

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, DECEMBER 7, 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 Administrator Piasecki, Clerk/Treasurer Tillmann, and Public Works Director Koehler (remote).

**AGENDA APPROVAL**

**Whiting/Frederick unanimous to approve the agenda with the following addition:**

- **One-time Carryover of Accumulated Vacation Time Due to COVID – Consent Agenda**

**APPROVAL OF MINUTES**

**Whiting/Shepard unanimous to approve the minutes of the November 2, 2020 Regular Meeting of the City Council as presented. Motion carried.**

**Stay/Whiting unanimous to approve the minutes of the November 12, 2020 Canvassing Board as presented. Motion carried.**

**Whiting/Shepard unanimous to approve the minutes of the November 16, 2020 Regular Meeting of the City Council as presented. Motion carried.**

**CONSENT AGENDA**

**Stay/Frederick unanimous to approve the consent agenda with the addition of item n. One-time Carryover of Accumulated Vacation Time Due to COVID as follows:**

- a. Approve the payment of claims (check #42648 and #42651 - #42702) in the amount of \$63,960.86 as presented.
- b. Authorize payment to Heins Plumbing & Heating in the amount of \$7,800.00 (ck #42650), as final payment for the replacement and installation of motion sensor bathroom fixtures and drinking fountains at City Hall and the Civic Building to be paid from COVID Cares Act Funds.
- c. Ratify approval of the payment of unspent COVID CARES Act grant funds to the Sherburne County Auditor/Treasurer in the amount of \$32,645.31 (ck #42649) as directed by the State of Minnesota MMB Division.
- d. Accept Invoice #260223 in the amount of \$7,755.00 (ck #42703) authorizing payment to Bolton & Menk for Engineering Services related to the Zimmerman Commercial Park/2<sup>nd</sup> Street East Project for the period of October 3 – 30, 2020 as presented and as recommended by staff.
- e. Accept Invoice #7375 in the amount of \$12,730.22 (ck #42704), authorize payment to H & L Mesabi for plow blades and related equipment with funds to be taken from the Streets Budget (101-43100-227) as recommended by the Public Works Director.
- f. Accept Invoice #1237 in the amount of \$5,125.00 (ck #42705) authorizing payment to NERO Engineering for Project Management Services related to the Wastewater Treatment Plant Facility Plan for the period of July 1 – October 31, 2020, as recommended by staff.

- g. Authorize payment to the Sherburne County Auditor/Treasurer in the amount of \$352,287.00 (ck #42706) for 2020 2<sup>nd</sup> half Law Enforcement Contract Services provided by the Sherburne County Sheriff's Department, with funds to be taken from the Public Safety Budget (101-42000-440), as recommended by staff.
- h. Accept the November 2020 Building Permit Surcharge Report as presented.
- i. Adopt the 2021 City Council Meeting Schedule as presented.
- j. Adopt the 2021 City Holiday scheduled as presented.
- k. Adopt **RESOLUTION #2020-12-01** designating the Sherburne County Sheriff's Department Public Safety Building as the polling place for Precinct 1 and Refuge Evangelical Free Church as the polling place for Precinct 2 for any and all 2021 elections as required by MN Statute 204B.16.
- l. Adopt **RESOLUTION #2020-12-02**, approving a 1-year extension to the Preliminary Plat approval for "Crescent Ridge", through December 31, 2020, as requested and recommended by staff.
- m. Adopt **RESOLUTION #2020-12-03**, approving a 1-year extension to the Preliminary Plat approval for "Huntington" through December 31, 2020, as requested by Riverside Companies and as recommended by staff.
- n. Approve a one-time carryover of accumulated vacation time if necessary, for the following employees due to the inability to schedule time off due to COVID, as requested and recommended by staff:
  - Karl Anderson – 5 hours
  - Teri Grote – 22 hours
  - Randy Piasecki – 35 hours
  - Kary Tillmann – 36 hours

**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 November 2020. The Department assisted with 7 medical calls, a gas leak, 2 motor vehicle injury accidents, 4 fire alarms, 2 grass fires, 2 garage fires and 2 house fires. Maloney reported that construction on the new fire hall is on schedule with estimated completion sometime in March 2021. Neighbors Helping Neighbors is currently in progress. The American Legion Toy Drive was held on Saturday, December 5 from Noon – 3 p.m. and community was very supportive through donations of gifts and approximately \$2,700 in cash donations.

**The Fire Department Report for November 2020 was accepted by unanimous consensus as presented.**

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

**PUBLIC COMMENT MEETING – 2021 Proposed Budget and Levy**

Clerk Tillmann began the Public Comment Meeting for the 2021 Proposed Budget and Levy reminding Council this was the public opportunity to ask questions about the proposed 2020 Budget. Administrator Piasecki further explained the comment meeting does not to address property values for the coming year, only addressing the amount of property taxes the City is proposing to collect to pay for the costs of services the City will provide in 2021. Questions about property valuation are addressed at the Board of Appeal and Equalization meeting held annually in April.

The City set its preliminary levy in September, which is what proposed tax statements are based on. Council must certify the final budget and levy to Sherburne County by December 28. To date, no changes have been made to the preliminary budget. Piasecki advised that the preliminary levy set by Council in September for 2021 was \$1,910,000. In addition, the City has special levies equaling \$106,000 for debt service and capital improvements, as well as the debt service payment on the new Fire Hall/Event Center. The final levy will be presented on December 21. Piasecki also provided a comparison of the proposed budget, levy and net tax capacity, noting that

the increase in the net tax capacity is due to increases in property appreciation by the Sherburne County Assessor's Office and increased building activity throughout the City.

Comments were heard from **Wendy Kowalski, 26412 Lake Avenue Zimmerman**, who reiterated her disagreement with the use of levy dollars to pay the debt service on the Event Center portion of the Fire Hall project. Kowalski also disagrees with the collection of monies for park improvements through the use of franchise fees with Centerpoint Energy instead of through the levy process.

No other public comments were received.

#### 2021 Employee Wages and Placement

The current employee Grade and Pay Scale was developed by Springsted after completion of a classification-compensation study in late 2018. This study was authorized by Council to ensure the City was paying comparable and competitive wages when measured against comparable positions in similar cities. Each position within the City was assigned a Grade Level with a 7-step progression from entry position to max compensation. Admin staff annually reviews inflation and makes recommendation to modify the Scale to reflect possible increases for a cost-of-living-adjustment (COLA). Employees who are not at their max scale level may also be eligible for a step increase based upon their performance and service. Staff recommends the 2021 Pay Grade and Scale include a 2% COLA and recommends step increases and placement of employees on the proposed Scale as presented.

**Stay/Whiting unanimous to approve the 2021 pay grade and scale, including a 2% Cost of Living Adjustment (COLA) for all employees, as recommended by staff. Motion carried.**

**Stay/Shepard unanimous to approve employee placement on the 2021 placement, as recommended by the City Administrator. Motion carried.**

#### 2021 Local Board of Appeal and Equalization Meeting

The Sherburne County Assessor has provided preliminary information about the City's 2021 Local Board of Appeal and Equalization (LBAE) meeting, which will take place in April. Due to COVID-19, the Assessor is asking if Council would prefer an "in person" or virtual meeting for the LBAE.

**Council agreed by unanimous consensus to hold the 2021 Local Board of Appeal and Equalization Meeting as an "in person" meeting unless state mandates or Executive Orders in place at that time direct otherwise.**

#### **ADMINISTRATOR'S REPORT** – presented by Administrator Randy Piasecki

##### Planning Commission Appointment

For the past 16 years, the Planning Commission membership has included one sitting member of the City Council. While the Commission is not required to have a councilmember participant, it provides some continuity between the boards and is beneficial to staff when processing applications, hearings and providing summary recommendation for approval. Council member Whiting has expressed interest in the vacant seat created by the resignation of member Rosar. Staff recommends Council approve the request and appoint Member Whiting to the Planning Commission.

