

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, OCTOBER 15, 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 Mayor Earenfight, followed by the Pledge of Allegiance.

ROLL CALL

Present: Mayor Earenfight, Council Members Brisbin, Mathison, Shepard and Whiting. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, and Public Works Director Koehler.

AGENDA APPROVAL

Brisbin/Whiting unanimous to approve the agenda as presented.

APPROVAL OF MINUTES

Mathison/Shepard unanimous to approve the meeting minutes of the October 1, 2018 Regular Meeting of the City Council as presented.

CONSENT AGENDA

Shepard/Whiting unanimous to approve the consent agenda as presented as follows:

- a. Approve the payment of claims (check #40463 - #40504) in the amount of \$23,218.21 and electronic payments (e-check #1684 - #1699) in the amount of \$128,391.09 as presented.
- b. Accept invoice #1697 in the amount of \$14,222.41 (ck#40505), authorizing payment to Metro West Inspection Services for professional Building Inspection Services for the month of August 2018, as presented and as recommended by staff.
- c. Authorize payment to Total Control Systems (ck #40506) as identified in Invoices #8420 in the amount of \$10,746.67 and Invoice #8419 in the amount of \$22,878.48 for SCADA improvements and security cameras approved by the Council on June 18, 2018, with funds to be taken from the Water Fund budget (601-49400-408), as recommended by the Public Works Director.
- d. Accept the June 2018 Investment/Budget Report as presented.
- e. Accept the July 2018 Investments/Budget Report as presented.
- f. Accept the August 2018 Investments/Budget Report as presented.
- g. Adopt **RESOLUTION #2018-10-01**, approving the commitment of \$25,000 of General Fund Reserves to fund employee Compensated Absences as recommended by staff.
- h. Adopt **RESOLUTION #2018-10-02**, approving the commitment of \$25,000 of General Fund Reserves to the Fire Hall Building Improvement Fund (Fund 410) for future repairs and upkeep of the existing Fire Hall, as recommended by staff.
- i. Accept the Memorandum of Understanding between the City of Zimmerman and Abdo, Eick & Meyers for audit services for the year ended December 31, 2018, as recommended by staff.
- j. Accept the September 2018 Building Permit Summary Report as presented.
- k. Approve the license application for a Garbage and Refuse Collector for Waste Management, 1505 – 11th Avenue NE, Cambridge, MN 55008, for the period of October 16 – December 31, 2018.

OPEN FORUM

There was no one present to address the Council during open forum.

PARK BOARD REPORT

Councilmember Jay Whiting provided an overview of the October 2, 2018 Park Board Meeting. Public Works staff is still working to secure materials and labor to install a metal roof on the concession building in the City Park before winter. The Public Works Department has also completed all repairs at Bob DeGreeff Park, which was recently under water. The park area is accessible once again.

Mathison/Shepard unanimous to accept the Park Board Report of October 2, 2018 as presented.

LAW ENFORCEMENT REPORT

Patrol Captain Bob Stangler, Sherburne County Sheriff's Department, provided an overview of activities for the month of September, 2018. The department received 417 calls for service, including 106 traffic stops with 35 offenses charged by citation, as opposed 437 calls for service in the same time period in 2017 and 287 calls in 2016. Stangler noted that eleven thefts were reported during the month of September, with five being gas drive-offs with no information available about the suspect. The Sheriff's Department responded to 5 property damage vehicle crashes and one 1 criminal property damage complaint.

Discussion was held regarding disposal of prescription medicines. Currently the Sheriff's Office in Elk River is a drop site. Questions have been posed about making the Zimmerman Substation a drop site also. Stangler will discuss with Sheriff's Administration to see if that is possible.

Snowmobile Regulations

Discussion was held regarding a resident request to amend the City's snowmobile ordinance to ban the operation of snowmobiles in City limits. Stangler advised he had looked back through call history and snowmobile complaints are down over the past 5 years. City ordinance allows snowmobilers to drive directly to a trail. He encouraged residents to call the Sheriff's Department to report snowmobile operators that are driving in town illegally, adding that he would also encourage Patrol Deputies to watch snowmobilers more closely while patrolling. When making complaints, it's important to provide as much description of the sled and driver as possible. Staff will include information about snowmobile regulations in the next City newsletter, on the City's website and Facebook page, as well as communicate to local snowmobile clubs once the trail map has been updated.

Comments were heard from **Mike Pinor, 26254 – 9th Street West**, who stated that the only way to stop people from driving snowmobiles in his yard is to ban them from town completely. He continued that no metro area cities allow snowmobiles in town and if Council wants to be considered more metro, they should act accordingly. Stangler stated that he would take note of Mr. Pinor's address and request additional patrols in that area once the snow season begins.

Council agreed by unanimous consensus to accept the Law Enforcement Report for September 2018, as presented.

PUBLIC HEARING – Modification of Development District #1, Existing TIF Plans and Creations of TIF District #10

Jim Casserly, Financial Consultant, Monroe Moxness Berg, was present to address the Council and EDA regarding the proposed modification of Development District #1, existing TIF plans and the proposed creation of TIF District #10. Casserly advised that he has been working as the City's Financial Consultant for many years and has provided regular updates to the Council on TIF financing and the City's overall financial health. It has been several years since the City created a new TIF District and some current Council members were not sitting on the Council when that was done. The request in front of both the Council and EDA this evening is to create a TIF housing district. Casserly was present to provide an overview of the legalities of the process and ensure the City is acting in compliance with the law. The Developer was also in attendance and will provide an overview of the proposed project.

Casserly continued that nearly every city in the State of Minnesota has TIF Districts. Currently, there are about 2000 active districts throughout the state. At one time, Zimmerman had 9 active districts in its 30-year history. Currently there are 2 active TIF districts in the City. There are several different types of TIF Districts the City can create. The request being considered at this meeting is to create a TIF housing district, which is only designed for housing that meets certain criteria as established by State law. All the City's legal obligations

regarding the project have been met. Multiple notifications have been sent to Sherburne County, the Sherburne County Commissioner representing Zimmerman, ISD 728 and the property owners in the project area, with proper notice and a map of the area in question published in the City's legal newspaper. Casserly then proceeded to walk through the process of actions for consideration. Council will be requested to approve the decertification of seven (7) parcels in TIF District #8. The second action would be to create TIF District #10, then approve the expansion of the development district and finally, approval of the development contract with PSD LLC by the EDA. The life of the development contract is 15 years, but a future Council will have the option to extend the agreement for an additional 5 years if they so desire.

Mathison/Brisbin unanimous to open the public hearing at 7:34 p.m. to consider the modification of Development District #1 and the creation of TIF District #10.

Matt Kuker, PSD LLC, was present to discuss his request for Council to consider the creation of a TIF housing district for the property of his proposed apartment building. Kuker stated that originally the intent was to build an 80-unit building, but the size of the site will limit the building to 65 units. The project will include a full heated underground parking area with controlled access which will contain a car wash for residents. The exterior of the building will be constructed with brick and stone. Each unit will have its own private self-suspended balcony with overhang to give a 3D architectural feel. Each unit's interior will be finished with granite countertops, its own washer and dryer, plank wood flooring and wood blinds. There will be a UPS package center inside the building for secure package delivery for residents, an elevator and an oversized freight elevator to accommodate large furniture. A two-story community room with a full kitchen and two-sided fireplace will be available for use by residents and the community. The building will have a full-time on-site manager. TIF financing will allow rental of units to people on fixed incomes.

Administrator Piasecki read aloud a letter from Sherburne County in support of the creation of a TIF District to support the project. According to the County, this project will add more than \$6.29 million in value to the City. PSD's housing study, which was conducted 2 years ago, showed a significant need for rental housing in the area at that time.

There were no comments from the public.

Shepard/Mathison unanimous to close the public hearing at 7:45 p.m. and Mayor Earenfight declared a recess. The regular Council meeting was reconvened at 8:25 p.m. after the Zimmerman Economic Development Authority Meeting.

ADMINISTRATOR'S REPORT

Consider Decertification of Parcels Within TIF District #8

As explained during the Public Hearing, the proposed "Depot on Main" 65-unit apartment building will be constructed on properties currently lying within TIF District #8. Since the developer is requesting TIF assistance for the project, those parcels lying within TIF #8 must be decertified and removed from the district prior to being included in a new TIF housing district. City staff and the developer have been working with Financial Consultant Jim Casserly, Monroe Moxness Berg, on the creation of a TIF housing district, a contract for private redevelopment, and the decertification documentation for submission to the County and State of Minnesota.

RESOLUTION #18-10-03 Mathison/Shepard unanimous to adopt RESOLUTION #2018-10-03 decertifying a portion of TIF District #8, including PIDs #95-009-3420, #95-009-3425, #95-401-0120, #95-401-0130, #95-565-0060, #95-565-0070, and #95-565-0080, as recommended by staff and the City's Financial Consultant. Motion carried.

Modifications to Development Program for Development District #1 & Existing TIF Plans for Districts #8 & #9

RESOLUTION #18-10-04 Shepard/Brisbin unanimous to adopt **RESOLUTION #2018-10-04** approving the modification of the development program for Development District No. 1 and the Tax Increment Financing Plans for TIF Districts #8 and #9, creating a Tax Increment Financing District #10 and adopting a Tax Increment Financing Plan thereto, as recommended by staff and the City's Financial Consultant. Motion carried.

MAYOR/COUNCIL ITEMS

Mayor Earenfight noted the following upcoming events:

- October 16 – Chamber of Commerce Candidate Forum – 6:30 – 8:30 p.m. at City Hall
- October 27 -- Passing the Bread Food Distribution – 9 - 11 a.m. at UMA Precision Machining

General Election Information

Clerk/Treasurer Tillmann reminded residents that pre-registration for the November 6th General Election closes on October 16th. Absentee Voting is currently available through the Sherburne County Auditor/Treasurer's Office. Residents living on the north side of County Road 4 are considered Precinct 1 and vote at the Sheriff's Department Substation. Residents living on the south side of County Road 4 are considered Precinct 2 and vote at Refuge Evangelical Free Church, which is located south of Zimmerman High School.

Before adjourning, Mayor Earenfight asked for a moment of silence in honor of US Military personnel and their families.

Mathison/Brisbin unanimous to adjourn the meeting at 8:34 p.m.

Approved this 5th day of November 2018.

s/s Kary Tillmann, Clerk/Treasurer

APPROVED 11/05/2018