

Barnesville City Council
Regular Meeting
November 9, 2009

Mayor Dahnke called this regular council meeting to order at 7:00 p.m. Members present were Mayor Dahnke and council members Larry Davis, Jr., Del Ellefson, Chad Hagen, Jeremy Krause, and Merlin Strom. Others in attendance were City Attorney John Shockley, City Administrator Mike Rietz, City Clerk Jeri Reep, Sr. Accountant Laurie Schell, EDA Director Karen Lauer, Public Works Supt. Dave Riddering, TEC Manger Guy Swenson, Police Chief Dean Ernst, Jason Rick, Librarian Shaw Simonsen, Main Street Director Karen Hagen, Darin Allmaras, Dan Hanson with Ulteig Engineers, and Pam Aakre from the Record Review.

Council member Roger Cooper was absent.

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

Mayor Dahnke asked City Clerk Jeri Reep to take roll call.

The next item on the agenda was the pledge of allegiance. All rose to recite the pledge.

Mayor Dahnke asked if there were any additions or corrections to the agenda. There were no additions to the agenda.

11-09-09-01 Motion by Mr. Davis and second by Mr. Hagen to approve the agenda and consent agenda. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on October 12, 2009.
2. Department head reports.
3. Approval of check numbers 67452-67597 in the amount of \$285,254.17 and EFT payments in the amount of \$57,541.36.
4. Approval of the finance report.
5. Approval of the 3rd quarter transfers.
6. Approval to purchase cable TV tester, not to exceed \$850.00 plus shipping and taxes.
7. Approval to purchase 6 lightening arrestors from Otter Tail Power, in the amount of \$2,150.13 plus tax.
8. Set the date of December 14, 2009 for the Truth in Taxation hearing.
9. Approval of travel for City Administrator Mike Rietz and Liquor Store Manager Sara Lien to attend training with Total Register System.

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

Council member Merlin Strom stated that the Planning and Zoning were working on a ROW ordinance. Mr. Strom stated that they are looking for a new member also. Council member Chad Hagen stated that the airport is closed, and the flags will be going up this week. Mayor Dahnke stated that the Fire Board met last week. Council member Jeremy Krause stated that the Golf Course was closed.

11-09-09-02 Motion by Mr. Davis and second by Mr. Strom to approve the board and commission reports as presented. Motion carried.

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. Librarian Shaw Simonsen approached the council and invited them to the Library Open House on November 18, 2009. EDA Director Karen Lauer next introduced Main Street Director Karen Hagen. There were no other citizens present to be heard.

Mayor Dahnke stated the next item on the agenda was the authorization of signatures at the Wells Fargo Bank and Midwest Bank.

11-09-09-03 Motion by Mr. Krause and second by Mr. Ellefson to authorize City Administrator Michael Rietz, City Clerk Jeri Reep, and Mayor Fred Dahnke to sign checks for the City of Barnesville. Motion carried.

Mayor Dahnke stated the next item on the agenda was to canvas the election results.

11-09-09-04 Motion by Mr. Davis and second by Mr. Hagen to approve the following election results. Motion carried.

**SUMMARY STATEMENT OF VOTES
FOR CITY/SCHOOL ELECTION
STATE OF MINNESOTA
CITY OF BARNESVILLE
COUNTY OF CLAY
NOVEMBER 3, 2009**

At an Election held in the City of Barnesville, State of Minnesota, on the 3rd day of November, 2009, the following votes were cast and counted for the candidates.

Mayor-two year term

MAYOR	WARD 1	WARD 2	WARD 3	TOTAL
Fred Dahnke	113	96	166	375
LeRoy Johnson	1			1
Kim Simonsen	1	2	1	4
Brett Loecks	2	4	14	20

Dale Rollie	1			1
Larry Davis, Jr	1			1
Gene Prim	1	1	2	4
Mary Lien		2		2
Michael Stetz		1		1
Sean Wahl		1		1
Richard Zollar		1		1
Ken Bauer		1	1	2
Todd Meyer			1	1
Barb Carlisle			1	1
Bruce Lewis			1	1
Rick Martinson			1	1
Theresa Renecker			1	1
Dar Hines			1	1
Luke Sherbrooke			1	1

