

Barnesville City Council
Regular Meeting
January 10, 2011

Mayor Dahnke called this regular meeting to order at 7:00 p.m. Members present were Mayor Dahnke and Council members Darin Allmaras, Larry Davis, Jr., Del Ellefson, Jeremy Krause, Jason Rick and Merlin Strom. Others in attendance were City Attorney John Shockley, City Administrator Mike Rietz, City Clerk Jeri Reep, TEC Manager Guy Swenson, EDA Director Karen Lauer, Finance Director Laurie Schell, Police Chief Dean Ernst, Ambulance Manager Jon Yeske, Public Works Supt. Dave Riddering, Brandon Anderson with People Service, Dan Hanson with Ulteig Engineers, Dan Hanson with Ulteig Engineering, Rick Raftevold 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 asked if there were any additions or corrections to the agenda. City Administrator Mike Rietz stated that the following items needed to be added to the agenda: to hire Gary Ranklev as the Public Works Maintenance I, approval of the Barnesville Rod & Gun Club gambling request, and approval of the pay equity implementation report.

01-10-11-01 Motion by Mr. Krause and second by Mr. Rick to approve the agenda as presented, with the following additions: to hire Gary Ranklev as the Public Works Maintenance I, approval of the Barnesville Rod & Gun Club gambling request, and approval of the pay equity implementation report. Motion carried.

01-10-11-02 Motion by Mr. Krause 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 December 13, 2010.
2. Approval of the minutes of the special meeting held on December 13, 2010.
3. Department head reports
4. Approval of the 4th Quarter transfers
5. Approval of check numbers 70224-70399 in the amount of \$933,345.97 and EFT payments in the amount of \$191,039.54.
6. Approval to hire Tyler Januscheitis and Caden Summers as skating rink attendants at a rate of pay of \$7.25 per hour.
7. Approval to hire Gary Ranklev II as Public Works Maintenance I at \$12.00 per hour.
8. Approval of the Barnesville Rod & Gun Club gambling request for February 18, 2011 at the American Legion Post 153.

9. Approval of the pay equity implementation report.
10. Approval of changes to Midwest Independent Transmission System Operator Market Implementation Agreement Exhibits B & C.
11. Approval of Northern Cities Group transmission rate increase
12. Approval of the Missouri River S-1 Rates
13. Approval of the appointment of Del Ellefson and Gene Prim to the EDA Board

Mayor Dahnke next asked Mr. Rick Raftevoll to come forward. Mayor Dahnke stated that Mr. Raftevoll has been a TEC Board member for the past eight years, and presented Mr. Raftevoll a clock and thanked Mr. Raftevoll for his years of service.

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

Council member Merlin Strom stated that the Planning Commission did not meet. Mayor Dahnke stated that the Fire board would be meeting at the end of January. Council members had nothing new to report.

01-10-11-03 Motion by Mr. Rick 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 2nd reading of Ordinance 2010-12 regarding building permit fee changes. City Administrator Mike Rietz informed council members that this will clarify what is a moving permit. Also, a permit with a fee for any installation of a furnace that requires a change in the combustible fuel source will be required also.

01-10-11-04 Motion by Mr. Allmaras and second by Mr. Rick to approve the 2nd reading of Ordinance 2010-12. Motion carried.

CITY OF BARNESVILLE ORDINANCE NO. 2010-12

AN ORDINANCE AMENDING SECTION 4.05 AND CHAPTER 19 OF THE MUNICIPAL CODE REGARDING A FEE TO BE CHARGED BY THE CITY OF BARNESVILLE FOR MOVING PERMITS AND REPLACEMENT OF A FURNACE WITH A CHANGE IN THE FUEL SOURCE.

WHEREAS, the City of Barnesville conducts building code enforcement activities within the City of Barnesville, which requires the expenditure of City funds for various services, and supplies; and

WHEREAS, the Barnesville City Charter and Minnesota Statutes permit the establishment of fees for services performed by the City of Barnesville,

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

CHAPTER 4, SECTION 4.05, Subd. 3 is repealed and recreated as follows:

Permit and Fee. The moving permit shall state date or dates of moving, hours, routing, movement and parking. Permits shall be issued only for moving buildings by building movers licensed by the State of Minnesota and the State of North Dakota, except that a permit may be issued to a person moving his/her own building, or a person moving a building that does not exceed 16 feet in width, 20 feet in length or 14 feet in loaded height. Nor shall a license be required of farmers moving their own farm buildings, nor of persons moving manufactured or modular homes. Moving any building 150 square feet or larger, including a manufactured home, into or from one location to another within the city of Barnesville requires a permit. Fees to be charged shall be separate for each of the following: (1) a moving permit fee to cover use of streets and route approval, and (2) a fee equal to the anticipated amount required to compensate the City for any municipal utility and public property (other than streets) repairs or alterations occasioned by such movement. All permit fees shall be paid in advance of issuance.

