

## COUNCIL MEETING

DATE: November 12, 2013

TIME STARTED: 7:00 p.m.

TIME ENDED: 8:00 p.m.

MEMBERS PRESENT: Acting Mayor Cindy Fahey, Lois Gilles, Todd Kiecker, Brad Augustin

MEMBERS ABSENT: Mayor Doug Pomplun

Staff members present: Clerk Treasurer Administrator Marcia Seibert-Volz, Craig Marti, Supt. St. & Utilities, City Attorney Aaron Walton.

Meeting was called to order by Acting Mayor Cindy Fahey.

**APPROVAL OF THE AGENDA:** Motion by Lois Gilles, second by Todd Kiecker to approve the agenda as presented. Motion carried.

**UNFINISHED BUSINESS:** None.

**PUBLIC HEARING:** None

**PRESENTATIONS:** Mark Erickson was present to update the council on the RS Fiber Project. RS Fiber Cooperative formed after Sibley County dropped out. Private Co-operative established and new financing mechanism is being put in place.

**BID OPENING & QUOTES:** None

Motion by Brad Augustin, second by Todd Kiecker to approve the consent agenda including 7.1 thru 7.3 and move 7.4 to item # eight. Motion carried.

- Approval of minutes dated October 8, 2013
- Pay Est. # 2 Duininck, Inc. \$ 22,082.75
- Pay Est. No. 10 Kueckle Underground \$ 28,114.43

**Claims:** Motion by Lois Gilles, second by Brad Augustin to order paid the following claims presented at the meeting. Motion carried.

4-Square Builders	LMCIT Ins. pmt for Lions Park	1,449.62
A&B Business Equipment	COPIER MAINTENANCE CONTRACT	164.62
Ameripride Linen Services	LAUNDRY - LIQUOR STORE	366.22
Arneson Distributing Inc	BEER & POP	1,066.70
Arnold's of Glencoe	KUBOTA SNOWBLOWER	3,697.71
Bernicks Pepsi Cola	ICE MACHINE RENT & POP	990.56
Bernie Wenner	BUILDING INSPECTOR	823.00
Bolton & Menk	2012 STREET PROJECT	3,935.00
Border States	Border States	2,103.26
Bound Tree Medical, LLC	AMBULANCE SUPPLIES	503.50
Capital One, F.S.B.	SNOW PLOW REPAIRS, TRAINING EL	999.88
Casey's	GAS	1,068.62
Central Minnesota Municip	CIP	30,022.66
CenturyLink	TELEPHONE	1,312.49
Chip Steak & Provision Com	SUPPLIES FOR RESALE	1,108.26
Chuck Firlle	GRAVEL	420.00
City of Fairfax	UTILITY BILLS	10,282.05
Clobes Sanitation	GARBAGE	3,117.00
Crab Tree Companies	LASERFISCHE CONTRACT RENEWAL	773.00
Dakota Supply Group	WATER METERS	1,940.13
Data Dimensions	SET UP COMPUTER SOFTWARE - PD	133.00
Dave's Full Service	GAS	826.25
Davis Typewriter Co Inc	OFFICE SUPPLIES	177.88
Deming Construction	2012 SIDEWALK PROJECT	6,656.24
Department of Energy-WAPA	POWER PURCHASED	22,029.03

