

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, JUNE 7, 2021**

**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 and Members Bondhus, Dahl, Frederick, and Whiting. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Public Works Director Koehler, and City Engineer Bittner (Bolton & Menk).

**AGENDA APPROVAL**

**Frederick/Bondhus unanimous to approve the agenda as presented.**

**APPROVAL OF MINUTES**

**Whiting/Frederick unanimous to approve the meeting minutes of the May 17, 2021 Regular Meeting, with a correction to the year in consent agenda item h. 5K Permit Application and letter spacing in the last sentence of the second paragraph in the Law Enforcement Report.**

**CONSENT AGENDA**

**Frederick/Dahl unanimous to approve the consent agenda as follows:**

- a. Approve the payment of claims (check #43182 - #43233) in the amount of \$100,755.04 and electronic checks (e-check #2221 – #2232) in the amount of \$41,883.37 as presented.
- b. Approve payment to Bolton & Menk in the amount of \$9,072.50 (ck #43234) as identified in Invoice #269044 for the Lions Park Survey and Parking Lot Plan Development for the period of April 3 – 30, 2021, as recommended by the Public Works Director.
- c. Authorize payment in the amount of \$5,731.90 (check #43235) to Core & Main, for the purchase of water meters and related parts as identified on Invoice #O165306 and as recommended by the Public Works Director, with funds to be taken from the Water (601) and Sewer (602) Funds.
- d. Authorize payment to Lano Equipment, Inc., in the amount of \$37,482.65 (ck #43236) for the purchase of a Bobcat 5600 TOOLCAT and accessories at State bid pricing, including the trade-in of a John Deere 1600 mower/blower and a 2007 Kubota Utility Vehicle, as identified on Invoice #02-835796, as recommended by staff.
- e. Accept the Budget/Investment/Funds Report for February 2021 as presented.
- f. Accept the Budget/Investment/Funds Report for March 2021 as presented.
- g. Accept the Budget/Investment/Funds Report for April 2021 as presented.
- h. Approve tobacco license renewals for the following establishments, for the period of July 1, 2021 – June 30, 2022, 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
  - DG Retail LLC dba Dollar General Store #19543 – 12855 Fremont Avenue
  - Holiday StationsStores LLC dba Holiday Stationstore #239 – 26125 Highway 169
  - JDJ Inc., dba Uptown Off-Sale – 25965 Main Street
  - Jim's Enterprises of Zimmerman, Inc., dba Jim's Market, 26233 – 2nd Street East
  - Northern Tier Retail LLC dba Speedway Super America #4535 – 26075 – 3<sup>rd</sup> Street East
  - NVL2 LLC dba P & A Liquor – 26025 – 3<sup>rd</sup> Street East
- i. Accept the Building Permit Surcharge Report for May 2021 as presented.
- j. Approve the license application for a Solicitor for the period of June 8, 2021– June 7, 2022, for door-to-door solicitation by Aptive Environmental, 5251 West 73<sup>rd</sup> Street, Suite C, Edina, MN 55439, pending receipt of all required documentation and necessary fees.

- k. Approve the Assignment document between the City, RW3, LLC, and LGI-MN, to assign the Development Contract for Maefield Estates Townhomes to LGI-MN, LLC.

**OPEN FORUM**

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

**2021 WILD WEST DAYS EVENT RECAP**

**Kim Stasica, Brian Heins and Mercedes DeRosier, Community Club Members and Steve Conklin, Zimmerman Today**, were present to discuss the 2021 Wild West Days event. Mayor Stay congratulated the group on a well-done event, stating that he had only heard positive comments from the public about the weekend activities. The Community Club worked through a few issues during the weekend and are looking forward to the 2022 event. Mayor Stay also thanked Conklin for a great job capturing the event through his photos.

**PUBLIC WORKS REPORT – presented by Public Works Director Keith Koehler**

269<sup>th</sup> Avenue Update

City Engineer Bittner, Bolton & Menk, was present to update the Council on the preliminary engineering evaluation recently completed for an improvement to 269<sup>th</sup> Avenue NW. Bolton & Menk examined the roadway from County Road 45 to 136<sup>th</sup> Street NW to consider the feasibility of improvement options for the roadway and provide cost opinions for those options. The existing road is primarily within Livonia Township, except for the half of the roadway north of the Vision Transportation facility, which is in City limits. The City has been performing maintenance on the roadway since 2007 through a maintenance agreement with Livonia Township.

