

**Barnesville City Council  
Regular Meeting  
July 9, 2007**

Mayor Bauer called this regular meeting to order at 7:00 p.m. Present were Mayor Bauer and Council members Roger Cooper, Larry Davis, Jr., Del Ellefson, Kim Simonsen, and Merlin Strom. Also in attendance were City Attorney John Shockley, City Clerk Jeri Reep, EDA Director Karen Lauer, Public Works Supt. Dave Riddering, TEC Coordinator Guy Swenson, Gary Giltner with People Service, Gary Nansen, Dan Hansen, and Marty Soma with Ulteig Engineers, Eric and Jeana Lanum, Jayne Lien, Leonard Boone, and Pam Aakre with the Record Review.

City Clerk Jeri Reep took roll call. Mayor Bauer stated the first item on the agenda was the pledge of allegiance. All rose to recite the pledge.

Mayor Bauer asked if there were any additions to the agenda. The following items were added to the agenda. Approval of the Special Circuit Tester, and the discussion of the high service pumps.

**7.9.7.1** Motion by Mr. Davis and second by Mr. Strom to approve the consent agenda and the agenda as presented. The following items were included in the consent agenda.

1. Approval of the minutes of the regular meeting held on June 11, 2007.
2. Approval of the Department Head Reports.
3. Finance reports-approval of check numbers 61390-61423 in the amount of \$633,444.32 and EFT payments in the amount of \$87,819.51.
4. Approval of the Barnesville KC's Special Liquor License for August 2, 2007.
5. Approval of the Barnesville Fire Dept. gambling permit for August 25, 2007.
6. Approval of travel for up to four employees to attend the Midwest Data Conference.
7. Approval of travel for Guy Swenson to attend the MMUA CIP workshop.

Mayor Bauer stated the next item on the agenda was the board and commission reports. Council member Merlin Strom updated council members on the Planning and Zoning issues. There will be a Joint Powers meeting held on July 12<sup>th</sup>.

**7.9.4.2** Motion by Mr. Strom and second by Mr. Ellefson to approve the board and commission reports as presented.

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

Ms. Jayne Lien approached the council members to discuss the 125<sup>th</sup> Celebration. Ms. Lien questioned why only non-profit organizations were allowed to sell alcoholic

beverages at the celebration. Ms. Lien also questioned the parking tickets that her customers have been receiving. Ms. Lien also inquired about the handicap parking on the south side of the property. Council members informed Ms. Lien that they may hold a special meeting in regards to the liquor question.

Mrs. Jeana Lanum next approached the council. Mrs. Lanum asked her daughter Brianna to read to the council members. Brianna Lanum read, asking council members if they could keep their ducks. Mrs. Lanum stated that she has spoke to almost 200 people, and 139 people have pets that are not allowed by our present ordinance. Council member Del Ellefson stated that he is willing to re-visit the present animal ordinance. Council member Merlin Strom questioned where does this end.

Council member Chad Hagen arrived at 7:26 p.m.

Mr. Eric Lanum stated that certain amendments could be made to the present animal ordinance, and imagination of the council members and City Attorney.

Mayor Bauer asked if council wanted to re-visit the present animal ordinance. Council member Kim Simonsen asked if there was a way we could do a survey of this, such as a bill stuffer. Council member Roger Cooper stated that he has people commend the council for their action last month on this issue. Mr. Cooper stated that he would like to keep the ordinance the way it is. Council member Chad Hagen stated that he could not believe we spent as much time on this issue as they have. Mr. Hagen questioned how much money and time are we going to spend. Council member Larry Davis, Jr. stated that he would like to stay with the present ordinance.

Mayor Bauer suggested to Mr. & Mrs. Lanum to have the people supporting the Lanum's to call their council representative. Jeana Lanum asked for an extension to keep their ducks, and what is going to happen if they don't remove the ducks.

