

COUNCIL MEETING
MAY 18, 2010

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

Pledge of Allegiance recited

Council members present: Tammy Konz, Eric Loewen, DuWayne Orbeck and Chris Jansky; Joe Krippner arrived at 7:50pm

Others present: Ed Marsala, David Drown and Jodi Orbeck

Addendums to the agenda are League of MN Cities Annual Conference, Diversicom, the Fire Department, memos from the Zoning Administrator/Utility Coordinator and the email from Kennedy Graven

Motion made by Eric Loewen and seconded by DuWayne Orbeck to approve the May 4, 2010, Board of Appeal and Equalization minutes; motion carried
Council member Joe Krippner absent

Motion made by DuWayne Orbeck and seconded by Eric Loewen to approve the May 4, 2010, Council Meeting minutes; motion carried
Council member Joe Krippner absent

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

The following items were removed from the consent agenda and placed on the regular agenda:

1. Order Late Utilities shut off May 19, 2010
4. Kimball Church of Christ to use baseball field June 20, 2010

Motion made by Eric Loewen and seconded by Chris Jansky to approve the following consent agenda items:

2. Approval of Kimball Rod and Gun Club Gambling Permit for Raffle on March 5, 2011
3. Renewal of Medica Health Insurance and Delta Dental Insurance as presented April 6, 2010 by MN Benefit Advisors
5. Leslie Arnold to take unpaid vacation day May 28, 2010
6. Nicole Pilarski to attend MCFOA Region III Meeting May 21, 2010
7. City Employees to attend Get Motivated Seminar May 26, 2010 in Minneapolis

motion carried

Council member Joe Krippner absent

Jodi Orbeck spoke with the council regarding the assessments from the 2006 Magnus Johnson/Linden Ave project at her residence. Mayor Konz informed her that there is a 30-day appeal process after the assessments have been determined for a project and after that there is nothing that the council can do. Ms. Orbeck then asked about the upcoming street project. Mayor Konz told her that the city is #8 on the list on grant applicants and the City should know soon if they are receiving funding or not. Mayor Konz also explained how assessing water and sewer works in regards to property value and that for any upcoming street projects the council will be having more meetings and visiting with residents door-to-door.

David Drown from David Drown Associates spoke to the council regarding the Heritage House. In the original TIF District agreement, Heritage House was going to add 24 units of assisted living and dementia care and a clinic. It has now been downscaled to 16 units and no clinic. Ed Marsala, the regional rep for Heritage House, showed the council a preliminary design of the new facility.

Motion made by Chris Jansky and seconded by Eric Loewen for David Drown Associates to work on modifying the TIF District agreement for Heritage House and present the council with 10, 12 and 15 year payback options; motion carried

Council member Joe Krippner absent

Mr. Drown also discussed the Styme Industries TIF District with the council. He will be looking into the employment agreement and the signed development agreement and then getting back to the City Clerk with his findings.

The Council discussed Item #1 that was removed from the consent agenda, Order Late Utilities shut off May 19, 2010, and the memo from the Utility Coordinator regarding non-payment at 80 Hazel Ave W and 15 Oak St S.

Motion made by Eric Loewen to shut-off service at 80 Hazel Ave W
motion rescinded

Motion made by Chris Jansky and seconded by DuWayne Orbeck to shut off all Late Utilities May 19, 2010 and waive the \$75 reconnection fee for the property at 80 Hazel Ave W if their account is paid in full by June 1, 2010 as they stated in their letter to the council; motion carried

Council member Joe Krippner absent

Motion made by Eric Loewen and seconded by DuWayne Orbeck to not shut off service for the property at 15 Oak St S if they come in with a \$10 payment and continue to make payments of \$40 each week through June 18, 2010; motion carried

Council member Joe Krippner absent

Council gave instructions to Utility Coordinator to send letters to all rental properties regarding their utility bill stating that as of July 1, 2010, all utility bills will be in the property owners' name and not the renters' name per City Ordinance Chapter 8 Section 815.

