

Barnesville City Council
Regular Meeting
April 11, 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, and Jason Rick. Council member Merlin Strom was absent. 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, Brandon Anderson with People Service, DeLyle Fankhanel, John Thompson, Jon Olson with Ulteig Engineers, Ruth Power, Jim Braton, 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 there were no additions or corrections.

04-11-11-01 Motion by Mr. Ellefson and second by Mr. Rick to approve the agenda as presented. Motion carried.

04-11-11-02 Motion by Mr. Rick and second by Mr. Davis 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 scheduled meeting held on March 14, 2011.
2. Department head reports
3. Approval of check numbers 70742-70891 in the amount of \$372,874.99 and EFT payments in the amount of \$190,517.91.
4. Approval of 1st quarter transfers
5. Approve the sign retro reflectivity evaluation policy
6. Approve to hire Veronica Wahl as meter reader at \$10.00 per hour at 50 hours per month.
7. Approval of the SAIFI, SAIDI, and CAIDI reports
8. Approval of travel for TEC Manager Guy Swenson to attend the Missouri River Energy Services annual meeting on April 5, 2011.
9. Approval of the Barnesville Public Schools Summer Recreation donation in the amount of \$15,000.00.
10. Approval of travel for City Administrator Mike Rietz to attend the MCMA Annual conference on May 4-6, 2011.
11. Accept the resignation of Liquor Store clerk Cheri Larson.

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

Council member Jason Rick stated the Fire Board meets on Tuesday.

Council member Darin Allmaras stated that the Joint Powers had met the prior week.

04-11-11-03 Motion by Mr. Ellefson and second by Mr. Rick to approve the board and commission reports as presented. Motion carried.

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

Mr. Jon Olson with Ulteig Engineering next presented council members with a hand out of the project. Mr. Olson informed council members that the bid opening for the Front Street reconstruction project is scheduled for May 10, 2011. The project location is from County Line to 2nd Avenue NE. Mr. Olson stated that this project will be completed in two phases. The estimated cost is \$3,560,000.00. Mr. Olson stated the assessment hearing is scheduled for the fall 2011. Council member Larry Davis, Jr. asked about the detour during the construction. Council members had no additional questions for Mr. Olson.

Mayor Dahnke stated the next item on the agenda was the resolution approving the Plans and Specifications for Improvements to be constructed in South Front Street Improvement District No. 1 and authorizing Clay County to advertise for bids.

04-11-11-04 Motion by Mr. Krause and second by Mr. Ellefson to approve the following resolution. The following voted aye: Council members Rick, Allmaras, Ellefson, Davis, and Krause. The following voted nay: None. The following were absent: Council member Strom. Motion carried.

CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION 04-11-11-04

AMENDED RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR
IMPROVEMENTS TO BE CONSTRUCTED IN SOUTH FRONT STREET
IMPROVEMENT DISTRICT NO. 1 AND AUTHORIZING CLAY COUNTY TO
ADVERTISE FOR BIDS

WHEREAS, on April 12, 2010, the City of Barnesville approved and authorized the Mayor and City Administrator to sign a Memorandum of Understanding with Clay County regarding the making of municipal improvements in South Front Street Improvement District No. 1 (hereinafter referred to as the "MOU"); and

WHEREAS, paragraph 3, subdivision 2 provides:

Bidding. County and City shall coordinate in the preparation and drafting of the request for bids. County shall advertise the bids in accordance with the Minnesota Statutes, and County and City shall both have the authority to accept the lowest responsible bid. Prior to the Clay County Commission's and Barnesville City Council's acceptance of the bid, City's and County's engineers shall meet, open bids and make any all Recommendations necessary regarding the bids.

