

Barnesville City Council
Regular Meeting
October 12, 2015

Mayor Gene Prim called this regular meeting to order at 7:00 p.m. Members present were Council members Jason Rick, Betty Strom, Don Goedtke, Larry Davis, Jr., Richard Sylvester, and Cathy Enstad. Others in attendance were City Administrator Mike Rietz, Sara Nyhus-Wear with Ohnstad Twichell, City Clerk Jeri Reep, Finance Director Laurie Schell, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Ambulance Manger Scott Nelson, Mike Kurkowski with People Service, Jon Pauna with KLJ Engineering, Dawn Stuvland, Duane Morey, Phil Seefeldt, Brent Berg, Donna Dunham, Shannon Norling, Kim Harstad, Don Sakry, Shannon Jablonsky, Nicholas Aadland, and Pam Aakre with the Record Review.

Mayor Prim next asked if there were any additions or corrections to the agenda. City Administrator Mike Rietz stated that there were no additions to the agenda.

10-12-15-01 Motion by Mr. Davis and second by Mrs. Enstad to approve the agenda as presented. Motion carried.

Mayor Prim stated the next item on the agenda as the consent agenda.

10-12-15-02 Motion by Mr. Sylvester and second by Mrs. Strom 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 September 14, 2015.
2. Approval of department head reports.
3. Approval of check numbers 80879-81020 in the amount of \$1,416,265.20 and EFT payments in the amount of \$217,268.70.
4. Approval of the 3rd quarter transfers.
5. Approval with the agreement with ACP for Ambulance billing.
6. Accept the resignation of Liquor Store Manager Sara Lien.
7. Approval of attendance for TEC Manager Guy Swenson to attend the MRES area meeting.-October 29, 2015.
8. Approve the MOA with KSTC regarding broadcast of MN High School tournaments.
9. Approval of Pay Request #3 from Paras Construction in the amount of \$2,924.00.
10. Approval of Pay Request #1 to Hough, Inc in the amount of \$55,417.30.
11. Approval of the Change Order #1 from Hough, Inc. for the Fish Ramp project.
12. Approval of the final payment to Arvig Construction for the FTTP Project in the amount of \$248,548.60.
13. Approval of lot merge request for 109 3rd Street SE, and 215-219 2nd Ave. SE
14. Approval to authorize City Administrator Mike Reitz to sign the LMCIT Liability coverage to not waive liability limits.
15. Approval to appoint the Absentee Ballot Board.

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

Council members reported on the boards and commissions they are on.

Mayor Prim stated the next item on the agenda was the public forum.

Mayor Prim asked if there were any citizens present to be heard. There were none.

Mayor Prim stated the next item on the agenda was the CUP request for a moved in building at 508 6th Street NW.

City Administrator Mike Rietz informed council members that this CUP is for a request for a moved in building at 508 6th Street NW. City Administrator Mike Rietz stated that the Planning Commission is recommending approving this CUP. Mr. Rietz stated that he has spoke with our Building Inspector, and is recommending another condition to the CUP.

Mr. Don Sakry discussed the age of the home and the water concerns he has with council members. Mr. Sakry stated that the City has incentives to build new homes, nicer homes. Mr. Nicholas Aaland, the owner of the home stated he thought it was a nice home. Planning Commission Brent Berg stated that the Planning Commission reviewed this CUP, and the rules set forth, if the house fits in the neighborhood, and Mr. Berg stated that this home meets all the requirements.

10-12-15-03 Motion by Mr. Sylvester and second by Mr. Goedtke to approve the CUP request for moving of a building onto the property for Nicholas Aadland and Benson Kimemia, 508 6th Street NW, Lot 9 of Bachmans 1st Addition, with the following conditions. Motion carried.

1. The CUP is solely for the house pictured in the attached Exhibit A
2. Proper demolition permits, building permits and utility permits will be acquired prior to work commencing.
3. Prior to commencing moving activities, the City's building official shall go through the house to make sure it meets current building code standards. The applicant is to cover the cost of this inspection.
4. By July 1, 2016 the home will be moved in, the garage with be completed and sided to match the house and the asphalt or concrete driveway will be completed. The driveway will extend a minimum of 24 feet from the garage.
5. This CUP is subject to all other zoning ordinances.
6. The City of Barnesville reserves the right to add, delete, or amend these conditions if health, safety of welfare considerations warrant. No action to add, alter, or amend conditions will occur except after mailed and published notice and a public hearing before the Planning Commission to consider such addition, deletion, or alteration of these conditions.
7. The applicant agrees to revocation of the conditional use permit upon verifiable evidence of violation of any of the terms and conditions listed herein. Said revocation of other violations not listed in the CUP will not occur except after mailed and published notice and a public hearing before the Planning Commission to establish a record of said violations and to give the petitioner a right to enter into the record any mitigating or contradicting evidence.

