

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, AUGUST 5, 2019**

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, Public Works Director Koehler and Engineer Bittner.

AGENDA APPROVAL

Shepard/Whiting unanimous to approve the agenda as presented.

APPROVAL OF MINUTES

Bondhus/Shepard unanimous to approve the meeting minutes of the July 15, 2019 Regular Meeting as presented.

CONSENT AGENDA

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

- a. Approve the payment of claims (check #41221 - #41265) in the amount of \$40,854.64 and electronic payments (e-checks #1812 - #1840) in the amount of \$431,561.21 as presented.
- b. Approve the semi-annual payment to the Minnesota Public Facilities Authority in the amount of \$514,267.36 (ck #41267) for scheduled principal and interest payments on GO Revenue Bonds as follows and as recommended by staff:
 - 2000 SBR Interest: \$5,283.60 Principal: \$256,000.00
 - 4th Avenue WWTP Interest: \$11,768.40 Principal: \$107,000.00
 - 2010 SBR Interest: \$17,215.36 Principal: \$117,000.00
- c. Accept Invoice #236036 in the amount of \$7,694.00 (ck #41266), authorizing payment to Bolton & Menk for Project Management Services related to the Lift Station #5 Rehabilitation project Inspection Services for the period of June 1 - 28, 2019, as recommended by staff.
- d. Accept the Monthly Investment/Funds Report for March 2019 as presented.
- e. Accept the Monthly Investment/Funds Report for April 2019 as presented.
- f. Accept the Monthly Investment/Funds Report for May 2019 as presented.
- g. Accept the Monthly Investment/Funds Report for June 2019 as presented.
- h. Approve the event permit application for the Zimmerman/Livonia Fire Department Open House, to be held September 7, 2019, 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.
- i. Approve the permit application for an outdoor dance for the Zimmerman/Livonia Fire Department, to be held September 7, 2019, 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.
- j. Adopt **RESOLUTION #19-08-01**, 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 7, 2019.
- k. Approve the permit application for outdoor music and entertainment to be held Saturday, August 23, 2019, from 8:00 – 12:00 Midnight, as requested by ZBG/Angeno's, 13100 Fremont Avenue, Zimmerman, MN 55398.
- l. Approve the fireworks display permit as requested by the Zimmerman Quarterback Club for fireworks/pyrotechnic special effects display by Curt Serbus, to be located at the Zimmerman High

School/Middle School, 25900 – 4th Street West, on September 6 & 27, October 4, 16, & 22, 2018, and any playoffs games as determined at the end of the 2019 football season.

j. Approve applications for a Solicitor License as submitted by the following:

- Advantage Construction, Inc., 18750 Buchanan Street, East Bethel, MN 55092
- American Homes Roofing and Restoration, Inc., 11983 Kenyon Street NE, Blaine, MN 55449
- Anderson Construction, 100 S 5th Street, Suite 1900, Minneapolis, MN 55402
- Aspen Exteriors, 14285 St. Francis Blvd, Suite 101, St. Francis, MN 55303
- Built Strong Exteriors, 1355 Geneva Avenue N, Oakdale, MN 55128
- Hoffman Weber Construction, Inc., 3515 – 48th Avenue N, Brooklyn Center, MN 55429
- Polar Builders, 1103 Burnsville Parkway, Burnsville, MN 55337
- Prostar Exteriors LLC, 525 Quantico Lane, Plymouth, MN 55447
- Smart Builders, Inc., 11672 Butternut Street NW, Plymouth, MN 55448
- T-10 Construction, 13660 – 9th Avenue S, Zimmerman, MN 55398
- Thunderstruck Exteriors, 8595 – 190th Avenue, St. Francis, MN 55303

OPEN FORUM

Comments were heard from **Ben Scheel, 12640 – 2nd Avenue North**, regarding the property located at 26122 Main Street. The business located there had requested permission to sell used cars. He had received notification of a Planning Commission meeting regarding the use of the property, but then the meeting was cancelled, and the property is not being kept up.

Administrator Piasecki stated that the property owner withdrew the request for a Conditional Use Permit, which is why the Planning Commission meeting was cancelled. Since then, the Council has adopted an interim ordinance enacting a moratorium on used car lots. Staff has also received information that the business is no longer utilizing the building, which could explain the current state of the property. Staff will address with the property owner.

