

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, MAY 1, 2023**

**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 Dahl, Earenfight, and Farber. Member Whiting was excused absent. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Streets, Parks, and Utilities Supervisor Dallager, and Engineer Bittner.

**AGENDA APPROVAL**

**Earenfight/Dahl unanimous to approve the agenda as presented.**

**APPROVAL OF MINUTES**

**Stay/Earenfight unanimous to approve the minutes of the April 17, 2023 Local Board of Appeal and Equalization Meeting as presented. Motion carried.**

**Earenfight/Farber unanimous to approve the minutes of the April 17, 2023 Regular Council meeting as presented. Motion carried.**

**CONSENT AGENDA**

**Stay/Earenfight unanimous to approve the consent agenda as follows:**

- a. Approve the payment of claims (check #45138 - #45171) in the amount of \$73,091.44 and electronic payments (e-check #2667e - #2674e) in the amount of \$277,933.93 as presented.
- b. Approve payment to Blaine Brothers in the amount of \$12,788.09 (ck #45172) for the repair of the 2016 International 7400 Plow truck, as recommended by the Public Works Director.
- c. Authorize payment to Bolton & Menk for Invoice #310183 in the amount of \$21,529.10 (ck #45173) for project management services related to the 5<sup>th</sup> Ave N Tower and WTP project for the period of February 4 – March 3, 2023, as recommended by staff.
- d. Approve the applications for Solicitor Licenses for the period of May 2, 2023 – May 1, 2024 for the following:
  - Michael Sanchez dba Advanced Roofing & Siding, 3601 – 211<sup>th</sup> Lane NW, Oak Grove, MN 55303
  - Luis Martinez, dba Northstar Construction, 1521 – 93<sup>rd</sup> Lane NE, Blaine, MN 55449
- e. Adopt **RESOLUTION #2023-05-01**, approving the Application to Conduct Off-site Gambling for the Elk River Lions Club for a gambling event to be held May 25 - 28, 2023 during the annual Wild West Days Celebration at the Zimmerman City Park, 25850 Main Street, Zimmerman, MN 55398.
- f. Adopt **RESOLUTION #2023-05-02**, approving a temporary liquor license for the Elk River Lions Club, PO Box 736, Elk River, MN 55330, during Wild West Days to be held at the Zimmerman City Park, 25850 Main Street, Zimmerman, MN 55398, on May 25 – 28, 2023.
- g. Approve the application for fireworks/pyrotechnics display by Curt Serbus, as requested by the Zimmerman American Legion Post 560, 12674 Fremont Avenue, Zimmerman, for fireworks/pyrotechnics display at Wild West Days, to be held on May 28, 2023 (rain date May 29, 2023), as presented, contingent upon review and approval by the Fire Chief, and receipt of current insurance documentation.
- h. Approve the Event Permit application submitted by the Kriesel-Jacobsen American Legion Post 560 for an outdoor “Patio Opener” Celebration hosted by the Magnus Foundation on May 13, 2023 beginning at 11:00 a.m. on Saturday, May 13, 2023, at the property located at 12674 Fremont Avenue, Zimmerman

## **OPEN FORUM**

**Harley Wells, PO Box 373, Zimmerman**, was present to follow up regarding his questions on speed limits on CSAH 4. Staff have contacted Sherburne County Public Works and will follow up with Mr. Wells as soon as information is available.

## **FIRE PROTECTION REPORT**

**Fire Chief Ryan Maloney** presented the Fire Department Activity Report for the month of April 2023. The Department responded to thirteen medicals, 4 personal injury motor vehicle accidents, 2 carbon monoxide calls, 3 fire alarms, a downed power line, a garage fire, and a residential house fire. Mayor Stay requested the Department report on the mechanical failure of the air intake of the ladder truck at the station and subsequent mitigation of soot and diesel particulates from throughout the Fire Hall and Event Center. Maloney will provide as soon as possible. The clean-up is complete, and Maloney is happy with the process and result. Department staff recently conducted interviews to fill vacant firefighter positions. 16 applications with 10 applicants selected for interview. Eight probationary firefighters will start Fire School soon, which would bring the department to fully staffed upon completion of probation.

**Council accepted the Fire Department Report for April 2023 by unanimous consensus as presented.**

## **LAW ENFORCEMENT REPORT**

**Patrol Captain Ryan Broich, Sherburne County Sheriff's Department**, provided an overview of law enforcement activities for the month of April 2023. The department received 420 calls for service, including 106 traffic stops with 21 offenses charged by citation, not including long form complaints or in-custody arrests. During the same period in 2022, there were 471 calls for service, with 372 calls in 2021. Overall, it was a quiet month, with very few incidents reported, but an increased number of preventative checks on residences and businesses. Captain Broich reviewed other types of calls made during the month, noting there was nothing significant in the calls received.

**Council agreed by unanimous consensus to accept the Law Enforcement Report for April 2023 as presented.**

## **PUBLIC WORKS REPORT** – presented by **Chris Dallager, Streets, Parks, and Utilities Supervisor**

### **Employee Anniversary – John Stangler, Maintenance Technician I**

Streets, Parks, and Utilities Supervisor Dallager acknowledged the one-year work anniversary of Maintenance Technician I, John Stangler. John began his employment with the City on April 25, 2022 and has proven himself to be an asset to the Department. Council congratulated Stangler on his anniversary with the City and wished him continued success in his position. No action taken.

