

**Barnesville City Council**  
**Regular Meeting**  
**January 9, 2006**

Vice Mayor Simonsen called this meeting to order at 7:00 p.m. Present were Vice Mayor Simonsen and Council Members Chad Hagen, Del Ellefson, Kim Simonsen, and Roger Cooper. Absent was Mayor Ken Bauer and council member Charles Martinson. Others in attendance were City Attorney Mike Hannaher, EDA Director Karen Lauer, Finance Director Joel Haugrud, Police Chief Dean Ernst, TEC Coordinator Guy Swenson, Public Works Director Dave Riddering, City Clerk Jeri Davis, Youth Representative Eric Bucholz, Paul Christensen with People Service, Marty Soma with Ulteig Engineers and Pam Aakre from the Record Review.

Vice Mayor Kim Simonsen stated that the first item on the agenda for the evening was the pledge of allegiance. All rose to recite the pledge of allegiance.

Vice Mayor Simonsen asked if there were any additions to the agenda. Mr. Simonsen had one addition to add, the rate increase from People Service. There were no additional items for the agenda.

**1.9.6.1** Motion by Mr. Ellefson and second by Mr. Hagen to approve the agenda. Motion carried.

**1.9.6.2** Motion by Mr. Cooper and second by Mr. Ellefson to approve the consent agenda as presented. Motion carried. The following items were included in the consent agenda.

1. Approval of the December 12, 2006 Regular meeting.
2. Approval of the December 12, 2006 Special meeting
3. Approval of the December 27, 2006 Special meeting.
4. Department Head reports
5. Finance report-approval of check numbers 54736 - 54929 in the amount of \$967,927.82, and EFT payments in the amount of \$111,056.82.
6. Approval of three computer monitors for Administration.
7. Accept Liquor Store Clerk Carmen Peterson's resignation.
8. Approval of travel for City Clerk Jeri Davis to attend the MN DEED meeting in Fergus Falls.

Vice Mayor Simonsen next went thru the board and commission reports with council members. Youth Representative Eric Bucholz presented the Youth Alive report to council members.

Vice Mayor Simonsen next asked if there were any citizens present to be heard. There was no citizen input.

Vice Mayor stated the next item on the agenda was the oath of office for the new council members. City Clerk Jeri Davis presented the oath of office to the new council members Larry Davis, Jr. and Merlin Strom.

- 1.9.6.3** Motion by Mr. Hagen and second by Mr. Cooper to approve the portfolio holders and committee assignments and the city officers as presented.  
Motion carried.

### **Portfolios Holders and Committee Assignments**

<b>Admin, Finance &amp; Personnel</b>	Simonsen, Ellefson
<b>Liquor, Ordinances, &amp; Buildings</b>	Hagen, Davis
<b>Water/Wastewater</b>	Ellefson, Cooper
<b>Streets &amp; Parks</b>	Cooper, Davis
<b>Police, Fire, &amp; Ambulance</b>	Bauer, Hagen
<b>TEC Advisory Board</b>	Simonsen, Strom, John Bodine, Rick Raftevoll, Trent Bielejeski
<b>Planning Commission</b>	Strom
<b>Airport Advisory Board</b>	Hagen
<b>Park Board</b>	Davis
<b>Community Education</b>	Hagen
<b>Barnesville HRA</b>	Davis
<b>EDA</b>	Bauer, Ellefson
<b>WACCO</b>	Ellefson, Cooper, (Alternate)
<b>Emergency Operations Director</b>	Hagen
<b>JP Zoning Board</b>	Strom, Cooper
<b>JP Board of Adjustment</b>	Davis
<b>Library Board</b>	Cooper
<b>Golf Board</b>	Bauer, Michael Brethorst
<b>Clay County Rural Transit</b>	Simonsen
<b>Dev. Control Board</b>	Cooper, Ellefson

### **City Officers**

<b>Acting Mayor</b>	Simonsen
<b>Chief Operations Officer</b>	Michael Brethorst
<b>City Attorney</b>	Michael Hannaher
<b>City Clerk</b>	Jeri Davis
<b>Chief of Police</b>	Dean Ernst

- 1.9.6.4** Motion by Mr. Ellefson and second by Mr. Hagen to approve the designation of the following depositories: Wells Fargo, Wells Fargo

Investment Services, Midwest Bank and MN Municipal Money Market Funds. Motion carried.

