

Council Meeting

March 6, 2013 (rescheduled from March 5 – downsized original agenda)

Meeting called to order by Mayor Tammy Konz at 6:00pm

Council members present: Tammy Konz, Eric Loewen and Paula Capes; Joe Krippner arrived at 6:05pm
Nate Osmundson arrived at 6:07pm

Others present: Brian Kiffmeyer, John Gohmann, Donn Driver, Fred Patch and Tom Jovanovich

Fire Chief Gohmann and member Brian Kiffmeyer presented information to the Council regarding replacing the rescue rig. Quotes were received from the following to remount the current box on a new chassis: Arrow - \$66,315 and Everest - \$77,205. Quotes were received from the following for a new chassis: A M Maus & Son - \$24,653 (matching State bid) and Everest - \$44,130. Quotes were received from the following to mount a new box on a new chassis (price includes new box): Everest - \$71,900 and North Central Ambulance - \$74,817. Once replaced, the old rescue rig will be sold.

Motion made by Joe Krippner and seconded by Eric Loewen to accept the bid from A M Maus & Son in the amount of \$24,653 for a new chassis and the bid from Everest in the amount of \$71,900 for a new box and to mount it on a new chassis for a total of \$96,553 to be paid out of the Fire/Rescue Capital Outlay Fund with the Fire Relief Association making payments over the next 3 years for approximately \$22,184.33 and \$20,000 being used from their December 2012 contribution with the remainder being paid from the balance of committed funds; motion carried

Motion made by Joe Krippner and seconded by Eric Loewen to hire Matthew Snaza as a member of the Kimball Fire & Rescue Squad; motion carried

Motion made by Paula Capes and seconded by Nate Osmundson to approve the 2014 Fire Dept. budget (copy attached); motion carried

Fred Patch was present to discuss Kim-Built Propane's development plans with the Council. He submitted a building permit application with plans for a convenience store and presented a memo to the Council along with a development agreement for consideration (copies attached). The City Attorney will review the development agreement for the next Council meeting. The plans will be sent to the City Engineer to be reviewed for storm water, curbing, etc.

Donn Driver discussed Stearns County's All-Hazard Mitigation Plan with the Council.

Motion made by Joe Krippner and seconded by Nate Osmundson to adopt Resolution No. 03052013G Resolution of the City of Kimball Adopting the Stearns County All-Hazard Mitigation Plan; motion carried

Motion made by Joe Krippner and seconded by Eric Loewen to approve the claims; motion carried

Motion made by Nate Osmundson and seconded by Joe Krippner to approve the following Consent Agenda Items:

1. City Clerk to attend Loss Control Workshop in St. Cloud on April 23, 2013
2. Police Chief and Officer Capes to attend Minnesota Chiefs of Police Association ETI in Duluth April 22, 2013 – April 25, 2013
3. Minutes of the February 5, 2013 Council Meeting

4. Minutes of the February 13, 2013 Employee Meeting
5. Minutes of the February 19, 2013 Special Meeting
6. Resolution No. 03052013A Resolution Providing Authorization to Write-off Uncollectable Water, Sewer and Garbage Utilities

motion carried

The Council reviewed the request from the Kimball Days Committee.

Motion made by Joe Krippner and seconded by Paula Capes to assist the Kimball Days Committee with the following items:

- Put up orange snow fence along HWY 55 (for Kid's Zone at St. Anne's)
- Order 8 Garbage Cans to be delivered on Friday to St. Anne's Church & p/u Monday AM
- List parade forms/route on the City Website
- Printing : Postcards, Letters, Applications, Address Labels, programs and Signs
- Use City P.O. Box for Kimball Days Business
- Have City Hall be drop place for necessary forms: Parade Entries, Craft/Vendor Sale, LMK Applications, Lip Sync Forms and Food Vendor Forms
- 8 Can's at St. Anne's (Saturday, August 10)
- Can's along Parade Route (Sunday, August 11)
- Dumpster at Lion's park dumped prior to KD to ensure adequate space for garbage over the weekend.
- Pay for ALL garbage charges that related to Kimball Days (above mentioned)
(I believe in the past it has been donated by the garbage company, but incase that should change)
- Donate paper for printing (letters & forms) 1-2 Reams

motion carried

Motion made by Nate Osmundson and seconded by Joe Krippner to adopt Resolution No. 03052013B Resolution Supporting an Exemption for Cities from State Sales Tax; motion carried

Motion made by Nate Osmundson and seconded by Eric Loewen to adopt Resolution No. 03052013F Resolution Providing for the Issuance and Delivery of General Obligation Refunding Bond, Series 2013, in the Original Aggregate Principal Amount of \$3,537,000, to be Issued to the United States of America; motion carried

Motion made by Joe Krippner and seconded by Paula Capes to postponed the following items on the agenda until the next meeting: Utility Billing Policy - Adoption of Resolution No. 03052013C, Internal Control Policy - Adoption of Resolution No. 03052013D and City Website - Adoption of Resolution No. 03052013E; motion carried

The Maine Prairie Township Annual Meeting is March 12 at 8:30pm. There will be a Joint Meeting between the City and Township on March 21 at 7pm at the Township Hall.

Motion made by Eric Loewen and seconded by Paula Capes to adjourn at 7:18pm; motion carried

Respectfully submitted by Nicole Pilarski

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Payments

Current Period: February 2013

Batch Name 022513Claims Payment Computer Dollar Amt \$2,446.10 Posted

Refer 5345 *MEDICA* Ck# 035587 2/25/2013
Cash Payment E 101-43100-131 Employer Paid Health Credit Johnson Health -\$1,039.98
 Invoic C0030470980 2/12/2013
Cash Payment E 200-42200-131 Employer Paid Health Fire Clerk Health \$14.98
 Invoic C0030470980 2/12/2013
Cash Payment E 101-41400-131 Employer Paid Health CLERK HEALTH \$209.78
 Invoic C0030470980 2/12/2013
Cash Payment E 602-49450-131 Employer Paid Health SEWER HEALTH \$372.28
 Invoic C0030470980 2/12/2013
Cash Payment E 601-49400-131 Employer Paid Health WATER HEALTH \$372.29
 Invoic C0030470980 2/12/2013
Cash Payment E 101-43100-131 Employer Paid Health PUBLIC WORKS HEALTH \$669.66
 Invoic C0030470980 2/12/2013
Cash Payment E 101-42110-131 Employer Paid Health POLICE HEALTH \$1,713.02
 Invoic C0030470980 2/12/2013
 Transaction 2 /22/2013 Due 0 Checking 10100 **Total** \$2,312.03

