

**Barnesville City Council  
Regular Meeting  
September 10, 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, COO Mike Brethorst, City Clerk Jeri Reep, EDA Director Karen Lauer, Police Chief Dean Ernst, Public Works Supt. Dave Riddering, Ambulance Manger Jon Yeske, Dan Hanson with Ulteig Engineers, and Pam Aakre with the Record Review.

Chief Operating Officer Mike Brethorst 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. COO Mike Brethorst stated that the following items were to be added to the agenda. The VFW liquor license request, a flag presentation, and changing the October council meeting to October 15<sup>th</sup>.

**9-10-07-01** Motion by Mr. Davis and second by Mr. Ellefson to approve the agenda and consent agenda as presented, with the addition of the flag presentation, VFW Post 4628 liquor license request, and changing the October council meeting to October 15,2007. Motion carried. The following items were included in the consent agenda.

1. Approval of the minutes of the regular meeting held on August 13, 2007.
2. Approval of the department head reports.
3. Finance reports-approval of check numbers 61869-61945 in the amount of \$698,399.75 and EFT payments in the amount of \$106,907.35.
4. Approval of the RFP for the 2007 audit service.
5. Approval of the Salvation Army HeatShare annual renewal.
6. Approval of the MMUA delegate appointment-Guy Swenson-primary delegate and Mike Brethorst and Jeri Reep as alternate delegates.
7. Approval of the Special liquor license request for the VFW Post 4628 for Sept. 29, 2007.
8. Approval of TEC Board member Trent Bielejeski to attend the Leadership Barnesville.
9. Approve Lisa Davis resignation-part time EMT.
10. Approval of hire for Jessica Nicholas as part time EMT.
11. Approval of Jon Yeske to attend the Leadership Barnesville.

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

Council member Merlin Strom informed board members that the Planning & Zoning Board held five public hearings last month. Council member Larry Davis, Jr. informed board members that the Park Board is having a problem getting a quorum at their meetings.

**9-10-07-02** Motion by Mr. Hagen 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. There were none.

Mayor Bauer stated the next item on the agenda was the MMUA 2007-2008 Safety Management Program Contract renewal. COO Mike Brethorst informed council members that this is an annual renewal for the safety management program in the amount of \$11,400.00.

**9-10-07-03** Motion by Mr. Simonsen and second by Mr. Ellefson to approve the MMUA 2007-2008 Safety Management Program Contract in the amount of \$11,400, which will be paid quarterly. Motion carried.

Mayor Bauer stated the next item on the agenda was the Building Official Contract. COO Mike Brethorst informed council members that the recommendation of the Personnel and Finance committee is to increase the building official contract to \$15.00 per hour for inspection services.

**9-10-07-04** Motion by Mr. Simonsen and second by Mr. Ellefson to approve the Building Official contract with Mr. Roland Holm to \$15.00 per hour for inspection services. Motion carried.

Mayor Bauer stated the next item on the agenda was the Senior Accountant job description. COO Mike Brethorst stated that the job description was fine tuned and also added that this position would help with customer service also.

**9-10-07-05** Motion by Mr. Davis and second by Mr. Strom to approve the proposed job description for the Senior Accountant. Motion carried.

Mayor Bauer stated the next item on the agenda was the discussion of the Community Picnic. Mayor Bauer stated that he has received a lot of positive feedback for the Community Picnic. City Council member Kim Simonsen stated that he would like to keep the meal at a minimal cost. Personnel and Finance committee is recommending a \$4,000 budget for the Community Picnic, with a yearly discussion on the budget amount.

**9-10-07-06** Motion by Mr. Simonsen and second by Mr. Ellefson to approve \$4,000 for the Community Picnic budget for 2008 and this will be a yearly discussion on the amount to include in the budget. Motion carried.

COO Mike Brethorst next presented the City Council members a flag which was flown above the 1st Brigade Combat Team Headquarters on July 4, 2006 at Camp Adden, Iraq during Operation Iraqi Freedom 06-08. Council members thanked Mr. Brethorst for the flag.

Mayor Bauer stated the next item on the agenda was the Cannon Technologies AMR meter purchase. TEC Coordinator Guy Swenson informed council members that this is a purchase of 100 Cannon AMR meters in the amount of \$19,010.25, which \$5,511.38 will be for the water fund and \$13,498.87 from the electric fund.

**9-10-07-07** Motion by Mr. Davis and second by Mr. Cooper to approve the Cannon AMR meter purchase in the amount of \$19,010.25, which \$5,511.38 will be from the water fund, and \$13,498.87 from the electric fund. Motion carried.

