

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, JANUARY 28, 2019**

CALL TO ORDER

The regular meeting of the Zimmerman City Council was called to order at 7:01 p.m. at City Hall by Mayor Stay, followed by the Pledge of Allegiance.

ROLL CALL

Present: Mayor Stay, Council Members Bondhus, Frederick, Shepard, and Whiting. Also present was Administrator Piasecki, Clerk/Treasurer Tillmann and Public Works Director Koehler.

AGENDA APPROVAL

Whiting/Frederick unanimous to approve the meeting agenda with the following addition to the Consent Agenda:

- **2018 Report of Pay Equity Compliance**

APPROVAL OF MINUTES

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

- **January 7, 2019 Regular Meeting**
- **January 14, 2019 Committee of the Whole Meeting**

CONSENT AGENDA

Shepard/Bondhus unanimous to approve the consent agenda as follows:

- a. Approve the payment of claims (check #40744 - #40777) in the amount of \$38,178.95 and electronic payments (e-checks #1753 – #1761) in the amount of \$41,043.91, as presented.
- b. Authorize payment in the amount of \$8,000.00 (ck #40778) to Abdo, Eick & Meyers as partial payment for certified audit services for the year ended December 31, 2018, per the agreement on file in the Clerk/Treasurer's Office.
- c. Approve payment to Vessco, Inc., in the amount of \$7,050.82, as identified on Invoice #75207 (ck #40779) for equipment needed to replace the Free Chlorine Controller 3 at the 6th Avenue Water Treatment Plant approved by Council on December 17, 2018, to be paid from the Water Fund as indicated by the Public Works Director.
- d. 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.
- e. Approve the interfund loan payment to the Water Fund (Fund 601) in the amount of \$8,320.00, for the purchase of a New Holland Tractor, as authorized in City Council Resolution #2014-11-02.
- f. Adopt **RESOLUTION #19-01-03**, approving the Application for Exempt Permit for Zimmerman Ducks Unlimited Wigeons Chapter #309 for a gambling event to be held at the Kriesel-Jacobsen American Legion Post #560, 12674 Fremont Avenue, Zimmerman, on April 25, 2019.
- g. Adopt **RESOLUTION #19-01-04**, 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 16, 2019
 - May 25, 2019
 - August 24, 2019
 - November 27, 2019
- h. Adopt **RESOLUTION #19-01-05**, approving the Application for Exempt Permit for the American Legion Auxiliary Unit #560 for a gambling event to be held at an event at the Kriesel-Jacobsen American Legion Post #560, 12674 Fremont Avenue, Zimmerman, on March 2, 2019.

- i. Approve the license application for a Solicitor for the period of January 29, 2019 – January 28, 2020, for a mobile ice cream truck for Michelle Remick, dba Brain Freeze Ice Cream, 16087 – 225th Avenue NW, Big Lake, MN 55309.
- j. Accept the 2018 Report of Pay Equity Compliance as presented and authorize the Mayor’s signature on said report prior to submission, on file in the City’s Clerk’s Office, as recommended by staff.

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

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. In 2018, one-third of the City’s fine revenue collected, totaling \$11,549.98, was turned back the County Attorney’s Office for prosecution services for petty and gross misdemeanors in the City. County-wide, the County Attorney’s Office has seen changes in the number of cases they are opening. Felony cases have increased approximately 3%, while gross misdemeanors have remained relatively stable and misdemeanor cases have dropped nearly 24% from last year. Heaney said her office enjoys a cooperative relationship with the Sheriff’s Department and appreciates their work within the City.

Heaney identified several trends the CAO is seeing in prosecution of crimes. Mental health issues and addiction seem to permeate their caseload. The CAO is working closely with local law enforcement and Health and Human Services to connect people with resources. Another area involving inter-agency collaboration is related to truancy. Local schools have been very responsive to attempts to intervene and keep kids engaged in school and school activities. Discussion was held regarding the use of e-cigarettes and vaping among juveniles.