WARD 1

For the office of City Council-four year term

Larry R. Davis, Jr.	106			106
Chris Hoppe	1			
Jeff Baker	1			
Dean	1			
Mr. X	1			
Jon Slininger	2			
Rick Nicklay	1			

WARD 2

For the office of City Council-four year term

Darin Allmaras	107			107
Roger Cooper	2			2
Richard Sylvester	1			1

WARD 3

For the office of City Council-four year term:

Thomas (Tom) L. Jensen		34		34
Jason Rick		99		99
Todd Meyer		67		67
Theresa Renecker		1		1

**School District #146
School Board Members**

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>TOTAL</u>
Chad Holland	79	86	135	300
Connie Martz	69	47	91	207
Jay E. Rehder	101	95	167	363
Janine Trowbridge	60	68	98	226
Tim Thompson	96	100	157	353

Mayor Dahnke stated the next item on the agenda was the City of Barnesville election resolution.

11-09-09-05 Motion by Mr. Hagen and second by Mr. Ellefson to approve the following resolution. Upon a roll call vote, the following voted aye: Council member Hagen, Ellefson, Krause, Strom and Davis. The following voted against: None. Motion carried.

RESOLUTION 11-09-09-05
City of Barnesville

WHEREAS: a City/School Election was held on Tuesday, November 3, 2009 to vote for a Mayor for a two year term and a Council Member for Wards 1, 2, and 3 for a four year term. The official returns of the judges of election were presented:

WHEREAS: said returns were duly examined, approved and placed on file in the Office of the City Clerk.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Barnesville that it is hereby found, determined and declared that the General Election held in and for the City of Barnesville on Tuesday, November 3, 2009 was in all respects duly held and the returns thereof have been duly canvassed, the votes cast at said election were:

Mayor-two year term

<u>MAYOR</u>	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>TOTAL</u>
Fred Dahnke	113	96	166	375

WARD 1

For the office of City Council-four year term

Larry Davis, Jr.	106			106
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WARD 2

For the office of City Council-four year term

Darrin Allmaras		107		107
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WARD 3

For the office of City Council-four year term:

Thomas (Tom) Jensen		34		
Jason Rick		99		
Todd Meyer		67		

School District #146

School Board Members

	<u>WARD 1</u>	<u>WARD 2</u>	<u>WARD 3</u>	<u>TOTAL</u>
Jay E. Rehder	101	95	167	363
Janine Trowbridge	60	68	98	226
Tim Thompson	96	100	157	353
Chad Holland	79	86	135	300
Connie Martz	69	47	91	207

IT IS HEREBY FOUND AND DECLARED that the following candidates for office of Council elected at the November 3, 2019 General Election for the respective terms are as follows:

Mayor-	2 year term	Fred Dahnke
Council-Ward 1	4 year term	Larry Davis, Jr.
Council-Ward 2	4 year term	Darin Allmaras
Council-Ward 3	4 year term	Jason Rick

Passed and adopted by the Council of the City of Barnesville, Clay County, State of Minnesota this 9th day of November, 2009.

Fred Dahnke
Mayor

Attest:

Michael Rietz
City Administrator

Mayor Dahnke stated the next item on the agenda was the on-boarding session with the Brimeyer Group. City Administrator Michael Rietz discussed with council this service that Brimeyer Group provides after placing a new administrator. Mr. Rietz informed council members that Mr. Richard Fursman with Brimeyer Group would meet with council and staff to discuss organizational issues and set priorities for the first six months and beyond. Mr. Rietz stated that the Personnel and Finance Committee were supportive of the idea.

11-09-09-06 Motion by Mr. Ellefson and second by Mr. Krause to proceed with the on-boarding session with the Brimeyer Group, not to exceed \$500.00. Motion carried.

Mayor Dahnke stated the next item on the agenda was the WMMPA resolution. TEC Manager Guy Swenson informed council members that the City is required to appoint by resolution a representative and an alternate representative to represent the Municipal Utility in the business of MRES and WMMPA.

11-09-09-07 Motion by Mr. Davis and second by Mr. Ellefson to approve the Western Minnesota Municipal Power Agency resolution. Upon a roll call vote, the following voted aye: Council members Hagen, Ellefson, Davis, Strom and Krause. The following voted against: none. Council member Cooper was absent. Motion carried.

