

Barnesville City Council
Regular Meeting
June 14, 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 Attorney John Shockley, City Administrator Mike Rietz, City Clerk Jeri Reep, Public Works Supt. Dave Riddering, 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, Dan Hanson with Ulteig Engineers, Chris Knopik and Tom Koop with Larson-Allen, Barbara Carlisle, Leonard Boone, Frank Boone, Trent Bielejeski, Chris Vigness, and Pam Aakre with the Record Review.

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

Mayor Dahnke asked City Administrator Mike Rietz to take roll call.

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

Mayor Dahnke next asked if there were any additions or corrections to the agenda. City Administrator Mike Rietz stated that we needed to add the hiring of Zach Buth for the Golf Course, terminate employment with Christopher Nosal, award bid for the software bids, approve quotes and award bid for the Heartland Addition.

06-14-10-01 Motion by Mr. Davis and second by Mr. Rick to approve the agenda and consent agenda, with the additions of hiring of Zach Buth for the Golf Course, award bid for the software bids, approve quoted and award bid for the Heartland Addition. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular City Council meeting held on May 10, 2010.
2. Approval of the minutes of the special council meeting held on May 17, 2010.
3. Department head reports
4. Approval of check numbers 68712-68976 in the amount of \$271,118.92 and EFT payments in the amount of \$182,790.98.
5. Authorization for TEC Manager Guy Swenson to sign the addendum to our Internet bandwidth contract dated January 11, 2010.
6. Approve the purchase of a crate from Transparent Video Systems in the amount of \$500.00.
7. Approval to accept Vern Desing's resignation on the HRA board.
8. Approval to appoint Wayne Nelson on the HRA board.

9. Approval to approve Eric Newell and Dion Bredman as the Community Education Advisory board.
10. Approval of the final payment to Lako Drilling in the amount of \$1,776.64.
11. Approval to hire Cody Schepp as seasonal Pro Shop employee @ \$7.25 per hour.
12. Approval to accept the resignation of Liquor Store Clerk Lori Guida.
13. Approval to hire Zach Buth as Golf Course Groundskeeper @ \$7.25 per hour.
14. Terminate employment with Christopher Nosal.
15. Award bid for Telephone Software.
16. Approve quotes and award bid for the Heartland Addition.

Mayor Dahnke stated the next item on the agenda was the board and commission reports. Council member Merlin Strom stated that the Planning Commission were creating some new language changes.

06-14-10-02 Motion by Mr. Ellefson and second by Mr. Allmaras to approve the board and commission reports as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the public forum. Mayor Dahnke asked if there were any citizens present to be heard.

Ms. Barbara Carlisle approached the council and stated that there are problems with how people see the council agenda. Ms. Carlisle asked if the agenda could be posted one week earlier.

Mr. Leonard Boone next approached the council and stated that he had presented a letter to City Administrator Mike Rietz asking to be de-annexed from the City.

Mayor Dahnke asked if there were any other citizens present to be heard. There were none.

Mayor Dahnke stated the next item on the agenda was the Clay Trails Snowmobile Club permit.

Mr. Chris Vigness with Clay Trails Snowmobile Club informed council members that the club is updating their snowmobile trails and asked for the council approval for the landowner permit.

06-14-10-03 Motion by Mr. Ellefson and second by Mr. Krause to approve the landowner permit with the Clay County Trail Blazers for the snowmobile trail for the City of Barnesville. Motion carried.

Mayor Dahnke stated the next item on the agenda was the 2009 audit presentation.

Mr. Chris Knopik with Larson-Allen next discussed with council the 2009 audit. Mr. Knopik stated that the GASB45 is a new requirement. Mr. Knopik stated that the city

increased the number of days in the reserve fund. Mr. Knopik stated that the electric and telephone funds had a negative balance at the end of the year. The Cable fund had a good increase, and the liquor store sales were up for the year. Mr. Knopik stated that the Golf Course had a loss for the year. Mr. Knopik stated that in summary, it was a good audit report. Mr. Knopik suggested watching the telephone and electric funds for the coming year. Council members had no further questions for Mr. Knopik.

06-14-10-04 Motion by Mr. Krause and second by Mr. Ellefson to approve the 2009 audit report as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the discussion on the detachment procedures. City Attorney John Shockley discussed with council the procedure to “de-annex” property from the City. Mr. Shockley stated that the City would need to receive a formal petition from the residents to start the process. There were no further questions for Mr. Shockley.