; and

WHEREAS, Minn. Stat. 429.41, subd. 5, provides that when a municipal improvement is made under a cooperative agreement with another political subdivision to construct municipal improvements, which will be specially assessed by the City, it shall not be necessary for the city to advertise for bids if the other political subdivision undertakes the advertisement for bids; and

WHEREAS, on May 17, 2010, the City Council held a public hearing regarding the necessity, estimated cost and feasibility of South Front Street Improvement District No. 1, which involves the proposed improvement located one block north of the centerline of Main Avenue (Minnesota Highway No. 9) to the southern City limits and consisting of street reconstruction, water main and sanitary sewer replacement, sidewalk reconstruction, streetscape improvements, and street lights (hereinafter referred to as the "Improvements"); and

WHEREAS, on May 17, 2010, the City Council ordered the Improvement to be constructed in South Front Street Improvement District No. 1; and

WHEREAS, on May 17, 2010, the City Council ordered Dan Hanson of Ulteig Engineers to prepare plans and specifications for the making of said Improvements; and

WHEREAS, pursuant to the May 17, 2010, resolution, the City Engineer has prepared said plans and specifications for Improvements in South Front Street Improvement District No. 1; and

WHEREAS, on May 17, 2010, the City Council approved the plans and specifications and said plans and specifications were subsequently revised at the direction of State of Minnesota and Clay County officials.

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

1. Such revised plans and specifications, a copy of which is attached hereto and made a part hereof, are hereby approved.

2. Pursuant to the MOU and Minn. Stat. 429.041, subd. 5, Clay County shall prepare and cause to be inserted in the official paper of the County an advertisement for bids upon the making of such improvement under such approved plans and specifications. Clay County shall conduct said bidding in a manner which complies with Minn. Stat. 429.041 and shall coordinate with the City Administrator and City Attorney to insure compliance with Minnesota statutes, regulations and rules for the making of Municipal Improvements through the special assessment process.

Dated: April 11, 2011

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the calling of a special Council meeting for May 10, 2011. Mayor Dahnke next called for a special council meeting to be held on Tuesday, May 10, 2011 at 7:00 p.m. to consider the bid opening of the Improvements in South Front Street Improvement District No. 1.

Mayor Dahnke stated the next item on the agenda was the 2nd reading of Ordinance 2011-5, an ordinance on sewer averaging.

04-11-11-05 Motion by Mr. Davis and second by Mr. Krause to approve the 2nd reading of Ordinance 2011-5. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2011-05**

**AN ORDINANCE AMENDING CHAPTER 19, SEC. 3.41(C) OF THE
MUNICIPAL CODE REGARDING THE RESIDENTIAL SANITARY SEWER
VOLUME CHARGE.**

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

CHAPTER 19, SECTION 3.41(C) is amended to read as follows:

C. Residential Volume Charge: In addition to the base rate charge, there shall be a volume charge for residential usage. Effective January 1, 2011, this charge shall be determined by taking the average amount of water used by the customer in the months of January, February and March of each year and applying that average to the volume multiplier.

1. January 1, 2008: \$4.00
2. A 3% increase will be added each year thereafter effective January 1, 2009.

PASSED AND ADOPTED by the Barnesville City Council this 11th day of April, 2011.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: March 14, 2011
Second Reading: April 11, 2011
Adopted: April 11, 2011
Publication: April 18, 2011

Mayor Dahnke stated the next item on the agenda was the 2nd reading of Ordinance 2011-4, the composition of the Park Board.

04-11-11-06 Motion by Mr. Davis and second by Mr. Allmaras to approve the 2nd reading of Ordinance 2011-4. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2011-04**

**AN ORDINANCE AMENDING CHAPTER 2, SEC. 2.63, Subd 1 OF THE
MUNICIPAL CODE PARKS, RECREATION AND FORESTRY ADVISORY
BOARD.**

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

CHAPTER 2, SECTION 2.63, SUBD 1 is amended as indicated:

Subd. 1 Establishment and Composition: A Parks, Recreation and Forestry Advisory Board is hereby established. The Board shall be composed of ~~six (6)~~ seven (7) members from the resident population of the City's three wards who shall serve staggered three-year terms. ~~One~~ Two members of the Council shall be appointed by the Mayor with the approval of the Council. Absence from any three meetings in one year unless excused in advance by the Chairperson, constitutes a vacancy. The term of the Council members appointed shall be a one-year term to expire on December 31 of each year. Each Board member shall have equal voting privileges. Any member may be removed for cause by a two-thirds vote of the Council. The Parks and Recreation Department Head shall serve as an ex-officio member. Other persons may serve in an ex-officio capacity as the Council deems appropriate.

