

Barnesville City Council
Regular Meeting
July 8, 2013

Mayor Dahnke called this regular meeting to order at 7:00 p.m. Members present were Mayor Dahnke and Council members Darin Allmaras, Betty Strom, Richard Sylvester, Cathy Enstad, Larry Davis, Jr. and Jason Rick. Others in attendance were, City Administrator Mike Rietz, John Shockley with Ohnstad Twichell, City Clerk Jeri Reep, EDA Director Karen Lauer, Finance Director Laurie Schell, Police Chief Dean Ernst, Ambulance Manger Jon Yeske, Ryan Beattie, TEC Manager Guy Swenson, Public Works Supt. Terry Ysteness, Joel Paulson with KLJ Engineering, Dan Lubbsmeyer with People Service, Richard Gross, Tom McSparron with West Central Initiative, Mark Kava, Karen Weeden and Jody Peck with Missouri River and Pam Aakre with the Record Review.

Mayor Dahnke asked City Administrator Mike Rietz to take roll call.

The next item on the agenda was the pledge of allegiance. All rose to recite the pledge of allegiance.

Mayor Dahnke next asked if there were any corrections or additions to the agenda. City Administrator Mike Reitz stated the following items needed to be added: accept the resignation of Public Works employee Mike Ness, approval to hire Ben Norman as Golf Course Pro Shop employee, authorization to hire Corrine Redding as liquor store clerk, MRES presentation, petition for local improvement for Keith Ernst property, and calling of special council meeting on August 5, 2013.

07-08-13-01 Motion by Mr. Davis and second by Mr. Allmaras to approve the agenda as presented, with the following additions: accept the resignation of Public Works employee Mike Ness, approval to hire Ben Norman as Golf Course Pro Shop employee, authorization to hire Corrine Redding as liquor store clerk, MRES presentation, petition for local improvement for Keith Ernst property, and calling of special council meeting on August 5, 2013. Council member Sylvester asked that the resolution reprimanding a council member be stricken/removed from the agenda due to false accusations. The following voted aye: Council members Rick, Allmaras, Strom, Davis, and Enstad. The following voted nay: Council member Sylvester. Motion carried.

Mayor Dahnke stated the next item on the agenda was the consent agenda.

07-08-13-02 Motion by Mr. Davis and second by Mrs. Enstad to approve the consent agenda as presented. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on June 10, 2013.
2. Approval of department head reports.
3. Approval of check numbers 75857 – 76043 in the amount of \$405,040.37 and EFT payments in the amount of \$166,342.70.
4. Approval of the 2nd quarter transfers as presented.

5. Approval of the City to act as the temporary fiscal agent for the Food Pantry.
6. Approval of Barnesville KC's liquor request for August 24-25, 2013.
7. Accept the resignation of Public Works employee Troy Peterson
8. Accept the resignation of Public Works employee Gary Randklev.
9. Authorization to advertise for Public Works Maintenance position.
10. Approval to hire Marlin Ackerson for the Recycling Attendant at \$8.70 per hour.
11. Accept the resignation of Public Works employee Mike Ness.
12. Approval to hire Ben Norman as Golf Course Pro Shop employee at \$7.25 per hour.
13. Approval of travel for TEC Manager Guy Swenson to attend the Cooper/Cannon conference Sept. 24-26, 2013.
14. Approval to hire Corrine Redding as Liquor Store clerk at \$8.86 per hour.

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

Council member Allmaras stated the Planning Commission did not meet.

Council member Sylvester stated the airport is in good condition.

Mayor Dahnke stated the Fire Board would be meeting Tuesday night.

Council member Davis stated there was no meeting for the Parks.

07-08-13-03 Motion by Mr. Davis and second by Mr. Rick to approve the board and commission reports as presented. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution reprimanding a council member.

