

COUNCIL MEETING

DATE: November 13, 2012

TIME STARTED: 7:00 p.m.

TIME ENDED: 8:35 p.m.

MEMBERS PRESENT: Mayor Doug Pomplun; Councilmember, Cindy Fahey, Todd Kiecker, Brad Augustin.

MEMBERS ABSENT: Lois Gilles

Staff members present: Clerk Treasurer Administrator Marcia Seibert-Volz. Jack Kiecker, City Attorney Tom VanHon.

Meeting was called to order by Mayor Doug Pomplun.

APPROVAL OF THE AGENDA: Mayor requested an addition to agenda: Pay estimate #3 to Deming Construction in the amount of \$ 31,593.77. Motion by Cindy Fahey, second by Todd Kiecker to approve agenda with addition. Motion carried.

UNFINISHED BUSINESS: None

PUBLIC HEARING: Mayor opened public hearing on 2012 Street Assessments. Duane Hansel, Bolton & Menk, presented the information on the special assessments and the basis for the cost of the assessments. Motion was made by Brad Augustin, second by Todd Kiecker to adopt Resoluiton 2012-25 with an interest rate of 5% over fifteen years. Council polled: Cindy-no, Todd-no, Brad-no, Doug-no. Motion failed.

EXTRACT OF MINUTES OF MEETING OF THE CITY COUNCIL OF THE CITY OF FAIRFAX, MINNESOTA HELD NOVEMBER 13, 2012

Pursuant to due call and notice thereof, a Council meeting of the City Council of the City of Fairfax, Minnesota, was duly called and held at the city hall in said City on the 13th day of November 2012, at 7:00 o'clock P.M.

The following members were present: Mayor Doug Pomplun, Brad Augustin, Todd Kiecker, Cindy Fahey

And the following were absent: Lois Gilles

Member Brad Augustin introduced the following resolution and moved its adoption:

RESOLUTION 2012-25 RESOLUTION ADOPTING ASSESSMENT

WHEREAS, pursuant to notice duly given as required by law, the City Council has met, heard and passed upon all objections to the proposed assessment for Street Improvement of 2012, and has amended such proposed assessment as it deems just:

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Fairfax, Minnesota as follows:

1. Such proposed assessment, a copy of which is attached hereto and made a part hereof is hereby accepted and shall constitute the special assessment against the lands named therein, and each tract of land therein is hereby found to be benefitted by the proposed improvement.
2. Such assessments shall be as follows:
 - a. The assessments shall be payable in equal annual installments including principal and interest extending over a period of 15 years, with interest at the rate of 4.65 percent (4.65%) per annum, in the amount annually required to pay the principal over such period at such rate, the first of said installments to be payable with general taxes for the year 2012, collectible with such taxes during the year 2013. Interest shall accrue from an after December 31, 2012.
 - b. The owner of the property so assessed may at any time prior to the certification of the assessment to the County Auditor, pay to the City Treasurer, and thereafter at any time prior to November 15

of any year pay to the County Auditor, the whole of the principal amount of the assessment on such property provided that no such prepayment shall be accepted without payment of all installments due to and including December 31 of the year of prepayment, and the original principal amount reduced only by the amounts of principal included in such installments computed on an annual amortization basis.

3. The Clerk Treasurer Administrator shall forthwith transmit a certified duplicate copy of this assessment to the County Auditor to be extended on the tax list of the County.

The motion for the adoption of the foregoing resolution was duly seconded by member Todd Kiecker and upon a vote being taken thereon, the following voted in favor thereof: Mayor Doug Pomplun, Cindy Fahey, Todd Kiecker, Brad Augustin.

And the following voted against the same: none

Whereupon said resolution was declared duly passed and adopted.

PRESENTATIONS: Christina Clobes was present on behalf of the Fairfax Jaycees. The Jaycees are committing \$ 5,000.00 toward playground equipment at the Lions Park. Lanny Kiecker, Lions Organization, stated the Lion's will donate \$ 2,500.00 towards playground equipment. The request to the City Council was to match the donations with \$ 3,800.00 purchasing playground equipment at a maximum expenditure of \$ 11,300.00. Motion was made by Cindy Fahey, second by Todd Kiecker to budget \$ 3,800.00 for the equipment in 2013. Motion carried unanimously.

BID OPENING & QUOTES: Snow plow truck: Advertised the option to raise bid at meeting.

Brian Hillman	\$ 6,150.00
Volz & Frank	\$ 6,100.00

Jerry Volz was present and raised his bid to \$ 6,200.00. Motion by Todd Kiecker, second by Cindy Fahey to accept Volz & Frank bid in the amount of \$ 6,200.00. Motion carried.

CONSENT AGENDA: Motion by Todd Keicker, second by Cindy Fahey to approve consent agenda. Motion carried.

- 7.1 Approval of minutes dated October 9, 2012
- 7.2 MR Paving Final Pay est. 8 \$ 14,541.42 (2011 Street Project)
City \$ 5,935.90, County \$ 8,367.74, HRA \$ 238.78.
- 7.3 Kuechle Pay est. # 7 \$ 134,389.08.
- 7.4 Renew Casey's Tobacco and 3.2 Beer License.
- 7.5 Claims for payment

CLAIMS FOR PAYMENT:

A&B Business Equipment	COPIER MAINT CONTRACT	175.95
American Engineering Test	SOIL TESTING	1,151.10
American Red Cross - Healt	POOL EXPENSE	86.00
Ameripride Linen Services	LAUNDRY - LIQUOR STORE	449.66
Apple Time Inc	SAFETY NIGHT EXPENSE - PD	908.02
Arctic Glacier	ICE	48.88
Arneson Distributing Inc	BEER & POP	1,411.75
Arvig Communication System	INTERNET - PD	30.95
Bernicks Pepsi Cola	ICE MACHINE RENT & POP	1,154.60
Bernie Wenner	BUILDING INSPECTOR	902.56
Bolton & Menk	WATER TOWER/WATER METERS ENGINEERING	26,698.00
Border States	Electric Cap. Outlay	4,464.07
Bound Tree Medical, LLC	AMBULANCE SUPPLIES	529.81
Capital One, F.S.B.	WATER TRAINING, POSTAGE	373.20
Casey's	GAS	755.27

Center Point Large Print	LIBRARY BOOKS	555.48
Central Minnesota Municip	Power purchased	27,585.25
CenturyLink	TELEPHONE	1,304.59
Chip Steak & Provision Com	SUPPLIES FOR RESALE	1,593.24
City of Fairfax	UTILITY BILLS	7,679.51
Clobes Sanitation	GARBAGE contract & city pickup	3,257.40
Corner Cafe	ELECTION EXPENSE	116.34
DEMCO	LIBRARY SUPPLIES	30.72
Dakota Supply Group	GAS ERTS	1,249.28
Data Flow	YEAR END TAX FORMS	78.81
Dave's Full Service	GAS	754.50
Deming Construction	SIDEWALK Project	32,029.77
Department of Energy-WAPA	POWER PURCHASED	22,029.03
Duebers	SUPPLIES	109.07
Eric Fahey	MILEAGE	111.00
Fairfax Postmaster	POSTAGE - UTILITY BILLS	164.94
Fairfax Standard	ADVERTISING & PUBLICATIONS	610.08
Fairfax Veterinary Clinic	BOARD STRAY PETS	154.63
Farm Merchantile Inc.	SUPPLIES	428.53
Fleet Services - Dept of A	LEASE PMT SQUAD CAR	636.90
Frontier Bar	SUPPLIES - LIQUOR STORE	169.46
Gopher State One Call	LOCATES	59.45
HD Electronics Inc	BATTERY	61.23
Harry's Frozen Food	SUPPLIES FOR RESALE	146.00
Hawkins Water Treatment	CHEMICALS	10.00
Heath Consultants Inc.	GAS EQUIPMENT REPAIR	283.42
Heggies Pizza	SUPPLIES FOR RESALE	649.80
Hermel Wholesale	SUPPLIES FOR RESALE	735.40
Interior Accents	WINDOW SHADES - LIBRARY	2,208.00
J.T. Services	STREET LIGHT MAINT	11,934.61
Jim Dandy	SUPPLIES FOR RESALE	61.20
Johnson Bros. Wholesale	LIQUOR	4,510.19
Kiecker Plumbing & Heating	PLMG CHGS JUDY FARRELL	513.91
Kuechle Underground Inc	PAY EST 7	134,389.08
L.M.C.I.T.	WORKCOMP PREMIUM	745.00
Locher Bros. Inc.	BEER	5,363.50
M.R. Paving & Excavating	PAY EST 8 2011 STREET PROJECT	14,541.42
MN Chiefs of Police Assoc	OFFICE SUPPLIES - PD	34.09
MN Department of Revenue	SALES TAX	9,193.00
MN Dept Labor & Industry	POWER PLANT PERMIT	50.00
MN Rural Water Assn.	WATER CERT REFRESHER - ERIC F	225.00
MN Valley Testing Lab.	WATER SAMPLE TESTING	25.50
Marcia Seibert-Volz	MILEAGE	89.91
Mark Hofmann Installation	INSTALL CARPET IN BAR	150.00
Martin Trucking, LLC	FREIGHT	185.90
Matheson Tri-Gas Inc	BEER GAS	97.13
Maynard's of Fairfax	SAFETY NIGHT EXPENSE - PD	627.49
Mediacom	CABLE TV & INTERNET - BAR	461.59
Merchant Services	LIQUOR CREDIT CARD FEES OCT	454.87
Mikes Auto Parts	VEHICLE MAINT	606.88
Minnesota Dept. of Health	Eric Fahey Class D Water license	23.00
Missouri River Energy Ser	MONTHLY FEE	500.00
New Ulm Public Utilities	NATURAL GAS PURCHASE, TRANSP. INSTALLS	69,813.19
North EMS Educations	CONTINUING ED - AMBULANCE	4,110.00
Northern Lights Dist.	SUPPLIES FOR RESALE	2,343.16
Northland Trust Services I	BOND PAYMENT	254,653.75
Office Depot	PRINTER INK	25.96
Oxygen Service Company	AMBULANCE SUPPLIES	36.41
Paradigm Liaison Services	2011 MN CAER PROGRAM FEE	1,320.00
Phillips Wine & Spirits	LIQUOR	631.10
Pitney Bowes Inc.	POSTAGE	519.99
ProAction Safety & Sales	SQUAD CAR REPAIRS	362.04
RVS Shredding	DOCUMENT SHREDDING	30.00
Red Feather	SUPPLIES - BAR	73.64
Reese O. Klawitter	DJ - LIQUOR STORE	250.00
Renville County	LANDFILL FEES	4,261.50
Revtrak Inc	REVTRAK FEES - OCT	489.69
Schefus Towing	TOW PICKUP FOR PD	65.00
Southern Wine & Spirits of	LIQUOR & WINE	4,211.39
Spreadshirt, Inc.	Liquor store t-shirts	430.50
State of MN	GAS METER ASSESSMENT	57.01

Steve's Bakery	SUPPLIES FOR RESALE	204.68
Sun Life	premium	12.00
Tapper's Beer Line Servic	CLEAN BEER TAPS	32.50
The Jonny Bird Show	DJ - LIQUOR STORE	350.00
Tom VanHon	ATTORNEY FEES OCT & NOV	2,000.00
Tow Distributing Corp.	BEER	6,684.36
Treats Home Center	CARPET FOR LIQUOR STORE	327.06
Tyler Technologies	SOFTWARE ANNUAL LICENSE	5,138.45
US Bank	BOND PAYMENT	26,128.75
Verizon Wireless	TELEPHONE	325.56
Viking Coca-Cola Bo. Co.	POP	104.50
WM Mueller & Sons Inc	STREET PATCHING	9,808.00
Weis Oil	GAS	1,791.00
Xcel Energy	TMI TRANSMISSION & MISO 10 PASS THRU	8,578.20
Younger & Walton PLLC	ATTORNEY FEES	1,000.00
Payroll Expense		73,390.64

RS FIBER: RS Fiber is experiencing difficulty in obtaining an opinion from bond counsel for the individual communities. The executive board is checking different bond counsel attorneys to offer an opinion for the RS Fiber project on behalf of the thirteen communities. Sibley County dropped out. This is informational and currently no action is required.

CANVASS OF ELECTION:

**CITY OF FAIRFAX
CANVASS OF ELECTION**

The following is a true and correct statement of the results of the counting and canvass of voted ballots at the City Election held November 6, 2012 as proclaimed to the voters by the Clerk of the Election.

FOR THE OFFICE OF MAYOR:

Doug Pomplun	457
Write In	20

FOR OFFICE OF THE COUNCIL (Four Year Term)

Cindy Fahey	379
Lois Gilles	287
Larry Dallman	231
Write In	9

Following the examination of the City election returns of November 6, 2012 a motion duly made by Brad Augustin, second by Todd Kiecker, it was voted to approve the returns of said election and results as reported by the Judges thereof; and direct the City Clerk-Treas. Administrator to include the statements of results of the canvass of said election with and as part of the minutes of this meeting.

FIRE DEPARTMENT: Jim Schroeder, Fire Chief, requested the council approve membership of Kelsey Victor to the Ambulance Service and Matt Harding as a Fire & First Responder to the Fire Department. Motion by Cindy Fahey, second by Todd Kiecker to approve the two new members. Motion carried. Following completion of training by new members the Fire Department has twenty-four (24) members; 19 Fire & EMT, 2 EMT's, 3 First Responders.

Fire Chief requested an increase in officer's pay. Motion by Cindy Fahey, second by Todd Kiecker to increase the Fire Chief from \$700.00 to \$ 1,000.00, Assistant Ambulance Captain \$ 150.00, and the Assistant Chief from \$ 200.00 to \$ 500.00. Motion carried.

EDA: EDA requested the city council abate the assessments on the Hauser parcel. Motion by Brad Augustin, second by Cindy Fahey to abate the assessments on the Hauser parcel contingent on the EDA purchasing the property. Motion carried.

STAFF REPORTS:

Marcia Seibert-Volz: Building Permits issued in October follow:

- Jim Weir shingle 7,040.00

• Brian Planque	Siding & windows	1,400.00
• Ruth Benedict	misc. repairs	1,000.00
• Selma Maxwell	shingle	6,500.00
• Harold Johnson	shingle	12,500.00
• Tom Borth	siding & shingle	7,000.00
• Kevin Johnson	shingle	4,500.00
• MaryJane Bakken	shingle	4,000.00
• Steve Volz	garage	19,950.00
• Richard Weikle	shingle	8,500.00
• Tony Powers	shingle	3,000.00
• John Dover	shingle	3,500.00
• Steve Elmer	shingle	3,800.00
• Scott Marti	garage door	2,500.00

City Administrator recommended terminating contract with Missouri River Energy Services. Motion by Todd Kiecker, second by Cindy Fahey to terminate contract with Missouri River Energy Services for Distribution Maintenance Assistance. Motion carried.

Request council to allow Bolton & Menk to start surveying for the 2013 Street Project. General consensus of the council approved.

Pioneerland's Criteria for combining Head Librarian Positions was presented to the council for review.

An updated Water Fund cash flow analysis was presented to the council

Phase I of the Well Head Protection Plan is started with assistance from Pollution Control Agency.

Kevin Hagen –Police Report: Public Safety Night went well. An estimate that a little over 200 people were served. The old library remodel has been put out on bids. There is still shelves in the library that the police department does not need. City Administrator suggested installing them in the basement at city hall. Council approved. A memorial for victims of 911 and to police, fire, and EMS that have lost their lives in the line of duty was presented to the Police Chief. It is just conversation at the present. An SRO meeting was held and Officer Bradseth will be supplying updates for the city council each month.

COMMITTEE REPORTS:

Liquor Committee: Minutes were presented.

COORESPONDENCE: Friends from the Fairfax Library minutes were presented.

COUNCIL CONCERNS:

Tom Van Hon resigned as City Attorney effective December 1st, due to the fact, he has been appointed a judge. Council thanked him for all his years of service and congratulated him on his new position. Aaron Walton was recommended for the City Attorney position.

ADJOURNMENT: Motion by Brad Augustin, second by Cindy Fahey to adjourn at 8:35 p.m. Motion carried.

Mayor Doug Pomplun

ATTEST: _____
Marcia Seibert-Volz, City Administrator