

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, JANUARY 24, 2022**

**CALL TO ORDER**

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

**ROLL CALL**

Present: Council Members Bondhus, Dahl, Frederick, and Whiting. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Public Works Director Koehler and PW Parks and Utility Supervisor Dallager.

**AGENDA APPROVAL**

**Frederick/Dahl unanimous to approve the agenda with the following additions:**

- **2021 Audit Memo of Understanding – Finance Report**
- **Sale of City Fire Hall Property – Administrator’s Report**

**APPROVAL OF MINUTES**

**Bondhus/Frederick unanimous to approve the following meeting minutes as presented:**

- **January 3, 2022 Council Workshop**
- **January 3, 2022 Regular Council Meeting**

**CONSENT AGENDA**

**Bondhus/Dahl unanimous to approve the consent agenda as follows:**

- a. Approve the payment of claims (check #43865 - #43910) in the amount of \$46,011.47 and electronic payments (e-checks #2376 – #2381) in the amount of \$44,447.80, as presented.
- b. Authorize payment in the amount of \$25,277.50 (ck #43911) to Bolton & Menk for invoice #281347 for professional engineering services related to Water Supply Improvement for the period of October 30 – November 26, 2021 as recommended by staff.
- c. Accept Invoice #3131 in the amount of \$6,914.16 (ck #43912) authorizing payment to Metro West Inspection Services, Inc., for professional building inspection services in the City of Zimmerman for the month of December 2021, as recommended by staff.
- d. Approve the semi-annual payment to the Minnesota Public Facilities Authority (ck #43943) in the amount of \$20,576.16 for scheduled interest repayments on GO Revenue Bonds as follows and as recommended by staff:
  - 4<sup>th</sup> Avenue Water Treatment Plant -- \$7,623.20
  - 2010 SBR Expansion -- \$12,952.96
- e. 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.
- f. Accept the Budget/Investment/Funds report for November 2021 as presented.
- g. Accept the Building Permit Surcharge Report for December 2021 as presented.
- h. Approve the license application to operate Bingo for the period of January 1 – December 31, 2022, for the Zimmerman/Livonia Fire Relief Association, 26140 – 136<sup>th</sup> Street NW, Zimmerman, MN 55398 to operate at the following locations:
  - Zimmerman Café, Bar and Bowl, 25920 Gateway Drive, Zimmerman, MN 55398
  - ZBG/Angeno’s Pizza, Pasta and Bar, 13100 Fremont Avenue, Zimmerman, MN 55398
- i. Approve the following permit applications for the 2022 Wild West Days event as requested by the Zimmerman Community Club:
  - Event Permit Application and authorize the closure of Main Street between 2<sup>nd</sup> Street East and 3<sup>rd</sup> Avenue South from 12:00 p.m. on Friday, May 27, 2022 through Monday, May 30, 2022

- Parade Permit Application for a public parade to be held on Saturday, May 28, 2022 with staging and ending at the Zimmerman High School/Middle School, approving the closing of certain roads identified on the map provided for the duration of the parade, to be held beginning at 12:00 Noon
  - Facility Use Permit Application to utilize the Lions Park Civic Building, Picnic Shelter and Concession Stand, with all fees waived from May 26 – 30, 2022
  - Field Use Permit Application to utilize Randy Johnson Field #1 and #2 for a kickball tournament to be held May 28 – 29, 2022, with all fees waived.
- j. Approve the registration application to operate as a Sewer and Water Installer for the period of January 25 – December 31, 2022 as requested by the following:
- Richard Carty, dba Rick’s Plumbing, Inc., 1701 – 221<sup>st</sup> Avenue, Cedar, MN 55011
  - Darrin and Cherrish Emslander, dba Siteworx Excavating LLC, 2025 Gateway Circle, #2, Centerville, MN 55038.

**OPEN FORUM**

There was no one present to address the Council during open forum.

**2021 COUNTY ATTORNEY’S UPDATE**

**Kathleen Heaney, Sherburne County Attorney**, was present to provide an update of activities and services provided by the Sherburne County Attorney’s Office (CAO) through the prosecution contract for the City. Heaney and her staff enjoy a cooperative relationship with the Sheriff’s Department and appreciates the opportunity to work on behalf of the City of Zimmerman. In 2021, one-third of the City’s fine revenue collected, totaling \$6,923.82, was turned back the CAO for prosecution services for petty, misdemeanor, and gross misdemeanors in the City. The CAO opened 350 misdemeanor and petty misdemeanor cases for Zimmerman through the Court system, as well as providing training for law enforcement, processing warrant and in-custody arrests and prosecuting felony and gross misdemeanor charges.

County-wide, the Heaney’s Office has seen an uptick in the use of methamphetamine and other synthetic opioids. Heaney is pro-active in requesting the Legislature lower the threshold for charges for fentanyl possession.

**PUBLICS WORK REPORT** – presented by **Keith Koehler, Public Works Director**

**Engineering Updates**

Public Works Director Koehler reviewed the memo submitted by Engineer Bittner regarding several engineering related projects within City limits. Most notable, City Hall staff are working cooperatively with Bittner’s team on gathering required City financial information to submit a funding application to the MN Public Facilities Authority (MN PFA) for the future water tower/water treatment plant. The estimated loan amount is \$8,850,000 and will be based on the actual bid cost of the project. Koehler asked Council to adopt a resolution authorizing the loan application to the PFA, stating the City has the legal capacity to oversee development of the project and repay the loan, should the loan application be approved.

**RESOLUTION #22-01-02**

**Frederick/Dahl unanimous to adopt RESOLUTION #2022-01-02, attesting that the City has the legal authority to apply to the MN Public Facilities Authority (PFA) for a loan from the Drinking Water Revolving Fund for improvements to the City’s drinking water system, and the financial, technical and managerial capacity to repay the loan and ensure proper construction operation and maintenance for the design life of the project; and intends to use proceeds from the loan to reimburse any construction expenditures made prior to the issuance of the general obligation bond to the PFA. Motion carried.**

Kodiak Generator Maintenance Contract Renewal

Koehler presented a quote from Kodiak Power Systems for annual maintenance on the City's 11 permanent and portable generators.

**Dahl/Bondhus unanimous to approve the quote for generator maintenance for a period of three years (2021 – 2024) from Kodiak Power Systems as presented and as recommended by staff. Motion carried.**

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

2021 Report of Pay Equity Compliance

Council reviewed the 2021 Report of Pay Equity Compliance. The City is required to submit the report every three years, with 2021 being a required reporting year. Submission deadline is January 31, 2022.

**Frederick/Dahl unanimous to accept the 2021 Report of Pay Equity Compliance as presented and authorize the Mayor to sign said report prior to submission, on file in the City Clerk's Office, as recommended by staff. Motion carried.**

Re-investment of City Funds

The City had an investment with Financial Northeastern (FNE) mature last week with a value of approximately \$203,000. The funds were deposited into the FNE money market account by the brokerage firm, which had a balance of approximately \$30,000 prior to investment proceeds being deposited into the account. Staff has been in contact with regular brokers to provide a recommendation for reinvestment, based on current holdings and rates available for consideration.

**Whiting/Frederick unanimous to approve the re-investment of \$230,000 with Financial Northeastern for a period of 3 years at a rate of 1.25% with Goldman Sachs Bank USA utilizing funds held in the FNE Money Market account to complete the transaction. Motion carried.**

2021 Audit Memo of Understanding

Abdo has provided a Memorandum of Understanding for 2021 audit services for consideration and approval. In November 2021, Council approved a contract for certified audit services through 2024. The memo of understanding relates specifically to the provision of 2021 audit services, which is scheduled to begin on February 7, at a cost of \$33,550, if compliance testing for American Rescue Plan Act funds is necessary.

**Bondhus/Dahl unanimous to accept the Memorandum of Understanding between the City of Zimmerman and Abdo for audit services for the year ended December 31, 2021, as presented, and recommended by staff. Motion carried.**

**ADMINISTRATOR'S REPORT – presented by Randy Piasecki, City Administrator**

Sale of City Fire Hall Property

The MN Department of Natural Resources (DNR) has submitted an option to purchase to the City for the purchase of the City's Fire Hall property, including the fire station and all outbuildings at a purchase price of \$800,000. Attorney Mattick is currently reviewing the purchase agreement.

**Whiting/Frederick unanimous to authorize execution of the option to purchase property between the MN Department of Natural Resources (DNR) and the City of Zimmerman for the property located at 13028 Fremont Avenue, further described as Lot 1, Block 3, City Center, pending review and approval of the agreement by the City Attorney. Motion carried.**

Piasecki noted the North Ambulance is once again running 24-hours a day, 7 days a week within City limits, effective January 10, 2022. No action taken.

**MAYOR/COUNCIL ITEMS**

Acting Mayor Whiting noted the following upcoming events:

- January 29 – Passing the Bread Food Distribution 9 – 11 a.m. at UMA Precision Machining
- January 31 – Council Workshop with Attorney Mattick – 7:00 p.m.
- February 21 -- President’s Day Holiday – All City Offices closed

Before adjourning, Acting Mayor Whiting asked for a moment of silence in honor of US military, emergency services and healthcare workers at home and abroad.

**Frederick/Dahl unanimous to adjourn the meeting at 7:37 p.m. Motion carried.**

Approved this 7th day of February 2022.

s/s Kary Tillmann, Clerk/Treasurer

APPROVED 02/07/2022