Mayor Dahnke stated the next item on the agenda was the Cisco card purchase.

TEC Manager Guy Swenson informed council members that to continue to meet the increasing demand for bandwidth and faster speeds, that we would need to convert our internet transport to Ethernet. Mr. Swenson stated that the cost of this card is \$8,000.00 thru 702 Communications. Mr. Swenson stated that there are funds available in the system upgrade.

06-14-10-05 Motion by Mr. Davis and second by Mr. Krause to approve the purchase of a Cisco 15454-8xFE 10/100 base-TX card, from 702 Communications, not to exceed \$8,000.00. Motion carried.

Mayor Dahnke stated the next item on the agenda was the 1st reading of Ordinance 2010-4. TEC Manager Guy Swenson informed council members that this would increase our DSL package speeds without increasing the pricing.

06-14-10-06 Motion by Mr. Ellefson and second by Mr. Strom to approve the 1st reading of Ordinance 2010-4. Motion carried.

ORDINANCE 2010-4

AN ORDINANCE TO ESTABLISH THE RATES AND CHARGES FOR BROADBAND AND INTERNET SERVICE.

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

WHEREAS, the City Council did previously enact Ordinance No. 2009-7 an ordinance to establish charges for broadband and internet service.

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

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

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

NOW THEREFORE, Ordinance No. 2009-7 is hereby replaced as follows:

Section 1. Costs for DSL service

	MONTHLY COSTS		SPEEDS	
	Internet/DSL		Down speed	Up speed
1.	\$24.95	(Bronze)*	<i>up to 128 kbps</i>	<i>up to 128 kbps</i>
2.	\$36.95	(Silver)	1 Megbps <i>up to 3 Megbps</i>	512 kbps <i>up to 1 Megbps</i>
3.	\$52.95	(Gold)	3 Megbps <i>up to 6 Megbps</i>	512 kbps <i>up to 1 Megbps</i>
4.	\$69.95	(Platinum)	<i>up to 10 Megbps</i>	<i>up to 1 Megbps</i>

* New DSL customers only

Cost for additional Email accounts: \$ 2.00 per month

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

DSL “Combo” package

When DSL is purchased along with Barnesville Long Distance and Barnesville Cable TV service the customer will receive a ~~\$5.00 per month discount on the cost of the level~~

~~DSL service selected.~~ *monthly “Combo” discount on the cost of the DSL level as follows:*

\$5.00 per month discount for Bronze DSL service

\$5.00 per month discount for Silver DSL service

\$10.00 per month discount for Gold DSL service

\$15.00 per month discount for Platinum DSL service.

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

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

- DSL Installation charge may be waived.

Conditions for waiver: Customer agrees to maintain DSL service for a minimum period

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

Section 2. Equipment Provided by Customer

Network Interface Card (NIC)

Modem: Options

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

SOFTWARE REQUIRED/RECOMMENDED

INTERNET BROWSER: Customer provided

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

Section 3. Equipment provided for Customer

3 meter CAT 5 patch cord

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

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

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

- | | | | |
|----|----------------------------------|---------|-----------------------------|
| 1. | 35 hours per month
hours) | \$9.95 | (20 cents per hour over 35 |
| 2. | 100 hours per month
hours) | \$14.95 | (15 cents per hour over 100 |
| 3. | Unlimited | \$19.95 | |
| 4. | Unlimited Package
Barnesville | \$14.95 | (when purchased with |

Section 5. Equipment provided by Customer

Modem 56 kbps

Section 6. Billing

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

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

Section 7. Rate adjustments.

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

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

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

PASSED AND ADOPTED by the Barnesville City Council this 12th day of July, 2010.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: June 14, 2010
Second Reading: July 12, 2010
Adopted: July 12, 2010
Publication: July 19, 2010

Mayor Dahnke stated the next item on the agenda was the discussion on purchasing cable receivers.

TEC Manager Guy Swenson informed council members that a Multiplexor is giving us problems. Mr. Swenson stated that we could look at upgrading the air conditioner to help relieve the MUX problems. Mr. Swenson stated that we do not have a spare MUX to replace the failing one. Staff recommends utilizing funds to cover the cost of purchasing a new AV MUX and the TVS-care Service and Support annual contract. Mr. Swenson stated that \$17,372.43 would be from the restricted cash fund, and \$627.57 from the Cable TV professional services account to cover this expense.