Mayor Prim stated the next item on the agenda was the petition requesting a 4th Stop sign at 2nd Ave. SE and the 13th Street SE intersection. Mayor Prim stated that this item will be referred back to the Police, Fire, and Ambulance committee for review and be tabled until the November council meeting.

Mayor Prim stated the next item on the agenda was the adoption of the revisions to the Assessment Policy.

Mayor Prim asked council members if they had any questions regarding the proposed Assessment Policy. Council members had no further questions regarding the Assessment Policy.

10-12-15-04 Motion by Mr. Davis and second by Mr. Sylvester to approve the Assessment Policy as presented. Motion carried.

Mayor Prim stated the next item on the agenda was the resolution receiving the Feasibility report and calling a hearing on Improvement Project 2016-02.

City Administrator Mike Rietz informed council members that this is the preliminary engineering report for the areas being contemplated for reconstruction. The next step in the process is to hold the Public Hearing.

Mr. Jon Pauna with KLJ Engineering next discussed the proposed feasibility report. Mr. Pauna stated that in some of the proposed areas, the method of Pipe Bursting would be utilized. The estimated cost for this project is \$4,362,000.00. Mr. Pauna next discussed the tentative project schedule, with possible bid opening in March 2016.

Mayor Prim questioned how much more expenses can the city take on its debt. Council member Goedtke stated that these projects need to get done. Council member Sylvester questioned if we can afford it, how much debt we can afford. Council member Davis asked if we could review this after next month after review of financial status.

10-12-15-05 Motion by Mr. Goedtke and second by Mr. Sylvester to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Sylvester and Enstad. The following voted nay: none. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA**

RESOLUTION NO. 10-12-15-05

Resolution Receiving Feasibility Report and Calling Hearing on the Improvement

1. WHEREAS, pursuant to resolution of the council adopted September 14, 2015, a report has been prepared by Jon Pauna with KLJ with reference to proposed Improvement No. 2016-02 regarding the improvement of 5th St. NW between 2nd Ave NW and 4th Ave. NW, 4th Ave. NW between 5th St. NW and Front St. N., 2nd and 3rd St. NW between 4th Ave NW and 6th Ave NW, 5th and 6th Ave. NW between 3rd St. NW and Front St. N., 4th St. NE between Hwy 34 and 2nd Ave. NE, 3rd St. NE between 4th Ave. NE and 2nd Ave. NE, 2nd St. NE between 2nd Ave. NE and 4th Ave NE, and 4th Ave. NE between 3rd St. NE and 4th St. NE by replacement of water main, water services, sanitary sewer, sanitary sewer services, storm sewer, street, curb and gutter and sidewalk, and this report was received by the council on October 12, 2015, and
2. WHEREAS, the report provides information regarding 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 12th day of October, 2015.

Eugene Prim, Mayor

Jeri Reep, City Clerk

10-12-15-06 Motion by Mr. Rick and second by Mrs. Strom to authorize KLJ Engineering to perform the survey work on the proposed project 2016-02. Motion carried.

Mayor Prim stated the next item on the agenda was the discussion of the time and temperature clock at City Hall.

City Administrator Mike Rietz stated that the building and grounds committee is recommending that the time and temperature clock be removed from City Hall.

10-12-15-07 Motion by Mr. Rick and second by Mrs. Strom to remove the time and temperature clock at City Hall. Motion carried.

Mayor Prim stated the next item on the agenda was the 2nd reading of Ordinance 2015-12.

City Administrator Mike Rietz informed council members that the Park Fees Ordinance was discussed with Police Chief Dean Ernst, and the Park Board is recommending leaving the current language in the City Code, with no change to the present Ordinance.

10-12-15-08 Motion by Mr. Sylvester and second by Mrs. Enstad to oppose the 2nd reading of Ordinance 2015-12. Motion carried.

Mayor Prim stated the next item on the agenda was the approval of the Summary Ordinance 2015-12. Mayor Prim stated no action was needed on this item, since the proposed Ordinance was not approved.

Mayor Prim stated the next item on the agenda was the Resolution approving Joint Powers Agreement with the State regarding Criminal Justice Data.

