

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, APRIL 7, 2025**

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 Dahl, followed by the Pledge of Allegiance.

ROLL CALL

Present: Mayor Dahl, Council Members Bondhus, Earenfight, Farber and Wells. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Public Works Director Koehler, Streets, Parks, and Utilities Supervisor Dallager, and Engineer Cook.

AGENDA APPROVAL

Farber/Wells unanimous to approve the agenda as presented.

CONSENT AGENDA

Earenfight/Farber unanimous to approve the consent agenda as follows:

- a. Approve the minutes of the March 17, 2025 Regular Meeting of the City Council as presented.
- b. Approve the payment of claims (check #47107 - #47143) in the amount of \$47,094.78 and electronic payments (e-check #3068e - #3080e) in the amount of \$67,963.44 as presented.
- c. Approve payment to Hawkins, Inc., in the amount of \$5,625.00 (check #47145) for bulk chemicals to be used at the Wastewater Treatment Plant as identified on Invoice #7005053, with funds to be paid from the SBR Budget in the Sewer Fund, as indicated by the Public Works Director.
- d. Accept Invoice #9688 in the amount of \$15,610.00 (ck #47146) authorizing payment to the Sherburne County Auditor/Treasurer's Office for 2025 Appraisals of Real Estate and Personal Property and Mobile Homes by the Sherburne County Assessor's Office as recommended by staff.
- e. Authorize payment to the Zimmerman/Livonia Fire Relief Association in the amount of \$134,220.20 (ck#47147), for 2025 State Fire Aid, Supplemental State Fire Aid and Police/Fire Aid, as identified by the MN Department of Revenue.
- f. Accept the Building Permit Surcharge Report for March 2025 as presented.
- g. Approve the application for fireworks/pyrotechnics display by Curt Serbus, as requested by the Zimmerman Community Club, 1978 Alpha Road, Princeton, MN 55371, for fireworks/pyrotechnics display at Wild West Days, to be held on May 25, 2025 (rain date May 26, 2025), as presented, contingent upon review and approval by the Fire Chief, and receipt of current insurance documentation.
- h. Approve an Event Permit Application to celebrate the Zimmerman American Legion Auxiliary 75th Birthday and Patio Opener on Saturday, May 3 from 11:00 a.m. to 8:00 p.m. at the Kriesel – Jacobsen American Legion Post 560, 12674 Fremont Avenue, Zimmerman.
- i. Approve an Event Permit Application for the American Legion Riders Annual Bike Run on Sunday, June 1, 2025 from 8:00 a.m. – 8:00 p.m. at the Kriesel – Jacobsen American Legion Post 560, 12674 Fremont Avenue, Zimmerman.
- j. Adopt **RESOLUTION #2025-04-01**, approving the Lawful Gambling Application for Exempt Permit for the Post 560 American Legion Riders for a gambling event to be held June 1, 2025, at the Kriesel-Jacobson American Legion Post 560, 12674 Fremont Avenue, Zimmerman, MN 55398.
- k. Adopt **RESOLUTION #2025-04-02**, approving the Lawful Gambling Application for Exempt Permit for the Post 560 Sons of the American Legion for a gambling event to be held November 26, 2025, at the Kriesel-Jacobson American Legion Post 560, 12674 Fremont Avenue, Zimmerman, MN 55398.

OPEN FORUM

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

FIRE PROTECTON REPORT

Fire Chief Ryan Maloney presented Fire Department Activity Reports for the months of February and March 2025. In February, firefighters responded to 5 medicals, 3 gas leaks, 2 personal injury accidents, 2 fire alarms

and 2 minor residential house fires, as well as a porta-potty fire in Firefighters Park. The department also helped two persons in distress – a lift assist and someone stuck in an elevator. During the month of March, there were 4 medical calls, 3 carbon monoxide alarms, 2 fire alarms, 5 grass fires, a vehicle fire, and a commercial building fire. The Department also responded to a call of burning leaves at a residential property. Maloney reminded Council that currently Sherburne County is included in the burning ban issued by the MN DNR. Residents may have small recreational fires, but any other burning is not allowed until further notice due to dry conditions. Maloney also reported that the ladder truck is out of service for at least a week while getting repaired and Engine #1 recently got new tires. Fire Academy graduation is scheduled for Wednesday, April 9 and 2 ZLFD firefighters are among the graduating class. No action taken.

Station #1 Event Center Update

Cindy Hunnicutt, Event Center Coordinator provided an update of activities for Station #1 Event Center. Hunnicutt continues to schedule events at the facility, with the second wedding of the year coming up in May. The American Legion Post held their second large Bingo event of the year this past weekend. The Fire Relief Association has donated funds to purchase additional umbrellas, garbage cans, and a storage container for the patio furniture and equipment. No action taken.

LAW ENFORCEMENT REPORT

Patrol Captain Ryan Broich, Sherburne County Sheriff's Department, provided an overview of law enforcement activities for the month of March 2025. The department received 457 calls for service, including 143 traffic stops with 23 offenses charged by citation, not including long-form complaints or in-custody arrests. During the same period in 2024, there were 428 calls for service, with 566 calls in 2023. Two burglaries were reported during the month, two theft complaints were filed and deputies responded to 2 property damage accidents. Captain Broich also reviewed a list of other types of calls received during the month.

Discussion was held regarding recreational vehicle (ATVs, golf carts, etc.) usage and complaints of said vehicles on City streets considering discussion during last month's Committee of the Whole Meeting. Broich stated that from 2010 – 2025, the Department had responded to 154 ATV complaints. So far in 2025, there have been six (6) complaints with one (1) citation issued. ATVs cannot be driven in ditches from April 1 – August 1 and are not allowed on City streets, with Broich adding that most law enforcement stops of recreational vehicles are an opportunity to educate people on the rules of use. Many instances of inappropriate or illegal use go unreported. Council suggested a newspaper article related to the legalities of proper use of ATVs and other recreational vehicles could be beneficial. No action taken.

PUBLIC WORKS REPORT

Wells #4/#5 Change Order No. 2

Brian Guldán, Bolton & Menk Project Engineer, was present to provide an update on the Well #4/#5 Project and presented Change Order No. 2 on behalf of Keys Well Drilling. Both wells were initially constructed and tested in 2023. At that time, both were functioning as required for standard well construction. Neither well was pumped from December 2023 to July 2024 while the Water Treatment Plant was being constructed. When the wells were pumped again in July 2024, they immediately began pumping quantities of sand. Investigation of Well #5 with the contractor shows that the concrete plug that supported the screen and gravel pack had failed, causing concrete and gravel pack to fall to the bottom of the well. Without the gravel pack, the screen cannot filter out fine sand of the Mt. Simon formation. Engineering staff and the Contractor theorize that the gravel pack for Well #4 is also compromised, which is why fine sand from 450 feet below the ground surface is entering the screen. In their current state, neither well can provide water supply to the treatment plant and additional work will be required to prevent the wells from pumping sand.

Guldán pointed out that the investigation showed there is nothing the Contractor did in error to cause the failure and there is nothing the Contractor could have done to prevent the failure. Keys Well Drilling has spent a

significant amount of time and resources trying to find the problem and resolve the issue. Guldan detailed costs associated with Change Order No. 2 to complete the well project, including costs for the Contractor's investigatory work at \$43,787.50, and the installation of new screens for each well at \$62,948.00, for a total of \$106,735.50. Engineering staff recommends the approval of Change Order No. 2 in order to complete the project and bring the wells into service. If the Change Order is approved, it will take 8 – 12 weeks to complete the work.

RESOLUTION #2025-04-03 Earenfight/Farber unanimous to adopt RESOLUTION #2025-04-03, approving Change Order No. 2 for additional investigation and repair for Wells #4 and #5, at an increase to the contract price in the amount of \$106,735.50, for a total contract price of \$1,051,435.50, as submitted by Keys Well Drilling for the municipal Well #4/#5 Project, as requested and recommended by staff and the City Engineer. Motion carried.

Payment for Contracted Services – Engineering and Project Management – Bolton & Menk

Staff reviewed invoices presented by Bolton & Menk for Engineering Services for the period of February 1 – 28, 2025. Invoice #358329 is for survey work for the 8th Avenue South extension and Invoice #358355 is for design work for the approved rehabilitation of Lift Station #3.