06-14-10-08 Motion by Mr. Ellefson and second by Mr. Davis to approve the expenditure of the purchase of a new MUX from Transparent Video Systems in the amount of \$18,000.00. This expenditure will be from the following funds: \$17,372.43 from the restricted cash funds from the digital conversion, and \$627.57 from the Cable TV professional services account. Motion carried.

Mayor Dahnke stated the next item on the agenda was the padmount transformer purchase.

TEC Manager Guy Swenson informed council members that this is for the upgrade to the 9th Ave SE feeder, that we would need 3 10 kva pad mount transformers to complete the upgrade and as part of the Heartland installation we would need 3 additional 50 kva transformers, and an additional 3 50 kva pad mount transformers to change out transclosure units to pad mount units. Staff requests authorization to proceed with the repair of this transformer. The cost of this repair would come out of the Supplies and Maintenance. There are funds available in the system upgrade to facilitate this expenditure.

06-14-10-09 Motion by Mr. Strom and second by Mr. Davis to approve the purchase of 3-10 kva rebuild pad mount transformers for \$1,800.00, 6 – 50 kva rebuilt pad mount transformers for \$5,400.00 and the repair of 1 – 50 kva pad mount transformer for \$350.00. Purchase will be from Dakota Transformer. Total cost not to exceed \$8,000.00. Motion carried.

Mayor Dahnke stated the next item on the agenda was the soft switch bids.

TEC Manager Guy Swenson stated that he only received one bid for the new Soft switch for the Telephone Central Office. The bid received was from Genband in the amount of \$308,832.00, plus options A, in the amount of \$17,375, option B, in the amount of \$31,352.00, and option C, in the amount of \$53,408.00.

TEC Manager Guy Swenson that we could reduce the amount we transfer from the telephone to the General Fund to pay for this expenditure, and the amounts would come from the reserve fund.

06-14-10-10 Motion by Mr. Strom and second by Mr. Allmaras to approve the bid from Genband/Nortel for a new soft switch for the Barnesville Central Office, in the amount of \$308,832.00, plus option A-in the amount of \$17,375.00 for a total of \$326,207.00. This expenditure will be paid from the reserve fund. Motion carried.

Mayor Dahnke stated the next item on the agenda was the discussion of the water service leak in the Peterson-Gilbertson addition. Mr. Dan Hanson with Ulteig Engineers updated council members on the service connection problems at the Peterson-Gilbertson Addition. Mr. Hanson stated that the manufacture of the curb stop would be in the area next week. Mr. Hanson stated that he should have an update for the July council meeting.

Mayor Dahnke stated the next item on the agenda was the resolution determining the legal sufficiency of the Petition for Improvements.

EDA Director Karen Lauer informed council members that the EDA lots in Heartland Addition did not have water and sewer stubbed in. The EDA Board would like to see the lots to be “shovel ready”. Mrs. Lauer stated that the EDA recommends the following to stub water and sewer service into Lots 1, 2, 3, and 5. By petitioning for these improvements, the City would upfront the costs of the infrastructure. The improvement costs would be certified as a special assessment in November, 2010. Until such time as the lots are sold, the EDA would make the same annual payments that a private owner would make.

06-14-10-11 Motion by Mr. Allmaras to award the contract.
Mr. Allmaras withdrew his motion.

06-14-10-12 Motion by Mr. Davis and second by Mr. Strom, to approve the following resolution. Motion carried.

CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 06-14-10-12
RESOLUTION DECLARING ADEQUACY OF PETITION AND ORDERING
PREPARATION OF REPORT

BE IT RESOLVED BY THE CITY COUNCIL OF Barnesville, Minnesota:

1. A certain petition requesting the improvement of the property abutting the west side of 9th Street Southeast between 10th Avenue Southeast and 11th Avenue Southeast, consisting of Lots 1,2,3,4,5, and 6 of Block 1, Heartland Addition, filed with the council on June 1, 2010 , is hereby declared to be signed by the required percentage of owners of property affected thereby. This declaration is made in conformity to MN Stat. 429.035.

2. The petition for proposed Improvement No. 2010-1 is hereby referred to Dan Hanson of Ulteig Engineers and that person is instructed to report to the council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; where it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the Council this 14th day of June, 2010.

Approved:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

On a roll call vote, the following Members voted aye: Council members Krause, Strom, Davis, Ellefson, Allmaras and Rick. The following Members voted nay: none. The following Members were absent and not voting: none. The majority having voted aye, the motion carried and the resolution was duly adopted.