PASSED AND ADOPTED by the Barnesville City Council this 11th day of April, 2011.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: March 14, 2011
Second Reading: April 11, 2011
Adopted: April 11, 2011
Publication: April 18, 2011

Mayor Dahnke stated the next item on the agenda was to appoint Council member Jeremy Krause to the Park Board.

04-11-11-07 Motion by Mr. Ellefson and second by Mr. Davis to appoint Council member Jeremy Krause to the Park Board. Motion carried.

Mayor Dahnke stated the next item on the agenda was the variance for a garage at 113 5th Ave. SE.

City Administrator Mike Rietz informed council members that Mr. Jim Braton owns this property at 113 5th Ave. SE, and would like to build a garage on the existing driveway. Mr. Rietz stated that the Planning Commission recommends approval of a variance five-foot variance to the side yard setback and a four-foot variance to the rear setback for a garage, with conditions.

04-11-11-08 Motion by Mr. Allmaras and second by Mr. Davis to approve the variance for a garage at 113 5th Ave. SE for J & J Braton Properties, LLC. with the following conditions: Motion carried.

1. The garage shall be built so that the entire structure is on the applicant's property. No overhang or other type of protrusion from the building will be allowed to cross the property line.
2. Construction on the garage shall be completed by July 1, 2012 and a wood dog-eared privacy fence shall be built on the east line of the two-foot access easement by June 30, 2011.
3. This variance is subject to all other zoning ordinances.
4. 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.
5. The applicant agrees to revocation of the variance upon verifiable evidence of violation of any of the terms and conditions listed herein. Said revocation of other violations not listed in the variance will not occur except after mailed and published notice and a public hearing 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 safety issues at 118 Front Street South.

City Administrator Mike Rietz informed council members that staff has been working with the owners of this building for quite some time to get the repairs done to this building. Mr. Rietz presented a bid from Boone Masonry for removal of the bricks down to the I-Beam. Mr. Rietz also presented bids from Hohenstein Brothers Masonry and Halverson Siding for work to the building. Council member Del Ellefson stated that he would like to see the property owner have until May 15th to repair the building. Council member Larry Davis, Jr. questioned if we fix it up will we get our expense returned. Council member Jeremy Krause felt the best way to fix is to take the brick off, it would be the most economical, and put steel siding on. Mr. Krause stated he would like to see three bids at the May meeting. Council directed City Administrator Mike Rietz to receive additional bids for this project for the May 9th regular council meeting.

04-11-11-09 Motion by Mr. Rick and second by Mr. Davis to authorize City Administrator Mike Rietz to obtain bids for the repair of the building at 118 Front Street South and put this item on the May 9, 2011 agenda. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Oprah Winfrey Network (OWN) NCTC contract.

TEC Manager Guy Swenson informed council members that this contract is a one-time opportunity to opt-in to the NCTC-OWN Contract. This is a 5 year contract with a 2 year renewal for a total of 7 years. The NCTC pricing is better than the direct contract pricing we currently have. This new contract would expire December 31, 2015, and possibly December 31, 2017.

04-11-11-10 Motion by Mr. Ellefson and second by Mr. Davis to authorize TEC Manager Guy Swenson to sign the Oprah Winfrey Network Contract with NCTC. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Incode online utility billing.

TEC Manager Guy Swenson informed council members that this is an on-line feature that would allow utility customers to pay their bills on-line. Incode will host the e-bill pay website. The onetime charge to set this e-bill pay site is \$800.00 plus annual fees of \$1,128.00 for the first year cost of \$1,928.00 and annual recurring costs of \$1,128.00 per year after the first year.

