

Barnesville City Council
Regular Meeting
December 12, 2016

Mayor Gene Prim called this regular meeting to order at 7:00 p.m. Members present were Council members Jason Rick, Don Goedtke, Betty Strom, Larry Davis, Jr., Dawn Stuvland and Brad Field. Others in attendance were City Administrator Mike Rietz, Chris McShane with Ohnstad Twitchell, City Clerk Jeri Reep, Finance Director Laurie Schell, TEC Manager Guy Swenson, EDA Director Karen Lauer, Police Chief Dean Ernst, Ambulance Director Scott Nelson, Liquor Store Manager Randi Trowbridge, and Michael Stein with the Record Review.

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

12-12-16-01 Motion by Mr. Davis and second by Mrs. Stuvland to approve the agenda as presented. Motion carried.

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

12-12-16-02 Motion by Mr. Davis and second by Mr. Rick 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 November 14, 2016.
2. Approval of the department head reports.
3. Approval of the check numbers 82824 – 82936 in the amount of \$334,491.78 and EFT payments in the amount of \$250,746.67.
4. Approval of the 2017 Liquor License to the VFW Post 4628, American Legion Post 153, Ratto's Pool Hall and Purple Goose Endeavors.
5. Approval of the 2017 cigarette license to the Barnesville Grocery, Barnesville C-Store, Farmers Coop General Store and DG Retail, LLC.
6. Approval of the gambling permit for Clay-Wilkin MCHA-December 1, 2016.
7. Approval to hire Wayne Nosal as a Seasonal Part-time Public Works Employee at \$14.50 per hour.
8. Approval of the School Resource Office contract renewal.
9. Approval of the re-appointment of Rick Hamman and Paul Karsnia to the Planning Commission.
10. Approval of the re-appointment of City Administrator Mike Rietz and EDA Director Karen Lauer (alternate) as the City's representatives to the F-M Metro COG.
11. Approval of the Engagement letter for the 2016 audit with CliftonLarsonAllen.

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

Council members reported on the boards and commission they serve 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 liquor store public hearing.

12-12-16-03 Motion by Mr. Davis and second by Mrs. Stuvland to open the public hearing for the liquor store operations at 7:05 p.m. Motion carried.

City Administrator Mike Rietz stated that a hearing may need to be held next year also. According to State Statute, a liquor store that has lost money 2 out of the last 3 years is required to hold a public hearing to consider the question of continuing to run a municipal liquor store. In 2014, the shortage was \$3,885.26, and in 2015 the shortage was \$312.70. The council may choose to continue to operate the store, or you could submit the question of whether to continue to the voters at a future election. Mr. Rietz stated that this was discussed at the liquor store portfolio meeting.

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

12-12-16-04 Motion by Mr. Field and second by Mr. Goedtke to close the public hearing on the liquor store operations at 7:10 p.m. Motion carried.

12-12-16-05 Motion by Mr. Rick and second by Mr. Goedtke to continue the operations at the municipal liquor store. Motion carried.

Mayor Prim stated the next item on the agenda was the Truth-in-Taxation hearing.

City Administrator Mike Rietz next presented the 2017 Truth in Taxation presentation. Mr. Rietz stated that the proposed levy increase is 4.49%. The rate is a decrease of an estimated 1.2% due to the increase in the tax base. If your property value does not change, that would mean your City property taxes would decrease. The transfer into the General Fund is \$11,089.00 less than last year. The transfer from the electric fund went down, and the transfer from the telephone and broadband increased. The City is transferring 85% of the Enterprise net income into the General Fund.

Mayor Prim asked if council members had any questions. Council members had no questions for Mr. Rietz. Mayor Prim thanked staff and the personnel and finance portfolio for their work completed on the 2017 budget.

12-12-16-06 Motion by Mr. Rick and second by Mr. Field to approve the 2017 levy resolution. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Stuvland, and Field. The following voted nay: none. Motion carried.

2017 LEVY RESOLUTION
 CITY OF BARNESVILLE
 COUNTY OF CLAY
 STATE OF MINNESOTA
 RESOLUTION NO. 12-12-16-06

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 2017, for the following purposes to-wit:

	FINAL	PRELIM
	2016	2017
General Fund - General	252,595	246,750
General Fund - Police/Amb	0	0
General Fund - Admin	0	0
General Fund - Parks	323,900	357,168
General Fund - Streets	0	0
General Fund - Ambulance	45,000	45,000
Total Levy for Operations	<u>621,495</u>	<u>648,918</u>
2010A GO Bond Refinanced (Fund 315)	0	30,000
2005A/2012 GO Bond Debt Service (Fund 312)	0	0
2013-1 INFRA IMPROVE DIST (Fund 317)	6,203	7,500
2006/2012Del Acres Gilbertson Pre-Levy (Fund 314)	32,825	5,175
2011/2012 CSAH (Fund 316)	31,000	31,000
Total Levy for Debt	<u>70,028</u>	<u>73,675</u>
TOTAL LEVY	<u>691,523</u>	<u>722,593</u>
Before Tax Capacity	105.00%	104.49%
After Tax Capacity	5.00%	4.49%

Adopted this 12th day of December, 2016

Approved this 12th day of December, 2016

FINAL NUMBER FOR
 BUDGET

RESOLUTION
9,465,027

Eugene Prim
Mayor

ATTEST:

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the 2017 budget resolution.

12-12-16-07 Motion by Mr. Field and second by Mr. Rick to approve the 2017 budget resolution. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Stuvland, and Field. The following voted nay: none. Motion carried.

CITY OF BARNESVILLE
CLAY COUNTY, MINNESOTA
2017 FINAL BUDGET
RESOLUTION 12-12-16-07

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 2017 Final Budget be adopted.

I. 2017 Budget \$9,465,027

Adopted this 12th day of December, 2016

Approved this 12th day of December, 2016

Eugene Prim
Mayor

Attest:

Michael Rietz
City Administrator

Mayor Prim stated the next item on the agenda was the 2017 employee wages.

12-12-16-08 Motion by Mr. Rick and second by Mrs. Stuvland to approve the 2017 employee wages. Motion carried.

Michael Rietz	45.82
Jeri Reep	29.93
Laurie Schell	27.13
Shana Cihak	22.01
Holly Aberle	13.50
Guy Swenson	37.46
Laurie Ernst	13.51
Ryan Beattie	25.78
Mark Pearson	27.38
Chris Olson	26.78
Jeff Tharaldson	25.78
Dean Ernst	34.90
Shannon Jablonsky	13.85
Janice Rice	11.60
Trevor Moen	30.90
Paul Downing	15.11
Ryan Erdmann	16.00

Bill Braton	16.55
John Iverson	11.00
Joseph Schindler	9.74
Shane Durensky	22.80
Mike Pearson	28.57
Elliott Goheen	30.26
Kay Waller	12.15
Rogena Fronning	9.70
Lindsay Johnson	9.70
Randi Trowbridge	15.19
Sandra Schmidt	10.40
Melissa Vasfaret	9.70
Karen Lauer	29.92
Bailey Holzbauer	15.02
Scott Nelson	21.14
BJ Carlson	12.63
EMT PT	10.25

Mayor Prim stated the next item on the agenda was the configuration of parking spaces at the parking lot near Friendship Park.

City Administrator Mike Rietz stated that in the spring of 2017 the city will be paving the parking lot west of Friendship Park. Staff would like some input on the parking spaces and how to stripe it for parking. Mayor Prim questioned if we wanted to purchase property from Mr. Cris Mortensen. Council member Strom stated that she would like this item to be placed on the January regular council agenda to discuss the drainage on this property. Mayor Prim stated that after the discussions, there is no need to discuss any purchasing of property from Mr. Mortensen.

Mayor Prim stated the next item on the agenda was the clean-up of property at 908 Front Street South.

City Administrator Mike Rietz stated that on November 22nd, the County Board transferred the former Braton property at 908 Front Street South to the City. Mr. Rietz stated that he has spoken to Public Works Supt Trevor Moen about putting together a plan to clear the debris from the property. The goal is to get this work completed by early spring, depending on the weather. EDA Director Karen Lauer has contacted a company in regards to the environmental part of the clean-up. Mrs. Lauer has also done some research into grant programs that would provide assistance with those clean-up costs. Mr. Rietz stated that once all the steps are completed, the property will be ready for re-sale.

Mayor Prim stated the next item on the agenda was the 2nd reading of Ordinance 2016-10.

City Administrator Mike Rietz stated that no changes have been made to this Ordinance since the first reading. Liquor, Building and Ordinance portfolio recommend approval of this Ordinance.

12-12-16-09 Motion by Mr. Rick and second by Mr. Goetke to approve the 2nd reading of Ordinance 2016-10. Motion carried.

