

COUNCIL MEETING
SEPTEMBER 7, 2010

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

Pledge of Allegiance recited

Council members present: Tammy Konz, Joe Krippner, Eric Loewen and DuWayne Orbeck; Chris Jansky arrived at 7:05pm

Others present: Chad Johnson, Doug Host, Sarah Zinniel, Jim Frilstad, Dennis Loewen, Ed Marsolek, John Lyrek, Carol Newman, Jean Matua, Deb Erhard, Chris Jeppesen and Rose Borman

Addendums to the agenda are Heritage House TIF, AK Graphics Water Service, Leah Trottier's Mother, John Lyrek Sewer Service and Arts in the Park

Motion made by Joe Krippner and seconded by Eric Loewen to approve the August 2, 2010 minutes; motion carried

Council member Chris Jansky absent

Motion made by Joe Krippner and seconded by Eric Loewen to approve the August 16, 2010 minutes; motion carried

Council member Chris Jansky absent

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

Council member Chris Jansky absent

Item #6 Resolution No. 09072010D Resolution Adopting a Snow Plowing & Ice Control Policy was pulled from the Consent Agenda

Motion made by Joe Krippner and seconded by DuWayne Orbeck to approve the following Consent Agenda items:

1. Approval of Church of St. Anne Temporary On-Sale Liquor License for September 19, 2010
2. Approval of Fairhaven Lions Club Gambling Permit at Generations Ballroom for October 16, 2010
3. Resolution No. 09072010A Resolution Appointing a Responsible Authority and Assigning Duties
4. Resolution No. 09072010B Resolution Adopting a Data Request Policy
5. Resolution No. 09072010C Resolution Accepting Donations Received
7. Resolution No. 09072010E Resolution Adopting a Cell Phone Protocol & Policy

motion carried

Council member Eric Loewen asked Chad Johnson from the Public Works Department about the plowing of alleyways for those residents that have to get out of their garages. Chad Johnson stated that this would be taken care of in a timely manner.

Motion made by Chris Jansky and seconded by Joe Krippner to approve Resolution No. 09072010D Resolution Adopting a Snow Plowing & Ice Control Policy; motion carried

Chief Frilstad from the Police Department presented the Council with the monthly Police Report.

Motion made by Chris Jansky and seconded by DuWayne Orbeck to approve the Fairhaven Police Service Contract as presented with no percentage increase for the next 2 years; motion carried

Chief Frilstad said that he and Officer Langness will be attending Traffic Death training in October in St. Paul. He also spoke about starting to put a Weekly Police Report in the newspaper. He will be checking with the attorney and bring the information to the next Council Meeting.

Carol Newman from the Historical Society told the Council that re-roofing of the City Hall will be starting the next day. Council member Eric Loewen asked Chad Johnson from the Public Works if pictures had been taken of the roof damage from the hail and if the adjuster from the insurance company had been out yet to look at the roof. The Council instructed Chad to take pictures and/or video tape before work on the roof starts and to speak with the insurance adjuster to find out the amount of damage. Carol stated that Al's Ornamental Iron is currently waiting on approval from the State Architect regarding the railing for the back stairway.

Motion made by Eric Loewen and seconded by Joe Krippner to waive the \$449.90 re-roofing permit fee and any permit fees for the rest of this years' City Hall work; motion carried

Carol said that since Young Brother's will have a Lull onsite during the re-roofing project they will also be fixing the broken window. The HVAC in the upstairs will be completed yet this year along with the electrical.

Motion made by Chris Jansky and seconded by Eric Loewen to go with the bid from Kramer Electric of Watkins; motion carried

Carol is to ask Hendrickson Heating & Cooling about the air handler for their HVAC quote and report back to the Council at the next meeting.