LAW ENFORCEMENT REPORT

Patrol Captain Bob Stangler, Sherburne County Sheriff’s Department, provided an overview of law enforcement activities for the month of December 2018. In the month of December, the Sheriff’s Department received 361 calls for service, including 97 traffic stops, as opposed to 389 calls for service in the same period in 2017 and 287 calls in 2016. The Department issued 55 citations, not including long form complaints or in-custody arrests. There was one burglary of a vacant building and 13 thefts reported in the month. Six of those resulted in citations being issued, three unresolved as of yet, and 2 being civil complaints. Deputies responded to 1 vehicle crash with injuries and 10 property damage vehicle accidents. Last month, Deputies also issued 2 citations related to calendar parking violations. As a reminder, no parking is allowed on public streets between Midnight and 8 a.m., with Stangler adding that Deputies and City Public Works are working well together to ensure cars are removed from streets during weather events with plowable snow amounts.

Stangler expounded on comments made by County Attorney Heaney regarding vaping and the use of e-cigarettes among juveniles. School Resource Officers address numerous complaints of vaping in schools, but have difficulty identifying the kids who are doing it. The County’s Substance Abuse Prevention Committee works with community members and students in each school district to educate juveniles on the dangers and substance abuse and encourage students to abstain from participating in those types of activities. Anyone interested in participating with the committee can contact the Program Coordinator, Alisha Maxwell.

Council accepted the Law Enforcement Report for December, 2018, by unanimous consensus as presented.

PARK BOARD REPORT

The January 8, 2019 Park Board Report was presented by Chair Bondhus. Extensive discussion was held regarding the addition of a dog exercise area inside the walking path on the north side of Firemen’s Park. The initial cost will be approximately \$1,500 for fencing materials, with the potential for the addition of lighting and a water spigot in the future, depending on cost.

Whiting/Shepard unanimous to approve the installation of a dog exercise area in Firemen's Park as recommended by the Park Board.

The Park Board discussed board membership and the appointment of the 2019 Chair and Vice Chair. Bondhus reported that Member Whiting's term on the Park Board will renew at the end of January. Member Bondhus was reappointed as Chair, with Travis Wiskur appointed as Vice Chair.

Shepard/Frederick unanimous to reappoint Jay Whiting for a three (3) year term on the Park Board expiring January 31, 2022 and confirm the appointment of Josh Bondhus as the Park Board Chair for 2019 and Travis Wiskur as the Vice Chair for 2019, as recommended by the Park Board.

Discussion was held regarding upgrading the existing concession building and the development of a Park Board Face Book page.

Council agreed by unanimous consensus to accept the January 8, 2018 Park Board Report as presented.

Purchase of Park Bench

Staff has discussed with Council the purchase of a park bench to honor years of service to the City by former Mayor Dave Earenfight. Public Works Director Koehler presented the quote received. Proposed placement is across the street from the American Legion (north side of County Road 4), on the grassy area by the City parking lot.

Whiting/Frederick unanimous to approve the purchase of a park bench from Xccent Site Furnishings at a cost of approximately \$800, with funds to be taken from the Park Fund, as recommended by the Public Works Director.

Sherburne County SHIP Mini-Grant Application

Public Works Director Koehler reported that Sherburne County is offering a mini-grant opportunity in 2019 for projects that create opportunities for residents to eat healthy, be active and live tobacco-free. Koehler would like to submit a grant application for funding to purchase additional bike racks and a park bench to be placed along a high-usage portion of the City's trail system. If awarded, the City would be required to provide a 10% match, which could be funds or in-kind.

Whiting/Shepard unanimous to approve the submission of the Sherburne County SHIP Mini-Grant Application for improvements to the City's park trail system, with an in-kind match of at least 10% of the grant award, as recommended by the Public Works Director.

PUBLIC WORKS REPORT – presented by Public Works Director Keith Koehler

Water Connect/Disconnect Fees

Commercial or residential properties scheduled for shut off are those properties that are at least 2 months delinquent in payment. Those scheduled for shut off are notified in writing at least 30 days in advance of the shut off and given the opportunity to enter into a payment arrangement or appear before Council to request relief from payment. January 15, 2019 was a scheduled shut off day. At the start of the day on January 15, 29 properties were scheduled to be shut off. According to the City's fee schedule, a \$50 fee is to be assessed for every water turn on and every turn off.