The next item on the agenda was the Cisco Router DS-3 card purchase. TEC Coordinator Guy Swenson informed council members that this purchase and installation of the Single Port Serial Card from 702 Communications, not to exceed \$1600.00. This will increase our DSL bandwidth to 15 Meg.

**9-10-07-08** Motion by Mr. Simonsen and second by Mr. Strom to approve the Cisco Router DS-3 card purchase from 702 Communications, not to exceed \$1600.00. Motion carried.

Mayor Bauer stated the next item on the agenda was the Partial Payment request from Visser Scaper Service in the amount of \$207,607.26.

**9-10-07-09** Motion by Mr. Davis and second by Mr. Cooper to approve the Partial Payment Request No. 11 to Visser Scaper Service in the amount of \$207,607.26. Motion carried.

Mayor Bauer stated the next item on the agenda was the bid opening results for the Production Well No. 10. Mr. Dan Hansen with Ulteig Engineers informed council members that the bids for the well were opened earlier in the day. Lako Drilling was the lowest bidder in the amount of \$93,803.00. Mr. Hansen stated that we only received two bids. Mr. Hansen stated that their recommendation is to reject all bids, and to re-bid the project in January 2008.

**9-10-07-10** Motion by Mr. Simonsen and second by Mr. Ellefson to reject all bids received for the Production Well No. 10. Motion carried.

The next item on the agenda was to approve the hiring of Mr. Jon Yeske as the Ambulance Manager. COO Mike Brethorst informed council members that interviews were held, and the recommendation from the committees is to recommend Mr. Jon Yeske as the ambulance manager.

**9-10-07-11** Motion by Mr. Hagen and second by Mr. Simonsen to approve Jon Yeske as the Ambulance Manger with a starting date of September 3, 2007. The rate of pay will be \$13.50. Motion carried.

The next item on the agenda was the Clay County Hazard Mitigation Plan. The City of Barnesville is named as a hazard mitigation team member with Clay County.

**9-10-07-12** Motion by Mr. Simonsen and second by Mr. Davis to approve the following resolution. Motion carried.

**RESOLUTION 09-10-07-12  
CITY OF BARNESVILLE  
CLAY COUNTY, MINNESOTA**

**WHEREAS:** the City of Barnesville has participated in a hazard mitigation planning process as established under the Disaster Mitigation Act of 2000, and

**WHEREAS:** the Act establishes a framework for the development of a County Hazard Mitigation Plan; and

**WHEREAS:** the Act as part of the planning process requires public involvement and local coordination among neighboring local units of government and businesses; and

**WHEREAS:** the Clay County Plan includes a risk assessment including past hazards, hazards that threaten the County, and estimate of structures at risk, a general description of land uses and development trends; and

**WHEREAS:** the Clay County Plan includes a mitigation strategy including goals and objectives and an action plan identifying specific mitigation projects and costs; and

**WHEREAS:** the Clay County Plan includes a maintenance or implementation process including plan updates, integration of the plan into other planning documents, and how Clay County will maintain public participation and coordination; and

**WHEREAS:** the Plan has been shared with the Minnesota Division of Homeland Security and Emergency Management and the Federal Emergency Management Agency for review and comment; and

**WHEREAS:** the Clay County All-Hazard Mitigation Plan will make the County eligible to receive FEMA hazard mitigation grants; and

**WHEREAS:** this is a multi-jurisdictional Plan and cities that participated in the planning process may choose to also adopt the County Plan.

**NOW THEREFORE BE IT RESOLVED,** that the City of Barnesville supports the Clay County hazard mitigation planning effort and wishes to adopt the All-Hazard Mitigation Plan for Clay County.

This resolution was declared duly passed and adopted and was signed by the Mayor and attested to by the Chief Operating Officer this 10<sup>th</sup> day of September, 2007.

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Kenneth J. Bauer  
Mayor

Attest:

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Michael M. Brethorst  
Chief Operating Officer

Mayor Bauer stated the next item on the agenda was the Safe & Sober Communities Resolution. Mayor Bauer stated that it will allow the police department and Wilkin County Sheriff's Department to apply for a cooperative Safe & Sober Communities overtime grant.

**9-10-07-13** Motion by Mr. Hagen and second by Mr. Strom to approve the following resolution. Motion carried.

**RESOLUTION 09-10-07-13  
CITY OF BARNESVILLE  
CLAY COUNTY, MINNESOTA**

**RESOLUTION AUTHORIZING EXECUTION OF AGREEMENT**

Be it resolved that the Barnesville Police Department enter into a grant agreement with the Minnesota Department of Public Safety, Office of Traffic Safety for the project entitled SAFE & SOBER COMMUNITIES during the period from October 1, 2007 through September 30, 2008.

The Chief of Police, of the Barnesville Police Department is hereby authorized to execute such agreements and amendments as are necessary to implement the project on behalf of the Barnesville Police Department.

Be it further resolved that the Sheriff of Wilkin County is hereby authorized to be the fiscal agent and administer of this grant on behalf of the Barnesville Police Department.

I certify that the above resolution was adopted by the City Council of Barnesville, Minnesota on September 10, 2007.

SIGNED:

WITNESSETH:

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Kenneth J. Bauer  
Mayor

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Michael M. Brethorst  
Chief Operating Officer

Mayor Bauer stated the next item on the agenda was the Special Assessment Policy. Mayor Bauer stated that this item will be tabled until the October regular council meeting.

Mayor Bauer stated that the next item on the agenda was the 2<sup>nd</sup> reading of Ordinance 2007-11, an ordinance rezoning property from R-3 to R-1.

**9-10-07-14** Motion by Mr. Strom and second by Mr. Simonsen to approve the 2<sup>nd</sup> reading of Ordinance 2007-11. Motion carried.

Ordinance 2007-11

AN ORDINANCE TO AMEND THE OFICIAL ZONING MAP OF THE CITY OF BARNESVILLE, MINNESOTA, AS ADOPTED IN SECTION 11.10 OF THE BARNESVILLE CITY CODE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BARNESVILLE, MINNESOTA:

SECTION 1. Amendment. The Official Zoning Map of the City of Barnesville, Minnesota, as adopted in Section 11.10 of the Barnesville City Code (the “ Barnesville Zoning Map”), is hereby amended as follows:

The district as shown upon the following described area shall be and the same is hereby rezoned from R-3 (Multi-Family Residential District) to R-1 (Single Family Residential District):

Lot 2, Block 1, Blue Eagle Parkway Addition.

SECTION 2. Amendment of Zoning Map. The proper City Officials are hereby authorized to amend and change the Barnesville Zoning Map to correspond thereto.

SECTION 3. Effective Date. This ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

PASSED by the City Council of the City of Barnesville this 10<sup>th</sup> day of September, 2007.

Approved by:

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Kenneth J. Bauer  
Mayor

Attest:

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Jeri L. Reep  
City Clerk

First Reading: August 13, 2007  
Second Reading: September 10, 2007  
Adopted: September 10, 2007  
Published: September 17, 2007

Mayor Bauer stated the next item on the agenda was the proposed amendment to Heartland Development Agreement. EDA Director Karen Lauer informed council members that the EDA Housing committee feels that a section of the agreement has served its purpose, and has outlived its useful purpose. EDA recommends that Section 15.3 and the subsequent amendment be terminated.

**9-10-07-15** Motion by Mr. Simonsen and second by Mr. Ellefson to approve the proposed amendment to Heartland Development Agreement as follows:

That Section 5.3 and amendment 1 be terminated.

Motion carried.

Mayor Bauer stated the next item on the agenda was the renewal of the Main Street Business Incentive Program. EDA Director Karen Lauer stated that people do take a closer look at Barnesville when she informs customers of the incentive program.

**9-10-07-16** Motion by Mr. Davis and second by Mr. Strom to renew the contract for Main Street Business Incentive Program for 2007-2009. Motion carried.

Mayor Bauer stated the next item on the agenda was the Wellhead Protection Program. EDA Director Karen Lauer stated that this is the Annual Report required by MN Dept. of Health.

**9-10-07-17** Motion by Mr. Simonsen and second by Mr. Ellefson to approve the Wellhead Protection Report as presented. Motion carried.

Mayor Bauer stated the next item on the agenda was the recommendation on the Parking Variance request. Council member Merlin Strom informed council members that this is a variance request from Steel Senske for a parking request.

**9-10-07-18** Motion by Mr. Cooper and second by Mr. Simonsen to approve the variance request from Mr. Steele Senske at Hwy 9 and County Road 2. Motion carried.

Mayor Bauer stated the next item on the agenda was the 1<sup>st</sup> reading of Ordinance 2007-12, an ordinance allowing signs in R-1 and R-2 Districts by a CUP.

**9-10-07-19** Motion by Mr. Strom and second by Mr. Hagen to approve the 1<sup>st</sup> reading of Ordinance 2007-12. Motion carried.

AN ORDINANCE TO AMEND SECTION 17.12 OF THE BARNESVILLE  
MUNICIPAL CODE RELATING TO SIGNS:

BE IT ORDAINED by the City Council of the City of Barnesville that Section 11.04 is hereby amended as follows:

SECTION 11.04  
RULES AND DEFINITIONS

- a. Residential signs shall not exceed 8 square feet in area and bear only the name and address of the occupants of premises.
- b. No dimension of a sign may be more than three times the other dimension.
- c. The maximum height of any freestanding sign shall be eight (8) feet as measured from the ground to the top of the sign.
- d. Churches, schools, hospitals, clinics, libraries or similar uses may be allowed one identification signs, subject to the approval of a conditional use permit, provided that:
  1. Such signs shall be solely for the purpose of displaying the name of the institution and its activities or services
  2. There can be a maximum of two freestanding signs, the total square footage of which may not exceed eighty (80) square feet in aggregate area.
  3. There can be a maximum of two wall mounted signs, one per wall, with each sign not to exceed thirty-two (32) square feet.
  3. The maximum height of any freestanding sign is not to exceed shall be eight (8) feet as measured from the existing grade to the top of the sign.
  4. Width is not to exceed 12 feet
  5. The sign is of a monument styling, rather than pole mounted
  6. There is ground landscaping surrounding the base of the sign
  7. There are no flashing lights of any type, and
  8. such other terms and conditions as may be appropriate and allowed by law

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

**PASSED AND ADOPTED** by the Barnesville City Council this 8th day of October 2007.

By: \_\_\_\_\_  
Kenneth J. Bauer

Attest:

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Jeri L. Reep  
City Clerk

First Reading: September 10, 2007

Second Reading: October 15, 2007

Published: October 22, 2007

Mayor Bauer stated the next item on the agenda was the 1<sup>st</sup> reading of Ordinance 2007-13, and ordinance increasing the square footage of accessory buildings in R-1 and R-2. Council member Del Ellefson stated that he would like Planning and Zoning to review this ordinance again.

**9-10-07-20** Motion by Mr. Simonsen and second by Mr. Davis to approve the 1<sup>st</sup> reading of Ordinance 2007-13. The following voted in favor of: Council member Cooper, Davis, Strom, Simonsen, and Hagen. The following voted against: Council member Ellefson. Motion carried.

AN ORDINANCE TO AMEND SECTION 11.62 OF THE BARNESVILLE  
MUNICIPAL CODE RELATING TO ACCESSORY STRUCTURES:

BE IT ORDAINED by the City Council of the City of Barnesville that Section 11.62 is hereby amended as follows:

SECTION 11.62  
ACCESSORY STRUCTURES IN RESIDENTIAL DISTRICTS

Subd. 3. 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; 1,200 square feet; for lots over 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 1,500 square feet; for lots over 20,000 square feet to 50,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed 1,150 square feet 1,800 square feet, and for lots exceeding 50,000 square feet the total floor area of any garage(s) and accessory buildings may not exceed 2,100 square feet; and in all cases the total floor area may not exceed the ground coverage of the dwelling, less any attached garage.

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

**PASSED AND ADOPTED** by the Barnesville City Council this 15th day of October 2007.

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Kenneth J. Bauer  
Mayor

Attest:

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Jeri L. Reep  
City Clerk

First Reading:           September 10, 2007  
Second Reading        October 15, 2007  
Published:              October 22, 2007

The next item on the agenda was the 1<sup>st</sup> reading of Ordinance 2007-14, and ordinance regulating portable storage units.

**9-10-07-21**    Motion by Mr. Hagen and second by Mr. Strom to approve the 1<sup>st</sup> reading of Ordinance 2007-14. Motion carried.

**AN ORDINANCE TO CREATE AND ENACT SECTION 11.64 OF THE BARNESVILLE MUNICIPAL CODE RELATED TO OUTSIDE STORAGE UNITS:**

**BE IT ORDAINED** by the City Council of the City of Barnesville that Section 11.64 is hereby created and enacted to read as follows:

**SECTION 11.64  
OUTSIDE STORAGE UNITS, RESIDENTIAL, COMMERCIAL AND INDUSTRIAL USES**

A. For purposes of this ordinance, the word “storage unit” includes portable storage cubes, van boxes, and commercial shipping containers.

B. In all residentially zoned areas, the following provisions shall apply:

1. Each residence would be limited to one storage unit at any given time
2. The maximum time a storage unit may be placed on a parcel in a residential area is ninety (90) days.
3. The storage unit must be stored on a paved or gravel surface or in the side or rear yard.
4. The storage unit must be completely off the road right-of-way.
5. Dollied down semi-trailers, in roadworthy condition, can be stored on a paved or gravel surface for a maximum of seven (7) days during a moving process, with permission of the Barnesville Police department.

C. In C-2, Highway Business District zoned areas, the following provisions shall apply:

1. Each commercial property would be limited to one storage unit, per parcel, at any given time
2. Storage units are not allowed in the front yard of the building, and must be a minimum of seventy-five (75) feet from Front Street right-of-way
3. Storage units must be screened from view from arterial roads
4. Storage units would be limited to 30 feet in length and eight(8) feet high
5. All storage units must be completely off the road right-of-way.

D. In C-1, Central Business District zoned areas, the following provisions shall apply:

1. Each commercial property would be limited to one storage unit, per parcel, at any given time
2. Storage units are not allowed in the front yard of the building
3. Storage units must be screened from view from arterial roads
4. Storage units would be limited to 30 feet in length and eight (8) feet high
5. The maximum time any storage unit may be placed on a parcel in the Central Business District would be ninety (90) days in a 12 month period.
6. Dollied down semi-trailers, in roadworthy condition, can be stored for a maximum of thirty (30) days per year with permission of the Barnesville Police department.
7. All storage units must be completely off the road right-of-way.

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

**PASSED AND ADOPTED** by the Barnesville City Council this 15th day of October 2007.

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Kenneth J. Bauer  
Mayor

Attest:

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Jeri L.Reep  
City Clerk

First Reading: September 10, 2007  
Second Reading: October 15, 2007  
Published: October 22, 2007

Mayor Bauer stated the next item on the agenda is the 2008 levy resolution. COO Mike Brethorst informed council members that this proposed levy is a 9.6% increase. Mr. Brethorst stated that the amount can be lowered, but not raised after the resolution.

**9-10-07-22** Motion by Mr. Ellefson and second by Mr. Davis to approve the following resolution. Motion carried.

**2008 Preliminary Levy Resolution  
09-10-07-22**

BE IT RESOLVED that the following sums be, and hereby are levied upon the taxable property in the City of Barnesville, County of Clay, State of Minnesota for the year 2007, payable in the year 2008, for the following 2008 levy.

	Actual	Est.
	<u>2007</u>	<u>2008</u>
General Fund	176,000	281,500
2003A GO Street Reconstruction (Fund 311)	26,090	25,565
2002 GO Bond Debt Service \$1,355,000 (Fund 308)	63,853	64,000
2005A GO Bond Debt Service (Fund 312)	6,750	4,978
Sewer Treatment Bond (Fund 602)	75,000	0
Del Acres Gilbertson Plat Bond (Fund 314)	<u>6,500</u>	<u>0</u>
Total Levy	354,193	376,043

**6.17%**

Adopted this 10<sup>th</sup> day of September, 2007.

Approved this 10<sup>th</sup> day of September 2007.

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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 2008 Budget resolution. COO Mike Brethorst discussed the preliminary budget with council members.

**9-10-07-23** Motion by Mr. Davis and second by Mr. Strom to approve the following resolution. Motion carried.

CITY OF BARNESVILLE  
OF CLAY COUNTY, MINNESOTA  
PRELIMINARY BUDGET  
RESOLUTION 09-10-07-23

BE IT RESOLVED that the City of Barnesville, Minnesota is required to maintain a budget for its fiscal operations.

BE IT FURTHER RESOLVED that the City of Barnesville, Minnesota has the legal authority to use its taxation authorities to levy necessary funds to operate the city.

BE IT FURTHER RESOLVED that the City of Barnesville, Minnesota is continually monitoring its budget and develops a fiscal budget based on the calendar year.

NOW, THEREFORE, BE IT RESOLVED by the City Council of Barnesville that 2007 preliminary Budget be adopted.

I. 2008 Budget \$7,655,323

Adopted this 10th day of September, 2007.

Approved this 10th day of September, 2007.

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Kenneth J. Bauer

Mayor

Attest: \_\_\_\_\_  
Jeri Reep  
City Clerk

Mayor Bauer stated the next item on the agenda was the liquor ordinance update. City Attorney John Shockley stated that he is still conducting investigation, and would report back at the October regular meeting.

Mayor Bauer adjourned the meeting at 8:30 p.m.

Submitted by:

Attest:

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Jeri L. Reep  
City Clerk

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Kenneth J. Bauer  
Mayor