

**MINUTES OF THE REGULAR MEETING  
OF THE ZIMMERMAN CITY COUNCIL  
MONDAY, NOVEMBER 2, 2015**

**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, Merwin and Nathe. Member Brisbin was excused absent. Also present were Administrator Piasecki, Clerk/Treasurer Tillmann and Public Works Director Johnson.

**AGENDA APPROVAL**

**Mathison/Nathe unanimous to approve the agenda with the following additions to the Public Works Report:**

- **Completion of Probationary Employment – PW Operations Coordinator**
- **Appointment of Maintenance Technician**

**APPROVAL OF MINUTES**

**Nathe/Merwin unanimous to approve the minutes from the following meetings as presented:**

- **September 30, 2015 Special Closed Meeting of the City Council**
- **October 19, 2015 Regular Meeting of the City Council**

**CONSENT AGENDA**

**Merwin/Mathison unanimous to approve the consent agenda as follows:**

- a. Approve the payment of claims (check #37509 - #37541) in the amount of \$41,662.78 and electronic payments (e-checks #1245 - #1246) in the amount of \$29,960.72 as presented.
- b. Accept the September 2015 Investment/Funds report as presented.
- c. Accept the Monthly Budget Report for September 2015 as presented.
- d. Authorize payment in the amount \$8,295.00 (ck# 37542) to Bolton & Menk for project management services relating to the Fremont Drive Realignment Project as identified on invoice #183241, for the period of September 2015, as recommended by staff.
- e. Authorize payment to Fergus Power Pump, Inc., in the amount \$11,981.51 (ck# 37544) recommended by the Public Works Director.
- f. Authorize payment in the amount of \$21,500.00 (ck #37543) to DJ Electric, as full payment for the installation of four (4) Variable Frequency Drives (VFD's) on the blowers the Wastewater Treatment Plant, as part of the VFD project approved by Council on August 3, 2015, as recommended by staff, with funds to be taken from the Sewer Fund (Fund 602).
- g. Approve the license application for a Sewer and Water Installer for the period of November 2, 2015 – December 31, 2015, for Joe Green Jr., and Andy Green, dba Greenway Excavating, 19949 St. Francis Blvd., Anoka, MN 55303.

**OPEN FORUM**

**Dianna Hermann, 9925 – 261<sup>st</sup> Avenue NW, Zimmerman**, was present to address the Council regarding traffic control at the intersection of County Road 4 and Main Street, in front of The Whistling Pickle. She is concerned about east bound traffic stopped at the stop sign not allowing west bound traffic to turn left onto Main Street. She believes it is because the sign that says "Incoming Traffic Does Not Stop" is blocked from view by the tree at that location. She suggested the tree be trimmed back to make that sign more visible, and that the sign possibly be outlined with flashing red lights. Administrator Piasecki stated that he would contact the County Highway Department to discuss DOT sign regulations, to see if that was a possibility or if the County has other suggestions for traffic signaling at that intersection. Public Works Director Johnson will determine how much of the tree is blocking the east bound stop sign and take action as needed and appropriate.

## **FIRE PROTECTION REPORT**

**Fire Chief Ryan Maloney** presented the Fire Department report for the month of October, 2015. The Department responded to 3 medical assists, 2 gas leaks, 7 personal injury motor vehicle accidents, 1 missing person search, a carbon monoxide call, 2 grass fires, a residential house fire, and provided mutual aid to the Clear Lake Fire Department and the Elk River Fire Department.

Recently, the Department recertified all Fire Fighters for Firefighter I and II and Hazardous Materials. Maloney reminded drivers to drive defensively, especially at the intersection of Highway 169 and County Road 4. There have been two serious accidents at that location in the past two weeks, with one resulting in a fatality.

**Council accepted the Fire Department Report for October, 2015 by unanimous consensus as presented.**

## **PUBLIC WORKS REPORT -- presented by Public Works Director Johnson**

### Completion of Probationary Employment

**Keith Koehler, Public Works Operations Coordinator**, was hired April 27, 2015, and has been subject to a 6-month probationary employment period, ending October 27, 2015. Staff has conducted an evaluation of Koehler's work performance and found him to meet or exceed expectations for his position, successfully completing the probationary period. Completion of the probationary period and permanent employee status has been documented in Koehler's employee file.

### Appointment of Maintenance Technician

Johnson advised that staff recently reviewed 19 applications and interviewed 3 candidates for the Maintenance Technician position vacated with Wayne Faue's resignation. Staff recommends the hiring of Blake Bistodeau, based on his interview, background, and municipal government experience plus licensure requirements. Staff anticipates a November 16th start date and recommends his hiring at Level 3, Step 1 of the 2015 Salary Schedule.

**Mathison/Merwin unanimous to approve the appointment of Blake Bistodeau to the position of Public Works Maintenance Technician, with a start date of November 16, 2015, at 2015 Level 3, Step 1, (\$20.21 per hour), as recommended by the Public Works Director, Operations Coordinator and the City Administrator.**

## **FINANCE REPORT – presented by Clerk/Treasurer Kary Tillmann**

### Certification Hearing – Delinquent Utility Bills

Tillmann reported that on October 6, 2015, staff mailed 154 letters notifying residents of pending certification of delinquent utilities totaling \$39,322.36. This hearing is an opportunity for residents to appeal the pending certification if they so choose. A final certification list will be presented for adoption on November 16. Final certification must be approved by Council at the November 16 meeting for submission to the County Auditor/Treasurer by the November 30<sup>th</sup> deadline. In the past, the County has allowed properties to be removed from the certification list into December and sometimes January of the following year, but there is no guarantee that they will continue to do so. There was no one present to address the Council regarding pending certification.

