

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, JULY 20, 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 and Whiting. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann and Public Works Director Koehler.

AGENDA APPROVAL

Whiting/Bondhus unanimous to approve the agenda as presented.

APPROVAL OF MINUTES

Frederick/Shepard unanimous to approve the minutes of the June 15, 2020 Regular Meeting as presented.

CONSENT AGENDA

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

- a. Ratify approval of the payment of claims (check #42134 - #42176) in the amount of \$39,645.88 and electronic payments (e-check #1943 - #1974) in the amount of \$93,692.64 as presented.
- b. Approve the payment of claims (check #42177 - #42226) in the amount of \$50,872.30 and electronic payments (e-check #1996 - #2004) in the amount of \$73,116.72 as presented.
- c. Accept the following invoice presented by payment by Bolton & Menk (ck #42227) for Engineering and Project Management services for the period of May 2 – 29, 2020 for the 2020 Morrison Addition Improvement Project, as presented and as recommended by staff.
- d. Accept invoice #2663 in the amount of \$11,840.00 (ck #42228) payable to Brenteson Companies, Inc., for the demotion and removal of the Well #1 pumphouse as approved by the City Council on November 18, 2019 and as recommended by the Public Works Director, to be paid from the Water Fund (Fund 601).
- e. Accept invoice #2466 in the amount of \$6,217.28 (ck #42229) authorizing payment to Metro West Inspection Services, Inc., for professional building inspection services in the City of Zimmerman for the month of June 2020, as recommended by staff.
- f. Authorize payment in the amount of \$352,287.00 (ck#42230) to the Sherburne County Auditor/Treasurer for 2020 1st 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.
- g. Approve the final tax abatement payment to UMA Precision Machining, Inc., in the amount of \$8,126.75 as presented by staff.
- h. 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 #2014-10-02.
- i. Adopt **RESOLUTION #2020-07-01** appointing identified persons to serve as Election Judges for the 2020 Primary and General Elections with the understanding that amendments may be necessary to the appointments in order to fill vacancies and meet party splits and approve payment of an hourly wage of \$11.50 per hour for Head Judges and \$10.3520 per hour for Regular Election Judges, plus mileage during election judge training and time served on Election Days.
- j. Accept the Building Permit Summary Report for June 2020 as presented.
- k. Approve an event permit application for the annual Ribfest and Beanbag Tournament at the Zimmerman American Legion Post 560 located at 12674 Fremont Avenue, to be held in the back parking lot and Alley behind the building on August 29, 2020.
- l. Approve the event permit application for the Zimmerman/Livonia Fire Department Open House, to be held September 12, 2020, from 11:00 a.m. – 3:00 p.m., at 13028 Fremont Avenue, Zimmerman, MN, and support the request to Sherburne County to close a portion of County Road 4 between Fremont Trail and 9th Street West between the hours of 11:00 a.m. – 3:00, to accommodate the afternoon open house.

- m. Approve the permit application for an outdoor dance for the Zimmerman/Livonia Fire Department, to be held September 12, 2020, from 8:00 p.m. – 12:00 midnight, at 13028 Fremont Avenue, Zimmerman, MN, and support the request to Sherburne County to close a portion of County Road 4 between Fremont Trail and 9th Street West between the hours of 8 p.m. – 12 midnight, to accommodate the evening public dance.
- n. Adopt **RESOLUTION #20-07-02**, approving the Application for Exempt Permit for American Legion Post Auxiliary Unit 560 for a gambling event to be held at the Zimmerman American Legion Post 560, 12674 Fremont Avenue, Zimmerman, on August 15, 2020.
- o. Adopt **RESOLUTION #20-07-03**, approving the Application for Exempt Permit for Sons of the American Legion Post 560 for a gambling event to be held at the Zimmerman American Legion Post 560, 12674 Fremont Avenue, Zimmerman, on August 29, 2020.
- p. Adopt **RESOLUTION #20-07-04**, approving the Application for Exempt Permit for Sons of the American Legion Post 560 for a gambling event to be held at the Zimmerman American Legion Post 560, 12674 Fremont Avenue, Zimmerman, on November 25, 2020.
- q. Adopt **RESOLUTION #20-07-05**, approving a temporary liquor license for the Zimmerman Community Club for an event to be held at the Zimmerman Civic Building, 25850 Main Street, Zimmerman, on September 12, 2020.
- r. Adopt **RESOLUTION #20-07-06**, approving a temporary liquor license for the Zimmerman/Livonia Volunteer Fire Department Annual Fireman’s Benefit Dance to be held at the Zimmerman Fire Hall, 13028 Fremont Avenue, Zimmerman, MN 55398, on September 12, 2020.
- s. Approve the license registration for a Sewer and Water Installer, for the period of July 21 – December 31, 2020, as requested by Kevin Gustafson, dba Gustafson Excavating, Inc., 8322 – 122nd Avenue SE, Becker, MN 55308.
- t. Approve the license application for a Solicitor for the period of July 21, 2020– July 19, 2021, for door-to-door solicitation by Jeremy Oreskovich representing Waste Connections/Ace Solid Waste, 6601 McKinley Street NW, Ramsey, MN 55303, pending receipt of all required documentation and necessary fees.
- u. Approve the license application for a Solicitor for the period of July 21, 2020– July 19, 2021, for door-to-door solicitation by representatives of Curbside Waste, 4025 – 85th Avenue North, Brooklyn Park, MN 55443, pending receipt of all required documentation and necessary fees.
- v. Approve the license application for a Solicitor for the period of July 20, 2020 to July 19, 2021, for two (2) mobile ice cream trucks for Fasil Agegnehu, 2144 Druid Road, Clearwater, FL 33764, pending receipt of all required documentation and necessary fees.

