

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, OCTOBER 1, 2018**

CALL TO ORDER

The regular meeting of the Zimmerman City Council was called to order at 7:00 p.m. at City Hall by Acting Mayor Brisbin, followed by the Pledge of Allegiance.

ROLL CALL

Present: Acting Mayor Brisbin, Council Members Mathison, Shepard and Whiting. Mayor Earenfight was excused absent. Also present were Administrator Piasecki and Clerk/Treasurer Tillmann.

AGENDA APPROVAL

Whiting/Mathison unanimous to approve the agenda as presented.

APPROVAL OF MINUTES

Shepard/Whiting unanimous to approve the minutes of the September 17, 2018 Regular Meeting of the City Council as presented.

CONSENT AGENDA

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

- a. Approve the payment of claims (check #40425 - #40460) in the amount of \$41,820.92 and electronic payments (e-check #1667 - #1683) in the amount of \$432,590.98 as presented.
- b. Accept Invoice #514 in the amount of \$8,925.00, (ck# 40461) authorizing payment to Darryl Waletzko LLC for the installation of a sidewalk and concrete apron across the Main Street entrance to the Lion's Park parking lot, with \$5,000 to be paid from the Street Department budget (101-43100-223), and the balance to be paid from the Water Fund (Fund 601), as recommended by staff.
- c. Approve the use of \$25,528.00 from Compensated Absences Committed Reserves for the payout of accumulated time for former Public Works Director Dave Johnson, as recommended by staff.
- d. Accept the Investment/Monthly Budget Report for April, 2018 as presented.
- e. Accept the Investment/Monthly Budget Report for May, 2018 as presented.
- f. Approve the license application for a Sewer & Water Installer for Groth Sewer and Water, 775 Tower Drive, Hamel, MN 55340, for the period of October 1 – December 31, 2018.

OPEN FORUM

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

FIRE PROTECTION REPORT

Fire Chief Ryan Maloney presented the Fire Department report for the months of August and September 2018. The Department responded to 9 medical assists over the course of the 2-month period. There were 2 calls relating to gas leaks, 4 personal injury motor vehicle accidents, 7 carbon monoxide reports 5 fire alarms, 4 downed power lines, and a vehicle fire. The Department also responded to commercial building fires in Livonia and Baldwin Townships, as well as 2 residential fires in Zimmerman and Livonia Township and provided mutual aid to the City of Elk River.

Maloney reported that the Firemen's Dance in September hosted over 800 people, which is the highest recorded attendance they have had. The Department is grateful for the support of residents and businesses in our community. The emergency warning siren located by Zimmerman Home and Garden was struck by lightning over the summer. NelComm initiated a repair, but when the County tested the siren remotely, it did not discharge. The siren will be tested again this Wednesday during the monthly test to determine if additional repairs are needed. Three new Firefighters have been hired and this coming Monday, 2 will start the Firefighter Academy in Elk River. Ten current members have been approved to attend EMT training in the near future. October is Fire Prevention Month. Next week, Firefighters will visit local schools and daycares, anticipating the department will

educate 1,600 students about fire prevention and safety This coming Friday is the Walk-A-Thon for the elementary schools in town. Students will walk to the Fire Station from their school and the student that raised the most money in pledges will receive a ride back to school on a Fire Truck. Last year, elementary school students raised approximately \$30,000 for Zimmerman schools.

Council accepted the Fire Department Report for August and September 2018 by unanimous consensus as presented.

FINANCE REPORT

2018 Longevity

Annually, Council considers longevity payments to employees based on years of service to the City. Six (6) employees are eligible to receive longevity payments in 2018. In the past, longevity has been paid out to eligible employees with the first payroll in December, if it has been approved by Council, which is usually done in November. Staff answered questions of regarding the eligibility requirements and how longevity is calculated.

Shepard/Mathison unanimous to approve the annual payout of longevity to the following employees who have at least 10 years of continuous full-time City employment in 2018: Maintenance Technician Tom DeGreeff (11 years), Finance Technician Teri Grote (13 years), WW Plant Operator Mike Gwynn (18 years), Maintenance Technician Brett Johnson (13 years), City Administrator Randy Piasecki (24 years), and Clerk/Treasurer Kary Tillmann (12 years), with the first payroll in December 2018, according to the schedule established and approved by Council (Resolution #2000-12-11), on file in the City Clerk's Office. Motion carried.

ADMINISTRATOR'S REPORT

Snowmobile Regulations

Piasecki reported that Council received a request earlier this year to re-evaluate the City's current ordinance relating to snowmobile operation in City limits. Resident Mike Pinor appeared before Council with concerns about the operation of snowmobiles at excessive speeds on city streets and across private properties without permission. It is within the City's right to ban the operation of snowmobiles in City limits, but Council must decide if that is the direction they'd like to take. Staff is looking for discussion and direction from Council to plan for future Council action. Based on direction provided, staff will work with the City Attorney to draft an appropriate action for future Council meeting.