## **PRESENTATION -- TH 169 Visual Concept Design**

Beth Engum, Transportation Project Manager and Josh Shields, Landscape Architect, Bolton & Menk, were present to walk Council through the second draft of Visual Concept Designs for the TH 169/CSAH 4 Interchange project. MNDOT's project allowance will cover a limited scope of visual quality improvements to the interchange. Additional aesthetic enhancements can be added to the project if the City identifies and assumes costs associated with including and maintaining additional features. Bolton & Menk provided more detailed options to enhance the interchange, including but not limited to local themes, signage, landscaping, and branding. Comments were heard from **Harley Wells, 25993 – 22<sup>nd</sup> Street W, Zimmerman**, regarding sound walls. Engum stated that this project may be eligible for noise barriers and MNDOT has a process in place which will allow the public to vote on whether they would be installed. This would happen at a future public meeting on the project.

**Stay/Farber unanimous to direct engineering staff to incorporate the visual design concepts as presented into the preliminary design plan for the TH 169/CSAH 4 interchange project. Motion carried.**

**ADMINISTRATOR’S REPORT – presented by City Administrator Randy Piasecki**

Fremont Trail Joint Powers Agreement

Sherburne County has received grant funds for trail improvements within City limits to improve connectivity to the Great Northern Trail, City parks and certain ISD 728 properties. The project provides an opportunity for the City to work with Sherburne County and ISD 728 to expand the City’s trail system, improve connectivity throughout the City, and provide alternate access to park facilities at a minimum cost. The County will receive \$225,000 grant funds, with a 20% local match towards the project required as a stipulation of the grant. This makes the City’s share approximately \$34,000, which may fluctuate based on actual construction costs. The City would also be responsible for acquiring property easements and construction permits.

Staff presented a Joint Powers Agreement which outlines the terms of the agreement and identifies trail routing components, which has been reviewed by the City Attorney.

**Stay/Dahl unanimous to authorize staff to execute the Joint Powers Agreement for Trail Improvements within the City, between Sherburne County, ISD 728, and the City of Zimmerman, and approve the City’s financial participation at an estimated cost of \$34,000 as identified, approving Administrator Piasecki to sign said agreement on behalf of the City, as recommended. Motion carried.**

Great Northern Trail Memorandum of Understanding

In 2021, the City entered into a Memorandum of Understanding (MOU) with Sherburne and Mille Lacs Counties and the Cities of Elk River, and Princeton, regarding the planning and development of the Great Northern Trail. The group developed a master plan for the trail, focusing on the extension of the trail north from Zimmerman to Milaca. The MN DNR is requesting an updated MOU from the participating Counties and Cities that addresses a renewal provision, defines the participants, and clarifies the implementation strategy and trail maintenance. Staff presented a draft MOU that has been reviewed by each entities legal staff and meets MNDNR standards.

**Stay/Farber unanimous to authorize staff to execute and return a revised Memorandum of Understanding (MOU) for the Great Northern Trail Partnership Committee, as requested, and as recommended by staff. Motion carried.**

April 26, 2023 Planning Commission Report

The Planning Commission met on Wednesday, April 26, 2023 to conduct a public hearing to consider a variance from the street setback for a dwelling/garage for the property located at 26645 North Drive. The property owner is seeking a variance to the 20-foot street setback to allow expansion of an existing cabin and the addition of a 2-car garage. A variance is requested to place the garage 8.5 feet from the North Drive right-of-way. The Planning Commission, acting as the Board of Adjustment, believes that a practical difficulty exists for the parcel, due to the configuration of the existing curved North Drive right-of-way. One comment from the public was heard. The Planning Commission acting as the Board of Adjustment approved the variance.

A second public hearing was held regarding the preliminary and final plats of Zimmerman High School Addition. The plat consists of five (5) properties owned by ISD 728, four (4) of which are platted outlots and another 5-acres metes and bounds parcel. ISD 728 wants to combine all five parcels into 2 parcels to be known as Lot 1, Block 1, and Outlot A, which is proposed to be conveyed to an adjacent property owner. The Planning Commission recommended approval of the Preliminary and Final Plats as presented.

**Stay/Farber unanimous to approve the Preliminary and Final Plats of Zimmerman High School Addition as requested by ISD 728 and recommended by the Planning Commission. Motion carried.**

**Council agreed by unanimous consensus to accept the Planning Commission Report of April 26, 2023 as presented. Motion carried.**

**MAYOR/COUNCIL ITEMS**

Council agreed by unanimous consensus to cancel the May 8, 2023 Committee of the Whole meeting due to a lack of agenda items.

Upcoming Meetings and Events

Mayor Stay noted the following:

- May 6 – Zimmerman/Livonia Annual Clean-Up Day – 8 a.m. – 12 Noon; Livonia Town Hall
- May 27 – Passing the Bread Food Distribution – 9 – 11 a.m. at UMA Precision Machining
- May 25 – 29 – Annual Wild West Days Celebration
- May 29 – Memorial Day Holiday observed – All City offices closed

Before adjourning, Mayor Stay asked for a moment of silence in honor of US military personnel at home and abroad as well as emergency and healthcare workers serving in the community.

**Earenfight/Dahl unanimous to adjourn the meeting at 7:54 p.m. Motion carried.**

Approved this 15th day of May 2023.

s/s Kary Tillmann, Clerk/Treasurer

Approved 05/15/2023