Mayor Dahnke stated the next item on the agenda was the resolution accepting the feasibility study.

06-14-10-13 Motion by Mr. Ellefson and second by Mr. Rick to approve the following resolution.

CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA

RESOLUTION RECEIVING FEASIBILITY REPORT
RESOLUTION NO. 06-14-10-13

WHEREAS, pursuant to resolution of the Council adopted June 14, 2010, a report has been prepared by Dan Hanson of Ulteig Engineers with reference to proposed construction of sewer and water serves to the property abutting the west side of 9th Street Southeast between 10th Avenue Southeast and 11th Avenue Southeast, consisting of Lots 1, 2,3,4,5 and 6 of Block 1, Heartland Addition, and this report was received by the Council on June 14, 2010; and

WHEREAS, the report provides information regarding whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

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

The Council will consider the improvement of such street in accordance with the report and the assessment of abutting property for all or a portion of the cost of the improvement pursuant to Minnesota Statutes, Chapter 429, at an estimated total cost of the improvement of \$18,900.00.

Adopted by the Council this 14th day of June, 2010.

Approved:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

On a roll call vote, the following Members voted aye: Council members Krause, Strom, Davis, Ellefson, Allmaras and Rick. The following Members voted nay: none. The following Members were absent and not voting: none. The majority having voted aye, the motion carried and the resolution was duly adopted.

Mayor Dahnke stated the next item on the agenda was the resolution ordering the improvement.

06-14-10-14 Motion by Mr. Allmaras and second by Mr. Ellefson to approve the following resolution:

CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION ORDERING IMPROVEMENT DISTRICT NO XX
RESOLUTION 06-14-10-14

WHEREAS, a petition of 100% of the property owners was received seeking these improvements, the public hearing requirements were waived.

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

1. Improvement District No. 2010-1 is necessary, cost-effective, and feasible detailed in the feasibility report, which was accepted by the City Council on June 14, 2010.
2. Such improvement is hereby ordered as proposed in the Council resolution adopted the 14th day of June, 2010.
3. Improvement District No. 2010-1 has no relationship with the comprehensive plan since it is an improvement to provide sewer and water service to lots in Heartland Subdivision.
4. Dan Hanson of Ulteig Engineers is hereby designated as the engineer for this improvement. The engineer shall prepare plans and specifications for the making of such improvement.

Adopted by the Council this 14th day of June, 2010.

Approved:

Fred Dahnke
Mayor

Attest:

Jeri Reep
City Clerk

On roll call vote, the following Members voted aye: Council members Krause, Strom, Davis, Ellefson, Allmaras and Rick. The following Members voted nay: none. The following Members were absent and not voting: none. The majority having voted aye, the motion carried and the resolution was duly adopted.

Mayor Dahnke stated the next item on the agenda was to award the quotes received to stub water and sewer service into lots 4 and 6 in Heartland Addition.

06-14-10-15 Motion by Mr. Davis and second by Mr. Allmaras to award the following quotes to stub water and sewer service into Lots 4 and 6 in Heartland Addition:

Gopher Excavating	\$15,800.00
Schritz Plumbing & Heating	\$2,100.00
Braton Excavating	\$1,000.00

The cost will be split equally between the parcels. Motion carried.

Mayor Dahnke stated the next item on the agenda was to approve the installation of irrigation on greens at the Golf Course.

06-14-10-16 Motion by Mr. Allmaras and second by Mr. Rick to approve the expenditure of \$5,000.00 to provide irrigation equipment to the greens on holes 2, 5, and 8 at the Golf Course. Motion carried.

Mayor Dahnke stated the next item on the agenda was a closed session of the 6 month performance evaluation for City Administrator Mike Rietz.

06-14-10-17 Motion by Mr. Rick and second by Mr. Allmaras to close the meeting at 8:40 p.m. to discuss an employee evaluation. Motion carried.

Council member Del Ellefson stated that City Administrator Mike Rietz evaluation had been discussed at the Personnel and Finance committee earlier. The recommendation was to continue employment with Mr. Rietz.

06-14-10-18 Motion by Mr. Krause and second by Mr. Allmaras to re-open the meeting at 9:00 p.m. Motion carried.

06-14-10-19 Motion by Mr. Krause and second by Mr. Allmaras to adjourn the meeting at 9:01 p.m. Motion carried.

Submitted by:

Jeri Reep
City Clerk

Attest:

Fred Dahnke
Mayor