

COUNCIL MEETING

DATE: March 8, 2016

TIME STARTED: 7:00 p.m.

TIME ENDED: 8:00 p.m.

MEMBERS PRESENT: Mayor Lois Gilles, Ross Nachreiner, Cindy Fahey, Jenny Hazelton, Josh Bunkers

MEMBERS ABSENT: none

Meeting was called to order by Mayor Lois Gilles.

PLEDGE OF ALLEGIANCE

ROLL CALL: All members present. Staff present: City Administrator Marcia Seibert-Volz; Supt. of Sts. & Utilities Eric Nelson; City Attorney Aaron Walton.

APPROVAL OF THE AGENDA: Motion by Jenny Hazelton, second by Cindy Fahey to approve the agenda. Motion carried unanimously.

UNFINISHED BUSINESS: none

PUBLIC HEARING: MnDOT open house for T.H. 19 project in 2016 will be held at the Fairfax Community Center on Thursday, March 31st from 4:30 p.m. – 5:30 p.m.

BID & QUOTES: Proposal to install equipment to Make (2) Caterpillar Diesel Engines NESHAP Compliant.

Ziegler \$ 49,758.00

Midstates Erectors, Inc. \$ 47,418.00

Eric Nelson requested the council award the bid to Ziegler due to the generators are Caterpillar and Ziegler installed and maintains the generators. Motion by Jenny Hazelton, second by Josh Bunkers to award the contract to Ziegler in the amount of \$ 49,758.00.

PRESENTATIONS: none

CONSENT AGENDA: Motion by Josh Bunkers, second by Cindy Fahey to approve consent agenda. Motion carried.

- Approval of the minutes dated February 9, 2016 & Special Meeting dated February 27, 2016
- Following claims for payment

4-Square Builders	Electric Warehouse & Community Ctr.	29,905.00
A&B Business Equipment	COPIER MAINT CONTRACT	69.39
Ameripride Linen Services	LAUNDRY - BAR	235.68
Arneson Distributing Inc	BEER	342.55
Arnold's of Glencoe	KABOTA REPAIR	16.29
BNG Technologies LLC	SOFTWARE SUPPORT - BAR	477.88
Bellboy Corporation	LIQUOR	1,472.90
Bergmann Interiors LLC	window treatments at Com Ctr	4,309.00
Bernicks Pepsi Cola	ICE MACHINE RENT & POP	1,076.85
Bernie Wenner	BUILDING INSPECTOR	60.00
Bolton & Menk	ENGINEERING	7,573.49
Bound Tree Medical, LLC	AMBULANCE SUPPLIES	411.59
C & N Sales	ATM - BAR	30.46
CLIA Laboratory Program	AMBULANCE FEE	150.00
Capital One, F.S.B.	North Memorial Med. training	856.00
Casey's	GAS	315.09
Central Community Transit	PUBLIC TRANSIT SYSTEM	1,943.00
CenturyLink	TELEPHONE	1,306.05
Chip Steak & Provision Com	SUPPLIES FOR RESALE	1,160.03
City of Fairfax	UTILITY BILLS	11,066.87
Clobes Sanitation	GARBAGE CONTRACT	3,657.78
Commercial Pool Seminars	CPO registration	518.00
Dave's Full Service	GAS	1,273.35

