

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, APRIL 16, 2018**

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 Operations Coordinator Koehler.

AGENDA APPROVAL

Brisbin/Whiting unanimous to approve the agenda with the following addition:

- **Temporary Liquor License – Zimmerman Civic Club (Consent Agenda)**

APPROVAL OF MINUTES

Nathe/Brisbin unanimous to approve the minutes of the April 2, 2018 Regular Meeting as presented.

CONSENT AGENDA

Whiting/Smith unanimous to approve the consent agenda as presented as follows:

- a. Approve the payment of claims (check #39939 - #39980) in the amount of \$28,271.84 and electronic payments (e-check #1633 - #1637) in the amount of \$37,328.64 as presented.
- b. Approve payment to Ziegler, Inc., in the amount of \$186,576.00 (ck #39981) for the purchase of a Caterpillar Model C18TA Tier 4F EPA Certified Diesel Generator under the National Joint Powers Alliance contract pricing as identified in Invoice #F1210701, with funds to be paid from the SBR Budget (602-49480-580), as indicated by the Public Works Director.
- c. Accept the Investment/Funds Report of January 2018 as presented.
- d. Accept the Monthly Budget Report of January 2018 as presented.
- e. Accept the Building Permit Summary Report of March 2018 as presented.
- f. Approve the sale of PID #95-412-0670 on the Sherburne County Tax Forfeit property sale, as recommended by staff.
- g. Adopt **RESOLUTION #18-04-02**, supporting the application of Reliant Systems, Inc., for Job Creation Fund assistance through the MN Department of Employment and Economic Development (DEED).
- h. Adopt **RESOLUTION #18-04-03**, approving the Application for Exempt Permit for the American Legion Riders Post 560 for gambling events to be held May 25 – 26, 2018, in conjunction with the annual Wild West Days Celebration at the Zimmerman City Park, 25850 Main Street, Zimmerman, MN 55398.
- i. Approve the re-investment of \$240,000 with UBS Investments for 5 years at a rate of 2.95% with Synchrony Bank, utilizing funds from the matured CD to complete the transaction, as recommended by staff.
- j. Adopt **RESOLUTION #18-04-04**, approving a Temporary On-Sale Liquor License for the Zimmerman Civic Club in conjunction with the annual Wild West Days celebration, to be held May 24 – 27, 2018, and used in designated areas at the City of Zimmerman Municipal Park located at 25850 Main Street, Zimmerman.

OPEN FORUM

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

LAW ENFORCEMENT REPORT

Patrol Captain Bob Stangler, Sherburne County Sheriff's Department, highlighted an article in the most recent Sheriff's Department newsletter regarding school fundraising scams targeting local businesses. Stangler is not aware of this type of scam occurring in Zimmerman. Residents are encouraged to contact their local schools or district offices with any questions relating to school fund raiser solicitations.

Stangler continued his monthly report by providing an overview of activities for the month of March, 2018, The department received 504 calls for service, including 227 traffic stops with 76 offenses charged by citation, not including long form complaints or in-custody arrests. During the same period in 2017, there were 451 calls for service, with 325 calls in 2016. Stangler noted the significant increase in the amount of traffic stops in town. No burglaries were reported in March, however there were 9 theft reports. The department also responded to 5 property damage accidents. Stangler reviewed other types of calls made during the month, noting that 5 disturbing the peace calls were made with one resulting in an arrest, and an English Bulldog was reported missing. The Department issued two winter parking violations during the weekend snow storm.

Council agreed by unanimous consensus to accept the Law Enforcement Report for March 2018, as presented.

PARK BOARD REPORT

Josh Bondhus, Park Board Chair, provided an update of the April 3, 2018 Park Board meeting to the Council.

Council acknowledged the contributions of **Tom Hovorka, Park Board Member**. Hovorka was appointed to the Park Board in July 2002 and recently decided not to renew his term when it expired in January 2018. Council presented him with a certificate of appreciation, thanking him for his dedicated service to the Zimmerman Park Board for the past 16 years.