Refer 5347 *LINCOLN MUTUAL LIFE &* Ck# 035586 2/25/2013
Cash Payment E 101-43100-134 Employer Paid Life Credit Johnson Life Insurance -\$28.41
 Invoic 2/20/2013
Cash Payment E 200-42200-134 Employer Paid Life Clerk Life Insurance \$1.34
 Invoic 2/20/2013
Cash Payment E 101-41400-134 Employer Paid Life CLERK LIFE INSURANCE \$18.70
 Invoic 2/20/2013
Cash Payment E 602-49450-134 Employer Paid Life SEWER LIFE INSURANCE \$15.44
 Invoic 2/20/2013
Cash Payment E 601-49400-134 Employer Paid Life WATER LIFE INSURANCE \$15.45
 Invoic 2/20/2013
Cash Payment E 101-43100-134 Employer Paid Life PUBLIC WORKS LIFE INSURANCE \$24.22
 Invoic 2/20/2013
Cash Payment E 101-42110-134 Employer Paid Life POLICE LIFE INSURANCE \$87.33
 Invoic 2/20/2013
 Transaction 2 /25/2013 Due 0 Checking 10100 **Total** \$134.07

Fund Summary

	10100 Checking
602 SEWER FUND	\$387.72
601 WATER FUND	\$387.74
200 FIRE/RESCUE FUND	\$16.32
101 GENERAL FUND	\$1,654.32
	\$2,446.10

Pre-Written Checks	\$2,446.10
Checks to be Generated by the Computer	\$0.00
Tota	\$2,446.10

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Payments

Current Period: March 2013

Batch Name 030513Claims Payment Computer Dollar Amt \$10,197.21 Posted

Refer	5335	TOWN OF FAIRHAVEN	<u>Ck# 035611 3/5/2013</u>			
Cash Payment	E 101-42110-437	Other Miscellaneous	11 Feb DSC	Tax	\$550.00	
Invoice						
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$550.00
Refer	5336	SEH	<u>Ck# 035609 3/5/2013</u>			
Cash Payment	E 317-47000-303	Engineering Fees	Utility Project	Engineering	\$1,907.70	
Invoice	265754	2/13/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$1,907.70
Refer	5337	US BANK EQUIPMENT FINANCE	<u>Ck# 035612 3/5/2013</u>			
Cash Payment	E 101-41000-414	Data Processing Equip	Copier	Lease	\$409.62	
Invoice	222840811	2/20/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$409.62
Refer	5338	HACH COMPANY	<u>Ck# 035602 3/5/2013</u>			
Cash Payment	E 601-49400-206	Testing	Water	Chemicals	\$124.97	
Invoice	8155396	2/15/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$124.97
Refer	5339	MMUA	<u>Ck# 035607 3/5/2013</u>			
Cash Payment	E 101-43100-433	Dues and Subscriptions	Public Works	Drug Testing Participant Fee	\$31.00	
Invoice	40979	2/21/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$31.00
Refer	5340	METRO FIRE	<u>Ck# 035605 3/5/2013</u>			
Cash Payment	E 200-42200-210	Operating Supplies	Fire Dept	Supplies	\$642.40	
Invoice	46444	2/15/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$642.40
Refer	5341	SPRINT	<u>Ck# 035610 3/5/2013</u>			
Cash Payment	E 101-42110-321	Telephone	POLICE	LAPTOPS	\$79.98	
Invoice	325068815-063	2/18/2013				
Cash Payment	E 101-41000-321	Telephone	Extra	Cell Phone	\$59.72	
Invoice	214175127-122	2/18/2013				
Cash Payment	E 101-43100-321	Telephone	PUBLIC WORKS	CELL PHONE	\$29.86	
Invoice	214175127-122	2/18/2013				
Cash Payment	E 602-49450-321	Telephone	SEWER	CELL PHONE	\$14.93	
Invoice	214175127-122	2/18/2013				
Cash Payment	E 101-42110-321	Telephone	POLICE	CELL PHONE	\$108.00	
Invoice	214175127-122	2/18/2013				
Cash Payment	E 601-49400-321	Telephone	WATER	CELL PHONE	\$14.92	
Invoice	214175127-122	2/18/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$307.41
Refer	5342	CENTRAL MCGOWAN	<u>Ck# 035599 3/5/2013</u>			
Cash Payment	E 200-42200-210	Operating Supplies	Fire Dept.	Oxygen	\$17.90	
Invoice	00699450	2/6/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$17.90
Refer	5343	MENARDS	<u>Ck# 035604 3/5/2013</u>			
Cash Payment	E 101-42110-220	Repair/Maint Supply	Police	Supplies	\$10.68	
Invoice	18954	2/7/2013				

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Payments

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Cash Payment	E 101-42110-401	Repairs/Maint	Police Bldg	Water Heater	\$268.01	
Invoice	18879	2/6/2013				
Cash Payment	E 101-42110-401	Repairs/Maint	Return	Water Heater Part	-\$15.45	
Invoice	19620CM	2/15/2013				
Cash Payment	E 101-42110-401	Repairs/Maint	Police	Water Heater Parts	\$69.23	
Invoice	18954	2/7/2013				
Cash Payment	E 101-41000-437	Other Miscellaneous	Return	City Hall Security Camera	-\$85.89	
Invoice	18951CM	2/7/2013				
Cash Payment	E 101-41000-437	Other Miscellaneous	City Hall	Security Camera	\$85.49	
Invoice	18879	2/6/2013				
Cash Payment	E 101-42110-220	Repair/Maint Supply	Police	Cleaning Supplies	\$28.87	
Invoice	18879	2/6/2013				
Transaction	2 /22/2013		Due 0	Checking	10100	Total \$360.94

