

**Barnesville City Council
Regular Meeting
December 10, 2018**

Mayor Prim called this regular meeting to order at 7:00 p.m. Members present were Council members Don Goedtke, David Brown, Scott Bauer, Tonya Stokka, Dawn Stuvland and Brad Field. Others in attendance were City Administrator Mike Rietz, Lukas Croaker with Ohnstad Twitchell, City Clerk Jeri Reep, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Finance Director Laurie Schell, Ambulance Manager Scott Nelson, Dan Hanson with Moore Engineering, Mike Kurkowski, Paula Thimjon, and Michael Stein with the Record Review.

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

12-10-18-01 Motion by Mrs. Stokka and second by Mr. Goedtke to approve the agenda as presented. Motion carried.

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

12-10-18-02 Motion by Mrs. Stokka and second by Mr. Goedtke 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 November 13, 2018.
2. Approval of the minutes of the special meeting held on November 26, 2018.
3. Approval of department head reports.
4. Approval of check numbers 85830-85918 and EFT payments for a total of \$725,433.28.
5. Approval of 2019 cigarette license for Barnesville Grocery, Barnesville C-Store, Farmers Coop General Store, and DG Retail, LLC.
6. Approval of 2019 liquor license for VFW Post 4628, American Legion Post 153, Ratzos Pool Hall, and Purple Goose Restaurant, LLC.
7. Approval of engagement letter for 2018 audit from CliftonLarsonAllen in the amount of \$32,000.00.
8. Approval of the resignation of Liquor Store Clerk Kay Waller.
9. Approval to hire Barry Schilling at part-time seasonal Public Works employee.
10. Approval of temporary pay adjustment for Public Works Intern Shane Durensky.
11. Approval of appointment of Council member Dawn Stuvland to: Liquor, Ordinance & Buildings, Planning Commission, Park Board and Barnesville HRA boards.
12. Approval of gambling permit for Barnesville Fire Dept for January 25, 2018.
13. Approval of gambling permit for Clay-Wilkin MDHA-December 6, 2018.
14. Appointment of Planning Commission members Michael Harbin and Dustin Korynta.

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 truth in taxation hearing presentation.

City Administrator Mike Rietz next went thru the truth in taxation hearing with council members. Mr. Rietz stated that this budget includes a property tax levy increase of 4.97%. The amount of Local Government Aid is increasing by \$1,500.00. A 4.97% levy increase generates an additional \$37,712.00 in annual revenue. Council members had no further questions for Mr. Rietz.

Mayor Prim stated the next item on the agenda was the 2019 levy resolution.

12-10-18-03 Motion by Mr. Brown and second by Mr. Bauer to approve the 2019 levy resolution. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, Brown and Field. The following voted nay: none. Motion carried.

2019 LEVY RESOLUTION
 CITY OF BARNESVILLE
 COUNTY OF CLAY, STATE OF MINNESOTA
 RESOLUTION NO. 12-10-18-03

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 payable in the year 2019, for the following purposes to-wit:

	FINAL 2018	FINAL 2019
General Fund - General	309,800	316,500
General Fund - Police/Amb	0	0
General Fund - Admin	0	0
General Fund - Parks	337,941	345,533
General Fund - Streets	0	0
General Fund - Ambulance	45,000	63,420
Total Levy for Operations	<u>692,741</u>	<u>725,453</u>
2010A GO Bond Refinanced (Fund 315)	20,000	30,000
2005A/2012 GO Bond Debt Service (Fund 312)	0	0
2013-1 INFRA IMPROVE DIST (Fund 317)	15,000	11,000
2006/2012Del Acres Gilbertson (Fund 314)	0	0

2011/2012 Front St. (Fund 316)	31,000	30,000
Total Levy for Debt	66,000	71,000
TOTAL LEVY	758,741	796,453
Before Tax Capacity	105.00%	104.97%
After Tax Capacity	5.00%	4.97%

Adopted this 10th day of December, 2018

Approved this 10th day of December 2018

Eugene Prim
Mayor

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the 2019 budget resolution.

12-10-18-04 Motion by Mr. Brown and second by Mr. Bauer to approve the 2019 budget resolution. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, Brown and Field. The following voted nay: none. Motion carried.

CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA
FINAL 2019 BUDGET
RESOLUTION 12-10-18-04

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 2019 Final Budget be adopted.

I. 2019 Budget \$10,072,322

Adopted this 10th day of December, 2018

Approved this 10th day of December, 2018

Eugene Prim
Mayor

Attest:

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the 2019 employee wages.