**CITY OF BARNESVILLE
ORDINANCE 2016-10
AN ORDINANCE AMENDING CHAPTER 3-05, SEC. 3-0501 OF THE
MUNICIPAL CODE REGARDING RENTAL UNIT REGISTRATION**

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

CHAPTER 3-05, SECTION 3-0501 is amended to read as follows:

SEC. 3-0501. RENTAL UNIT REGISTRATION AND REGULATIONS.

Subd. 1. Purpose and Intent.

A. It is the purpose of this Section to protect the public health, safety and welfare of the community at large and the residents of rental dwellings in the City.

B. It is the intent of this Section that a permanent mode of protecting and regulating the living conditions of citizens of the City be established; and that uniform standards be established and applicable for all rental dwellings in the city.

Subd. 2. Definitions. The following terms, as used in this Section, shall have the meanings stated:

A. Rental Unit means any room or group of rooms located within a dwelling and forming a single habitable unit.

B. Dwelling means any building, including a manufactured home (mobile home) as defined in MS 327.31 Subd. 6, which is intended to be used for living or sleeping by human occupants.

C. Rental means the leasing of a rental unit to a non-owner for a fixed or non-fixed period of time, and shall include "lease to buy, contract for deed, installment sales, purchases@,and other similar arrangements whereby nonpayment of a periodic payment means the occupants may be evicted without the necessity of either a statutory mortgage foreclosure procedure, a statutory termination of contract for deed procedure, or a statutory repossession procedure.

Subd. 3. Registration Requirements. It is unlawful for any person to hereafter occupy, allow to be occupied or let to another person for occupancy any rental unit within the City

for which a rental unit registration has not been issued by the City Clerk. An application for registration shall be made upon forms furnished by the City for such purpose and shall specifically require the following minimum information:

A. Name, address, phone number and FAX number (if owner has one) of the property owner.

B. Name, address, phone number and FAX number (if manager has one) of the designated local property manager. There must be an owner or local property manager residing within a 60 mile radius of the City.

C. The street address of the rental property.

D. The number and types of units within the rental property (dwelling units or sleeping rooms).

E. The maximum number of occupants permitted for each dwelling unit or sleeping room.

F. The name, phone number, FAX number and address of the person authorized to make or order made repairs or services for the property if in violation of State codes or City Code provisions, if the person is different than the owner or local manager.

Subd. 4. Exemptions. This Section shall not apply to campus dormitory and campus residence units, hospital units, nursing home units, retirement home units, or other similar units which are otherwise licensed by the State of Minnesota or the City.

Subd. 5. Manner of Registration Renewal. Registration shall be required for each calendar year and be issued prior to January 1 of each year. The City shall be required annually to mail renewal forms to the property owner or designated local manager on or before October 1 of each year, and such renewal forms may be returned by mail, at the property owner or designated local manager's risk, to the City Clerk.

Subd. 6. Transfer of Property. Every new owner of a rental unit (whether as fee owner or contract purchaser) shall be required to furnish to the City Clerk the new owner's name, address and phone number, and the name, address and phone number of the owner's designated local manager before taking possession of the rental property upon closing of the transaction. No registration fee shall be required of the new owner during the year in which possession takes place, provided that the previous owner has paid all registration fees and has complied with all requirements of this Section and any violations of health, zoning, fire or safety codes of the City. If any change in the type of occupancy as originally registered is contemplated by the new owner, a new registration application will be required.

Subd. 7. Posting of Registration. Each registration holder must post the annual registration issued by the City in a conspicuous spot near the front entrance to the rental unit, a public corridor, hallway, or lobby of the rental dwelling for which it is issued.

Subd. 8. Fees. The fees for registration, a registration renewal, a late fee, and inspection fees shall be in the amount set by consolidated ordinance of the Council and amended from time to time.

(SEE SEC. 1-0904, FEES, RATES AND CHARGES SCHEDULE)

Subd. 9. Maintenance of Records. All records, files and documents pertaining to the Rental Registration and Rental Unit Inspection Program shall be maintained by the City Clerk and made available to the public as allowed or required by State law or City Code provisions.

Subd. 10. Background Checks. The owner of the rental unit is required to perform a criminal background check for all new tenants prior to leasing the unit to that tenant. To satisfy this requirement, the owner may request a local record check from the Barnesville Police Department and the police department will provide that service free of charge. Failure to conduct this background check may subject the owner to administrative fines as described in Sec. 1-1004 of the City Code.

