

Barnesville City Council
Regular Meeting
July 9, 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, John Shockley with Ohnstad Twichell, City Clerk Jeri Reep, EDA Director Karen Lauer, Finance Director Laurie Schell, Police Chief Dean Ernst, Brandon Anderson with People Service, TEC Manager Guy Swenson, Public Works Supt. Terry Ystenes, Dan Hanson with Moore Engineering, Gary Schultz, Todd Hagen with Ehlers & Associates, Main Street Director Karen Hagen, 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 that the only addition to add was the gambling license for the Barnesville Ducks Unlimited.

07-09-12-01 Motion by Mr. Rick and second by Mrs. Strom to approve the agenda as presented with the addition of the gambling license for the Barnesville Ducks Unlimited. Motion carried.

07-09-12-02 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 June 11, 2012.
2. Approval of Department Head reports.
3. Approval of check numbers 73547 – 73734 in the amount of \$407,958.15 and EFT's in the amount of \$78,546.59.
4. Approval to hire Seth Martinson as seasonal part-time Public Works employee at \$7.50 per hour.
5. Approval of travel for TEC Manager Guy Swenson to attend the COOPER/Cannon 2012 Smart grid conference.
6. Approval of the electric service safety inspection policy-
 - a. "It is the policy of the City of Barnesville Municipal Utility to require an electrical safety inspection be completed before electric service can be reconnected on a property that has had the electric service disconnected for six (6) months or longer"
7. Approval of 2nd quarter transfers as presented.
8. Approval of the Barnesville Ducks Unlimited gambling request-Sept. 20, 2012

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

Mayor Dahnke stated that the Fire Board would be meeting the following evening.

Council member Allmaras stated that the Joint Powers had met.

Council member Davis stated that there was no Park meeting in July.

07-09-12-03 Motion by Mr. Davis and second by Mr. Allmaras to approve the board and commission reports as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the public hearing on the establishment of TIF District 1-8.

07-09-12-04 Motion by Mr. Allmaras and second by Mrs. Strom to open the public hearing for the Establishment of TIF District 1-8. Motion carried.

Mr. Todd Hagen with Ehlers & Associates, Inc. discussed with council members the TIF District 1-8. Mr. Hagen stated that this is for Rothsay Farmers Coop. This district is being created to facilitate the development of an approximately 30,000 square foot 11,250 ton dry fertilizer facility in the City. The duration of the District will be 25 years after receipt of the first increment by the EDA or City. The date of receipt by the City of the first tax increment is expected to be 2014. The EDA or City reserves the right to decertify the District prior to the legally required date.

The Developer purchased 6.71 acres of property located in an underused rail yard. The property is located adjacent to MN State Highway 9, and is zoned I-1, light industrial. Located on the property is a dilapidated potato wash plant building which has been vacant since 2008. In April 2012, the City received an \$82,125.00 grant from the MN DEED to help demolish the existing structure. Plans are for the Developer to demolish the existing building in the summer of 2012 and construct a state of the art 11,250 ton dry fertilizer facility. The facility will receive raw materials by rail utilizing the existing Otter Tail Valley Railroad track. Materials will be loaded from the rail cars using an underground tunnel conveyor system. The cost of the building and fixed equipment within the building is estimated to be 3.25 million.

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

007-09-12-05 Motion by Mr. Davis and second by Mr. Sylvester to close the public hearing at 7:12 p.m. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution establishing TIF District 1-8.

07-09-12-06 Motion by Mr. Rick and second by Mrs. Enstad to approve the following resolution.

CITY OF BARNESVILLE

**CLAY COUNTY
STATE OF MINNESOTA**

RESOLUTION NO. 07-09-12-06

**RESOLUTION ADOPTING A MODIFICATION TO THE REDEVELOPMENT
PLAN FOR REDEVELOPMENT PROJECT NO. 1; AND ESTABLISHING TAX
INCREMENT FINANCING DISTRICT NO. 1-8 THEREIN AND ADOPTING A
TAX INCREMENT FINANCING PLAN THEREFOR.**

BE IT RESOLVED by the City Council (the "Council") of the City of Barnesville, Minnesota (the "City"), as follows:

Section 1. Recitals

1.01. The Board of Commissioners of the Barnesville Economic Development Authority (the "EDA") has heretofore established Redevelopment Project No. 1 and adopted the Redevelopment Plan therefor. It has been proposed by the EDA and the City that the City adopt a Modification to the Redevelopment Plan for Redevelopment Project No. 1 (the "Redevelopment Plan Modification") and establish Tax Increment Financing District No. 1-8 (the "District") therein and adopt a Tax Increment Financing Plan (the "TIF Plan") therefor (the Redevelopment Plan Modification and the TIF Plan are referred to collectively herein as the "Plans"); all pursuant to and in conformity with applicable law, including Minnesota Statutes, Sections 469.090 to 469.1082 and Sections 469.174 to 469.1799, all inclusive, as amended, (the "Act") all as reflected in the Plans, and presented for the Council's consideration.

1.02. The EDA and City have investigated the facts relating to the Plans and have caused the Plans to be prepared.

1.03. The EDA and City have performed all actions required by law to be performed prior to the establishment of the District and the adoption and approval of the proposed Plans, including, but not limited to, notification of Clay County and Independent School District No. 146 having taxing jurisdiction over the property to be included in the District, a review of and written comment on the Plans by the City Planning Commission, approval of the Plans by the EDA on July 9, 2012 and the holding of a public hearing upon published notice as required by law.

1.04. Certain written reports (the "Reports") relating to the Plans and to the activities contemplated therein have heretofore been prepared by staff and consultants and submitted to the Council and/or made a part of the City files and proceedings on the Plans. The Reports, including the redevelopment qualifications reports and planning documents, include data, information and/or substantiation constituting or relating to the basis for the other findings and determinations made in this resolution. The Council hereby confirms, ratifies and adopts the Reports, which are hereby incorporated into and made as fully a part of this resolution to the same extent as if set forth in full herein.

1.05 The City is not modifying the boundaries of Redevelopment Project No. 1, but is however, modifying the Redevelopment Plan therefor.

