

COUNCIL MEETING

APRIL 5, 2011

Meeting called to order by Mayor Tammy Konz at 7:00pm

Pledge of Allegiance recited

Council members present: Tammy Konz, Nate Osmundson, Joe Krippner and Eric Loewen; Chris Jansky absent

Others present: Keith Severin, Betty Severin, Scott Qualle, Ed Borman, Jean Matua, Chad Johnson, Jim Frilstad, John Adolph, Chris Langness and Tom Marquardt

Motion made by Nate Osmundson and seconded by Eric Loewen to approve the following addendums to the agenda: correction of agenda to read Minutes of the March 15, 2011 Council Meeting and not March 1, 2011; Minutes of the March 31, 2011 Council Meeting; Road Repairs with the Township; Street Sweeping Quotes; MCFOA Conference; Hail Damage Update and Summarization of Employee Evaluation on March 31, 2011 of Chad Johnson and the addition of #5 to the Consent Agenda – City Clerk and Deputy Clerk to attend MCFOA Regional Meeting May 3, 2011 in Starbuck; motion carried
Council member Chris Jansky absent

Motion made by Joe Krippner and seconded by Nate Osmundson to approve the March 15, 2011 minutes; motion carried
Council member Chris Jansky absent

Motion made by Joe Krippner and seconded by Eric Loewen to approve the claims; motion carried
Council member Chris Jansky absent

Motion made by Eric Loewen and seconded by Joe Krippner to approve the following consent agenda items:

1. Transfer \$349.34 from Water Fund to General Fund for Tractor Lease Payment
2. Transfer \$349.34 from Sewer Fund to General Fund for Tractor Lease Payment
3. Order Late Utilities Shut of April 20, 2011
4. City Clerk to attend 2011 Minnesota Municipal Clerks Institute July 11-15, 2011 in Brooklyn Center
5. City Clerk and Deputy Clerk to attend MCFOA Regional Meeting May 3, 2011 in Starbuck

motion carried

Council member Chris Jansky absent

Keith and Betty Severin spoke to the Council regarding their utility bill. Their meter showed usage of 117,900 gallons and their average usage is 3,000 gallons/month. They had just recently returned home from being down south since October and although they did not have their water shut-off, they had not been home to use any water. Ed Borman from the Public Works Dept. said that he had spoken with Mr. Severin in February regarding the issue and Mr. Severin allowed him access into his home to check the

water meter and to make sure that his basement was not full of water. Ed found that there was no water in the basement and that the inside and outside meter numbers were the same.

Motion made by Eric Loewen and seconded by Nate Osmundson to charge Keith and Betty Severin their average usage for the month of February and waive the rest of the charges; motion carried
Council member Chris Jansky absent

John Adolph requested that his easement paperwork be signed. No one was present to notarize the Mayor and City Clerk signatures, so it will have to be done in the morning. The Council discussed the legal bills arising from Mr. Adolph's project and that he should pay those expenses as the residents should not be responsible for those incurred costs.

Motion made by Joe Krippner and seconded by Nate Osmundson to have the Mayor and City Clerk sign the easement paperwork in the morning in front of a notary and to have John Adolph pay the legal costs associated with the easement; motion carried
Council member Chris Jansky absent

Scott Qualle from MNSPECT updated the Council on rental properties in the City.

Motion made by Eric Loewen and seconded by Joe Krippner to grant an appeal to Karl Swaisgood at 41 Magnus Johnson St as both he and Cindy Steward are the property owners on record with Stearns County; motion carried
Council member Chris Jansky absent

Dale Wagner's rental property at 263 Hwy 55 W was tabled until the May 3 Council meeting as he said he would be coming handing in his rental application the next week. The Council instructed the City Clerk to contact the City Attorney regarding his non-compliance over the past year and a half and late fees that he has incurred and whether they are assessable to the property if unpaid. The City and Building Inspector has also received a report of mold in his rental property. Current renters have concerns that Mr. Wagner is not dealing with the issue and they are becoming ill because of it.

