

## COUNCIL MEETING

October 2, 2012

Meeting called to order by Mayor Tammy Konz at 7:02pm

Council members present: Tammy Konz, Paula Capes, Nate Osmundson and Eric Loewen; Joe Krippner arrived at 7:20pm

Others present: Chad Johnson, Paul Degree, Shirley Dahl, Cliff Dahl, Ashley Capes, Jason Spoden, Shannon Dahl, Jim Frilstad, Bill Liedman, Lisa Myers and Randy Sabart

Motion made by Paula Capes and seconded by Eric Loewen to add the following addendums to the agenda: compost site, SCML meeting, Verizon Wireless lease agreement amendment, Fire Dept. new member hire and watering ban; motion carried

Councilmember Joe Krippner absent

Motion made by Eric Loewen and seconded by Paula Capes to approve the claims; motion carried

Councilmember Joe Krippner absent

Motion made by Paula Capes and seconded by Nate Osmundson to approve the following Consent Agenda items:

1. Minutes of the September 18, 2012 Council Meeting
2. Shut-off Delinquent Utilities October 17, 2012
3. Officer Capes to attend BCA training on December 11, 2012 – December 13, 2012 in St. Paul
4. Resolution No. 10022012A Resolution Adopting Assessment for Unpaid Charges
5. Resolution No. 10022012B Resolution Appointing an Additional Election Judge for the 2012 General Election
6. City Clerk to attend MNGFOA training on October 25, 2012 in Hermantown

motion carried

Councilmember Joe Krippner absent

Shannon Dahl asked the Council about rezoning parcels of property in the City per the Comprehensive Plan and amending the industrial use ordinance to allow for storage facilities; open storage of vehicles is by conditional use permit. The Council will check with the Deputy Clerk on the status of these public hearings.

Randy Sabart from SEH had not yet arrived.

Chief Frilstad gave the monthly police report. Jason Spoden has been riding along with the other officers.

Motion made by Nate Osmundson and seconded by Paula Capes to hire Jason Spoden as a part-time officer provided he passes all applicable psychological and physical testing and a background check; motion carried

Councilmember Joe Krippner absent

Councilmember Joe Krippner arrived at 7:20pm

Chad Johnson from the Public Works Dept. explained the work on the watertower to the boy scouts that were present.

Randy Sabart from SEH discussed the first pay application for the utility project with the Council and gave a progress update on the project.

Motion made by Nate Osmundson and seconded by Paula Capes to approve Partial Pay Estimate #1 in the amount of \$779,520.69; motion carried

Mayor Konz moved to the open forum portion of the meeting.

Paul Degree spoke with the Council. He requested that the City provide Kim-Built Propane with a letter of recommendation to bring to their variance hearing with the State Fire Marshal that the City has approved the project. He also requested that building permits be expedited in the future and a copy of the letter to Kim-Built Propane that is referenced in the September 18, 2012, minutes. The City Clerk gave Mr. Degree a copy of the letter that was set to go in the mail to Kim-Built Propane the next day. The Council asked for Mr. Degree to forward a phone log to the City Clerk listing dates that Kim-Built Propane has contacted/attempted to contact MNSPECT.

The Council discussed Amy Serbus' shelter rental situation.

Motion made by Paula Capes and seconded by Joe Krippner to refund Amy Serbus' rental fee in the amount of \$80.16; motion carried

Those voting in favor: Tammy Konz, Paula Capes, Eric Loewen and Joe Krippner

Those voting against: Nate Osmundson

The Council discussed those residents that showed usage on their irrigation meters in the month of September while a watering ban was in effect. The Council instructed the Deputy Clerk to send notices to those properties reminding them of the watering ban.

The Compost Site is for City residents only.

The next Stearns County Municipal League meeting is October 16 in Paynesville.

Motion made by Nate Osmundson and seconded by Paula Capes to hire Nick Mauer as an on-call/as needed basis for the Kimball Fire and Rescue Dept.; thus making him ineligible for the relief association; motion carried

Motion made by Eric Loewen and seconded by Nate Osmundson to approve the amendment to the Verizon Wireless lease for the watertower contingent upon approval from the City Attorney; motion carried

Mayor Konz asked the Deputy Clerk if she had heard back from the City Attorney regarding the industrial use ordinance – he said to basically amend the ordinance.