07-08-13-04 Motion by Mr. Davis and second by Mrs. Strom to approve the following resolution. Council member Sylvester discussed his discussion at the June 10th regular meeting with Kayla Rossiter with West Central Initiative with council members. Mayor Dahnke stated that he felt bad about what had happened, and had a discussion with Council member Sylvester. Mayor Dahnke stated in the future, council members will need to raise their hands if they want to be acknowledged. Council member Rick stated that any criticism about how the information was presented should have been at the hearing. Council member Allmaras stated that he felt it was at an ill time, he personally apologized to Ms. Rossiter for Council member Sylvester's comments. Council member Strom stated that Ms. Rossiter was congratulating the City on the grant, any questions Council member Sylvester had, should have gone to City Administrator Mike Rietz, or the Mayor, and Mr. Sylvester should have asked prior to the meeting. Council member Enstad stated that she agreed with other council members comments. Council member Sylvester stated that he feels that this resolution is based on his tone of voice. Mr. Sylvester questioned if council members cannot come here and ask questions.

CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA
RESOLUTION NO. 07-08-13-04

**RESOLUTION TO REPRIMAND COUNCIL MEMBER RICHARD SYLVESTER FOR
INAPPROPRIATE COMMENTS MADE DURING THE JUNE 10, 2013 CITY COUNCIL
MEETING**

WHEREAS, the City of Barnesville City Council held a regular meeting on June 10, 2013; and

WHEREAS, Ms. Kayla Rossiter (hereinafter referred to as “Ms. Rossiter”) from the West Central Initiative gave a presentation regarding the Safe Route to School program; and

WHEREAS, Ms. Rossiter’s presentation was for the purpose of presenting the final plan for the Safe Routes to School to the Barnesville City Council; and

WHEREAS, the council member Richard Sylvester (hereinafter referred to as “Mr. Sylvester”), during Ms. Rossiter’s presentation, addressed Ms. Rossiter in a rude and disrespectful manner; and

WHEREAS, Mr. Sylvester made inaccurate accusations of Ms. Rossiter as to communication and notification regarding input meetings related to the Safe Routes to School program; and

WHEREAS, notification of the input meeting held on January 9, 2013 was sent out in a variety of different manners including, but not limited to, being printed on the front page of the Barnesville newspaper on December 31, 2012 and January 7, 2013; being posted on the City of Barnesville’s website; and being sent home with students; and

WHEREAS, the actions of each individual council member reflect on the council as a whole; and

WHEREAS, after careful consideration, the Barnesville City Council desires to publicly reprimand Mr. Sylvester for his behavior at the June 10, 2013 City Council meeting.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Barnesville, that Mr. Sylvester's actions toward Ms. Rossiter during the June 10, 2013 City Council meeting reflect rude, disrespectful and inappropriate behavior by a council member.

BE IT FURTHER RESOLVED that Mr. Sylvester is hereby publicly reprimanded by the Barnesville City Council and is requested to personally apologize to Ms. Rossiter for his behavior during her presentation at the June 10, 2013 City Council meeting.

APPROVED:

Fred Dahnke, Mayor Dahnke

ATTEST:

Michael Rietz, City Administrator

The motion for the adoption of the foregoing resolution was duly seconded by Member Strom, and upon vote being taken thereon, the following voted in favor thereof: Rick, Allmaras, Strom, Davis and Enstad. The following members voted nay: Sylvester. The following members were absent and not voting: none. The majority having voted aye, the motion carried and the resolution was duly adopted.

Council member Sylvester next approached the council members and responded to the resolution. Mr. Sylvester stated: You have embarked a very dangerous path by passing the resolution. If, indeed, it were not I would find it hilarious. Through this resolution you are, rather you realize it or not, attempting to curtail freedom of speech and to limit a member of this council, namely myself, in my effort to represent my constituents. It is appalling to think that you cannot take a dissenting view without such consequences as being proposed.

In closing, I wish to thank you for this “resolution of reprimand”. I shall wear this as a badge of honor. Furthermore, I am requesting a copy as it will entered into the city’s record. It will then be framed and displayed very proudly in my home.

Mayor Dahnke stated the next item on the agenda was the donation request from West Central Initiative.

Mr. Tom McSparron representing West Central Initiative next approached the council. Mr. McSparron was asking for a donation in the amount of \$1,600.00 for the next five years. City Administrator Mike Rietz informed council members that this donation comes out of the Community Projects Fund.

