

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, JULY 24, 2017**

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 Earenfight, followed by the Pledge of Allegiance.

ROLL CALL

Present: Mayor Earenfight, Council Members Nathe, Smith and Whiting. Member Brisbin was excused absent. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann and Public Works Director Johnson.

AGENDA APPROVAL

Whiting/Nathe unanimous to approve the agenda as presented.

APPROVAL OF MINUTES

Smith/Whiting unanimous to approve the minutes of the July 10, 2017 Regular Meeting as presented.

CONSENT AGENDA

Nathe/Smith unanimous to approve the consent agenda as presented as follows:

- a. Approve the payment of claims (check #39206 - #39250) in the amount of \$37,473.40 and electronic payments (e-check #1518 - #1528) in the amount of \$40,306.09 as presented.
- b. Approve payment in the amount of \$8,535.60 (ck #9252) to Hawkins, Inc., for bulk chemicals to be used at the Wastewater Treatment Plant as identified on Invoice #4104944, with fund to be paid from the SBR Budget in the Sewer Fund, as indicated by the Public Works Director.
- c. Accept Quote #LGT0000373 authorizing payment to Connexus Energy in the amount of \$5,143.50 (ck #39251) for electrical service to four (4) light poles as part of the 3rd Avenue South Improvement project, as recommended by the City Engineer.
- d. Approve the semi-annual interfund loan payment to the Water Fund (601) in the amount of \$9,360.00, for the New Holland Tractor, as authorized in Resolution #2014-11-02.
- e. Approve the semi-annual interfund loan payment to the Sewer Fund (602) in the amount of \$9,173.51, for redevelopment purposes, as authorized in Resolution #2014-10-03 and EDA Resolution #2014-10-02.
- f. Accept the Investment/Funds Report for June 2017 as presented by the Clerk/Treasurer.
- g. Accept the monthly Budget Report for June 2017 as presented.
- h. Adopt **RESOLUTION #17-07-04**, approving amendments to the 2017 General Fund Revenue and Expenditure Budgets as follows and as recommended by staff:
 - General Fund Property Taxes (Revenue 101-31000) – Decrease by \$225,000
 - Capital Improvement Fund Special Tax Levies (Revenue 400-31005) – Increase by \$225,000
 - General Fund Capital Street Improvements (Expenditure 101-49990-590) – Reduce by \$225,000
 - Capital Improvement Street Improvements (Expenditure 400-43100-590) – Increase by \$225,000
- i. Adopt **RESOLUTION #17-07-05**, approving Change Order #1 in the amount of \$56,492.96, as submitted by Asphalt Preservation Company, Inc., to expand the 2017 Pavement Preservation Project Area, as recommended by the City Engineer.
- j. Adopt **RESOLUTION #17-07-06**, authorizing the solicitation of donations for the purposes of funding or supporting National Night Out activities in the City of Zimmerman.
- k. Accept the Benefits Administration proposal from Alerus Retirement and Benefits for COBRA Administration for the City of Zimmerman, for a period of two (2) years, as recommended by staff.
- l. Approve the proposed revised Agreement for Legal Services with Campbell Knutson PA, establishing 2018 billing rates for contracted legal services, effective January 1, 2018, as recommended by staff.
- m. Approve the event permit application for the Zimmerman/Livonia Fire Department Open House, to be held September 9, 2017, 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.

- n. Approve the permit application for an outdoor dance for the Zimmerman/Livonia Fire Department, to be held September 9, 2017, 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.
- o. Adopt **RESOLUTION #17-07-07**, 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 9, 2017.

OPEN FORUM

The following individuals addressed the Council during Open Forum.

Request for Financial Support – Faith Pantry

Pat Oviatt, 25498 Main Street, was present to address two issues. Oviatt serves with Faith Pantry, a weekly food distribution serviced by a local church. Oviatt requested Council consider a \$500 donation to the charity to help fund their efforts in the community.

Oviatt then questioned why her water bill was so high. Her average monthly usage is 1,000 – 2,000 gallons. The previous month, her usage was 8,000 gallons and already this month, her meter has registered 2,000 gallons. Public Works staff has walked through the house with Oviatt, but Public Works Director Johnson suggested she schedule an appointment for a more in-depth walk through and meter check. No action taken.

2017 3rd Avenue South Improvement Project

Cheri Singleton, 12595 3rd Avenue South, was present to address a situation at her house earlier in the day. While contractors were working on the 3rd Avenue South Improvement project in front of her house, there was an issue when backfilling the abandoned sewer service line, causing a sewer back up into the residence, due to a 2nd service line going into the house. Administrator Piasecki reported that Service Master was contracted to begin the clean-up of the property. The City has also agreed to cover expenses to house the family in a nearby hotel until the clean-up is complete. Staff has also filed a claim with the City's insurance company and the adjuster is scheduled to inspect the property on Friday, July 28. It is unknown how long the family will be displaced.

Nathe/Whiting unanimous to provide reimbursement of up to \$100/day for up to seven (7) days for meals for the family, upon provision of receipts to the City by the Singletons for said expenses.

PARK BOARD REPORT

July 5, 2017 Park Board Update

Barry Wendorf, Park Board Chair, provided an overview of the July 5th Park Board meeting. The Board will be hosting a Night to Unite event in the City Park on Tuesday, August 1, 2017 from 6 – 8:30 p.m. Activities include kickball, disc golf, chalk art, a scavenger hunt, and a dunk tank with members of the Zimmerman High School football team. The Board will be collecting non-perishable food items for Passing the Bread and Mandy Kruse/Keller Williams Realty will show a movie in the park at 9 p.m. that evening. A flyer advertising the event will be mailed with city utility bills on July 27. Representatives from the City Council, Sheriff's Department and Zimmerman/Livonia Fire Department will be present for the duration of the event.