**1.9.6.5** Motion by Mr. Hagen and second by Mr. Cooper to designate the Barnesville Record Review as the official newspaper. Motion carried.

**1.9.6.6** Motion by Mr. Cooper and second by Mr. Ellefson to approve the second reading of Ordinance Number 2006-01, the garbage rate increase. Motion carried.

**Ordinance No. 2003-21 is hereby amended as follows:**

**Ordinance No. 2006-1**

**AN ORDINANCE TO INCREASE FEES FOR GARBAGE SERVICE**

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

WHEREAS: the City Council did previously enact Ordinance No. 2003-21, Defining garbage and rubbish and providing for an regulating the keeping, gathering, and disposal, thereof and providing for the establishment of fees to be charged for garbage collections., and

WHEREAS: THE City Council for the City has recommended that the fee be increased.

NOW, THEREFORE, ordinance No. 2003-21, is hereby amended as follows;

Section 5. Fees

Fees payable by those receiving the garbage collection service shall be payable on a monthly basis, and are hereby established as follows:

\$12.60 monthly per residential customer.

PASSED AND ADOPTED by the Barnesville City Council this 9<sup>th</sup> day of January, 2006.

APPROVED:

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Kenneth J. Bauer  
Mayor

ATTEST:

\_\_\_\_\_  
Jeri L. Davis  
City Clerk

**1.9.6.7** Motion by Mr. Hagen and second by Mr. Davis to adopt the following resolution:

“Be it resolved by the City Council of the City of Barnesville that it hereby approves the Premises Permit Application of the Barnesville Booster Club to the State of Minnesota Gambling Control Board for charitable gambling at the American Legion Post 153.”

Motion carried.

**1.9.6.8** Motion by Mr. Hagen and second by Mr. Davis to adopt the following resolution.

“Be it resolved by the City Council of the City of Barnesville that it hereby approves the Premises Permit Application of the Barnesville Booster Club to the State of Minnesota Gambling Control Board for charitable gambling at the American Legion Post 153.”

Motion carried.

Vice Mayor Simonsen stated the next item on the agenda was the TEC Coordinator request for a new computer. TEC Coordinator Guy Swenson stated that the present computer needs to be updated.

**1.9.6.9** Motion by Ellefson and second by Mr. Strom to approve the purchase of a new computer for the TEC Coordinator not to exceed \$1,250. 00. Motion carried.

TEC Coordinator Guy Swenson informed council members that the Sensus Systems support is due and the amount for one year is \$1200.00. This support is for the water and electrical meters.

**1.9.6.10** Motion by Mr. Cooper and second by Mr. Davis to approve payment of \$1200 for the Sensus Systems support for the electrical and water meters. Motion carried.

TEC Coordinator Guy Swenson next discussed the directory assistance and operator services contract. Mr. Swenson informed council members that Onvoy is the provider for our directory assistance and operator services.

**1.9.6.11** Motion by Mr. Hagen and second by Mr. Strom to approve the Onvoy DA/OS contract for two years. Motion carried.

TEC Coordinator Guy Swenson next informed council members that the Minnesota Telecom Alliance annual membership is due in the amount of \$2268.53.

- 1.9.6.12** Motion by Mr. Davis and second by Mr. Ellefson to approve the membership for the MTA in the amount of \$2268.53. Motion carried.

TEC Coordinator Guy Swenson informed council members that an IP Video over DSL workshop is being held and he would like to send Tom Olson and Mike Pearson. Cost is \$50.00 per person.

- 1.9.6.13** Motion by Mr. Cooper and second by Mr. Ellefson to approve the attendance of Tom Olson and Mike Pearson to attend the IP Video over DSL workshop to be held in Bismarck, ND. Motion carried.

Vice Mayor Simonsen stated the next item on the agenda was the Plug-in Hybrid Electric Vehicles Plug-In Partners discussion. TEC Coordinator Guy Swenson stated that this will allow our utility and community more choices in the future.

- 1.9.6.14** Motion by Mr. Ellefson and second by Mr. Strom to participate in the Plug-in Hybrid Electric Vehicle (PHEV's) Plug-in Partner. Motion carried.

TEC Coordinator Guy Swenson next discussed with council members the membership dues to the MACTA in the amount of \$200.00.