Subd. 11. Emergency Lock Boxes. Secured multi-unit buildings are required to have an emergency lock box. The Barnesville Fire Department will purchase these lock boxes and the owner will be responsible for the cost of the box and its installation. This will give emergency personnel access to the common areas of the building. Failure to install an emergency lock box may subject the owner to administrative fines as described in Sec. 1-1004 of the City Code.

Subd. ~~10~~ 12. Maintenance Standards. Every rental unit shall be maintained in accordance with the building standards of the City and of the State of Minnesota, and in a manner so as not to create a nuisance pursuant to the City Code.

Subd. ~~11~~ 13. Inspections and Investigations.

A. Fire Department personnel, police officers, the City Clerk and the City Building Code Officials are hereby authorized to make inspections reasonably necessary to the enforcement of this Section.

B. All persons authorized herein to inspect shall have the authority to enter, at all reasonable times, any rental dwelling or rental unit which is registered pursuant to the provisions of this Section.

C. Persons inspecting any rental dwelling or rental unit as provided herein shall notify the registration holder of all violations, if any, by written notice. Said notice shall direct that compliance be made immediately and that the property will be reinspected in not less than fifteen (15) days, unless extended by the compliance official based on good cause.

D. A registration holder may appeal a compliance order by filing a written appeal with the City Clerk within ten (10) days of the date of the compliance order. The City Clerk shall schedule a hearing within ten (10) days of the filing of the notice of appeal. Enforcement of the compliance order shall be stayed pending the decision of the City Clerk on the appeal.

E. The fees charged for inspections and reinspection of rental property as relating to this Section shall be determined by the Council.

(SEE SEC. 1-0904, FEES, RATES AND CHARGES SCHEDULE)

Subd. ~~12~~ 14. Conduct on Registered Premises. It shall be the responsibility of the licensee to see that persons occupying the licensed premises conduct themselves in such a manner as not to cause the premises to be disorderly.

A. For purposes of this Section, a premises is disorderly at which any of the following activities occur:

1. Conduct which constitutes a violation of the Public Nuisance provisions of the City Code.

2. Conduct which constitutes a violation of the City Code and State Statute relating to noisy parties and other unnecessary and loud noises.

3. Conduct which constitutes a violation of laws relating to the possession of controlled substances, as defined in State Statute, Section 152.07 et. seq.

4. Conduct which constitutes a violation of the City Code relating to disorderly conduct or creating a breach of the peace, or violation of laws relating to disorderly conduct as defined in State Statute, Section 609.72.

5. Conduct which constitutes a violation of the City Code relating to minor possessing or consuming alcohol relating to providing alcohol to minors, or violation of State Statute, Sections 340A.701 and 304.702 relating to sale of intoxicating liquor.

6. Conduct which constitutes a violation of the City Code relating to prostitution and indecent exposure, or a violation of laws relating to prostitution or acts related to prostitution as defined in State Statute, Sections 609.321 - 609.324.

7. Conduct which constitutes a violation of the City Code relating to weapons, or laws relating to unlawful use or possession of a firearm as defined in the State Statute, Section 609.66 on the registered premises.

8. Conduct which constitutes a violation of the City Code relating to assaults, including domestic assaults, as defined in State Statute, Section 609.224.

9. Conduct which constitutes a violation of laws relating to contributing to the need for protection or services or delinquency of a minor, as defined in State Statute, Section 260.315.

10. Conduct which constitutes a violation of any other Federal law, State law, or City Code provision which would be likely to threaten, annoy or harass other tenants or other neighbors to the residential rental unit.

B. The City Clerk shall be responsible for administration of this Section. The authority to take any action authorized under this Section may be delegated by the City Clerk to an authorized person or persons.

C. Upon determination by the City Clerk or his/her designee that a rental unit registered premises was used in a disorderly manner, as described in the City Code, the City Clerk or his/her designee, shall give notice to the registration holder and the renters of the rental unit affected, of the violation and direct the registration holder to take steps to prevent further violations. This Section does not apply to the property owner who has "taken action to prevent disorderly use of the premises" as described herein.

