

City of Barnesville
City Council Regular Meeting
July 8, 2002

Mayor Gene Prim called this meeting to order at the Barnesville City Hall Council Chambers at 7 p.m. with Council members Chad Hagen, Larry Davis Jr., Charles Martinson, Kim Simonsen, and Jerry Ames attending. Others in attendance were City Administrator Ray Miller, City Attorney Michael Hannaher, Youth Representative Becca Gilbuena, General Manager Gerald Dow, EDA Director Karen Lauer, Police Chief Dean Ernst, Main Street Director Brenda Brand, Tom Trowbridge from Larson-Peterson, Etta Christianson, Brian Mosher, Andy Kava, Terry Lapos, Merlin Strom, Finance Director Brian Jacobson, Dave Riddering, Todd Meyer, Mike Sacrison, Angie Ernst, and Karen Dollison from the Record Review. Absent was Council Member Roger Cooper.

07-08-02-01 Motion by Mr. Martinson and second by Mr. Hagen to approve the agenda with the addition of the supplemental. Carried.

07-08-02-02 Motion by Mr. Ames and second by Mr. Davis to approve the minutes from the June 10, 2002 Public Hearings, the June 10, 2002 Regular Council Meeting, the June 14, 2002 Council Special Meeting, the June 24, 2002 Council Special Meeting and the July 1, 2002 Council Special Meeting with a change to the June 10, 2002 Regular Council Meeting to read that the Park Board has put up a new slide in Del Acres Park and also a change in the June 10, 2002 Public Hearing to read that the Hearing was closed at 6:45 p.m. Carried.

Etta Christianson from the Potato Days Board was present to request help from the City workers during Potato Days again this year.

07-08-02-03 Motion by Mr. Davis and second by Mr. Martinson to approve City workers assisting with Potato Days. Carried.

Andy Kava from the Potato Days Board was present to discuss with the Council the possibility of fencing in an area in front of Big Bob's, Ratzos' Pool Hall, and the VFW during the Potato Days street dance. Hard liquor could then be served during the dance. There will be a five-dollar charge for admission to the street dance this year. The dance will be run from nine to twelve p.m. and wrist bands would be put on those who pay admission. If alcohol were served, patrons would have to be 21 to enter the fenced in area.

Mr. Simonsen had two concerns. The first is that Potato Days is advertised as a family event. The second is the five-dollar admission charge to the dance when it has always been free in the past. Mr. Kava replied that they will have to charge the five-dollar admission fee this year or money will be lost.

Mr. Hagen said he had some concerns about serving hard liquor and inquired if there would be enough patrols on duty to help. Mr. Kava assured him there would be plenty of patrols on duty that night.

Police Chief Dean Ernst stated that he has no problem with this issue one way or another and will do as the council wishes. He has observed the need for more space and mentioned the problem bar owners have had in the past with patrons trying to leave the bars with glass bottles. Having hard liquor allowed outside might help alleviate these problems as the inside of the bars would not be so crowded and drinks would be served in plastic unbreakable cups.

Mr. Ames stated that the Pool Hall was so crowded during last year's dance a

person could not even walk through it.

Brenda Brand stated that she felt having hard liquor at the dance was against family values and takes away from the image of a family festival.

The Knights of Columbus have always had a 3.2 beer garden at the dance and would continue to do so this year.

07-08-02-04 Motion by Mr. Ames and second by Mr. Davis to grant permission to proceed with the hard liquor permit provided that proof of insurance and an application is submitted.

Mr. Hagen and Mr. Martinson requested time to get opinions from the public on this issue before making a final decision.

Mr. Ames withdrew his motion.

This issue dealing with the hard liquor permit will be added to the July 15, 2002 agenda.

Tom Trowbridge was present to present a favorable bid from Quam Construction for the sewer, water, streets, and storm sewer for the Stoneridge addition.

07-08-02-05 Motion by Mr. Davis and second by Mr. Hagen to approve the bid of \$389,132.80 from Quam Construction pending approval from the City Engineer and City Attorney. Carried.

General Manager Dow presented his General Manager's report for the month with one change to read KWH instead of KW in the minutes from the last T.E.C. Advisory Board meeting.

Becca Gibuena was present representing the Youth Board. The youth attended the West Central Initiatives Conference, Shaw Simonsen and Desi Krull attended a grant training session, and curriculum for the next school year is done. The youth earned \$104 from having a car wash. The \$104 will be put toward the Youth Conference coming up in Los Angeles.

