

Barnesville City Council
Regular Meeting
May 11, 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, Richard Sylvester, and Larry Davis Jr. Absent was Council member 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, Public Works Supt. Trevor Moen, Mike Kurkowski with People Service, Joel Paulsen with KLJ Engineering, Mary Reedy with Clifton LarsonAllan, Michelle Zajac, and Pam Aakre with the Record Review.

Mayor Prim called the meeting to order at 7:00 a.m.

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

05-11-15-01 Motion by Mr. Sylvester and second by Mr. Rick to approve the agenda as presented. Motion carried.

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

05-11-15-02 Motion by Mr. Davis and second by Mrs. Strom to approve the consent agenda. Motion carried. The following items were on the consent agenda:

1. Approval of the minutes of the regular meeting held on April 13, 2015.
2. Approval of department head reports.
3. Approval of check numbers 79740 – 79874 in the amount of \$497,336.00 and EFT payments in the amount of \$209,473.09.
4. Approval to hire Alex Halverson as Seasonal Golf Course pro shop employee at \$9.00 per hour.
5. Appointment of Dustin Korynta to the Planning Commission.
6. Approval to hire Wayne Nosal as Seasonal Public Works at \$14.00 per hour.
7. Approval to hire Alex Peppel as Seasonal Public Works at \$9.00 per hour.
8. Approval to hire Roxi Kara as Public Works employee at \$13.00 per hour.
9. Accept the donation for a bench at Blue Eagle Park for Virginia Dahnke.
10. Approve a Minor Subdivision at 601 and 609 4th Street SE.
11. Approve the payment to Arvig Construction in the amount of \$90,391.66 for the FTTP project.

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

Mayor Prim stated the next item on the agenda was the petition for Annexation-Ed Gilbertson.

City Administrator Mike Rietz informed council members that this is the first step in the process of annexing the land south of 2nd Avenue SE as a part of the next two phases of the Del Acres-Gilbertson Subdivision.

05-11-15-03 Motion by Mr. Davis and second by Mr. Rick to approve the petition for Annexation from Ed Gilbertson, the land south of 2nd Ave. SE as part of the next two phases of the Del Acres-Gilbertson Subdivision as presented. Motion carried.

05-11-15-04 Motion by Mr. Sylvester and second by Mr. Rick to approve the 2014 Audit report as presented. Motion carried.

Mayor Prim stated the next item on the agenda was the golf fees for youth golfers.

City Administrator Mike Rietz informed council members that the Park Board is recommending allowing students of ISD 146 to golf for free during certain times of the week. This would allow all students of the Barnesville School District to golf for free certain times of the week. Public Works Supt. would have the authority to adjust the parameters to best fit with the course operations.

05-11-15-05 Motion by Mr. Sylvester and second by Mrs. Strom to allow students of Barnesville School District 146 to golf for free at certain times at Willow Creek Golf Course. Council member Strom stated that she would like to see this re-evaluated at the end of the year. Council member Rick stated that he would like to have a report by the end of July.

Council member Sylvester stated that he would like to amend his motion, and second by Mrs. Strom to re-evaluate this policy at the end of June. Motion carried.

Mayor Prim stated the next item on the agenda was the 1st Reading of ordinance 2015-07.

City Administrator Mike Rietz stated that he revised the Home Occupation section of the City Code to include a new section regarding dog and cat boarding. The Planning Commission has reviewed this language and has referred it to council for approval.

05-11-15-06 Motion by Mr. Davis and second by Mr. Goedtke to approve the 1st reading of Ordinance 2015-07. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE NO. 2015-07**

**AN ORDINANCE TO AMEND AND REENACT CHAPTER 7-04, SEC. 7-0401, SUBD. 1
OF THE MUNICIPAL CODE TO ADD PARAGRAPH K REGARDING DOG AND CAT
BOARDING IN THE HOME OCCUPATION SECTION OF THE CODE.**

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

SECTION 1. Chapter 7-04 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

SEC. 7-0401. HOME OCCUPATIONS.

Subd. 1. General. Except as set forth in Subsection K, home occupations are permitted in residential districts in accordance with the other provisions of this Chapter.

A. The home occupation shall be conducted by a member of the family residing in the dwelling unit with not more than one employee who is not a member of the family residing in the dwelling unit.

B. All activities of the home occupation shall be conducted wholly within the principal or accessory structures and shall occupy not more than twenty-five percent (25%) of the main floor of the dwelling unit.

C. **Only** signs as permitted in Section 11.40 are allowed.

D. Exterior storage of materials or variation from the residential character of the principal structure shall not be permitted.

E. Objectionable noise, vibration, smoke, dust, electrical disturbance, odors, heat or glare shall not be produced by the activities associated with the home occupation.

F. No home occupation shall require internal or external alterations or involve construction features not customarily found in dwellings except where required to comply with local and state fire and police recommendations.

G. No home occupation shall be conducted between the hours of ten o'clock (10:00) P.M. and seven o'clock (7:00) A.M. unless said occupation is contained entirely within the principal building and will not require any on street parking facilities.

H. Home occupations shall not create a parking demand in excess of that which can be accommodated in an existing driveway, where no vehicle is parked closer than fifteen feet (15') from the curb line or edge of paved surface.

I. The home occupation shall not involve any of the following: small engine, auto repair or reconditioning, or manufacturing.

J. Garage sales, yard sales and/or one time seasonal sales shall be conducted no more than six (6) days total in any one hundred eighty (180) day period.

K. Dog and Cat Boarding is allowed with a Conditional Use Permit. This Conditional Use Permit shall include the following conditions. The City Council may also impose any other conditions that may be necessary outside of this list.

1. Business shall meet all of the requirements of the rest of Sec. 7-0401 Home Occupations.
2. No more than four animals shall be boarded at a time.
3. Animal boarding facilities, such as kennels or crates for the animals shall be placed within the primary structure or the attached accessory structure. Animals shall not be housed in a detached accessory structure or outside.
4. Animals shall not be allowed to be outside unattended between the hours of 9 p.m. and 8 a.m. and no more than two animals may be outside at one time.
5. The back yard shall be enclosed by a properly maintained 6-foot tall opaque fence.
6. The business shall be subject to all noise regulations established in this Code.
7. Businesses shall provide the city with an acceptable animal waste disposal plan.
8. All businesses shall keep and maintain a commercial liability insurance policy with a minimum coverage limit of \$500,000, which also includes an endorsement for animal bites and attacks.

PASSED AND ADOPTED by the Barnesville City Council this 8th day of June, 2015.

APPROVED:

Eugene Prim
Mayor

ATTEST:

Jeri Reep
City Clerk

First Reading: May 11, 2015
Second Reading: June 8, 2015
Adopted: June 8, 2015
Published: June 15, 2015

Mayor Prim stated the next item on the agenda was the quotes for sewer televising.

Mr. Joel Paulsen with KLJ Engineering stated that three quotes were received for the televising the sewer lines in the NW and North areas of town. The sewer being televised are the ones that may be candidates for relining rather than replacement. Relining sewer may be a way to reduce the overall cost of reconstruction. Televising these sewer lines will give the ability to see the actual condition of the pipes that are being looked at for replacement. The cost of this televising could be reimbursed from bond funds once a project is established.

05-11-15-07 Motion by Mr. Rick and second by Mrs. Strom to approve the quote from Visu-Sewer, Inc. in the amount of \$11,172.00 for cleaning and televising sewer lines in the areas being proposed as part of the first reconstruction project. Motion carried.

Mayor Prim stated the next item on the agenda was the storm water valve in Del Acres Gilbertson.

City Administrator Mike Rietz stated that a quote was received from Sellin Brothers for the installation of a backflow valve and a gate valve at a cost of \$7,060.00. The original price that was quoted was \$8,810.00 but Sellin informed us that if we do the asphalt restoration, we could deduct \$1,750.00. These valves are being installed in order to keep the storm water system in Del Acres Gilbertson from backing up if the storm water pond fills to its capacity. Mr. Rietz stated that he has asked the developer to participate in the amount of \$3,500.00.

05-11-15-08 Motion by Mr. Davis and second by Mr. Rick to approve the quote from Sellin Brothers for the installation of a backflow valve and gate valve at a cost of \$7,060.00 at DelAcres-Gilbertson Addition.

Council member Enstad arrived at 8:04 p.m.

Mr. Joel Paulsen with KLJ Engineering stated that the City is trying to correct a problem that we are aware of.

City Administrator Mike Rietz stated that the developer is not interested in sharing the costs.

The following voted aye: Council members Rick, Strom, Davis, and Enstad. The following voted nay: Council members Goedtke and Sylvester. Motion carried.

Mayor Prim stated the next item on the agenda was the update on lifeguard recruitment.

City Administrator Mike Rietz informed council members that only 5 applications for lifeguards were received. Mr. Rietz stated that 10 lifeguards are necessary to keep the beach open. Mr. Rietz stated that we could reduce the hours the beach is open, or put up signage stating that no lifeguards are on duty. Mr. Rietz stated that swimming lessons will still be provided this summer. Council member Strom stated she would like to see signage be placed at the beach. After much discussion, Mayor Prim informed staff to contact the lifeguards and this item will be tabled to a special meeting.

Mayor Prim stated the next item on the agenda is to approve the modification on Small Cities Lien.

EDA Director Karen Lauer informed council members that at the February 18, 2015 EDA meeting, the EDA Board voted to recommend to the City Council that the amount payable from the WCMCAA for the Single Family Rehabilitation Projects be reduced to 50% or \$6,250.00. It is important to note that any monies received go back into a pool to be used for other housing rehabilitation projects.

05-11-15-09 Motion by Mr. Sylvester and second by Mr. Rick to approve the West Central Minnesota Community Action Agency for the Single Family Rehabilitation Projects request to reduce the amount payable by 50% or \$6,250.00. Any monies received will go back into a pool to be used for other housing rehabilitation projects. Motion carried.

Mayor Prim stated the next item on the agenda was the report from Blue Eagle Task Force.

City Administrator Mike Rietz informed council members that the task Force met on April 29th. There were several items that were discussed related to maintenance of the lake and how to move forward into the future. Some of the items discussed were weed control. Every year the DNR issues the city a permit detailing the areas where aquatic vegetation can be removed. The City is not allowed to remove more than 50% of the aquatic vegetation.

Water sampling data from Riverwatch shows that the water quality of the lake was very good and superior to the conditions in Whiskey Creek and the settling pond.

Another item discussed was the creation of a buffer area around the lake where the grass would be allowed to grow without mowing, or some native grasses could be allowed to grow.

Mr. Rietz stated the next meeting is scheduled for mid-July.

Mayor Prim stated the next item on the agenda was to set a work session regarding the Assessment Policy.

Mayor Prim stated that a special council meeting will be held Tuesday, June 2nd at 6:30 p.m. to discuss the Assessment policy.

Mayor Prim authorized members of the Park Board, Council members Strom and Sylvester, along with City Administrator Mike Rietz, Public Works Supt. Trevor Moen, and the Mayor to meet and make a recommendation on the Blue Eagle Lake opening date.

Mayor Prim stated the next item on the agenda was the request for bids for the telephone and cable plant tear down.

TEC Manager Guy Swenson asked council for authorization for bids to tear down the old copper telephone and cable TV infrastructure.

05-11-15-10 Motion by Mrs. Enstad and second by Mr. Sylvester to authorize staff to request bids to tear down the old copper telephone and cable TV infrastructure. Motion carried.

Mayor Prim adjourned the meeting at 8:53 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor