

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, MAY 6, 2024**

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, Farber and Whiting. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Streets, Parks, and Utilities Supervisor Dallager, and Engineer Bittner.

AGENDA APPROVAL

Whiting/Earenfight unanimous to approve the agenda with the following change:

- **Fire District Report rescheduled for June 3, 2024**

CONSENT AGENDA

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

- a. Approve the minutes of the April 15, 2024 Local Board of Appeal and Equalization Meeting as presented.
- b. Approve the minutes of the April 15, 2024 Regular Meeting of the City Council as presented.
- c. Approve the payment of claims (check #46150 - #46194) in the amount of \$62,414.07 and electronic payments (e-check #2868e - #2878e) in the amount of \$104,090.62 as presented.
- d. Authorize payment to Bolton & Menk for the following invoices (ck #46195) as recommended by staff for the period of March 2 – 29, 2024:
 - Invoice #334178 in the amount of \$50,530.00 for project management services related to Lake Fremont Area Road Improvements
- e. Adopt **RESOLUTION #2024-05-01**, approving Pay Request #13 in the amount of \$370,770.83 (ck #46196) submitted by Magney Construction, Inc., for expenses related to the construction of the 5th Street N Water Tower and Water Treatment Plant, as recommended by staff and the City Engineer.
- f. Approve payment to Midway Ford in the amount of \$47,265.50 (ck #46197) for a 2024 F-150 4x4 pickup truck as identified on Retail Purchase Agreement #135272, as recommended by the Public Works Director.
- g. Approve tobacco license renewals for the following establishments, for the period of July 1, 2024 – June 30, 2025, pending receipt and acceptance of all application materials, as recommended by staff:
 - Bohnhoff Enterprises, Inc., dba Frontier Liquor – 26207 Fremont Drive
 - Casey's Retail Company, dba Casey's General Store #3458 – 13140 Fremont Avenue
 - Coon Rapids Tobacco, Inc., dba Zimmerman Tobacco – 26219 Fremont Drive, Suite 101
 - DG Retail LLC dba Dollar General Store #19543 – 12855 Fremont Avenue
 - Garcia, Susan Margaret dba Zimmerman Smoke Shop LLC – 12686 Fremont Avenue
 - Holiday StationStore LLC dba Holiday Stationstore #239 – 26125 Highway 169
 - JDJ Inc., dba Uptown Off-Sale – 25965 Main Street
 - Northern Tier Retail LLC dba Speedway Super America #4535 – 26075 – 3rd Street East
 - NVL2 LLC dba P & A Liquor – 26025 – 3rd Street East
 - Zimmerman Market, Inc., dba Z-Market, 26233 – 2nd Street East
- h. Approve the tobacco license application for Sharbel LLC, dba Adam's Tobacco Shop, 12626 Fremont Avenue, Zimmerman, for the period of July 1, 2024 – June 30, 2025, as recommended by staff.
- i. Approve the following license registrations for a Sewer and Water Installer, for the period of May 7 - December 31, 2024, as requested by the following:
 - Gordon Hoppe dba Gordy's Custom Cabinets, 1861 Viking Blvd NE, East Bethel, MN 55011
 - Dale Cazett, dba Metro General Services, 5790 Quam Avenue, St. Michael, MN 55376.
- j. Approve the permit application for a public parade to be held on Friday, May 30, 2024, as requested by the Zimmerman High School Class of 2024, 25900 - 4th Street West, with staging at Refuge Evangelical Free

Church and ending at the Zimmerman High School, approving the closing of certain roads, identified on the map provided for the duration of the parade, to be held from 7:00 – 7:20 a.m.

- k. 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 26, 2024 (rain date May 27, 2024), as presented, contingent upon review and approval by the Fire Chief, and receipt of current insurance documentation.