Dave Riddering stated that the parking lot between the Legion and Super Valu will be paved and completed next week.

Todd Meyer reported that repairs on the water plant would be starting soon. There was some potassium in the water last week, which made the water a little yellow. This has been fixed. Coupons will be going out in the City for Iron Out during the plant repairs. The Iron Out will be available at City Hall, Super Valu, City Center and True Value Hardware.

Police Chief Dean Ernst introduced Brian Mosher as the new full-time police officer for the City.

Chief Ernst stated that he and Mr. Ames reviewed the repairs needed on the old city hall. Roger Lewis and Steve Hoppe of L&H Masonry gave a price estimate of \$6,000 to \$10,000 to repair the missing bricks and mortar on the west side of the building. There is a possibility that some repair may also be needed on the south side of the building. If repairs also were done on the south side, the cost would be closer to the high end of the estimate. There is \$6,000 in the capital expenditures fund that is supposed to be used to fix the squad garage roof but the brick should probably be fixed first, so there is no traffic on the roof after it is completed.

07-08-02-06 Motion by Mr. Simonsen and second by Mr. Ames to have the brick

on the Old City Hall fixed using \$6,000 to start with from capital expenditures budget. Carried.

Karen Lauer from the EDA had two items to report. The first item was that the Fargo Forum had featured a story on Barnesville, and the second item was that there will be a city-wide open house on Sunday July 14, 2002. There will be 24 homes open to the public for viewing and possible purchase.

Mr. Davis reported that the airport is up and running with some activity taking place there. The closure X has been removed and a new windsock has been put up. Mr. Davis thanked everyone for their support.

Mayor Prim reported that the new fire truck has been ordered.

Serenity Manor was removed from the previously tabled items. It will be removed from next month's agenda.

07-08-02-07 Motion by Mr. Simonsen and second by Mr. Martinson to approve the COBRA administration proposal by Medsoft for the City of Barnesville. Carried.

There is an initial one time set up fee of \$150 and a minimum monthly charge of \$25 and a charge of \$25 per COBRA qualifying event. There are a total of 35 eligible employees for this to benefit.

07-08-02-08 Motion by Mr. Simonsen and second by Mr. Ames to approve the first reading of Ordinance 2002-6. Carried.

SECTION 12.00

C-1 CENTRAL BUSINESS DISTRICT

12.01 Purpose: C-1, the Central Business District, is designated for providing the core service and retail businesses ample space to develop and to allow those services to be accessed conveniently by the residents and other customers. All businesses and services located in this district shall be of a beneficial nature to the City and promote orderly development and generate economic use of land.

12.02 Permitted Uses:

- a. Retail Businesses
- b. Eating & Drinking Establishments
- c. Offices
- d. Personal & Professional Services
- e. Municipal Buildings & Libraries
- f. Auto Sales, Service & Repair
- g. Fire Stations
- h. Trade and Vocational Schools
- i. Commercial Recreation
- k. Animal Clinics
- l. Funeral Homes
- m. Essential Services
- n. Second Story Rental Apartments

- o. Second Story Owner Occupied Housing
- p. Accessory Uses

12.03 Conditional Uses:

- a. Water Recreation & Water Storage
- b. Research Laboratories
- c. Public Utility Buildings
- d. Planned Unit Business Project
- e. Multiple-Family Dwellings
- f. Wholesale Business
- g. Supply Yards
- h. Churches
- i. Light Manufacturing
- j. Rental Storage Facilities
- k. Drive-up Facilities
- l. Public Parks & Playgrounds

12.04 Yard and Lot Requirements:

Minimum Lot Width - 25 ft.
Minimum Lot Depth - 120 ft.

Rear Yard Requirements - No rear yard setback is required except as hereinafter provided. When required, the rear yard requirements shall be the same as the R-1 District.

- a. A rear yard is required for buildings containing any dwelling units.
- b. A rear yard is required for any lot of which the rear or side line abuts a residential district (R-1, R-2, R-3, or R-4).

Front yard requirements - The minimum front setback on property abutting a public right-of-way in the C-1 District is zero ft.

Side yard setback requirements - No side yard setback is required except as hereinafter provided. When required, the side yard shall be 10% of the lot width.

- a. A side yard is required for any lot of which the side line abuts a residential district.

