

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, MAY 16, 2016**

**CALL TO ORDER**

The regular meeting of the Zimmerman City Council was called to order at 7:02 p.m. at City Hall by Mayor Earenfight, followed by the Pledge of Allegiance.

**ROLL CALL**

Present: Mayor Earenfight, Council Members Brisbin, Mathison, Nathe and Smith. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Public Works Director Johnson and Engineer Bittner.

**AGENDA APPROVAL**

**Brisbin/Nathe unanimous to approve the agenda with the following change:**

- **Remove consideration of 2016 – 17 Liquor License Renewal for Kraiggers Inc., dba The Whistling Pickle, from the consent agenda**

**APPROVAL OF MINUTES**

**Mathison/Smith unanimous to approve the minutes of the May 2, 2016 Regular Meeting as presented.**

**CONSENT AGENDA**

**Nathe/Mathison unanimous to approve the consent agenda with exception of the of 2016 – 17 Liquor License Renewal for Kraiggers Inc., dba The Whistling Pickle, as follows:**

- a. Approve the payment of claims (check #38038 - #38078) in the amount of \$16,166.70 and electronic payments (e-check #1332 - #1340) in the amount of \$35,258.17 as presented.
- b. Authorize payment in the amount of \$7,500.00 (ck #38079) to Abdo, Eick & Meyers as the final payment for certified audit services for the year ended December 31, 2015, per the agreement on file in the City Clerk/Treasurer's Office, as recommended by staff.
- c. Accept the Building Permit Summary Report for April, 2016, as presented.
- d. Approve liquor license renewals for the following establishments, for the period of July 1, 2016 – June 30, 2017, pending receipt and acceptance of all application materials, as recommended by staff:
  - Bohnhoff Enterprises, Inc., dba Frontier Liquor (Off Sale) – 26207 Fremont Drive
  - Casey's Retail Company, dba Casey's General Store #3458 (3.2 Off Sale) – 13140 Fremont Avenue
  - JDJ Inc., dba Uptown Off-Sale (Off Sale) – 25965 Main Street
  - Kriesel-Jacobsen American Legion Post 560 (Club On-Sale) – 12674 Fremont Avenue
  - Northern Tier Retail LLC dba Speedway Super America #4535 (3.2 Off Sale) – 26075 – 3<sup>rd</sup> Street East
  - P & A Liquor LLC dba P & A Liquor (Off Sale) – 26025 – 3<sup>rd</sup> Street East
  - RS Zimmerman Enterprises LLC dba Angeno's Pizza, Pasta and Bar/Zimmerman Bar & Grill (On-Sale) – 13100 Fremont Avenue
  - Stroh, Curtis R., dba Papa's Italian (Wine On-Sale) – 26140 – 3<sup>rd</sup> Street East
  - TJP Bowl, Inc., dba Zimmerman Bowling Alley (On-Sale) – 25920 Gateway Drive
- e. Approve the permit application for a Solicitor's License for a mobile food truck to be located at 12200 Fremont Lane, for Steven Iverson, dba Come & Take It BBQ, LLC, 11334 – 292<sup>nd</sup> Court, Princeton, MN 55371, for the period of May 17, 2016 – May 16, 2017.

**OPEN FORUM**

Council received an invitation from a local Eagle Scout candidate, **Dustin Brusletten, Boy Scout Troop 91**, who invited the community to attend his Eagle Scout ceremony on May 21, 2016 at 4 p.m. at the Refuge Evangelical Free Church, 25620 – 4<sup>th</sup> Street W, Zimmerman. Brusletten constructed picnic tables and benches for the area near the baseball diamond at Refuge Church.

## **LAW ENFORCEMENT REPORT**

**Patrol Captain Bob Stangler, Sherburne County Sheriff's Department**, provided an overview of activities for the month of April, 2016. The department received 320 calls for service, including 94 traffic stops with 49 offenses charged by citation, as opposed 313 calls for service in the same time period in 2015 and 304 calls in 2014. There were 12 thefts reported during the month of April, most of which have been resolved, plus 3 crashes with injuries, 10 property damage vehicle crashes, and 7 property damage complaints received and investigated by the Sheriff's Department.

Stangler reported that this week is National Law Enforcement Memorial Week and the Sherburne County Board of Commissioners have approved a proclamation designating the same in Sherburne County. The 20<sup>th</sup> Annual Senior Day Out is scheduled for Wednesday, May 18 at the Friendly Buffalo in Big Lake. Stangler also noted that the Sheriff's Department has seen an increase in the number of reports of phone scams, with callers pretending to be from a government agency. Residents are reminded not to provide personal or financial information to anyone over the phone, or send money to anyone that you don't know.

**Council agreed by unanimous consensus to accept the Law Enforcement Report for April, 2016, as presented.**

## **PUBLIC WORKS REPORT**

### Public Hearing – Main Street Improvements

Mayor Earenfight closed the Regular meeting at 7:13 p.m. and opened the public hearing on the 2016 Main Street Improvements.