Refer	5344	CENTERPOINT ENERGY	<u>Ck# 035598 3/5/2013</u>		
Cash Payment	E 101-42110-383	Gas Utilities	Police Bldg Gas Service		\$171.12
Invoice		2/12/2013			
Cash Payment	E 101-45200-383	Gas Utilities	Shelter Gas Service		\$12.82
Invoice		2/12/2013			
Transaction	2 /22/2013		Due 0 Checking	10100	Total \$183.94
Refer	5349	AMERIPRIDE SERVICES	<u>Ck# 035594 3/5/2013</u>		
Cash Payment	E 101-41000-300	Professional Svcs	City Hall Rugs		\$30.55
Invoice	2200350525	2/25/2013			
Transaction	2 /25/2013		Due 0 Checking	10100	Total \$30.55
Refer	5350	ARVIG	<u>Ck# 035595 3/5/2013</u>		
Cash Payment	E 101-41000-321	Telephone	City Hall Fax		\$100.05
Invoice		2/22/2013			
Cash Payment	E 602-49450-321	Telephone	Scheeler Lift Station Telephon		\$36.46
Invoice		2/22/2013			
Cash Payment	E 601-49400-321	Telephone	Water Plant Alarm		\$38.59
Invoice		2/22/2013			
Cash Payment	E 101-42110-321	Telephone	Police Computer Line		\$36.46
Invoice		2/22/2013			
Cash Payment	E 101-42110-321	Telephone	Police Telephone & Fax		\$81.03
Invoice		2/22/2013			
Cash Payment	E 101-42500-321	Telephone	Civil Defense Telephone		\$36.46
Invoice		2/22/2013			
Cash Payment	E 601-49400-321	Telephone	Water Plant Alarm		\$36.46
Invoice		2/22/2013			
Cash Payment	E 200-42200-321	Telephone	Fire Dept Telephone		\$82.72
Invoice		2/22/2013			
Cash Payment	E 101-41000-321	Telephone	City Hall Telephone		\$89.91
Invoice		2/22/2013			
Transaction	2 /25/2013		Due 0 Checking	10100	Total \$538.14
Refer	5351	XCEL ENERGY	<u>Ck# 035613 3/5/2013</u>		
Cash Payment	E 101-43100-381	Electric Utilities	Public Works Electricity		\$10.05
Invoice	460181910	2/21/2013			
Cash Payment	E 101-45200-381	Electric Utilities	Ballpark Electricity		\$11.19
Invoice	460091670	2/20/2013			
Cash Payment	E 101-41000-381	Electric Utilities	City Hall Electricity		\$203.12
Invoice	460092568	2/20/2013			

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Current Period: March 2013

Cash Payment	E 101-43100-381	Electric Utilities	Street Light		\$17.55
Invoice	460181906	2/21/2013			
Cash Payment	E 101-42500-381	Electric Utilities	Civil Defense Electricity		\$4.31
Invoice	460181754	2/21/2013			
Cash Payment	E 602-49450-381	Electric Utilities	Lift Station Electricity		\$268.17
Invoice	460249651	2/21/2013			
Cash Payment	E 101-45200-381	Electric Utilities	Shelter Electricity		\$163.02
Invoice	460246381	2/21/2013			
Cash Payment	E 101-45200-381	Electric Utilities	Hockey Rink Electricity		\$136.34
Invoice	460180352	2/21/2013			
Cash Payment	E 601-49400-381	Electric Utilities	Water Plant Electricity		\$17.55
Invoice	460181750	2/21/2013			
Cash Payment	E 101-43100-381	Electric Utilities	Community Billboard Electricity		\$117.43
Invoice	459833561	2/19/2013			
Cash Payment	E 101-43100-381	Electric Utilities	Flasher Light		\$45.71
Invoice	459907187	2/19/2013			
Cash Payment	E 200-42200-381	Electric Utilities	Fire Hall Electricity		\$368.00
Invoice	459930306	2/19/2013			
Cash Payment	E 601-49400-381	Electric Utilities	Water Tower Lights		\$43.76
Invoice	459918159	2/19/2013			
Cash Payment	E 101-45200-381	Electric Utilities	Lions Park Electrcity		\$11.19
Invoice	459915732	2/19/2013			
Cash Payment	E 101-42110-381	Electric Utilities	Police Electricity		\$114.94
Invoice	460149401	2/20/2013			

Cash Payment	E 601-49400-381 Electric Utilities	Water Plant Electricity		\$636.59
Invoice	460260200	2/21/2013		
Transaction	2 /25/2013	Due 0 Checking	10100	Total \$2,168.92
Refer	5352 MINNESOTA DEPT OF HEALTH	<u>Ck# 035606 3/5/2013</u>		
Cash Payment	E 601-49400-388 Connection Fee	1st Qtr Connection Fee		\$472.00
Invoice				
Transaction	2 /25/2013	Due 0 Checking	10100	Total \$472.00
Refer	5353 BOUND TREE MEDICAL	<u>Ck# 035597 3/5/2013</u>		
Cash Payment	E 200-42200-210 Operating Supplies	Fire Dept Supplies - tube holders, airway kits, head/chin straps		\$263.21
Invoice	81008564	2/15/2013		
Transaction	2 /25/2013	Due 0 Checking	10100	Total \$263.21
Refer	5354 COLONIAL LIFE	<u>Ck# 035600 3/5/2013</u>		
Cash Payment	G 101-21710 Other Deductions	Feb Premium		\$112.44
Invoice	3913340-0208666	2/25/2013		
Transaction	2 /27/2013	Due 0 Checking	10100	Total \$112.44
Refer	5355 KIFFMEYER, BRIAN	<u>Ck# 035603 3/5/2013</u>		
Cash Payment	E 200-42200-222 Vehicle Maintenance	Fire Dept - 4 Oil Changes		\$1,330.24
Invoice	10123	2/23/2013		
Transaction	2 /27/2013	Due 0 Checking	10100	Total \$1,330.24
Refer	5356 ZWILLING, TROY	<u>Ck# 035614 3/5/2013</u>		
Cash Payment	E 601-49400-300 Professional Svcs	Visits Weeks of 2/3, 2/10, 2/17 & 2/24		\$250.00
Invoice	0000001	2/26/2013		
Cash Payment	E 602-49450-300 Professional Svcs	Visits Weeks of 2/3, 2/10, 2/17 & 2/24		\$250.00
Invoice	0000001	2/26/2013		
Transaction	2 /27/2013	Due 0 Checking	10100	Total \$500.00