Department of Energy-WAPA	POWER PURCHASED	25,227.86
Derk's Windows	window washing City hall & Ctr	340.00
Diversified Inspections	SAFETY INSP BUCKET/DIGGER DERR	878.70
Early Bird Bakery	SUPPLIES FOR RESALE	180.48
Ecolab Pest Elimination	PEST CONTROL	162.61
Eide Bailly LLP	2015 AUDIT	11,200.00
Everest Emergency Vehicles	SUSPENSION SYSTEM AMBULANCE	1,627.32
Fairfax Postmaster	POSTAGE - UTILITY BILLS	365.09
Fairfax TV & Appliance	FAN FOR BEER COOLER	3,053.10
Farm Merchantile Inc.	SUPPLIES, COMMUNITY CTR	22,388.16
First Systems Technology I	FLOW METERS - WATER PLANT	2,247.20
Frontier Bar	SUPPLIES FOR RESALE	697.70
Gag Sheet Metal, Inc.	COMMUNITY CENTER PROJECT	11,961.00
Gislason & Hunter LLP	ATTORNEY - GAS CONTRACTSS	412.50
Gopher State One Call	LOCATES	14.50
Graham Tire Fairmont	TIRES - PD	554.64
HD Supply Waterworks LTD	EQUIPMENT PARTS	56.64
Harry's Frozen Food	SUPPLIES FOR RESALE	50.75
Hawkins Water Treatment	CHEMICALS	764.56
Heggies Pizza	SUPPLIES FOR RESALE	244.20
Hermel Wholesale	SUPPLIES FOR RESALE	1,624.69
J.T. Services	STREET LIGHTS	3,225.00
Jahnke Water Inc.	WATER - LIBRARY	5.85
Jandl Cabinets &	COMMUNITY CENTER PROJECT	4,331.00
Johnson Bros. Wholesale	LIQUOR	2,406.21
Jud Hailey	BAND EXPENSE	800.00
KEEPRS Inc/Cy's Uniforms	UNIFORMS - PD	199.96
KMAC Inc	gypcrete - community center	5,375.00
KNUJ AM	ADVERTISING - BAR	51.00
Kiecker Plumbing & Heating	UNPLUG FLOOR DRAIN - POWER PLA	210.00
League of MN Cities	MEETING REGISTRATION-IMC	20.00
Lincoln Marketing Inc MN	ADVERTISE BAR - RESIDENT GUIDE	399.00
Locher Bros. Inc.	BEER	3,825.75
MN Department of Commerce	CIP ASSESSMENT	225.84
MN Department of Revenue	FEB SALES TAX	9,087.00
MN Dept. of Health	STATE WATER FEE JAN-MAR	877.00
MN Valley Testing Lab.	WASTE WATER TESTING	84.75
Matheson Tri-Gas Inc	BEER GAS	359.22
Maynard's of Fairfax	SUPPLIES FOR RESALE	98.54
Mediacom	CABLE TV & INTERNET - BAR	570.16
Mikes Auto Parts	EQUIPMENT MAINT	922.51
New Ulm Public Utilities	NATURAL GAS & CAPACITY	103,581.01
Norm Erickson	EQUIPMENT REPAIRS	239.78
North Ambulance	INTERCEPT 2-19-16	225.00
Northern Lights Dist.	SUPPLIES	2,950.80
Office Ally	AMBULANCE EXPENSE	19.95
One Office Solution	TABLES & CHAIRS	10,850.06
Paradigm Liaison Services	2016 MN CAER PROGRAM FEES	1,220.00
Paustis Wine Company	WINE	676.00
Petrea Miketey	REIMB AMBULANCE TRAINING	400.30
Physio-Control Inc	GATEWAY DATA PLAN - AMBULANCE	596.88
Pioneerland Library Sys.	IPAD, LAPTOPS, PRINTER - LIBRARY	1,791.90
Pitney Bowes Inc.	POSTAGE	520.99
Premium Waters Inc	WATER - PD	15.15
ProAction Safety & Sales	FD GRASS RIG UPFIT 2016 FORD	5,920.37
RVS Shredding	SHREDDING SERVICE	30.00
Ransacked	BAND EXPENSE	600.00
Red Feather	SUPPLIES	207.15
Renville County	LANDFILL FEES	2,594.88
Select Account -VEBA	INSURANCE FEE	253.20
Southern Minnesota Inspect	INSPECT HOLSTS	459.05
Southwest Initiative Found	2016 CONTRIBUTION	800.00
Standard-Gazette & Messeng	PUBLISHING	392.80
Streichers	POLICE EQUIPMENT	37.97
Tapper's Beer Line Servic	CLEAN BEER TAPS	52.00
Titan Machinery	EQUIPMENT MAINTENANCE	469.71
Total Glass	COMMUNITY CENTER WINDOWS/DOORS	22,643.07
Tow Distributing Corp.	BEER	3,126.37
Tyler Technologies	EQUIPMENT MAINT CONTRACT	806.68
UPS	SHIPPING	228.95
Verizon Wireless	TELEPHONE	222.29

Viking Coca-Cola Bo. Co.	POP	174.50
Viking Industrial Center	EQUIPMENT PARTS	123.51
Vinocopia Inc	WINE	115.50
Volz & Frank	Elec. Warehouse siding & CTR LABOR	21,050.00
Weis Oil	GAS	1,256.22
West Central Communicatio	BATTERY - FD	111.00
Younger & Walton PLLC	ATTORNEY FEES	2,200.00
Payroll Expense		44,614.37

AMENDMENT TO CHAPTER 246:

Chris Geyen was present to address the council. He did not agree with the process and was opposed to the Amendment. Presented a petition to the council with signatures requesting motion 246-1 A & B & C Dismissed and if the City wants to make a new law on this or any further laws that it be held to a vote at elections November voting. General consensus was the timing wasn't perfect to send notices due to the weather and condition of yards. The Police Department is going to extend the deadline to April 15, 2016. Fifty-four letters were sent out and only ten (10) asked for an extension and four (4) did not respond. No action was taken on the petition or the amendment to Chapter 246.

Bolton & Menk, Andy Kehren, presented the preliminary plans and cost estimates for the 2016 Street and Utility Project. The project includes 2nd Ave. SE from vacated 3rd St. SE to 4th St. SE, Second Ave. SE from 4th St. SE to 5th St. SE. Total Project Cost is \$ 572,790.00. Motion by Ross Nachreiner, second by Josh Bunkers to adopt Resolution 2016-09. Motion carried.

RESOLUTION 2016-09

RESOLUTION RECEIVING REPORT, CALLING HEARING ON IMPROVEMENT AND ADVERTISING FOR BIDS.

WHEREAS, pursuant to resolution of the council a report has been prepared by **Bolton & Menk** with reference to the 2016 Street Improvement, 2nd Ave. SE from 1st Street SE to 5th St. SE.

WHEREAS, The Council has been advised by the consulting engineers that said Street Improvement of 2016 are necessary, cost-effective, and feasible and should be made as proposed, and the consulting engineers' report to this effect has heretofore been received by the Council, and filed with the Clerk-Treasurer Administrator.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF FAIRFAX, MINNESOTA:

1. The council will consider the improvement of such street in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429 at an estimated total cost of the improvement of \$ 572,790.00 .
2. A public hearing shall be held on such proposed improvement on the 12th day of April 2016, at 7:00 p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.
3. The City Council shall advertise for bids. The Clerk Treasurer Administrator shall cause to be inserted in the official paper and in the Finance and Commerce an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 3 weeks, shall specify the work to be done shall state that bids will be opened on April 11th, 2016 at 10:00 a.m. in the council chambers and will be considered by the council on Tuesday, April 12th, 2016 at 7:00 p.m. and that no bids will be considered unless sealed and filed with the clerk and accompanied by a cash deposit, cashier's check, bid bond, or certified check payable to the city for 5 % of the amount of each bid.

Ambulance Rates: Motion by Cindy Fahey, second by Jenny Hazelton to approve Resolution 2016-08. Motion carried.

RESOLUTION # 2016-08

RESOLUTION SETTING AMBULANCE RATES FOR THE CITY OF FARIFAX AMBULANCE SERVICE.

WHEREAS, the City of Fairfax is the authority for establishing ambulance rates, and

WHEREAS, the costs associated with the BLS service warrants a rate increase.

NOW THEREFORE BE IT RESOLVED, the City of Fairfax established rates for the ambulance service as follows:

BLS Base Rate	\$ 725.00
Non-Transport	\$ 250.00
Mileage	\$ 13.45/mi. 1-17 loaded miles
	\$ 9.00/mi. 18-50 loaded miles

Hours paid EMT'S for transports:

New Ulm	2.5 hours
Sleepy Eye	1.5 hours
Redwood Falls	2 hours
Mankato	3 hours
Hutchinson	3 hours
Non-Transport	1 hour

SEAL COAT PROJECT: The City of Olivia extends an invitation to neighboring Cities to joint venture with them for a seal coat project in 2016. Motion by Jenny Hazelton, second by Cindy Fahey to accept the joint venture with Olivia for the 2016 Street Seal Coat project. Motion carried.

DIGITAL IMAGES/SOCIAL MEDIA POLICY FOR FIRE DEPT. & EMS: Motion by Ross Nachreiner, second by Cindy Fahey to adopt the Policy for Fire Dept and have the Fire Dept. receive the policy and the social media policy adopted previously for all employees. Motion carried.

Digital Images/Social Media Policy For Fire Departments and EMS

Policy statement: The purpose of this policy is to protect nonpublic employee data, medical patients, the public, the operations of the Fire, Rescue & Ambulance Department, (herein "Dept.") and public confidence in the Department and its employees. This policy is not intended to limit the right to freedom of speech or expression, but is intended to protect the rights of this organization, its members, and the public they are sworn to protect. Employees and volunteers are advised that their speech, directly or by means of instant technology either on or off duty and in the course of their official duties that has a connection to their professional duties and responsibilities, may not be protected speech under the First Amendment. Speech that impairs or impedes the performance of the Department, undermines discipline and harmony among co-workers, or negatively affects the public perception of the Department may be sanctioned.

1. **Ownership of Work-Related Images.** All photos, videos, digital images, or recordings taken by any employee or agent of the Department while responding to any fire or other emergency or while engaged in any training are "work-related images" and are the property of the City of Fairfax. Work-related images include, but are not limited to, any written, auditory, and/or visual messages communicated via or on Department resources or via or on personal devices and/or social media, videos, or pictures gathered while on Department/City business.
2. **Permission to Take Work-Related Images.** Work-related images shall not be taken of any emergency response, training exercise, or fire except as permitted by policy or as directed by the Fire Chief or Information Officer. All work-related images shall be taken using Department-issued equipment, unless otherwise directed by the officer in charge of the scene. Work-related images taken by the Department employees using privately owned equipment are also governed by this policy.
3. **Reasons for Taking Work-Related Images.** Photos or other recordings may be taken to assist in the diagnosis or treatment of accident/fire victims. Such images should be forwarded to the appropriate medical care provider and then be deleted from the Department/City files. Work-related images, including recordings showing possible evidence of a crime, must be forwarded to law enforcement. Other work-related images used for internal, departmental purposes such as training or publicity shall be taken in a manner that minimizes the possibility of identifying accident victims.

4. Control and Dissemination of Work-Related Images. All work-related images shall be stored in the Department's computer system and be governed by the City's records management policies and procedures. Work-related images shall not be stored, retained, or disseminated in any manner by anyone other than the officer(s) appointed to review all images and approve retention, release, or dissemination and cannot be used for personal profit or business interests or to participate in personal political activity.
5. Professionalism and Public Confidence. The appearance of professionalism is important to public safety and the public's confidence and trust. Accordingly, an employee's personal use of social media shall not use any work-related images, department logos, or any images which depict an employee in any uniform or in which the employee uses their job title or is otherwise identified as an employee of the department, without prior approval from an officer appointed to review all images and approve release and dissemination of such images. Similarly, in order to maintain the appearance of professionalism and public confidence, no employee shall post any material on any social media that is detrimental to the Department/City's effective operation. Employees shall not disseminate protected, private, nonpublic, or confidential information including, but not limited to, the following:
 - (a) Matters that are under investigation.
 - (b) Patient and employee information protected by HIPAA/medical confidentiality laws.
 - (c) Personnel matters/data that are protected from disclosure by law.
6. Definition of Social Media. Social media shall be defined as any publicly shared medium where users post content or share files. Examples of social media include, but are not limited to, Facebook, Twitter, Snapshot, and Instagram.
7. Reporting Violations. Any employee becoming aware of or having knowledge of a posting or of any website or webpage in violation of this policy may anonymously report possible violations to any department officer or supervisor.
8. Penalties for Violation of Policy. Violation of this policy may be considered an extraordinary breach of the public's expectation of privacy and of the Department rules and regulations regarding the use of social media and may subject the offender to discipline and possible termination of employment.

COMMUNITY SOLAR PROJECT. CMPAS is requesting RFP's for community solar projects. Following discussion the council requested to have a representative from CMPAS attend the next council meeting to present the project and answer questions on EPA compliance.

COMMUNITY CENTER: Motion by Jenny Hazelton, second by Cindy Fahey to purchase window treatments from Bergmann Interiors in the amount of \$ 8,616.67. Motion carried.

Staff reports:

City Administrator, Marcia Seibert-Volz

Update on the Community Center: The community center is completed with the exception of window treatments. Not all invoices have been received for the project. The total project costs will be presented at the April meeting.

Supt. of Street & Utilities Eric Nelson: Supt. gave update on the following:

- Having the community signs repainted
- Started street sweeping.
- Replaced light bulbs at the baseball park. Had to rent a crane to reach them.

Liquor Store Manager: Wine & Beer Tasting is being held on March 11th from 5:30 p.m. to 8:00p.m. at community center.

Fire Chief: Joel Grejtak presented the Renville County Mutual Aid Agreement between Fire Departments. This was for feedback to County and is only a preliminary draft for discussion. The Rural Fire Association requested the City Council consider charging for fires within the city limits. Currently, rural residents are charged a fee for fire calls that are responded to by the Fairfax Fire Dept. The City administrator was directed to check with area communities on what they charge and place it on the agenda for consideration next month.

Police Report: None

Committee Reports: none

Correspondence: none

Council concerns: none

Adjournment: Motion by Cindy Fahey, second by Jenny Hazelton to adjourn at 8:00 p.m. Motion carried unanimously.

Mayor Lois Gilles

ATTEST: _____
Marcia Seibert-Volz, City Administrator