Section 2. Findings for the Adoption and Approval of the Redevelopment Plan Modification.

2.01. The Council approves the Redevelopment Plan Modification, and specifically finds that: (a) the land within the Project Area would not be available for redevelopment without the financial aid to be sought under this Redevelopment Plan; (b) the Redevelopment Plan, as modified, will afford maximum opportunity, consistent with the needs of the City as a whole, for the development of the Project by private enterprise; and (c) that the Redevelopment Plan, as modified, conforms to the general plan for the development of the City as a whole.

Section 3. Findings for the Establishment of Tax Increment Financing District No. 1-8

3.01. The Council hereby finds that the District is in the public interest and is a "redevelopment district" under Minnesota Statutes, Section 469.174, Subd. 10 of the Act.

3.02. The Council further finds that the proposed redevelopment would not occur solely through private investment within the reasonably foreseeable future and that the increased market value of the site that could reasonably be expected to occur without the use of tax increment financing would be less than the increase in the market value estimated to result from the proposed development after subtracting the present value of the projected tax increments for the maximum duration of the District permitted by the Tax Increment Financing Plan, that the Plans conform to the general plan for the development or redevelopment of the City as a whole; and that the Plans will afford maximum opportunity consistent with the sound needs of the City as a whole, for the development or redevelopment of the District by private enterprise.

3.03. The Council further finds, declares and determines that the City made the above findings stated in this Section and has set forth the reasons and supporting facts for each determination in writing, attached hereto as Exhibit A.

Section 4. Public Purpose

4.01. The adoption of the Plans conforms in all respects to the requirements of the Act and will help fulfill a need to develop an area of the City which is already built up, to provide employment opportunities, to improve the tax base and to improve the general economy of the State and thereby serves a public purpose. For the reasons described in Exhibit A, the City believes these benefits directly derive from the tax increment assistance provided under the TIF Plan. A private developer will receive only the assistance needed to make this development financially feasible. As such, any private benefits received by a developer are incidental and do not outweigh the primary public benefits.

Section 5. Approval and Adoption of the Plans

5.01. The Plans, as presented to the Council on this date, including without limitation the findings and statements of objectives contained therein, are hereby approved, ratified, established, and adopted and shall be placed on file in the office of the City Administrator.

5.02. The staff of the City, the City's advisors and legal counsel are authorized and directed to proceed with the implementation of the Plans and to negotiate, draft, prepare and present to this Council for its consideration all further plans, resolutions, documents and contracts necessary for this purpose.

5.03. The Auditor of Clay County is requested to certify the original net tax capacity of the District, as described in the TIF Plan, and to certify in each year thereafter the amount by which the original net tax capacity has increased or decreased; and the Barnesville Economic Development Authority is authorized and directed to forthwith transmit this request to the County Auditor in such form

and content as the Auditor may specify, together with a list of all properties within the District, for which building permits have been issued during the 18 months immediately preceding the adoption of this resolution.

5.04. The City Administrator is further authorized and directed to file a copy of the Plans with the Commissioner of the Minnesota Department of Revenue and the Office of the State Auditor pursuant to Minnesota Statutes 469.175, Subd. 4a.

The motion for the adoption of the foregoing resolution was duly seconded by Council member Enstad, and upon a vote being taken thereon, the following voted in favor thereof: Rick, Allmaras, Strom, Davis, Sylvester and Enstad, and the following voted against the same: none. Motion carried.

Dated: July 9, 2012

ATTEST:

Fred Dahnke, Mayor

Michael Rietz, City Administrator

(Seal)

Mayor Dahnke stated the next item on the agenda was the resolution adopting an Interfund Loan for TIF District 1-8.

07-09-12-07 Motion by Mr. Rick and second by Mrs. Strom to approve the following resolution.

**CITY OF BARNESVILLE
CLAY COUNTY
STATE OF MINNESOTA**

**RESOLUTION NO. 07-09-12-07
RESOLUTION AUTHORIZING AN INTERFUND LOAN FOR ADVANCE OF
CERTAIN COSTS IN CONNECTION WITH TAX INCREMENT FINANCING
DISTRICT NO. 1-8.**

BE IT RESOLVED by the City Council (the "Council") of the City of Barnesville, Minnesota (the "City"), as follows:

Section 1. Background.

1.01. The City has heretofore approved the establishment of Tax Increment Financing District No. 1-8 (the "TIF District") within Redevelopment Project No. 1 (the "Project"), and has adopted a Tax Increment Financing Plan (the "TIF Plan") for the purpose of financing certain improvements within the Project.

1.02. The City has determined to pay for certain costs identified in the TIF Plan consisting of site improvements/preparation and administrative costs (collectively, the "Qualified Costs"), which costs may be financed on a temporary basis from City funds available for such purposes.

1.03. Under Minnesota Statutes, Section 469.178, Subd. 7, the City is authorized to advance or loan money from the City's general fund or any other fund from which such advances may be legally authorized, in order to finance the Qualified Costs.

1.04. The City intends to reimburse itself for the Qualified Costs from tax increments derived from the TIF District in accordance with the terms of this resolution (which terms are referred to collectively as the "Interfund Loan").

Section 2. Terms of Interfund Loan.

2.01. The City hereby authorizes the advance of up to \$75,000 from the _____ fund or so much thereof as may be paid as Qualified Costs. The City shall reimburse itself for such advances together with interest at the rate stated below. Interest accrues on the principal amount from the date of each advance. The maximum rate of interest permitted to be charged is limited to the greater of the rates specified under Minnesota Statutes, Section 270C.40 or Section 549.09 as of the date the loan or advance is authorized, unless the written agreement states that the maximum interest rate will fluctuate as the interest rates specified under Minnesota Statutes, Section 270C.40 or Section 549.09 are from time to time adjusted. The interest rate shall be 2% and will not fluctuate.

2.02. Principal and interest ("Payments") on the Interfund Loan shall be paid semi-annually on each August 1 and February 1 (each a "Payment Date"), commencing on the first Payment Date on which the Authority has Available Tax Increment (defined below), or on any other dates determined by the City Administrator, through the date of last receipt of tax increment from the TIF District.