12.05 Accessory Uses and Structure Permitted in the C-1 District: Those uses and structures

directly associated with the principal business.

12.06 Parking Requirements. Existing buildings in the Central Business District are exempt from Off-Street Parking and Loading Regulations. All new buildings or expansions totaling over 3,000 square feet of gross floor area will be required to meet Off-Street Parking and Loading Regulations.

07-08-02-09 Motion by Mr. Simonsen and second by Mr. Ames to approve the first reading of Ordinance 2002-7. Carried.

SECTION 28.00

ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS

28.01 Front Yards: No accessory use, building, structure or equipment shall be allowed within a required front yard. With the exception of a garage or driveway, no accessory building, structure, use or equipment may be placed within a front yard.

28.02 Rear Yards: No accessory building, structure, and/or detached garage for a single family dwelling shall occupy more than twenty-five percent (25%) of the area of the rear yard.

28.03 Ground Coverage: For lots under 12,000 square feet in area, the total floor area of any garage(s) and accessory buildings may not exceed nine hundred (900) square feet; for lots from 12,000 square feet to 20,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed 1,150 square feet; and for lots exceeding 20,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed 1,500 square feet; and in all cases the total floor area may not exceed the ground coverage of the dwelling, less any attached garage, ~~except by conditional use permit. Any lots, which are not at least 100 feet wide at the front yard setback, require a conditional use permit for any additional garage or accessory building.~~

~~28.04 Garages: No building permit may be issued for more than one private garage for each single family dwelling, except by conditional use permit, except that lots in excess of 20,000 square feet may have two garages if the total square area of both garages does not exceed 1,500 square feet or the ground coverage of the dwelling, whichever is less.~~

28.05 Lot Coverage: The total area of garages and accessory buildings for a two-family dwelling is limited to 750 square feet per unit, ~~except by conditional use permit.~~

28.06 Limitation of Structures: No permit shall be issued for the construction of more than one accessory building and/or structure on any single lot except for an

accessory building for storage not exceeding 150 square feet in addition to a detached garage, ~~except by conditional use permit.~~

28.07 Encroachment: ~~All Accessory~~ buildings including those of less than 120 square feet may not encroach into ~~the required side and rear yard setbacks on~~ required easements.

28.08 Setback Requirements: ~~Except as was otherwise noted, accessory buildings and uses for all principal uses other than single family detached dwellings shall conform to the setback requirements specified for the respective zoning district in which they are located. No buildings or accessory structures are allowed in required setbacks.~~

28.09 Height: ~~Except as allowed by conditional use permit, no accessory building shall~~ *No accessory building shall be higher than the principle residence, or exceed sixteen (16) feet in height to the peak.*

28.10 Sequential Requirements: No accessory building or structure other than a fence or temporary construction may be constructed prior to the time of construction of the principal building or structure ~~except by conditional use permit.~~

~~28.11 Number of Accessory Buildings: In addition to a garage, not more than one accessory building or structure may be permitted on any single parcel, except by conditional use permit. Buildings such as gazebos, outdoor living rooms, pool enclosures, and similar buildings may be constructed in addition to garages and accessory buildings subject to the coverage requirements under this section.~~

07-08-02-10 Motion by Mr. Simonsen and second by Mr. Ames to approve the first reading of Ordinance 2002-8. Carried.

**SECTION 22.00
OFF-STREET PARKING AND LOADING REGULATIONS**

22.01 Schedule of Off-Street Parking Requirements: Off-street parking spaces shall be provided for buildings and uses as specified in the following schedule:

Off-Street Parking

<u>Types of Uses</u>	<u>Requirements</u>
Automobile repair shops space for	3 spaces for each repair stall plus 1 each employee.
Banks area.	1 space per 250 feet of gross floor area.

Bowling alleys	5 spaces for each alley, plus 1 space For every 2 employees.
Churches	1 space for each 3 seats in the church (sanctuary), plus 1 space for each church employee.
Community centers, libraries, museums	1 space per each 250 square feet of gross floor area.
Drive-in banks	Reserve space equal to 3 times the number of drive-in window units.
Dwelling, efficiency	1 space per dwelling unit.
Dwelling, multi-family	2 spaces per dwelling unit, or gross floor area divided by 440, whichever is greater.
Dwelling, single-family	2 spaces per dwelling unit.
Dwelling, two-family	2 spaces per dwelling unit.
Funeral homes	1 space per each 60 square feet of floor area available for seating accommodations.
General retail	5 spaces per 1,000 square feet of floor area excluding public plazas, malls, and pedestrian walkways.
Hospitals	1 space for each two patient beds (excluding bassinets), plus one additional space for each doctor including visiting doctors, plus 1 space for each 2 employees including nurses; loading and unloading space for hospital ambulances and similar vehicles are not included in the spaces required.

