

**Barnesville City Council
Regular Meeting
October 11, 2010**

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 Administrator Mike Rietz, City Clerk Jeri Reep, TEC Manager Guy Swenson, EDA Director Karen Lauer, Ambulance Manger Jon Yeske, Finance Director Laurie Schell, Police Chief Dean Ernst, Brandon Anderson with People Service, Dan Hanson with Ulteig Engineers, Leonard Boone, Frank and Melissa Boone, 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 only addition was to add an update on the Front Street project.

10-11-10-01 Motion by Mr. Krause and second by Mr. Rick to approve the agenda, with the addition of an update on the Front Street project. Motion carried.

10-11-10-02 Motion by Mr. Krause and second by Mr. Ellefson 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 September 13, 2010.
2. Department head reports.
3. Approval of check numbers 69698 – 69882 in the amount of \$228,898.89 and EFT payments in the amount of \$189,679.51
4. Approval of 3rd quarter transfers.
5. Approval of the 2010 audit engagement letter with Larson-Allen in the amount of \$29,500.00.
6. Approval of the Onvoy SS7 contract with term expiring on Sept. 15, 2013.
7. Approval of the Steller Billing contract for a three year term.
8. Authorize staff to sign the Northern Cities group transmission service agreement.
9. Approval of travel for TEC Manager Guy Swenson to attend the Missouri River Energy Services area meeting in Alexandria, Oct. 28, 2010.
10. Accept the resignation of Liquor Store Clerk Annette Dibley.

Mayor Dahnke stated the next item on the agenda was the board and commission reports. Council member Merlin Strom stated that the Planning & Zoning information was in the packet, and the Planning & Zoning concerns for Front Street.

Council member Larry Davis, Jr. stated that the fence is up by the Blue Eagle Lake, and wanted to thank the Public Works employees.

Council member Jeremy Krause stated that the Golf Course would be closing the last Sunday in October.

10-11-10-03 Motion by Mr. Davis and second by Mr. Ellefson to approve the board and commission reports as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Boone detachment request. City Administrator Mike Rietz informed council members that he has met with the Barnesville Township, and the road by Boone's is on the line between Humboldt Township and Barnesville Township. Humboldt Township performs the maintenance on this section of the road. Mr. Rietz stated that he talked to Clay County Engineer Dave Overboe, and Mr. Overboe stated that there is no formal agreement between the County and City for maintenance of this road. Mr. Rietz presented a few options for the council members. Council member Del Ellefson stated that he would like to talk to the Peppels for their input. Council members directed City Administrator Mike Rietz to research this detachment, and report back at the November regular meeting.

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2010-9, an ordinance amending section 11.61 on fences and screening.

City Administrator Mike Rietz informed council members that the Planning and Zoning have been working on this, that this changes some language in the present ordinance. The change would be that fences would not be allowed on utility easements.

10-11-10-04 Motion by Mr. Ellefson and second by Mr. Allmaras to approve the 1st reading of Ordinance 2010-9. Motion carried.

Ordinance 2010-9

AN ORDINANCE TO AMEND SECTION 11.61, SUBD. 5(G) OF THE BARNESVILLE MUNICIPAL CODE RELATING TO FENCING AND SCREENING

BE IT ORDAINED by the City Council of the City of Barnesville that the following
Section of the Barnesville Municipal Code is hereby amended to read:

SEC. 11.61 FENCING AND SCREENING

Subd. 5. Residential District Fences.

G. All fences located within a utility easement require a conditional use permit. Fences are not allowed within utility easements. Existing fences obstructing the use of utility easements shall be removed at the owner's expense when access is required by the utility. Existing fences are those that are existing as of October 1, 2010.

PASSED AND ADOPTED by the Barnesville City Council this 8th day of November, 2010.

By:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

First Reading: October 11, 2010
Second Reading: November 8, 2010
Adopted: November 8, 2010
Published: November 15, 2010

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2010-10, an ordinance regarding set back changes in R1 and R2 districts.

City Administrator Mike Rietz informed council members that this is new language for the R1 and R2 Districts.

10-11-10-05 Motion by Mr. Davis and second by Mr. Rick to approve the 1st reading of Ordinance 2010-10. Motion carried.

Ordinance 2010-10

AN ORDINANCE TO AMEND SECTION 11.11, SUBD. 4 AND SECTION 11.12
SUBD. 4 OF THE BARNESVILLE MUNICIPAL CODE RELATING TO YARD AND
LOT REQUIREMENTS

BE IT ORDAINED by the City Council of the City of Barnesville that the following
Sections of the Barnesville Municipal Code is hereby amended by repealing and
recreating
Section 11.11, Subd 4 and Section 11.12, Subd. 4 to read:

SEC. 11.11 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

Subd. 4. Yard and Lot Requirements:

Accessory <u>Structures</u>	One <u>Family</u>	All <u>Other Uses</u>	
Minimum Lot Area (sq. ft.)	7,200	7,200	
Minimum Lot Width at Setback Line (ft.)	60	60	
Minimum Lot Depth (ft.)	120	120	
Minimum Rear Yard Setback (ft.)	25	25	[2]
Minimum Front Yard Setback (ft.)	25	25	25
Minimum Side Yard Setback	[1]	[1]	[2]
Maximum Lot Coverage	35%	35%	

[1] 10% of the lot width at the front yard setback. On corner lots, the setback on the side yard adjacent to the street ~~Side yard setback on corner lots~~ shall be a minimum of twelve (12) feet from the property line.