2.03. Payments on this Interfund Loan are payable solely from "Available Tax Increment," which shall mean, on each Payment Date, tax increment available after other obligations have been paid, or as determined by the City Administrator, generated in the preceding six (6) months with respect to the property within the TIF District and remitted to the City by Clay County, all in accordance with Minnesota Statutes, Sections 469.174 to 469.1799, all inclusive, as amended. Payments on this Interfund Loan may be subordinated to any outstanding or future bonds, notes or contracts secured in whole or in part with Available Tax Increment, and are on parity with any other outstanding or future interfund loans secured in whole or in part with Available Tax Increment.

2.04. The principal sum and all accrued interest payable under this Interfund Loan are pre-payable in whole or in part at any time by the City without premium or penalty. No partial prepayment shall affect the amount or timing of any other regular payment otherwise required to be made under this Interfund Loan.

2.05. This Interfund Loan is evidence of an internal borrowing by the City in accordance with Minnesota Statutes, Section 469.178, Subd. 7, and is a limited obligation payable solely from Available

Tax Increment pledged to the payment hereof under this resolution. This Interfund Loan and the interest hereon shall not be deemed to constitute a general obligation of the State of Minnesota or any political subdivision thereof, including, without limitation, the City. Neither the State of Minnesota, nor any political subdivision thereof shall be obligated to pay the principal of or interest on this Interfund Loan or other costs incident hereto except out of Available Tax Increment, and neither the full faith and credit nor the taxing power of the State of Minnesota or any political subdivision thereof is pledged to the payment of the principal of or interest on this Interfund Loan or other costs incident hereto. The City shall have no obligation to pay any principal amount of the Interfund Loan or accrued interest thereon, which may remain unpaid after the final Payment Date.

2.06. The City may amend the terms of this Interfund Loan at any time by resolution of the City Council, including a determination to forgive the outstanding principal amount and accrued interest to the extent permissible under law.

Section 3. Effective Date. This resolution is effective upon the date of its approval.

The motion for the adoption of the foregoing resolution was duly seconded by Council member Strom, and upon a vote being taken thereon, the following voted in favor thereof: Rick, Allmaras, Strom, Davis, Sylvester, and Enstad.

and the following voted against the same: none. Motion carried.

Dated: July 9, 2012

ATTEST:

Fred Dahnke, Mayor

Michael Rietz, City Administrator

(Seal)

Mayor Dahnke stated the next item on the agenda was the resolution calling a Public Hearing Amending the TIF District 1-5.

07-09-12-08 Motion by Mrs. Strom and second by Mrs. Enstad to approve the following resolution. Upon a roll call vote, the following members voted aye: Rick, Allmaras, Strom, Davis, Sylvester and Enstad. The following voted nay: none. The following were absent: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA**

RESOLUTION NO. 07-09-12-08

RESOLUTION CALLING FOR A PUBLIC HEARING BY THE CITY COUNCIL ON THE PROPOSED ADOPTION OF A MODIFICATION TO THE REDEVELOPMENT PLAN FOR REDEVELOPMENT PROJECT NO. 1 AND THE PROPOSED MODIFICATION OF TAX INCREMENT FINANCING DISTRICT NO. 1-5 THEREIN AND THE ADOPTION OF A MODIFIED TAX INCREMENT FINANCING PLAN THEREFOR.

BE IT RESOLVED by the City Council (the "Council") for the City of Barnesville, Minnesota (the "City"), as follows:

Section 1. Public Hearing. This Council shall meet on October 8, 2012, at approximately 7:00 P.M., to hold a public hearing on the proposed adoption of a Modification to the Redevelopment Plan for Redevelopment Project No. 1 (the "Redevelopment Plan Modification"), the proposed modification of Tax Increment Financing District No. 1-5 (a housing district), and the proposed adoption of a modified Tax Increment Financing Plan (the "TIF Plan") therefor (the Redevelopment Plan Modification and the TIF Plan are referred to collectively herein as the "Plans"), all pursuant to and accordance with Minnesota Statutes, Sections 469.090 to 469.1082, and Sections 469.174 to 469.1799, inclusive, as amended, in an effort to encourage the development and redevelopment of certain designated areas within the City; and

Section 2. Notice of Public Hearing, Filing of Plans. City staff is authorized and directed to work with Ehlers & Associates, Inc., to prepare the Plans and to forward documents to the appropriate taxing jurisdictions including Clay County and Independent School District No. 146. The City Administrator is authorized and directed to cause notice of the hearing, together with an appropriate map as required by law, to be published at least once in the official newspaper of the City not later than 10, nor more than 30, days prior to October 8, 2012, and to place a copy of the Plans on file in the City Administrator's office at City Hall and to make such copy available for inspection by the public.

Dated: July 9, 2012

Adopted:

Fred Dahnke, Mayor

ATTEST:

Michael Rietz, City Administrator

Mayor Dahnke stated the next item on the agenda was the preliminary and final plat of the Barnesville Commercial Park 2nd Addition.

City Administrator Mike Rietz informed council members that this plat is being developed for the expansion of the Commercial Park to the East. Lot 1 in both Blocks 1 and 2 is the location of storm water retention ponds. Lot 2 in Block 1 is the future location of K & M Tire and Lot 2, in Block 2 will be replated as the area develops. City Administrator Mike Rietz stated that the Planning & Zoning approved this plat.

07-09-12-09 Motion by Mr. Allmaras and second by Mrs. Strom to approve the Preliminary and Final Plats for Barnesville Commercial Park 2nd Addition as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution approving the plans and specs and ordering bid on the Commercial Park expansion.