12-10-18-05 Motion by Mr. Brown and second by Mrs. Stuvland to approve the following 2019 employee wages. Motion carried.

Michael Rietz	\$48.85
Jeri Reep	31.75
Laurie Schell	29.35
Shana Cihak	23.35
Holly Aberle	14.49
Guy Swenson	40.52
Laurie Ernst	14.43
Ryan Beattie	27.08
Mark Pearson	27.72
Chris Olson	27.08
Jeff Tharldson	27.08
Jesse Atteberry	23.93

Dean Ernst	37.03
Shannon Jablonsky	15.50
Janice Rice	12.36
Paul Downing	16.55
Jared Hansen	16.44
Bill Braton	18.50
John Iverson	11.98
Joseph Schindler	11.96
Shane Durensky	25.09
Mike Pearson	30.30
Elliott Goheen	32.42
Kasondra Miller	9.86
Kevin Klevberg	10.10
Sierra Lien	10.10
Randi Trowbridge	16.12
Karen Batton	9.86
Sandra Schmidt	11.50
Chanda Christianson	9.86
Karen Lauer	34.71
Bailey Thompson	16.48
Scott Nelson	22.64
Pro Shop Manger	15.00

Mayor Prim stated the next item on the agenda was the update on property at 508 6th Street NW.

City Administrator Mike Rietz updated council members on the status on the property at 508 6th Street NW. Mr. Nicholas Aadland regained ownership of the property in mid-November. Building inspector Sid Fossan and City Administrator Mike Rietz met with a contractor that was interested in the property the last week of November. The potential buyer is interested in the property, and have completed projects like this in the Fargo-Moorhead area. Mrs. Paula Thimjon questioned about the deadline and how long the council will grant Nick Aadland to sell the property. Council members had no further questions.

Mayor Prim stated the next item on the agenda was the approval of agreement with KLJ to terminate services.

City Administrator Mike Rietz stated that now that we have identified a new engineering firm, staff recommends approving Amendment #3 to our contract with KLJ Engineering.

12-10-18-06 Motion by Mrs. Stuvland and second by Mr. Bauer to terminate engineering services with KLJ Engineering effective January 1, 2019 and authorize staff to sign the Amendment No. 3. Motion carried.

Mayor Prim stated the next item on the agenda was to approve the contract with North West Services.

City Administrator Mike Rietz informed council members that the contract with North West Services for management of our water and wastewater systems has been reviewed by our city attorney. Staff recommends approval of the contract.

12-10-18-07 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the 3-year contract with North West Services. Motion carried.

Mayor Prim stated the next item on the agenda was the appointment of a City Engineer.

Council member Stokka stated she would like to recuse herself from this agenda item due to a conflict of interest.

City Administrator Mike Rietz stated that he has completed the reference's for Moore Engineering, and the responses were very favorable. This supports the Council's consensus to move forward with Moore Engineering as the City Engineer.

12-10-18-08 Motion by Mr. Field and second by Mr. Brown to approve Moore Engineering as the City Engineer. Mr. Dan Hanson with Moore Engineering thanked the City Council for the opportunity to provide engineering services with the City. Motion carried.

Mayor Prim stated the next item on the agenda was the property maintenance fines at 124 5th Street NE.

City Administrator Mike Rietz stated that the Police, Fire and Ambulance committee is recommending to take no action at this time on the property maintenance fines for this property. Mr. Rietz stated that the fines are still in place, but the fines will not be certified to the County at this time.

Mayor Prim stated the next item on the agenda was the variance request at 202 3rd Ave. SE.

City Administrator Mike Rietz stated that this variance is for a 2-foot variance to the front setback, and a 13% variance from the 35% lot coverage limitation to allow for an addition to the adult foster care facility. The Planning Commission recommends approval of this variance request.

12-10-18-09 Motion by Mr. Bauer and second by Mr. Goedtke to approve the variance request at 202 3rd Ave. SE. Motion carried.

Mayor Prim stated the next item on the agenda was the Resolution ordering the improvement and preparation of plans for the Commercial Condo project.

City Administrator Mike Rietz stated that this Resolution is necessary for the next step in the process for the Commercial Condo project in the Commercial Park.

12-10-18-10 Motion by Mr. Bauer and second by Mrs. Stokka to approve the Resolution Ordering the Improvement and Preparation of Plans. Upon a roll call vote, the following voted aye: Council members Stokka, Goedtke, Stuvland, Bauer, Brown and Field. The following voted nay: None. Motion carried.

**CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA**

RESOLUTION NO. 12-10-18-10

Resolution Ordering the Improvement and Preparation of Plans

1. WHEREAS, a certain petition requesting the installation of water and sanitary sewer to a parcel South of 4th Ave. NE located in the West 190 feet of Block 1, Lot 4 Barnesville Commercial Park 3rd Addition was duly presented to the council on the 9th day of July, 2018, and
2. WHEREAS, pursuant to resolution of the council adopted July 9, 2018, a report has been prepared by Scott Kolbinger with KLJ with reference to proposed Improvement No. 2019-01 regarding, and this report was received by the council on August 13, 2018.

BE IT RESOLVED BY THE CITY COUNCIL OF Barnesville, Minnesota:

1. The council finds and determines that said petition was signed by all owners of real property abutting upon the street(s) named as the location of the improvement.
2. Such improvement is hereby ordered as proposed in the council resolution adopted August 13, 2018.
3. The city's planning commission has reviewed the proposed capital improvement and reported in writing to the Council its findings as to compliance of the proposed improvement with the comprehensive municipal plan.
4. Dan Hanson with Moore Engineering is hereby designated as the engineer for this improvement, Improvement No. 2019-01. He shall prepare plans and specifications for the making of such improvement.
5. The city council declares its official intent to reimburse itself for the costs of the improvement from the proceeds of tax-exempt bonds.

Adopted by the council this 10th day of December, 2018.

Mayor

City Clerk

Mayor Prim stated the next item on the agenda was the 2019-2020 Police union contract.

City Administrator Mike Rietz stated that the union contract for the Police Dept. has been negotiated with the union for a 2-year agreement that includes wage increases of 2.5% in 2019, and 3% in 2020. The Personnel & Finance committee recommend approval of the contract.

12-10-18-11 Motion by Mr. Field and second by Mr. Brown to approve the 2019-2020 union contract with Teamsters Local 120. Motion carried.

Mayor Prim stated the next item on the agenda was the 2nd reading of Ordinance 2018-06 regarding moved buildings.

City Administrator Mike Rietz stated that the Planning Commission is recommending the changes to the Moved Buildings section of the Zoning Code. One section relates to the moved accessory buildings, and the other one relates to houses and other primary structures. The house section adds language that only allows houses to be moved in that meet the State Building Code.

12-10-18-12 Motion by Mrs. Stokka and second by Mr. Goedtke to approve the 2nd reading of Ordinance 2018-06. Motion carried.

ORDINANCE NO. 2018-06

AN ORDINANCE TO AMEND AND REENACT SECTION 7-0215, SUBDIVISION 1 OF CHAPTER 7-02 OF THE MUNICIPAL CODE, MOVED BUILDINGS.

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

SECTION 1. Chapter 7-02, Section 7-0215, Subd. 1 of the Municipal Code of the City of Barnesville is hereby amended and reenacted to read as follows:

SEC. 7-0215. MOVED BUILDINGS.

Subd. 1. Subject to Subd. 2 hereof, no building over 150 square feet will be moved within or into the City without having first obtained a conditional use permit (CUP). Any such building allowed by a CUP shall, at a minimum, blend into the neighborhood to which it is moved and have an appearance in harmony with surrounding structures. This section does not apply to newly built modular homes that arrive in two or more sections and are assembled on site. Prior to moving a building onto the site, a foundation must be completed so that the building may be placed on it upon its arrival to the site. In addition, the following factors shall be considered and the following requirements shall apply :

a. Accessory Buildings

1. Before any building is moved from one location to another within the City, or from a point of origin without the City to a destination within the City, regardless of the

route of movement, it shall be inspected by the City's Building Official and a building permit shall have been issued for at least the work necessary to bring it into full compliance with the State Building Code and any applicable section of the Barnesville Zoning Code.

2. Whether such structure is so structurally unsafe that it could not be moved or placed onto its destination without endangering persons or property in the City.

3. Whether the structure is structurally sound and capable of meeting building code requirements subsequent to the move.

4. Whether the structure and its placement meet all requirements Title 7 of the City Code (the Zoning Code)

b. Houses, Structures with Dwelling Space and Other Primary Structures

1. The building to be moved in must comply in all respects with the State Building Code and other state rules and city code provisions.