The Council discussed a bid from Stockinger LawnScape Solutions in the amount of \$15,540.00 to remove/replace the retaining walls behind City Hall and remove the asphalt on the south side of the building and replace with pavers.

Motion made by Eric Loewen and seconded by Joe Krippner to recess the Council meeting at 8:43pm so that the City Clerk can prepare notices for publishing in the newspaper related to rezoning and amending the industrial use ordinance; motion carried

Motion made by Joe Krippner and seconded by Paula Capes to reopen the meeting at 8:50pm and close the regular meeting for consideration of allegations of employee misconduct and the job performance of Lisa Myers; motion carried

Motion made by Eric Loewen and seconded by Joe Krippner to reopen the regular meeting at 9:04pm; motion carried

Motion made by Eric Loewen and seconded by Joe Krippner to recess the regular meeting at 9:05pm until the City Clerk is finished preparing the zoning notices for publication; motion carried

Motion made by Joe Krippner and seconded by Paula Capes to reopen the meeting at 9:26pm; motion carried

The Council spoke with Lisa Myers regarding misconduct on the job and performance issues.

Motion made by Paula Capes and seconded by Eric Loewen to issue a written notice of reprimand to Lisa Myers regarding misconduct on the job along with an improvement plan that must be noticeably seen within the next 30 days and to review her performance in another 30 days; motion carried

The Council discussed building projects within the City, supporting job growth and increasing the City's tax base. All residents and business owners must comply with all applicable laws, codes and ordinances.

Motion made by Joe Krippner and seconded by Eric Loewen to have MNSPECT conduct an inspection at Kim-Built Propane on October 3<sup>rd</sup> or 4<sup>th</sup> with a Police Dept. escort to determine if unpermitted work has taken place; motion carried

Motion made by Eric Loewen and seconded by Nate Osmundson to not send a letter of support regarding Kim-Built Propane's project to the State Fire Marshal; motion carried

Those voting in favor: Tammy Konz, Paula Capes, Eric Loewen and Nate Osmundson

Those voting against: Joe Krippner

The City Clerk sent out RFP's for garbage and recycling services; proposals are due November 9 and submittals will be reviewed at the November 14 Council meeting.

The Council would like minutes regarding Shannon Dahl's rezoning request forwarded and they would also like the Deputy Clerk to look into allowable home business occupations. The Deputy Clerk needs to present 2 outdoor wood burner ordinances to the Council – one in favor and one against.

Comp time will be discussed at the next employee meeting.

Motion made by Eric Loewen and seconded by Paula Capes to adjourn at 10:21pm; motion carried

Respectfully submitted by Nicole Pilarski

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## Payments

Current Period: September 2012

Batch Name 092612Claims Payment Computer Dollar Amt \$4,577.94 Posted

Refer 4945 *MEDICA* Ck# 035178 9/26/2012  
**Cash Payment** E 101-41400-131 Employer Paid Health CLERK HEALTH \$299.68  
 Invoic 0028971952 9/12/2012  
**Cash Payment** E 602-49450-131 Employer Paid Health SEWER HEALTH \$594.82  
 Invoic 0028971952 9/12/2012  
**Cash Payment** E 601-49400-131 Employer Paid Health WATER HEALTH \$594.82  
 Invoic 0028971952 9/12/2012  
**Cash Payment** E 101-43100-131 Employer Paid Health PUBLIC WORKS HEALTH \$1,189.65  
 Invoic 0028971952 9/12/2012  
**Cash Payment** E 101-42110-131 Employer Paid Health POLICE HEALTH \$1,713.02  
 Invoic 0028971952 9/12/2012  
 Transaction 9/20/2012 Due 0 Checking 10100 **Total** \$4,391.99

Refer 4946 *LINCOLN MUTUAL LIFE &* Ck# 035177 9/26/2012  
**Cash Payment** E 101-41400-134 Employer Paid Life CLERK LIFE INSURANCE \$25.95  
 Invoic 9/19/2012  
**Cash Payment** E 602-49450-134 Employer Paid Life SEWER LIFE INSURANCE \$18.76  
 Invoic 9/19/2012  
**Cash Payment** E 601-49400-134 Employer Paid Life WATER LIFE INSURANCE \$18.76  
 Invoic 9/19/2012  
**Cash Payment** E 101-43100-134 Employer Paid Life PUBLIC WORKS LIFE INSURANCE \$37.53  
 Invoic 9/19/2012  
**Cash Payment** E 101-42110-134 Employer Paid Life POLICE LIFE INSURANCE \$84.95  
 Invoic 9/19/2012  
 Transaction 9/24/2012 Due 0 Checking 10100 **Total** \$185.95