Hotels, motels, tourist homes, cabins	1 space for each room or suite, plus 2 spaces for each 5 employees.
Industrial and manufacturing	1 space per each 12 employees on the shift of the greatest employment plus 1 truck space for each 7,500 square feet of gross floor area.
Lodging, rooming, and boarding houses	1 space for each guest, plus 2 spaces for the owner or manager if resident on the premises.
Medical or dental clinics	1 space per 200 square feet of gross floor area plus 1 space per doctor engaged at the clinic plus 1 space for each employee.
Mobile Home Park	2 spaces for each mobile home lot.
Nursing homes, convalescent homes	1 space for each 4 residents or patients plus 1 space for each 2 employees plus 1 space for emergency vehicles.
Office, professional or public buildings	1 space for each 200 square feet of gross floor area.
Post Office	1 space per each 400 square feet plus 1 space for each employee.
Private clubs or lodges	Parking requirements to be determined by totaling each specific type of use provided for, plus 1 space per 250 square feet of gross floor area for all other areas.
Restaurants, drive-in	1 space per 2 seating accommodations, plus 1 space for every 2 employees.
Restaurants, night clubs, and cafes	1 space per 3 seating accommodations up to 36, 1 space per 4 seating accommodations

	above 36, plus 1 space for every 2 employees.
Retirement homes	1 space per 1 bedroom and 2 spaces per 2 bedrooms.
Rooming unit	1 space per rooming unit.
for Theaters, civic centers, auditoriums, stadiums, sports arenas, or similar uses	1 space for each 4 seats, plus 1 space each 2 employees.
Warehousing and wholesaling	1 space per employee on the shift of greatest 7,500 square feet of gross floor area.

22.02 Mixed Uses: In cases of mixed uses, the parking spaces required shall be the sum of the requirements for the various individual uses, computed separately.

22.03 Design Standards:

- a. All off-street automobile parking facilities shall be designated with appropriate means of vehicular access to a street or alley as well as maneuvering areas. Detailed plans shall be submitted to the proper official for approval for all curb cuts or driveway openings before a permit may be obtained therefore.
- b. Parking areas shall be paved with an asphaltic or concrete surfacing, afford adequate drainage, and shall have bumper guards where needed.
- c. Off-street parking areas for one (1) or two (2) family uses shall be in the rear, side yards, garage, carport, upon a well-defined driveway or in an area not to exceed twelve (12) feet in width abutting the driveway on one side only in the front yard. The parking area designated in the front yard abutting the driveway shall be surfaced with either concrete, asphalt, or in cases of existing gravel driveway, gravel may be used for such additional parking.
- d. Off-street parking area for multiple-family units of three (3) or more shall park on a designated parking lot. In no case, unless approved by the Building Official in the issuance of a building permit or by the City Council in cases of conditional uses, shall parking be permitted on the front yard except within the limitation as required in Section 18 of this Ordinance.

22.04 C-1 Central Business District: Existing buildings in the C-1, Central Business

District are exempt from Off-Street Parking and Loading Regulations. All new buildings or expansions totaling over 3,000 square feet of gross floor area will be required to meet Off-Street Parking and Loading Regulations.

07-08-02-11 Motion by Mr. Simonsen and second by Mr. Martinson to approve the first reading of Ordinance 2002-10. Carried.

ORDINANCE 2002-10

**AN ORDINANCE TO REQUIRING THE INSTALLATION OF
ELECTRIC BY-PASS SWITCHES.**

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

The City of Barnesville Municipal Power personnel are occasionally required to remove electric meters to verify proper operation or to perform routine maintenance.

Because many homes and industrial/commercial enterprises are utilizing sophisticated electronic devices which may be damaged when the electricity supply is suddenly interrupted the following will apply:

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.

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 ELECTRIC BY-PASS SWITCH will be installed.

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.

