

COUNCIL MEETING
AUGUST 2, 2010

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

Pledge of Allegiance recited

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

Others present: Scott Qualle, Dennis Loewen, Dave Dockendorf, Chris Langness, Mary Knaus, Gary Vossen, Dan Konz, DuWayne Finger, Gene Gohmann, Roger Cooper and Kenny Knaus

Addendums to the regular agenda are Kimball Days and to the consent agenda are Resolution No. 08022010C and 08022010D

Motion made by Chris Jansky and seconded by Joe Krippner to approve the July 20, 2010 minutes; motion carried
Council member Eric Loewen absent

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

Motion made by Chris Jansky and seconded by DuWayne Orbeck to approve the following consent agenda items:

1. Transfer of \$1088.76 from the General Fund to the A M Maus Tax Abatement Fund
2. Transfer of \$3466.16 from the General Fund to the Willow Creek Tax Abatement Fund
3. Transfer of \$349.34 from Water Fund to General Fund for Tractor Lease Payment
4. Transfer of \$349.34 from Sewer Fund to General Fund for Tractor Lease Payment
5. Resolution No. 08022010A Resolution Accepting Donations Received
6. Resolution No. 08022010B Resolution Accepting Donations Received
7. Approval of Kimball Fire Relief Association Public Dance Permit for August 14, 2010
8. Employee Vacation Request
9. Resolution No. 08022010C Resolution Accepting Donations Received
10. Resolution No. 08022010D Resolution Appointing Additional Election Judges for the 2010 Primary and General Election

motion carried

Council member Eric Loewen absent

Rental Appeals Board

- Scott Qualle from MNSPECT and Dave Dockendorf from Kim Haven Apartments spoke to the Council about the differences/similarities regarding the City's Rental Inspection and USDA Inspection. Mr. Dockendorf stated that he will meet with the USDA and obtain proof from them stating that he does meet the requirements for the City's Rental Inspection since he feels that he does.
Council member Chris Jansky stated that if that is the case the City will need copies of those inspection records each year.
- The Council discussed the letter received from Ruth Johnson regarding her property at 50 Hazel Ave E stating that no one lives there and she is not renting the property out.
Motion made by Joe Krippner and seconded by Chris Jansky to grant the appeal for Ruth Johnson's property at 50 Hazel Ave E, if evidence is found that the property is being rented out and there is someone living there a penalty will be incurred and an application will need to be completed; motion carried
Council member Eric Loewen absent

Other Rental Business

- Scott Qualle from MNSPECT discussed the smoke detector violation penalty for Oak Apartments with the Council. Per the Rental Ordinance the fine is \$50/detector (58) = \$2,900 for not being in compliance at the initial

inspection + \$25/day per detector multiplied by the number of detectors (58) = \$1450 multiplied by the number of days out of compliance (42) = \$60,800 for the number of days out of compliance; totaling \$63,800. The Council discussed the fact that this is a violation of State Law and has been for quite some now.

Motion made by Joe Krippner and seconded by Chris Jansky to fine Oak Apartments \$50/detector (58) = \$2,900 for not being in compliance at the initial inspection + \$25/day multiplied by the number of days out of compliance (42) = \$3,950; Council member DuWayne Orbeck opposed; motion carried

Council member Eric Loewen absent

- The Council discussed the unlicensed rental properties of John & Deb Erhard at 50 Main St, Dale Wagoner at 263 Hwy 55 W and Dustin Orbeck at 770 Hazel Ave E. These owners still have not completed a Rental License Application or responded to the mailings that have been sent out since December and continued through this year. The Council instructed the City Clerk to send these property owners notice by certified mail that application and payment of the licensing fee and penalty must be received by August 15 and inspections completed by August 30. If no response is received by September 1 we will continue with the misdemeanor fining process.

Officer Chris Langness from the Police Department gave the monthly Police Report. He also discussed the need for peddler/solicitor licensing and/or registering in the City and problem with the police squad that he drives.

The Council discussed the rental of the shelter with the Lions members that were present. The Lions members stated that they would be okay with paying a reduced rental fee for the use of the shelter and that if a Lions member is renting the shelter they must come and sign the proper paperwork and pick up the keys at City Hall; with the exception of their Monday night meetings. She/he must also be in attendance at the shelter when renting it out (they are not to be renting it out for other people – immediate family only).

The Lions are looking at either adding on to the existing bathrooms or tearing them down and building new ones. Mayor Konz will be contacting the City Engineer to discuss various options that are available. They anticipate work to start next spring.

Motion made by Joe Krippner and seconded by Chris Jansky to change the November 16, 2010 to November 15, 2010; motion carried

Council member Eric Loewen absent

Motion made by DuWayne Orbeck and seconded by Joe Krippner to keep the pay at \$7/hr for election judge for the 2010 elections; motion carried

Council member Eric Loewen absent

Motion made by DuWayne Orbeck and seconded by Chris Jansky to adjourn at 9:08pm; motion carried

Council member Eric Loewen absent

Respectfully submitted by Nicole Pilarski