07-08-13-05 Motion by Mr. Davis and second by Mr. Rick to approve the donation of \$1,600.00 for the years 2014-2018 to the West Central Initiative. Motion carried.

Mayor Dahnke stated the next item on the agenda was the presentation from MRES.

Ms. Karen Weeden with MRES next approached the council. Ms. Weeden discussed the benefits of having a municipal electric utility. Ms. Weeden stated one of the major benefits is the transfer to the general fund, along with the value of donated electric service to the city and other utilities. The total value from 2010 through 2012 was \$444,416 per year, or 23% of operating revenues. The transfer and donated services are estimated to be \$383,700 in 2013. The report also highlighted many benefits that are difficult to place a financial value on. Council members had no further questions for Ms. Weeden.

Mayor Dahnke stated the next item on the agenda was the 2nd reading of Ordinance 2013-08, regarding park shelter fees.

City Administrator Mike Rietz informed council members that since the 1st reading of this ordinance, that staff have included a permit fee for groups of 12 or more. Council member Sylvester questioned if we could have a discussion on this item before there is a motion. City Attorney John Shockley stated that would be allowed. Council member Sylvester stated he would like to see an extended area by the shelters to be included in the park permit. Police Chief Dean Ernst stated that he would like an extended area to be included in the permit. Council member Strom questioned on how we control the trash. Council member Enstad questioned if the fee could be \$50.00, and \$25.00 be returned to the customer if the park was clean when they left.

07-08-13-06 Motion by Sylvester to table the 2nd reading of Ordinance 20130-08 until the August council meeting. Council member Sylvester next withdrew his motion.

Motion by Mr. Sylvester and second by Mr. Allmaras to approve the 2nd reading of Ordinance 2013-08, including an extended area, of 25' of the park shelters in the parks for the permit. Non-profit organizations will be exempt for the permit fee. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2013-08**

**AN ORDINANCE TO AMEND AND REENACT SECTION 6-0901 OF THE
MUNICIPAL CODE REGARDING THE RENTAL OF PICNIC SHELTERS IN THE
CITY PARKS.**

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Barnesville as follows:

SECTION 1. Section 6-0901 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

SEC. 6-0901. RULES AND REGULATIONS GOVERNING PUBLIC PARKS.

Subd. 1. Adoption. The Council may by resolution adopt, and from time to time amend, rules and regulations governing public parks. It is unlawful to violate such rules and regulations as are conspicuously sign-posted in such parks.

Subd. 2. Hours. It is unlawful for any person to park, be in or remain in, or leave any vehicle in any park between the hours of 10:00 p.m. and 6:00 a.m. of the day following; provided, however, that this Section shall not apply to those vehicles or persons involved in organized activities which are authorized by permit issued by the City to remain in a park.

Subd. 3. Picnic Shelters. The fee to rent a picnic shelter and the 25 feet of park space around it in all City Parks are \$25 for the first four hours and \$5 for each additional hour. Non-profits using the park in groups larger than twelve are required to obtain a permit, but the fee will be waived. Reservations must be made 24 hours prior to the planned use of the shelter and by noon on Friday. Park shelters in all parks that have not been reserved according to this procedure are available on a first-come, first-served basis.

Subd. 4. Group Permits. Groups using City Parks in numbers in excess of 12 people are required to purchase a permit of \$25 for the first four hours and \$5 for each additional hour. Non-profits using the park in groups larger than twelve are required to obtain a permit, but the fee will be waived. Publically sponsored events and sporting events scheduled through the School District or the City will be exempt from this permit process. Also, groups who have obtained a permit pursuant to Subdivision 3 of this section are exempt from the requirements of this Subdivision.

Subd. 35. Other Unlawful Acts. It is unlawful for any person to swim in any of the waterways or lakes in the City unless a lifeguard is on duty.

PASSED AND ADOPTED by the Barnesville City Council this 8th day of July, 2013.

APPROVED:

Fred Dahnke
Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: June 10, 2013
Second Reading: July 8, 2013
Adopted: July 8, 2013
Published: July 15, 2013

Mayor Dahnke stated the next item on the agenda was the approval of summary ordinance 2013-08.