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

07-08-02-12 Motion by Mr. Davis and second by Mr. Simonsen to approve the Knights of Columbus-Potato Days Liquor License request for August 24, 2002. Carried.

Mr. Simonsen wondered why the Potato Days Committee did not sell beer in the first place during the street dance instead of the Knights of Columbus. He was informed by Brenda Brand that the reason for this was that the Potato Days Committee were not able to get the necessary permits as they were not non-profit like the Knights of Columbus.

The River Winds "Green Power" program was next on the agenda. River Winds is a program offered by Missouri River Energy Services. It allows the local utility company to offer customers the opportunity to buy electricity generated from the wind. This power is available in 100 KWH blocks, which the city can make available to its customers. The wholesale rate charged to the city for these 100 KWH blocks is \$1.50. The State of Minnesota mandates that a green power program be offered by each electric utility in Minnesota. The T.E.C. Advisory Board members moved to recommend that the Council adopt the River Winds program and to set the rate charged to customers at \$2.00 per 100 KWH block. The extra fifty cents charged to the customer will help cover promotions, paperwork, and processing.

07-08-02-13 Motion by Mr. Simonsen and second by Mr. Martinson to adopt the River Winds "Green Power" Program with a rate of \$2.00 per 100 KWH block charged to the customer. Carried.

The T.E.C. Advisory board sought approval from the Council for the purchase of equipment for a cable headend to operate the Bloomberg Channel. As of August 1, 2002, the Bloomberg Channel signal will no longer be transmitted via DBS equipment. The Barnesville Municipal Cable was allowed to choose one of the following three options.

1. To keep receiving Bloomberg TV by using the Direct TV equipment and going through 4COM at a rate of an additional 8 cents per subscriber per month.
2. Receive Bloomberg TV on Galaxy VI transponder #9 digital receiver with a one-time fee for equipment of \$1,000.00 and do not request reimbursement.
3. Ask Bloomberg TV to reimburse the city for the actual equipment cost. If they do not reimburse the city, the city has the right to discontinue the NCTC Bloomberg TV agreement after city sends it's formal request. This equipment will also work with other channels.

Capital budget funding remains to cover the cost of this equipment.

The T.E.C. Advisory Board moved to recommend option #3 to the Council.

07-08-02-14 Motion by Mr. Simonsen and second by Mr. Martinson to approve option #3 and the purchase of the additional head end equipment at a total cost of \$1,000 plus shipping. Carried.

The Mayor's Mid-Year State of the City letter was presented to the Council.

Mayor Prim wrote about what he feels the Council should primarily focus on in the coming

months. One of these is employee health coverage. This has already been dealt with and is set for the next 12 months. The City needs to focus on their financial health. Mr. Jacobson is working on updating the financial records so a true picture of the condition of the City's finances is available. Mayor Prim also discussed the new projects the City has taken on such as a new development, sewer system repairs, and the updating of telephone, electric, cable, and water equipment. The Council will need to decide how to pay for these expenses. Another priority item is wage structure. In Mayor Prim's view, the number one priority for the City is in compliance with Comp Worth.

07-08-02-15 Motion by Mr. Simonsen and second by Mr. Davis to approve the agreement with American Financial Consulting to provide reverse sales-tax audit services. Carried.

07-08-02-16 Motion by Mr. Davis and second by Mr. Martinson to approve the resolution for the small cities grant project. Carried.
Resolution Prohibiting Use of Excessive Force

WHEREAS The Minnesota Department of Trade and Economic Development, as a pre-condition to the City of Barnesville obtaining Small Cities funding, requires that the City adopt a policy prohibiting the use of excessive force by law enforcement agencies against individuals engaged in nonviolent civil rights demonstrations and;

WHEREAS, P.L. 101-144, Section 519 prohibits the use of excessive force by law enforcement agencies against individuals engages in nonviolent civil rights demonstrations.

NOW, THEREFORE, BE IT RESOLVED, that the Barnesville City Council hereby adopts on behalf of Barnesville a policy to prohibit the use of excessive force by law enforcement agencies within Barnesville against any individuals engaged in a nonviolent civil right demonstrations. The preceding resolution was adopted by the Barnesville City Council on the 8th day of July, 2002.

Mayor _____ Date _____

Clerk _____ Date _____

Brian Jacobson gave his finance director's report. He stated that he is caught up through March on the City's financial records.

