

**Barnesville City Council**  
**Regular Meeting**  
**August 13, 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, Chad Hagen, Kim Simonsen, and Merlin Strom. Others in attendance were City Attorney John Shockley, City Clerk Jeri Reep, Police Chief Dean Ernst, EDA Director Karen Lauer, Public Works Supt. Dave Riddering, Animal Control Officer Nikki Bartelson, TEC Coordinator Guy Swenson, Dan Hanson and Gary Nansen with Ulteig Engineers, Gary Giltner with People Service, Mike and Suzy Holm, Eric and Jeana Lanum, Bob LeNoue, Nita Fenner, Dick Sylvester, Mike Detloff, Jayne Lien, Mike Sacrision, Dennis Fenner 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. Travel for Jeri Reep and Lori Haick to attend training at Lakes Country Coop in Fergus Falls, and a liquor ordinance update.

**08-13-07-01** Motion by Mr. Cooper and second by Mr. Ellefson to approve the consent agenda and the agenda as presented. Motion carried. The following items were included in the consent agenda.

1. Approval of the minutes of the regular meeting held on July 9, 2007.
2. Approval of the minutes of the special meeting held on July 17, 2007.
3. Approval of the minutes of the special meeting held on July 20, 2007.
4. Approval of the department head reports.
5. Finance reports-approval of check numbers 61658-61702 in the amount of \$84,648.05 and EFT payments in the amount of \$93,760.14.
6. Approval of the Special Liquor License for VFW Post #4628 for August 25, 2007.
7. Approval of a Special Liquor License for Ratzos' Pool Hall for August 25, 2007.
8. Approval for the Golf Course to purchase eight used club cars for \$1600.00 each.
9. Approval for travel for Jeri Reep and Lori Haick to Lakes Country Coop in Fergus Falls.

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

**08-13-07-02** Motion by Mr. Davis and second by Mr. Strom to approve the board and commission reports as presented. Motion carried.

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

Mr. Bob LeNoue approached the council and asked about a street light by Hwy. 34 and Thompson's Greenhouse. Mr. LeNoue also asked if we could get the Military Channel on our cable. Mr. LeNoue stated that the water quality is not what it used to be. Mr. Lenoue next questioned the family that has the ducks, questioned what this is doing to property values, and what this duck issue has done to the community.

Mr. Eric and Mrs. Jeana Lanum next approached the council and stated that they moved to Barnesville to live in a quieter community. They stated they did not look into the ordinances prior to moving. Jeana Lanum questioned if people wanted to live next to a wild boar. Eric Lanum next presented City Clerk Jeri Reep a petition requesting to change the present animal ordinance.

Mr. Dick Sylvester next approached the council and stated that the Lanum's are spreading mis-information to citizens. Mr. Sylvester has a concern for the young families, and it is the responsibility of the council to keep the community together.

Mrs. Nita Fenner and Mrs. Wendy Duphorn next approached the council and presented City Clerk Jeri Reep a petition to keep the present animal ordinance, with no changes.

Ms. Jayne Lien next approached the council and questioned the parking tickets that the police department has been giving to their customers, questioned the handicap parking by the Ranzo's Pool Hall, and asked about the 2:00 a.m. closing.

Mr. Dennis Fenner approached the council and stated that he does not want to have domestic animals in town.

Mrs. Suzy Holm next stated that a lot of people do not take care of their pets, and that the water quality is bad.

Mayor Bauer asked if there were any other citizens to be heard-there was nobody else.

Mayor Bauer stated the next item on the agenda was the City Board member participation in Leadership Barnesville. EDA Director Karen Lauer informed council members that the tuition cost for the Leadership Barnesville program is \$125.00, and that the council has not gone on record as passing a motion to pay this expense for any board member of the City. Mrs. Lauer stated that we have a TEC Board member interested in attending this program.

**08-13-07-03** Motion by Mr. Ellefson and second by Mr. Simonsen to pay the tuition costs in the Barnesville Leadership Program for any Board member of any City Board. Each committee will pay this expense as a budget item in their training/seminar budget. Motion carried.

Mayor Bauer stated the next item on the agenda was the Authorization to purchase of a Tax Forfeited property. EDA Director Karen Lauer stated that this property is southeast of the J & S Mill, and that the EDA would like to purchase an additional 25' of property. This property is at Lot 3, Block 37, Original Townsite.

**08-13-07-04** Motion by Mr. Simonsen and second by Mr. Ellefson to authorize EDA Director Karen Lauer to purchase the tax forfeited property at Lot 3, Block 37, and Original Townsite for a price of \$155.10. Motion carried.

Mayor Bauer stated the next item on the agenda was the resolution for the Special Assessments in the Commercial Park. EDA Director Karen Lauer asked council members to pass a resolution stating that the special assessments on the unsold lots in the Commercial Park be deferred until such time that a lot is sold and the specials would be certified to Clay County.

**08-13-07-05** Motion by Mr. Strom and second by Mr. Davis to approve the following resolution. Motion carried.

#### RESOLUTION TO DEFER SPECIAL ASSESSMENTS

WHEREAS, the Barnesville EDA is the owner of the lots more fully described in paragraph 1 of this Resolution and located within the Barnesville Commercial Park Addition (hereinafter the "lots"); and

WHEREAS, the Barnesville EDA has requested that the City of Barnesville make amendments to the timing of the certification and deferral of special assessments levied against the lots; and

WHEREAS, the Barnesville EDA will pay off all remaining special assessments on the lots, except for special assessments levied in 2006; and WHEREAS, Clay County will return the payment of the above described special assessments to the City of Barnesville; and

WHEREAS, the City will add the amount of prior special assessments together with the special assessments levied in 2006 to create a total deferred special assessment for each and every lot owned by the EDA as set forth in paragraph 1 of this Resolution; and

WHEREAS, the total deferred special assessment will be assessed against each lot after such lot has been sold, such sale being contingent upon the purchaser of the lot entering into an agreement with the Barnesville EDA to pay the total deferred special assessment against the lot.

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

1. The lots owned by the EDA and the amount of total deferred special assessment are as follows:

LOT	BLOCK	OWNER	TOTAL DEFERRED SPECIAL ASSESSMENT
BARNESVILLE COMMERCIAL PARK ADDITION			
1	1	Barnesville Economic Development Authority	\$102,956.91
3	1	Barnesville Economic Development Authority	\$11,153.66
4	1	Barnesville Economic Development Authority	\$11,153.66
5	1	Barnesville Economic Development Authority	\$11,153.66
6	1	Barnesville Economic Development Authority	\$11,153.66
7	1	Barnesville Economic Development Authority	\$11,153.66
2	2	Barnesville Economic Development Authority	\$11,153.66
3	2	Barnesville Economic Development Authority	\$11,153.66
4	2	Barnesville Economic Development Authority	\$11,153.66
5	2	Barnesville Economic Development Authority	\$11,153.66
6	2	Barnesville Economic Development Authority	\$11,153.66

7	2	Barnesville Economic Development Authority	\$11,153.66
10	2	Barnesville Economic Development Authority	\$7,445.48

2. Such total deferred special assessment shall be deferred until a lot is sold, such sale being contingent upon the purchaser of said lot entering into an agreement to assume and pay for such total deferred special assessment in accordance with paragraph 3 of this Resolution.

3. Such assessment shall be payable in equal annual installments extending over a period of 15 years, the first installment to be certified to be payable on or before the first Monday of the first year after the purchase date described in paragraph 2 of this Resolution, and will bear an interest rate equal to the interest rate on the original assessment. (Example: If the sale takes place in August of 2007, the total deferred special assessment would become certified and the first payment would be due on or before the first Monday in August of 2008.) To the first installment shall be added interest on the entire assessment from the date of this Resolution for a period of 15 years. To each subsequent installment when due shall be added interest for one year on all unpaid assessments.

4. The owner of any property so assessed may, at any time prior to certification of the assessment to the County Auditor, pay the whole of the total deferred special assessment on such property, with interest accrued to the date of payment, to the City Treasurer, except that no interest shall be charged if the entire assessment is paid within 30 days from the date of the sale described in paragraph 2 of this Resolution; and he may, at any time thereafter, pay to the City Treasurer the entire amount of the assessment remaining unpaid, with interest accrued to December 31 of the year in which such payment is made. Such payment must be made before November 15, or interest will be charged through December 31 of the next succeeding year.

Adopted this 13th day of August, 2007.

