

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, JULY 15, 2019**

**CALL TO ORDER**

The regular meeting of the Zimmerman City Council was called to order at 7:01 p.m. at City Hall by Mayor Stay, followed by the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Stay, Council Members Bondhus, Frederick, Shepard, and Whiting. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Public Works Director Koehler and Attorney Schutt.

**AGENDA APPROVAL**

**Shepard/Whiting unanimous to approve the agenda as presented.**

**APPROVAL OF MINUTES**

**Bondhus/Frederick unanimous to approve the minutes of the July 1, 2019 Regular Meeting of the City Council as amended.**

**CONSENT AGENDA**

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

- a. Approve the payment of claims (ck #41166 - #41216) in the amount of \$29,436.85 as presented.
- b. Approve the interfund loan payment to the Water Fund (Fund 601) in the amount of \$8,320.00, for the purchase of the New Holland tractor, as authorized in Resolution #2014-11-02.
- c. Approve the interfund loan payment to the Sewer Fund (Fund 602) in the amount of \$9,173.51, for redevelopment purposes, as authorized in Resolution #2014-10-03 and EDA Resolution #14-10-02.
- d. Approve payment to the Sherburne County Auditor/Treasurer in the amount of \$343,952.50 (ck #41218) for 2019 1<sup>st</sup> half law enforcement contract services provided by the Sherburne County Sheriff's Department, with funds to be taken from the Public Safety Budget (101-42000-440), as recommended by staff.
- e. Accept invoice #19579 authorizing payment to YTS Companies LLC, in the amount of \$19,105.00 (41219), for grinding services at the City Compost Site, as recommended by staff.
- f. Authorize payment in the amount of \$11,769.58 (ck #41217) to Metron-Farnier, LLC, for the purchase of water meters and related parts and software, as recommended by staff, with funds to be taken from the Water (601) and Sewer (602) Funds.
- g. Authorize payment in the amount of \$25,999.45 (ck #41220) to Z Systems, as identified on invoice #45709, for equipment, software, labor and staff training for the upgrade to the cable access broadcast system per the quote received and on file in the Clerk/Treasurer's Office, with funds to be taken from unspent 2018 funds and uncommitted reserves.
- h. Accept the Building Permit Summary Report of June 2019 as presented.

**OPEN FORUM**

Council heard from the following persons during Open Forum:

**Kristin O'Brien, 25976 – 10<sup>th</sup> Street West** – stated she is in favor of a dog area in Firefighter's Park and would like staff to continue working on it. She uses area dog parks regularly and feels it would be a convenient option to have one so close to home.

**LuAnn Petricka, 26569 Fremont Drive** – thinks the dog park is a great idea, although is unsure of the objections to it. She lives on Lake Fremont and feels that walking her dog on streets in the lake area is not very safe due to the narrow roads. Before moving to Zimmerman, she lived in Minneapolis and used local dog parks because it was the only place she felt she could safely be with her pet. A dog area in Zimmerman will be a positive thing for the community. Petricka is willing to volunteer to help maintain if needed.

**Phebe Bangle, 25965 - 9<sup>th</sup> Street West** – stated she “dog sits” and takes care of animals at her home for friends. Sometimes it is difficult to walk dogs along city streets and having a focused dog area is better for playing and training. She is in favor of the dog area.

**Karen Michels, 26172 - 10<sup>th</sup> Street West** – stated she is excited to have a dog park in the community. Her concern is the size and that there was no public notice or opportunity for residents to provide input. She and another neighbor addressed the Council during Open Forum on July 1 and she addressed the Park Board on July 2 about the proportion of the dog area compared to the overall size of the park. She submitted a petition with 44 signatures requesting a reduction to the size of the dog area and requested she be notified if more signatures are necessary.

**Tom Figliuzzi, 27454 - 107<sup>th</sup> Street NW** – heard about the dog area today while out in the community. He and his wife have two small dogs and his daughter and granddaughters regularly stay at their house to watch their dogs when they are out of town. He thinks the dog park is a great idea and would be welcoming and inviting for the community. He would appreciate separate areas for large and small dogs. He and his wife are retired and willing to volunteer their time to help maintain the area. They live in Livonia Township and enjoy the Zimmerman community and are excited for the dog area to be completed.

**Jenna Leirmoe, 25520 – 12<sup>th</sup> Street W** – supports the dog park. She posted on Facebook about tonight’s meeting in support of the dog area. She feels the size is good for the area. The dog area in Elk River is not nearly as large and it feels crowded to her if there are more than 5 dogs in their dog area. She also regularly goes to dog parks in other communities and feels this one will be good for the community and hopes Council approves it.

#### **LAW ENFORCEMENT REPORT**

**Captain Bob Stangler, Sherburne County Sheriff’s Department**, provided an overview of activities for the month of June, 2019. In the month of June, the department recorded 264 calls for service. Due to a malfunction with the County’s reporting software, Stangler believes this number is low. Comparatively, there were 421 calls for service, including 172 traffic stops in 2018 and 469 calls for service in the same time in 2017. Deputies responded to 1 burglary, 8 thefts, 4 property damage crashes and 4 criminal damage to property complaints. Stangler added that the “hands free driving” law goes into effect on August 1 and provided a brochure with information. Additional information can also be found at [www.handsfreemn.org](http://www.handsfreemn.org).

