

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, APRIL 16, 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, Public Works Director Horvath, Attorney Mattick, and Engineer Bittner.

**AGENDA APPROVAL**

**Mathison/Brisbin unanimous to approve the agenda as presented**

**APPROVAL OF MINUTES**

**Mathison/Brisbin to approve the following meeting minutes:**

- **April 2, 2012 Board of Appeal and Equalization as presented**
- **April 2, 2012 Regular City Council Meeting as presented**

**CONSENT AGENDA**

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

- a. Approve the payment of claims (check #34094 and #34096 - #34130) in the amount of \$24,801.04 and electronic payments (e-check #763 - #769) in the amount of \$28,530.78 as presented.
- b. Approve the Investment/Funds Report for March, 2012 as presented by the Clerk/Treasurer.
- c. Approve the Monthly Budget Report for March, 2012 as presented by the Clerk/Treasurer.
- d. Approve the Building Permit Summary report for March, 2012 as presented.
- e. Approve payment to the Sherburne County Auditor/Treasurer's Office (ck #34132) in the amount of \$12,860.00 (invoice #8279) for 2011 Appraisals of Real and Personal Property and Mobile Homes by the Sherburne County Auditor/Treasurer's Office, as recommended by staff.
- f. Approve the permit application for public dances and entertainment to be held on May 24, 25, 26, 27, and 28, 2012, in conjunction with the Wild West Days Celebration, until 1:00 a.m., as requested by Angeno's Pizza and Pasta, 13100 Fremont Avenue, Zimmerman, MN 55398.

**OPEN FORUM**

Tom Wilkinson was present on behalf of Zimmerman American Legion Post to request the City Council consider making a donation towards the fireworks display held in conjunction with the annual Wild West Days Celebration.

**Mathison/Brisbin to donate \$200 to the Zimmerman American Legion Post for the annual Wild West Days Fireworks display. Roll call on the motion: Brisbin, aye, Earenfight, aye; Kowalski, naye; Laney, naye; Mathison, aye. Motion carried.**

**PARK BOARD REPORT**

Tom Wilkinson, Park Board Chair, presented the Park Board Report of April 11, 2012.

**Brisbin/Kowalski unanimous to accept the minutes of the April 11, 2012 Park Board meeting as presented.**

**RESOLUTION #12-04-02**

**Brisbin/Kowalski unanimous to adopt RESOLUTION #12-04-02, accepting a \$25.00 donation from Clare Gallagher for the Warming House.**

## **PUBLIC WORKS REPORT**

### Modifications to Municipal State Aid Routes

Kevin Bittner, City Engineer, was present discuss a request to amend identified Municipal State Aid (MSA) routes. Bolton & Menk suggests revoking certain streets and adding other in order to maximize the City's allotment of MSA funds. The changes could increase the City's annual allotment by as much as \$20,000. Staff also suggests Council consider the annexation of road right-of-way on 120<sup>th</sup> Street and 136<sup>th</sup> Street as well.

**RESOLUTION #12-04-04 Mathison/Brisbin unanimous to adopt RESOLUTION #12-04-04, revoking certain identified streets as Municipal State Aid Streets in the City of Zimmerman (on file in the City Clerk's Office), as recommended by staff, subject to the approval of the Commissioner of Transportation of the State of Minnesota, and authorize and direct the City Clerk to notify the Commissioner of Transportation of said changes for consideration and approval.**

**RESOLUTION #12-04-05 Brisbin/Mathison unanimous to adopt RESOLUTION #12-04-05 establishing, locating and designating certain identified streets as Municipal State Aid Streets in the City of Zimmerman (on file in the City Clerk's Office), as recommended by staff, subject to the approval of the Commissioner of Transportation of the State of Minnesota, and authorize and direct the City Clerk to notify the Commissioner of Transportation of said changes for consideration and approval.**

### Control Panel – Lift Station #7

Public Works Director Horvath reported that the control panel for Lift Station #7 burned up a few weeks ago and needed to be replaced. No action taken.

### Project Updates

- Leachate Trial – The pilot study for the leachate project will begin in a few weeks. We will be processing product from USDP and leachate from Waste Management at the same time. Test results from the first load of leachate should be available in about three weeks.
- SBR Digester Covers –Donohue & Associates will advertise for bids for this project at the end of the month, with the bids awarded sometime in May.

## **ADMINISTRATOR'S REPORT – Presented by Administrator Piasecki**

### Payment of Park Dedication Fees – Livonia Township

The City Council and the Livonia Town Board have met several times to discuss park development and the park dedication requirements of the North Orderly Annexation Agreement. In 2007, the City levied \$100,000 in anticipation of funding needs to complete the annexation process. Those funds were transferred into the Park Fund until such time as payment was requested. Recently, the City Council amended the agreement to allow payment of the \$187,200 fee to the Township upon request. On March 29, the Township submitted a written request for payment of the funds. Staff recommends releasing the funds, per the agreement.

**Brisbin/Mathison to approve payment of \$187,200 (ck #34131) to Livonia Township for park dedication fees as noted in the Joint Resolution for Annexation #06-12-04 and First Amendment Joint Resolution #12-**

**02-03, as requested and as recommended by staff, with funds to be taken from the Park Fund (226-20800). Roll call: Brisbin, aye; Earenfight, aye; Kowalski, naye; Laney, aye; Mathison, aye. Motion carried.**

Sale of tax forfeited property

The City has received notification from the Sherburne County Auditor/Treasurer regarding the sale of a tax forfeited parcel within City limits, a vacant residential lot in Marturano Woods. The City has the option of removing a parcel from the sale, to be used for public or economic development purposes, or approving the parcel for future public sale. The lot in question is in a residential neighborhood and would sustain a single family home.

**Brisbin/Kowalski unanimous to decline the offer from the Sherburne County Auditor/Treasurer's Office to purchase tax forfeited land identified as PID #95-450-0630 (Marturano Woods Lot 15, Block 6) for public purposes, and authorize the sale of said parcel, as recommended by staff.**

**ATTORNEY'S REPORT – Presented by Attorney Mattick**

Attorney Mattick presented the draft of the public nuisance ordinance for review, advising that the draft ordinance was prepared by staff, and recommending changes to certain sections. Council reviewed and discussed the ordinance as presented and directed Mattick to identify his recommended changes, for consideration at the May 7 meeting when Captain Starry will also be present for discussion of the draft ordinance.

**MAYOR/COUNCIL ITEMS**

Upcoming Events

The City Council will hold a public open house regarding the re-construction of County Road 4 on Tuesday, April 17 from 5 – 8 p.m. in the Council Chambers at City Hall. City and County staff will be on hand to answer questions regarding the upcoming road project.

Passing the Bread will hold a Food Distribution event on Saturday, April 28, from 8 – 10 a.m. at the Sherburne County Public Safety Building. Mayor Earenfight thanked residents and business owners for donating time and resources to Food Distribution events.

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

**Brisbin/Laney unanimous to adjourn the meeting at 7:56 p.m. Motion carried.**

Approved this 7th day of May, 2012.

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Kary Tillmann, Clerk/Treasurer