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Payments

Current Period: March 2013

Refer	5357 PILARSKI, NICOLE J	<u>Ck# 035608 3/5/2013</u>		
Cash Payment	E 101-41400-331 Travel Expenses	Reimbursement Chamber Lunch		\$9.00
Invoice		3/1/2013		
Cash Payment	E 101-41400-331 Travel Expenses	Reimbursement Mileage to Attorney's Office		\$23.23
Invoice		3/1/2013		
Transaction	3 /1 /2013	Due 0 Checking	10100	Total \$32.23
Refer	5358 BORMAN, ROSE	<u>Ck# 035596 3/5/2013</u>		
Cash Payment	E 101-41000-300 Professional Svcs	Clean City Hall		\$60.00
Invoice		2/28/2013		
Cash Payment	E 101-45500-300 Professional Svcs	Clean Library		\$60.00
Invoice		2/28/2013		
Transaction	3 /1 /2013	Due 0 Checking	10100	Total \$120.00
Refer	5359 GRANITE ELECTRONICS	<u>Ck# 035601 3/5/2013</u>		
Cash Payment	E 101-42110-222 Vehicle Maintenance	Police Durango Switch Fix		\$93.60
Invoice	245866	2/26/2013		
Transaction	3 /1 /2013	Due 0 Checking	10100	Total \$93.60

Fund Summary

	10100 Checking	
602 SEWER FUND	\$569.56	
601 WATER FUND	\$1,634.84	
317 2012 USDA CONST ACCT	\$1,907.70	
200 FIRE/RESCUE FUND	\$2,704.47	
101 GENERAL FUND	\$3,380.64	
	\$10,197.21	

Pre-Written Checks	\$10,197.21
Checks to be Generated by the Computer	\$0.00
Tota	\$10,197.21

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Payments

Current Period: March 2013

Batch Name	030613Claims Payment	Computer Dollar Amt	\$10,518.15	Posted
Refer	5362 <i>CENTERPOINT ENERGY</i>	<u>Ck# 035617 3/6/2013</u>		
Cash Payment	E 601-49400-383 Gas Utilities	Water Gas Service		\$188.65
Invoice	2/28/2013			
Cash Payment	E 101-43100-383 Gas Utilities	Public Works Gas Service		\$110.52
Invoice	2/28/2013			
Cash Payment	E 200-42200-383 Gas Utilities	Fire Hall Gas Service		\$563.93
Invoice	2/28/2013			
Cash Payment	E 101-41000-383 Gas Utilities	City Hall Gas Service		\$524.01
Invoice	2/28/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$1,387.11
Refer	5363 <i>BATTERIES PLUS</i>	<u>Ck# 035616 3/6/2013</u>		
Cash Payment	E 101-42110-210 Operating Supplies	Police Dept Batteries		\$8.18
Invoice	036-299632 1/10/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$8.18
Refer	5364 <i>CENTRAL MCGOWAN</i>	<u>Ck# 035618 3/6/2013</u>		
Cash Payment	E 200-42200-210 Operating Supplies	Fire Dept Oxygen		\$17.90
Invoice	00698709 2/2/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$17.90
Refer	5365 <i>A M MAUS</i>	<u>Ck# 035615 3/6/2013</u>		
Cash Payment	E 101-42110-222 Vehicle Maintenance	Police Car Wash		\$6.95
Invoice	253832 2/14/2013			
Cash Payment	E 101-42110-222 Vehicle Maintenance	Police Car Wash		\$6.95
Invoice	253974 2/28/2013			
Cash Payment	E 101-42110-212 Motor Fuels	Police Fuel		\$69.21
Invoice	253974 2/28/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$83.11
Refer	5366 <i>YOUNG BROTHERS</i>	<u>Ck# 035623 3/6/2013</u>		
Cash Payment	E 101-42110-401 Repairs/Maint	Police Dept Roof		\$7,600.00
Invoice	2/23/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$7,600.00
Refer	5367 <i>MEHR, BRIAN</i>	<u>Ck# 035620 3/6/2013</u>		
Cash Payment	E 601-49400-300 Professional Svcs	Visits Weeks of 2/3, 2/10, 2/17 & 2/24		\$250.00
Invoice	Feb-13 3/4/2013			
Cash Payment	E 602-49450-300 Professional Svcs	Visits Weeks of 2/3, 2/10, 2/17 & 2/24		\$250.00
Invoice	Feb-13 3/4/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$500.00
Refer	5368 <i>U S BANK</i>	<u>Ck# 035622 3/6/2013</u>		
Cash Payment	E 311-47000-307 Management Fees	2006 Bond Agent Fee & Incidental Expenses		\$431.25
Invoice	3339081 2/25/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$431.25
Refer	5369 <i>LAND O LAKES OIL CO</i>	<u>Ck# 035619 3/6/2013</u>		
Cash Payment	E 101-43100-210 Operating Supplies	PW Vehicle Insp Books		\$4.00
Invoice	5532 2/7/2013			
Transaction	3 /6 /2013	Due 0 Checking 10100	Total	\$4.00
Refer	5370 <i>OFFICE DEPOT</i>	<u>Ck# 035621 3/6/2013</u>		

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Payments

Current Period: March 2013

Cash Payment	E 200-42200-580 Other Equipment	Fire Dept Printer		\$317.41
Invoice	646751605001	2/22/2013		
Cash Payment	E 200-42200-580 Other Equipment	Fire Dept Chairs		\$168.09
Invoice	646278937001	2/19/2013		
Transaction	3 /6 /2013	Due 0 Checking	10100	Total \$485.50