07-08-13-07 Motion by Mr. Allmaras and second by Mr. Rick to approve the summary ordinance 2013-08. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2013-08

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An ordinance to amend and reenact section 6-0901 of the municipal code regarding the rental of picnic shelters in the city parks and usage of the park by groups larger than twelve.

2. Summary of Ordinance:

This ordinance adopts a fee of \$25 for the first four hours and \$5 for every hour after that for reservation of picnic shelters and for groups larger than 12 using the park areas.

This Ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

3. Availability of Ordinance:

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the office of the City Clerk, Barnesville City Hall, and 102 Front Street North, Barnesville, Minnesota.

This Ordinance was passed by the City Council of the City of Barnesville on the 8th day of July, 2013.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: June 10, 2013
Second Reading: July 8, 2013
Adopted: July 8, 2013
Published: July 15, 2013

Council member Sylvester next asked Mayor Dahnke to be excused from the meeting for a few minutes. Mayor Dahnke stated he was excused. Council member Sylvester left the council chambers.

Mayor Dahnke stated the next item on the agenda was the 2nd reading of Ordinance 2013-07.

City Administrator Mike Rietz informed council members that this is rezoning a portion of the Commercial Park from I-1 to C-3 as requested by the EDA and recommended by the Planning Commission.

07-08-13-08 Motion by Mr. Allmaras and second by Mrs. Strom to approve the 2nd reading of Ordinance 2013-07. The following voted aye: Council members Rick, Allmaras, Strom, Davis, and Enstad. The following voted nay: none. The following were absent: Council member Sylvester. Motion carried.

ORDINANCE NO. 2013-07

AN ORDINANCE TO AMEND THE OFFICIAL 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 I-1 (Light Industrial District) to C-3 (Commercial Park District):

All of Lot 1, Block 2, Barnesville Commercial Park Second Addition, and all that part of Lot 2, Block 2, Barnesville Commercial Park Second Addition lying south of the south boundary line of Fourth Avenue Northeast and the extended south boundary line of Fourth Avenue Northeast, in the City of Barnesville, Clay County, Minnesota.

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 8th day of July, 2013.

APPROVED BY:

Mayor

ATTEST:

City Clerk

First Consideration: June 10, 2013

Second Consideration: July 8, 2013

Date of Publication: July 15, 2013

Mayor Dahnke stated the next item on the agenda was the approval of Summary Ordinance 2013-07.

07-08-13-09 Motion by Mr. Rick and second by Mrs. Enstad to approve the Summary Ordinance 2013-07. The following voted aye: Council members Rick, Allmaras, Strom, Davis, and Enstad. The following voted nay: none. The following were absent: Council member Sylvester. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2013-07

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An ordinance to amend the official zoning map of the City of Barnesville, Minnesota, as adopted in section 11.10 of the Barnesville city code.

2. Summary of Ordinance:

This ordinance rezones a portion of the Commercial Park from I-1 to C-3.

This Ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

3. Availability of Ordinance:

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the office of the City Clerk, Barnesville City Hall, 102 Front Street North, Barnesville, Minnesota.

This Ordinance was passed by the City Council of the City of Barnesville on the 8th day of July, 2013.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: June 10, 2013
Second Reading: July 8, 2013
Adopted: July 8, 2013
Published: July 15, 2013

Mayor Dahnke stated the next item on the agenda was the 2nd reading of Ordinance 2013-06.

07-08-13-10 Motion by Mr. Davis and second by Mrs. Strom to approve the 2nd reading of Ordinance 2013-06. The following voted aye: Council members Rick, Allmaras, Strom, Davis, and Enstad. The following voted nay: none. The following were absent: Council member Sylvester. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2013-06**

**AN ORDINANCE TO AMEND AND REENACT SECTIONS 1-0301(4)(F) AND 1-0701(3)
OF THE MUNICIPAL CODE REGARDING THE PURCHASING AUTHORITY OF
THE CITY ADMINISTRATOR AND THE DISPOSAL OF EXCESS PROPERTY.**

NOW THEREFORE, BE IT ORDAINED by the City Council of the City of Barnesville as follows:

SECTION 1. Section 1-0301 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

Subd. 4. Duties

F. Make or let purchases and contracts when the amount thereof does not exceed ~~\$2,000~~ the amount approved in the budget or \$25,000, whichever is less and to receive estimates, quotations, sealed bids, purchases or contracts according to what is required by State Statute ~~in excess of \$2,000~~ and present them to the Council for official action if the amount exceeds the approved budget or \$25,000, whichever is less.

