

**Barnesville City Council
Regular Meeting
November 12, 2012**

Mayor Dahnke called this regular meeting to order at 7:00 p.m. Members present were Mayor Dahnke and Council members Darin Allmaras, Betty Strom, Richard Sylvester, Cathy Enstad, Larry Davis, Jr. and Jason Rick. Others in attendance were, City Administrator Mike Rietz, Sarah 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 Ystenes, Jack Fay with Ehlers Investment Partners, Joel Paulsen with KLJ Engineering, Dennis Braton, Sharon Barton, DJ Braton and Pam Aakre with the Record Review.

Mayor Dahnke called the meeting to order at 7:00 p.m.

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 only addition was to approve the hire of Kevin Solum as a Liquor Store Clerk.

11-12-12-01 Motion by Mr. Davis and second by Mrs. Strom to approve the agenda as presented, with the addition of the hiring of Kevin Solum as a Liquor Store Clerk. Motion carried.

11-12-12-02 Motion by Mr. Rick and second by Mrs. Enstad to approve the consent agenda as presented. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on October 8, 2012
2. Department head reports
3. Approval of check numbers 74321 – 74725 in the amount of \$522,266.47 and EFT's in the amount of \$257,163.01.
4. Approval to certify the following parcels for assessments:
 - a. Original Lot 7, Blk 3
 - b. Stoneridge Addition, Blk 2, Lots 4 & 5
 - c. Stoneridge Addition, Blk 1, Lot 7
 - d. Stoneridge Addition, Blk 1, Lot 9
 - e. Stoneridge Addition, Blk 2, Lot 7
 - f. Del Acres-Gilbertson Addition, Blk 4, Lot 5
 - g. Heartland 3rd Addition, Blk 1, Lot 1
5. Set Truth-in-taxation date for December 10, 2012 at 7:00 p.m.
6. Approval of Barnesville Fire Dept. gambling permit-January 25, 2012
7. Approval to hire Kevin Solum as a Liquor Store clerk at \$8.86 per hour

Mayor Dahnke stated the next item on the agenda was the board and commission reports.

Council member Sylvester stated that he had inquires about the use of ultra-lights at the airport.

Mayor Dahnke stated that the Fire Dept. has two new firemen.

Council member Allmaras stated that a Joint Powers board meeting is coming up.

11-12-12-03 Motion by Mr. Allmaras and second by Mrs. Strom to approve the board and commission reports. Motion carried.

Mayor Dahnke stated the next item on the agenda was the public hearing on the property maintenance assessments.

11-12-12-04 Motion by Mr. Allmaras and second by Mr. Rick to open the public hearing on the property maintenance assessments at 7:06 p.m. Motion carried.

Mayor Dahnke asked if there were any citizens present to be heard.

Mr. Dennis Braton next approached the council. Mr. Braton questioned why he was getting assessed. Mr. Braton stated that the nine vehicles, inside his fence were licensed. He questioned what was expected of him, what he could and could not have inside his fence. After a lengthy discussion, Council member Davis asked if the Task Force and the Braton's could work together to come up with a plan to clean this property up and report back at the December council meeting. Mr. Braton stated that would work for him.

Mayor Dahnke asked if there were any other citizens present to be heard. There were none.

11-12-12-05 Motion by Mr. Allmaras and second by Mr. Rick to close the public hearing at 8:07 p.m. Motion carried.

11-12-12-06 Motion by Mr. Rick and second by Mr. Allmaras to approve the following property maintenance assessments, excluding the Dennis Braton property. Motion carried.

505752350	Original-Lot 009, Blk 28, E 60' 9-12	Daniel Alto	\$2000.00
502500340	Lot 8, Blk 6, 1 st Railway	Robert Wojcik	600.00
506000150	Park Add, Lot 013, Blk 002	Timothy Chartier	225.00
505752350	Original-Lot 009, Blk 28, E 60' 9-12	Daniel Alto	10000.00
505752350	Original-Lot 009, Blk 28, E 60' 9-12	Daniel Alto	450.00
505752360	Blk 28, Lot 9, Original	Harold Mudderman	525.00
505752020	Original, Lot 021, Blk 024	MN Housing	150.00
505750100	Original Lot 003, Blk 2	Dan Coughlin	350.00
502500340	Lot 8, Blk 6, 1 st Railway	Robert Wojcik	400.00

Mayor Dahnke stated the next item on the agenda was the approval of the investment policy.

City Administrator Mike Rietz informed council members that this policy will provide guidance for the City's investments.

11-12-12-07 Motion by Mr. Davis and second by Mr. Sylvester to authorize staff to sign the investment policy as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the investment recommendation with Ehlers Investment partners.

City Administrator Mike Rietz stated that Ehlers Investment Partners are recommending the City invest \$1.5 million in a long term investment. Mr. Jack Fay next discussed with council members the cash flow analysis. Mr. Fay stated that this analysis demonstrates that there is over \$3 million available each month after our cash flow needs are met. Ehlers is proposing that the City invest this money in a series of CD's that would be structured to mature in roughly six month intervals so that we frequently have money becoming available in case cash flow needs change.

11-12-12-08 Motion by Mr. Rick and second by Mr. Davis to authorize staff to invest \$1.5 million with Ehlers Investment Partners. Motion carried.

Mayor Dahnke stated the next item on the agenda was the contract for engineering services.

City Administrator Mike Rietz informed council members that this is a three year contract with KLJ Engineering. This contract allows us to contract with other engineering firms should we choose to. City Attorney John Shockley has reviewed the contract.

11-12-12-09 Motion by Rick and second by Mrs. Strom to authorize staff to sign the three year contract with KLJ Engineering. Motion carried.

Mayor Dahnke stated the next item on the agenda was the petition to vacate an alley.

City Administrator Mike Rietz informed council members that the petition was received and signed by 75% of the property owners that abut this section of right-of-way. The vacation of the section of the alley running north from 6th Ave. SE in the block between 4th and 5th Street SE. Mr. Rietz stated the next step is to set a public hearing to consider the vacation of this property.

11-12-12-10 Motion by Mr. Sylvester and second by Mr. Allmaras to call for a public hearing at the December regular council meeting to vacate an alley running north from 6th Ave. SE in the block between 4th and 5th Street SE. Motion carried.

Mayor Dahnke stated the next item on the agenda was the property maintenance task force report.

City Administrator Mike Rietz informed council members that the Building Maintenance program started in 2006. Mr. Rietz discussed the progress of the property maintenance task force.

11-12-12-11 Motion by Mr. Davis and second by Mrs. Enstad to approve the Building Maintenance Task force report as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2012-13, regarding garbage rates.

City Administrator Mike Rietz informed council members that this ordinance makes an adjustment to the garbage fee that was scheduled to go into effect on January 1, 2013. The change in the way we provide the yard waste service will save about \$2,000.00 per year, and we incorporated that savings into the new rate to pass the savings on to the customer. The garbage rate will actually decrease from the present rate.

11-12-12-12 Motion by Mr. Davis and second by Mrs. Strom to approve the 1st reading of Ordinance 2012-13. Council member Allmaras questioned if there were other ways to save money, and preserve our enterprise funds. Council member Davis stated that garbage collection is a service, not an enterprise fund. The following members voted aye: Council members Rick, Strom, Davis, Sylvester, and Enstad. The following voted nay: Council member Allmaras. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2012-13**

**AN ORDINANCE AMENDING CHAPTER 19, SEC. 3.20 OF THE MUNICIPAL
CODE REGARDING REFUSE COLLECTION FEES.**

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

CHAPTER 19, SECTION 3.20 is amended to read as follows:

Fees payable by those receiving the garbage collection service shall be payable on a monthly basis, and are hereby established as follows:

May 1, 2012 \$15.06 monthly per residential customer
January 1, 2013 ~~\$15.31~~ \$14.82 monthly per residential customer
January 1, 2009 \$1.50 garbage tag

PASSED AND ADOPTED by the Barnesville City council this 10th day of December, 2012.

Approved:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

First Reading: November 13, 2012
Second Reading: December 10, 2012
Adopted: December 10, 2012
Published: December 17, 2012

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2012-14, regarding ambulance fees.

City Administrator Mike Rietz stated that the ambulance department has a deficit of \$12,000.00. The fees have not been increased for several years, so the recommendation of the Personnel & Finance portfolio was to increase the fees.

11-12-12-13 Motion by Mr. Davis and second by Mr. Allmaras to approve the 1st reading of Ordinance 2012-14. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2012-14**

**AN ORDINANCE AMENDING CHAPTER 19, SEC. 3.80 OF THE MUNICIPAL
CODE REGARDING AMBULANCE FEES.**

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

CHAPTER 19, SECTION 3.80 is created to read as follows:

Fees payable by those receiving ambulance services are hereby established as follows:

Basic Life Support, Non-Emergency	\$600
Basic Life Support, Emergency	\$750
Advanced Life Support – 1	\$850
Advanced Life Support – 2	\$950

The fees listed here are the base fees. Charges for mileage and supplies will also be billed as calculated by the Ambulance Director.