- 1.9.6.15** Motion by Mr. Davis and second by Mr. Hagen to approve the MACTA annual dues in the amount of \$200.00. Motion carried.

Vice Mayor Simonsen next called on Mr. Marty Soma with Ulteig Engineers, Inc. Mr. Soma updated council members on the wastewater project. Council members had no other questions for Mr. Soma.

Vice Mayor Simonsen stated the next item on the agenda was the current primary pond aeration. Mr. Simonsen stated that this will be discussed at the Special Council meeting to be held on Monday, January 23<sup>rd</sup>.

Vice Mayor Simonsen next discussed the graphics recommendation with the council for the water tower. Mr. Simonsen informed council members that this item will be tabled and discussed at the February meeting.

Vice Mayor Simonsen next called on Mr. Paul Christensen with People Service. Mr. Christensen presented council members an adjustment based on the Consumer Price Index for All Urban Consumers. Mr. Christensen stated that the monthly compensation for Barnesville will be increased from \$13,515 to \$14,096 per month.

- 1.9.6.16** Motion by Mr. Ellefson and second by Mr. Davis to approve the rate increase from People Service from \$13,515 to \$14,096 per month effective February 1, 2006. Motion carried.

Vice Mayor Simonsen next called on Mr. Dave Riddering. Mr. Riddering explained to council the revision of snow plowing policy. Mr. Riddering stated that this is what has been followed in the past, but was never put into the formal policy.

**1.9.6.17** Motion by Mr. Cooper and second by Mr. Ellefson to approve the snow plowing policy to include the following. Motion carried.

Section 5. Mailboxes: it is the property owner's responsibility to clean snow away from mailboxes to enable mail delivery. The snow plows will get as close to the curb as possible. Damage to mailboxes: if snow and/or ice coming off of the plow or wing hits the mailbox and causes damage, it is the property owner's responsibility to repair. If the plow or wing directly hits the mailbox, the city will pay a reasonable amount to repair the mailbox.

Public Works Superintendent Dave Riddering next discussed with council a parking restriction request. Mr. Riddering was suggesting that No Parking from 2:00 a.m. – 6:00 a.m. on the following streets. Main Avenue from Front St. to 2<sup>nd</sup> Street East. And also 2<sup>nd</sup> Avenue SE from Front Street to 2<sup>nd</sup> Street SE.

**1.9.6.18** Motin by Mr. Cooper and second by Mr. Hagen to approve the parking restrictions: Motion carried.

No Parking from 2:00 a.m. to 6:00 a.m. on the following streets.

- 1) Main Avenue from Front St. to 2<sup>nd</sup> Street E-entire block on the south side, and 1/2/ block on the North side (from Front Street to alley).
- 2) 2<sup>nd</sup> Avenue SE from Front Street to 2<sup>nd</sup> Street SE, on the North side of the Avenue.

Vice Mayor Simonsen next opened the Public Hearing being held with the Barnesville EDA for the JOBZ Business Subsidy Policy at 7:36 p.m.

Vice Mayor asked if there were any citizens present to be heard. There was no citizen input.

Vice Mayor Simonsen closed the Public Hearing at 7:37 p.m.

EDA Director Karen Lauer discussed with council members the JOBZ Business Subsidy Policy changes. Mrs. Lauer informed council that the statute changes require that all communities with JOBZ acreage amend their local policies to adhere to the statute changes.

**1.9.6.19** Motion by Mr. Ellefson and second by Mr. Strom to approve the following resolution. Motion carried.

RESOLUTION OF THE CITY OF BARNESVILLE AND THE BARNESVILLE  
ECONOMIC DEVELOPMENT AUTHORITY

BE IT RESOLVED by the City Council of Barnesville (“City”) and the Board of Directors of the Barnesville Economic Development Authority (“EDA”), as follows:

WHEREAS, the City submitted an application to the State of Minnesota Department of Employment and Economic Development (“DEED”) requesting that land within the City and within the adjoining Townships of Humboldt and Barnesville, receive favorable classification and treatment for business subsidies under the Job Opportunity Building Zone (“JOBZ”) statute, M.S. 469.310 - 469.320; and

WHEREAS, the City’s application was approved, and as a part of the approval the City is required to adopt this resolution establishing JOBZ Business Subsidy Policy and Criteria which will govern all JOBZ Subsidies (as hereinafter defined): and

NOW THEREFORE, the City and EDA, as required by DEED and JOBZ, do hereby adopt the following as the Barnesville JOBZ Business Subsidy Policy and Criteria Preamble. Whenever the City and/or EDA invests public funds or agrees to voluntarily forfeit tax or other revenue that benefit private development projects, those projects should create the greatest number of FTE jobs that pay a living wage possible for the residents of the City of Barnesville and the surrounding region. City policy makers and economic development agents must keep the critical need for living wage FTE jobs the priority whenever public dollars are invested in a private business or development project.

