

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, NOVEMBER 16, 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 and Council Members Frederick, Shepard and Whiting were present in the Council Chambers. Council Member Bondhus was present remotely pursuant to MN Stat. 13D.021, subd 1. Also present were Clerk/Treasurer Tillmann, Public Works Director Koehler (remote) and Engineer Bittner (remote).

AGENDA APPROVAL

Whiting/Frederick unanimous to approve the agenda as presented.

CONSENT AGENDA

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

- a. Approve the payment of claims (check #42568 - #42643) in the amount of \$33,591.62 as presented.
- b. Authorize payment in the amount of \$6,874.77 (ck #42644) to Core & Main for the purchase of water meters and related parts for the Zimmerman/Livonia Fire Hall and Event Center, as identified on invoices #N266925 & #N266853, as recommended by staff, with funds to be taken from the Water (601) and Sewer (602) Funds.
- c. Approve payment to Hawkins, Inc., in the amount of \$8,935.82 (ck#42645) for bulk chemicals to be used at the Wastewater Treatment Plant as identified on Invoice #4819261, with funds to be paid from the SBR Budget in the Sewer Fund as indicated by the Public Works Director.
- d. Accept Invoice #2622 in the amount of \$14,642.76 (ck #42646) authorizing payment to Metro West Inspection Services, Inc., for professional Building Inspection Services in the City of Zimmerman for the month of October 2020, as recommended by staff.
- e. Approve payment to the Zimmerman/Livonia Fire District in the amount of \$380,699.88 (ck #42647) as identified on Pledge #1091 for Rochon Pay Request #4 for Construction Management services on the Fire Hall and Event Center through October 31, 2020, to be paid from bond proceeds, as recommended by staff.
- f. Accept the Building Permit Summary Report of October 2020 as presented.

OPEN FORUM

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

LAW ENFORCEMENT REPORT

Patrol Captain Bob Stangler, Sherburne County Sheriff's Department, presented the October 2020 Law Enforcement Report in writing, announcing via letter that he had accepted an internal promotion as of January 1, 2021. The new Zimmerman Patrol Captain would be introduced to Council in December 2020.

Council accepted the Law Enforcement Report for October 2020, by unanimous consensus as presented.

Assessment Hearing – 2020 Morrison Addition Improvements

At 7:06 p.m., Mayor Stay opened the public hearing to consider proposed assessments for the 2020 Morrison Addition Improvement Project.

Engineer Bittner stated that the purpose of the hearing was to consider proposed assessments associated with improvements to the Morrison Addition authorized by the City Council in early 2020. All affected property owners were notified of the date and time of the hearing and invited to attend in person or remotely via Zoom. The total cost of the project proposed for assessment is \$272,338.80, which is very close to what was proposed at public comment meetings in the spring. Bittner stated that the project is not yet complete, and the City will hold 5% retainage from the contractor until the project has been accepted by staff and the Engineer in 2021. Once the project has been deemed accepted by the City, the 2-year warranty period will begin.

The following public comments were received:

Bonnie Sanders – 12686 – 1st Avenue South, stated that she was promised things as part of the project that hadn't yet been done. A bush on the corner of their property was to be removed and placement of extra tar in the alleyway was to be placed to stop the washout of their driveway. She also stated that her basement has flooded since the project was started and that has never happened before. She added that the assessment amount would create a financial hardship for her and requested Council approve a deferral of the assessment for her property. Council requested she put her deferral request in writing for consideration at the December 7, 2020 meeting.

Clerk/Treasurer Tillmann acknowledged written requests for the deferral of assessments received from **Richard Leitzke, 26038 – 3rd Street West** and from Lolly Myrant on behalf of her parents, **Ron and Joyce Tegarden, 12695 – 2nd Avenue South, Zimmerman**. Both residents requested deferrals based on disability and financial hardship. Mayor Stay acknowledged a letter received from **American Legion Post 560, 12674 Fremont Avenue, Zimmerman**, requesting Council waive the entire assessment amount for that property due to financial hardships caused by COVID.

Mayor Stay closed the public hearing at 7:18 p.m. and reopened the regular meeting.

Bittner stated that if Council approves the assessment roll as presented, the amounts would be levied against properties and collected with taxes payable in 2021.