Dennis Loewen from the Clearwater River Watershed District updated the Council on the Storm water Project; bids will be opening the following day. He thanked the Council and Staff for working with the Watershed District. There will be a walking path connecting with the bridge and rain gardens. The horseshoe pit and concession stand are going to have to be moved. The project must be completed by April 24, 2011. He has already been contact by the Stearns County Soil & Water Conservation District about doing a project on the west side of Highway 15. Mayor Konz stated that we should have an Informational Hearing at the next Council Meeting for the community to come and ask questions.

Doug Host and Sarah Zinnel from Larson Allen presented the 2009 Audit to the City Council. They went through the financial reports, compliance findings and graphs. Doug will be emailing the City Clerk with information on debt loads and Water tower leases.

Deb Erhard spoke to the Council regarding her penalty for not complying with the Rental Ordinance. She has gotten her application in and had the inspection completed. She stated that she never read the information being sent to her so she didn't know she would be penalized. Council member DuWayne Orbeck said she needs to start paying better attention to the information being sent to her. She also stated that she has to replace some windows to be in compliance.

Motion made by Eric Loewen and seconded by Chris Jansky to grant an extension to Deb Erhard for her property at 50 Main St for window replacement and waive the penalty for late application; motion carried

Ed Marsolek from Heritage House spoke to the Council about their TIF.

Motion made by Chris Jansky and seconded by DuWayne Orbeck to change the agreement from a 15-year TIF Agreement to a 10-year TIF Agreement; motion carried

Chris Jeppesen and Rose Borman spoke to the Council about doing Arts in the Park on September 30th. They would like everyone to help spread the word.

Tom Marquardt from the Kimball Express Ball Team spoke to the Council about the fundraising they are doing for lights and a grandstand at the City Ball field. The City Clerk will check with the Auditor about setting up a separate fund for the donations and will call Jeremy Kuechle with an answer. The Council also discussed possibly charging for the use of the Ball field.

The Council discussed the update from the USDA regarding the Street Grant Project. The City Clerk will speak with the City Engineer regarding a response for the next Council Meeting.

Chad Johnson from the Public Works Department talked about waiting to finish insulating the attic area until the Historical Society is done upstairs.

John Lyrek spoke about his sewer back-up. The Council informed him that is his responsibility to fix; as the City owns the Sewer Main and residents own lines from the Main to their house.

Chad Johnson talked about Craig Bauman's property and the damage to the Sewer Line Clean-out. The City Clerk will be sending a letter regarding the fact that they must fix it. Chad Johnson said that the City Engineer was also out to look at the grading by that property and stated that it is still correct and he will be contacting Deb Kampa to notify her.

The Top Kick truck needs new tires before winter. Chad stated that they are approximately \$135 each and another \$30 each to mount. He said Brian Kiffmeyer will take care of disposal. The Council asked if he had found a truck to purchase yet to replace their current one. They reiterated the fact that it needs to be done ASAP.

The Council discussed the problem of people urinating by Marguerite's and different options for handling it.

The Council discussed the Oak Apartments Smoke Detector Violation Penalty and the fact that they were again misinformed. The City Clerk was instructed to look at the current contract with MNSPECT and then start the RFP process.

The Council discussed Amy Baker's letter regarding her reconnection fee and the information from the Utility Coordinator regarding Amy Baker's account. The Council did not take action to waive her reconnection fee as the City Clerk had already waived late fees for Amy Baker once before.

Mayor Konz spoke about the Lions putting new bathrooms in by the shelter. They also talked about replacing the bridge at Willow Creek Park.

The Council discussed the fact that AK Graphics has not been paying for water and latched onto the water line at K-Bid. An additional unit charge must get charged on K-Bid's bill backdated to when AK Graphics first opened.

Motion made by DuWayne Orbeck and seconded by Eric Loewen to finalize the 2011 preliminary budget and tax levy and certify it to Stearns County at a 3.5% increase over 2010 for a total \$382948, with the public hearing regarding the final budget and tax levy to be held on December 7, 2010 at 7:15pm at Kimball City Hall; motion carried

Motion made by DuWayne Orbeck and seconded by Joe Krippner to adjourn at 11:29pm; motion carried

Respectfully submitted by Nicole Pilarski