RESOLUTION NO. 11-09-09-07
DESIGNATION OF AUTHORIZED REPRESENTATION

WHEREAS: the Governing Body of the City of Barnesville, Minnesota has entered into an agreement to establish the Western Minnesota Municipal Power Agency (WMMPA)

and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of WMMPA.

NOW, THEREFORE, BE IT RESOLVED that Guy Swenson be and is hereby authorized and appointed as the representative of the City of Barnesville, Minnesota, to represent the Municipal Utility in the business of WMMPA, with the powers, duties and responsibilities as provided in said agreement. The alternate representative, Michael Rietz, is hereby authorized and appointed with equal powers.

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the MRES resolution.

11-09-09-08 Motion by Mr. Ellefson and second by Mr. Davis to approve the Missouri Basin Municipal Power Agency resolution. Upon a roll call vote, the following voted aye: Council members Hagen, Ellefson, Davis, Strom and Krause. The following voted against: none. Council member Cooper was absent. Motion carried

RESOLUTION 11-09-09-08
DESIGNATION OF AUTHORIZED REPRESENTATION

WHEREAS: the Governing Body of the City of Barnesville, Minnesota has entered into an agreement to establish The Missouri Basin Municipal Power Agency, d.b.a. Missouri River Energy Services (MRES), and as a member thereof is entitled to a representative who shall represent the Municipal Utility in the business of MRES.

NOW, THEEFORE, BE IT RESOVLED that Guy Swenson be and he is hereby authorized and appointed as the representative of the City of Barnesville, Minnesota, to represent the Municipal Utility in the business of MRES, with the powers, duties and

responsibilities as provided in said agreement. The alternate representative, Michael Rietz, is hereby authorized and appointed with equal powers.

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the Central Office DC Power upgrade. TEC Manager Guy Swenson informed council members that this is a for a Central Telephone Office-DC power upgrade. Mr. Swenson stated that the power requirements at the Central Office have changed over the years with the addition of DSL and fiber products, as well as special circuits and the associated routing equipment needed to manage all of the components. Mr. Swenson stated that the estimated cost would not exceed \$40,000.00.

11-09-09-09 Motion by Mr. Hagen and second by Mr. Ellefson to approve the Central Telephone Office DC power upgrade. The upgrade will be awarded to the lowest responsible bidder, up to an amount not to exceed \$40,000.00. Motion carried.

Mayor Dahnke stated the next item on the agenda was the 1st Reading of Ordinance 2009-X. TEC Manager Guy Swenson informed council members that Missouri River Energy Services (MRES) is not increasing their S-1 rate for 2010, however, the Northern Cities Group transmission rate will increase 8.7% from \$3.45 per KW to \$3.75 per KW and the Western Area Power Authority (WAPA) will be increasing their rate by 13.3% beginning January 2010. Mr. Swenson stated that staff recommends passing this increase to the end users.

11-09-09-10 Motion by Mr. Ellefson and second by Mr. Davis to approve the 1st reading of Ordinance 2009-6. Motion carried.

ORDINANCE 2009-6

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. 2009-1 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. , 2009-1 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-3 & HP-4 Summer Rate)

	Current	January 21, 2010
Base Charge	\$13.00	\$13.00
Energy Charge	\$.0885 per kwh	\$.0935 Per kwh

Available to all residential customers.

B. RATE SCHEDULE #2:

GENERAL SINGLE PHASE service Commercial: (RC1 & DI1)

	Current	January 21, 2010
Base Charge	\$16.00	\$16.00
Energy Charge	\$.0925 per kwh	\$.0975 Per kwh

Available to commercial customers for single phase service

C. RATE SCHEDULE #3

GENERAL THREE PHASE SERVICE: (GS6 & DI9)

	Current	January 21, 2010
Base Charge	\$22.00	\$22.00
Energy Charge	\$.0925 per kwh	\$.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	January 21, 2010
Base Charge	\$36.00	\$36.00
Demand Charge		
All kw	\$9.60 /kw	\$10.30/kw
Energy Charge		
All kwh	\$.052 per 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 customer.

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 & HP2 Winter Rate)
	Current January 21, 2010
	Dual Fuel Service Rate: \$.045/kwh \$.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	January 21, 2010
Off Peak Service Rate:	\$.045/kwh	<i>\$.046/kwh</i>

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.