APPROVED:

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Mayor

ATTEST:

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City Clerk

Mayor Bauer stated the next item on the agenda was the Special Assessment Policy. EDA Director Karen Lauer informed council members that this is a working document that will help our consulting engineers, city staff and the City Council to fairly distribute infrastructure costs to benefitting property. Mrs. Lauer recommended to council

members to review for the next 30 days, and place this item on the September regular council meeting.

Mayor Bauer stated the next item on the agenda was the recommendation to rezone a property from R-3 to R-1. Council member Merlin Strom informed council members that this re-zone request went thru the Planning Commission, and they recommend the change. The owner of the property entered into a purchase agreement with a buyer who wishes to build a single level home at this property. The property description is Lot 2, Block 1, Blue Eagle Parkway Addition. Council member Kim Simonsen questioned the safety of the Park. Councilmember Chad Hagen asked Police Chief Dean Ernst if he could foresee any problems with the change.

**08-13-07-06** Motion by Mr. Strom and second by Mr. Hagen to approve the re-zone request from R-3 to R-1 at Lot 2, Block 1, Blue Eagle Parkway Addition. Council member Del Ellefson asked how large this property is. EDA Director Karen Lauer stated that the lot is just less than three acres. Motion carried.

Mayor Bauer stated the next item on the agenda was the request for Park Drive Access Easement. EDA Director Karen Lauer stated that there is no access by a city street on the Park Drive. Mrs. Lauer recommended that the City Council grant an access easement to Lot 2, Block 1, Blue Eagle Parkway across from the existing Park Drive and utilizing the approach that is currently in place. Also that the benefitting property owner would be responsible for the costs associated with preparing the legal description of the assessment and the recording fees.

**08-13-07-07** Motion by Mr. Ellefson and second by Mr. Simonsen to authorize staff to proceed with the easement at Lot 2, Block 1, Blue Eagle Parkway across from the existing Park Drive. Also, that the benefitting property owner will be responsible for all costs associated with preparing the legal description of the easement and the recording fees. Motion carried.

Mayor Bauer stated the next item on the agenda was the 702 Helpdesk and Internet Support proposal. TEC Coordinator Guy Swenson that this will be a savings to the city.

**08-13-07-08** Motion by Mr. Simonsen and second by Mr. Ellefson to approve the 702 Helpdesk and Internet Support Proposal, Option 2, with the five contract term. Motion carried.

Mayor Bauer stated the next item on the agenda was the Cisco SMARTnet Service Agreement Renewal. TEC Coordinator Guy Swenson stated that this is an annual renewal.

**08-13-07-09** Motion by Mr. Simonsen and second by Mr. Strom to approve the Cisco SMARTnet Service Renewal, not to exceed \$2362.50. Motion carried.

Mayor Bauer stated the next item on the agenda was the ABC Cable Networks Renewal. TEC Coordinator Guy Swenson informed council members that we presently have the ABC Family station. Mr. Swenson stated that the AMC Family Channel also has the Disney Channel, Toon Disney Channel, and SOAP Net available in their contract. Council member Kim Simonsen stated that he would like to proceed with the package. Council member Chad Hagen stated that we used to carry the Disney Channel. Council member Larry Davis, Jr. felt that 68 channels are too many.

**08-13-07-10** Motion by Mr. Strom and second by Mr. Simonsen to accept the ABC Cable networks Renewal, with the Disney Channel, Toon Disney and SOAP Net stations. Motion carried.

Mayor Bauer stated the next item on the agenda was the Pay Request No. 10 for the Stabilization Pond System Expansion.

**08-13-07-11** Motion by Mr. Cooper and second by Mr. Ellefson to approve the pay request Number 10 to Visser Scraper Service in the amount of \$142,991.04. Motion carried.

Mayor Bauer stated the next item on the agenda was the pay request for the Supervisory Controls System Project.

**08-13-07-12** Motion by Mr. Ellefson and second by Mr. Cooper to approve the final payment to Telemetry & Process Controls, Inc. in the amount of \$37,363.06 for the Supervisory Controls System Project. Motion carried.

Mayor Bauer stated the next item on the agenda was the discussion of the high service pumps. Mr. Gary Nansen with Ulteig Engineers approached the council and discussed the pumps. Mr. Nansen stated that Magnum Electric was the lowest electrical bidder of \$27,625. Mr. Dan Hansen with Ulteig Engineers stated that the valve and chemical feed portion of this project would be done separately. Mr. Gary Nansen stated that everything is ready to go with this project.

