

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, JANUARY 9, 2012**

**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, Kowalski, Laney and Mathison. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, and Public Works Director Horvath.

**AGENDA APPROVAL**

**Mathison/Kowalski unanimous to approve the agenda as presented.**

**APPROVAL OF MINUTES**

Member Kowalski requested a change to the December 19, 2011 meeting minutes on page 4 under the heading Public Hearing – 2012 Fee Schedule.

Kowalski objects to the general statement in the minutes that she objected to the proposed fee schedule and her submitted documentation was entered into the record and retained in the addendum file. She believes that either a verbatim transcript of her statement should be included in the minutes or the purpose for her objection should be stated. She added that no one appeared to comment in favor of the fee schedule because both sides of the issue should be presented, similar to a court hearing.

Mayor Earenfight stated that he feels the minutes are accurate as presented. Kowalski objected to the fee schedule in her statement to the Council during the public hearing, and that is reflected in the minutes. Piasecki added that comment from opposing sides is not a requirement of a public hearing. The purpose of the hearing is to hear any comments on the subject and take that input into consideration before taking action.

**Kowalski/Laney to approve the meeting minutes of the December 19, 2011 Regular Meeting with an amendment stating the purpose of Kowalski's objection to the 2012 Proposed Fee Schedule. Roll call: Brisbin, naye; Earenfight, naye; Kowalski, aye; Laney, aye; Mathison, naye. Motion failed.**

**Brisbin/Mathison to approve the meeting minutes of December 19, 2011 Regular Meeting as presented. Roll call: Brisbin, aye; Earenfight, aye; Kowalski, naye; Laney, naye; Mathison, aye. Motion carried.**

**CONSENT AGENDA**

**Mathison/Brisbin unanimous to approve the consent agenda as follows:**

- a. Ratify approval of the payment of claims for 2011 Year End (check #33826 - #33854) in the amount of \$125,010.55 and electronic payments (e-check #730 - #732) in the amount of \$27,501.04 as presented.
- b. Approve the payment of claims (check #33855 - #33874) in the amount of \$14,952.57 as presented.
- c. Approve the Building Permit Summary Report for December, 2011 as presented by staff.
- d. Approve the Building Permit Summary Report for 2011 as presented by staff.
- e. Approve the payment of February 1, 2012 TIF and Tax Abatement payments (check #XXXXX – #XXXXX) in the amount of \$36,224.26, as presented and as recommended by staff.
- f. Approve payment to Vinyl Graphics in the amount of \$4,488.75 (ck #33823) for identification signs at the Yankowiak Rink and Horvath Park, as identified on Invoice #4740, with funds to be taken from the Park Fund (226-45000-530 and 226-45105-530).
- g. Accept Invoice #1586, authorizing payment to All Elements, Inc., in the amount of \$13,341.01, for repair of the Fire Hall Roof, from account #410-41900-400, as recommended by staff.

- h. Approve license applications for the following Sewer and Water Installer, for the period of January 1 – December 31, 2012:
  - Steve Weissenfluh Excavating, Inc. – 29119 – 100<sup>th</sup> Street, Zimmerman, MN 55398
- i. Approve license applications for the following gasoline sales vendors for the period of January 1 – December 31, 2012:
  - Holiday Station Stores, Inc., dba Holiday Station Store #239 – 26125 Highway 169, Zimmerman, MN
  - Northern Tier Retail, LLC, dba SuperAmerica Store #4535 – 26075 – 3<sup>rd</sup> Street E, Zimmerman, MN
- j. Approve license applications for the following Garbage & Refuse Collectors for the period of January 1 – December 31, 2012:
  - Ace Solid Waste, Inc. – 6601 McKinley Street NW, Ramsey, MN 55303
  - Randy's Sanitation, Inc. – PO Box 169, 4351 US Highway 12, Delano, MN 55328 – pending receipt of a signed application form.
- k. Approve the following license application to operate Billiard Tables for the period of January 1 – December 31, 2012:
  - Laubach Management, dba Zimmerman Bowl – 25920 Gateway Drive, Zimmerman, MN 55398
- l. Approve the following license application to operate Electronic Entertainment Devices for the period of January 1 – December 31, 2012:
  - Laubach Management, dba Zimmerman Bowl – 25920 Gateway Drive, Zimmerman, MN 55398
- m. Approve the license application to operate a Bowling Alley for the period of January 1 – December 31, 2012, as requested by Laubach Management, Inc., dba Zimmerman Bowl, 25290 Gateway Drive, Zimmerman, MN.

**OPEN FORUM**

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

**SHERIFF'S DEPARTMENT REPORT**

**Patrol Captain Don Starry** provided an overview of activities for the month of December, 2011. Starry reported that the Sheriff's Department only received one theft complaint in the month of December. However, so far in January, three theft complaints have been received. Residents are reminded again to not leave valuables in plain sight in vehicles and lock car doors. In December, the Sheriff's Department recorded 253 contacts and 65 citations issues.

**Council accepted the Sheriff's Department Report for December 2011 as presented.**

**FIRE DEPARTMENT REPORT**

**Fire Chief Ryan Maloney** presented the Fire Department report for the month of December, 2011. The Department assisted on 6 medical calls, 3 injury accidents with extrication, 2 fire alarm, 1 carbon monoxide alarm, a water rescue, 2 vehicle fires, provided mutual aid for a house fire in Baldwin Township, and responded to 4 grass fires. Maloney reminded residents that the mild temperatures and lack of snow has created very dry conditions. The Neighbors Helping Neighbors Toy Drive was a success, serving 99 families. The community was extremely generous and Maloney is very grateful for the support. The Department is in the beginning stages of ISO re-evaluation, which will take about 6 – 8 months to complete the entire process.

**Council accepted the Fire Department Report for December 2011 as presented.**

Public Works Director Horvath reported that the repair of the Fire Hall roof repair is complete. Staff is soliciting bids for the interior repair and Council will see those shortly, before any work is authorized.

**PUBLIC WORKS REPORT – presented by Public Works Director Horvath**

Public Works Director reported that the annual meeting with Sherburne County regarding Ditch #1 was held last week. Ditch repairs for 2011 total approximately \$200.00. The two new park signs at the hockey rink and Woodland Meadows North have been installed.

**FINANCE REPORT—presented by Clerk/Treasurer Tillmann**

Clerk/Treasurer Tillmann reminded Council that a public hearing was held on December 19, 2011 to consider the 2012 Schedule of City Charges and Fees. One comment objecting to the fee schedule was received from the public. The Fee Schedule is unchanged from what was presented in the December 19th public hearing. Public Works Director Horvath reported that the Municipal Recycling Board will not be changing the cost of Commercial Compost key cards at this time.

Kowalski objects to the fee schedule, stating that all public funds should be collected through property taxes and the City has no right to set fees, in her opinion.

**RESOLUTION #12-01-01 Mathison/Brisbin to adopt Ordinance No. 316, adopting the 2012 Fee Schedule and authorize publication of the summary ordinance, as presented and recommended by staff. Roll call: Brisbin, aye; Earenfight, aye; Kowalski, naye; Laney, naye; Mathison, aye. Motion carried.**

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

Administrator Piasecki reported that he had been contacted by Community Ed regarding scheduling of Winter Open Gym in Zimmerman. Several years ago, the City had agreed to contribute \$500 towards the cost of open gym. Because of the popularity of the program, they recouped their expenses through the collection of a participation fee and the City was not charged. They are able to provide the program from January 18 – mid-May, 2012 for \$800. Community Recreation will facilitate administration of the program.

**Kowalski/Brisbin unanimous to approve an expenditure of up to \$800 to Community Recreation to facilitate a Winter Open Gym program in Zimmerman.**

Brief discussion was held regarding Sherburne County’s mill and overlay project of County Road 4. Bolton & Menk has been doing some preliminary survey work and should be finished shortly. Council will receive a detailed project overview the February COW meeting. No action taken.

**MAYOR/COUNCIL ITEMS**

2012 Appointments

**RESOLUTION #12-01-02 Mathison/Brisbin unanimous to adopt Resolution #12-01-02, approving the 2012 Annual Appointments and Designations as presented.**

Acknowledge Donation for Hockey Rink Warming House

**Brisbin/Laney unanimous to accept the following donations for the Hockey Rink Warming House:**

**RESOLUTION #12-01-03 Adopt RESOLUTION #12-01-03, accepting a donation from the Randy and Sonja Gruwell the amount of \$100.00 towards the warming house for the hockey rink.**

**RESOLUTION #12-01-04 Adopt RESOLUTION #12-01-04, accepting a donation from Allan Johnson in the amount of \$100.00 towards the warming house for the hockey rink.**

**RESOLUTION #12-01-05 Adopt RESOLUTION #12-01-05, accepting a donation from Sportech, Inc. in the amount of \$500.00 towards the warming house for the hockey rink.**

Communication and Miscellaneous Business

Mayor Earenfight thanked the community for their generosity during the holiday season. Many individuals, businesses and organizations donated time and funds for community programs such as Neighbors Helping Neighbors and Passing The Bread, serving those in need.

Before adjourning, Mayor Earenfight asked for a moment of silence in honor of US military personnel.

**Brisbin/Kowalski unanimous to adjourn the meeting at 7:44 p.m. Motion carried.**

Approved this 23rd day of January, 2012.

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Kary Tillmann, Clerk/Treasurer

Approved 01/23/2012