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

LAW ENFORCEMENT REPORT

Patrol Captain Ryan Broich, Sherburne County Sheriff's Department, provided an overview of law enforcement activities for the month of April 2024. The department received 405 calls for service, including 108 traffic stops with 18 offenses charged by citation, not including long form complaints or in-custody arrests. During the same period in 2023, there were 420 calls for service, with 471 calls in 2022. Overall, it was a quiet month, with very few incidents reported. Deputies responded to three theft complaints, apprehended the suspect of stolen motor vehicle, and responded to four property damage complaints.

Council agreed by unanimous consensus to accept the Law Enforcement Report for April 2024 as presented.

PUBLIC WORKS REPORT

Bid Award – Lake Fremont Area Improvements

Kevin Bittner, City Engineer, Bolton & Menk, was present to discuss bid results for the proposed Lake Fremont Area Improvements. The bid opening was held virtually on April 30, 2024 with nine (9) qualified bids received. The apparent low bidder was Larson Excavating, with a bid of \$2,385,843.82, which is under the Engineer's estimate of \$2,453,981 for the project. Larson Excavating has not done work for the City previously, but Bolton & Menk has checked with other municipalities that have used them and Bittner feels they are competent and capable of completing the project to the City's standards.

RESOLUTION# 24-05-02 Whiting/Stay to adopt RESOLUTION #2024-05-02 awarding the bid for the 2024 Lake Fremont Area Improvements and 2024 Fremont Trail Mill & Overlay Project to Larson Excavating at a total bid price of \$2,385,843.82, as recommended by staff and the City Engineer. Motion carried.

Surface Transportation Block Grant Award

In October 2023, Council authorized Engineer Bittner to apply for a grant through MNDOT's Local Road Improvement Program (LRIP) to fund the extension of 8th Ave S east to intersect with 2nd St E. The grant application was not successful, however, Engineer Bittner also applied for funding through the Central MN Area Transportation Partnership (ATP-3). On April 4, 2024, Engineer Bittner was notified that they City has been awarded \$825,000 by ATP-3 to fund the project. No action taken.

ADMINISTRATOR'S REPORT – presented by City Administrator Randy Piasecki

PUBLIC HEARING – Vacation of Drainage and Utility Easements – Norway Ridge 2nd Addition

Mayor Stay opened a public hearing at 7:09 p.m. Administrator Piasecki advised that the purpose of the hearing was to hear testimony either for or against the vacation of drainage and utility easements in certain areas of the plat of Norway Ridge 4th Addition.

The City has received an application from the City of Zimmerman and Monument Development Company, LLP, for Preliminary and Final Plat approval of Norway Ridge 4th Addition, which consists of Outlot A, Norway Ridge 2nd Addition and City-owned Outlots A & B of North Ridge Entry. As part of the platting process, the applicants propose to vacate a short segment of Main Street right-of-way lying north of 2nd Ave N and all drainage and utility easements in the Outlots. The vacated right-of-way would be included in the proposed twin home lots fronting 2nd Ave N and all vacated easements would be replaced by those proposed in the plat.

No comments were received in person or in writing related to the proposed vacation.

Mayor Stay closed the Public Hearing at 7:12 p.m.

RESOLUTION #2024-05-03 Stay/Whiting unanimous to adopt RESOLUTION #2024-05-03, approving the vacation of a segment of Main Street right of way lying north of 2nd Avenue North, and drainage and utility easements and sanitary sewer easements within Outlot A, Norway Ridge Second Addition and Outlots A & B, North Ridge Entry, as recommended by staff and the Planning Commission. Motion carried.

April 24, 2024 Planning Commission Report

The Planning Commission met on Wednesday, April 24, 2024 to conduct a public hearing on the Preliminary Plat of Norway Ridge Fourth Addition. Monument Development Company LLP is proposing a 46-unit twinhome development utilizing Outlot A, Norway Ridge Second Addition and City-owned property. The City has joined Monument Development to include Outlots A & B North Ridge Entry for platting as part of the fourth addition. City Outlots are remnants of property deeded to the City by Monument Development as a condition of approval for Norway Ridge in 2001. Phases 1 and 2 were constructed early on, with the third phase approved in 2023. Only one comment was received regarding the preliminary and final plat during the Public Hearing before the Planning Commission. The Planning Commission recommends approval of the preliminary plat of Norway Ridge 4th Addition as presented, and the Final Plat of Norway Ridge 4th Addition with conditions.