04-11-11-11 Motion by Mr. Ellefson and second by Mr. Allmaras to approve the On-line utility billing solution with Incode for on-line payment of utility bills. The cost with Incode for the first year will be \$1,928.00, and annual recurring costs of \$1,128.00 per year after the first year. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Modern Enterprise Solutions modem purchase request.

TEC Manager Guy Swenson informed council members that the ADSL modems are depleted. Staff is requesting to purchase 20 modems at a cost of \$72.67 each, plus shipping. Mr. Swenson stated that this is a budgeted item.

04-11-11-12 Motion by Mr. Allmaras and second by Mr. Rick to authorize staff to purchase 20 ADSL modems from Modern Enterprise Solutions for \$72.67 each for a total cost of \$1,453.40 plus shipping costs. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Calix Cross Connect panel purchase request.

TEC Manager Guy Swenson informed council members that this is a request to purchase a cross connect panel that will enable the copper connection of 100 pair of copper phone lines in the ODC-1000 fiber cabinet. This will enable those 100 lines to be converted to fiber in that cabinet in the future. The cost of this unit is \$2,545.75, plus installation charges. Mr. Swenson stated that there are funds available in the system upgrade to facilitate this purchase.

04-11-11-13 Motion by Mr. Ellefson and second by Mr. Rick to approve the purchase of the Calix Integrated Cross Connect panel for the ODC-1000 cabinet for \$2,545.75 plus estimated labor of \$1,054.25, for a total cost not to exceed \$3,600.00. Motion carried.

Mayor Dahnke stated the next item on the agenda was the internet speed increase.

TEC Manager Guy Swenson informed council members that the bandwidth consumption has increased dramatically in the last month. Mr. Swenson stated that our current internet pipe is full at various times in the evening, as a result a lot of our customers experience a slow response time. Mr. Swenson would like to increase the internet speed to 100 MB at \$35.00 per month per MB used plus \$772.80 per month transport and \$500.00 per month port fees.

04-11-11-14 Motion by Mr. Davis and second by Mr. Ellefson to approve the increase of our internet speed with 702 Communications to 100 MB at \$35.00 per month per MB used plus \$772.80 per month transport and \$500.00 per month port fees. The total cost will be \$3,022.80 monthly. Motion carried.

Mayor Dahnke stated the next item on the agenda was the existing home incentive discussion.

EDA Director Karen Lauer informed council members that the Citywide Real Estate Open House is scheduled for May 22nd. Mrs. Lauer stated that the EDA Housing Committee would like to offer an incentive for the sale of existing homes. The EDA Housing Committee is requesting that the City consider providing a \$500.00 utility credit

incentive to the first 26 purchase agreements which are signed for existing home in the City of Barnesville between May 22, 2011 and September 15, 2011. Any pending sales as on May 22, 2011 would be excluded from the program. This incentive would be divided between the water, sewer, garbage and electric incentive accounts.

04-11-11-15 Motion by Mr. Ellefson and second by Mr. Allmaras to approve the EDA Housing Committee incentive of \$500.00 utility credit to the first 26 purchase agreements which are signed for existing homes in the City of Barnesville between May 22, 2011 and September 15, 2011. Any pending sales as of May 22, 2011 would be excluded from this program. Motion carried.

Mayor Dahnke stated the next item on the agenda was the approval of shelving and a new cooler.

City Administrator Mike Rietz informed council members that the Liquor portfolio and the Personnel and Finance portfolio recommend approval of the purchase of a 3 door stand up cooler for the Liquor Store. The cost for the cooler, shelving and racks for the main cooler is \$8,460.00. Mr. Rietz informed council members that this cooler puts the total project cost of the Liquor Store remodeling to an approximate cost of \$39,000.00.

04-11-11-16 Motion by Mr. Ellefson and second by Mr. Rick to approve the purchase of a 3 door stand-up cooler, additional shelving and new refurbished racks for the main cooler for the Liquor Store from Dakota Refrigeration, Inc. in the amount of \$8,460.00. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution dissolving the Golf Course Management Board.

City Administrator Mike Rietz informed council members that the dissolving of the Golf Course Management Board has been discussed the last several months.