07-09-12-10 Motion by Mr. Davis and second by Mr. Allmaras to approve the following resolution. Upon a roll call vote, the following members voted aye: Rick, Allmaras, Strom, Davis, Sylvester and Enstad. The following voted nay: none. The following were absent: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY, MINNESOTA**

RESOLUTION NO. 07-09-12-10

**Resolution Approving Plans and Specifications and
Ordering Advertisement for Bids**

WHEREAS, pursuant to a resolution passed by the council June 11, 2012, Dan Hanson with Moore Engineering has prepared plans and specifications for Barnesville Commercial Park Expansion District No. 1, the improvement of the Commercial Park Expansion Area, including 4th Ave. NE from the point of its current termination to a point approximately 545 feet to the east, and including a storm water retention pond in the NW corner of the expansion area by extension of sanitary sewer, sewer and water services, street and curb and gutter and installation of a storm water retention pond, and has presented such plans and specifications to the council for approval.

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

1. Such plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.
2. The City Clerk shall prepare and cause to be inserted in the official paper, and in the Construction Bulletin, an advertisement for bids upon the making of such improvement under such approved plans and specifications. The advertisement shall be published for 21 days, shall specify the work to be done, shall state that bids will be received by the

Clerk until 2:00 p.m. on August 7, 2012, at which time they will be publicly opened in the council chambers of the City Hall by the City Administrator and Engineer, will then be tabulated, and will be considered by the Council at 7:00 p.m. on August 13, 2012, in the council chambers of the City Hall. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. 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 Clerk for 5 percent of the amount of such bid.

Adopted by the Council the 9th day of July, 2012.

Fred Dahnke
Mayor

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the CUP for a moved building at 205 6th Ave. NW.

City Administrator Mike Rietz informed council members that this is for a moved in 22' x 14' garage at 205 6th Ave. NW. Mr. Rietz stated that Planning & Zoning approved with conditions.

07-09-12-11 Motion by Mr. Davis and second by Mr. Rick to approve the CUP at 205 6th Ave. NW with the following conditions: Motion carried.

1. The CUP is solely for the 22' x 14' garage.
2. The hole in the side of the building must be repaired.
3. The building must be made to be similar in design, materials and color to the primary structure located on the lot by making the following improvements:
 - a. Siding to match the primary structure
 - b. Color to match the primary structure
 - c. The garage will be placed on a concrete floor and anchored
4. Completion of this project is required by November 1, 2012.
5. This CUP is subject to all other zoning ordinances.
6. The City of Barnesville reserves the right to add, delete, or amend these conditions if health, safety of welfare considerations warrant. No action to add, alter, or amend conditions will occur except after mailed and published notice and a public hearing before the Planning Commission to consider such addition, deletion, or alteration of these conditions.
7. The applicant agrees to revocation of the conditional use permit upon verifiable evidence of violation of any of the terms and conditions listed herein. Said revocation of other

violations not listed in the CUP will not occur except after mailed and published notice before the Planning Commission to establish a record of said violations and to give the petitioner a right to enter into the record any mitigating or contradicting evidence.

Mayor Dahnke stated the next item on the agenda was the resolution on appeal process for potentially dangerous and dangerous dogs.

City Attorney John Shockley informed council members that this is State law thru animal control that one dog bite rule is a dangerous dog.

07-09-12-12 Motion by Mr. Davis and second by Mrs. Strom to approve the following resolution. 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.

RESOLUTION REGARDING POTENTIALLY DANGEROUS AND DANGEROUS DOGS

WHEREAS, pursuant to Minnesota Statute Sections 347.50 through 347.65, the Minnesota legislature developed a statutory scheme regulating the control, regulation, and disposition of dogs determined to be potentially dangerous and/or dangerous by animal control authorities; and

WHEREAS, Sawh v. City of Lino Lakes, 800 N.W.2d 663 (Minn. App. 2011) provides that cities provide hearings to individuals whose dogs are determined potentially dangerous and dangerous by municipal police departments; and

WHEREAS, the Barnesville City Council desires to set forth the procedure to appeal determinations of potentially dangerous and dangerous dogs by the Barnesville Police Department to administrative hearing boards.

NOW, THEREFORE, BE IT RESOLVED as follows: The City of Barnesville hereby adopts the following procedure to govern the regulation of potentially dangerous and dangerous dogs:

1. Any individual whose dog has been determined to be potentially dangerous by the Barnesville Police Department may appeal such determination to an administrative appeal board consisting of the Barnesville Mayor, Barnesville City Administrator, and the member of the City Council designated as the acting Mayor.

2. Any owner of a dog designated dangerous by the Barnesville Police Department may appeal such determination to the Barnesville City Council.

3. Any appeal of a potentially dangerous or dangerous determination must be made in writing and within 14 days of a receipt of the letter notifying the owner of said dog of such

determination. The Barnesville City Attorney will send out the initial letter notifying the owner of the potentially dangerous or dangerous dog determination.

4. The City Clerk shall keep a written record of all appeals. The administrative appeal board and the City Council shall provide the appellant an opportunity to submit evidence in writing and present written or oral testimony. The Minnesota Rules of Evidence and Civil Procedure shall not apply to such hearings, but may be used as a guide.

5. Any owner of a dog determined dangerous and subsequently confiscated pursuant to Minnesota Statutes Section 347.54 will be given a hearing before the City Council to determine how the animal should be disposed. The City Council will provide the appropriate notice as required by Minnesota Statutes Section 347.541, subd. 3, and the owner of any dangerous dog seized pursuant to said section shall post a bond with the City of Barnesville in the amount of \$1,000 for the care of the dog during the pendency of said hearing. The City Council, at any hearing regarding the confiscation of such animal, shall have the authority under limited circumstances identified in Minnesota Statutes Section 347.56 to order the animal be destroyed in a proper and humane manner by the animal control authority of the City of Barnesville.

PASSED by the Barnesville City Council this 9th day of July, 2012.

APPROVED:

Mayor

ATTEST:

City Administrator

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2012-07 regarding Dangerous Dog bond requirement.

07-09-12-13 Motion by Mr. Allmaras and second by Mrs. Enstad to approve the 1st reading of Ordinance 2012-07. Motion carried.

CITY OF BARNESVILLE

ORDINANCE NO. 2012-07

AN ORDINANCE AMENDING CHAPTER 10, SEC 10.02, SUBD. 7(B)(2) OF THE MUNICIPAL CODE REGARDING THE AMOUNT OF INSURANCE OR SURETY BOND REQUIRED BY AN OWNER OF A DANGEROUS DOG.