Engineer Bittner provided an overview of the proposed improvements to Main Street in Zimmerman, which includes street and utility improvements from Fremont Avenue (CSAH 4) to 350 feet south of Fremont Avenue (north driveway entrance of Woodlands National Bank) and Main Street from the 2<sup>nd</sup> Street East intersection to Trunk Highway 169. The northern portion of the project will include the replacement of water main, along with the replacement of bituminous pavement. Deteriorated segments of curb and gutter will also be replaced.

The following public comments were heard:

**Steve Freitag, 26068 Main Street, Zimmerman (Friday's Laundromat)** questioned how parking near the laundromat would be affected by road closures necessary for project work. His biggest concern appears to be if they will have access to the south parking lot of the Whistling Pickle via the alley between the laundromat and the restaurant. Engineer Bittner responded that access to the parking lot via the alley will not always be available during the north portion of the project, which is anticipated to last approximately three (3) weeks. Bittner added that they would try to maintain access and use of the parking lot east of the Whistling Pickle during the project duration.

Discussion was also held regarding whether the existing fire hydrant in front of the laundromat will be relocated. Bittner stated the location of the hydrant will not change and the curb in that location will not be removed. Freitag also asked is the water service line to the laundromat would be replaced. Bittner stated that if the curb box was located in Main Street, it would be replaced, however, if it was located in the alley, it would not. Bittner said that determination will require a bit more research by staff, as the City will not be doing any work in the alley.

**Peggy Wagner, 26041 Main Street, Zimmerman (Styles On Main)** expressed concern about access to the parking lot for her business. Bittner stated that the northern part of the project will end at the southern edge of the north driveway of Woodlands National Bank, so Styles on Main should see very little interruption with access to the business, however, there will be some detouring of traffic in order to access the area.

Freitag and Wagner also questioned if water to the area will be turned off during the reconstruction. Bittner stated that there would be times where water would need to be shut off, however, property owners would be notified in advance, and in most instances, temporary water lines would be put in place while the new water main is being installed so there would be very little loss of service.

Bittner then provided an overview of the southern Main Street project, which is the area from the intersection of 2<sup>nd</sup> Street East to TH 169. The plan is to remove the existing pavement, water main, sanitary and storm sewer and reconstruct the road with new water, storm and sewer mains, curb and gutter and bituminous pavement. Currently the road is 24 feet wide and it will be expanded to 38 feet wide to allow for parking on both sides of the street. Service to all residential and commercial properties will also be replaced. This portion of the project should take about 6 – 8 weeks to complete.

Additional comments from the public were heard as follows:

**Mike Lemke, 25834 Main Street, Zimmerman (Nelson Nursery)** questioned the time frame for the south portion of the project, stating August would be better time for their business. He requested as much notice as possible so Nelson Nursery can advertise any potential disruptions in access to their customers. Lemke also questioned the necessity of an 8-inch water main leading to TH 169 and if the existing fire hydrants will be replaced with new hydrants or if the existing hydrants will remain.

Bittner stated they would give as much lead time as possible and keep residents abreast of the project schedule as best he can. Bittner added that the two projects would be bid together and the timeframe would be identified to contractors in the bid documents. The north portion will be completed first and will take approximately three weeks. Once Main Street is fully open to traffic, the contractor would be allowed to start the southern portion of the project, with a fixed amount of time for completion. Bid opening will be at the end of June and the both projects should be fully constructed in 2016, barring any unforeseen circumstances, with small punch list items, such as land restoration being completed in 2017. Bittner continued that after the bid is awarded, staff will hold a pre-construction meeting to finalize project timelines. Property owners will be notified of the final project schedule after the pre-construction meeting.

Public Works Director Johnson stated that a new hydrant will be installed north of the gas station building and one more installed south of the gas station.

**Claire Gallagher, 26785 Fremont Drive, Zimmerman** questioned if the project included improvements to the road leading to the City Compost Site. Engineer Bittner stated this project does not include any improvements to the Compost site road.

Bittner finished his presentation by adding that a portion of the project is proposed to be assessed to benefitting property owners. Currently, the City's policy is to assess 30% of street reconstruction and storm utility costs. The final assessment amount will be based on the final bid results. Two different rates will be used, depending on which portion of a project, north or south, a property is located. The assessment for north properties is estimated at \$44 per foot and \$62 per foot for south properties.

Mayor Earenfight closed the public hearing and reopened the meeting at 7:40 p.m.

Engineer Bittner presented two resolutions relating to the project for consideration by Council.