2. If a CUP is approved, a cash deposit or performance or completion bond in an amount set in the CUP shall be filed with the City Clerk prior to a moving permit being issued, and be signed by a good and sufficient surety, setting forth the completion date therein. Such bond is for the purpose of insuring that alterations and repairs to the structure to bring it up to code as required in the building permit are accomplished.

3. Whether such structure is so structurally unsafe that it could not be moved or placed onto its destination without endangering persons or property in the city.

4. Whether the structure and its placement meet all requirements Title 7 of the City Code (the Zoning Code)), including whether the use of the underlying property subsequent to the placement of the structure on the property would require additional or separate structures.

5. No person, except a state licensed house mover, shall remove, raise or support free of its foundation any building or structure within the limits of the city, and every person, before engaging in the occupation of moving, raising or supporting and building or structure, shall have and obtain such license therefor. This requirement shall not be construed as preventing the owners of a building or structure from personally raising, moving or supporting such building or structure upon their own premises.

PASSED AND ADOPTED by the Barnesville City Council this 10th day of December, 2018.

APPROVED:

Eugene Prim
Mayor

ATTEST:

Jeri Reep
City Clerk

Mayor Prim stated the next item on the agenda was the approval of the summary Ordinance 2018-06.

12-10-18-13 Motion by Mrs. Stokka and second by Mrs. Stuvland to approve the Summary Ordinance 2018-06. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2018-06

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An Ordinance to Amend and Reenact Section 7-0215, Subdivision 1 Of Chapter 7-02 of the Municipal Code, Moved Buildings.

2. Summary of Ordinance:

This ordinance makes changes to the City Code section related to moved building and includes language requiring the State Building Code to be met prior to a house being moved, use of a licensed mover and a bond or similar instrument being provided to finish the project.

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 10th day of December, 2018.

APPROVED:

Eugene Prim, Mayor

ATTEST:

Jeri Reep, City Clerk

Mayor Prim stated the next item on the agenda was the Resolution of Support for the Transportation Alternatives Grant.

City Administrator Mike Rietz stated that this resolution is required for a grant application that we will be submitting to fund the construction of a trail on the East side of Front Street.

12-10-18-14 Motion by Mr. Goedtke and second by Mrs. Stokka to approve the Resolution of Support for the Transportation Alternatives Grant. Upon a roll call vote, the following voted aye: Council member Stokka, Goedtke, Stuvland, Bauer, Brown, and Field. The following voted nay: none. Motion carried.

CITY OF BARNESVILLE
COUNTY OF CLAY
STATE OF MINNESOTA
RESOLUTION NO. 12-10-18-14

RESOLUTION OF THE CITY OF BARNESVILLE
CITY COUNCIL

WHEREAS, the federal government has developed and passed a new transportation bill referred to as FAST Act that establishes a consolidated program called the Transportation Alternatives program (TA) that provides funding for a variety of alternative transportation projects; and

WHEREAS, the City of Barnesville wishes to establish and apply for TA funding as an objective for the complementary purposes of ensuring quality of life, economic competitiveness and environmental health objectives and safe access to public facilities; and

WHEREAS, the City of Barnesville agrees to cover the project cost/match, and also maintain the facility for its useful life; and

THEREFORE BE IT RESOLVED, the City of Barnesville hereby declares its support for the TA policies, and further directs current, and future, City of Barnesville management to include in future transportation maintenance, reconstruction and construction plans for the City of Barnesville to accommodate and implement the principles of the program to the greatest extent feasible.

Motion by City Council Member Goedtke and seconded by Council Member Stokka, the foregoing resolution and it was declared adopted upon the following vote. YEAS: Council members Stokka, Goedtke, Stuvland, Bauer, Brown and Field. NAYS: City Council member: none, Absent: none.

Adopted this 10th day of December, 2018.

Eugene Prim, Mayor

Attest:

Jeri Reep, City Clerk

Mayor Prim adjourned this portion of the council meeting at 7:45 p.m. Mayor Prim stated the council would be going into a closed session for the annual evaluation of City Administrator Mike Rietz.

12-10-18-15 Motion by Mrs. Stokka and second by Mrs. Stuvland to go into closed session for the annual evaluation of City Administrator Mike Rietz. Motion carried and the meeting was closed at 7:45 p.m.

12-10-18-16 Motion by Mrs. Stokka and second by Mrs. Stuvland to return to open session. Motion carried and the meeting was back in open session at 8:00. It was reported that the evaluation of City Administrator was completed and with a satisfactory performance rating.

Meeting adjourned at 8:01 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor