

Council Meeting

October 9, 2023

Meeting called to order by Acting Mayor Cindy Stelten at 5:30pm

Councilmembers present: Jody Orbeck, Steven Dahlager, Kyle Christensen and Cindy Stelten; Karla Davis absent

Others present: Travis Peterson, Jon Lentz, Andy Massmann, Terry Baxter, Brad Donnay and Dave Traurig

Motion made by Kyle Christensen and seconded by Jody Orbeck to approve the following addendums to the agenda: wastewater treatment plant pumps, annual audit, Councilmember Christensen's meetings regarding parks throughout the City; motion carried

Mayor Karla Davis absent

The Council will review the claims later in the meeting as the City Clerk did not have time to enter them.

Motion made by Kyle Christensen and seconded by Steven Dahlager to approve the following Consent Agenda Items:

1. Minutes of the September 25, 2023 Council Workshop
2. Minutes of the September 25, 2023 Council Meeting
3. Approval of Gambling Permit for the Kimball Wrestling Boosters for February 9, 2024, to be held at Kimball Area High School
4. Approval of Kimball Area Chamber of Commerce Holiday Light Parade Permit
5. Resolution No. 10092023A Resolution Accepting Donation Received
6. Shut-off Delinquent Utilities October 16, 2023

motion carried

Mayor Karla Davis absent

Terry Baxter was not yet present

Acting Mayor Stelten reviewed her notes from the Irrigation Negotiations that were held on September 19th with the Council. The City received crop plans from 4 farmers: Gerry Spoden (the current lessee), Pat Libbesmeier, Massmann Brothers and Rookie Farmers. The City has 109 acres of tillable land to lease and per the City's MPCA NPDES permit, hay/grass crop must be planted but a row crop is allowed to be planted 1 out of every 5 years. Communication has been great with Gerry unlike the previous lessee. Since Gerry has been leasing from the City, nitrate levels have been decreasing when sampling is done. Another item that was mentioned during the negotiations was that not a lot of organic matter is applied to the fields and it would be nice to be able to introduce some back into the soil. The City must remain compliant at all times with its MPCA permit when irrigating and allowing crops to be planted. Andy Massmann spoke with the Council stating that he and his brothers are new to the process. They have a steer barn and would be able to haul organic matter onto the fields. The Council would like to hold off until later in the meeting to make a decision.

Stearns County Captain, Jon Lentz, gave the monthly Sheriff's report.

Public Works Lead, Travis Peterson, discussed replacing the pumps at that wastewater treatment plant with the Council. He has a quote from Traut Companies for \$35,040.00 (1 pump) and a quote from

Crane Engineering for \$127,000 (2 pumps). The Council would like clarification on the quote from Traut Companies and if it is for repair, replacement or both. They are also wondering why there is such a difference in price.

The Council discussed the annual MnDOT Snow Removal Agreement and the challenges of Hwy 15 snow removal: the parking lane, sidewalks and man power in general.

Motion made by Kyle Christensen and seconded by Steven Dahlager to approve the annual MnDOT Snow Removal Agreement; motion carried
Mayor Karla Davis absent

Travis updated the Council that the water plant repairs, the blower motor, have been completed.

The Council asked for clarification on the sewer backup at Terry Baxter's residence from Travis as Mr. Baxter was not yet present and they were unsure what he was requesting. Travis explained that the sewer main servicing Mr. Baxter's house runs north of Hazel Ave in the alley between Oak St. and Cherry St. and continues south to Linden Ave. He was notified that there was a problem while he was at safety training that day and was able to get Nelson Sanitation to come out when he returned that afternoon and verified that our sewer main was clogged. Nelson Sanitation was able to clear the clog and Mr. Baxter's basement started to drain almost immediately.

The Council reviewed the IT and computers quotes the City Clerk received from Arvig and Paumen Computers Services. They would like a comparison sheet put together.

Terry Baxter arrived and spoke with the Council about the sewer backup in his basement. He's not sure why he should have to be responsible for the sewer bills, lost wages and the 50 hours spent to clean up the mess. Acting Mayor Stelten asked if he had received the letter from the City's insurance company. Mr. Baxter stated that he had and he's not sure why we're saying it's his fault. He wants the City to pay for the bills that he's incurred. The Council explained that they aren't saying it's his fault and they do not believe that is what the letter is stating either; it's explaining that the City has been performing routine required maintenance and has not been negligent. The Council further explained that they'd only received 1 bill from Mr. Baxter and that was for \$300. Mr. Baxter stated that was not true, that bill from Hendrickson Plumbing is for 2 times and they actually came out 3 times but did not charge him for the 3rd time. Councilmember Christensen explained that while he does sympathize with Mr. Baxter, he's just trying to make sure the taxpayers aren't on the hook either. Councilmember Orbeck questioned why Hendrickson came out twice? Mr. Baxter stated that they came out 3 times. Councilmember Christensen questioned that Mr. Baxter kept having them come out when nothing was getting fixed and he didn't notify the City until after they had been out the 3rd time? Mr. Baxter stated that was when they looked in the manhole.