[2] Five (5) feet unless a garage entrance faces onto a street, avenue or alley, the minimum setback will be 18 feet from the property line to accommodate vehicle parking off the right-of-way. On corner lots, the setback on the side yard adjacent to the street shall be a minimum of twelve (12) feet from the property line. A setback of ten (10) feet is required if there is a utility easement. On a lot 30,000 sq. ft. or larger accessory buildings with sidewalls greater than ten feet shall have a required setback of 15 feet from the property line.

SEC. 11.12 R-2 URBAN RESIDENTIAL DISTRICT

Subd. 4. Yard and Lot Requirements:

Accessory <u>Structures</u>	One <u>Family</u>	All <u>Other Uses</u>	
Minimum Lot Area (sq. ft.)	6,000	6,000	
Minimum Lot Width at Setback Line (ft.)	50	50	
Minimum Lot Depth (ft.)	120	120	
Minimum Rear Yard Setback (ft.)	25	25	[3]
Minimum Front Yard Setback (ft.)	[1]	[1]	25
Minimum Side Yard Setback	[2]	[2]	[3]
Maximum Lot Coverage	35%	35%	

[1] Twenty-five (25) feet from the property line except on residential streets where the right-of-way is one hundred (100) feet, in which case the setback shall be seventeen and one-half (17.5) feet from the property line.

[2] 10% of the lot width at the front yard setback. On corner lots, the setback on the side yard adjacent to the street ~~Side yard setback on corner lots~~ shall be a minimum of twelve (12) feet from the property line.

[3] Five (5) feet unless a garage entrance faces onto a street, avenue or alley, the minimum setback will be 18 feet from the property line to accommodate vehicle parking off the right-of-way. On corner lots, the setback on the side yard adjacent to the street shall be a minimum of twelve (12) feet from the property line. A setback of ten (10) feet is required if there is a utility easement. On a lot 30,000 sq. ft. or larger accessory buildings with sidewalls greater than ten feet shall have a required setback of 15 feet from the property line.

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

PASSED AND ADOPTED by the Barnesville City Council this ___ day of _____, 2010.

By:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

First Reading: October 11, 2010
Second Reading: November 8, 2010
Adopted: November 8, 2010
Published: November 15, 2010

Mayor Dahnke stated the next item on the agenda was the wage adjustment for meter reader Jeremy Anderson.

City Administrator Mike Rietz informed council members that Personnel and Finance were recommending an increase in pay for meter reader Jeremy Anderson. Jeremy Anderson stopped receiving a benefit that he previously had, which was vacation and sick leave. The \$1.06 increase in pay represents the dollar value of those benefits.

10-11-10-06 Motion by Mr. Davis and second by Mr. Ellefson to increase Jeremy Anderson pay by \$1.06 per hour effective August 10, 2010. Motion carried.

Mayor Dahnke stated the next item on the agenda was the debt study report.

City Administrator Mike Rietz discussed the debt study that was prepared by Ehlers and Associates. Mr. Rietz stated that this is only an update on the previous debt study.

10-11-10-07 Motion by Mr. Davis and second by Mr. Ellefson to approve the debt study from Ehlers and Associates. Motion carried.

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

City Administrator Mike Rietz informed council members that last year, the city chose not to waive the liability limits for insurance coverage.

10-11-10-08 Motion by Mr. Ellefson and second by Mr. Rick to not waive the monetary limits on municipal tort liability established by Minnesota Statutes 466.04. Motion carried.

Mayor Dahnke stated the next item on the agenda was the discussion of the Central Office air conditioner repair.

TEC Manager Guy Swenson informed council members that the air conditioner at the central office has failed. The air conditioning is critical to the operation of the DMS-10 telephone switch. Mr. Swenson stated the cost to repair the air conditioner is \$3,567.00 plus taxes.

10-11-10-09 Motion by Mr. Krause and second by Mr. Ellefson to approve the repair of the air conditioner at the Central office, not to exceed \$3,567.00 plus taxes. Motion carried.

Mayor Dahnke stated the next item on the agenda was the distributed generation workbook resolution.

TEC Manager Guy Swenson informed council members that this workbook is a guide put together by Missouri River Energy Services to assist the utility in handling requests by our customers to connect small generation to our system. This workbook calls out the responsibilities of each party and the standards that must be followed to interconnect with our electrical distribution system.

10-11-10-10 Motion by Mr. Ellefson and second by Mr. Rick to approve the following resolution. Upon a roll call vote, the following voted in favor: Council members Rick, Allmaras, Ellefson, Davis, Strom and Krause. The following voted against: none. The following were absent: none. Motion passed.

