

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, OCTOBER 5, 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 Fire Chief Maloney.

**AGENDA APPROVAL**

**Frederick/Whiting unanimous to approve the agenda as presented.**

**APPROVAL OF MINUTES**

**Whiting/Shepard unanimous to approve the minutes of the September 21, 2020 Regular Meeting of the City Council as presented.**

**CONSENT AGENDA**

**Whiting/Bondhus unanimous to approve the consent agenda as follows:**

- a. Approve the payment of claims (check #42444 - #42468) in the amount of \$46,288.52 and electronic payments (check #2082E – #2087E) in the amount of \$37,838.77 as presented.
- b. Approve payment to Kodiak Power Systems (ck #42470) to be paid from CARES Act Grant Funds as follows and as recommended by staff:
  - Invoice #KPS0602 in the amount of \$44,390.00 as final payment on the purchase of two (2) 45 KVA Towable Generators;
  - Invoice #KPS0597 in the amount of \$7,595.00 as partial payment on the purchase of a Cummins natural gas generator with extended warranty installed on Lift Station #2
  - Invoice #KPS0601 in the amount of \$9,195.00 as final payment on the purchase of a Cummins natural gas generator with extended warranty installed on Lift Station #2
- c. Authorize payment to NHH Roofing Plus in the amount of \$30,000.00 (ck #42471) as down payment for future building repairs due to storm damage at City Hall, and the 4<sup>th</sup> Avenue and 6<sup>th</sup> Avenue Water Treatment Plants, as requested.
- d. Adopt **RESOLUTION #2020-10-01** appointing identified persons to serve as Election Judges for the 2020 General Election 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 \$10.50 per hour for Regular Election Judges plus mileage, for all Election Judge training and time served on Election Day.
- e. Accept the Building Permit Surcharge Report of September 2020 as presented.
- f. Approve the fireworks display permit as requested by the Zimmerman Quarterback Club for fireworks/pyrotechnic special effects displays by Curt Serbus, to be located at the Zimmerman High School/Middle School, 25900 – 4<sup>th</sup> Street West, on October 9, 15 & 30, 2020 plus playoff games to be determined November 5 – 7, 2020 if necessary.

**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 2020. The Department responded to 14 medical calls, a gas leak and 3 personal injury motor vehicle accidents, as well as 2 carbon monoxide reports, 5 fire alarms, a downed power line and 4 grass fires. The Department also responded to three residential house fires in the service area.

Construction of the new Fire Hall and Event Center continues on schedule. Chief Maloney is also working on finalizing purchases with CARES funding. Currently the Department is hiring to fill three (3) spots on the Department, with appointments to be made by the end of October.

This week is Fire Prevention week with the theme “Serve Up Fire Safety in the Kitchen.” The department will meet with about 1,500 pre-school and school-aged children to talk about how students can take simple but important actions to keep themselves and those around them safe from risk of home fires, especially in the kitchen.

**Council accepted the Fire Department Report of September 2020 by unanimous consensus as presented.**

**FINANCE REPORT - -presented by Clerk/Treasurer Kary Tillmann**

2020 Longevity

Annually, Council considers longevity payments to employees based on years of service to the City. Four (4) employees are eligible to receive longevity payments in 2020. In the past, longevity has been paid out to eligible employees with the first payroll in December, if it has been approved by Council.

**Stay/Shepard 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 2020: Finance Technician Teri Grote (15 years), Wastewater Plant Operator Mike Gwynn (20 years), City Administrator Randy Piasecki (26 years), and Clerk/Treasurer Kary Tillmann (14 years), with the first payroll in December 2020, according to the schedule established and approved by Council (Resolution #2000-12-11), on file in the City Clerk’s Office. Motion carried.**

Proposed Ordinance No. 341 – Mayor/Council Salaries

Current salaries for the Mayor and Council were adopted in 2014 and became effective January 1, 2015. During the 2021 budget process, staff suggested and included in the 2021 budget a proposed increase for elected officials. Staff presented draft Ordinance No. 341 which repeals the previous ordinance setting Mayor/Council salaries, sets new salary amounts and amends Section 2.08 of City Code. The amended language increases annual salaries to \$6,000 per year for the Mayor and \$4,800 per year for Councilmembers, retaining the Special meeting rate, with an effective date of January 1, 2021.

**Stay/Whiting unanimous to adopt Ordinance No. 341, increasing Mayor and Council salaries effective January 1, 2021, as recommended by staff. Motion carried.**

**ADMINISTRATOR’S REPORT – presented by City Administrator Randy Piasecki**

Pay Request #6 and Change Order #2 – Morrison Addition

C & L Excavating was contracted to perform the 2020 Morrison Addition Improvement Project. Work completed thru September 25, 2020 totals \$1,450,152.19 less required 5% retainage and previous pay requests. The Contractor also submitted change order No. 2 for storm water adjustments in Alley C and manhole and gate valve casting adjusting rings in the streets which increases the contract price by \$6,850.00. Bolton & Menk and City Administrative staff have reviewed the Pay Request and recommend Council adopt the resolution approving Pay Request #6 in the amount of \$126,664.55 and Change Order No. 2 in the amount of \$6,850.00 as requested.