City Administrator Mike Rietz informed council members that the City, along with the Clay County Attorney's Office needs to have a Joint Powers Agreement with the State of Minnesota, Department of Public Safety, and Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network.

10-12-15-09 Motion by Mrs. Strom and second by Mrs. Enstad to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Sylvester, and Enstad. The following voted nay: none. Motion carried.

RESOLUTION NO. 10-12-15-09

RESOLUTION APPROVING STATE OF MINNESOTA JOINT POWERS AGREEMENTS WITH THE CITY OF BARNESVILLE ON BEHALF OF ITS CITY ATTORNEY AND POLICE DEPARTMENT

WHEREAS, the City of Barnesville on behalf of its Prosecuting Attorney and Police Department desires to enter into Joint Powers Agreements with the State of Minnesota, Department of Public Safety, Bureau of Criminal Apprehension to use systems and tools available over the State's criminal justice data communications network for which the City is eligible. The Joint Powers Agreements further provide the City with the ability to add, modify and delete connectivity, systems and tools over the five year life of the agreement and obligates the City to pay the costs for the network connection.

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

1. That the State of Minnesota Joint Powers Agreements by and between the State of Minnesota acting through its Department of Public Safety, Bureau of Criminal Apprehension and the City of Barnesville on behalf of its Prosecuting Attorney and Police Department, are hereby approved. Copies of the two Joint Powers Agreements are attached to this Resolution and made a part of it.

2. That the Police Chief, Dean Ernst or his or her successor, is designated the Authorized Representative for the Police Department. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Shift Commander, Mark Pearson is appointed as the Authorized Representative's designee.

3. That the Brian Melton, Clay County Attorney, or his or her successor, is designated the Authorized Representative for the Prosecuting Attorney. The Authorized Representative is also authorized to sign any subsequent amendment or agreement that may be required by the State of Minnesota to maintain the City's connection to the systems and tools offered by the State.

To assist the Authorized Representative with the administration of the agreement, Erin Fildes is appointed as the Authorized Representative's designee.

4. That Eugene Prim, the Mayor for the City of Barnesville, and Jeri Reep, the City Clerk, are authorized to sign the State of Minnesota Joint Powers Agreements.

Passed and Adopted by the Council on this 12th day of October, 2015.

CITY OF BARNESVILLE

By: Eugene Prim
It's Mayor

ATTEST: _____
By: Jeri Reep
It's City Clerk

Mayor Prim stated the next item on the agenda was the snow removal in the Commercial Park.

City Administrator Mike Rietz informed council members that snow removal was discussed last winter for the Commercial Park. Barnesville Homes had requested that the snow be removed from the boulevard in front of their property. The City Code requires businesses to provide a

minimum level of off-street parking, except for the C-1 zoning district (the downtown district), which is exempt from off-street parking requirements. Barnesville Homes is required to have 1 space for every 350 square feet of gross floor area. By currently providing no off-street parking, the business is in violation of the Zoning Code.

Council members directed Public Works Supt. Trevor Moen to plow the street as the others streets for the Commercial Park.

Mayor Prim stated the next item on the agenda was the Bright Energy Solutions Elementary Education Program.

TEC Manager Guy Swenson discussed the Bright Energy Solutions program with council members. Mr. Swenson stated that this program teaches the benefits of renewable energy and energy conservation. The program is taught by the 5th grade teachers and meets all the MN Education requirements and standards. MRES will pick up 50% of the cost of the program; our share would be \$1,455.50.

10-12-15-10 Motion by Mrs. Enstad and second by Mr. Sylvester to approve the Bright Energy Solutions Power Team Elementary Education Program. The Municipal Utility cost is \$1,455.50. Motion carried.

Mayor Prim stated the next item on the agenda was the electric meter purchase.

TEC Manager Guy Swenson informed council members that staff has completed an inventory of additional meters needed to complete the conversion of all apartments and mobile homes and would like to purchase 44 AMI Disconnect network meters and 100 AMI disconnect meters. The total cost with shipping is \$31,431.57. Mr. Swenson stated that due to the long lead times, the meters may not be delivered until January 2016.

10-12-15-11 Motion by Mrs. Enstad and seconded by Mrs. Strom to authorize the purchase of 44 AMI Disconnect Network Meters and 100 AMI Disconnect meters from Cannon Technologies, Inc. in the amount of \$31,431.57. Motion carried.

Mayor Prim stated the next item on the agenda was the Coalition of Greater MN Cities Fall meeting. Mayor Prim stated that if anyone was interested in attending, to let staff know.

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

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor

