

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, AUGUST 6, 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, and Engineer Bittner.

AGENDA APPROVAL

Laney/Mathison unanimous to approve the agenda as presented.

APPROVAL OF MINUTES

Mathison/Brisbin unanimous to approve the meeting minutes of the July 16, 2012 Regular Meeting as presented.

CONSENT AGENDA

Brisbin/Kowalski unanimous to approve the consent agenda with the exception of item h. Application for Temporary Liquor License and item l. Transfer of 2011 TIF Administrative Expenses, as follows:

- a. Approve the payment of claims (check #34369 - #34416) in the amount of \$53,744.01 and electronic checks (#799 - #806) in the amount of \$28,712.15 as presented.
- b. Accept the Building Permit Summary Report of July, 2012 as presented.
- c. Accept Pay Request #12192-04 from Donohue & Associates, authorizing payment in the amount of \$803.83 (check #34418) for Project Management Services related to the SBR Digester Cover project, to be paid from the Sewer Fund (Fund 602), as recommended by staff.
- d. Accept Invoice #148617, authorizing payment to Bolton & Menk in the amount of \$6,361.00 (check #34417) for Project Management Services related to the CSAH 4 Improvement Project for the month of June, 2012, as recommended by staff.
- e. Adopt **RESOLUTION #12-08-01**, accepting Pay Request #1 from Kuechle Underground, authorizing payment in the amount of \$298,574.50 (check #34420) for Construction Services related to the CSAH 4 Reconstruction Project through July 27, 2012, as recommended by staff.
- f. Accept Invoice #149836, authorizing payment to Bolton & Menk in the amount of \$6,604.00 (check #34417) for Project Management Services related to the Force Main Replacement Project for the month of June, 2012, as recommended by staff.
- g. Adopt **RESOLUTION #12-08-02**, accepting Pay Request #1 from GM Contracting, authorizing payment in the amount of \$129,652.20 (check #34419) for Construction Services related to the Force Main Replacement Project through July 27, 2012, as recommended by staff.
- i. Adopt **RESOLUTION #12-08-03**, appointing Election Judges for the 2012 State Primary Election to be held on August 14, 2012 and the State General Election to be held on November 6, 2012, and approving the hourly rate of pay for the 2012 Election season, as recommended by staff.
- j. Approve of the fireworks display permit as requested by the Zimmerman Quarterback Club for fireworks/pyrotechnic special effects display by Flashing Thunder Fireworks, to be located at the Zimmerman High School/Middle School, 25900 – 4th Street West, on August 20, September 7 & 28, and October 12, 17, and 24, 2012.
- k. Approve a solicitor license application for Michael Gordstein, dba Elite Home Services of Minnesota, Inc., 7480 West 78th Street, Bloomington, MN 55439 for the period of August 7, 2012 – August 7, 2013, as presented.

Mathison/Brisbin to approve consent agenda items h. and l. as follows:

- h. Adopt **RESOLUTION #12-08-04**, approving a temporary liquor license for the Zimmerman/Livonia Volunteer Fire Department Annual Fireman's Benefit Dance to be held at the Zimmerman Fire Hall, 13028 Fremont Avenue, Zimmerman, MN 55398, on September 8, 2012.
- l. Approve the transfer of 2011 TIF Administration fees for TIF Districts #7 and #9, totaling \$9,568.30 to the Economic Development Authority Fund (Fund 228).

Roll call: Brisbin, aye; Earenfight, aye; Kowalski, naye; Laney, aye; Mathison, aye. Motion carried.

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 July 2012. Fifty-one offenses were charged by citation in the month of July. The Sheriff's Department responded to 351 calls for service in July 2012, compared to 353 during the same time period in 2011. Reported incidents included 4 burglaries including 3 from garages, 7 thefts, 1 motor vehicle accidents with injuries, 8 property damage accidents and 4 property damage complaints. Starry reported that 7 Night to Unite events have been registered in the City for August 7, 2012 and 2 of those events requested representatives from the City Council to attend. Recently, the Zimmerman Today featured an article about the Sheriff's Department Bike Patrol, which has been well received by the community.