SECTION 2. Section 1-0701 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

Subd. 3. Disposal of Excess Property

A. Declaration of Surplus and Authorizing Sale of Property. The City Administrator may, from time to time, determine that certain personal property owned by the City with an estimated value of less than \$25,000 is no longer needed for a municipal purpose and is authorized to dispose of this property in accordance with State Statute provided the property is advertised for sale in the official newspaper. The City Administrator may, from time to time, determine that certain personal property is estimated to be valued in excess of \$25,000 and shall recommend to the Council that certain personal property (chattels) owned by the city is no longer needed for a municipal purpose and should be sold. By action of the Council, said property valued in excess of \$25,000 shall be declared surplus, the value estimated and the City Administrator authorized to dispose of said property in the manner stated herein. Any trade-in of equipment done as a part of a purchase will be evaluated and approved as a part of that purchase.

B. Surplus Property With a Total Estimated Value of Less than ~~\$100.00~~ \$25,000. The City Administrator may sell surplus property with a total value of less than ~~\$100.00~~ \$25,000 through negotiated sale.

C. Surplus Property With a Total Estimated Value Between ~~\$100.00~~ \$25,000 and ~~\$500.00~~ \$100,000. The City Administrator shall ~~offer for public sale, to the highest bidder, surplus property with a total estimated value of from \$100.00 to \$500.00. Notice of such public sale shall be given stating the time and place of sale and generally describing the property to be sold at least ten days prior to the date of sale either by publication once in the official newspaper or by posting in a conspicuous place in the City Hall at the City Administrator's option. Such sale shall be by auction.~~ utilize direct negotiation and receive at least two quotes on surplus property with a total estimated value from \$25,000 to \$100,000 and shall present those quotes to the Council for approval prior to disposing of said property.

D. Surplus Property With a Total Estimated Value Over ~~\$500.00~~ \$100,000. For property with an estimated total value over \$100,000, ~~t~~The City Administrator shall use the competitive bidding process required by State Statues. ~~offer for public sale, to the highest bidder, surplus property with a total estimated value over \$500.00. Notice of such public sale shall be given stating time and place of sale and generally describing property to be sold at least ten days prior to the date of the sale by publication once in the official newspaper. Such sale shall be to the person submitting the highest bid.~~

E. Receipts From Sales of Surplus Property. All receipts from sales of surplus property under this Section shall be placed in the ~~General Fund~~ fund where the property had been allocated.

PASSED AND ADOPTED by the Barnesville City Council this 8th day of July, 2013.

APPROVED:

Fred Dahnke
Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: June 10, 2013
Second Reading: July 8, 2013
Adopted: July 8, 2013
Published: July 15, 2013

Mayor Dahnke stated the next item on the agenda was the approval of Summary Ordinance 2013-06.

07-08-13-11 Motion by Mr. Davis and second by Mrs. Strom to approve the Summary Ordinance 20130-06. The following voted aye: Council members Rick, Allmaras, Strom, Davis, and Enstad. The following voted nay: none. The following were absent: Council member Sylvester. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2013-06

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An ordinance to amend and reenact sections 1-0301(4)(f) and 1-0701(3) of the municipal code regarding the purchasing authority of the city administrator and the disposal of excess property.

2. Summary of Ordinance:

This ordinance revises purchasing and sales procedures for the City to be modeled after state law requirements.

This Ordinance shall take effect upon publication in accordance with the Barnesville City Charter.

3. Availability of Ordinance:

A complete, printed copy of this Ordinance is available for inspection by any person during regular business hours in the office of the City Clerk, Barnesville City Hall, 102 Front Street North, Barnesville, Minnesota.

This Ordinance was passed by the City Council of the City of Barnesville on the 8th day of July, 2013.

