

COUNCIL MEETING

JULY 20, 2011

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

Pledge of Allegiance recited

Council members present: Tammy Konz, Joe Krippner and Eric Loewen; Nate Osmundson arrived at 8:08

Others present: Jim Zilka, David Drown, David, Blommel, Scott Qualle, Dennis Loewen, James Frilstad, Randy Sabart, Jean Matua, Chad Johnson and Chris Langness

Motion made by Joe Krippner and seconded by Eric Loewen to add the following addendums to the agenda: Closing of Fund 405 – Schmidty's TIF, Kimball Days Committee Meeting Minutes, the property at 110 Linden Ave and the utility bill at 57 Magnus Johnson St; motion carried

Councilmember Nate Osmundson absent

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

1. Minutes of the July 5, 2011 Council Meeting
2. Resolution No. 07202011A Resolution Accepting Donation Received
3. Transfer \$349.34 from Water Fund to General Fund for Tractor Lease Payment
4. Transfer \$349.34 from Sewer Fund to General Fund for Tractor Lease Payment
5. Approval of Gambling Permit for St. Anne's Church on September 18, 2011

motion carried

Councilmember Nate Osmundson absent

Jim Zilka from CenterPoint Energy presented a Community Partnership Grant in the amount of \$2500 to the Police Dept.

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

Councilmember Nate Osmundson absent

David Drown went over information for the upcoming utility project. He discussed the cash flow statement from USDA Rural Development, went over current debt service requirements and future funding options. A tentative date of August 22 was set for a Public Improvement Hearing. The City Clerk will check with the City Attorney to make sure he is available. The Council discussed going around town with informative handouts for residents before the meeting.

Chad Johnson from the Public Works Dept. updated the Council on the lift station pumps. The will cost approximately \$7000 to replace. He also said that 2 culverts needed to be repaired on Hazel Ave.

Hendricks Sand & Gravel gave him a quote of about \$3200 and Mackereth Excavating has failed to respond to the request for a quote.

Motion made by Joe Krippner and seconded by Eric Loewen to have Hendricks Sand & Gravel repair 2 culverts on Hazel Ave at an approximate cost of \$3200; motion carried

Councilmember Nate Osmundson absent

Mayor Konz abstained

Dennis Loewen from the Clearwater River Watershed District updated the Council on the Watershed District's project at Willow Creek Park. The rain garden will be planted this fall and they will be changing the berm. On the advice of the City Attorney, the City will not be fencing in the retention pond. If someone should fall into the water, fencing would prohibit them from being able to escape and from someone being able to rescue them. Other items that were discussed were moving the playground equipment at Willow Creek Park, connecting the irrigation pump from the retention pond to the ballfield and paving of the parking lot (or a portion of it) at the park. Dennis Loewen asked the City about removing sediment. The Watershed District will be having a tour of various projects on August 20. The Kimball Stormwater project is one of the stops.

Councilmember Nate Osmundson arrived.

Motion made by Eric Loewen and seconded by Joe Krippner to partner with the Clearwater River Watershed District when working on the upcoming utility project to help buffer bio-solutions carried into the City of Kimball from upstream areas; motion carried

Chad Johnson said that Neil Spaulding had spoken to him about water run-off from the alley into his pool. The Council said he should come and speak with the Council regarding the issue. The Council instructed Chad to get bids for paving the parking lot at Willow Creek Park.

The Council opened the proposals that were received for Building Inspection and Related Services. MNSPECT was the only respondent.

Motion made by Nate Osmundson and seconded by Eric Loewen to appoint MNSPECT as the City of Kimball's Building Inspector; motion carried

The Council opened the applications that were submitted for the Council Vacancy. The Council received 5 applications from the following individuals: Mike Brower, Paula Capes, Evelyn Hengel, Steve Johnson and DuWayne Orbeck. Evelyn Hengel and Steve Johnson are not eligible as they are not residents of the City of Kimball.

Motion made by Eric Loewen to interview the 3 eligible candidates at the August 2 Council Meeting; motion withdrawn

Motion made by Eric Loewen and seconded by Nate Osmundson to interview the 3 eligible candidates before the start of the August 2 Council Meeting as follows: Paula Capes at 6pm, Mike Brower at 6:20pm and DuWayne Orbeck at 6:40pm; motion carried

The Council reviewed information from the Deputy Clerk regarding the utility bill at 57 Magnus Johnson St. The property owner has not been billed for water usage since September 2009. The account was turned off in the utility billing program (set to a zero rate) possibly due for non-payment and never turned back on, thus resulting in metered water usage not being billed for almost 2 years. The amount of unpaid usage is \$488.46. This has since been corrected so that the resident will be properly charged. Motion made by Eric Loewen and seconded by Nate Osmundson to bill the property owner at 57 Magnus Johnson St and let them select a payment plan of 12, 18 or 24 months; motion carried

The Council discussed the property at 110 Linden Ave. The Council instructed the City Clerk to contact the City Attorney regarding the condemnation process.

Motion made by Nate Osmundson and seconded by Eric Loewen to approve minutes from the Kimball Days Committee meeting as presented (copy attached); motion carried

Motion made by Nate Osmundson and seconded by Joe Krippner to close out Fund 405 – Schmidty's TIF in the amount of \$2079 to the General Park Fund; motion carried

Motion made by Joe Krippner and seconded by Eric Loewen to approve Chief Frilstad's Time-off request; motion carried

Motion made by Joe Krippner and seconded by Nate Osmundson to close the regular meeting at 9:33 to discuss allegations of misconduct by Officer Langness; motion carried

Motion made by Joe Krippner and seconded by Nate Osmundson to re-open the regular meeting at 10:12; motion carried

The Council summarized the closed meeting that had taken place. The Chief of Police had received a complaint regarding Officer Langness' response to a call on June 6. After looking into the response to the incident by Officer Langness the Council found that no further action was needed.

Motion made by Nate Osmundson and seconded by Joe Krippner to adopt the USDA Rural Development Loan Resolution Authorizing and Providing for the Incurrence of Indebtedness for the Purpose of Providing a Portion of the Costs of Acquiring, Constructing, Enlarging, Improving and/or Extending its Water, Sewer and Storm Facility; motion carried

Those voting in favor: Nate Osmundson, Joe Krippner, Tammy Konz and Eric Loewen

Those voting against: none

Councilmember Osmundson said he had received calls from residents concerned about possible Kimball Days parade floats. They had been to other area parades and witnessed a local business with a parade unit they thought improper for a parade that children are present at. The Council asked the City Clerk to

make sure the Kimball Days Parade Committee is aware of resident concerns as to appropriate parade units/attire.

Councilmember Osmundson said he had received an email from Carol Newman of the Historical Society. She asked if the City would be insulating the attic area in City Hall to fix the condensation issue as there are no funds remaining from the grant they just received to complete that work.

Motion made by Nate Osmundson and seconded by Eric Loewen to have Chad Johnson arrange to have the work completed by the same company that insulated the upstairs of City Hall; motion carried

Motion made by Eric Loewen and seconded by Nate Osmundson to adjourn at 10:30; motion carried

Respectfully submitted by Nicole Pilarski