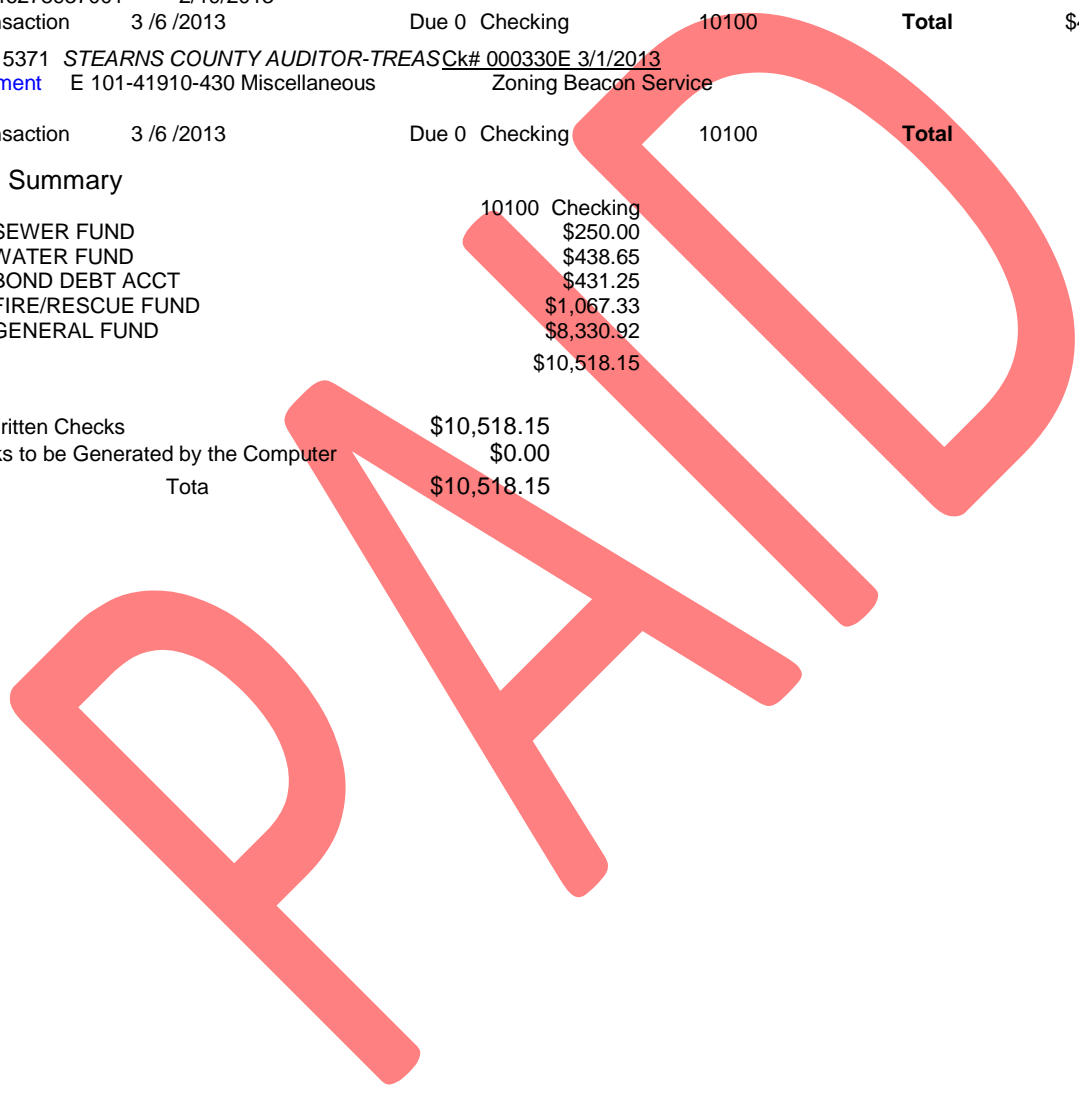
Refer 5371 STEARNS COUNTY AUDITOR-TREASCK# 000330E 3/1/2013

Cash Payment	E 101-41910-430 Miscellaneous	Zoning Beacon Service		\$1.10
Invoice				
Transaction	3 /6 /2013	Due 0 Checking	10100	Total \$1.10

Fund Summary

	10100 Checking	
602 SEWER FUND	\$250.00	
601 WATER FUND	\$438.65	
311 BOND DEBT ACCT	\$431.25	
200 FIRE/RESCUE FUND	\$1,067.33	
101 GENERAL FUND	\$8,330.92	
	\$10,518.15	

Pre-Written Checks	\$10,518.15
Checks to be Generated by the Computer	\$0.00
Tota	\$10,518.15