**7.9.7.3** Motion by Mr. Ellefson and second by Mr. Simonsen to extend a 30 day extension to Eric and Jeana Lanum to keep their pet ducks in the city limits. City Attorney John Shockley asked Eric and Jeana Lanum to provide him with the legal cases in regards to ducks; the Lanum's informed Mr. Shockley they would provide that information to him. The following voted in favor of: Council members Simonsen, Strom, Davis, Ellefson and Hagen. The following voted against: Mr. Cooper. Motion carried.

Mayor Bauer stated the next item on the agenda was the dangerous building discussion at 219 2<sup>nd</sup> Ave SE. City Attorney John Shockley informed council members that an Order has been served to the owners. The order is to fix the building or demolish the building. The property owners have been given 60 days to fix the building.

**7.9.7.4** Motion by Mr. Cooper and second by Mr. Davis to approve the Order in the matter of the dangerous building located at 219 2<sup>nd</sup> Avenue SE. Motion carried.

Mayor Bauer stated the next item on the agenda was the discussion of a penalty waiver request. TEC Coordinator Guy Swenson informed council members of a request from a customer asking for forgiveness on the penalty charges on his utility bill.

**7.9.7.5** Motion Mr. Strom and seconded by Mr. Simonsen to waive the penalty charge for Mr. Mitchell Landphere until the utility account is current. Motion carried.

Mayor Bauer next stated the next item on the agenda was the discussion on a utility disconnection. TEC Coordinator Guy Swenson informed council members that a customer was scheduled for disconnection of services. The TEC Board recommended waiting a month before disconnection.

**7.9.7.6** Motion by Mr. Ellefson and second by Mr. Strom to wait on a utility disconnection for a month for Mr. Mitchell Landphere. Motion passed.

Mayor Bauer stated the next item on the agenda was the FTTH Boring Services. TEC Coordinator Guy Swenson informed council members that he would like to precede with the boring service for the fiber to the home. Mr. Swenson had received two proposals, one from Master Construction and Ernst Trenching. Ernst Trenching was the lowest bidder.

**7.9.7.7** Motion by Mr. Simonsen and second by Mr. Strom to proceed with the proposal from Ernst Trenching, not to exceed \$65,000 for the FTTH Boring Services. Motion carried.

The next item on the agenda was the DSL Modem purchase. TEC Coordinator Guy Swenson asked authorization to purchase 50 DSL modems for \$4,172.00. Mr. Swenson stated that this is a budgeted item.

**7.9.7.8** Motion by Mr. Cooper and second by Mr. Strom to authorize staff to purchase 50 DSL modems for \$4,172.0 from Border States Supply. Motion carried.

The next item on the agenda was the electric meter updates. TEC Coordinator Guy Swenson informed council members that this upgrade is for the electric meters at the Good Samaritan Center and the Barnesville Elevator.

- 7.9.7.9** Motion by Mr. Ellefson and second by Mr. Simonsen to approve the expenditure to upgrade the electric meters at the Good Samaritan Center for \$282.21 and the Barnesville Elevator for \$751.55. The motion carried.

The next item of the agenda was the approval to purchase a Special Circuit Tester. TEC Coordinator Guy Swenson informed council members that this is a budgeted item, and the tester is to test the fiber optics.

- 7.9.7.10** Motion by Mr. Strom and second by Mr. Simonsen to approve the Special Circuit Tester in the amount of \$3,000 from Specialized Products Company. Motion carried.

Mayor Bauer stated the next item on the agenda was the Partial Payment Request from Visser Scraper Services in the amount of \$83,003.02.

- 7.9.7.11** Motion by Mr. Davis and second by Mr. Cooper to approve the Partial Payment Request #9 to Visser Scraper Service in the amount of \$83,003.02. Motion carried.