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

John Frantesl, 13328 – 277th Avenue NW, presented a check for \$500 from the Zimmerman Lions to Captain Starry for Sheriff's Department Reserve Unit.

FIRE DEPARTMENT REPORT

Fire Chief Ryan Maloney presented the Fire Department report for the month of July 2012. The Department responded to 3 medical calls, 2 fire alarms, 2 injury accidents with extrication, 1 gas leak, 1 missing person search, a carbon monoxide alarm, a hazardous material spill, a vehicle fire and an apartment fire. Maloney reported that he is working with City staff to complete the Hazardous Mitigation application packet for the Sheriff's Department as part of the grant received. The plan should be completed within a year. Discussion was held regarding the City's civil defense sirens. Maloney stated that there have been intermittent issues with one siren and he is working with Sherburne County to resolve the issue as quickly as possible.

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

PUBLIC WORKS REPORT

Project Updates

- Preliminary Design -- Leachate Pilot Study
Engineer Bittner reported that the Pilot Study for treatment of leachate from the Elk River Waste Management landfill has been completed. The study confirmed that the City could successfully pretreat raw landfill leachate with slight modifications to our system. The next step is to proceed to with the preliminary design, as discussed at the July 2 Regular Meeting. This phase includes the development of a preliminary design and cost estimate for full scale leachate treatment, pursuit of grant opportunities and initiation of negotiations with Waste Management. Bolton & Menk will provide these services for a fee of \$55,000. Deb Walters, representing Waste Management, advised Council that Waste Management is happy with the results of the study and will cooperatively participate in funding engineering expenses relating to the preliminary

design. Mayor Earenfight requested confirmation from Waste Management in writing and Walters agreed to the request.

Brisbin/Mathison to approve the proposal from Bolton & Menk for Phase II Preliminary Design for leachate treatment at the Wastewater Treatment Facility, at a cost not to exceed \$55,000, with Waste Management providing 50 percent of the funding for engineering services for Phase II, as recommended by staff. Roll call: Brisbin, aye; Earenfight, aye; Kowalski, naye; Laney, aye; Mathison, aye. Motion carried.

- Fremont Avenue/CSAH 4 Reconstruction Project

Engineer Bittner reported that construction on the City's portion of the CSAH 4 continues. The contractor anticipates placing the first layer of blacktop on August 7, and then prepping for sidewalk construction the following week. Once those items are complete, traffic will be switched to the north side of the street and milling will begin on the south half. The project schedule, although aggressive, is on track to be completed on time. No action taken.

- Fremont Avenue Watermain Replacement

Bittner reported that the water main replacement project will be completed in three phases and the second phase of the project began earlier today. The most difficult part will be making the connection between the new and existing water main which is deeper than anticipated. The project schedule had to be amended due to issues making the connection. No action taken.

- Retaining Wall

Public Works Director Horvath requested Council consider repair or replacement of the retaining wall behind the old RJ's building, which is beginning to lean. The wall can be replaced with timbers or concrete block. Concrete block would cost approximately \$8,000.00, whereas would timbers would cost approximately \$3,500. No action taken.

Pickup Truck Purchase

Discussion on this item will be deferred until the August 13, 2012 Committee of the Whole meeting. No action taken.

FINANCE REPORT – presented by Clerk/Treasurer Tillmann

August 2012 PFA Loan Payments

Brisbin/Mathison to approve the semi-annual payment to the Minnesota Public Facilities Authority (ck# 34421) in the amount of \$450,239.58, for scheduled interest repayments on GO Revenue Bonds as follows and as recommended by staff:

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|---|----------------------------------|
| 2000 SBR – Interest -- \$22,185.00; | Principal -- \$223,000.00 |
| 4th Ave WTP – Interest -- \$20,311.20 | Principal -- \$90,000.00 |
| 2010 SBR – Interest -- \$25,673.52 | Principal -- \$69,069.86 |

Roll call: Brisbin, aye; Earenfight, aye; Kowalski, naye; Laney, aye; Mathison, aye. Motion carried.