**Council accepted the Law Enforcement Report for June, 2019, by unanimous consensus as presented.**

#### **EVENT PERMIT APPLICATION -- 2020 Wild West Days**

**Kris Hicks, Civic Club Chair**, was present to discuss permit applications for the 2020 Wild West Days event. As he explained at the June 17, 2019 meeting, the Civic Club would like to include a bull riding event as part of the 50<sup>th</sup> Anniversary festivities in 2020. The site has been reviewed by the bull riding event coordinator and Hicks believes it will fit in the parking lot as part of the carnival on Saturday evening. Hicks provided a map of the proposed event layout. Extensive discussion was held regarding the layout of the event on park property and whether a bull riding event would fit within the confines of the City Park. Council again suggested the Civic Club consider requiring parking at an off-site location, such as the Zimmerman High School/Middle School, and provide shuttle busses to the event to reduce traffic in the event area. Council requested City staff be on-site during set up of the 2020 event.

**Bondhus/Shepard to approve 2020 Wild West Days Event Permits to include bull riding at the 50<sup>th</sup> Anniversary event, contingent upon approval of the full event site layout by the Public Works Director and City Administrator, Public Works presence on-site during event set-up, and pending resolution of the Civic Club’s non-profit status. Roll call on the motion: Bondhus, aye; Frederick, naye; Shepard, aye; Stay, aye; Whiting, abstained. Motion carried.**

## **PARK BOARD REPORT**

**Park Board Chair Josh Bondhus** presented the July 2 Park Board report. The Board has been approached by the Elk River Youth Hockey Association (ERYHA) about renting the hockey rink for daily practice during the winter season. The City fee schedule identifies that the rink is available for rent on Tuesdays and Wednesdays, which they intend to reserve. They are also interested in renting the rink on Mondays and Thursdays, for a total of four (4) days a week plus two (2) weekends during the skating season. **Nicole Janas, Park Board Member**, added that the Park Board agreed by consensus to allow the Tuesday and Wednesday rental plus the 2 weekends. Discussion will be held with ERYHA at a future Park Board meeting regarding additional days per week.

**Whiting/Shepard unanimous to accept the July 2, 2019 Park Board Report as presented.**

### Dog Area in Firefighter's Park

Bondhus provided an overview of discussion at the Park Board meeting about the proposed dog area in Firefighter's Park. After a lengthy discussion with an adjacent property owner, the Park Board voted to recommend Council continue construction with the dog area in Firefighter's Park as planned and reassess the park for vandalism and use after 1-year before considering any changes to the dog use area. Public Works Director Koehler added that the dog area will contain a drinking station, a cool down station, a dispenser for dog waste bags and lighting. Koehler added that the project was estimated to cost about \$25,000, but through grants and donations received, will cost the City approximately \$2,000. Firefighter's Park will be the only City recreational area with a dedicated area for dog play.

**Stay/Frederick unanimous to continue construction of the dog park as planned.**

## **ADMINISTRATOR'S REPORT – presented by City Administrator Randy Piasecki**

### CenterPoint Energy Franchise Agreement

CenterPoint Energy's non-exclusive natural gas franchise expired in May 2019. Staff has been working with CenterPoint's liaison and the City Attorney to update the franchise agreement and anticipates an updated agreement for presentation in the near future. No action taken.

### Natural Gas Franchise Fee

The terms of the current and proposed CenterPoint Energy franchise ordinance allows the City to collect a franchise fee after the adoption of a separate franchise fee ordinance. The City must provide CenterPoint Energy with 60-days' notice of its intent to adopt such an ordinance, and the fee becomes effective after 60-days' notice of adoption is served on the utility.

Staff is recommending Council consider implementing a franchise fee and suggests fees collected be deposited into the Park Fund for future park improvements. Currently the Park Fund has no sources of revenue other than park dedication fees collected when new subdivisions are created. Attorney Schutt stated that MN statute allows for the collection of fees and Council has the authority to determine how collected fees will be used.

**Whiting/Bondhus unanimous to direct staff to pursue the implementation of a natural gas franchise fee ordinance as recommended by staff.**

## **MAYOR/COUNCIL ITEMS**

### Fire Board Report of July 9, 2019

The Fire Board met in regular session on Tuesday, July 9, 2019. Agenda items included the presentation and acceptance of the annual audit report and discussion regarding an RFP for architectural and engineering services for the proposed new Fire Hall building. The RFP will be available after July 16<sup>th</sup> and proposals accepted until August 22. No action taken.

Mayor Stay noted the following upcoming events:

- July 27 – Passing the Bread – 9:00 – 11:00 a.m. – UMA Precision Machining with setup on Friday, July 26<sup>th</sup> in the morning.
- August 6 – MN Night to Unite -- 6 – 8:30 p.m.-- City Park

Before adjourning, Mayor Stay asked for a moment of silence in honor of emergency services personnel and their families in our community.

**Frederick/Stay unanimous to adjourn the meeting at 8:13 p.m. Motion carried.**

Approved this 5th day of August, 2019.

s/s Kary Tillmann, Clerk/Treasurer

Approved 08/05/2019