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 14th day of December, 2009.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: November 9, 2009
Second Reading: December 14, 2009
Adopted: December 14, 2009
Publication: December 21, 2009

Mayor Dahnke stated the next item on the agenda was the electric rate increase summary of Ordinance 2009-x.

11-09-09-11 Motion by Mr. Ellefson and second by Mr. Strom to approve the summary of Ordinance 2009-6. Motion carried.

SUMMARY - ORDINANCE 2009-6

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. 2009-1 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. , 2009-1 is hereby replaced as follows

Section 8 Electric Rate Schedules

A. RATE SCHEDULE #1:

GENERAL SINGLE PHASE service Residential: (RL1 & AR1)(HP-3 & HP-4 Summer Rate)

	Current	January 21, 2010
Base Charge	\$13.00	\$13.00
Energy Charge	\$.0885 per kwh	\$.0935 Per kwh

Available to all residential customers.

B. RATE SCHEDULE #2:

GENERAL SINGLE PHASE service Commercial: (RC1 & DI1)

	Current	January 21, 2010
Base Charge	\$16.00	\$16.00
Energy Charge	\$.0925 per kwh	\$.0975 Per kwh

Available to commercial customers for single phase service

C. RATE SCHEDULE #3

GENERAL THREE PHASE SERVICE: (GS6 & DI9)

	Current	January 21, 2010
Base Charge	\$22.00	\$22.00
Energy Charge	\$.0925 per kwh	\$.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	January 21, 2010
Base Charge	\$36.00	\$36.00
Demand Charge		
All kw	\$9.60 /kw	<i>\$10.30/kw</i>
Energy Charge		
All kwh	\$.052 per kwh	<i>\$.054 Per kwh</i>

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.

Section 9 Electric Rate Incentives

A Dual Fuel Services (OP-1 & OP-2) (HP-1 & HP2 Winter Rate)

	Current	January 21, 2010
Dual Fuel Service Rate:	\$.045/kwh	<i>\$.046/ kwh</i>

E. Off Peak Services

	Current	January 21, 2010
Off Peak Service Rate:	\$.045/kwh	<i>\$.046/kwh</i>

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 14th day of December, 2009.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: November 9, 2009
Second Reading: December 14, 2009
Adopted: December 14, 2009
Publication: December 21, 2009

Mayor Dahnke stated the next item on the agenda was the electric service prepay policy. TEC Manager Guy Swenson informed council members that staff has dealt with customers that have been disconnected for non-pay at one property, then move to another property and apply for services. Mr. Swenson stated that this is a policy that will provide some level of assurance that the customer will have the ability to pay for the requested services. Mr. Swenson stated the City Attorney John Shockley has reviewed the policy.

11-09-09-12 Motion by Mr. Davis and second by Mr. Ellefson to approve the following Electric Service Prepay Policy. Motion carried.

Policy Purpose:

The purpose of having prior customers with outstanding balances prepay an amount equal to any prior outstanding balance is to establish adequate assurance of the prior customer's ability to pay for the requested services.

Policy Statement:

"It is the policy of the City of Barnesville Municipal Utility to require a prepayment for electric service in the amount of \$50 dollars (US) or an amount equal to any prior outstanding balance the customer making the request for service may owe from a previous property plus a reconnect fee of \$100 dollars (US). This amount is intended to be a prepayment and not a deposit. The purpose of having prior customers with outstanding balances prepay an amount equal to any prior outstanding balance is to establish adequate assurance of the prior customer's ability to pay for the requested services."

TEC Manager Guy Swenson next updated council members the status of the downtown sub-station. Mr. Swenson stated that the insurance will pay for the replacement of the transformer that was hit by lightening on June 24, 2009.

Mayor Dahnke stated the next item on the agenda was the 2nd Reading of Ordinance 2009-5, a permitted intrusions into front and side yard setbacks.

11-09-09-13 Motion by Mr. Strom and second by Mr. Ellefson to approve the 2nd reading of Ordinance 2009-5. Motion carried.

Ordinance 2009 - 5

AN ORDINANCE TO AMEND SECTION 11.04, 11.11 and 11.12 OF THE BARNESVILLE MUNICIPAL CODE RELATING TO ZONING DISTRICTS

BE IT ORDAINED by the City Council of the City Of Barnesville that the following Sections of the Barnesville Municipal Code are amended as follows:

SEC. 11.04 RULES AND DEFINITIONS

Subd. 2. **Definitions**

29.2. "Grade" - the elevation of the immediately adjacent finished or natural ground contour.