During the recession, Council directed staff not to assess disconnect fees, as many residents were struggling with foreclosure and job losses. Council felt that imposing additional fees when residents were already 2+ months behind on water bills was only adding to the difficulty of paying their bills. Staff is asking Council to re-visit the issue at this time, as water shut offs are time-consuming for Public Works and Utility Billing staff. Revenues

collected for turning water disconnects and reconnects would cover the additional staff time it takes to turn water on and off, especially in winter months. Koehler added that many on the shut off list appear repeatedly and will strategically place vehicles over shut off valves to avoid being shut off. Staff offers many payment options to residents including the ability to enter into payment arrangements to avoid shut off.

Council agreed by unanimous consensus to direct staff to enforce utility disconnect fees as identified in the City fee schedule and impose fees for water connects and disconnects due to non-payment of utility bills.

Purchase of Industrial Root Grapple Bucket

Most of the funding to operate the City's compost site is provided by Sherburne County utilizing SCORE Funds generated by fees for solid waste disposal. The City's compost facility is one of four in Sherburne County, open to property owners in the County.

Staff proposes to purchase a 102" Notch Manufacturing Industrial Root Grapple Bucket for the loader used at the compost facility. This grapple bucket utilizes large tines that allow trees and brush to be moved without picking up dirt, which can cause problems with grinding of the materials. Staff has found a grapple bucket on the State Bid Contract for \$9,810 plus freight. Trueman Welters, using State Contract 141049, has provided a quote for a grapple at a discounted contract sales price of \$8,251.07 with a loader mount and hydraulic couplers are added to the quote. With the addition of freight, the purchase price offered by Trueman Welters totals \$8,946.07, a savings of \$800 than State Contract pricing.

Staff has contacted Ericka Beyer, the County Solid Waste Officer regarding a SCORE grant for this purchase, as it will be used at the compost facility. Beyer has advised that a SCORE grant will be considered by the County if the City agrees to purchase the grapple. Staff would not make the purchase unless grant funds are received.

Whiting/Shepard unanimous to approve the purchase of and payment for a Notch Manufacturing 102" Root Grapple Bucket from Trueman Welters in the amount of \$8,946.07, with payment from the 2019 General Fund, contingent upon receipt of SCORE Grant funding from Sherburne County for the purchase, as recommended by staff.

Prevention of Freezing Water Lines

Koehler stated that due to upcoming cold temperatures, residents should check their water temperature if there is a concern about water lines freezing. After running for 1 – 2 minutes, water temperature should be about 45 degrees. If less than that, there is the potential for freezing. Anyone with questions or concerns can call City Hall or Koehler at the Public Works office. No action taken.

FINANCE REPORT – presented by Clerk/Treasurer Tillmann

December 2018 Budget/Investments Report

Tillmann presented the investment, budget and account activity report for the month of December 2018. Typically, this report is placed on the consent agenda for review and approval, but as this was the first time this Council was seeing the report, Tillmann felt an explanation was necessary and would be helpful to incoming Council members.

Frederick/Whiting unanimous to accept the Monthly Budget/Investment Report for December 2018 as presented.

MAYOR/COUNCIL ITEMS

Mayor Stay noted the following upcoming events:

- February 2 – Chamber of Commerce Paint Party – 1 – 4 p.m.; Zimmerman American Legion

- February 9 – Shiver Elk River – activities 8 a.m. – 3 p.m. with Mayor Stay and Member Whiting participating in the Polar Plunge at 2:30 p.m.; Lake Orono, Elk River
- February 18 – President’s Day Holiday – All City Offices closed

Whiting/Shepard unanimous to adjourn the meeting at 8:19 p.m. Motion carried.

Approved this 4th day of February 2019.

s/s Kary Tillmann, Clerk/Treasurer

Approved 02/04/2019