

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, MAY 15, 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, Farber and Whiting. Also present were Administrator Piasecki and Public Works Supervisor Dallager.

AGENDA APPROVAL

Mayor Stay requested the following changes to the agenda:

- Remove the April 10, 2023 Committee of the Whole meeting minutes from consideration as they were approved by Council on April 17, 2023
- Correction to the date for Memorial Day observed under Mayor/Council items

Whiting/Stay unanimous to approve the agenda as amended.

APPROVAL OF MINUTES

Stay/Earenfight unanimous to approve the minutes of the May 1, 2023 meeting as presented.

CONSENT AGENDA

Earenfight/Dahl unanimous to approve the consent agenda as presented as follows:

- a. Approve the payment of claims (check #45174 - #45204) in the amount of \$16,084.25 and electronic payments (e-check #2675e – #2683e) \$55,024.19 as presented.
- b. Approve payment to Bolton & Menk for Invoice #311328 in the amount of \$10,439.50 (ck #45205) for general engineering services and Water Supply Improvements for the period of March 4 - 31, 2023, as recommended by staff.
- c. Adopt **RESOLUTION #2023-05-03** approving Pay Request #6 in the amount of \$75,572.50 (ck #45206) submitted by Keys Well Drilling Company for expenses related to the wells #4 & #5 construction project, as recommended by staff and the City Engineer.
- d. Authorize payment to Kodiak Power Systems in the amount of \$7,146.25 (ck #45207) as identified on Invoice #KPS1008 for annual Generator Maintenance per the agreement on file in the Public Works Department.
- e. Approve the League of Minnesota Cities Insurance Trust Property/Liability Policy renewal as presented and authorize premium payment in the amount of \$72,268.00 (ck #45208) to the League of Minnesota Cities Insurance Trust as presented and as recommended by staff.
- f. Adopt **RESOLUTION #2023-05-04** approving Pay Request #2 in the amount of \$194,519.44 (ck #45209) submitted by Magney Construction, Inc., for expenses related to the construction of the 5th Street West Tower and Water Treatment Plant, as recommended by staff and the City Engineer.
- g. Approve liquor license renewals for the following establishments, for the period of July 1, 2023 – June 30, 2024, pending receipt and acceptance of all application materials, as recommended by staff:
 - Bohnhoff Enterprises, Inc., dba Frontier Liquor (Off Sale) – 26207 Fremont Drive
 - Casey’s Retail Company, dba Casey’s General Store #3458 (3.2 Off Sale) – 13140 Fremont Avenue
 - JDJ Inc., dba Uptown Off-Sale (Off Sale) – 25965 Main Street
 - Kriesel-Jacobsen American Legion Post 560 (Club On-Sale) – 12674 Fremont Avenue
 - Michael DeMarco dba D’s Smokehouse (On-Sale) – 12606 Fremont Avenue
 - Northern Tier Retail LLC dba Speedway Super America #4535 (3.2 Off Sale) – 26075 – 3rd Street East
 - NVL2 LLC dba P & A Liquor (Off Sale) – 26025 – 3rd Street East
 - S & M Zimmerman Enterprises LLC dba Angeno’s Pizza, Pasta, and Bar/Zimmerman Bar & Grill (On-Sale) – 13100 Fremont Avenue

- Stroh, Curtis R., dba Papa's Italian (Wine On-Sale) – 26140 – 3rd Street East
 - TJP Bowl, Inc., dba Zimmerman Bowling Alley (On-Sale) – 25920 Gateway Drive
 - Vita Bella LLC, dba Vita Bella Italian Restaurant (On-Sale) -- 12530 Fremont Avenue
- h. Accept the Building Permit Surcharge Report for April 2023 as presented.

OPEN FORUM

Mike Thieling, Fremont Lake Association President, 12005 Fremont Lane, presented a request for financial assistance to fund a carp study and curly leaf pondweed delineation study on Lake Fremont. The Association is working with the Sherburne County Soil & Water Conservation District (SWCD) on the studies and is pursuing additional funding sources for the two surveys. The carp study, estimated to cost \$6,647.53, would determine the biomass of carp and if the population is viable for commercial harvest. Curly pondweed is an invasive species. The study will cost \$1,850, would provide management solutions to the Lake Association. Mayor Stay questioned if the Association has non-profit tax status, with Thieling confirming they are a non-profit. Concern was expressed over setting a precedent for funding non-profit requests and how the Council would determine eligibility. Thieling stated the SWCD could contribute up to \$3,000 for the carp study and \$1,000 towards the weed survey. The Association also intends to contact Livonia Township as half the lake lies within their jurisdiction. Council stated their concerns with Earenfight concerned for setting precedent, Farber willing to consider matching funds, Whiting suggesting the Association contact the Community Club for a donation and Stay willing to considering matching funds with Township support. Staff will contact the City Attorney to determine how the City may financially participate with updates to follow.

Lady Jane Fontaine, 12013 Fremont Lane, was present to support the funding request of the Lake Association for carp and curly pondweed studies. The lake is an asset to the entire community, with use of the lake increasing as the population increases. Fontaine urged the Council to consider financially supporting the improvement efforts. The existing condition of Fremont Lane was questioned, as well as plans for reconstruction. Fontaine stated Public Works had installed a large bituminous patch and requested if the City would consider resurfacing the street, or if reconstruction is planned in the future. Mayor Stay advised the issue would be discussed with the City Engineer and Public Works staff.

Mike Pinor, 26254 9th Street West, was present to request the City repair a chain link fence on his property that he says has been damaged by a city mower. Pinor stated his property is adjacent to a lift station on 10th Street West and approximately 8 years ago a city mower caused damage to his fence when the mower or mower deck caught the bottom of the fence. He has made two previous requests to the City to replace approximately 24 feet of fencing, and to date no repairs have been made. Mayor Stay requested Administrator Piasecki visit the site and view the damage as soon as possible.

ADMINISTRATOR’S REPORT – presented by City Administrator Randy Piasecki

269th Avenue Improvements – Call for Public Hearing for Street Reconstruction Plan Financing
 Staff has been working with Northland Securities on bond financing for the 269th Avenue reconstruction project. Northland has requested the Council call for a public hearing on the June 5, 2023 agenda to consider adoption of a Street Reconstruction Plan (269th Avenue) and authorization of bonding for a portion of the expense. Staff has discussed bonding for this project expense as a means to retain cash reserves in light of the many city projects currently in design and under construction (wells, water tower, treatment plant and WWTF expansion). Piasecki requested Council adopt a resolution calling for a public hearing at or after 7:00 p.m. on the June 5, 2023 agenda.

RESOLUTION #23-05-05 Whiting/Stay unanimous to adopt RESOLUTION #2023-05-05, calling for a public hearing on June 5, 2023 at 7:00 p.m. or as soon as possible thereafter to consider adoption of a Street Reconstruction Plan and bond financing. Motion carried.

MAYOR/COUNCIL ITEMS

Mayor Stay noted the following:

- May 25 - 29 – Annual Wild West Days Celebration
- May 27 – Passing the Bread Food Distribution – 9 – 11 a.m.; UMA Precision Machining
- May 29 – Memorial Day – All City Offices Closed

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

Whiting/Dahl unanimous to adjourn the meeting at 7:36 p.m. Motion carried.

Approved this 5th day of June 2023.

s/s Kary Tillmann, Clerk/Treasurer

Approved 06/05/2023