

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, FEBRUARY 22, 2021**

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 Stay, followed by the Pledge of Allegiance.

ROLL CALL

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

AGENDA APPROVAL

Bondhus/Stay unanimous to approve the agenda with the following addition:

- **Completion of Probationary Period – Public Works Report**

APPROVAL OF MINUTES

Whiting/Bondhus unanimous to approve the minutes of the February 1, 2021 Regular Meeting as presented.

CONSENT AGENDA

Whiting/Stay unanimous to approve the consent agenda as follows:

- a. Approve the payment of claims (check #42870 - #42919) in the amount of \$46,744.19 as presented.
- b. Accept invoice #2726 in the amount of \$10,614.10 (ck #42920) authorizing payment to Metro West Inspection Services, Inc., for professional building inspection services in the City of Zimmerman for the month of January 2021, as recommended by staff.
- c. Approve payment to the Zimmerman/Livonia Fire District in the amount of \$244,949.55 (ck #42922) as identified on Pledge #1109 for Rochon Pay Request #7 for Construction Management services on the Fire Hall and Event Center through January 31, 2021, to be paid from bond proceeds as recommended by staff.
- d. Accept invoice #IN15444019 in the amount of \$201,638.47 (ck#42921) presented for payment by Municipal Emergency Services in the purchase of 22 SCBA Air packs with 44 tanks and 35 masks for the Zimmerman/Livonia Fire District to be paid from the City's allocation of COVID CARES Act Grant Funding as approved by Council on September 21, 2020, as recommended by staff.
- e. Approve the following transfers to the Capital Improvement Fund (Fund 400) to close out fund balances of completed capital projects as follows and effective December 31, 2020 as recommended by staff and the City Auditor:
 - General Special Assessments (Fund 504) -- \$256,595
 - 2001 Improvement Project (Fund 510) -- \$313,344
 - 2nd Street East (Fund 515) -- \$39,037
- f. Accept the Budget/Investment/Funds Report for November 2020 as presented.
- g. Accept the Budget/Investment/Funds Report for December 2020 as presented.
- h. Support the application of Clerk/Treasurer Tillmann for the Secretary position with the Minnesota Municipal Clerks and Finance Officers Association (MCFOA) and authorize the Mayor to sign a letter of support as requested.
- i. Approve the license application for a Bingo Operator for the period of January 1 - December 31, 2021, as requested by the Zimmerman American Legion Post 560, 12764 Fremont Avenue, Zimmerman, MN 55398.
- j. Adopt **RESOLUTION #21-02-02** approving the Application for Exempt Permit for the American Legion Auxiliary Unit 560 for a gambling event to be held at the Zimmerman American Legion Post 560, 12674 Fremont Avenue, Zimmerman, MN 55398 on May 29, 2021.
- k. Approve the permit application for fireworks sales for Jim Kreml dba Funworks Fireworks, 24690 – 116th Street, Zimmerman, MN 55398, at the location of Angeno's Pizza and Pasta/Zimmerman Bar & Grill, 13100 Fremont Avenue, Zimmerman, for the period of May 24 – July 5, 2021, as requested.
- l. Accept the January 2020 Building Permit Summary Report as presented.

OPEN FORUM

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

LAW ENFORCEMENT REPORT

Commander Ryan Broich, Sherburne County Sheriff's Department, provided an overview of law enforcement activities for the month of January 2021. The department received 325 calls for service, including 106 traffic stops with 16 offenses charged by citation, not including long form complaints or in-custody arrests. During the same period in 2020, there were 262 calls for service, with 363 calls in 2019. Six (6) theft reports were made, and the department also responded to 7 vehicle crashes with property damage or injuries. Two (2) criminal damage to property complaints were received of storage lockers being broken into. A suspect has been identified in that case. Broich reviewed other types of calls made during the month, noting no significant trends or incidents were reported.

Council agreed by unanimous consensus to accept the Law Enforcement Report for January 2021 as presented.

PUBLIC WORKS REPORT – presented by **Public Works Director Keith Koehler**

City Park Land Survey

Public Works Staff is working with the Park Board to establish a list of priority improvements to Lions Park. Koehler has contacted Engineer Bittner for a quote to complete a comprehensive land survey of the 96-acre park area. Bolton & Menk quoted a cost of \$15,500 to complete the work, which would include GPS locations of trees, equipment, buildings, ballfields and parking areas, as well as underground water and sewer mains and lines.

Whiting/Stay unanimous to authorize Bolton & Menk to complete a comprehensive land survey of Lions Park located at 25850 Main Street, Zimmerman at a cost not to exceed \$15,500, with funds to be taken from the Park Fund (Fund 226), as requested, and as recommended by staff. Motion carried.

Completion of Probationary Employment

Public Works Maintenance Technician Kyle Cliché completed his 6-month probationary period with the City on February 19th. Koehler reported that Cliché has successfully acclimated to the Department and should be considered a regular permanent employee. Completion of the probationary period has been documented in each employee personnel file.

Stay/Bondhus unanimous to accept the recommendation of staff and designate Public Works Maintenance Technician Kyle Cliché as a regular permanent employee of the City of Zimmerman, effective February 20, 2021. Motion carried.

Wild West Days Event Permit Applications

Kim Stasica and **Brian Heins**, representing the **Zimmerman Community Club** were present to explain the Club's plans for the 50th Anniversary 2021 Zimmerman Wild West Days. Stasica and Heins provided a proposed layout of weekend events as well as a detailed listing of planned safety measures due to COVID and current recommendations in place by the State of Minnesota and the Centers for Disease Control. Stasica and Heins will remain in close contact with City staff and the Sheriff's Department throughout the planning process.

Stay/Bondhus unanimous to approve the Event Permit for the 2021 Wild West Days and authorize the closure of Main Street between 2nd Street East and 3rd Avenue South from 12:00 p.m. on Friday, May 27, 2021 until 4:00 p.m. on Sunday, May 29, 2021, and approve the permit application for a public parade to be held on Saturday, May 28, 2021 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, as requested by the Zimmerman Community Club. Motion carried.

Mayor Stay closed the Council meeting to convene a meeting the Economic Development Authority at 7:31 p.m. The regular Council meeting was reopened at 7:58 p.m.

Public Hearing – Modification of Development District #1 and TIF Plans

At 7:59 p.m., Mayor Stay opened a public hearing to consider a modification of the Development Program for Development District #1, modifying existing TIF plans for TIF Districts #8 - #11, as well as the creation of TIF District #12.

Administrator Piasecki stated that Trident Development has an agreement to acquire Lot 1, Block 1, Zimmerman Commercial Park and proposes to construct a 3-story, 65-unit senior assisted living and memory care building. The project has received conditional use permit and site planning approval from the Planning Commission and the City Council. Trident’s project would be the first of its kind in the City, providing both assisted living and memory care units, with an estimated construction cost of \$10M and a total project cost of \$15.5M. The project not only provides specialized housing needs, but also creates 65+ jobs to operate all aspects of the facility from medical staff/care and assistance, meal preparation, laundry service, and building and property maintenance.

Trident submitted an application to create a Housing District and requested Tax Increment Financing (TIF) to assist with development eligible expenses. The City and EDA’s financial consultant, Jim Casserly has reviewed their application. As a TIF housing district, statute allows a maximum district life of 25-years and requires 20% of the units (13) be rent and income adjusted for persons making 50% of less of the area median income. Based upon a review of project costs noted in the application packet and in discussions with the developer, Casserly prepared a proposed TIF agreement, which was reviewed and accepted by the EDA immediately prior to the Public Hearing in front of the City Council.

The proposed District #12 TIF Plan has been submitted to the Sherburne County Board as required by statute. The County has provided a comment letter regarding the creation of District #12 which was read aloud by Administrator Piasecki. The Sherburne County Board of Commissioners supports the development of the project. The Property Tax Division identified three issues with the legal description and PID numbers, which will be addressed through the platting process.

Patrick Brama, Vice President, Trident Development LLC, reported that after the last Council meeting, Trident modified their building plans to include UV light filters in the HVAC systems that cover all common areas in the building to improve air circulation in those areas.

There being no other public comments, Mayor Stay closed the public hearing at 8:03 p.m.

RESOLUTION #2021-02-03 Stay/Whiting unanimous to adopt RESOLUTION #2021-02-03, modifying the development program for Development District No. 1 and the Tax Increment Financing (TIF) Plans for TIF Districts #8 - #11 and creating TIF District No. 12 and adopting a TIF Plan relating thereto. Motion carried.

ADMINISTRATOR’S REPORT –presented by Administrator Randy Piasecki

Administrator Piasecki provided an update on the Birch Grove Apartment project. Closing is scheduled for March 3, with construction beginning shortly thereafter. No action taken.

MAYOR/COUNCIL ITEMS

Mayor Stay noted the following upcoming events:

- February 27 -- Passing the Bread Food Distribution – 9 - 11 a.m., UMA Precision Machining with set up on Friday, February 26

Member Bondhus reported that two aerators have been placed in Lake Fremont and are currently operational, causing open water in some areas. The area has been signed appropriately as required by the permit and inspected by the MN Department of Natural Resources.

Before adjourning Mayor Stay called for a moment of silence in support of United States military and emergency services personnel and their families both at home and abroad.

Dahl/Whiting unanimous to adjourn the meeting at 8:13 p.m. Motion carried.

Approved this 1st day of March 2021.

s/s Kary Tillmann, Clerk/Treasurer

Approved 03/01/2021