

**Barnesville City Council
Regular Meeting
October 14, 2013**

Mayor Dahnke called this regular meeting to order at 7:00 p.m. Members present were Mayor Dahnke and Council members Betty Strom, Richard Sylvester, Cathy Enstad, Larry Davis, Jr. and Jason Rick. Others in attendance were, City Administrator Mike Rietz, Sara Nyhus-Wear with Ohnstad Twichell, City Clerk Jeri Reep, EDA Director Karen Lauer, Finance Director Laurie Schell, Police Chief Dean Ernst, TEC Manager Guy Swenson, Public Works Supt. Terry Ysteness, Joel Paulson with KLJ Engineering, Mike Sonmor with People Service, Phil Trowbridge, Margaret Follingstad, Todd Hagen with Ehlers & Assoc., Eric Newell, and Jacob Underlee with the Record Review.

Mayor Dahnke asked City Administrator Mike Rietz to take roll call.

The next item on the agenda was the pledge of allegiance. All rose to recite the pledge of allegiance.

Mayor Dahnke next asked if there were any corrections or additions to the agenda. City Administrator Mike Rietz stated the following items needed to be added: change the partial pay request number 2 for the Commercial Park Expansion District to the final pay request, remove from the agenda the item of the approval of the City's share of additional costs for the Commercial Park Expansion district, add the liability coverage waiver insurance, and a update on the Dollar General store.

10-14-13-01 Motion by Mr. Sylvester and second by Mrs. Strom to approve the agenda as presented with the following changes: change the partial pay request number 2 for the Commercial Park Expansion District to the final pay request, remove from the agenda the item of the approval of the City's share of additional costs for the Commercial Park Expansion district, add the liability coverage waiver insurance, and a update on the Dollar General store. Motion carried.

10-14-13-02 Motion by Mr. Rick and second by Mrs. Enstad to approve the consent agenda as presented. The following voted aye: Council members Rick, Strom, Sylvester and Enstad. The following abstained from the vote: Council member Davis. Council member Davis stated he abstained since he submitted the Fire Dept. gambling permit. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on September 9, 2013.
2. Approval of the department head reports.
3. Approval of check numbers 76412 – 76620 in the amount of \$476,974.67 and EFT's in the amount of \$308,869.46.
4. Approval of gambling permit for Barnesville Fire Dept-Jan. 31, 2014.
5. Approval of 3rd quarter transfers.
6. Approval of lot merge request-711 5th Street SE
7. Approval of vendor agreement with Energy Assistance program for 2013-2014.

8. Appoint election ballot board.
9. Accept the resignation of Recycling attendant Marlin Ackerson.
10. Approval of travel for TEC Manager Guy Swenson to attend the Missouri River Energy Services meeting-Oct. 23, 2013.
11. Accept the resignation of EMT Thomas Suko.

Mayor Dahnke stated the next item on the agenda was the board and commission reports.
Council member Sylvester stated that the airport is still open.
Mayor Dahnke stated the Fire board would be meeting soon.

10-14-13-03 Motion by Mr. Davis and second by Mrs. Strom to approve the board and commission reports as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the appointment to fill the open Ward 2 council seat.

10-14-13-04 Motion by Mr. Sylvester and second by Mr. Davis to table this appointment to the November regular meeting. Council member Davis stated that there is no need to appoint someone at this time, let the voters decide, and make the appointment after the election. Motion carried.

Mayor Dahnke stated the next item on the agenda was the service hook up agreement with Barnesville Lumber, Inc.

City Administrator Mike Rietz informed council members that this agreement with Barnesville Lumber is to hook-up to the new water line being installed as a part of the infrastructure improvements project 2013-1. Mr. Jeremy Krause has agreed to this agreement.

10-14-13-05 Motion by Mr. Davis and second by Mr. Rick to approve the service hook-up agreement with Barnesville Lumber. Motion carried.

Mayor Dahnke stated the next item on the agenda was the bond pre-sale report for the Infrastructure Improvement District 2013-1.

Mr. Todd Hagen with Ehlers & Associates next approached the council and stated that the \$350,000.00 bond would be a standalone bond. The City of Barnesville has a A rating. Mr. Hagen stated the council would need to hold a special council meeting to award the sale of the bonds.

10-14-13-06 Motion by Mr. Davis and second by Mr. Rick to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

Resolution No. 10-14-13-06
Resolution Providing for the Sale of

\$350,000 General Obligation Improvement Bonds, Series 2013A

- A. WHEREAS: the City council of the City of Barnesville, Minnesota has heretofore determined that it is necessary and expedient to issue the City's \$350,000 General Obligation Improvement Bonds, Series 2013A (the "Bonds"), to finance the construction of various street and utility improvements to the Barnesville improvement District in the City; and
- B. WHEREAS: the City has retained Ehlers & Associates, Inc, in Roseville, Minnesota ("Ehlers"), as its independent financial advisor for the Bonds and is therefore authorized to solicit proposals in accordance with Minnesota Statutes, Section 475.60, Subdivision 2(9);

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

- 1. Authorization; Findings. The City Council hereby authorizes Ehlers to solicit proposals for the sale of the Bonds.
- 2. Meeting; Proposal Opening. The City Council shall meet at a special meeting prior to November 11, 2013 at 6:00 p.m. on October 30, 2013 for the purpose of considering proposals for and awarding the sale of the Bonds.
- 3. Official Statement. In connection with said sale, the officers or employees of the City are hereby authorized to cooperate with Ehlers and participate in the preparation of an official statement for the Bonds and to execute and deliver it on behalf of the City upon its completion.

Whereupon said resolution was declared duly passed and adopted.
Dated this 14th day of October, 2013.

City Administrator

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2013-11.

City Administrator Mike Rietz informed council members that this is the 1st reading to rezone the Ernst property from R-1 to C-2. The Planning Commission recommends this change.

10-14-13-07 Motion by Mr. Davis and second by Mr. Sylvester to approve the 1st reading of Ordinance 2013-11. Motion carried.

ORDINANCE NO. 2013-11

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF BARNESVILLE, MINNESOTA, AS ADOPTED IN SECTION 7-0201 OF THE BARNESVILLE CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARNESVILLE, MINNESOTA:

SECTION 1. Amendment. The Official Zoning Map of the City of Barnesville, Minnesota, as adopted in Section 7-0201 of the Barnesville City Code (the Barnesville Zoning Map), is hereby amended as follows:

The district as shown upon the following described area shall be and the same is hereby rezoned from R-1(Single Family Residential) to C-2 (Commercial District):

All of Ermas Garden Addition in the City of Barnesville, Clay County, Minnesota.

SECTION 2. Amendment of Zoning Map. The proper City Officials are hereby authorized to amend and change the Barnesville Zoning Map to correspond thereto.

SECTION 3. Effective Date. This ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

PASSED by the City Council of the City of Barnesville this 12th day of November, 2013.

APPROVED BY:

Mayor

ATTEST:

City Clerk

First Consideration: October 14, 2013
Second Consideration: November 12, 2013
Approved: November 12, 2013
Date of Publication: November 18, 2013

Mayor Dahnke stated the next item on the agenda was the final pay request for the commercial Park Expansion District.

City Administrator Mike Rietz informed council members that he had met with City Attorney John Shockley, Moore Engineering, Sellin Brothers, and Mark Sand & Gravel to discuss the cost of the additional half inch of asphalt that was installed on the old section of the road. Mr. Rietz stated that all parties are in agreement for the final payment for this project.

10-14-13-08 Motion by Mr. Davis and second by Mrs. .Enstad to approve the final payment to Sellin Brothers in the amount of \$46,289.00 for the Commercial Park Expansion District No. 1. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Old City Hall elevator project bids.

City Administrator Mike Rietz informed council members that the following bids had been received:

Bob Bristlin & Son Construction Co.	\$284,000
Alt - #A-1	18,900
Alt- #A-2	13,500
Alt #A-3	6,700
Gast Construction Co., Inc.	\$283,000
Alt #A-1	19,300
Alt. #A-2	10,250
Alt. #A-3	5,850
T.F. Powers Construction Co.	\$302,300
Alt. #A-1	19,800
Alt. #A-2	12,000
Alt. #A-3	6,600

Mr. Rietz was recommending we table a decision until the November regular council meeting. The bids are good for 60 days. Mr. Rietz stated that the asbestos removal will be in addition to these costs.

10-14-13-09 Motion by Mr. Davis and second by Mr. Sylvester to table the bids on the elevator project for Old City Hall to the November regular meeting. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Old City Hall information gathering process.

City Administrator Mike Rietz discussed the gathering process for the Old City Hall. KLJ Engineering will run the public meeting to gather input from the general public. Staff was recommending holding the public meeting on October 30, 2013 at 6:00 p.m.

10-14-13-10 Motion by Mr. Sylvester and second by Mr. Davis to hold a public meeting at Old City Hall on October 30, 2013 at 6:00 p.m. to discuss the possible uses for old City Hall. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution to release a utility easement.

City Administrator Mike Rietz stated that this resolution is releasing the utility easement on the east side of Lot 2, block 1 of Heartland 2nd Addition and on the west side Lot 3, Block 1 of Heartland 2nd Addition. These lots have been merged, resulting in the easement running down the middle of the parcel.

10-14-13-11 Motion by Mr. Davis and second by Mrs. Strom to approve the following resolution. Upon a roll call vote, the following voted aye: Council member Rick, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

RESOLUTION TO RELEASE, CANCEL, AND TERMINATE A PORTION OF THE 10-FOOT UTILITY EASEMENT ALONG THE EAST SIDE OF LOT 2, BLOCK 1, OF HEARTLAND SECOND ADDITION TO THE CITY OF BARNESVILLE, CLAY COUNTY MINNESOTA, AND A PORTION OF THE 10-FOOT UTILITY EASEMENT ALONG THE WEST SIDE OF LOT 3, BLOCK 1, OF HEARTLAND SECOND ADDITION TO THE CITY OF BARNESVILLE, CLAY COUNTY, MINNESOTA

WHEREAS, the City of Barnesville owns a 10-foot utility easement along the east side of Lot 2, Block 1, of Heartland Second Addition to the City of Barnesville, Clay County, Minnesota; and

WHEREAS, the City of Barnesville owns a 10-foot utility easement along the west side of Lot 3, Block 1, of Heartland Second Addition to the City of Barnesville, Clay County, Minnesota; and

WHEREAS, Lot 2, Block 1 of Heartland Second Addition to the City of Barnesville, Clay County, Minnesota and Lot 3, Block 1 of Heartland Second Addition to the City of Barnesville, Clay County, Minnesota have been combined into one lot and sold as one lot; and

WHEREAS, the current utility easements along the east side of Lot 2, Block 1, of Heartland Second Addition to the City of Barnesville and along the west side of Lot 3, Block 1, of Heartland Second Addition to the City of Barnesville now run in the center of the combined property; and

WHEREAS, the City of Barnesville wishes to vacate, cancel, and terminate that portion of the 10-foot utility easement located along the east side of Lot 2, Block 1, of Heartland Second Addition to the City of Barnesville and that portion of the 10-foot utility easement located along the west side of Lot 3, Block 1, of Heartland Second Addition to the City of Barnesville; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Barnesville, that the portion of the 10-foot utility easement located along the east side of Lot 2, Block 1, of Heartland Second Addition to the City of Barnesville and the portion of the 10-foot utility easement located along the west side of Lot 3, Block 1, of Heartland Second Addition to the City of Barnesville is hereby released, cancelled, and terminated, including any and all rights under these portions of the utility easement.

APPROVED:

Mayor Dahnke

ATTEST:

City Administrator

Mayor Dahnke stated the next item on the agenda was the renewal of the Main Street Business incentive program.

City Administrator Mike Rietz informed council members that this program was started in 1998 as a way to attract and assist new businesses coming into town. This incentive program provides free hook-up and base utility charges for electric, water, sewer and telephone for one year to businesses within the Barnesville service district who have new services connected/installed. This is a two year program.

10-14-13-12 Motion by Mr. Davis and second by Mrs. Enstad to renew the Main Street Business Incentive program for two years. Motion carried.

Mayor Dahnke stated the next item on the agenda was the infrastructure agreement for the extension of 6th Ave. NE.

City Administrator Mike Rietz stated that staff is working with Ryan Tonsfeldt on an agreement that would allow their business to extend 6th Ave. NE a short distance to the east. This agreement would allot them to extend the road themselves, rather than this be a City project.

10-14-13-13 Motion by Mr. Sylvester and second by Mr. Davis to approve the agreement with Ryan Tonsfeldt to allow their business to extend 6th Ave. NE a short distance to the east. Motion carried.

Mayor Dahnke stated the next item on the agenda was the liability coverage waiver.

City Administrator Mike Rietz stated that this is required yearly. Staff is recommending not waiving the limits, this keeps the statutory liability limits in place on our insurance coverage.

10-14-13-14 Motion by Mr. Rick and second by Mr. Sylvester that the City of Barnesville does not waive the monetary limits on municipal tort liability established by MN Statutes 466.04. Motion carried.

Mayor Dahnke stated the next item on the agenda was the discussion of the EDA plans for communication.

Mr. Eric Newel, Chair for the EDA discussed with council members on how to improve communication with the EDA and City Council. Mr. Newell provided some background of the EDA. Mr. Newel suggested having the EDA become part of the City Council board and commission reports, this allowing for the EDA representatives to communicate with the council. Mr. Newel suggested holding a joint EDA/City Council/School board meeting in the future. Council members had no other questions for Mr. Newel.

Mayor Dahnke stated that Mr. Joel Paulson with KLJ Engineering next wanted to give a brief update on the Dollar General Store.

Mr. Paulson with KLJ Engineering next updated council members on the Dollar General store.

Mayor Dahnke stated the next item on the agenda was the public forum. Mayor Dahnke asked if there were any citizens present to be heard. There were none.

10-14-13-15 Motion by Mr. Davis and second by Mr. Rick to adjourn the meeting at 8:42 p.m.
Motion carried.

Submitted by:

Attest:

Jeri Reep
City Clerk

Fred Dahnke
Mayor