### Fund Summary

10100 Checking  
 602 SEWER FUND \$613.58  
 601 WATER FUND \$613.58  
 101 GENERAL FUND \$3,350.78  
 \$4,577.94

Pre-Written Checks \$4,577.94  
 Checks to be Generated by the Computer \$0.00  
 Total \$4,577.94

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## Payments

Current Period: September 2012

Batch Name FireDept Payment Computer Dollar Amt \$293.93 Posted

Refer 4958 *POSITIVE PROMOTIONS* Ck# 000279E 9/27/2012  
**Cash Payment** E 200-42200-340 Advertising Fire Dept fire prevention week supplies \$293.93  
 Invoic WEB017140255 9/27/2012  
 Transaction 9/27/2012 Due 0 Checking 10100 **Total** \$293.93

### Fund Summary

10100 Checking  
 200 FIRE/RESCUE FUND \$293.93

\$293.93

Pre-Written Checks \$293.93  
Checks to be Generated by the Computer \$0.00  
Tota \$293.93

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### Payments

Current Period: October 2012

Batch Name 100212Claims  
Payment

Computer Dollar Amt \$6,823.31 Posted

Refer 4942 SPRINT	<u>Ck# 035198 10/2/2012</u>			
Cash Payment E 601-49400-321 Telephone	WATER CELL PHONE			\$66.04
Invoice 214175127-117 9/18/2012				
Cash Payment E 101-43100-321 Telephone	PUBLIC WORKS CELL PHONE			\$132.09
Invoice 214175127-117 9/18/2012				
Cash Payment E 101-42110-321 Telephone	POLICE CELL PHONE			\$101.99
Invoice 214175127-117 9/18/2012				
Cash Payment E 602-49450-321 Telephone	SEWER CELL PHONE			\$66.04
Invoice 214175127-117 9/18/2012				
Transaction 9/20/2012	Due 0 Checking 10100		<b>Total</b>	\$366.16
Refer 4943 HAWKINS INC	<u>Ck# 035191 10/2/2012</u>			
Cash Payment E 601-49400-216 Chemicals and Chem	Water Chemicals			\$545.54
Invoice 3386634 9/11/2012				
Transaction 9/20/2012	Due 0 Checking 10100		<b>Total</b>	\$545.54
Refer 4944 THEIS, CATHY	<u>Ck# 035199 10/2/2012</u>			
Cash Payment E 101-42110-202 Police Reports	Police Reports			\$22.00
Invoice 9/17/2012				
Transaction 9/20/2012	Due 0 Checking 10100		<b>Total</b>	\$22.00
Refer 4947 AMERIPRIDE SERVICES	<u>Ck# 035186 10/2/2012</u>			
Cash Payment E 101-41000-300 Professional Srvs	City Hall Rugs			\$36.50
Invoice 2200294310 9/24/2012				
Transaction 9/24/2012	Due 0 Checking 10100		<b>Total</b>	\$36.50
Refer 4948 ZUTZ, BONITA	<u>Ck# 035204 10/2/2012</u>			
Cash Payment E 101-41000-570 Office Equip and	Shelf for above Lisa's desk			\$97.04
Invoice 9/24/2012				
Transaction 9/24/2012	Due 0 Checking 10100		<b>Total</b>	\$97.04
Refer 4949 OFFICE DEPOT	<u>Ck# 035195 10/2/2012</u>			
Cash Payment E 101-42110-200 Office Supplies	Police Supplies			\$13.70
Invoice 624711764001 9/13/2012				
Cash Payment E 101-41000-200 Office Supplies	Office Supplies			\$15.19
Invoice 624711764001 9/13/2012				
Cash Payment E 101-41400-207	Clerk Toner			\$83.10
Invoice 624711764001 9/13/2012				
Transaction 9/24/2012	Due 0 Checking 10100		<b>Total</b>	\$111.99
Refer 4950 HENDRICKS, JOANN	<u>Ck# 035192 10/2/2012</u>			
Cash Payment E 101-45200-440 Refund of Shelter	Refund of 9/15 Shelter Deposit			\$50.00
Invoice 9/24/2012				
Transaction 9/24/2012	Due 0 Checking 10100		<b>Total</b>	\$50.00
Refer 4951 SEH	<u>Ck# 035196 10/2/2012</u>			
Cash Payment E 602-49450-303 Engineering Fees	WWTP Permit Renewal Work			\$1,872.00
Invoice 260423 9/12/2012				
Transaction 9/24/2012	Due 0 Checking 10100		<b>Total</b>	\$1,872.00
Refer 4952 SPRINT	<u>Ck# 035198 10/2/2012</u>			
Cash Payment E 101-42110-321 Telephone	POLICE LAPTOPS			\$79.98
Invoice 325068815-058 9/18/2012				