SEC. 11.11 R-1 SINGLE FAMILY RESIDENTIAL DISTRICT

Subd. 5. Accessory Uses and Buildings Permitted in the R-1 District:

C. Permitted intrusions into front and side yard setbacks. ~~Uncovered porches and platforms which do not extend above the floor level of the first floor, provided that they may extend eight feet into the front yard, but in no case will the remaining front yard set be less than 15 feet.~~

Uncovered porches, stairs, stoops, or decks that are less than thirty inches (30") above grade at all points along the perimeter, may extend three feet (3') into any required interior side yard setback, eight feet (8') into any required street side yard setback, and eight feet (8') into any required front yard setback.

Add-on entryways to existing residential dwellings may encroach into the required front yard setback not more than five feet (5') and not exceed fifty (50) square feet in total size.

Covered porches that are at least fifty percent (50%) open on each of three (3) sides ("open" defined as without solid walls or windows blocking free passage of air), balconies, and decks elevated over thirty inches (30") above grade at any point on the perimeter, may extend up to five feet (5') into the required front yard setback and up to four feet (4') into the required street side yard setback.

After erecting any of the above listed, in no case may the remaining interior side yard setback be less than five feet (5'); or the street side yard setback be less than ten feet (10') or the front yard setback be less than fifteen feet (15'). Ramps for handicapped access may extend to a property line.

SEC. 11.12 R-2 URBAN RESIDENTIAL DISTRICT

Subd. 6. **Permitted intrusions into front and side yard setbacks.** ~~Uncovered porches and platforms which do not extend above the floor level of the first floor, provided that they may extend eight feet into the front yard, but in no case will the remaining front yard set be less than 15 feet.~~

Uncovered porches, stairs, stoops, or decks that are less than thirty inches (30") above grade at all points along the perimeter, may extend three feet (3') into any required

interior side yard setback, eight feet (8') into any required street side yard setback, and eight feet (8') into any required front yard setback.

Add-on entryways to existing residential dwellings may encroach into the required front yard setback not more than five feet (5') and not exceed fifty (50) square feet in total size.

Covered porches that are at least fifty percent (50%) open on each of three (3) sides ("open" defined as without solid walls or windows blocking free passage of air), balconies, and decks elevated over thirty inches (30") above grade at any point along the perimeter, may extend up to five (5') feet into the required front yard setback and up to four (4') feet into the required street side yard setback.

After erecting any of the above listed, in no case may the remaining interior side yard setback be less than 5 feet; or the street side yard setback be less than 10 feet or the front yard setback be less than 15 feet. Ramps for handicapped access may extend to a property line.

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

PASSED AND ADOPTED by the Barnesville City Council this 9th day of November 2009.

By:

Fred Dahnke
Mayor

Attest to:

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the public nuisance assessments. City Clerk Jeri Reep informed council members that this is for mowing charges, and misc. building violations.

11-09-09-14 Motion by Mr. Ellefson and second by Mr. Strom to approve the 2009 public nuisance assessments as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the authorization to purchase a used fairway mower for the Golf Course. City Administrator Mike Rietz informed council members that the Golf Board is recommending authorizing staff pre-approval for purchases up to \$6,000.00.

11-09-09-15 Motion by Mr. Davis and second by Mr. Hagen to authorize staff pre-approval for purchases up to \$6,000.00 for a fairway mower for the Golf Course. Motion carried.

Mayor Dahnke stated the next item on the agenda is the public nuisance update. Police Chief Dean Ernst updated council members on the public nuisances. Mr. Ernst stated that the task force will be meeting next week. Mr. Ernst stated that the task force is working well.

Mayor Dahnke next called on Mr. Dan Hanson with Ulteig Engineers. Mr. Hanson had not update on the Front Street project. Mr. Hanson stated he would contact Mr. Dave Overboe with Clay County for an update.

11-09-09-16 Motion by Mr. Ellefson and second by Mr. Davis to adjourn the meeting at 7:45 p.m. Motion carried.

Submitted by:

Attest:

Jeri L. Reep
City Clerk

Fred Dahnke
Mayor