Business JOBZ Subsidy Public Purpose. The public purposes of this policy shall be to accomplish the following on behalf of the City and EDA for all parcels which have been qualified in the JOBZ application:

1. Enhance economic growth in this area
2. Create high quality job growth in this area
3. Retain high quality jobs in this area
4. Stabilize the community

This policy is adopted in compliance with M.S. § 116J.994 Subd. 2. A copy of the policy shall be submitted to the Department of Employment and Economic Development along with the first annual Business Subsidy report.

Principles of Business Subsidy Implementation. Assistance under JOBZ shall be targeted towards businesses that demonstrate a clear and ongoing commitment to the community by providing living wage jobs to their employees and to residents of the City of Barnesville and surrounding area. Where applicable, this may mean giving priority to those businesses that have not traditionally paid living wages. The City shall focus its business subsidy assistance only to businesses which agree to comply with annual business subsidy reporting requirements as required by Job Opportunity Building Zone (JOBZ) statute M.S. §§469.310 - 469.320; and/or as required by the Business Subsidy

statute M.S. §§ 116J.993 - 116J.995. All other things being equal and to the extent legally possible, the City and EDA shall give preferential treatment for business subsidies to businesses that engage in responsible labor relations. Responsible labor relations, for purposes of this policy, is defined as neutrality on union organizing.

Although the primary purpose of this policy is the creation of living wage jobs, we cannot achieve our economic development goals without a trained and ready workforce and adequate childcare. The City and EDA shall commit to assist businesses to obtain trained and work-ready employees through the DEED Workforce Development Centers; MNSCU and other services, and to facilitate access to childcare.

## I. DEFINITIONS

“Authorized Business Subsidy Signatory” means the Mayor of the City of Barnesville who is authorized by this Policy to execute business subsidy agreements on behalf of the City of Barnesville.

“Business Subsidy Report” means the annual reports submitted each year for each business receiving a JOBZ business subsidy in the community. The report is submitted by the City in order to comply with M.S. §116J.994 Subd. 7. (b).

“Criteria” means the equitably applied, uniform standards by which the Economic Development Agency and/or the City bases its decision to award any business subsidy to a private business or development project establishing a business and creating jobs in the City of Barnesville, Barnesville Township or Humboldt Township.

“DEED” means Minnesota Department of Employment and Economic Development.

“Economic Development Agent” means the EDA, which is empowered to solicit, negotiate and form business subsidy agreements on behalf of the City of Barnesville.

“FTE” means full time equivalent employee, which in the context of this document means any employee who is working a minimum of 32 hours, and receiving wages, including deductions for payroll taxes.

“JOBZ Business Subsidy” means tax exemptions or tax credits available to a qualified business located in a

job zone under the Job Opportunity Building Zone (JOBZ) statute M.S. §§ 469.310 - 469.320. JOBZ Business

Subsidies shall include:

1. Exemption from individual income taxes as provided under M.S. § 469.316; and
2. Exemption from corporate franchise taxes as provided under M.S. § 469.317; and
3. Exemption from the state sales and use tax and any local sales and use taxes on qualifying purchases as provided in M.S. § 297A.68, subdivision 37; and
4. Exemption from the state sales tax on motor vehicles and any local sales tax on motor vehicles as provided under M.S. § [or.leg.state.mn.us/stats/297B/03.html](http://or.leg.state.mn.us/stats/297B/03.html) 297B.03; and
5. Exemption from the property tax as provided in M.S. § 272.02, subdivision 64; and

6. Exemption from the wind energy production tax under M.S. § 272.029, subdivision 7; and

7. The jobs credit allowed under M.S. § 469.318. “Living Wage Job” shall mean a job which pays wages and health benefits that total at least the rate of 110% of the current poverty level for a family of four.

