to aid in the decision making process.

Council agreed by consensus that the City is not willing to use any taxpayer dollars to assist the District in purchasing the property.

### **MAYOR/COUNCIL ITEMS**

Mayor Earenfight noted the following upcoming events:

- January 28, 2017 – Passing the Bread Food Distribution; 9 – 11 a.m. at Sheriff's Department Substation
- February 20, 2017 – President's Day Holiday – City Offices Closed

Before adjourning, Mayor Earenfight asked for a moment of silence in honor of US military personnel and their families.

**Brisbin/Smith unanimous to adjourn the meeting at 8:18 p.m.**

Approved this 6th day of February, 2017.

s/s Kary Tillmann, Clerk/Treasurer

Approved 02/06/2017