### Consideration of 2015 Longevity

Council agreed by unanimous consensus to table consideration of 2015 Longevity until the November 16, 2015 meeting.

### 2016 General Fund Budget and Levy Review

Council agreed by unanimous consensus to discuss the 2016 Budget and Levy in great detail the COW meeting scheduled for November 9. Piasecki reported that staff has reviewed the budget and reduced both the proposed

levy and expenditures for 2016. Tax impacts will be provided at the COW meeting for discussion, in anticipation of the Public Comment meeting scheduled for Monday, December 7.

**ADMINISTRATOR’S REPORT –presented by Administrator Piasecki**

**Tax Abatement Payment – UMA Precision Machining**

UMA Precision Machining, Inc. purchased property from Sherburne County and relocated their business to Zimmerman in 2013. As part of a financial assistance package for relocation and construction, both the City and County entered into tax abatement agreements with UMA Precision Machining, Inc., in August 2013. The term of the City’s abatement is 6 years, starting with taxes payable in 2015 and ending in 2020, or a maximum abatement amount of \$63,045. Per the executed agreement, payment from the City is due to UMA on December 1<sup>st</sup> of each year. The City portion of UMA taxes paid in 2015 and eligible for abatement and repayment totals \$10,482.72.

**Nathe/Mathison unanimous to approve the December 1, 2015 tax abatement payment to UMA Precision Machining, Inc., in the amount of \$10,482.72, as requested by staff.**

**Pending Decertification of TIF District #2**

Piasecki noted that TIF District #2 will expire on December 31, 2015 after 25 years of life. The District provided funding in the early 1990’s for the construction of Fremont Drive on the east side of TH 169, which spurred the development of the commercial corridor from the Holiday Station Store to Pro-Build. With this decertification, the City, County and ISD #728 will see approximately \$2,000,000 in property value returned to the tax rolls in 2016. Staff has been working on decertification documents and will provide those to Council for action on December 7. No action taken.

**Planning Commission Report of October 28, 2015**

Piasecki provided an overview of the October 28, 2015 Planning Commission Meeting. The Commission conducted two (2) Public Hearings regarding Conditional Use Permit (CUP) Applications submitted to the City.

The first was a request by **John Cullinan** for residential use of property in the C-1 Commercial District to allow an existing dwelling on the property located at **12700 – 2<sup>nd</sup> Avenue North, Zimmerman**, to be demolished and reconstructed. A CUP is required because the property is commercially zoned and he wishes to continue the residential use. He intends to also purchase and improve the commercial property immediately next door. The Commission recommended granting the CUP as requested.

**RESOLUTION #15-11-01 Mathison/Nathe unanimous to adopt RESOLUTION #15-11-01, approving the Conditional Use Permit (CUP) application submitted by John Cullinan, for a residential use of property in the C-1 zoning district, to allow the reconstruction of a single family dwelling on property located at 12700 – 2<sup>nd</sup> Avenue North, legally described as the West 100 feet of Lot 12, Block 3, Stendahl’s Addition, as recommended by staff and the Planning Commission.**

The second request was for an automobile service and repair business in the C-1 District. The application by Scott Trenholm, dba Elk River Muffler and Brake, would allow the former Reliance Electric building to be used for an auto repair business. Trenholm received a CUP for this property in 2014 but was unable to finalize a lease agreement with the property owner and the CUP expired after one year. The Commission recommends approval of the CUP with conditions.

**RESOLUTION #15-11-02**

**Merwin/Nathe unanimous to adopt RESOLUTION #15-11-02, approving the Conditional Use Permit (CUP) Application submitted by Scott Trenholm, dba Elk River Muffler and Brake, for an auto service repair business on property located at 25945 Main Street and legally described as parcel #95-423-0160, the NW150 of Lot 12, Block 1, Andersen Estates, with the following conditions, as recommended by staff and the Planning Commission:**

- 1. Any modifications to the structure shall be in accordance with all applicable Building Codes, with building permits and inspections obtained from the City of Zimmerman.**
- 2. All outdoor storage and parking of employee, customer or other vehicles must be on paved surfaces.**
- 3. An enclosure must be constructed to screen the garbage dumpster and any metal or recycling dumpsters.**

**Council agreed by unanimous consensus to accept the Planning Commission Report of October 28, 2015 as presented.**

**MAYOR/COUNCIL ITEMS**

Mayor Earenfight noted the following upcoming events:

- November 1 – City-wide Winter parking rules went into effect. No parking on City streets between the hours of Midnight and 8:00 a.m. until May 1, 2016
- November 11 – All City Offices closed in observance of Veteran’s Day
- November 21 – Passing the Bread Food Distribution; 9 – 11 a.m. – Sheriff’s Department Substation

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

**Mathison/Merwin unanimous to adjourn the meeting at 7:32 p.m. Motion carried.**

Approved this 16th day of November, 2015.

s/s Kary Tillmann, Clerk/Treasurer

APPROVED 11/16/2015