“JOBZ Business Subsidy Agreement” means a binding, written agreement between a Qualified Business and the City which requires the Qualified Business to comply with and satisfy all of the Criteria necessary to qualify for the JOBZ Business Subsidy.

“Operation Start Date” shall mean the date by which the business begins its operations in the zone as evidenced by constructing a facility or relocating to an existing building in a facility and beginning revenue generating operations and/or hiring employees.

“Qualified Business” means a person that carries on a trade or business at a place of business located within a Job Opportunity Building Zone as referenced in M.S. §469.310 Subd. 11; and complies with the reporting requirements specified by M.S. § 469.313 Subd. 2. (5); and shall comply with the criteria in Section II of this agreement; and shall also mean “Recipient” as defined by the Business Subsidy statute M.S. §§ 116J.993 - 116J.995. A qualified business shall not include a retail business, a low-wage service business, an agricultural production business, or a business that pays less than the living wage defined in this agreement.

“Recipient” mean any business entity that receives a business subsidy as defined by M.S. § 116J.993, and that has signed a Business Subsidy Agreement with a city.

“Relocating Business” A business relocating from another Minnesota non-JOB Zone location.

“Relocation Agreement” means a binding written agreement between a relocating qualified business and the commissioner of DEED pledging that the qualified business shall either: (a) increase full-time or full-time equivalent employment in the first full year of operation within the job opportunity building zone by at least 20 percent or five jobs, whichever is greater. or (b) make a capital investment on the property equivalent to 10% of the gross revenues of operation that was relocated in the immediately preceding taxable year; and provides for repayment of all tax benefits if the requirements of job creation (a) or (b) are not met.

“Subzone” means the parcel or parcels of land designated by the Commissioner of Employment and Economic Development within a Job Opportunity Building Zone to receive certain tax credits and exemptions specified under M.S. § 469.310-469.320.

“Zone” means a Job Opportunity Building Zone or an Agricultural Processing Facility Zone designated by the commissioner of Employment and Economic Development under M.S. § 469.314.

## II. BUSINESS SUBSIDY REQUIREMENTS

A. Business Subsidy Policies. The City adopts the following:

1. Any time the City provides a business subsidy to a Qualified Business or Recipient, that business is subject to the wage levels, job creation and other criteria set forth in this policy and specified in the JOBZ Business Subsidy Agreement made with the City. In the event of a conflict between the requirements of the Business Subsidy statute M.S. §§116J.993 - 116J.995 and the JOBZ statute M.S. §§ 469.310 - 469.320, the JOBZ statute shall supersede.

2. The Qualified Business, in the case of a JOBZ Business Subsidy that is non-quantifiable at the time of the JOBZ Business Subsidy Agreement, must create and retain until December 31, 2015, at least two (2) FTE job(s) for which their wages and cash value of benefits for all employees must be equal to or exceed 185% of minimum wage 110 percent of the federal poverty level for a family of four on an annualized basis. These two jobs shall be created no later than two years from the date of execution of a JOBZ Business Subsidy Agreement. The new jobs are in addition to the business's base employment at the time of application, which should also be maintained during that same period.

3. The Qualified Business shall be identified in the JOBZ Business Subsidy Agreement as a:

a. New trade or business start-up located within the subzone; OR

b. Business expanding in the subzone which is a business that maintains its current operations in its current location and is expanding its operations and its payroll within the Barnesville Area subzone; OR

c. A business relocating from another state; OR

d. A business relocating from another Minnesota non-Zone location specifying the City.

4. The City may deviate from wage and job criteria in Section II, by documenting the reason in writing for the deviation and attaching a copy of this reason to the next annual Business Subsidy Report submitted to DEED.

5. The City authorizes the Mayor, as representative of the City to act as its Authorized Business Subsidy Signatory to execute JOBZ Business Subsidy Agreements on behalf of the City.

6. The City authorizes the EDA to act as its Economic Development Agent for purposes of marketing, initiating and negotiating JOBZ Business Subsidy Agreements on its behalf.