07-08-02-17 Motion by Mr. Simonsen and second by Mr. Davis to approve the following resolution. Carried.

CITY OF BARNESVILLE, MINNESOTA

RESOLUTION NO. 07-08-02-17

RESOLUTION ORDERING AND COMBINING
CERTAIN IMPROVEMENT PROJECTS

WHEREAS, the City of Barnesville (the "City") has previously instituted proceedings for the following public improvements:

- A. Street and Underground Utility Improvements, Stoneridge Addition ("2002 Project No. 1");
- B. Storm Sewer Improvements, Second Avenue Northeast and Stoneridge Addition ("2002 Project No. 2")

WHEREAS, the City Council held an improvement hearing for the 2002 Project No. 1 on June 10, 2002, and on that approved plans and specifications for that project by Resolution No. 06-10-02-03; and

WHEREAS, the City has scheduled an improvement hearing regarding 2002 Project No. 2 on July 15, 2002; and

WHEREAS, the proceedings for the above projects were instituted on substantially the same dates; and

WHEREAS, the City Council has determined that the 2002 Project No. 1 and the 2002 Project No. 2 may be more economically completed if consolidated and joined as one project, as authorized under Minnesota Statutes, Section 435.56; and

WHEREAS, the Internal Revenue Service has issued Treas. Reg. § 1.150-2 (the "Reimbursement Regulations") providing that proceeds of tax-exempt bonds used to reimburse prior expenditures will not be deemed spent unless certain requirements are met; and

WHEREAS, the City expects to incur certain expenditures that may be financed temporarily from sources other than bonds, and reimbursed from the proceeds of a tax-exempt bond;

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

1. The Council hereby finds that the 2002 Project No. 1 is necessary, cost-effective and feasible, and orders that project. This paragraph is intended to ratify and confirm in all respects all previous approvals of the 2002 Project No. 1, including Resolution No. 06-10-02-03.
2. The Council hereby consolidates and joins 2002 Project No. 1 and 2002 Project No. 2 as a single consolidated project for all purposes under Minnesota Statutes, Section 435.56 and Chapter 429.

3. All proceedings in connection with each of the above named projects shall be deemed instituted and conducted as one proceeding.
4. The consolidated project is designated as "the 2002 Improvement Project".
5. The City reasonably expects to reimburse the expenditures made for certain costs of the 2002 Project from the proceeds of bonds in an estimated maximum principal amount of \$1,400,000. All reimbursed expenditures will be capital expenditures, costs of issuance of the bonds, or other expenditures eligible for reimbursement under Section 1.150-2(d)(3) of the Reimbursement Regulations. This declaration is intended to constitute a declaration of official intent for purposes of the Reimbursement Regulations.
6. The declaration in paragraph 5 has been made not later than 60 days after payment of any original expenditure to be subject to a reimbursement allocation with respect to the proceeds of bonds, except for the following expenditures: (a) costs of issuance of bonds; (b) costs in an amount not in excess of \$100,000 or 5 percent of the proceeds of an issue; or (c) "preliminary expenditures" up to an amount not in excess of 20 percent of the aggregate issue price of the issue or issues that finance or are reasonably expected by the City to finance the project for which the preliminary expenditures were incurred. The term "preliminary expenditures" includes architectural, engineering, surveying, bond issuance, and similar costs that are incurred prior to commencement of acquisition, construction or rehabilitation of a project, other than land acquisition, site preparation, and similar costs incident to commencement of construction.
7. The declaration in paragraph 5 is an expression of the reasonable expectations of the City based on the facts and circumstances known to the City as of the date hereof. The anticipated original expenditures for the 2002 Project and the principal amount of the bonds described in paragraph 5 are consistent with the City's budgetary and financial circumstances. No sources other than proceeds of bonds to be issued by the City are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside pursuant to the City's budget or financial policies to pay such 2002 Project expenditures.

Approved by the City Council of the City of Barnesville this 8th day of July, 2002.

07-08-02-18 Motion by Mr. Hagen and second by Mr. Davis to approve disbursements of checks 8535 to 8698 in the amount of \$410,788.58 and checks 492 to 510 in the amount of \$43,277.13, and to disburse funds to of \$24,381.00 to the Barnesville Fire Department. Carried.

Mayor Prim adjourned this meeting at 8:25 P.M.

Submitted by:

Attest:

Angela Ernst
Minutes Recorder

Eugene Prim
Mayor