Wells/Bondhus unanimous to authorize payment to Bolton & Menk in the amount of \$22,252.50 (ck #47144) as follows and as recommended by staff:

- Invoice #358329 in the amount of \$8,492.00 for engineering oversight for the future extension of 8th Avenue South; and
- Invoice #358355 in the amount of \$13,760.50 for project design and engineering for the Lift Station #3 Rehabilitation Project

Motion carried.

ADMINISTRATOR'S REPORT

2025 SCORE Grant Funding Agreement

Sherburne County has presented the 2025 SCORE Grant Agreement for consideration and approval by the City Council. The grant reimburses the City for expenses related to operating the City's Compost Site, including grinding, hauling costs, gate monitoring, and miscellaneous site improvements, up to a total of \$55,000.00.

Wells/Earenfight unanimous to approve the agreement for 2025 SCORE Grant Funding from Sherburne County in the amount of \$55,000.00 for the grinding and hauling of organic material from the compost site located in, operated, and maintained by the City of Zimmerman, and other related expenses, and authorize staff to execute said agreement, on file in the City Clerk's Office.

Planning Commission Report of March 26, 2025

The Planning Commission met on March 26, 2025 to conduct a Public Hearing regarding the adoption of an ordinance establishing zoning regulations for cannabis related businesses. There was no testimony received either in favor of or against the proposed regulations.

Cannabis Regulation and Enforcement – Ordinance No. 351 – Zoning Regulations

The ordinance was prepared by staff with assistance from both City Attorney Mattick and the Sherburne County Attorney's Office. Ordinance No. 351 will amend the City Zoning Ordinance by adding Section 8.0831. Cannabis Businesses, designating in which districts cannabis related businesses can be located. Since the City intends to delegate its authority for cannabis licensing, regulation and enforcement to Sherburne County, the ordinance also includes language adopting Sherburne County Ordinance No. 280 by reference, which the County requires prior to accepting delegation.

The Planning Commission recommends approval of the Zoning Ordinance as drafted and as recommended by staff and the City Attorney.

Earenfight/Bondhus unanimous to adopt Ordinance No. 351 related to the zoning of cannabis businesses within the City limits of Zimmerman, as recommended by the Planning Commission, and authorize staff to publish a summary ordinance in the City’s legal newspaper. Motion carried.

Cannabis Regulation and Enforcement -- Joint Powers Agreement

Sherburne County has presented a Joint Powers Agreement (JPA) delegating authority for the administration and regulation of cannabis retail business registration to Sherburne County for businesses that want to locate in the City limits of Zimmerman. The JPA was prepared by the Sherburne County Attorney’s Office and reviewed by City Attorney Mattick. This JPA is the last step in the process to delegate cannabis registration and enforcement to Sherburne County, once Zimmerman Ordinance No. 351 becomes effective.

Wells/Earenfight unanimous to approve a Joint Powers Agreement with Sherburne County for the administration and regulation of cannabis retail business registration, as recommended by staff and authorize the Mayor to sign said agreement on behalf of the City, file in the City Clerk’s Office. Motion carried.

MAYOR/COUNCIL ITEMS

Council Correspondence – Email from Sherburne County Commissioner Schumacher

Council received an email from Sherburne County Commissioner Brad Schumacher on March 19 pertaining to discussion at a recent County Board Workshop relating to tobacco licensing, sales and products. Council discussed the points raised during the Board Workshop and directed staff to draft a response to Commissioner Schumacher for review at a future meeting.

Mayor Dahl noted the following upcoming events:

- April 8 – Fire Board Meeting – 7 p.m.; Station #1 Event Center
- April 14 – Local Board of Appeal & Equalization – 6:30 p.m.; City Hall
- April 14 -- Committee of the Whole Meeting – 7 p.m.; City Hall
- April 26 -- Passing the Bread Food Distribution – 9 – 11 a.m.; UMA Precision Machining
- May 3 – Annual Clean Up Day – 8 a.m. – 12 Noon – Livonia Town Hall

State Representative Bryan Lawrence introduced himself to the City Council. Mr. Lawrence represents District 27B, which includes the cities of Zimmerman, Baldwin, Princeton, and St. Francis, as well as Livonia Township in Sherburne County, and township areas in Isanti and Mille Lacs Counties. No action taken.

Farber/Wells unanimous to adjourn the meeting at 8:04 p.m. Motion carried.

Approved this 15th day of April 2024.

s/s Kary Tillmann, Clerk/Treasurer