APPROVED:

Fred Dahnke, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: June 10, 2013
Second Reading: July 8, 2013
Adopted: July 8, 2013
Published: July 15, 2013

Mayor Dahnke stated the next item on the agenda was the resolution declaring Potato Days as a Community wide festival.

07-08-13-12 Motion by Mr. Rick and second by Mrs. Enstad to approve the following resolution. The following voted aye: Council members Rick, Allmaras, Strom, Davis, and Enstad. The following voted nay: none. The following were absent: Council member Sylvester. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA**

**RESOLUTION DECLARING BARNESVILLE
POTATO DAYS A**

COMMUNITY-WIDE FESTIVAL

RESOLUTION NO. 07-08-13-12

WHEREAS, Barnesville Potato Days is an annual festival occurring in the City of Barnesville; and

WHEREAS, Barnesville Potato Days involves activities and entertainment that involve not only the Barnesville community but surrounding communities; and

WHEREAS, Barnesville Potato Days will occur on August 23rd through August 24th, 2013; and

WHEREAS, the Barnesville City Council desires to promote Potato Days and encourage local businesses to participate in Barnesville Potato Days; and

WHEREAS, it is necessary to designate Potato Days as a community festival to enable and authorize the City of Barnesville to grant community festival special event liquor licenses pursuant to Section 5.33 of the Barnesville City Code; and

WHEREAS, the Barnesville City Council desires to formally recognize Potato Days as a community-wide festival.

NOW, THEREFORE, BE IT RESOLVED, that Barnesville Potato Days is hereby designated a community-wide festival.

BE IT FURTHER RESOLVED that the dates of August 23rd through August 24th, 2013 are designated as dates during which the City of Barnesville may issue special event community-wide festival licenses.

Dated: July 8, 2013

APPROVED:

Fred Dahnke
Mayor

ATTEST:

Jeri Reep
City Clerk

Council member Sylvester re-joined the council meeting.

Mayor Dahnke stated the next item on the agenda was the petition for improvements and waiver of regularity and appeal for 413 5th Street NE.

07-08-13-13 Motion by Mr. Sylvester and second by Mr. Rick to approve the petition for improvements and waiver of regularity and appeal for 413 5th Street NE for the replacement of the sewer service line. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution ordering the improvement at 413 5th Street NE.

07-08-13-14 Motion by Mr. Allmaras and second by Mrs. Strom to approve the following resolution. On roll call vote, the following Members voted aye: Rick, Allmaras, Strom, Davis, Sylvester and Enstad. The following Members voted nay: none. The following Members were absent and not voting: none. The majority having voted aye, the motion carried and the resolution was duly adopted.

CITY OF BARNESVILLE

COUNTY OF CLAY

STATE OF MINNESOTA

RESOLUTION ORDERING IMPROVEMENT

RESOLUTION 07-08-13-14

Member Sylvester introduced the following resolution and moved for its adoption:

WHEREAS, a petition of 100% of the property owners was received seeking these improvements, the public hearing requirements were waived.

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

1. Sue Anderson's request to replace her sanitary sewer service line at 413 5th St. NE is necessary, cost-effective, and feasible.
2. Such improvement is hereby ordered as detailed in the petition.

Adopted by the Council this 8th day of July, 2013.

APPROVED

Fred Dahnke

Mayor

Jeri Reep
City Clerk

Mayor Dahnke stated the next item on the agenda was the resolution regarding MOU for dispatch services.

City Administrator Mike Rietz informed council members that Barnesville; along with three other cities in the County have a memorandum of understanding with the County to pay for a share of the County portion of the dispatch center costs. This resolution asks for a meeting with Clay County to discuss the possibility of phasing out the portion the cities pay and have it be levied entirely under the County's levy once the current memorandum of understanding expires in 2013.

07-08-13-15 Motion by Mr. Rick and second by Mr. Davis to approve the following resolution. On roll call vote, the following Members voted aye: Rick, Allmaras, Strom, Davis, Sylvester and Enstad. The following Members voted nay: none. The following Members were absent and not voting: none. The majority having voted aye, the motion carried and the resolution was duly adopted.