The Council discussed Item #4 that was removed from the consent agenda, Kimball Church of Christ to use baseball field June 20, 2010. Council decided that is not a problem but that the Clerk should check to make sure the shelter is not rented at that time

so parking does not become an issue and the City will need a certificate of insurance from the Church for that day.

The Council discussed the memo from the Zoning Administrator regarding renting out Willow Creek Park Shelter.

Motion made by Chris Jansky and seconded by Eric Loewen to go ahead with the Zoning Administrators' recommendations of having the shelter reservations open as of the first of the year, require all applications and deposits be paid at the time of reservation to secure the date and come up with a cancellation policy; motion carried

Council member Joe Krippner absent

Motion made by Eric Loewen and seconded by Chris Jansky to have the Zoning Administrator develop a formal policy for rental of the Willow Creek Park Shelter, the Ballpark and the Hockey Rink, while giving first reservation considerations to residents and second to non-residents; motion carried

Council member Joe Krippner absent

The Council discussed property for sale in town. The City Clerk is to call the Clearwater River Watershed District regarding the property at 110 Linden Ave for a possible water runoff site.

City Clerk discussed with the council the renewal of annual insurance through the League of MN Cities. The city has the option of paying annually or semi-annually. The Council decided to pay semi-annually as long as there is no extra fee for paying twice per year.

Motion made by Eric Loewen and seconded by Joe Krippner to move the USDA Rural Development payment date from January 1, 2011 to December 28, 2010 and continue with the December payment date for all future payments; motion carried

Motion made by Joe Krippner and seconded by Chris Jansky to transfer \$15,815.30 from TIF#1 back to the General Fund; motion carried

City Clerk discussed with council unallotment from the State government and 2011 Budget.

The Council discussed ways to prevent vehicles from driving over the curb from the parking lot onto Hwy 15. The City will place benches on the sidewalk to alleviate this problem.

The City Clerk spoke about the Alcohol and Gambling Enforcement Training she attended the previous week. Letters will be sent to all liquor licensees in the City regarding an upcoming hearing to change the Off-Sale and Club License fees in accordance with State Statute.

The Council discussed the email from Kennedy & Graven regarding representing Maine Prairie Township for annexation. It was decided this would not be an issue as Kennedy & Graven only represents the Council on bond issues.

The memo regarding building permits from the Zoning Administrator was discussed. The Council will be looking into adopting an ordinance requiring all building and general permits for exterior work to be completed in 180 days.

The Council discussed the references they called for Rajkowski Hansmeier. The City Clerk was instructed to contact Rhonda Pagel and Rajkowski Hansmeier in regards to their decision to switch lawyers.

Mayor Konz spoke about taping the Council meetings through Diversicom. If Diversicom has someone in Kimball tape the meetings there will be no charge.

Council member Joe Krippner updated the Council on the Fire Department. They are going to be looking at putting in overhead doors on the East side of the building and are going to be getting bids for plowing at the Fire Hall.

The Council discussed the lift station at the end of Elm Street. Motion made by Eric Loewen and seconded by Joe Krippner to turn off the lift station at the end of Elm Street; motion carried

Motion made by Eric Loewen and seconded by Chris Jansky to pursue all prosecutions necessary against the owner of the property at PID# 60.34429.0020; motion carried

The Council discussed building permits in Heritage Park in relation to the gravity feed of the sewer system, planting of trees and the park.

The City Clerk was instructed to send letters to Eric Loewen and Jerome Kuechle regarding weeds and Reed Oster regarding grass mowing.

The Council okayed the City Clerk to attend the 2010 LMC Annual Conference.

The Council discussed the nuisance violations with City Clerk. The City Clerk will be driving around town on Monday May 24 to check if they have been taken care of. If they have not been taken care of, the City will start the abatement process.

Council member DuWayne Orbeck discussed the break-in at Kimball Garage.

Motion made by DuWayne Orbeck and seconded by Joe Krippner to adjourn at 9:25pm; motion carried