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## Payments

Current Period: October 2012

Transaction	9/24/2012	Due 0 Checking	10100	<b>Total</b>	\$79.98
Refer	4954 XCEL ENERGY	<u>Ck# 035203 10/2/2012</u>			
Cash Payment	E 101-43100-381 Electric Utilities	Billboard Electricity			\$151.48
Invoice	439524481 9/18/2012				
Cash Payment	E 101-45200-381 Electric Utilities	Lions Park Electricity			\$9.82
Invoice	439615240 9/18/2012				
Cash Payment	E 101-43100-381 Electric Utilities	Flasher Light			\$33.77
Invoice	439604244 9/18/2012				
Cash Payment	E 601-49400-381 Electric Utilities	Wattertower Lights			\$29.80
Invoice	439617901 9/18/2012				
Cash Payment	E 200-42200-381 Electric Utilities	Fire Hall Electricity			\$324.06
Invoice	439633375 9/18/2012				
Cash Payment	E 101-45200-381 Electric Utilities	Shelter Electricity			\$127.50
Invoice	439946821 9/20/2012				
Cash Payment	E 101-41000-381 Electric Utilities	City Hall Electricity			\$185.62
Invoice	439776593 9/19/2012				
Cash Payment	E 101-42110-381 Electric Utilities	Police Bldg Electricity			\$134.28
Invoice	439838232 9/19/2012				
Cash Payment	E 601-49400-381 Electric Utilities	Water Plant Electricity			\$8.26
Invoice	440044691 9/21/2012				
Cash Payment	E 101-42500-381 Electric Utilities	Civil Defense Electricity			\$1.54
Invoice	440044871 9/21/2012				
Cash Payment	E 101-43100-381 Electric Utilities	Public Works Electricity			\$4.53
Invoice	440044946 9/21/2012				
Cash Payment	E 101-43100-381 Electric Utilities	Street Light			\$8.26
Invoice	440044950 9/21/2012				
Cash Payment	E 601-49400-381 Electric Utilities	Water Plant Electricity			\$1,200.80
Invoice	439940427 9/20/2012				
Cash Payment	E 602-49450-381 Electric Utilities	Sewer Electricity			\$154.25
Invoice	439949543 9/20/2012				
Transaction	9/25/2012	Due 0 Checking	10100	<b>Total</b>	\$2,373.97
Refer	4955 ARVIG	<u>Ck# 035187 10/2/2012</u>			
Cash Payment	E 101-42110-321 Telephone	Police Telephone & Fax			\$88.94
Invoice	9/22/2012				
Cash Payment	E 601-49400-321 Telephone	Water Plant Alarm			\$36.42
Invoice	9/22/2012				
Cash Payment	E 101-41000-321 Telephone	City Hall Fax			\$96.55
Invoice	9/22/2012				
Cash Payment	E 101-41000-321 Telephone	City Hall Telephone			\$92.10
Invoice	9/22/2012				
Cash Payment	E 101-42500-321 Telephone	Civil Defense Telephone			\$36.42
Invoice	9/22/2012				
Cash Payment	E 101-42110-321 Telephone	Police Computer Line			\$36.42
Invoice	9/22/2012				
Cash Payment	E 601-49400-321 Telephone	Water Plant Alarm			\$38.55
Invoice	9/22/2012				
Cash Payment	E 602-49450-321 Telephone	Scheeler Lift Station Telephon			\$36.42
Invoice	9/22/2012				
Cash Payment	E 200-42200-321 Telephone	Fire Dept Telephone			\$82.68
Invoice	9/22/2012				
Transaction	9/26/2012	Due 0 Checking	10100	<b>Total</b>	\$544.50
Refer	4956 MYERS, LISA	<u>Ck# 035194 10/2/2012</u>			

