

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, JUNE 4, 2012**

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, Laney and Mathison. Member Kowalski was excused absent. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann, Public Works Director Horvath, and Engineer Bittner.

AGENDA APPROVAL

Mathison/Brisbin unanimous to approve the agenda as presented.

APPROVAL OF MINUTES

Mathison/Laney unanimous to approve the meeting minutes of the May 21, 2012 Regular Meeting as presented.

CONSENT AGENDA

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

- a. Approve the payment of claims (check #34223 - #34249 in the amount of \$31,643.98 as presented.
- b. Accept Pay Request #12192-02 from Donohue & Associates, Authorizing payment in the amount of \$7,728.477 (ck #34250) for Project Management Services for the SBR Digester Cover project, as recommended by staff.
- c. Authorize premium payment to the League of Minnesota Cities Insurance Trust in the amount of \$64,372.00, (ck #34251) for the 2012-2013 insurance premium renewal, as presented and as recommended by staff.
- d. Approve liquor license renewals for the following establishments, for the period of July 1, 2012 – June 30, 2013, pending receipt and acceptance of all application materials, as recommended by staff:
 - Angeno's Pizza, Pasta and Bar (On-Sale) – 13100 Fremont Avenue
 - Frontier Liquor (Off Sale) – 26207 Fremont Drive
 - Kriesel-Jacobsen American Legion Post 560 (Club On-Sale) – 12674 Fremont Avenue
 - Papa's Italian (Wine On-Sale) – 26140 – 3rd Street East
 - P & A Liquor (Off Sale) – 26025 – 3rd Street East
 - SuperAmerica #4535 (3.2 Off Sale) – 26075 – 3rd Street East
 - Uptown Off-Sale (Off Sale) – 25965 Main Street
 - Zimmerman Bowl (On-Sale) – 25920 Gateway Drive
- e. Approve tobacco license renewals for the following establishments, for the period of July 1, 2012 – June 30, 2013, pending receipt and acceptance of all application materials, as recommended by staff:
 - Frontier Liquor -- 26207 Fremont Drive
 - Holiday Stationstore #239 -- 26125 Highway 169
 - Jim's Market, 26233 – 2nd Street East
 - P & A Liquor, 26025 – 3rd Street East, Suite 400
 - SuperAmerica #4535 – 26075 – 3rd Street East
 - Uptown Off-Sale – 25965 Main Street

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 May 2012. There 294 were calls for service in May 2012, compared to 350 during the same time period in 2011. Reported incidents included 2 burglaries, 3 thefts, 3 thefts from vehicles, 10 property damage reports, and 5 motor vehicle accidents. Starry also

reported that so far in June, 2 thefts have been reported. Wild West Days went well, with only minor issues reported.

Council accepted the Sheriff's Department Report for May 2012 as presented.

FIRE DEPARTMENT REPORT

Fire Chief Ryan Maloney presented the Fire Department report for the month of May 2012. The Department responded to 4 medical calls, 3 injury accidents with extrication, 1 gas leak, 3 fire alarms, 3 grass fires, a vehicle fire and a rubbish fire. Maloney reported that the Mock Car Crash at high school went well and included participation by the Sheriff's Department and several other agencies. The crash simulated an accident caused by a student texting and driving. Recently, the department provided mutual aid assistance to the City of Sartell at the paper mill fire and attended the Vehicle Fair and Westwood Elementary School. The Golf Tournament was held on June 2, and had a good turnout.

Council accepted the Fire Department Report for May 2012 as presented.

PUBLIC WORKS REPORT

Award Bids – SBR Digester Cover

Eric Meester, Project Manager, Donohue & Associates, was present to provide an update on the bids received for the construction of a greenhouse cover for the SBR Digester. Five bids were received and opened by staff on May 30, 2012, with all five bids complete and accepted. The low bid was submitted by ClearSpan Fabric Structures International, Inc., in the amount of \$102,200, which is below the Engineer's estimate for the project. Meester stated that after reviewing the bids with staff, it was determined that ClearSpan submitted a responsive and qualified bid and the bid should be awarded to them.

RESOLUTION #12-06-01 **Brisbin/Laney unanimous to adopt RESOLUTION #12-06-01, awarding the bid for the construction of the SBR Digester Cover to ClearSpan Fabric Structures International, Inc., at a total bid of \$102,200.00, as recommended by staff and the Project Manager to be paid from the Sewer Fund (Fund 602).**

As part of the Digester cover project, electrical modifications are necessary. In addition to the bids received for construction, the City solicited quotes from electrical contractors for work to modify the digester electrical equipment to meet Class 1, Division 2 hazardous location rating as required by the National Electric Code. Three quotes were received and opened by staff on May 30, 2012, with all three quotes complete and accepted. The lowest quote was submitted by Reliance Electric in the amount of \$6,830, with a deduct alternative reducing the price to 4,880.00. Meester stated that after reviewing the quotes with staff including the deduct alternative, the work should be awarded to Reliance Electric.

RESOLUTION #12-06-02 **Mathison/Brisbin unanimous to adopt RESOLUTION #12-06-02, awarding the quote for work to modify the digester electrical equipment to meet Class 1, Division 2 hazardous location rating as required by the National Electric Code to Reliance Electric, at a total price of \$4,880 including the deduct alternative, as recommended by staff and the Project Manager, to be paid from the Sewer Fund (Fund 602).**

Meester also presented an amended contract for inspection services related to the project for consideration. The original contract with Donohue for project oversight did not include the construction inspection and preparation of additional MPCA reports, as the extent of those services was unknown at the time. It is anticipated construction

will take approximately 3 – 4 weeks, and an additional 7 hours to complete necessary report for the MPCA. Meester has estimated the cost of these additional services at \$3,000.00.