7. Requirements of businesses. The City shall require all businesses receiving a JOBZ business subsidy to comply with the following:

a. The business shall attend a properly noticed public hearing shall be held by the City/EDA as provided by M.S. § 116J.994, when the value of the subsidy does or is expected to exceed \$100,000 from local sources. The purpose of the hearing shall be held to identify and define the criteria that the Qualified Business or recipient shall meet in order to be eligible to receive a business subsidy or become a Qualified Business for purposes of the JOBZ statute. The hearing shall specify the subsidy provided, public purpose(s) that shall be achieved by offering the subsidy, and shall specify the measurable, specific, and tangible goals committed to by the Qualified Business. As provided by M.S. 116J.994, Subd. 5., a public notice shall be published in print and if possible, on the internet, at least 10 days prior to the hearing, identifying the location,

date time and place of the hearing; and providing information about the business subsidy proposed, including a summary of the terms of the subsidy.

b. If the business is qualified to receive JOBZ tax benefits, that business shall agree to continue

to operations in the jurisdiction where the subsidy is used (the Subzone) until December 31, 2015.

c. If the Qualified Business or Recipient is a Relocating Business under the definition in this agreement, the business shall be required to enter into a binding written "Relocation Agreement between the Qualified Business and the commissioner of DEED pledging that the qualified Relocating Business shall:

(1) Commit to signing a Relocation Agreement with DEED; AND

(2) Cease one or more operations or functions at a non-Zone location and begin performing substantially the same functions inside the Barnesville Area Subzone OR

(3) Reduce employment at the non-Zone location starting one year before and ending one year after beginning operations in the Zone where its employees in the Zone are engaged in the same line of business as the employees at the location where it reduced employment; AND

(4) Increase full time employment by 20% (measured relative to the operations that were relocated) or five jobs, whichever is greater, within the first full taxable year of operation within the Zone and maintains the required level of employment during each year of zone designation; OR

(5) Make a capital investment in the Zone equivalent to at least 10% of gross revenues for the taxable year immediately preceding relocation to the Zone.

d. The Qualified Business shall identify an Operation Start Date when business operations for the proposed Qualified Business are planned to begin in the zone.

e. If a Qualified Business does not meet the goals as identified in the JOBZ Business Subsidy Agreement, then all JOBZ related tax benefits as defined in state statute. shall be repaid pursuant to the requirements of state statute.

EDA Director Karen Lauer next discussed with council a recommendation to change the City Code amendment for Chapters 8 and 9 of the Barnesville City Code.

**1.9.6.20** Motion by Mr. Ellefson and second by Mr. Strom to approve the first reading of Ordinance Number 2006-2, amending Chapter 9 (Parking Regulations) sec. 9.20. Motion carried.

#### Ordinance Number 2006-2

An ordinance amending Chapter 9 (Parking Regulations)sec. 9.20. Ordinance 2006 – X: shall be amended as follows:

**Subd. 1.** Definition.

A. "Truck" – A vehicle designed to haul commodities with a gross vehicle weight of more than 9,000 **20,000** lbs gross vehicle weight.

B. "Weight Restrictions of City Streets" - 10,000 lbs max. axle wt.

**Subd. 2.** It is unlawful to park a detached semi trailer upon any street, City owned parking lot, or other public property except such as are specifically designated by the Council by resolution and signposted.

**Subd. 3.** It is unlawful to park a truck, truck-trailer, tractor-trailer or truck-tractor within an area zoned as a residential district except for the purpose of loading or unloading the same, and then only during such time as is reasonably necessary for such activity. Provided however, that a truck under the legal Weight Restrictions of City Streets may be parked at the resident of the owner, for plug-in availability only, from November 1st until road restrictions are placed on roads by the Minnesota Department of Transportation each spring.

**Subd. 4.** It is unlawful to park a truck upon any street in the business district except streets as specifically designated by the Council by resolution and signposted, but parking of such truck for a period of not more than twenty (20) minutes shall be permitted in such space for the purpose of necessary access to abutting property while actively loading or unloading when such access cannot reasonably be secured from an alley or from an adjacent street where truck parking is not so restricted.

**Subd. 5.** It is unlawful to diagonally park a truck or other vehicle using or equipped with a trailer, or extended body or other extension or projection beyond the original length of such vehicle, or any passenger bus, along any street except for a time sufficient to load or unload, and in such case, only parallel parking shall be permitted.

Provided, however, that a truck may stand backed up to the curb if the weight or bulk of the load makes parallel parking impracticable, but then only for a period of time sufficient to load or unload.

**Subd. 6.** It is unlawful to park within the City, any vehicle or trailer equipped with a tank used to transport or store anhydrous ammonia or related toxic products.