D. If another instance of disorderly use of the rental unit registered premises occurs within three (3) months of an incident for which a notice as described above was given, the City Clerk, or his/her designee, shall notify the registration holder and the renters of the affected unit of the violation and shall request the registration holder to take action. This action will be submitted to the City Clerk, or his/her designee person, in writing, within five (5) days of receipt of the notice of disorderly use of the premises, and shall detail all the actions taken by the registration holder in response to all notices of disorderly use of the premises within the preceding three (3) months.

E. If another instance of disorderly use of the rental unit registered premises occurs within three (3) months after any two (2) previous instances of disorderly use for which notices were given to the registration holder, and the renters of the affected unit, pursuant to this Section, and the rental property owner has not "taken action to prevent disorderly use of the premises", the rental dwelling license for the premises may be denied, revoked, suspended or not renewed. An action to deny, revoke, suspend, or not renew a license under this section shall be initiated by the City Clerk who shall give to the licensee written notice of a hearing before the Council to consider such denial, revocation, suspension or non-renewal. Such written notice shall specify all violations of this section, and shall state the date, time, place, and purpose of the hearing. The hearing shall be held no less than thirty (30) days after giving such notice.

F. Following the hearing, the Council may deny, revoke, suspend or decline to renew the license for all or any part or parts of the licensed premises or may grant a license upon such terms and conditions as it deems necessary to accomplish the purposes of this section.

G. No adverse license action shall be imposed where the instance of disorderly use of the licensed premises occurred during the pendency of eviction proceedings (unlawful detainer) or within thirty (30) days of notice given by the licensee to a tenant to vacate the premises where the disorderly use was related to conduct by that tenant or by other occupants or guests of the tenant's unit. Eviction proceedings shall not be a bar to adverse license action, however, unless they are diligently pursued by the licensee. Further, an action to deny, revoke, suspend, or not renew a license based upon violation of this Section may be postponed or discontinued at any time if it appears that the licensee has taken appropriate action which will prevent further instances of disorderly use.

H. A determination that the registered premises have been used in a disorderly manner as described in this Subdivision shall be made upon a fair preponderance of the evidence to support such a determination. It shall not be necessary that criminal charges be brought in order to support a determination of disorderly use, but the incident must have resulted in the police being called to the rental unit registered premises and a police report being prepared.

I. For purposes of this Section, disorderly use of the rental unit registered premises shall mean disorderly use in the particular rental unit by the renters, occupants or guests or conduct by the tenants which constitutes disorderly use anywhere on the property of the apartment building, or home, or mobile home park in which the rental unit is situated.

J. For the purpose of this Section, participation and compliance by the rental property owner with the provisions of the "Barnesville City Rental Property Owners Partnership Program" shall meet the requirements for the rental owner "taking action to prevent further disorderly use of the premises".

Subd. 13 15. Failure to Grant Registration, Revocation, Suspension or Failure to Renew Registration.

A. The City reserves the right not to register a unit unless the rental unit or units for which registration is sought complies with the requirements of this Section.

B. Any registration issued under this Section is subject to the right, which is hereby expressly reserved by the City, to suspend, revoke, or fail to renew the same should the registration holder or their agents, employees, representatives or lessees directly or indirectly operate or maintain the rental dwellings contrary to the provisions of this Section or any other City Code provision or any special permit issued by the City, or the laws of the State of Minnesota. Provided, however, registration shall not be suspended, revoked, or failed to be renewed if the registration holder complies with a compliance order, or orders, in a timely manner.

C. The City Clerk shall notify, in writing, the applicant that his/her registration has been denied, or the registration holder that his/her registration is being suspended, removed or non-renewed. The suspension, revocation or non-renewal shall occur thirty-five (35) days after the date of the order, or at such later date as set out in the order. The notice shall be served by mailing a copy of the order to the property owner, and the designated local property manager, if any, as indicated in the records on file in the City Clerk's office.

D. If the order is appealed to the Council, the registration holder shall receive at least seven (7) days written notice of the hearing date before the Council and, at the hearing, the registration holder, the local managing agent, and/or an attorney representing the registration holder may present evidence. After the hearing, the Council may uphold the decision of the City Clerk, reverse the decision of the City Clerk, or enter a different order with different conditions if the Council deems it necessary to protect the public health, sanitation, safety or general welfare of the community at large or the residents of rental units in the City. The Council shall issue written findings of fact and its order within twenty (20) days of the hearing.

E. The decision of the Council may be appealed by the registration holder by filing an appeal or an appropriate writ with the Clay County District Court within fifteen (15) days of the date of the order of the Council.