Schedule Canvassing Board Meeting

Historically, the City Council meets as the Canvassing Board on the Monday after the General Election, immediately prior to the COW meeting. There is not a COW meeting scheduled in November, 2012 because the 2nd Monday is a mandatory legal holiday (Veteran's Day). The Council must meet to canvass election results

between the 3rd and 10th day following the Election, which is between Friday, November 9 and Friday, November 16, 2012. Staff suggests November 13, as there is a Fire Board meeting at City Hall at 7:00 p.m. and two members of the Council are typically present for that meeting.

Kowalski/Brisbin to convene a meeting of the Canvassing Board for Tuesday, November 13, 2012 at 6:45 p.m. at the Zimmerman City Hall, pursuant to MN Statutes 205.185, subd 3, to canvass results from the Municipal Election on November 6, 2012.

2013 Budget Process

Council reviewed preliminary 2013 revenue and expense budgets by department as provided by staff. Preliminary expenses are projected at \$1,962,393. Preliminary Revenue is also projected at \$1,962,393, which includes a levy increase of \$74,036 from 2013 levels, in order to present a balanced budget. Council has several options to decrease the proposed levy amount, including reductions to expenses, increases in revenues, or the use of uncommitted cash reserves as a budget balancing tool, instead of a levy increase.

The preliminary budget and levy must be certified to Sherburne County by September 15, 2012. Council will be reviewing the budget in greater detail over the next two meetings (August 13 and August 20) before reviewing the final preliminary budget on September 10. Council also has the option of adding a Special Meeting on August 27 for further review of the budget if needed. Once the preliminary is approved, staff will work to refine the budget prior to final certification in December, 2012. No action taken.

2013 Initiative Funding Request

As in past years, the Initiative Foundation has requested financial support for the 2012 budget cycle. Council pledged to provide \$2,200 in funding in 2010, but in 2011 and 2012, withheld funding. For 2013, the Initiative Foundation has requested Council consider a contribution of \$250 (letter attached).

Laney/Mathison to deny the request for 2013 funding by the Initiative Foundation.

ADMINISTRATOR'S REPORT – presented by Administrator Piasecki

Participation in 2012 – 2013 Open Gym Programming

The City has previously participated in the Open Gym program administered by Community Recreation. In 2011, program expense was \$800 for a program that ran from mid-January through mid-May. Community Recreation will conduct Open Gym programming this year from mid-October through mid-April 2013, and advertise Zimmerman's participation in the Fall program for an estimated fee of \$1,200.

Kowalski/Brisbin unanimous to approve participation in the 2012 – 2013 Community Recreation Open Gym Program, at a cost of \$1,200, as recommended by staff.

Farmer's Market Lease

Piasecki reported that the Zimmerman Farmer's Market Association would like to make the City Park the permanent location for the Farmer's Market. They have requested a modification to the existing lease to accommodate this request. Piasecki will update the existing lease agreement to reflect this change and present at a future meeting for execution by the City Council.

MAYOR/COUNCIL ITEMS

RESOLUTION #12-08-05 Mathison/Brisbin unanimous to adopt RESOLUTION #12-08-05 accepting the donation of flags valued at \$245 from the Zimmerman American Legion Post #560.

Upcoming Events

Mayor Earenfight highlighted the following upcoming events:

- Filing for Municipal Office – July 31 – August 14, 2012
- Farmer’s Market – Tuesdays 3 – 6:30 p.m. – City Park (New location due to road construction)
- Sherburne County Night to Unite – August 7, 2012
- Primary Election – August 14, 2012
- City Wide activities on Saturday, September 8
 - Community Shred Event – 10 a.m. – 12 Noon; City Hall
 - Fire Department Open House 11 a.m. – 3 p.m. – Fire Station
 - Chamber of Commerce Kickball Tournament -- 3 – 8 p.m. – City Park
 - Firemen’s Dance – 8 p.m. – Midnight – Fire Station
 - Zimmerman Krazy Daze – September 8 – 9, 2012

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

Mathison/Brisbin unanimous to adjourn the meeting at 8:01 p.m. Motion carried.

Approved this 20th day of August, 2012.

Kary Tillmann, Clerk/Treasurer

Approved 08/20/2012