**RESOLUTION #2020-10-02 Stay/Shepard unanimous to adopt RESOLUTION #2020-10-02, approving Pay Request #6 in the amount of \$126,664.55 (ck #42469) and Change Order #2 in the amount of \$6,850.00 as submitted by C & L Excavating for the 2020 Morrison Addition Improvements, as recommended by staff and the City Engineer. Motion carried.**

Planning Commission Report of September 30, 2020

Final Plat – Zimmerman Commercial Park

The Planning Commission recommends final plat approval of “Zimmerman Commercial Park”, a commercial subdivision of approximately 35-acres lying west of TH 169 and north of 5<sup>th</sup> Avenue North. This project received preliminary plat approval by the City Council on September 14, 2020. The final plat includes development of 3 developable lots and 2 out lots for storm water retention and future development. The City Engineer has approved the grading, development and construction plans, and a draft development agreement is being reviewed by PSD LLC. Second Street East would be extended approximately 1,700 feet north, including installation of water, sewer and storm sewer utilities. Staff is completing the necessary plat documentation and development agreement details for inclusion in the signature copy of the plat and filing with the County.

**Whiting/Stay unanimous to approve the final plat of Zimmerman Commercial Park as requested by PSD LLC, conditioned upon the execution of a Development Agreement with the City of Zimmerman and submission of a letter of credit and all planning related fees, as recommended by the Planning Commission. Motion carried.**

**Stay/Whiting unanimous to authorize the Mayor and City Administrator to execute a development contract with PSD LLC on behalf of the City of Zimmerman. Motion carried.**

Request for Conditional Use Permit/Planned Unit Development – PSD LLC

The Planning Commission conducted a public hearing regarding a request by PSD, LLC for a conditional use permit and planned residential development in the C-2 Highway Commercial District. The CUP would permit the development of 2 multiple family structures in excess of 50-units, and the PRD approval would allow multiple structures on one lot as well as approve the design and features as proposed. All other aspects of Code would still be applicable such as required parking and lighting, architectural standards and fully landscaping the property. If approved as recommended by the Commission, the Phase II construction would only require a building permit for construction, no additional hearings, reviews, etc., unless the plan were to significantly change. Administrator Piasecki reported that the PSD LLC will be paying Park Dedication fess on the 35-acre parcel and will not be requesting TIF Assistance for this project. The Planning Commission recommends approval of the request.

**Stay/Whiting to approve a Conditional Use Permit (CUP) for a phased 160-unit Planned Unit Residential Development including two (2) 80-unit multiple family apartment buildings on Lot 1, Block 2, Zimmerman Commercial Park, as requested by PSD LLC and recommended by the Planning Commission. Motion carried.**

**Stay/Frederick unanimous to accept Planning Commission Report of September 30, 2020 as presented. Motion carried.**

Great Northern Trail Memorandum of Understanding

Sherburne and Mille Lacs Counties are looking to create a partnership committee comprised of County staff and representatives from the Cities of Zimmerman, Elk River and Princeton, to collaborate on long-term plans for the Great Northern Trail Corridor. The primary focus of the committee for the first year will include master planning and submission of an application for Regional Trail Designation through the Greater MN Parks and Trails Commission. Staff presented a memorandum of understanding (MOU) for consideration by Council, which was provided by Gina Hugo, Sherburne County Parks Coordinator, and drafted cooperatively by Sherburne and Mille Lacs Counties. The MOU details expectations of entities involved. Councilmember Bondhus volunteered to serve on the committee created through the MOU with Council designating Administrator Piasecki as the City’s staff representative.

**Stay/Whiting unanimous to approve the Memorandum of Understanding between Sherburne and Mille Lacs Counties and the Cities of Elk River and Princeton to create the Great Northern Trail Partnership and authorize the City Administrator to sign said MOU on behalf of the City as recommended by staff. Motion carried.**

**MAYOR/COUNCIL ITEMS**

Mayor Stay noted the following upcoming events:

- October 4 - 10 – Fire Prevention Week
- October 30 – MNDOT Region 7W Meeting – Mayor Stay will be attending
- October 31 – Passing the Bread Food Distribution – 9 – 11 a.m. with set up on October 30, 2020
- November 3 – General Election – Polls open 7 a.m. – 8 p.m. -- Residents living north of CSAH 4 will vote at the Sheriff’s Department Substation and residents living south of CSAH 4 will vote at Refuge Evangelical Free Church

Council agreed by unanimous consensus to cancel the Committee of the Whole Meeting scheduled for Monday, October 12, 2020 due to a lack of agenda items.

**Mayor Stay declared the meeting adjourned at 7:37 p.m.**

Approved this 19th day of October 2020.

s/s Kary Tillmann, Clerk/Treasurer

Approved 10/19/2020