Account	Account Description	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Actual	2013 Final	2014 Final
FIRE FUND REVENUES								
Intergovernmental								
R 200-42200-33422	Aids and Grants	14,424.00	16,176.00	17,173.00	21,148.48	0.00	12,000.00	17,000.00
R 200-42200-33600	County Grants	0.00	0.00	0.00	162.00	0.00	0.00	150.00
R 231-42200-33422	Aids and Grants	3,200.00	107,576.00	41,076.00	0.00	0.00	0.00	0.00
Total Intergovernmental		17,624.00	123,752.00	58,249.00	21,310.48	0.00	12,000.00	17,150.00
Charges for Services								
R 200-42200-34000	Charges for Services	1,035.00	0.00	1,112.50	330.00	0.00	500.00	500.00
R 200-42200-34202	Special Fire Protection Services	38,865.58	91,327.21	97,348.36	94,564.90	101,887.86	101,887.86	106,672.09
Total Charges for Services		39,900.58	91,327.21	98,460.86	94,894.90	101,887.86	102,387.86	107,172.09
Interest								
R 200-42200-36210	Interest Earnings	240.71	640.71	397.16	247.14	0.00	400.00	400.00
R 231-42200-36210	Interest Earnings	273.69	403.40	272.21	221.05	0.00	300.00	300.00
Total Interest		514.40	1,044.11	669.37	468.19	0.00	700.00	700.00
Donations								
R 200-42200-36230	Contributions and Donations	2,000.00	0.00	500.00	0.00	0.00	0.00	0.00
R 231-42200-36230	Contributions and Donations	37,075.00	33,800.00	35,500.00	30,000.00	0.00	20,000.00	20,000.00
R 231-42240-36230	Contributions and Donations	0.00	0.00	0.00	10,000.00	0.00	0.00	0.00
Total Donations		39,075.00	33,800.00	36,000.00	40,000.00	0.00	20,000.00	20,000.00
Other Miscellaneous								
R 200-42200-36200	Miscellaneous Revenues	0.00	20.82	632.41	341.75	0.00	0.00	0.00
R 200-42200-36202	League of MN Cities Refund	0.00	2,338.58	946.45	14,394.24	0.00	0.00	0.00
R 200-42200-36220	Other Rents and Royalties	1,000.00	1,000.00	1,000.00	1,000.00	500.00	1,000.00	0.00
Total Other Miscellaneous		1,000.00	3,359.40	2,578.86	15,735.99	500.00	1,000.00	0.00
TOTAL FIRE FUND REVENUES		98,113.98	253,282.72	195,958.09	172,409.56	102,387.86	34,200.00	38,350.00
FIRE FUND EXPENSES								
Administration								
E 200-42200-100	Wages and Salaries (GENERAL)	31,208.00	26,904.00	33,882.97	34,318.35	22.17	31,000.00	35,000.00
E 200-42200-121	PERA	9.80	0.00	300.34	154.72	5.96	143.26	158.34
E 200-42200-122	FICA	2,387.39	2,058.25	2,589.41	2,625.67	1.68	2,371.50	2,677.50
E 200-42200-125	Other Retirement Contributions	5,000.00	6,000.00	6,000.00	6,500.00	0.00	7,500.00	7,500.00
E 200-42200-131	Employer Paid Health	0.00	0.00	0.00	0.00	0.00	210.65	231.71
E 200-42200-133	Employer Paid Dental	0.00	0.00	0.00	0.00	2.12	28.62	31.48
E 200-42200-134	Employer Paid Life	0.00	0.00	0.00	0.00	0.00	18.84	20.72
E 200-42200-151	Worker's Comp Insurance Premium	3,525.45	3,613.35	3,326.79	3,747.81	0.00	4,000.00	5,000.00
E 200-42200-206	Testing	0.00	0.00	0.00	0.00	0.00	2,200.00	1,700.00
E 200-42200-341	Employment	2,355.00	0.00	0.00	0.00	0.00	0.00	0.00
E 200-42200-417	Uniforms	5,434.08	405.46	2,128.17	265.43	0.00	0.00	3,000.00
Total Administration		49,919.72	38,981.06	48,227.68	47,611.98	31.93	47,472.86	55,319.75

Account	Account Description	2009 Actual	2010 Actual	2011 Actual	2012 Actual	2013 Actual	2013 Final	2014 Final
Professional Fees								
E 200-42200-208	Training and Instruction	10,564.07	3,935.00	9,144.35	9,616.00	0.00	12,000.00	10,000.00
E 200-42200-300	Professional Services (GENERAL)	575.00	1,765.00	4,211.83	1,326.82	0.00	2,500.00	2,000.00
E 200-42200-301	Auditing and Accounting Services	0.00	0.00	960.00	960.00	0.00	960.00	960.00
E 200-42200-304	Legal Fees	0.00	0.00	27.00	0.00	0.00	0.00	0.00
E 200-42200-331	Travel Expenses	169.66	114.34	641.40	187.68	20.94	500.00	500.00
E 200-42240-300	Professional Services (GENERAL)	0.00	0.00	0.00	2,671.88	0.00	0.00	0.00
Total Professional Fees		11,308.73	5,814.34	14,984.58	12,090.50	20.94	15,960.00	13,460.00
Insurance								
E 200-42200-360	Insurance (GENERAL)	252.80	215.42	177.20	184.59	0.00	235.00	197.51
E 200-42200-361	General Liability Ins	327.22	120.25	42.03	51.15	0.00	60.00	58.82
E 200-42200-362	Property Ins	718.00	844.25	794.79	826.82	0.00	1,050.00	884.70
E 200-42200-363	Automotive Ins	5,002.00	3,975.03	4,520.54	4,253.31	0.00	5,700.00	4,891.31
Total Insurance		6,300.02	5,154.95	5,534.56	5,315.87	0.00	7,045.00	6,032.34
Supplies								
E 200-42200-200	Office Supplies (GENERAL)	1,425.10	50.85	51.09	384.75	0.00	125.00	125.00
E 200-42200-207	Computer/Printer/Copier Maintenance	(359.19)	0.00	106.57	0.00	0.00	0.00	0.00
E 200-42200-210	Operating Supplies (GENERAL)	7,613.58	3,389.50	4,861.37	7,135.53	80.37	5,500.00	5,500.00
E 200-42200-212	Motor Fuels	1,545.11	2,134.94	2,766.92	3,730.93	274.40	3,000.00	4,000.00
E 200-42200-223	Building Repair Supplies	216.37	930.40	805.73	0.00	0.00	2,500.00	0.00
E 200-42200-322	Postage	40.00	1.39	47.95	43.70	0.00	50.00	50.00
E 200-42200-323	Radio Units	5,052.26	3,608.85	1,450.00	0.00	0.00	1,500.00	1,000.00
E 231-42240-210	Operating Supplies (GENERAL)	0.00	0.00	0.00	2,359.87	0.00	0.00	0.00
Total Supplies		15,533.23	10,115.93	10,089.63	13,654.78	354.77	12,675.00	10,675.00
Utilities								
E 200-42200-321	Telephone	908.73	1,513.09	1,597.43	1,361.90	82.86	1,500.00	1,500.00
E 200-42200-381	Electric Utilities	3,177.08	2,684.57	3,281.34	3,339.60	315.53	3,200.00	3,400.00
E 200-42200-383	Gas Utilities	3,098.13	1,921.37	2,119.76	1,035.49	93.19	2,500.00	2,500.00
Total Utilities		7,183.94	6,119.03	6,998.53	5,736.99	491.58	7,200.00	7,400.00
Maintenance and Repairs								
E 200-42200-221	Equipment Parts	359.19	84.12	569.80	1,045.87	0.00	1,000.00	1,000.00
E 200-42200-222	Vehicle Maintenance	6,329.24	4,657.81	1,973.34	3,751.50	357.45	4,000.00	4,000.00
E 200-42200-400	Repairs & Maintenance Cont (GENERAL)	0.00	56.13	106.88	0.00	0.00	0.00	0.00
E 200-42200-401	Repairs/Maintenance Buildings	0.00	349.01	3,316.97	14,132.97	0.00	0.00	4,000.00
E 200-42200-404	Repairs/Maintenance Machinery/Equip	0.00	113.26	738.13	821.95	0.00	0.00	0.00
Total Maintenance and Repairs		6,688.43	5,260.33	6,705.12	19,752.29	357.45	5,000.00	9,000.00
Fire Relief Payment								
E 200-42200-125	Other Retirement Contributions	5,000.00	6,000.00	6,000.00	6,500.00	0.00	7,500.00	7,500.00
Total Fire Relief Payment		5,000.00	6,000.00	6,000.00	6,500.00	0.00	7,500.00	7,500.00