Mayor Bauer stated the next item on the agenda was the time extension request from Visser Scraper Service. Mr. Marty Soma with Ulteig Engineers discussed with council members the time extension request. Mr. Soma stated that this is the second time extension request. Visser Scraper Service is asking for an extension until August 15, 2007 for substantial completion and September 15, 2007 for the final completion date of the project. Council member Del Ellefson stated that he was not in favor of the extension. Mr. Soma stated that this has been a sub-contractor problem, that the liner will be installed this week. Council member Roger Cooper stated that we can always grant an extension later. No action was taken by council members at this time.

The next item on the agenda was the high service pumps in the water plant. Mr. Dan Hansen with Ulteig Engineers discussed with council members that the paperwork has been submitted to the Dept. of Health, but they have not heard back from them yet. Mr. Hansen stated that we could call for plans and specifications.

- 7.9.7.12** Motion by Mr. Ellefson and second by Mr. Strom to authorize staff to proceed with the plans and specifications for the high service pumps at the water treatment facility. Motion carried.

Council member Del Ellefson informed council members that the high service pumps is what is needed to fill the water tower, and he would like to recommend Moore Engineering to provide the engineering services on this project.

- 7.9.7.13** Motion by Mr. Ellefson and second by Mr. Cooper to authorize Moore Engineering to proceed with the engineering services for the high service pumps at the water treatment facility. Mr. Gary Nansen with Ulteig

Engineering informed council members that in the water tower report that they had prepared, it was stated that the pumps may be required. Council member Kim Simonsen stated that he was concerned about the water pressure. Mr. Nansen stated that they would work with staff to expedite the project that Ulteig Engineers would not charge any engineering costs for this project, and it would be a high priority. The following voted in favor of the motion: Council member Ellefson. The following voted against the motion: Council members Simonsen, Strom, Davis, Cooper and Hagen. Motion was defeated.

- 7.9.7.14** Motion by Mr. Hagen and second by Mr. Strom to authorize Ulteig Engineers to proceed with the high service pumps at the water treatment facility, that there will be no engineering fees, and nor mark-up of products, to hire local electrician's and to expedite the project. Motion carried.

Mayor Bauer stated the next item on the agenda was Partial Payment #3 from Quam Construction in the amount of \$92,975.87.

- 7.9.7.15** Motion by Mr. Davis and second by Mr. Cooper to approve the Partial Payment #3 to Quam Construction for the Del Acres-Gilbertson First Addition-Phase 1, in the amount of \$92,975.87. Motion carried.

Mayor Bauer stated the next item on the agenda was the dust control discussion. Mr. Leonard Boone approached the council asking for dust control by his home. Mr. Boone stated that the County had made some cuts to the road, and questioned what was going to be done with the road. Council member Del Ellefson stated that perhaps we could put some dust control by his home. Public Works Supt. Dave Riddering informed council members that this repairing of the road will take some time to repair. Mayor Bauer asked if this road repair could be done this fall, and dust control put in front of the residences for the time being.

- 7.9.7.16** Motion by Mr. Davis and second by Mr. Ellefson to proceed with the dust control at 180<sup>th</sup> Street South, not to exceed \$2,000. Motion carried.

The next item on the agenda was the Minnesota Historical Society Grant. EDA Director Karen Lauer informed council members of the matching grant money for 2008 for this project. Council member Kim Simonsen wondered where the money would be coming from, and stated he would like to wait a year on this project. There was no further discussion.

Mayor Bauer stated the next item on the agenda was the Massage Enterprise License and Massage Therapist License. EDA Director Karen Lauer informed council members that Ms. Abby Kava has met the requirements for the massage enterprise license and the massage therapist license.

**7.9.7.17** Motion by Mr. Simonsen and second by Mr. Ellefson to approve the Massage Enterprise License and the Massage Therapist License for Ms. Abby Kava. Motion carried.

Mayor Bauer adjourned the meeting at 8:55 p.m.

Submitted by:

Attest:

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Jeri L. Reep  
City Clerk

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Kenneth J. Bauer  
Mayor