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

RESOLUTION 10-11-10-10

WHEREAS, the Public Utilities Regulatory Policy Act of 1978 (**PURPA**), as amended, requires a utility to buy power and sell power to Qualifying Facilities;

WHEREAS, the **MEMBER** and **MRES** filed a Petition of Wavier, which specifies the obligations of the **MEMBER** and **MRES** to a **QF**, with the Federal Energy Regulatory Commission (FERC) on Section 2010 of **PURPA**, and have been granted such waiver by the FERC;

WHEREAS, the **MEMBER** and **MRES** agreed to comply with “Rules of Compliance” as part of the Waiver;

WHEREAS, the **MEMBER** has drafted guidelines and documents to implement the Rules of Compliance known as the “**Distributed Generation Workbook**” to accommodate **QFs** in interconnection and power purchase arrangements, which are subject to be updated periodically;

NOW, THEREFORE, BE IT RESOLVED that in recognition of the above statements, the **MEMBER** hereby adopts the Distributed Generation Workbook as the “Small Power Production and Co-Generation Policy.”

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

Adopted: October 11, 2010

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2010-8, an ordinance with electrical changes.

TEC Manager Guy Swenson informed council members that the security flood light rate and distributed generation interconnection for co-generation and small power production were the only changes made to the ordinance.

10-11-10-12 Motion by Mr.Ellefson and second by Mr. Davis to approve the 1st reading of Ordinance 2010-8. Motion carried.

ORDINANCE 2010-8

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. 2009-6 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. , 2009-6 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. 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 ELECRC 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

Current

Off Peak Service Rate: \$.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 charges 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 affect.***

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 8th day of November, 2010.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: October 11, 2010
Second Reading: November 8, 2010
Adopted: November 8, 2010
Publication: December 15, 2010

Mayor Dahnke stated the next item on the agenda was the 2nd reading of Ordinance 2010-7, an ordinance to increase the mosquito control fee.

10-11-10-12 Motion by Mr. Davis and second by Mr. Allmaras to approve the second reading of Ordinance 2010-7, and this charge will be applied to all residential and commercial utility customers. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2010-7**

**AN ORDINANCE AMENDING SECTION 19.01 OF THE MUNICIPAL CODE
REGARDING A SERVICE FEE TO BE CHARGED BY THE CITY OF
BARNESVILLE FOR MOSQUITO CONTROL.**

WHEREAS, the City of Barnesville conducts annual mosquito control activities within the City of Barnesville, which requires the expenditure of City funds for various services, equipment 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:

SECTION 1. A fee, as set forth below, is hereby charged against all utility customers, to be payable monthly, and to be billed to each utility customer on the monthly utility bills issued by the City of Barnesville. The fee shall be as follows:

Two Dollars (\$2.00) per month, payable every month, along with all other charges set forth on the utility bill.

PASSED AND ADOPTED by the Barnesville City Council this 13th day of September, 2010.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: September 13, 2010
Second Reading: October 11, 2010
Publication: October 18, 2010

Mayor Dahnke stated the next item on the agenda was the resolution approving the State of Minnesota Joint Powers Agreement.

Police Chief Dean Ernst informed council members that this resolution will allow the Barnesville Police Department to enter into an agreement with the Clay County Attorney's Office. This agreement is for a period of five years through a joint powers agreement.

10-11-10-13 Motion by Mr. Rick and second by Mr. Allmaras to approve the following resolution. Upon a roll call vote, the following voted in favor: Council members Rick, Allmaras, Ellefson, Davis, Strom and Krause. The following voted against: none. The following were absent: none. Motion passed.

**City of Barnesville
County of Clay
State of Minnesota**

RESOLUTION NO. 10-11-10-13

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF BARNESVILLE ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

WHEREAS, the City of Barnesville on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Barnesville on behalf of its Prosecuting Attorney and Police Department, are hereby approved. Copies of the Joint Powers Agreements are attached to the Resolution and made a part of it.
2. That the Police Chief, Dean Ernst, or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Shift Commander, Mark Pearson, is appointed as the Authorized Representative's designee.

3. That the County Attorney, Brian Melton, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Michelle Lawson, Assistant County Attorney is appointed as the Authorized Representative's designee.

4. That Fred Dahnke, the Mayor of the City of Barnesville, and Mike Rietz, the City Administrator, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this 11th day of October, 2010.

Fred Dahnke, Mayor

Attest:

Michael Rietz, Administrator

Mayor Dahnke stated the next item on the agenda was the update on Front Street.

City Administrator Mike Rietz informed council members that the plans for Front Street are being submitted to the MN DOT, and the bid opening should be at the end of November. City Engineer Dan Hanson informed council members that the project is found to be in the PFA funding if the city chooses to go that direction. Mr. Hanson stated that the Hwy 9 intersection was discussed. Council members directed City Administrator Mike Rietz to invite the Clay County Engineer to the streets and parks portfolio meeting.

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

10-11-10-14 Motion by Mr. Davis and second by Mr. Rick to adjourn the meeting at 7:56 p.m. Motion carried.

Submitted by:

Attest:

Jeri Reep
City Clerk

Fred Dahnke
Mayor