Market Value %		Market Value \$	Market Value %
Kimball	\$	34,894,300.00	0.088490277
Maine Prairie Township	\$	203,164,100.00	0.515214445
Kingston Township	\$	135,466,300.00	0.343536061
Fairhaven Township	\$	20,804,500.00	0.052759217
Totals	\$	394,329,200.00	1

Man Hour %	2008	2009	2010	2011	2012	Total	%
Kimball	623	799	728	691	773	3614	0.406295672
Maine Prairie Township	570	1019	609	645	945	3788	0.425857223
Kington Township	260	311	140	280	252	1243	0.139741428
Fairhaven Township	1	31	40	148	30	250	0.028105677
Totals	1454	2160	1517	1764	2000	8895	1

	Kimball	Maine Prairie	Kingston	Fairhaven	
Market Value %	0.088490277	0.515214445	0.343536061	0.052759217	
Man Hour %	0.406295672	0.425857223	0.139741428	0.028105677	
Total %	0.494785948	0.941071668	0.483277489	0.080864895	
Divided By 2	2	2	2	2	
KOPP %	0.247392974	0.470535834	0.241638744	0.040432447	1

	Budget \$	%	Kimball 5%	Contract
Kimball		0.247392974 \$	5,323.32 \$	25,022.09 \$ 30,345.41
Maine Prairie Township	\$ 106,466.42	0.470535834		\$ 47,591.45 \$ 47,591.45
Kingston Township		0.241638744		\$ 24,440.09 \$ 24,440.09
Fairhaven Township		0.040432447		\$ 4,089.46 \$ 4,089.46
		0.959567553 \$	5,323.32 \$	101,143.10 \$ 106,466.42

Mayor Tammy Konz

Council Members Nate Osmundson, Eric Loewen, Joe Krippner, Paula Capes

Kim-Built Propane Project Status and Action Request:

Pending approval of the proposed Development Agreement, status of the various required permit applications for the Kim Built project are as follows:

- Building permit application for the Convenience Store has been prepared with complete plans prepared and certified by PBA Architects, Philip Blott, Architect 218-363-2530.
- Plumbing permit application for the Convenience Store has been prepared with complete plans and an affidavit for installed underground plumbing, by Lochner Plumbing, Inc., Brandon R. Lochner, Master Plumber 320-412-6398..
- Mechanical plans for the Convenience Store will be prepared by Mark Houston, P.E., 612-718-1319, and submitted with complete permit application by Kim Built Industries, Inc. If bond is required, permit applicant will be by Gopher State Fire Equipment, Rick Johnson 612-296-0140, as they will be installing the ANSUL fire suppression system and kitchen ventilation equipment.
- Sign permit and permit submittals will be prepared by Dehn Oil Company, Steve McKee 612-965-9489.
- Plans/construction documents for the Bulk/Fleet fuel storage facility, and for the retail delivery facilities, pump islands and canopies are being prepared by Minnesota Petroleum Services Company, Brett Swan/President and Earl Felt 612-386-3567, and Futrell Fire Consult & Design, Inc., Gerry Voss, P.E. 763-425-1001.
- Electrical permits and installations are not within the jurisdiction of the City but are within the jurisdiction of the State Board of Electricity/DOLI, State of Minnesota. Electrical work is being performed by a Master Electrician from Finger Electric 320-398-5232.

After the Development Agreement is approved and future disputes are prevented, complete permit applications will be submitted in triplicate to the City for review and approval. Construction will resume as permits are issued.

Fred Patch

**CITY OF KIMBALL, MINNESOTA
DEVELOPMENT AGREEMENT**

This Development Agreement (“Agreement”), dated _____, 2013, is by and between the City of Kimball, a Minnesota municipal corporation, (“City”), and Jeff Orbeck, d.b.a. Kim Built Propane, Inc. (the “Developer”).

1. **Acknowledgement of Dispute & Resolution.** Jeff Orbeck, d.b.a. Kim Built Propane, Inc. seeks to develop and expand land uses and commercial enterprises on the parcel of land legally described as: Lot 3, Block 1, Maus Addition to the City of Kimball [“Parcel”], which has been planned by the City and zoned B – 1 for Highway Commercial Use under the City Zoning Ordinance. Both parties to this Agreement acknowledge that there has been a dispute between the City and the Developer. Both the City and Developer seek to resolve disputes and support future economic development, business vitality and prosperity in the City of Kimball.

2. **Acknowledgement of Land Use Approvals.** On January 12, 2012, Conditional Use Permit, Number No. 01172012, was granted by the City to the Developer, and recorded January 23, 2012 in Office of the Stearns County Recorder. That Conditional Use Permit described, granted and permitted: location, construction, installation and maintenance of a bulk fuel depot; locations of buildings, structures, pavements and appurtenant improvements [“Development”] upon the Parcel. The Site Plan accepted for the Conditional Use Permit and Development was prepared by Westwood Engineering, dated July 20, 2012 [EXHIBIT A]. The City hereby acknowledges acceptance of that Site Plan. In addition, the Developer intends to maintain all existing wall signs but remove and replace an existing, freestanding sign on the Parcel. Subject to removal of the existing freestanding sign, the City will permit the Developer to erect a new freestanding, two pole sign, located to meet required yard setbacks, not to exceed 35 feet in height and not to exceed 145 square feet in sign area (90 s.f. electronic message and 55 s.f. illuminated sign panel).

