

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, OCTOBER 2, 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 Brisbin, Nathe and Whiting. Member Smith was excused absent. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann and Public Works Director Johnson.

AGENDA APPROVAL

Brisbin/Nathe unanimous to approve the agenda with the following changes:

- **Delay Consideration of MNDOT Master Partnership Agreement**
- **Delay discussion on 2017 Longevity Payout**

APPROVAL OF MINUTES

Nathe/Whiting unanimous to approve the minutes of the September 18, 2017 Regular Meeting of the City Council as presented.

CONSENT AGENDA

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

- a. Approve the payment of claims (check #39430 - #39468) in the amount of \$44,071.20 and electronic payments (e-check #1550 - #1555) in the amount of \$97,764.55 as presented.
- b. Accept Invoice #208364 in the amount of \$31,958.00, (ck# 39469) authorizing payment to Bolton & Menk for project management services related to the 2017 3rd Avenue S Improvement Project for the period of July 29 – August 25, 2017, as recommended by staff.
- c. Accept the Investment/Funds Report for August, 2017 as presented.
- d. Accept the Monthly Budget Report for August, 2017 as presented.
- e. Acknowledge the advertisement of the vacant Maintenance Technician position, as requested by staff.
- f. Authorize staff to enter into an agreement for the administration of a Safety and Compliance Management Program for the period of October 1, 2017 – September 30, 2018 with the Minnesota Municipal Utilities Association (MMUA), at a cost not to exceed \$10,500 for the contract period, as recommended by staff.

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 month of September, 2017. The Department responded to 8 medical assists, which is unusually high for the Department. Typically they respond to 3 – 4 in a month. There were 2 calls relating to gas leaks, 1 carbon monoxide report, 3 fire alarms and a grass fire reported. Four new Firefighters were recently hired and they are currently attending the Fire Fighter Academy hosted by the Elk River Fire Department. The month of October is Fire Prevention Month and department members will be conducting presentations in area schools and will also be available to meet with daycare centers and home daycares by contacting the Fire Station. Maloney estimates the Department will meet with nearly 1,400 kids next week to educate on Fire Prevention. 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.

Council accepted the Fire Department Report for September, 2017 by unanimous consensus as presented.

PUBLIC WORKS REPORT

Purchase of Zero – Turn Mower

Public Works Director Johnson reported that currently, the Department uses 2 commercial grade zero-turn lawn mowers to perform the majority of mowing in City parks, open spaces and right-of-ways. Staff wishes to replace the 2011 John Deere mower due to age and number of hours of operation. An upgrade at this time would allow the City the opportunity to recover a good amount of the initial investment in the machine, which was purchased new in 2011 for \$13,800.

Staff has researched purchasing options and has found a new mower, dump bagger and vacuum unit from a local vendor, with a total list price of \$15,986. The vendor has offered the unit for sale to the City at a price of \$11,709, plus a \$3,500 trade-in incentive for the current John Deere 925A mower. Staff recommends selling the JD 925A instead of trading it in. There are budgeted funds available in both the Streets and Parks Department to cover the cost of the mower purchase.

Nathe/Whiting unanimous to purchase and authorize payment for a 2017Toro Model 75936 Z Master 3000 My Ride 60” Zero-Turn mower with model 78553 Dump Bagger and Model 78567 Vacuum, from Princeton Rental at a cost of \$11,709.28, to be paid from the Streets and Parks Departments.

Nathe/Brisbin unanimous to authorize staff to sell the John Deere 925A mower with bagger, as recommended by staff.

Plow trucks

At the September 11th meeting, Council authorized staff to sell 2 of the City’s older plow trucks after the purchase of new plow trucks in 2016 and 2017. Staff advertised the vehicles for sale through the League of Minnesota Cities and a potential buyer has contacted Public Works, offering to purchase both trucks for \$40,000. Proceeds from the sales would be committed to the Truck Fund to help offset the recent plow truck purchase.

Council agreed by unanimous consensus to accept the offer of \$40,000 for the purchase of the 1994 Ford Plow Truck and the 1995 Chevrolet Kodiak Plow Truck, as recommended by staff.

ADMINISTRATOR’S REPORT

Request to Vacate Easement

Administrator Piasecki reported that Sherburne County Public Works acquired a 5-acre parcel from the City in 1995, which is the current location of their County Shop on 7th Avenue. The parcel is not platted, so all the road right-of-ways exist through easements, with the County having a 60-foot roadway easement on the south property line and a 30-foot roadway easement on the north property line.

The County is currently reviewing title to all County-owned land and discovered this unused roadway easement through the course of their review. Sherburne County is requesting the City consider vacating the road easement, as the street cannot be extended west beyond the County property due to existing residential development. Sanitary sewer and water mains located underground within the current easement would remain and be covered by a drainage and utility easement, which would be defined and retained by the City as party of the vacation order, or the County could deed the easement back to the City through separate action.

Staff supports the request and recommends approval of the vacation of the easement.

Nathe/Brisbin unanimous to schedule a Public Hearing on the request by Sherburne County to vacate the 60-foot roadway easement on the north side of the property located at 25800 - 7th Street West, Zimmerman, for Tuesday, November 6, 2017, at 7:00 p.m. or as soon as possible thereafter.

Support EDA Acquisition of Property

Administrator Piasecki advised that Sherburne County owns property surrounding their Public Safety Building on 5th Street West, which is commercially zoned. The County and the County HRA has sold a number the parcels in the development to businesses wishing to re-locate and construct new commercial buildings in the City. The process can be cumbersome, as the County HRA, in addition to a number of other steps, needs to secure approval from the City in order to conduct business in City limits prior to conducting the sale.

At the August 2, 2017 City Economic Development Authority (EDA) meeting, staff suggested the EDA consider purchasing the 2 remaining lots from Sherburne County for future sale and development. EDA ownership eliminates the need for the County to conduct public hearings on any future sales and their need to request City approval to operate and sell property in City limits. Sherburne County would sell the lots to the EDA for a combined total of \$44,000. The EDA has sufficient cash balance in the fund for this potential expenditure. Member Nathe stated that he sees more risk than benefit to the City in acquiring the properties.

Whiting/Brisbin unanimous to support the Zimmerman Economic Development Authority purchasing Lots 3 & 4, Block 2, Sherburne County Public Safety Addition, from Sherburne County, as recommended by staff.

Miscellaneous Items

Staff and the City Attorney have completed negotiations with Mid-Continent Communications regarding the Cable Franchise Agreement. A Public Hearing will be held on November 6, with Council consideration of the updated agreement scheduled for the November 20th meeting.

Staff has received a tax abatement application from Vision Transportation for their project in the Public Safety Addition. The application is currently being reviewed by the City's Financial Consultant, Jim Casserly, with review by the Council anticipated at the October 16 meeting.

No action taken.

MAYOR/COUNCIL ITEMS

Mayor Earenfight identified the following upcoming events:

- October 3 – Final Farmer's Market of the season – 2:30 – 6:00 p.m. – Zimmerman Bowling Alley
- October 8 – 14 – Fire Prevention Week
- October 28 – Passing the Bread Food Distribution – 9 – 11 a.m., UMA Precision Machining

Before adjourning, Mayor Earenfight asked for a moment of silence in honor of US military personnel at home and abroad, and for those suffering after the shooting in Las Vegas, Nevada.

Brisbin/Nathe unanimous to adjourn the meeting at 7:33 p.m. Motion carried.

Approved this 16th day of October, 2017.

s/s Kary Tillmann, Clerk/Treasurer