**REOSLUTION #16-05-02 Mathison/Brisbin unanimous to adopt RESOLUTION #16-05-02 authorizing the 2016 Main Street Improvement project in its entirety as recommended by staff.**

**RESOLUTION 16-05-03**      **Brisbin/Nathe unanimous to adopt RESOLUTION #16-05-03 approving the plans and specifications for the 2016 Main Street Improvements and directing the Clerk/Treasurer to prepare and advertise for bids in the City's official newspaper and the Finance and Commerce publication, setting the bid opening for Thursday, June 9, 2016 at 11:00 a.m., as requested and as recommended by staff.**

Bid Award – 2016 Street Preservation

Engineer Bittner reported that the bid opening for the 2016 Street Preservation project was held on April 26, 2016. Two bids were received, with Allied Blacktop being the apparent low bidder, coming in approximately \$49,000 under the Engineer's estimate of the project. At this time, staff is recommending Council consider enlarging the 2016 project area to take advantage of low oil costs. Adding the additional streets identified on the map as the 2<sup>nd</sup> phase of the project, as well as the City Hall parking lots, would increase the cost to approximately \$210,000, which is still below the \$225,000 which was levied for the project.

**RESOLUTION 16-05-04**      **Smith/Brisbin unanimous to adopt RESOLUTION #16-05-04, awarding the bid for 2016 Street Preservation Project to Allied Blacktop at a total bid of \$109,135, and accepting Change Order No. 1 in the amount of \$91,568.50, increasing the 2016 project to include Phase 2 streets within Forest Oaks and Countryside Estates developments and the City Hall parking lots, as recommended by staff and the City Engineer.**

Proposal for Lift Station #1 Rehabilitation

Bolton & Menk has submitted a proposal for the rehabilitation of Lift Station #1, which is the main lift station that pumps the entire City's wastewater flow to the Wastewater Treatment Plant. Public Works Director Johnson added that staff has been discussing a rehab of this lift station for a number of years because the components are old, with some parts obsolete. Since this is the main lift station for the City, an upgrade is necessary at some point.

The lift station is in need of significant rehabilitation and upgrades due to the age and years it has been in operation. Proposed improvements include new pumps, a sufficiently sized electrical panel with SCADA controls, new pump guiderails and a safety hatch, automated ventilation controls in the generator building, a fixed electrical connection to the back-up generator, and a transfer switch to initiate start-up of the back-up generator automatically upon a power outage. Estimated cost for the improvements is \$150,000, with design and construction engineering estimated at an additional \$28,000.

**Brisbin/Nathe unanimous to approve the rehabilitation of Lift Station #1 as identified in the proposal submitted by the City Engineer and authorize Bolton & Menk to provide design and construction engineering services for the project, at a cost not to exceed \$28,000, with funds to be taken from the Sewer Fund (Fund 602), as recommended by staff.**

Fremont Drive Realignment

Bittner provided an update on the Fremont Drive realignment project, which is being completed in partnership with Sherburne County. Currently at issue is the access to the Holiday Gas Station as originally designed in the project. Holiday is demanding to retain the current access location and the County Engineer and County Attorney have requested Engineer Bittner redesign the City's portion of the plan in order to accommodate Holiday's request. The most recent re-design would be a right in/right out at the current access location specifically for Holiday, with the Fremont Drive intersection with County Road 4 intersection further to the west. As part of the project, the County would construct a median on County Road 4 in front of the Holiday access, so there would be no access to Holiday from west bound traffic, unless they entered from the relocated Fremont Drive intersection. No action taken.

**FINANCE REPORT**

**Sherburne County Cost Share Agreement – Dominion Voting Equipment**

Clerk/Treasurer Tillmann reported that the Sherburne County Auditor/Treasurer’s Office determined a need to purchase new voting equipment prior to the 2016 Election season due to the age and condition of existing equipment. A contract has been awarded by the Sherburne County Board of Commissioners for standardized voting equipment for all voting precincts in Sherburne County. The equipment has been received, tested and accepted by the County and the City for use in 2016 elections.

Tillmann presented a cost sharing agreement drafted by the Sherburne County Attorney, spelling out the obligations of both the City and the County regarding expenses for the new equipment. The agreement has also been reviewed by legal staff and with suggested changes already being worked into the agreement. Zimmerman’s portion of the equipment costs total \$13,852.23, which can be paid back over a period of 4 years. Funds have been budgeted in 2016 to cover the first year’s installment. Staff believes the Agreement reflects the cost and responsibility sharing arrangements previously discussed and presented to Council, and recommends approval of said agreement.

**Brisbin/Nathe unanimous to approve the Cost Share Agreement for the joint purchase of Dominion Voting Equipment as submitted by the Sherburne County Auditor/Treasurer, as recommended.**

**MAYOR/COUNCIL ITEMS**

Mayor Earenfight identified the following upcoming events:

- May 21 – Passing the Bread Food Distribution – Sheriff’s Department Public Safety Building
- May 26 – 30 – Wild West Days activities throughout the City
- June 4 – Zimmerman Farmer’s Market – City Park
- June 18 – Zimmerman/Livonia Fire District Golf Tournament at Princeton Golf Course
- June 24 -- Zimmerman Area Chamber of Commerce Golf Tournament at Princeton Golf Course

Prior to adjourning the meeting, Mayor Earenfight asked for a moment of silence in honor of US Military Personnel and their families.

**Brisbin/Smith unanimous to adjourn the meeting at 8:03 p.m. Motion carried.**

Approved this 6th day of June, 2016.

s/s Kary Tillmann, Clerk/Treasurer