Dept. of Public Safety	LIQUOR BUYER CARD	20.00
Duininck Concrete	2013 ALLEY PROJECT	22,082.75
Election Systems & Softwa	ELECTION EXPENSE	357.00
Electric Almighty in HD LL	BAND - LIQUOR STORE	750.00
Eric Nelson	MN Rural Water	16.48
Faney-Klages Tiling	BACKHOE	1,360.00
Fairfax Postmaster	postage - utility bills	545.71
Fairfax Standard	ADVERTISING - BAR	581.56
Fairfax Veterinary Clinic	BOARD STRAY CATS	205.20
Farm Merchantile Inc.	SUPPLIES	476.85
Fobbe Contracting Inc	LOWER 2 FIRE HYDRANTS	1,300.00
Frontier Bar	SUPPLIES	224.08
Gibbon Lumber	GAS SUPPLIES	7.70
Gopher State One Call	LOCATES	60.90
Groebner & Associates	GAS SUPPLIES - CAP OUTLAY	1,187.73
Hanson & Vasek Constructio	CATCH BASIN REPAIR	7,800.00
Harry's Frozen Food	SUPPLIES FOR RESALE	120.50
Hawkins Water Treatment	CHEMICALS	1,005.11
Hector Police Department	POLICE RADAR UNIT	850.00
Heggies Pizza	SUPPLIES FOR RESALE	549.45
Hermel Wholesale	SUPPLIES FOR RESALE	1,215.45
J.T. Services	GAS SUPPLIES	29.60
Jahnke Water Inc.	SALT - LIQUOR STORE	253.30
Joel Grejtak	MN Rural Water	123.89
Johnson Bros. Wholesale	LIQUOR	4,640.38
KEEPERS Inc/Cy's Uniforms	PD UNIFORMS	1,261.05
Kiecker Plumbing & Heating	REPAIRS - BALL PARK	344.08
Kuechle Underground Inc	2012 STREET PROJECT	28,114.43
Le Bon DJ	DJ - LIQUOR STORE	675.00
Lindy Collection Service	COLLECTION FEE - LINDY'S	365.16
Locher Bros. Inc.	BEER	8,281.00
MN Department of Revenue	SEPT SALES TAX	10,051.00
MN Dept of Health	Joel Grejtak Water D license f	46.00
MN Municipal Utilities As	FIRSTLINE SUPERVISION - CRAIG	555.00
MN Valley Communications	CELL PHONE BATTERY	42.75
MN Valley Testing Lab.	WATER SAMPLE TESTING	25.50
Marcia Seibert-Volz	MILEAGE	64.41
Marlowe Garage	TRUCK REPAIRS	112.38
Martin Trucking, LLC	FREIGHT	153.80
Matheson Tri-Gas Inc	BEER GAS	109.90
Maynard's of Fairfax	SUPPLIES FOR RESALE	463.20
Mediacom	CABLE TV & INTERNET - BAR	511.53
Merchant Services	LIQUOR CREDIT CARD FEES	550.60
Mike Vait	2013 CIP REBATE	25.00
Mikes Auto Parts	TRUCK MAINT SUPPLIES	960.32
Minnesota South Central In	PD TRAINING	150.00
Moonlight Floor Cleaning	STRIP & WAX FLOORS - BAR	694.69
Neil Albrecht	2013 CIP REBATE	50.00
New Ulm Public Utilities	SALLSTROM GAS SERVICE	151,895.17
New Ulm Truck & Trailer In	REPAIR LIGHTS PD ENGINE #2	214.48
Nicklasson Athletic Compan	ENGRAVE PLATES FOR LIBRARY	9.86
North Ambulance	INTERCEPT 10-22-13	225.00
Northern Lights Dist.	SUPPLIES FOR RESALE	2,257.35
Northland Trust Services I	BOND PAYMENT	144,107.50
O & S Construction	BORING - ELECTRIC	30,543.00
Oxygen Service Company	AMBULANCE SUPPLIES	70.51
Phillips Wine & Spirits	LIQUOR PURCHASED	169.15
Pioneerland Library Sys.	Friends Cont. to purchase DVDs	8,489.50
Premium Waters Inc	OFFICE EXP - PD	18.00
Pro Hydro Testing LLC	HYDRO TESTING - FD	510.00
Q3 Contracting	CAP OUTLAY GAS - SALLSTROM	10,250.00
RVS Shredding	DOCUMENT SHREDDING	30.00
Red Feather	SUPPLIES	145.14
Renville Co. Recorder	record Schafer gas easement	46.00
Renville County	LANDFILL FEES	4,423.50
Revtrak Inc	REVTRAK FEES - OCT	725.80
Rose Case	2013 CIP REBATE	50.00
SEH	ARCHITECT FEES - AUDITORIUM	2,259.46
Schweiss Welding	GAS EQUIPMENT REPAIRS	145.55
Scott Froehlich	KEYBOARD & FINGERPRINT READER	59.95
SelectAccount	INSURANCE FEE	5.49

Southern Wine & Spirits of  
 State Treasurer  
 State of MN  
 Steve's Bakery  
 Sun Life  
 Tactical Solutions  
 Teal Schafer  
 Titan Machinery  
 Total Register Systems  
 Tow Distributing Corp.  
 Tyler Technologies  
 US Bank  
 USA Blue Book  
 University of MN College o  
 Verizon Wireless  
 Viking Coca-Cola Bo. Co.  
 WBM Wine & Spirits Inc.  
 Weis Oil  
 Wendinger Building  
 Wine Merchants  
 Xcel Energy  
 Younger & Walton PLLC  
 Payroll Expense