Subd. 14 16. Summary Action.

A. When the conduct of any registration holder or their agent, representative, employee or lessee, or the condition of their rental dwelling or rental unit is detrimental to the public health, sanitation, safety or general welfare of the community at large, or residents of the rental units so as to constitute a nuisance, fire hazard, or other unsafe or dangerous condition and, thus, give rise to an emergency, the City Clerk shall have the authority to summarily condemn or close off individual rental units or such areas of the rental dwelling as necessary. Notice of summary condemnation shall be posted at the units or areas affected and shall indicate the units or areas affected. No person shall remove the posted notice, other than the Fire Marshal, City Clerk, or their designated representative. Any person aggrieved by the decision or the action of the City Clerk or Fire Marshal set out herein may appeal the decision. The hearing shall be conducted in the same manner as if the aggrieved person had not received summary action; however, the date of the hearing may be expedited with the consent of the registration holder.

B. The decision of the City Clerk set forth in Subdivision A, above, shall not be voided by the filing of such appeal. Only after the hearing by the City Council has been held will the decision or action of the City Clerk be affected.

Subd. 15 17. Applicable Laws. Registration holders shall be subject to all of the provisions of the City Code and State of Minnesota relating to rental dwellings, and this Section shall not be construed or interpreted to supersede or limit any other such applicable City Code provisions or law.

Subd. 16 18. Violations, Injunctive Relief. Nothing in this Section shall prevent the City from taking affirmative action under any of its fire, housing, zoning or other health safety codes for violations thereof to seek either injunctive relief or criminal prosecution for such violations in accordance with the terms and conditions of the particular City Code provision under which the City would proceed against the property owner, designated property manager or occupant of any residential rental dwelling unit covered by this registration and inspection section. Nothing contained in this Section shall prevent the City from seeking injunctive relief against a property owner or designated property manager who fails to comply with the terms and conditions

of this Section to obtain an order closing such rental units until violations of this particular Section have been remedied by the property owner or designated property manager.

Subd. 17 19. Severability Clause. If any section, subsection, sentence, clause, or phrase of this Section is for any reason held to be invalid, such decision shall not affect the validity of the remaining portions of this Section.

PASSED AND ADOPTED by the Barnesville City Council this 12th day of December, 2016.

Approved:

Gene Prim, Mayor

Attest:

Jeri Reep
City Clerk

First Reading	November 14, 2016
Second Reading:	December 12, 2016
Adopted:	December 12, 2016
Published:	December 19, 2016

Mayor Prim stated the next item on the agenda was the summary of Ordinance 2016-10.

12-12-16-10 Motion by Mr. Rick and second by Mr. Goedtke to approve the summary Ordinance 2016-10. Motion carried.

TITLE AND SUMMARY OF ORDINANCE NO. 2016-10

The following Ordinance is hereby published by title and summary:

1. Title of Ordinance:

An Ordinance Amending Chapter 3-05, Sec. 3-0501 of the Municipal Code Regarding Rental Unit Registration.

2. Summary of Ordinance:

This ordinance adds language requiring owners of rental units to perform a criminal background check free of charge through the police department and adds language requiring multi-unit rental buildings to have an emergency lock box.

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 12th day of December, 2016.

APPROVED:

Eugene Prim, Mayor

ATTEST:

Jeri Reep, City Clerk

First Reading: November 14, 2016
Second Reading: December 12, 2016
Adopted: December 12, 2016
Published: December 19, 2016

Mayor Prim stated the next item on the agenda was the resolution committing fund balance for specific purposes.

City Administrator Mike Rietz stated that this is a yearly resolution.

12-12-16-11 Motion by Mr. Davis and second by Mr. Goedtke to approve the resolution committing fund balance for specific purposes. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Stuvland and Field. The following voted nay: none. Motion carried.

City of Barnesville
County of Clay
State of Minnesota
RESOLUTION No. 12-12-16-11
COMMITTING FUND BALANCE
FOR SPECIFIC PURPOSES

WHEREAS, the City Council of the City of Barnesville, Minnesota, does hereby find as follows:

WHEREAS, the Governmental Accounting Standards Board’s Statement No. 54 defines committed fund balance as amounts that can only be used for specific purposes pursuant to constraints imposed by formal action of the Council,

WHEREAS, Council action is required before year end to formalize the commitment of fund balance to specified purposes,

WHEREAS, those committed amounts cannot be used for any other purpose unless the City removes or changes the specified use by taking the same type of action it employed to previously commit those amounts.