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

CHAPTER 10, SECTION 10.02, Subd. 7(B)(2) amended to read as follows:

Subd 7 Dangerous Dogs:

2. A surety bond issued by a surety company authorized to conduct business in the State of Minnesota in a form acceptable to the City in the sum of at least ~~\$50,000~~ \$300,000, payable to any person injured by the dangerous dog, or a policy of liability insurance issued by an insurance company authorized to conduct business in the State of Minnesota in the amount of at least ~~\$50,000~~ \$300,000, insuring the owner for any personal injuries inflicted by the dangerous dog.

PASSED AND ADOPTED by the Barnesville City Council this 13th day of August, 2012.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: July 9, 2012
Second Reading: August 13, 2012
Adopted: August 13, 2012
Publication: August 20, 2012

Mayor Dahnke stated the next item on the agenda was the Request for qualifications for City Engineering services.

City Administrator Mike Rietz informed council members that the Public Works committee is recommending that staff be authorized to develop a Request for Qualifications (RFQ) for the purpose of designating a City Engineer. The city currently does not have an officially designated engineering firm. The City works with Ulteig Engineering, and EDA works with Moore Engineering.

07-09-12-14 Motion by Mr. Davis and second by Mrs. Enstad to direct staff to start a process with the end goal of identifying an engineering firm to designate as the City Engineer at the January 2013 City Council meeting. Motion carried.

Mayor Dahnke stated the next item on the agenda was the MHS Grant application.

City Administrator Mike Rietz informed council members that he has been working on a grant application to the Minnesota Historical Society Historical Properties Grant Program to address accessibility issues on the second floor of the Old City Hall, including the installation of an elevator. The estimated cost of this project is \$132,000.00 and while the grant does not require a local match, Mr. Rietz stated that he is including a \$10,000.00 local match. Adding some of our money to the project should help our application somewhat because it indicates a commitment on our part to get the project completed.

07-09-12-15 Motion by Mr. Rick and second by Mrs. Strom to proceed with the Minnesota Historical Society Historical Properties Grant Program. Motion carried.

Mayor Dahnke stated the next item on the agenda was the approval of the summary Ordinance 2012-05.

07-09-12-16 Motion by Mr. Davis and second by Mrs. Strom to approve the following Summary Ordinance 2012-05. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2012-05

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

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.

2. Summary of Ordinance:

The provisions of this ordinance amend the residential zoning sections of the City Code to make home occupations a permitted use and adds provisions to the home occupation section of the City Code.

This Ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

3. Availability of Ordinance:

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the office of the City Clerk, Barnesville City Hall, 102 Front Street North, Barnesville, Minnesota.

This Ordinance was passed by the City Council of the City of Barnesville on the 11th day of June, 2012.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: May 14, 2012
Second Reading: June 11, 2012
Adopted: June 11, 2012
Published: July 16, 2012

Mayor Dahnke stated the next item on the agenda was the appointment of Election Judges.

07-09-12-17 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, Allmaras, Strom, Davis, Sylvester, and Enstad. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA**

RESOLUTION NO. 07-09-12-17

**CITY OF BARNESVILLE OF CLAY COUNTY, MINNESOTA
APPOINTING ELECTION JUDGES
FOR THE ELECTION OF
AUGUST 14, 2012 AND NOVEMBER 6, 2012**

WHEREAS: a Primary Election will be held on August 14, 2012, and a General Election will be held on November 6, 2012 and

WHEREAS: MN Statute 204B, subd. 2, requires election judges for precincts in a Municipality be appointed by the governing body of the municipality; and

WHEREAS: the City of Barnesville has one voting precinct; and

WHEREAS: the following City of Barnesville residents have agreed to serve as election Judges and have met the qualifications established by the State of Minnesota.

NOW, THEREFORE, BE IT RESOLVED, that the City of Barnesville hereby appoints the following persons to serve as election judges for the Primary and General Election of 2012, with the understanding that amendments may be necessary to the appointments in order to fill vacancies and meet party splits.

Judges: Carolyn Gabel, Nancy Holm, Darlene Erickson, Maggie Willard, Judy Bjerketvedt, MaryAnn Thompson, Betty Ishaug, Dar Hines, Vivian Montplaisir, Karen Prim, Charles Martinson and Jana Cayler.

Adopted by the City Council of the City of Barnesville this 9th day of July, 2012.

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the resolution declaring Potato Days a Community Wide Festival.

07-09-12-18 Motion by Mr. Davis and second by Mrs. Strom to approve the following resolution. 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.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA**

**RESOLUTION DECLARING BARNESVILLE
POTATO DAYS A
COMMUNITY-WIDE FESTIVAL**

RESOLUTION NO. 07-09-12-18

WHEREAS, Barnesville Potato Days is an annual festival occurring in the City of Barnesville; and

WHEREAS, Barnesville Potato Days involves activities and entertainment that involve not only the Barnesville community but surrounding communities; and

WHEREAS, Barnesville Potato Days will occur on August 24th through August 25th, 2012; and

WHEREAS, the Barnesville City Council desires to promote Potato Days and encourage local businesses to participate in Barnesville Potato Days; and

WHEREAS, it is necessary to designate Potato Days as a community festival to enable and authorize the City of Barnesville to grant community festival special event liquor licenses pursuant to Section 5.33 of the Barnesville City Code; and

WHEREAS, the Barnesville City Council desires to formally recognize Potato Days as a community-wide festival.

NOW, THEREFORE, BE IT RESOLVED, that Barnesville Potato Days is hereby designated a community-wide festival.

BE IT FURTHER RESOLVED that the dates of August 24th through August 25th, 2012 are designated as dates during which the City of Barnesville may issue special event community-wide festival licenses.

Dated: July 9, 2012

APPROVED:

Fred Dahnke
Mayor

ATTEST:

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the electric ordinance update on motor requirements.