OPEN FORUM

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

LAW ENFORCEMENT REPORT – presented by Sheriff’s Department Patrol Captain Bob Stangler

Patrol Captain Bob Stangler, Sherburne County Sheriff’s Department, provided an overview of law enforcement activities for the month of June 2020. The department received 393 calls for service, including 98 traffic stops with 51 offenses charged by citation, not including long form complaints or in-custody arrests. During the same period in 2019, there were 425 calls for service, with 421 calls in 2018. One (1) burglary was reported, and four theft reports made. The department also responded to 7 vehicle crashes with property damage or injuries. Two (2) criminal damage to property complaints were received. Stangler reviewed other types of calls made during the month, noting no significant trends or incidents were reported.

Captain Stangler identified changes in emergency response protocol in response to the COVID-19 outbreak, detailing steps the Sheriff’s Department is taking to lessen face-to-face contact where possible to protect residents and law enforcement staff. He added that the situation continues to be fluid and rapidly changing, however they continue to follow recommendations from the MN Department of Health (MDH) and the Centers for Disease Control (CDC). Discussion was also held regarding the use of ATV’s and golf carts on City Streets.

Council agreed by unanimous consensus to accept the Law Enforcement Report for February 2020 as presented.

PARK BOARD REPORT

Councilmember Bondhus reported that the July 7, 2020 Park Board Meeting was cancelled due to the lack of a quorum. No action taken.

PUBLIC WORKS REPORT – presented by Public Works Director Keith Koehler

Facility Plan for Wastewater Treatment Capacity

Eric Meester, President, and Jennifer Svenes, Lead Process Engineer, NERO Engineering, were present to discuss a review of the City’s Wastewater Treatment Facility and projections for future treatment capacity. Staff provided an update of the capacity at the WWTP at the May 18th meeting. The plant was constructed in 1999 and expanded in 2009 to a current treatment capacity of 452,000 gallons per day (gpd). Currently, the plant is operating at 80% capacity during periods of peak demand. MPCA guidelines require the City move to planning stages for expansion when 85% capacity is reached.

Prior to year-end 2020, staff expects planning and permit applications for up to 145 multiple family units and possibly 100 single family lots. Based on current assumptions and with new applications, the plant will exceed 85% capacity at some point in 2021, necessitating the preparation of a facility plan for expansion. NERO Engineering has provided a proposal for engineering services related to the planning and design of a WWTP expansion at a cost of \$59,640.00. Staff is recommending acceptance of NERO’s proposal.

Stay/Whiting unanimous to accept the Engineering Services Agreement between the City of Zimmerman and NERO Engineering to complete a full facilities assessment of the existing Wastewater Treatment Plant and develop facility plan for future WWTP expansion, at a cost of \$59,640.00,m with funds to be paid from the Sewer Fund, as recommended by staff. Motion carried.

Mayor Stay declared a recess at 8:05 p.m. and reconvened the meeting at 8:10 p.m.

Pay Request #3 – Morrison Addition Improvements

C & L Excavating was contracted to perform the 2020 Morrison Addition Improvement Project. Work completed through June 19, 2020 totals \$846,434.85 less previous pay request and the 5% retainage. Pay Request #3 was recently submitted for payment by the Contractor.