**Subd. 7.** Parking of commercial vehicles is permitted in duly designated and signposted loading zones, and in alleys, for a period of up to twenty (20) minutes, provided that such alley parking does not prevent the flow of traffic therein, all of which shall be for the purpose of access to abutting or adjacent property while actively loading or unloading.

**Subd. 8.** Idling of semi-tractors is not allowed in residential zones between the hours of 9 pm and 6 am unless they are attached to a trailer and actively loading or unloading. Idling of semi-tractors is allowed for a period of 20 minutes between the hours of 6 am and 9 pm unless they are attached to a trailer and actively loading and

unloading during which they are allowed to idle.

**Subd. 9.** Violations of this Ordinance shall be punished as a petty misdemeanor.

**Subd. 10.** This ordinance shall take effect and be in force 30 days from and after its publication.

Dated this 9th day of January 2006.

By:

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Mayor

Attest to:

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City Clerk

First Reading: January 9, 2006

Second Reading: February 13, 2006

Published: February 20, 2006

**1.9.6.21** Motion by Mr. Ellefson and second by Mr. Strom to approve the first reading of Ordinance 2006-3, amending the Chapter 8 (Traffic Regulations) Sec. 8.02. Motion carried.

#### Ordinance Number 2006-3

An ordinance amending Chapter 8 (Traffic Regulations) sec. 8.02. Ordinance 2006 – X: shall be amended as follows:

**SEC. 8.02. TRUCK ROUTE.** It is unlawful for any person to drive a tractor, agricultural implement, truck over 9,000 **20,000** pounds gross vehicle weight, truck-trailer, tractor-trailer or truck tractor in through traffic, upon any street except those which have been designated and sign-posted as truck routes. For the purpose of this Chapter, “through traffic” means originating without the City and with a designation without the City, as distinguished from “local traffic” which means traffic either originating or having a destination within the City.

Dated this 9th day of January 2006.

By:

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Mayor

Attest to:

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City Clerk

First Reading: January 9, 2006

Second Reading: February 13, 2006

Published: February 20, 2006

Vice Mayor Simonsen stated the next item on the agenda was the resignation of Dave Neumann from the Planning Commission. Mr. Simonsen thanked Mr. Neumann for his many years of service to the Planning Commission.

**1.9.6.22** Motion by Mr. Cooper and second by Mr. Hagen to accept the resignation of Dave Neumann for the Planning Commission and thanked Mr. Neumann for his many years of service to the City of Barnesville. Motion carried.

EDA Director Karen Lauer informed council members that the Planning Commission recommends the appointment of Mike Osten for a four year term on the Planning Commission to replace Mr. Dave Neumann.

**1.9.6.23** Motion by Mr. Strom and second by Mr. Ellefson to approve the appointment of Mr. Mike Osten for a four year term on the Planning Commission to replace Dave Neumann. Motion carried.

EDA Director Karen Lauer informed council members that with the recent appointment of Merlin Strom on the City Council, that this creates another vacancy on the Planning Commission. The Planning Commission recommends Steve Mortensen replace Merlin Strom on the Planning Commission to fill that vacancy.

**1.9.6.24** Motion by Mr. Ellefson and second by Mr. Strom that Steve Mortensen replaces Merlin Strom's term on the Planning Commission. Motion carried.

EDA Director Karen Lauer informed council members that the EDA Board member Brad Field's term expired on December 31, 2005. EDA is recommending to council that Mr. Field be appointed to another six year term on the EDA Board of Directors.

**1.9.6.25** Motion by Mr. Ellefson and second by Mr. Hagen to approve the appointment of Mr. Brad Field on the EDA Board of Directors for a six year term. Motion carried.

Vice Mayor Simonsen next discussed the discretionary fund balance. The balance of the discretionary fund will be placed back into the General Fund.

Vice Mayor Simonsen next called on Finance Director Joel Haugrud. Mr. Haugrud updated council members on the Community Project Account. Council members had no questions for Mr. Haugrud.

Vice Mayor Simonsen informed council members that a Special Council meeting has been set for Monday, January 23, 2006 to discuss the stabilization pond system expansion/wastewater treatment facility.

**1.9.6.26** Motion by Mr. Davis and second by Mr. Hagen to adjourn the meeting at 7:50 p.m. Motion carried.

Submitted by:

Attest:

Jeri L. Davis  
City Clerk

Kenneth J. Bauer  
Mayor