The City hereby agrees to the conditions of this Agreement subject to the conditions that the Developer:

- A.) enters into this Agreement;
- B.) records this Agreement with all exhibits and attachments with the Stearns County Recorder; and,
- C.) returns proof of recording to the City Clerk within 15 days after the execution date of this Agreement.

3. **Right to Proceed.** Within the Parcel, the Developer may not proceed to: grade or otherwise disturb the earth, or construct drives, paved areas, public or private utilities, public or private improvements, or construct or remodel any buildings or structures, until the following conditions have been met:

A.) The Developer shall in making permit applications for the retail/mercantile building: 1.) Submit plans and specifications which have been prepared by a Minnesota licensed Architect, and 2.) submit mechanical plans and specifications which have been prepared by a Minnesota licensed Professional Engineer;

B.) The Developer shall in making permit applications for the bulk/fleet and retail, liquid fuel storage and distribution systems, submit fire protection engineering prepared by a Minnesota licensed Professional Engineer;

C.) The Developer shall before construction, obtain all necessary permits from the City, Stearns County, State of Minnesota, and all other agencies having jurisdiction.

5. **Land Use Control Modifications.** The City shall not make modifications to its land use controls which would materially affect the development of the Parcel, or would significantly raise the cost of development.

6. **Responsibility for Costs and Fees.**

A.) The City shall charge and Developer shall without penalties or additions, pay all permit fees and charges normally paid for required permits.

B.) The Developer shall hold the City and its officers, employees, and agents harmless from claims made by third parties for damages sustained or costs incurred resulting from development approval and development. The Developer shall indemnify the City and its officers, employees, and agents for all costs, damages, or expenses which the City may pay or incur in consequence of such claims.

C.) The Developer shall reimburse the City for all fees and costs incurred in the enforcement of this Agreement, including reasonable attorneys' fees.

7. **Dismissal of Court Proceedings.** The City agrees that upon the Developer's full compliance with its responsibilities under this agreement, it will dismiss with prejudice all pending civil and/or criminal court proceedings without costs and disbursements to either party.

8. **Miscellaneous Provisions.**

- A.) The Developer represents to the City that the Development complies or will comply with all city, county, state, and federal laws and regulations, including but not limited to: subdivision ordinances, zoning ordinances, building codes, fire codes and environmental regulations. If the City determines that the Development does not comply, the City may, at its option, refuse to allow construction or development work in the Parcel until the Developer does comply. Upon the City's demand, the Developer shall immediately and without contest, cease work until there is compliance.
- B.) Third parties shall have no recourse against the City under this Agreement.
- C.) Breach of the terms of this Agreement by the Developer shall be grounds for denial of building permits.
- D.) If any portion, section, subsection, sentence, clause, paragraph, or phrase of this Agreement is for any reason held invalid, such decision shall not affect the validity of the remaining portions of this Agreement.
- F.) The action or inaction of the City shall not constitute a waiver or amendment to the provisions of this Agreement. To be binding, amendments or waivers shall be in writing, signed by the parties and approved by written resolution of the City Council. The City's failure to promptly take legal action to enforce this Agreement shall not be deemed to be a waiver or release.
- G.) This Agreement shall run with the land and may be recorded against the title to the Parcel. The Developer covenants with the City, its successors, and its assigns, that the Developer is well seized in fee title of the Parcel and/or has obtained consents to this Agreement from all parties who have an interest in the Parcel; that there are no unrecorded interests in the Parcel; and that the Developer will indemnify and hold the City harmless for any breach of the foregoing covenants.
- H.) Each right, power, or remedy herein conferred upon the City is cumulative and in addition to every other right, power, or remedy, expressed or implied, now or hereafter arising, available to the City, at law or in equity, or under any other agreement, and each and every right, power, and remedy herein set forth or otherwise so existing may be exercised from time to time as often and in such order as may be deemed expedient by the City and shall not be a waiver of the right to exercise at any time thereafter any other right, power, or remedy.
- I.) The Developer may not assign this Agreement without the express, written permission of the City

Council. The Developer's obligations hereunder shall continue in full force and effect even if the Developer sells the entire Parcel or any part of it.

33. Notices. Required notices to the Developer shall be in writing, and shall be either hand delivered to the Developer, its employees, or agents, or mailed to the Developer by certified mail at the following address: Jeff Orbeck, d.b.a. Kim Built Propane, Inc., 221 Maus Drive, P.O. Box 53, Kimball, Minnesota 55353. The Developer is responsible to inform the City of any changes of address. Notices to the City shall be in writing and shall be either hand delivered to the City Clerk-Treasurer or mailed to the City by certified mail in care of the City at the following address: Kimball City Hall, 01 North Main Street, P. O. Box 238, Kimball, Minnesota 55353

Approved by the Kimball City Council the _____ day of _____, 2013.

CITY OF KIMBALL

By: _____
Tammy Konz, Mayor

Attest: _____
Nicole Pilarski, Clerk Treasurer

STATE OF MINNESOTA)
) ss.
COUNTY OF STEARNS)

The foregoing instrument was acknowledged before me this ____ day of _____, 20__, by the Mayor and the City Clerk, of the City of Kimball, a Minnesota municipal corporation, on behalf of the corporation and pursuant to the authority granted by its City Council.

Notary Public

Approved by the Developer the _____ day of _____, 2013.

JEFF ORBECK, D.B.A. KIM BUILT PROPANE, INC.

By: _____
Title: _____

And: _____

Title: _____

STATE OF MINNESOTA)
) ss.
COUNTY OF _____)

The foregoing instrument was acknowledged before me this ____ day of _____, 2013, by _____ and _____, who acknowledged such act to be done under the express authority of Jeff Orbeck, d.b.a. Kim Built Propane, Inc., the above-named Developer.

Notary Public

THIS INSTRUMENT DRAFTED BY:

Arlo H. Vande Vegte Law Office P.A.
12800 Industrial Park Blvd Ste 210
Plymouth, Minnesota 55441-3929
(952) 475-2219

LEGAL DESCRIPTION PROVIDED BY DEVELOPER AND:

Westwood Professional Services, Inc.
3701 12th Street. North, Suite 206
St. Cloud, Minnesota 56303
(320) 253-9495