**08-13-07-13** Motion by Mr. Davis and second by Mr. Ellefson to proceed with the high service pumps at the Water Treatment Facility. Magum Electric will be doing the electrical work in the amount of \$27,625 and Water Smith will replace the pumps, and the VFD Drive Option in the amount of \$22,014. Motion carried.

Mayor Bauer thanked Ulteig Engineers for not charging the City for engineering fees for this project.

Mayor Bauer stated the next item on the agenda was the discussion of the plans and specifications for a new well. Mr. Dan Hanson with Ulteig Engineers stated that we need to advertise for this project. Mr. Hanson suggested having the bid opening on Sept. 10 at 10:00 a.m. and to accept the bids at the regular council meeting in September.

**08-13-07-14** Motion by Mr. Ellefson and second by Mr. Davis to approve the following resolution. Motion carried.

RESOLUTION APPROVING PLANS AND SPECIFICATIONS FOR  
PRODUCTION WELL NUMBER 10 FOR THE CITY OF BARNESVILLE

BE IT RESOLVED by the City Council of the City of Barnesville, Minnesota, that the plans and specifications and estimates of cost for improvements for Production Well number 10 heretofore prepared by Mr. Dan Hanson, Engineer for the project, be and the same hereby area approved, ratified and confirmed as the plans and specifications and estimates of cost in accordance with which said improvements shall be constructed, and the City Clerk shall file the same in her office open to public inspection.

Approved:

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Kenneth J. Bauer  
Mayor

Attest:

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Jeri L. Reep  
City Clerk

**08-13-07-15** Motion by Mr. Simonsen and second by Mr. Strom to approve the following resolution. Motion carried.

RESOLUTION DIRECTING CLERK TO  
ADVERTISE FOR BIDS

WHEREAS: pursuant to a resolution passed by the Council on August 13, 2007, the City Engineer has prepared plans and specifications for the construction of Production Well Number 10; and

WHEREAS: said plans, specifications and estimates of cost have been prepared and have been approved by the City Council of the city of Barnesville; and

WHEREAS: it is necessary to advertise for bids for the work.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Barnesville, Clay County, Minnesota, that the city Clerk be, and she is hereby authorized and directed to cause notice of Advertisement for Bids for construction of the work heretofore directed to be made for Production Well Number 10 to be published once each week, for two consecutive weeks in the official newspaper of the city, and that the City Clerk and Engineer will meet at the city Hall in the City of Barnesville on the 10<sup>th</sup> day of September, 2007, at 10:00 a.m. for the purpose of opening sealed bids received prior to the time of such meeting in accordance with such published advertisement for bids for the purpose of taking such other and further action with reference thereto as shall then be deemed necessary and expedient. Any bidder whose responsibility is questioned during consideration of the bid will be given an opportunity to address the council on the issue of responsibility. No bids will be considered unless sealed and filed with the Clerk and accompanied by a cash deposit, cashier's check, bid bond or certified check payable to the Clerk for five percent (5%) of the amount of such bid.

Approved:

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Kenneth J. Bauer  
Mayor

Attest:

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Jeri L. Reep  
City Clerk

Mayor Bauer stated the next item on the agenda was the sub-committee report from the Liquor Ordinance committee. Mr. John Shockley stated that they had met on August 8<sup>th</sup>. Council authorized staff to proceed with the recommendations, and report back at the September regular meeting.

Mayor Bauer stated the next item on the agenda was the discussion of the Public Works Flex position. Public Works Supt. Dave Riddering informed council members that he would like to have part-time employee Kelly Poppel be made into a full time position. Mr. Riddering stated that this will not be a maintenance position.

**08-13-07-16** Motion by Mr. Cooper and second by Mr. Simonsen to change the Public Works part-time flex position to a full time position. Motion carried.

Mayor Bauer stated the next item on the agenda was to accept the resignation from Ambulance Manger Ginny Jacobson.

**08-13-07-17** Motion by Mr. Simonsen and second by Mr. Hagen to accept the resignation from Ambulance Manger Ginny Jacobson and to thank her for her years of service. Motion carried.

Mayor Bauer adjourned the meeting at 8:25 p.m.

Submitted by:

Attest:

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Jeri L. Reep  
City Clerk

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Kenneth J. Bauer  
Mayor