Council agreed by unanimous consensus to accept the July 5, 2017 Park Board Report as presented.

Support of Zimmerman Youth Baseball Grant Application

Mike Wold, House Director, and Talley Blazevic, Fundraising Coordinator, Zimmerman Youth Baseball, were present to discuss a grant application for improvements to the ballfields at the City Park. The Youth Baseball Association would like to apply for a \$25,000 grant through Burlington Northern/Santa Fe (BNSF)

Railroad for safety improvements which could include netting above backstops, dugouts, batting cages, or portable fencing. Because the City owns the park and facilities, the ZYBB must have the support of the City Council in order to apply.

Whiting/Smith unanimous to support a grant application to Burlington Northern/Santa Fe for safety improvements to the ballfields in Lions Park, as requested by the Zimmerman Youth Baseball Association.

LAW ENFORCEMENT REPORT

Patrol Captain Bob Stangler, Sherburne County Sheriff's Department, provided an overview of activities for the month of June, 2017. The department received 469 calls for service, including 146 traffic stops with 53 offenses charged by citation, as opposed 38 calls for service in the same time period in 2016 and 321 calls in 2015. There were one burglary and 13 thefts reported during the month of June, including 4 gas drive-offs, 6 with citations issued and 3 still under investigation. Ten thefts from vehicles were also reported. The department also responded to 1 crash with injuries, 5 property damage vehicle crashes and 2 criminal property damage complaints.

Other items of note from the Sheriff's Department include Night to Unite activities on August 1. The City will be hosting an event in Lions Park, which will include members of the Sheriff's Department.

Council agreed by unanimous consensus to accept the Law Enforcement Report for June, 2017, as presented.

PUBLIC WORKS REPORT

Project Updates

Public Works Director Johnson reported on the following projects in progress:

- The curb stop at 3rd Street East near Hardee's broke, necessitating an emergency repair at the end of last week. Restoration work is still in progress.
- The 2017 Pavement Preservation Project started up again today after stopping for a few days due to weather. All seems to be going well so far.
- The contractor will begin shaping 3rd Avenue South tomorrow. The incident at Singleton's this morning slowed progress a bit. Overall, the project appears to be going better. Comments were heard from **Bud Maliongas, 26005 – 2nd Street West**, who questioned what the zoning was for the residential properties in that area and what the right-of-way is in a commercial zone. He also expressed concern for children crossing the street to get to Zimmerman Elementary school, questioning if warning lights can be installed at the crosswalk.

No action taken.

FINANCE REPORT

Clerk/Treasurer Tillmann reported that two of the City's investments with a combined total of \$250,000, were called or matured by July 24th. Staff requested investment rates from brokers and local bank representatives prior to this meeting. Tillman recommends a 3-year investment with UBS Investments, which will fill a gap in the City's portfolio. Remaining this year, the City has 2 investments maturing in August and one in November.

Smith/Whiting unanimous to approve the re-investment of up to \$245,000 with UBS Investments for three (3) years at a rate of 1.90% with Comenity Bank, utilizing funds from the maturing CD held by UBS and authorizing a wire transfer from the City's checking account in the amount of \$145,000 on the settlement date to complete the transaction.

ADMINISTRATOR'S REPORT

Annexation Request – PID #30-007-4400

Administrator Piasecki reported that Livonia Township is reviewing the joint resolution for annexation for the property identified as PID #30-007-4400 owned by Christopher Flor. The property is a 34.16 acre parcel in the northwest quadrant of CSAH 4 and 136th Street, and is located in an Orderly Annexation area established with Livonia Township in 1999. The Planning Commission will review a preliminary plat proposed for that property at their meeting on July 26, with any recommended action considered by the Council on August 7. Also on August 7, Council will hear a presentation from Sherburne County regarding the sale of their property in City limits. No action taken.

MAYOR/COUNCIL ITEMS

Accept Donation for Night to Unite

The Zimmerman/Livonia Fire Relief Association donated \$500 to the City of Zimmerman to be used towards Night to Unite expenses.

RESOLUTION #17-07-08 Whiting/Nathe unanimous to adopt RESOLUTION #17-07-08, accepting a \$500 donation from the Zimmerman/Livonia Fire Relief Association to assist with expenses related to the Night to Unite event in park on Tuesday, August 1, 2017.

Mayor Earenfight identified the following upcoming events:

- Farmer's Market – Tuesdays; 2:30 - 6 p.m. – Zimmerman Bowling Alley
- August 1 – 6 – 8:30 p.m. -- MN Night to Unite – City Park
- August 1 – 8:30 p.m. – Movie in the City Park
- August 5 – 2 p.m. – Midnight – Sherburne County Relay for Life – Elk River Lions Park
- August 15 – 8:30 p.m. – Movie in the City Park
- August 19 – 9 – 11 a.m. -- Passing the Bread Produce Drop – UMA Precision Machining
- September 9 – 10 a.m. – 1 p.m. -- Community Shred Event – City Hall
- September 9 -- Fire Department Open House and Dance -- Fire Station
- September 9 – Zimmerman Youth Expo – St. John Lutheran

Prior to adjourning the meeting, Mayor Earenfight asked for a moment of silence in honor of US Military Personnel and their families.

Smith/Whiting unanimous to adjourn the meeting at 7:59 p.m. Motion carried.

Approved this 7th day of August, 2017.

s/s Kary Tillmann, Clerk/Treasurer