Bittner presented two options for improvements. Option #1 included reclamation of the existing roadway, re-grading, and new bituminous pavement, with an estimated project cost of \$425,000. Option #2 would be a complete re-build of the roadway plus the extension of city sanitary sewer and watermain along the length of 269<sup>th</sup> Avenue. The estimated project cost of Option #2 is \$2,324,000. Because the roadway is not in City limits, the City would have no jurisdiction to complete the project or assess benefitting property owners for a portion of the improvement costs.

**Stay/Whiting unanimous to direct Engineer Bittner to proceed with a geotechnical evaluation of the underlying soils on 269<sup>th</sup> Avenue and a detailed topographic of the proposed project area.**

Lot Purchase for New Well, Water Tower and Water Treatment Plant

Council and staff have discussed the need to develop a third municipal well, water tower and treatment plant to accommodate current and future demand. City Engineer Bittner and staff have identified a 1.44-acre lot adjacent to the Sherburne County Public Safety Building as a location for the well-tower-plant. The County will sell the lot to the City for \$41,300.

Preliminary engineering research and review of geological data has shown a very high likelihood this property will support a municipal well. A test well will need to be drilled to confirm, but the property must at least be under a purchase agreement for the County to allow drilling. The site is of adequate size to accommodate at least 1 well, a treatment plant and water tower. In the unlikely event the test well shows this site is unusable for a municipal well, the EDA could acquire the site from the City, and market the property for development.

Staff recommends Council approve the purchase of this lot and authorize execution and return of the Purchase Agreement to the County. Staff will coordinate a closing date and continue to work with Engineer Bittner to schedule drilling of a test well. The Water Fund would be used for the acquisition and closing costs. Attorney Conklin has reviewed the purchase agreement drafted by Sherburne County and is comfortable with the language in the agreement.

**Bondhus/Dahl unanimous to approve the purchase agreement with Sherburne County for the acquisition of Lot 4, Block 1, Sherburne County Public Safety Addition for City water improvements, at a cost of \$41,300, and authorize the City Administrator to complete the acquisition and related title insurance and closing expenses, as recommended by staff and the City Engineer.**

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

Lease of Property – Mid-Continent Communications

The City and Mid-Continent Communications (Mid-Co) have an existing franchise agreement to provide cable television to City residents. Mid-Co currently has a small equipment cabinet and back up generator on City property located south and west of City Hall. Due to increased demand, Mid-Co would like to place a larger structure to house their equipment on a lot adjacent to the current location of their equipment. Mid-Co proposed a 20-year lease with a 10-year extension at a rate of \$2,400 annually with 3% annual increases. Mid-Co would be responsible for all utility extensions and services and would bear the cost of all improvements on the parcel, with the stipulation that the property would be restored to original condition upon termination of the lease. Attorney Conklin has reviewed the lease agreement and finds it acceptable.

**Whiting made a motion to table discussion on the lease agreement for the lease of City property until Mid-Co fixes internet issues in his neighborhood. Motion died for lack of a second.**

**Stay/Frederick to accept the terms and authorize execution of a 20-year lease agreement with Mid-Co for a 3,500 square foot portion of Lot 1, Block 3, City Center. Roll call on the motion: Bondhus, aye; Dahl, aye; Frederick, aye; Stay, aye; Whiting, naye. Motion carried.**

**MAYOR/COUNCIL ITEMS**

Upcoming Meetings and Events

Mayor Stay noted the following:

- June 14 Committee of the Whole meeting – cancelled due to a lack of agenda items
- June 26 – Passing the Bread Food Distribution – UMA Precision Machining

Before adjourning, Mayor Stay asked for a moment of silence in honor of First Responders and Medical personnel serving our community.

**Frederick/Dahl unanimous to adjourn the meeting at 7:58 p.m. Motion carried.**

Approved this 21<sup>st</sup> day of June 2021.

s/s Kary Tillmann, Clerk/Treasurer