Whiting/Farber unanimous to approve the Preliminary of Norway Ridge Fourth Addition as requested by Monument Development Company LLP and recommended by the Planning Commission. Motion carried.

Dahl/Earenfight unanimous to approve the Final Plat of Norway Ridge Fourth Addition conditioned upon the vacation of drainage and utility easements, execution of Development Contract with the City of Zimmerman and compliance with the following requirements put forth by the City Engineer:

- 1. Because Main Street will no longer be extended to the north of 2nd Avenue North as anticipated, the hydrant and valve at that location should be relocated into the 2nd Avenue North boulevard, placed on the 8-inch watermain that is stubbed at that location. A valve will be needed as the stub has no valve.**
- 2. Services to Lot 4, Block 3 should be located on that lot.**
- 3. With the removal of the existing curb and gutter on 2nd Avenue North, a minimum of two (2) feet of bituminous pavement shall be removed along the entire length of the area where curb and gutter are removed.**
- 4. The existing pavement section on 2nd Avenue North is 1.5” of bituminous wearing course, 2.5” of non-wearing course, and 12” of Class 5 aggregate base. This section shall be matched when patching back the pavement.**
- 5. The chimneys of all sanitary sewer manholes shall be sealed with external wrap, Infi-Shield or equal.**

Motion carried.

Dahl/Stay unanimous to accept the Planning Commission Report of April 24, 2024 as presented. Motion carried.

Organization of City Park Board

Council and staff have previously discussed operation of the City Park Board. The Park Board is a volunteer advisory group appointed by the City Council to review and make recommendations related to park and recreation amenities and opportunities throughout the City. Due to the recent resignation of the Chairperson, staff is looking for direction on how Council would like the Park Board to proceed.

Farber/Dahl unanimous to temporarily suspend operation of the City Park Commission and direct staff to research options for reorganization. Motion carried.

TH 169/CSAH 4 Visual Quality Final Design

The City and design staff from Bolton & Menk have completed and approved the Visual Quality Concept Plan to upgrade aesthetics of the proposed TH 169/CR 4 interchange. The plan includes enhancements to the appearance and finish of the bridge walls, roundabout landscaping, streetscaping, retaining walls, railing, and signage. MNDOT has approved the design of the project, including the interchange and local access modifications for 255th and 269th Avenues.

Originally, Public Works had planned to complete landscaping of roundabouts and medians utilizing City staff and local contacts. After further discussion, staff realized it is more practical to include those portions of the project in the construction contract and have all facets of the construction completed under said contract.

Staff provided Amendment 1 to the Visual Quality Design agreement submitted by Bolton & Menk for Council review and consideration. This amendment will complete the visual quality plans and specs, for final submission to MNDOT and inclusion in the anticipated bidding package. Staff recommends approval of Amendment 1, at a cost not to exceed \$68,859.00 to complete the actions identified in the agreement.

Stay/Farber unanimous to accept Amendment 1 to the Visual Quality Final Design Proposal from Bolton & Menk for the TH 169/CSAH 4 project, at a cost not to exceed \$68,859, as recommended by staff. Motion carried.

MAYOR/COUNCIL ITEMS

Council agreed by unanimous consensus to cancel the May 13, 2024 Committee of the Whole meeting due to a lack of agenda items. Instead, Council will hold a workshop session at the conclusion of the May 20, 2024 Regular Council meeting.

Upcoming Meetings and Events

Mayor Stay noted the following:

- May 18 – Passing the Bread Food Distribution – 9 – 11 a.m. at UMA Precision Machining
- May 23 – 27 – Annual Wild West Days Celebration
- May 27 – 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.

Stay/Whiting unanimous to adjourn the meeting at 7:27 p.m. Motion carried.

Approved this 3rd day of June 2024.

s/s Kary Tillmann, Clerk/Treasurer