Council discussed several options with the consensus being that members are against a total ban on snowmobiles in town, but in favor of strengthening regulations to ensure compliance with City ordinance. Council requested staff discuss the issue with Captain Stangler and request he provide information on snowmobile complaints received in 2017-18 at the next Council meeting. Member Mathison suggested that representatives from the local snowmobiles clubs also be invited to a future meeting to participate in discussion regarding signage and potential changes to the City's ordinance.

Comments were heard from **Mike Pinor, 26252 – 9th Street West**, who added that his concern is not just the speed, but the disregard for personal property. He regularly has snowmobilers driving through his yard and feels that the City can implement any law or regulation, but he doesn't think it will do any good unless snowmobiles are banned completely from being operated in town.

Planning Commission Report of September 26, 2018

Preliminary/Final Plat Approval – “Winter Park Second Addition”

The plat of “Winter Park Second Addition” is a re-platting of 4 existing lots in Winter Park, plus 2 outlots in

North Ridge Entry currently deeded to Laurence and Sheryl Winter. The plat dedicates the 2nd Avenue North right of way rather than the existing easement for travel and utilities granted when 2nd Street East and 2nd Avenue North were constructed, and the cul du sac in 2nd Avenue North was vacated in 2001. Upon filing and recording, the Winter's will have 4 saleable commercial lots. The Planning Commission conducted a public hearing on the request as required. No comments were received against the request for preliminary and final plat approval.

Whiting/Shepard unanimous to approve the Preliminary Plat of "Winter Park Second Addition" as requested by Laurence and Sheryl Winter, as recommended by the Planning Commission.

Shepard/Mathison unanimous to approve the Final Plat of "Winter Park Second Addition" as requested by Laurence and Sheryl Winter as recommended by the Planning Commission.

Consider Purchase of Outlots from Woodland Development Corporation

Woodland Development Corporation (WDC) is ceasing business operations at the end of 2018. Pam Westlund of WDC contacted staff on September 19th to determine the City's interest in acquiring their remaining parcels in the City, 3 outlots lying in Maefield Estates Second Addition and Marturano Woods. The outlots were platted as future street and utility extensions into adjacent undeveloped properties. Westlund is offering these outlots to the City at a combined price of \$7,500. Staff's intent on purchasing these outlots is to hold them for resale to developers when the adjacent properties are developed.

The Planning Commission reviewed Woodland's offer to sell the outlots at their September 26th meeting and recommends Council purchase the outlots for sale and inclusion in future developments. Staff also recommends Council purchase the outlots and suggests payment from the proceeds of the land sale to PSD, LLC. At the last meeting, staff suggested the proceeds be deposited in the Park Fund, however that action was taken 2 days prior to WDC contacting the City. Staff recommends Council rescind their action of September 17 and consider using a portion of the proceeds from the land sale to PSD, LLC to acquire the 3 outlots and designate the balance to the Park Fund.

Comments were heard from **Virginia Terry, 13396 4th Avenue South, Zimmerman**, who questioned if the land being purchased would be used for future park property. Whiting stated it would be used for future land development, but not parks specifically because the three parcels are only big enough to grant access into potential future developments. Owning the property would make it easier for the City to guide the development and access of those properties according to the City's zoning and subdivision ordinances.

Whiting/Mathison unanimous to rescind the commitment of \$14,700 from the sale of Outlots F, G, and H, North Ridge Entry to the Park Fund, as recommended by staff. Motion carried.

Shepard/Whiting unanimous to commit \$7,500 from the sale of Outlots F, G, and H, North Ridge Entry to the General Fund and the remaining balance of \$7,200 to the Park Fund, as recommended by staff.

Whiting/Shepard unanimous to approve the purchase of Outlot D, Maefield Estates Second Addition and Outlots B & C, Marturano Woods, from Woodland Development Corporation at a total cost of \$7,500, with funds to be paid from the General Fund -- Capital Expenditures - Land (101-49990-510), as recommended by staff and the Planning Commission. Motion carried.

MAYOR/COUNCIL ITEMS

Acting Mayor Brisbin identified the following upcoming events:

- October 7 – 13 – Fire Prevention Week
- October 27 – Passing the Bread Food Distribution – 9 – 11 a.m., UMA Precision Machining

Whiting/Shepard unanimous to adjourn the meeting at 7:29 p.m. Motion carried.

Approved this 15th day of October, 2018.

s/s Kary Tillmann, Clerk/Treasurer

Approved 10/15/2018