

Barnesville City Council
Regular Meeting
May 14, 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, Chris McShane with Ohnstad Twichell, City Clerk Jeri Reep, EDA Director Karen Lauer, Finance Director Laurie Schell, Police Chief Dean Ernst, Dan Lu with People Service, TEC Manager Guy Swenson, Ambulance Manager Jon Yeske, 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 thing to add to the agenda was the naming of the pavilion at McGrath Park.

05-14-12-01 Motion by Mr. Allmaras and second by Mrs. Strom to approve the agenda as presented, with the addition of the naming of the pavilion at McGrath Park. Motion carried.

05-14-12-02 Motion by Mr. Davis and second by Mr. Rick 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 April 9, 2012.
2. Department head reports
3. Approval of check numbers 73162-73342 in the amount of \$2,251,797.24 and EFT's in the amount of \$178,898.63.
4. Approval to hire John Neumann for seasonal Golf Course employee at \$8.50 per hour.
5. Approval to hire the following for lifeguards for the 2012 season.
 - a. Zach Schultz at \$9.50 per hour
 - b. Shelby Lien at \$9.20 per hour
 - c. Taylor Dobmeier at \$8.90 per hour
 - d. Mike Knutson at \$8.10 per hour
 - e. Brady Dokkenbakken at \$8.10 per hour
 - f. Whitney Poppel at \$7.75 per hour
 - g. Jasmine Meyer at \$7.75 per hour
 - h. Ali Buth at \$7.40 per hour
 - i. Isaac Goetke at \$7.40 per hour

- j. Brooke Hennrickson at \$7.40 per hour
- k. Megan Nielson at \$7.40 per hour
- l. Mackenzie Tscharert at \$7.40 per hour
- 6. Approval to hire Karie Dent as part-time liquor store clerk at \$8.86 per hour
- 7. Approval to hire Rogena Fronning as part-time liquor store clerk at \$8.86 per hour
- 8. Approval of travel for Liquor Store Manager Sara Lien and Clerk Randi Trowbridge to attend the MMBA conference.

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

Council member Allmaras stated that the planning commission information is in the packet. Council member Sylvester asked how many building permits and dollar amount were for the past month.

Council member Sylvester stated that the airport is open.

Council member Davis stated that the Park board information is in the packet. Council member Sylvester recommended to plant trees in Stoneridge Addition.

05-14-12-03 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 2011 annual audit report.

Mr. Tom Knoop with Larson-Allen next discussed the 2011 audit report with council members. Mr. Knoop stated that it was a good, clean audit. Mr. Knoop stated that the City went from 63 days in reserve to 97 days in reserve. Mr. Knoop stated that was a nice increase. Mr. Knoop stated that the property taxes are very low compared to other cities. Mr. Knoop stated that the city was in good financial stability. Council members had no further questions for Mr. Knoop.

05-14-12-04 Motion by Mr. Rick and second by Mr. Sylvester to approve the 2011 audit report as presented by Larson-Allen. Motion carried.

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2012-05, an ordinance on home occupations.

City Administrator Mike Rietz informed council members that this is the 1st reading of this ordinance which is revising the sections of the Zoning Code relating to Home Occupations as recommended by the Planning Commission. The changes move a home occupation from a conditional use to a permitted use. The new language adds a greater level of detail in areas such as how much of the property can be used for a home occupation, the hours of operation and how parking will be handled. It also adds a section limiting the amount of garage sales a property can have to 6 in a 180 day period.

05-14-12-05 Motion by Mr. Davis and second by Mr. Allmaras to approve the 1st reading of Ordinance 2012-05. Motion carried.

Ordinance 2012-05

AN ORDINANCE TO AMEND SECTIONS 11.11, 11.12, 11.13, 11.14 AND 11.41 OF
THE
BARNESVILLE MUNICIPAL CODE RELATING TO HOME OCCUPATIONS

BE IT ORDAINED by the City Council of the City of Barnesville that Sections 11.11, 11.12, 11.13, 11.14 and 11.41, Subd. 1 of the Barnesville Municipal Code is hereby amended as follows:

SEC. 11.11. R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

Subd. 2. Permitted Uses

I. Home Occupations (See Section 11.41)

Subd. 3. Conditional Uses

~~B. Home Occupations (See Section 11.41)~~

SEC. 11.12. R-2 URBAN RESIDENTIAL DISTRICT

Subd. 2. Permitted Uses

J. Home Occupations (See Section 11.41)

Subd. 3. Conditional Uses

~~B. Home Occupations (See Section 11.41)~~

SEC. 11.13. R-3 MULTI-FAMILY RESIDENTIAL DISTRICT

Subd. 2. Permitted Uses

J. Home Occupations (See Section 11.41)

Subd. 3. Conditional Uses

~~B. Home Occupations (See Section 11.41)~~

SEC. 11.14. R-4 MOBILE HOME DISTRICT

Subd. 2. Permitted Uses

D. Home Occupations (See Section 11.41)

Subd. 3. Conditional Uses

~~B. Home Occupations~~

SEC. 11.41. HOME OCCUPATIONS.

Subd. 1. General. Home occupations are permitted in residential districts in accordance with the other provisions of this Chapter.

A. The home occupation shall be conducted by a member of the family residing in the dwelling unit with not more than one employee who is not a member of the family residing in the dwelling unit.

B. All activities of the home occupation shall be conducted wholly within the principal or accessory structures and shall occupy not more than twenty-five percent (25%) of the main floor of the dwelling unit.

C. **Only** signs as permitted in Section 11.40 are allowed.

D. Exterior storage of materials or variation from the residential character of the principal structure shall not be permitted.

E. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat or glare shall not be produced by the activities associated with the home occupation.

F. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.

G. No home occupation shall be conducted between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. unless said occupation is contained entirely within the principal building and will not require any on street parking facilities.

H. Home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway, where no vehicle is parked closer than fifteen feet (15') from the curb line or edge of paved surface.

I. The home occupation shall not involve any of the following: small engine, auto repair or reconditioning, or manufacturing.

J. Garage sales, yard sales and/or one time seasonal sales shall be conducted no more than six (6) days total in any one hundred eighty (180) day period.

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

PASSED AND ADOPTED by the Barnesville City Council this ____ day of _____, 2012.

By:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

First Reading: May 14, 2012
Second Reading: June 11, 2012
Adopted: June 11, 2012
Published: June 18, 2012

Mayor Dahnke stated the next item on the agenda was the petition for improvements and waiver of irregularity and appeal at 605 5th Street SE.

City Administrator Mike Rietz informed council members that Mr. Leslie Weir, 605 5th Street SE has some sort of blockage in his sewer service line. Mr. Weir has request that we repair the line and assess the cost to his taxes. Schritz Plumbing has submitted an estimate of \$2,894.00 to replace 30 feet of pipe from the main into the property. Personnel and Finance committee recommend proceeding with Schritz Plumbing to repair the service line for Mr. Weir and assess the cost to his taxes.

05-14-12-06 Motion by Mr. Davis and second by Mrs. Enstad to proceed with the petition for improvements and waiver of irregularity and appeal at 605 5th Street SE and assess the property owner for the repairs. Motion carried.

Mayor Dahnke stated the next item on the agenda was the order improvement at 605 5th Street SE.

Mayor Dahnke stated the next item on the agenda was the order for improvement at 605 5th Street SE.

05-14-12-07 Motion by Mr. Davis and second by Mrs. Strom to authorize staff to enter into an agreement with Schritz Plumbing in the amount of \$2,894.00 to replace 30 feet of pipe from the main into the property at 605 5th Street SE. Motion carried.

Mayor Dahnke stated the next item on the agenda was to transfer funds from the water and sewer replacement funds into the Front Street project.

City Administrator Mike Rietz informed council that the financing source has been anticipated throughout the planning of the Front Street project as a way to put some replacement fund dollars into the Front Street project. The funds were taken into account when the assessments were calculated and were used to reduce water and sewer assessments costs on the project. This request is recommended by the personnel and finance committee.

05-14-12-08 Motion by Mr. Sylvester and second by Mr. Allmaras to transfer \$50,000.00 from the sewer replacement fund and \$50,000.00 from the water replacement fund into the Front Street construction project. Council member Sylvester questioned what the balance is these accounts, stated he would like this information. Motion carried.

Mayor Dahnke stated the next item on the agenda was the telephone system upgrade projects for 2012.

TEC Manager Guy Swenson stated that the staff has been working on completing several small projects this summer. The projects are:

- 1-Upgrading the telephone system to fiber in both alleyways along Front Street
- 2-Install drops to 5 houses from 4th Street NE to Blue Eagle Lake to replace aging failing copper.
- 3-Install interducts copper and pedestals in alley between 3rd Street SE and 4th Street SE from 5th Ave. SE and 9th Ave. SE to replace aging failing copper and Improve quality of service and reduce outages and eliminate customer complaints.

Mr. Swenson stated that the total cost for these projects is \$59,035.50. Mr. Swenson stated that there are funds available in the system upgrade-capital to complete these projects.

05-14-12-09 Motion by Mr. Davis and second by Mr. Allmaras to authorize staff to proceed with the following projects, not to exceed \$59,035.50.

- 1-Upgrading the telephone system to fiber in both alleyways along Front Street
- 2-Install drops to 5 houses from 4th Street NE to Blue Eagle Lake to replace aging Failing copper.

3-Install interducts copper and pedestals in alley between 3rd Street SE and 4th Street SE from 5th Ave. SE and 9th Ave. SE to replace aging failing copper and Improve quality of service and reduce outages and eliminate customer complaints. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Blue Eagle feeder loop project.

TEC Manager Guy Swenson stated that at the April TEC board meeting it was discussed installing a primary wire from the south east corner of Troy Weber's property, east along the north side of the lake all the way to the bathrooms on the east side of the lake. The benefits of this improvement would be:

1. To loop two radials together, this will provide us the ability to feed either radial from either direction. This will reduce customer impact in the event of a long term outage along either section of the feeder.
2. Re-feed the lighting at the fishing pier. That light is currently not working: we will have to plow 700 feet of secondary wire from the bathrooms on the east end of the lake to get that light working again. With this improvement we can feed the light from the pad mount transformer that will be located in the pier area.
3. Provide 4 ground vaults for future walking path lighting and bridge lighting. The Park Board will be providing funding for these lights.
4. Last year we installed the primary along 4th Street NE and stopped at Troy Weber's property with the intention of completing this loop in 2012.

Mr. Swenson stated that this project cost should come in under \$20,000.00. Mr. Swenson stated that funds are available in the system upgrade to complete these projects.

05-14-12-10 Motion by Mrs. Enstad and second by Mr. Sylvester to approve the Blue Eagle feeder loop project as presented, not to exceed \$20,000.00 with the funds from the system upgrade fund. Motion carried.

Mayor Dahnke stated the next item on the agenda was to call a public hearing on the establishment of the TIF District 1-7.

EDA Director Karen Lauer informed council members that this is the City Council's first step in the process of establishing a Tax Increment Financing District. The cost incurred for Ehlers to develop the TIF plan will be paid for by K & M tire.

05-14-12-11 Motion by Allmaras and second by Mr. Rick to call a public hearing for June 11, 2012 for the establishment of the TIF District 1-7 for the K & M Tire project. Upon a roll call vote, the following voted aye: Council members Rick, Allmaras, Strom, Davis, Sylvester, and Enstad. The following voted nay: none. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution authorizing application to the business development public infrastructure grant program.

City Administrator Mike Rietz stated that this resolution will authorize the City to apply for an infrastructure grant to pay for half of the road in front of the K & M Tire facility. The estimated total cost of the improvement is \$275,000.00 so if we are successful in obtaining the grant, the local match will be 50% of the total cost-\$137,500.00.

05-14-12-12 Motion by Mr. Allmaras and second by Mr. Rick to approve the following resolution: The following voted aye: Council members Rick, Allmaras, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 05-14-12-12**

**RESOLUTION AUTHORIZED APPLICATION TO THE MINNESOTA
DEPARTMENT OF EMPLOYMENT AND ECONOMIC DEVELOPMENT
BUSINESS DEVELOPMENT INFRASTRUCTURE GRANT PROGRAM**

BE IT RESOLVED that the City of Barnesville act as the legal sponsor for project(s) contained in the Business Development Infrastructure Application to be submitted on May 16, 2012 and that the Mayor and City Administrator are hereby authorized to apply to the Department of Employment and Economic Development for funding of this project on behalf of the City of Barnesville.

BE IT FURTHER RESOLVED that the City of Barnesville has the legal authority to apply for financial assistance, and the institutional, managerial, and financial capability to ensure matching funds, adequate construction, operation, maintenance and replacement of the proposed project for its design life.

BE IT FURTHER RESOLVED that the City of Barnesville has not violated any Federal, State, or local laws pertaining to fraud, bribery, kickbacks, collusion, conflict of interest or other unlawful or corrupt practiced.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Barnesville may enter into an agreement with the State of Minnesota for the above referenced project(s), and that it will comply with all applicable laws and regulations as stated in all contract agreements.

BE IT FURTHER RESOLVED that upon approval of its application by the state, the City of Barnesville will commit \$137,500 towards the local match requirement.

BE IT FURTHER RESVOLED that the City of Barnesville will the repay the grant if milestones are not realized by the completion date identified in the Application.

The City of Barnesville certifies that it will comply with all applicable laws, regulations, and rules of the Business Development Infrastructure Application.

NOW, THEREFORE BE IT RESOLVED that the Mayor and City Administrator, or their successors in office, are hereby authorized to execute such agreements, and amendments thereto, as are necessary to implement the project(s) on behalf of the applicant.

I CERTIFY THAT the above resolution was adopted by the City Council of the City of Barnesville on May 14, 2012.

Signed:

Witnessed:

Fred Dahnke
Mayor

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the resolution authorizing execution of a redevelopment grant agreement for the Potato Wash Plant.

05-14-12-13 Motion by Mr. Rick and second by Mr. Allmaras to approve the following resolution. The following voted aye: Council members Rick, Allmaras, Strom, Davis, Sylvester, and Enstad. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 05-14-12-13**

**RESOLUTION ACCEPTING GRANT FUNDS AND AUTHORIZING
ENTERING INTO A GRANT AGREEMENT WITH THE
STATE OF MINNESOTA DEPARTMENT OF EMPLOYEMENT AND
ECONOMIC DEVELOPMENT REDEVELOPMENT GRANT PROGRAM**

BE IT RESOLVED that the City of Barnesville accept the grant award from the State of Minnesota Department of Employment and Economic Development pursuant to the Redevelopment Grant Program in the amount of \$82,125.

BE IT FURTHER RESOLVED that the Mayor and the City Administrator are hereby authorized to execute the grant agreement.

I CERTIFY THAT the above resolution was adopted by the City Council of the City of Barnesville on May 14, 2012.

SIGNED:

WITNESSED:

Fred Dahnke
Mayor

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the safe routes to school grant. City Administrator Mike Rietz informed council that he had applied for safe routes to school grant.

The next item on the agenda was the naming of the pavilion at McGrath Park. Mr. Rietz stated that the dedication of the pavilion in memory of Public Works Director Dave Riddering would be just a small family gathering.

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

Mayor Dahnke next thanked the EDA for their efforts for bringing in the K & M Tire business.

05-14-12-14 Motion by Mr. Davis and second by Mr. Rick to adjourn the meeting at 8:10 p.m. Motion carried.

Submitted by:

Attest:

Jeri Reep
City Clerk

Fred Dahnke
Mayor