Motion made by Kyle Christensen and seconded by Jody Orbeck to pay Terry Baxter \$300 for the sewer backup in his basement as that was the dollar amount of the bill submitted by him from Hendrickson Plumbing; motion carried
Mayor Karla Davis absent

Councilmember Steven Dahlager left at 6:50pm

The City Clerk asked the Council about the annual audit; they would to know if pricing will remain the same or change if they choose to go with ABDO for just 1 or 2 years. The City Clerk will check and report back.

Councilmember Christensen reported that he had met with a company regarding both the Heritage Park Addition and Scheeler Addition parks. The park in the Heritage Park Addition has no border and the rock needs to be replaced with wood chips, there is room for a park shelter and a basketball pad. The representative from the company was very impressed with the park in the Scheeler Addition; there is room for a basketball pad. He also met with the City Engineer, Dave Blommel, and Travis at Willow Creek Park; it's already located near noise, traffic and lighting. Events and play can happen there at night and not bother anyone. Dave will be getting us a rendering this week showing what can be done as far as: pickleball, basketball, batting cages, etc. Parking is a challenge down there and the white shed that is currently used as a shop for public works should be removed. There are DNR grants available for ADA improvements. The playground needs a border and rock needs to be replaced with wood chips, the shelter also needs ADA parking. The damaged portion of the ballfield fencing has been removed and the Council would like to thank Tom Marquardt and the volunteers that helped him. The new fencing may be getting installed as soon as next week. Councilmember Christensen will be meeting with the School Board on October 16th regarding seating at the City ballfield.

The Council reviewed the letter from Cody Asfeld requesting a credit for sewer usage due to irrigation; he has purchased a second meter for irrigation.

Motion made by Kyle Christensen and seconded by Jody Orbeck to credit Cody Asfeld so that he is only billed for 2,500 gallons of sewer usage; motion carried
Mayor Karla Davis absent

Kimball Firemen's Relief Association Treasurer, Brad Donnay, spoke with the Council about the retirement that each member of the Relief Association receives upon retirement. They are currently at \$1,650/year and would like to increase that amount to \$1,750. Kimball is on the low end of surrounding areas.

Motion made by Kyle Christensen and seconded by Jody Orbeck to increase the annual retirement amount for the Kimball Firemen's Relief Association to \$1,750/year effective January 1, 2024; motion carried
Mayor Karla Davis absent

Chief Traurig reported that as of tonight, the Fire Dept. has responded to 177 calls, things are not looking good on the FEMA radio grant and plans are still in place for the train derailment exercise on November 1st.

The Council will hold off on Resolution No. 10092023B, Resolution No. 10092023C and Resolution No. 10092023D.

The Council will hold off on amending City Ordinance 650 – Animals until all members are present and can discuss; this applies to Resolution No. 10092023E1, Resolution No. 10092023E2 and Resolution No. 10092023F.

Motion made by Cindy Stelten and seconded by Kyle Christensen to adopt Resolution No. 10092023G
Resolution to Amend City Ordinance Section 215 – Schedule of Fees; motion carried

Those voting in favor: Cindy Stelten, Jody Orbeck and Kyle Christensen

Those voting against: none

Those absent: Karla Davis and Steven Dahlager

The Stearns County Municipal League Meeting is next Tuesday the 17th in St. Augusta.

Acting Mayor Stelten thanked Andy Massmann for attending the meeting and asked him if he would like to speak. He stated that he and his brothers are young farmers and have flexibility and also have organic matter on hand, there would also always be some sort of grass/cover crop planted on the fields.

Councilmember Steven Dahlager returned at 7:39pm

Councilmember Orbeck asked that something be typed up for the next meeting for a comparison to review side-by-side for the next meeting so that they could make a decision. Acting Mayor Stelten will work on that with the Deputy Clerk.

Motion made by Cindy Stelten and seconded by Kyle Christensen to adjourn at 7:48pm; motion carried
Mayor Karla Davis absent

Respectfully submitted by Nicole Pilarski

City of Kimball
Payments

Current Period: October 2023

Payments Batch 10092023Claims \$300.00

Refer 3818 *Baxter, Terry* -
Cash Payment E 602-49450-437 Other Miscellaneous Reimburse Bill Submitted from Hendrickson & Sons \$300.00

Invoice 18519 9/18/2023
Transaction Date 10/18/2023 Checking 10100 Total \$300.00

Fund Summary

602 SEWER FUND
10100 Checking
\$300.00
\$300.00

Pre-Written Checks	\$0.00
Checks to be Generated by the Computer	\$300.00
Total	\$300.00