04-11-11-17 Motion by Mr. Davis and second by Mr. Ellefson to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Allmaras, Ellefson, Davis, and Krause. The following voted nay: none. The following were absent: Council member Strom. The motion carried.

City of Barnesville

County of Clay

State of Minnesota

Resolution 04-11-11-

RESOLUTION DISSOLVING THE GOLF COURSE MANAGEMENT BOARD

WHEREAS, pursuant to Section 2.60 of the Barnesville City Code, the City Council is authorized to create various boards and commissions; and

WHEREAS, the City of Barnesville has previously created the Barnesville Golf Course Management Board by resolution on or about March 10, 1986 and on or about April 13, 2009 amended said resolution(hereinafter referred to as the “prior resolution”); and

WHEREAS, the City Council desires to move the Golf Course into the Park Department in order to provide better financial and operational support.

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

1. Dissolution of the Golf Course Management Board. The Golf Course Management Board is hereby dissolved.

2. Organization. Willow Creek Municipal Golf Course is hereby made part of the Park Department with the day-to-day operations supervised by the Public Works Director with rules, regulations and fees to be set by the City Council based on recommendation by the Parks, Recreation and Forestry Advisory Board.

3. Golf Fund. Section 2.54 of the Barnesville City Code as amended by Ordinance 2011-06, provides that the enterprise fund known as the golf fund is hereby dissolved and any current assets and funds shall be made part of the Park Fund. Into the Park Fund shall be deposited all monies received by Willow Creek Municipal Golf Course.

APPROVED:

Fred Dahnke
Mayor

ATTEST:

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2011-6, a Golf Fund transfer into the Park Fund.

04-11-11-18 Motion by Mr. Davis and second by Mr. Allmaras to approve the 1st reading of Ordinance 2011-6. Council member Del Ellefson asked if there would be a way to track the golf expenses and revenues. City Administrator Mike Rietz stated that some will be combined with the Park Fund, but staff could set up some new line items.

Council member Del Ellefson stated that he would like to see a profit and loss statement for the Golf Course.

Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2011-06**

**AN ORDINANCE AMENDING CHAPTER 2, SEC. 2.54 OF THE MUNICIPAL
CODE
GOLF FUND.**

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

CHAPTER 2, SECTION 2.54, is amended as indicated:

Sec. 2.54 Golf Fund: An Enterprise Fund known as the Golf Fund is hereby dissolved and any current assets and funds shall be made part of the Park Fund. Into the Park Fund shall be deposited all monies received by Willow Creek Municipal Golf Course.

PASSED AND ADOPTED by the Barnesville City Council this 9th day of May, 2011.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: April 11, 2011
Second Reading: May 9, 2011
Adopted: May 9, 2011
Publication: May 16, 2011

Mayor Dahnke stated the next item on the agenda was the 2010 Census and impact on the LGA. City Administrator Mike Rietz informed council members that the population for the City is now 2563. Mr. Rietz stated that this has an impact on us with regard to LGA and Levy Limits, but only if levy limits are put back in place or some change is made to the current LGA formula.

Mayor Dahnke stated the next item on the agenda was the 2011 LMC Annual Conference. Mayor Dahnke stated that the conference will be held in Rochester on June 15-17, 2011. If anyone is interested in attending, to let staff know.

Mayor Dahnke stated the next item on the agenda was the Zach Gabbard donations. Mayor Dahnke stated that this was information only of the donations.

Mayor Dahnke next asked if there were any citizens present to be heard.

Mr. DeLyle Fankhanel next approached the council. Mr. Fankhanel stated that he would like a copy of the parking update ordinance. City Attorney John Shockley informed Mr. Fankhanel that it is not ready at this time.

Mayor Dahnke asked if there were any citizens present to be heard. There were no other citizens present to be heard.

04-11-11-19 Motion by Mr. Davis and second by Mr. Rick to adjourn the meeting at 8:06 p.m. Motion carried.

Submitted by:

Attest:

Jeri Reep
City Clerk

Fred Dahnke
Mayor