TEC Manager Guy Swenson informed council members that currently our electric ordinance requires that all motors 20 hp and larger require “line compensators”. Staff is recommending that the ordinance be changed to say “soft starts may be required (as determined by the city’s electrical engineer) for 20 to 30 HP motors and is required for motors larger than 30 hp.

07-09-12-19 Motion by Mr. Allmaras and second by Mrs. Enstad to approve the 1st reading of Ordinance 2012-08.

ORDINANCE 2012-08

AN ORDINANCE TO ESTABLISH ELECTRIC RATES AND CHARGES FOR RESIDENTIAL AND COMMERCIAL ELECTRIC SERVICES.

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

WHEREAS, the City Council did previously Ordinance No. 2010-8 an ordinance to establish charges and,

WHEREAS, the Telephone/Electric/Cable TV (T.E.C.) Advisory Board for the City of Barnesville has recommended the following rates and charges for residential and commercial electric services;

NOW, THEREFORE, Ordinance No. , 2010-8 is hereby replaced as follows

MUNICIPAL AND PUBLIC UTILITIES - RULES AND REGULATIONS, RATES, CHARGES AND COLLECTIONS

Section 1. Code Requirement.

All wiring, connections and appurtenances shall be installed and performed strictly in accordance with the National Electrical Code. Failure to install or maintain the same in accordance therewith or failure to have or permit required inspections shall, upon discovery by the City, be an additional ground for termination of electrical service to any consumer.

Section 2. Services.

New or changed service installations shall be made at the expense of the consumer, placed underground where designated by the City (refers to the exact buried location and whether the service should go to the transformer or closest pedestal), and the

meter location shall also be designated by the City (refers to mounting the meter inside or outside of the building, on the building or at the transformer). Overhead service installations may be permitted by the City

- A. Temporarily during new construction;
- B. Temporarily during an emergency to prevent danger to persons or property;
- C. For a period of not more than seven months when soil conditions make excavation for underground service impractical; or
- D. Where to require underground service, the consumer has shown that such requirement is unduly burdensome.

Section 3. Electrical Installations.

All electrical installations shall comply with the following, where applicable:

- A. ~~Motors of 20 HP or more must have line compensators on same.~~ ” ***Soft starts may be required (as determined by the city’s electrical engineer) for 20 to 30 HP motors and are required for motors larger than 30 hp***” ~~Provided, however, that~~ ***The*** City may, at its option, make an exception if the total connected motor load required is smaller than the consumer connected load, and the motor starting current is less than the current corresponding to the consumer's total connected load.
- B. Any establishment having a total motor load of 125 HP or more is required to have 440 volts for its motor load.
- C. All motor installations of less than 5 HP shall be supplied with 240 volt single phase energy except: (1) motors of 1/2 HP or smaller may be 120 volt; or (2) three phase motors of 3 HP or more may be served from existing secondary power circuits where only service wires and meters are required.
- D. The City shall make an installation charge for extraordinary expenses required by a consumer.

Section 4. Replacing or Converting to Underground.

- A. Converting to Underground. The City may, at its option and at its expense, convert any present service where no change is otherwise required by the consumer, from overhead to underground. Where this is done, the City shall only cover and refill the trench and other ditching maintenance or repair, and all subsequent changing and repairing of the service shall be the obligation of the consumer.
- B. Replacing. Nothing herein shall prevent the City from replacing an overhead service with the same type.
- C. Meters and Placement Service. Placement of services and meters shall be determined by the City.

Section 5 Installation of Electric By-Pass Switches

A. RESIDENTIAL:

1. New Housing

All metered electric services will be equipped with an ELECTRIC BY-PASS SWITCH.

2. Existing Housing

When the existing metered electric service is upgraded or replaced an ELECTRIC BY-PASS SWITCH will be installed.

B. INDUSTRIAL/COMMERICAL:

1. New Buildings

All metered electric services will be equipped with an ELECTRIC BY-PASS SWITCH.

2. Existing Buildings

When the existing metered electric service is upgraded or replaced an ELECTRIC BY-PASS SWITCH will be installed.

C. FAILURE TO COMPLY:

In the event a contractor, home owner or building owner fails to comply with this ordinance an electric meter will not be installed and the electric service cables will not be connected to the Barnesville Municipal Power distribution system.

Section 6. Reconnection / Service Charges

Reconnection services will occur only during regular business hours, 7:30 a.m. through 4:30 p.m., Monday through Friday, except for Holidays, providing:

A. Current bill, penalties service order charge and reconnect fee of \$100.00 are paid in full; however, should the customer request reconnection outside of the above mentioned regular business hours or on holidays, the reconnect fee shall be \$200.00.

B. Formal payback agreement is established within the city utilities which shall include the reconnect fee whether it is \$100.00 or \$200.00.

1. Failure of the customer to adhere to the payment plan as established by the Barnesville Utilities shall result in immediate disconnection of service.

C. Relocates: Relocating an established electric service from one location to another. \$19.95 Administrative fee applies.

Section 7 Electric Heating System Regulations

A. VIOLATION A MISDEMEANOR.

Every person whom violates a section, subdivision, paragraph or provision of this Chapter when he/she performs an act thereby prohibited or declared unlawful, or fails to act when such failure is thereby prohibited or declared unlawful, and upon conviction thereof, shall be punished as for a misdemeanor except as otherwise stated in specific provisions hereof.

Section 8 Electric Rate Schedules

A. RATE SCHEDULE #1:

GENERAL SINGLE PHASE service Residential: (RL1 & AR1)(HP-2 & HP-4 Summer Rate)

	Current
Base Charge	\$13.00
Energy Charge	\$.0935 per kwh

Available to all residential customers.

B. RATE SCHEDULE #2:

GENERAL SINGLE PHASE service Commercial: (RC1 & DI1)

	Current
Base Charge	\$16.00
Energy Charge	\$.0975 per kwh

Available to commercial customers for single phase service

C. RATE SCHEDULE #3

GENERAL THREE PHASE SERVICE: (GS6 & DI9)

	Current
Base Charge	\$22.00
Energy Charge	\$.0975 per kwh

Available to all customers for three phase service with a calculated demand of 20 KW or less

D. RATE SCHEDULE #4

LARGE POWER THREE PHASE SERVICE (LP1 & DI1)

	Current
Base Charge	\$36.00
Demand Charge	

All kw \$10.30 /kw

Energy Charge

All kwh \$.054 per kwh

Available to all customers for three phase service with a calculated demand over 20 KW. Billing demand to be the maximum measured during any 15 minute interval during the billing period.