RECOGNITION -- Employee Anniversary

City Administrator Randy Piasecki will celebrate 25-years of employment with the City on August 8, 2019. Piasecki was hired in 1994 to serve as the Planner/Coordinator and was promoted to City Administrator in 2011. Council presented Piasecki with a plaque commemorating his achievement and thanked him for his service and dedication to the City.

FIRE PROTECTION REPORT

Fire Chief Ryan Maloney presented the Fire Department Activity Report for the month of July 2019. The Department responded to 8 medical calls, 2 personal injury motor vehicle accidents, 1 carbon monoxide call, 2 fire alarms, and 3 vehicle fires. Maloney stated that recently the Department responded to a call of an unresponsive male who was walking his dog. When emergency responders arrived on scene, the man was not breathing and had no pulse. By the time he was loaded into the air care helicopter, he was talking and responsive.

Council accepted the Fire Department Report for July 2019 by unanimous consensus as presented.

Council expressed their gratitude to the Zimmerman/Livonia Fire Relief Association for a \$500 donation to the City Night to Unite event which will be held on August 6.

RESOLUTION #19-08-02 Whiting/Bondhus unanimous to adopt RESOLUTION #19-08-02, accepting a donation from the Zimmerman/Livonia Fire Relief Association in the amount of \$500 for expenses related to the Night to Unite event on August 6, 2019.

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

Consider Repair/Replacement of WWTP Air Conditioning System

The Wastewater Treatment Plant (WWTP) has been operational for 20 years. The air conditioning unit which runs in the lab, office and mechanical rooms has recently quit working. Staff has had the unit inspected by a local vendor who has determined that the 7.5-ton compressor needs to be replaced.

Staff has obtained quotes for replacement of the compressor and the replacement of the entire unit. The cost to repair the compressor is estimated at \$7,495, with a full replacement of the entire AC unit estimated at \$9,600, which would include a 10-year parts warranty. Staff feels the best option would be to replace the entire AC unit.

Stay/Frederick unanimous to approve the replacement of the air conditioning unit at the Wastewater Treatment Plant at a price not to exceed \$10,000, with funds to be taken from the 2019 Sewer Fund/SBR budget as recommended by staff.

Installation of Fencing at 4th Avenue Water Plant

One of the City's 2 Water Treatment Plants are fenced for security purposes. Fencing is included in the City's mitigation plan from the MN Department of Health. In order to protect the wellhead and treatment facility, staff is requesting approval to install security fencing at the 4th Avenue Water Treatment Plant. Staff solicited quotes from five (5) vendors and received responses from three (3), for fencing similar to what is currently in place at the 6th Avenue Water Plant. The lowest quote was provided by Century Fencing, who has also installed fencing in the City Park.

Whiting/Shepard unanimous to accept the quote from Century Fence Company in the amount of \$22,110.00 for the installation of security fencing of the 4th Avenue South Water Treatment Plant and authorize payment from the 2019 Waster Fund Budget (Fund 601), as recommended by staff.

Dog park Grand Opening

Public Works Director Koehler thanked Council for their participation in the Dog Park Grand Opening on Tuesday, July 30. The event was well attended and the park continues to have heavy use. Discussion was held regarding parking for the dog park area. Koehler stated that the Park Board agreed they would re-evaluate the use of the park after 1 year. Koehler would like to wait to make a decision on additional parking until the newness of the park tapers off. Currently, the dog area is being used much more than he expected it would. No action taken.

Feasibility Report -- 2020 Morrison Addition Improvements

Kevin Bittner, City Engineer, Bolton & Menk, was in attendance to present the Feasibility Report for the proposed 2020 Morrison Addition Improvement Project. Council authorized the preparation of a Feasibility Report on a proposed 2020 street and utility reconstruction project at the April 1st meeting. Staff believes this will be the last reconstruction project to be completed on the west side of TH 169 prior to focusing on reconstruction of the Lake Fremont Area.