RESOLUTION
ADDRESSING MOU WITH CLAY COUNTY IN RELATION TO JOINT DISPATCH
SERVICE

WHEREAS: in year 2008, the cities of Dilworth, Hawley, Barnesville and Glyndon, hereinafter called "Cities", were asked to directly cost share in clay county's obligations and benefits relating to the operation and maintenance of the Red River Regional Dispatch Center (RRRDC), and

WHEREAS; the Cities, recognizing the importance and benefit of the RRRDC, mutually agreed to enter into an agreement with Clay County that identified the Cities "phased in" cost sharing of the 1.8% of the County's 11% obligation of the RRRDC operating expensed for the years 2009-2011, and

WHEREAS: the Cities again entered into an agreement for years 2012 and 2013 agreeing to contribute towards Clay County's obligation of the RRRDC operating costs at the same amount that the Cities were asked to contribute in the year 2011, and

WHEREAS; Clay County desires to enter into another two year (2014 and 2015) agreement with the Cities with the intent that their contribution towards Clay County's obligation of the RRRDC operating costs would remain the same as the last three years.

NOW, THEREFORE, BE IT RESOLVED, that the Cities hereby agree to enter into a two year agreement with Clay County as requested for years 2014 and 2015. However in doing so, the

Cities would like to request a meeting with Clay County Representatives next year to discuss the process in which the Cities could be “phased out” from the direct cost sharing of Clay County’s obligation of the RRRDC operating costs, and have Clay County fund their obligation of the RRRDC operating costs through county wide taxation as they have done for so many years prior to this agreement with the Cities.

ADOPTED by the City of Dilworth, Hawley, Barnesville and Glyndon on the specified dates.

Fred Dahnke, Mayor

Attest:

Michael Rietz, City Administrator

Mayor Dahnke stated the next item on the agenda was the petition for annexation for the Keith Ernst property.

City Administrator Mike Rietz informed council members that we have received a petition for annexation from Keith Ernst, the former Leland Egge property.

07-08-13-16 Motion by Mr. Rick and second by Mrs. Strom to approve the petition for annexation from Keith Ernst and Debra Egge. The property is less than 120 acres, it is contiguous or adjacent to the incorporated municipality of the City of Barnesville, and is not presently embraced within the limits of the City, nor is it presently served by public wastewater facilities. Property description: That certain part of the SE ¼ of Section 24, Township 137, North, Range 46 West of the 5th P.M., Clay County, Minnesota, described as follows, to wit: commencing at the Southeast corner of the SE ¼ of said Section 24, which is the point of beginning; thence North 90 West 479.90 feet; thence North 16 10’ West 822.50 feet; thence North 87 33’ East 452.50 feet to a point on the West right of way line of County Old 52; which point will hereinafter be referred to as point A; thence Southeasterly along the West right of way line of County Old 52 to its intersection with the South line of said SE 14/; less the following described two parcels of land contained within the confines of the above description: Parcel I: That part of the SE1/4SE1/4, Section 24, Township 137, Range 46, described as follows: Beginning at a point on the Southeast corner of Section 24, Township 137, Range 46; thence North on the East line of said Section 133 feet; thence West 133 feet; thence South 133 feet to the South line of Section 24; thence East on said Section line 133 feet to point of beginning, less that portion of said property now being used for county and state highway right-of-way purposes; Clay County, Minnesota. Parcel II: Commencing at point A hereinabove referred to; thence South 87 33’ West along a line hereinafter called Course A 452.50 feet; thence South 16 10’ East on a line hereinafter called Course B to a point of intersection on Course B with a line 300 feet

from and parallel to Course A; thence North 87 33' East along a line parallel to course A to the intersection of said line with the West right-of-way line of County Old 52; thence Northwesterly along County Old 52 to the point of beginning.

Mayor Dahnke stated the next item on the agenda was the petition for local improvement for the Keith Ernst property.

07-08-13-17 Motion by Mr. Rick and second by Mrs. Enstad to approve the petition for local improvement for the Keith Ernst property. Motion carried.

Mayor Dahnke stated the next item on the agenda was the Joint Powers Agreement for improvements to the Keith Ernst property.

