

**MINUTES OF THE REGULAR MEETING
OF THE ZIMMERMAN CITY COUNCIL
MONDAY, OCTOBER 3, 2016**

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 Nathe. Members Brisbin and Smith were excused absent. Also present were Clerk/Treasurer Tillmann and Public Works Director Johnson.

AGENDA APPROVAL

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

- **Fire Protection Report delayed until October 17, 2016**

APPROVAL OF MINUTES

Mathison/Nathe unanimous to approve the minutes of the September 19, 2016 Regular Meeting of the City Council as presented.

CONSENT AGENDA

Nathe/Mathison unanimous to approve the consent agenda as follows:

- a. Approve the payment of claims (check #38416 - #38441) in the amount of \$41,273.65 and electronic payments (e-check #1385 - #1389) in the amount of \$284,714.64 as presented.
- b. Approve the transfer of \$25,000 from the Water Fund (Fund 601) and \$25,000 from the Sewer Fund (Fund 602) to the General Fund (Fund 101) to cover 2016 expenses funded wholly by the General Fund as identified and as recommended by staff.
- c. Adopt **RESOLUTION #16-10-01**, approving the Application for Exempt Permit for the American Legion Riders Post 560 for a gambling event to be held on November 5, 2016 at the Kriesel-Jacobsen American Legion Post 560, 12674 Fremont Avenue, Zimmerman, MN 55398.
- d. Approve the License Application for Sewer and Water Installer for the period of October 4 – December 31, 2016, as requested by Dustin Guinn, dba Dusty's Drain Cleaning, 22590 Rum River Blvd. NW, St. Francis, MN 55070.
- e. Approve the License Application for Sewer and Water Installer for the period of October 4 – December 31, 2016, as requested by Dennis Jensen, dba North Pine Aggregate, Inc., 14551 Lake Drive, Columbus, MN 55025.

OPEN FORUM

The following individuals addressed the Council during Open Forum:

Bryan Lawrence, 12147 – 293rd Avenue NW, Zimmerman, was present to introduce himself as a candidate for Sherburne County Commissioner District 5. Lawrence provided information about his background and experience and his reasons for running for County Board. He thanked the Council for allowing him a few minutes on the agenda and encouraged people to exercise their right to vote on Election Day. No action taken.

Harold Gramstad, 24189 – 94th Street NW, Zimmerman, was present to discuss a donation of land to the City. Gramstad owns 35-acres of commercial property on the north edge of the City, near The Bank of Elk River and Zimmerman Community Church with access to 2nd Street East. Gramstad offered to donate a 5-acre parcel to the City to build a City Hall, Fire Station and Community Center. Gramstad's research has shown that several communities have recently used similar arrangements to jump start commercial activity, which has subsequently

increased the commercial tax base in those areas. Gramstad offered a period of 60-days for Council to discuss his offer before he begins working with a real estate agent to market the property.

Comments were heard from **Sherburne County Commissioner Rachel Leonard, 27655 – 112th Street NW, Zimmerman**, who stated if the City were to construct a municipal building, there would be approximately \$409,000 in Legacy Grant money available from the County to use towards the construction if certain conditions were met. She commented that she is supportive of the idea of a community center in Zimmerman and would be willing to work as a private citizen to raise additional funds to complete a future project such as this. **Bill LaVigne, Chief Operating Officer, The Bank of Elk River, 630 Main Street, Elk River**, added that the Bank, who currently holds a mortgage on the property, wholeheartedly supports Gramstad's plan to donate a 5-acre parcel to the City.

Council thanked Gramstad for his generous offer and advised him that Council and staff would be discussing it in greater detail in the near future.

FINANCE REPORT – presented by Clerk/Treasurer Tillmann

Scheduling of Municipal Canvassing Board

State law requires that the City Council meet to canvass election results between the 3rd and 10th day following the General Election, which is between Friday, November 11th and Friday, November 18th. In years past, Council has convened the Canvassing Board meeting on the Monday following the Election, right before the Committee of the Whole Meeting.

Mathison/Nathe unanimous to convene a meeting of the Canvassing Board on Monday, November 14, 2016, at 6:45 p.m., at the Zimmerman City Hall, pursuant to MN Statute 205.185, subd. 3, to canvass results from the Municipal Election on Tuesday, November 8, 2016.

