

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, NOVEMBER 6, 2023**

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 Dahl, Earenfight, Farber, and Whiting. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Public Works Director Koehler, Streets, Parks, and Utility Supervisor Dallager, and City Engineer Bittner.

AGENDA APPROVAL

Whiting/Earenfight unanimous to approve the agenda with the following addition:

- **Off-Sale Liquor License Transfer Application added to Consent Agenda**

CONSENT AGENDA

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

- a. Approve the minutes of the October 16, 2023 Regular Meeting of the City Council as presented.
- b. Approve the payment of claims (check #45614 - #45666) in the amount of \$64,745.71 and electronic payments (check #2770e - #2780e) in the amount of \$89,028.49 as presented.
- c. Adopt **RESOLUTION #2023-11-01**, approving payment to Astech Corporation in the amount of \$50,943.01 (ck #45667) for the micro surfacing of 120th Street from CSAH 4 north to Hickory Street, with payment from the 2023 pavement preservation levy, as recommended by staff and the City Engineer.
- d. Approve payment to Bolton & Menk (ck #45668) for the following invoices for the period of September 2 - 29, 2023, as recommended by staff:
 - Invoice #322355 in the amount of \$6,021.00 for Tall Pines Construction oversight
 - Invoice #322362 in the amount of \$15,032.00 for 5th St W Tower/WTP Improvements
- e. Adopt **RESOLUTION #2023-11-02**, approving Pay Request #8 in the amount of \$360,429.58 (ck #45669) submitted by Magney Construction, Inc., for expenses related to the construction of the 5th St W Tower and Water Treatment Plant, as recommended by staff and the City Engineer.
- f. Authorize payment in the amount of \$6,201.75 (ck #45670) to Metro West Inspection Services for professional Building Inspection Services in the City of Zimmerman for the month of September 2023, as identified in Invoice #3869 as recommended by staff.
- g. Authorize payment in the amount of \$3,280.56 (ck #45671) to Vision Enterprises, LLC, for 2023 Tax Abatement, as presented by staff per the agreement on file in the City Clerk's Office.
- h. Approve the tobacco license application for the Zimmerman Smoke Shop LLC, 12686 Fremont Avenue, Zimmerman, for the period of November 7, 2023 – June 30, 2024, as recommended by staff.
- i. Accept the September 2023 Budget/Investment/Funds Report as presented.
- j. Accept the October 2023 Building Permit Surcharge Report as presented.
- k. Approve the Off-Sale Liquor License Transfer Application as submitted by Kulwant Kaur for licensee JDJ Inc., dba Uptown Off-Sale, 25965 Main Street, Zimmerman, MN 55398, for the period of November 15, 2023 – June 30, 2024.

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 October 2023. The Department responded to 8 medical calls, a personal injury motor vehicle accident, 4 carbon monoxide calls, a fire alarm, a

grass fire, a vehicle fire, 5 residential fires and an animal rescue. Maloney added that the emergency warning signal behind Zimmerman Home & Garden is not working properly, so the antenna will be raised to better accept the signal from the County. The ladder truck also recently passed the annual ladder inspection.

Council accepted the Fire Department Report for October 2023 by unanimous consensus as presented.

LAW ENFORCEMENT REPORT

Captain Ryan Broich, Sherburne County Sheriff's Department, provided an overview of law enforcement activities for the month of October 2023. The department received 325 calls for service, including 59 traffic stops with 5 offenses charged by citation, not including long form complaints or in-custody arrests. During the same period in 2022, there were 328 calls for service plus an additional 226 security checks, with 374 calls in 2021. The department responded to 5 theft complaints, 7 vehicle crashes with property damage or injuries, and 2 damage to property complaints. Captain Broich reviewed other types of calls made during the month, stating it was a quiet month overall with no significant trends or incidents reported.

Council agreed by unanimous consensus to accept the Law Enforcement Report for October 2023 as presented.

PUBLIC WORKS REPORT

Lake Fremont Area Road Improvements

Engineer Bittner was present to review the proposed road improvement project for certain areas around Lake Fremont. Affected streets include Fremont Lane, Hillside Drive, Oak Street, and portions of Terrace Drive and Fremont Drive. The project would follow procedural requirements of MN Statute 429, which allows the City to assess certain costs to benefitting property owners. This project area is also an MSAS route, so the City intends to use Municipal State Aid dollars to fund a portion of the road improvements.

RESOLUTION #2023-11-03 Whiting/Farber unanimous to adopt RESOLUTION #2023-11-03, ordering the preparation of a Feasibility Report for the proposed Phase 1 Lake Fremont Area Road Improvements as recommended by staff and the City Engineer. Motion carried.

Purchase of Pick-Up Trucks

Public Works is requesting authorization to purchase two (2) new 2024 pickups to replace existing trucks, as part of the department's ongoing vehicle rotation. The last vehicle purchases were completed in 2021, when the City acquired two trucks from MNDOT after not cycling vehicles through a rotation for several years. Staff has identified 2 existing trucks, a 2011 and 2014 both purchased from MNDOT, that should be considered for replacement or less frequent use. Koehler suggests selling the 2011 and would like to transfer the 2014 to the Sewer Department to be used exclusively at the Wastewater Treatment Plant.

Public Works staff has reviewed specifications and options available through the State Bid for a Ford F-150 4x4 Super Cab and F-250 4x4 Super Cab pickup. The F-250 would be equipped with towing and snow plowing features. Vehicle prices established by the Minnesota State Bid are \$47,261.50 for the F-150 and \$53,130.35 for the F-250.

Whiting/Dahl unanimous to authorize the Public Works Department to order, with the intent to purchase, a 2024 Ford F-250 4x4 Super Cab pickup at a state bid price of \$53,130.35, and a 2024 Ford F-150 4x4 Super Cab pickup at a state bid price of \$47,261.50 from Midway Ford Commercial, as requested and recommended by staff. Motion carried.

ISD 728 Softball Complex

ISD #728 is proposing to relocate existing district owned softball fields from the Zimmerman High School property to property immediately south of Zimmerman Elementary, where the District intends to build a 4-field softball complex, including a Varsity field and three (3) practice fields. This location is the only remaining undeveloped District property within the city. District plans show the site is too small to house the 4-plex without the need for additional space. As drawn, the practice fields on the east side of the property would encroach approximately 100-feet onto the City Park property. School and engineering staff from ISD 728 have recently discussed with Mayor Stay and Administrator Piasecki the City's participation in their project by contributing land for the balance of the field construction.

Approximately 80-feet of land from the City Park would be needed for the outfields and the remaining 20 feet for transition back into the park. City staff has met with District engineers regarding the proposed layout and impacts to the park. Based upon the design, it appears that only 1 disc golf hole would be impacted by the use of city property. Water and sewer mains would remain under the proposed practice fields and could be accessed in case of emergency. Staff believes the contribution of a portion of the property should be considered and included in the District project as a benefit not only to the schools but the community as well.

The City can contribute land to the project by entering into a Joint Powers Agreement (JPA) with ISD #728. After discussing the project with District engineers, staff anticipates a JPA will be drafted by the District and submitted for city review and possible Council approval. Construction would be proposed for 2024, with clearing occurring this winter if both parties enter into a joint powers agreement.

Stay/Farber unanimous to authorize City staff to work with the City Attorney and ISD 728 staff on a Joint Powers Agreement for the contribution of land for the proposed softball complex at Zimmerman Elementary School. Motion carried.

FINANCE REPORT – presented by Clerk/Treasurer Kary Tillmann

Certification Hearing – Delinquent Utility Bills

Tillmann reported that on October 3, 2023, staff mailed 193 letters notifying residents and property owners of pending certification of delinquent utilities totaling \$56,882.61. This annual hearing is an opportunity for residents to appeal a pending certification. A final certification list will be presented for review and adoption on November 20th, which must be approved by Council at that meeting for submission to the County Auditor/Treasurer by the November 30th deadline. In the past, the County has allowed properties to be removed from the certification list into December of the current year and potentially January of the following year, but there is no guarantee that they will continue to do so.

There was no one present to address the Council regarding delinquent utility bills.

ADMINISTRATOR'S REPORT – presented by City Administrator Randy Piasecki

Proposed Changes to 2024 Fee Schedule

Staff has updated Council on the intent to have Council amend sections of the City Code to eliminate miscellaneous licensing requirements. These include the annual dog license, licensing for gas sales, billiards, bowling alleys, electronic gaming (video games), and various other licenses that are not used by the city, obsolete, or redundant and regulated by MN Statutes. The City Attorney is working on a proposed Code amendment to eliminate these requirements, and if adopted by Council, the fee schedule would be modified to remove the corresponding fees.

Northland Securities and city staff are finalizing a long-term financial planning model to be presented to Council in December. As part of the background to the model development and financing of improvements, Northland

has reviewed the financials for the Water and Sewer Funds, basically resulting in a rate study. Northland will recommend an annual water rate increase of 4% and sewer rate of 5%. The City has been annually increasing rates by 3% for at least the past 7 years. In addition, Northland will recommend a new water connection fee and sewer connection fee of \$500 each, over and above the \$7,500 WAC and \$7,500 SAC Fees. All these increases are recommended to ensure adequate fund balances to compensate for inflation and expansion of the utility system.

Public Works Director Koehler has also suggested increases to park fees such as building rental, ballfield and hockey rink rental rates, and elimination of field rental for baseball and softball leagues. These recommendations are in response to increasing city expenses, improvements to the Civic Building, and to ensure equal opportunities to use of the park facilities. Field rental rates are proposed as a field per day fee + optional set up and light fees, eliminating a per participant fee for football and baseball associations, as well as changes to the hockey rink rental fees.

Extensive discussion was held regarding current fees and proposed changes. All proposed fees will be discussed in December during the Public Hearing on the 2024 Fee Schedule. No action taken.

MAYOR/COUNCIL ITEMS

Mayor Stay noted the following upcoming events:

- November 1 – City-wide Winter parking rules went into effect. No parking on City streets between the hours of Midnight and 8:00 a.m. until May 1, 2024.
- November 10 – Veteran’s Day Observed -- All City Offices closed
- November 18 – Passing the Bread Food Distribution; 9 – 11 a.m. – UMA Precision Machining
- November 23 & 224 – Thanksgiving Holiday – All City Offices closed

Before adjourning, Mayor Stay asked for a moment of silence in honor of emergency services and military personnel at home and abroad.

Stay/Whiting unanimous to adjourn the meeting at 8:14 p.m. Motion carried.

Approved this 20th day of November 2023.

s/s Kary Tillmann, Clerk/Treasurer