City Administrator Mike Rietz informed council members that this agreement will allow the city to install and assess improvements while the annexation procedure is being completed.

07-08-13-18 Motion by Mr. Rick and second by Mrs. Enstad to approve the Joint Powers Agreement for the improvements for the Keith Ernst property. Motion carried.

Mayor Dahnke stated the next item on the agenda was the resolution calling for the feasibility report.

City Administrator Mike Rietz stated that this resolution is a step in the process of installing the infrastructure to the site.

07-08-13-19 Motion by Mr. Allmaras and second by Mrs. Strom to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Allmaras, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 07-08-13-19**

Resolution Ordering Preparation of Report on Improvement

WHEREAS, it is proposed to create Infrastructure Improvement District 2013-1 which consists of the installation of a new water main, street, storm water management, sanitary sewer improvements and improvements to State Highway 9 and to assess the benefited property for all or a portion of the cost of the improvement, pursuant to Minnesota Statutes, Chapter 429,

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

That the proposed improvement, called Infrastructure Improvement District No. 2013-1 be referred to Joel Paulsen, P.E. of KLJ for study and that that person is instructed to report to the

council with all convenient speed advising the council in a preliminary way as to whether the proposed improvement is necessary, cost-effective, and feasible; whether it should best be made as proposed or in connection with some other improvement; the estimated cost of the improvement as recommended; and a description of the methodology used to calculate individual assessments for affected parcels.

Adopted by the council this 8th day of July, 2013.

Mayor

City Clerk

Mayor Dahnke stated the next item on the agenda was the resolution calling the improvement hearing for the Keith Ernst property.

07-08-13-20 Motion by Mr. Rick and second by Mrs. Strom to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Allmaras, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION 07-08-13-20**

Resolution Calling Hearing on Improvement

WHEREAS, pursuant to resolution of the council adopted July 8, 2013, a report has been ordered to be prepared by Joel Paulsen, P.E. of KLJ with reference to proposed Infrastructure Improvement District No. 2013-1, which consists of the installation of a new water main, street, storm water management, sanitary sewer improvements and improvements to State Highway 9.

WHEREAS, MN statute 429 provides that no such improvement shall be made until the Council shall have held a public hearing on such improvements following mailed notice and two publications thereof in the official newspaper stating time and place of hearing, the general nature of the improvement, the estimated costs thereof, and the area proposed to be assessed, and that a reasonable estimate of the total amount to be assessed, and a description of the methodology used to calculate individual assessments for affected parcels has been made available at the hearing, all in accordance with law;

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

A public hearing shall be held on such proposed improvement on the 5th day of August, 2013, in the council chambers of the city hall at 7:00 p.m. and the clerk shall give mailed and published notice of such hearing and improvement as required by law.

Adopted by the council this 8th day of July, 2013.

Fred Dahnke, Mayor

Jeri Reep, City Clerk

Mayor Dahnke stated the next item on the agenda was to call a special council meeting for August 5, 2013.

07-08-13-21 Motion by Mr. Sylvester and second by Mr. Allmaras to call a special council meeting for August 5, 2013 at 7:00 p.m. Motion carried.

Mayor Dahnke stated the next item on the agenda was the approval to re-shingle the Cable –TV building.

TEC Manager Guy Swenson stated that he had received three bids to re-shingle the Cable-TV building. TEC Board authorized Mr. Swenson to hire the contractor that meets the City’s licensing requirements up to \$2,500.00 to re-shingle the building.

07-08-13-22 Motion by Mr. Sylvester and second by Mrs. Strom to authorize TEC Manager Guy Swenson to hire the contractor the meets the City’s licensing requirement up to \$2,500.00 to re-shingle the Cable TV building. Motion carried.

Mayor Dahnke stated the next item on the agenda was the public forum. Mayor Dahnke asked if there were any citizens present to be heard. There were none.

07-08-13-23 Motion by Mr. Davis and second by Mr. Rick to adjourn the meeting at 9:00 p.m. Motion carried.

Submitted by:

Attest:

Jeri Reep
City Clerk

Fred Dahnke
Mayor