E. RATE SCHEDULE #6

SECURITY LIGHTS: (YL1)

Current

Charge per light \$12.25 per month

Available to all customers for un-metered lights, 200 watts or less, owned, installed and maintained by the City.

SECURITY FLOOD LIGHTS: (YL2)

Current

Charge per light \$24.50per month

Available to all commercial customers for un-metered lights, 200 watts or greater, owned, installed and maintained by the City.

F. DEFINITION OF TERMS:

1. Residential Customers: any electric service which includes the primary residence of any person or people.
2. Commercial Customers: any electric service which does not include the primary RESIDENCE of any person or people.
3. Base Charge: Applies to all services where a meter is required to measure energy or demand usage. The base charge does not apply to those meters installed where the only purpose is to measure energy utilized by dual fuel or off peak heating sources.

G. CHARGE TO DELIVER DISCONNECT NOTICES

1. A charge of \$25.00 will be applied to utility accounts when in the process of collecting past due charges for electricity it is necessary to hand carry and post a disconnect notice at the customer premise.

2. This charge will be waived one time per customer account.
3. This charge does not apply to notices delivered by mail.

Section 9 Electric Rate Incentives

A Dual Fuel Services (OP-1 & OP-2) (HP-1 & HP3 Winter Rate)
Current
Dual Fuel Service Rate: \$.046/kwh

This rate is available to all customers with a dual fuel heating system (Including Heat Pumps) controlled by the city's load management system. To qualify:

1. A heating system must use electricity as its primary source of heat; and
2. The secondary source of heat must be fossil fuel, thermostatically controlled and capable of heating the structure to 68 degrees and maintaining that temperature; and
3. The dual fuel load shall be metered separately. Metering may be subtractive or direct metered
4. The customer must make a five year commitment to the program.
5. Tampering with, bypassing or in any way rendering the electric heat control inoperative will result in the immediate and permanent loss of the dual fuel rate, and, at council discretion, may result in criminal charges for theft of services.
6. Failure to fulfill the 5 year commitment will result in the immediate and permanent loss of the dual fuel rate.

B. Dual Fuel Incentive for Existing Buildings

An incentive will be offered for all customers converting to a dual fuel system.

A \$300.00 incentive will be paid to all customers that convert from an all electric heated home to a qualified dual fuel heating system. (ref section 9,A,1 - 5).

A \$100.00 incentive will be paid to all customers that that convert from a fossil fuel heating system to a qualified dual fuel heating system. (ref section 9,A,1 - 5).

C. Dual Fuel Incentive for New Construction

A \$200.00 one-time payment will be made to the general contractor.

D. Financing for Dual Fuel Installations

All new approved dual fuel heating installations are eligible for a 5 year, 6% annual interest loan of up to \$2,000.00. This loan will be paid back in equal monthly installments on the customer's utility bill. Loans for commercial customers will require prior approval by the T.E.C. Advisory Board or the City Council.

E. Off Peak Services

Off Peak Service Rate: Current
\$.046/kwh

This rate is available for electric thermal storage (ETS) space heaters, under concrete slab electric heating systems and electric heated liquid filled under concrete slab heating systems. Off Peak Services must be metered separately and controlled by the city's load management system. Central Air-conditioners and water heaters do not qualify for the off peak rate, Ref paragraph F for water heater incentives and paragraph G for Central Air-conditioner incentives.

F. Water Heater Incentive Program

All electric water heaters are required to be connected to / and controlled by the city's load management system.

All customers shall be eligible for a rebate of \$2.00 per gallon for the installation of a new electric water heater with a storage capacity of at least 50 gallons. This rebate increases to \$3.00 per gallon for new water heaters with a minimum storage capacity of 80 gallons. The rebate shall be credited on the customer's utility bill as soon as the following are provided. Demand water heaters without storage do not qualify for this rebate.

1. Proof of purchase and installation of a qualifying water heater; and
2. Verification by electric utility personnel that the load controls have been installed and properly wired.
3. Tampering with, bypassing or in any way rendering the water heater control inoperative will result in the immediate loss of the water heater rebate. The customer will be responsible for all costs associated with the replacement and reconnection of the load controller including the cost of the replacement controller, any administrative fees, and, at council discretion, may result in criminal charges for destruction of property.

This incentive is limited to one rebate per address during any 5-year period. : (Water heater incentive subject to budget availability).

G. Central Air Conditioning Incentive Program

A \$3.00 per month credit is available to all customers that allow their central air-conditioner to be controlled by the city's load management system. This credit is available for the months of June through September. Qualifications for this rebate are;

1. Customer must have a central air-conditioning system such as a ducted or hi-velocity system. Window units and ductless mini split systems are not eligible.
2. Air-source heat pumps and geothermal heat pumps qualify if they are controlled by the city's load management system and are not receiving the dual fuel rate.

H. Distributed Generation Interconnection for Co-generation and Small Power Production.

1. The Distributed Generation Workbook is part of this ordinance and requires that;
2. All "Qualifying Facilities" must comply with the Distributed Generation Workbook. The Distributed Generation Workbook is available at City Hall.
3. All "Qualifying Facilities" must maintain insurance and submit proof of insurance certificates to City Hall annually.
4. All "Qualifying Facilities" will be charged an Application Fee of \$50.00 for a small Qualifying Facility and a \$250.00 to \$1,500.00 Application Fee for a large Qualifying Facility based on interconnection type and load (kw) size as detailed in the Generation Interconnection Application Fees in Section 9, Page 10 of the Distributed Generation Workbook.
5. Any changes to the generation or interconnection of a Qualifying Facility must be submitted to City Hall in writing 60 days before the proposed changes are to take effect.

