

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, JULY 7, 2014**

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 Mathison and Michels. Members Brisbin and Merwin were excused absent. Also present were Administrator Piasecki and Public Works Director Horvath.

AGENDA APPROVAL

Mathison/Michels unanimous to approve the agenda with the following change:

- **Fire Department Report delayed until July 21, 2014**

APPROVAL OF MINUTES

Michels/Mathison unanimous to approve the meeting minutes of the June 16, 2014 Regular Meeting of the City Council as presented.

CONSENT AGENDA

Mathison/Michels unanimous to approve the consent agenda as presented as follows:

- a. Approve the payment of claims (check #36220 - #36283) in the amount of \$69,432.37 and electronic payments (e-check #1038 - #1049) in the amount of \$859,068.92 as presented.
- b. Accept the Investment/Funds Report for March, 2014, as presented by the Clerk/Treasurer.
- c. Accept the Monthly Budget Report of March, 2014, as presented.
- d. Accept the Investment/Funds Report for April, 2014, as presented by the Clerk/Treasurer.
- e. Accept the Monthly Budget Report of April, 2014, as presented.
- f. Approve a Community Shred Event for Saturday, September 6, 2014, from 10:00 a.m. – 12 Noon in the City Hall parking lot, with shredding service provided by Randy's Sanitation.
- g. Adopt **RESOLUTION #14-07-01** accepting a donation from the Zimmerman Area Youth Baseball Association in the amount of \$6,285 towards the purchase, installation and wiring of scoreboard controllers for the City Park.
- h. Approve payment to the Sherburne County Auditor/Treasurer in the amount of \$294,216 (ck #36286) for 2014 1st 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.
- i. Approve payment to Great Northern Environmental in the amount of \$15,205.73 (ck #36285) for two blowers and related parts for the Wastewater Treatment Plant, as identified on invoice #217, with funds to be paid from the Sewer Fund (602-49450-402), as recommended by staff.
- j. Adopt **RESOLUTION #14-07-02**, accepting Pay Request #5 and authorizing payment to C & L Contracting in the amount of \$63,216.88 (ck #36284) for construction services related to the 2013 Street Improvement project through June 27, 2014, as recommended by the City Engineer.
- k. Adopt **RESOLUTION #14-07-03** accepting Change Order #3 for construction related services for the 2013 Street Improvement Project, increasing the contract by \$3,080.00 and extending the contract deadline to July 18, 2014, as recommended by the City Engineer
- l. Approve the Sewer & Water Installer License Application for Mike Leverty, dba TW Hauling & Excavating Inc., 27930 - 96th Street NW, Zimmerman, MN 55398, for the period of June 18 – December 31, 2014.

OPEN FORUM

There was no one present to address the Council during Open Forum.

PUBLIC WORKS REPORT

Horvath updated Council on behalf of Fire Chief Maloney, stating the civil defense siren near Dairy Queen has been installed and is operational.

19th Street West Drainage

Horvath advised Council about a drainage issue between 25719 and 25733 19th Street West. Photos were presented to explain the drainage features and pattern. Two (2) catch basins collect storm water from 19th Street and discharge storm water through a 15" concrete pipe in a side yard easement between the properties. Discharge occurs from the pipe to the ground surface approximately midway to the rear property line. City staff has cleaned and landscaped around this discharge point in the past couple years to ensure flow from the pipe and to prevent erosion within the easement.

The property owners are concerned about the storm water deviating into and flooding their yards. Horvath believes the does water remain within the dedicated easements on the property, but an area of sediment build up exists downstream of the pipe. It is possible to re-grade the easement to direct the storm water eastward to the rear yard drainage easement. The discharge point is 2.9 feet higher than this rear yard easement. Water would then flow north to another drain inlet that moves storm water to the east to CH 46 right of way, and ultimately discharges under CH 46 into the Fremont Wildlife Management Area.

Re-grading the easement would require the removal of the chain link fence and approximately 30 cubic yards of material, grading, and installation of sod to repair the yards. Replacement of the fence is the responsibility of the homeowners, as the fence was installed within a city easement. Horvath stated the catch basin on the east side of 19th Street could also be replaced with a new sump catch basin to trap and collect sediment prior to discharge into the drainage easement. City staff would then clean the sump annually to remove sediment. Horvath summarized the issue by stating that currently, storm water is being collected and discharged according to the engineered design and within existing easements.

