

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, JUNE 15, 2020**

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 Bondhus, Frederick, Shepard, Whiting and Administrator Piasecki were present in the Council Chambers. Also present remotely were Clerk/Treasurer Tillmann, Public Works Director Koehler, City Attorney Conklin and Bond Counsel Ingraham.

AGENDA APPROVAL

Whiting/Bondhus unanimous to approve the agenda with additional informational items under Mayor/Council Items.

APPROVAL OF MINUTES

Frederick/Shepard unanimous to approve the minutes of the June 1, 2020 Regular Council Meeting as presented. Motion carried.

CONSENT AGENDA

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

- a. Approve the payment of claims (check #42089 - #42128) in the amount of \$36,326.16 as presented.
- b. Accept the following invoices presented for payment by Bolton & Menk (ck #42129) for Engineering and Project Management services for the period of February 22 – May 1, 2020, as follows and as recommended by staff:
 - Invoice #251009 in the amount of \$5,310.00 for Lake Fremont Area Infrastructure planning and design services
 - Invoice #251010 in the amount of \$38,368.00 for the 2020 Morrison Addition Improvements
- c. Approve the League of Minnesota Cities Insurance Trust Property/Liability Policy renewal as presented and authorize premium payment to LMCIT in the amount of \$75,051.00 (ck #42130) as recommended by staff.
- d. Accept Invoice #2428 in the amount of \$6,212.15 (ck #42131) authorizing payment to Metro West Inspections Services, Inc., for professional Building Inspection Services in the City of Zimmerman for the month of May 2020, as recommended by staff.
- e. Approve payment to the Zimmerman/Livonia Fire District as reimbursement for an equipment grant in the amount of \$6,318.75 (ck #42133), as identified by the MN Department of Revenue.
- f. Accept the Building Permit Summary Report for May 2020 as presented.

OPEN FORUM

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

DEBT REIMBURSEMENT AGREEMENT with Livonia Township

Shana Conklin, City Attorney, Campbell Knutson, and Martha Ingraham, Bond Counsel, Kennedy & Graven, were present remotely to address the draft Debt Reimbursement Agreement between the City of Zimmerman and Livonia Township as it relates to financing the future Fire District Fire Hall and Event Center. Conklin stated that the agreement attempts to even out the financial obligations related to the Fire Hall construction for the Township and the City in the case that township properties are annexed into the City of Zimmerman during the 20-year life of the agreement. Conklin added that the agreement was not an Orderly Annexation Agreement and does not grant the City permission to annex any Township property by virtue of the proposed agreement.

Stay/Shepard unanimous to approve the Debt Reimbursement Agreement regarding property annexed by the City of Zimmerman between the City of Zimmerman and Livonia Township as presented and

authorize the Mayor and Clerk/Treasurer to sign said agreement on file in the City Clerk's Office, on behalf of the City, as recommended by staff and the City Attorney. Motion carried.

Discussion was held regarding a request by the Livonia Township Fire Board representatives to waive the City Sewer and Water Connection fees for the new Fire Hall and Event Center in their entirety. Council discussed the merits of waiving the connection fees for the project and concluded that it the City needs to make sure the debt related to sewer and water treatment is covered and that it would be unfair for City taxpayers to bear that cost.

Stay/Frederick unanimous to not waive any portion of the Sewer and Water connections fees related to the Fire District Fire Hall and Event Center project. Motion carried.

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

Pay Request #3 FINAL – Lift Station #5 Rehab

Public Works Director Koehler reported that the rehabilitation of Lift Station #5, which started last fall, is now complete. The contractor has completed all punch list items and the lift station is fully functional and operating to the satisfaction of staff. Pember Companies has presented the final pay request, which has been reviewed and approved by City Engineer Bittner. The two-year warranty period would start when the final payment is made. Staff recommends approval of the final payment.

RESOLUTION #2020-06-04 Bondhus/Whiting unanimous to adopt RESOLUTION #2020-06-04, approving Pay Request #3 – FINAL in the amount of \$10,548.25 (ck #42132) submitted by Pember Companies, Inc., for expenses related to the Lift Station # Rehabilitation Project and initiate the 2-year warranty period for the project, as recommended by staff and the City Engineer.

Plow Truck Replacement

In 2016 and 2017, Council authorized the purchase of new plow trucks to replace aging equipment. Over the past two winter seasons, the City's third plow truck, a 2002 Sterling, has continuously broken down after use, requiring costly repairs to keep it running. Staff is requesting Council consider replacing the Sterling truck with a new one through the competitive bid process, with delivery prior to year-end 2020. Upon receipt of a new truck, staff would advertise the Sterling for sale. Staff anticipates funding a purchase for less than \$200,000 using existing Capital Equipment resources, the 2020 Capital Expenditure Levy, and uncommitted reserves if necessary or practical.

Whiting/Stay unanimous to authorize staff to advertise for bids for the purchase of a 2021 plow truck as recommended. Motion carried.

Watering Restrictions

Koehler advised that the warmer temperatures and lack of rain are taxing the City's water system, stating that under normal circumstances, the City's well pump about 285,000 gallons per day. Yesterday, there was 1.5 million gallons of water used throughout the City. Koehler requested residents be mindful of watering restrictions and only water grass in the early morning or late evening when temps are milder if watering must be done. Properties with odd-numbered addresses should water on odd calendar days, and even numbered properties should only water on even-numbered days. No action taken.

ADMINISTRATOR'S REPORT

COVID-19 Preparedness Plan

Executive Order 20-74 released on June 5 requires critical sector businesses such as the City of Zimmerman to adopt a COVID-19 Preparedness Plan in order to return to regular operations. Under the order, the plan must be

adopted by June 29, 2020. Staff requested assistance from Attorney Conklin to draft a plan, which identifies phases of safely re-opening to regular operation amid COVID-19. Staff and Attorney Conklin believe the plan presented meets the requirements of Executive Order 20-74, and establishes processes and procedures to protect Council, Commissions members, staff and citizens as they move forward to conduct City business. The Public Works Department has been operating at full-strength for about two weeks. City Hall staff intend to resume regular 7 a.m. – 5:30 p.m. hours beginning July 1, 2020.

Stay/Shepard unanimous to approve the COVID-19 Preparedness Plan as required under MN Executive Order 20-74, as presented and as recommended by staff.

Population Estimate

Piasecki reported that that MN State Demographer has updated populations estimates for the State. The State estimates Zimmerman’s population to be 5,876 as of April 2019, with the number households estimated at 2,032. No action taken.

MAYOR/COUNCIL ITEMS

Upcoming Meetings and Events

Mayor Stay reported that the Zimmerman American Legion Post is grateful for the flag retirement box provided by the City at the Legion last year. In a typical year, the Legion will receive about 140 flags to be retired. Since the box was installed, the Legion has retired 481 flags. No action taken.

Member Frederick reported she has received several complaints about fireworks in town. Attorney Conklin commented that it is possible to draft an ordinance for consideration by Council related to fireworks noise, but it would likely be difficult to enforce and prosecute. No action taken.

Mayor Stay noted the following community events:

- June 23 – Ruby’s Pantry – Zimmerman City Park
- June 27 -- Passing the Bread Food Distribution – UMA Precision Machining
- July 3 – Independence Day 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 law enforcement personnel serving in the community.

Frederick/Stay unanimous to adjourn the meeting at 7:56 p.m. Motion carried.

Approved this 6th day of July 2020.

Kary Tillmann, Clerk/Treasurer