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Payments

Current Period: October 2012

<b>Cash Payment</b>	E 101-41000-331 Travel Expenses	Reimbursement for Mileage to Alexandria Zoning Training			\$96.68
Invoice	9/26/2012				
Transaction	9 /27/2012	Due 0 Checking	10100	<b>Total</b>	\$96.68
Refer	4957 US BANK EQUIPMENT FINANCE	Ck# 035201 10/2/2012			
<b>Cash Payment</b>	E 101-41000-414 Data Processing Equip	Copier Lease			\$464.51
Invoice	212608756 9/22/2012				
Transaction	9 /27/2012	Due 0 Checking	10100	<b>Total</b>	\$464.51
Refer	4961 COLONIAL LIFE	Ck# 035188 10/2/2012			
<b>Cash Payment</b>	G 101-21710 Other Deductions	BCN#E3913340 - Sept Premium			\$112.44
Invoice	3913340-0907587 9/25/2012				
Transaction	9 /28/2012	Due 0 Checking	10100	<b>Total</b>	\$112.44
Refer	4962 SERBUS, AMY	Ck# 035197 10/2/2012			
<b>Cash Payment</b>	E 101-45200-440 Refund of Shelter	Refund 9/23 Shelter Deposit			\$50.00
Invoice					
Transaction	9 /28/2012	Due 0 Checking	10100	<b>Total</b>	\$50.00

Fund Summary

	10100 Checking	
602 SEWER FUND	\$2,128.71	
601 WATER FUND	\$1,925.41	
200 FIRE/RESCUE FUND	\$406.74	
101 GENERAL FUND	\$2,362.45	
	\$6,823.31	

Pre-Written Checks	\$6,823.31
Checks to be Generated by the Computer	\$0.00
<b>Tota</b>	<b>\$6,823.31</b>

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Payments

Current Period: September 2012

Batch Name	FireGalls Payment	Computer Dollar Amt	\$26.47	<b>Posted</b>
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Refer	4966 GALLS, AN ARAMARK COMPANY	Ck# 000282E 9/13/2012			
<b>Cash Payment</b>	E 200-42200-417 Uniforms	Fire Dept Nameplate/Serving Since for StOnge			\$26.47
Invoice	67400 9/13/2012				
Transaction	10/2 /2012	Due 0 Checking	10100	<b>Total</b>	\$26.47

Fund Summary

	10100 Checking	
200 FIRE/RESCUE FUND	\$26.47	
	\$26.47	

Pre-Written Checks	\$26.47
Checks to be Generated by the Computer	\$0.00
<b>Tota</b>	<b>\$26.47</b>