Comments were heard from **Robert and Kelly Bell, 25719 19th Street West**, and **Erica Plza, 25733 19th Street West**, who both stated that storm water pools in their rear yards, causing damage to fences and irrigation systems. Mr. and Mrs. Bell stated they have lived at the property for 6 years and they did not install the fence. Robert Bell questioned why the pipe and discharge was not extended all the way to the rear yard instead of discharging in the middle of the properties. Erica Plza stated she has lived at the property for 11 years, and she and her neighbors had issues with the rear yard drainage at least 10 years ago. Plza presented photographs showing the site 10 years ago, and showing the current conditions. The property owners are concerned about the storm water ponding, which makes their yards wet, soggy and unusable at times.

Earenfight suggested Council and staff conduct a site visit prior to an upcoming meeting to view the properties since 2 Council Members were not present for this discussion. Council agreed by consensus to conduct a site visit prior to the July 21st meeting if possible, with staff coordinating the time and date.

Appointment of Maintenance Technician

Horvath reported that interviews for the Maintenance Technician position were conducted in June by Administrator Piasecki, Public Works Director Horvath and PW Operations Supervisor Dave Johnson. Staff recommends Council appoint Aaron Larson to the position at forty (40) hours per week, at a rate of \$19.81 per hour (Step 1), plus benefits as identified in the Personnel Handbook, effective July 21, 2014.

Mathison/Michels unanimous appoint Aaron Larson to the position of Full-time (40 hours per week) Maintenance Technician, effective July 21, 2014, at a starting rate of \$19.81 per hour.

Donation for Siren Replacement

The Zimmerman/Livonia Fire Relief Association has donated \$1,000 to the City to partially fund the replacement of the civil defense siren near Dairy Queen. Council thanked the Association for their donation.

RESOLUTION #14-07-04 Michels/Mathison unanimous to adopt RESOLUTION #14-07-04, accepting a \$1,000 donation from the Zimmerman/Livonia Fire Relief Association towards the replacement of the civil defense siren at 2nd Avenue North and 3rd Street West.

ADMINISTRATOR’S REPORT

Joint Powers Agreement Renewal -- Zimmerman/Livonia Fire District

Administrator Piasecki reported that the existing Joint Powers Agreement between the City and Livonia Township creating the Joint Fire District expires on July 12, 2014. Both the City and Township have expressed a desire to continue the Joint Powers arrangement. Piasecki presented a proposed 2nd Amendment to the Agreement, drafted by the City and Township attorneys, extending the term of the Fire District Agreement an additional 10-years through July 12, 2024. Livonia Township approved the amendment at their June 23, 2014 meeting.

Michels/Mathison unanimous to approve the 2nd Amendment to the Zimmerman/Livonia Joint Powers Agreement, extending the term through July 12, 2024, and authorize the Mayor and Clerk/Treasurer to sign said amendment, on file in the Clerk/Treasurer’s Office, on behalf of the City.

Designation and Sale of Tax Forfeited Lands

Sherburne County has designated tax forfeited lands within the City as non-conservation lands and approved them for sale. The City must approve the designation and sale, and has the option of withholding properties for city purchase. Staff recommends parcel PID #95-009-3325 be withheld for city purchase.

RESOLUTION #14-07-05 Michels/Mathison unanimous to adopt RESOLUTION #14-07-05 approving the designation and sale of tax forfeited lands within the City of Zimmerman.

RESOLUTION #14-07-06 Michels/Mathison unanimous to adopt RESOLUTION #14-07-06, approving the acquisition of tax forfeited parcel PID #95-009-3325, at a cost not to exceed \$325.

MAYOR/COUNCIL ITEMS

Mayor Earenfight presented a thank you from Zimmerman American Legion Post #560 for the City’s donation to the Wild West Days fireworks display. Earenfight also reported that the Zimmerman Today printed an article regarding Passing the Bread in the July edition. Passing the Bread served 851 families in the past year, providing 66,1764 pounds of food.

Mayor Earenfight noted the following events:

- Due to a lack of agenda items, Council agreed by unanimous consensus to cancel the July 14, 2014 COW meeting
- Farmer’s Market – Tuesdays from 3 – 6:30 p.m. in the City Park
- June 27 – August 11 – Absentee Voting Available through Sherburne County for the Primary Election
- July 29 – August 12 – Filing Period for Municipal Offices at City Hall
- August 12 – Primary Election – Polls open 7 a.m. – 8 p.m.

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

Mathison/Michels unanimous to adjourn the meeting at 7:36 p.m. Motion carried.

Approved this 21st day of July, 2014.

s/s Kary Tillmann, Clerk/Treasurer

Approved 07/21/2014