NOW, THEREFORE, BE IT HEREBY PROCLAIMED by the City, that the specific portions of fund balance in the identified funds are committed as follows:

Committed

<u>Fund</u>	<u>Description - Fund</u>	<u>Purpose</u>	<u>Amount</u>
General – 101	Maintenance – 101	Seal Coating in 2017	\$102,500
Park Board	Capital projects - 225	To finance future playground equipment.	\$ 16,625
Equipment Replacement	Police Streets Streets	To purchase police squad in 2017 To purchase street sweeper in 2018 To purchase dump truck in 2019	\$ 16,000 \$100,000 \$ 10,000

ADOPTED this 12th day of December, 2016

 Eugene Prim, Mayor

Jeri Reep, City Clerk

Mayor Prim stated the next item on the agenda was the police union contract.

City Administrator Mike Rietz informed council members that the police union contract contains a 2.5% wage increase for 2017 and 2018. Another item added to the contract was that the city will continue to pay 100% of the single health insurance premium and 80% of the family premium. Another item in the contract was to identify some minimum thresholds for receiving the Community Service incentive pay.

12-12-16-12 Motion by Mr. Davis and second by Mrs. Stuvland to approve the 2017 and 2018 Police Union contract. Motion carried.

Mayor Prim stated the next item on the agenda was the cable box rate change resolution.

TEC Manager Guy Swenson discussed with council members the changes in the programming for the Cable TV. Mr. Swenson stated that this resolution sets the rates for the Cable TV set top box rates. Additional boxes will be charged at a monthly rate, or the customer may purchase if they wish. The TEC board recommend to approve the changes set forth in the resolution.

12-12-16-13 Motion by Mr. Field and second by Mrs. Stuvland to approve the following resolution. Upon a roll call vote, the following voted aye: Council members Rick, Goedtke, Strom, Davis, Stuvland and Field. The following voted nay: none. Motion carried.

**RESOLUTION NO. 12-12-16-13
RESOLUTION SETTING 2016 CABLE TV RATES**

WHEREAS, Title VIII, Section 2-0113 of the City of Barnesville Revised City Code of 2013 provides that Cable TV Rates are to be set by resolution of the City Council; and

WHEREAS, the City of Barnesville, has received and reviewed the 2016 Cable TV Rates; and

WHEREAS, the 2016 Cable TV Rates are as follows:

Per Month equipment charges (plus applicable taxes and FCC charges)
Each Cable customer will be allowed up to two (2) Standard Definition (SD) Set Top Boxes (Old Style (Zapper)) or 1 High Definition (HD VMX1) Set Top Box (HD Required) at no charge per month.

Additional boxes will be charged at the following monthly rates:

Standard Definition (SD VMX1) Set Top Boxes \$4.95 per month per box
High Definition (HD VMX1) Set Top Boxes \$4.95 per month per box
Standard Definition (SD or HD VMX3) Personal Video

Recorder (PVR) \$10.95 per month per box

Set Top Boxes can be purchased at the following Rates:

Standard Definition (SD VMX1) Set Top Boxes Purchase Price \$66.70 per box

High Definition (HDVMX1) Set Top Boxes Purchase Price \$66.70 per box

Standard Definition (SD or HD VMX3) Personal Video Recorder (PVR)
Purchase Price \$229.00 per box

NOW, THEREFORE, BE IT RESOLVED, that the 2016 Cable TV Rates are hereby adopted by the City Council.

BE IT FURTHER RESOLVED that the approved 2016 Cable TV Rates will remain in effect until otherwise amended by resolution of the City Council.

BE IT FURTHER RESOLVED that this resolution will be effective December 13, 2016.

Dated: December 12, 2016

APPROVED:

Eugene Prim, Mayor

ATTEST:

Michael Rietz, City Administrator

Mayor Prim stated the next item on the agenda was the priority setting discussion follow-up.

Council member Rick stated that the residents on 13th would like to see 13th Street paved, and asked if a meeting possibly could be held with the residents in the future.

Mayor Prim stated that the priority setting discussion has been a good discussion for the council. Mayor Prim stated that the present council has been a good council to work with, and thanked the council members for serving on the council.

Mayor Prim adjourned the meeting at 7:45 p.m.

Submitted by:

Attest:

Jeri Reep
City Clerk

Eugene Prim
Mayor