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 13th day of August, 2012.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: July 9, 2012
Second Reading: August 13, 2012
Adopted: August 13, 2012
Publication: August 20, 2012

Mayor Dahnke stated the next item on the agenda was the first reading of Ordinance 2012-09.

TEC Manager Guy Swenson informed council members that the utility marketing group is interested in increasing the combo discount for Cable TV. To be eligible for the combo discount, customers must have the Barnesville DSL, Barnesville Telephone, Barnesville Long distance and Barnesville Cable TV. Mr. Swenson stated that his ordinance change would be to stay competitive with new discounts. Council member Allmaras questioned what these discounts would do to the revenues. Council member Rick stated that he would like to see staff look at different packages.

07-09-12-20 Motion by Mr. Allmaras and second by Mrs. Strom to approve the 1st reading of Ordinance 2012-09. Motion carried.

ORDINANCE 2012-09

AN ORDINANCE TO ESTABLISH THE RATES AND

CHARGES FOR BROADBAND AND INTERNET SERVICE.

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

WHEREAS, the City Council did previously enact Ordinance No. 2010-04 an ordinance to establish charges for broadband and internet service.

WHEREAS, DSL service is a service regulated by National Exchange Carrier Association (NECA) and the City of Barnesville doing business as Barnesville Municipal Telephone is a member of NECA and,

WHEREAS, NECA has filed the appropriate tariffs with the Federal Communications Commission which establish wholesale charges for DSL services and,

WHEREAS, the Telephone/Electric/Cable TV (T.E.C.) Advisory Board for the City of Barnesville has recommended the following rates and charges for DSL and Dial-up Internet service provided to customers by the Broadband and Internet Enterprise.

NOW THEREFORE, Ordinance No. 2010-04 is hereby replaced as follows:

Section 1. Costs for DSL service

	MONTHLY COSTS		SPEEDS	
	Internet/DSL		Down speed	Up speed
1.	\$24.95	(Bronze)*	up to 128 kbps	up to 128 kbps
2.	\$36.95	(Silver)	up to 3 Megbps	up to 1 Megbps
3.	\$52.95	(Gold)	up to 6 Megbps	up to 1 Megbps
4.	\$69.95	(Platinum)	up to 10 Megbps	up to 1 Megbps

* New DSL customers only

Cost for additional Email accounts: \$ 2.00 per month

Cost for 2nd Static IP addresses \$10.00 per month

DSL “Combo” package

When DSL is purchased along with Barnesville Long Distance and Barnesville Cable TV service the customer will receive a monthly “Combo” discount on the cost of the DSL level as follows:

\$5.00 per month discount for Bronze DSL service

~~\$5.00~~ **\$10.00** per month discount for Silver DSL service

~~\$10.00~~ **\$15.00** per month discount for Gold DSL service

~~\$15.00~~ **\$20.00** per month discount for Platinum DSL service.

The DSL “Combo” package is available to business and residential customers.

DSL Installation charge: \$250.00 non-recurring (DSL Installation charges will increase along with NECA increases)*-*

- DSL Installation charge may be waived.

Conditions for waiver: Customer agrees to maintain DSL service for a minimum period of twelve months. Customer will be billed DSL service installation charge should they fail to maintain DSL service for the twelve-month period. Service order charges are not waived.

Section 2. Equipment Provided by Customer

Network Interface Card (NIC)

Modem: Options

- 1) Customer can provide their own modem, or
- 2) Purchase a Modem/router from City Hall - \$140.00 (plus applicable taxes), or
- 3) Rent a Modem/router for \$4.95 per month.

SOFTWARE REQUIRED/RECOMMENDED

INTERNET BROWSER: Customer provided

FIREWALL: Software and electrical surge protector are responsibility of subscriber.

Section 3. Equipment provided for Customer

3 meter CAT 5 patch cord

Section 4. Cost for Dial-up Internet service - Dial-up Service will no longer be offered after February 18, 2010. Current Dial-up customers will continue to be supported and can remain on the system for as long as they choose, however, once a customer leaves Dial-up service they cannot get reconnected to Dial-up. (These customers will qualify for the Bronze DSL package)

All Dial-up rates will remain in effect until the last customer has chosen to disconnect from the Dial-up system.

All rates listed will apply equally to residential or business service.

1.	35 hours per month	\$9.95	(20 cents per hour over 35 hours)
2.	100 hours per month	\$14.95	(15 cents per hour over 100 hours)
3.	Unlimited	\$19.95	
4.	Unlimited Package	\$14.95	(when purchased with Barnesville Long Distance and Barnesville Cable TV service)

Section 5. Equipment provided by Customer

Modem 56 kbps

Section 6. Billing

The monthly charge for Broadband and Dial up Internet service will be billed forward.

If service is disconnected, the billing for service will be ½ the monthly rate if disconnected on or before the 15th day of the present month. Service disconnected after the 15th day of the present month will be billed for the full month.

Section 7. Rate adjustments.

1) First time DSL customers receive a \$10.00 per month credit for 3 months with one year service agreement.

2) In support of Economic Development efforts and with Council approval, DSL monthly service charges may be reduced up to 50 percent for a time period no longer than 1 year.

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 13th day of August, 2012.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: July 9, 2012
Second Reading: August 13, 2012
Adopted: August 13, 2012
Publication: August 20, 2012

Mayor Dahnke stated the next item on the agenda was the Main Street report on brick engraving on Front Street.

Main Street Director Karen Hagen informed council members that the owner of Dakota Monument has indicated the when work is to be done on sight, dry conditions are to be consistent for a number of days. This assures a better quality of engraving. Work has been estimated to be completed in July.

Mayor Dahnke stated the next item on the agenda was the Clay County Fair booth. City Administrator Mike Rietz informed council members that Barnesville is the highlighted community at the Clay County Fair.

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.

07-09-12-22 Motion by Davis and second by Mr. Rick to adjourn the meeting at 8:34 p.m.
Motion carried.

Submitted by:

Attest:

Jeri Reep
City Clerk

Fred Dahnke
Mayor