CHAPTER 19, SECTION 4.02 **MISCELLANEOUS FEES** is amended as follows:

Moving Permits (to be obtained by a licensed mover or owner of the building or manufactured home.

\$50.00

Furnace Permit (to be obtained on the replacement of a furnace when there is a change in the combustible fuel source).

\$25.00

PASSED AND ADOPTED by the Barnesville City Council this 10th day of January, 2011.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: December 13, 2010
Second Reading: January 10, 2011
Publication: January 17, 2011

Mayor Dahnke stated the next item on the agenda was the summary ordinance of 2010-12.

01-10-11-05 Motion by Mr. Ellefson and second by Mr. Strom to approve the summary Ordinance 2010-12. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2010-12

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An ordinance to amend section 4.05, subd. 3 and chapter 19 of the Barnesville Municipal Code relating to building permit fees.

2. Summary of Ordinance:

The provisions of this ordinance clarify the moving permit fee and create a fee for furnace installation where there is a change in the combustible fuel source.

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 10th day of January, 2011.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: December 13, 2010
Second Reading: January 10, 2011
Adopted: January 10, 2011
Published: January 17, 2011

Mayor Dahnke stated the next item on the agenda was the discussion of the Front Street pavers. City Administrator Mike Rietz stated that Personnel & Finance discussed this at their portfolio meeting. The recommendation is for the City to purchase a paver to place in front of the Police Department. The other paver discussed was for the Mayor and Council members to purchase a paver, and be placed in front of City Hall, with the list of the 2011 Mayor and Council Members names.

01-10-11-06 Motion by Mr. Allmaras and second by Mr. Ellefson to approve the expenditure of \$250.00 for a paver in front of the Police Department. An additional paver will be purchased to be placed in front of City Hall, with the Mayor and Council members paying for the cost. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Missouri River load management verification payment program. TEC Manger Guy Swenson informed council members that this program will issue an annual payment of \$5.00 per year for air conditioners and \$1.75 per year for water heaters that are controlled beginning in 2011. Mr. Swenson stated that this program will run thru December 31, 2016. Mr. Swenson stated that the TEC board recommends signing the application.

01-10-11-07 Motion by Mr. Davis and second by Mr. Strom to authorize TEC Manager Guy Swenson to sign and return the Missouri River load management verification payment program. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Cannon/Cooper AMR meter purchase. TEC Manager Guy Swenson informed council members that this purchase is

for 100 AMR electric meters in the amount of \$12,750.00. This is a budgeted item for 2010.

01-10-11-08 Motion by Mr. Ellefson and second by Mr. Rick to authorize the purchase of 100 AMR Cannon/Cooper AMR meters in the amount of \$12,750.00. This expenditure is to be included in the 2010 budget. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Calix purchase of shelves and cards. TEC Manager Guy Swenson informed council members that this purchase is for 2 Calix DSL E-5-110 shelves at \$3650.75 each, 2 Calix EF-120 shelves at \$3055.75 each, 1 Calix ADSL2-24A replacement card at \$1695.75, and 12 interconnect cables for the E5-110 and E5-120 shelves at \$82.00 each. The upgrade will allow us to meet state mandated DSL speeds of up to 50 meg download by 2015, and allow the addition of 24 super high speed DSL customers to be added to the system. Mr. Swenson stated that there are funds in the 2010 budget for this purchase, total cost is \$16,089.75 plus shipping.

01-10-11-09 Motion by Mr. Krause and second by Mr. Ellefson to approve the purchase of 2 E5-110 shelves, 2 E5-120 shelves, 1 ADSL2-24A card, and 12 interconnect cables for a total cost of \$16,089.75 plus shipping from Calix Network. This expenditure is to be included in the 2010 budget. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Modern Enterprise Solutions modem purchase. TEC Manager Guy Swenson informed council members that the supply of modems is depleted and would like to purchase 20 modems at \$72.67 each, plus shipping. Mr. Swenson stated that this is a 2010 budgeted item.

01-10-11-10 Motion by Mr. Krause and second by Mr. Ellefson to purchase 20 modems at \$72.67 each, plus shipping. The modems will be purchased from Modern Enterprise Solutions. This expenditure is to be included in the 2010 budget. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Transparent Video System MUX upgrade. TEC Manager Guy Swenson informed council members that we have been having problems with the personal video recorders (pvr). Mr. Swenson stated that staff has been working with TVS to resolve several issues. The first issue is we cannot get Closed Captioning on the standard definition channel of the High Definition boxes. Second issue is the current multiplexors are limited to three HD channels each provided the feed is from the same source. Third issue-high failure rate of the standard definition personal video recorders. TVS is offering to buy back our SD-PVR that we have not issued to a customer. This discount will be applied to the purchase of 4 DTM-QS quad multiplexors at \$15,000 each. Also, will have 24/7 technical services for one year. The total cost is \$68,000 plus shipping. Mr. Swenson stated that this is not a budgeted item.

01-10-11-11 Motion by Mr. Davis and second by Mr. Ellefson to approve the purchase of 4 DTM-QS quad Multiplexors at \$15,000 each, 4 DTM-17 ASI multiplexors at \$15,000 each and the TVS Care Premium Service and Support Plan that will allow 24/7

technical services for one year. TVS will also buy back 4 of our old AV multiplexors for \$5,000 each. Total cost is \$68,000 plus shipping. This equipment will be purchased from Transparent Video System (TVS). This expenditure will be taken from the telephone cash account. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Clearfield Telcom Fiber chassis purchase. TEC Manager Guy Swenson informed council members that we have 4 288 fiber trunk lines entering the central office. Currently each single fiber is routed into the same chassis. This 288 additional fiber chassis will help to clean up the separate the 288 fiber trunk making future fiber usage and troubleshooting more effective. The cost of the 288 fiber chassis is \$5,950.00 plus shipping. Mr. Swenson stated that there are funds available in the 2010 budget.

01-10-11-12 Motion by Mr. Davis and second by Mr. Rick to approve the purchase of one 288 fiber chassis in the amount of \$5,950.00 plus shipping. This purchase will be from Clearfield Telecom. This expenditure will be from the 2010 budget. Motion carried.

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2011-01, the creation of a meter access fee.

City Administrator Mike Rietz informed council members that the Public Works committee has been discussing this. This ordinance would assist water and electric personnel gain access to the utilities meters if access needs to be granted by the owner of the property. This is primarily a problem in the water department because those meters are inside a building. This ordinance puts the burden on the homeowner to make sure they make arrangements to give our personnel access within 30 days of being contacted. If after 30 days, access has not been granted to allow the required task to be accomplished, the customer would see a \$50.00 surcharge on their bill each month until this issue is dealt with.

01-10-11-13 Motion by Mr. Davis and second by Mr. Rick to approve the 1st reading of Ordinance 2011-01. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2011-01**

**AN ORDINANCE AMENDING SECTIONS 3.04 AND 19.01 OF THE
MUNICIPAL CODE REGARDING A FEE TO BE CHARGED BY THE CITY OF
BARNESVILLE FOR FAILURE TO PROVIDE ACCESS TO A UTILITY
METER WITHIN 30 DAYS.**

WHEREAS, the City of Barnesville provides water, sewer and electric services and uses metering as a way to measure usage and determine what to charge for the services provided; and

WHEREAS, the City of Barnesville has the right to access these meters for maintenance, upgrades and to obtain readings; and

WHEREAS, the Barnesville City Charter and Minnesota Statutes permit the establishment of fees for services performed by the City of Barnesville,

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

CHAPTER 3, SECTION 3.04, Subd. 7 is repealed and recreated as follows:

Right of Entry. By applying for, or receiving, a municipal utility service, a customer irrevocably consents and agrees that any City employee acting within the course and scope of his/her employment may enter into and upon the private property of the customer, including dwellings and other buildings, at all reasonable times under the circumstances, in or upon which private property a municipal utility, or connection therewith, is installed, for the purpose of inspecting, repairing, reading meters, connecting or disconnecting the municipal utility service. Failure to allow entry to a city employee onto private property for the above stated purposes within 30 days of the City's initial request to do so shall result in a \$50 surcharge being placed on the customer's utility bill each month until access is granted and the required task accomplished.

CHAPTER 19, SECTION 3.04, Rules and Regulations Relating to Municipal Utilities Is Amended to include:

Subd. 7, Right of Entry. Failure to allow entry to a city employee onto private property for the above stated purposes within 30 days of the City's initial request to do so shall result in a \$50 surcharge being placed on the customer's utility bill each month until access is granted and the required task accomplished.

PASSED AND ADOPTED by the Barnesville City Council this ___ day of _____, 2011.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: January 10, 2011
Second Reading: February 14, 2011
Publication: February 21, 2011

Mayor Dahnke stated the next item on the agenda was the Teamsters Labor Agreement. City Administrator Mike Rietz informed council members that this is a two year agreement with a 3% wage adjustment in each year of the contract. The only other change is adding the day after Thanksgiving as a holiday.

01-10-11-14 Motion by Mr. Rick and second by Mr. Strom to authorize staff to sign the Teamsters Local 120 labor agreement for a two year contract. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Clay County Intergovernmental Retreat. Mayor Dahnke stated if any council member is interested in attending, to let staff know. The retreat is held in Moorhead on January 28, 2011.

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

Mr. Dan Hanson with Ulteig Engineers next updated council members on the Front Street project. Mr. Hanson stated that the plans have been re-submitted to the DOT for approval. Mr. Hanson stated that they are looking at a bid opening in February, and to award the bid in March.

01-10-11-15 Motion by Mr. Davis and second by Mr. Rick to adjourn the meeting at 7:41 p.m. Motion carried.

Submitted by:

Attest:

Jeri L. Reep
City Clerk

Fred Dahnke
Mayor