LIQUOR & WINE	2,727.59
State Treasurer	520.23
GAS ASSESSMENT	113.85
SUPPLIES FOR RESALE	245.28
Sun Life	26.50
RADAR CERT - PD	62.00
ALUMAHYDE FINISH SHOTGUN - PD	30.00
SWEeper BROOM	752.63
ANNUAL SOFTWARE SUPPORT	1,945.12
BEER	3,623.91
ANNUAL SOFTWARE MAINTENANCE	5,314.56
BOND PAYMENT	30,622.50
GAS SUPPLIES	125.28
PD TRAINING - DENNY	95.00
PHONE PD	360.51
POP	370.00
LIQUOR	1,305.51
DIESEL TAX CREDIT	1,927.41
Lions Park repairs-LMCIT INS>	755.00
WINE	256.00
MISO SCHEDULE 10 PASS THROUGH	5,470.42
ATTORNEY FEES	2,000.00
	67,374.17

**PERSONNEL POLICY:** Action tabled until Special Meeting November 20, 2013 at 7:00 p.m.

**Dog Ordinance Amendment: First Reading amending Section Chapter 78-2-A & 78-11-A**

**78-2-A. Running at large prohibited.** It shall be unlawful for any person who owns, harbors, or keeps a dog or at or the parents or the guardians of any such person under 18 years of age, to negligently or intentionally permit or fail to prevent the animal from running at large. Dogs or cats on a leash and accompanied by a responsible person or accompanied by and under the control and direction of a responsible person so as to be effectively restrained by command as by leash, shall be permitted in streets or on public land unless the City has posted an area with signs reading "Dogs or Cats Prohibited."

**Chapter 78-11-A. Attack by an animal.** It shall be unlawful for any person who owns, harbors, or keeps any animal, or the parents or the guardians of any such person under 18 years of age, to negligently or intentionally permit or fail to prevent the animal from inflicting or attempting to inflict bodily injury upon any person or other animal whether or not the owner is present. This section shall not apply to an attack by a dog under the control of an on-duty law enforcement officer or to an attack upon an uninvited intruder who has entered the owner's home without permission.

**HRA:** Robin Nesburg was present to discuss the separation of duties of HRA Director and Management of HRA Apartment complexes. HRA has promoted construction of homes in our community. The HRA has contributed \$ 146,000.00 to the New Home Construction Program since 1999. The Council needs to draft a contract between the HRA and City for services rendered to the HRA.

**Auditorium Project:** Tabled until estimates or quotes are available for the mechanical.

**Heartland Corn Products:** General consensus of the council was to inform Heartland Corn Products of the desire to extend the gas transportation contract for an additional ten (10) years.

**Special Assessments:** Cindy Hill was present to address the council concerning her special assessment in the amount of \$ 82.81 for plumbing the automatic read water meter. She requested the council remove the assessment. Council denied request. Motion by Lois Gilles, second by Todd Kiecker to approve the special assessment roll to Renville County. Motion carried.

**Fire Department:** Request to approve Jared Swanson as a member of the Fairfax Fire Dept. Motion by Todd Keicker, second by Lois Gilles to approve Jared Swanson as a Fire Dept. member. Motion carried.

Marcia Seibert-Volz Staff Reports:

**2014 Budget Considerations:** Craig Marti presented a quote for a civil defense siren. \$ 10,824.00. Following discussion it was decided to direct the City Attorney to check on whether the sirens need to be heard inside the home or just outside as a warning measure. Action was tabled to include in budget.

<b>Building permits:</b>	Walter Valentine	Handicap ramp	\$ 2,000.00
	Lois Kiecker	shingle	7,000.00
	Prinsco	Addition	44,000.00
	Dave Zollner	Siding	14,000.00
	Jerry Steinbach	siding shed	4,000.00
	Mark Tjosaas	door & decking	1,600.00

**Tom Palmer snow removal contract:** Motion by Brad Augustin, second by Lois Gilles to compensate Tom Palmer for snow blower/loader at \$ 150.00 per hour with a minimum for the season of \$ 3,000.00. Motion carried.

**Ambulance:** Katie Grams, Ambulance Captain, was present to inform the council on pricing for the power cot and stair chair. Motion by Lois Gilles, second by Todd Kiecker to purchase the stair chair \$ 2,666.25 and the power cot for \$12,473.36. Motion carried unanimously.

Also, discussed was Mutual Aid Agreements. The agreements will be presented at the next meeting.

Craig Marti Report: LMC Loss Control wants the City to consider purchasing a Man hole cover lift and spring hitch for trailers to reduce the risk of injury to employees. Quotes will be presented at the next meeting.

Scott Froelich Police Chief: Informed the Council the Police Committee directed him to obtain quotes for a dog kennel to be constructed at the Water Treatment plant site. He will present the estimates at the December meeting.

**Enforcement of Calendar Parking** was discussed. Motion by Lois Gilles, second by Todd Kiecker to increase parking citations to \$ 30.00. Motion carried.

**Pet Licenses:** Motion by Lois Gilles, second by Todd Kiecker to increase the pet license fee to \$ 10.00. Motion carried.

**Committee Reports:** Minutes from the Police, Liquor and EDA were in packet.

**Correspondence:** None

Motion by Lois Gilles, second by Todd Kiecker to adjourn. Motion carried. Meeting adjourned at 8:45 p.m.

  
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Mayor Doug Pomplun

ATTEST:

  
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Marcia Seibert-Volz, City Administrator

FAIRFAX CITY COUNCIL  
SPECIAL MEETING  
NOVEMBER 20, 2013  
7:00 P.M. IN COUNCIL CHAMBERS

Mayor called the meeting to order. Roll call was taken showing Mayor Pomplun, Councilors Lois Gilles, Cindy Fahey and Brad Augustin. Absent: Todd Kiecker.

The purpose of the meeting was to review the Personnel Policy. The draft was reviewed and the following changes made:

- Administration is replaced with City Council in definitions Article II of Regular Part-Time. On-Call Employee
- Add City Council to Article III section 3-2 paragraph 3 to state in the first sentence: Any person who feels that he/she has been discriminated against should contact their Supervisor, City Administrator or the City Council.
- Add to Article III Section 3-5 Residency Requirements. Police and Fire Department employees must have a response time of fifteen (15) minutes. Utility personnel must have a response time of twenty (20) minutes.
- Article III, Section 3-6 #4 to read Provision one, two and three above shall not apply to the hiring of on call Fire Department, Ambulance and temporary and seasonal employees. Remove CSO from number 4.
- Article IV The normal workday consists of eight (8) hours except the Police Department that works on twelve (12) hour shift.
- Article V The City of Fairfax does not restrict Full-time employees from engaging in outside employment. However, the City expects regular full-time employees to consider City work their primary employment. The employee's Supervisor, City Administrator, or council must approve outside employment.
- Article VIII section 8-2 The City pay period is Bi-Weekly. Change Payroll Department to City Administrator. Sec. 8-3 Change Finance Department to City Administrator in paragraph 3. Change compensatory time to not to exceed forty (40) hours. Change the position of City Administrator, Supt. of Street & Utilities, Liquor Store Manager will be entitled to forty (4) hours of comp time. This shall be noted on the pay plan. Eliminate 40 hours of overtime for said positions. Add Small police Department FLSA provision.
- Article IX section 9-1 Change Administration Dept. to City Administrator. Written resignation changed to 2 week notice.
- Article X Change Good Friday to Columbus Day to be used day after Thanksgiving. City office will be closed.
- Police Dept. Holiday pay will be for actual Holiday worked not observed.
- Accrual maximum reduced from 320 hours to 240 maximum.
- Article X section 10-2 paragraph 3 change major to 80 hours and provide 2 weeks notice.

- When requesting vacation time request should be in written form.
- Quarterly report on vacation, comp time and sick leave shall be given to the council.
- Article X section 10-8 Change City Administrator to City Council in regard to leave without pay.
- Article XI Benefits Add VEBA benefit and change City Administration Dept. to City Administrator
- Article IVX section 14-4 remove tools and unless the appropriate Department Head gives prior approval.
- Section 14-8 Travel Expenses. Change lodging Hotel expenses shall be reimbursed for the actual cost for single occupancy rate. Lodging expenses will not be reimbursed for activities held within the 75 miles radius of the City of Fairfax.
- Add 14-11 Amendments
- Add 14-12 Acknowledgement by Employee of receipt of Policy
- Dept. Heads notify Administrator of vacation time.
- Administrator notify council of vacation

Motion by Lois Gilles, second by Brad Augustin to adjourn. Motion carried.

Meeting adjourned at 9:30 p.m.



Mayor Doug Pomplun

ATTEST:



Marcia Seibert-Volz, City Administrator