RESOLUTION #2020-07-07 Whiting/Stay unanimous to adopt RESOLUTION #2020-07-07, approving Pay Request #3 in the amount of \$229,559.62 submitted by C & L Excavating for expenses related to the 2020 Morrison Addition Improvements, as recommended by the City Engineer.

Plow Truck Bid Results

Council recently authorized staff to advertise for bids for the purchase of a new snow plow truck to replace the 2002 Sterling. Staff worked with the City Attorney to draft minimum specifications and the bid notice, which was advertised in the June 27, 2020 edition of the Elk River Star News. Four bids were received, with Mid-State Truck Service being the apparent low bidder. Staff is requesting Council accept the bid from Mid-State Truck and authorize the purchase of a 2021 International plow truck.

Stay/Shepard unanimous to accept the bid submitted by Mid-State Truck Service Inc., and authorize the purchase of a 2021 International HV507 SFA 4 x 2 snow plow truck at a bid price of \$176,599.71 plus tax and license fees, with funds to be paid from committed capital reserves, as requested and as recommended by staff. Motion carried.

Bernick's Grant Application

Public Works Director Koehler advised he would like to apply for a competitive grant offered through Bernick's for improvements to the basketball court at the City Park. If awarded, the City could receive up to \$40,000 for park improvements.

Whiting/Shepard unanimous to authorize the Public Works Director to submit a competitive grant application to Bernick's for park improvements.

Department Staffing

Koehler reported that the retirement of Tom DeGreeff has left a part-time vacancy in the Public Works Department. A current department employee has expressed interest in moving to the part-time position, which would leave a FT vacancy. Koehler requested Council allow staff to review current applications on file to fill the vacancy in the Public Works Department. Koehler will provide an update on the hiring process at the August 3 meeting.

Stay/Shepard to allow staff to review existing Maintenance Technician applications currently on file with the City Clerk's Office to fill a Maintenance Technician vacancy in the Public Works Department. Motion carried.

ADMINISTRATOR'S REPORT –presented by Administrator Randy Piasecki

Sherburne County All-Hazard Mitigation Plan

Sherburne County Emergency Management Services has been working with local law enforcement agencies and fire departments to update the County Hazard Mitigation Plan, which has been approved by FEMA and adopted by the County Board. The plan details cost-effective actions for risk reduction, agreed upon by stakeholders and the public. Adoption of the plan by the City is a required condition for receiving certain types of non-emergency disaster assistance as well as for other mitigation projects following the declaration of a disaster.

RESOLUTION #2020-07-08 Stay/Shepard unanimous to adopt RESOLUTION #2020-07-08 supporting County-wide mitigation planning efforts and adopt the Sherburne County All-Hazard Mitigation Plan as presented and as recommended by the Zimmerman/Livonia Fire Chief. Motion carried.

July 15, 2020 Planning Commission Report

The Planning Commission met in regular session on July 15, 2020 to conduct a public hearing on a re-zoning request and review 2 variance requests. These actions were to be considered in March 2020, but due to the COVID pandemic the City's emergency declaration prohibiting non-City Council meetings until July 1, 2020. The Planning Commission held a public hearing to consider the re-zoning of property owned by the Fire District from R-1 Single Family Residential to C-1 General Commercial.

The Planning Commission, acting as the Board of Adjustment, then considered variance requests to additions to existing garage buildings. Both variances were granted.

Rezoning of Fire District Property

Stay/Shepard to adopt Ordinance No. 338, rezoning Lot 1, Block 1, West Side Estates from R-1 Single Family Residential to C-1 General Commercial, as recommended by the Planning Commission. Motion carried.

Shepard/Whiting unanimous to accept the Planning Commission Report of July 15, 2020, as presented. Motion carried.

MAYOR/COUNCIL ITEMS

Fire Board Report of July 14, 2020

Member Whiting reported the Fire District broke ground on the new Fire Station/Event Center in late June and construction has begun. No action taken.

Mayor Stay noted the following upcoming events:

- July 25 -- Passing the Bread Food Distribution – 9 - 11 a.m., UMA Precision Machining with set up on Friday, July 24
- August 11 – State Primary Election – Polls open 7 a.m. – 8 p.m.; City Residents living north of County Road 4 vote at the Sheriff’s Department Public Safety Building. City Residents living south of County Road 4 vote at Refuge Evangelical Free Church. Clerk/Treasurer Tillmann reported that additional Election Judges are needed. Interested persons should contact City Hall for more information.

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

Stay/Frederick unanimous to adjourn the meeting at 8:26 p.m. Motion carried.

Approved this 3rd day of August 2020.

Kary Tillmann, Clerk/Treasurer