PASSED AND ADOPTED by the Barnesville City council this 10th day of December, 2012.

Approved:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

First Reading: November 13, 2012
Second Reading: December 10, 2012
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Mayor Dahnke stated the next item on the agenda was the grant agreement with the MN Historical Society.

City Administrator Mike Rietz informed council members that this is to approve the grant agreement with the Minnesota Historical Society installation of an elevator and other accessibility improvements for the Old City Hall.

11-12-12-14 Motion by Mrs. Enstad and second by Mr. Davis to authorize staff to sign the documents for the grant with the Minnesota Historical Society. Motion carried.

Mayor Dahnke stated the next item on the agenda was the service agreement with Houston Engineering for the fish passage project.

City Administrator Mike Rietz stated that this is an agreement with Houston Engineering to do the survey and design work necessary to apply for the Fish Ramp Grant at the Spillway in Whiskey Creek coming out of the settling pond as recommended by Personnel & Finance portfolio. If the grant is acquired, this expenditure will be applied toward the local match requirement. The cost is \$20,000 with the DNR committing to \$5,000.00 of that cost and the BRRWD committing to splitting the remainder with the City. The City's cost should be \$7,500.00.

11-12-12-15 Motion by Mr. Davis and second by Mr. Sylvester to authorize staff to enter into an agreement with Houston Engineering for the Fish Ramp Grant at the Spillway in Whiskey Creek. Motion carried.

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2012-15, an HBO/Cinemax rate increase.

TEC Manager Guy Swenson informed council members that effective January 1, 2013, the wholesale cost of HBO will increase from \$13.46 per sub to \$14.13, and the wholesale cost of Cinemax will increase from \$6.17935 to \$8.17 per sub. The TEC Board is recommending the rate increases.

11-12-12-16 Motion by Mrs. Enstad and second by Mr. Sylvester to approve the 1st reading of Ordinance 2012-15. Motion carried.

ORDINANCE 2012 - 15

AN ORDINANCE TO ESTABLISH RATES FOR CABLE TV SERVICES.

The City Council of the City of Barnesville does hereby ordain as follows:

WHEREAS, the rates for Cable TV services were previously established by City Council resolution; and

WHEREAS, the City Council did previously enact Ordinance 2011-11, an ordinance to set the monthly rate for cable TV services to institutions or businesses providing their tenants or guests with quality cable programming; and

WHEREAS, the Telephone/Electric/Cable TV (T.E.C.) Board for the City has recommended the following charges for Cable TV services apply;

NOW, THEREFORE, Ordinance No 2011-11 is replaced as follows:

Section 1. Per month service rate* (plus applicable taxes and FCC charges)

	Current	<i>January 1, 2013</i>
Economy Basic Cable	\$15.95	----- <i>No Change</i> -----
Preferred Basic	\$49.45	----- <i>No Change</i> -----
HD Equipment Charge **+	\$9.99	----- <i>No Change</i> -----

Requires Preferred Basic Service** Required to receive HD+

Section 2. Per month premium channel rate* (plus applicable taxes and FCC charges)

		<i>January 1, 2013</i>
HBO	\$13.25	\$14.75
CINEMAX	\$ 8.50	\$9.25

Section 3. Per month premium channel package rate* (plus applicable taxes and FCC charges)

		<i>January 1, 2013</i>
HBO/CINEMAX	\$20.75	\$23.50
STARZ/ENCORE	\$ 7.95	----- <i>No Change</i> -----

Section 4. Per Month equipment charges (plus applicable taxes and FCC charges)

Each Cable customer will be allowed up to two (2) Standard Definition (SD) Set Top Boxes or 1 High Definition (HD) Set Top Box at no charge per month.

Additional boxes will be charged at the following monthly rates:

Standard Definition Set (SD)Top Boxes \$4.95 per month per box
 High Definition (HD) Set Top Boxes\$8.95 per month per box
 Standard Definition (SD) Digital Video Recorder (DVR).....\$10.95 per month per box

Set Top Boxes can be purchased at the following Rates:

Standard Definition Set (SD)Top Boxes Purchase Price \$87.40 per box
 High Definition(HD) Set Top Boxes Purchase Price \$327.75 per box
 Standard Definition (SD) Digital Video Recorder (DVR) Purchase Price \$362.00 per box

Section-5. Monthly cable TV costs for businesses and institutions such as Nursing homes, Assisted living, Hotels and Motels. This section is exclusive to the above mentioned institutions

BULK RATE:*

Utilize the current monthly Basic/Preferred Basic rate plus the total number of living units multiplied times the current wholesale cost of programming.

Utilize a mix & match process. Subscribe to Preferred Basic for the

“House” location and the Basic rate for the resident units

Example:

Preferred Basic*

Currently

\$49.45 plus 11 living units x \$32.42 (the wholesale cost of programming) = \$406.07 plus tax and FCC charge.

Effective January 1, 2012

\$53.45 plus 11 living units x \$32.42 (the wholesale cost of programming) = \$410.07 plus tax and FCC charge.

Economy Basic*

Currently

\$15.95 plus 11 living units x \$6.00 (the wholesale cost of programming) = \$81.95 plus tax and FCC charge.

Effective January 1, 2012

\$18.95 plus 11 living units x \$6.00 (the wholesale cost of programming) = \$84.95 plus tax and FCC charge.

Mix & Match* (Preferred Basic & Basic)

Currently

\$49.45 plus 11 living units x \$6.00 (the wholesale cost of programming) = \$115.95 plus tax and FCC charge

Effective January 1, 2012

\$53.45 plus 11 living units x \$6.00 (the wholesale cost of programming) = \$119.45 plus tax and FCC charge.

Premium Channels*

individual HBO: ~~\$24.50~~ **\$14.75** per month per subscriber when provided on an occupant basis.
\$4.00 per month per subscriber when provided to all occupants.

Cinemax: ~~\$8.00~~ **\$9.25** per month per subscriber when provided on a individual occupant basis.
\$4.00 per month per subscriber when provided to all occupants.

Starz/Encore: \$7.95 per subscriber

Section-6 Service Charges

New Install \$49.95
Applicable to a residence/business to which Cable TV service has never been

installed. Does not apply to multi-tenant buildings.

Relocates: \$19.95
Relocating established cable service from one location to another.

Install additional outlet: \$15.00
Outlets installed at the time when service is established or relocated.

Reconnect: \$19.95
Restoring service previously disconnected.

Service Call: \$19.95
Charge applies for services performed at user's request. Also applies when repair calls are made as a result of defective or improperly tuned customer owned equipment.

Install Outlet: \$19.95
Charge applies to each additional outlet installed at a current subscriber's location.

*Premium channels not included. All rates subject to change.

Section – 7 Incentives

1) Refer a Friend Program:

New Customers to Barnesville Cable TV can receive a onetime \$10.00 credit for being referred to Barnesville Cable TV by a current Barnesville Cable TV customer. The Referring Barnesville Cable TV customer will also receive a \$10.00 credit for referring a new customer.

- a) To receive the referral reward credit, the new customer must mention the referral at the time they sign up for service.
- b) Only one \$10.00 referral reward credit per customer.(Name on the Account)
- c) Current customers are eligible for multiple referral rewards. They will receive a \$10.00 referral reward credit for each new customer they refer to Barnesville Cable TV.
- d) \$10.00 referral reward credits will be paid to the referring customer after the new customer has signed up for Barnesville Cable TV.
- e) Previous Barnesville Cable TV customers returning to Barnesville Cable TV are eligible for the onetime \$10.00 referral reward credit.

EFFECTIVE DATE: This ordinance shall become effective upon its passage and enactment, followed by publication according to law.

PASSED AND ADOPTED by the Barnesville City Council this 10th day of December, 2012.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep
Clerk

First Reading: November 13, 2012
Second Reading: December 10, 2012
Adopted: December 10, 2012
Publication: December 17, 2012

Mayor Dahnke stated the next item on the agenda was the closed session for the purpose of evaluating performance for City Administrator Mike Rietz.

11-12-12-17 Motion by Mr. Davis and second by Mr. Rick to close the meeting at 8:46 p.m. to discuss a personnel issue. Motion carried.

11-12-12-18 Motion by Mr. Allmaras and seconded by Mr. Davis to re-open the meeting at 9:13 p.m. Motion carried.

11-12-12-19 Motion by Mr. Davis and seconded by Mr. Rick to adjourn the meeting at 9:13 p.m. Motion carried.

Submitted by:

Attest:

Jeri Reep
City Clerk

Fred Dahnke
Mayor