Appointment of Additional Election Judges

October 14th is the last day the City Council can appoint Election Judges to serve at the General Election. Additional Election Judges have been recruited since the Primary Election in August, requiring appointment by the Council.

RESOLUTION #16-10-02 Nathe/Mathison unanimous to adopt RESOLUTION #16-10-02, appointing identified persons to serve as Election Judges for the 2016 Primary and/or General Elections with the understanding that amendments may be necessary to the appointments in order to fill vacancies and meet party splits; and approve the payment of an hourly wage of \$11.00 for Head Election Judges, \$10.50 per hour for Lead Registration Judges and \$10.00 per hour for Regular Election Judges during Election Judge training and time served on Election Day.

ADMINISTRATOR'S REPORT –presented by Public Works Director Dave Johnson

Change Order #1 – 2016 Main Street Improvements

Additional soil corrections have been necessary to stabilize the road subgrade lying south of Main Street. Engineering staff met with City staff and the contractor on site to determine the best alternative to create a stable road bed that meets State Aid standards. The chosen alternative was to remove poor soils, and place fill, rock, fabric, and gravel to correct the problems. MN DOT has reviewed and approved the change, authorizing the use of Municipal State Aid Funds to be expended on the soil corrections. Given that MNDOT approved the expenditure of to be paid through the State Aid system, the contractor was authorized to complete the corrections in order to keep the project moving forward.

The contractor has also requested additional construction days be added to the end of the contract to compensate for utility delays and weather conditions. Engineering staff supports an additional 5 working days added to the deadline.

RESOLUTION #16-10-03 Mathison/Nathe unanimous to adopt RESOLUTION #16-10-03, approving Change Order #1 submitted by LaTour Construction, Inc., in the amount of \$29,530.00, and extend the substantial completion date of the contract an additional 5 working days, as recommended by staff and the City Engineer.

Pay Request #2 – Main Street Improvements

LaTour Construction was contracted to perform the 2016 Main Street Improvement Project, which includes reconstruction of 2 segments of Main Street and storm sewer installation in 2nd Street East lying south of Main Street. Pay Request #2 has been submitted for work completed through September 26, 2016 and totals \$189,902.20. The Pay Request has been reviewed by the City Engineer, who recommends approval.

RESOLUTION #16-10-04 Nathe/Mathison unanimous to adopt RESOLUTION #16-10-04, approving Pay Request #2 for the Main Street Reconstruction Project to LaTour Construction, Inc., in the amount of \$189,902.20 (ck #38442 & #38483), as recommended by staff and the City Engineer.

Bid for Lift Station #1

In May, 2016, Council approved the design, feasibility and advertisement for bids on an improvement project for Lift Station #1. City Engineering staff prepared construction documents and advertised for bids, which were opened on Tuesday, September 27th. Four (4) bids were received from qualified contractors, with Northern Plains Contracting submitting the lowest bid at \$169,630. The Engineer's estimate was \$150,000. Bittner recommends the bid be awarded to Northern Plains Contracting. Approximately \$150,000 of the project expense will be paid from TIF #9 (Fund 379) as approved by the Zimmerman EDA earlier this year. The balance of the expense will be paid from the Sewer Fund (Fund 602).

RESOLUTION #16-10-05 Mathison/Nathe unanimous to adopt RESOLUTION #16-10-05, awarding the bid for Lift Station No. 1 Improvements to Northern Plains Contracting at a cost of \$169, 630, as recommended by the City Engineer, with funds to be taken from TIF#9 (Fund 379) and the Sewer Fund (Fund 602).

MAYOR/COUNCIL ITEMS

Mayor Earenfight identified the following upcoming events:

- October 4 – Final Farmer's Market of the season – City Park
- Now through November 7 – Absentee Voting available at Sherburne County Government Center
- October 9 – 15 – Fire Prevention Week
- October 18 – Voter Pre-registration for the General Election closes
- October 29 – Passing the Bread Food Distribution – 9 – 11 a.m., Public Safety Building

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

Mathison/Nathe unanimous to adjourn the meeting at 7:28 p.m. Motion carried.

Approved this 19th day of October, 2015.

Kary Tillmann, Clerk/Treasurer