John Johnson was previously denied an appeal at the March 15 Council meeting for lack of standing as paperwork should be sent to the bank since he submitted Deed in Lieu of Foreclosure papers. Rental Ordinance paperwork has since been sent to the bank and they called saying that the Deed in Lieu of Foreclosure will not be processed as long as Mr. Johnson has people living in his property at 140 Spruce Ave E. He is still the legal owner of the premises. The City has received reports of unsafe living conditions at his property, boarded windows and nuisance violations. The Council instructed the City Clerk to contact the City Attorney regarding the late fees that he has incurred from non-compliance and whether they are assessable to the property if unpaid.

Motion made by Eric Loewen and seconded by Nate Osmundson to send another letter to John Johnson regarding the Rental Ordinance and inform him that the City has received reports of unsafe living conditions, boarded windows and nuisance violations; motion carried
Council member Chris Jansky absent

Notices were also sent to Robert Bennett owner of 110 Magnus Johnson St N, Mark Priester owner of 45 Magnus Johnson St E, Lauren Kindseth owner of 131 Hazel Ave E and Carolyn Wold owner of 30 Cherry St S regarding having to comply with the Rental Ordinance. We will follow up on these at the next meeting.

Mayor Konz discussed the news bathrooms that the Lions want to build at Willow Creek Park with Scott. They will need to submit building, mechanical, electrical and plumbing permits. Mr. Qualle said that MNSPECT will make a donation to the City equal to the amount of the building permit fees.

Tom Marquardt from the Kimball Express Ball team spoke with the Council about their liquor license and the ball field maintenance.

Motion made by Eric Loewen and seconded by Nate Osmundson to approve the On Sale 3.2 Beer License for the Kimball Express Ball team contingent upon passing of the background check and receiving final approval from the State; motion carried
Council member Chris Jansky absent

The ball team will be cleaning up the field this coming Saturday. The Council told Mr. Marquardt he should approach the Sports Boosters for assistance in field maintenance.

Motion made by Eric Loewen and seconded by Nate Osmundson to pay \$750 towards ball field maintenance for 2011; motion carried
Council member Joe Krippner abstained
Council member Chris Jansky absent

Mayor Konz addressed the fact that the ball team does not have insurance and they are responsible for damage done while they have games such as baseballs breaking windshields, the parking lot being wrecked at Land O'Lakes, etc. Tom said that he will check in to it.

Chad Johnson from the Public Works Dept. said that the ball team needs to keep a list of who is mowing so that he can make sure they are covered under the City's volunteer insurance. Chad will have a calendar kept down at the shed by the mower for them to write their names on. There is wind damage at the ball field. Tom will get a quote from Chuck Froehling for the repair.

Chief Frilstad from the Police Dept. gave his monthly report and updated the Council on the new squad. It is working out well. The Chief will be working with the Jean at the newspaper to put in an article regarding the new squad truck on why it was chosen vs. a car, higher resale value, more reliable than the old car, rotating of vehicles, etc. He is also checking into selling the old squad to a training school since it is no longer reliable enough to use for calls and has been dismantled. The other city car can be used in emergencies if need be and is still in great condition. Scheduling of hours has been changed to produce better results. The Chief also discussed a proposed uniform change within the employee handbook of no longer having polo shirts. He recommended that no change was needed at this time. The Council agreed.

Chad Johnson from the Public Works Dept. said he had spoken with CenterPoint Energy 2 weeks ago regarding their proposed relocating of the gas main by the ball field. They are going to redo their plans and resubmit them. They did mention that a few of the crab apple trees may have to be taken out. Hilsgen Bobcat will be starting street sweeping in the next week or two. Their quote was lowest at \$70/hr. compared to Astech at \$83/hr. not including a dump truck which was an extra \$80/hr. Young Brothers will be applying a stick on product to the roof at City Hall this summer to alleviate the falling snow issue. Chad should contact Ruth Johnson about her property at 50 Hazel Ave as she has the same problem with snow falling off onto the sidewalk. The Public Works Dept. fixed Maus Dr as best as they can for the moment. The homeowner at 50 Spruce had their service line replaced this week and there was a backup on Hazel Ave today. The snowmobile club signs are still in the WWTP fields. The Council instructed the Public Works Dept. to remove them.

Motion made by Joe Krippner and seconded by Eric Loewen to adopt Part 1 of the Wellhead Protection Plan; motion carried
Council member Chris Jansky absent

Motion made by Joe Krippner and seconded by Eric Loewen to appoint Chad Johnson as the Wellhead Protection Manager; motion carried
Council member Chris Jansky absent

Motion made by Joe Krippner and seconded by Eric Loewen for Chad Johnson to attend training on April 6 in Granite Falls and April 20 in Elbow Lake; motion carried
Council member Chris Jansky absent

Chad inquired as to if there is going to be a park clean-up day again this year. The Council told him to check with the County to see if anyone has community service hours they need to do. Mayor Konz said we should try to pressure wash the tables.

The Council discussed the memo from the Deputy Clerk regarding utility accounts that were improperly set up.

Motion made by Eric Loewen and seconded by Nate Osmundson to set up a 9-month payment plan with Roger Doran at 100 Sunrise Dr in the amount of \$22.32/month for his garbage service that he has never been charged for, credit St. John's Lutheran Church at their 14 Magnus Johnson St location for \$80.54 in solid waste surcharges that were incorrectly attached to their sewer service since August 2009, credit Phyllis Nordstrom at 10 Sunrise Dr for \$133.83 in solid waste surcharges that were incorrectly attached to her sewer service since October 2006 and charge Dustin Orbeck at 852 Poplar Dr SE for \$53.68 in solid waste surcharges that he has not been charged for since July 2008; motion carried
Council member Chris Jansky absent

The Council instructed the Public Works Dept. to investigate the high water usage that occurred in February for the properties of Roger Doran at 100 Sunrise Dr, Keith Severin at 80 Sunrise Dr and St. John's Lutheran Church at 14 Magnus Johnson St.

Motion made by Nate Osmundson and seconded by Joe Krippner to accept the following volunteers for Clean-up Day on May 7: 3-5 workers from Stearns County Environmental Services, Nicole Pilarski, Leslie Arnold, Pat Arnold, Ed Borman, Chad Johnson, Tammy Konz, Dan Konz, Chris Jansky, Joe Krippner and Nate Osmundson; motion carried
Council member Chris Jansky absent

The Council discussed the upcoming road repairs with the Township in regards to 83rd Ave and 135th St. As of March 30, Township Supervisor Loewen had only found one contractor (Astech) that routes cracks before sealing. The cost is \$1.40/lb. The Council had concerns with using Astech as there had been problems in the Greeley Edition with some of their work. Councilmember Loewen will address the City's concerns regarding using Astech with the Township.

Motion made by Joe Krippner and seconded by Eric Loewen to approve the March 31, 2011 minutes; motion carried
Council member Chris Jansky absent

Mayor Konz summarized Chad Johnson's employee evaluation from the March 31, 2011 meeting: Council members present sat down with Chad and discussed his communication skills.

Motion made by Joe Krippner and seconded by Eric Loewen to accept the summarization; motion carried
Council member Chris Jansky absent

Councilmember Loewen inquired about nuisance violations in town and what the City's process is for identifying them and handling them. He feels this may help with some of the follow through issues that occur each year. The City Clerk said currently there is not a formal process written up but the Nuisance Ordinance does list enforcers of nuisance violations. Councilmember Loewen asked the City Clerk to write up a process for dealing with nuisance violations including but not limited to identification, notification and enforcement.

Motion made by Eric Loewen and seconded by Joe Krippner to adjourn at 10:06pm; motion carried
Council member Chris Jansky absent

Respectfully submitted by Nicole Pilarski