RESOLUTION #12-06-03 Laney/Mathison unanimous to adopt RESOLUTION #12-06-03, approving amendment No. 1 to the Engineering Services Agreement between the City of Zimmerman and Donohue & Associates, to include resident inspection services and the completion of record drawings and other requirement of the MPCA, at a cost not to exceed \$3,000, to be paid out of the Sewer Fund (Fund 602).

Award Bids -- CSAH 4 Improvements

Engineer Bittner reported bid opening for the CSAH 4 Improvement project was held on May 30. Three bids were received, which were checked and tabulated by staff prior to the meeting, with all three bids complete and accepted. The low bid of \$812,625.33 was received from Kuechle Underground, and is 4.3% higher than the Engineer's estimate. The City's share of the construction cost is approximately \$392,000, which is 13% higher than estimated, due to increases in fuel and petroleum products as well as the challenges of constructing the water main in a tight corridor while maintaining traffic on Fremont Avenue. Bittner recommends the bid be awarded to Kuechle Underground, contingent upon approval of the bid by Sherburne County.

RESOLUTION #12-06-04 Brisbin/Laney unanimous to adopt RESOLUTION #12-06-04 , accepting the low bid of Kuechle Underground for the re-construction of County Road 4 between TH 169 and County Road 45, including the installation of water main, at a bid price of \$812,625.33, contingent upon Sherburne County's approval of the bid, as presented and as recommended by staff.

FINANCE REPORT

Request for Relief of High Water Bill – 25776 – 10th Street West

Tillmann reported that Michael McShane, owner of property located at 25776 – 10th Street West (utility account #01-777-00-8), had appeared before the City Council on May 7, 2012, requesting Council consider adjusting a high water bill for his property. McShane reported that the April billing statement (March 26 – April 26, 2012), registered 31,000 gallons of usage. His average usage is 1,000 gallons per month

Staff recommends Council not adjust the bill for property and account #01-777-00-8. This is the same recommendation and decision Council has made in past instances with similar situations. Staff will work with the property owner to work out a payment arrangement that is amenable to both the owner and the City.

Brisbin/Mathison unanimous to deny the request to waive a portion of the utility bill for account #01-777-00-8, finding the bill to reflect water actually metered and registered at the property.

ADMINISTRATOR'S REPORT – presented by Administrator Piasecki

MSAS System – Proposed Annexation

Council approved modifications to the Municipal State Aid Street (MSAS) system at the April 16th meeting. At that time, Engineer Bittner recommended the City consider the annexation of a portion of the 120th and 136th Street right-of-ways lying outside current city limits, so they may be included in the MSAS system and generate increased aid revenues. Since only half of each section of right-of-way is currently in city limits, the city cannot collect funding for the full value of the right-of-way. A portion of both lie in Livonia Township.

The Livonia Town Board is amenable to the annexation and requested formal documentation be submitted for the annexation process. Staff drafted resolutions approving the annexation, which will be forwards to the Township for consideration and approval upon execution by the City.

RESOLUTION #12-06-05 **Brisbin/Mathison unanimous to adopt RESOLUTION #12-06-05, approving a Joint Resolution with Livonia Township designating a portion of the 120th Street Right-of-Way for Orderly Annexation, as recommended by staff.**

RESOLUTION #12-06-06 **Brisbin/Mathison unanimous to adopt RESOLUTION #12-06-06 approving a Joint Resolution with Livonia Township designating a portion of the 136th Street Right-of-Way for Annexation, as recommended by staff.**

MAYOR/COUNCIL ITEMS

RESOLUTION #12-06-07 **Brisbin/Mathison unanimous to adopt RESOLUTION #12-06-07 accepting the donation of a 15 x 25 American Flag valued at \$300 by the Kriesel Jacobsen American Legion Post 560 to the City of Zimmerman.**

The June 11 COW meeting will include the presentation of the 2011 Audit Report by the City Auditor, Abdo, Eick & Meyers.

Upcoming Events

- Farmer's Market – Tuesdays 3 – 6:30 p.m. in the Municipal Parking Lot. The Farmer's Market will move to the parking lot in Lions Park one week prior to the reconstruction of County Road 4. Staff will provide notification of the change on the website, cable access channel and electronic information sign as the relocation gets closer.
- June 9 – Several activities taking place at the Sherburne National Wildlife Refuge, including a family nature walk and summer wildflower tour.
- June 15 – Greater Zimmerman Area Chamber of Commerce Golf Tournament at Princeton Golf Course
- June 23 – Butterfly Tour at Sherburne National Wildlife Refuge

Mayor Earenfight expressed his gratitude to those that have volunteered time and financial contributions to Passing the Bread over the past five months. Passing the Bread will begin distribution events in October 2012.

Mayor Earenfight thanked those who contributed financially towards the fireworks display for Wild West Days.

Before adjourning, Mayor Earenfight asked for a moment of silence in honor of US Military Personnel.

Mathison/Brisbin unanimous to adjourn the meeting at 7:38 p.m. Motion carried.

Approved this 18th day of June, 2012.

Kary Tillmann, Clerk/Treasurer