Bondhus provided an update of activities and discussion from the April meeting. It was noted that there is graffiti inside the tube slide in Maefield Park. The Youth Baseball Association is researching costs for additional backstop fencing and sun shades for the dugouts at the ballfields. The cost would be approximately \$1,500 for the backstop fencing, with an additional cost for the sun shade, per dugout. The Baseball Association has also requested the City consider upgrading the concession building at the City Park. Public Works Director Johnson noted that staff looked into potential upgrades a number of years ago. A full upgrade to the facility to comply with MN Department of Health licensing standards was estimated at \$50,000 or more. Discussion continued on locating the Baseball Association's batting cages in the City Park through a possible land lease agreement between the City and the Association. Council directed staff to research the request and report back at a future meeting.

Whiting/Brisbin unanimous to accept the April 3, 2018 Park Board Report as presented.

PUBLIC WORKS REPORT

Authorization to Sell Public Works Vehicle

Johnson requested Council authorization to sell a 2010 Ford F-150 4 x 2 pickup truck. Staff will consider replacing the vehicle in the future with a used MNDOT pickup truck.

Nathe/Brisbin unanimous to authorize the sale of the 2010 Ford F-150 4 x 2 pickup truck as requested and recommended by staff.

ADMINISTRATOR'S REPORT

Proposed Zoning Code Amendment – C-2 Highway District

Attorney Schutt was present to address the proposed Code Amendment for the C-2 Highway Commercial District. The item was presented at the April 2 Council meeting. The Planning Commission conducted a public hearing on March 28 to consider a request to amend Section 8.0881, Subd. 2. Currently, all business operations are allowed to be conducted only in enclosed buildings in the C-2 District with certain identified exceptions. The proposed amendment would add commercial recreational facilities to the list of exceptions, thereby allowing them to be

conducted outside an enclosed building. The amendment would affect the entire C-2 District, which spans approximately a 1-1/4 mile along TH 169 frontage. At the April 2 meeting, the request was approved on a 2-1 vote, however, since two Council members were absent, the amendment actually did not pass. A majority vote of the Council, or 3 votes, is necessary to adopt or amend a zoning ordinance.

Discussion was held regarding what constitutes outdoor recreational facilities. Schutt responded that is not defined by Code and could be set by Council. She cited go-karts, mini-golf, roller-skating, etc., as possible examples of commercial recreational facilities. Schutt also reiterated that if the ordinance amendment is approved, any outdoor commercial recreational activity in the C-2 District would still require a CUP to operate.

Brisbin/Whiting to approve an amendment to Section 8.0811, Subd. 2 of the Zoning Code, adding commercial recreational facilities to uses excepted from being conducted within an enclosed building in the C-2 Highway Commercial District, as recommended by the Planning Commission. Roll call on the motion: Brisbin, aye; Earenfight, aye; Nathe, naye; Smith, naye; Whiting, aye. Motion carried.

Proposed ROW Ordinance

Schutt has been working with Administrator Piasecki on a Right-of-Way (ROW) Ordinance which will be presented to Council in the near future. A ROW ordinance would allow contractors to work in any City ROW with a permit, which would regulate what can be done in City right-of-ways. The City could also impose a permitting fee against any contractor wishing to work in the City ROW. No action taken.

MAYOR/COUNCIL ITEMS

Mayor Earenfight identified the following upcoming event: -

- April 29 – Zimmerman/Livonia Township Clean Up Day – 8 a.m. – 12 Noon, Livonia Town Hall
- April 29 -- Passing the Bread Food Distribution – 9 – 11 a.m., UMA Building, 26833 – 5th Street West

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

Smith/Brisbin unanimous to adjourn the meeting at 7:32 p.m. Motion carried.

Approved this 7th day of May 2018.

s/s Kary Tillmann, Clerk/Treasurer