**Stay/Shepard unanimous to appoint Council Member Jay Whiting to a vacant seat on the Planning Commission expiring December 31, 2023. Motion carried.**

Amendment to COVID-19 Preparedness Plan

Under Executive Order #20-74 issued by Gov. Walz on June 5, critical sector businesses, including government entities, were required to adopt a COVID-19 Preparedness Plan. The City adopted its plan in June and amended the plan in response to an executive order mandating masks in the workplace.

Staff contacted Attorney Conklin regarding inconsistencies between current CDC Guidelines and the City's existing Preparedness Plan regarding with employee exposure to or contracting the COVID virus. The Plan includes processes and procedures for returning to work which are no longer recommended or implemented by the CDC, such as the time an exposed test-positive employee must quarantine, isolate or return to work. Current language of the Plan requires following CDC guidelines, but goes beyond those guidelines in respect to test-positive employees, who are required to have 2 negative tests prior to return to work.

Staff provided a memorandum from Attorney Conklin reviewing the employee return to work portions of the Plan and explaining inconsistencies with CDC guidelines. Conklin also drafted an Amended Plan for consideration, which proposes to remove the 2 negative test requirements for a test-positive employee to return to work. Instead, the Plan would follow the most current CDC guidelines, which would allow a return to work if it has been 10-days from first symptoms, no fever, and decreased symptoms. The negative testing requirement has been dropped by the CDC as some persons may continue to test positive for months, even though they are no longer exhibiting symptoms or contagious. Staff requests the Amended Preparedness Plan be adopted as drafted by Attorney Conklin.

**Stay/Shepard unanimous to the amend the COVID-19 Preparedness Plan as prepared by the City Attorney and recommended by staff. Motion carried.**

Call for Public Hearing – Modification to TIF Districts & Creation of TIF District No. 12

Trident Development has entered into an agreement with PSD LLC to acquire Lot 1, Block 1, Zimmerman Business Park, adjacent to PSD's 79-unit apartment building along the west side of TH 169. Trident proposes to construct a 3-story 65-unit senior housing assisted living facility on the property and has applied for Tax Increment Financing (TIF) assistance to help finance the development of the facility. This application has been submitted to Financial Advisor Casserly for review, recommendation, and preparation of supporting documentation.

Casserly has created a resolution calling for a public hearing on the modification of the program for Development District No. 1, TIF Districts Nos. 8 - 11, and the creation of a TIF District No. 12 and its accompanying TIF plan. Staff requests Council adopt the resolution and schedule the hearing for Monday, February 22<sup>nd</sup>. The hearing notice and proposed map would be published in the Star News at least 10 days prior to the hearing date. Between now and the scheduled hearing, staff will continue to work with Trident and Casserly to process a proposed financial assistance package and contract to be considered by the owner and the EDA.

**RESOLUTION #20-12-04      Stay/Frederick unanimous to adopt RESOLUTION #2020-12-04, calling for a public hearing on the modification of the program for Development District No. 1 and TIF Districts Nos. 8 - 11, and the creation of a TIF District No. 12 and the accompanying TIF Plan for February 22, 2021 at 7:00 p.m. or as soon possible thereafter.**

MAYOR/COUNCIL ITEMS

Council agreed by unanimous consensus to cancel the Committee of the Whole Meeting scheduled for Monday, December 14, 2020, due to a lack of agenda items.

Mayor Stay noted the following upcoming events and information:

- 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, 2021.
- December 19 -- Passing the Bread Food Distribution; 9 – 11 a.m. – UMA Precision Machining
- December 24 – Christmas Eve Holiday – All City Offices close at Noon
- December 25 -- Christmas Holiday – All City Offices Close

Before adjourning, Mayor Stay asked for a moment of silence in honor of US military personnel and their families during holiday season.

**Frederick/Whiting unanimous to adjourn the meeting at 7:51 p.m. Motion carried.**

Approved this 21st day of December 2020.

s/s Kary Tillmann, Clerk/Treasurer

Approved 12/21/2020