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# Payments

Current Period: October 2012

Batch Name 100212Claim2  
Payment Computer Dollar Amt \$4,509.72 Posted

Refer	4963	TOWN OF FAIRHAVEN	<u>Ck# 035200 10/2/2012</u>		
Cash Payment	E 101-42110-437	Other Miscellaneous	6 Sept Drive SMART Tix		\$300.00
Invoice					
Transaction	10/1 /2012	Due 0	Checking	10100	<b>Total</b> \$300.00
Refer	4964	OFFICE DEPOT	<u>Ck# 035195 10/2/2012</u>		
Cash Payment	E 101-41400-207		Clerk Comp Windows Upgrade		\$192.36
Invoice	625889241001	9/21/2012			
Cash Payment	E 101-41000-200	Office Supplies	Lisa Corkboard above desk		\$42.85
Invoice	625889159001	9/21/2012			
Cash Payment	E 101-43100-200	Office Supplies	Public Works timeclock ribbon		\$12.04
Invoice	625693126001	9/20/2012			
Cash Payment	E 101-42110-207		Police Toner		\$108.38
Invoice	625693126001	9/20/2012			
Transaction	10/1 /2012	Due 0	Checking	10100	<b>Total</b> \$355.63
Refer	4965	MINCO TECHNOLOGY CENTER	<u>Ck# 035193 10/2/2012</u>		
Cash Payment	E 101-42110-200	Office Supplies	Police usb cable		\$9.62
Invoice	363274	9/18/2012			
Cash Payment	E 101-42110-570	Office Equip and	Police Server		\$372.99
Invoice	363216	9/10/2012			
Transaction	10/1 /2012	Due 0	Checking	10100	<b>Total</b> \$382.61
Refer	4967	EAST SIDE OIL COMPANIES	<u>Ck# 035189 10/2/2012</u>		
Cash Payment	E 603-49500-387	Oil/Filter Disposal	Used Oil/Filter/Anti-freeze Pickup		\$105.00
Invoice	R43355	9/26/2012			
Transaction	10/2 /2012	Due 0	Checking	10100	<b>Total</b> \$105.00
Refer	4968	GALLS, AN ARAMARK COMPANY	<u>Ck# 035190 10/2/2012</u>		
Cash Payment	E 200-42200-417	Uniforms	Fire Dept StOnge Collar Brass		\$26.48
Invoice	000060856	9/27/2012			
Transaction	10/2 /2012	Due 0	Checking	10100	<b>Total</b> \$26.48
Refer	4969	VEOLIA ES SOLID WASTE MIDWEST	<u>Ck# 035202 10/2/2012</u>		
Cash Payment	E 603-49500-384	Refuse/Garbage	Residential Recycling		\$742.40
Invoice	G20001186446	9/25/2012			
Cash Payment	E 101-41000-384	Refuse/Garbage	City Hall Dumpster		\$10.00
Invoice	G20001186446	9/25/2012			
Cash Payment	E 200-42200-430	Miscellaneous	Fire Dept Car Part Disposal		\$44.00
Invoice	G20001186446	9/25/2012			
Cash Payment	E 101-45200-384	Refuse/Garbage	Park Dumpster		\$10.00
Invoice	G20001186446	9/25/2012			
Cash Payment	E 603-49500-384	Refuse/Garbage	Residential 35gal Garbage		\$85.05
Invoice	G20001186446	9/25/2012			
Cash Payment	E 603-49500-384	Refuse/Garbage	Residential 65gal Garbage		\$2,262.40
Invoice	G20001186446	9/25/2012			
Cash Payment	E 603-49500-384	Refuse/Garbage	Residential 95gal Garbage		\$186.15
Invoice	G20001186446	9/25/2012			
Transaction	10/2 /2012	Due 0	Checking	10100	<b>Total</b> \$3,340.00

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# Payments

Current Period: October 2012

## Fund Summary

603 REFUSE (GARBAGE) FUND	10100 Checking	\$3,381.00
200 FIRE/RESCUE FUND		\$70.48

101 GENERAL FUND \$1,058.24  
 \$4,509.72

Pre-Written Checks \$4,509.72  
 Checks to be Generated by the Computer \$0.00  
 Tota \$4,509.72

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**Payments**

**Current Period: October 2012**

Batch Name AmySerbus Payment Computer Dollar Amt \$80.16 Posted

Refer 4971 SERBUS, AMY Ck# 035205 10/2/2012  
 Cash Payment G 101-21708 Sales Tax Refund of Shelter Rental \$5.16  
 Invoice  
 Cash Payment E 101-45200-430 Miscellaneous Refund of Shelter Rental \$75.00  
 Invoice  
 Transaction 10/3 /2012 Due 0 Checking 10100 Total \$80.16

**Fund Summary**

101 GENERAL FUND 10100 Checking \$80.16  
 \$80.16

Pre-Written Checks \$80.16  
 Checks to be Generated by the Computer \$0.00  
 Tota \$80.16

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**Payments**

**Current Period: October 2012**

Batch Name C&LPayApp1 Payment Computer Dollar Amt \$779,520.69 Posted

Refer 5003 C & L EXCAVATING Ck# 001442 10/16/2012  
 Cash Payment E 317-47000-314 City Project Partial Pay Application #1 \$779,520.69  
 Invoice 1  
 Transaction 10/16/2012 Due 0 Checking 10100 Total \$779,520.69

**Fund Summary**

317 2012 USDA CONST ACCT 10100 Checking \$779,520.69  
 \$779,520.69

Pre-Written Checks \$779,520.69  
 Checks to be Generated by the Computer \$0.00  
 Tota \$779,520.69