Bittner reviewed the report with Council, which summarized the project area, necessary utility replacements, storm sewer addition, curb/gutter, and street paving with limited sidewalks. Streets included in the proposed project include 1st and 2nd Avenue South, lying between 2nd Street West and CH 45, and 3rd Street West lying south of CSAH 4 or Fremont Avenue. Three (3) segments of alleys have been identified in the report for inclusion in the project if Council chooses. The report identifies a public open house on September 4th and a public hearing on the project at the September 9th Council meeting.

Extensive discussion was held regarding Municipal State Aid reimbursements, on-street parking, roadway widths, and potential assessments. Comments were heard from **Russ Aubart, 25970 - 2nd Street West**, who commented that he would like to see the alleyway to his house be improved with pavement or by grading. He continues to

have water issues on his property, which began prior to the 2017 3rd Ave S Improvement project. He believes most of the water running onto his property comes from the Zimmerman Elementary School property.

RESOLUTION #19-08-03 **Shepard/Bondhus to adopt RESOLUTION #19-08-03, accepting the feasibility report for the proposed 2020 Morrison Addition Improvement Project and calling for a public hearing on proposed assessments at 7:00 p.m. or as soon possible thereafter on Monday, September 9, 2019.**

FINANCE REPORT – presented by Kary Tillmann, Clerk/Treasurer

Reinvestment of City Funds

The City had an investment called on July 29th, valued at \$62,000, and the funds were deposited into the ICD Securities money market account as requested by staff. Staff has been in contact with the broker and provided a recommendation for re-investment based on current rates.

Whiting/Frederick unanimous to delay the re-investment of funds until additional investments are available due to maturity.

ADMINISTRATOR'S REPORT –presented by Randy Piasecki, City Administrator

Water/Sewer Update

Every 2 years, the City's Financial Consultants do a review of the Water and Sewer Funds determine if cash flow and cash reserves are adequate for debt service and repair and replacement of infrastructure. Jim Casserly and Greg Johnson have reviewed and analyzed financial information provided by staff as well as existing facility capabilities and growth projections. Casserly and Johnson have found that the current Water/Sewer program and supporting funding mechanisms appear to be adequate, and consultants have encouraged staff to maintain the current fee structure as grown and development occurs to ensure adequate funds are collected to pay for current debt service. No action taken.

Consideration of Tobacco 21

Sherburne County is looking to increase the legal age to purchase tobacco and tobacco-related products to 21 years of age. The Board of Commissioners will be discussing a proposed ordinance amendment at their August 20th workshop and are seeking City support of the County's adoption of such an ordinance.

Comments were heard from **Wendy Kowalski, 26412 Lake Avenue**, who asked if the County has determined how they would implement such a policy for those individuals who are between the ages of 18 and 21 and currently able to purchase tobacco and tobacco related products. Member Whiting advised that the County has not determine that yet.

RESOLUTION #19-08-04 **Whiting/Frederick unanimous to adopt RESOLUTION #19-08-04 supporting a Sherburne County ordinance amendment raising the minimum legal sales age for tobacco ad tobacco products to 21 years of age.**

MAYOR/COUNCIL ITEMS

Due to a lack of agenda items, Council agreed to cancel the Committee of the Whole Meeting scheduled for Monday, August 12, 2019.

Mayor Stay noted the following upcoming community events:

- August 6 – Night to Unite (6 – 8:30 p.m.) in the City Park
- August 17 – Zimmerman American Legion Auxiliary Golf Tournament – Princeton Golf Course

- August 31– Passing the Bread Food Distribution (9 – 11 a.m.) with setup on August 30
- September 7 -- City Wide activities
 - Community Shred Event – 10 a.m. – 1 p.m. -- City Hall
 - Chamber of Commerce 5K and Community Business Expo – City Hall
 - Ladies on the Loose – 10 a.m. – 3 p.m.
 - Fire Department Open House -- 11 a.m. – 3 p.m. – Fire Station
 - Fall Festival – 9 a.m. – 3 p.m. – St. John Lutheran Church
 - Firemen’s Dance – 8 p.m. – Midnight – Fire Station

Before adjourning, Mayor Stay asked for a moment of silence in honor of US military personnel and emergency responders and their families, both at home and abroad.

Frederick/Whiting unanimous to adjourn the meeting at 8:29 p.m. Motion carried.

Approved this 19th day of August, 2019.

s/s Kary Tillmann, Clerk/Treasurer

Approved 08/19/2019