RESOLUTION #20-11-02 **Shepard/Stay to adopt RESOLUTION #20-11-02, adopting assessments for the 2020 Morrison Addition Improvements payable over a period of ten (10) years at an interest rate of 4% per annum, with the first payment collected with taxes payable 2021, and direct the Clerk/Treasurer to transmit a certified copy of said assessments to the County Auditor/Treasurer to be extended onto the property tax lists of the County to be collected with other municipal taxes, as recommended by staff and the City Engineer. Roll call: Bondhus, aye; Frederick, naye; Shepard, aye; Stay, aye; Whiting, aye. Motion carried.**

RESOLUTION #20-11-03 **Whiting/Shepard unanimous to adopt RESOLUTION #20-11-03, adopting standards for deferral of special assessments pursuant to MN Statute 435.193 as recommended by staff and the City Attorney. Motion carried.**

RESOLUTION #20-11-04 **Stay/Shepard unanimous to adopt RESOLUTION #20-11-04, adopting the deferral of special assessments for the 2020 Morrison Addition Improvements for the following properties as requested:**

PID #95-405-0130 – Richard and Roberta Leitzke, 26038 – 3rd Street W
PID #95-406-0230 – Ron & Joyce Tegarden, 12695 – 2nd Avenue S

Motion carried.

Compost Site Commercial Use

Discussion continued from the previous meeting about access to the City's compost site by commercial users. Koehler reported that the City of Elk River has decided to allow commercial users at the County's suggested rate of \$1,000 annually. Council discussed the functionality of the key-card system and whether it was possible to disable access by site (Becker, Big Lake, Elk River or Zimmerman) depending on which site was allowing

commercial access. At this time, the monitoring software does not allow that and access is granted to all sites or none.

Council requested additional information regarding the capabilities of the current software or alternative monitoring software for the site. This issue will be placed on the December 7, 2020 agenda for additional discussion. No action taken.

Community Health Emergency Declaration due to COVID

The MN Department of Health is reporting a significant increase in the number of positive COVID cases in Sherburne County and within City limits. Staff is concerned that an outbreak amongst employees would severely limit the capability to provide essential services such as snowplowing and access to City Hall for residents. Council directed Public Works Director Koehler to schedule staff on split shifts as necessary and contact retired Public Works employees and request consideration for assistance with snow removal within City limits should the need arise. Council also agreed by unanimous consensus to close City Hall to the public except for appointments only for the foreseeable future.

RESOLUTION #2020-11-05 Whiting/Bondhus unanimous to adopt RESOLUTION #2020-11-05, declaring a Community Health Emergency related to COVID-19 until December 21, 2020, or such date as amended.

FINANCE REPORT – presented by Clerk/Treasurer Kary Tillmann

Certification of Delinquent Utilities

Tillmann reported that the hearing for residents to appeal pending certification of delinquent utilities is an annual request of the Council and was held on November 2, 2020. No one was present at the hearing to appeal a pending certification. Staff originally mailed 205 letters notifying residents of pending certification of delinquent utilities totaling \$59,436.21. Currently, outstanding delinquencies total approximately \$25,936.29. Final certification must be approved by Council at this meeting for submission to the County Auditor/Treasurer by the November 30th deadline. Any payments received between now and submission to the County will be applied to delinquent balances as appropriate. Final amounts certified would be collected through property taxes payable in 2021.

RESOLUTION #20-11-06 Stay/Shepard unanimous to adopt RESOLUTION #20-11-06, approving the certification of delinquent water and sewer utility accounts as listed and on file at City Hall, to property taxes payable 2021, with the understanding that if a property owner pays their delinquent utilities prior to the November 30th deadline, no amount will be certified for said property.

MAYOR/COUNCIL ITEMS

Mayor Stay noted the following upcoming events:

- Winter Parking Restrictions went into effect November 1st and are in effect until May 1, 2021. No parking on any City streets between Midnight and 8:00 a.m.
- November 19 – Farmers to Families Food Distribution – 10 a.m. – 2 p.m. -- Faith Lutheran Church
- November 21 – Passing the Bread Food Distribution – 9 – 11 a.m. at UMA Precision Machining
- November 26 & 27 – Thanksgiving Holiday – All City Offices Closed
- December 7 – 2020 Budget Public Comment Meeting – 7:00 p.m. or shortly thereafter
- December 19 – Passing the Bread Food Distribution – 9 – 11 a.m. at UMA Precision Machining

Mayor Stay asked for a moment of silence in honor of US Military Personnel at home and abroad, and their families, as Thanksgiving approaches.

Stay/Frederick unanimous to adjourn the meeting at 7:56 p.m. Motion carried.

Approved this 7th day of December 2020.

s/s Kary Tillmann, Clerk/Treasurer

Approved 12/07/2020